

MADERA COUNTY TRANSPORTATION COMMISSION

EXECUTIVE MINUTES

Date: Wednesday, March 26, 2003

Time: 3:00 P.M.

Place: Madera County Government Center,
Board of Supervisor Chambers

Members Present: Chair Frank Bigelow - Supervisor, Madera County
Vice Chair Gordon Skeels - Councilman, City of Madera
Alfred Ginsburg - Councilman, City of Chowchilla
Gary Gilbert - Supervisor, Madera County
Ronn Dominici – Supervisor, Madera County
Alt. Gary Svanda – Councilman, City of Madera

Members Absent: M.J. Nabors – Councilwoman, City of Madera

Policy Advisory Committee: Above Members present and Caltrans Representatives:
Paul Marquez

MCTC Staff Present: Patricia S. Taylor-Maley, Executive Director
Derek Winning, Planner I
Tricia Stone, Receptionist

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. Meeting Minutes of February 19, 2003

Upon motion by Commissioner Dominici, seconded by Commissioner Skeels, to approve the February 19, 2003 Executive Minutes as written. A vote was called and the motion carried.

IV. Transportation Items

A. Rules of the Commission

Included in the package was a copy of the Rules of the Commission. The purpose for the revision of the rules is to incorporate the roles of responsibilities of a Metropolitan Planning Organization. The Rules were last updated September 21, 1983. The Rules shall become effective upon ratification by the Policy Board. Rules as approved by the Commission on September 21, 1983 shall be superseded.

The Rules outline the following:

- Statement of Purpose
- Composition
- Election, Powers, and Duties of Chairperson and Vice Chairperson
- Conduct of meetings

- Technical Advisory committee
- Social Services Transportation Advisory
- Powers and Functions
- Executive Director
- Treasurer
- Auditor-Controller
- Financing
- Assignability
- Dissolution
- Additional Members
- Severability
- Effective Date of Rules

Action: Upon motion by Commissioner Dominici, seconded by Commissioner Skeels to adopt Rules of the Commission. A vote was called and the motion carried.

B. Designating Metropolitan Planning Organization for Madera County – Resolution 03-02

A Federal Register Notice regarding Qualifying Urban Areas for Census 2000 was published on May 1, 2002. The notice listed seventy-six newly qualified urban areas for 2000 that were not part of any urban area in 1990. The City of Madera was among the new urban areas with an urban population of 58,027 within the new urban boundary established by the U.S. Census Bureau.

The implications related to transportation due to the urban classification include the ability/need to establish a new Metropolitan Planning Organization. The new designation should be made by the Governor and local officials within twelve months (May 1, 2003). The earliest time at which the apportionment of metropolitan planning funds to the States will be affected by new urban areas will be for FY 2003 funds apportioned on October 1, 2002. The Federal Highways Administration has advised the State to work cooperatively with the existing MPOs and elected local officials in new Urbanized Areas to review and submit the formulae to appropriate offices (FHWA & FTA). Transition to MPO status will be simplified somewhat because the Madera County Transportation Commission presently assumes many of the responsibilities typically conducted only by MPOs (FTIP submittals, air quality conformity, etc.).

Action: Upon motion by Commissioner Gilbert, seconded by Commissioner Skeels to approve Resolution 03-02 requesting the Governor or his designate, Secretary of the Business, Transportation and Housing Agency, designate the Commission as the Metropolitan Planning Organization for Madera County. A vote was called and the motion carried.

C. Administrative Amendment to the 2002 Federal Transportation Improvement Program. Resolution 02-06, Amendment No. 7 and Resolution 02-06 Amendment No. 8

The County of Madera requested the Commission to amend two projects in the Congestion Mitigation and Air Quality Program to reflect a change in the source of matching funds from state to local funds. Total project cost and project scope have not changed. The projects included in the amendment No. 7 is as follows:

- Purchase CNG vehicles. Alt fuel vehicle purchase. 1-10 yd dump truck, 2 sedans, 4 pickups, 1-12 passenger van - \$305,000
- Purchase CNG vehicles. 1-10 yd dump truck, 2 sedans, 8 pickups - \$388,000.

