

# MADERA COUNTY TRANSPORTATION COMMISSION

## EXECUTIVE MINUTES

**Date:** Wednesday, May 21, 2003  
**Time:** 3:00 P.M.  
**Place:** Madera County Government Center,  
Board of Supervisor Chambers

**Members Present:** Chairman Frank Bigelow - Supervisor, Madera County  
Vice-Chair Gordon E. Skeels - Councilman, City of Madera  
M.J. Nabors - Councilman, City of Madera  
Gary Gilbert - Supervisor, Madera County  
Al Ginsburg - Councilman, City of Chowchilla  
Ron Dominici - Supervisor, Madera County

**Members Absent:** None

**Policy Advisory Committee:** Above Members present and Caltrans Representatives:  
Alan McCuen

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

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### 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.

Mike Fuller provide a status report on Maderans Making a Difference grant proposals.

### III. Meeting Minutes of April 23, 2003

Upon motion by Commissioner Skeels, seconded by Commissioner Dominici, to approve the April 23, 2003 Executive Minutes as written. A vote was called and the motion carried.

### IV. Transportation Items

#### A. *Unmet Transit Needs - Staff report and SSTAC recommendations, Resolution 03-04*

Included in the package was a copy of the Staff Report and Recommendations for the "Unmet Transit Needs" Public Hearing.

On April 23, 2003 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 2003-04 (July 1, 2003 through June 30, 2004) prior to approving claims of Local Transportation Funds for streets and roads.

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 SSTAC’s role 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 MCTC’s establishment of this Advisory Council is consistent with State Law (SB 498, Chapter 673, 1987) which mandates both the purpose and minimum membership of this body.

At the “Unmet Transit Needs” Public Hearing on Wednesday, April 23, 2003, the MCTC received testimony from the general public concerning possible unmet transit needs.

The following staff evaluation was prepared in a cooperative effort with the Social Service Transportation Advisory Council (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. Requests that the Madera Area Express (MAX) Fig Street bus stop on Yosemite Avenue be moved to Magnolia Street.** (Margot Velasquez - City of Madera resident; Antonio Olvera – City of Madera resident; Marta Moreno – City of Madera resident)

*Testimony was received that the Fig Street bus stop is located in an isolated area and residents fear for their safety while waiting for the bus. A bus stop at Magnolia Street would significantly reduce the walking distance to their homes that is burdensome while carrying shopping bags.*

- 2. Requests that Madera Dial-A-Ride widen the service boundary area and expand the evening and weekend hours of operation.** (Janet Dahlke - MCH Community Educator)

*Testimony was received that there are many families, elderly, and disabled residents located in "pocket communities" within the county in need of transportation to Madera for medical appointments, shopping, work, school, social services, etc. MCH Emergency Room patients are released at all hours of the night and many do not have return transportation. Pistoressi Ambulance has been helpful in transporting these patients, but at a considerable cost and misuse of emergency resources.*

MCTC staff has reviewed and discussed this testimony with the Social Service Transportation Advisory Council (SSTAC). The recommendation from staff and the SSTAC is that there are no unmet transit needs that are reasonable to meet within the jurisdiction of the City of Madera except for the need to locate a bus stop at or near Magnolia Street.

By definition, "unmet transit needs" include all essential trip requests by transit-dependent persons for which there is no other convenient means of transportation. MAX and Madera Dial-A-Ride provide transportation services that cover the entire jurisdiction of the city. Madera Dial-A-Ride currently provides transit service along Howard Road. The Madera County Connection (MCC)

provides service to Children's Hospital Central California where a connection can be made with the Fresno Area Express (FAX) for trips into Fresno.

A bus stop located at Magnolia Street would provide a greater access to the MAX system for residents of the surrounding neighborhoods. The City of Madera will coordinate with Caltrans to find a suitable location that meets safety requirements to install a bus stop on SR 145 between the current stops on Flume Street and Fig Street.

