



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

July 22, 2020

TIME

3:00 PM

Policy Board Members

Commissioner Max Rodriguez, Chair
Commissioner Jose Rodriguez, Vice Chair
Commissioner Waseem Ahmed
Commissioner Brett Frazier
Commissioner Andy Medellin
Commissioner Tom Wheeler

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

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.

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<https://attendee.gotowebinar.com/register/4361377107087984142>

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

You can also dial in using your phone

1 (914) 614-3426

1 (866) 952-8437 (Toll Free)

Access Code: 216-289-897

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 7/22/2020**. 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.

- A. MCTC 2019 Federal Transportation Improvement Program (FTIP) Amendment No. 15 – (Type 3 – Formal).

Enclosure: No

Action: Ratify

- B. MCTC 2019 Federal Transportation Improvement Program (FTIP) Amendment No. 16 – (Type 1 – Administrative Modification)

Enclosure: No

Action: Ratify

- C. MCTC 2019 Federal Transportation Improvement Program (FTIP) Amendment No. 17 – (Type 1 – Administrative Modification)

Enclosure: No

Action: Ratify

D. California High Speed Rail Authority Updates

Enclosure: No

Action: Information and Discussion Only

E. Letter of Support for San Joaquin Regional Rail Commission's Trade Corridor Enhancement Program Grant application for the Stockton Diamond Grade Separation Project

Enclosure: Yes

Action: Information and Discussion Only

F. California Department of Housing and Community Development Housing Element Sites Inventory Webinar

Enclosure: No

Action: Information and Discussion Only

G. California Transportation Commission Governor's Appointments

Enclosure: Yes

Action: Information and Discussion Only

H. SB-1 Sustainable Communities Grant SR 233/Robertson Blvd Multimodal Corridor Study, Update

Enclosure: No

Action: Information and Discussion Only

I. Unmet Transit Needs FY 2020-21 Analysis and Recommendations Report

Enclosure: Yes

Action: Approve Unmet Transit Needs FY 2020-21 Analysis and Recommendations Report

J. Call for CARES Act FTA Section 5311 Projects Round 2

Enclosure: No

Action: Information and Discussion Only

K. Technical/Modeling On-Call Services Request - Senate Bill 743 Vehicle Miles Travelled (VMT) Analysis: Sub-regional Baseline VMT and Model Post Processing

Enclosure: No

Action: Information and Discussion Only

L. Fiscal Year 2020-21 State of Good Repair – Project List, Resolution 20-07

Enclosure: Yes

Action: Approve State of Good Repair Project List, Resolution 20-07

M. Upcoming September 2020 Valley Voice Trip, Washington D.C.

Enclosure: No

Action: Information and Discussion Only

5. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. State Route 99 – Avenue 12 to Avenue 17, Construction Update

Enclosure: No

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.

A. Executive Minutes – June 17, 2020

Enclosure: Yes

Action: Approve Minutes

B. Transportation Development Act (LTF) – Allocation, LTF Resolution 18-11 Amendment No. 4

Enclosure: Yes

Action: Approve LTF Resolution 18-11 Amendment No. 4

- C. Transportation Development Act (STA) – Allocation, STA Resolution 19-11 Amendment No. 3

Enclosure: Yes

Action: Approve STA Resolution 19-11 Amendment No. 3

- D. Transportation Development Act (LTF, STA) – Allocations, LTF Resolution 20-08, STA Resolution 20-09

Enclosure: Yes

Action: Approve Transportation Development Act (LTF, STA) – Fund Allocations, LTF Resolution 20-08, STA Resolution 20-09

- E. Adoption of Resolution 20-10 of the Madera County Transportation Commission Approving First Amendment to Employment Agreement of Executive Director

Enclosure: Yes

Action: Adoption of Resolution 20-10, approving First Amendment to Employment Agreement of Executive Director

- F. Conflict of Interest Code – Resolution 20-11

Enclosure: Yes

Action: Approve Resolution 20-11 updating the Commission’s Conflict of Interest Code

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 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 Authority concerning the item before action is taken.

- A. Measure T Citizens' Oversight Committee Meeting

Enclosure: No

Action: Information and Discussion Only

10. AUTHORITY – ACTION/DISCUSSION ITEMS

A. Oakhurst Midtown Connector Project – Construction Allocation

Enclosure: Yes

Action: Approve Construction allocation of \$11,445,000 for the Oakhurst Midtown Connector project, Resolution 20-01

B. State Route 99 – Ave 7-12 Widening Project, Trade Corridor Enhancement Program (TCEP) Local Match

Enclosure: Yes

Action: Approve Measure T Flexible Funds for TCEP Local Match

OTHER ITEMS

11. MISCELLANEOUS

- A. Items from Caltrans
- B. Items from Staff
- C. Items from Commissioners

12. CLOSED SESSION

NONE

13. ADJOURNMENT

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-A

PREPARED BY: Jeff Findley, Principal Regional Planner

SUBJECT:

MCTC 2019 Federal Transportation Improvement Program (FTIP) Amendment No. 15 – (Type 3 – Formal).

Enclosure: No

Action: Ratify

SUMMARY:

The Executive Director of the Madera County Transportation Commission (MCTC), as authorized by the Policy Board, approved Amendment No. 15 to the 2019 FTIP on June 22, 2020. State and Federal approval is required. The amendment added new Congestion Mitigation and Air Quality (CMAQ) projects to the 2019 FTIP. Amendment No. 15 to the 2019 FTIP may be found on the [MCTC Website](#).

FISCAL IMPACT:

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-B

PREPARED BY: Jeff Findley, Principal Regional Planner

SUBJECT:

MCTC 2019 Federal Transportation Improvement Program (FTIP) Amendment No. 16 – (Type 1 – Administrative Modification)

Enclosure: No

Action: Ratify

SUMMARY:

The Executive Director of the Madera County Transportation Commission (MCTC), as authorized by the Policy Board, approved Amendment No. 16 to the 2019 FTIP on June 26, 2020. The amendment updated the Grouped Project Listings for the State Highway Operation and Protection Program (SHOPP) and the Bridge Preservation and Roadway Preservation Programs. Amendment No. 16 to the 2019 FTIP may be found on the [MCTC Website](#).

FISCAL IMPACT:

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-C

PREPARED BY: Jeff Findley, Principal Regional Planner

SUBJECT:

MCTC 2019 Federal Transportation Improvement Program (FTIP) Amendment No. 17 – (Type 1 – Administrative Modification)

Enclosure: No

Action: Ratify

SUMMARY:

The Executive Director of the Madera County Transportation Commission (MCTC), as authorized by the Policy Board, approved Amendment No. 17 to the 2019 FTIP on July 2, 2020. The amendment updated the Grouped Project Listing for the State Minor Program. Amendment No. 17 to the 2019 FTIP may be found on the [MCTC Website](#).

FISCAL IMPACT:

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-D

PREPARED BY: Dylan Stone, Principal Regional Planner

SUBJECT:

California High Speed Rail Authority Updates

Enclosure: No

Action: Information and Discussion Only

SUMMARY:

New Central Valley Regional Director

On July 13, 2020 Diana Gomez stepped down from her position as the Central Valley Regional Director of the California High Speed Rail Authority (CHSRA) to take the position of Caltrans District 6 Director. Garth Fernandez will be the interim Central Valley Regional Director as CHSRA works on permanently filling the Governor appointed position.

2020 Business Plan Approval Delayed

The Draft 2020 Business Plan was issued February 12, 2020, and public comment was extended for an additional 49 days due to the COVID-19 pandemic. Effective June 1, the public comment period closed. The final 2020 Business Plan will be prepared and issued to the California State Legislature by December 15, 2020. The CHSRA Board was expected to act on the Draft 2020 Business Plan during the June 25, 2020 meeting. Action is now expected to take place in December of this year.

Below is a message shared to stakeholders from CHSRA Chief Executive Officer, Brian Kelly:

Dear Stakeholders:

This Thursday's board agenda will be modified to reflect a change to the adoption of our 2020 Business Plan. In an agreement between the Administration, Legislative Leadership and the High-Speed Rail Authority, the adoption of our 2020 Business Plan will now occur in December of this year. This additional time will allow for the more robust analysis we

have been discussing with both the Legislature and you, our stakeholders, given the current COVID-19 pandemic. We believe this advanced risk analysis will help inform our decisions moving forward in a way that's responsible and still meets our federal obligations and the requirements of Proposition 1A. As we committed to Legislative leadership and the Peer Review Group, we will review the project's status and path forward with policymakers and the public after enhanced risk analyses are completed later this year and in advance of our Board of Directors' adoption of the 2020 Business Plan in December.

In the meantime, we will advance the work that is well underway around the state, including construction work, environmental reviews, bookend projects, and our necessary procurements to meet our federal requirements. Of course, we will consult with policymakers about costs, benefits and risks prior to any contract award.

It's important to note, that while we are taking time to conduct further analysis ahead of adopting our Business Plan, progress is continuing statewide. In addition to making progress on full environmental clearance for the Phase 1 system from Los Angeles/Anaheim to San Francisco, we are also increasing our workforce in the Central Valley. We have now dispatched more than 4,000 workers to more than 32 job sites up and down the Central Valley. We have more than quadrupled our weekly average workforce in the Valley in the last year averaging more than 900 workers per week, and our average monthly construction expenditures have nearly tripled from \$22 million in early 2019 to more than \$60 million per month in the first quarter of 2020. This project is on the move and Californians are going to work to build high-speed rail.

We appreciate your support and we will keep you informed as this project advances.

*Brian Kelly
CEO*

FISCAL IMPACT:

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-E

PREPARED BY: Dylan Stone, Principal Regional Planner

SUBJECT:

Letter of Support for San Joaquin Regional Rail Commission's Trade Corridor Enhancement Program Grant application for the Stockton Diamond Grade Separation Project

Enclosure: Yes

Action: Information and Discussion Only

SUMMARY:

Staff prepared a letter of support regarding the San Joaquin Regional Rail Commission's (SJRRRC) FY 2020 TCEP Grant application for the Stockton Diamond Grade Separation project. Funding of their request will allow SJRRRC to leverage State funds to construct a transformative rail infrastructure project to improve safety on the freight network, increase the efficiency of freight and passenger rail movement, provide improved access from the Port of Stockton to national and worldwide markets, and facilitate continued economic growth and competitiveness in the greater-Central Valley and San Francisco Bay areas. A copy of the letter is attached to this item.

Staff presented the letter to the MCTC Board during Items from Staff at the June 2020 MCTC Board Meeting. The request for the letter of support came in after the publishing of the June Board Meeting agenda and was needed before the July Board Meeting. The Board verbally agreed to issue the letter at the June meeting. The Board had previously approved support for this project in an April letter of support seeking funding for a Federal Build grant.

FISCAL IMPACT:

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

June 17, 2020

OFFICE 559-675-0721 FAX 559-675-9328
www.maderactc.org

Mitch Weiss
Executive Director
California Transportation Commission
1120 N Street, MS 52
Sacramento, CA 95814

RE: San Joaquin Regional Rail Commission (SJRRRC)/California Department of Transportation (Caltrans) FY 2020 Trade Corridor Enhancement Program (TCEP) Grant Application

Dear Mr. Weiss:

On behalf of the Madera County Transportation Commission Policy Board, I am writing in support of the SJRRRC/Caltrans FY 2020 TCEP grant application for the Stockton Diamond Grade Separation Project. Funding of this request will allow SJRRRC/Caltrans to leverage other State funds to construct a transformative rail infrastructure project to improve safety on the freight network, increase the efficiency of freight and passenger rail movement, provide improved access from the Port of Stockton to national and worldwide markets, and facilitate continued economic growth and competitiveness in the greater Central Valley and the San Francisco Bay Area.

The Stockton Diamond is the busiest, most congested at-grade railway junction in California. The current, at-grade configuration of the track results in significant delays to Union Pacific Railroad (UPRR) and BNSF Railway (BNSF) freight trains serving their nationwide networks and the Port of Stockton, as well as other freight and passenger trains in the area. These delays make the Stockton Diamond the worst freight rail bottleneck in California, inhibiting the expansion of the Amtrak San Joaquins and Altamont Corridor Express (ACE) service through the Bay Area/Central Valley region and limiting the capacity of the Port of Stockton for growth.

The Stockton Diamond Grade Separation Project will grade separate the two north-south UPRR mainline tracks from the two east-west BNSF mainline tracks. Project scope also includes bike, pedestrian, and roadway improvements at ten at-grade local road crossings in the City of Stockton, enhancing safety and access for residents.

There are numerous benefits to the public as well, including:

- Facilitating expansion of ACE and Amtrak San Joaquins services
- Improved reliability of ACE and Amtrak San Joaquins services
- Travel time savings from a reduction in freight delays
- Fuel cost savings from a reduction in idling
- Greater efficiency for freight rail movement

- Improved air quality in a disadvantaged area of Downtown Stockton
- Reduced blockage and delays for pedestrians and motorists at key local road crossings
- Improved access to the Port of Stockton

SJRRC/Caltrans are requesting \$100 million in TCEP funding for the construction of the Stockton Diamond Grade Separation Project (\$40 million from statewide TCEP funds and \$60 million from regional corridor TCEP funds). At an estimated total cost of \$237 million, the TCEP award will be matched by additional State funding (SB-132 and ITIP) that have already been secured toward project completion.

Given the many public and private benefits associated with this project for the Bay Area/Central Valley region, The Madera County Transportation Commission Policy Board urges the California Transportation Commission to approve SJRRC's TCEP grant application. Thank you for your attention to this request.

Sincerely,



Max Rodriguez, Chair
Madera County Transportation Commission



STAFF REPORT
Board Meeting of July 22, 2020

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

SUBJECT:

California Department of Housing and Community Development Housing Element Sites Inventory Webinar

Enclosure: No

Action: Information and Discussion Only

SUMMARY:

The California Department of Housing and Community Development (HCD) is hosting a webinar introducing the [Housing Element Sites Inventory Guidebook](#) and the draft [Housing Element Sites Inventory Form](#). This webinar will help local governments understand the new requirements of housing element law and introduce HCD's new technical assistance tool for meeting those requirements. In addition, HCD will present the new required Sites Inventory Form, which is now available for public comment and answer questions related to Housing Elements and the 6th Cycle.

This webinar is scheduled for **Friday, July 24, 2020, from 10:00 a.m. -11: 00 a.m.**, to register click [here](#). The public comment period for the form will remain open until July 28, 2020. Comments or questions can be submitted to sitesinventory@hcd.ca.gov. The form and instructions can also be found on the HCD's [housing element webpage](#).

FISCAL IMPACT:

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-G

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

California Transportation Commission Governor's Appointments

Enclosure: Yes

Action: Information and Discussion Only

SUMMARY:

Governor Newsom has appointed two new commissioners to the California Transportation Commission, Jon Davis and Lee Ann Eager. The attached file has biographical information about the new commissioners.

FISCAL IMPACT:

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

Governor Newsom Announces Appointments 6.19.20

Published: Jun 19, 2020

SACRAMENTO – Governor Gavin Newsom today announced the following appointments:

Jon Rocco Davis, 61, of Rocklin, has been appointed to the California Transportation Commission. Davis has been vice president and regional manager of Laborers' International Union of North America (LIUNA) since 2001. He is chairman of the LIUNA Pacific Southwest Regional Organizing Coalition, National Alliance for Fair Contracting, Laborers-Employers Cooperation and Education Trust Southwest and International Accreditation Service. Rocco is a trustee of the National Laborers-Employers Cooperation and Education Trust Board, the LIUNA Staff and Affiliates Pension Fund, Laborers' National Industrial Pension Fund, Laborers' National Health and Welfare Fund, Laborers' Health and Safety Fund of North America, LIUNA Training and Education Fund, the Service Contract Education and Training Trust and the Laborers-Employers Benefit Plan Collection Trust. This position requires Senate confirmation and the compensation is \$100 per diem. Davis is a Democrat.

Lee Ann Eager, 64, of Fresno, has been appointed to the California Transportation Commission. Eager has been president and chief executive officer at the Fresno County Economic Development Corporation since 2009. She was an attorney at Lang, Richert and Patch from 2005 to 2009. Eager was executive director at Rape Counseling Service of Fresno from 1988 to 2000. She is a board member of the California Workforce Development Board, California Partnership for San Joaquin Valley and the California International Trade and Investment Council. Eager is a member of the California Central Valley Economic Development Corporation, Fresno Works, Lyles Center for Innovation and Entrepreneurship, Team California, Access Plus Capital, Five Cities JPA, Fresno State Department of Geography and City and Regional Planning Advisory Council, Fresno State Transportation Institute Advisory Board, Fresno State Alumni Association Board, Fresno City College President's Commission on Industry and the Central California District Export Council. Eager earned a Juris Doctor degree from the University of California, Davis School of Law. This position requires Senate confirmation and the compensation is \$100 per diem. Eager is a Democrat.

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STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-H

PREPARED BY: Evelyn Espinosa, Associate Regional Planner

SUBJECT:

SB-1 Sustainable Communities Grant SR 233/Robertson Blvd Multimodal Corridor Study, Update

Enclosure: No

Action: Information and Discussion Only

SUMMARY:

This project is funded by the SB-1 Sustainable Communities Planning Grant administered by Caltrans. The objective of the SB-1 Sustainable Communities Planning Grant program is to encourage local and regional multimodal transportation and land use planning that furthers the region's Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS), contributes to the State's greenhouse gas (GHG) reduction targets and other State goals, including but not limited to, the goals and best practices cited in the 2017 RTP Guidelines, addresses the needs of disadvantaged communities, and also assists in achieving the Caltrans Mission and Grant Program Overarching Objectives.

Phase 2 of the State Route 233 Corridor Study and Downtown Core Master Plan builds on the results of Phase 1, Existing Conditions and Opportunities Report and the Public Participation and Outreach Plan, to produce a Corridor Concept for SR 233. This will be achieved by developing Corridor Planning Study Concepts and continuing to gather community feedback.

The second Stakeholder Advisory Committee meeting was held on June 12th via Zoom. The recording of this meeting is available on the [project website](#), as well as, the draft conceptual design plans for [downtown Chowchilla](#). The next community outreach meeting is scheduled for **August 18th, 5-7 p.m.** via Zoom. For updates or to provide feedback, visit the project website or send an email to evelyn@maderactc.org.

FISCAL IMPACT:

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-I

PREPARED BY: Amelia Davies, Associate Regional Planner

SUBJECT:

Unmet Transit Needs FY 2020-21 Analysis and Recommendations Report

Enclosure: Yes

Action: Approve Unmet Transit Needs FY 2020-21 Analysis and Recommendations Report

SUMMARY:

MCTC staff has prepared an analysis and recommendations report for the unmet transit needs process for FY 2020-21. It includes a summary of the findings for potential unmet needs, an analysis of the size and location of groups likely to be dependent on transit, and the methods and materials used in the unmet needs process. The full report is attached.

FISCAL IMPACT:

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



UNMET TRANSIT NEEDS FY 2020-2021

*Final Analysis and Recommendations Report
July 2020*



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Summary

BACKGROUND

Each year, pursuant to the California Transportation Development Act (TDA), as the Regional Transportation Planning Agency (RTPA) for Madera County, Madera County Transportation Commission (MCTC) is responsible for the administration of the Transportation Development Act (TDA) funds. TDA funds, which are funded through ¼ percent of the statewide sales tax, are the primary funding source for most transit systems. The administration of TDA funds includes the annual unmet transit needs process, which has three key components: soliciting testimony on unmet transit needs; analyzing needs in accordance to adopted definitions of unmet transit need and reasonable to meet; and adoption of a finding regarding unmet transit needs that may exist for the upcoming fiscal year. These tasks are to be performed in consultation with the Social Service Transportation Advisory Council (SSTAC). At a minimum, the annual unmet transit needs finding process requires MCTC to conduct the following:

1. Establish or maintain a Social Services Transportation Advisory Council (SSTAC) to participate in the identification of unmet transit needs and determine whether those identified needs are reasonable to meet. The composition of the SSTAC is set forth in statute and consists of representatives of the following members:
 - a. One representative of potential transit users who is 60 years of age or older.
 - b. One representative of potential transit users who have a disability.
 - c. Two representatives of the local 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 those with disabilities, 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 services 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.
2. Coordinate with the SSTAC and MCTC Policy Board to determine definitions for both “unmet transit needs” and “reasonable to meet.”
3. Identify transit needs, which have been considered as part of the transportation planning process.
4. Hold at least one public hearing to receive public comments regarding unmet transit needs.
5. Meet with SSTAC members to identify potential unmet transit needs, and analyze those transit needs using the MCTC Policy Board’s adopted definitions of “unmet transit needs” and “reasonable to meet” (adopted definitions provided on Pages 8 and 9 of this report). As part of the “reasonable to meet” determination, MCTC staff and the SSTAC must consider whether a transit operator can reasonably accommodate an unmet need and still maintain the required farebox ratio established under the TDA.
6. Adopt by resolution a finding regarding transit needs that may be reasonable to meet. The MCTC Policy Board makes one of the following three possible findings:
 - a. There are no unmet transit needs, or
 - b. There are no unmet transit needs that are reasonable to meet, or
 - c. There are unmet transit needs, including transit needs that are reasonable to meet.

If it is found that there are unmet transit needs that are reasonable to meet, those transit needs must be met before any TDA funds can be allocated for other purposes, such as streets and roads.

SUMMARY OF THE FINDINGS FOR THE FY 2020-2021 UNMET TRANSIT NEEDS ASSESSMENT

On June 17, 2020, the MCTC Policy Board adopted Resolution Number 20-06, approving the findings of the FY 2020/21 unmet transit needs hearing:

Pursuant to Section 99401.5 of the California Public Utilities Code, MCTC, as the Regional Transportation Planning Agency, must make a finding after holding a Public Hearing that there are no unmet public transportation needs within the jurisdiction of claimants which can be reasonably met before it may approve Local Transportation Fund claims for streets and roads.

The MCTC has determined that its definition of the term “**unmet transit needs**” includes all essential trip requests by transit-dependent persons for which there is no other convenient means of transportation, and the Commission has determined that its definition of the term “**reasonable to meet**” shall apply to all related public or specialized transportation services that:

- (1) are feasible;
- (2) have community acceptance;
- (3) serve a significant number of the population;
- (4) are economical; and
- (5) can demonstrate cost effectiveness

by having a ratio of fare revenues to operating cost at least equal to 10 percent, and the Commission has determined that its definition of the term “reasonable to meet” shall also apply to all service requests which do not abuse or obscure the intent of such transportation services once they are established.

The role of the Social Service Transportation Advisory Council (SSTAC) is to aid the MCTC Policy Board in its review of transit issues with emphasis on the annual identification of transit needs within Madera County. The establishment of the Madera County SSTAC is consistent with State Law (SB 498, Chapter 673, 1987) which mandates both the purpose and minimum membership of this body. The purpose of the SSTAC is to:

- A. Annually participate in identification of transit needs (Unmet Transit Needs Public Hearing Process).
- B. Review and recommend appropriate action by the MCTC for a jurisdiction which finds, by resolution, that:
 - (1) there are no unmet transit needs;
 - (2) there are no unmet transit needs that are reasonable to meet;
 - (3) there are unmet transit needs that are reasonable to meet.
- C. Advise the MCTC on any other major transit issues, including the coordination and consolidation of specialized transportation services.

During the “Unmet Transit Needs” Public Hearing on Wednesday, May 20, 2020, the MCTC Policy Board opened the hearing to receive public testimony. The following staff evaluation was prepared in cooperation with the SSTAC. The Chairman of the SSTAC will submit that body’s findings to the Commission under separate correspondence.

NARRATIVE OF EVALUATION

City of Madera

There are no unmet transit needs that are reasonable to meet at this time in the City of Madera.

MCTC staff has reviewed and discussed testimony regarding the City of Madera’s transit services with the Social Service Transportation Advisory Council (SSTAC). The recommendation from staff and the SSTAC is that there are no unmet transit needs that are reasonable to meet within the City of Madera. The recommendation is based upon the definition of an unmet transit need, which includes any essential trip requests by transit- dependent persons for which there is no other convenient means of transportation.

Testimony was received regarding the reopening of the Walmart stop. City of Madera Staff have worked with the shopping center manager in the past. For safety reasons, all analyses have been done, it is very unsafe for fixed route to travel into a shopping center. The City applied for a Caltrans planning grant, but they have not yet heard from Caltrans about the status. An alternative would be to develop a bus stop at the Pak N Save but there has not been much interest from the community for that. If planning grant is not awarded, the City will test out a bus stop around Pak N Save. Furthermore, Dial-A-Ride is available to drop off right in front of Walmart. This comment is being further studied but not reasonable to meet at this point in time.

There was also a request for 30-minute headways on all Madera Metro routes to make service more dependable. The City is already looking at re-routing for the timing. Route 1 operates in 30-minute headways already. For Route 2, they currently do not have the ridership to support the current route so it would be difficult to meet farebox recovery ratio and does not justify a change to 30-minute headways. Currently an assessment on routes is being performed. MV transit is doing preliminary re-routing assessment to improve efficiency/change the route. There will be an update this summer on this assessment by MV transit.

Extend the Madera Metro service operations on weekends was also requested. The City has been trying for two years to get the Caltrans grant to do a thorough assessment of routes to get data to make determination on whether extending service for the weekend is feasible.

Route 2 ridership is so low, this may not be cost-effective. Even Dial-A-Ride ridership is low on Sundays (possibly due to COVID-19).

City of Chowchilla

There are no unmet transit needs in the City of Chowchilla.

County of Madera

There are no unmet transit needs that are reasonable to meet at this time in the County of Madera.

MCTC staff has reviewed and discussed testimony regarding the County of Madera’s transit services with the Social Service Transportation Advisory Council (SSTAC). The recommendation from staff and the SSTAC is that there are no unmet transit needs that are reasonable to meet at this time in the County of Madera. The recommendation is based upon the definition of an unmet transit need, which includes any essential trip requests by transit-dependent persons for which there is no other convenient means of transportation.

Testimony was received for route and schedule improvements for the Chowchilla-Fairmead- Madera connection to ensure a dependable and user-friendly service. In FY18/19 the transit services were undergoing a major transition, this resulted in a better understanding of the need. Ellen Moy went to Fairmead and talked to the President of Fairmead community group. The survey for location of shelter was halted due to COVID-19. This will continually be followed up on based on demand.

A second stop must be added on the Northern side of Fairmead around the vicinity of Avenue 23, was requested. Ellen Moy has been working with the Leadership Counsel of Justice and Accountability on opening such a stop and will continue to do so once COVID-19 allows.

Testimony was also received for increased frequency of routes for Eastin Arcola-Ripperdan- La Vina route. Ellen Moy informed MCTC staff that the County plans to initiate additional runs to this current service on a pilot basis beginning July 2020. One will be added at in mid- morning departing the Downtown Intermodal Center at approximately 11:20am and one at 3:35pm. The County will closely monitor these runs and overall demand for cost effectiveness and for any warranted expansion

RECOMMENDATION

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

- 1. That the Madera County Transportation Commission finds that there are no unmet transit needs in FY 2020/21 within the jurisdiction of the City of Madera, City of Chowchilla, and County of Madera.**

The Madera Metro and the Madera Dial-A-Ride provide transportation services that cover the entire city of Madera.

The Chowchilla Area Transit Express (CATX) provides transportation services that cover the entire city of Chowchilla.

The Madera County Connection (MCC) provides inter-city transportation from Chowchilla, Fairmead, Madera, La Vina, Madera Ranchos and Eastern Madera County to Children’s Hospital Central California where a connection can be made to Fresno via the Fresno Area Express (FAX).

The Senior Bus Program and the Escort Service provides transportation to the Eastern Madera County communities including the newly developed Eastern Madera County Escort Program transit service to Raymond. This service is provided on Wednesdays from 8:30am to 4:30pm.

2. Maintain existing transit systems in Madera County: Madera Transit System (MAX and Dial-A-Ride) in the City of Madera; Madera County Connection; Chowchilla Area Transit Express; Eastern Madera County Escort Service; and Eastern Madera County Senior Bus.

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

- *Madera Transit System - City of Madera (Dial-A-Ride and Madera Metro);*
- *Chowchilla Area Transit Express - City of Chowchilla;*
- *Eastern Madera County Escort Service; and Eastern Madera County Senior Bus;*
- *Madera County Connection*

Unmet Transit Needs Process

TRANSPORTATION DEVELOPMENT ACT REQUIREMENTS

Unmet transit needs became an annual focus of transportation planning agencies in 1978, when the Transportation Development Act (TDA) was changed to require a specific transit finding that there are no unmet transit needs that are reasonable to meet before local TDA funds could be allocated for other non- transit purposes.