The County of Madera requested the Commission to add a project to program Section 5311 operating assistance funds in FY 2003-2004 in the amount of \$300,000 (\$95,562 Section 5311 and \$204,438

Local), the funds were inadvertently programmed in FY 2002-2003. Administrative Amendment No. 8 reprograms the funds into FY 2003-2004.

Staff processed the FTIP amendment through the administrative process. Administrative Amendments are used in lieu of standard FTIP Amendments, and as such, are not subject to Federal and State approval. The proposed FTIP amendment changes met the following criteria, which allows this action to proceed as an administrative amendment:

- The change only affects projects which qualify as “Exempt” under Section 93.126 of the Environmental Protection Agency’s Transportation Conformity Rule (August, 15, 1997) - (although, these projects are not exempt from air quality conformity, they do provide a positive effect on air quality and were previously conformed as part of the 2001 RTP and 2002 FTIP);
- The change will not affect the 2002 FTIP Financial Plan, as it will be funded by revenues made available specifically for these purposes;
- The change will not interfere with the timely implementation of Transportation Control Measures;
- The change is consistent with the adopted and federally approved Regional Transportation Plan; and
- The change is consistent with MCTC’s Resolution 95-09, Federal Transportation Improvement Program Local Adjustment and Administrative Amendment Procedures.

Action: Upon motion by Commissioner Dominici, seconded by Commissioner Skeels to approve amendment to the 2002 Federal Transportation Improvement Program by Resolution 02-06 Amendment No. 7 and Resolution 02-06 Amendment No. 8. A vote was called and the motion carried.

D. Amendment to the 2002 Federal Transportation Improvement Program. Resolution 02-06, Amendment No. 9

The City of Madera is requesting to amend a State Transportation Improvement Program (STIP) project – Regional Choice Program due to the extended 18 month review time by the Federal Highway Administration. The request was to carryover #394,000 programmed in right of way from Prior Years to FY 2002-2003 and carryover \$6,094,000 programmed in construction from Prior Years to FY 2003-2004 for the SR 99 / Gateway Drive off-ramp project – MA217002.

Action: Upon motion by Commissioner Gilbert, seconded by Commissioner Ginsburg to approve amendment to the 2002 Federal Transportation Improvement Program by Resolution 02-06 Amendment No. 9. A vote was called and the motion carried.

E. FY 2003/04 Federal Transit Administration (FTA) Section 5310 Grant Application - Resolution 03-03

The Pacific Family Health, Inc. submitted a FY 2003/04 FTA Section 5310 grant application for capital equipment. The applications was as follows:

Pacific Family Health, Inc.: Purchase three "Modified Vans" (eight ambulatory passengers and one wheelchair bound passenger) to replace three high mileage vehicle in its fleet. The existing vans will be used as backup vehicles. Also, purchase two “Medium Buses” (twelve ambulatory passengers and two wheelchair bound passengers) with mobile radios for service expansion. The funding request is for \$261,500 in statewide competitive Federal Funds. A local match of 20% is required.

The Madera Dialysis Clinic began its operations in April 1989 and remains the only dialysis clinic in the City and County of Madera. The unit is composed of ten hemodialysis stations and serves an average of 32 patients per day. The clinic is scheduled to expand its existing stations to a total of 16 in 2003. The expansion will allow an increase in the patient load from the current 65 patients to 96 patients. Many of the dialysis clinics in Fresno County are operating at maximum capacity and can no longer accept new patients. As a result some of those patients are coming to Madera Dialysis Clinic for treatment. Many

patients live as far as 40 miles from the clinic and their patients require reliable safe transportation to the clinic for treatment (treatments are 4-5 hours).

The Madera Dialysis Clinic provides coordinated transportation services to patients of the Madera Rehabilitation and Nursing Center, Westgate Manor, and Fresno-Madera Area on Aging to attend medical and hospital appointments in Madera and Fresno.

The Pacific Family Health requires additional buses to keep up with the growth in the patient load who require transportation service and to insure that their patients arrive on time and in a safe manner.

Action: Upon motion by Commissioner Gilbert, seconded by Commissioner Ginsburg approve Resolution 03-03 recommending submittal of the Pacific Family Health FY 2003-04 Section 5310 application for service expansion vehicles. A vote was called and the motion passed.

