

MADERA COUNTY TRANSPORTATION COMMISSION

EXECUTIVE MINUTES

Date: Wednesday, March 18, 2009

Time: 3:00 p.m.

Place: MCTC Board Chambers

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

Members Absent: Vern Moss – 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
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. High Speed Rail – Project Level EIR/EIS Scoping Meetings

The California High Speed Rail Authority is issuing a Notice of Preparation of a Project Level Environmental Impact Report/Statement (EIR/EIS) for the San Jose to Merced and Merced to Bakersfield sections of the High-Speed Train System. The Authority will be holding a series of public scoping meetings throughout the San Joaquin Valley to solicit public input from residents, public agencies and other involved parties.

The first meeting was held on Wednesday, March 18, 2009 at the Merced Community Senior Center in Merced, CA. This will be a joint meeting for both the east-west and north-south segments. Another scoping meeting was also held in Madera on Thursday, March 19, 2009 at the Madera County Fairgrounds. Both meetings were open house format and was held from 3 to 7 p.m. For more information, please visit the

Authority web site at: www.cahighspeedrail.ca.gov.

Action: Information and Discussion Only.

B. FY 08/09 Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) – Cycle 2 – Resolution 09-02

Proposition 1B placed \$3.6 billion in the Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA). For FY 2008/09, the legislature appropriated \$338 million to agencies and transit operators. The Cycle 1 call for projects was completed in November 2008, however, on December 17, 2008, the Pooled Money Investment Board suspended disbursements of PMIA funds to all bond-funded projects. Disbursements to the PTMISEA remain suspended until further notice.

The State controllers office calculates and distributes the Section 8879.55(a3) funding based on the Section 99314 revenue formula. The Section 8879.55(a2) funding is distributed by the MPOs per Section 99313 by population. For FY 2008/09, the MCTC has received an eligible allocation of \$651,416.

Eligible Projects are capital projects (or a minimum operable segment of a project) for the purpose of the following:

1. Rehabilitation, safety, or modernization improvements;
2. Capital service enhancement or expansion;
3. New Capital projects;
4. Bus rapid transit improvement; or
5. Rolling stock procurement, rehabilitation or replacement.

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 08/09 Cycle 2:

1. City of Chowchilla – CATX Transit Vehicle Shelter Supplemental Allocation – FY 07/08 - \$10,000
2. City of Chowchilla – Purchase One (1) Van - \$58,000 (FY 07/08 - \$28,874, FY 08/09 - \$29,126)

Action: Approve Public Transportation Modernization, Improvement, and Service Enhancement Account 2008/09 Cycle 2 Project Listing - Resolution 09-02.

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

IV. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. American Recovery and Reinvestment Act of 2009 (ARRA)

The American Recovery and Reinvestment Act of 2009 (ARRA) was signed into law by President Obama on February 17, 2009. Under the ARRA, 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, including any local SHOPP or STIP projects.

Caltrans has indicated that \$16 million of the state-controlled share will be allocated to a road rehabilitation SHOPP project on SR 145 from Avenue 5 ½ to Avenue 11 ½. The regional share of money available for discretionary use by MCTC is \$2.5 million, which was suballocated to the Cities and County via population formula. MCTC has also received \$1.6 million in 5307 and 5311 FTA formula funding.

CTC staff, CalCOG and other interested groups are pursuing state legislation that would reallocate some stimulus funding from the SHOPP and STIP programs to regional agencies, however, the proposed bill has yet to find a sponsor in the Legislature

Action: Information and Discussion Only.

B. ARRA Discretionary Grant Program

In addition to the formula-based component of transportation funding in the American Recovery and Reinvestment Act of 2009 (ARRA), the ARRA sets aside \$1.5 billion for a nationwide discretionary grant program. The State of California may apply for up to \$300 million of this program. Included in your package is the list of projects submitted to the San Joaquin Valley Regional Policy Council for consideration as part of the discretionary program.

The MCTC project list was compiled in coordination with local agency staff and includes all potentially eligible projects that could use additional federal funding within a two-year time frame. The ARRA authorizes grant amounts between \$20 million and \$300 million, however, it does include a provision for the minimum grant amount to be waived for projects in smaller areas. Selected projects are to be announced within 1 year of ARRA enactment.

Once the Policy Council has reviewed the compiled, eight-county list of transportation projects, it will be forwarded to the State Business, Transportation, & Housing Agency for further review. Special emphasis may be given to SR 99 bond projects that can begin construction within 3 years of enactment.

Action: Information and Discussion Only.

C. 2009 Federal Transportation Improvement Program – Administrative Amendment No. 6

Included in the Commissioner's packet was a copy of Amendment #6 (Type 1 Administrative) to the 2009 Interim Federal Transportation Improvement Program (Interim FTIP). Amendment #4 to the 2009 Interim FTIP added the American Recovery and Reinvestment Act of 2009 revenue as a fund source. Please note that these amounts were adjusted in Amendment #6 to meet the final appropriation established by the American Recovery and Reinvestment Act of 2009.