The Madera Dial-A-Ride service boundary covers the entire metropolitan area of the City of Madera. The service operates Monday thru Friday 7:00AM to 6:30PM; Saturday 9:00AM to 4:00PM; and Sunday 8:30AM to 2:30PM. Dial-A-Ride provides sufficient access to medical appointments, shopping, and other trips that typically occur during normal business hours.

The Madera County Transportation Commission will inform the MCH of the FTA Section 5310 application process and requirements. The Section 5310 Program is a vehicle purchasing grant for transportation elderly and disabled clients of social services providers. The Madera Dialysis Clinic operates a successful transportation system that meets the special needs of their clients. Operating costs could be covered by Medicare, Medical, and the private medical insurance of the MCH patients that are transported.

#### **City of Chowchilla**

**1. No public testimony was received regarding CATX or the City of Chowchilla.**

MCTC staff has reviewed and discussed this testimony with the Social Service Transportation Advisory Council (SSTAC). The recommendation from staff and the SSTAC is that there are no unmet transit needs that are reasonable to meet within the jurisdiction of the City of Chowchilla.

By definition, "unmet transit needs" include all essential trip requests by transit-dependent persons for which there is no other convenient means of transportation. The Chowchilla Area Transit Express (CATX) provides transportation services that cover the entire jurisdiction of the city. The Madera County Connection (MCC) provides service to the City of Madera and Children's Hospital Central California where a connection can be made with the Fresno Area Express (FAX) for trips into Fresno.

#### **County of Madera**

**1. Requests that Senior Bus, Escort Service, and the Madera County Connection systems continue operating and serving the residents of Eastern Madera County.** (Bob Goodrich – Transportation Marketing Committee; Gwen Gadberry – Transportation Marketing Committee)

*Testimony was received that there is an aging population in Eastern Madera County that appreciates and relies on the public transit services. The Senior Bus and Escort Service have proved their need through consistent ridership over the years. Through the efforts of the Marketing Committee, MCC ridership has increased from 12 trips per day to 22 trips per day. The annual ridership has increased approximately 80% from 2,970 trips in FY2001/02 to a projected 5,400 trips in FY2002/03.*

**2. Requests that Madera Dial-A-Ride widen the service boundary area and expand the evening and weekend hours of operation.** (Janet Dahlke - MCH Community Educator)

*Testimony was received that there are many families, elderly, and disabled residents located in "pocket communities" within the county in need of transportation to Madera for medical appointments, shopping, work, school, social services, etc. MCH Emergency*

*Room patients are released at all hours of the night and many do not have return transportation. Pistoresi Ambulance has been helpful in transporting these patients, but at a considerable cost and misuse of emergency resources.*

MCTC staff has reviewed and discussed this testimony with the Social Service Transportation Advisory Council (SSTAC). The recommendation from staff and the SSTAC is that there are no unmet transit needs that are reasonable to meet within the jurisdiction of the County of Madera.

The County of Madera has committed to fund and operate the Senior Bus, Escort Service, and MCC in FY2003/04.

The Madera Dial-A-Ride service boundary covers the entire metropolitan area of the City of Madera. The service operates Monday thru Friday 7:00AM to 6:30PM; Saturday 9:00AM to 4:00PM; and Sunday 8:30AM to 2:30PM. Dial-A-Ride provides sufficient access to medical appointments, shopping, and other trips that typically occur during normal business hours.

The Madera County Transportation Commission will inform the MCH of the FTA Section 5310 application process and requirements. The Section 5310 Program is a vehicle purchasing grant for transportation elderly and disabled clients of social services providers. The Madera Dialysis Clinic operates a successful transportation system that meets the special needs of their clients. Operating costs could be covered by Medicare, Medical, and the private medical insurance of the MCH patients that are transported.