F. *Reauthorization of TEA-21 request for projects*

Included in the package was a copy of a letter written to Congressman George Radanovich. Commission staff learned that House members are being asked to complete a survey describing special projects that they would like to see funded as high priority projects in the upcoming transportation bill that will be re-authorized (Transportation Equity Act for the 21st Century – TEA-21). The survey, issued by the House Transportation and Infrastructure (T&I) committee gives the Congressman the opportunity to nominate projects in his district or state that he see as critical in the next six years.

Congressman Radanovich's staff requested that the Commission identify three projects from the seven projects previously submitted to his office (attached, letter dated January 29, 2003). Through a cooperative process, staff has worked with the local agencies to identify three high priority projects. The Commission Policy Board has not prioritized the projects.

The Commission staff submitted transportation projects of regional significance in Madera County for consideration when developing demonstration projects for the reauthorization of TEA-21. The following was submitted to Congressman George Radanovich by letter (included in the package):

- Questionnaires for the following projects:
 1. State Route 99 and Avenue 12 Interchange;
 2. Ellis and State Route 99 Overcrossing; and
 3. State Route 99 and State Route 233 Interchange
- Letters from local agencies
- Letter, dated January 29, 2003, requesting Congressman Radanovich to consider seven projects in the Madera County area for TEA-21 Reauthorization

In addition to the projects listed above, staff identified another significant project that has become of more critical of state, local, and federal attention. The project is "Rocky Cut" on State Route 41 (located between Highway 145 and Road 200) - widen to eliminate "no recovery zone" through the rocky cut.

Staff was unable to fill-out the questionnaire because project details and costs are unknown at this time; however, the California Department of Transportation (Caltrans – District 06) is currently working on a Project Study Report for this project. Staff requested consideration for this project when developing a list of projects for potential funding.

Staff was recommending that the Board provide direction and/or concur with the letter submitted.

Ms. Taylor-Maley explained to the Commission the TEA-21 reauthorization project submittal process.

The following spoke in favor of Ellis Overcrossing project:

- Ed McIntyre;
- Former Supervisor Jess Lopez; and
- Steve Wyle

Testimony received stated that the project is critical to the City of Madera for the purpose of economic development and is a project that is shelf-ready and if received funding would be ready for construction.

Action: Upon motion by Commissioner Dominici, seconded by Commissioner Svanda, Commissioner Bigelow, as Chair of the Commission, is directed to contact Congressman Radanovich to inquire about the project submittal process for the reauthorization of TEA-21. The request is to switch the Avenue 12 and SR 99 project to the Ellis Overcrossing project. If the switch is acceptable then the project to be submitted to Senator Boxer's office will also be the Ellis Overcrossing; however, if the switch is not feasible then the project submitted to Senator Boxer's office will be consistent with Congressman Radanovich's office – Avenue 12 and State Route 99. A vote was called and the motion carried.

G. Madera County Bike Plan – Workshops

MCTC's 2002/03 Overall Work Program includes an update to the 1994 Bicycle and Pedestrian Facilities Plan for inclusion in the update of the 2001 Regional Transportation Plan.

The State Bicycle Transportation Account (BTA) provides \$7.2 million per for bicycle facilities projects. An approved Bicycle Transportation Plan (BTP) must be submitted with the BTA grant application. An adopted BTP is one that has been adopted by the local jurisdiction, MCTC, and approved by Caltrans District 06 Bicycle Facilities Unit. The BTP must have been adopted no earlier than July 1st four years prior to the fiscal year of the BTA grant cycle to be eligible for BTA funds.

The following is a list of the current adoption dates of each BTP in Madera County:

City of Madera	March 1998
County of Madera	January 1999
City of Chowchilla	December 1999

Chowchilla is eligible for BTA funds in FY 2003/04 but not in FY 2004/05. The County and the City of Madera are not eligible for BTA funds in FY2003/04 until an update of their BTP is adopted.

The BTP must conform to the guidelines of Streets and Highways Code Section 281.2 a-k. Each of the local agencies current plans conform to these guidelines, so each plan need only be updated to reflect the changes in plans, projects, and demographics over the last few years.

