

# MADERA COUNTY TRANSPORTATION COMMISSION

## EXECUTIVE MINUTES

**Date:** Wednesday, May 20, 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  
Vern Moss – Supervisor, Madera County  
Tom Wheeler – Supervisor, Madera County  
Robert Poythress – Councilman, City of Madera  
Sam Armentrout – Councilman, City of Madera

**Members Absent:** None

**Policy Advisory Committee:** Above Members present and Caltrans Representatives:  
Sharri Bender Ehlert, Deputy Dist. Director

**MCTC Staff Present:** Patricia S. Taylor, Executive Director  
Derek Winning, Deputy Director  
Troy McNeil, Fiscal Supervisor  
Richard Poythress, Planner I  
Sheila Kingsley, Administrative Assistant

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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 was not Public Comment.

### **III. TRANSPORTATION CONSENT ITEMS**

#### ***A. Redetermination of Conformity for the 2009 FTIP Amendment No. 3 and 2007 RTP***

#### **NOTICE OF PUBLIC COMMENT PERIOD ON THE REDETERMINATION OF CONFORMITY FOR THE 2009 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM AMENDMENT #3 AND 2007 RTP**

NOTICE IS HEREBY GIVEN that the Madera County Transportation Commission (MCTC) is conducting a 30-day public comment period on the redetermination of conformity for the federally-approved 2009

Federal Transportation Improvement Program (FTIP) Amendment #3 and 2007 RTP.

- The 2009 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 San Joaquin Valley is a PM2.5 multi-jurisdictional area; there are 8 MPOs within the PM2.5 nonattainment area and no PM2.5 conformity budgets are available for use at this time. Consequently, the PM2.5 conformity determination must be based on a regional emissions analysis that covers the entire nonattainment area.
- The San Joaquin Council of Governments has revised their portion of the PM2.5 conformity analysis. Consequently, the other 7 MPOs must redetermine conformity. Since no other transportation planning changes are being made, the 7 other MPO individual conformity analyses remain unchanged. However, the new Appendix D “PM2.5 Conformity Results Summary for Each MPO in the San Joaquin Valley Nonattainment Area” is being made available for a 30-day public comment period prior to re-adoption of their conformity determination.

The 30-day public review and comment period will commence on May 8, 2009 and conclude June 8, 2009 at 5 p.m. The draft documents are available for review at the MCTC office, located at 2001 Howard Road, Suite 201, Madera, CA 93637 and on the MCTC website at <http://www.maderactc.org>.

Public comments may be submitted in writing by 5 p.m. on June 8, 2009 to Richard Poythress at the address below.

After considering the comments, the documents will be considered for adoption, by resolution, by the MCTC Board of Directors at a regularly scheduled meeting to be held on June 17, 2009. The documents will then be submitted to state and federal agencies for approval.

Contact Person: Richard Poythress  
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[richard@maderactc.org](mailto:richard@maderactc.org)

**Action:** Information and Discussion Only.

**B. *San Joaquin Valley Express Transit Study Draft Final Report***

The San Joaquin Valley Express Transit Study is a valley wide effort to identify markets that can support inter-county commuter express transportation services both within the San Joaquin Valley and between the Valley and its neighbors. The study evaluates travel demand projections, existing services, and the characteristics of the San Joaquin Valley’s diverse communities to determine the investments that will best serve the region’s inter-county commuters. This report documents the outcomes of this study including recommendations. Included in the Commissioner’s packet was an excerpt from the draft final report presenting service recommendations.

The enclosed report proposes service options throughout the San Joaquin Valley and by various modes ranging from rideshare/TDM, vanpool, commuter express bus, and commuter rail. The study has been coordinated with local transit providers in each of our counties, vanpool programs, and the San Joaquin Regional Rail Commission (ACE). From a procedural geographic perspective, this study serves as a model for modal studies for the San Joaquin Valley.

A complete copy of the draft final report is available on the MCTC web site: <http://www.maderactc.org/>.

**Action:** Information and Discussion Only.

**C. 2009-10 Annual Anticipated DBE Participation Level (AADPL)**

The MCTC is required to establish a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26. MCTC is eligible to receive federal financial assistance from the DOT and as a condition of receiving this assistance, MCTC is required to sign an assurance that it will comply with 49 CFR Part 26.

