

MADERA COUNTY TRANSPORTATION COMMISSION

EXECUTIVE MINUTES

Date: Wednesday, May 23, 2007
Time: 3:00 P.M.
Place: City of Madera Council Chambers

Members Present: Chairman Frank Bigelow – Supervisor, Madera County
Robert Poythress – Councilman, City of Madera
Max Rodriguez – Supervisor, Madera County
Alfred Ginsburg – Councilman, City of Chowchilla
Alt. Ronn Dominici – Supervisor, Madera County

Members Absent: Vern Moss – Supervisor, Madera County
Vice Chairman Sam Armentrout – Councilman, City of Madera

Policy Advisory Committee: Above Members present and Caltrans Representatives:
Steve Curti, Chief, Office of Advance Planning

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

MCTC sitting as the Transportation Policy Committee.

I. PLEDGE OF ALLEGIANCE

II. PUBLIC COMMENT

This portion of the meeting is reserved for person(s) wishing to address the MCTC on items within their jurisdiction but not on this agenda.

There were no public comments.

III. TRANSPORTATION CONSENT ITEMS

A. *Draft FY 2007/08 Annual Anticipated Disadvantaged Business Enterprise (DBE Participation Level for the Madera County Transportation Commission)*

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 FY2007/08 for DOT assisted contracts is proposed to be set at 5.00%, which is based upon the percentage of DBE firms available to perform work in Madera County.

Action: Information and Discussion Only.

B. Madera County Transportation Commission Blueprint Vision Statement

Visioning and Values Workshops – Madera County Blueprint

What is the Valley Blueprint? The San Joaquin Valley Blueprint Planning Process is a chance to plan for the future of transportation and land use in the San Joaquin Valley to the Year 2050.

What will the Blueprint Planning Process do? Planning issues do not exist in a vacuum. Transportation and land use are intertwined; these issues also affect housing, employment centers, and air quality. The San Joaquin Valley Blueprint Planning Process will enable the region to better understand that what we do locally affects the entire region. For more information about the Blueprint Planning process in Madera County please visit our website <http://www.maderactc.org>.

Why should we plan for the Future? The San Joaquin Valley is a special place. It has a rich, diverse population; communities that blend rural calm with urban amenities; and an unrivaled agricultural economy. These qualities also mean the region will grow. In the next 45 years, the Valley will more than double in population from 3.3 million to more than 7 million. With this growth comes many challenges. Where should we grow? How will we grow? The San Joaquin Valley Blueprint Planning Process provides an opportunity to work together to answer these questions.

The Madera Blueprint Vision and Values Workshops were a great opportunity for the community to discuss relevant issues pertaining to future growth and development in Madera County. All three workshops were well attended: approx. 50 in Oakhurst; approx. 45 in Madera; and approx. 25 in Chowchilla.

An interactive poll was conducted on the proposed 11 values to determine their relative priority. The polling results will form the basis for the development of a Vision Statement for the Madera County Blueprint. Although the official results have not been released, it was clear that the following values registered as the most important to workshop attendees:

- Environmental Sustainability
- Public Safety
- Vibrant Economy
- Healthy Environment

MCTC Blueprint 2050 Vision Statement

Madera County will be composed of unique cities, communities and a diverse population that is supported by a vibrant economy, a healthy and sustainable environment and public safety, accomplished through a land use and transportation system that supports livable communities and interregional coordination and connectivity while preserving agricultural and natural resources.

The Vision and Values Workshop polling results are posted on the MCTC Website at:
<http://www.maderactc.org>.

Action: Approve Madera County Transportation Commission Blueprint Vision Statement

C. *Our Valley. Our Choice. Building a Livable Future for the San Joaquin Valley*

With the world's richest agricultural land and an increasingly diverse and rapidly expanding population, California's San Joaquin Valley is undergoing dramatic changes. Will these changes lead inevitably to environmental degradation and social alienation? Included in your package is a copy of *Our Valley, Our Choice* which presents another possibility-that out of the fertile soil and social wealth of the Valley, we can forge a culturally and ecologically sustainable and fulfilling world. Our Valley, Our Choice was created to support the San Joaquin Valley Blueprint and produced in cooperation with the Great Valley Center of Modesto. For additional copies of the Our Valley, Our Choice, order by accessing www.valleyblueprint.org.