The following outlines MCTC's currently adopted unmet transit needs assessment process, pursuant to the requirements established in the TDA:

Prior to making any allocation not directly related to public transportation services, specialized transportation services, or facilities provided for the exclusive use of pedestrians and bicycles, or any allocation for purposes of subdivision (f) of Section 99400, MCTC must annually do all of the following:

- (a) Consult with the social services transportation advisory council established pursuant to Section 99238.
- (b) Identify the transit needs of the jurisdiction which have been considered as part of the transportation planning process, including the following:
 1. An annual assessment of the size and location of identifiable groups likely to be transit dependent or transit disadvantaged, including, but not limited to, the elderly, the disabled, including individuals eligible for paratransit and other special transportation services pursuant to Section 12143 of Title 42 of the United States Code, the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and persons of limited means, including, but not limited to, recipients under the CalWORKs program.
 2. An analysis of the adequacy of existing public transportation services and specialized transportation services, including privately and publicly provided services necessary to implement the plan prepared pursuant to Section 12143(c)(7) of Title 42 of the United States Code, in meeting the transit demand identified pursuant to paragraph (1).
 3. An analysis of the potential alternative public transportation and specialized transportation services and service improvements that would meet all or part of the transit demand.
 4. An analysis of the need to acquire or lease vans and related equipment for a farmworker vanpool program pursuant to subdivision (f) of Section 99400. This analysis is only required, however, upon receipt by the transportation planning agency of a request of an interested party identifying a potential need.

- (c) Identify the unmet transit needs of the jurisdiction and those needs that are reasonable to meet. The transportation planning agency shall hold at least one public hearing pursuant to Section 99238.5 for the purpose of soliciting comments on the unmet transit needs that may exist within the jurisdiction and that might be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services. The definition adopted by the transportation planning agency for the terms “unmet transit needs” and “reasonable to meet” shall be documented by resolution or in the minutes of the agency. The fact that an identified transit need cannot be fully met based on available resources shall not be the sole reason for finding that a transit need is not reasonable to meet. An agency’s determination of needs that are reasonable to meet shall not be made by comparing unmet transit needs with the need for streets and roads.
- (d) Adopt by resolution a finding for the jurisdiction, after consideration of all available information compiled pursuant to subdivisions (a), (b), and (c). The finding shall be that (1) there are no unmet transit needs, (2) there are no unmet transit needs that are reasonable to meet, or (3) there are unmet transit needs, including needs that are reasonable to meet. The resolution shall include information developed pursuant to subdivisions (a), (b), and (c) which provides the basis for the finding.
- (e) If the transportation planning agency adopts a finding that there are unmet transit needs, including needs that are reasonable to meet, then the unmet transit needs shall be funded before any allocation is made for streets and roads within the jurisdiction.
- (f) The transportation planning agency shall not allocate funds for purposes of subdivision (f) of Section 99400 until all of the capital and operating funds necessary to meet unmet transit needs that are reasonable to meet are allocated. The transportation planning agency shall not reduce funding to existing public transportation services, specialized transportation services, or facilities for the exclusive use of pedestrians and bicycles in order to allocate funds for purposes of subdivision (f) of Section 99400. The transportation planning agency shall not allocate funds under subdivision (f) of Section 99400 if the allocation replaces other federal, state, or local funds used to fund commuter vanpools by a county, city, transportation planning agency, or transit district.

DEFINITION OF “UNMET TRANSIT NEED” AND “REASONABLE TO MEET”

The MCTC Policy Board previously adopted definitions of “unmet transit needs” and “reasonable to meet” as follows:

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.

SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL (SSTAC)

As previously identified, TDA regulations require MCTC to annually consult with the Social Services Transportation Advisory Council (SSTAC) to identify the region's transit needs prior to making any allocation of TDA funds not directly related to public transportation services or facilities provided for the exclusive use of pedestrians and bicycles. Pursuant to the TDA, Section 99238(c)1-3 of the Public Utilities Code specifically identifies the SSTAC's responsibilities:

(c) The social service transportation advisory council shall have the following responsibilities:

1. Annually participate in the identification of transit needs in the jurisdiction, including unmet transit needs that may exist within the jurisdiction of the council 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 the transportation planning agency for the area within the jurisdiction of the council 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 transportation planning agency on any other major transit issues, including the coordination and consolidation of specialized transportation services.

In accordance with the TDA requirements, MCTC works the SSTAC to identify and analyze any potential unmet transit need against the MCTC Policy Board's adopted definitions of "unmet transit need" and "reasonable to meet".

SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL MEMBERS FY 2020-2021

Potential Transit User 60 Years or Older (minimum of 1)

APPOINTMENT	GEOGRAPHIC/AGENCY REPRESENTATION	TERM EXPIRES
Pamela Mashack	City of Madera, Community Member	6-22

Representatives of the Local Social Service Providers for Seniors (minimum of 2)

APPOINTMENT	GEOGRAPHIC/AGENCY REPRESENTATION	TERM EXPIRES
Rosalind Esqueda	Madera County Connection	6-22
Ellen Moy	Madera County	6-22

Potential Transit User Who Is Disabled (minimum of 1)

APPOINTMENT	GEOGRAPHIC/AGENCY REPRESENTATION	TERM EXPIRES
VACANT		

Representative of the Local Social Service Provider for Disabled (minimum of 2)

APPOINTMENT	GEOGRAPHIC/AGENCY REPRESENTATION	TERM EXPIRES
VACANT		
Annie Self	Madera Area Express Manager	6-22

Representative of a Local Social Service Provider for Persons of Limited Means (minimum of 1)

APPOINTMENT	GEOGRAPHIC/AGENCY REPRESENTATION	TERM EXPIRES
Bertha Vega	Madera County Workforce Corporation	6-23

Staff

APPOINTMENT	AGENCY REPRESENTATION	TERM EXPIRES
Amelia Davies	Madera County Transportation Comm.	
Dylan Stone	Madera County Transportation Comm.	

Existing Conditions

Pursuant to California Public Utilities Code Section 99401.5, the following sections briefly provide an analysis of Sections 1-4 of the TDA's unmet transit needs assessment process.

SIZE AND LOCATION OF GROUPS LIKELY TO BE DEPENDENT ON TRANSIT

As identified in a previous section of this report, during each year's unmet transit needs assessment process, prior to making any allocation not directly related to public transportation services, MCTC must make an assessment of the size and location of identifiable groups likely to be transit dependent or transit disadvantaged, including, but not limited to, the elderly, those with disabilities (including individuals eligible for paratransit and other special transportation services pursuant to Section 12143 of Title 42 of the United States Code (the Federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101, et seq.)), and persons of limited means, including, but not limited to, recipients under the CalWORKS program. Utilizing available data from the 2013-2017 American Community Survey (ACS) Five-Year Estimates, the following sections identify the size and location of population groups likely to be transit dependent.

For the purposes of this assessment, transit-dependent population groups consist of the following classifications:

- Elderly – Individuals who are age 65 years or older;
- Disabled – Non-institutionalized, civilian members of the population who may be unable to operate vehicles or utilize certain modes of public transportation due to physical or mental disabilities; and
- Persons of Limited Means – Individuals who are defined by the federal government as having an income below the poverty threshold

GENERAL POPULATION ESTIMATES FOR MADERA COUNTY

According to the 2014-2018 ACS Five-Year Estimates, Madera County's current population is 155,013. There are two incorporated cities in Madera County. As identified in Table 1, below, the City of Madera is the largest incorporated city in Madera County, accounting for 42% of the County's total population. The City of Chowchilla is the second largest, accounting for 12% of Madera County's total population. Madera County's unincorporated community areas, which, combined, account for 46% of the County's total population. Table 1 illustrates the current population breakdown of Madera County.

Table 1: 2018 Population in Madera County

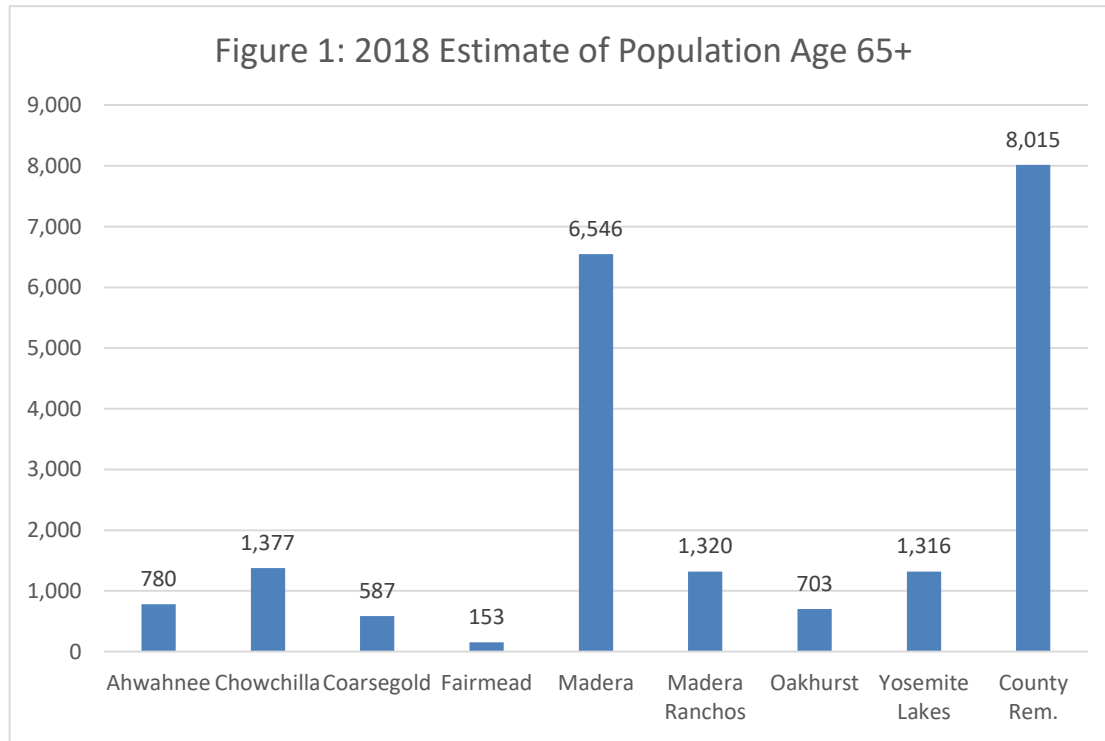
Jurisdiction	Population	Percent of County
Ahwahnee	2,461	2%
Chowchilla	18,533	12%
Coarsegold	1,643	1%
Fairmead	1,876	1%
Madera	65,711	42%
Bonadelle Madera Ranchos	8,971	6%
Oakhurst	3,424	2%
Yosemite Lakes	5,647	4%
County Remainder	46,747	30%
TOTAL	155,013	100%

Source: U.S. Census Bureau, 2014-2018 American Community Survey 5-Year Estimates

ASSESSING TRANSIT DEPENDENCY BY AGE

As stated in the beginning of this section, the TDA identifies elderly populations to be potentially transit dependent. For the purposes of this section’s analysis, individuals considered to be elderly are 65 years of age or older. According to the 2014-2018 ACS Five-Year Estimates, 20,797 individuals in Madera County are identified as elderly, accounting for approximately 13% of the County’s total population. With 6,546 individuals, the City of Madera has the highest population of elderly individuals in the County, followed by the City of Chowchilla, with an elderly population of 1,377.

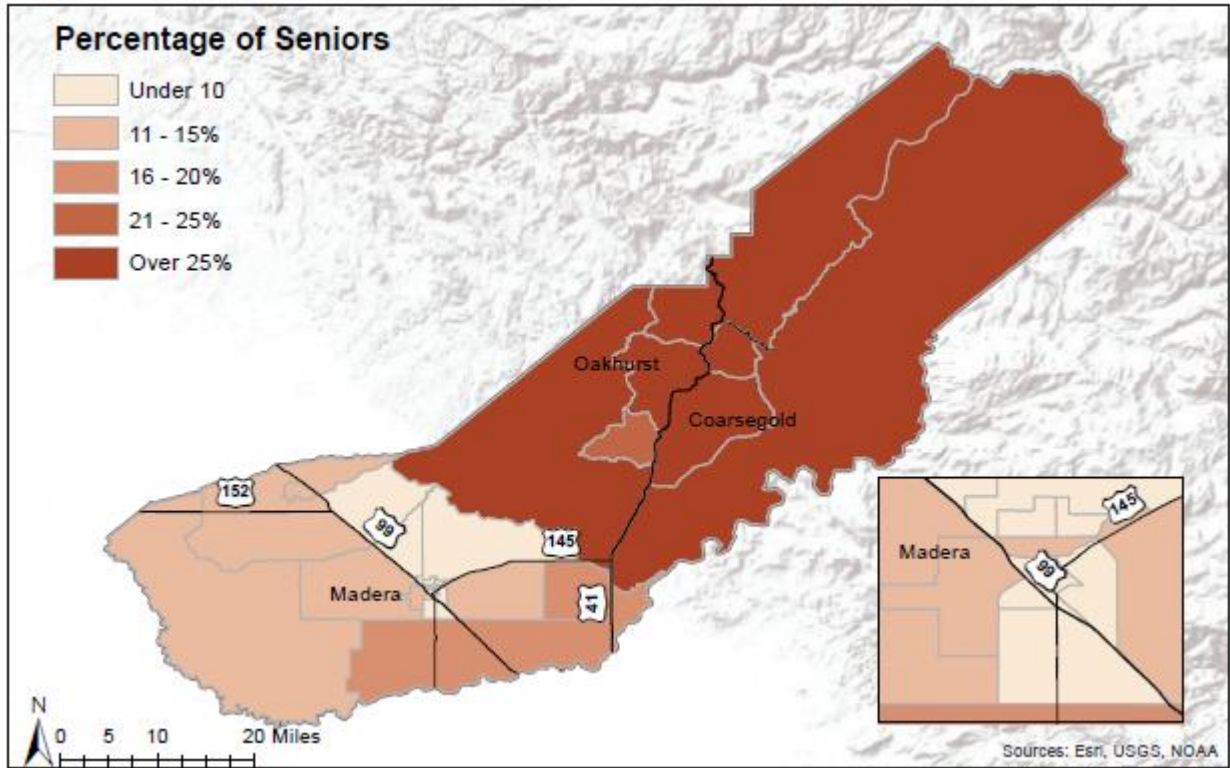
FIGURE 1: 2018 ESTIMATE OF POPULATION AGE 65+



Source: U.S. Census Bureau, 2014-2018 5-Year ACS (Table B01001)

Figure 2, below, shows the geographic concentrations of the over 65 populations by census tract. The darker colors reflect a higher percentage of elderly population, while lighter colors identify a lower percentage.

FIGURE 2: DISTRIBUTION OF POPULATIONS AGE 65 OR OLDER BY CENSUS TRACT



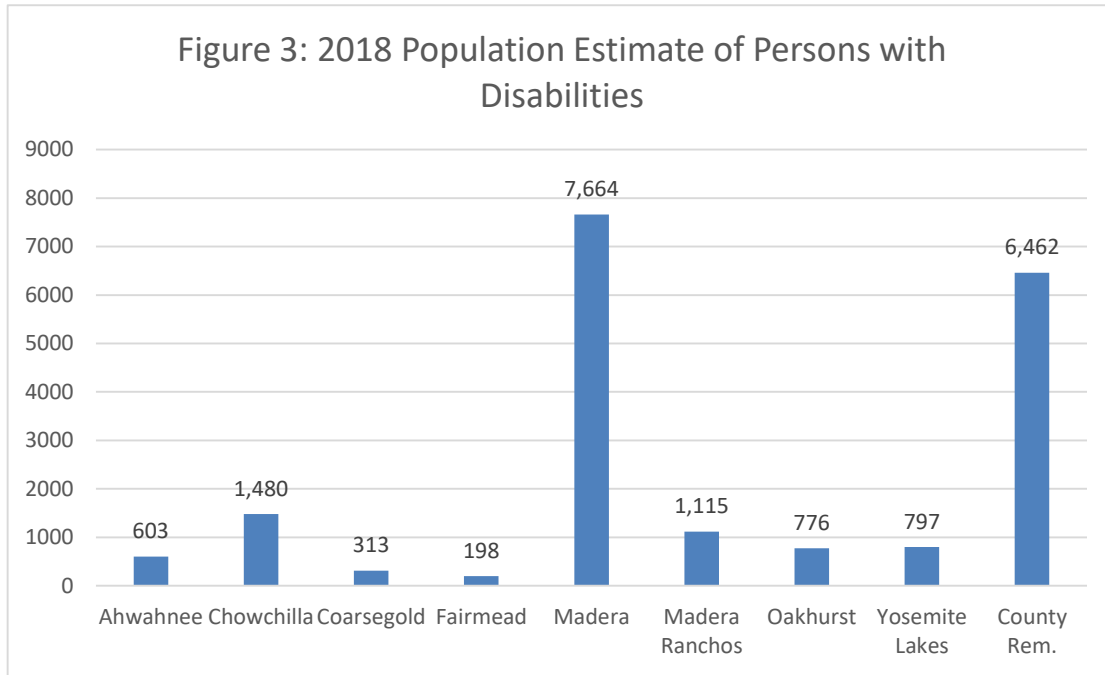
Source: U.S. Census Bureau, 2018 5-Year ACS (Table B01001)

As shown in Figure 2 above, based on overall population in each census tract, the most concentrated populations of people age 65 years or older are in the eastern part of Madera County.

ASSESSING TRANSIT DEPENDENCY BY DISABILITY

According to the U.S. Census Bureau, respondents who report anyone of having the following six disability types, are considered to have a disability: hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty, or independent living difficulty. In the 2014-2018 ACS 5-Year Estimates, it was determined that approximately 12% of the total civilian noninstitutionalized population within Madera had a disability. Figure 3, below, provides a population breakdown of persons with disabilities by jurisdiction in Madera County.

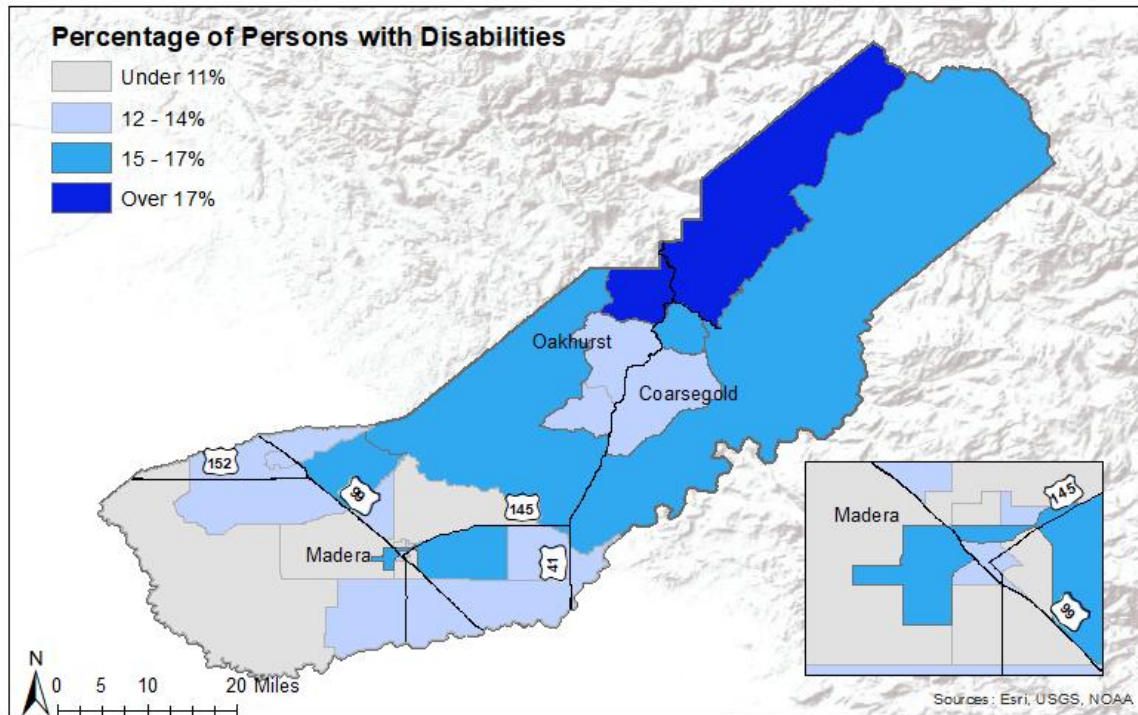
FIGURE 3: 2018 POPULATION ESTIMATE OF PERSONS WITH DISABILITIES



Source: U.S. Census Bureau, 2014-2018 5-Year ACS (Table S1810)

Using 2018 ACS data, Figure 4, on the following page, identifies the distribution of disabled populations over the age of 65 within Madera County by census tract. The lighter portions of the map designate a lower percentage of disabled people living in the census tract, while the darker portions of the map designate a higher percentage of disabled people living in the census tract.

FIGURE 4: POPULATION DISTRIBUTION OF PERSONS WITH DISABILITIES BY CENSUS TRACT

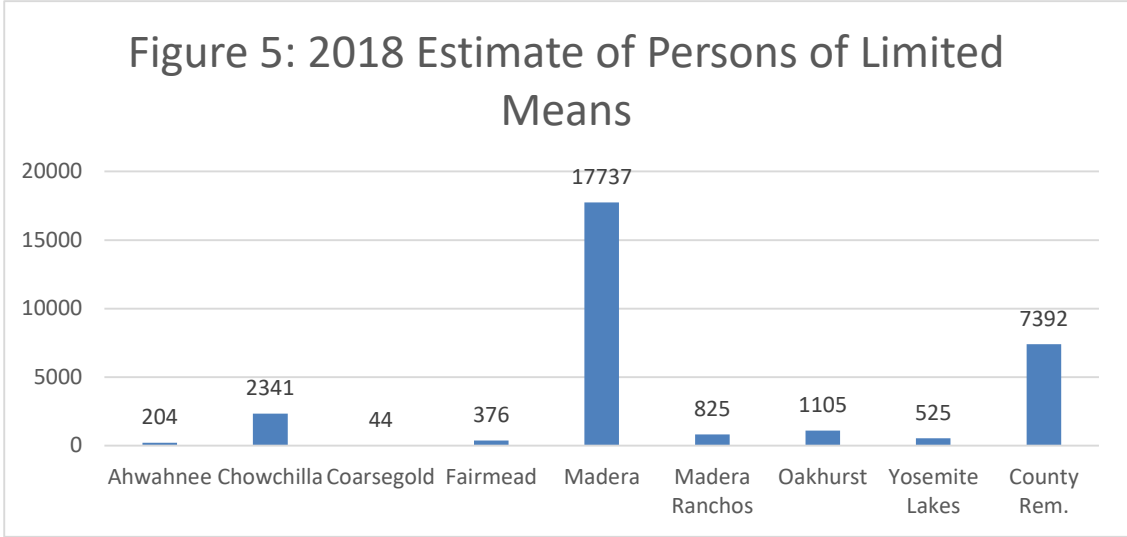


As illustrated in Figure 4 above, there are higher percentages of persons with a disability located near the City of Madera, City of Chowchilla, Fairmead, and a portion of Eastern Madera County with lower percentages in the western part of the county as well as a portion of Eastern Madera County.

ASSESSING TRANSIT DEPENDENCY BY INCOME (PERSONS OF LIMITED MEANS)

The 2018 ACS provides an estimated breakdown of individuals in Madera County whose income was determined to be 100% below the federal poverty level (FPL). The ACS data estimates that as of 2018, 20.8% (30,549) of Madera County’s population were identified as persons of limited means. Madera and Chowchilla are the cities that have the largest populations of persons of limited means, accounting for 58% and 8% respectively, of the County’s total population of this group. Figure 5, below, provides a further breakdown of the estimated population of persons of limited means living within Madera County.

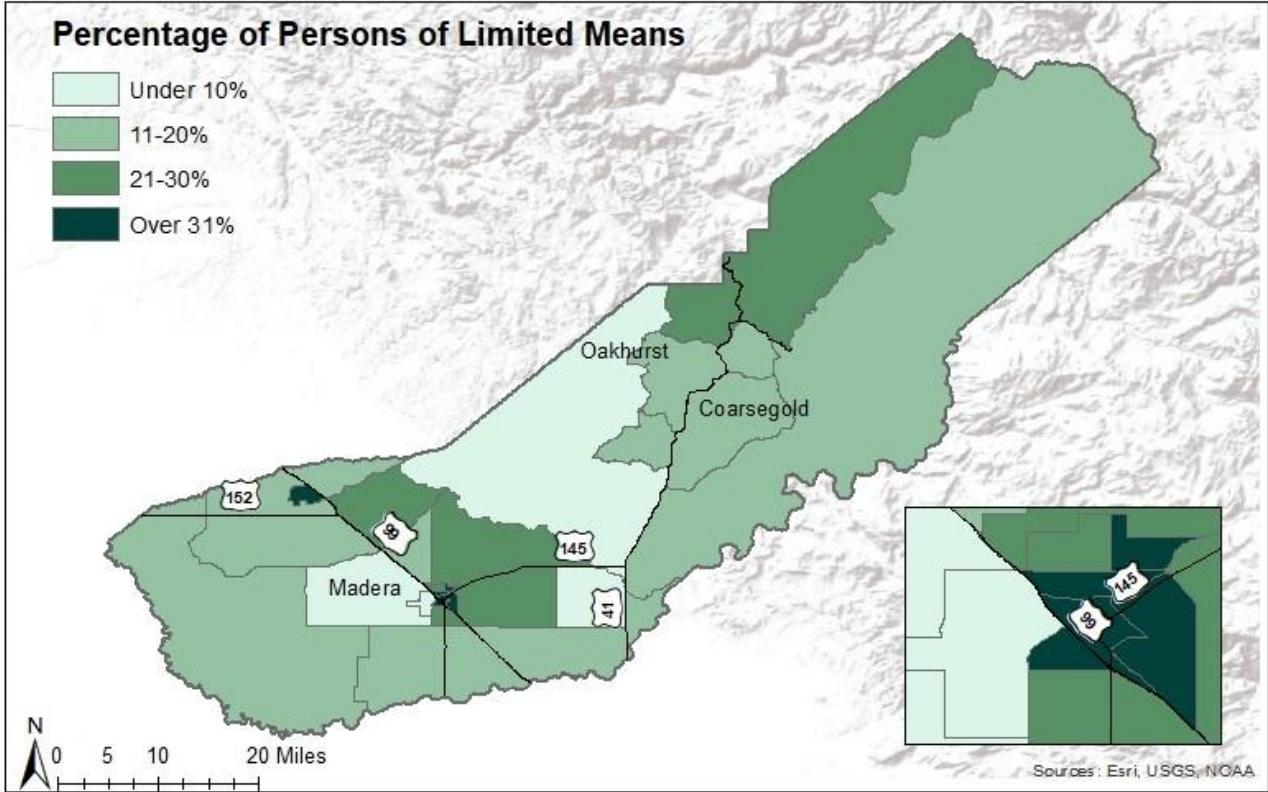
FIGURE 5: 2018 ESTIMATE OF PERSONS OF LIMITED MEANS



Source: U.S. Census Bureau, 2014-2018 5-Year ACS (Table S1701)

The following map shows the concentration of persons living below poverty level by census tract. Darker colors reflect a higher percentage of people living in poverty, while lighter colors reflect a lower percentage.