The proposed policy of MCTC to ensure that DBEs, as defined in part 26, have an equal opportunity to receive and participate in DOT-assisted contracts is as follows:

- To ensure nondiscrimination in the award and administration of DOT-assisted contracts;
- To create a level playing field on which DBEs can compete fairly for DOT-assisted contracts;
- To ensure that the DBE Program is narrowly tailored in accordance with applicable law;
- To ensure that only firms that fully meet 49 CFR Part 26 eligibility standards are permitted to participate as DBEs;
- To help remove barriers to the participation of DBEs in DOT-assisted contracts; and
- To assist the development of firms that can compete successfully in the market place outside the DBE Program.

MCTC Staff has developed an AADPL consistent with Caltrans and U.S. DOT guidance. The AADPL for FY 2009/10 for DOT assisted contracts is proposed to be set at 0.36%, which is based upon the percentage of DBE firms available to perform work in Madera County.

**Action:** Approve MCTC FY 2009/10 AADPL Overall Goal.

**D. 2007-08 to 2017-18 California State Rail Plan**

The 2007-08 to 2017-18 California State Rail Plan is now available online at: <http://www.dot.ca.gov/rail/go/dor/division-of-rail-reports/index.cfm>. The Department prepared the Plan as an examination of passenger and freight rail transportation in the State, in accordance with Section 14036 of the Government Code.

The passenger element of the Plan reviews the current operations of the three State-supported intercity rail passenger routes (Pacific Surfliner, San Joaquin and Capitol Corridor). It also outlines ten-year plans for operations, marketing, and capital improvements, and ten-year route objectives. It also looks at high-speed and maglev programs in the State as well as the four commuter services.

The freight section of the Plan provides an overview of the State freight rail system. It discusses policy issues, funding programs, environmental issues and new freight technology. It also examines freight issues including international trade growth, trends in intermodal traffic and short-line capabilities and needs.

For questions and/or comments on the Plan, please submit them via email to: [California\\_State\\_Rail\\_Plan - Comments@dot.ca.gov](mailto:California_State_Rail_Plan_Comments@dot.ca.gov). Comments will be considered for inclusion in the 2009-10 to 2019-20 edition of the Plan, which is now under development.

**Action:** Information and Discussion Only.

**E. State Route II Corridor System Management Plan (CSMP) – Resolution 09-07**

The preparation of a Corridor System Management Plan (CSMP) is a California Transportation Commission (CTC) requirement for the use of "Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006" funds, approved by the voters as Proposition 1B on November 7, 2006. Proposition 1B funds have been allocated for three projects within the corridor encompassed by this CSMP: the "North Fresno 6-Lane," the "Island Park 6-Lane," and the "Reconstruct Avenue 12 Interchange". In requiring the preparation of CSMPs for projects funded by Proposition 1B funds, the CTC was emphasizing the importance of maintaining the mobility gains from corridor capacity improvements after those improvements have been constructed.

This CSMP identifies the recommended management strategies for this portion of the Route 99 transportation corridor. A transportation corridor is not limited to the highway but encompasses all transportation components, taken as a whole, through a geographical area, on a major travel path. The corridor includes the highway, major local parallel arterials, local road intersections, ramps and ramp meters, signal controls, transit, rail, bikes, and pedestrians. The CSMP provides one unified concept for managing, operating, improving, and preserving the corridor across all modes and jurisdictions for the highest productivity, mobility, reliability, accessibility, safety, and preservation outcomes. The CSMP allows the State, regional agencies, and local jurisdictions to manage and operate the transportation corridor for the highest sustained productivity and reliability based on the assessment and evaluation of performance measures. The strategies for managing the corridor are phased and include both operational and more traditional long-range capital expansion strategies. This represents a shift from the traditional approach of identifying localized freeway problems and finding solutions that are often expensive and focused on capital improvements. The CSMP approach places greater emphasis on performance assessments and operational strategies that yield higher benefit-to-cost results.