Action: Information and Discussion Only.

D. *Proposition 1B - \$19.925 Billion Transportation Bond Guide*

Included in the Commissioner's packet was a guide to Proposition 1B. Proposition 1B is the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 (SB 1266: Chapter 25, Statutes of 2006), approved by the voters in November 2006.

Action: Information and Discussion Only.

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

IV. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. *FY 2007-08 Unmet Transit Needs – Staff report and SSTAC Recommendations, Resolution 07-05*

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 18, 2007, 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 2007-08 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 18, 2007, 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.

Discussion:

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.**

MCTC staff has reviewed and discussed testimony regarding the City 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 need 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 regarding frequency, on-time performance and staff professionalism of the Madera Area Express (MAX) and the Madera Dial-A-Ride system; however, the comments reflect operational issues and not unmet needs.

Additional testimony was received regarding the expansion of MAX to serve regions outside the city such as the Madera Center of Reedley College and the extension of MAX operating hours earlier in the morning and later in the evening. These requests are not considered unmet needs due to the availability of existing transportation systems such as Dial-A-Ride and Madera County Connection. As the City of Madera grows, the MAX service will expand to serve new areas that currently lie at the periphery of the city’s sphere of influence. City transit staff continues to work with the college to increase the viability of existing Dial-A-Ride

service.

Testimony was received regarding the installation of additional bus shelters on the MAX system route. The city has already budgeted for the construction of 6 additional bus shelters in fiscal year 2007/08.

City of Chowchilla

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

MCTC staff has reviewed and discussed this testimony with the 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.

Comments regarding the need for extended Madera County Connection (MCC) hours and service to Chowchilla are considered unmet needs, but are not reasonable to meet at this time. With a fare box recovery of 4%, the MCC does not meet the state mandated fare box return of at least 10%.

The CATX provides transportation services that cover the entire jurisdiction of the City of Chowchilla. Additionally, the MCC also provides service to the City of Madera and the Children's Hospital of Central California where a connection can be made with the Fresno Area Express (FAX) for trips into Fresno.

The SSTAC and MCTC staff are encouraged by the ongoing Strategic Implementation Plan for the MCC system. This Plan will provide the County with a fiscally sound and effective plan for the delivery of transit services over the next five to ten years.

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 this testimony with the 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 requests for increased MCC service to Oakhurst, North Fork and the City of Fresno are considered unmet transit needs, but are not reasonable to meet at this time. With a fare box recovery of 4%, the MCC does not meet the state mandated fare box return of at least 10%. An increase in service in these areas is difficult to justify at the existing low ridership levels. The County of Madera is conducting a Strategic Implementation Plan to study the adequacy of the MCC service over the next five to ten years.

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 2005/06 within the jurisdictions of the City of Chowchilla, City of Madera and County of Madera.**

The Madera Area Express (MAX) 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, with the Escort Service also serving the Madera Ranchos area.

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 Ginsburg, seconded by Commissioner Rodriguez to approve 2007/08 Unmet Transit Needs – Staff report and SSTAC recommendation by Resolution 07-05. A vote was called and the motion carried.

B. FINAL 2007 Federal Transportation Improvement Program; FINAL Regional Transportation Plan; FINAL Public Participation Plan and FINAL Conformity Analysis – Resolution 07-08

Notice of Public Hearing on the FINAL 2007 Regional Transportation Plan & EIR Re-Certification; 2007 Federal Transportation Improvement Program Amendment No.2; 2007 Public Participation Plan and Corresponding Air Quality Conformity Analysis.

The Regional Transportation Plan is a comprehensive long-range planning document that covers a 25-year period. The RTP is required to be financially constrained and includes a Policy Element that reflects the goals and objectives of the region, an Action Element that includes the programs and projects that implement the RTP, and a Financial Element that balances the cost of the planned projects against the projected available revenues.