FIGURE 6: POPULATION DISTRIBUTION OF PERSONS OF LIMITED MEANS BY CENSUS TRACT



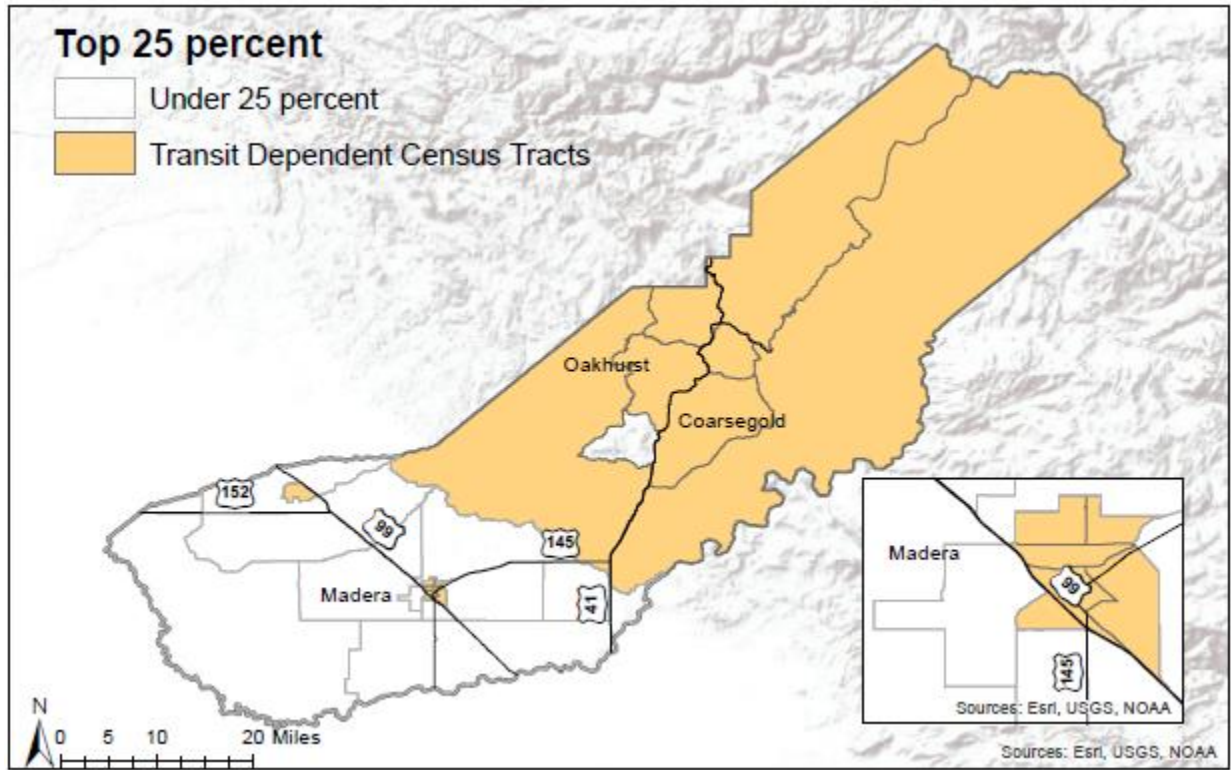
Source: U.S. Census Bureau, 2018 5-Year ACS (Table S1701)

As shown on the map above, the highest percentages of people living below the FPL are in the areas of Madera and Chowchilla. Public transit systems in these cities provide key transportation options to those who may not have an automobile due to their low income.

TRANSIT DEPENDENT CENSUS TRACTS

Figure 7 below identifies the census tracts that have a higher probability of having populations that are transit dependent. The census tracts with populations in the top 25 percent of each dataset (senior population, population of persons with a disability, and low-income population) were used to determine the areas that were more likely to have transit dependent populations.

FIGURE 7: DISTRIBUTION OF MOST TRANSIT DEPENDENT POPULATIONS BY CENSUS TRACT



The highest concentrations of potentially transit dependent persons are located within the urban areas of Madera and Chowchilla, and the rural Eastern Madera County.

MCTC will continue to update each year’s assessment to include all current and relevant data pertaining to the size and location of transit dependent groups within Madera County.

Transportation Services in Madera County

CITY OF MADERA

The City of Madera and its environs are served by a number of public and private transportation providers. The City operates the Madera Metro) fixed-route system and Dial-A-Ride, a general public demand-responsive system. Both services are operated under contract with MV Transit. The fixed-route system is operated weekdays from 7:00 a.m. to 6:30 p.m. and Saturdays from 9:00 a.m. to 4:00 p.m. Service operated primarily within the City limits, as shown in Figure 8. The system transports over 77,000 riders annually. Due to COVID-19, the 2019/2020 ridership statistics have decreased significantly beginning in March 2020. This is true for all systems in the Madera Region.

Dial-A-Ride is a general public system primarily serving the elderly and disabled. The service operated weekdays from 7:00 a.m. to 6:30 p.m., Saturdays from 9:00 a.m. to 4:00 p.m. and Sundays from 8:30 a.m. to 2:30 p.m. The system operates within the Madera urban area covering a five-mile radius from the downtown area, as depicted in Figure 9, and transports 12,000 riders annually. The County of Madera contracts with the City of Madera to provide this transit service outside the Madera city limits.

FIGURE 8: MAX SERVICE AREA MAP

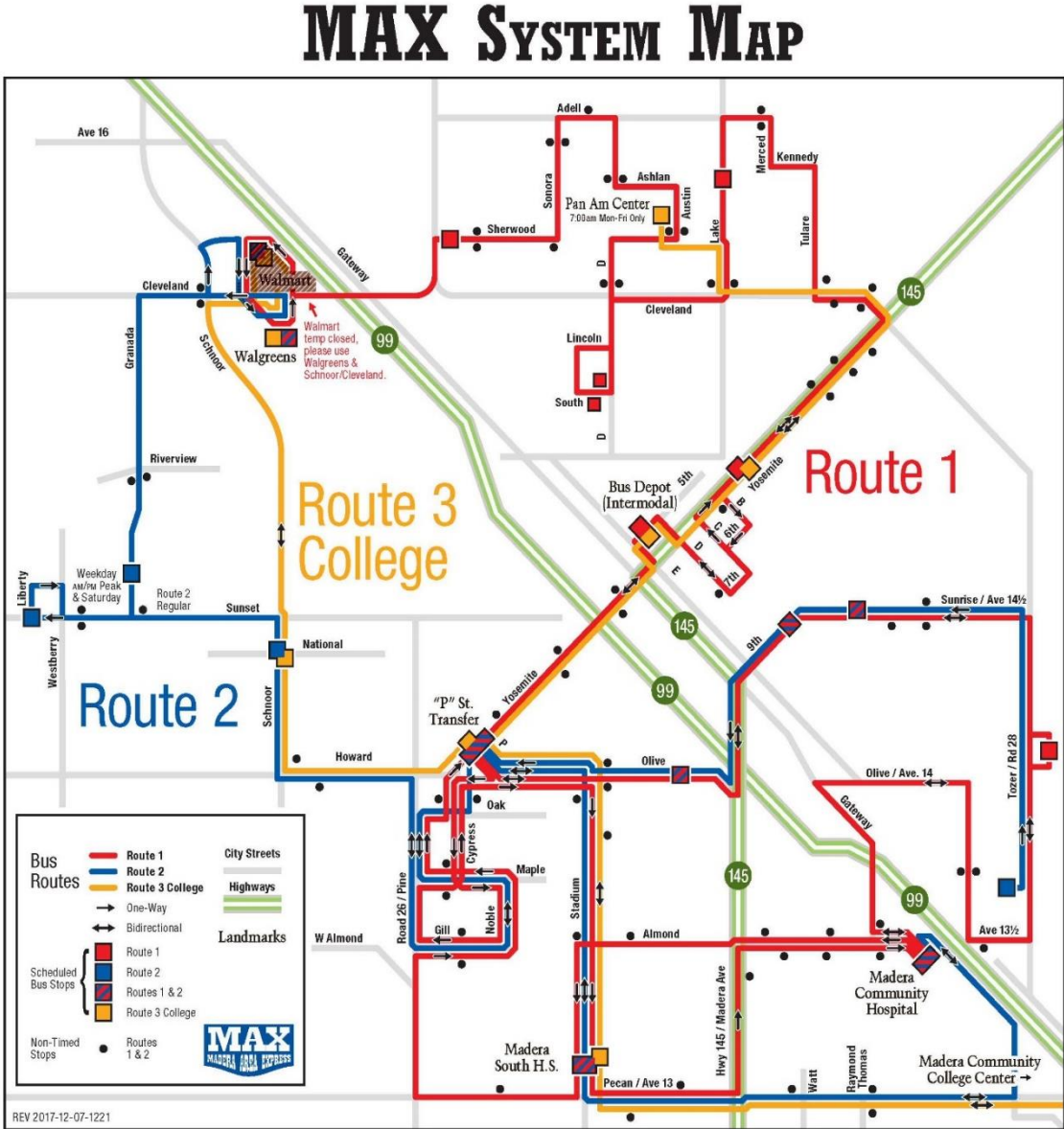
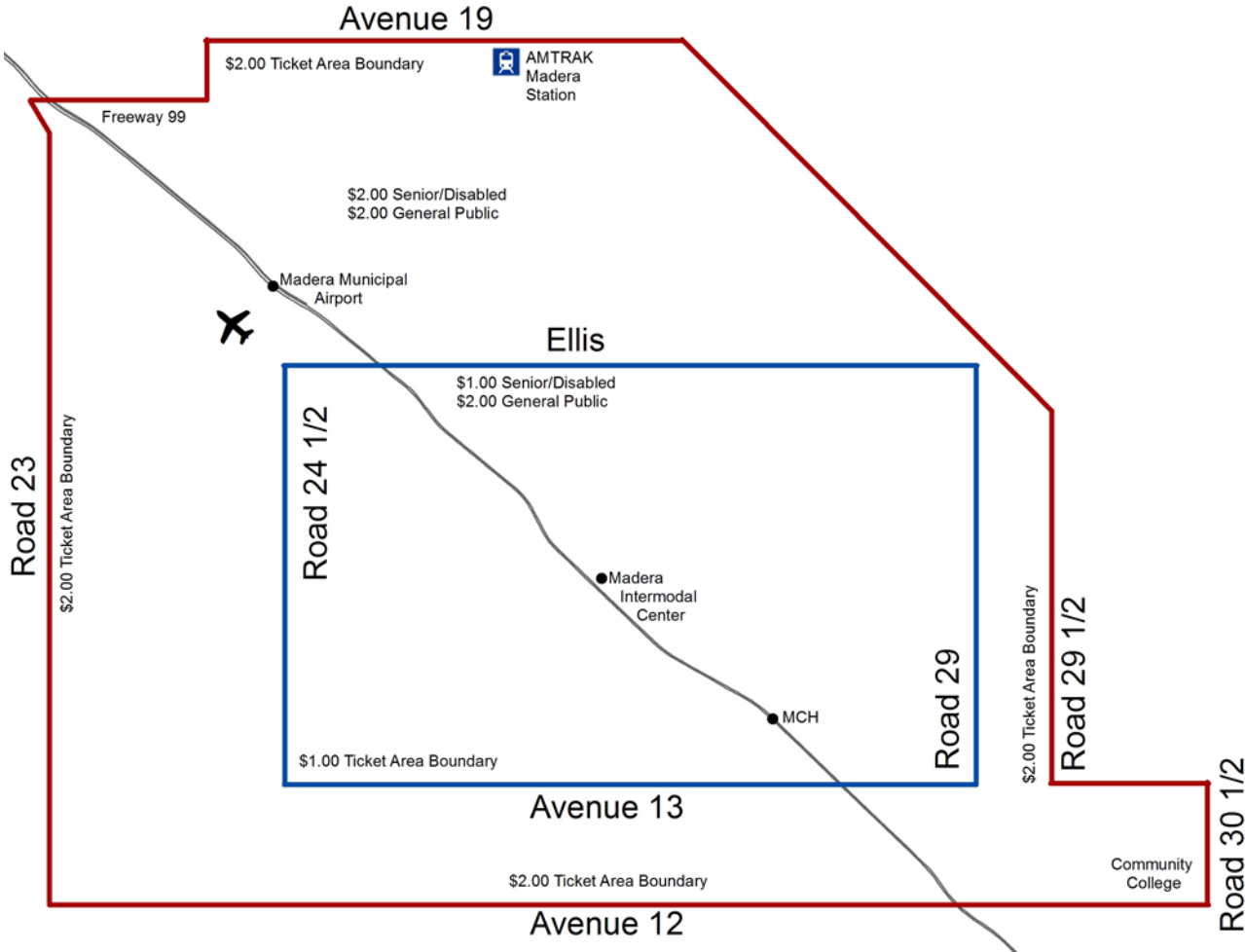


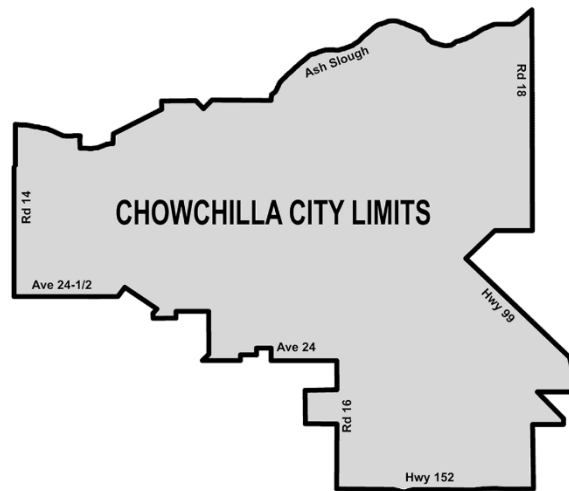
FIGURE 9: DAR SERVICE AREA MAP



CITY OF CHOWCHILLA

The City of Chowchilla operate Chowchilla Area Transit Express (CATX), a general public, demand-responsive service. CATX service was initiated in 1995 and incorporated the senior bus program. Service is offered weekdays from 7:30 a.m. to 5:00 p.m. As shown in Figure 10, the CATX service area encompasses the City limits of Chowchilla.

FIGURE 10: CATX SERVICE AREA MAP



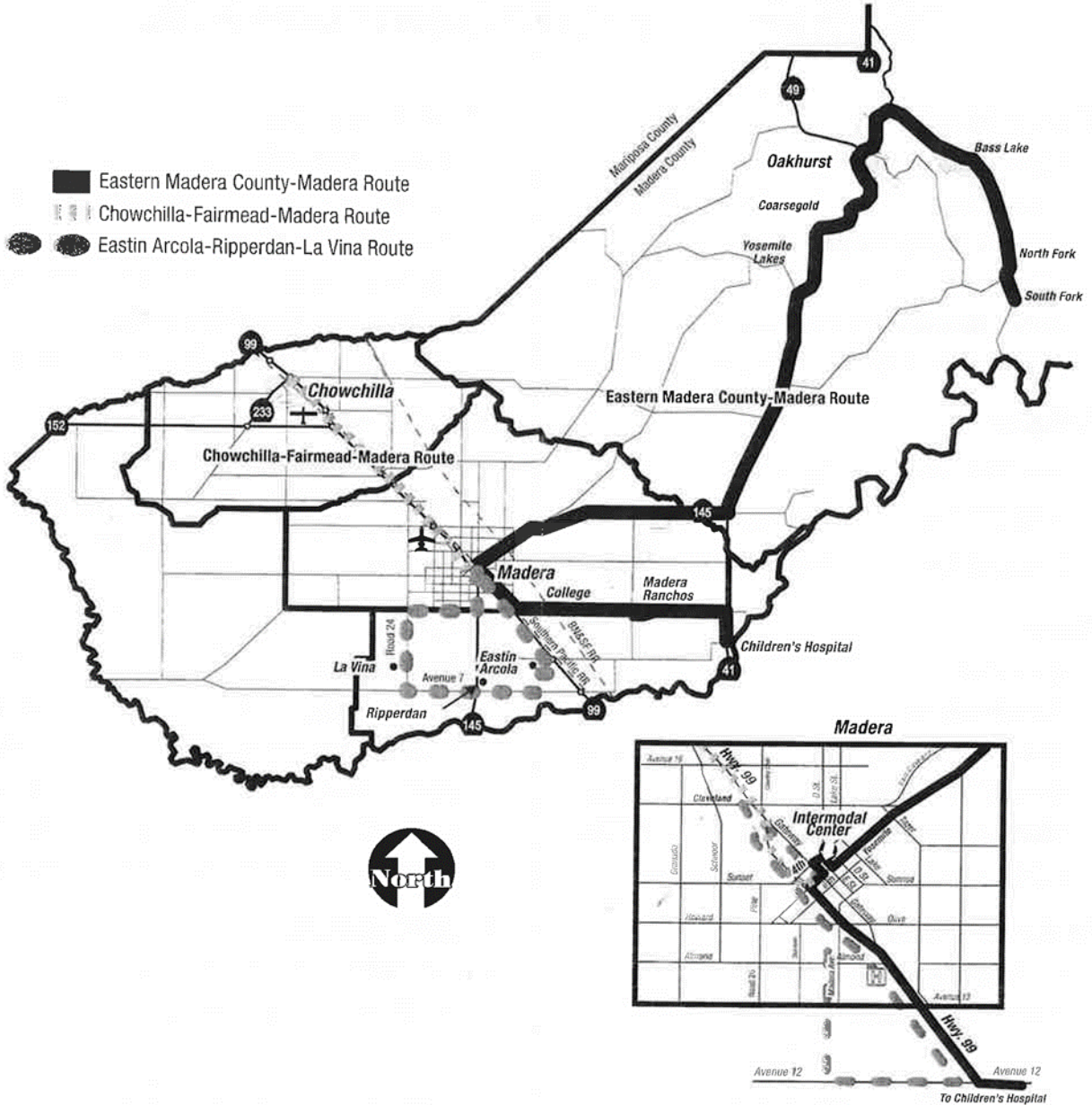
COUNTY OF MADERA

Madera County currently manages a general public, fixed-route system, a specialized senior transit service and a demand-response service, which is operated by Fresno Economic Opportunities Commission. The Madera County Connection (MCC) is an inter-city fixed-route bus service. The Eastern Madera County Senior Bus Program, an intra-community demand-response bus service, serves seniors and disabled residents and the Eastern Madera County Escort Program is an inter-city demand-response bus service.

As shown in Figure 11, MCC operates three fixed-routes. The Eastern Madera route serves the communities of North Fork, Oakhurst, and Coarsegold, extending to the Madera Ranchos and the Children’s Hospital of Central California via the City of Madera. The Chowchilla/Fairmead route provides service between the City of Madera, Fairmead, and the City of Chowchilla. The Eastin Arcola/Ripperdan/LaVina route provides service from the City of Madera to the communities of La Vina, Ripperdan, and Eastin Arcola every Wednesday and Friday. MCC operates weekdays from about 6:00 a.m. to 9:00 p.m. on the Eastern Madera County route and from 7:00 a.m. to 7:00 p.m. on the Chowchilla/Fairmead route. The Eastin Arcola/Ripperdan/La Vina route is schedule on Wednesday and Friday from 8:45 a.m. to 2:00 p.m. The County plans to initiate additional runs on this route beginning July 2020. One will be added in mid-morning departing the intermodal center at approximately 11:20am and one at 3:35pm.

FIGURE 11: MCC SERVICE AREA

MADERA COUNTY CONNECTION SYSTEM MAP

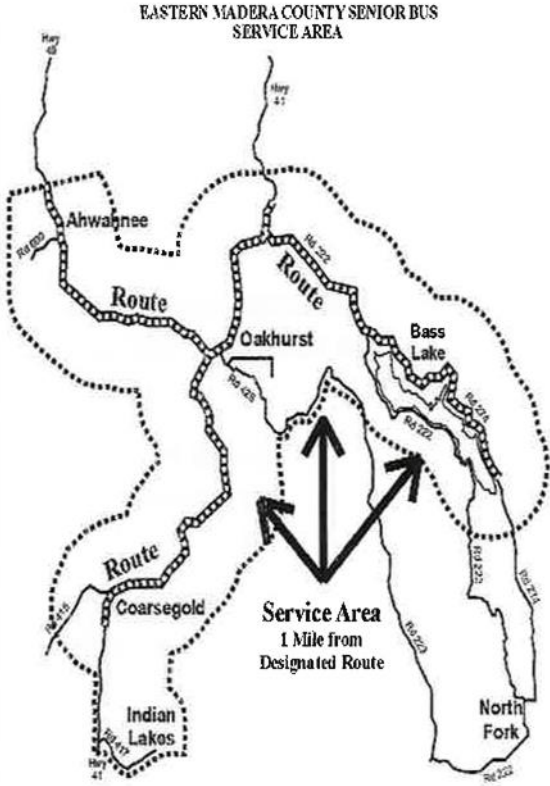


The Eastern Madera County Senior Bus has been in operation since 1983. It is a demand-response service operating Monday through Friday (except holidays) from 9:00 a.m. to 4:00 p.m. This program serves Eastern Madera County seniors 60 years and older and disabled residents. As shown in Figure 12, the service area encompasses a large

region, including Oakhurst, Bass Lake, Coarsegold, and Ahwahnee.

The Escort Program has been in operation since 1988 as a demand-response, general public transportation service. The system provides medical-related appointments in Madera and Fresno Counties. It serves Eastern Madera County general public residents with an emphasis on service senior residents 60 years and older and the disabled. Service is provided on Tuesdays and Thursdays from 8:30 a.m. to 4:30 p.m. A 24-hour advanced reservation is required, except for medical emergencies. Individuals requesting a ride are required to contact the Exchange to schedule their trip. The Escort Program serves the area covered by the Senior Bus, but also serves the community of North Fork and offers trips beyond the Eastern Madera County Region as far as the Cities of Madera, Fresno, and Clovis.

FIGURE 12: EASTERN MADERA COUNTY SENIOR BUS SERVICE AREA



Other Transportation Providers

CALVANS (CALIFORNIA VANPOOL AUTHORITY)

CalVans is a ridesharing program with safe, affordable vans that allow employees to drive themselves and others to work, while once agricultural farmworker vanpool program, the service has grown beyond the agricultural industry to include general labor and student vanpooling. CalVans is sponsored by the California Vanpool Authority and currently has vanpools originating in 22 counties in California including Madera, Fresno, Kings, Merced, San Joaquin, and Tulare.

YOSEMITE AREA REGIONAL TRANSPORTATION SYSTEM (YARTS)

YARTS provides public transit in the Yosemite region, with buses entering Yosemite Valley from Merced, Mammoth Lakes, Sonora, and Fresno – as well as many different towns along the way. YARTS began service in May 2000, and now provides an alternative to driving. YARTS is managed by the Merced County Association of Governments, and offers rides to all visitors to Yosemite.

MADERA COUNTY TRANSIT SERVICES STATISTICS

Table 2: Madera County Transit Service FY 2019-2020

TRANSIT SERVICE	PASSENGERS	REVENUE MILES	REVENUE HOURS
Fixed Routes	102,863	457,306	24,228
Para-Transit	14,758	97,454	7,713
totals	117,621	554,760	31,941

*These statistics only include the County of Madera services and the City of Madera services. The City of Chowchilla could not provide this information due to staffing issues.

AMERICANS WITH DISABILITIES ACT (ADA) REQUIREMENTS

The Americans with Disabilities Act (ADA) requires that all public transit buses be accessible to individuals with disabilities. Currently, all buses used by each transit agency in Madera County meet this requirement. The front of every bus has priority seating for seniors and disabled riders. All buses have lift mechanisms to assist riders in wheelchairs or with other mobility impairments to board.

In addition, the City of Madera provides complementary paratransit services to individuals with disabilities who cannot use fixed-route bus service. This service is demand-response and curb-to-curb service provided within approximately a five-mile radius of the City’s downtown Intermodal Center. All buses used for paratransit by the City of Madera are lift-equipped.

REDUCED FARES

Seniors, the disabled, and Medicare cardholders are eligible for half fare (\$0.50) Monday – Friday 10:00am-2:00pm and Saturday 9:00am-4:00pm. In addition, the following agencies have purchased bus tickets or passes from Madera Metro/DAR and distributed them (in some cases at no charge) to their clients or students. However, at this current time, due to the COVID-19 pandemic, these agencies are not purchasing passes.

- Madera Metro
- City of Madera Parks Departments

- Madera County Health Department
- Madera County Unified School District
- Camarena Health
- Central Valley Opportunity Center (CVOC)
- Crescent View South Charter School
- Madera Community Hospital
- Community Action Partners
- Madera Rehab
- Madera Community College

COORDINATED TRANSIT SERVICE PLAN

The Madera County Coordinated Public Transit Human Services Plan was updated and adopted by MCTC in July 2015 in response to requirements established by SAFETEA-LU and upheld by MAP-21. This document outlines existing public and private social service transportation systems within Madera County and offers strategies for improvement of transportation service through increased coordination and consolidation.

SOCIAL SERVICE TRANSPORTATION PROVIDERS

Various social service providers throughout Madera County offer specialized transportation service for their clients. These services tend to address the needs that public transit cannot reasonably meet, including evening service, non-emergency medical transport, and job training transport, to name a few. MCTC regularly inventories the various area transit providers to prevent duplication of services and thereby the waste of resources.

ADDITIONAL TRANSPORTATION SERVICES AND ASSISTANCE

• TRI-COUNTY MEDICAL TRANSPORT

Tri County Medical Transport operates out of Reedley CA, in Fresno County. The company works with many insurance companies. The services cover the following counties: Fresno, Tulare, Kings, Kern, Merced and Madera. They provide a non-emergency service for clients who require daily transportation to varying doctor's appointments as well as dialysis visits. Tri County carries a variety of vehicles which can range from wheelchair accessible vans and minivans to non-wheelchair accessible cars. The company started out with 5 vehicles in a 15,000-square foot facility, but is now operating with over 80 vehicles and an 86,000-square foot location. With over 100 current employees they have their own mechanic shop, call center, dispatch center, billing department.

• CENTRAL VALLEY REGIONAL CENTER

Central Valley Regional Center serves as an advocate for persons with developmental disabilities. It identifies specific client and family needs and establishes a person-centered plan and provides the most effective client services through utilization of community resources. It also assists the community in the prevention and early identification of developmental disabilities.

PRIVATE PROVIDERS

Several private carriers provide inter-city services, including Greyhound and Madera Cab Company. Greyhound operates seven days a week from the City of Madera’s Downtown Intermodal Center on North “E” Street. Madera Cab Company provides service in Madera County seven days a week, 24 hours a day. In addition to those private transit services listed above, other private medical transit services are available within the County.

PASSENGER RAIL/SUPPORT FACILITIES

Madera County is served by the Burlington Northern Santa Fe (BNSF) and the Union Pacific (UP) Railroads. Amtrak operate seven days a week with fifteen (15) daily stops in Madera along the BNSF Railroad alignment. The station is located on Avenue 15 ½ and Road 29. The nearest stop to the north is Merced and to the south, Fresno. Amtrak services are provided on the BNSF tracks located east of Madera. The *San Joaquin* Amtrak route provides passenger rail service to Oakland five times a day, Bakersfield six times a day, and Sacramento three times a day. Amtrak also provides thruway bus service from various rail stations along the San Joaquin route to cities that are not accessible by rail, such as Los Angeles, San Francisco and San Jose.

ADEQUACY OF EXISTING SERVICE

Transportation is available in most areas of Madera County, including the remote unincorporated community of Raymond. Service is provided not only within each urbanized area, but also between urbanized areas. Passengers can easily get from most areas of the County to any other area using public transit. They can also travel into the neighboring counties of Merced by passenger rail and Fresno by bus service. Service is also available for those who are unable to ride traditional fixed-route transit.

Although adequate transit service is available for the residents of Madera County, there is always room for improvement. Service may not be available at all times or on all days. Travel between some areas may require the use of several different services. MCTC meets with the SSTAC on a quarterly basis to evaluate the adequacy of the region’s current transit operations and further identify any unmet transit needs that may or may not be reasonable to meet. The region’s public transit operators and social services agencies continue to cooperatively adjust their services to feasibly meet any identified unmet transit need throughout the year.

FARMWORKER VANPOOL ANALYSIS

CalVans is a ridesharing program with safe, affordable vans that allow employees to drive themselves and others to work, while once agricultural farmworker vanpool program, the service has grown beyond the agricultural industry to include general labor and student vanpooling. CalVans is sponsored by the California Vanpool Authority and currently serves the Counties of Madera, Fresno, Imperial, Kern, Kings, Merced, Monterey, Riverside, Santa Barbara, San Joaquin, Tulare, and Ventura, Santa Cruz, San Benito, San Bernardino, Stanislaus, and San Luis Obispo. Currently, there is one van that operates in the County of Madera.

MCTC has not received any request from an interested party identifying a direct need for vans or equipment needed for a farmworker vanpool program. As part of the unmet transit needs assessment process, no further analysis is required. However, MCTC will continue to coordinate with CalVans, and social service providers to identify if any future needs in this area are present, and determine feasible means to address those needs.

Unmet Transit Needs Assessment

During this year's unmet transit needs assessment, staff received a total of 13 public comments regarding potential unmet transit needs and service improvement requests in the region. Due to COVID-19, MCTC did not receive the same amount of comments that have been received in the past. Based on the Madera County Transportation Commission's adopted definitions of "unmet transit need" and "reasonable to meet", **unmet transit needs, including those that are not reasonable to meet**, were identified.

PUBLIC OUTREACH

Pursuant to TDA regulations, MCTC is required to conduct at least one public hearing to receive potential unmet transit needs from the public. MCTC planned for the required public hearing and an additional workshop however, due to COVID-19, MCTC was only able to host the public hearing via GoToWebinar. MCTC also emphasized the importance of submitting comments via email, phone, or snail mail.

