



---

**MEETING AND NOTICE CALL**  
Madera County Transportation Commission  
Policy Board **Special 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**

September 30, 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 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-08-21, 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 Meeting from your computer, tablet, or smartphone**

**<https://attendee.gotowebinar.com/register/8696438104343055887>**

**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: 467-515-277**

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](mailto:publiccomment@maderactc.org) or by calling 559-675-0721 **no later than 10:00 am on 9/30/2021**. 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 24 hours prior to each Special 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. 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. 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.

**NONE**

5. **TRANSPORTATION ACTION/DISCUSSION ITEMS**

5-A. Continuation of Teleconferenced Meetings – Resolution 21-15

**Enclosure:** Yes

**Action:** Approve Continuation of Teleconferenced Meetings by Resolution 21-15

### **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.

**NONE**

**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.

**NONE**

**10. AUTHORITY – ACTION/DISCUSSION ITEMS**

[10-A.](#) Continuation of Teleconferenced Meetings – Resolution 21-1

**Enclosure:** Yes

**Action:** Approve Continuation of Teleconferenced Meetings by Resolution 21-1

**OTHER ITEMS**

**11. ADJOURNMENT**

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



**STAFF REPORT**  
Board Special Meeting of September 30, 2021

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

---

**SUBJECT:**

Continuation of Teleconferenced Meetings – Resolution 21-15

**Enclosure:** Yes

**Action:** Approve Continuation of Teleconferenced Meetings by Resolution 21-15

**SUMMARY:**

In accordance with recent amendments to the Brown Act open meetings law (AB 361), it is recommended that the MCTC Policy Board approve Resolution 21-15, allowing for continued remote teleconferenced public meetings for all MCTC Policy Board and its Committees based upon a continued state of emergency related to the COVID-19 pandemic as well as recommendations from state officials regarding social distancing.

**FISCAL IMPACT:**

No fiscal impact to the approved 2021-22 Overall Work Program and Budget.

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

In the matter of  
**FINDING OF A PROCLAMATION OF A STATE  
OF EMERGENCY BY THE GOVERNOR’S  
ORDER DATED 3-4-20, AND AUTHORIZING  
REMOTE TELECONFERENCE MEETINGS OF  
THE POLICY BOARD AND ITS COMMITTEES  
OF THE MADERA COUNTY  
TRANSPORTATION COMMISSION FOR THE  
PERIOD OF OCTOBER 1-31, 2021, PURSUANT  
TO BROWN ACT PROVISIONS**

Resolution No.: **21-15**

**WHEREAS**, the Madera County Transportation Commission (Commission) is committed to preserving and nurturing public access and participation in meetings of the Policy Board and its committees; and

**WHEREAS**, all meetings of the Commission are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the Commission conduct their business; and

**WHEREAS**, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

**WHEREAS**, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the Madera County’s boundaries, caused by natural, technological, or human-caused disasters; and

**WHEREAS**, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

**WHEREAS**, such conditions now exist in Madera County, specifically, a state of emergency has been declared due to the COVID-19 pandemic; and

**WHEREAS**, State and local officials continue to recommend social distancing measures to help combat the spread; and

**WHEREAS**, the Policy Board does hereby find that the COVID-19 state of emergency has caused, and will continue to cause, conditions of peril to the safety of persons within Madera County that are likely to be beyond the control of services, personnel, equipment, and facilities of the Commission; and

**WHEREAS**, as a consequence of the emergency, the Policy Board does hereby find that the Policy Board of Madera County Transportation Commission and all of its committees shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such the Commission shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

**WHEREAS**, measures have been taken to ensure access for the public including the ability to participate virtually and provide comment.

**NOW, THEREFORE, THE POLICY BOARD OF THE MADERA COUNTY TRANSPORTATION COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Governor's Proclamation of a State of Emergency. The Policy Board finds that the Governor of the State of California issued a Proclamation of a State of Emergency, effective as of its issuance date of March 4, 2020, which remains in effect.

Section 3. Imminent Public Health and Safety Risk. The Policy Board finds that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Section 4. Remote Teleconference Meetings. The Executive Director and the Policy Board of Madera County Transportation Commission are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately



upon its adoption and shall be effective until the earlier of (i) October 31, 2021, or such time the Policy Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Policy Board of Madera County Transportation Commission may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

The foregoing resolution was adopted this 30<sup>th</sup> day of September 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 Special Meeting of September 30, 2021

**AGENDA ITEM:** 10-A  
**PREPARED BY:** Patricia Taylor, Executive Director

---

**SUBJECT:**

Continuation of Teleconferenced Meetings – Resolution 21-1

**Enclosure:** Yes

**Action:** Approve Continuation of Teleconferenced Meetings by Resolution 21-1

**SUMMARY:**

In accordance with recent amendments to the Brown Act open meetings law (AB 361), it is recommended that the MCTA Policy Board approve Resolution 21-15, allowing for continued remote teleconferenced public meetings for all MCTA Policy Board and its Committees based upon a continued state of emergency related to the COVID-19 pandemic as well as recommendations from state officials regarding social distancing.

**FISCAL IMPACT:**

No fiscal impact to the approved 2021-22 Overall Work Program and Budget.

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

In the matter of  
**FINDING OF A PROCLAMATION OF A STATE  
OF EMERGENCY BY THE GOVERNOR’S  
ORDER DATED 3-4-20, AND AUTHORIZING  
REMOTE TELECONFERENCE MEETINGS OF  
THE POLICY BOARD AND ITS COMMITTEES  
OF THE MADERA COUNTY  
TRANSPORTATION AUTHORITY FOR THE  
PERIOD OF OCTOBER 1-31, 2021, PURSUANT  
TO BROWN ACT PROVISIONS**

Resolution No.: **21-1**

**WHEREAS**, the Madera County Transportation Authority (Authority) is committed to preserving and nurturing public access and participation in meetings of the Policy Board and its committees; and

**WHEREAS**, all meetings of the Authority are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the Authority conduct their business; and

**WHEREAS**, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

**WHEREAS**, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the Madera County’s boundaries, caused by natural, technological, or human-caused disasters; and

**WHEREAS**, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

**WHEREAS**, such conditions now exist in Madera County, specifically, a state of emergency has been declared due to the COVID-19 pandemic; and

**WHEREAS**, State and local officials continue to recommend social distancing measures to help combat the spread; and

**WHEREAS**, the Policy Board does hereby find that the COVID-19 state of emergency has caused, and will continue to cause, conditions of peril to the safety of persons within Madera County that are likely to be beyond the control of services, personnel, equipment, and facilities of the Authority; and

**WHEREAS**, as a consequence of the emergency, the Policy Board does hereby find that the Policy Board of Madera County Transportation Authority and all of its committees shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such the Authority shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

**WHEREAS**, measures have been taken to ensure access for the public including the ability to participate virtually and provide comment.

**NOW, THEREFORE, THE POLICY BOARD OF THE MADERA COUNTY TRANSPORTATION AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Governor's Proclamation of a State of Emergency. The Policy Board finds that the Governor of the State of California issued a Proclamation of a State of Emergency, effective as of its issuance date of March 4, 2020, which remains in effect.

Section 3. Imminent Public Health and Safety Risk. The Policy Board finds that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Section 4. Remote Teleconference Meetings. The Executive Director and the Policy Board of Madera County Transportation Authority are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately

upon its adoption and shall be effective until the earlier of (i) October 31, 2021, or such time the Policy Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Policy Board of Madera County Transportation Authority may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

The foregoing resolution was adopted this 30<sup>th</sup> day of September 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