- The Federal Transportation Improvement Program is a listing of capital improvements, and operational expenditures utilizing federal and state monies anticipated to be used in Madera County during the next four years.
- The Air Quality Conformity Analysis contains the documentation to support a finding that the 2007 FTIP Amendment No. 2 and 2007 RTP meet the air quality conformity requirements for ozone, and particulate matter.
- The Public Participation Plan is a document that demonstrates and guides MCTC's commitment to public involvement in the transportation planning process. The plan outlines how the public is engaged with timely public notice; accurate and complete information; access to key decisions; and opportunities for early and continuous involvement in the transportation planning process.

A 45-day public review and comment period will commence on March 5, 2007 and conclude the day of the public hearing on these matters. The draft documents are available for review at the MCTC office, located at 1816 Howard Road, Ste 8, Madera, CA 93637 or on the MCTC Website at <http://www.maderactc.org>.

Public comments are welcomed at the hearing, or may be submitted in writing by 3:00 PM, April 18, 2007 to the address below.

After considering the comments, the documents will be considered for adoption, by resolution, by the MCTC Policy Board at a regularly scheduled meeting to be held on May 23, 2007. The documents will then be submitted to state and federal agencies for approval.

Action: Upon motion by Commissioner Poythress, seconded by Commissioner Dominici to approve FINAL 2007 Federal Transportation Improvement Program; FINAL Regional Transportation Plan; FINAL Public Participation Plan and FINAL Conformity Analysis by Resolution 07-08. A vote was called and the motion carried.

C. *2006 State Transportation Improvement Program Augmentation – California Transportation Commission Staff Recommendations*

The California Transportation Commission staff is expected to release its 2006 State Transportation Improvement Program Augmentation recommendations on Friday, May 18, 2007. Staff provided a verbal report. Direction may be required.

Action: Information and Discussion Only – Direction may be provided

D. *Congestion Mitigation and Air Quality (CMAQ) Policy – Resolution 07-09*

As part of the development of local air quality measures for the 8-hour Ozone Plan, the San Joaquin Valley Metropolitan Planning Organizations (MPOs) proposed to develop a process across the Valley for distributing 20% of the Congestion Mitigation and Air Quality (CMAQ) funds to projects that meet a minimum cost-effectiveness beginning in FY 2011. The CMAQ program funds transportation projects or programs that will contribute to attainment or maintenance of the national ambient air quality standards. The CMAQ program was created under the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, and continued under subsequent transportation legislation, TEA-21 and SAFETEA-LU. The eight San Joaquin Valley Metropolitan Planning Organizations (MPOs) currently receive approximately \$40 million per year in CMAQ funding, subject to state and federal formulas.

While all CMAQ funding must go to transportation-related projects that demonstrate an air quality benefit, the eight San Joaquin Valley MPOs currently have different criteria and processes for allocating funding to eligible agencies and projects. There is currently no minimum cost-effectiveness established for the CMAQ program, and according to recent national studies, the numbers vary widely across the country. SAFETEA-LU, including new CMAQ guidance released by the Federal Highway Administration (FHWA) in 2006, directs States and MPOs to give priority to cost-effective congestion mitigation activities that provide air quality benefits. Though SAFETEA-LU establishes these investment priorities, it also retains local authority in project selection, meaning that changes to local procedures are not required by the SAFETEA-LU.

The San Joaquin Valley MPOs propose to adopt the local cost-effectiveness CMAQ policy through the attached Policy Board Resolution. The percentage (20%) of funds will be converted to a dollar amount as part of periodic reviews and updates to the CMAQ policy. The policy is scheduled to be implemented in FY 2011 since the current federally approved 2007 Federal Transportation Improvement Programs (FTIPs) have committed CMAQ funds through FY2010.

CMAQ projects must demonstrate an air quality benefit, and the expected emissions reductions will continue to be estimated using standard methodology. Tracking of the CMAQ policy will be achieved through several methods. Each MPO will continue to submit annual reports to Caltrans and the Federal Highway Administration (FHWA) that specify how CMAQ funds have been spent and the expected air quality benefits. Each MPO will also post information related to the implementation of the local cost-effectiveness CMAQ policy on its website.

