



Meeting of the
Madera County Transportation Commission
Policy Board Meeting

LOCATION

Madera County Transportation Commission
Board Room
2001 Howard Road, Suite 201
Madera, California 93637

SPECIAL NOTICE: Precautions to address COVID-19 (a.k.a. the “Coronavirus”) will apply to this meeting. See below Special Notice for additional details.

DATE

May 19, 2021

TIME

3:00 PM

Policy Board Members

Commissioner Jose Rodriguez, Chair
Commissioner Tom Wheeler, Vice Chair
Commissioner Waseem Ahmed
Commissioner Brett Frazier
Commissioner Robert Poythress
Commissioner Cecelia Gallegos

Councilmember, City of Madera
Madera County Supervisor
Councilmember, City of Chowchilla
Madera County Supervisor
Chair, Madera County Supervisor
Councilmember, City of Madera

Representatives or individuals with disabilities should contact MCTC at (559) 675-0721 at least three (3) business days in advance of the meeting to request auxiliary aids or other accommodations necessary to participate in the public meeting.



In compliance with Government Code §54952.3, compensation for legislative body members attending the following simultaneous meeting is \$100. Compensation rate is set pursuant to the rules of the Madera County Transportation Commission.

SPECIAL NOTICE

Important Notice Regarding COVID 19

In accordance with Governor Newsom’s Executive Order N-29-20, the Madera County Transportation Commission (MCTC) Board Room will be closed, and the Policy Board Members and staff will be participating in this meeting via GoToWebinar. In the interest of maintaining appropriate social distancing measures, members of the public may participate in the meeting electronically and shall have the right to observe and offer public comment during the meeting.

You are strongly encouraged to participate by joining the meeting from your computer, tablet or smartphone.

Please register for the GoToWebinar from your computer, tablet, or smartphone

<https://attendee.gotowebinar.com/register/9089848859182648588>

After registering you will receive a confirmation email containing information about joining the webinar

You can also dial in using your phone

1 (951) 384-3421 or 1 (866) 901-6455 (Toll Free)

Access Code: 799-790-113

For participation by teleconference only, please use the above phone number and access code. If you participate by teleconference only, you will be in listen-only mode.

If you wish to make a comment on a specific agenda item during the meeting, please use the “Raise Hand” feature in GoToWebinar and you will be called on by the chair during the meeting. If you are participating via telephone only, you can submit your comments via email to publiccomment@maderactc.org or by calling 559-675-0721 **no later than 10:00 am on 5/19/2021**. Comments will be shared with the Policy Board and placed into the record at the meeting. Every effort will be made to read comments received during the meeting into the record, but some comments may not be read due to time limitations. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.

AGENDA

At least 72 hours prior to each regular MCTC Board meeting, a complete agenda packet is available for review on the [MCTC website](#) or at the MCTC office, 2001 Howard Road, Suite 201, Madera, California 93637. All public records relating to an open session item and copies of staff reports or other written documentation relating to items of business referred to on the agenda are on file at MCTC. Persons with questions concerning agenda items may call MCTC at (559) 675-0721 to make an inquiry regarding the nature of items described in the agenda.

INTERPRETING SERVICES

Interpreting services are not provided at MCTC's public meeting unless requested at least three (3) business days in advance. Please contact MCTC at (559) 675-0721 during regular business hours to request interpreting services.

Servicios de interprete no son ofrecidos en las juntas públicas de MCTC al menos de que se soliciten con tres (3) días de anticipación. Para solicitar estos servicios por favor contacte a Evelyn Espinosa at (559) 675-0721 x 15 durante horas de oficina.

MEETING CONDUCT

If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Board may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

RECORD OF THE MEETING

Board meetings are recorded. Copies of recordings are available upon request, or recordings may be listened to at the MCTC offices by appointment.

Agenda

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **PUBLIC COMMENT**

This time is made available for comments from the public on matters within the Board's jurisdiction that are not on the agenda. Each speaker will be limited to three (3) minutes. Attention is called to the fact that the Board is prohibited by law from taking any substantive action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Board does not respond to the public comment at this time. It is requested that no comments be made during this period on items that are on today's agenda. Members of the public may comment on any item that is on today's agenda when the item is called and should notify the Chairman of their desire to address the Board when that agenda item is called.

MCTC SITTING AS THE TRANSPORTATION POLICY COMMITTEE

4. **TRANSPORTATION CONSENT ITEMS**

All items on the consent agenda are considered routine and non-controversial by MCTC staff and will be approved by one motion if no member of the Committee or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Committee concerning the item before action is taken.

[4-A.](#) Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program Call for Projects

Enclosure: No

Action: Information and Discussion Only

[4-B.](#) Sustainable Agriculture Lands Conservation Program Call for Projects

Enclosure: No

Action: Information and Discussion Only

[4-C.](#) Public Transportation Agency Safety Plan (PTASP) Targets

Enclosure: No

Action: Adopt PTASP Targets

4-D. Annual DBE Submittal Fiscal Year 2021-2022

Enclosure: No

Action: Information and Discussion Only

4-E. Comment Letter on Urban Areas for the 2020 Census – Proposed Criteria (Docket Number 210212-0021)

Enclosure: Yes

Action: Information and Discussion Only

4-F. 2022 SB-1 Competitive Programs Guideline Development Workshops

Enclosure: Yes

Action: Information and Discussion Only

4-G. Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA) Funding

Enclosure: Yes

Action: Information and Discussion Only

4-H. Unmet Transit Needs Update

Enclosure: Yes

Action: Information and Discussion Only

4-I. Northeast Madera Walking and Biking Safety Training and Virtual Walking and Biking Assessment Flier

Enclosure: Yes

Action: Information and Discussion Only

5. TRANSPORTATION ACTION/DISCUSSION ITEMS

5-A. American Jobs Plan, Community Project Funding, and INVEST in America Act

Enclosure: Yes

Action: Information and Discussion Only

5-B. CalSTA DRAFT Climate Action Plan for Transportation Infrastructure – Comment Letter

Enclosure: Yes

Action: Authorize submission of comment letter to CalSTA

5-C. Governor’s FY 2021-22 “May Revise” State Budget - Transportation

Enclosure: Yes

Action: Information and Discussion Only

MCTC SITTING AS THE MADERA COUNTY TRANSPORTATION COMMISSION

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

7. ADMINISTRATIVE CONSENT ITEMS

All items on the consent agenda are considered routine and non-controversial by MCTC staff and will be approved by one motion if no member of the Committee or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Committee concerning the item before action is taken.

7-A. Executive Minutes – April 21, 2021

Enclosure: Yes

Action: Approve Minutes

7-B. Transportation Lobbying and Intergovernmental Services – Request for Proposal (RFP)

Enclosure: Yes

Action: Information and Discussion Only

7-C. Transportation Development Act (LTF, STA) – Allocation, Resolution 20-08 Amendment No. 2, Resolution 20-09 Amendment No. 2

Enclosure: Yes

Action: Approve Resolution 20-08 Amendment No. 2 and Resolution 20-09 Amendment No. 2

7-D. Transportation Development Act (TDA) – Fund Estimates and Apportionment, LTF Resolution 21-07 and STA Resolution 21-08, and State of Good Repair (SGR)

Enclosure: Yes

Action: Approve TDA Fund Estimates and Apportionment, Resolutions 21-07 and 21-08, and State of Good Repair

8. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

NONE

MCTC SITTING AS THE MADERA COUNTY 2006 TRANSPORTATION AUTHORITY

9. AUTHORITY – ADMINISTRATIVE CONSENT ITEMS

All items on the consent agenda are considered routine and non-controversial by MCTC staff and will be approved by one motion if no member of the Authority or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the items will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Authority concerning the item before action is taken.

9-A. Measure “T” Fund Compliance Audit Report for FY ended June 30, 2020: County of Madera

Enclosure: Yes

Action: Accept Measure T Compliance Audit Report for FY ending June 30, 2020

9-B. Measure “T” FY 2021-22 Allocation

Enclosure: Yes

Action: Approve Measure “T” FY 2021-22 Allocation

10. AUTHORITY – ACTION/DISCUSSION ITEMS

10-A. Award Contract – Measure T Renewal Implementation Plan

Enclosure: No

Action: Authorize staff to enter a contract with VRPA Technologies and TBWBH to provide services for the Measure T Renewal Implementation Plan

OTHER ITEMS

11. MISCELLANEOUS

11-A. Items from Caltrans

11-B. Items from Staff

11-C. Items from Commissioners

12. CLOSED SESSION

12-A. Public Employee Performance Evaluation (Pursuant to Government Code Section 54957(b)(1)

Position: Executive Director

12-B. Conference with Labor Negotiators (Pursuant to Government Code Section 54957.6)
Commission Negotiators: Chair Jose Rodriguez and Supervisor Brett Frazier
Employee: Executive Director

13. ADJOURNMENT

***Items listed above as information still leave the option for guidance/direction actions by the Board.**



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 4-A

PREPARED BY: Sandy Ebersole, Administrative Analyst

SUBJECT:

Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program Call for Projects

Enclosure: No

Action: Information and Discussion Only

SUMMARY:

The U.S. Department of Transportation (DOT) published a Notice of Funding Opportunity (NOFO) to apply for \$1 billion in Fiscal Year (FY) 2021 discretionary grant funding through the [Rebuilding American Infrastructure with Sustainability and Equity \(RAISE\) grants](#). RAISE, formerly known as BUILD and TIGER, has awarded over \$8.935 billion in grants to projects in all 50 states, the District of Columbia, and Puerto Rico since 2009.

Projects for RAISE funding will be evaluated based on merit criteria that include safety, environmental sustainability, quality of life, economic competitiveness, state of good repair, innovation, and partnership. Within these criteria, the Department will prioritize projects that can demonstrate improvements to racial equity, reduce impacts of climate change, and create good-paying jobs.

For this round of RAISE grants, the maximum grant award is \$25 million, and no more than \$100 million can be awarded to a single State, as specified in the appropriations act. Up to \$30 million will be awarded to planning grants, including at least \$10 million to Areas of Persistent Poverty.

To ensure that the benefits of infrastructure investments benefit communities large and small the Department will award an equitable amount, not to exceed half of funding, to projects located in urban and rural areas, respectively.

Applications must be submitted by 5:00 pm Eastern on July 12, 2021.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 4-B

PREPARED BY: Sandy Ebersole, Administrative Analyst

SUBJECT:

Sustainable Agriculture Lands Conservation Program Call for Projects

Enclosure: No

Action: Information and Discussion Only

SUMMARY:

The [California Strategic Growth Council \(SGC\)](#) and the [California Department of Conservation \(DOC\)](#) are seeking applications from cities, counties, Native American tribes, land trusts, and other governmental and non-profit entities for projects that protect agricultural land and reduce greenhouse gases. Projects funded through SGC's [Sustainable Agricultural Lands Conservation Program \(SALC\)](#) help limit sprawl, strengthen the agricultural economy, and help California meet its climate change goals.

The SALC Program funds two project types:

Sustainable Agricultural Conservation Planning grants that support the development of local and regional land use policies and economic development strategies to protect critical agricultural land.

Agricultural Conservation Acquisition grants which are used to permanently protect agricultural lands that are at risk of conversion to sprawl development.

For key dates and more information please visit [The California Department of Conservation Sustainable Agricultural Lands Conservation](#) website.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 4-C

PREPARED BY: Evelyn Espinosa, Associate Regional Planner

SUBJECT:

Public Transportation Agency Safety Plan (PTASP) Targets

Enclosure: No

Action: Adopt PTASP Targets

SUMMARY:

On July 19, 2018, the Federal Transit Administration (FTA) published the Public Transportation Agency Safety Plan (PTASP) Final Rule, 49 CFR Part 673, which requires certain federal fund recipients to develop a safety plan. The rule applies to all transit operators who are direct recipients or sub-recipients under FTA's Urbanized Area Formula Program (FTA Section 5307). The PTASP rule became effective July 19, 2019; however, due to the COVID pandemic, FTA extended the compliance deadline from July 20, 2020 to December 31, 2020, and then FTA extended this deadline once more to July 21, 2021. Each transit operator must establish and self-certify its initial PTASP by the deadline and re-certify its plan on an annual basis thereafter. As part of the PTASP, each transit agency must establish safety performance targets to address the safety performance measures identified in the National Public Transportation Safety Plan. The safety performance targets are included as part of the transit agencies strategies for minimizing the exposure of the public, personnel, and property to unsafe conditions. Safety targets must be broken down by mode and address the following:

1. Fatalities (total)
2. Fatalities (Rate)
3. Injuries (total)
4. Injuries (Rate)
5. Safety Events (total)
6. Safety events (Rate)
7. System reliability (VRM/failures)

Once established, the PTASP must be submitted to the Metropolitan Planning Organization (MPO). The MPO must accept each transit operator's targets or set its own for the region.

Discussion

The City of Madera is the only public transit agency provider this rule applies to in the Madera Region. The City of Madera City Council approved their PTASP targets for their service area on December 18, 2020, and transmitted their self-certified PTASP for the Madera Metro to the Madera County Transportation Commission and to Caltrans Department of Transportation on December 21, 2020. Madera Metro subsequently received their Certification Letter from Caltrans and shared it with MCTC on April 27, 2021. The safety performance targets from the Madera Metro are presented in Table 1.

Table 1: 2020 Madera Metro Public Transit Agency Safety Plan

Mode of Transit Service	Fatalities (total)	Fatalities (per 100K VRM)	Injuries (total)	Injuries (per 100k VRM)	Safety Events (total)	Safety Events (per 100K VRM)	System Reliability (VRM/failures)
Madera Metro Fixed Route	0	0	2	0.93	7	3.26	0
Demand Response "Dial-A-Ride"	0	0	0	0	0	0	0

The Madera Metro Public Transportation Agency Safety Plan can be found on the City’s transit information webpage: [Madera Metro Agency Safety Plan](#) and the Madera Metro ASP [Certification Letter](#).

Recommendation

Staff is recommending the Policy Board adopt the Safety Performance Targets for Madera Metro, as presented in Table 1. Should you have any questions regarding this staff report, please contact Evelyn Espinosa, Associate Regional Planner, at (559) 675-0721 or via e-mail at evelyn@maderactc.org.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 4-D

PREPARED BY: Sandy Ebersole, Administrative Analyst

SUBJECT:

Annual DBE Submittal Fiscal Year 2021-2022

Enclosure: No

Action: Information and Discussion Only

SUMMARY:

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 marketplace outside the DBE Program.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 4-E

PREPARED BY: Jeff Findley, Principal Regional Planner

SUBJECT:

Comment Letter on Urban Areas for the 2020 Census – Proposed Criteria (Docket Number 210212-0021)

Enclosure: Yes

Action: Information and Discussion Only

SUMMARY:

On February 19, 2021, the Bureau of the Census (Census Bureau) requested public comment on the proposed criteria for defining urban areas based on the results of the 2020 Decennial Census. The Madera County Transportation Commission (MCTC) strongly recommends that the Census Bureau consider applying a methodology where local population characteristics are considered when designating urban areas, such as utilizing county level data for persons per household in identification of initial urban area cores. Generalizing population characteristics would be counterintuitive to the Census Bureau's goal of delivering quality data products. The methodology should be further explored with test results presented to stakeholders for better clarification. Additionally, the impacts of the pandemic should be carefully considered over the upcoming years as part of any new proposed methodology. The Census Bureau should re-examine its methodology considering COVID-19 impacts and extend the comment period to provide stakeholders more time to review any methodology and calculation methods when the 2020 data is made available.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



2001 Howard Road, Suite 201
Madera, California 93637

Office: 559-675-0721 Facsimile: 559-675-9328
Website: www.maderactc.org

May 20, 2021

Mr. Vincent Osier
Geographic Standards, Criteria, and Quality Branch
Geography Division
U.S. Census Bureau
4600 Silver Hill Road
Washington, DC 20233

Subject: Urban Areas for the 2020 Census – Proposed Criteria (Docket Number 210212-0021)

On February 19, 2021, the Bureau of the Census (Census Bureau) requested public comment on the proposed criteria for defining urban areas based on the results of the 2020 Decennial Census. The Madera County Transportation Commission (MCTC) submits the following comments in regard to the proposed criteria.

MCTC serves as the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA) for the Madera County region. MCTC is responsible for the development/coordination and adoption of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP). This includes overseeing funding programs for the region, of which MCTC programs tens of millions of dollars in transportation funding annually.

MCTC is concerned about the recommended changes to the urban area delineation criteria which would change how the Census Bureau identifies and designates urban areas. The proposal would define urban areas using housing unit density at the census block level and would utilize the 385 housing units per square mile density threshold. This threshold is based on the 2019 ACS 1-year data average of an estimated 2.6 persons per household for the entire United States. While this is representative of the population at a national level, this could misrepresent communities at regional and local levels. The urban area designation has become a standard for federal and state programs that provide services to communities of differing urban characteristics. Changing the criteria without proper analysis could potentially impact a community's access to fundamental programs and would also set a precedent that could have unintended consequences.

Misrepresentation of Communities

The proposed urban area delineation criteria uses the 385 housing units per square mile density threshold to replace the previous 1,000 persons per square mile density to identify initial urban area cores. The Census Bureau justifies the housing unit density threshold with the 2019 ACS 1-year data average of an estimated 2.6 persons per household for the entire United States, which would equate to a population of 1,000.

However, this would misrepresent the actual populations that reside in some communities. For the same 2019 ACS 1-year data, the average persons per household for Madera County is 3.35. This results in underestimating the actual population and would not fully represent the community within the census blocks. Even if numerically there is a small amount of housing units present in a particular census block, it does not necessarily mean that the population is just as small. Community characteristics vary widely between regions, especially when considering income levels and population demographics. One size does not fit all.

Impacts Federal and State Funding

There is a mention in the federal register notice that "...the Census Bureau recognizes that some federal and state agencies use the Census Bureau's urban area classification for nonstatistical uses such as allocating program funds, setting program standards, and implementing aspects of their programs...the Census Bureau is not responsible for the use of its urban area classification...it is that agency's responsibility to ensure that the classification is appropriate for such use."

While the Census Bureau at least recognizes the importance of its data in vital programs, it should be noted that any changes to the urban area delineation methodology ultimately affects communities. The methodology that identifies a community as urban or rural plays a large role in how services/funds are distributed and is more than just a statistical exercise for analysis.

A number of federal programs utilizes the Census Bureau's urban area designations. One example is the Federal Transportation Administration's (FTA) 5307 Urbanized Area Formula Program. It apportions these formula program funds for public transportation in urbanized areas (UZA) and the guidance specifically cites the Census Bureau's decennial urban area designations. UZAs are categorized by population classes and is used to determine apportionments and program eligibility.

Proper distribution of public transportation funds should rely on data that accurately represents the communities. Underestimating the population size could result in reduced public transportation opportunities and is especially detrimental to low-income communities. The use of housing units to represent population sizes based on a national average of persons per household to determine urban areas should be considered carefully and coordinated with agencies that heavily utilize the data.

Insufficient Data to Analyze Potential Impacts

This criterion was proposed while the 2020 decennial census block level data was not readily available for agencies to review making it difficult to properly assess the potential impacts. Agencies can only speculate on the impacts of the new methodology using 2010 census block data. Even with the 2010 datasets, this analysis does not provide any useful insights given that an entirely new dataset will be used to determine the final results. It has been noted at webinars by Census staff that there will be test locations for the proposed criteria to provide examples, but it would much more useful to stakeholders if this was performed for all of the urban areas.

Though the Census Bureau does not take into account the nonstatistical uses of the data, agencies that are impacted need to properly review the methodology in order to evaluate the effects it would have on its communities. The Census Bureau should consider how other federal agencies use their data or definitions. Metropolitan Planning Organization (MPO) status and federal funding levels are based on population data. The proposed criteria change the way population is determined in an urban area and could reduce population thresholds based only on the proposed methodology being utilized, while in fact, the actual population remains the same or has increased.

While in the past, the urban area criteria changes have been proposed prior to the publication of the decennial data, this should not be a reason to continue to move forward given how data-driven society currently is. Especially with the shift toward performance-based investment and policy decisions, accurate data is ever much more important to inform decision makers. It is difficult to give comments on a criterion when the data that is used to determine results is not available for analysis.

Setting a Precedent and Confusion on Aligning Threshold

With the proposed adoption of a housing unit density threshold, there is a concern that this will be setting a precedent for estimating populations. Many other agencies will follow suit with the adoption of this criteria. As mentioned above, there is potential to misrepresent communities with this methodology and communities could find themselves no longer qualifying for federal/state programs. This makes properly reviewing the proposed criteria even more important and should not be adopted so abruptly prior to exploring the actual results of the delineation methodology.

There is also confusion on which agency is setting the premise for defining an urban area. The register notes that “The proposed 10,000-person minimum threshold aligns with thresholds used by other federal agencies to distinguish between urban and rural areas as well as with the Office of Management and Budget’s minimum threshold for urban areas that form the cores of micropolitan statistical areas.”

While under the Office of Management and Budget’s (OMB) Draft 2020 Standards for Delineating Metropolitan and Micropolitan Statistical Areas and Key Terms, Section 1 cites the Census Bureau as the basis for qualifying for a Core Based Statistical Area

(CBSA) noting that “Each CBSA must have a Census Bureau-delineated Urban area of at least 10,000 population. (Urban Areas include both Urbanized Areas and Urban Clusters)”

It is as if both the Census Bureau and OMB are referring to each other as the source for their definition and threshold for urban areas. While the Census Bureau’s urban areas are used by agencies, the OMB’s metropolitan statistical areas (MSA) are also utilized in other agencies making this language confusing.

Covid-19 Impacts

MCTC is concerned with how the Covid-19 pandemic may have impacted the data relevant to the proposed changes of the proposed urban area designation methodology. 2020 was an atypical year in regards to where many people work and live. Dwelling and travel patterns were altered across the entire nation in ways that should be comprehensively understood in how they affect data that has been collected. There are varying degrees of short and long term migration or immigration to and from communities related to shelter in place or telecommuting mandates with potential to alter traditional patterns of residency location.

The proposed methodology does not reference what considerations were made regarding the state of communities as a result of COVID-19. Many areas are still analyzing the current conditions and prolonged effects related to the pandemic. This proposal for modifying urban area designation is ill-timed and overly hasty in light of the questions still remaining.

Recommendation

MCTC strongly recommends that the Census Bureau consider applying a methodology where local population characteristics are considered when designating urban areas, such as utilizing county level data for persons per household in identification of initial urban area cores. Generalizing population characteristics would be counterintuitive to the Census Bureau’s goal of delivering quality data products. The methodology should be further explored with test results presented to stakeholders for better clarification. Additionally, the impacts of the pandemic should be carefully considered over the upcoming years as part of any new proposed methodology. The Census Bureau should re-examine its methodology considering COVID-19 impacts and extend the comment period to provide stakeholders more time to review any methodology and calculation methods when the 2020 data is made available.

We appreciate your consideration of our comment and how this proposal could impact our region. If you have any questions, please contact me at patricia@maderactc.org or (559) 675-0721.

Sincerely,



Patricia Taylor, Executive Director
Madera County Transportation Commission



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 4-F

PREPARED BY: Sandy Ebersole, Administrative Analyst

SUBJECT:

2022 SB-1 Competitive Programs Guideline Development Workshops

Enclosure: Yes

Action: Information and Discussion Only

SUMMARY:

The California Transportation Commission will be holding 2022 SB-1 Competitive Programs Guideline Development Workshops for the Local Partnership Program (LPP), the Solutions for Congested Corridors Program (SCCP), and the Trade Corridor Enhancement Program (TCEP). Registration information and workshop agenda/details will be posted in advance of each workshop. Until further notice, all workshops will be held via virtual meeting format. Additional workshops will be scheduled in 2022. For more information, please visit the [CTC Workshop page](#).

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



California Transportation Commission

SAVE THE DATES

2022 SB 1 Competitive Programs Guideline Development Workshops

Please mark your calendars for upcoming California Transportation Commission guideline development workshops for the Local Partnership Program (LPP), the Solutions for Congested Corridors Program (SCCP), and the Trade Corridor Enhancement Program (TCEP). Registration information and workshop agenda/details will be posted in advance of each workshop. Until further notice, all workshops will be held via virtual meeting format. Additional workshops will be scheduled in 2022.