The 2003 Madera County Bicycle Facilities Plan Update will primarily be an aggregate of the BTP updates developed by each local agency. MCTC staff will document demographics; establish goals and objectives; define facilities standards; identify needs; list proposed and programmed projects; provide existing and future project maps; and recommend funding sources for inclusion in the plan. The individual Bicycle Transportation Plans of each agency will be included as a separate section in the 2003 Bicycle Facilities Plan that will become part of an update to the Non-Motorized Systems section of the 2001 RTP. MCTC will hold workshops in conjunction with each agency to encourage public participation in developing the plan.

Public workshops are scheduled to be held in the following communities:

Eastern Madera County
7:00pm Thursday March 20, 2003
Oakhurst Public Library
49044 Civic Circle
Oakhurst, CA 93644

City of Chowchilla
6:00pm Monday March 24, 2003
Chowchilla City Hall
145 Robertson Blvd.
Chowchilla, CA 93610

City of Madera
6:00pm Tuesday March 25, 2003
Madera High School
North Campus Cafeteria
200 South "L" Street
Madera, CA 93637

Madera Ranchos
6:00pm Thursday March 27, 2003
Webster Elementary - Cafeteria
36477 Ruth Ave
Madera Ranchos, CA 93637

Action: Information and Discussion Only.

H. Safe Routes to School Program Cycle 4

The Safe Routes to School Program Guidelines and Application for the fourth cycle of funding are now available. The revised Guidelines (LPP-02-01) are available on the Local Assistance Program website at: <http://www.dot.ca.gov/hq/LocalPrograms/>

To ensure sufficient time to evaluate and prioritize the Cycle 4 applications, Caltrans requests that the local agencies submit the applications before May 30, 2003 to:

Marvin D. Johnson
District Local Assistance Engineer
Caltrans
515 North Blackstone
Fresno, California 93710

Applicants can request up to \$500,000 per project. Given the required minimum 10 percent local match, the federal reimbursement ratio is 90 percent. Thus the maximum federal reimbursement amount per project is \$450,000.

If you have trouble downloading the Guidelines and Application and desire a hardcopy, or have questions, contact Mohsen Sanawi at (559) 243-8503.

Action: Commissioner Gilbert directed staff to forward the grant information to the various school districts in Madera County.

I. AB 3090 – Project Reimbursement and/or Replacement

Under statute, there are two distinct types of AB 3090 arrangements, (1) AB 3090 replacement projects and (2) AB 3090 direct reimbursements. Both types have been used in the past, but neither has been used since the programming reforms of SB 45 (1997). When AB 3090 was last used, the STIP was governed by variable county minimums rather than fixed county shares and the STIP consisted primarily of State highway and major urban rail projects. The STIP now includes many smaller local road and transit projects.

For the first time in many years, the California Transportation Commission (Commission) is receiving requests for the approval of AB 3090 arrangements, most of them for local agency projects. Under Government Code Section 14529.7, as amended by AB 3090 (1992), the Commission, Department, region, and local agency may enter into either one of two arrangements whereby a local agency pays for the delivery of a STIP project with its own funds earlier than the year in which the project is programmed:

- AB 3090 replacement projects: Under the first type of arrangement, which actually predates the enactment of AB 3090, the local agency that advances the STIP project has another project or projects of equivalent value programmed in its place. These arrangements are implemented by approval of a STIP amendment. In the past, these amendments usually designated the specified dollar amount as an “AB 3090 replacement project” without identifying the specific project to be implemented as the replacement. The actual replacement project could then be amended into the STIP at a later date.
- AB 3090 reimbursements: Under the second type of arrangement, first authorized by AB 3090, the local agency that advances the STIP project is programmed to receive a direct cash reimbursement. AB 3090 required the Commission to adopt guidelines to implement reimbursement arrangements. Under those Guidelines, which were updated in 2002, the Commission approves an AB 3090 reimbursement arrangement by approving a STIP amendment that (a) gives approval to the Department to execute a reimbursement agreement and (b) programs the reimbursement for the fiscal year in which the project was scheduled in the STIP. With the execution of the agreement between the Department and the local agency, the local agency is authorized to expend its own funds on the project and qualify those expenditures for later reimbursement. When the time for reimbursement arrives, the Commission approves an allocation for the reimbursement.