### **Maintain Existing Transit Systems in Madera County**

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

- Madera Area Express (MAX)
- Madera Dial-A-Ride (DAR)
- Chowchilla Area Transit Express (CATX)
- Madera County Connection (MCC)
- Eastern Madera County Escort Service
- Eastern Madera County Senior Bus Program

### **RECOMMENDATION**

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

- 1. That the Madera County Transportation Commission find that there are no unmet transit needs that are reasonable to meet in FY 2003/04 within the jurisdictions of the City of Chowchilla and the County of Madera.**

*The Madera Area Express (MAX) and Madera Dial-A-Ride (DAR) provide transportation services that cover the entire City of Madera.*

*The Chowchilla Area Transit Express 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 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 Eastern Madera County communities are served by the Madera County Connection*

(MCC), the Escort Service, and the Senior Bus Program. The Madera Ranchos area is served by the Madera County Connection (MCC) and the Escort Service.

**2. That the Madera County Transportation Commission find that there are unmet transit needs that are reasonable to meet in FY 2003/04 within the jurisdiction of the City of Madera.**

*A bus stop located at Magnolia Street is needed to provide safe and convenient access to the MAX system for the residents of the surrounding neighborhoods.*

*The City of Madera will coordinate with Caltrans to find a suitable location that meets safety requirements to install a bus stop on SR 145 between the current stops on Flume Street and Fig Street.*

*The Madera Area Express (MAX) and Madera Dial-A-Ride (DAR) provide transportation services that cover the entire City of Madera.*

*The Chowchilla Area Transit Express 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 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 Eastern Madera County communities are served by the Madera County Connection (MCC), the Escort Service, and the Senior Bus Program. The Madera Ranchos area is served by the Madera County Connection (MCC) and the Escort Service.*

**3. Maintain existing transit systems in Madera County: Madera Area Express (MAX); Madera Dial-A-Ride (DAR); Chowchilla Area Transit Express (CATX); Madera County Connection (MCC); Eastern Madera County Escort Service; and Eastern Madera County Senior Bus Program.**

*Action:* Upon motion by Commissioner Ginsburg, seconded by Commissioner Dominici to approve the April 23, 2003 Unmet Transit Needs Findings by Resolution 03-04. A vote was called and the motion carried. Commissioner Nabors abstained from the vote.

**B. Draft Disadvantaged Business Enterprise (DBE) Program for the Madera County Transportation Commission (MCTC)**

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 will be 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.

The MCTC Planner has been delegated as the DBE Liaison Officer. In that capacity, the Planner is responsible for implementing all aspects of the DBE program. Implementation of the DBE program is accorded the same priority as compliance with all other legal obligations incurred by MCTC in its financial assistance agreements with the California Department of Transportation (Caltrans).

MCTC staff disseminate this policy statement to all the components of our organization. Staff distribute this statement to DBE and non-DBE business communities that perform work for us on DOT-assisted contracts by publishing this statement in general circulation, minority-focused and trade association publications.

Staff recommended that the MCTC Policy Board review the Draft DBE Program for MCTC. Staff will report back to the Board with a final Disadvantaged Business Enterprise Program and request authorization for the Executive Director to sign the DBE Program for MCTC and forward the program to Caltrans District 06 Local Assistance Engineer for approval and signature.

*Action:* Board initiate 45 day Review of MCTC DBE Policy and Program.

## **V. Administrative/Fiscal Items**

### **A. FY 2003-04 MCTC Overall Work Program and Line Item Budget – Resolution 03-05**

Included in the package was the 2003-04 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.

Incorporated in the *2003-2004 OWP Budget* “Salaries and Benefits” are salary adjustments to reflect parity with staff positions in like regional transportation planning agencies.

Staff periodically reviews salaries and benefits as compared to similar positions in regional transportation planning agencies located in the central California area. The current salary survey indicates that MCTC has fallen approximately fifteen percent behind the comparable agencies. The budget, as presented, rectifies this by adjusting salaries to be more in line with like agencies. This adjustment is in lieu of any cost of living adjustments for the current year. From this point forward staff will implement a program to annually assess cost of living adjustments as a part of the annual budget development process and make COLA recommendations as appropriate. Further, staff will conduct a salary survey every third year in order to evaluate parity by position with like regional planning agencies and recommend adjustments where appropriate.

*Action:* Upon motion by Commissioner Gilbert, seconded by Commissioner Nabors to approve the FY 2003-04 MCTC Overall Work Program and Line Item Budget – Resolution 03-05. A vote was called and the motion carried.