2022 All SB 1 Competitive Programs Kick-off Workshop

Tuesday, August 24, 2021, 1:00 – 4:00 pm

September 2021	LPP	Tuesday, September 21, 1:00 – 4:00 pm
	TCEP	Thursday, September 23, 1:00 – 4:00 pm
	SCCP	Tuesday, September 28, 1:00 – 4:00 pm
October 2021	LPP	Tuesday, October 19, 1:00 – 4:00 pm
	TCEP	Thursday, October 21, 1:00 – 4:00 pm
	SCCP	Tuesday, October 26, 1:00 – 4:00 pm
November 2021	LPP	Monday, November 8, 1:00 – 4:00 pm
	TCEP	Wednesday, November 10, 1:00 – 4:00 pm
	SCCP	Tuesday, November 16, 1:00 – 4:00 pm
December 2021	TCEP	Monday, December 13, 1:00 – 4:00 pm
	LPP	Tuesday, December 14, 1:00 – 4:00 pm
	SCCP	Thursday, December 16, 1:00 – 4:00 pm
Guidelines Adoptions and Calls for Projects		Anticipated Summer 2022
Program Adoptions		Anticipated Summer 2023

CTC STAFF CONTACTS:

Solutions for Congested Corridors Program - Matthew Yosgott at matthew.yosgott@catc.ca.gov

Local Partnership Program - Christine Gordon at christine.gordon@catc.ca.gov

Trade Corridor Enhancement Program - Hannah Walter at hannah.walter@catc.ca.gov

For more information on CTC Workshops, please visit:

<https://catc.ca.gov/meetings-events/workshops>



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 4-G
PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Coronavirus Response and Relief Supplemental Appropriation Act (CRRSAA) Funding

Enclosure: Yes

Action: Information and Discussion Only

SUMMARY:

The California Transportation Commission (CTC) has adopted guidelines for the CRRSAA program. The CRRSAA Program is funded from the Non-STIP regional distribution of the Coronavirus Response and Relief Supplemental Appropriation Act of 2021 funds (COVID Relief Funds). These federal funds have been made available for projects that are outlined in the Highway Infrastructure Programs - Coronavirus Response and Relief Supplemental Appropriations Act, 2021 Implementation Guidance and includes all activities eligible under the Surface Transportation Block Grant Program in addition to: routine maintenance; operations; personnel, including salaries of employees or contractors; debt service payment; availability payments and coverage for other revenue losses.

Prior to obligation of funds, a region must submit a project list that identifies each project that will receive COVID Relief funding through the CRRSAA Program to Caltrans. The list may be for the region's full apportionment or reflect a portion of available funding. The project list must include project name(s), brief description, the amount of COVID Relief funding that is requested for each project (rounded to the nearest thousand), and total project cost. No region may program more than their regional apportionment. The CTC will allocate to Caltrans the total amount of CRRSAA funding that is supported by this list. The Director of Caltrans is authorized to sub-allocate the CRRSAA funds to individual projects that are enumerated on a project list approved by the CTC. If a list that only requests partial funding is presented and approved by the Commission, the region may amend its project list to request the remaining funds at any time prior to October 2023.

Enclosed with this item is a breakdown of the funds available to each local agency. MCTC staff will work with the local agencies to submit eligible projects for the CRRSAA funding.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.

CRRSAA Program Guidelines Resolution G-21-43

The California Transportation Commission (Commission) intends to adopt the following policies and procedures for the CRRSAA Program. The CRRSAA Program is funded from the Non-STIP regional distribution of the Coronavirus Response and Relief Supplemental Appropriation Act of 2021 funds (COVID Relief Funds).

- **Schedule:** The Commission intends to adopt the guidelines for the CRRSAA Program at the May 12-13, 2021 Commission meeting.
- **Funding:** The total funding available for the CRRSAA Program is \$182,364,599.
- **Apportionment Distribution:** The apportionment distribution for the CRRSAA Program approved on March 14, 2021 is consistent with the formula distribution of the Surface Transportation Block Grant Program with a minimum guarantee of \$200,000 for each county.
- **Eligibility:** Project eligibility for the CRRSAA program is outlined in the Highway Infrastructure Programs - Coronavirus Response and Relief Supplemental Appropriations Act, 2021 Implementation Guidance and includes all activities eligible under the Surface Transportation Block Grant Program in addition to: routine maintenance; operations; personnel, including salaries of employees or contractors; debt service payment; availability payments and coverage for other revenue losses.
- **Allocations:** The allocation of funding for the CRRSAA Program will not be included as part of the annual allocation of federal funding to the Department of Transportation (Caltrans). The following will be the allocation process:
 1. **Allocation of a Project List:** Prior to obligation of funds, a region must submit a project list that identifies each project that will receive COVID Relief funding through the CRRSAA Program to Caltrans. The list may be for the region's full apportionment or reflect a portion of available funding. The project list must include project name(s), brief description, the amount of COVID Relief funding that is requesting for each project (rounded to the nearest thousand), and total project cost. No region may program more than their regional apportionment. The Commission will allocate to Caltrans the total amount of CRRSAA funding that is supported by this list. The Director of Caltrans is authorized to sub-allocate the CRRSAA funds to individual projects that are enumerated on a project list approved by the Commission. If a list that only requests partial funding is presented and approved by the Commission, the region may amend its project list to request the remaining funds at any time prior to October 2023.
 2. **Obligation Amount:** If there are changes to project estimates for Commission allocated projects that require less or more funding at time of obligation, the Caltrans Director is delegated the authority to approve changes to individual

- project allocations to allow the advertisement, award, and completion of contracts so long as the total of such increase does not exceed 20% of the amount on the list approved by the Commission and the total allocated or obligated by that region does not exceed that region's total CRRSAA funding.
3. **Allocation Amendments:** With the exception to Section 2 above, any changes to the project(s) on a Commission's approved list, shall be submitted to the Commission for an allocation amendment. The Commission will approve the amended list at a Commission meeting. The deadline to obligate this funding is September 2024. In order to ensure no federal funding is lost to the state, allocation amendments will not be considered after the October 2023 Commission meeting. This will allow the state, in coordination with the regions, a year to obligate and repurpose the funds so that all COVID Relief funds are utilized. **Any regional funds not obligated by June 2024 will be transferred to the state for obligation.**
 4. **Timing:** The Commission may approve project lists at any Commission meeting after approval of these guidelines. A list may not be approved or amended after October 2023 (see Section 3 above). CRRSAA Program funds not obligated by September 2024 will lapse.
 5. **Submittal:** Regions will submit their project list to Caltrans Division of Local Assistance (Local Assistance). Local Assistance will compile all lists and place it on the Commission's Agenda in one book item.
- **Federal Statewide Transportation Improvement Program:** Projects receiving funding from the CRRSAA Program must be programmed in the Federal Statewide Transportation Improvement Program, if required to do so under the Act.
 - **Local Assistance Process:** Other than the allocation requirement above, the CRRSAA Program will follow the existing Local Assistance process for obligation and implementation.
 - **State Exchange:** Local Assistance shall establish a process by which rural and small urbanized areas with a population less than 200,000 may request state exchange. Urbanized areas with a population of 200,000 or greater, as identified in the Federal Highway Administration apportionment notice dated January 15, 2021, are not eligible for state exchange. Local Assistance in coordination with the Division of Budgets will make the determination as to whether the state can approve these requests. The allocation process, reporting requirements, and all other requirements of these guidelines shall apply to all agencies receiving state funds in lieu of the federal funds. Projects funded with state-only funds are subject to Article 19 restrictions.
 - **Reporting:** Local Assistance will report projects that have been obligated, date of obligation and the dollar amount of the obligation on a quarterly basis beginning in December 2021.

Madera County Transportation Commission

HR 133 Funds - CRRSAA

County/Chowchilla adjustment for prison population

1/31/21 Prison Population from DCR = **4,657**

	DOF(E-1) Population 05/01/21	DOF Prison Population	Adjusted Populations
Chowchilla	17,330	(4,657)	12,673
County	74,972	4,657	79,629

Allocation CRRSAA **\$ 727,996**

Member	DOF Population 05/01/21	Percent	Available for Allocation
Chowchilla	12,673	8.00%	\$ 58,217
Madera	66,172	41.76%	\$ 303,980
County	79,629	50.25%	\$ 365,799
	158,474	100.00%	\$ 727,996



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 4-H
PREPARED BY: Evelyn Espinosa, Associate Regional Planner

SUBJECT:

Unmet Transit Needs Update

Enclosure: Yes

Action: Information and Discussion Only

SUMMARY:

The Social Service Transportation Advisory Council (SSTAC) meeting, scheduled on April 26, 2021 had to be cancelled and re-scheduled to May 3, 2021. The SSTAC meeting packet has been included in this agenda packet. This SSTAC meeting had no quorum. The meeting proceeded with all agenda items; however, all prospective actions taken will have to be ratified when the SSTAC achieves quorum.

We received no public comments at the SSTAC meeting. Two new members joined the SSTAC and we proceeded to go over the new member orientation. A Vice-Chair was selected. Vacancies and the outreach to fill them was discussed with the SSTAC.

Discussion about the Unmet Transit Needs definition took place during Item 8 of the agenda. Staff suggested to work with the transit agencies via the Quarterly Transit Meetings to provide the data that would facilitate understanding about the “Reasonable to Meet” part of the conversation and present it to the SSTAC members. The Council agreed that this would be a reasonable approach.

A review of all comments received for Unmet Transit Needs took place and only one out of the 15 received was determined to be an unmet transit need. It was classified as not reasonable to meet due to cost-effectiveness.

The next SSTAC meeting will be scheduled, depending on member availability, during the month of June.

Vacancies

Staff will continue advertising the vacancies for SSTAC membership. The current vacancies are:

- Potential Transit User 60 years or older
- Representatives of the Local Social Service Provider for Seniors

- Representatives of the Local Social Service Provider for Disabled

The flier for these vacancies is also included in the packet. For more information, contact Evelyn Espinosa at evelyn@maderactc.org or (559) 675-0721.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



Meeting of the Social Services Transportation Advisory Council

LOCATION

Madera County Transportation Commission
Board Room
2001 Howard Road, Suite 201
Madera, California 93637

SPECIAL NOTICE: Precautions to address COVID-19 (a.k.a the “Coronavirus”) will apply to this meeting. See below Special Notice for additional details.

DATE

May 3, 2021

TIME

11:00 AM

SOCIAL SERVICE TRANSPORTATION ADVISORY COUNCIL MEMBERS

Pamela Mashack	Potential Transit User 60 Years or Older
Rosalind Esqueda	Representative of a Transit Provider
Ellen Moy	Representative of a Transit Provider
Anabel Miranda	Local Social Service Provider for Persons of Limited Means
Frank Simonis	Potential Transit User Who Is Disabled
Annie Self	Representative of the Local Social Service Provider for Disabled
Vacant	Representative of the Local Social Service Providers for Seniors
Vacant	Representative of the Local Social Service Providers for Seniors
Vacant	Representative of the Local Social Service Provider for Disabled

Representatives or individuals with disabilities should contact MCTC at (559) 675-0721 at least three (3) business days in advance of the meeting to request auxiliary aids or other accommodations necessary to participate in the public meeting.

SPECIAL NOTICE

In accordance with Governor Newsom’s Executive Order N-29-20, the Madera County Transportation Commission (MCTC) Board Room will be closed, and the Policy Board Members and staff will be participating in this meeting via GoToMeeting. In the interest of maintaining appropriate social distancing measures, members of the public may participate in the meeting electronically and shall have the right to observe and offer public comment during the meeting.

You are strongly encouraged to participate by joining the meeting from your computer, tablet, or smartphone.

Please register for the GoToMeeting from your computer, tablet, or smartphone:

<https://www.gotomeet.me/MaderaCTC/sstac-meeting---may-3-2021>

You can also dial in using your phone.

United States: +1 (872) 240-3212

Access Code: 217-420-277

For participation by teleconference only, please use the above phone number and access code. If you participate by teleconference only, you will be in listen-only mode.

If you wish to make a comment on a specific agenda item during the meeting, please use the “Raise Hand” feature in GoToWebinar and you will be called on by the chair during the meeting. If you are participating via telephone only, you can submit your comments via email to publiccomment@maderactc.org or by calling 559-675-0721 **no later than 4:00 pm on April 30, 2021**. Comments will be shared with the Social Services Transportation Advisory Board Council and placed into the record at the meeting. Every effort will be made to read comments received during the meeting into the record, but some comments may not be read due to time limitations. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.

AGENDA

At least 72 hours prior to each regular MCTC Social Services Transportation Advisory Council meeting, a complete agenda packet is available for review on the MCTC website at <http://www.maderactc.org> or at the MCTC office, 2001 Howard Road, Suite 201, Madera, California 93637. All public records relating to an open session item and copies of staff reports or other written documentation relating to items of business referred to on the agenda are on file at MCTC. Persons with questions concerning agenda items may call MCTC at (559) 675-0721 to make an inquiry regarding the nature of items described in the agenda.

INTERPRETING SERVICES

Interpreting services are not provided at MCTC's public meeting unless requested at least three (3) business days in advance. Please contact MCTC at (559) 675-0721 during regular business hours to request interpreting services.

Servicios de interprete no son ofrecidos en las juntas públicas de MCTC al menos de que se soliciten con tres (3) días de anticipación. Para solicitar éstos servicios por favor contacte a Evelyn Espinosa at (559) 675-0721 x 18 durante horas de oficina.

MEETING CONDUCT

If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Board may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

RECORD OF THE MEETING

SSTAC meetings are recorded. Copies of recordings are available upon request, or recordings may be listened to at the MCTC offices by appointment.

Agenda

Item	Description	Enclosure	Action
1.	Call to order		
2.	Public Comment		
3.	New Member Orientation Roles and responsibilities Handout SSTAC Bylaws	Yes	Discussion
4.	Election of Officers	No	Action
5.	Re-affirm April 1, 2021 agenda items	No	Action
6.	Minutes of the April 1, 2021 SSTAC Meeting	Yes	Action
7.	SSTAC Member Vacancies	No	Discussion
8.	Unmet Transit Needs Definition	Yes	Discussion
9.	Comment Review and Recommendation to the MCTC Policy Board	Yes	Action
10.	Discuss Future Meetings Appoint representative to attend MCTC's Board Meeting, May 19, 3 pm Future Meeting date	No	Discussion
11.	Adjournment		

“UNMET TRANSIT NEEDS”

The “Unmet Transit Needs” process is required by State law to be conducted annually. The process is intended to identify those transit needs in the City of Madera, City of Chowchilla, and the County of Madera that are reasonable to meet. Where an unmet transit need is identified by the MCTC Policy Board to be reasonable to meet, the responsible jurisdiction(s) must develop a plan to provide transit service to meet the need within the following year.

Social Service Transportation Advisory Council (SSTAC):

Role:

To forward a recommendation to the MCTC Policy Board regarding transit needs and issues.

Responsibilities:

1. Annually participate in the identification of transit needs in Madera County, including unmet transit needs that may exist within Madera County and that may be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services.
2. Annually review and recommend action by MCTC Policy Board for the area within Madera County which finds by resolution, that (A) there are no unmet transit needs, (B) there are no unmet transit needs that are reasonable to meet, or (C) there are unmet transit needs, including needs that are reasonable to meet.
3. Advise the MCTC on any other major transit issues, including the coordination and consolidation of specialized transportation services.

Social Services Transportation Advisory Council Rules

The Social Services Transportation Advisory Council (SSTAC) was established under the requirements of the Transportation Development Act. The SSTAC serves as an advisory body to the Madera County Transportation Commission (MCTC) regarding the transit needs of residents of the Madera Region, including, but not limited to, transit dependent and transit disadvantaged persons such as the elderly, disabled, and persons of limited means.

The SSTAC shall be governed by the following rules.

A. RESPONSIBILITIES

1. Advise MCTC on the following:
 - a. Transit needs of the general public (e.g. hours of service, new bus routes, shorter headways, etc.) including, but not limited to, transit dependent and transit disadvantaged persons such as the elderly, disabled, and persons of limited means.
 - b. Coordination between transit service providers in the region.
 - c. Other issues the membership believes are relevant to transit in the Madera Region (i.e. potential review of transit grant applications, coordination/consolidation of specialized transit services, connections to interregional transit services, etc.)
2. Annually participate in the identification of transit needs in the Madera Region, including unmet transit needs that may exist and that may be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services.
3. Annually review and recommend action by MCTC which finds, by resolution, that:
 - a. there are no unmet transit needs;
 - b. there are no unmet transit needs that are reasonable to meet; and/or
 - c. there are unmet transit needs, including needs that are reasonable to meet.

B. PARTICIPANTS

1. SSTAC meeting participation shall include seven members per statutory guidelines (see Public Utilities Code Section 99238 below):
 - (a) One representative of potential transit users who is 60 years of age or older.
 - (b) One representative of potential transit users who is disabled.
 - (c) Two representatives of local social service providers for seniors, including one

representative of a social service transportation provider, if one exists.

(d) Two representatives of local social service providers for the disabled, including one representative of a social service transportation provider, if one exists.

(e) One representative of a local social service provider for persons of limited means.

(f) Two representatives from the local consolidated transportation service agency, designated pursuant to subdivision (a) of Section 15975 of the Government Code, if one exists, including one representative from an operator, if one exists.

(g) The MCTC Board of Commissioners may appoint additional members in accordance with the procedure in subdivision (b) of Section 99238 of the Government Code.

2. In appointing council members, MCTC shall strive to attain geographic and minority representation among council members.

C. TERM OF OFFICE

1. The term of appointment shall be for three years and may be renewed.

D. VACANCIES

1. A vacancy shall be created when a member: resigns; completes their term of appointment and does not wish to be reappointed; misses three consecutive regular meetings without good cause; or when a member can no longer carry out their responsibilities as a council member.

2. If a member resigns during his/her term, MCTC’s Executive Director may fill vacancies, in consultation with the SSTAC or SSTAC Chair, for the remainder of the original term.

3. The MCTC Board of Commissioners approves three-year appointments.

4. All SSTAC positions shall be advertised every three years to either extend the tenure of current positions or appoint new members.

E. ELECTION OF OFFICERS

1. During the first meeting of the calendar year, the council shall elect a Chair and Vice Chair to serve for one year. Upon resignation of an officer, a special election shall be held.

F. DUTIES OF OFFICERS

1. **Chair:** The Chair shall preside at all SSTAC meetings. The Chair may appoint committees, conduct elections to fill the positions of Chair and Vice Chair, prepare and sign correspondence reflecting SSTAC votes or input provided, and may delegate his/her responsibility to sign correspondence. The Chair or his/her designee should report to the MCTC Board of Commissioners on recommendations of the SSTAC.
2. **Vice Chair:** In the absence of the Chair, the Vice Chair shall perform the duties of the Chair.
3. **Secretary:** The Secretary shall be a staff member of MCTC. The Secretary shall provide information and general assistance; take meeting notes for all SSTAC meetings; prepare agendas, SSTAC letters and other correspondence, as requested by the Chair; and prepare and distribute special notices, agenda announcements, staff reports and other materials.

G. ORGANIZATION AND PROCEDURES

1. **Meetings:** The SSTAC shall meet at least twice per year, typically in April. Additional meetings may be held as needed. Alternate times and dates to those scheduled must be agreed upon by a majority of the members in order to carry out the responsibilities described above. The meetings shall be open to the public in compliance with the Ralph M. Brown Act (Government Code Section 54950 et seq.) and shall be held at the Madera County Transportation Commission office. If an alternate location is required, it must be an accessible location in order to facilitate the attendance of physically disabled members of the SSTAC and the community in general. In the event both the Chair and Vice Chair are absent, the majority of a quorum may appoint a presiding officer for that meeting.
2. **Quorum:** A quorum shall constitute one-half (1/2) plus one (1) of the current membership.
3. **Voting:** Actions are generally taken by consensus of all participants. If a vote is required, it shall be by a voice vote unless any member requests a roll call vote. Where a vote is taken, passage requires four votes.
4. **Limitation of Discussion:** Discussion on any matter by council members or the general public may be limited to such length of time as the Chair may deem reasonable under the circumstances.
5. **Conduct of Meetings:** Meetings are generally to be conducted in accordance with the principles of Robert's Rules of Order.

6. **Meeting Notes:** Meeting notes recording the members and visitors present, motions entertained, and actions taken at each meeting shall be prepared by MCTC staff and posted on the MCTC website.
7. **Rules:** These rules may be amended by a majority vote of the SSTAC members and subsequent approval by the MCTC Board of Commissioners.
8. **Communications:** Official communications shall be in writing and shall be approved by the SSTAC or SSTAC Chair. Official communications approved by the SSTAC Chair shall be shared with the SSTAC as soon as reasonably practical. The Chair, or his/her designee, should make presentations to the MCTC Board for unmet transit needs findings.

Approved by MCTC Policy Board on March 18, 2020.

Social Service Transportation Advisory Council

MINUTES

DATE

Thursday, April 1, 2021

The regular meeting of the Social Service Transportation Advisory Council held Thursday, April 1, 2021 via GoToWebinar and was called to order by MCTC Staff Evelyn Espinosa at 1:35 .

MEMBERS PRESENT

Ellen Moy, Representative of the Local Social Service Providers for Seniors, Madera County
Annie Self, Representative of the Local Social Service Provider for Disabled, City of Madera
Pamela Mashack, Potential Transit User 60 Years or Older

STAFF PRESENT:

Dylan Stone, Madera County Transportation Commission
Troy McNeil, Madera County Transportation Commission
Jeff Findley, Madera County Transportation Commission
Evelyn Espinosa, Madera County Transportation Commission
Nicholas, Dybas, Madera County Transportation Commission

VISITORS PRESENT:

Anabelle Miranda, Madera County Workforce Development
Robin Roman, Public transportation Representative, City of Chowchilla
David Huff, Public transportation Representative, City of Madera

I: Introductions

Evelyn Espinosa called the meeting to order and led introductions.

II: Public Comment

No public comment received.

III. Minutes of the May 27, 2020 SSTAC Meeting

The minutes were approved.

IV: New Member Orientation

The roles and responsibilities Handout was read out to the council members.

V: Election of Officers

The representative for the Potential Transit User 60 Years or Older was elected Chairwoman.

V: SSTAC Member Vacancies

The flier for the SSTAC Member vacancies was included in the packet. An update about the interested individual/agency in the vacancies was shared with the council. Conversation to place current representatives of the Local Social Service Providers for Seniors to a new category for Local Transit Providers took place.

VII: Unmet Transit Needs Definition Review

The Council decided to continue using the same definition for this cycle while reconvening the SSTAC as many times as necessary to reassess the definition and reasonable to meet standards.

VIII: Quarterly Meetings for FY 2021-2022

The proposed schedule was shared with the council. This is a new quarterly schedule which expanded from two meetings per year to four meetings per year.

IX: Anticipated Comments

Comments received from the FY 2020-21 Unmet Transit Needs cycle were shared with the council for their information and the two comments received for this Unmet Transit Needs cycle were also shared.

THE SOCIAL SERVICES TRANSPORTATION ADVISORY COMMITTEE MEETING WAS ADJOURNED
AT 2:45 PM

Madera County Transportation Commission Definition of “Unmet Transit Needs”

The Madera County Transportation Commission 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.

Tulare County Unmet Transit Need Definition and Criteria

“Unmet Transit Need”: An unmet transit need, as identified during Tulare County Association of Governments annual Unmet Transit Needs Process, exists where public transit services are not currently provided for persons who rely on public transit to conduct daily activities. At a minimum, an unmet need must be identified by substantial community input through the public outreach process or identified in a Short Range Transit Plan, Coordinated Transportation Plan, or the Regional Transportation Plan and has not yet been implemented or funded.

“Reasonable to Meet”: Following is the TCAG definition of "Reasonable to Meet" including the recommended benchmarks for the passenger farebox recovery ratio for new transit services in Tulare County. An unmet transit need shall be considered “reasonable to meet” if the proposed service is in compliance with of the following criteria, as each are applicable:

Equity

1. The new, expanded, or revised transit service is needed by, and will benefit, either the general public or the elderly and disabled population as a whole. Transit service cannot be provided for a specific subset of either of these groups.
2. The proposed service will not require reductions in existing transit services that have an equal or higher priority.
3. The proposed service will require a subsidy generally equivalent to other similar services.