This CSMP will provide a guide for managing the corridor. Management includes a commitment by all partners to apply the principles and practices of system and corridor management and the use of performance measures to provide for sustained corridor performance. This CSMP assesses current performance, identifies causal factors for congestion, and, based on testing of alternative corridor management and improvement scenarios, will propose the best mix of improvements, strategies, and actions to optimize corridor performance.

Implementation of this new approach to corridor management requires a commitment by Caltrans and the local transportation partners. The Madera County Transportation Commission, Council of Fresno County Governments, and Caltrans District 6 have all signed a Memorandum of Understanding (MOU). This MOU documents the commitment of all parties to manage the corridor through applying the principles and practices of system and corridor management and performance measurement for sustained corridor performance. The completed CSMP also requires adoption by these same partners. The adoption date is set for mid-2009.

**Action:** Approve Resolution 09-07.

**F. 2009 Federal Transportation Improvement Program – Administrative Amendment #9**

Included in the Commissioner's packet was Amendment #9 (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 #9 to meet the final appropriation established by the American Recovery and Reinvestment Act of 2009.

Amendment #9 to the 2009 Interim FTIP increases ARRA funds on an existing FTIP Lump Sum SHOPP Roadway Preservation project. Amendment #9 also splits existing FTIP Lake Street project into Phase I and Phase II to allow for two separate construction contracts in order to meet a summer 2009 construction deadline to avoid the schedule of the nearby elementary school. There is no change to the current programming cost, scope, or year of the Lake Street project. This minor change is thoroughly consistent with all approved environmental and design documents.

The proposed minor changes are consistent with the administrative amendment procedures. There are no new projects proposed with Amendment #9 and all minor changes were made to exempt projects except for Project ID MAD217031 and MAD217032; 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 #9 meet's 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.

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

#### IV. TRANSPORTATION ACTION/DISCUSSION ITEMS

##### A. 2009-10 Unmet Transit Needs – Resolution 09-04

Included in the Commissioner's packet was the Staff Report, SSTAC Recommendation, Chairman Letter to those who testified, and the Public Hearing Comment Summary.

On April 22, 2009, the Commission held the annual "Unmet Transit Needs" public hearing as required under the California Transportation Development Act. This legally noticed hearing was held to receive testimony from the public to determine if public transportation needs within Madera County will be reasonably met in FY 2009/10 prior to approving claims of Local Transportation Funds for street and road purposes.

Transportation Development Act - Local Transportation Funds are derived from the state sales tax. Of the six-cent tax per dollar on all sales, ¼ of a cent goes to the local transportation fund and may be used for transportation projects. Of the Article 8 Local Transportation Funds available for public transportation and streets and roads, priority must first be given to public transportation, the net difference is then available for street and road projects.

Pursuant to Section 99401.5 of the California Public Utilities Code, MCTC, as the Regional Transportation Planning Agency, must make a finding after holding a Public Hearing that there are no unmet public transportation needs within the jurisdiction of claimants which can be reasonably met before it may approve Local Transportation Fund claims for streets and roads.

The MCTC has determined that its definition of the term "**unmet transit needs**" includes all essential trip requests by transit-dependent persons for which there is no other convenient means of transportation, and the Commission has determined that its definition of the term "**reasonable to meet**" shall apply to all related public or specialized transportation services that:

- (1) are feasible;
- (2) have community acceptance;
- (3) serve a significant number of the population;
- (4) are economical; and
- (5) can demonstrate cost effectiveness

by having a ratio of fare revenues to operating cost at least equal to 10 percent, and the Commission has determined that its definition of the term "reasonable to meet" shall also apply to all service requests which do not abuse or obscure the intent of such transportation services once they are established.

The role of the Social Service Transportation Advisory Council (SSTAC) is to aid the MCTC Policy Board in its review of transit issues with emphasis on the annual identification of transit needs within Madera County. The establishment of the Madera County SSTAC is consistent with State Law (SB 498, Chapter 673, 1987) which mandates both the purpose and minimum membership of this body. The purpose of the SSTAC is to:

- A. Annually participate in identification of transit needs (Unmet Transit Needs Public Hearing Process).
- B. Review and recommend appropriate action by the MCTC for a jurisdiction which finds, by resolution, that:
  - (1) there are no unmet transit needs;
  - (2) there are no unmet transit needs that are reasonable to meet;
  - (3) there are unmet transit needs that are reasonable to meet.
- C. Advise the MCTC on any other major transit issues, including the coordination and consolidation of specialized transportation services.