### **B. Final Transportation Development Act (LTF & STA) – Fund Estimates and Apportionment, LTF Resolution 03-06 and STA Resolution 03-07**

Included in the package was a copy of the 2003/04 Transportation Development Act (TDA) Fund estimates and apportionment’s for each agency.

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 package was the final TDA apportionment and reflects the population changes.

*Local Transportation Fund (LTF):* On February 1, 2003, the county auditor provided MCTC an estimate of moneys to be available for apportionment and allocation during the ensuing fiscal year. The estimate for FY2003-04 is \$2,423,869. The estimate includes moneys 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 2003/04, there is a \$100,286,613.00 budgeted according to the most currently information from the Department of Finance. STA allocation estimate for the Madera County area is \$185,619.

**Action:** Upon motion by Commissioner Gilbert, seconded by Commissioner Dominici to approve the final Transportation Development Act estimates and apportionment by Resolution 03-06 for Local Transportation Fund and Resolution 03-07 for State Transit Assistance Fund. A vote was called and the motion carried.

**C. Final Transportation Development Act (LTF & STA) – Fund Allocations, LTF Resolution 03-08 and STA Resolution 03-09**

The California Transportation Development Act established the **Local Transportation Fund (LTF)** and a continuous appropriation of said Fund. The Madera County Transportation Commission is empowered to authorize apportionment and allocation of the LTF Fund. \$70,000 has been apportioned for Administration, \$47,077 has been apportioned for Pedestrian and Bicycle facilities. The Local Agencies have agreed to a MCTC expenditure of \$77,235 for shared system planning costs, per Section 99233.2 of the Transportation Development Act.

*Local Transportation Funds (LTF):* LTF Resolution 03-08 reflects the City of Chowchilla, City of Madera, and the County of Madera's allocation applications for proposed uses of these funds.

*State Transit Assistance (STA):* STA funds have been made available to the MCTC; and the MCTC has apportioned these funds to the City of Chowchilla, City of Madera, and the County of Madera for the provision of Transit Operations and Transit Planning, and has invited allocation applications for proposed uses of these funds, and the agencies have complied by submitting appropriate documents detailing those projects and have sought authority to proceed.

The sum of each of the three entities allocations from the State Transit Assistance Fund does not exceed the amount that each claimant is eligible to receive. The County Auditor shall establish the following reserves and pay out the STA Fund in the amount listed for the transit projects.

**Action:** Upon motion by Commissioner Nabors, seconded by Commissioner Gilbert to approve Final Transportation Development Act (LTF & STA) – Fund Allocations, LTF by Resolution 03-08 and STA Resolution 03-09. A voted was called and the motion carried.

**VI. Closed Session**

Public employee performance evaluation, Pursuant to Government Code Section 54957 – Executive Director.

*Request for Closed Session to Discuss Public Employee Appointment/Employment Pursuant to Government Code Section 54957; Title of Position: Executive Director*

Board went into closed session at 3:36 p.m.

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.

Board reconvened at 3:58 p.m.

*Action:* Discussion only. Action was taken in Item V. A.

**VII. Miscellaneous**

***A. Items From Caltrans***

Alan McCuen discussed the issue of inclusion of Hwy 99 into the Interstate Highway System.

Commissioner Nabors inquired about a public survey issued by Caltrans concerning the Hwy 99 Corridor Master Plan. Mr. McCuen stated that it is available on Caltrans webpage and has been distributed to many agencies.

***B. Items From Staff***

Patricia Taylor-Maley, Executive Director, took this time to introduce MCTC's new staff member to the Board. Lester Koga, Transportation Planner I.

***C. Items From Commissioners***

Commissioner Gilbert requested staff to write a letter to Caltrans to request Caltrans to investigate into the possibility of enhancing two Park and Ride lots located in Madera: Hwy 41 and SR 145 and Hwy 41 and Road 200.

**VII. Adjournment**

Meeting adjourned at 4:00 p.m.

Next meeting set for Wednesday, June 18, 2003.

Respectfully Submitted,

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