Timing

1. The proposed service is in response to an existing rather than future transit need.

Feasibility

1. The proposed service can be provided with available TDA funding (per state law, the lack of available resources shall not be the sole reason for finding that a transit need is not reasonable to meet.)
2. Sufficient ridership potential exists for the new, expanded, or revised transit service.
3. The proposed service can be provided with the existing fleet or under contract to a private provider.

Performance

1. The proposed service will not unduly affect the operator's ability to maintain the required passenger fare ratio for its system as a whole.
2. The proposed service can meet the scheduled passenger fare ratio standards as described in the recommended benchmarks for the passenger farebox recovery ratio for new transit services in Tulare County.
3. The estimated number of passengers to be carried will be in the range of similar services, and/or, the proposed service provides a "link" or connection that contributes to the effectiveness of the overall transit system.
4. The proposed service must have potential providers that are available to implement the service.

Community Acceptance

1. The proposed service has community acceptance and/or support as determined by the unmet needs public outreach process, inclusion in adopted programs and plans, adopted governing board positions and/or other existing information.

ADA Conformity

1. The new, expanded, or revised transit service, in conforming with the requirements of the Americans with Disabilities Act, will not impose an undue financial burden on the transit operator if complementary paratransit services are subsequently required.

Operational Feasibility

1. The new, expanded, or revised transit service must be safe to operate and there must be adequate roadways and turnouts for transit vehicles.

Notes:

1. Per state law, the lack of available resources shall not be the sole reason for finding that a transit need is not reasonable to meet.

RECOMMENDED BENCHMARKS FOR PASSENGER FAREBOX RECOVERY RATIO FOR NEW TRANSIT SERVICES IN TULARE COUNTY.

The state has established a basic requirement in Section 99268 of the Public Utility Code for all proposed transit services in urban areas (the Visalia, Tulare, and Porterville Urbanized Areas). This requirement is to achieve a 20% passenger fare ratio by the end of the third year of operation. A passenger fare ratio of 10% exists for special services (i.e. elderly and disabled, demand-response) and rural area services. Transit serving both urban and rural areas, per state law, may obtain a blended passenger fare ratio. If a provider is granted a blended farebox recovery, performance levels should be adjusted accordingly.

TCAG has established more detailed interim passenger fare ratio standards, which will be used to evaluate new services as a result of the unmet needs process as they are proposed and implemented, which are described below. Transit serving both urban and rural areas, per state law, may obtain an "intermediate" passenger fare ratio.

END OF TWELVE MONTHS OF SERVICE

Performance Level

<i>Urban Service</i>	<i>Special/Rural Service</i>	<i>Recommended Action</i>
Less than 6%	Less than 3%	Provider may discontinue service
6% or more	3% or more	Provider will continue service, with modifications if needed

END OF TWENTY-FOUR MONTHS

Performance Level

<i>Urban Service</i>	<i>Special/Rural Service</i>	<i>Recommended Action</i>
----------------------	------------------------------	---------------------------

Less than 10%	Less than 5%	Provider may discontinue service
10% or more	5% or more	Provider will continue service, with modifications, if needed.

END OF THIRTY-SIX MONTHS

Performance Level

<u>Urban Service</u>	<u>Special/Rural Service</u>	<u>Recommended Action</u>
Less than 15%	Less than 7%	Provider may discontinue service
15-20%	7-10%	Provider will continue service, with Modifications if needed
20% or more	10% or more	Provider will continue service, with Modifications if needed

MERCED COUNTY UNMET TRANSIT NEED AND REASONABLE TO MEET DEFINITIONS

Unmet Transit Need:

An **unmet transit need** is an inadequacy in the existing public transit services for persons recognized as transit-dependent in Merced County.

Reasonable to Meet:

An unmet transit need that meets the definition above and meets **all** the following criteria shall be considered reasonable to meet:

Minimum requirements:

1. **Feasibility** - The proposed transit service can be achieved safely and will not violate local, state, and federal law.
2. **Funding** - The proposed transit service will not cause the transit operator to incur expenses greater than the maximum allocation of Transportation Development Act Local Transportation Funds.
3. **Equity** - The proposed transit service will benefit the general public, with particular consideration for those who rely on public transportation, seniors, and disabled persons, within the meaning of Title VI or other similar assessments.

Other areas for consideration:

4. **Community Acceptance** - There needs to be demonstrated interest of citizens in the proposed transit service such as multiple comments or petitions.
5. **Potential Ridership** – The proposed transit service will not reduce the existing level of transit service and will comply with safety, security and maintenance requirements. The proposed transit service will meet “new service” ridership performance standards established for the transit operator in its agency planning documents. Measurement of ridership performance may include assessing passengers per hour and passengers per mile.
6. **Cost Effectiveness** – Unless the proposed transit service is eligible for a two-year exemption period, it must not reduce the ability of the overall transit system service to meet minimum fare box return requirements as stated in the Transportation Development Act statutes or established by Merced County Association of Governments.

STAFF REPORT

SUBJECT: Unmet Transit Needs Public Hearing

RECOMMENDED ACTION: Action

SUMMARY:

Each year, pursuant to state law, as the Regional Transportation Planning Agency the San Joaquin Council of Governments (SJCOG) must identify any unmet transit needs that may exist in San Joaquin County. If needs are found, SJCOG must determine whether those needs are reasonable to meet. State law requires SJCOG to ensure that reasonable needs are met before Transportation Development Act (TDA) funds are allocated to local jurisdictions for non-transit purposes.

The unmet transit needs assessment requires SJCOG to meet the following requirements:

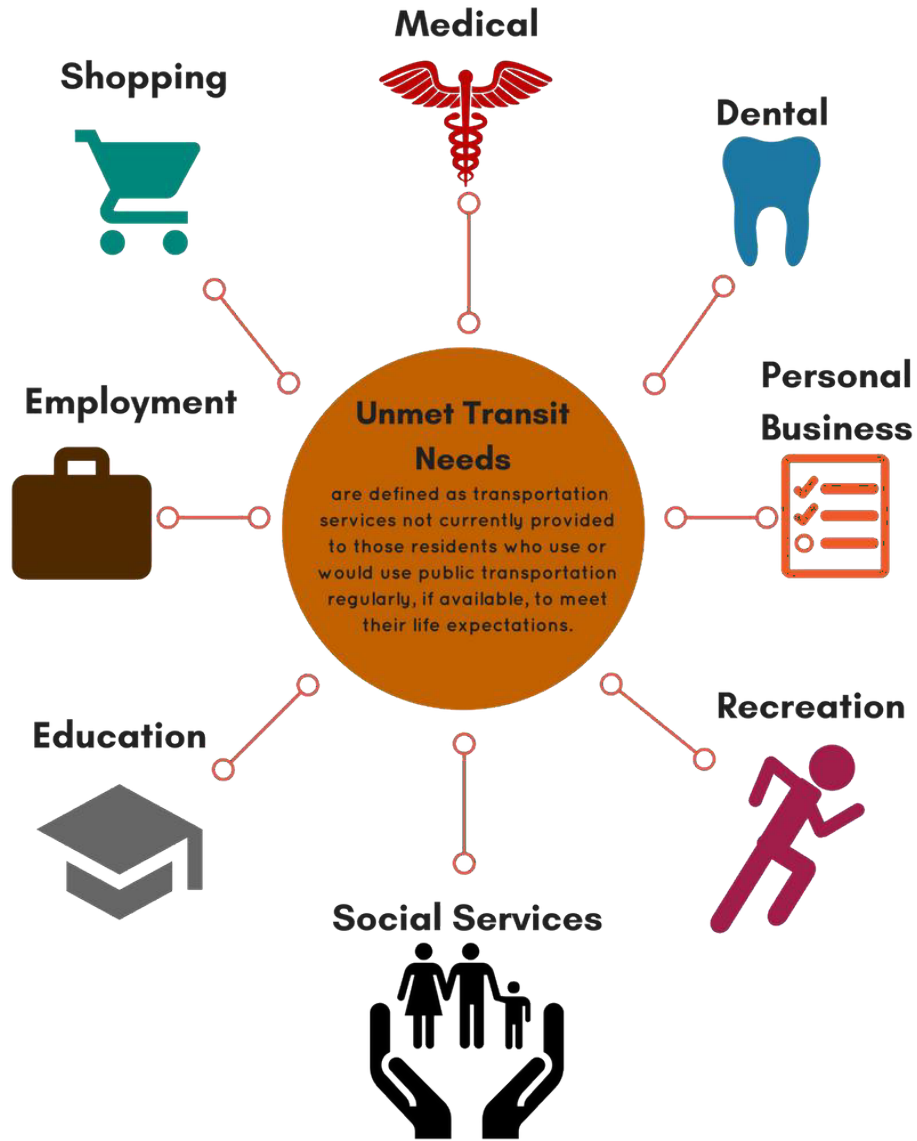
- 1. Ensure that several factors have been considered in the planning process, including:
 - a. Size and location of groups likely to be dependent on transit,
 - b. Adequacy of existing services and potential alternative services
 - c. Service improvements that could meet all or part of the travel demand.
- 2. Hold a public hearing to receive testimony on unmet needs.
- 3. Define the terms "unmet transit needs" and "reasonable to meet."
- 4. Adopt a finding regarding unmet transit needs and allocate funds to address those needs, if necessary, before street and road TDA allocations.

RECOMMENDATION:

SJCOG staff recommend that the SSTAC Chair open the public hearing to receive unmet transit needs comments, and then close the public hearing with no further action necessary at this time.

BACKGROUND:

At the request of the SSTAC, SJCOG formed a subcommittee to review the adopted definitions of “unmet transit need” and “reasonable to meet” in September 2017. The updated definitions as proposed by the subcommittee and adopted by the Board in February 2018, are as follows:



An unmet transit need that meets the definition above, and meets all the following criteria, shall be considered **reasonable to meet**:



Within the definition, an unmet transit need cannot be found unreasonable solely based upon economic feasibility.

DISCUSSION:

The COVID 19 pandemic has caused a lot of uncertainty among transit riders, therefore, to ensure San Joaquin County residents are provided an opportunity to voice their transit needs, SJCOG has increased the modes in which residents can participate in the Unmet Transit Needs (UTN) assessment. SJCOG staff have laid out the following tasks to ensure widespread input is gathered:

- Extended the public comment period from December 31st, 2020 to January 31st, 2021.
- Created a new email address, UTN@SJCOG.ORG to receive UTN comments year-round.
- Published the December 3rd, 2020 UTN Public Hearing notice in 6 local newspapers, including a Spanish newspaper.
- Made available both an online and printable (English and Spanish) UTN Survey.
- Conducted informational UTN PowerPoint presentations to various community groups.
- Held a Public Hearing at the December 2020 SJCOG Board Meeting.

NEXT STEPS:

- SJCOG will collect comments until January 31, 2021
- SJCOG and SSTAC members will analyze all comments to determine if any are considered unmet transit needs that are reasonable to meet
- Board adoption of UTN findings in Spring 2021

Report prepared by Joel Campos, Associate Regional Planner

KINGS COUNTY ASSOCIATION OF GOVERNMENTS

From KCAG's SSTAC 1.28.2021 Agenda

Before the KCAG Transportation Policy Committee (TPC) may allocate any portion of the LTF claimed for streets and roads, it must make certain specific findings concerning unmet transit needs, and whether the needs can be reasonably met. The TPC's decision will be based on the committee's evaluation of the services now provided, the testimony given at the public hearing, and whether proposed expenditures of the LTF comply with the policies of the Kings County Regional Transportation Plan (RTP).

The TPC conducts public hearings annually to determine if any "unmet public transit needs" which are "reasonable to meet" exist in Kings County or the cities of Avenal, Corcoran, Hanford, and Lemoore. State law requires that KCAG determine its definitions of the following terms:

- A. "Unmet transit need"
- B. "Reasonable to meet".

KCAG has defined these terms in the RTP as follows:

- A) "Unmet transit need", at a minimum, exists where local residents do not have access to private vehicles or other forms of transportation, due to age, income, or disability, for the purpose of traveling to medical care, shopping, social/recreational activities, education/training and employment.
- B) It is "reasonable to meet" the above needs if the proposed or planned service can be operated while maintaining, on a system wide basis, the adopted service goals for that type of service and meet the following criteria:
 - 1) New, expanded, or revised transit service, if implemented or funded, would not cause the operator to incur expenditures in excess of the maximum amount of Transportation Development Act funds available to Kings County.
 - 2) The proposed transit service does not duplicate transit services currently provided by either public or private operators.
 - 3) The proposed transit service has community support from the general public, community groups, and community leaders.
 - 4) New, expanded, or revised transit service, if implemented or funded, would allow the responsible operator to meet the TDA required applicable farebox revenue ratio.
 - 5) There is supporting data to indicate sufficient ridership potential for the new, expanded, or revised service.
 - 6) Implementation of the new, expanded, or revised transit service should achieve or be moving toward the goals outlined in the Kings County Transit Development Plan for a comparable type of service. Services not meeting the goals should be evaluated on a yearly basis to determine if modifications or cancellation of service should be implemented.
 - 7) The proposed transit service shall have a reasonable expectation of future demand and available funding on a long term basis to maintain the service.

- 8) Is needed by and would benefit either the general public or the elderly and disabled population as a whole.

Analysis of Comments Received During the FY 21/22 Unmet Transit Needs Process

Comment #	Agency Affiliation	Transit Service/Jurisdiction	Public Comments	Is it an "Unmet Transit Need"	If identified as an "Unmet Transit Need", is it "Reasonable to Meet"	Notes
Comments submitted via phone						
1	City of Madera	Madera Metro	A bus stop is needed at Roosevelt and Olive across from Sierra Vista Elementary.			
2	City of Madera	Madera Metro	There is currently a bus stop on Sunrise between A and Vineyard, a bus shelter is needed for shade and protection from inclement weather.			
3	City of Madera	Madera Metro	There is currently a bus stop at Olive and Martin near Planet Fitness, a bus shelter is needed for shade and protection from inclement weather.			
Comments submitted via public comment email						
4	County	MCC/Eastern Madera County	Why isn't YARTS year-round on HWY 41? We live in Coarsegold, near YLP. If you don't have a car, unable to get to Oakhurst or Fresno.			
Comments submitted via Unmet Transit Needs Online Survey						
5	ALL	Madera Metro, DAR, Chowchilla Area Transit, Madera County Connection	More on-time schedules.			
6	ALL	Madera Metro, DAR, Chowchilla Area Transit, Madera County Connection	Not being skipped by dial-a-ride			
Comments from Leadership Counsel for Justice and Accountability						
7	City of Madera	Madera Metro	Transit users in the City of Madera report up to one hour wait times for buses on occasion, and expressed the need for routes in the City of Madera to run more frequently.			

8	ALL	ALL	Residents and transit users report a need to expand rate assistance programs to provide free rides to people who are unable to pay their bus fare but who have transit needs nonetheless. This need was raised during the COVID-19 pandemic, during which many transit users have experienced additional financial hardships.
9	County	County	Residents and transit users report a need for street lighting in La Vina and Fairmead to ensure transit users' first and last miles are safely lit.
10	City of Madera	Madera Metro	Residents and transit users continue to elevate the need for wastebaskets at bus stops in the City of Madera.
11	County	County	Residents and transit users in unincorporated communities have identified streets that need repavement and clean mobility infrastructure like sidewalks, crosswalks, and street lighting in order to facilitate their first and last miles, and thus, their use of public transit. A few examples that were elevated in our conversations were sidewalks and street lighting along Avenue 9 and within the subdivision of homes located in La Vina, and road repavement to Rd 26 in Madera Acres, Rd 29 in Parksdale, and Valerie Avenue in Madera Acres.
12	ALL	ALL	Resident and transit users report the need for electronic bus signs on buses and at bus stops. At bus stops, an electronic sign should indicate the estimated time of arrival of the bus and its destination along its current route, and electronic signs on the buses should confirm the direction in which the bus is travelling along its route with its final destination. Residents report that this will greatly improve the user-friendliness of public transit in Madera County and encourage ridership.

13 Madera County Connection MCC/Eastin Arcola-Ripperdan-La Vina Residents and transit users in La Vina continue to elevate the need for more frequent routes between La Vina and the City of Madera. Currently, the bus only runs on Wednesdays and Fridays, leaving transit-dependent persons with no other means of transportation without access to basic amenities (including healthcare, food, and other emergency services) most days of the week.

14 Madera County Connection MCC/Chowchilla-Fairmead Lastly, residents and transit users in Fairmead have elevated the need to continue working towards installation of a second bus stop in Fairmead. As we understand it, the status of this project is pending collaboration between the Fresno EOC and Madera County Public Works. We ask that MCTC direct these agencies to continue their work on this project as soon as possible, and oversee progress to ensure this project stays on track.

15 Madera County Transportation Commission Madera County Transportation Commission Lastly, our organization requests a breakdown of transportation funding (whether from general fund dollars, local tax revenue, grant funding, or any other source of revenue) and expenditures on transportation and transit-related projects during the past two years in Madera County, the City of Madera, and the City of Chowchilla. This will be helpful in order for us to better understand the transportation and transit projects MCTC & other relevant agencies in Madera County have prioritized with the funding that has been available in the last few years.

THE MADERA COUNTY TRANSPORTATION COMMISSION IS SEEKING APPLICATIONS FOR COMMITTEE APPOINTMENT



Interested in joining the SSTAC?

Call us at (559) 675 0721 x 18 or send us an email to evelyn@maderactc.org

WWW.MADERACTC.ORG

If you are interested in helping to improve public transit services within the county or know someone who would, please contact the Madera County Transportation Commission office. Those wishing to apply for one of the two vacant Social Services Transportation Advisory Council (SSTAC) positions can contact MCTC staff or access an application on the SSTAC Application webpage:

<https://www.maderactc.org/bc-transportation>

Vacancies to be filled:

- Potential Transit User 60 Years or Older
- Representative of the Local Social Service Provider for Seniors.
- Representative of the Local Social Service Provider for Disabled.

LA COMISIÓN DE TRANSPORTE DEL CONDADO DE MADERA ESTÁ BUSCANDO SOLICITUDES PARA PARTICIPAR EN UN COMITÉ



¿Interesado en participar con el SSTAC?



Llámenos al (559) 675 0721 x 15 o mándenos un correo a: evelyn@maderactc.org

WWW.MADERACTC.ORG

Si está interesado en ayudar a mejorar los servicios de transporte público dentro del condado o conoce a alguien que lo haría, comuníquese con la oficina de la Comisión de Transporte del Condado de Madera. Aquellos que deseen postularse para uno de los dos puestos vacantes del Consejo Asesor de Transporte de Servicios Sociales (SSTAC) pueden comunicarse con el personal de MCTC o acceder a una solicitud en la página web de Solicitud de SSTAC: <https://www.maderactc.org/bc-transportation>

Dos vacantes por cubrir:

- **Usuario potencial de transporte público de 60 años o más**
- **Representante del Proveedor de Servicios Sociales Local para Discapacitados**
- **Representante del Proveedor de Servicios Sociales Local para Personas Mayores**



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 4-l

PREPARED BY: Evelyn Espinosa, Associate Regional Planner

SUBJECT:

Northeast Madera Walking and Biking Safety Training and Virtual Walking and Biking Assessment Flier

Enclosure: Yes

Action: Information and Discussion Only

SUMMARY:

The Madera County Department of Public Health with California Walks and UC Berkeley SafeTREC will be hosting a webinar for the community to go over walking and biking infrastructure in northeast Madera. This webinar will take place Wednesday, June 2, from 3:30 to 5:30 pm.

The purpose of this webinar is for the public to learn walking and biking safety strategies and to conduct a virtual walking and biking assessment of northeast Madera routes to the John W. Wells Youth Center.

The flier to this webinar is attached. Live Spanish interpretation will be provided.

To join this virtual meeting:

<http://bit.ly/MaderaWalkBike>

669 900 6833 US Toll-free

Meeting ID: 865 3313 1321

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.

Help make Northeast Madera a safer place to walk and bike!

Northeast Madera Walking & Biking Safety Training

Wednesday, June 2 3:30 PM - 5:30 PM

Join us via:



<http://bit.ly/MaderaWalkBike>



669 900 6833 US Toll-free



Live Interpretation to Spanish



Meeting ID: **865 3313 1321**

For questions / assistance contact:
marina@calwalks.org or (909) 255-1522



Learn about walking & biking safety strategies



Conduct a virtual walking & biking assessment



Plan for community programs & infrastructure projects

In collaboration with:

California Walks | UC Berkeley SafeTREC | California Office of Traffic Safety | Madera County Public Health Department | City of Madera | Madera County Transportation Commission | CalViva Health University of California Cooperative Extension | California Department of Transportation District 6

¡Hagamos la comunidad de Noreste Madera segura para caminar y andar en bicicleta!

Noreste Madera Taller para la Seguridad Peatonal y Ciclista

Miercoles, 2 de Junio 3:30 PM - 5:30 PM

Únase por : 

 <http://bit.ly/MaderaWalkBike>


 669 900 6833 US Gratuito


 Interpretación al español



ID de la reunión: **865 3313 1321**

Para preguntas o asistencia contactar:
marina@calwalks.org o (909) 255-1522

 Aprenda sobre estrategias de la seguridad peatonal y ciclista

 Conduzca una evaluación de la seguridad peatonal y ciclista

 Planifique programas comunitarios y proyectos de infraestructura con sus vecinos

En colaboración con:

California Walks | UC Berkeley SafeTREC | California Office of Traffic Safety | Madera County Public Health Department | City of Madera | Madera County Transportation Commission | CalViva Health University of California Cooperative Extension | California Department of Transportation District 6



STAFF REPORT
Board Meeting of April 21, 2021

AGENDA ITEM: 5-A
PREPARED BY: Patricia Taylor, Executive Director

SUBJECT:

American Jobs Plan, Community Project Funding, and INVEST in America Act

Enclosure: Yes

Action: Information and Discussion Only

SUMMARY:

At the April 21, 2021 Policy Board meeting, MCTC staff provided details of the American Jobs Plan and INVEST in America Act. Below is an update on the American Jobs Plan, Community Project Funding, and INVEST in America Act.

1. American Jobs Plan:

President Joe Biden on March 31, 2021, introduced the American Jobs Plan of 2021. The plan requests \$2.3 trillion over eight years to modernize the nation's infrastructure. This infrastructure plan includes roads, bridges, and ports, but also addresses resiliency, the climate crisis, broadband access, waterways, and housing. To pay for the plan, the president suggests a corporate tax hike over 15 years, among other modifications to the tax code.

President Biden has called on Congress to enact the American Jobs Plan to create jobs, rebuild the country's infrastructure and position the United States to compete against China. The plan is likely to change and meet resistance as Congress develops legislation over the weeks and months ahead. Speaker Pelosi has said that she wants to pass the package by July 4, 2021, it is likely to slip late into the summer or early fall.

The *American Jobs Plan* is currently a proposal and early in the process; therefore, a lot could and probably will change between now and when Biden's plan is officially introduced in the House as a bill. Congress is expected to unveil its infrastructure proposals later this month. In addition, there will be a lot of rounds of negotiations between the House and Senate to get a final product. Until we know more, there are three potential rough scenarios for how Biden's \$2.3 trillion infrastructure bills could become law.

1. Budget Reconciliation Bill

2. Pass multiple Budget Reconciliation Bills
3. Democrats and Republicans work together to pass a bipartisan surface transportation reauthorization bill (FAST Act expires September 30, 2021). This bill comes up every five years. House and Senate committees are currently working on this reauthorization bill, as well as a water infrastructure bill. Then, Democrats could still use reconciliation to pass the remaining elements of Biden's infrastructure and jobs plan.

2. Community Project Funding Requests – Appropriations Committee

The opportunity to apply for Community Project Funding was issued by the House Appropriations Committee. Under guidelines issued by the Appropriations Committee, each Representative may request funds for up to 10 projects in their community for Fiscal Year 2022. Projects are restricted to a limited number of federal funding streams, and only state and local governments and eligible non-profit entities are permitted to receive funding. Funding is intended for smaller infrastructure projects, less than \$5,000,000. Congressman Jim Costa has submitted funding requests for important community projects in California's 16th Congressional District to the House Appropriations Committee. Two projects in Madera were included in the submittal. Those two projects are as follows:

- City of Madera Avenue 13 Sewer Trunk Main Rehabilitation - \$5,000,000
- Madera Unified School District, English Language Learner Post-Pandemic Project - \$625,150

Project submittals for California's 16th Congressional District can be found by accessing this link: [Costa Community Project Funding Requests](#)

3. INVEST in America Act

The House released Investing in a New Vision for the Environment and Surface Transportation in America (*INVEST in America*) Act in June 2020. This is a 5-year, \$494 billion investment to get the existing infrastructure working again and fund new, transformative projects that will create millions of jobs and support American manufacturing and ingenuity while reducing carbon pollution, dramatically improving safety, and spurring economic activity. It is investing in infrastructure that is smarter, safer, and made to last.