Amendment #6 to the 2009 Interim FTIP replaces and programs ARRA funds on several existing FTIP projects. The proposed minor changes are consistent with the administrative amendment procedures. There are no new projects proposed with Amendment #6 and all minor changes were made to exempt projects except for Project ID MAD217031; for which the minor change does not reflect a change in the design concept and scope of the project or the conformity analysis years as assumed for the regional emissions analysis of the currently conforming RTP and FTIP; therefore, no further conformity determination is required. This amendment does not interfere with the timely implementation of any approved TCMs.

Amendment #6 meets all applicable transportation planning requirements per 23 CFR Part 450 and 40 CFR Part 93. These projects and/or project phases are consistent with the 2007 Regional Transportation Plan (RTP), which was adopted by the Madera County Transportation Commission on May 23, 2007 and approved by FHWA/FTA on June 29, 2007.

The MCTC Public Participation Plan does not require a public review and comment period for Type 1 Administrative Amendments. The MCTC Policy Board has delegated MPO approval of Type 1 Administrative Amendments to its Executive Director. State approval is required.

Action: Information and Discussion Only.

D. Blueprint Update – 4th Year Blueprint Grant

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. 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.

UC Davis' Information Center for the Environment (ICE) used input from the eight counties to build three regional scenarios for the entire Valley: Scenario A – Status Quo, Scenario B – Locally Selected, and Scenario C - Hybrid. In November 2008, the Blueprint Regional Advisory Committee (BRAC) recommended the selection of Scenario C, the “hybrid” scenario. In January 2009, at the San Joaquin Valley Blueprint Summit, over 500 participants weighed in on the Valley-wide Scenarios via clicker technology. Fifty-three percent of those surveyed also recommended the selection of 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.

On February 25, 2009, Fresno COG hosted a meeting of the Valley Planners’ Workgroup. Professional Planners from all eight counties met and discussed the Valley-wide scenarios, looking ahead to the implementation phase of the Blueprint. Included in the Commissioner’s packet was a copy of the draft summary of the discussion held at the meeting.

On March 27, 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.

The San Joaquin Valley has received a \$1.35 million grant from the State of California for 4th year Blueprint activities. Tasks will include the development of a Blueprint implementation toolbox, studies on the fiscalization of land use, and the development of adequate modeling tools to assist in the implementation of SB 375 greenhouse gas reduction goals.

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 February 18, 2009

Included in the Commissioner’s packet was a copy of the February 18, 2009, Executive Minutes for review.

Action: Approve Executive Minutes of February 18, 2009.

Administrative Consent Calendar Action

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

VII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. 2008-09 Overall Work Program and Budget – Amendment No. 3

Included in the Commissioner’s packet was a copy of Amendment No. 3 to the 2008-09 Overall Work Program. The amendment reduces the budget by \$7. The revised Budget is \$1,056,532 (reduced \$7 from prior amendment). The amendment reflects a change in employment position in 2008-09 and adjusts Indirect Costs within the approved budget. Attached is a copy of the amended budget and amended OWP spreadsheet. The amendment does not make any changes to the Work Elements.

The amendment is recognized in the following:

Revenues – (decrease \$7)

- TDA Planning – decrease \$7

Salaries and Benefits – (decrease \$7)

- Salaries – increase \$3,086
- ICMA 401(a) – increase \$462
- FICA, Employer – increase \$191
- Medicare – increase \$45
- Worker’s Compensation – decrease \$4,281
- Unemployment Insurance – increase \$490

Indirect Costs – (no change in amount budgeted)

- Adv/Publications/Public Awareness – decrease \$2,000
- Office Supplies – increase \$1,500
- Contracts (Copier) – increase \$2,000
- Office Move & Maintenance – decrease \$6,000
- MCTC Audits – increase \$6,000
- Membership Fees – decrease \$1,500

Action: Upon motion by Commissioner Wheeler, seconded by Commissioner Poythress to approve Amendment No. 3 to the 2008-09 Overall Work Program and Budget. A vote was called and the motion carried.

B. County of Madera 2003-04; 2004-05; 2005-06 Fiscal and Compliance Audit Reports for LTF and STA

MCTC received the Report of Examination of Revenues and Expenses of the Transportation Development Act (TDA) allocations for the Fiscal Years ended June 30, 2004; June 30, 2005; and June 30, 2006 for the County of Madera. This report was done in accordance with Section 99245 of the Public Utilities Code by Dedekian, George, Small & Markarian Accountancy Corporation.

It was reported that there are no adverse findings.

