

MADERA COUNTY TRANSPORTATION COMMISSION

EXECUTIVE MINUTES

Date: Wednesday, June 18, 2008

Time: 3:00 p.m.

Place: MCTC Board Chambers

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

Members Absent: Vern Moss – Supervisor, Madera County
Frank Bigelow – 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, Planner I
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. *SB 1507 (Oropeza) Highway Construction: School Boundaries - Oppose*

Summary: The San Joaquin Valley Regional Policy Council at its May 23, 2008 meeting, voted to oppose SB 1507 (Oropeza) which would prohibit new highway construction or reconstruction within ¼ mile of a school boundary, with exceptions for certain operational, safety and high occupancy vehicle lane projects. A copy of the letter of opposition was included in the Commissioner's packet.

The bill would devastate the Valley's transportation network, with literally dozens of projects affected that have already been funded for construction or are in some other funded phase of development. The Policy Council further explained that the Council supports Senator Oropeza's aim in reducing air pollution sources near schools; however SB 1507 fails to accomplish that goal since projects needed to help relieve traffic congestion will be stopped in their tracks. Without those projects, congestions, and a resulting debilitation in air quality, are likely byproducts. Therefore, the Policy Council opposes the bill in its current form. Included in the Commissioner's packet was a copy of the Policy Council and Commission letters of opposition.

Action: Oppose SB 1507.

B. AB 3034 (Galgiani) High Speed Rail Bond Act

Summary: The San Joaquin Valley Regional Policy Council at its May 23, 2008 meeting voted to support AB 3034. The Madera County Transportation Commission at its April 23, 2008 meeting also endorsed AB 3034 in concept. A copy of the Policy Council letter of support is included in the Commissioner's packet.

Action: Information and Discussion Only.

C. Next Federal Transportation Act – Statewide Principles

Summary: The current federal transportation authorization act, also known as the Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA – LU), will expire after September 30, 2009. The national debate on the form, content, and funding provisions of the next authorization has already begun. California will best be able to influence the debate at all levels if it can present a unified opinion on principles for the next authorization.

The document included in the Commissioner's packet represents the consensus of a broad group of California's transportation stakeholders on statewide principles for the next federal transportation act. This document was developed through a series of open meetings and workshops that began in December 2007. The California Department of Transportation and Business, Transportation and Housing Agency led the effort with extensive input from the State's metropolitan planning organizations, regional transportation planning agencies, other transportation agencies, the private sector, and multiple public interest groups.

In general, the group reached consensus on the following seven principles:

- **Ensure the financial integrity of the Highway and Transit Trust Funds.**
- **Rebuild and maintain transportation infrastructure in a good state of repair.**
- **Establish goods movement, as a national economic priority.**
- **Enhance mobility through congestion relief within and between metropolitan areas.**
- **Strengthen the federal commitment to safety and security, particularly with respect to rural roads and access.**
- **Strengthen comprehensive environmental stewardship.**
- **Streamline Project Delivery.**

In the next several months, the adopting stakeholders will use this document to raise awareness of California's intentions for the next authorization with the State's Congressional delegation, other statewide and national organizations, and candidates for national office working on authorization policy and positions. The group is timing the release of this document to influence committee staff before they begin drafting of proposals, which is expected to begin in the middle of November 2008.

Action: Accept the Statewide Principles for the next Federal Transportation Act.

D. Air District Memorandum of Understanding (MOU)

Summary: In 1992, the eight San Joaquin Valley Regional Planning Agencies (RPAs) entered into agreements with one another, as well as the Air District, to ensure a coordinated regional approach to transportation and air quality planning efforts. In 2006, the agreement among the planning agencies was updated, and the San Joaquin Valley Regional Council was formed to represent the Valley RPAs at public forums. The Policy Council is comprised of elected officials from each of the eight Valley counties.

The MOU between the eight Valley RPAs and the Air District has also been updated to reflect the continuing cooperation of all agencies. The MOU does not provide for any significant changes from the current policies, but does reinforce existing work efforts. The Regional Policy Council approved the MOU on May 23, 2008. Upon approval by the Air District, the MOU will be signed by a representative from each of the RPAs.

Action: Approve and Authorize signature of the MOU.

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

IV. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. PUBLIC HEARING: Draft 2009 Federal Transportation Improvement Program (FTIP) and Air Quality Conformity Determination and Draft 2009 Interim Federal Transportation Improvement Program

Summary:

**NOTICE OF PUBLIC HEARING ON THE
DRAFT 2009 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM AND
CORRESPONDING AIR QUALITY CONFORMITY ANALYSIS
AND
THE DRAFT 2009 FEDERAL INTERIM TRANSPORTATION IMPROVEMENT PROGRAM**

NOTICE IS HEREBY GIVEN that the Madera County Transportation Commission (MCTC) will hold a public hearing on June 18, 2008 at 3:00PM at the MCTC Board Room at 2001 Howard Road, Suite 201, Madera , CA 93637 regarding the Draft 2009 Federal Transportation Improvement Program (FTIP) and Corresponding Air Quality Conformity Analysis and the Federal Draft 2009 Interim Transportation Improvement Program (Interim TIP). The purpose of the hearing is to receive public comments.