The current federal surface transportation bill is called, "FAST Act" – Fixing America's Surface Transportation Act. FAST Act was set to expire on September 30, 2020 and has been extended through September 30, 2021. Therefore, FAST Act expires on September 30, 2021. This is separate from the American Jobs Plan.

The House Committee on Transportation and Infrastructure aims to move forward with surface transportation reauthorization later this year. Chairman Peter DeFazio has announced that the House Committee on Transportation and Infrastructure will formally accept request for projects from House Members.

Projects funded through the surface transportation authorization will be funded directly from the Highway Trust Fund, and they do not require a separate or subsequent appropriation. This process is separate from the House Committee on Appropriations' process from considering Community Project Funding requests (listed above). As you are aware, MCTC staff has been working with Congressman Costa and his staff in identifying projects to be considered should federal funding become available. The project in Madera submitted to the House Transportation and Infrastructure Committee by Congressman Costa is as follows:

- SR 99 Madera South – Operational Improvement Project - \$10,000,000

It should be noted, we needed to scope a portion of the project for \$10 million. The submitted project is an additional two-mile-long southbound lane and includes state funds in the amount of \$6.9 million (SHOPP) to rehabilitate the other two lanes. Total project cost is \$16.9 million. This is a submittal and not guaranteed; however, it is a step in the right direction and demonstrates Congressman Costa's support.

MCTC staff requested a letter of support from CalSTA and Caltrans for the purposes of Congressionally Directed Surface Transportation Project Funding. The request for a letter of support was for (1) SR 99 Madera South and (2) SR 41 Expressway project. Caltrans denied a letter of support citing that the two projects are not in alignment with statewide goals. The projects were considered "widening" projects by Caltrans and CalSTA; therefore, denied a letter. CalSTA and Caltrans provided guiding principles, and both projects in Madera align with those principles (attached). This denial is of great concern. MCTC staff prepared the attached letter to Secretary David Kim, expressing disappointment in not supporting its prior commitment and support for SR 99.

Project submittals for California's 16th Congressional District can be found by accessing this link: [Costa Member Designated Transportation Projects](#)

To summarize, it is anticipated that the American Jobs Plan may be released as a bill late summer. The most likely path for passage is through reconciliation legislation. This blurs the line between the American Jobs Plan and INVEST in America Act (reauthorization). The reconciliation process makes it complicated to know what the bill will contain. It cannot create new policy and must have a budgetary impact. As a result, this would mean no reauthorization and no gas tax increase. Things to consider: (1) this is a proposal and only the first draft. Congress is expected to unveil its infrastructure proposals later this month; (2) what is the congressional appetite for another reconciliation (the American Rescue Plan was a reconciliation) and multi-trillion-dollar bill? It should be noted, this is NOT the reauthorization of the transportation bill. It is probable that the FAST Act reauthorization gets extended before the expiration deadline of September 30, 2021 and pushed into next federal fiscal year. However, close monitoring of all action on the Hill is necessary.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



2001 Howard Road, Suite 201
Madera, California 93637

Office: 559-675-0721 Facsimile: 559-675-9328
Website: www.maderactc.org

May 12, 2021

Mr. David Kim, Secretary
California State Transportation Agency
915 Capitol Mall, Suite 350B
Sacramento, CA 95814

**RE: Denial of Letter of Support – Congressionally Directed Surface
Transportation Project Funding for Trade Corridor Enhancement Program State
Highway project**

Dear Secretary Kim:

We were extremely disappointed with the California State Transportation Agency's (CalSTA) decision not to provide Federal Appropriation letters of support for any State highway project that is considered capacity increasing. The State Route 99 (SR 99) Operational Improvement Project in Madera County is an important project that warrants support. While it does add lanes to the state highway, it is truly a safety, goods movement, and gap closure project meant to address issues with existing and future interregional and statewide traffic volumes. It is concerning, given this project was chosen for Trade Enhancement Corridor Program (TCEP) funding not even one year ago, and CalSTA is not supporting a potential Federal appropriation.

While the SR 99 project does add lanes to the state highway, it is a safety, goods movement, and gap closure project deemed vital to economies in the Madera region and San Joaquin Valley. In Madera County, SR 99 is the most utilized transportation facility by a significant margin. It has the highest volume of truck traffic, the highest volume of bi-county travel, and the highest volume of pass-through travel that never actually stops in Madera County. The SR 99 project addresses safe and efficient operations on federally designated trade corridors of national and regional significance, one of the most heavily traveled non-interstate highways in the nation. This project will remove bottlenecks caused by lane gaps on the route between Fresno and Madera. Today, there are nearly 81,000 daily trips on the facility, 20% of those being heavy trucks (15,500). These volumes present considerable operational and safety challenges today, and the demand for this facility continues to grow by the year.

With this project's significant economic and safety implications, there has been a long history of it being supported by a broad array of significant stakeholders. Improvements have been identified as needed in multiple regional and state reports addressing vital economic trade corridors. The project is a community-supported piece of the region's

Sustainable Communities Strategy, helping curb harmful emissions per capita. The project was recently awarded TCEP funds for right of way, capital, and support. The TCEP funding was considered an instrumental piece in this project's advancement and is construction-ready for federal funding opportunities. To not make good on the potential of the existing TCEP funding by supporting this project considering new Federal funding opportunities materializing was a neglected opportunity and concerning contradiction.

While negative impacts of the facility in its current state are unquestionably felt locally, this project is anything but a solution to a locally sourced problem through increased capacity. Again, we are left hard-pressed to believe this fact is understood or that the message that 'one size does not fit all' bares credence. This project seeks to address a problem yet of a different proverbial 'size'. It is not a treatment in a heavily urbanized metro, nor does it significantly induce new VMT; the volume levels are a constant given the scarcity of available north-south interregional travel facilities able to accommodate the nature of travel on SR 99.

MCTC has partnered with the State on numerous occasions to support State projects by supplementing them with local funds to keep them intact and on schedule. This project continues that history by way of local funds being partnered with STIP, Interregional Improvement Program, SB1 and SR 99 Bond funds, a funding partnership that began in 2012. In 2016, MCTC volunteered to deprogram this project resulting in its removal from the STIP and ITIP. This was done to assist the State during a period of STIP funding shortfall. The project was to be made whole again with the passage of SB 1, a bill heavily supported by leadership in Madera County. As an Advanced Project Development Element, the State would be following through on a commitment to see this important project back on track and adequately reprioritized for delivery in the subsequent STIP and ITIP cycles. The project was reinserted into the 2018 STIP on the premise of this commitment.

We appreciate the message of support offered towards addressing the crucial issues in the San Joaquin Valley, but these messages need to translate into congruent action consistently. This leaves us concerned about the continued support of those messages and the possible lack of recognition for the needs in our region in light of the looming development of the 2022 Interregional Transportation Improvement Program (ITIP) development cycle. Our region continues to invest in the State highway system at an increasingly disproportionate rate with local funding. We in Madera County and our neighbors in the San Joaquin Valley have spent years of time and resources to clearly identify our key issues and needs related to the State highway system where support through the ITIP is needed. The ITIP will be vital in providing assistance so more locally sourced Measure funds can be directed to community and neighborhood-level investments.

It is unfortunate CalSTA chose to show they do not support essential State facilities like SR 99 in Madera County and the San Joaquin Valley receiving federal funds. We need meaningful partnership and support from our state partners, especially on State facilities

themselves. We urge CalSTA to support and address the needs of SR 99 in our region and throughout the San Joaquin Valley through conclusive ITIP funding action.

Thank you for your consideration.



Jose Rodriguez, Chair
Madera County Transportation Commission

Cc: Toks Omishakin, Caltrans Director
Diana Gomez, Caltrans D6
LeeAnn Eagar, CTC Commissioner
Mitch Wise CTC Executive Director
Congressman Jim Costa, 16th District
Andreas Borgeas, State Senator, 8th District
Anna Caballero, State Senator, 12th District
Frank Bigelow, Assembly Member, 5th District



Gavin Newsom
Governor

915 Capitol Mall, Suite 350B
Sacramento, CA 95814
916-323-5400
www.calsta.ca.gov

David S. Kim
Secretary

CalSTA will support projects of statewide significance that do some or all of the following:

- **Make safety improvements to reduce fatalities and severe injuries** of all users towards zero fatalities on our roadways, railways and transit systems.
- Invest in **networks of safe and accessible bicycle and pedestrian infrastructure**.
- Build toward an **integrated, statewide rail and transit network**, centered around the existing California State Rail Plan and California High Speed Rail.
- **Include ZEV Infrastructure or build toward a zero-emission freight transportation system**.
- **Address current or future physical climate risk** especially in communities that are most vulnerable to climate-related health and safety risks.
- **Address congestion through alternatives to highway capacity** expansion in order to not significantly increase VMT.
- **Reduce public health and economic harms** and maximize community benefits to disproportionately impacted disadvantaged communities, low-income communities, and Black, Indigenous, and People of Color (BIPOC) communities.
- **Support jobs**.
- Have **strong support from the community** in which the project is located.
- **Can be fully delivered** with this funding request, or otherwise have a path to shorter term delivery. To the extent practicable, congressionally directed funds should be the “last dollars in” to pull a project over the goal line, with significant local and state dollars behind it.



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 5-B

PREPARED BY: Dylan Stone, Principal Regional Planner

SUBJECT:

CalSTA DRAFT Climate Action Plan for Transportation Infrastructure – Comment Letter

Enclosure: Yes

Action: Authorize submission of comment letter to CalSTA

SUMMARY:

MCTC has reviewed the California State Transportation Agency’s (CalSTA) development of a Climate Action Plan for Transportation Infrastructure (CAPTI). The document will be open for comment until May 19, 2021. MCTC staff has written a comment letter on the DRAFT CAPTI to be submitted to CalSTA staff. The document can be viewed at the following web address: <https://calsta.ca.gov/subject-areas/climate-action-plan>

The CAPTI is a result of Governor Newsom’s Executive Orders on Climate Change (EO N-19-19 and EO N-79-20). The plan seeks to update the existing transportation investment framework using the principal foundations of these two executive orders as guides.

Executive Order N-79-20 directs investment towards new clean transportation options in urban, suburban, and rural settings for all Californians as well as for goods movement by:

- **Building towards an integrated, statewide rail and transit network**, centered around the existing California State Rail Plan that leverages the California Integrated Travel Program to provide seamless, affordable, multimodal travel options in all contexts, including suburban and rural settings, to all users.
- **Investing in networks of safe and accessible bicycle and pedestrian infrastructure**, particularly by closing gaps on portions of the State Highway System that intersect local active transportation and transit networks or serve as small town or rural main streets, with a focus on investments in low income and disadvantaged communities across the state.
- **Including investments in light, medium, and heavy-duty zero-emission-vehicle (ZEV) infrastructure** or supportive infrastructure as part of larger transportation projects. Support the innovation in and development of the ZEV market and help ensure ZEVs are accessible to all, particularly to those in more rural or remote communities.

Executive Order N-19-19 directs investment towards further adoption and use of these clean modes of transportation mentioned above by:

- **Reducing public health harms and maximizing benefits to disproportionately impacted disadvantaged communities, low-income communities, and communities of color**, in urbanized and rural regions, and involve these communities early in decision-making. Investments should also avoid placing new or exacerbating existing substantial burdens on communities, even if unintentional.
- **Making safety improvements to reduce fatalities and severe injuries of all users towards zero** on our roadways and transit systems by focusing on context-appropriate speeds, prioritizing vulnerable user safety to support mode shift, designing roadways to accommodate for potential human error and injury tolerances, and ultimately implementing a safe systems approach.
- **Assessing physical climate risk** as standard practice for transportation infrastructure projects to enable informed decision making, especially in communities that are most vulnerable to climate risks.
- **Promoting projects that do not increase passenger vehicle travel**, particularly in congested urbanized settings where other mobility options can be provided and where projects are shown to induce significant auto travel. These projects should generally aim to reduce vehicle miles traveled (VMT) and not induce significant VMT growth. When addressing congestion, consider alternatives to highway capacity expansion, such as providing multimodal options in the corridor, employing pricing strategies, and using technology to optimize operations.
- **Promoting compact infill development while protecting residents and businesses from displacement** by supporting transportation projects that support housing for low-income residents near job centers, provide walkable communities, and address affordability to reduce the housing-transportation cost burden and reduce auto trips.
- **Developing a zero-emission freight transportation system** that avoids and mitigates environmental justice impacts, reduces criteria and toxic air pollutants, improves freight's economic competitiveness and efficiency, and integrates multi-modal design and planning into infrastructure development on freight corridors.
- **Protecting natural and working lands** from conversion to more intensified uses and enhance biodiversity by supporting local and regional conservation planning that focuses development where it already exists and align transportation investments with conservation priorities to reduce transportation's impact on the natural environment.

California State Agencies play a role in either scoping, recommending, or selecting projects in over \$5 billion of transportation infrastructure annually. The CAPTI seeks to update these program guidelines to strengthen their alignment with state climate goals. The following programs are key amongst these:

- Active Transportation Program (ATP)
- Interregional Transportation Improvement Program (ITIP)

- Local Partnership Program (LPP)
- Solutions for Congested Corridors (SCCP)
- State Highway Operation and Protection Program (SHOPP)
- Trade Corridor Enhancement Program (TCEP)
- Transit and Intercity Rail Capitol Program (TIRCP)

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



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May 19, 2021

David Kim, Secretary
California State Transportation Agency
915 Capitol Mall, Suite 350B
Sacramento, CA 95814

RE: Comments on the Draft Climate Action Plan for Transportation Infrastructure

Dear Mr. Kim,

This letter provides Madera County Transportation Commission's (MCTC) input to the Draft Climate Action Plan for Transportation Infrastructure (CAPTI) issued on March 10, 2021. CAPTI outlines investment framework, strategies, and actions on how billions of dollars in State funding should be invested. The contents of the plan are intended to guide California's transportation sector towards investments designed to combat the effects of climate change while supporting public health, safety, and social equity.

MCTC is the Regional Transportation Planning Agency (RTPA), Metropolitan Planning Organization (MPO), and the Local Transportation Commission for Madera County consisting of 157,000 people. MCTC is responsible for the development and adoption of the Regional Transportation Plan/Sustainable Communities Strategies, Transportation Improvement Program and Air Quality Conformity determinations – as required by Federal law.

MCTC compliments CalSTA on many aspects of the CAPTI and we are supportive of the plan's emphasis on accommodating a shift towards zero-emission vehicles (ZEV) and infrastructure, investment in safe and accessible active transportation, and building towards an integrated statewide rail and transit network. We are intrigued and excited for how these strategies can improve this region at a community level. However, we do have concerns with the approach of several strategies in the plan regarding their applicability for rural and less urbanized areas, impacts to critical trade corridors and maintaining the ability for local community to see their needs adequately represented. MCTC focuses our comments here on the strategy's outlined in CAPTI.

Strategy S1. Cultivate and Accelerate Sustainable Transportation Innovation by Leading with State Investments

Existing program priorities should not be subverted. It is crucial that commitments and projects that are well underway be considered, and not supplanted or deprioritized in

the Interregional Transportation Improvement Program (ITIP). MCTC has concerns about needed improvement to State Route 99 (SR99) and the State's willingness to follow through on various commitments and years of time and resources expended on the effort. Furthermore, the SR99 South project in Madera County is a project currently supported by TCEP funding. It is reflective of collective local, regional, and state goals for the SR99 corridor.

The economic importance of SR99 to Madera County and the San Joaquin Valley cannot be stated enough, the issues on the facility related to interregional and statewide travel activity cannot be ignored. We would welcome the opportunity for further discussion on this matter as it pertains to any proposed change to TCEP funding methodology.

Strategy S2. Support a Robust Economic Recovery by Revitalizing Transit, Supporting ZEV Deployment, and Expanding Active Transportation Investments

We look forward to new and innovative ways of working with State partners towards investments in effective and accessible public transit. MCTC is working with local partners to plan for enhanced access to commuter rail. The Amtrak station in Madera County will be relocated to an area served by both urban and rural fixed-route transit services and will accommodate California High Speed Rail service for the initial operating segment between Merced and Bakersfield. These programs being able to support enhanced connectivity with disadvantaged, rural communities will help ensure an equitable approach able to meaningfully serve residents. We encourage strategies designed to provide robust support of activities designed to move more travelers on to commuter rail and assisting in community design and planning orientated to multi-modal transit accessibility.

The Active Transportation Plan (ATP) for Madera County outlines short, mid, and long-term needs identified by the community totaling over \$588 million dollars. These include over 290 new miles of active transportation infrastructure, Safe Routes to Schools updates, educational and encouragement programs, safety enforcement programs, wayfinding programs, and maintenance and ongoing operations. Being able to secure funding from State and Federal programs is an integral factor in being able to see the Madera County ATP be realized. The ATP identified the Active Transportation Program as one of the most applicable funding sources for each of the plans project investment categories. A proposal to alter the ATP Program should involve simplifying the application process. The current application process puts an undue burden on local agency staffs, hampering the potential for participation in this program.

MCTC has begun developing a ZEV Readiness Plan to identify needed policies and infrastructure to accommodate a shift to zero emission vehicle. This planning effort will help the region be prepared for ZEV goals to have a fully electrified vehicle fleet in the future. The ZEV Plan will precede local transit operators Zero Emissions Bus Readiness Plans. The effort to prepare for this comprehensive fleet conversion will be a challenge

we cannot meet alone, strong partnership and collaboration with State partners will be crucial for the region to be able to meet this goal in an equitable manner.

Madera County has a significant number of rural households and businesses, nearly half of the population lives outside of urban areas. Regional context is critical. Developing understanding of transportation behaviors in smaller, less urbanized areas is paramount to being able to establish strategies to address climate change goals while also considering local needs and issues in the process. We encourage CalSTA to engage with City, County and Regional agency staff in the Madera County and the San Joaquin Valley to establish how *Strategy S2* can be effectively and affordably implemented for all.

Strategy S3. Elevate Community Voices in How We Plan and Fund Transportation Projects

The ability for local and regional plans and programs to be reflective of community input is a valued aspect of the transportation system. For the CAPTI to bare meaningful action and results, voices from all areas of the State must be heard.

S4. Advance State Transportation Leadership on Climate and Equity through Improved Planning & Project Partnerships

It is important that regional and local government agencies from all area types are invited to participate in the development of the California Strategic Investment Strategy (CSIS). The CSIS should be sensitive to the many varying types of communities in California. These strategies need to be feasible and applicable contextually by region. What works in a densely populated urban area has limited applicability to less dense urban and rural areas in Madera County and many parts of the San Joaquin Valley.

A critical area of variance that must be considered are socio-economic conditions. Focusing on a one size fits all VMT reduction policy could adversely penalize rural disadvantaged areas that do not have reasonable access to alternative options available to help reduce their VMT. In the San Joaquin Valley, rural areas do not commute downtown for their jobs, but outward in a dispersed pattern to rural resource areas such as distribution centers, ag fields, prisons, military bases, and oil fields. Shopping and service trips are often much longer for rural residents.

Rural communities need economic development opportunities that will allow them to eventually capture these shopping/service trips locally and establish a convenient rural transit node. While telecommuting exurbanites may help reduce travel in these communities when they migrate, accessing shopping/service amenities over longer distances will garnish some of the VMT benefit from telecommuting. Instead of focusing in VMT reduction in rural areas, a GHG reduction goal would allow residents to focus on clean tech that will mitigate their long commute times.

S5. Support Climate Resilience through Transportation System Improvements and Protections for Natural and Working Lands

The intent to alter the nature of SB1 is concerning. Voters turned down Proposition 6 keeping SB1 in place. This result was in large part because of the time and effort that went into educating the public about its intent and benefits. SB1 was supported by many elected officials and community leaders in Madera County and a contentious topic locally. To meddle with SB1 in a manner that contrasts the concerted efforts taken to defeat Proposition 6 would weaken the credibility of future public support for transportation assistance. The shifted priorities need to be mindful not to irresponsibly overstep the regional priorities and needs established locally. We do not want any potential erosion of public support from State actions to also trickle down to future local Measure endeavors.

S6. Support Local and Regional Innovation to Advance Sustainable Mobility

We are concerned with the prospects and focus surrounding congestion pricing and its effective applicability on an area like Madera County. The strategy is intended to shift travel volumes to other modes. The most utilized facilities in Madera County are used by large quantities of statewide and interregional travelers for which there are little to no alternative modal options available.

Congestion pricing or VMT fees would also disproportionately impact uncongested, rural/small, and disadvantaged communities. Rural communities should receive a break on any passenger vehicle VMT reduction strategies like congestion pricing or a VMT fee. The state should focus VMT reduction in areas with an urban population density able to support high quality transit. Where there is no convenient transit, the state should help communities grow to a critical mass to where they can support more efficient transit choices and essential shopping and medical services. A broad policy that focuses only on VMT reduction risks rural communities never being able to grow large enough to reduce their above average VMT perpetuating their travel behavior.

S7. Strengthen Transportation-Land Use Connections

The land use-transportation discussion for leveraging transportation investments to incentivize infill housing production should include considerations for local economy and job growth as well. These considerations must be well understood from local jurisdictions with land use authority and reflective of local needs when proposing new funding direction. Additionally, the implementation of this strategy must also clearly define what is applicable by area type.

General Comments

MCTC strongly supports California's climate goals and are committed to improvements to passenger and freight rail systems, GHG reductions, reducing VMT, and improving public transportation, walking, biking, and other modes of transportation. We also

support transportation investments aligned with housing and economic development. A large focus of the CAPTI is related to reducing VMT. MCTC believes there are beneficial ways to achieve this within local communities. We do not want to see capricious elimination of capital projects designed to address safety, goods movement, or harmful emission reductions on the premise of those projects potential VMT impacts especially on the State highway system in Madera County. The operations on State highways in Madera County is intrinsically linked to local economies, there needs to be standards for safe, reliable facilities for their diverse users.

Madera County is one of twenty-five California counties who have voted to tax themselves to fund and build transportation infrastructure. The continued success of such measures is dependent on those tax dollars being able to effectively leverage state and Federal funds. It is a key reason Madera County voters made the choice to invest in themselves by way of a transportation measure tax. CAPTI does present new and encouraging opportunities to enhance transportation in Madera County communities, but also proposes ideas which may limit the Measure's ability to deliver on projects chosen by voters for the region. The effectiveness of the measure to follow through and deliver on funding projects is vital to the region being able to return to voters for new or extended transportation tax measures.

MCTC appreciates the opportunity to review and comment on the Draft CAPTI. The CAPTI has potential to beneficially direct change in California investments to address climate change issues. We urge CalSTA to consider our comments and concerns with the strategies that have been proposed in your efforts to make this an effective and practical plan for all of California.

Sincerely,



Patricia Taylor, Executive Director
Madera County Transportation Commission

Cc: Darwin Moosavi, CalSTA Deputy Secretary
Toks Omishakin, Caltrans Director
Jeanie Ward-Waller, Caltrans Deputy Director
Steven Keck, Caltrans Deputy Director
Diana Gomez, Caltrans District 6 Director
LeeAnn Eager, CTC Commissioner
Mitch Weiss, CTC Executive Director
Kate Gordon, OPR Director
Keith Dunn, SHCC Executive Director
Bill Higgins, CALCOG Executive Director



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 5-C
PREPARED BY: Patricia Taylor, Executive Director

SUBJECT:

Governor's FY 2021-22 "May Revise" State Budget - Transportation

Enclosure: Yes

Action: Information and Discussion Only

SUMMARY:

The Governor's FY 2021-22 "May Revise" edition of the budget should be released on Friday, May 14, 2021. Staff will be reviewing the budget and provide a verbal report, if necessary.