Below is a list of places where the public workshops and hearing were publicized:

- Notice of the public hearing was circulated in the Madera Tribune on April 18, 2020 (Figure 13, below).
- Notice and information regarding the hearing was posted on maderactc.org and MCTC's Facebook page
- Information, schedules and fliers regarding the hearings were included in the meeting agendas for the Technical Advisory Committee, Social Services Transportation Advisory Council and the Madera County Transportation Commission's Policy Board in April 2020. The flier (in English and Spanish) contained information about the hearing dates, background information regarding the purpose of the hearings and unmet transit needs, and how residents could personally participate in the unmet transit needs process. See Figure 15.
- Information regarding the hearing were either mailed or emailed to a list of interested individuals and organizations (Figure 16 below).

A Spanish language interpreter was available at the virtual hearing.

FIGURE 13: PROOF OF PUBLICATION

Proof of Publication

(2015.5 C.C.P.) Received

APR 29 2020

PUBLIC NOTICE

Madera CTC

MADERA COUNTY TRANSPORTATION COMMISSION

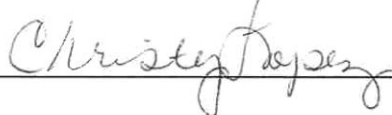
REF. NO. 3197

STATE OF CALIFORNIA)
)
County of Madera) ss.

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Madera Tribune, a newspaper of general circulation, published in the City of Madera, County of Madera, and which newspaper has been adjudged a newspaper of General circulation by the Superior Court of the County of Madera, State of California, under the date of November 9, 1966, Case Number 4875 that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

APRIL 18, 2020

I certify or declare under penalty of perjury that the foregoing is true and correct.



DATED: APRIL 18, 2020

Proof of Publication- The Madera Tribune | P.O. BOX 269 |
Adjudged a newspaper of general circulation by court decree
The Madera Tribune

PUBLIC NOTICE MADERA COUNTY TRANSPORTATION COMMISSION GIVING NOTICE OF HEARING

The Madera County Transportation Commission (MCTC) will hold a Public Hearing to take testimony regarding transportation needs within Madera County. The hearing will be held on Wednesday, May 20, 2020 at 3:00 p.m., via GoToWebinar. Due to these unprecedented times, this meeting will only be held virtually. To participate in the live hearing, you must follow the link below and register to attend:

<https://attendee.gotowebinar.com/register/6341727289049792267>

After registration, you will receive important information about how to call-in to the Webinar.

MCTC Staff *strongly* encourages you to submit your comment utilizing other strategies such as our online survey, email, snail mail, or by phone. Each comment received will be read to the Board directly to make sure your voice is heard. One of the aforementioned ways to submit a comment will be the best and most effective, given the current circumstances.

A Spanish language interpreter will be available during the public hearing for those who wish to testify before the Commission in Spanish. If you would like to testify in a language other than Spanish and English or require other special accommodations in order to testify, please contact the Commission by May 13, 2020, by 3:00 pm.

Under the California Transportation Development Act (TDA), this hearing opportunity is provided annually to take testimony on potential unmet transit needs within the region. The Commission must, subsequent to the hearing, make a determination whether the needs presented are "reasonable" to meet. After all "reasonable" needs have been met through the expansion of existing services, or the creation of new transit systems, the Commission may release remaining TDA funds for street and road purposes (repair, reconstruction, etc.).

Members of the public, interested agencies, and civic groups are encouraged to provide your comment to MCTC Staff regarding any transportation needs not being met by the current system. Testimony should be as specific as possible with regard to those citizens, or groups of citizens, not currently served by transit, the requested type and amount of transit service, the geographic area in which service is needed, and any other supporting evidence of information, which will help in the evaluation of the "reasonableness" of the requested service.

Those that are unable to participate in the hearing via GoToWebinar are encouraged to submit their comments in writing prior to May 20, 2020 for inclusion in the public record. You may email publiccomment@maderactc.org, call 559-675-0721, send your comment to 2001 Howard Road, Suite 201, Madera, CA 93637 or take the survey at the below link:

<https://forms.gle/MYfz3TZ17Zn1Lsh19>

NOTIFICACIÓN PÚBLICA DE LA COMISIÓN DE TRANSPORTE DEL CONDADO DE MADERA DA AVISO DE AUDIENCIA PÚBLICA

La Comisión de Transporte del Condado de Madera (MCTC, por sus siglas en inglés) llevará a cabo una Audiencia Pública para tomar testimonio en cuanto a las necesidades de transporte dentro del Condado de Madera. La audiencia tomará lugar el miércoles, 20 de mayo, 2020 a las 3:00 p.m., a través de un seminario web, GoToWebinar. Debido a estos tiempos sin precedentes, esta reunión solo se llevará a cabo virtualmente. Para participar en la audiencia en vivo, debe seguir el siguiente enlace y registrarse para asistir:

<https://attendee.gotowebinar.com/register/6341727289049792267>

Después del registro, recibirá información importante sobre cómo llamar al seminario web.

El personal de MCTC le *recomienda encarecidamente* que envíe su comentario utilizando otras estrategias, como nuestra encuesta en línea, correo electrónico, correo postal o por teléfono. Cada comentario recibido se leerá directamente a la Junta para asegurarse de que se escuche su voz. Una de las formas antes mencionadas de enviar un comentario será la mejor y más efectiva, dadas las circunstancias actuales.

Un intérprete de español estará disponible durante la audiencia pública para aquellos que desean testificar ante la Comisión en español. Si desea testificar en un idioma que no sea español o inglés o necesita otras adaptaciones especiales para testificar, comuníquese con la Comisión antes del 13 de mayo de 2020, antes de las 3:00 p.m.

Bajo el Acta del Desarrollo de Transportación de California (TDA, por sus siglas en inglés), esta oportunidad de audiencia se proporciona anualmente para tomar testimonio sobre las posibles necesidades no cumplidas dentro de la región. La Comisión tiene que, posteriormente de la audiencia, hacer una determinación de si las necesidades presentadas son "razonables" como para cumplirlas. Después que todas las necesidades "razonables" han sido cumplidas por medio de la ampliación de servicios ya existentes, o por la creación de nuevos sistemas de tránsito, La Comisión podrá soltar fondos restantes del TDA para propósitos de calles y caminos (reparación, reconstrucción, etc.).

A los miembros del público, agencias interesadas, y grupos cívicos se les anima a comparecer y dar testimonio sobre cualquier necesidad de transporte que no se esté cumpliendo por el sistema actual. El testimonio ha de ser tan específico como sea posible en lo que toca a aquellos ciudadanos, o grupos de ciudadanos, que actualmente no sean servidos por el tránsito, el tipo y cantidad de servicio de tránsito que se esté pidiendo, el área geográfica en el cual se necesite el servicio, y cualquier otra evidencia de datos en apoyo, que ayudarán en la evaluación de lo "razonable" del servicio pedido.

Se anima a aquellos que no pueden participar en la audiencia a través del GoToWebinar a enviar sus comentarios por escrito antes del 20 de mayo de 2020 para su inclusión en el registro público. Puede enviar un correo electrónico a publiccomment@maderactc.org, llamar al 559-675-0721, enviar su comentario a 2001 Howard Road, Suite 201, Madera, CA 93637 o completar la encuesta en el siguiente enlace:

<https://forms.gle/MYfz3TZ17Zn1Lsh19>

programar una comparecencia para ayudar a organizar el testimonio. A aquellos que no podrán asistir a la audiencia pública se les anima someter sus comentarios por escrito antes del 22 de abril, 2020 para ser incluidos en el registro público.

No. 3197 - April 18, 2020

FIGURE 15: UNMET TRANSIT NEEDS HEARINGS FLIER 2020 – ENGLISH AND SPANISH



MADERA CTC
Madera County Transportation Commission

IN PARTNERSHIP WITH THE FOLLOWING PUBLIC TRANSIT AGENCIES:

MADERA METRO
MADERA COUNTY CONNECTION
CHOWCHILLA AREA TRANSIT EXPRESS

Do you or someone you know have a public transit need that is not being met?

2020 UNMET TRANSIT NEEDS ASSESSMENT PUBLIC COMMENT PROCESS

The Madera County Transportation Commission's Social Services Transportation Advisory Council would like to hear from you! If you would like to provide comments on public transit needs in Madera County, please submit your written comments.

Unmet Transit Needs Public Hearing

Wednesday, May 20, 2020 - 3:00 pm
GoToWebinar
Registration Link:
<https://attendee.gotowebinar.com/register/6341727289049792267>

If you wish to call in to this webinar, you will be in **listen only** mode unless you register and join the actual online webinar.


Teleconference #:
1 877 309 2074

Access Code: 597-237-197

MCTC **strongly** encourages you to submit your public comments via survey, email, snail mail, or by phone. Each individual comment will be read to the MCTC Board to ensure your voice is heard. Given the current circumstances, one of the aforementioned ways to submit your comments will be the **easiest** and **most effective**.

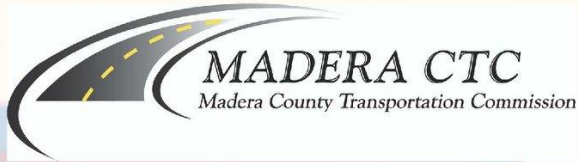
Attendance is not mandatory for participation. If you are unable to attend the GoToWebinar hearing, please send your written comments to MCTC's address: 2001 Howard Road, Suite 201, Madera, CA 93637
Or email them to: amelia@maderactc.org
Or by telephone: (559) 675-0721 ext. 18

SCAN



CONSIDER TAKING OUR SURVEY!

HERE



EN ASOCIACIÓN CON LAS SIGUIENTES
AGENCIAS DE TRANSPORTE PÚBLICO:

MADERA METRO
MADERA COUNTY CONNECTION
CHOWCHILLA AREA TRANSIT EXPRESS

*¿Usted o alguien que conoce tiene una necesidad de
transporte público que no se está cumpliendo?*

2020 NECESIDADES DE TRANSPORTE PÚBLICO NO SATISFECHAS- PROCESO DE COMENTARIO PÚBLICO

¡El Consejo Asesor de Transporte de Servicios Sociales de la Comisión de Transporte del Condado de Madera desea escucharlo a usted! Si desea hacer comentarios sobre las necesidades de transporte público en el Condado de Madera, asista a una de las reuniones públicas o envíe comentarios por escrito.

Audiencia Pública para las necesidades de transporte público no satisfechas

**Miércoles, Mayo 20, 2020 -
3:00 pm**

A través de un seminario web, registre:
[https://attendee.gotowebinar.com
/register/6341727289049792267](https://attendee.gotowebinar.com/register/6341727289049792267)

Si desea llamar a este seminario web, estará en modo de solo escuchar a menos que se registre y se una al seminario web en línea.

Teleconferencia #:
1 877 309 2074

Código de acceso: 597-237-197

MCTC le **recomienda encarecidamente** que envíe sus comentarios públicos por encuesta, correo electrónico, correo postal o por teléfono. Cada comentario individual se leerá a la Junta de MCTC para garantizar que se escuche su voz. Dadas las circunstancias actuales, una de las formas antes mencionadas de enviar sus comentarios será la más **fácil y efectiva**.

Presentarse en persona no es obligatorio para participar. Si no puede asistir a la audiencia pública via GoToWebinar, envíe sus comentarios por escrito a la dirección de MCTC:
2001 Howard Road, Suite 201,
Madera, CA 93637
O envíelos por correo electrónico a:
amelia@maderactc.org
O por teléfono al:
(559) 675-0721 ext. 18

**¡CONSIDERE
TOMAR NUESTRA
ENCUESTA!**

ESCANEE



AQUÍ

FIGURE 16: LIST OF INTERESTED INDIVIDUALS AND ORGANIZATIONS

AGENCY	ADDRESS
City of Chowchilla	145 Robertson Boulevard, Chowchilla, CA 93610
MV Transit – Dial-A-Ride	123 North E Street #102, Madera, CA 93638
Madera County Health Department	14215 Road 28, Madera, CA 93637
City of Madera	205 West 4 th Street, Madera, CA 93637
Department of Social Services	P.O. Box 569, Madera, CA 93639
Community Action Partnership of Madera County	1225 Gill Avenue, Madera, CA 93637
Heartland Opportunity Center	323 North E Street, Madera, CA 93638
Center for Independent Living	1225 Gill Avenue, Madera, CA 93637
Madera Parks and Community Services	1030 South Gateway Drive, Madera, CA 93637
Madera County Health Department – Comprehensive Prenatal Outreach	14215 Road 28, Madera, CA 93638
Moy and Associates	6082 Millerton Road, Friant, CA 93626
Camarena Health Centers, INC.	201 South B Street, Madera, CA 93638
Madera Coalition for Community Justice	P.O. Box 817, Madera, CA 93639
Fresno-Madera Area Agency on Aging	3845 North Clark Street #103, Fresno, CA 93726
Community Integrated Work Program	980 Emily Way, Madera, CA 93637
Kings View	P.O. Box 1288, Madera, CA 93639
Madera County Welfare Dept – Child Protective Services	P.O. Box 569, Madera, CA 93639
Picayune Rancheria of the Chukchansi Indians	46575 Road 417, Coarsegold, CA 93614
Madera Community Hospital	1250 East Almond Avenue, Madera, CA 93638
Madera County Social Services Department	629 East Yosemite Avenue, Madera, CA 93637
Oakhurst Sierra Senior Care	P.O. Box 122, Oakhurst, CA 93644
Oakhurst Area Chamber of Commerce	40343 Highway 41, Oakhurst, CA 93644
Madera County Mental Health Department	P.O. Box 1288, Madera, CA 93637
Madera Community College Center	30277 Avenue 12, Madera, CA 93638
Heartland Opportunity Center	323 North E Street, Madera, CA 93638
Oakhurst Counseling Center	49774 Road 426, Suite D, Oakhurst, CA 93644
Oakhurst Center	P.O. Box 1910, Oakhurst, CA 93644
Table Mountain Rancheria	P.O. Box 410, Friant, CA 93626
North Fork Rancheria	P.O. Box 929, North Fork, CA 93643
Sierra Mono Indian Museum	33103 Road 228, North Fork, CA 93643
American Association of Retired Persons	2713 Monocott Drive, Madera, CA 93637
Pacific Family Health Madera Dialysis	266 North Grove Industrial Drive, Fresno, CA 93727
Bass Lake Chamber of Commerce	P.O. Box 126, Bass Lake, CA 93604
Frank A. Bergon Senior Center	238 South D Street, Madera, CA 93637
Madera Adult Day Care & Respite Center	322 West 6 th Street, Madera, CA 93637
Golden Valley Chamber of Commerce	37167 Avenue 12, Suit 2C, Madera, CA 93638
Madera County Council on Aging	1030 South Gateway Drive, Madera, CA 93637
North Fork Chamber of Commerce	P.O. Box 426, North Fork, CA 93643
Chowchilla District Chamber of Commerce	P.O. Box 638, Chowchilla, CA 93610
Ranchos/Hills Senior Center	37330 Berkshire Drive, Madera, CA 93638
Madera Coalition for Community Justice	117 South Lake Street, Madera, CA 93638
Madera Chamber of Commerce	120 North E Street, Madera, CA 93638
Ranchos Hills Seniors	37300 Berkshire Drive, Madera, CA 93638
Rolling Hills Citizens Association	10293 Rolling Hills Drive, Madera, CA 93638
Coarsegold Chamber of Commerce	P.O. Box 815, Coarsegold, CA 93614
Madera Hispanic Chamber of Commerce	11110 El Capitan Drive, Madera, CA 93638
Leadership Counsel for Justice and Accountability	764 P Street, Suite 012, Fresno, CA 93721
INDIVIDUALS	
Mike Fuller	Modesta Avila
Loretta Castro	Jeannie Turpenen
Gloria T Medina	Sal Lopez
Barry Crow	Jon Basila
Cynthia Ortegon	Jose Munera
Ray Luna	Thomas N Swire
Cathie Bustos	Nancy Fitzgerald
Gwendolyn Palmer	Sandra Martin
Daniel Rivera	Linda Clark
Dennis Holschlag	Doris Harley
Russell Shaw	Marti Marx

ANALYSIS OF THE COMMENTS RECEIVED AT THE PUBLIC HEARINGS

The following tables provide a summary of the public comments that were received. Seven of the public comments were considered by the SSTAC to be a potential unmet need. The SSTAC applied the MCTC Policy Board adopted definition of “unmet transit need” and “reasonable to meet” to those seven comments and determined that for Fiscal Year 2020-2021 there are no **unmet transit needs, including transit needs that are reasonable to meet**. MCTC staff concur with the SSTAC’s finding. See Table 4.

Table 4: SSTAC Analysis of Potential Unmet Transit Needs FY 2020 – 2021

Analysis of Comments Received During the FY 20/21 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
1	Madera County	MCC/Chowchilla-Fairmead	The schedule must be updated to include more frequent routes, both Northbound to Chowchilla and Southbound to Madera	Yes	This comment is not "reasonable to meet" based on the current definition. The demand for this service is not high.	The County will continue monitoring ridership and will be conducting an assessment of their routes.
			The Chowchilla-Fairmead-Madera schedule must be extended to the weekends to afford transit users improved access to this essential route	Yes	This comment is not "reasonable to meet" based on the current definition. The demand for this service is not high.	County transit staff went to Fairmead and talked to the President of Fairmead community group. The survey for location of shelter was halted due to COVID-19. Leadership Counsel was also going to assist with this. Demand is not overwhelming on this route. This unmet need will be followed up based on level of demand.
			A second stop must be added on the Northern side of Fairmead around the vicinity of Avenue 23 to ensure that this curcial transit service is accessible to residents throughout the entire community. Provided that the only existing stop in Fairmead is located at Galilee Missionary Baptist Church on Avenue 22 1/2 near Fairmead Blvd, riders who live on the other side of the community are not able to easily access the route.	Yes	This comment not reasonable to meet at this point in time but it is being worked on.	Ellen Moy and County staff has been working with the Leadership Counsel on opening such a stop and will continue to do so once COVID-19 allows.
2	Madera County	Eastin Arcola-Ripperdan-La Vina	Increased frequency of routes for Eastin Arcola-Ripperdan-La Vina Transit	Yes	This comment is not currently reasonable to meet.	The County plans to initiate additional runs to this current service on a pilot basis beginning July 2020. One will be added in mid-morning departing the Downtown Intermodal Center at approximately 11:20am and one at 3:35pm. The County will closely monitor these runs and overall demand for cost effectiveness and for any warranted expansion.
			Improvements to the MAX and "Dial-a-Ride" Systems in the City of Madera aimed at creating more equitable and user-friendly transit services: Re-opening of the Walmart stop;	Yes	This comment is not reasonable to meet at this point in time.	This comment is currently being further studied by City of Madera staff.
			Installation of trash cans on MAX buses	No	N/A	There is no eating or drinking on the bus and trash cans are available at bus stops. However, there is a trash can in front of the bus but no where to secure on at the back so that would not be feasible. The trash cans get emptied with driver change or end of day.

3	City of Madera	Thirty-minute incremented bus service on all MAX routes;	Yes	Not reasonable to meet because it is not cost effective.	City staff is already looking at re-routing for the timing. For Route 2, they currently do not have the ridership to support the current route so it would be difficult to meet farebox recovery ratio and does not justify a change to 30-minute headways. Currently an assessment on routes is being performed. MV transit is doing preliminary re-routing assessment to improve efficiency/change the route. There will be an update this summer on this assessment by MV transit.
		Improvements to the "Dial-a-Ride" Dispatch system	No	N/A	Dispatch is trained once a month. Riders can schedule as much as 7 days in advance and should be scheduled at least 24 hours in advance. Otherwise it is first come/first served. DAR user guidelines will be online and will be on the bus as handouts.
		Extended MAX service operation on weekends;	Yes	Not reasonable to meet because it is not cost effective.	The city has been trying for two years to get the Caltrans planning grant to do a thorough assessment of routes to get data and to make determination on whether extending service for the weekend is feasible. Ridership is currently low on Route 2 and it is not cost-effective. Even DAR Sunday service is low (possible due to COVID-19).
		Equip bus stops and buses with route-related signage	No	N/A	The City is about to launch the new signage for bus stops. This is upcoming.
4	All	Apply for grant funding to secure free rides for students	No	N/A	CARES Act is currently providing very generous funding. City of Madera is currently offering free rides as part of the CARES Act funding and we don't want to overlook that. Ridership is dropping for the last 5 years, even before COVID-19. So many transit agencies are struggling to get ridership back. Whether or not free rides will be sustainable after CARES Act funding is another factor. MCTC is not solely responsible for applying for funding but we do coordinate with each agency.
		Pursuit of regional funding for an electric rural rideshare program	No	N/A	Comment from Ellen Moy: Calvans is a very respectable agency for farm workers and general public. County recommends that MCTC contact Calvans to inquire what kind of vehicles, if electric, for rideshare purposes and maybe to beef up the already existing service. Inquire about Fresno's program.
		Mandated discrimination prevention and accessibility training for all Madera County Transit Staff	No	N/A	There is mandatory Title VI training upon hire at MV Transit. County transit has in service meetings for all drivers. During these meetings they normally have presenters with disability challenges to help drivers understand their challenges when using transit so drivers can better help understand their needs when transporting them.

Analysis of Comments Received During the FY 20/21 Unmet Transit Needs Process						
Comentario #	Agencia encargada	Servicio de transporte público/Jurisdicción	Comentarios del público	¿Es una Necesidad Insatisfecha ?	Si se identifica como un "Necesidad Insatisfecha", ¿Es Razonable para Cumplir ?	Notas
1	Condado de Madera	MCC/Chowchilla-Fairmead	El horario debe actualizarse para incluir rutas más frecuentes, tanto hacia el norte hasta Chowchilla y hacia el sur hasta Madera	Si	Este comentario no es "razonable para cumplir" basado en la definición actual. La demanda de este servicio no es alta.	El Condado continuará monitoreando el número de pasajeros y llevará a cabo una evaluación de sus rutas.
			El horario de Chowchilla-Fairmead-Madera debe extenderse a los fines de semana para permitir a los usuarios de tránsito un mejor acceso a esta ruta esencial	Si	Este comentario no es "razonable para cumplir" basado en la definición actual. La demanda de este servicio no es alta.	El personal de tránsito del condado fue a Fairmead y habló con el presidente del grupo comunitario de Fairmead. La encuesta para la ubicación del refugio se detuvo debido a COVID-19. Leadership Counsel también iba a ayudar con esto. La demanda no es abrumadora en esta ruta. A esta necesidad insatisfecha se le será un seguimiento en función del nivel de demanda.
			Una segunda parada debe ser agregada en el lado norte de Fairmead alrededor de la avenida 23 para garantizar que este servicio de tránsito crucial sea accesible a los residentes en toda la comunidad. Esa es la única parada existente en Fairmead y se encuentra en Galilee Missionary Baptist Church en Avenue 22 1/2 cerca de Fairmead Blvd, los usuarios que viven en el otro lado de la comunidad no pueden acceder fácilmente a la ruta.	Si	Este comentario no es razonable para cumplir en este momento, pero se están trabajando en ello.	Ellen Moy y el personal del Condado han estado trabajando con Leadership Counsel en la apertura de tal parada y continuarán haciéndolo una vez que se se pueda después del Covid-19
2	Condado de Madera	Eastin Arcola-Ripperdan-La Vina	Aumento de la frecuencia de rutas para Eastin Arcola-Ripperdan-La Vina Transit	Si	Este comentario no es razonable para cumplir.	El Condado planea incrementar el número de viajes de manera piloto a partir de julio de 2020. Uno se agregará a media mañana saliendo del Downtown Intermodal Center aproximadamente a las 11:20 a.m. y otro a las 3:35 p.m. El Condado supervisará de cerca estos nuevo horarios de servicio y la demanda general por su redituabilidad y por cualquier expansión justificada.
			Mejoras en los sistemas MAX y "Dial-a-Ride" en la ciudad de Madera con el objetivo de crear servicios de tránsito más equitativos y fáciles de usar; Reapertura de la parada Walmart;	Si	Este comentario no es razonable para reunirse en este momento.	Este comentario está siendo estudiado actualmente por el personal de la Ciudad de Madera.
			Instalación de bote de basura en los autobuses MAX	No	N/A	No se debe de comer ni beber en el autobús y los botes de basura están disponibles en las paradas de autobús. Sin embargo, hay un bote de basura en frente del autobús, pero no hay donde sugetarlo en la parte posterior, de modo que no sería factible. Los botes de basura se vacían con el cambio de conductor o al final del día.

3	Ciudad de Madera	Servicio de autobús incrementado a cada treinta minutos en todas las rutas MAX;	Si	No es razonable cumplir porque no es redituable.	El personal de la ciudad ya está buscando el cambio de ruta para mejorar los tiempos. Para la Ruta 2, actualmente no tienen el número de pasajeros para apoyar la ruta actual, por lo que sería difícil cumplir con la tasa de recuperación de la caja de tarifas y no justifica un cambio a los avances de 30 minutos. Actualmente se está realizando una evaluación de las rutas. MV Transit está haciendo una evaluación preliminar de re-entramineto para mejorar la eficiencia/cambiar la ruta. Habrá una actualización este verano sobre esta evaluación por MV Transit.
		Mejoras en el sistema de comunicación "Dial-a-Ride";	No	N/A	El personal que se encarga de las llamadas es entrenado una vez al mes. Los pasajeros pueden programar hasta con 7 días de anticipación y deben programar los viajes con al menos 24 horas de anticipación. De lo contrario, los autobuses son mandados dependiendo al orden de la llamada recibida. Los reglamentos para usar DAR estarán en línea y estarán en el autobús como folletos.
		Operación del servicio MAX extendida los fines de semana;	si	No es razonable cumplir porque no es redituable.	La ciudad lleva dos años intentando conseguir la subvención de planificación de Caltrans para hacer una evaluación exhaustiva de las rutas para obtener datos y hacer una determinación sobre si es factible extender el servicio para el fin de semana. El número de pasajeros es actualmente bajo en la Ruta 2 y no es redituable. Incluso el servicio de los Domingos de DAR es bajo (posible debido a COVID-19).
		Equipar las paradas de autobús y los autobuses con señalamiento relacionado con las rutas	No	N/A	La ciudad está a punto de lanzar nueva señalización para las paradas de autobús.
		Aplicar a financiación de subvenciones para asegurar viajes gratuitos para los estudiantes	No	N/A	La Ley CARES está proporcionando actualmente fondos muy generosos. La Ciudad de Madera actualmente ofrece paseos gratuitos como parte de la financiación de CARES y no queremos pasar eso por alto. El número de pasajeros ha estado cayendo durante los últimos 5 años, incluso antes del COVID-19. Muchas agencias de transporte público están luchando para recuperar el número de pasajeros. Si los viajes gratuitos serán o no sostenibles después de la financiación del CARES Act es otro factor. MCTC no es el único responsable de solicitar financiación, pero sí coordinamos con cada agencia.
4	Todas las agencias	Buscar fondos regionales para un programa eléctrico de viajes compartidos rural	No	N/A	Comentario de Ellen Moy: Calvans es una agencia muy respetable para los trabajadores agrícolas y el público en general. El Condado recomienda que MCTC se ponga en contacto con Calvans para preguntar qué tipo de vehículos, si son eléctricos, para propósitos de viajes compartidos y tal vez para reforzar el servicio ya existente. Hay que informarse sobre el programa de Fresno.
		Capacitación obligatoria para la prevención de la discriminación y accesibilidad para todo el personal de tránsito del Condado de Madera	No	N/A	Hay capacitación obligatoria del Título VI previa a cualquier contratación laboral en MV Transit. El tránsito del condado tiene reuniones de servicio para todos los conductores. Durante estas reuniones normalmente tienen presentadores con problemas de discapacidad que ayudan a los conductores a entender sus desafíos por los que pasan al usar el transporte público. De esta manera los conductores puedan entender mejor sus necesidades cuando los lleven a sus destinos.

All comments in their original form will be included in the Appendix of this document. Agenda items of the meetings held by the SSTAC this fiscal year will also be included in the Appendix.