- The 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.
- The Air Quality Conformity Analysis contains the documentation to support a finding that the 2009 FTIP and 2007 RTP meets the air quality conformity requirements for ozone and particulate matter.
- The Interim FTIP has been prepared concurrently with the FTIP and contains only the transportation projects that may proceed if the conformity analysis cannot be adopted.

A concurrent 30-day public review and comment period will commence on May 16, 2008 and conclude the day of the public hearing on these matters. The draft documents are available for review at the MCTC office, located at 2001 Howard Road, Suite 201, Madera, CA 93637 and on our website at <http://www.maderactc.org/>.

Public comments are welcomed at the hearing, or may be submitted in writing by June 18, 2008 at 3:00PM 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 July 23, 2008 at 3:00PM. 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
559-675-0721
derek@maderactc.org

3:15 p.m. Chairman Armentrout opened the floor for Public Comment.

Being not Public Comment, Chairman Armentrout closed for floor at 3:16 p.m.

Action: PUBLIC HEARING: Conclude 30-Day Public Review and Comment Period.

B. Draft San Joaquin Valley Blueprint – Madera County Blueprint

Summary: Enclosed in the Commissioner's packet are the Draft Madera County Blueprint Report and the Final Draft Alternative Scenario Maps. The Madera Blueprint Roundtable Committee is scheduled to meet on June 16, 2008 to obtain a consensus on a recommendation for a Preferred Scenario to be selected by the MCTC Policy Board at its July 23, 2008 meeting for submittal to the San Joaquin Valley Blueprint effort. Summaries of the alternative scenarios are below:

Status Quo

This scenario was to evaluate the impacts of growth as it has happened and would continue without a shift in direction. The densities of residential uses and the intensity of employment uses were kept at prevailing trends. The distribution of jobs and household types were also kept to the prevailing present trend. The transportation infrastructure considered was limited to new freeway off-ramps and the existing regional transit network. Preservation of agricultural lands and environmentally sensitive land was given some considerations.

Low Change

This scenario was developed as a variant of the *Status Quo scenario* wherein the demand for the different housing types would shift slightly towards higher densities, and the sizes of lots would reduce by 15-20% for single family and multi family parcels. The transportation infrastructure considered was similar to the status quo, but an enhanced transit system based upon the existing regional transit network was utilized. Preservation of agricultural lands and environmentally sensitive land was given more consideration than the *Status Quo Scenario*.

Moderate Change

This scenario shifts further, the demand for housing towards higher densities. In addition to the housing shift, it also assumes a change in the distribution of employment from retail to more service and industrial oriented jobs. The transportation infrastructure builds on top of the previous scenarios with the addition of BRT routes connecting city centers of Madera and Chowchilla to Rio Mesa/Southeast Madera where an LRT line along the SR41 corridor would come in from Fresno. Preservation of agricultural lands and environmentally sensitive land was given similar consideration than the *Low Change Scenario*.

Major Change

This scenario assumes a paradigm shift in the demographics of the county, wherein there would be a stronger demand for urban living and service oriented jobs within the urban centers. The assumption would double the share of housing 30 percent for high density residential, while significantly reducing rural residential and agricultural residential in the county. The transportation infrastructure enhances the BRT routes within the cities of Madera and Chowchilla and adds an additional LRT stop further north into Southeast Madera. Preservation of agricultural lands and environmentally sensitive land was given the highest consideration of all of the *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 May 16, 2008

Included in the Commissioner's packet was a copy of the May 16, 2008 Executive Minutes for review.

Action: Approve Executive Minutes of May 16, 2008.

B. Final Transportation Development Act (LTF & STA) – Fund Estimates and Allocation,, LTF Resolution 08-09 and STA Resolution 08-10

Summary: MCTC releases preliminary TDA apportionment estimates in February of each year to provide timely budget information for the City of Madera, City of Chowchilla, and County of Madera. The State has released the population and housing estimates for California cities and counties. Included in the Commissioner's packet was a copy of the final TDA apportionment that reflects the population changes.

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 2008-09 is **\$4,092,069** (decrease \$1,023 from FY 2007/08). 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 2008-09, there is \$742,788,744 budgeted according to the most current information from the Department of Finance. STA allocation estimate for Madera County is \$1,466,555 (increase \$843,153) from FY 2007/08).

Action: Approve Final Transportation Development Act (LTF & STA) – Allocations, LTF Resolution 08-09 and STA Resolution 08-10.

C. 2007/08 Local Transportation Fund – Resolution 07-10 Amendment No. 4

Summary: The County of Madera has requested to reallocate their 2007/08 LTF Funds reducing "Street Maintenance" from \$1,944,521 to \$1,937,321 and to add "Transportation Services – Senior/Escort MCCA" in the amount of \$7,200 by amending their 2007/08 LTF application.

Action: Approve Resolution 07-10 Amendment No. 4.