Due to changes in technology and costs over time, the MPOs will revisit the minimum cost-effectiveness standard, as well as policy feasibility, at least once every four years. A periodic review of the policy is also necessary due to potential changes in federal transportation legislation, apportionments, and project eligibility.

Action: Upon motion by Commissioner Poythress, seconded by Commissioner Ginsburg to approve Resolution 07-09 Congestion Mitigation and Air Quality (CMAQ) Policy. A vote was called and the motion carried.

E. *San Joaquin Valley Policy Council Appointments*

The Commission at its September 2006 meeting appointed the following members to the San Joaquin Valley Policy Council:

1. Steve Mindt, Councilman, City of Madera (now Mayor)
2. Ray Warner, Councilman, City of Chowchilla (now former)
3. Max Rodriguez, Supervisor, County of Madera – Alternate

The Policy Council consists of elected officials representing the eight San Joaquin Valley Council of Governments (San Joaquin; Stanislaus; Merced; Madera; Fresno; Kings; Tulare; and Kern Counties). The purpose of the Council is to develop a process and framework for establishing formal San Joaquin Valley positions on issues where valleywide consensus exists.

Action: Appoint two Policy Council members and two alternates. Upon motion by Commissioner Dominici, seconded by Commissioner Poythress to appoint Commissioner Rodriguez and City of Madera's Councilmember Steve Mindt to the SJV Policy Council and appoint Chowchilla (when selected by City of Chowchilla's Council) as Alternate. 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 18, 2007*

Included in the Commissioner's packet was a copy of the April 18, 2007 Executive Minutes for review.

Action: Approve Executive Minutes of April 18, 2007.

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

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 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 2007-08 is **\$4,093,092** (decrease \$204,797 from FY 2006/07). 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 2007-08, there is \$784,510,744 budgeted according to the most current information from the Department of Finance. STA allocation estimate for Madera County is \$1,523,731 (increased \$300,657 from FY 2006/07).

Action: Approve Final Transportation Development Act (LTF & STA) – Fund Estimates and Apportionment, LTF Resolution 07-06 and STA Resolution 07-07

Administrative Consent Calendar Action

The Commission unanimously approved the Administrative Consent Calendar.

VII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. Commission Relocation - Update

Staff provided a verbal update and handout. Commissioner Poythress excused himself from this item.

Action: Upon motion by Commission Ginsburg, second by Commission Rodriguez to direct staff to send out Request for Proposals to prospective vendors to bid on office space/boardroom for MCTC staff. And for this to be within a 30 day period and for the bids to be sealed and presented to the Commissioners at next meeting. A vote was called and the motion carried. Commissioner Dominici abstained for the vote.

B. FY 2007-08 MCTC Overall Work Program and Line Item Budget – Resolution 07-10

Included in the Commissioner’s packet was the 2007-08 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 Poythress, seconded by Commissioner Dominici to approve the FY 2007-08 MCTC Overall Work Program and Line Item Budget – Resolution 07-10. A vote was called and the motion carried.

MCTC Sitting as the Madera County 2006 Transportation Authority

VIII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

No Administrative Action/Discussion Items

IX. Miscellaneous

A. Items From Caltrans

Steve Curti reported on the SR 99 bond monies.

B. Items from Staff

No Items from Staff.

C. Items from Commissioners

No Items from Commissioners.

X. Closed Session

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

Report of Closed Session Actions. Pursuant to Government Code Section 54957.1 and 54957.7, any required reports of closed session actions will be made at this time.

The Commission went into closed session at 4:35 p.m.

The Commission reopened the meeting at 4:50 p.m.

Action: No action taken.

XI. Adjournment

Meeting adjourned at 4:50 p.m.

Next meeting set for Wednesday, June 20, 2007

Respectfully Submitted,

Patricia S. Taylor, Executive Director
Madera County Transportation Commission