Action: Information and Discussion Only.

V. Administrative/Fiscal Items

A. FY 2002/03 Overall Work Program – Budget Amendment No. 2

A memorandum was included in the package. Staff recommended the Policy Board to amend the 2002/03 Overall Work Program & Budget. The revised total Budget remains at \$527,000.

The amendment is recognized in the following:

Salaries and Benefits:

- Unemployment Insurance – Increase \$245

Indirect Overhead:

- Copier Lease – Increase \$300
- Insurance & Bonds - Increase \$100

Other Direct Costs:

- Public Awareness Program – Decrease \$4,145

- Worker's Comp Adjustment – Increase \$3,500

The amendment is reflected in the following OWP Work Elements: Work Element 900 MCTC Administration and Budget and Work Element 903 Public Awareness Program.

The amended budget, amended OWP spreadsheet and amended Work Elements were attached for information.

Action: Upon motion by Commissioner Dominici, seconded by Commissioner Ginsburg to approve FY 02/03 OWP - Budget Amendment No. 2. A vote was called and the motion carried.

B. FY 2002-2003 Section 5307 Apportionment – Federal Transit Funding

The Commission has received the final 2002-2003 Section 5307 apportionment from the Department of Transportation. The apportionment for Madera is \$704,674. These funds are new to Madera. Madera is now eligible to receive federal transit funding for the urbanized area. A Federal Register Notice regarding Qualifying Urban Areas for Census 2000 was published on May 1, 2002 and the notice listed 76 newly qualified urban areas for 2000 that were not part of any urban area in 1990. The City of Madera is among the urban areas with an urban population of 58,027 within the new urbanizes boundary established by the United States Census Bureau.

Included in the package was the apportionment for the City of Madera and the County of Madera. The City of Madera's apportionment is \$560,441 and the County's apportionment is \$144,233. Both agencies are required to submit to the Commission its planned expenditures for said funds. Commission staff will forward the planned expenditures to the Department of Transportation and both agencies will be required to submit applications electronically to acquire the funds. All projects are required to be included in the Commission's Federal Transportation Improvement Program.

Action: Information and Discussion Only.

C. FY 2001/02 Local Transportation Funds – Resolution 01-10 Amendment No. 5

The City of Chowchilla requested to amend its FY 2001/02 Local Transportation Funds to recognize \$31,212 FY 2000-2001 Street Maintenance and to carry the funds over to FY 2001-2002 increasing Chowchilla Area Transit Express (CATX) by \$1,941 and Road and Street Maintenance by \$29,371.

Action: Upon motion by Commissioner Gilbert, seconded by Commissioner Dominici to approve FY 2001/02 Local Transportation Funds – Resolution 01-10 Amendment No. 5. A vote was called and the motion carried.

D. FY 2002/03 Local Transportation Funds – Resolution 02-12 Amendment No. 5

The City of Chowchilla requested to carryover prior Fiscal Year 2000/01 unexpended funds into Fiscal Year 2002-03. The funds to be carried over total \$108,261 (FY 2000/01 Local Agency Planning Services-\$5,671; Roads and Street Projects-\$68,215; Pedestrian and Bicycle Projects-\$2,038; and Road and Street Maintenance-\$32,337). The amendment is as follows:

- FY 2002/03 increase Local Agency Planning Services by \$5,671
- FY 2002/03 increase Pedestrian & Bicycle by \$2,038
- FY 2002/03 increase Road and Street Projects \$68,215
- FY 2002/03 increase Road & Street Maintenance by \$32,337

Action: Upon motion by Commissioner Gilbert, seconded by Commissioner Dominici to approve FY 2002/03 Local Transportation Funds – Resolution 02-12 Amendment No. 5. A vote was called and the motion carried.

V. Miscellaneous

A. Items From Caltrans

No items from Caltrans.

B. Items From Staff

No items from staff.

C. Items From Commissioner

No items from Commissioners.

VII. Adjournment

Meeting adjourned at 4:20 p.m.

Next meeting set for Wednesday, April 23, 2003

Respectfully Submitted,

Patricia S. Taylor-Maley, Executive Director
Madera County Transportation Commission