Appendix

- A. SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL MEETING AGENDA – APRIL 29, 2020
- B. SSTAC Roles and Responsibilities
- C. SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL MEETING AGENDA – MAY 27, 2020
- D. Unmet Transit Needs Comment Letter – Leadership Counsel for Justice and Accountability
- E. Recommendation to MCTC Board from SSTAC

A. SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL MEETING AGENDA – APRIL 29, 2020



Regular Meeting of the
Social Services Transportation Advisory Council

LOCATION

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

DATE

April 29, 2020

TIME

10:30 am

SOCIAL SERVICE TRANSPORTATION ADVISORY COUNCIL MEMBERS

Pamela Mashack	Potential Transit User 60 Years or Older
Rosalind Esqueda	Representative of the Local Social Service Providers for Seniors
Ellen Moy	Representative of the Local Social Service Providers for Seniors
Loretta Castro	Potential Transit User Who Is Disabled
Annie Self	Representative of the Local Social Service Provider for Disabled
Vacant	Representative of the Local Social Service Provider for Disabled
Sophia Aguilar	Local Social Service Provider for Persons of Limited Means

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.

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 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

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

WELCOME TO THE SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL MEETING!

Agenda

Item	Description	Enclosure	Action
1.	Introductions		
2.	Public Comment		
3.	Minutes of the April 24, 2019 SSTAC Meeting	Yes	Approve
4.	New Member Orientation	Yes	Discussion
5.	Anticipated Comments	No	Discussion
6.	Discuss Future Meetings <ul style="list-style-type: none">• Unmet Needs Public Hearing – May 20, 2020• SSTAC Meeting – May 27, 2020		

B. SSTAC Role and Responsibilities

“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.

C. SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL MEETING AGENDA – MAY 27, 2020



MEETING NOTICE

Madera County Transportation Commission
SSTAC Meeting

LOCATION
CONFERENCE CALL

Number: 1-800-325-1307
Code: 322 238

DATE
Wednesday, May 27, 2020

TIME
10:30 AM

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.

AGENDA

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MEETING CONDUCT

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RECORD OF THE MEETING

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

Social Service Transportation Advisory Council Agenda

Item	Description	Enclosure	Action
MCTC Sitting as the Madera County Transportation Commission			
Item	Description		
I.	Introductions		
II.	Public Comments		
III.	Election of Officers		APPROVE
IV.	Minutes of the April 29, 2020 SSTAC Meeting	YES	APPROVE
V.	Unmet Transit Needs Response to Comments (Davies)	YES	DISCUSSION
VI.	Recommendation to MCTC Board (Chairperson)		DISCUSSION
VII.	Discuss Future Meetings (Chairperson)		DISCUSSION
	<ul style="list-style-type: none"> • Appoint Representatives to attend the MCTC Board Meeting – June 17, 2020 at 3:00pm 		
VIII.	Adjournment (Chairperson)		

E. Unmet Transit Needs Comment Letter- Leadership Counsel for Justice and Accountability



April 15, 2019

Amelia Davies
Madera County Transportation Commission
2001 Howard Rd, Ste 201
Madera, CA 93637

Re: Comments on Unmet Transit Needs in Madera County

Dear Ms. Davies,

I am writing on behalf of Leadership Counsel for Justice & Accountability and our several community partners throughout Madera County to provide input for Madera County Transportation Commission's (MCTC) annual "unmet transit needs" survey and public comment process. These comments arise from our many conversations with residents throughout the county regarding the existing transit infrastructures established to serve them. We at Leadership Counsel are grateful for the opportunity to provide comments on this matter because we deeply value government agencies' fervent, genuine inclusion and incorporation of public input in the planning of the County's communities. Furthermore, we especially value your consideration of public input from disadvantaged communities who are least benefited by the status quo.

The following comments are a compilation of feedback from residents in Fairmead, La Viña, and the City of Madera, and they constitute our effort to assist MCTC in receiving and incorporating public input into future transit infrastructure planning.

Unmet Need: Route and schedule improvements for the Chowchilla-Fairmead-Madera Connection to ensure a dependable and user-friendly service

The existing Chowchilla-Fairmead-Madera route establishes essential connectivity between Madera and Chowchilla transit routes with one stop in the community of Fairmead. The route runs five times per day between Monday and Friday. The community of Fairmead is not home to any commercial businesses or stores, so this route presents the only opportunity for transit-dependent Fairmead residents to access food and other essential goods. For this reason, the route and schedule must be accessible and dependable.

In order to ensure that this route is user-friendly, residents in Fairmead have identified the following needs:

- (a) The Chowchilla-Fairmead-Madera schedule must be extended to the weekends to afford transit users improved access to this essential route;

764 P Street, Suite 012, Fresno, California 93721
Telephone: (559) 369-2790

- (b) The schedule must be updated to include more frequent routes, both Northbound to Chowchilla and Southbound to Madera; and
- (c) A second stop must be added on the Northern side of Fairmead around the vicinity of Avenue 23 to ensure that this crucial transit service is accessible to residents throughout the entire community. Provided that the only existing stop in Fairmead is located at Galilee Missionary Baptist Church on Avenue 22 ½ near Fairmead Blvd, riders who live on the other side of the community are not able to easily access the route.

While we recognize the challenges of providing successful transit infrastructure to rural communities with low population densities, we believe these suggested improvements would make the County's current and future investments in the Chowchilla-Fairmead-Madera bus route more worthwhile because Fairmead residents note that these improvements would increase ridership significantly. Currently, there are existing and potential transit users in the community who say they would use this service more consistently if it were more dependable and accessible.

Unmet need: Increased frequency of routes for Eastin Arcola-Ripperdan-La Viña Transit

The Eastin Arcola-Ripperdan-La Viña transit circuit runs twice daily on Wednesdays and Fridays only in order to connect these three communities with the transit system of the City of Madera. Currently, transit users must depart from La Viña at 9:15am and will arrive in Madera at 9:49am. They are then unable to depart from Madera en route back to La Viña until 1:00pm. On the other hand, if, for example, riders who depend on this circuit for medical appointments, which can often become extended or delayed, miss the bus back to La Viña at 1:00 pm, there are no additional returning routes until the following Wednesday or Friday.

The infrequency of this schedule results in a public transit circuit that is undependable and inaccessible for residents. Community members in La Viña note that (a) extending the circuit's schedule into the rest of the week (including weekends) and (b) implementing additional routes during the day would vastly increase ridership.

Growing and improving this particular program would not only be a worthwhile investment for encouraging ridership; rather, expansion of this circuit would also move the county closer toward its goal of "identify[ing] reliable transportation choices that support a diverse population" as outlined in the current Regional Transportation Plan (1-8).

Unmet need: Improvements to the MAX and "Dial-a-Ride" Systems in the City of Madera aimed at creating more equitable and user-friendly transit services

The following requested improvements were readily identified by transit users in the City of Madera as concrete changes that would encourage ridership, provide more equitable services, and help the city meet its goals related to the reduction of greenhouse gas emissions. Furthermore, the current Regional Transportation Plan identifies "transit enhancements" to the MAX transit system as well as "Operating Assistance" to Dial-a-Ride (DAR) as "Planned Transit Improvement" projects with funding allotments for each year beginning in 2014 until

2040 (Table 5-5). The following improvements recommended by MAX and DAR system users fall within the scope of these project descriptions.

- I. **Re-opening of the Walmart stop along Routes 1 and 2 in Northwest Madera**
MAX riders point out that temporary closure of the Walmart bus stop at this crucial transit junction has increased barriers to public transit use, given that shoppers must cross a major thoroughfare (W Cleveland Ave) then proceed to walk an additional block to the next bus stop at the Walgreens location.

As a result, the closure makes household shopping at this location challenging and burdensome for transit users. Madera residents therefore request that the Walmart bus stop be re-installed and re-opened as soon as possible.
- II. **Installation of trash cans on MAX buses**
MAX riders request that garbage cans be installed at the front and back of each transit vehicle in order to maintain clean and welcoming buses.
- III. **Thirty-minute incremented bus service on all MAX routes**
While MAX riders in the City of Madera acknowledge that some of the routes have been improved such that the bus arrives at each stop every thirty minutes, they point out that some of the routes still only provide bus service once each hour. Residents who rely on public transit note that half-hour arrival increments make the service much more dependable. This is especially important in light of riders' concerns about getting passed by bus drivers and left at their bus stops even when they are on time to their bus stops and have properly signaled for drivers to stop. While this concern is connected to transit riders' requests that drivers undergo training (see below), it also further communicates the importance of a consistent and frequent bus schedule wherein riders do not have to wait an additional hour when missing a bus.
- IV. **Improvements to the "Dial-a-Ride" Dispatch System**
Madera county residents and "Dial-a-Ride" (DAR) users report issues with language inaccessibility and systemic inconsistencies on the dispatch system that must be addressed. First, DAR users report that some dispatchers instruct them to reserve their ride 24 hours in advance. Other dispatchers say they must give 2 hours' notice, and others still request ride reservations *one week* in advance. Not only do these inconsistent timelines for advance notice make the service impractical and unusable for most riders, they also contribute to confusion.

As a result, DAR users request training for dispatch operators in addition to consistent publishing of DAR user guidelines online to ensure an accessible and consistent system that works well for all transit users.

Additionally, DAR users report being placed on long holds in order to access the Spanish language line. On occasion, these hold times last so long that DAR users

become unable to access the ride they hoped to reserve. For this reason, residents urge MCTC to train DAR dispatchers in basic language accessibility practices and ensure that Spanish-speaking dispatchers are available during all hours of operation. MCTC should also ensure DAR access to a language line in the likely event that DAR users do not speak English or Spanish.

V. Extended MAX service operation on weekends

Residents continually note the need to expand bus services to Sundays on all routes in the City of Madera. Additionally, residents and transit users note that the current hours of operation on Saturday are insufficient and undependable, and request that the hours be extended on Saturdays to better parallel the hours of operation during the week.

VI. Mandated discrimination prevention and accessibility training for all Madera County Transit Staff

Residents report a need for drivers, dispatchers, and all other transit service staff to receive training in intercultural competency, accessibility for people with disabilities, and other elements of discrimination prevention training in order to ensure equitable access and improved service for folks of all nationalities, ethnicities, genders, incomes, ages, and ability levels.

VII. Equip bus stops and buses with route-related signage

MAX riders in the City of Madera voice a need for directional guidance at bus stops and on buses. For example, buses should be equipped with digitized signage indicating the bus's direction (eg: "Northbound" versus "Southbound"), as well as the next stop or final destination (eg: "Walgreens" or "Medical Center"). Riders have expressed that this will prevent new transit users from becoming lost or boarding the wrong bus, which will make MAX services more accessible and welcoming to new riders and in turn facilitate increased use of MAX transit.

VIII. Apply for grant funding to secure free rides for students

Residents request that MCTC follow in the footsteps of other jurisdictions like Ventura County which have launched pilot programs allowing students to ride public transit for free. Madera residents suggest that MCTC secure free transit access for children and adult students who depend on public transit to get to school each day. Free rides will be granted to students who show their student ID upon boarding. MCTC can utilize Low Carbon Operations Transportation Program funding to initiate such a pilot program.

Unmet need: Pursuit of regional funding for an electric rural rideshare program

MCTC can also utilize Low Carbon Operations Transportation Program funding in addition to Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds for the purpose of launching a rural rideshare pilot program with an electric fleet of vehicles. Unincorporated communities in Fresno and Merced Counties have launched such programs for the purpose of

expanding rural access to transit and reducing greenhouse gas emissions through community-based and community-operated pilot programs of this nature.

Lastly, since residents and transit users across Madera County readily identified unmet needs and areas for transit improvement throughout the region during our conversations, we urge MCTC to consider conducting their own formal and thorough assessment of all existing routes and potential deficiencies in Madera County. Such an assessment would allow for staff and residents to collaborate towards a more complete and transparent understanding of transit needs beyond the limited scope of the unmet transit needs survey process.

Once again, we appreciate the opportunity to submit comments as part of this important public process, and will gladly serve as a resource to MCTC and the transit agencies in Madera County in seeking to address these unmet needs.

Sincerely,



Madeline Harris
Policy Advocate
Leadership Counsel for Justice and Accountability

F. Recommendation to MCTC Board from SSTAC

Social Service Transportation Advisory Council

**Commission
Members**

◦
Chairman
Max Rodriguez
County of Madera

◦
Vice Chairman
Jose Rodriguez
City of Madera

◦
Andrew Medellin
City of Madera

◦
Brett Frazier
Madera County

◦
Tom Wheeler
Madera County

◦
Waseem Ahmed
City of Chowchilla

June 17, 2020

Max Rodriguez, Chairman
Madera County Transportation Commission
2001 Howard Road, Suite 201
Madera, California 93637

SUBJECT: SSTAC FY 2020/21 “Unmet Transit Needs” Recommendation

Dear Chairman Rodriguez:

It is with great pleasure that the Social Service Transportation Advisory Council (SSTAC) again makes a recommendation to the Madera County Transportation Commission concerning potential Unmet Transit Needs in Madera County. The SSTAC in weeks prior to the public hearing to review past actions and prepare for this year’s unmet transit needs process. Testimony regarding transit needs in Madera County was received at the “Unmet Transit Needs” Public Hearing on April 20, 2016. The SSTAC met again the week following the public hearing to discuss potential transit issues. Based on the testimony and written comments received our recommendations to the Commission are as follows:

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

1. That the Madera County Transportation Commission finds that there are no unmet transit needs that are reasonable to meet in FY 2020/21 within the jurisdiction of the City of Madera, City of Chowchilla, and County of Madera.

The Madera Metro and the Madera Dial-A-Ride provide transportation services that cover the entire city of Madera.

The Chowchilla Area Transit Express (CATX) provides transportation services that cover the entire city of Chowchilla as well as Fairmead and Valley State Prison.

The Madera County Connection (MCC) provides inter-city transportation from Chowchilla, Fairmead, Madera, La Vina, Madera Ranchos and Eastern Madera County to Children’s Hospital Central California where a connection can be made to Fresno via the Fresno Area Express (FAX).

The Senior Bus Program and the Escort Service provides transportation to the Eastern Madera County communities including the newly developed Eastern Madera County Escort Program transit service to Raymond. This service is provided on Wednesdays from 8:30am to 4:30pm.

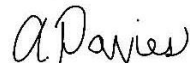
2. Maintain existing transit systems in Madera County: Madera Transit System (Madera Metro and Dial-A-Ride) in the City of Madera; Madera County Connection; Chowchilla Area Transit Express; Eastern Madera County Escort Service; and Eastern Madera County Senior Bus.

MCTC
Executive Director
Patricia Taylor
2001 Howard Rd, Suite 201
Madera, CA 93637
(559) 675-0721
(559) 675-9328 FAX

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

- Madera Transit System - City of Madera (Dial-A-Ride and Madera Metro);
- Chowchilla Area Transit Express - City of Chowchilla;
- Eastern Madera County Escort Service; and Eastern Madera County Senior Bus;
- Madera County Connection

Sincerely,



Amelia Davies, MCTC Staff on behalf of
Social Service Transportation Advisory Council



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-J

PREPARED BY: Sandy Ebersole, Administrative Analyst

SUBJECT:

Call for CARES Act FTA Section 5311 Projects Round 2

Enclosure: No

Action: Information and Discussion Only

SUMMARY:

On Friday, March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act into law. The CARES Act provides emergency assistance and health care response for individuals, families and businesses affected by the COVID-19 pandemic and provide emergency appropriations to support Executive Branch agency operations during the COVID-19 pandemic.

Federal Transit Administration (FTA) is allocating \$25 billion to recipients of urbanized area and rural area formula funds, with \$22.7 billion to large and small urban areas and \$2.2 billion to rural areas. Funding will be provided at a 100-percent federal share, with no local match required, and will be available to support capital, operating, and other expenses generally eligible under those programs to prevent, prepare for, and respond to COVID-19.

Operating expenses incurred beginning on January 20, 2020 for all rural and urban recipients, even those in large urban areas, are also eligible, including operating expenses to maintain transit services as well as paying for administrative leave for transit personnel due to reduced operations during an emergency.

CARES funding will be disbursed through FTA apportionments to its Rural Formula (Section 5311) programs. California was appropriated \$94,976,667 for the Section 5311 Rural Area Apportionment.

The Division of Rail and Mass Transit (DRMT) distributed \$30 million of the CARES Act funding for the FTA 5311 and 5311(f) Operating Assistance projects in Phase 1. The DRMT is currently developing a strategy for the remaining distribution of the CARES Act in Phase 2. The DRMT

should announce the Call for CARES Act 5311 Projects 2020 Phase 2 within the next week and applications will be due early August 2020.

The Madera region’s apportionment is \$881,368. The funds will be allocated as follows:

- City of Chowchilla - \$137,187
- Madera County - \$744,181

FISCAL IMPACT:

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-K

PREPARED BY: Dylan Stone, Principal Regional Planner

SUBJECT:

Technical/Modeling On-Call Services Request - Senate Bill 743 Vehicle Miles Travelled (VMT) Analysis: Sub-regional Baseline VMT and Model Post Processing

Enclosure: No

Action: Information and Discussion Only

SUMMARY:

Staff has issued to the approved consultants on file a Technical/Modeling On-Call Services Request related to Senate Bill 743 (SB743) analysis of project related VMT.

Madera County Transportation Commission (MCTC) have collaborated with state, regional and local partners to develop tools and strategies able to aid towards analyzing VMT impacts for new land use and transportation projects.

Local jurisdictions in Madera County, as project lead agencies under CEQA and as required in SB 743, now must select VMT analysis methodologies, consider new VMT thresholds for transportation impacts, and determine what mitigation strategies are most feasible.

Based on the need of local jurisdictions and other potential lead agencies in Madera County, MCTC will utilize the regions travel demand model to prepare data applicable for the transition to vehicle miles traveled as the preferred transportation analysis metric required under SB 743. Information from the regional traffic model will be utilized to ensure consistency among the region to best align with state and regional greenhouse gas reduction goal outlined in the Madera County Regional Transportation Plan and Sustainable Communities Strategy.

Staff seek assistance in establishing sub-regional baseline VMT within Madera County cities and unincorporated communities/areas and developing a project sensitive postprocessor into the regional traffic model. The process will utilize the regional traffic model technical platform MCTC uses for regional analysis.

The work is broken into two separate tasks. The tasks will utilize model data in Madera and the neighboring regions to establish baseline VMT data for Madera sub-regions then create a post-processing function in the regional traffic model related to projected project impacts to VMT. MCTC staff will provide data as needed and facilitate any further discussion or input from its partners as needed to best accomplish the tasks. The tasks are expected to take one month to complete upon approval to commence.

FISCAL IMPACT:

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-L

PREPARED BY: Sandy Ebersole, Administrative Analyst

SUBJECT:

Fiscal Year 2020-21 State of Good Repair – Project List, Resolution 20-07

Enclosure: Yes

Action: Approve State of Good Repair Project List, Resolution 20-07

SUMMARY:

Established by Senate Bill 1, the State Transit Assistance – State of Good Repair (STA-SGR) Program provides approximately \$105 million annually to eligible recipients for transit maintenance, rehabilitation, and capital projects that keep the public transit system in a state of good repair. Eligible STA-SGR projects include:

- Transit capital projects or services to maintain or repair a transit operators vehicle fleet or transit facilities;
- The design, acquisition and construction of new vehicles or facilities that improve existing transit service; and
- Transit services that complement local efforts for repair and improvement of local transportation infrastructure.

To receive STA-SGR funds, eligible recipients must submit an annual list of projects to Caltrans, which are due by September 1, 2020.

For FY 2020-2021, Madera County Transportation Commission will receive \$221,252 (PUC 99313) and \$5,202 (PUC 99314) to be suballocated to local agencies by population and/or revenue.

MCTC will submit allocation requests for the following projects:

City of Chowchilla	Routine Maintenance and Inspection of City Buses	\$19,806
City of Madera	Fixed Route Transit Amenities	\$93,671
County of Madera	Park-and-Ride Lots	\$112,977

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
**STATE OF GOOD REPAIR PROGRAM NEW
PROJECT APPROVAL LIST**

Resolution No.: 20-07

WHEREAS, the Madera County Transportation Commission (MCTC) is a Regional Transportation Planning Agency and a Metropolitan Planning Organization, pursuant to State and Federal designation; and

WHEREAS, MCTC is an eligible project sponsor and may receive State Transit Assistance Funding from the State of Good Repair Account (SGR) now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill1 (2017) named the Department of Transportation (Department) as the administrative law agency for the SGR; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing SGR funds to eligible project sponsors (local agencies); and

WHEREAS, the SGR guidelines indicate that a certified board endorsement is sufficient to meet the funding commitment requirement, and

NOW, THEREFORE, LET IT BE RESOLVED, that the MCTC does hereby adopt the following **FY 2020/21 SGR project list to be submitted in the amount of \$226,454.**

City of Chowchilla	Preventative Maintenance	\$19,806
City of Madera	Fixed Route Transit Amenities	\$93,671
County of Madera	Park-and-Ride Lots	\$112,977

The foregoing resolution was adopted this 22nd day of July 2020 by the following vote:

Commissioner Max Rodriguez	_____
Commissioner Jose Rodriguez	_____
Commissioner Waseem Ahmed	_____
Commissioner Brett Frazier	_____

Commissioner Andrew Medellin
Commissioner Tom Wheeler

Chairman, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 4-M

PREPARED BY: Patricia Taylor, Executive Director

SUBJECT:

Upcoming September 2020 Valley Voice Trip, Washington D.C.

Enclosure: No

Action: Information and Discussion Only

SUMMARY:

Tentative schedule is as follows:

- Directors Meeting August 6 – draft platform will be discussed
- Regional Policy Council EXECUTIVE COMMITTEE meeting on August 13 (9am) to review platform
- Regional Policy Council pre-trip meeting on August 21 (10am)
- Valley Voice DC ZOOM scheduled for three (3) 2.5 hours increments over three days on Sep 10 (11:30 to 2pm) , Sep 16 (11:30 to 2pm) & 17 (9am to 11:30am).

FISCAL IMPACT:

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 5-A

PREPARED BY: Patricia Taylor, Executive Director

SUBJECT:

State Route 99 – Avenue 12 to Avenue 17, Construction Update

Enclosure: No

Action: Information and Discussion Only

SUMMARY:

Executive Director will provide a verbal report on the status of the State Route 99 – Avenue 12 to Avenue 17 project.

FISCAL IMPACT:

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 7-A

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Executive Minutes – June 17, 2020

Enclosure: Yes

Action: Approve Minutes

SUMMARY:

Attached are the Executive Minutes for the June 17, 2020 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: June 17, 2020
Time: 3:00 pm
Place: MCTC Conference Room

GoToWebinar

Members Present: Chairman, Max Rodriguez, Supervisor, Madera County
Vice Chairman, Jose Rodriguez, Councilmember, City of Madera
Andrew Medellin, Mayor, City of Madera
Waseem Ahmed, Councilmember City of Chowchilla
Brett Frazier, Supervisor Madera County
Tom Wheeler, Supervisor Madera County

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
Amelia Davies, Associate Regional Planner
Evelyn Espinosa, Associate Regional Planner
Sandy Ebersole, Administrative Analyst
Sheila Kingsley, Office Assistant

Vice Chairman Jose Rodriguez, Chaired the meeting for Chairman Max Rodriguez

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 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. California Housing and Community Development (HCD) Local Early Action Planning (LEAP) Funding, application deadline July 1, 2020

Action: Information and Discussion Only

- B. Board Recognition of Caltrans District 06/Central Region Director, Sharri Bender Ehlert

Action: Present Certificate of Appreciation

- C. Sustainable Transportation Equity Project (STEP) Pilot Solicitation Open

Action: Information and Discussion Only

- D. State Route 41/Avenue 9 Sustainable Corridor Study – Consultant Selection

Action: Information and Discussion Only

Transportation Consent Calendar Action on Items A-D.

Upon motion by Commissioner Brett Frazier, seconded by Commissioner Waseem Ahmed to approve Transportation Consent Calendar Items A-D. A vote was called, and the motion carried.

Roll call for votes: Commissioner Max Rodriguez – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Andy Medellin – Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier - Yes
 Vote passed 6-0

5. TRANSPORTATION ACTION/DISCUSSION ITEMS

- A. 2020-21 Unmet Transit Needs – Resolution 20-06

Action: MCTC Upon motion by Commissioner Tom Wheeler, seconded by Commissioner Brett Frazier to approve the Social Service Transportation Advisory Council’s 2020-21 Unmet Transit Needs finding by Resolution 20-06. A vote was called, and motion carried.

Roll call for votes: Commissioner Max Rodriguez – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Andy Medellin – Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier - Yes
 Vote passed 6-0

B. Project Prioritization Study – Award Contract

Action: Upon motion by Commissioner Tom Wheeler, seconded by Commissioner Brett Frazier to award contract for Project Prioritization Study. A vote was called, and the motion carried.

Roll call for votes: Commissioner Max Rodriguez – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Andy Medellin – Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier - Yes
 Vote passed 6-0

C. Senate Bill 743 Implementation - Update

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

Upon motion by Commissioner Tom Wheeler, seconded by Commissioner Brett Frazier 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 Max Rodriguez – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Andy Medellin – Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier - Yes
 Vote passed 6-0

7. ADMINISTRATIVE CONSENT ITEMS

- A. Approval of Executive Minutes of the April 22, 2020 Regular Meeting
Action: Approve Minutes of the April 22, 2020 Regular Meeting
- B. Approval of Executive Minutes of the May 20, 2020 Regular Meeting and Closed Session of the Policy Board.
Action: Approve Minutes for the May 20, 2020 Regular Meeting and Closed Session of the Policy Board.
- C. Extension of On-Call Legal Services Agreement – Aleshire & Wynder, LLP
Action: Approve extension of On-Call Legal Services Agreement with Aleshire & Wynder, LLP for 3 years.

Administrative Consent Calendar Action A-C

Upon motion by Commissioner Tom Wheeler, seconded by Commission Brett Frazier to approve the Administrative Consent Calendar Items A-C. A vote was called, and the motion carried.

Roll call for votes: Commissioner Max Rodriguez – Yes
 Commissioner Jose Rodriguez – Yes
 Commissioner Tom Wheeler -Yes
 Commissioner Andy Medellin – Yes
 Commissioner Waseem Ahmed – Yes
 Commissioner Brett Frazier - Yes
 Vote passed 6-0

8. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

None

MCTC SITTING AS THE MADERA COUNTY 2006 TRANSPORTATION AUTHORITY

9. AUTHORITY – ADMINISTRATIVE CONSENT ITEMS

- A. Measure “T” FY 2020-Draft Annual Work Program
Action: Information and Discussion Only
- B. Measure “T” FY 2018-19 Compliance Audit: City of Madera
Action: Approve Measure “T” FY 2018-19 Compliance Audit for the City of Madera

Authority Administrative Consent Calendar Action on Items A-B.

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

Roll call for votes: Commissioner Max Rodriguez – Yes
Commissioner Jose Rodriguez – Yes
Commissioner Tom Wheeler -Yes
Commissioner Andy Medellin – Yes
Commissioner Brett Frazier – Yes
Commissioner Waseem Ahmed - Yes
Vote passed 6-0

10. AUTHORITY – ACTION/DISCUSSION ITEMS

None

OTHER ITEMS

11. MISCELLANEOUS

A. Items from Caltrans

Michael Navarro, Caltrans District 06 Deputy Director, provided a brief update on the state highway projects in Madera County.

B. Items from Staff

Patricia Taylor, Director, informed the Policy Board that MCTC staff and Caltrans District 6 are working in partnership to submit a TCEP (Trade Corridor Enhancement Program) application for the South SR 99 widening project (Avenue 7 to Avenue 12). The grant request is for ROW. MCTC staff is reaching out for letters of support from local jurisdictions and businesses. MCTC staff is also working on identifying matching funds for the application submittal.

Dylan Stone, Regional Planning Supervisor, informed the Board of a request for a letter of support from the San Joaquin Joint Powers Authority for the Stockton Diamond Grade Separation Project. The request was made after the June Agenda was published and needed before the date of the July Board meeting. The Board had supported the project in a prior action via letter of support to the US Department of Transportation Secretary. The project is unchanged from the previous letter of support and this similarly composed letter would be addressed to the California Transportation Commission Executive Director. The Board members verbally endorsed the issuance of the letter.

C. Items from Commissioners

This time was reserved for the Commissioner’s to inquire about specific projects.

12. CLOSED SESSION

A. Report of Closed Session Actions. (Pursuant to Government Code Section 54957.1)

Action: Upon motion by Commissioner Tom Wheeler, seconded by Commissioner Max Rodriguez to direct Executive Director to contact counsel to prepare an addenda that reflects the recommended actions of exceptional/satisfactory review . A vote was called, and the motion carried.

Roll call for votes: Commissioner Max Rodriguez – Yes
Commissioner Jose Rodriguez – Yes
Commissioner Tom Wheeler -Yes
Commissioner Andy Medellin – Yes
Commissioner Brett Frazier – Yes
Commissioner Waseem Ahmed - Yes
Vote passed 6-0

13. ADJOURNMENT

Meeting adjourned at 4:35 p.m.

