

# MADERA COUNTY TRANSPORTATION COMMISSION

## EXECUTIVE MINUTES

**Date:** Wednesday, October 21, 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  
Robert Poythress – Councilman, City of Madera  
Tom Wheeler – Supervisor, Madera County  
Sam Armentrout – Councilman, City of Madera  
Alt. Ronn Dominici – Supervisor, Madera County

**Members Absent:** Vern Moss – Supervisor, Madera County

**Policy Advisory Committee:** Above Members present and Caltrans Representatives:  
Jim Perrault, Acting Deputy District 06 Director

**MCTC Staff Present:** Patricia Taylor, Executive Director  
Derek Winning, Deputy Director  
Troy McNeil, Fiscal Supervisor  
Richard Poythress, Planner I

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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. *Congestion Mitigation and Air Quality (CMAQ) - Call for Projects*

The MCTC has released the MAP-21 Cycle II CMAQ Call for Projects. The MCTC CMAQ Program allows 40% of the total Madera County CMAQ apportionments to be set aside as a “Lifeline” amount. Each MCTC member agency is provided with a guaranteed level of CMAQ funding that can be used for any eligible CMAQ project. Each agency is required to submit a formal application for their “Lifeline” projects to the MCTC Office by no later than 5:00 p.m., February 1, 2010.

The MCTC CMAQ Program allows for 60% of the total apportionment to be available to local government agencies/districts/jurisdictions and public/private partnerships in the Madera County

Region through a competitive grant program. Completed applications for eligible projects under the CMAQ Cycle II grant program as outlined in this Application Packet must be received by MCTC no later than 5:00 p.m., December 4, 2009. A maximum of \$300,000 may be awarded for an individual project and a maximum of \$1,000,000 may be awarded to an individual agency. Please contact Troy McNeil if you have any questions.

**Action:** Information and discussion only.

**B. 2010-11 Bicycle Transportation Account - Call For Projects**

Caltrans issued a call for projects for the fiscal year 2010/11 Bicycle Transportation Account (BTA) program (attached). Applications are due December 1, 2009 (postmarks are sufficient) to the District 6 Office of Local Assistance at the address below:

Office of Local Assistance  
Attn: Noel Bucu  
855 M Street, Suite 200  
Fresno, CA 93721

Caltrans anticipates an appropriation of \$7.2 million for the 2010-11 cycle for projects that improve safety convenience for bicycle commuters. Cities and counties are eligible to apply. The application form is available on the Division of Local Assistance website at:  
<http://www.dot.ca.gov/hq/LocalPrograms/bta/btawebPage.htm>.

To be eligible for BTA funds, local agencies must prepare and adopt a Bicycle Transportation Plan that complies with Streets and Highways Code, Section 891.2, Items A through K. The plan must be reviewed and approved by the MCTC Policy Board. The Bicycle Transportation Plan must have been adopted between January 1, 2005 and December 31, 2009. Projects not identified in the local agency's Bicycle Transportation Plan will not be eligible for BTA funds.

The maximum amount an applicant may receive is \$1,800,000, or 25 percent of the total amount. BTA funds pay a maximum of 90 percent of the total cost of an eligible project. Local agencies must provide a minimum of 10 percent of the total project cost from sources other than the BTA.

If you have any questions regarding the BTA program, please call either Tom Glaski (559) 445-5834 or Kirk Anderson (559) 445-6273.

**Action:** Information and discussion only.

**Draft 2009/10 - 2013/14 Short Range Transit Development Plan**

**C.**

Included in the Commissioner's packet was a copy of the draft *Madera County Short-Range Transit Development Plan FY2009/10 – FY2013/14 (SRTDP)*. The SRTDP is a 5-year planning document that is intended to serve as a guide for improving public transit agencies within Madera County. The primary objectives of the SRTDP are to:

- Develop transit goals, objectives, and performance standards.
- Evaluate the efficiency and effectiveness of the existing transit systems.
- Develop a 5-year service plan to improve transit services based upon community need and public input.
- Provide marketing and outreach strategies to promote ridership.
- Develop financially feasible capital and operating plans that address existing and future transit needs.
- Meet programming requirements for State PTMISEA transit capital funding.

The draft SRTDP will be made available to local agency staff, the Social Service Transportation

Advisory Committee (SSTAC), and the general public for review and comment. All public comments must be received by Monday, November 2, 2009. Comments will be incorporated into the final SRTDP document.

The final SRTDP will be submitted to the MCTC Policy Board in December for approval.

**Action:** Information and discussion only.

**D. 2009 Federal Transportation Improvement Program - Administrative Amendment No. 11**

Enclosed in the Commissioner's packet for review was a copy of the Amendment #11 (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 #11 meets all applicable transportation planning requirements per 23 CFR Part 450 and 40 CFR Part 93. These projects and/or project phases are consistent with the 2007 Regional Transportation Plan (RTP), which was adopted by the Madera County Transportation Commission on May 23, 2007 and approved by FHWA/FTA on June 29, 2007.

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

**Action:** Information and discussion only.

**E. California Partnership for the San Joaquin Valley - 2009 Annual Summit**

Included in the Commissioner's packet was an invitation to the 2009 Annual Summit of the California Partnership for the San Joaquin Valley. The Summit will be held in Fresno at the Fresno Convention and Entertainment Center on Friday, October 23, 2009 from 9:00am – 4:00pm. Registration information was also included in the packet.