At the “Unmet Transit Needs” Public Hearing on Wednesday, April 22, 2009, the MCTC Policy Board opened the hearing to receive public testimony. The following staff evaluation was prepared in cooperation with the SSTAC. The Chairman of the SSTAC will submit that body’s findings to the Commission under separate correspondence.

**NARRATIVE OF EVALUATION**

*City of Madera*

- 1. There are no unmet transit needs that are reasonable to meet at this time within the City of Madera.

**No comments were received regarding service in the City of Madera**

*City of Chowchilla*

- 1. There are no unmet transit needs that are reasonable to meet at this time in the City of Chowchilla.

**No comments were received regarding service in the City of Chowchilla.**

*County of Madera*

- 1. There are no unmet transit needs that are reasonable to meet at this time in the County of Madera.

**MCTC staff has reviewed and discussed testimony regarding the County of Madera’s transit services with the Social Service Transportation Advisory Council (SSTAC). The recommendation from staff and the SSTAC is that there are no unmet transit needs within the City of Madera that are reasonable to meet at this time. The recommendation is based upon the definition of an unmet transit need, which includes any essential trip requests by transit-dependent persons for which there is no other convenient means of transportation.**

**Testimony was received requesting the relocation of the MCC bus stop at Yosemite Springs Parkway and SR 41 to the Yosemite Lakes Park clubhouse where parking facilities are available. Given that the movement of stop would increase headway on the MCC Green Route by 15-20 minutes and that MCC-accessible parking is available at a Caltrans Park and Ride lot approximately 2 miles away, the SSTAC determined that the request was not an unmet transit need reasonable to meet at this time.**

**Additional service was also requested for essential trips between the incorporated cities of Madera County and the Fairmead community. The SSTAC noted that both fixed route and demand response service to the cities of Madera and Chowchilla is already available to the residents of Fairmead.**

**RECOMMENDATION**

The MCTC staff and SSTAC considered the hearing testimony and recommend the Commission find the following:

**1. That the Madera County Transportation Commission finds that there are no unmet transit needs reasonable to meet at this time in FY 2009/10 within the jurisdictions of the City of Chowchilla, City of Madera and County of Madera.**

The Madera Area Express (MAX), Jobs, Education, and Training (JET) Express and the Madera Dial-A-Ride provide transportation services that cover the entire City of Madera.

The Chowchilla Area Transit Express (CATX) provides transportation services that cover the entire City of Chowchilla.

The Madera County Connection (MCC) provides inter-city transportation from Chowchilla, Fairmead, Madera, La Vina, Madera Ranchos and Eastern Madera County to Children's Hospital Central California where a connection can be made to Fresno via the Fresno Area Express (FAX).

The Senior Bus Program and the Escort Service provides transportation to the Eastern Madera County communities.

**2. Maintain existing transit systems in Madera County: Madera Transit System (MAX and Dial-A-Ride) in the City of Madera; Madera County Connection; Chowchilla Area Transit Express; Eastern Madera County Escort Service; and Eastern Madera County Senior Bus.**

Staff and SSTAC recommend that the current public transit systems continue to operate in Madera County. The existing transit systems meet an existing need for public transit services in the county. The existing systems are:

- Madera Transit System - City of Madera (Dial-A-Ride and MAX);
- Chowchilla Area Transit Express - City of Chowchilla;
- Eastern Madera County Escort Service; and Eastern Madera County Senior Bus;
- Madera County Connection

**Action:** Upon motion by Commissioner Armentrout, seconded by Commissioner Kopshever, to approve 2009/10 Unmet Transit Needs – Staff report and SSTAC recommendation by Resolution 09-04. A vote was called and the motion carried.

***B. Blueprint Principles***

On April 1, 2009, the San Joaquin Valley Regional Policy Council, selected a Regional Blueprint based on locally preferred scenarios developed by each of the eight SJV counties. In addition to increased housing densities for each county in the region, the Valley wide Blueprint includes a list of twelve smart growth principles that are shared across the San Joaquin Valley. Included in the Commissioner's packet was a copy of the new Blueprint brochure and a matrix showing the smart growth principles formulated by each county during their local Blueprint processes.