Next meeting scheduled for Wednesday, July 22, 2020

Respectfully Submitted,



Patricia S. Taylor
Executive Director
Madera County Transportation Commission



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 7-B

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Transportation Development Act (LTF) – Allocation, LTF Resolution 18-11 Amendment No. 4

Enclosure: Yes

Action: Approve LTF Resolution 18-11 Amendment No. 4

SUMMARY:

The City of Chowchilla has requested to amend their FY 2018-19 Local Transportation Fund allocations. They are requesting the following changes:

- Decrease CATX by \$75,111.30
- Increase Street & Road Projects by \$75,111.30

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 2018-19 LOCAL TRANSPORTATON FUND	Resolution No.: 18-11 Amendment #4
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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, \$81,891 has been reserved for Pedestrian and Bicycle facilities, and

WHEREAS, the Local Agencies have agreed to a MCTC expenditure of \$122,836 for shared system planning costs, per Section 99233.2 of the Transportation Development Act; and

WHEREAS, there is the sum of \$4,094,544 to be allocated from LTF, 2018-19;

WHEREAS, the Madera County Transportation Commission has made the finding in Resolution No. 18-06 that there are no substantial unmet transit needs that are reasonable to meet in FY 2018-19 within the jurisdictions of the County of Madera, City of Madera, and the City of Chowchilla, and

WHEREAS, the City of Chowchilla requests to revise its allocations;

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

Unallocated		\$ 15,885
CATX		\$ 117,541.70
Pedestrian & Bicycle Projects		\$ 6,354
MCTC Planning Services	\$ 9,531	
Street & Road Projects	\$ 168,394.30	

(B) City of Madera

MAX, DAR, Intermodal		\$ 1,173,281.13
Pedestrian & Bicycle Projects		\$ 125,875.12
MCTC Planning Services	\$ 51,197	
Road & Street Improvement Projects	\$ 3,643,018.76	

(C) County of Madera

Amtrak		\$ 21,321
Senior/Escort		\$ 46,250
MCC		\$ 73,984
DAR, City of Madera		\$ 220,006
CATX, City of Chowchilla		\$ 37,581
Pedestrian & Bicycle Projects		\$ 80,869
MCTC Planning Services	\$ 62,108	
Street and Road Projects	\$ 1,587,149	

The foregoing resolution was adopted this 22nd day of July 2020 by the following vote:

Commissioner Max Rodriguez _____
 Commissioner Jose Rodriguez _____
 Commissioner Waseem Ahmed _____
 Commissioner Andrew Medellin _____
 Commissioner Tom Wheeler _____
 Commissioner Brett Frazier _____

Chairman, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 7-C

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Transportation Development Act (STA) – Allocation, STA Resolution 19-11 Amendment No. 3

Enclosure: Yes

Action: Approve STA Resolution 19-11 Amendment No. 3

SUMMARY:

The City of Chowchilla has requested to amend their FY 2019-20 State Transit Assistance Fund allocations. They are requesting the following change:

- Increase CATX by \$3,573

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 2019-20 STATE TRANSIT ASSISTANCE FUND	Resolution No.: 19-11 Amendment No. 3
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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 \$1,428,386;

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 revised 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 City of Chowchilla has requested to amend their allocations;

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

CLAIMANT	2019-20 STA
City of Chowchilla	
CATX	\$ 128,820
City of Madera	
MAX, DAR, Intermodal	\$ 619,063.53
County of Madera	
MCC	\$ 713,693.81

The foregoing resolution was adopted this 22nd day of July 2020 by the following vote:

Commissioner Max Rodriguez	_____
Commissioner Jose Rodriguez	_____
Commissioner Waseem Ahmed	_____
Commissioner Andrew Medellin	_____
Commissioner Tom Wheeler	_____
Commissioner Brett Frazier	_____

Chair, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 7-D
PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Transportation Development Act (LTF, STA) – Allocations, LTF Resolution 20-08, STA Resolution 20-09

Enclosure: Yes

Action: Approve Transportation Development Act (LTF, STA) – Fund Allocations, LTF Resolution 20-08, STA Resolution 20-09

SUMMARY:

At the May 20, 2020 Board Meeting, the MCTC Board approved the FY 2020-21 LTF & STA apportionments.

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 2020-21 is \$4,487,322. 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 2020-21, there is \$692,253,000 budgeted according to the most current information from the State Controller’s Office. The STA allocation estimate for Madera County is \$1,415,521.

The County of Madera and the City of Chowchilla have submitted applications to allocate their apportionments.

**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
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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

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

Unallocated		\$1,724,009
Pedestrian & Bicycle Projects		\$ 36,295
MCTC Planning Services	\$ 54,442	

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 22nd day of July 2020 by the following vote:

Commissioner Max Rodriguez	_____
Commissioner Jose Rodriguez	_____
Commissioner Waseem Ahmed	_____
Commissioner Andrew Medellin	_____
Commissioner Tom Wheeler	_____
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**

In the matter of ALLOCATION OF FY 2020-21 STATE TRANSIT ASSISTANCE FUND	Resolution No.: 20-09
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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 \$1,415,521, a decrease of \$8,724 from the previous year’s revised 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;

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:

CLAIMANT	2019-20 STA
City of Chowchilla	
CATX	\$ 123,803
City of Madera	
Unallocated	\$ 585,523
County of Madera	
MCC	\$ 585,523
Unallocated	\$ 120,672

The foregoing resolution was adopted this 22nd day of July 2020 by the following vote:

Commissioner Max Rodriguez	_____
Commissioner Jose Rodriguez	_____
Commissioner Waseem Ahmed	_____
Commissioner Andrew Medellin	_____
Commissioner Tom Wheeler	_____
Commissioner Brett Frazier	_____

Chairman, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 7-E

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Adoption of Resolution 20-10 of the Madera County Transportation Commission Approving First Amendment to Employment Agreement of Executive Director

Enclosure: Yes

Action: Adoption of Resolution 20-10, approving First Amendment to Employment Agreement of Executive Director

SUMMARY:

The MCTC Policy Board met in closed session, Executive Director Performance Evaluation, at its May 20, 2020 Policy Board meeting, and subsequently reported out the closed session actions at the June 17, 2020 Policy Board meeting. Included in your package is a copy of the First Amendment to Employment Agreement for Executive Director by Resolution 20-10.

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**

<p>In the matter of FIRST AMENDMENT TO EMPLOYMENT AGREEMENT OF EXECUTIVE DIRECTOR</p>	<p>Resolution No.: 20-10</p>
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WHEREAS, the Madera County Transportation Commission (hereinafter “Commission”) has employed Patricia Taylor (hereinafter “Employee”) beginning in 1993 as transportation Planner, and, since May 19, 1999, as Executive Director; and

WHEREAS, effective July 1, 2019, Commission entered into a three-year employment agreement with Employee known as Contract No. 2019 (hereinafter “Agreement”), for the period July 1, 2019 through June 30, 2022; and

WHEREAS, at the conclusion of each fiscal year after a satisfactory or better annual salary review and performance evaluation, Employee is entitled to an increase in compensation of not lower than one percent of her then-current salary and an annual cost of living increase; and

WHEREAS, Employee has received a satisfactory or better performance evaluation for the period 2019-2020 and based upon the terms of the above-referenced employment agreement the Commission now desires to approve an increase to the Executive Director’s 2020-2021 compensation.

NOW, THEREFORE, the Policy Board of the Madera County Transportation Commission resolves as follows:

Section 1. The Policy Board hereby approves the First Amendment to the Agreement, as attached.

Section 2. All other terms and conditions of the Agreement shall remain the same throughout the term of the agreement unless otherwise modified by further Board action.

The foregoing resolution was adopted this 22nd day of July 2020 by the following vote:

- Commissioner Max Rodriguez _____
- Commissioner Jose Rodriguez _____
- Commissioner Waseem Ahmed _____
- Commissioner Andrew Medellin _____
- Commissioner Tom Wheeler _____
- Commissioner Brett Frazier _____

Chair, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission

**MADERA COUNTY TRANSPORTATION COMMISSION
FIRST AMENDMENT TO EMPLOYMENT AGREEMENT OF EXECUTIVE DIRECTOR, CONTRACT
NO.: 2019-01**

This First Amendment to the Employment Agreement of Executive Director, (hereinafter “First Amendment”) is hereby entered into and made effective July 1, 2020, by and between the Madera County Transportation Commission (hereinafter “Commission”) and Patricia Taylor, an individual (hereinafter “Employee”) and modifies and amends the existing Employment Agreement of the Executive Director, Contract No. 2019 (hereinafter “Agreement”)

RECITALS

WHEREAS, the Madera County Transportation Commission (hereinafter “Commission”) has employed Patricia Taylor (hereinafter “Employee”) beginning in 1993 as transportation Planner, and, since May 19, 1999, as Executive Director; and

WHEREAS, effective July 1, 2019, Commission entered into the Agreement with Employee for the period July 1, 2019 through June 30, 2022; and

WHEREAS, at the conclusion of each fiscal year after a satisfactory or better annual salary review and performance evaluation, Employee is entitled to an increase in compensation of not lower than one percent of her then-current salary and an annual cost of living increase; and

WHEREAS, in June of 2020, Employee received a satisfactory or better performance evaluation for the period 2019-2020; and

WHEREAS, the Commission and Employee now desire to amend the Agreement to reflect that the Employee’s salary will be increased by one percent and cost of living increase of one and one-half percent effective July 1, 2020.

AGREEMENT

1. Sections 2.1 and 2.3 of the Agreement are hereby amended to read in their entirety as follows:

2.0 Compensation and Reimbursement.

2.1 Compensation

For the services rendered pursuant to this AGREEMENT, EMPLOYEE’s annual compensation commencing July 1, 2019, shall be One Hundred Sixty Two Thousand Nine Hundred Seventy Dollars and Fifty Cents (\$162,970.50), or a monthly base salary of \$13,580.875 (“Salary”), which shall be paid on a pro-rated basis [bi-monthly or bi weekly] at the same time as other employees of the

COMMISSION are paid. Notwithstanding, effective July 1, 2020, EMPLOYEE shall receive a one-time increase of one percent (1%) to EMPLOYEE’S Salary. Salary shall be adjusted for payroll taxes, workers’ compensation, and other payroll-related liability costs.

2.3 Cost of Living Adjustment

Commencing July 1, 2019, EMPLOYEE shall be entitled to a one percent (1%) per year cost of living adjustment (“COLA”) to the above-stated compensation. Notwithstanding, for the period of July 1, 2020 through June 30, 2021, EMPLOYEE shall be entitled to a one-time, one and one-half percent (1.5%) cost of living adjustment (“COLA”) to the above-stated compensation.

3. Except as so modified and amended, all remaining terms, conditions and benefits of the Agreement shall remain unchanged and are incorporated herein by reference.

IN WITNESS WHEREOF, the Commission has caused this First Amendment to be signed and executed on its behalf by its duly appointed officer authorized, and Employee has signed and executed this First Amendment.

MADERA COUNTY TRANSPORTATION COMMISSION _____ CHAIR	EXECUTIVE DIRECTOR _____ PATRICIA TAYLOR
APPROVED AS TO FORM: ALESHIRE & WYNDER, LLP _____ SHANNON L. CHAFFIN, General Counsel	

EXHIBIT A TO FIRST AMENDMENT TO EMPLOYMENT AGREEMENT

**(Employment Agreement: Executive Director,
Madera County Transportation Commission**

MADERA COUNTY TRANSPORTATION COMMISSION

CONTRACT NO. 2019

**(EMPLOYMENT AGREEMENT: EXECUTIVE DIRECTOR, MADERA COUNTY
TRANSPORTATION COMMISSION)**

This EMPLOYMENT AGREEMENT; EXECUTIVE DIRECTOR, MADERA COUNTY TRANSPORTATION COMMISSION (hereinafter referred to as the "AGREEMENT") is entered into and made effective July 1, 2019, by and between the MADERA COUNTY TRANSPORTATION COMMISSION (hereinafter "COMMISSION") and PATRICIA TAYLOR, an individual (hereinafter referred to as "EMPLOYEE" OR "EXECUTIVE DIRECTOR").

RECITALS

WHEREAS, EMPLOYEE commenced employment for the COMMISSION beginning November 22, 1993 as a Transportation Planner; and

WHEREAS, on May 19, 1999 EMPLOYEE was promoted to the position of Executive Director which position EMPLOYEE has continuously and presently holds; and

WHEREAS, the parties have entered into a series of written agreements with EMPLOYEE as EXECUTIVE DIRECTOR since 1999, the latest of which was entered into on or about July 1, 2018 and is set to expire on June 30, 2019 unless superseded; and

WHEREAS, the parties now desire that the EMPLOYEE continue her service as EXECUTIVE DIRECTOR, the duties of which position are set forth herein, effective July 1, 2019; and

WHEREAS, EMPLOYEE desires to continue to perform the duties and responsibilities of EXECUTIVE DIRECTOR for the COMMISSION; and

WHEREAS, the parties desire to replace and supersede all prior written agreements between the COMMISSION and EMPLOYEE with this AGREEMENT; and

WHEREAS, the parties now wish to memorialize the terms and conditions of Employee's services to the COMMISSION through this AGREEMENT.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the COMMISSION and EMPLOYEE hereby agree as follows:

AGREEMENT

1.0 EMPLOYMENT & DUTIES

1.1 Duties.

COMMISSION hereby employs EMPLOYEE as EXECUTIVE DIRECTOR for the COMMISSION to perform the functions and duties of EXECUTIVE DIRECTOR, including those functions and duties specified in the hereinafter described Job Description for the EXECUTIVE DIRECTOR position attached hereto as Exhibit "A." Subject to guidance from and approval by COMMISSION, COMMISSION will provide EMPLOYEE with full authority to administer COMMISSION programs, including decisions related to negotiation of salary and fringe benefits, and the selection, supervision, evaluation and termination of employees subject to the conditions and restrictions imposed by federal and state law or agreements between COMMISSION and agencies providing funding thereto. Additionally, EMPLOYEE shall perform such other legally permissible and proper functions and duties as the COMMISSION shall, from time-to-time, direct or assign. EMPLOYEE shall perform the duties and responsibilities of the EXECUTIVE DIRECTOR in an efficient, competent, and ethical manner and shall devote EMPLOYEE'S best efforts and full-time attention to the position.

1.2 Work Schedule.

It is recognized EMPLOYEE is expected to engage in the hours of work that are necessary to fulfill the obligations of the position, must be available at all times, and must devote a great deal of time outside the normal office hours to the business of the COMMISSION. EMPLOYEE acknowledges that proper performance of these duties requires EMPLOYEE to generally observe normal business hours (currently 8:00 a.m. to 5:00 p.m., Monday through Friday, including an unpaid lunch period), as set by the COMMISSION and may be duly revised from time-to-time, and will also often require the performance of necessary services outside of normal business hours including evening COMMISSION meetings. Notwithstanding the foregoing, the COMMISSION will permit EMPLOYEE such reasonable "time off" as is customary for exempt employees of the COMMISSION, so long as the time off does not interfere with normal business. EMPLOYEE's compensation (whether salary or benefits or other allowances) is not based on hours worked. EMPLOYEE shall not be entitled to overtime compensation for overtime as the EXECUTIVE DIRECTOR is an "exempt" classification and is not subject to the overtime provisions of the federal Fair Labor Standards Act ("FLSA").

1.3 Other Activities.

EMPLOYEE shall focus EMPLOYEE's professional time, ability, and attention to the COMMISSION's business during the term of this AGREEMENT. EMPLOYEE shall not engage, without the express prior written consent of the COMMISSION, in any other business duties or pursuits whatsoever, or directly or indirectly render any services of a business, commercial, or professional nature to any other person or organization, whether

for compensation or otherwise, that is or may be competitive with the COMMISSION, that might cause a conflict-of-interest with the COMMISSION, or that otherwise might interfere with the business or operation of the COMMISSION or the satisfactory performance of the functions and duties of the EXECUTIVE DIRECTOR.

1.4 Employment Status.

EMPLOYEE shall serve at the will and pleasure of the COMMISSION and understands EMPLOYEE is an "at-will" employee subject to summary dismissal without any right of notice or hearing, including any so-called due process pre-disciplinary "Skelly" meeting, except that the COMMISSION must terminate the employment of EMPLOYEE in the manner set forth in Section 3.3 of this AGREEMENT, below.

1.5 Exclusion From Competitive Service; Commission Personnel Rules Not Applicable.

The EXECUTIVE DIRECTOR is excluded from Commission's competitive service and accordingly, the provisions of the Commission's Personnel Rules regarding the competitive service, grievance, discipline and dismissal shall not apply to this position. Except as so noted, the Commission's Personnel Rules relating to anti-discrimination, expense reimbursement use of Commission Property and rules regarding office procedure shall apply to this position.

1.6 Commission Documents.

All data, studies, reports and other documents prepared by EMPLOYEE while performing the duties of EXECUTIVE DIRECTOR during the term of this AGREEMENT shall be furnished to and become the property of the COMMISSION, without restriction or limitation on their use. All ideas, memoranda, specifications, plans, procedures, drawings, descriptions, computer program data, input record data, written information, and other materials either created by or provided to EMPLOYEE in connection with the performance of this AGREEMENT shall be held confidential by EMPLOYEE to the extent permitted by applicable law, except as may be required by any governmental agency or court of competent jurisdiction. Such materials shall not be used by EMPLOYEE, without the prior written consent of the COMMISSION, for any purposes other than the performance of EMPLOYEE's duties. Additionally, no such materials may be disclosed to any person or entity not connected with the performance of services under this AGREEMENT, except as required by (a) law, (b) any governmental agency, (c) subpoena, or (d) an order issued by a court of competent jurisdiction.

1.7 Fair Labor Standards Act ("FLSA") Exempt Status.

EMPLOYEE agrees that EMPLOYEE's position is that of an exempt employee for the purposes of the FLSA.

2.0 COMPENSATION AND REIMBURSEMENT

2.1 Compensation.

For the services rendered pursuant to this AGREEMENT, EMPLOYEE's annual compensation commencing July 1, 2019, shall be One Hundred Sixty Two Thousand Nine Hundred Seventy Dollars and Fifty Cents (\$162,970.50), or a monthly base salary of \$13,580.875 ("Salary"), which shall be paid on a pro-rated basis [bi-monthly or bi-weekly] at the same time as other employees of the COMMISSION are paid. Such Salary shall be adjusted for payroll taxes, workers' compensation, and other payroll-related liability costs.

2.2 Annual Salary Review & Increase.

The COMMISSION and EMPLOYEE agree to conduct an annual salary review concurrently with the annual performance evaluation set forth in Section 4.2. At the conclusion of each fiscal year in the position, and an evaluation rating of "Satisfactory" (or equivalent) or better in the annual performance evaluation as provided for in Section 5.2 below, EMPLOYEE shall receive an increase of not lower than one percent (1%) of Employee's then-current Salary. The COMMISSION may in its discretion grant an increase higher than one percent (1%). Any such increase to Salary shall become effective July 1 of each year. If at the conclusion of the year the annual salary review is conducted after July 1, any Salary increase based on a satisfactory performance evaluation shall be retroactive to July 1.

2.3 Cost of Living Adjustment

Commencing July 1, 2019, EMPLOYEE shall be entitled to a one percent (1%) per year cost of living adjustment ("COLA") to the above-stated compensation.

3.0 TERM

3.1 Commencement, Effective Date & Term of Agreement.

EMPLOYEE shall commence providing services hereunder at 8:00 a.m. Pacific daylight savings time on July 1, 2019, or such date upon which the COMMISSION and EMPLOYEE may mutually agree and confirm in writing. In the event EMPLOYEE commences services on a date other than July 1, 2019, such date shall be deemed the effective date of this AGREEMENT ("Effective Date"). The term of this AGREEMENT is three (3) years and shall terminate on June 30, 2022.

3.2 Termination by EMPLOYEE.

EMPLOYEE may terminate this AGREEMENT at any time, provided EMPLOYEE provides the COMMISSION with at least ninety (90) calendar days' advance written notice. In such event, EMPLOYEE, if so requested by COMMISSION, will continue to render services to the effective date of termination and be paid EMPLOYEE'S regular

compensation. Should COMMISSION not request such continued services, EMPLOYEE shall be paid the salary due for the ninety (90) day notice period.

3.3 Termination by COMMISSION.

EMPLOYEE acknowledges and agrees that EMPLOYEE is an at-will employee serving at the pleasure of the COMMISSION with no vested right in continuation of her employment or in the salary and/or fringe benefits that may be provided in future years, and that EMPLOYEE'S employment with COMMISSION may be terminated by COMMISSION with or without cause at any time upon ninety (90) calendar days' written notice. EMPLOYEE expressly waives any rights provided for under the COMMISSION'S Personnel Rules, or under other local, state or federal law to any other form of pre- or post-termination administrative hearing, appeal, or other administrative process pertaining to termination. Nothing herein, however, shall be construed to create a property interest, where one does not exist by rule of law, in the job or position of EXECUTIVE DIRECTOR.

(a) Termination for Cause.

The COMMISSION may terminate this AGREEMENT at any time by providing EMPLOYEE with five (5) business days' written notice of the termination for cause and the facts and grounds constituting cause. "Cause" shall be defined to include any misconduct materially related to performance of official duties, including but not be limited to any of the following:

- 1) Breach of this AGREEMENT;
- 2) Willful or persistent material breach of duties or inattention to duties as listed in the attached job description;
- 3) Résumé fraud or other acts of material dishonesty;
- 4) Unauthorized or excessive unexcused absence or leave;
- 5) Conviction of a misdemeanor involving moral turpitude (i.e., offenses contrary to justice, honesty, or morality) or abuse of position as EXECUTIVE DIRECTOR;
- 6) Conviction of a felony under California law;
- 7) Violation of the COMMISSION 's anti-harassment policies and/or a finding that legally prohibited personal acts of harassment, discrimination or retaliation against a COMMISSION official or employee or any legally prohibited personal acts against a COMMISSION official or employee has occurred;
- 8) Violation of the COMMISSION 's rules, and regulations, including but not limited to the COMMISSION 's Personnel Rules, Financial/Administrative Procedures Manual, or state or federal law prohibiting such conduct;
- 9) Use or possession of illegal drugs;
- 10) Engaging in conduct tending to bring embarrassment or disrepute to the COMMISSION;

- 11) Any illegal or unethical act involving personal economic gain, including but not limited to conviction of theft or attempted theft;
- 12) Significant mismanagement of COMMISSION finances;
- 13) Any pattern of repeated, willful and intentional failure to carry out materially significant and legally constituted direction of the COMMISSION or the policy decisions of the COMMISSION;
- 14) Intentional negligence, or fraud, misfeasance or malfeasance or any act not here enumerated which would reasonably justify termination of employment.

The COMMISSION may, in its discretion, place EMPLOYEE on paid or unpaid administrative leave until resolution of any dispute, investigation or complaint. If the COMMISSION terminates this AGREEMENT for cause the COMMISSION shall have no obligation to pay EMPLOYEE any severance. In the determination of Cause under this Section, the Commission may employ legal counsel and seek the advice of professionals or experts.

Any allegations of cause against EMPLOYEE may, be presented to the employee in writing in closed session, however the COMMISSION is under no obligation to provide oral or written allegations to EMPLOYEE. Any action taken against the employee for termination must be reported in open session. Employee shall have the right to address the COMMISSION in open session for a name-clearing opportunity. In the event a dispute arising out of the terms and conditions of this agreement cannot amicably be resolved, a decision by the COMMISSION under this Section shall be final and appealable through the California courts by filing an action in the Superior Court of the County of Madera, California.

(b) Termination Without Cause & Severance.

Should EMPLOYEE be terminated without cause at any time during the term of this agreement and EMPLOYEE is willing and able to perform the duties of the EXECUTIVE DIRECTOR under this Agreement, then in that event, COMMISSION agrees to pay EMPLOYEE a lump sum cash payment equal to six (6) months' aggregate salary, benefits, and ICMA retirement compensation. Upon such termination EMPLOYEE shall be compensated the value of any accrued, unused administrative, personal, sick and vacation leave time payable in accordance with this Agreement as compensation for such termination. EMPLOYEE hereby acknowledges and agrees that such termination compensation represents a fair and reasonable compensation to EMPLOYEE in the event her employment is so terminated by COMMISSION.

3.4 Sole Rights.

The severance rights provided in this Section 3.0 shall constitute the sole and only entitlement of EMPLOYEE with respect to severance pay in the event of the termination, other than for cause. EMPLOYEE expressly waives any and all other rights with respect to severance pay except as provided herein. Any and all severance rights are conditioned upon and in consideration for execution of the standard "Agreement of Separation,

Severance, and General Release” attached hereto as Exhibit “D,” which is hereby approved by the parties as to form.

4.0 PERFORMANCE EVALUATIONS

4.1 Purpose.

The performance review and evaluation process set forth herein is intended to provide review and feedback to EMPLOYEE so as to facilitate a more effective management of the COMMISSION. Nothing herein shall be deemed to alter or change the employment status of EMPLOYEE (as set forth in Section 1.4 above), nor shall this Section 4 be construed as requiring “cause” to terminate EMPLOYEE under this AGREEMENT.

4.2 Annual Evaluation.

The COMMISSION shall endeavor to review and evaluate the performance of EMPLOYEE annually within thirty (30) days after each anniversary of EMPLOYEE's Evaluation Date. For the purposes of this Section, EMPLOYEE's Evaluation Date shall be defined as the first day of the month following the Effective Date of this AGREEMENT. In addition, EMPLOYEE shall submit for the COMMISSION consideration at those times established by the COMMISSION Chairperson, but at least annually, EMPLOYEE's proposed performance goals and objectives and incorporate the COMMISSION's suggestions. Such review and evaluation shall be conducted concurrently with an annual salary review, and in accordance with the purpose noted in Section 4.1 above.

4.3 Written Summary.

The COMMISSION may, in its sole discretion, elect to provide a written summary of each performance evaluation to EMPLOYEE within two (2) weeks following the conclusion of the review and evaluation process, and may, in its sole discretion, schedule at least one (1) COMMISSION closed session with EMPLOYEE to deliver and discuss the evaluation.

5.0 BENEFITS

5.1 Automobile Allowance & Travel Expense.

EMPLOYEE shall be provided a monthly automobile allowance of Two Hundred Fifty Dollars (\$250) in exchange for making EMPLOYEE's vehicle available for COMMISSION -related business and/or functions during, before and after normal work hours. The automobile allowance is intended to reimburse EMPLOYEE for local and regional COMMISSION -related travel; that is, travel within Madera County. EMPLOYEE shall be reimbursed mileage for travel outside Madera County at the usual and customary IRS approved rate.

Payment of all reasonable, usual and customary expenses incurred in COMMISSION-related travel to destinations beyond the boundaries of Madera County shall be reimbursed, including travel, food and lodging and such other expenses in accordance

with COMMISSION and industry practices. EMPLOYEE understands that any applicable taxes resulting therefrom are EMPLOYEE's responsibility to pay and not covered by the COMMISSION.

5.2 Cellular Phone Allowance.

COMMISSION shall provide EMPLOYEE with a cellular phone allowance equal to One Hundred Dollars (\$100) per month

5.3 Health, Disability, Vision, Dental and Life Insurance.

COMMISSION shall provide to EMPLOYEE and dependents Health, Disability, Vision, Dental and Life Insurance in accordance with the benefits of the Madera County Transportation Commission Benefits Summary adopted by the COMMISSION on or about May 18, 2016 and set forth in the Commission's Employee Manual Section 4000 *et seq.*, attached hereto and incorporated herein by reference as Exhibit "B" and as may be amended from time to time.

5.4 Retirement System.

COMMISSION employees are required to participate in the federal Social Security System. Both Commission and employee are required to contribute six point two per cent (6.2%) of the employee's gross salary for this benefit.

EMPLOYEE shall continue to be enrolled in the International City Management Association Retirement Corporation (ICMA) Section 401(a) Plan, as provided under the Madera County Transportation Commission Benefits Summary adopted by the COMMISSION on or about May 18, 2016, and set forth in the Commission's Employee Manual Section 4000 *et seq.* attached hereto and incorporated herein by reference as Exhibit "B" and as may be amended from time to time.

5.5 Deferred Compensation.

EMPLOYEE currently participates in the COMMISSION'S ICMA Deferred Compensation Program and may continue to participate in that program. EMPLOYEE acknowledges that COMMISSION does not provide any matching benefits or other payments toward the Deferred Compensation Program.