Action: Upon motion by Commissioner Wheeler, seconded by Commissioner Poythress to accept County of Madera 2003-04; 2004-05; 2005-06 Fiscal and Compliance Audit Reports for LTF and STA. A vote was called and the motion carried.

MCTC Sitting as the Madera County 2006 Transportation Authority

VIII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. 2009-10 Measure “T” Allocation Estimate

The 2009-10 Measure “T” Allocation Estimate is included in your package. The estimate provides a not to exceed budget allocation for each Measure “T” program for each agency. The estimated annual revenue projection is furnished by the County Auditor’s Office.

Staff has requested that each agency prepare their Annual Expenditure Plan (AEP) identifying how each agency anticipates spending the funds in FY 2009-2010 for each category, including the subcategories. The AEPs will then be incorporated into the Annual Work Program which will be presented as a draft document at the June Board meeting.

Action: Information and Discussion Only.

B. *City of Chowchilla's request for Measure "T" Inter-program Loan*

Upon receipt of the City of Chowchilla's Inter-program Loan request, MCTC staff directed KNN Financial Services Inc. to develop an updated Measure T Cash Flow Analysis that would allow for a loan to the City of Chowchilla in the amount of \$1.5 million according to the terms of the request. The updated cash flow analysis will be available as a handout during the MCTC Policy Board meeting on March 18, 2009.

Upon the likely determination that the loan terms can be met, MCTC staff will continue to work with Chowchilla staff on the exact details of the loan. KNN Inc. will develop a loan repayment schedule and tracking system and County Counsel will draw up a Measure T loan agreement for signature. It is anticipated that this can be accomplished in a few weeks and not months.

The City of Chowchilla is committed to accelerating the delivery of our large 2009 Measure T Street Improvement Project. Completion of this project, along with several others included in our Five - Year Capital Improvement Program, realizes many of the street improvements listed for Chowchilla in the Measure T Investment Plan.

On November 10, 2008, City Council authorized and directed Staff to move forward with the project development phases for the 2009 Measure T Project that includes the improvements listed below:

- Orange Avenue Overlay & Concrete improvements, 5th Street to 15th Street
- Dorothy Way, Deborah Way, Gill Way and Canal Overlay & Concrete improvements
- Monterey, 11th to 13th Street Overlay & Conc. imp.
- 13th, Monterey to Orange Overlay & Conc. imp.
- Alameda, 5th to 8th

The current estimated cost for the Project is \$2.3 million. As per our previous discussions both at staff and Board level, these costs exceed our current Measure T Local Allocations and other identified sources. It would take at least eight (8) years of banking the entirety of the City's Measure T revenues (perhaps longer with the current revenue projections) to pay for the construction costs of the Project. Therefore, the City is requesting the Madera County Transportation Authority consider utilizing innovative financing as outlined in the MCTA Strategic Plan and Debt Policy to assist in fully funding the 2009 Measure T Street Improvement Project for construction in 2009.

Early in 2008, we projected needing to borrow approximately \$1 million. At this point, we estimate needing to borrow \$1.5 million due to shortfalls in other local transportation funding sources. As the designs get more specific and better information is available we would like to be able to refine our request.

Chowchilla will repay the "interprogram" loans aggressively with its future Measure T revenues through terms and conditions specified in the loan agreement. Initially we are looking to retain approximately \$100,000 in annual programming ability for maintenance and/or other projects to be identified in the Annual Work Program.

Action: Information and Discussion Only.

C. *Measure "T" Signage*

Included in the Commissioner's packet for information and discussion was a proposed specification for Measure T project signage. As local agencies begin to implement larger projects funded under the Measure

T program, this signage will provide the public with tangible evidence of Measure T implementation.

COST:

Sign costs are a legitimate project cost and should be incorporated into the overall project cost.

DELIVERY/INSTALLATION:

Signs are to be delivered and posted by the sponsoring agency – City of Chowchilla, City of Madera and County of Madera

SPECIFICATIONS:

Size: 4’x8’ or 4’x4’ depending on location

Lettering: 3.25” black lettering

Other: Measure T logo will be provided in digital format. Middle section of sign available for addition of project cost and/or description at the sponsoring agency’s discretion.

Action: Information and Discussion Only.

IX. Miscellaneous

A. Items From Caltrans

Sharri Bender Ehlert, Caltrans Deputy Director, updated the Commission on current projects in Madera County.

B. Items from Staff

Patricia Taylor and Commissioner Poythress reported on the recent Valley Voice Trips to Sacramento and Washington DC that they attended.

C. Items from Commissioners

No Items from the Commissioners.

X. Adjournment

Meeting adjourned at 4:20 p.m.

Next MCTC meeting set for Wednesday, April 22, 2009

Respectfully Submitted,

Patricia S. Taylor, Executive Director
Madera County Transportation Commission