The Madera County Blueprint includes the following eight smart growth principles:

- Create a Range of Housing Opportunities & Choices
- Create Walkable Neighborhoods
- Foster Distinctive, Attractive Communities with a Strong Sense of Place
- Mix Land Uses
- Preserve Open Space, Farmland, Natural Beauty & Critical Environmental Areas
- Provide a Variety of Transportation Choices
- Enhance the Economic Vitality of the Region
- Support Actions that Encourage Environmental Resource Management

Staff recommends that the board affirm the eight principles developed during the local Blueprint process.

**Action:** Upon motion by Commissioner Armentrout, seconded by Commissioner Moss to affirm the eight principles developed during the local Blueprint process. A vote was called and the motion carried.

**C. Interstate Designation for SR 99**

The SJV COG Director's at its April 24<sup>th</sup> meeting discussed SR 99 Interstate Designation. The Director's requested that each Valley MPO discuss and take a position on the Interstate Designation. The SJV Policy Council will then be discussing SR 99 Interstate Designation at its June 26<sup>th</sup> meeting.

Background: Several years ago, Fresno County economic interests, including the San Joaquin Valley Partnership, initiated an effort to have SR 99 designated as a Federal "Interstate" Highway. The state reason was that Fresno was the largest city in the United States that was not on an Interstate and that SR 99 as an Interstate would encourage more economic development along the route.

Caltrans has been designated as the agency to study the engineering and institutional issues related to the re-designation. Caltrans preliminary evaluation has resulted in identifying the hundreds of non-standard structures, cross sections, and/or right of ways that would either have to be corrected through reconstruction by the State of California or given an "exception" (approval not to meet the standard) by the Federal Highway Administration (FHWA).

Discussion: Caltrans has prepared a baseline estimate of what would be required to garner Interstate status and this information is provided in the "Interstate Cost Estimate Summary BY County" table that was included the Commissioner's packet.

Two basic questions that are yet to be answered are: (1) Does designation of SR 99 as an Interstate really translate into more economic development activity; and (2) Is the expense of the reconstruction of SR 99 to Interstate standards more important than construction of SR 99 to six-lanes in the San Joaquin Valley.

The economic study, "Economic Impact Analysis of Transportation Improvements and Interstate Designation for Route 99 in the San Joaquin Valley", that Caltrans initiated should be completed within a couple of weeks. A copy of the Draft Executive Summary was included in the Commissioner's. The analysis attempts to address three scenarios: (1) a baseline condition; (2) an Implemented Business Plan scenario which estimates the economic benefit of completing \$6.4 billion worth of construction projects as well as the associated benefits of improved access; and (3) the economic impact if Interstate Designation occurs. The final scenario is captured in the document as "difficult to measure" and based on the theory that Interstate designation may result in economic growth through enhanced competitiveness and increased tourism.

Congressmen Nunes and Costa are interested in pursuing the interstate designation and are requesting that each Valley COG provide feedback. The MCTC Policy Board has discussed this issue but has not taken a position. In order to adequately ascertain where each of the MPOs are at this point in time, and hopefully move forward to some form of closure on the subject, the San Joaquin Valley COG Director's are requesting that each COG Policy Board take an action reaffirming their support or non-support for the concept.

The MCTC Technical Advisory Committee (TAC) met on Monday, May 11<sup>th</sup> and discussed SR 99 Interstate Designation. The TAC consensus is that there is no technical benefit to the SR 99 Interstate designation. In addition, there is no guarantee that the exceptions will be cleared and the costs associated to the design requirements are not economically feasible.

**Action:** Upon motion by Commissioner Armentrout, seconded by Commissioner Moss that the Board concurs that there is no technical benefit of re-designation of SR 99 to Interstate status and therefore is not warranted. As a valley we should focus our attention to upgrading SR 99 to six lanes. A vote was called and the motion carried.