The *Transportation Coalition* in partnership with other organizations formed a coalition to support significant investment in transportation infrastructure considering the projected budget surplus. Attached is a copy of a letter with the Coalition's proposal for the 2021-22 State budget investments. The letter provides support for \$1 Billion in Sustainable Community Block Grants as follows:

- Active Transportation Program (\$2 Billion)
- Sustainable Communities Block Grant Program (\$1 Billion)
- Highway Bridge Program – Local Bridge Augmentation (\$500 Million)
- Trade Corridor Enhancement Program (\$300 Million)
- Solutions for Congested Corridors Program (\$300 Million)
- State Transportation Improvement Program (\$500 Million)
- Highway Safety Improvement Program – Local Augmentation (\$250 Million)
- State and Local Transportation Adaptation Program (\$500 Million)
- Research to Support State Climate Change/Transportation/Housing/High-Road Jobs Goals (\$10 Million)
- Infill Infrastructure Grant Program (\$500 Million)
- Zero-Emission Vehicle Infrastructure (\$1.5 Billion)

MCTC staff is optimistic that there may be an opportunity for transportation infrastructure funding; however, at the time of the writing of this staff report, it is unknown until the Governor announces the budget proposal on Friday, May 14, 2021.

The entire State Budget documents may be found at the [Department of Finance California Budget 2021-22](#) website.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



Stimulate Economic Recovery, Create Living-Wage Jobs, and Further Progress on California’s Climate Goals Through Strategic Investments in Transportation Infrastructure

Proposal for 2021-22 State Budget Investments



California’s multimodal transportation system is the backbone of the state economy. The movement of goods and services, including moving agriculture from farm-to-market, is essential to overall quality of life in the Golden State. It is the way Californians will get back to work, go to school, recreate, and start living again in a post-pandemic environment. But the state’s network of highways, roads, bridges, bikeways, pedestrian pathways, and transit systems is also our future. They play an integral role in fighting the effects of climate change, improving air quality, providing a path to prosperity, and creating sustainable, vibrant communities. Fairly investing in infrastructure is always a wise investment – creating living-wage jobs and profoundly positive ripple effects throughout the economy.

The state has a unique opportunity to strategically invest in transportation infrastructure in the 2021-22 State Budget to support economic recovery, invest in programs and projects that will accelerate meeting California’s ambitious climate goals, increase opportunities for biking and walking, and fix aging infrastructure to support affordable infill housing development. California is not on track to meet its climate changes goals, and in particular greenhouse gas (GHG) emissions from the transportation sector continue to grow. Numerous climate-related transportation programs are significantly oversubscribed, and a one-time investment of state resources could advance hundreds of projects to fast-track meeting our GHG emission reduction targets. California can use a modest portion of its one-time General Fund revenues and federal American Rescue Plan funds to make the following one-time investments:

ACTIVE TRANSPORTATION PROGRAM (\$2 BILLION)

The Active Transportation Program (ATP) invests in transportation projects and programs to increase the use and safety of active modes of transportation, such as biking and walking. Since its inception in 2013, the ATP program has funded over 800 projects across the state; over 400 of these projects are Safe Routes to Schools projects; and more than 89% of funding benefits disadvantaged communities. Despite recent investments into the program, including \$100 million annually from B 1 and the local share of SB 1, the ATP is significantly oversubscribed. The CTC reports that only 49 projects out of 454 applications (just 11 percent) were funded in the latest cycle, leaving millions of dollars’ worth of high-quality, ready-to-go projects on the table. A one-time investment would advance pre-judged, already high-scoring ATP projects that are just waiting for funding. Funding could also be used to support innovative community wide pilot projects to create complete bikeway networks or walkable community connectivity.

SUSTAINABLE COMMUNITIES BLOCK GRANT PROGRAM (\$1 BILLION)

SB 375 (Chapter 328, Statutes of 2008) tasked California’s 18 Metropolitan Planning Organizations (MPOs) with reducing GHG emissions from the transportation sector through transportation



infrastructure investments and land use planning. While much progress has been made, regions are financially constrained in terms of advancing projects that will have transformative impacts in communities across California. The creation and funding of a dedicated Sustainable Communities Block Grant Program (SCBGP) to implement SB 375 would be a game-changer. Regions could focus on the transformative projects that are most critical to create sustainable thriving low-GHG communities that can get overlooked in single-purpose funding programs. Examples include refurbishing underutilized retail spaces into walkable housing and retail neighborhoods, new transportation policies that connect key destinations (such as bus-rapid transit), active transportation projects including bicycle and pedestrian infrastructure, and expansion of transit services, just to name a few. A strict set of eligibility parameters ensures that all investments must help accelerate reductions toward the state’s overarching climate, health, and equity goals. The SCBGP should also include a rural set-aside to ensure the program benefits the entire state and supports all regional sustainability efforts.

HIGHWAY BRIDGE PROGRAM – LOCAL BRIDGE AUGMENTATION (\$500 MILLION)

The state and local governments own and operate over 25,000 bridges. Local governments are responsible for 12,105 bridges, 2,663 of which need rehabilitation or replacement. The Federal Highway Administration (FHWA) reports that California is not on target to meet performance goals. If these targets are missed, California loses some flexibility in how it spends other federal transportation funds. Local bridge projects are expensive, take many years to fund, are funded in large part by federal transportation dollars, and require a costly local match. There are nearly \$400 million in local bridge replacement and rehabilitation projects that could very quickly proceed to construction with additional funding, and the Highway Bridge Program could quickly identify additional projects for the remaining funds given the list of over 800 bridge projects currently in the approximately 18-year program.

TRADE CORRIDOR ENHANCEMENT PROGRAM (\$300 MILLION)

The Trade Corridor Enhancement Program (TCEP) funds projects designed to move freight more efficiently on corridors with high volumes of freight. These projects increase the use of on-dock rail, improve safety by eliminating at-grade crossings, reduce impacts to surrounding communities, reduce border wait times, and increase rail capacity with double tracking. This is another program that was oversubscribed in the last funding round. This one-time investment of funds would fast-track high-scoring TCEP projects that improve the movement of goods on key freight corridors, increasing economic activity and the creation of jobs, while also reducing congestion, improving air quality, and reducing GHGs.

SOLUTIONS FOR CONGESTED CORRIDORS PROGRAM (\$300 MILLION)

The Solutions for Congested Corridors Program (SCCP) provides funding to achieve a balanced set of transportation, environmental, and community access improvements to reduce congestion throughout the state. Eligible projects include improvements to state highways, local streets and roads, rail facilities, public transit facilities, bicycle and pedestrian facilities, and restoration or preservation work that protects critical local habitat or open space. Program funds cannot be used to construct general purpose lanes on a state highway. The CTC received project nominations totaling \$1.3 billion for an available \$494 million during the last funding cycle. A one-time investment of state funds will accelerate high-scoring projects that further progress on the state’s congestion relief, air quality, and climate change goals.

STATE TRANSPORTATION IMPROVEMENT PROGRAM (\$500 MILLION)

The State Transportation Improvement Program (STIP) is a major source of funding for state highway, intercity rail, and regional highway and transit capital improvements. The STIP includes projects that are nominated by Caltrans in its interregional transportation improvement program (ITIP) and a regional agency in its regional transportation improvement program (RTIP). STIP projects aid the state and regions in providing multimodal mobility options for Californians in every region across the state. Projects range from a new bikeway or roadway to a rail line expansion and help alleviate congestion, support the movement of goods and services, including agricultural products from farm-to-market and freight from our ports of entry, and living-wage jobs and a thriving economy. A one-time investment in the STIP will allow regions to accelerate high-priority multimodal transportation projects for their communities (often matching state dollars with local sales tax revenue) and fund critical Caltrans sponsored projects in the interregional transportation plan (this plan has been identified as a key source of funding to advance meeting the state's transportation related climate change goals).

HIGHWAY SAFETY IMPROVEMENT PROGRAM – LOCAL AUGMENTATION (\$250 MILLION)

The Highway Safety Improvement Program (HSIP) is a core Federal-aid program with the purpose of achieving a significant reduction in traffic fatalities and serious injuries on all public roads. Caltrans administers a local HSIP grant program, which requires a data-driven, strategic approach to analyzing safety issues and funding cost-effective improvements on city and county roads. In California, local HSIP grants directly support safety improvements for all roadway users, including pedestrians and bicyclists. The current local HSIP grant cycle received applications totaling \$489.8 million, but funding was only available to make awards of \$227.6 million in March 2021. A one-time state investment of \$250 million would nearly fully fund these applications. This is another area where failure to meet federal safety targets affects state discretion in spending other federal transportation funds. Thus, the investment preserves state flexibility to invest other federal funding on projects that align with other state goals, like climate and equity.

STATE AND LOCAL TRANSPORTATION ADAPTATION PROGRAM (\$500 MILLION)

Increasing temperatures, larger wildfires, heavier rainstorms, and rising sea levels and storm surges associated with climate change are posing a significant risk to the State's transportation infrastructure. Caltrans recently conducted a vulnerability assessment for the state highway system to examine various expected impacts due to climate change. Regional transportation planning agencies, counties, and cities have also evaluated climate related risk within their own communities and identified billions of dollars' worth of adaptation projects to protect communities, jobs, homes, and other critical assets. Building on the one-time adaptation grant program in SB 1, this program would support state and local transportation and other related infrastructure adaptation projects. Such investment would be an optimal use of one-time funding to make our transportation network more resilient to the impacts of climate change.

RESEARCH TO SUPPORT STATE CLIMATE CHANGE/TRANSPORTATION/HOUSING/HIGH-ROAD JOBS GOALS (\$10 MILLION)

The UC ITS recently released the results of a much-anticipated study they were selected to lead after the 2019 Budget Act appropriated \$1.5 million to the California Environmental Protection Agency (CALEPA) to identify strategies to significantly reduce emissions from vehicles and to achieve carbon neutrality in the sector by 2045. The results of the study lay the groundwork for

aiding the state in identifying additional strategies to reduce GHG emissions and achieve carbon neutrality within the transportation sector; however, significant informational and data gaps remain that must be addressed to support sound and responsible policymaking, particularly those that emphasize new policy mechanisms (e.g., pricing and land use policies that prioritize active transportation, mixed use, densification, etc.) and social as well as racial equity.

With a \$10 million investment, the UC ITS will support evidence-based policymaking through a three-year research and technical assistance program that addresses the aforementioned informational gaps as well as four strategic areas not fully captured in the study on achieving carbon neutrality in transportation: 1) strategic actions to support public transit and shared mobility recovery and long-term resilience; 2) policies to accelerate the use of zero emission vehicles (powered by electricity and hydrogen); 3) integration of emerging transportation technologies and service models (e.g., mobility wallets, microtransit, shared micromobility, shared automated mobility) with California’s environmental, social, and economic policy priorities; and 4) policy trade-offs and implications for sustaining high road” jobs, supporting economic growth, and advancing social and racial equity while reducing GHG emissions from the transportation sector. An overarching focus is a technical assistance and knowledge transfer program across all four initiative areas to ensure research is translated into action.

INFILL INFRASTRUCTURE GRANT PROGRAM (\$500 MILLION)

The cost of infrastructure associated with infill development is one of the most significant cost drivers when attempting to build affordable infill housing. It is also a primary constraint for state climate policy. This proposal includes support for Governor Newsom’s January Budget proposal to fund the Infrastructure Infill Grant (IIG) Program with \$500 million in 2021-22. This funding should be used to fund the core infrastructure, like water, sewer, broadband, etc. that must be refurbished to rebuild neighborhoods and urban areas for the next century of living. By providing financial assistance for capital improvement projects to support infill housing development, this investment will support the development of critically needed affordable infill housing and dense development that supports robust transit, active transportation, public health, and equity goals.

ZERO-EMISSION VEHICLE INFRASTRUCTURE (\$1.5 BILLION)

The Governor’s Executive Order N-79-20 set forth numerous zero-emission vehicle (ZEV) goals, including that 100% of new light-duty vehicles sales in 2035 are ZEVs. To support this transition, the State must invest in light-duty ZEV refueling infrastructure. A one-time general fund investment of \$1 billion to accelerate the pace and scale of the construction of electric vehicle charging stations and \$500 million for hydrogen fueling stations are critical to accelerate ZEV adoption and help the state meet its ambitious climate goals.



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 7-A

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Executive Minutes – April 21, 2021

Enclosure: Yes

Action: Approve Minutes

SUMMARY:

Attached are the Executive Minutes for the April 21, 2021 Policy Board Meeting.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.

MADERA COUNTY TRANSPORTATION COMMISSION

EXECUTIVE MINUTES

Date: April 21, 2021
Time: 3:00 pm
Place: MCTC Conference Room

GoToWebinar

Members Present: Chairman, Jose Rodriguez, Council Member, City of Madera
Vice-Chairman, Tom Wheeler, Supervisor, County of Madera
Waseem Ahmed, Council Member City of Chowchilla
Brett Frazier, Supervisor Madera County
Cece Gallegos, Council Member, City of Madera
Robert Poythress, Supervisor, County of Madera

Members Absent: None

Policy Advisory Committee: Above Members, Michael Navarro, Caltrans District 06, Deputy Director

MCTC Staff: Patricia Taylor, Executive Director
Troy McNeil, Deputy Director/Fiscal Supervisor
Dylan Stone, Principal Regional Planner
Jeff Findley, Principal Regional Planner
Evelyn Espinosa, Associate Regional Planner
Nicholas Dybas, Associate Regional Planner
Sandy Ebersole, Administrative Analyst
Sheila Kingsley, Office Assistant

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **PUBLIC COMMENT**

This time is made available for comments from the public on matters within the Board’s jurisdiction that are not on the agenda. Each speaker will be limited to three (3) minutes. Attention is called to the fact that the Board is prohibited by law from taking any substantive action on matters discussed that are not on the agenda, and no adverse conclusions should be drawn if the Board does not respond to the public comment at this time. It is requested that no comments be made during this period on items that are on today’s agenda. Members of the public may comment on any item that is on today’s agenda when the item is called and should notify the Chairman of their desire to address the Board when that agenda item is called.

No other public comment.

MCTC SITTING AS THE TRANSPORTATION POLICY COMMITTEE

4. TRANSPORTATION CONSENT ITEMS

All items on the consent agenda are considered routine and non-controversial by MCTC staff and will be approved by one motion if no member of the Committee or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Committee concerning the item before action is taken.

- A. Madera County Transportation Commission (MCTC) Regional Early Action Planning (REAP) Housing Planning Grant Program

Action: Approve MCTC REAP Housing Planning Gants Program – Resolution 21-04

- B. Caltrans 2020-2024 Strategic Plan

Commissioner Robert Poythress pulled item for discussion.

Action: Information and Discussion Only

- C. CalSTA DRAFT Climate Action Plan for Transportation Infrastructure

Action: Approval for staff to draft and submit a comment letter

- D. FTA 5311 Call for Projects

Action: Information and Discussion Only

- E. Regional Surface Transportation Program Exchange Agreement-Resolution 21-05

Action: Approve Resolution 21-05, authorizing Executive Director to sign the RSTP/RSTBGP Exchange Agreement

Transportation Consent Calendar Action on Items A-E.

Upon motion by Commissioner Robert Poythress, seconded by Commissioner Brett Frazier to approve Transportation Consent Calendar Items A-E. A vote was called, and the motion carried.

Roll call for votes: Commissioner Robert Poythress – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier- Yes
 Commissioner Cece Gallegos - Yes
 Vote passed 6-0

5. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. PUBLIC HEARING: 2021-22 Unmet Transit Needs

Chairman Jose Rodriguez opened the Floor for public comments at 3:08 p.m.

Michael Lundy was available for Spanish translation.

A comment letter was received via email from Madeline Harris, Policy Advocate, Leadership Counsel. The Organization continues to hear from residents in Fairmead, La Vina, the City of Madera and the County whose transit needs remain unmet by MCTC. Unmet Transit Needs are listed below:

- Transit users in the City of Mader report up to on hour wait time for buses on occasion and expressed the need for routes in the City of Madera to run more frequently.
- Residents and transit users report a need to expand rate assistance programs to provide free rides to people who are unable to pay their bus fare buy who have transit needs, nonetheless. This need was raised during the COVID-19 pandemic, during which many transit users have experienced additional financial hardships.
- Residents and transit users report a need for street lighting in La Vina and Fairmead to ensure transit users' first and last miles are safely lit.
- Residents and transit users continue to elevate the need for wastebaskets at bus stops in the City of Madera.
- Residents and transit users in unincorporated communities have identified streets that need replacement and clean mobility infrastructure like sidewalks, crosswalks, and street lighting to facilitate their first and last miles, and thus, their use of public transit. A few examples that were elevated were sidewalks and street lighting along Avenue 9 and within the subdivision of homes located in La Vina, and road replacement to Road 26 in Madera Acres, Road 29 in Parksdale, and Valerie Avenue in Madera Acres.
- Resident and transit users report the need for electronic bus signs on buses and at bus stops. At bus stops, an electronic sign should indicate the estimated time of arrival of the bus and its destination along its current route, and electronic signs on the buses should confirm the direction in which the bus is travelling along its route with its destination. Residents report that this will greatly improve the user-friendliness of public transit in Madera County and encourage ridership.
- Residents and transit users in La Vina continue to elevate the need for more frequent routes between La Vina and the City of Madera. Currently, the bus only runs on Wednesday and Fridays, leaving transit-dependent persons with no other means of transportation without access to basic amenities (including healthcare, food, and other emergency services) most days of the week.
- Residents and transit users in Fairmead have elevated the need to continue working towards installation of a second bus stop in Fairmead. The Organization understand the status of this project is pending collaboration between the Fresno EOC and Madera County Public Works. The Organization ask that MCTC direct these agencies to continue their work on this project as soon as possible and oversee progress to ensure this project stays on track.

- The Organization request a breakdown of transportation funding (whether from general fund dollars, local tax, revenue, grant funding, or any other source of revenue) and expenditures on transportation and transit-related projects during the past two years in Madera County, City of Madera, and City of Chowchilla
- Also attached to the letter were resubmitted comments from the last two years' unmet transit needs survey process regarding unmet transit needs and comments regarding this process that we have elevated in previous years, which remain unaddressed by MCTC.

Hearing no other comments, Chairman Jose Rodriguez closed the floor for comments at 3:15 p.m.

Action: Receive Public Testimony. Direction may be provided.

B. Finish the 99 – Coalition Letter

Action: Upon motion by Commissioner Robert Poythress, seconded by Commission Cece Gallegos to approve and direct staff to circulate the Finish the 99 Coalition letter for signatures. A vote was called, and the motion carried.

Roll call for votes: Commissioner Robert Poythress – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier – Yes
 Commissioner Cece Gallegos - Yes
 Vote passed 6-0

C. Federal COVID-19 Funds: 2021 Mid-Cycle State Transportation Improvement Program (STIP) and State Transportation Block Grant (STBG) Program – H.R. 133

Action: Upon motion by Commissioner Brett Frazier, seconded by Commissioner Cece Gallegos to approve staff recommendation to request the California Transportation Commission (CTC) to (1) exchange the STIP funds for state only funds; (2) augment a current programmed project by supplanting local Measure T Funds with the Mid-Cycle STIP funds. The project is the SR 99 Madera South project. The Measure T funds will revert to the Measure T regional Flexible funds in the amount of \$83,706; and (3) request to program Planning, Programming, and Monitoring (PPM) funds in the amount of \$43,774 in FY 2021-22. A vote was called, and the motion carried.

Roll call for votes: Commissioner Robert Poythress – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier – Yes
 Commissioner Cece Gallegos - Yes
 Vote passed 6-0

D. American Jobs Plan – INVEST in America Act

Action: Information and Discussion Only

E. Caltrans Interregional Transportation Strategic Plan (ITSP) letter

Action: Upon motion by Commissioner Brett Frazier, seconded by Commissioner Tom Wheeler to approve letter supporting the inclusion of SR 41 from San Joaquin River to Yosemite National Park for inclusion in the interregional Transportation Strategic Plan (ITSP). A vote was called, and the motion carried.

Roll call for votes: Commissioner Robert Poythress – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier – Yes
 Commissioner Cece Gallegos - Yes
 Vote passed 6-0

MCTC SITTING AS THE MADERA COUNTY TRANSPORTATION COMMISSION

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

Upon motion by Commissioner Brett Frazier, seconded by Commissioner Robert Poythress to reaffirm all actions taken while sitting as the Transportation Policy Committee. A vote was called, and the motion carried.

Roll call for votes: Commissioner Robert Poythress – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier – Yes
 Commissioner Cece Gallegos - Yes
 Vote passed 6-0

7. ADMINISTRATIVE CONSENT ITEMS

A. Approval of Executive Minutes of the March 17, 2021 Regular Meeting.

Action: Approve Minutes of the March 17, 2021 Regular Meeting

B. Transportation Development Act (TDA) Fund Compliance Audit Reports for Fiscal Year ended June 30, 2020: County of Madera, City of Chowchilla

Action: Accept TDA Compliance Audit Reports

C. MCTC Employee Manual Update

Action: Approve MCTC Employee Manual April 2021 Update, and other employment policies.

D. Social Services Transportation Advisory Council meeting of April 1, 2021

Action: Information and Discussion Only.

Approval Administrative Consent Calendar Action A-D

Upon motion by Commissioner Brett Frazier, seconded by Commissioner Robert Poythress to approve the Administrative Consent Calendar Items A-D. A vote was called, and the motion carried.

Roll call for votes: Commissioner Robert Poythress – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier – Yes
 Commissioner Cece Gallegos - Yes
 Vote passed 6-0

8. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. Proposed FY 2021-22 Member Assessment Fees

Action: Upon motion by Commissioner Tom Wheeler, seconded by Commissioner Robert Poythress to approve proposed 2021-22 Member Assessment Fees Schedule and direct staff to contact the local jurisdictions to incorporate the fee in its respective jurisdiction budget. A vote was called, and the motion carried.

Roll call for votes: Commissioner Robert Poythress – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier – Yes
 Commissioner Cece Gallegos - Yes
 Vote passed 6-0

B. FY 2021-22 Overall Work Program and Line-Item Budget

Action: Upon motion by Commissioner Tom Wheeler, seconded by Commissioner Cece Gallegos to approve FY 2021-22 Overall Work Program and Line-Item Budget – Resolution 21-06. A vote was called, and the motion carried.

C. Social Services Transportation Advisory Council (SSTAC) Members Appointments and Vacancies.

Action: Upon motion by Commissioner Brett Frazier, seconded by Commissioner Robert Poythress to appoint applicants to the Social Service Transportation Advisory Council. A vote was called, and the motion carried.

Roll call for votes: Commissioner Robert Poythress – Yes
Commissioner Jose Rodriguez – Yes
Commissioner Tom Wheeler -Yes
Commissioner Waseem Ahmed – Yes
Commissioner Brett Frazier – Yes
Commissioner Cece Gallegos - Yes
Vote passed 6-0

MCTC SITTING AS THE MADERA COUNTY 2006 TRANSPORTATION AUTHORITY

9. AUTHORITY – ADMINISTRATIVE CONSENT ITEMS

- A. Measure “T” Fund Compliance Audit Report for Fiscal Year ended June 30, 2020, City of Chowchilla

Action: Accept Measure “T” Compliance Audit Report

- B. FY 2020-21 Annual Work Program Amendment No. 2

Action: Approve Annual Work Program Amendment No. 2

Authority - Administrative Consent Items Action A-B

Upon motion by Commissioner Brett Frazier, seconded by Commissioner Robert Poythress to approve the Administrative Consent Items A-B. A vote was called, and the motion carried.

Roll call for votes: Commissioner Robert Poythress – Yes
Commissioner Jose Rodriguez – Yes
Commissioner Tom Wheeler -Yes
Commissioner Waseem Ahmed – Yes
Commissioner Brett Frazier – Yes
Commissioner Cece Gallegos - Yes
Vote passed 6-0

10. AUTHORITY – ACTION/DISCUSSION ITEMS

- A. Award Contact – Measure T Renewal Implementation Plan

Action: Authorize staff to negotiate a contract with TBWBH to provide services for the Measure T Renewal Implementation Plan.

Chairman Jose Rodriquez pulled this item from the Agenda. Staff will include this item on the May 19, 2021 Policy Board agenda.