5.6 Administrative Leave

Administrative leave equal to ten (10) days per fiscal year shall be granted available beginning on the first day of the fiscal year and must be used prior to the end of the following fiscal year with no accumulation from year-to-year. Unused administrative leave shall be paid upon termination of employment calculated by multiplying the number of unused hours by the EMPLOYEE'S then current salary.

5.7 Vacation, Sick Leave, Holiday Pay and Personal Leave.

EMPLOYEE shall continue to accrue vacation and sick leave according to the Madera County Transportation Commission Benefits Summary and adopted by the Board on or about May 18, 2016, and set forth in the Commission's Employee Manual Section 4000 *et seq.* attached hereto and incorporated herein by reference as Exhibit "B" and as may be amended from time to time.

In addition to the COMMISSION observed paid holidays, each employee will be allowed four (4) hours or one half -day of Personal Leave per calendar year.

EMPLOYEE shall be credited with all unused vacation and sick leave accrued while previously employed by the COMMISSION.

5.8 Jury Duty.

EMPLOYEE shall receive full pay and benefits while responding to a jury summons or serving on a jury.

6.0 PROFESSIONAL DEVELOPMENT

6.1 Membership.

The COMMISSION encourages EMPLOYEE'S continued professional development and shall provide payment by the COMMISSION of appropriate related costs for such activities, including membership in relevant professional organizations as approved by the COMMISSION.

6.2 Local Meetings & Seminars.

The COMMISSION agrees to reimburse EMPLOYEE the actual cost of registration, meals, and other expenses necessarily incurred while in attendance at local meetings or seminars related to employment with COMMISSION and in accordance with the COMMISSION 's policies for expense reimbursement.

6.3 Approval by COMMISSION.

To be eligible to receive reimbursement for the memberships, training, travel and other expenses incurred pursuant to this Article 6, EMPLOYEE shall budget for the activity in the COMMISSION 's [annual/biennial] budget. Prior to budgeting such activity, EMPLOYEE shall obtain advance written approval of the COMMISSION. EMPLOYEE shall file a Travel Request and Expense Report form with the COMMISSION if the activity would otherwise require such filing of the form.

7.0 BONDS AND INDEMNIFICATION

7.1 Indemnification.

To the extent mandated by the California Government Code, the COMMISSION shall defend, hold harmless, and indemnify EMPLOYEE against any tort, professional liability, claim or demand, or other legal action arising out of an alleged act or omission occurring in the performance of EMPLOYEE'S services under this AGREEMENT. This Section shall not apply to any intentional tort or crime committed by EMPLOYEE, to any action outside the course and scope of the services provided by EMPLOYEE under this AGREEMENT, or any other intentional or malicious conduct or gross negligence of EMPLOYEE.

7.2 Bonds.

COMMISSION shall bear the full cost of any fidelity or other bonds, which may be required in the performance of EMPLOYEE'S services under this AGREEMENT.

8.0 GENERAL PROVISIONS

8.1 Entire Agreement.

This AGREEMENT and all attachments represent the entire agreement between the parties and supersedes any and all other agreements, either oral or in writing, between the parties with respect to EMPLOYEE'S employment by the COMMISSION and contains all of the covenants and agreements between the parties with respect to such employment. Each party to this AGREEMENT acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by either party, or anyone acting on behalf of either party, which are not embodied herein, and that no other agreement, statement or promises not contained in this AGREEMENT shall be valid or binding upon either party.

8.2 Amendment.

This AGREEMENT may be amended at any time by the mutual consent of the parties by an instrument in writing, which amendment shall require COMMISSION approval.

8.3 Notices.

Any notice required or permitted by this AGREEMENT shall be in writing and shall be emailed and personally served or shall be sufficiently given when served upon the other party as sent by United States Postal Service, postage prepaid and addressed as follows:

To COMMISSION:

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

To EMPLOYEE:
Patricia Taylor
[On file with Human Resources Dept.]

Notices shall be deemed given as of the date of personal service or upon the date of deposit in the course of transmission with the United States Postal Service.

8.4 Conflicts Prohibited.

During the term of this AGREEMENT, EMPLOYEE shall not engage in any business or transaction or maintain a financial interest which conflicts, or reasonably might be expected to conflict, with the proper discharge of EMPLOYEE's EXECUTIVE DIRECTOR duties under this AGREEMENT. EMPLOYEE shall comply with all requirements of law, including but not limited to, Sections 87100 *et seq.*, Section 1090 and Section 1125 of the Government Code, and all other similar statutory and administrative rules.

8.5 Effect of Waiver.

The failure of either party to insist on strict compliance with any of the terms, covenants, or conditions of this AGREEMENT by the other party shall not be deemed a waiver of that term, covenant, or condition, nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other times.

8.6 Partial Invalidity.

If any provision in this AGREEMENT is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

8.7 Governing Law.

This AGREEMENT shall be governed by and construed in accordance with the laws of the State of California, which are in full force and effect as of the date of execution and delivery by each party hereto.

8.8 Government Code §§ 53243 - 53243.4.

Assembly Bill 1344, which was subsequently enacted as Government Code §§ 53243 - 53243.4, sought to a means to provide greater transparency in local government and institute certain limitations on compensation paid to local government executives. These statutes also require that contracts between local agencies and its employees include provisions requiring an employee who is convicted of a crime involving an abuse of the employee's office or position to provide reimbursement to the local agency for the following forms of payment: (i) paid leave salary; (ii) criminal defense costs; (iii) cash settlement payments; and (iv) any non-contractual settlement payments. These statutes are set forth in full in Exhibit "B" attached hereto and incorporated herein. Accordingly, the parties agree that it is their mutual intent to fully comply with these Government Code sections and all other applicable law as it exists as of the date of execution of this AGREEMENT and as such laws may be amended from time to time thereafter.

Specifically, the following Government Code sections are called out and hereby incorporated by this AGREEMENT:

- 1) § 53243. Reimbursement of paid leave salary required upon conviction of crime involving office or position.
- 2) § 53243.1. Reimbursement of legal criminal defense upon conviction of crime involving office or position.
- 3) § 53243.2. Reimbursement of cash settlement upon conviction of crime involving office or position.
- 4) § 53243.3. Reimbursement of noncontractual payments upon conviction or crime involving office or position.
- 5) § 53243.4. "Abuse of office or position" defined.

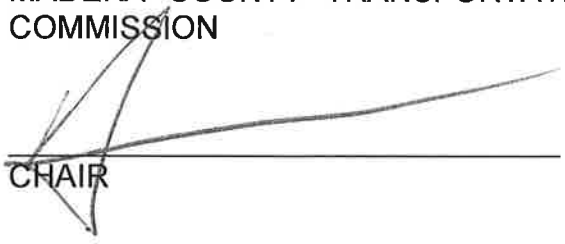


EMPLOYEE represents that EMPLOYEE has reviewed, is familiar with, and agrees to comply fully with each of these provisions if any of these provisions are applicable to EMPLOYEE, including that EMPLOYEE agrees that any cash settlement or severance related to the terms of this AGREEMENT involving compensation for termination that EMPLOYEE may receive from the COMMISSION shall be fully reimbursed to the local agency if EMPLOYEE is convicted of a crime involving an abuse of EMPLOYEE's office or position.

8.9 Independent Legal Advice.

The COMMISSION and EMPLOYEE represent and warrant to each other that each has received legal advice from independent and separate legal counsel with respect to the legal effect of this AGREEMENT, and the COMMISSION and EMPLOYEE further represent and warrant that each has carefully reviewed this entire AGREEMENT and that each and every term thereof is understood and that the terms of this AGREEMENT are contractual and not a mere recital. This AGREEMENT shall not be construed against the party or its representatives who drafted it or who drafted any portion thereof.

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IN WITNESS WHEREOF, the MADERA COUNTY TRANSPORTATION COMMISSION has caused this AGREEMENT to be signed and executed on its behalf by its duly appointed officer and attested by its officers thereunto duly authorized, and EMPLOYEE has signed and executed this AGREEMENT.

<p>MADERA COUNTY TRANSPORTATION COMMISSION</p>  <p>CHAIR</p>	<p>EXECUTIVE DIRECTOR</p>  <p>PATRICIA TAYLOR</p>
<p>ATTEST:</p> <p>_____, Clerk</p>	
<p>APPROVED AS TO FORM: ALESHIRE & WYNDER, LLP</p>  <p>SHANNON L. CHAFFIN, General Counsel</p>	

EXHIBITS

- Exhibit A: Executive Director Job Description
- Exhibit B: Madera County Transportation Commission Benefits Summary
- Exhibit C: Government Code Sections 53243-53243.4 and 53260(a)
- Exhibit D: Agreement Of Separation, Severance, And General Release

Madera County Transportation Commission

Executive Director

DEFINITION

To plan, organize, direct and review the overall administrative activities and operations of the Madera County Transportation Commission; to provide leadership to the organization; to advise and assist Commissioners; and to represent the Commission's interests with other agencies, the business community, and the community at large.

SUPERVISION RECEIVED AND EXERCISED

Receives policy direction from the Commission.

Exercises direct supervision over assigned management, supervisory, professional, technical and administrative support personnel.

EXAMPLES OF ESSENTIAL DUTIES - Duties may include, but are not limited to, the following:

Develops, plans and implements Commission and Authority goals and objectives; recommend and administer policies and procedures.

Coordinates Commission activities with outside agencies and organizations; provides staff assistance to the Commissioners; prepares and presents staff reports and other necessary correspondence.

Directs, oversees and participates in the development of the Commission's work plan; assigns work activities, projects and programs; monitors work flow; reviews and evaluates work products, methods and procedures.

Directs and oversees the development and administration of Commission and Authority budgets; directs the forecast of additional funds needed for staffing, equipment, materials and supplies; monitors and approves expenditures; implements mid-year adjustments.

Selects, trains, motivates and evaluates personnel; provides or coordinates staff training; conducts performance evaluations; implements discipline procedures; maintains discipline and high standards necessary for the efficient and professional operation of the Commission.

Researches and prepares recommendations regarding grant opportunities from Federal and State government; assists local agencies in applying for and obtaining such grants.

Analyzes and evaluates regional planning work elements and area wide governmental policies.

Represents the Commission at public hearings and to outside groups and organizations; participates in outside community and professional groups and committees; provides technical assistance as necessary.

Researches and prepares technical and administrative reports and studies; prepares written correspondence as necessary.

Builds and maintains positive working relationships with Commissioners, co-workers, other Commission employees and the public using principles of good customer service.

Perform related duties as assigned.

MINIMUM QUALIFICATIONS

Knowledge of:

Principles and practices of urban and regional transportation planning, policy development and project implementation.

Principles and practices of public project management.

Federal and State transportation funding and project implementation.

Principles and practices of leadership, motivation, team building and conflict resolution.

Pertinent local, State and Federal laws, rules and regulations.

Organizational and management practices as applied to the analysis and evaluation of programs.

Principles and practices of organization, administration and personnel management.

Principles and practices of budget preparation and administration.

Proper English usage and grammar.

Modern office procedures and computer equipment.

Ability to:

Plan, direct and control the administration and operations of the Commission.

On a continuous basis, analyze budget and technical reports; interpret and evaluate staff reports and related documents; know and interpret laws, regulations, codes and

procedures; observe performance and evaluate staff; problem solve organization related issues; and explain and interpret policy.

On a continuous basis, sit at desk and in meetings for long periods of time; intermittently twist to reach equipment surrounding desk; perform simple grasping and fine manipulation; use telephone; write or use a keyboard to communicate through written means; and lift or carry weight of 10 pounds or less.

Prepare and administer Commission and Authority budgets.

Develop and implement Commission policies and procedures.

Develop, implement and administer multiple programs and projects.

Supervise, train and evaluate assigned personnel.

Gain cooperation through discussion and persuasion.

Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.

Interpret and apply local, State, Federal and Commission policies, procedures, rules and regulations.

Prepare and present effective presentations and facilitate workshops.

Communicate clearly and concisely, both orally and in writing.

Establish and maintain effective working relationships with those contacted in the course of work.

Experience and Training

Any combination of experience and training that would provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be:

Experience:

Seven years of increasingly responsible experience in transportation or regional planning; including three years of administrative and management responsibility.

Training:

Equivalent to a Bachelor's degree from an accredited college or university with major course work in business or public administration, urban or transportation planning, or a related field.

License and Certificate

Possession of, or ability to obtain, a valid California driver's license.

EXHIBIT B

MADERA COUNTY TRANSPORTATION COMMISSION BENEFITS SUMMARY

VACATION:

Each regular full-time employee shall be entitled to vacation allowance. Each regular full-time employee will accrue 3.69 hours per pay period.

SICK LEAVE:

Each regular full-time employee shall accrue sick leave at the rate of 3.69 hours per pay period.

HOLIDAYS:

The Commission observes eleven (11) paid holidays per year. In addition each employee will be allowed four (4) hours (1/2 day) of personal leave per calendar year.

INSURANCE:

Health/Medical/Dental – The health insurance premium covers employees and dependents and is paid by the Commission. Employees are offered a high deductible medical plan through Blue Shield with an accompanying HSA. Vision coverage is provided by VSP. Dental coverage is provided through The Guardian.

If an employee is covered through an alternative health insurance plan (i.e. a spouse's plan) and that employee voluntarily elects to waive coverage through MCTC, that employee may be eligible for a monthly incentive benefit.

The Commission also provides Group Life Insurance, Disability Insurance, and Workers' Compensation Insurance. Commission employees are required to be part of the Medicare system. Commission and the employee are required to contribute 1.45% of the employee's gross salary for Medicare.

SOCIAL SECURITY:

Commission employees are required to participate in the federal Social Security system. Both the Commission and the employee are required to contribute 6.20% of the employee's gross salary for this benefit.

RETIREMENT PLAN:

The Commission maintains two retirement plans for regular full-time employees. ICMA 401(a) Money Purchase Plan is required with a 15% employer contribution. Regular full-time employees may elect to participate in the ICMA 457 Deferred Compensation Plan.

Note: The provisions of this bulletin do not constitute an express or implied contract. Any provisions contained herein may be modified and/or revoked without notice.

EXHIBIT C

GOVERNMENT CODE SECTIONS 53243-53243.4 AND 53260(A)

53243. On or after January 1, 2012, any contract executed or renewed between a local agency and an officer or employee of a local agency that provides paid leave salary offered by the local agency to the officer or employee pending an investigation shall require that any salary provided for that purpose be fully reimbursed if the officer or employee is convicted of a crime involving an abuse of his or her office or position.

53243.1. On or after January 1, 2012, any contract executed or renewed between a local agency and an officer or employee of a local agency that provides funds for the legal criminal defense of an officer or employee shall require that any funds provided for that purpose be fully reimbursed to the local agency if the officer or employee is convicted of a crime involving an abuse of his or her office or position.

53243.2. On or after January 1, 2012, any contract of employment between an employee and a local agency employer shall include a provision which provides that, regardless of the term of the contract, if the contract is terminated, any cash settlement related to the termination that an employee may receive from the local agency shall be fully reimbursed to the local agency if the employee is convicted of a crime involving an abuse of his or her office or position.

53243.3. On or after January 1, 2012, if a local agency provides, in the absence of a contractual obligation, for any of the payments described in this article, then the employee or officer receiving any payments provided for those purposes shall fully reimburse the local agency that provided those payments in the event that the employee or officer is convicted of a crime involving the abuse of his or her office or position.

53243.4. For purposes of this article, "abuse of office or position" means either of the following:

(a) An abuse of public authority, including, but not limited to, waste, fraud, and violation of the law under color of authority.

(b) A crime against public justice, including, but not limited to, a crime described in Title 5 (commencing with Section 67), Title 6 (commencing with Section 85), or Title 7 (commencing with Section 92) of Part 1 of the Penal Code.

53260. (a) All contracts of employment between an employee and a local agency employer shall include a provision which provides that regardless of the term of the contract, if the contract is terminated, the maximum cash settlement that an employee may receive shall be an amount equal to the monthly salary of the employee multiplied by the number of months left on the unexpired term of the contract. However, if the unexpired term of the contract is greater than 18 months, the maximum cash settlement shall be an amount equal to the monthly salary of the employee multiplied by 18.

EXHIBIT D

AGREEMENT OF SEPARATION, SEVERANCE, AND GENERAL RELEASE

1.0 PARTIES

This Agreement of Separation, Severance, and General Release (hereinafter referred to as the "AGREEMENT") is entered into by and between the MADERA COUNTY TRANSPORTATION COMMISSION ("COMMISSION,") and PATRICIA TAYLOR, an individual (hereinafter referred to as "EMPLOYEE").

2.0 RECITALS

2.1. EMPLOYEE was hired by COMMISSION as a Transportation Planner on November 23, 1993. On May 19, 1999, EMPLOYEE was hired as an at-will EXECUTIVE DIRECTOR serving at the pleasure of COMMISSION to provide services of the EXECUTIVE DIRECTOR. Thereafter EMPLOYEE served continuously as EXECUTIVE DIRECTOR under a series of written agreements, a true and correct copy of the latest of which is attached hereto as Exhibit "A" (hereinafter "CONTRACT") which commenced effective July 1, 2019.

EMPLOYEE is currently ___ years old.

2.2. COMMISSION and EMPLOYEE now desire that EMPLOYEE separate and enter into a severance agreement whereby EMPLOYEE receives severance compensation in exchange for executing a general release and waiver of any and all claims that EMPLOYEE may have against the COMMISSION, including but not limited to its elected and non-elected officials, employees, attorneys, and agents. Accordingly, the parties hereto intend by this AGREEMENT to mutually conclude any and all employment relationships between COMMISSION and EMPLOYEE by means of EMPLOYEE's separation as of _____, 20___. This AGREEMENT sets forth the full and complete terms and conditions concluding EMPLOYEE's employment relationship with COMMISSION and any obligations related thereto, including any provided under aforementioned CONTRACT.

2.3 In accordance with this AGREEMENT and with applicable state and federal laws, EMPLOYEE acknowledges that EMPLOYEE has been advised of EMPLOYEE'S postemployment rights, including but not limited to, EMPLOYEE'S rights under the Consolidated Omnibus Budget Reconciliation Act of 1985 ("COBRA"), the Employee Retirement Income Security Act of 1974 ("ERISA"), and the Health Insurance Portability and Accountability Act of 1996 ("HIPAA").

3.0 CONSIDERATION

3.1 EMPLOYEE shall receive payment at the time of separation of all earned salary, accrued fringe benefits as detailed in the CONTRACT, and/or all other wage

compensation/benefits owed to EMPLOYEE upon separation of employment, as required by law or the CONTRACT or any other agreement with COMMISSION.

3.2. In exchange for the waivers and releases set forth herein, COMMISSION shall also cause to be paid to EMPLOYEE an additional compensatory payment by means of severance, settlement and release in the form of a lump sum amount of _____ and ___ cents (\$_____.00), as set forth in the CONTRACT in the form of a check made payable to EMPLOYEE to be mailed to EMPLOYEE at EMPLOYEE's home address via certified mail within thirty (30) business days after the EFFECTIVE DATE (as defined below) of this AGREEMENT. In the alternative, the parties may mutually agree for an exchange of said check by hand at a time and place acceptable to both parties.

3.3 In exchange for the severance payment provided for herein, EMPLOYEE, and on behalf of EMPLOYEE's spouse, heirs, representatives, successors, and assigns, hereby releases, acquits, and forever discharges COMMISSION and each of its predecessors, successors, assigns, officials, employees, representatives, agents, insurers, attorneys, and all persons and entities acting by, through, under, or in concert with any of them, and each of them (hereinafter referred to as the "COMMISSION PARTIES"), from any and all claims, charges, complaints, contracts, understandings, liabilities, obligations, promises, benefits, agreements, controversies, costs, losses, debts, expenses, damages, actions, causes of action, suits, rights, and demands of any nature whatsoever, known or unknown, suspected or unsuspected, which EMPLOYEE now has or may acquire in the future, or which EMPLOYEE ever had, relating to or arising out of any act, omission, occurrence, condition, event, transaction, or thing which was done, omitted to be done, occurred or was in effect at anytime from the beginning of time up to and including EMPLOYEE's separation date of _____, _____ (hereinafter referred to collectively as "CLAIMS"), without regard to whether such CLAIMS arise under the federal, state, or local constitutions, statutes, rules or regulations, or the common law. EMPLOYEE expressly acknowledges that the CLAIMS forever barred by this AGREEMENT specifically include, but are not limited to, claims based upon any alleged breach of the CONTRACT or any other agreement of employment, any demand for wages, overtime or benefits, any claims of violation of the provisions of ERISA, COBRA or HIPAA, any alleged breach of any duty arising out of contract or tort, any alleged wrongful termination in violation of public policy, any alleged breach of any express or implied contract for continued employment, any alleged employment discrimination or unlawful discriminatory act, or any claim or cause of action including, but not limited to, any and all claims whether arising under any federal, state or local law prohibiting breach of employment contract, wrongful termination, or employment discrimination based upon age, race, color, sex, religion, handicap or disability, national origin or any other protected category or characteristic, and any and all rights or claims arising under the California Labor Code or Industrial Welfare Commission Wage Orders, the Federal Fair Labor Standards Act, the California Fair Employment and Housing Act, California Government Code §§12, 900 *et seq.*, the Americans With Disabilities Act, Title VII of the Civil Rights Act of 1964, the Public Safety Officers Procedural Bill of Right Act, and any other federal, state, or local human rights, civil rights, or employment discrimination or employee rights statute, rule,

or regulation. Nothing herein shall be interpreted as a release or waiver of any workers' compensation claims or in any way prohibit or prevent EMPLOYEE from participating in any claims or administrative action brought by a state or federal agency.

4.0 SPECIFIC ACKNOWLEDGMENT OF WAIVER OF CLAIMS UNDER ADEA AND OWBPA

The Age Discrimination in Employment Act of 1967 (hereinafter referred to as the "ADEA") makes it illegal for an employer to discharge any individual or otherwise discriminate with respect to the nature and privileges of an individual's employment on the basis that the individual is age forty (40) or older. The Older Workers Benefit Protection Act (hereinafter referred to as the "OWBPA," 29 U.S.C. § 626, *et seq.*, Pub L 101-433, 104 Stat. 978 (1990)) further augments the ADEA and prohibits the waiver of any right or claim under the ADEA, **unless the waiver is knowing and voluntary**. By entering into this AGREEMENT, EMPLOYEE acknowledges that she knowingly and voluntarily, for just compensation in addition to anything of value to which EMPLOYEE was already entitled, waives and releases any rights she may have under the ADEA and/or OWBPA. EMPLOYEE further acknowledges that EMPLOYEE has been advised and understands, pursuant to the provisions of the ADEA and OWBPA, that:

- 1) This waiver/release is written in a manner understood by EMPLOYEE;
- 2) EMPLOYEE is aware of, and/or has been advised of, EMPLOYEE'S rights under the ADEA and OWBPA, and of the legal significance of EMPLOYEE's waiver of any possible claims EMPLOYEE currently may have under the ADEA, OWBPA and/or similar age discrimination laws;
- 3) EMPLOYEE is entitled to a reasonable time of at least twenty-one (21) days within which to review and consider this AGREEMENT and the waiver and release of any rights EMPLOYEE may have under the ADEA, the OWBPA and similar age discrimination laws; but may, in the exercise of EMPLOYEE's own discretion, sign or reject this AGREEMENT at any time before the expiration of the twenty-one (21) days;
- 4) The waivers and releases set forth in this AGREEMENT shall not apply to any rights or claims that may arise under the ADEA and/or OWBPA **after** the EFFECTIVE DATE of this AGREEMENT;
- 5) EMPLOYEE has been advised by this writing that EMPLOYEE should consult with an attorney prior to executing this AGREEMENT;
- 6) EMPLOYEE has had an opportunity to discuss this waiver and release with, and to be advised with respect thereto by, EMPLOYEE's counsel of choice, and that EMPLOYEE does not need any additional time within which to review and consider this AGREEMENT;
- 7) EMPLOYEE has **seven (7) days following execution** of this AGREEMENT to revoke the AGREEMENT;
- 8) Notice of revocation within the seven (7) day revocation period must be provided, in writing, to THE COMMISSION pursuant to Paragraph 8.9 herein, and must state, "I hereby revoke my acceptance of our Agreement of Severance and General Release;" and

9) This AGREEMENT shall not be effective until all parties have signed the AGREEMENT and ten (10) days have passed since EMPLOYEE's execution ("EFFECTIVE DATE").

5.0 UNKNOWN CLAIMS

In relation to the release provisions of Paragraphs 3 and 4 above, EMPLOYEE understands that California Civil Code section 1542 reads as follows:

"§ 1542 General release; extent" "A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release and that, if known by him or her, would have materially affected his or her settlement with the debtor or released party."

EMPLOYEE hereby waives the protection of California Civil Code section 1542.

6.0 WAIVER OF ADDITIONAL CLAIMS

EMPLOYEE hereby waives any provisions of state or federal law that might require a more detailed specification of the claims being released pursuant to the provisions of Paragraphs 3, 4, and 5 above.

7.0 REPRESENTATIONS AND WARRANTIES

Each of the parties to this AGREEMENT represents and warrants to, and agrees with, each other party as follows:

7.1. Advice of Counsel: The parties hereto have received independent legal advice from their respective attorneys concerning the advisability of entering into and executing this AGREEMENT or have been given the opportunity to obtain such advice. The parties acknowledge that they have been represented by counsel of their own choice in the negotiation of this AGREEMENT, that they have read this AGREEMENT; that they have had this AGREEMENT fully explained to them by such counsel, or have had such opportunity to do so and that they are fully aware of the contents of this AGREEMENT and of its legal effect.

7.2. No Fraud in Inducement: No party (nor any officer, agent, employee, representative, or attorney of or for any party) has made any statement or representation or failed to make any statement or representation to any other party regarding any fact relied upon in entering into this AGREEMENT, and neither party relies upon any statement, representation, omission or promise of any other party in executing this AGREEMENT, or in making the settlement provided for herein, except as expressly stated in this AGREEMENT.

7.3. Independent Investigation: Each party to this AGREEMENT has made such investigation of the facts pertaining to this settlement and this AGREEMENT and all the matters pertaining thereto, as it deems necessary.

7.4. Mistake Waived: In entering into this AGREEMENT, each party assumes the risk of any misrepresentation, concealment or mistake. If any party should subsequently discover that any fact relied upon by it in entering into this AGREEMENT was untrue, or that any fact was concealed from it, or that its understanding of the facts or of the law was incorrect, such party shall not be entitled to any relief in connection therewith, including without limitation on the generality of the foregoing any alleged right or claim to set aside or rescind this AGREEMENT.

This AGREEMENT is intended to be, and is, final and binding between the parties, regardless of any claims of misrepresentation, promise made without the intent to perform, concealment of fact, mistake of fact or law, or any other circumstance whatsoever.

7.5. Later Discovery: The parties are aware that they may hereafter discover claims or facts in addition to or different from those they now know or believe to be true with respect to the matters related herein. Nevertheless, it is the intention of the parties that EMPLOYEE fully, finally and forever settle and release all such matters, and all claims relative thereto, which do now exist, may exist or have previously existed against COMMISSION or the COMMISSION PARTIES. In furtherance of such intention, the releases given here shall be, and remain, in effect as full and complete releases of all such matters, notwithstanding the discovery or existence of any additional or different claims or facts relative thereto.

7.6. Indemnification: EMPLOYEE agrees to indemnify and hold harmless COMMISSION or the COMMISSION PARTIES from and against, any and all claims, damages, or liabilities sustained by them as a direct result of the violation or breach of the covenants, warranties, and representations undertaken pursuant to the provisions of this AGREEMENT. EMPLOYEE understands and agrees that EMPLOYEE shall be exclusively liable for the payment of all taxes for which EMPLOYEE is responsible, if any, as a result of the receipt of the consideration referred to in Paragraph 3 of this AGREEMENT. In addition, EMPLOYEE agrees fully to indemnify and hold the COMMISSION PARTIES harmless for payment of tax obligations as may be required by any federal, state or local taxing authority, at any time, as a result of the payment of the consideration set forth in Paragraph 3 of this AGREEMENT.

7.7. Future Cooperation & Consultation fees: The parties shall execute all such further and additional documents as shall be reasonable, convenient, necessary or desirable to carry out the provisions of this AGREEMENT. EMPLOYEE agrees to provide COMMISSION with consultation services (including deposition or trial testimony) in any litigation involving the COMMISSION, its agents or employees, which is reasonably related to acts or occurrences transpiring during EMPLOYEE's employment. Said

services shall be provided as needed by the COMMISSION and at a rate of One Hundred Dollars (\$100.00) per hour.