**D. PUBLIC HEARING: 2009 Federal Transportation Improvement Program – Resolution 08-11 Amendment**

*No. 10*

**NOTICE OF PUBLIC HEARING ON THE  
DRAFT AMENDMENT #10 TO THE 2009 INTERIM FEDERAL TRANSPORTATION  
IMPROVEMENT PROGRAM**

NOTICE IS HEREBY GIVEN that the Madera County Transportation Commission (MCTC) will hold a public hearing on May 20, 2009 at 3 p.m. at the MCTC Board Room at 2001 Howard Road, Suite 201, Madera, CA 93637 regarding the Draft Amendment #10 to the 2009 Interim Federal Transportation Improvement Program (Interim FTIP). The purpose of the hearing is to receive public comments.

- The 2009 Interim 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 that are eligible to proceed without a conformity determination.
- The Draft Amendment #10 to the 2009 Interim FTIP is a Type 3 amendment that contains project phases and/or projects that have been determined to be exempt from the requirement that a conformity determination and/or regional emissions analysis be performed per 40 CFR 93.126, 93.127, or 93.128. Because the projects are exempt, no further conformity determination is required.

A concurrent 7-day public review and comment period will commence on May 13, 2009 and conclude May 20, 2009 at 3:00pm. The draft documents are available for review at the MCTC office, located at 2001 Howard Road, Suite 201, Madera, CA 93637 and on the MCTC website at <http://www.maderactc.org/>.

Public comments are welcomed at the hearing, or may be submitted in writing by 3:00pm on May 20, 2009 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 May 20, 2009. The documents will then be submitted to state and federal agencies for approval.

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Chairman Rodriguez opened the floor for public comments at 3:15 p.m.

Hearing no public comments, Chairman Rodriguez closed the floor at 3:16 p.m.

**Action:** Upon motion by Commissioner Kopshever, seconded by Commissioner Poythress to approve 2009 Federal Transportation Improvement Program – Resolution 08-11 Amendment No. 10. 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 April 22, 2009*

Included in the Commissioner's packet was a copy of the April 22, 2009, Executive Minutes for review.

**Action:** Approve Executive Minutes of April 22, 2009.

**B. Final Transportation Development Act (LTF & STA) – Fund Estimates and Apportionment, LTF Resolution 09-05 and STA Resolution 09-06**

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 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 2009-10 is \$3,390,000 (increase \$124,300 from 2008/09). 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 2009-10, there is \$0 budgeted according to the most current information from the Department of Finance. STA allocation estimate for Madera County is \$0 decrease (\$303,503) from FY 2008/09).

**Action:** Approve Final Transportation Development Act (LTF & STA) – Fund Estimates and Apportionment, LTF Resolution 09-05 and STA Resolution 09-06.

**Administrative Consent Calendar Action**

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

**VII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS**

**A. 2009-10 Overall Work Program & Line Item Budget – Resolution 09-08**

Included in the Commissioner's packet was the 2009-10 MCTC Overall Work Program and Line Item Budget – Final. This document is prepared annually pursuant to Caltrans. The OWP discusses the MCTC, its organizational structure, regional planning issues, and presents work element descriptions and budgets. The draft document was circulated for local agency and Caltrans review beginning in February. Comments received are reflected in the final document.

**Action:** Upon motion by Commissioner Wheeler, seconded by Commissioner Poythress to approve FY 2009-10 MCTC Overall Work Program and Line Item Budget – Resolution 09-08. A vote was called and the motion carried.

Upon motion by Commissioner Wheeler, seconded by Commissioner Moss to freeze any COLA, Step or merit increases until status of the local, Federal and State agencies budgets. Staff was directed to come back to the Board in 3 to 6 months for discussion. A vote was called and the motion carried.

**B. Proposed 2009-10 Member Assessment Fees Schedule – Valley Voice Lobbying Activities**

Recognizing the value of Valley Voice programs, the San Joaquin Valley COGs Policy Council has encouraged staff to organize legislative visits to Sacramento and Washington D.C. The Valley Voice delegates discuss issues of Valley wide interest, including the Trade Corridors Plan/National Goods Movement Program; Air Quality Issues; Short Haul Rail; and the Transportation Reauthorization bill.