**Action:** Information and discussion only.

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

**IV. TRANSPORTATION ACTION/DISCUSSION ITEMS**

**A. 2010 State Transportation Improvement Program (STIP) Allocation Plan**

California Transportation Commission (CTC) Staff estimates that approximately \$242 million in STIP projects programmed for 2009-10 (including projects delivered in 2008-09 that could not be allocated due to a lack of funding) cannot be allocated this fiscal year. This estimate is based upon the 2009-10 STIP allocation capacity developed by Caltrans and information submitted by many regional agencies identifying projects that could be delayed and projects that were funded from other sources. Allocations in 2009-10 may be limited even more if the state is unable to sell enough bonds as 73% of the 2009-10 allocation capacity is from Proposition 1B bonds (Transportation Facilities Account).

**CTC STAFF RECOMMENDATION**

There are two options staff analyzed in developing a 2009-10 STIP allocation plan. Both options were based upon the below set of allocation plan principles and priorities and considered information submitted by

regional agencies and Caltrans (including regional priorities and projects that could be delayed or were funded from other sources).

1. A project specific allocation plan limited to the estimated allocation capacity. The projects that would be included if this option were adopted are shown in Attachment 1. The projects that would not be included if this option were adopted are shown in Attachment 2.
2. A general allocation plan with a first-come/first-served component. In this option the total potential allocations (\$722 million) exceeds the remaining allocation capacity (\$652 million) by a \$71 million (11%). The projects eligible for allocation if this option were adopted are shown in Attachment 3.

**Action:** Information and discussion only.

**V. REAFFIRM ALL ACTIONS TAKEN WHILE SITTING AS THE TRANSPORTATION POLICY COMMITTEE**

**Action:** The Commission unanimously approved to reaffirm all actions taken while sitting as the Transportation Policy Committee.

**VI. ADMINISTRATIVE CONSENT ITEMS**

**A. Executive Minutes of September 23, 2009**

Included in the Commissioner's packet was a copy of the September 23, 2009 Executive Minutes for review.

**Action:** Approve Executive Minutes of September 23, 2009.

**Administrative Consent Calendar Action**

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

**VII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS**

No Administrative Action/Discussion Items.

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

**VIII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS**

**MCTA Sales Tax Revenue Bonds - Ellis Street Overcrossing**

**A.**

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 received 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 was 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 in the Spring of 2010.

KNN Inc solicited private placement bond offers from several of the top institutional lenders and an offer was accepted from Bank of America. In addition, it became advantageous to utilize the Build America Bond (BAB) program from the ARRA to subsidize the interest rate. The following are the terms of the loan:

## LOAN TERMS

1. \$6.2 million
2. 7.44% (BAB Rate 4.59%)
3. 15 year term
4. Debt service \$8.8 million

MCTC Staff, KNN Financial Services, Inc, and Orrick Public Finance recommend that the MCTA Policy Board approve the Bond Agreement and MCTA Resolution No. 2009-01 to execute the sale of \$6 million in bonds for the construction of the Ellis Street Overcrossing.

**Action:** Upon motion by Commissioner Kopshever, seconded by Commissioner Poythress to approve MCTA Resolution No. 2009-01. A Vote was called and the motion carried.

### ***Measure "T" Citizens' Oversight Committee - 2007-08 Annual Report to the Public***

#### **B.**

The Measure T Citizens' Oversight Committee was formed to inform the public and to ensure that the Measure T funding program revenues and expenditures are spent as promised to the public. Specific responsibilities include the review of independent financial and performance audits related to the Measure and any other periodic reports, studies and plans from responsible agencies. The Committee must also present its recommendations, findings, and requests to the public and the Authority in a formal annual report.

Included in the Commissioner's packet were copies of the Citizens' Oversight Committee's FY2007-08 Annual Report to the Public. In addition to receiving periodic updates from staff on the progress of the Measure T program, Committee members have reviewed Measure T compliance audits for local agencies as well as the Authority. The Committee is pleased to note no adverse findings in the audit documents.

The Annual Report to the Public will be distributed to the MCTA mailing list with an anticipated print run of 500 copies. The Report will also be available for viewing on the MCTA web site and sent via email to all interested parties.

**Action:** Upon motion by Commissioner Armentrout, seconded by Commissioner Wheeler to accept the Citizens' Oversight Committee's FY 2007-08 Annual Report to the Public. A vote was called and the motion carried.

## **IX. Miscellaneous**

### **A. *Items From Caltrans***

Caltrans reported the call for projects for the fiscal year 2010/11 Bicycle Transportation Account (BTA) program and that applications are due December 1, 2009.

Caltrans also updated the Commission on the current status on local projects in Madera County.

### **B. *Items from Staff***

Staff reported to the Board what was discussed at the 2009 San Joaquin Valley Regional Planning Agencies' Fall Policy Conference which was held October 1 & 2, 2009.

### **C. *Items from Commissioners***

No Items from the Commissioners.

**X. *Adjournment***

Meeting adjourned at 4:15 p.m.

Next MCTC meeting set for Wednesday, December 2, 2009

Respectfully Submitted,

Patricia S. Taylor, Executive Director  
Madera County Transportation Commission