OTHER ITEMS

11. MISCELLANEOUS

A. Items from Caltrans

Michael Navarro, Caltrans District 06 Deputy District Director, Planning, Local Programs & Environmental Analysis, provided a brief update on State Highway projects in Madera County.

B. Items from Staff

Patricia Taylor, MCTC Director provided the following comments:

- Recognized and thanked staff for their commitment to the Commission and willingness to work over and above while meeting many recent deadlines.
- Thanked Supervisor Wheeler for providing a recommendation, Frank Simon, for the SSTAC vacancy.

C. Items from Commissioners

This time was reserved for the Commissioners to inquire about specific projects.

12. CLOSED SESSION

None

13. ADJOURNMENT

Meeting adjourned at 4:47 p.m.

Next meeting scheduled for Wednesday, May 19, 2021

Respectfully Submitted,



Patricia S. Taylor
Executive Director
Madera County Transportation Commission



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 7-B
PREPARED BY: Patricia Taylor, Executive Director

SUBJECT:

Transportation Lobbying and Intergovernmental Services – Request for Proposal (RFP)

Enclosure: Yes

Action: Information and Discussion Only

SUMMARY:

The Madera County Transportation Commission at its April 21, 2021 Policy Board meeting directed staff to develop a scope of services and prepare a request for proposal to discuss potential retention of a transportation lobbyist to represent the MCTC.

Included in the package is a copy of the RFP, including scope of services. The following Tasks are outlined in the RFP:

1. Task 1 – State Legislative Assistance
2. Task 2 – Legislative Review and Monitoring
3. Task 3 – Legislative Advocacy
4. Task 4 – Legislative Coordination
5. Task 5 – Annual State Legislative Program
6. Task 6 – Other Legislative Services

The RFP has been circulated and posted on the MCTC website. The RFP deadline is 3:00pm, Wednesday, June 9, 2021.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



Request for Proposal for Lobbying and Intergovernmental Services

PROPOSAL REQUESTED BY:

MADERA COUNTY TRANSPORTATION COMMISSION

2001 HOWARD ROAD, SUITE 201

MADERA, CA 93637

www.maderactc.org

REQUEST FOR PROPOSAL (RFP) FOR LOBBYING AND INTERGOVERNMENTAL SERVICES FOR THE MADERA COUNTY TRANSPORTATION COMMISSION

The Madera County Transportation Commission (MCTC) is seeking proposals to assist on behalf of MCTC to provide State Lobbying Services to promote MCTC's interests before the State of California's Legislature, state agencies, and related interest groups.

SCOPE OF SERVICES

Lobbyist shall be experienced in **transportation legislation** and in the state legislative process, to monitor and analyze proposed state legislation affecting MCTC, assist in the development of new legislation, and develop strategies for advancing legislative initiatives beneficial to MCTC and its programs. Lobbyist shall provide MCTC effective representation and advocacy on state surface transportation, transportation funding, infrastructure finance and delivery, transportation-related land use, climate change, and clean air initiatives before the Legislature, state agencies, and related interest groups.

In addition to regular reports to MCTC, it is anticipated that requests for other legislative advocacy assistance will be initiated by telephone or email correspondences and that meetings will be held, as necessary, to address the issues at hand. The Executive Director, or designee, will serve as the primary point of contact for MCTC, although the lobbyist will work directly with staff in certain areas, as requested by the primary contact or staff. Lobbyist will need to identify its key contact person, assign tasks to members of the legislative advocacy team, control costs, and report monthly on costs and services to date.

Specific tasks include: 1) state legislative assistance, 2) legislative review and monitoring, 3) legislative advocacy, 4) legislative coordination, 5) annual state legislative program, and 6) other legislative services. The tasks are detailed below:

TASK 1 – State Legislative Assistance

Provide advice, counsel, and assistance to MCTC on state legislative issues involving transportation policy, transportation funding, infrastructure finance and project delivery, transportation-related land use, climate change, and clean air issues. Suggest, develop, and help implement legislation supporting MCTC's goals and objectives. Schedule meetings with key offices and individuals for MCTC and staff, leading the preparation for those meetings, and actively facilitating those meetings. Advise staff on effective lobbying strategies.

Deliverables:

1. *Email and phone conversations.*
2. *Memoranda on specific issues as requested.*

TASK 2 – Legislative Review and Monitoring

Monitor pending legislation and advise MCTC of the status and impact of legislation

affecting MCTC and/or its programs. Monitor key agencies such as California Transportation Commission (CTC), California State Transportation Agency (CalSTA), the California Air Resources Board (CARB), the Strategic Growth Council, and the California Department of Transportation (Caltrans). Propose positions for the MCTC Policy Board to act upon.

Deliverables:

1. *Monthly report on pending legislation for consideration by the MCTC Policy Board.*
2. *Presentations to the Policy Board, upon request.*

TASK 3 – Legislative Advocacy

Ensure that MCTC maintains a visible presence in Sacramento, including maintaining regular contact with the Office of the Governor, members of the Legislature and committee staff, state agencies and departments, and advocacy organization. Act as liaison as needed and requested by the Executive Director or staff, to the Senate and Assembly Transportation Committees and the Legislature, the Office of the Governor as well as to Caltrans, the CARB, HCD, and the CTC. Provide timely responses to legislative requests for information on MCTC initiatives or bills that affect the MCTC. Represent the MCTC's interest with testimony before the legislature or in individual meetings with legislators and staff, as directed. Remain up to date with the MCTC's legislative platform, board actions, and positions on legislation and proposals by state agencies. Build alliances and coalitions with like-minded agencies and advocates to advance the MCTC's interests.

Deliverable:

1. *Regular progress reports on specific legislative activities performed.*

TASK 4 – Legislative Coordination

Coordinate legislative initiatives with other transportation agencies, Council of Governments, other self-help counties, the region, and the state.

Deliverable:

1. *Email and phone conversations regarding issues of importance.*

TASK 5 – Annual State Legislative Program

Assist MCTC in developing an annual overall state transportation legislative and appropriations strategy, in coordination with other city and regional transportation agencies. Provide counsel on the overall advocacy strategy at the state level.

Deliverable:

1. *Review and participate in drafting the Annual State Legislative Program*

TASK 6 – Other Legislative Services

Provide other legislative services within the individual's or firm's ability as needed. This would involve providing guidance and/or training for the appointed contact and designated staff on the state's legislative process, including routine legislative law-making as well as the state budget process. Familiarize the staff with the workings of key state departments or agencies.

Deliverable:

1. *Email and phone conversations.*

EVALUATION PROCESS

Following the review and screening of all proposals, two or more firms may be invited to participate in the final selection process. This process may include the submission of additional information regarding costs, and explanation of strategies. The proposals will be evaluated, and a short list will be developed by an Evaluation Committee, which also may schedule and conduct Interviews with short listed firms prior to making its recommendation for final selection by the Policy Board.

PROPOSAL SUBMITTAL

Proposals can be submitted in a sealed envelope that is clearly marked “**Proposal for Lobbying Services.**” If mail delivery is used, the proposer should mail the proposal early enough to provide for arrival by the deadline. Proposer uses mail or courier service at his/her own risk. MCTC will not be liable or responsible for any late delivery of proposals. **Postmarks will not be accepted.** Until award of contract, the proposals shall be held in confidence and shall not be available for public review. Upon award of a contract to the successful proposer, all proposals shall be public records. No proposal shall be returned after the date and time set for opening thereof. Please provide three (3) bound copies and one (1) electronic ADA accessible Adobe PDF in response to this Request for Proposals.

By submitting a proposal, the proposer certifies that his or her name or the consulting firm’s name, as well as that of proposer subcontractors, does not appear on the Comptroller General’s list of ineligible contractors for federally assisted projects.

Troy McNeil, Deputy Director/Fiscal Supervisor
Madera County Transportation Commission
2001 Howard Road, Suite 201
Madera, CA 93637

QUESTIONS

Questions should be directed to Troy McNeil by email at troy@maderactc.org. Questions must be in writing and will be accepted until 3:00 p.m. on May 17, 2021. Replies to the written questions submitted will be posted on the MCTC website (www.maderactc.org) no later than May 19, 2021. Please check www.maderactc.org regularly for amendments or additional information on this RFP. Consultants that are applying are forbidden from contacting members of the Madera County Transportation Commission to discuss their proposal. Failure to comply with this requirement may cause your proposal to be denied without review.

GENERAL CONDITIONS

Limitations

This Request for Proposal (RFP) does not commit MCTC to award a contract, to pay any costs incurred in the preparation of the proposal in response to this request, or to procure or contract for services or supplies. MCTC expressly reserves the right to reject any and all proposals or to waive any irregularity or information in any proposal or in the RFP procedure and to be the sole judge of the responsibility of any proposer and the suitability of the materials and/or services to be rendered. MCTC reserves the right to withdraw this RFP at any time without prior notice. Further, MCTC reserves the right to modify the RFP schedule described above.

Award

All finalists may be required to participate in negotiations and submit such price, technical, or other revisions of their proposals as may result from negotiations. MCTC also reserves the right to award the contract without discussion or interviews, based upon the initial proposals. Accordingly, each initial proposal should be submitted on the most favorable terms from a price and a technical viewpoint. However, selection will be based upon demonstrated competence and professional qualifications necessary for the satisfactory performance of the services required. Following the initial qualifications-based selection, the price proposal provided will be the basis for negotiations to ensure MCTC receives a fair and reasonable price.

The selected consultant shall execute a contract with MCTC after consultant selection approval. The official selection of the consultant, if any, will be made by MCTC on June 23, 2021 or subsequent Board meeting. Unsuccessful proposals will be notified in writing.

RFP Addendum

Any changes to the RFP requirements will be made by written addenda by MCTC and shall be considered part of the RFP. Upon issuance, such addenda shall be incorporated in the RFP documents, and shall prevail over inconsistent provisions of earlier issued documentation.

Verbal Agreement or Conversations

No prior, current, or post award verbal conversations or agreement(s) with any officer, agent, or employee of MCTC shall affect or modify any terms or obligations of the RFP, or any contract resulting from this RFP.

Pre-contractual Expense

Pre-contractual expenses are defined as expenses incurred by proposers and selected contractor in:

1. Preparing proposals in response to this RFP.
2. Submitting proposals to MCTC.
3. Negotiations with MCTC on any matter related to proposals.
4. Other expenses incurred by a contractor or proposer prior to the date of the award of any agreement.

In any event, MCTC shall not be liable for any pre-contractual expenses incurred by any proposer or selected contractor. Proposers shall not include any such expenses as part of the

price proposed in response to this RFP. MCTC shall be held harmless and free from any and all liability, claims, or expenses whatsoever incurred by, or in behalf of, any person or organization responding to this RFP.

Signature

The proposal shall provide the following information: name, title, address, and telephone number of the individual with authority to bind the company and also who may be contacted during the period of proposal evaluation. The proposal shall be signed by an official authorized to bind the consultant(s) and shall contain a statement to the effect that the proposal is a firm offer for at least a ninety (90) day period. Execution of the contract is expected by June 1, 2021.

Term

The term of the contract will be July 1, 2021 –June 30, 2022 with negotiated extensions allowed if required, or as agreed upon by the proposer and the MCTC Executive Director.

Insurance

The successful firm shall provide evidence of the following insurance requirements:

1. Workers Compensation; Employer's Liability: Statutory requirements for Workers' Compensation; \$1,000,000 Employers' Liability.
2. Comprehensive Automobile: Bodily Injury/Property Damage \$1,000,000 each accident.
3. General Liability: \$1,000,000 per occurrence naming The Madera County Transportation Commission as an additional insured.
4. Errors and Omissions/Professional Liability (errors and omissions liability insurance appropriate to the Consultant's profession as defined by MCTC): \$1,000,000 per claim.

Contract Arrangements

The proposer is expected to execute a contract similar to MCTC's Professional Services Agreement. Even though federal funds will not be used for the contracted services, MCTC will adhere to the following policies:

Disadvantaged Business Enterprise DBE Policy: It is the policy of the U.S. Department of Transportation that minority- and women-owned business enterprises (hereby referred to as DBE's) as defined in 49 CFR Part 26, shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds. DBE certified consultants are encouraged to submit proposals. MCTC will not exclude any person from participation in, deny any person the benefits of, or otherwise discriminate against anyone, in connection with the award and performance of any contract covered by 49 CFR, Part 26 on the basis of race, color, sex, or national origin.

DBE Obligation: The recipient or its contractor agrees to ensure that DBE's have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard, all recipients or contractors shall take all necessary and reasonable steps in accordance with 49 CFR Part 26 to ensure that DBE's have the maximum opportunity to compete for and perform contracts. Recipients and their contractors shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of DOT-

assisted contracts.

Title VI of the Civil Rights Act of 1964: The contractor agrees to comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (49 USC 2000d) and the regulations of the U.S. Department of Transportation issued thereunder in 49 CFR Part 21.

Equal Employment Opportunity: In connection with the performance of the contract, the contractor shall not discriminate against any employee or applicant for employment because of race, color, age, creed, sex, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.

Each proposal, to be considered responsive, must include the following:

1. A copy of the consultant(s) Equal Employment Opportunity policy (applicable for firms with 50 or more employees); and
2. A discussion of the consultant(s) program for use of DBE's in the performance of this work, including the following:
 - The names and addresses of DBE firms that will participate
 - The description of work each named firm will perform
 - The dollar amount of participation by each DBE firm
3. Conflict of Interest: Firms submitting proposals in response to this RFP must disclose to MCTC any actual, apparent, or potential conflicts of interest that may exist relative to the services to be provided under Agreement for consulting services to be awarded pursuant to this RFP. If this firm has no conflict of interest, a statement to that effect shall be included in this proposal.

PROPOSAL REQUIREMENTS

Experience and Qualifications

Prospective consultants shall provide a summary description of the firm's overall qualifications for this project and previous experience on similar or related engagements. The proposal shall also provide a description of the qualifications and experience of key staff proposed for this project. For each key project staff that works on this project, the proposal must list the location of the office that the employee typically works. Failure to provide the requested information may disqualify a proposal. (8 page maximum)

Understanding of the Project

Prospective consultants shall include a brief narrative introducing the consultant's understanding of the project requirements. The contents of this section are to be determined by the respondent but shall demonstrate understanding of the unique characteristics of this project and the requirements of the project in the scope of work contained in this request for proposals. Prospective consultants shall identify and state in the proposal the types of information it will need to complete the Scope of Services. (12 page maximum)

Project Personnel

Prospective consultants shall designate by name the project manager and primary professional staff to be employed. Primary professional staff shall include staff with a high number of proportionate hours performed on the project and specialized and/or technical staff. The selected consultant shall not substitute the project manager or key professional staff without the prior approval of the MCTC Executive Director. (3 pages maximum)

Subcontracting

If subcontractors are used, prospective consultants shall submit a description of each person and/or firm, the work to be done by each subcontractor, and the proposed budget for each person and/or firm. The MCTC Executive Director must approve all subcontractors and no work may be subcontracted nor the subcontractor changed without the prior approval of the MCTC Executive Director. (2 pages maximum per subcontractor)

References

Prospective consultants shall provide names, addresses, and telephone numbers for three clients for whom the prospective firm has completed technical and management assignments of similar complexity to that proposed in this request. A brief summary statement for each assignment shall be provided, along with a description of the role the proposing firm had in project completion and/or implementation of said projects. Key project personnel shall also be included in references, with a minimum of one reference specific to key personnel proposed for work on this project. Previous projects for key personnel may include work performed outside of the proposing firm, if necessary, and may necessitate additional listed references. At least one reference for each subcontracted person and/or firm shall be provided. (6 page maximum)

Methodology

Prospective consultants shall describe the overall approach to the project, specific techniques that will be used, and the specific administrative and operational management expertise that will be employed. A proposed schedule shall be included. The project schedule must be clearly stated with intermittent milestones. (15 pages maximum)

Conflict of Interest

Prospective consultants shall disclose any financial, business, or other relationship with MCTC, either of the two incorporated cities in Madera County, the County of Madera, or any of their officers or officials that may have an impact on the outcome of the project. The prospective consultant shall also list current clients who may have a financial interest in the outcome of the project.

Project Costs

Prospective consultants must provide a description of any fees/and or compensation the bidder may seek from MCTC for services, inclusive of staff time, equipment, materials, travel, administrative/clerical, overhead and other out-of-pocket expenses, if applicable to this contract. If the firm uses hourly billing rates (instead of a flat retainer fee), please provide a detailed fee summary with a total annual not to exceed cost.

Number of Copies

The proposer must provide 3 bound copies and one (1) electronic ADA accessible Adobe PDF in response to this Request for Proposals.

Signature

The proposal shall be signed by an official(s) authorized to bind the consultant and shall contain a statement to the effect that the proposal is a firm offer for a 90-day period. The proposal shall also provide the following: name, title, address, and telephone number of individuals with authority to negotiate and contractually bind the company.

All proposals, whether selected or rejected, shall become the property of the Madera County Transportation Commission.

All proposals received prior to the date and time specified above for receipt may be withdrawn or modified by written request of the proposer. To be considered, the modification must be received in writing, and in the same number of copies as the original proposal, prior to the date and time specified for receipt of proposals.

Until award of the contract, the proposals shall be held in confidence and shall not be available for public review. Upon award of a contract to the successful proposer, all proposals shall be public records. No proposal shall be returned after the date and time set for opening thereof.

PROPOSAL EVALUATION AND SELECTION

A proposal review panel made up of members of MCTC and the selected Evaluation Committee will evaluate the proposals. Proposers may be telephoned and asked for further information, if necessary. Previous clients will also be called. The panel will make recommendations to the MCTC Executive Director based on the proposal and reference check. MCTC reserves the right to select a consultant based solely on written proposals and not convene oral interviews.

Upon receipt of the proposals, a technical evaluation will be performed. Each of the major sections of the proposal will be reviewed and evaluated with criteria designed to help judge the quality of the proposal. Evaluation criteria will include such considerations as:

- Specialized experience and technical competence
- Familiarity with the types of issues and problems associated with transportation planning agencies
- Understanding the purpose and requirements of state and federal transportation funding
- Fee schedule

Following the qualification-based ranking, negotiations may be conducted with the most qualified proposer. Failing an agreement on price, MCTC will negotiate with the next most qualified proposer until a contract can be awarded to the most qualified offeror whose price is fair and reasonable.

Proposals submitted by each consultant will be evaluated separately based on how well each proposal meets the scoring criteria listed below:

CRITERIA	POINTS
PROPOSAL	
Comprehension of Project	5
Thoroughness of Proposal	5
Meeting the RFP Objectives	10
Project Delivery Time	5
CONSULTANT QUALIFICATIONS	
Qualifications and Experience	50
References	10
DBE Participation Level	5
COST	
Reasonableness of Cost	10
TOTAL POSSIBLE (RFP)	100

PAYMENT SCHEDULE

Payment to the selected consultant will be made upon successful completion of project tasks as invoiced by the consultant. Pre-award expenses shall not be allowed. Invoices shall be billed on a monthly basis. All invoices will be mailed to the MCTC office at 2001 Howard Road, Suite 201, Madera, CA 93637.

OTHER INFORMATION

Invoices will be accepted and paid based on the fee structure agreed upon in performing the services identified above. Payment will be made to the selected company within 30-days of submittal to the MCTC of a properly completed invoice.

It is intended that the selection shall be made on merit alone, consistent with the process set forth herein. Accordingly, no contact of any kind, by or on behalf of any proposing firm, should be made with any MCTC Board members or their staff, or with the MCTC staff, other than as provided above. Adherence to this condition will assure that all information requests, and particularly the specific information or information referral each proposer receives, will be consistent, uniform, and available to all proposers. Proposing firms are hereby advised that violation of this condition may be cause for immediate rejection of the proposal.

SELECTION TIMELINE

The RFP timeline is as follows:

RFP Issued	May 7, 2021
Deadline for Questions, Clarifications	May 17, 2021 3:00 PM
Proposals Due	June 9, 2021 3:00 PM
Determination of Short List	June 11, 2021
Consultant Interviews, if necessary	June 14-16, 2021
Recommendation to the Board	June 23, 2021 or subsequent Board Meeting

AWARD OF CONTRACT

The MCTC reserves the right to reject any and all proposals or to select one or more firms. Award of contract, if any, will be made for one or more of the line items to the firm or firms having submitted a bid proposal that in the sole opinion of the MCTC will provide the best and most responsive service, and whose qualifications and experience best address the needs of the MCTC, with regard to such item(s). The MCTC may award to a proposer covering one, all, or any combination of line items proposed. Any such award shall be expressly conditioned upon the subsequent execution by the successful bidder of an appropriate written agreement, as more thoroughly set forth below.

The MCTC is under no obligation to accept the lowest bidder, as cost is only one factor to be considered in evaluation of the bid proposals. The MCTC reserves the right to engage in further negotiations regarding proposed services and costs with any short-listed firm prior to making its recommendation(s) for award.

The content of all proposals shall be maintained as confidential until any such negotiations have been fully and finally concluded.

The terms and conditions of the work shall be set forth in writing in one or more final Professional Services Contract(s) ("Agreement"), the provisions of which shall be consistent with the proposal and any such additional terms as may be negotiated. The effectiveness of the contract award shall be expressly conditioned upon subsequent execution by the successful bidder of such written Agreement.

ATTACHMENTS

A. Sample Agreement

PROFESSIONAL SERVICES AGREEMENT
between
MADERA COUNTY TRANSPORTATION COMMISSION
And

THIS AGREEMENT is made and entered into this ____ day of _____ 2021, by and between the MADERA COUNTY TRANSPORTATION COMMISSION, hereinafter referred to as "COMMISSION," and _____, hereinafter referred to as "CONSULTANT."

RECITALS

- A. COMMISSION has previously received a proposal from CONSULTANT to complete Lobbying and Intergovernmental Services for the COMMISSION, hereinafter described as "the Project".
- B. COMMISSION has determined the Project will involve the performance of professional and technical services of a temporary nature.
- C. COMMISSION does not have available employees to perform the services for the Project.
- D. CONSULTANT has the extensive experience and expertise necessary for the performance of the professional and technical services required for the Project.
- E. CONSULTANT has agreed to perform services pursuant to the following terms.

AGREEMENT

1. **SCOPE.** CONSULTANT shall perform tasks as set forth in CONSULTANT's proposal and as agreed upon with the COMMISSION. CONSULTANT shall determine the methods, details, and means of performing the scope of work. CONSULTANT shall determine, at the earliest feasible time, those factors that could severely inhibit or prohibit the approval of the proposed Project. CONSULTANT shall promptly notify COMMISSION's Representative of the CONSULTANT's findings regarding such factors and conclusions related thereto, for the purpose of determining the feasibility of continuing with the Project according to the scope of work. In the event the preparation of the project is terminated, CONSULTANT shall be paid for the work completed, in accordance with the provisions of section 4.06, below.

2. **PAYMENT TERMS.**

2.01 COMMISSION agrees to pay CONSULTANT for its services hereunder (including expenses of every kind) according to the cost proposal submitted, approved, and on file with the COMMISSION, but in no event shall it exceed \$_____. CONSULTANT's fees and costs shall be computed and paid based upon CONSULTANT's invoices detailing the work satisfactorily performed during the period. COMMISSION shall make payment to CONSULTANT, for all work tasks satisfactorily performed, within thirty (30) days of COMMISSION's receipt of properly detailed invoices. CONSULTANT shall not perform

any work or services or incur any expenses, and COMMISSION shall have no obligation to pay for any work or services or expenses, costing more than the amounts set forth above without the prior express written approval of the COMMISSION. Such approval, if any, must be in the form of a written amendment to this Agreement, which has been approved by CONSULTANT and by the COMMISSION.

3. **TERM OF AGREEMENT.**

This Agreement shall take effect _____ and shall terminate _____, unless terminated earlier by one or both parties.

4. **GENERAL PROVISIONS.**

4.01 CONSULTANT and COMMISSION agree that all professional services performed pursuant to this Agreement by CONSULTANT shall be performed as an independent contractor. Under no circumstances shall CONSULTANT look to COMMISSION as its employer, or as a partner, agent, or principal. CONSULTANT shall not be entitled to any benefits accorded to COMMISSION's employees, including, without limitation, worker's compensation, disability insurance, vacation, or sick pay. CONSULTANT shall be responsible for providing, at its own expense, and in its name, disability, worker's compensation, or other insurance as well as licenses or permits usual or necessary for conducting the services hereunder. All persons employed by CONSULTANT in connection with this Agreement shall not be agents or employees of COMMISSION. CONSULTANT shall pay, when and as due, any and all taxes incurred as a result of CONSULTANT's compensation hereunder.