Madera County’s participation in the Valley Voice program is crucial to the Valley effort as it not only allows Madera a seat at the table but also allows Madera to be seen and heard; especially recognizing that Madera is a self-help county allowing leveraging opportunities. The Valley Voice effort has been successful and Madera County has benefited from the establishment of the Valley Voice. If the Policy Board wishes not to participate the disadvantage would be that Madera would not be visible and perhaps lose a seat at the table with the other Valley Counties. Unfortunately, there are no MCTC Federal or State funding sources that can be utilized for lobbying activities.

In order to actively participate in the Valley Voice programs, staff recommends initiating Member Assessment Fees in the 2009-10 Budget process on a per capita basis in the amount of \$10,000 if the Policy Board wishes to participate in the Valley wide Lobbying Activities.

Included in the Commissioner’s packet was a copy of the Proposed 2009-10 Member Assessment Fees Schedule that identifies the proportional amount that each member agency would be requested to pay should there be MCTC Policy Board Support for the Valley Voice effort.

Proposed Member Assessment Fee Schedule			
2009-10 Proportional Amount			
2009-10 Member Assessment Fee			\$ 10,000
Member	DOF (E-1) Population 05/01/09	Percent	Proportional Amount
Chowchilla	11,000	7.22%	\$ 722
Madera	57,318	37.63%	\$ 3,763
County	84,013	55.15%	\$ 5,515
	152,331	100.00%	\$ 10,000

**Action:** Upon motion by Commissioner Armentrout, seconded by Commissioner Kopshever to approve that the Valley Voice effort is beneficial and advantageous to actively participate and authorize staff to contact the local jurisdictions to incorporate the proposed 2009-10 Member Assessment Fee in its respective jurisdiction budget process. A vote was called and the motion carried.

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

**VIII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS**

**A. Update on Measure T Bond Offering (schedule) for Ellis Overcrossing Project**

KNN Financial Services Inc. has developed a 120-day Private Placement Bond offering schedule. The MCTC Policy Board has previously approved a Bonding Services Contract with KNN Inc, in the amount of \$6 million for the construction of the Measure T Regional Program - Ellis Street Overcrossing Project. The Ellis Street Project is scheduled for a STIP (\$8.5 million) construction allocation vote before the California Transportation Commission (CTC) on May 14, 2009. The CTC has not identified the funding for the project, so the project will be placed on the “Pending List” awaiting funding and authorization to bid a contract. The State has had recent success selling transportation bonds and it is anticipated that the project will be able to go to bid sometime within the next 6 months.

**Action:** Direction may be provided.

**B. 2009-10 Measure “T” Final Allocation**

The 2009-10 Measure "T" Final Allocation was included in the Commissioner's packet. The allocation provides a not to exceed budget allocation for each Measure "T" program for each agency. The annual revenue projection is furnished by the County Auditor's Office and is allocated based on population estimates from the Department of Finance.

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:** Upon motion by Commissioner Wheeler, seconded by Commissioner Poythress to approve the final 2009-10 Measure "T" Allocation. A vote was called and the motion carried.

**C. *Measure "T" Compliance Reports: City of Chowchilla; and City of Madera***

MCTA has received the Measure "T" Compliance Audit Report for the Fiscal Year ended June 30, 2008 for the City of Madera and the City of Chowchilla. This report was done in accordance with Section 99245 of the Public Utilities Code by Dedekian, George, Small & Markarian Accountancy Corporation.

We are pleased to report that there are no adverse findings.

**Action:** Upon motion by Commissioner Wheeler, seconded by Commissioner Kopshever to accept City of Madera's and City of Chowchilla's June 30, 2008 Compliance Reports. A vote was called and the motion carried.

**IX. *Miscellaneous***

**A. *Items From Caltrans***

Sharri Bender-Ehlert of Caltrans, updated the Commission regarding the status of the Economic Stimulus package and current Bond Sales.

**B. *Items from Staff***

No Items from Staff.

**C. *Items from Commissioners***

No Items from the Commissioners.

**X. *Adjournment***

Meeting adjourned at 4:05 p.m.

Next MCTC meeting set for Wednesday, June 17, 2009

Respectfully Submitted,

Patricia S. Taylor, Executive Director  
Madera County Transportation Commission