Administrative Consent Calendar Action

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

VII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. 2008 Salary / Fringe Benefit Survey

Summary: The Commission retained Bryce Consulting Inc. to conduct the 2008 Salary/Fringe Benefit Survey. Shellie Anderson from Bryce Consulting will present the findings and recommendations.

Action: Upon motion by Commissioner Poythress, seconded by Commissioner Wheeler to authorize staff to prepare an amendment to the 2008-09 Overall Work Program to incorporate the 2008 Salary / Fringe Benefit Survey recommendations. A vote was called and the motion carried.

MCTC Sitting as the Madera County 2006 Transportation Authority

VIII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. KNN Debt Issuance Proposal

Summary: We are looking forward to continuing our work with the Madera County Transportation Authority (the "Authority") to finance various projects through the issuance of the 2009 Sales Tax Revenue Bonds (the "Bonds"). Per your request, this memo sets forth KNN Public Finance's ("KNN") proposed fee for municipal finance advisory services associated with the Bonds.

KNN proposes a fixed transaction fee of \$95,000 for this engagement. This transaction fee is payable from bond proceeds and is only paid if the bond offering is completed. The fee covers the scope of services as described in Exhibit A which commence with the start ("kick-off") of the bond offering process. Our fee proposal assumes a new money issue of fixed rate tax-exempt bonds with a par amount of up to \$10 million that will close by the end of June 2009. Also, KNN would seek reimbursement for reasonable out-of-pocket expenses not to exceed \$5,000 (assuming no out-of-State travel).

MCTC Staff provided a verbal report on the pros and cons of Private Placement Bonds vs. Public Offering Bonds. A summary page was included in the Boards packet.

Action: Upon motion by Commissioner Wheeler, seconded by Commissioner Rodriguez to approve KNN Proposal to issue Private Placement Bonds. A vote was called and the motion carried.

B. Draft 2008-09 Annual Work Program

Summary: The Draft Measure "T" 2008-09 Annual Work Program is included in your package. Per Authority policy the AWP is prepared annually and serves as the annual funding authority for the Measure "T" program. The Annual Work Program recognizes funds available for projects according to the Measure "T" Investment Plan and outlines each local jurisdiction's Annual Expenditure Plan with respect to the available funds. The Draft Annual Work Program only includes budgets for the 2008-09 fiscal year and does not contain any prior year reports.

Action: Information and Discussion only.

C. Measure "T" Administrative Code – Amendment No. 2

Summary: Measure "T" Administrative Code Amendment No. 2

The proposed Measure "T" Administrative Code Amendment No. 2 deletes Section 104.6 which provided for the establishment of Ex Officio Directors. MCTC Staff does not believe establishment of Ex Officio Directors is neither needed nor warranted in order to administer the local ½ cent sales tax for transportation. The revised Measure T Administrative Code is fully compliant with the Measure T Investment Plan approved by Madera County voters in November 2007. The revision to the Administrative Code is as follows:

~~104.6 Ex Officio Directors:~~

- ~~(a) The Board shall have the authority to establish by resolution, Ex Officio Directors to the Authority, representing transportation and transit agencies and other entities interested or involved in transportation issues in the County. Ex Officio Directors shall have the following powers:~~
- ~~1) The right to attend regular sessions of the Board and to participate in discussion of matters brought before the Board for consideration.~~
 - ~~2) The right to attend regular meetings of such other Board Committees and of such Standing Board Committees as the Board may determine, and to participate in the discussion of matters brought before such committees.~~
- ~~(b) Each Ex Officio Director shall be designated by the entity represented from among eligible candidates. Ex Officio Directors shall hold office for a term of one year.~~
- ~~(c) Ex Officio Directors shall not be Directors, and shall have none of the rights or powers of such Directors except as expressly provided herein. Without limiting the generality of the foregoing,~~

~~such Ex Officio Directors shall not:~~

~~1) Have the right to vote with respect to any matter brought before the Board or any Standing Board Committee;~~

~~2) Be counted for purposes of determining the number of persons attending any meeting for quorum or voting purposes;~~

~~3) Be eligible for election or appointment as Chair or Vice Chair of the Authority;~~

~~4) Be entitled to attend or otherwise participate in closed sessions of the Board or any committee thereof.~~

~~(d) The Board shall have the authority to establish such other conditions and limitations with respect to Ex Officio Directors, as it deems necessary or advisable.~~

Action: Upon motion by Commissioner Kopshever, seconded by Commissioner Wheeler to approve Measure "T" Administrative Code Amendment No. 2. A vote was called and the motion carried.

IX. 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.

The Commission went into closed session at 4:10 p.m.

The Commission reopened the meeting at 4:35 p.m.

Action: Action taken in closed session.

X. Miscellaneous

A. Items From Caltrans

Sharri Bender Ehlert from Caltrans gave a status report on current projects in Madera County.

B. Items from Staff

No Items from Staff.

C. Items from Commissioners

No Items from Commissioners.

X. Adjournment

Meeting adjourned at 4:55 p.m.

Next meeting set for Wednesday July 23, 2008

Respectfully Submitted,

Patricia S. Taylor, Executive Director
Madera County Transportation Commission