4.02 CONSULTANT and COMMISSION agree to use reasonable care and diligence to perform their respective services under this Agreement. CONSULTANT represents that it has the qualifications and ability to perform the services required hereunder and will do so with care, skill, and diligence in a professional manner and in accordance with the standards of performance generally applicable to professionals in CONSULTANT's field performing the same or similar services under the same or similar circumstances, without the advice, control, or supervision of COMMISSION. CONSULTANT shall be solely responsible for the professional performance of the services hereunder, and shall receive no assistance, direction, or control from COMMISSION. CONSULTANT shall have the sole discretion and control of its services and the manner in which performed. However, COMMISSION retains the right to administer this Agreement so as to verify that CONSULTANT is performing its obligations in accordance with the terms and conditions hereof.

4.03 During the performance of this Agreement, CONSULTANT will not discriminate against any employee or applicant for employment on any basis prohibited by State or Federal Law including race, religion, creed, color, national origin, sex, age, or disability. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selecting for training, including apprenticeship. The CONSULTANT will ensure that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, disability or any basis prohibited by law. CONSULTANT will take affirmative steps to ensure that employees are treated during employment, without regard to their race, religion, creed, color, national origin, sex, age, disability, or any other basis forbidden by law.

4.04 The applications and documents prepared by CONSULTANT pursuant to this Agreement shall become the property of COMMISSION. COMMISSION is entitled to full and unrestricted use of such applications and documents for this Project. COMMISSION may also retain the original of the documents upon request. CONSULTANT shall not apply for copyrights or patents on all or any part of the work performed under this Agreement. CONSULTANT shall not be liable or responsible for any use, reuse, or modification of, or derivation from, any of such applications and documents prepared by CONSULTANT that is made without CONSULTANT's written consent other than for purposes contemplated by CONSULTANT's scope of work in the respective tasks undertaken pursuant to Section 1 above.

4.05 COMMISSION may terminate this Agreement without cause by giving at least thirty (30) days written notice to CONSULTANT. The written notice shall specify the date of termination. Upon receipt of such notice, CONSULTANT may continue work on the Project through the date of termination. CONSULTANT may terminate this Agreement without cause by giving at least thirty (30) days written notice to the COMMISSION. The written notice shall specify the date of termination. If either party breaches a material provision of this Agreement, then the other party may, at its option, immediately terminate this Agreement by giving written notice to the breaching party of such termination and specifying the reasons therefore. If this Agreement is terminated for any reason prior to its completion, CONSULTANT shall be paid for all work satisfactorily performed through the date CONSULTANT received the notice of termination and for any additional work expressly requested by COMMISSION's Representative as necessary to wind up the work performed up to the date of termination. Such payment shall be in an amount based upon performance and completion of the on-call tasks as set forth in the proposal.

4.06 If CONSULTANT materially breaches the terms of this Agreement, COMMISSION shall retain the plans, specifications, and other documents prepared by CONSULTANT, and may have the following remedies:

4.06.1 Immediately terminate the Agreement with CONSULTANT;

4.06.2 Complete the unfinished work, under this Agreement, with a different consultant; or

4.06.3 Charge CONSULTANT with the difference between the cost of completion of the unfinished work pursuant to this Agreement and the amount that would otherwise be due CONSULTANT, had CONSULTANT completed the work.

4.07 This Agreement is binding upon COMMISSION and CONSULTANT and their successors. Except as otherwise provided herein, neither COMMISSION nor CONSULTANT shall assign, sublet, or transfer its interest in this Agreement or any part thereof, or delegate its duties hereunder without the prior written consent of the other. Any assignment, transfer, or delegation made without such written consent shall be void and shall be a material breach of this Agreement.

4.08 A COMMISSION representative shall be designated by COMMISSION and a CONSULTANT representative shall be designated by CONSULTANT. The COMMISSION representative and the CONSULTANT representative shall be the primary contact person for each party regarding performance

of this Agreement. The COMMISSION representative shall cooperate with CONSULTANT and the CONSULTANT representative shall cooperate with COMMISSION in all matters regarding this Agreement, and in such a manner as will result in the performance of the work in a timely and expeditious fashion.

COMMISSION Representative

Patricia Taylor

Madera County Transportation Commission

2001 Howard Road, Suite 201

Madera, CA 93637

(559) 675-0721

patricia@maderactc.org

CONSULTANT Representative

4.09 This Agreement represents the entire and integrated Agreement between COMMISSION and CONSULTANT and supersedes all prior negotiations, representations or agreements, either written or oral. This Agreement may be modified or amended only by a subsequent written agreement signed by both parties.

4.10 Where the payment terms provide for compensation on a time and materials basis, CONSULTANT shall maintain adequate records to permit inspection and audit of its time and material charges under this Agreement. All such records shall be available to COMMISSION. Such books and records shall be maintained and kept on a current basis, with all transactions pertaining to this Agreement recorded in a form in accordance with generally acceptable accounting principles. Such books and records shall be made available to the COMMISSION and to any authorized representative thereof for purposes of audit at all reasonable times and places. All such books and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter periods of retention, all books, records, and supporting detail shall be retained for a period of at least three years after the expiration of the term of this Agreement.

4.11 COMMISSION and CONSULTANT agree that until final approval by COMMISSION all data, plans, specifications, reports and other documents are confidential and will not be released to third parties without the prior written consent of both parties.

4.12 CONSULTANT shall employ no COMMISSION employee in the performance of the work pursuant to this Agreement. No officer or employee of the COMMISSION shall have any financial interest in this Agreement in violation of California Government Code Sections 1090 and following. CONSULTANT represents that CONSULTANT and its officers and employees have no present financial or other conflict of interest that would disqualify any or all of them from entering into or performing services under this Agreement. During the term of this Agreement, CONSULTANT, its officers and employees shall not acquire any financial or other interest that would disqualify any or all of them from performing services under this Agreement.

4.13 The laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and shall also govern the interpretation of this Agreement.

4.14 If either party to this Agreement shall bring or participate in any action for any relief against the other, declaratory or otherwise, arising out of this Agreement, the losing party shall pay to the prevailing party a reasonable sum for attorney's fees incurred in bringing such suit and/or enforcing any judgment granted therein, all of which shall be deemed to have accrued upon the commencement of such action and shall be paid whether or not such action is prosecuted to judgment. Any judgment or order entered in such action shall contain a specific provision providing for the recovery of attorneys' fees and costs incurred in enforcing such judgment.

4.15 CONSULTANT shall save, keep and hold harmless COMMISSION, its officers, agents, employees and volunteers from any third party claims for loss, cost, expense (including attorneys' fees), damage, claim or liability, in law or equity, including, but not limited to, liability as a result of injury to, or death of, any person or damage to, or loss or destruction of, any property, resulting from or arising out of or in any way connected with the negligent performance of this Agreement by CONSULTANT, any of the CONSULTANT's employees, or any subcontractor, regardless of the negligence of COMMISSION, its officers, agents, employees or volunteers, except to the extent such loss, cost, expense, damage, claim or liability results from the active negligence or willful misconduct of COMMISSION, its officers, agents, employees or volunteers. COMMISSION will not be held liable for any accident, loss or damage to the work prior to its completion and acceptance. Upon request of COMMISSION, CONSULTANT shall, at no cost or expense to COMMISSION, its officers, agents, employees or volunteers, defend any suit asserting a claim for any loss, damage, or liability due to CONSULTANT's negligence, and CONSULTANT shall pay any costs and attorney's fees that may be incurred by COMMISSION, its officers, agents, employees or volunteers in connection with any such claim or suit. If it is finally adjudicated that liability was caused by the comparative active negligence or willful misconduct of an indemnified party, (1) CONSULTANT's indemnification obligation shall be reduced in proportion to the established comparative liability and (2) CONSULTANT may submit a claim to COMMISSION for reimbursement of reasonable attorneys' fees and defense costs incurred in defending COMMISSION in proportion to the established comparative liability of the indemnified party.

4.16 Without limiting CONSULTANT's indemnification of COMMISSION, its officers, agents, employees and volunteers, CONSULTANT shall provide, at its own expense, and maintain at all times during the term of this Agreement (and any extensions thereof) the following insurance with insurance companies licensed in the State of California and acceptable to the COMMISSION. CONSULTANT may be required to provide satisfactory proof of such insurance to COMMISSION. Such insurance policies shall name the COMMISSION, its officers, agents and employees as additional insureds under said policies, shall include a provision that the coverage is primary with respect to COMMISSION and its officers, agents and employees, and shall contain a provision preventing cancellation without thirty (30) days prior notice to COMMISSION in writing at the address of COMMISSION:

4.16.1 Worker's Compensation Insurance, in compliance with the laws of the State of California;

4.16.2 General Liability Insurance, with a minimum limit of liability per occurrence of One Million Dollars (\$1,000,000.00) for bodily injury and One Hundred Thousand Dollars (\$100,000.00) for property damage. This insurance shall indicate on the certificate of insurance the following coverages and indicate the policy aggregate limit applying to: premises and operations and broad form contractual;

4.16.3 Automobile Liability Insurance, with a minimum limit of liability per occurrence of One Million Dollars (\$ 1,000,000.00) for bodily injury and One Hundred Thousand Dollars (\$100,000.00) for property damage. This insurance shall provide coverage for bodily injury, property damage, hired automobiles, and non-owned automobiles.

4.16.4 Errors and Omissions/ Professional Services Liability Insurance with a minimum limit of liability in the amount of One Million Dollars (\$1,000,000.00).

4.17 The CONSULTANT acknowledges and agrees that the work to be performed under this Agreement will be solely for the benefit of COMMISSION and that CONSULTANT owes its duties of performance and loyalty to COMMISSION and not to any other person or entity. CONSULTANT further acknowledges and agrees that no provision of this Agreement shall in any way inure to the benefit of any third person or entity so as to constitute any such person or entity a third-party beneficiary of said Agreement or of any one or more of the terms hereof, or otherwise give rise to any cause of action in any person or entity not a party hereto. CONSULTANT further acknowledges and agrees that the final responsibility and final authority as to the quality and the contents of the work to be performed hereunder lies in the sole discretion of COMMISSION and not in any other person or entity.

4.18 All obligations arising prior to the termination of this Agreement and all provisions of this Agreement allocating responsibility or liability between the parties shall survive the completion of the services hereunder and/or the termination of this Agreement.

5. ADDITIONAL PROVISIONS

5.01 CONSULTANT shall use reasonable care and diligence to comply with the applicable federal, state, and local laws in performance of work under this Agreement. In addition to the foregoing, the following provisions shall be applicable to services provided under this Agreement:

5.02 All contractors, including sub-contractors, will comply with 2 CFR Part 200 to determine the allowability of individual project costs.

5.03 All contractors, including sub-contractors, will comply with Federal administrative procedures in accordance with 2 CFR Part 200.

5.04 All subcontractors will also be bound by the same regulations within this agreement.

5.05 All records pertaining to this agreement will be retained for 3 years from date of final payment and shall make all such supporting information available for inspection and audit by representatives of the State, the Bureau of State Audits, or the Federal Government upon request.

5.06 All contractors, including subcontractors, will have an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for contract. The accounting system shall conform to Generally Accepted Accounting Principles.

5.07 Travel expenses and per diem rates are not to exceed the rate specified by the State of California Department of Personnel Administration for similar employees (i.e. non-represented employees) unless written verification is supplied that government hotel rates are not commercially available to COMMISSION, or its contractors, its subcontractors, and/or its subrecipients, at the time and location required as specified in the California Department of Transportation's Travel Guide Exception Process.

6. DISADVANTAGED BUSINESS ENTERPRISE (DBE)

6.01 Policy. It is the policy of the COMMISSION that Disadvantaged Business Enterprises (DBE) as defined in 49 CFR, Part 26, shall have the maximum opportunity to participate in the performance of work under this AGREEMENT. The DBE requirements of 49 CFR, Part 26, apply to this AGREEMENT. The COMMISSION shall not discriminate on the basis of race, color, religion, sex (including pregnancy, childbirth, or related medical conditions), national origin, ancestry, age physical or mental disability, legally-protected medical condition, family care status, veteran status, marital status, sexual orientation, or any other basis protected by state or federal laws in the award and performance of any DOT-assisted contract or in the administration of the Disadvantaged Business Enterprise (DBE) Program or the requirements of 49 CFR Part 26. The COMMISSION shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure nondiscrimination in the award and administration of DOT-assisted contracts. The COMMISSION's DBE Program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this AGREEMENT. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this AGREEMENT. Upon notification to the COMMISSION of its failure to carry out its approved program, the Department may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and/or the Program fraud Civil Remedies Act of 1986 (31 U.S. Code §3901 et seq.).

6.02 Contract Assurance. The Contractor, Subrecipient or Subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this AGREEMENT. The CONSULTANT shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of United States Department of Transportation-assisted contracts. Failure by each CONSULTANT to carry out these requirements is a material breach of contract, which may result in the termination of this contract or such other remedy, as recipient deems appropriate, which may include but is not limited to:

1. Withholding monthly progress payments.
2. Assessing Sanctions
3. Liquidated Damages.
4. Disqualifying the contractor from future bidding as non-responsible.

6.03 DBE Obligation. The Contractor must utilize the specific DBEs listed to perform the work and supply the materials for which each is listed unless the contractor obtains authorization from Caltrans. Unless the COMMISSION provides prior authorization approving the request for termination or substitution of a listed DBE, the Contractor shall not be entitled to any payment for work or materials unless it is performed or supplies by the listed DBEs.

6.04 Prompt Payment of Funds. No retainage will be held by the COMMISSION from payments due the CONSULTANT. Any retainage held by the CONSULTANT from payments due any subcontractors shall be promptly paid in full to subcontractors for satisfactory performance no later than the (10) days from the receipt of each payment the CONSULTANT receives from the COMMISSION. Federal law (49 CFR Part 26.29) requires that any delay or postponement of payment beyond thirty (30) days may take place for good cause and with the COMMISSION's prior written approval. Any violation of this provision shall subject the CONSULTANT to the penalties, sanctions and other remedies specified in §7208.5 of the Business and Professions Code. These requirement shall not be construed to limit or impair any contractual, administrative, or judicial remedies otherwise available to the CONSULTANT in the event of a dispute involving late payment or no payment by the CONSULTANT, deficient subcontract performance, or noncompliance by a subcontractor. This provision applies to both DBE and non-DBE prime contractors or subcontractors.

6.05 DBE Records. The CONSULTANT shall maintain records of materials purchased and/or supplied from all subcontracts entered into with certified DBEs. The records shall show the name and business address of each DBE or vendor and the total dollar amount actually paid each DBE or vendor, regardless of tier. The records shall show the date of payment and the total dollar figure paid to all firms. DBE Consultants shall also show the date of work performed by their own forces along with the corresponding dollar value of the work.

Upon completion of the Agreement, a summary of these records shall be prepared and submitted on the form entitled, "Final Report – Utilization of Disadvantaged Enterprises (DBE)," certified correct by the CONSULTANT or the CONSULTANT's authorized representative and shall be furnished to the COMMISSION with the final invoice. Failure to provide the summary of DBE payments with the final invoice will result in twenty-five percent (25%) of the dollar value of the invoice being withheld from payment until the form is submitted. The amount will be returned to the CONSULTANT when a satisfactory "Final Report Utilization of Disadvantaged Business Enterprises (DBE)" is submitted to the COMMISSION.

6.06 DBE Certification and De-Certification Status. If a DBE subcontractor is decertified during the life of the Agreement, the decertified subcontractor shall notify the CONSULTANT in writing with the date of de-certification. If a subcontractor becomes a certified DBE during the life of the Agreement, the subcontractor shall notify the CONSULTANT in writing with the date of certification. Any changes should be reported to the COMMISSION within thirty (30) days.

6.07 As required by Title 49 CFR, Part 26, of the Code of Federal Regulations, each invoice must be accompanied by a completed Disadvantaged Business Enterprises Utilization Report (ADM-3069). This reporting requirement increases accountability, tracks federal dollars, and confirms actual DBE usage.

* * * * *

IN WITNESS WHEREOF, the parties have caused their authorized representatives to execute this agreement as of the day and year first above-written.

MADERA COUNTY
TRANSPORTATION COMMISSION

Patricia Taylor
Executive Director

By: _____

Title: _____



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 7-C

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Transportation Development Act (LTF, STA) – Allocation, Resolution 20-08 Amendment No. 2, Resolution 20-09 Amendment No. 2

Enclosure: Yes

Action: Approve Resolution 20-08 Amendment No. 2 and Resolution 20-09 Amendment No. 2

SUMMARY:

The City of Madera has submitted a request to amend their TDA allocations. They have requested to carryover funds from FY 2019-20 and to reallocate their allocations.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.

**BEFORE
THE COMMISSIONERS OF THE
MADERA COUNTY TRANSPORTATION COMMISSION
COUNTY OF MADERA, STATE OF CALIFORNIA**

In the matter of ALLOCATION OF FY 2020-21 LOCAL TRANSPORTATON FUND	Resolution No.: 20-08 Amendment No. 2
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WHEREAS, the California Transportation Development Act established the Local Transportation Fund (LTF) and a continuous appropriation of said Fund, and

WHEREAS, the Madera County Transportation Commission (MCTC) is empowered to authorize apportionment and allocation of said Fund, and

WHEREAS, \$100,000 has been apportioned for Administration, \$87,746 has been reserved for Pedestrian and Bicycle facilities, and

WHEREAS, the Local Agencies have agreed to a MCTC expenditure of \$131,619 for shared system planning costs, per Section 99233.2 of the Transportation Development Act; and

WHEREAS, there is the sum of \$4,387,322 to be allocated from LTF, 2020-21;

WHEREAS, the Madera County Transportation Commission has made the finding in Resolution No. 20-06 that there are no substantial unmet transit needs that are reasonable to meet in FY 2020-21 within the jurisdictions of the County of Madera, the City of Madera, and the City of Chowchilla, and

WHEREAS, the City of Madera has requested to carryover funds from FY 2019-20 and reallocate its apportionment;

NOW, THEREFORE, LET IT BE RESOLVED, that the following sums have been allocated under the California Administrative Code by the Madera County Transportation Commission to be expended by the City of Chowchilla, the City of Madera, and the County of Madera for the purposes set forth below:

(A) City of Chowchilla

CATX		\$ 185,673
Pedestrian & Bicycle Projects		\$ 6,866
MCTC Planning Services	\$ 10,299	
Street & Road Projects	\$ 140,470	

(B) City of Madera

Madera Metro, Intermodal		\$ 783,856
Pedestrian & Bicycle Projects		\$ 142,862.59

MCTC Planning Services	\$ 54,442
Local Agency Planning	\$ 12,956
Street & Road Projects	\$4,486,537.49

C) County of Madera

Amtrak	\$ 23,506
MCC	\$ 148,417
Pedestrian & Bicycle Projects	\$ 44,585
MCTC Planning Services	\$ 66,878
Street & Road Projects	\$ 1,834,419
Unallocated	\$ 111,463

The foregoing resolution was adopted this 19th day of May 2021 by the following vote:

Commissioner Jose Rodriguez	_____
Commissioner Tom Wheeler	_____
Commissioner Waseem Ahmed	_____
Commissioner Robert Poythress	_____
Commissioner Cece Gallegos	_____
Commissioner Brett Frazier	_____

Chair, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission

**BEFORE
THE COMMISSIONERS OF THE
MADERA COUNTY TRANSPORTATION COMMISSION
COUNTY OF MADERA, STATE OF CALIFORNIA**

<p>In the matter of ALLOCATION OF FY 2020-21 STATE TRANSIT ASSISTANCE FUND</p>	<p>Resolution No.: 20-09 Amendment No. 2</p>
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WHEREAS, State Transit Assistance funds have been made available to the Madera County Transportation Commission by the State Controller in the amount of \$849,924, a decrease of \$565,597 from the original allocation;

WHEREAS, the Madera County Transportation Commission 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 applications for proposed uses of these funds; and

WHEREAS, the City of Chowchilla, the City of Madera, and the County of Madera submitted its applications recognizing the State Controller’s allocated amount;

WHEREAS, the agencies have complied by submitting appropriate documents detailing those projects and have sought authority to proceed; and

WHEREAS, priority consideration has been given to claims to enhance existing public transportation services, and to meet high priority regional, county-wide, or area-wide public transportation needs; and

WHEREAS, 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;

WHEREAS, the local agencies have requested to allocate its revised apportionment;

NOW, THEREFORE, LET IT BE RESOLVED, that the County Auditor shall establish the following reserves and pay out the State Transit Assistance Fund in the amount listed for the transit projects shown below:

<u>CLAIMANT</u>	<u>2020-21 STA</u>
City of Chowchilla	
CATX	\$ 83,388

City of Madera

Madera Metro, DAR, Intermodal	\$ 346,284
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County of Madera

MCC	\$ 420,252
Unallocated	\$ 0

The foregoing resolution was adopted this 19th day of May 2021 by the following vote:

Commissioner Jose Rodriguez	_____
Commissioner Tom Wheeler	_____
Commissioner Waseem Ahmed	_____
Commissioner Robert Poythress	_____
Commissioner Cece Gallegos	_____
Commissioner Brett Frazier	_____

Chairman, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 7-D

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Transportation Development Act (TDA) – Fund Estimates and Apportionment, LTF Resolution 21-07 and STA Resolution 21-08, and State of Good Repair (SGR)

Enclosure: Yes

Action: Approve TDA Fund Estimates and Apportionment, Resolutions 21-07 and 21-08, and State of Good Repair

SUMMARY:

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 estimates for California cities and counties. Included in your package is 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 2021-22 is **\$4,667,095**. The estimate includes monies anticipated to be deposited in the fund during the ensuing fiscal year. 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 2021-22, there is \$549,330,000 budgeted according to the most current information from the State Controller’s Office. The STA allocation estimate for Madera County is **\$1,128,582**. Please note that a revised estimate will be released by the State Controller during August 2021.

State of Good Repair (SGR): Pursuant to Public Utilities Code Section 99312.1(c), the State Controller is directed to send an estimate of SGR Funds to each transportation planning agency. For fiscal year 2021-22, there is \$117,489,000 budgeted according to the most current information from the State Controller’s Office. The SGR allocation estimate for

Madera County is **\$241,378**. Please note that a revised estimate will be released by the State Controller during August 2021.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.

Madera County Transportation Commission
Local Transportation Fund (LTF)
2021-22 Apportionment to Member Agencies

2021-22 Estimate per Madera County Auditor/Controller	\$ 4,667,095
Less MCTC Administration Expense	\$ (110,000)
Balance Available for Allocation	\$ 4,557,095

County/Chowchilla adjustment for prison population per May 21, 1996 Agreement
 1/31/21 Prison Population from DCR = **4,657**

	DOF(E-1) Population 05/01/21	DOF Prison Population	Adjusted Populations
Chowchilla	17,330	(4,657)	12,673
County	74,972	4,657	79,629

Member	DOF Population 05/01/21	Percent	Available for Allocation	2%		3%		Article 4, 8 Balance
				Article 3 - Bicycle & Pedestrian	RTPA Planning	Article 3 - Bicycle & Pedestrian	RTPA Planning	
Chowchilla	12,673	7.9969%	\$ 364,426	\$ 7,289	\$ 10,933	\$ 346,204		
Madera	66,172	41.7557%	\$ 1,902,849	\$ 38,057	\$ 57,085	\$ 1,807,707		
County	79,629	50.2474%	\$ 2,289,820	\$ 45,796	\$ 68,695	\$ 2,175,329		
	158,474	100.00%	\$ 4,557,095	\$ 91,142	\$ 136,713	\$ 4,329,240		

State Transit Assistance Fund (STA)
2021-22 Apportionment to Member Agencies

2021-22 Allocation per State Controller (PUC 99313)	\$ 1,091,863
2021-22 Allocation per State Controller (PUC 99314)	\$ 36,719
	\$ 1,128,582

Member	DOF (E-1) Population 05/01/21	Percent	PUC 99313 Allocation	PUC 99314 Allocation	Total
Chowchilla	12,673	7.9969%	\$ 87,315	\$ 25,288	\$ 112,603
Madera	66,172	41.7557%	\$ 455,916	\$ 8,187	\$ 464,103
County	79,629	50.2474%	\$ 548,632	\$ 3,244	\$ 551,876
	158,474	100.00%	\$ 1,091,863	\$ 36,719	\$ 1,128,582

SB-1 State of Good Repair Program (SGR)
2021-22 Apportionment to Member Agencies

2021-22 Allocation per State Controller (PUC 99313)	\$ 233,524
2021-22 Allocation per State Controller (PUC 99314)	\$ 7,854
	\$ 241,378

Member	DOF (E-1) Population 05/01/21	Percent	PUC 99313 Allocation	PUC 99314 Allocation	Total
Chowchilla	12,673	7.9969%	\$ 18,675	\$ 5,409	\$ 24,084
Madera	66,172	41.7557%	\$ 97,510	\$ 1,751	\$ 99,261
County	79,629	50.2474%	\$ 117,339	\$ 694	\$ 118,033
	158,474	100.00%	\$ 233,524	\$ 7,854	\$ 241,378

**BEFORE
THE COMMISSIONERS OF THE
MADERA COUNTY TRANSPORTATION COMMISSION
COUNTY OF MADERA, STATE OF CALIFORNIA**

In the matter of
**APPORTIONMENT OF FY 2021-22
LOCAL TRANSPORTATION FUND**

Resolution No.: **21-07**

WHEREAS, the Madera County Transportation Commission (MCTC) is empowered to apportion and allocate the Local Transportation Fund; and

WHEREAS, the County Auditor, per Section 6620 of the California Administrative Code, has estimated that \$4,667,095 will be available for Fiscal Year 2021-22; and

WHEREAS, \$110,000 of these moneys is necessary for administration of the Transportation Development Act, and

WHEREAS, the Local Agencies have agreed that 2% of the Local Transportation Fund be allocated to the Bicycle and Pedestrian Fund per Section 99234; and an allocation for County-wide pedestrian and bicycle facilities is to be made in this fiscal year per Section 99234; and

WHEREAS, that the Bicycle and Pedestrian Funds will then be apportioned and allocated to each Local Agency based upon its proportionate share of Madera County population per Department of Finance estimates; and

WHEREAS, the Local Agencies have agreed to a MCTC expenditure of \$136,713 for shared system planning costs, per Section 99233.2 of the Transportation Development Act; and

WHEREAS, the County of Madera has entered into an agreement, Agreement No. 5686-C-96) - May 21, 1996, with the City of Chowchilla for annexation of State Prison Facilities to the City of Chowchilla, per A.B. No. 1997 – an act to add Section 56111.12 to the Government Code, and to amend Section 99231 of the Public Utilities Code, relating to annexation, and declaring the urgency thereof, to take effect immediately; and

WHEREAS, Agreement No. 5686-C-96 states the County of Madera and the City of Chowchilla agree that the County shall be entitled to receive from Chowchilla a sum equal to the sum of the revenues from all existing revenue sources attributable to the prison territory, including, but not necessarily limited to, Transportation Development Act Funds, Measure “T” Sales and Use Tax Ordinance Funds, FAST Act Funds, and Sales and Use Tax Revenues generated from taxable sales and uses within the prison territory; and

WHEREAS, the California Department of Finance has provided information that the January 31, 2021 population housed in the two state prison facilities is 4,657; and

WHEREAS, the populations of the County and the City of Chowchilla have been adjusted to reflect the new DOF (E-1) population report dated May 7, 2021, adjustments are as follows:

Calculation of Madera County and City of Chowchilla

Population per 05/07/21 DOF

	DOF(E-1) Population 05/07/21	DOF Prison Population	Adjusted Populations
Chowchilla	17,330	(4,657)	12,673
County	74,972	4,657	79,629

NOW, THEREFORE, LET IT BE RESOLVED, that the Madera County Transportation Commission makes the following apportionments from the remaining \$4,557,095:

Member	DOF Population 05/07/21	Percent	Available for Allocation	2% Article 3 Bicycle & Pedestrian	3% RTPA Planning	Article 4, Article 8
Chowchilla	12,673	7.9969%	\$ 364,426	\$ 7,289	\$ 10,933	\$ 346,204
Madera	66,172	41.7557%	\$ 1,902,849	\$ 38,057	\$ 57,085	\$ 1,807,707
County	79,629	50.2474%	\$ 2,289,820	\$ 45,796	\$ 68,695	\$ 2,175,329
Total	158,474	100.00%	\$ 4,557,095	\$ 91,142	\$136,713	\$ 4,329,240

BE IT FURTHER RESOLVED, that the County Auditor will disburse MCTC moneys on a reimbursement method, upon the filing of an appropriate claim form by one of the above listed agencies, and upon the signature endorsement of the Executive Director of the Madera County Transportation Commission, who is solely authorized to approve said reimbursement claims on behalf of the Commission.

The foregoing resolution was adopted this 19th day of May 2021 by the following vote:

Commissioner Jose Rodriguez	_____
Commissioner Tom Wheeler	_____
Commissioner Waseem Ahmed	_____
Commissioner Brett Frazier	_____
Commissioner Cecelia Gallegos	_____
Commissioner Robert Poythress	_____

Chairman, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission

**BEFORE
THE COMMISSIONERS OF THE
MADERA COUNTY TRANSPORTATION COMMISSION
COUNTY OF MADERA, STATE OF CALIFORNIA**

In the matter of
**APPORTIONMENT OF FY 2021-22
STATE TRANSIT ASSISTANCE FUND**

Resolution No.: **21-08**

WHEREAS, the Mills-Alquist-Deddeh Act of 1979 established a State Transit Assistance Fund for each transportation planning agency in California; and

WHEREAS, the California State Legislature has allocated \$549,330,000 in 2021-22 for the State Transit Assistance Fund; and

WHEREAS, the 2021-22 estimate for the State Transit Assistance Fund is \$1,128,582 for Madera County; and

WHEREAS, the County of Madera, City of Madera, and City of Chowchilla expends Transportation Development Act Funds for various transportation purposes; and

WHEREAS, the County of Madera has entered into an agreement, Agreement No. 5686-C-96) - May 21, 1996, with the City of Chowchilla for annexation of State Prison Facilities to the City of Chowchilla, per A.B. No. 1997 – an act to add Section 56111.12 to the Government Code, and to amend Section 99231 of the Public Utilities Code, relating to annexation, and declaring the urgency thereof, to take effect immediately; and

WHEREAS, Agreement No. 5686-C-96 states the County of Madera and the City of Chowchilla agree that the County shall be entitled to receive from Chowchilla a sum equal to the sum of the revenues from all existing revenue sources attributable to the prison territory, including, but not necessarily limited to, Transportation Development Act Funds, FAST Act Funds, Measure “T” Sales and Use Tax Ordinance Funds, and Sales and Use Tax Revenues generated from taxable sales and uses within the prison territory; and

WHEREAS, the California Department of Finance has provided information that the January 31, 2021 population housed in the two state prison facilities is 4,657; and

WHEREAS, the populations of the County and the City of Chowchilla have been adjusted to reflect the new DOF (E-1) population report dated May 7, 2021, adjustments are as follows:

Calculation of Madera County and City of Chowchilla

Population per 05/07/21 DOF

	DOF(E-1) Population 05/07/21	DOF Prison Population	Adjusted Populations
Chowchilla	17,330	(4,657)	12,673
County	74,972	4,657	79,629

WHEREAS, the County of Madera, City of Chowchilla, and City of Madera have requests for 2021-22 allocations,

Member	DOF (E-1) Population 05/07/21	Percent		PUC 99313 Allocation	PUC 99314 Allocation	Total Allocation
Chowchilla	12,673	7.9979%		\$87,315	\$25,288	\$112,603
Madera	66,172	41.7557%		\$455,916	\$8,187	\$464,103
County	79,629	50.2474%		\$548,632	\$3,244	\$551,876
Totals	158,474	100.00%		\$1,091,863	\$36,719	\$1,128,582

BE IT FURTHER RESOLVED, that the Madera County Transportation Commission will not accept claims from these three entities for transportation planning or mass transportation purposes unless the California State Legislature allocates funds to the State Transit Assistance fund.

The foregoing resolution was adopted this 19 day of May 2021 by the following vote:

Commissioner Jose Rodriguez _____
 Commissioner Tom Wheeler _____
 Commissioner Waseem Ahmed _____
 Commissioner Brett Frazier _____
 Commissioner Cecelia Gallegos _____
 Commissioner Robert Poythress _____

Chairman, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 9-A

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Measure "T" Fund Compliance Audit Report for FY ended June 30, 2020: County of Madera

Enclosure: Yes

Action: Accept Measure T Compliance Audit Report for FY ending June 30, 2020

SUMMARY:

MCTA has received the Measure "T" Compliance Audit Report for the Fiscal Year ended June 30, 2020 for the County of Madera. This report was done in accordance with Section 99245 of the Public Utilities Code by Price, Paige, and Company.

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

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.

**COUNTY OF MADERA, CALIFORNIA
MEASURE "T" FUND**

**FINANCIAL STATEMENTS
WITH
INDEPENDENT AUDITOR'S REPORT
AND COMPLIANCE REPORT**

**FOR THE YEAR ENDED
JUNE 30, 2020**

COUNTY OF MADERA, CALIFORNIA
MEASURE "T" FUND
JUNE 30, 2020

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INDEPENDENT AUDITOR'S REPORT

To the Board of Commissioners
Madera County Transportation Authority
Madera, California

Report on the Financial Statements

We have audited the accompanying financial statements of the Madera County Transportation Authority's pass-through Measure "T" Fund (Measure "T" Fund) of the County of Madera, California (the County), as of and for the year ended June 30, 2020, and the related notes to the financial statements, as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the County's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the County's internal control as it relates to the Measure "T" Fund. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the Measure "T" Fund of the County as of June 30, 2020, and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

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Emphasis of Matter

As discussed in Note 1, the financial statements of the Measure "T" Fund of the County are intended to present the financial position and the changes in financial position of only that portion of the Measure "T" Fund of the County that is attributable to the transactions related to Madera County Transportation Authority's pass-through Measure "T" Fund. They do not purport to, and do not present fairly the financial position of the County as of June 30, 2020, or the changes in its financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Other Matters

Required Supplementary Information

Management has omitted the management's discussion and analysis (MD&A) and budgetary comparison information that accounting principles generally accepted in the United States of America require to be presented to supplement the financial statements. Such missing information, although not a part of the financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the financial statements in an appropriate operational, economic, or historical context. Our opinion on the financial statements is not affected by this missing information.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the County's Measure "T" Fund's financial statements. The Balance Sheet by Funding Source and the Statement of Revenues, Expenditures and Changes in Fund Balance by Funding Source (the Schedules) are presented for purposes of additional analysis and are not a required part of the financial statements.

The Schedules are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the financial statements. Such information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Schedules are fairly stated, in all material respects, in relation to the financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated April 19, 2021 on our consideration of the County's internal control over financial reporting as it relates to the Measure "T" Fund and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the County's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the County's internal control over financial reporting and compliance as it relates to the Measure "T" Fund.

Price Pange & Company

Clovis, California
April 19, 2021

FINANCIAL STATEMENTS

**COUNTY OF MADERA, CALIFORNIA
MEASURE "T" FUND
BALANCE SHEET
JUNE 30, 2020**

Item 9-9-A.

ASSETS

Cash	\$ 12,253,222
Due from other government	<u>1,297,113</u>
Total assets	<u>\$ 13,550,335</u>

LIABILITIES

Due to other funds	<u>\$ 81,788</u>
Total liabilities	<u>81,788</u>

DEFERRED INFLOWS OF RESOURCES

Unavailable revenue	<u>1,297,113</u>
Total deferred inflows of resources	<u>1,297,113</u>

FUND BALANCE

Restricted	<u>12,171,434</u>
Total liabilities, deferred inflows of resources and fund balance	<u>\$ 13,550,335</u>

**COUNTY OF MADERA, CALIFORNIA
 MEASURE "T" FUND
 STATEMENT OF REVENUES, EXPENDITURES
 AND CHANGES IN FUND BALANCE
 FOR THE YEAR ENDED JUNE 30, 2020**

REVENUES	
Measure "T" sales tax	\$ 1,673,001
Interest	<u>214,454</u>
Total revenues	<u>1,887,455</u>
 EXPENDITURES	
Highway and streets	<u>1,105,937</u>
Total expenditures	<u>1,105,937</u>
Net change in fund balance	781,518
Fund balance - beginning	<u>11,389,916</u>
Fund balance - ending	<u><u>\$ 12,171,434</u></u>

COUNTY OF MADERA, CALIFORNIA
MEASURE “T” FUND
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2020

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING INFORMATION

Description of Reporting Entity

The accompanying financial statements present only the Madera County Transportation Authority’s pass-through Measure “T” Fund (Measure “T” Fund) of the County of Madera, California (the County) and are not intended to present fairly the financial position and changes in financial position of the County with accounting principles generally accepted in the United States of America.

Basis of Accounting and Measurement Focus

The financial statements of the Measure “T” Fund have been prepared in conformity with accounting principles generally accepted in the United States of America as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The County’s significant accounting policies are described below.

The Measure “T” Fund is a governmental fund specifically categorized as a special revenue fund. Special revenue funds are used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes. Governmental funds are accounted for on a “current financial resources” measurement focus and the modified accrual basis of accounting. Under modified accrual basis of accounting, revenues are recognized in the accounting period in which they become both measurable and available to finance expenditures of the current period. The County considers certain revenues reported in the governmental fund to be available if the revenues are collected within sixty days after year-end. Expenditures are recorded in the period in which the related fund liability is incurred.

Intergovernmental revenues (primarily grants and subventions), which are received as reimbursement for specific purposes or projects, are recognized based upon the expenditures recorded. Intergovernmental revenues, which are usually unrestricted as to use and are revocable only for failure to meet prescribed compliance requirements, are reflected as revenues at the time of receipt or earlier, if they meet the availability criterion.

Unavailable Revenue

In the fund financial statements, unavailable revenue is recorded when transactions have not yet met the revenue recognition criteria based on the modified accrual basis of accounting. The County records unavailable revenue for transactions for which revenues have been earned, but for which funds are not available to meet current financial obligations.

COUNTY OF MADERA, CALIFORNIA
MEASURE "T" FUND
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2020

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING INFORMATION (Continued)

Fund Balance Classification

The governmental fund financial statements present fund balances based on classifications that comprise a hierarchy that is based primarily on the extent to which the County is bound to honor constraints on the specific purposes for which amounts in the respective governmental funds can be spent. The classifications used in the governmental fund financial statements are as follows:

Nonspendable

Amounts cannot be spent either because they are in nonspendable form (such as inventory or prepaid expense, and long-term loans and notes receivable) or because they are legally or contractually required to be maintained intact (such as principal of a permanent fund).

Restricted

Amounts with external constraints placed on the use of these resources (such as debt covenants, grantors, contributors, or laws or regulations of other governments, etc.) or imposed by law through constitutional provisions or enabling legislation.

Committed

Amounts that can only be used for specific purposes pursuant to constraints imposed by the Board of Supervisors, the County's highest level of decision-making authority, through an ordinance or resolution. These committed amounts cannot be used for any other purpose unless the Board of Supervisors removes or changes the specified uses through the same type of formal action taken to establish the commitment.

Assigned

Amounts that do not meet the criteria to be classified as restricted or committed but that are intended to be used for specific purposes. Intent is expressed by the Board of Supervisors or its designee and may be changed at the discretion of the Board of Supervisors or its designee. For all governmental funds other than the General Fund, any remaining positive amounts not classified as nonspendable, restricted or committed must be designated as assigned fund balance.

Unassigned

This classification includes amounts that have not been assigned to other funds or restricted, committed or assigned to a specific purpose within the County.

When both restricted and unrestricted resources are available for use, it is the County's policy to use restricted resources first, followed by the committed, assigned, and unassigned resources as they are needed.

COUNTY OF MADERA, CALIFORNIA
MEASURE "T" FUND
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2020

NOTE 2 – CASH AND INVESTMENTS

The Measure "T" Fund participates in the County's cash and investments pool that includes all other County funds, which the County Treasurer invests to enhance interest earnings. Income from the investment of pooled cash is allocated on a quarterly basis, based upon the actual daily balance of the fund as a percentage of the total pooled cash balance.

The County participates in an investment pool managed by the State of California, titled Local Agency Investment Fund (LAIF), which has invested a portion of the pool funds in Structured Notes and Assets-Backed Securities. The County values all of its cash and investments at fair value on a portfolio basis. The County manages its pooled idle cash and investments under a formal investment policy that is adopted and reviewed by the County Council, and that follows the guidelines of the State of California Government Code.

Countywide information concerning cash and investments for the year ended June 30, 2020, including authorized investments, custodial credit risk, credit and interest rate risk for debt securities and concentration of investments, carrying amount and market value of deposits and investments, may be found in the notes of the County's Financial Statements.

NOTE 3 – DEFERRED OUTFLOWS/INFLOWS OF RESOURCES

In addition to assets, the statement of net position will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position or fund balance that applies to a future period(s) and thus, will not be recognized as an outflow of resources (expense/expenditure) until then. There are no items to report in this category.

In addition to liabilities, the statement of net position will sometimes report a section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position or fund balance that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. Deferred inflows is comprised of unavailable revenues, which totaled \$1,297,113 as of June 30, 2020.

NOTE 4 – CONTINGENCY

On March 11, 2020, the World Health Organization declared the outbreak of coronavirus (COVID-19) a pandemic. In response, the State of California issued stay at home orders which include the temporary closure of all businesses deemed to be nonessential. Many stay at home orders have required individuals living in the San Joaquin Valley Region to stay at home, except as allowed, to maintain continuity of the federal critical infrastructure sectors. Accordingly, some functions of the County's operations have been limited to protect the health and safety of its employees. The financial impact that could occur as a result of the pandemic is unknown at this time.

SUPPLEMENTARY INFORMATION

COUNTY OF MADERA, CALIFORNIA
MEASURE "T" FUND
BALANCE SHEET
BY FUNDING SOURCE
JUNE 30, 2020

	<u>Commute Corridors/ Farm to Market</u>	<u>Safe Routes to School and Jobs</u>	<u>Transit Enhancement</u>	<u>Environmental Enhancement</u>	<u>Total</u>
ASSETS					
Cash	\$ 7,386,719	\$ 3,885,581	\$ 100,416	\$ 880,506	\$ 12,253,222
Due from other government	<u>632,737</u>	<u>609,454</u>	<u>4,303</u>	<u>50,619</u>	<u>1,297,113</u>
Total assets	<u>\$ 8,019,456</u>	<u>\$ 4,495,035</u>	<u>\$ 104,719</u>	<u>\$ 931,125</u>	<u>\$ 13,550,335</u>
LIABILITIES					
Due to other funds	\$ 18,241	\$ 63,547	\$ -	\$ -	\$ 81,788
Total liabilities	<u>18,241</u>	<u>63,547</u>	<u>-</u>	<u>-</u>	<u>81,788</u>
DEFERRED INFLOWS OF RESOURCES					
Unavailable revenue	<u>632,737</u>	<u>609,454</u>	<u>4,303</u>	<u>50,619</u>	<u>1,297,113</u>
Total deferred inflows of resources	<u>632,737</u>	<u>609,454</u>	<u>4,303</u>	<u>50,619</u>	<u>1,297,113</u>
FUND BALANCES					
Restricted	<u>7,368,478</u>	<u>3,822,034</u>	<u>100,416</u>	<u>880,506</u>	<u>12,171,434</u>
Total liabilities, deferred inflows of resources and fund balances	<u>\$ 8,019,456</u>	<u>\$ 4,495,035</u>	<u>\$ 104,719</u>	<u>\$ 931,125</u>	<u>\$ 13,550,335</u>

COUNTY OF MADERA, CALIFORNIA
MEASURE "T" FUND
SCHEDULE OF REVENUES, EXPENDITURES AND
CHANGES IN FUND BALANCES BY FUNDING SOURCE
FOR THE YEAR ENDED JUNE 30, 2020

	Commute Corridors/ Farm to Market	Safe Routes to School and Jobs	Transit Enhancement	Environmental Enhancement	Total
REVENUES					
Measure "T" sales tax	\$ 816,097	\$ 786,067	\$ 5,549	\$ 65,288	\$ 1,673,001
Interest	123,509	74,353	1,719	14,873	214,454
Total revenues	<u>939,606</u>	<u>860,420</u>	<u>7,268</u>	<u>80,161</u>	<u>1,887,455</u>
EXPENDITURES					
Highway and streets	<u>58,690</u>	<u>1,047,247</u>	<u>-</u>	<u>-</u>	<u>1,105,937</u>
Total expenditures	<u>58,690</u>	<u>1,047,247</u>	<u>-</u>	<u>-</u>	<u>1,105,937</u>
Net change in fund balances	880,916	(186,827)	7,268	80,161	781,518
Fund balances - beginning	<u>6,487,562</u>	<u>4,008,861</u>	<u>93,148</u>	<u>800,345</u>	<u>11,389,916</u>
Fund balances - ending	<u>\$ 7,368,478</u>	<u>\$ 3,822,034</u>	<u>\$ 100,416</u>	<u>\$ 880,506</u>	<u>\$ 12,171,434</u>

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COMPLIANCE REPORT

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INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER
 FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS
 BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN
 ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS* AND THE
RULES AND REGULATIONS OF THE MEASURE "T" ENABLING LEGISLATION

To the Board of Commissioners
 Madera County Transportation Authority
 Madera, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the Madera County Transportation Authority's pass-through Measure "T" Fund (Measure "T" Fund) of the County of Madera, California (the County), as of and for the year ended June 30 2020, and the related notes to the financial statements, which collectively comprise the Measure "T" Fund's financial statements, and have issued our report thereon dated April 19, 2021.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the County's internal control over financial reporting (internal control), as it relates to the Measure "T" Fund, as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the County's internal control. Accordingly, we do not express an opinion on the effectiveness of the County's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the County's Measure "T" Fund financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

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Compliance and Other Matters

As part of obtaining reasonable assurance about whether the County's Measure "T" Fund financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. Our audit was further made to determine that allocations made and expended by the County were made in accordance with the Measure "T" Enabling Legislation. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the County's internal control or on compliance as it relates to the Measure "T" Fund. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the County's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Price Pange & Company

Clovis, California
April 19, 2021



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 9-B

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Measure "T" FY 2021-22 Allocation

Enclosure: Yes

Action: Approve Measure "T" FY 2021-22 Allocation

SUMMARY:

The 2021-22 Measure "T" Final Allocation is included in your package. The allocation provides a not to exceed budget allocation for each Measure "T" program for each agency. The annual revenue projection is calculated using current economic conditions 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 2021-22 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 next Board meeting.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.



STAFF REPORT
Board Meeting of May 19, 2021

AGENDA ITEM: 10-A

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Award Contract – Measure T Renewal Implementation Plan

Enclosure: No

Action: Authorize staff to enter a contract with VRPA Technologies and TBWBH to provide services for the Measure T Renewal Implementation Plan

SUMMARY:

At its January 20, 2021 meeting, the Board approved the release of a Request for Proposals to retain a consultant to provide services for the Measure T Renewal Implementation Plan. Staff received three proposals, scored the proposals according to the established criteria, and the results of the scoring are:

1. TBWBH Props and Measures – 92/100 [Proposal of \$256,125 (includes polling)]
2. VRPA Technologies – 90/100 [Proposal of \$299,420 (plus polling, facilitator)]
3. Telegraph – 68.67/100 [Proposal of \$151,325 (plus polling)]

After conducting the RFP process and scoring and evaluating the submitted proposals, MCTC staff realized that the top two firms had complementary strengths and provided services that were both needed. Selecting just one firm would have still required procuring other services and incurring additional costs. Staff negotiated with the top two firms to see if efforts could be combined under one proposal. After concluding the negotiation discussions, staff recommends retaining the firm of VRPA Technologies and TBWBH Props and Measures to provide services for the Measure T Renewal Implementation Plan in an amount not to exceed 469,000. The term of the contract is planned to be from June 1, 2021 until December 31, 2022.

FISCAL IMPACT:

No fiscal impact to the approved 2020-21 Overall Work Program and Budget.