7.8. Return of Confidential Information and Property: Prior to the separation date, EMPLOYEE shall submit a written inventory of, and return to the COMMISSION Clerk, all COMMISSION keys, equipment, computer identification cards or codes, and other equipment or materials or confidential documents provided to or obtained by EMPLOYEE during the course of EMPLOYEE's employment with COMMISSION.

7.9 No Pending Claims and/or Actions: EMPLOYEE represents that EMPLOYEE has not filed any complaints or charges against COMMISSION or the COMMISSION PARTIES with any local, state or federal agency or court; that EMPLOYEE will not do so at any time hereafter for any claim arising up to and including the EFFECTIVE DATE of this AGREEMENT; and that if any such agency or court assumes jurisdiction of any such complaint or charge against COMMISSION or the COMMISSION PARTIES on behalf of EMPLOYEE, whenever or wherever filed, EMPLOYEE will request such agency or court to withdraw from the matter forthwith. Nothing herein shall be interpreted as a release or waiver of any workers' compensation claims or in any way prohibit or prevent EMPLOYEE from participating in any claims or administrative action brought by a state or federal agency.

7.10. Ownership of Claims: EMPLOYEE represents and warrants as a material term of this AGREEMENT that EMPLOYEE has not heretofore assigned, transferred, released or granted, or purported to assign, transfer, release or grant, any of the CLAIMS disposed of by this AGREEMENT. In executing this AGREEMENT, EMPLOYEE further warrants and represents that none of the CLAIMS released by EMPLOYEE thereunder will in the future be assigned, conveyed, or transferred in any fashion to any other person and/or entity.

7.11 Enforcement Fees and Costs: Should any legal action be required to enforce the terms of this AGREEMENT, the prevailing party shall be entitled to reasonable attorneys' fees and costs in addition to any other relief to which that party may be entitled.

7.12 Authority: Each party represents to the other that it has the right to enter into this AGREEMENT, and that it is not violating the terms or conditions of any other AGREEMENT to which they are a party or by which they are bound by entering into this AGREEMENT. The parties represent that they will obtain all necessary approvals to execute this AGREEMENT. It is further represented and agreed that the individuals signing this AGREEMENT on behalf of the respective parties have actual authority to execute this AGREEMENT and, by doing so, bind the party on whose behalf this AGREEMENT has been signed.

8.0 MISCELLANEOUS

8.1. No Admission: Nothing contained herein shall be construed as an admission by COMMISSION of any liability of any kind. COMMISSION denies any liability in connection

with any claim and intends hereby solely to avoid potential claims and/or litigation and buy its peace.

8.2. **Governing Law:** This AGREEMENT has been executed and delivered within the State of California, and the rights and obligations of the parties shall be construed and enforced in accordance with, and governed by, the laws of the State of California.

8.3. **Full Integration:** This AGREEMENT is the entire agreement between the parties with respect to the subject matter hereof and supersedes all prior and contemporaneous oral and written agreements and discussions. This AGREEMENT may be amended only by a further agreement in writing, signed by the parties hereto.

8.4. **Continuing Benefit:** This AGREEMENT is binding upon and shall inure to the benefit of the parties hereto, their respective agents, spouses, employees, representatives, officials, attorneys, assigns, heirs, and successors in interest.

8.5. **Joint Drafting:** Each party agrees that it has cooperated in the drafting and preparation of this AGREEMENT. Hence, in any construction to be made of this AGREEMENT, the parties agree that same shall not be construed against any party.

8.6. **Severability:** In the event that any term, covenant, condition, provision or agreement contained in this AGREEMENT is held to be invalid or void by any court of competent jurisdiction, the invalidity of any such term, covenant, condition, provision or agreement shall in no way affect any other term, covenant, condition, provision or agreement and the remainder of this AGREEMENT shall still be in full force and effect.

8.7. **Titles:** The titles included in this AGREEMENT are for reference only and are not part of its terms, nor do they in any way modify the terms of this AGREEMENT.

8.8. **Counterparts:** This AGREEMENT may be executed in counterparts, and when each party has signed and delivered at least one such counterpart, each counterpart shall be deemed an original, and, when taken together with other signed counterparts, shall constitute one AGREEMENT, which shall be binding upon and effective as to all parties.

8.9. **Notice:** Any and all notices given to any party under this AGREEMENT shall be given as provided in this paragraph. All notices given to either party shall be made by certified or registered United States mail, or personal delivery, at the noticing party's discretion, and addressed to the parties as set forth below. Notices shall be deemed, for all purposes, to have been given on the date of personal service or three (3) consecutive calendar days following deposit of the same in the United States mail.

As to EMPLOYEE:

At EMPLOYEE's home address on file with THE COMMISSION.

As to THE COMMISSION :

Madera County Transportation Commission
1816 Howard Road, Suite 8
MADERA, California 93637

IN WITNESS WHEREOF, THE COMMISSION has caused this AGREEMENT to be signed and executed on its behalf by its Chairperson and duly attested by its COMMISSION Clerk, EMPLOYEE has signed and executed this Agreement, and the attorneys for COMMISSION and EMPLOYEE, if any, have approved as to form as of the dates written below.

THE COMMISSION By: _____ COMMISSION TITLE DATED: _____	EMPLOYEE By: _____ PATRICIA TAYLOR DATED: _____
ATTEST: By: _____ Clerk	[EMPLOYEE's LAW FIRM] By: _____ [Counsel]
APPROVED AS TO FORM: ALESHIRE & WYNDER, LLP By: _____ Shannon L. Chaffin, General Counsel	

ATTACHMENT: Employment Agreement Between Commission & Patricia Taylor

EMPLOYMENT AGREEMENT BETWEEN COMMISSION AND PATRICIA TAYLOR



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 7-F
PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Conflict of Interest Code – Resolution 20-11

Enclosure: Yes

Action: Approve Resolution 20-11 updating the Commission’s Conflict of Interest Code

SUMMARY:

The Political Reform Act requires that public agencies adopt a Conflict of Interest Code (Code). This Code designates positions required to file Statements of Economic Interests (Form 700) and assigns disclosure categories specifying the types of interests to be reported. Further, all local agencies are required to conduct a biennial review of their Code to assure that all applicable positions are listed as “Designated Filers”, that any necessary position titles have been added, any positions eliminated are removed, any changes to titles are updated, and any revisions to the Disclosure Categories are incorporated.

Additionally, the Commission is required to complete and execute a copy of the 2020 Local Agency Biennial Notice review form, and maintain the form on file and on the Commission’s website indicating that this review has been conducted.

The attached Resolution includes the Code and incorporates the Statewide Model Code Language. The Code provides a list of designated positions and disclosure categories including the following positions:

- Addition of the Deputy Director/Fiscal Supervisor position; and
- Addition of Principal Regional Planner position.

The Code also lists designation categories for the Board.

It should be noted that the Conflict of Interest Code does not replace the current Conflict of Interest policy found in the Financial and Accounting Manual. The policy supplements the Code and will remain in the Financial and Accounting Manual.

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**

<p>In the matter of UPDATING AND REVISING THE CONFLICT OF INTEREST CODE, WHICH INCORPORATES BY REFERENCE THE CONFLICT OF INTEREST CODE PREPARED BY THE FAIR POLITICAL PRACTICES COMMISSION</p>	<p>Resolution No.: 20-11</p>
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WHEREAS, the Political Reform Act of 1974, California Government Code §§ 81000 *et seq.*, requires the Madera County Transportation Commission to establish a Conflict of Interest Code.

WHEREAS, the Board of the Madera County Transportation Commission determines it is both necessary and appropriate to establish a Conflict of Interest Code and to list designated positions and to assign appropriate disclosure categories for those positions.

WHEREAS, the Fair Political Practices Commission has adopted a Model Conflict of Interest Code (the “Model Code”). The Model Code, which is codified at 2 California Code of Regulations Section 18730, can be incorporated by reference by the Madera County Transportation Commission as the Commission’s Conflict of Interest Code.

WHEREAS, it is anticipated that the Model Code will be amended by the Fair Political Practices Commission from time to time to conform to any amendments to the Political Reform Act, and it is the intent of the Board that said amendments be incorporated in the Madera County Transportation Commission’s Conflict of Interest Code.

WHEREAS, incorporation by reference of the terms of the aforementioned Model Code and any future amendments to it in the Madera County Transportation Commission’s Conflict of Interest Code will save the Commission time and the expenditure of public funds by minimizing the actions required of the Commission to maintain conformity with the Political Reform Act.

WHEREAS, pursuant to the provisions of California Government Code § 87311, officers, employees, members of the public, consultants, and residents of the jurisdiction were given due and proper notice and opportunity to present their views prior to adoption of this resolution.

WHEREAS, the adoption of the Conflict of Interest Code is not a “project” for the purposes of the California Environmental Quality Act (CEQA), as it is an administrative activity of government that will not result in direct or indirect physical changes in the environment.

WHEREAS, the Board of the Madera County Transportation Commission desires to adopt a Conflict of Interest Code as set forth herein.

NOW, THEREFORE, the Board of the Madera County Transportation Commission resolves as follows:

Section 1. The Board of the Madera County Transportation Commission hereby adopts the updated and revised Madera County Transportation Commission Conflict of Interest Code attached hereto as Exhibit “A.” The Conflict of Interest Code includes designated positions and disclosure categories and incorporates by reference the Model Code codified at 2 California Code of Regulations Section 18730, as may be amended. A copy of the Model Code is attached as Appendix “B” to the Conflict of Interest Code.

Section 2. Persons holding designated positions shall file a Statement of Economic Interest (Form 700) pursuant to Sections 4 and 5 of the Conflict of Interest Code as set forth in California Code of Regulations Section 18730(b)(4) and (5). General Counsel of the Madera County Transportation Commission shall comply with the disclosure requirements of Government Code Section 87200.

Section 3. All previous Conflict of Interest Codes and Policies previously adopted by this Commission are repealed in their entirety and shall be of no further force and effect.

The foregoing resolution was adopted this 22nd day of July 2020 by the following vote:

Commissioner Max Rodriguez	_____
Commissioner Jose Rodriguez	_____
Commissioner Waseem Ahmed	_____
Commissioner Brett Frazier	_____
Commissioner Andrew Medellin	_____
Commissioner Tom Wheeler	_____

Chairman, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission

EXHIBIT "A"

**MADERA COUNTY TRANSPORTATION COMMISSION
CONFLICT OF INTEREST CODE**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes.

The Fair Political Practices Commission has adopted regulation 2 California Code of Regulations Section 18730 that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. That regulation, and the attached Appendix "A" (Designated Positions and Disclosure Categories), shall constitute the conflict of interest code of the Madera County Transportation Commission.

Individuals holding designated positions shall file their statements of economic interests with the Commission, which will make the statements available for public inspection and reproduction (Gov. Code§ 81008). All statements will be retained by the Commission.

Appendix A

Designated Positions and Disclosure Categories

Designated Positions

Disclosure Categories

Commissioners (6)	1, 2, 3, 4, 5, 6, 7,10, 11, 12
Executive Director	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Deputy Director/Fiscal Supervisor	1, 2, 3, 4, 5, 6, 7, 8, 9, 10
Principal Regional Planner	1, 2, 3, 4, 5

NOTE: The Commission's General Counsel is required to submit disclosure statements pursuant to State law (California Government Code§§ 87200 *et seq.*) instead of this Code.

Disclosure Categories

1. Reportable interests in real property in the jurisdiction (FPPC Form 700, Schedule B).
2. Reportable income (FPPC Schedule C - income other than gifts and travel payments; D - income from gifts; or E - income from travel payments).
3. Reportable investments (FPPC Form 700, Schedules A-1 and A-2).

4. Reportable business positions (FPPC Form 700, Schedule C).
5. Reportable gifts and travel gifts (FPPC Form 700, Schedules D and E).
6. Reportable income from any financial institution in which the Commission deposits funds, plans to deposit funds, or has deposited funds within two years prior to the time any statement is required under this conflict of interest code.
7. Reportable investments and business positions in any financial institution in which the Commission deposits funds, plans to deposit funds or has deposited funds within two years prior to the time a statement is required under this conflict of interest code.
8. Reportable income from persons or business entities that provide, plan to provide, or have provided within two years prior to the time a statement is required under this Conflict of Interest Code, services or supplies to the Commission at the direction of the disclosing employee or his or her department.
9. Reportable investments and business positions in business entities that provide, or plan to provide, or have provided within two years prior to the time a statement is required under this Conflict of Interest Code, services or supplies to the Commission at the direction of the disclosing employee or his or her department.
10. Reportable income from any Commission employee.
11. Reportable income from persons and business entities and business positions in business entities having an interest in real property in the jurisdiction or that provide, or have provided, within two years prior to the time a Statement is required under this Conflict of Interest Code, services within the jurisdiction subject to the inspection, review or approval of the Commission.
12. Reportable investments in any business entities having an interest in real property in the jurisdiction or that provide, or have provided, within two years prior to the time a Statement is required under this Conflict of Interest Code, services within the jurisdiction subject to the inspection, review or approval of the Commission.
13. All interests in real property which is located in whole or in part within the boundaries of Madera County.

Appendix B

Model Conflict of Interest Code (2 California Code of Regulations Section 18730)

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions. The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees. The persons holding positions listed in the Appendix [A] are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories. This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing. The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code.²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office. Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements. Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements. Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting. Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure. When an investment or an interest in real property³ is required to be reported, ⁴the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

(D) This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$470.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$470 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests.

(B) This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

(C) Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her

election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

- I. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.
4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of

the loan, term of

the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - a. The date the loan was made.
 - b. The date the last payment of \$100 or more was made on the loan.
 - c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action

was based on reasonable business considerations.

5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification. No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$470 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation. No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees. In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest. When a designated employee determines that he

or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel. Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations. This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 9-A

PREPARED BY: Sandy Ebersole, Administrative Analyst

SUBJECT:

Measure T Citizens' Oversight Committee Meeting

Enclosure: No

Action: Information and Discussion Only

SUMMARY:

The next Citizens' Oversight Committee meeting is a virtual meeting scheduled for Wednesday, August 12, 2020 at 5:00 pm

FISCAL IMPACT:

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



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 10-A

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

Oakhurst Midtown Connector Project – Construction Allocation

Enclosure: Yes

Action: Approve Construction allocation of \$11,445,000 for the Oakhurst Midtown Connector project, Resolution 20-01

SUMMARY:

The Madera County Public Works Department (County) has completed the Right of Way (ROW) and Plans, Specifications and Estimate (PS&E) phases, including all permitting, for the Regional Measure T Oakhurst Midtown Connector project. The project is now Ready to List (RTL) for advertising of construction bids.

The Oakhurst Midtown Connector project will include construction of a new, two-lane road (Midtown Connector) connecting SR 41 on the northwest with Indian Springs Road on the southeast. The new road will include a bridge over Nelder Creek, approximately 365 feet in length. The roadway will include 12-foot wide travel lanes, five-foot wide shoulders, a five-foot wide sidewalk, and separate five-foot wide bike lane on either side of the road. The Project will also include intersection improvements at State Route 41 (SR 41) and Midtown Connector, including installation of a traffic signal, and widening of SR 41 from two to four travel lanes for a distance of approximately 1,742 feet. The project will include improvements at the intersection of Road 427 (School Road) and Indian Springs Road, including installation of a three-way signal and two, left turn lanes on Road 427. The project underwent an environmental review pursuant to the California Environmental Quality Act (CEQA) and a Notice of Determination was filed on November 4, 2019 with the County of Madera Recorder's office.

One of the main priorities of Measure T is to leverage other federal and state funds for the construction of transportation projects. The California Transportation Commission (CTC) approved an allocation request for this project for \$5,000,000 in SB-1 Local Partnership Program (LPP) funds at their June 24, 2020 meeting.

The County is now requesting approval of the allocation of \$11,445,000 of Regional Measure T- Tier 1 and Flexible funds for the Construction of the Oakhurst Midtown Connector project.

The County is preparing to advertise for construction bids by the end of July (this month), provided the allocation of the remaining Construction funds (Measure T) is approved.

FISCAL IMPACT:

No fiscal impact to the 2020-21 Annual Work Program. Funds have been budgeted and are available for this project.



July 15, 2020

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

Subject: Measure T Construction Funding Allocation Request- Oakhurst Midtown Connector Project

Dear Mr. McNeil,

I am pleased to inform the Madera County Transportation Commission (MCTC) that the Public Works Department (County) has completed the Right of Way (ROW) and Plans, Specifications and Estimate (PS&E) phases, including all permitting, for the Regional Measure T Oakhurst Midtown Connector project. The project is now Ready to List (RTL) for advertising of construction bids.

The Oakhurst Midtown Connector project will include construction of a new, two-lane road (Midtown Connector) connecting SR 41 on the northwest with Indian Springs Road on the southeast. The new road will include a bridge over Nelder Creek, approximately 365 feet in length. The roadway will include 12-foot wide travel lanes, five-foot wide shoulders, a five-foot wide sidewalk, and separate five-foot wide bike lane on either side of the road. The Project will also include intersection improvements at State Route 41 (SR 41) and Midtown Connector, including installation of a traffic signal, and widening of SR 41 from two to four travel lanes for a distance of approximately 1,742 feet. The project will include improvements at the intersection of Road 427 (School Road) and Indian Springs Road, including installation of a three-way signal and two, left turn lanes on Road 427. The project underwent an environmental review pursuant to the California Environmental Quality Act (CEQA) and a Notice of Determination was filed on November 4, 2019 with the County of Madera Recorder's office.

Included in the attachment for reference is the cover sheet of the plans for the Oakhurst Midtown Connector project.

As you are aware, the California Transportation Commission (CTC) approved the allocation request for the \$5,000,000.00 in SB-1 Local Partnership Program (LPP) funds at their June 24, 2020 meeting.

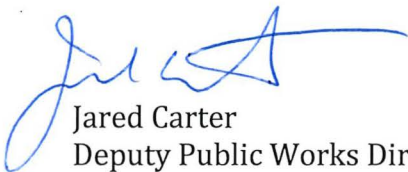
With that, the County is requesting approval of the allocation of the \$11,445,000 of Regional Measure T- Tier 1 and Flexible funds for the Construction of the Oakhurst Midtown Connector project.

The County is preparing to advertise for construction bids by the end of July (this month), provided the allocation of the remaining Construction funds (Measure T) is approved.

We are excited and look forward to delivering this much needed project for the Madera County residence.

Should you have any questions or wish to discuss this request further, please do not hesitate to contact me by email or phone (559) 675-7811.

Sincerely,



Jared Carter
Deputy Public Works Director

Attachment: Project Plans Cover Sheet

CAD USER: rlorenz
 PATH: J:\Madera County-FN-14103-Oakhurst Mid Town PS&E\CADD\Drawing\County Cadd Files

APPROVED AS TO IMPACT ON STATE FACILITIES AND CONFORMANCE WITH APPLICABLE STATE STANDARDS AND PRACTICES AND THAT TECHNICAL OVERSIGHT WAS PERFORMED.
 DATE SIGNED
 LICENSE Exp DATE
 REGISTRATION No.
 CALTRANS DESIGN OVERSIGHT APPROVAL
 CONSULTANT DESIGN ENGINEER
 ROBERT LORENZ

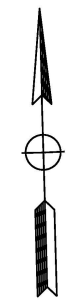
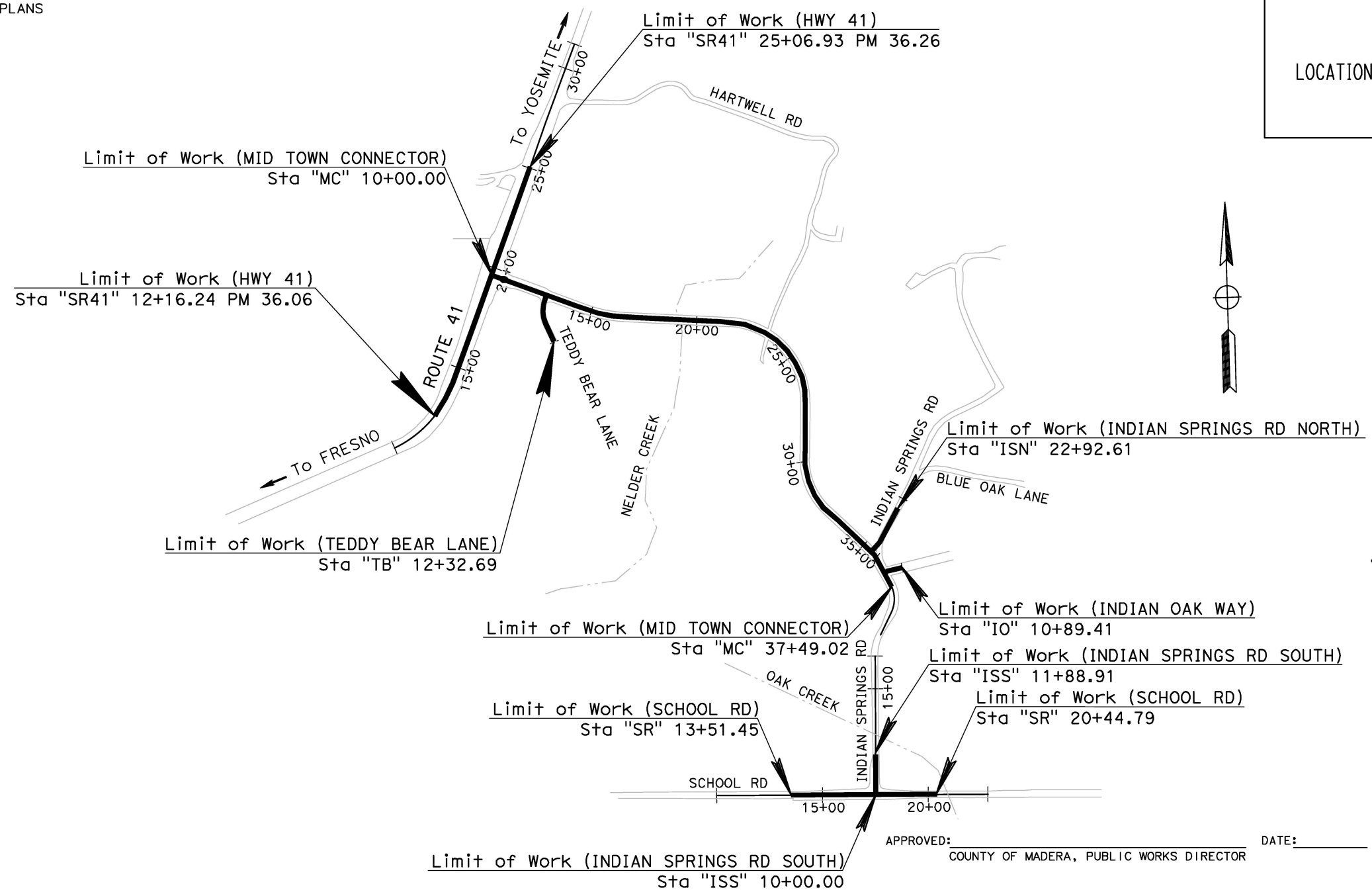
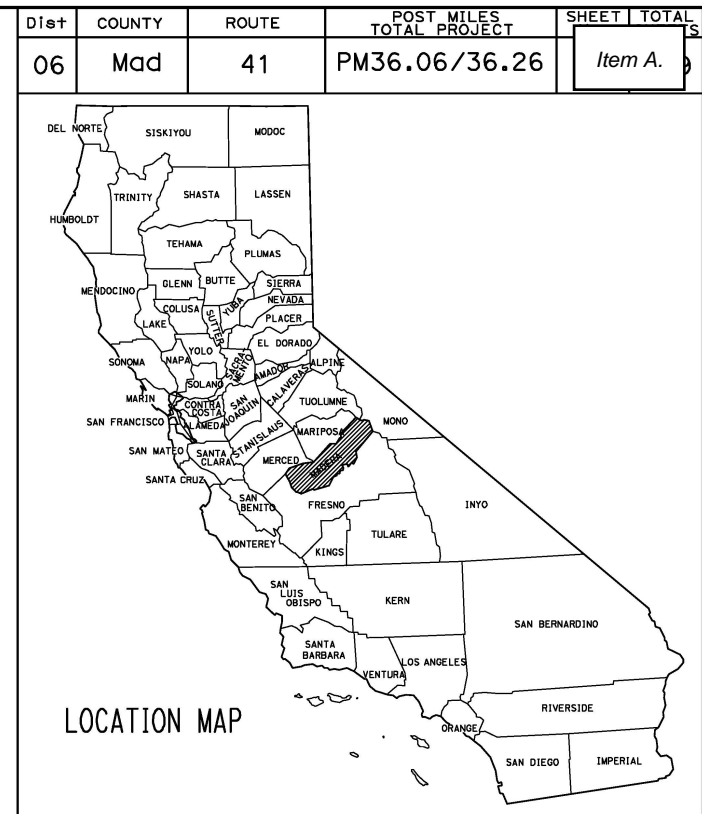
INDEX OF PLANS

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COUNTY OF MADERA

**PROJECT PLANS FOR CONSTRUCTION OF
 OAKHURST MIDTOWN CONNECTOR
 IN MADERA COUNTY
 IN OAKHURST
 FROM STATE ROUTE 41 TO HIGH SCHOOL ROAD**

TO BE SUPPLEMENTED BY STANDARD PLANS DATED 2015



100% SUBMITTAL

PROJECT ENGINEER _____ DATE _____
 REGISTERED CIVIL ENGINEER



PLANS APPROVAL DATE _____
 THE STATE OF CALIFORNIA, COUNTY OF MADERA, OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

MARK THOMAS
 7571 NORTH REMINGTON AVENUE
 FRESNO, CA 93711
 COUNTY OF MADERA
 200 W. 4TH ST
 MADERA, CA 93637

CONTRACT No. 06-0X 152
 PROJECT ID 0618000

APPROVED: _____ DATE: _____
 COUNTY OF MADERA, PUBLIC WORKS DIRECTOR

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

DATE PLOTTED => \$DATE
 TIME PLOTTED => \$TIME
 LAST REVISION 10-02-18

3.2 WHEREAS, the Madera County Transportation Authority has received approved plans and specifications from Madera County.

4.1 NOW, THEREFORE, BE IT RESOLVED that the Madera County Transportation Authority does hereby authorize Madera County to proceed to construction for the Oakhurst Midtown Connector project in the amount of \$11,445,000 Measure T Tier I/Flexible funds.

The foregoing resolution was adopted by the MCTA Policy Board this 22nd day of July 2020 by the following vote:

- Commissioner Max Rodriguez voted: _____
- Commissioner Jose Rodriguez voted: _____
- Commissioner Brett Frazier voted: _____
- Commissioner Waseem Ahmed voted: _____
- Commissioner Andrew Medellin voted: _____
- Commissioner Tom Wheeler voted: _____

Chair, Madera County Transportation Commission

Executive Director, Madera County Transportation Commission



STAFF REPORT
Board Meeting of July 22, 2020

AGENDA ITEM: 10-B

PREPARED BY: Troy McNeil, Deputy Director/Fiscal Supervisor

SUBJECT:

State Route 99 – Ave 7-12 Widening Project, Trade Corridor Enhancement Program (TCEP)
Local Match

Enclosure: No

Action: Approve Measure T Flexible Funds for TCEP Local Match

SUMMARY:

The California Department of Transportation (Caltrans), in partnership with the Madera County Transportation Commission (MCTC), will be submitting the Madera South Widening Project (Project) for consideration in the Senate Bill 1 (SB-1) Trade Corridors Enhancement Program (TCEP) 2020. Caltrans and MCTC are requesting \$5,500,000 in SB-1 TCEP 2020 funding for right-of-way capital and support, with \$2,200,000 being requested from the State share and \$3,300,000 from the regional share.

The project is on State Route 99 (SR 99) in Madera County from south of Ave 7 to north of Ave 12. Enhancement of this section of SR 99, which runs through southern Madera County, is needed to improve truck freight mobility and travel time reliability, preserve acceptable facility operation, improve safety, and reduce congestion. The segment is already beginning to break down and operate at unacceptable levels. The Annual Average Daily Traffic (AADT) for trucks is up to 21% within this corridor as compared with the State average of 9% for truck AADT. The proposed 6-lane freeway would improve the flow and travel-time reliability along this segment of SR 99 for current volumes of traffic and provide enough capacity to manage the projected increases to both freight and passenger vehicle volumes.

The regional share of the program requires a local match of 30%. MCTA staff is recommending that Measure T Flexible funds be approved in the amount of \$1,000,000 to be programmed and made available to this Project if the TCEP grant is awarded.

The Flexible funds needed for the match is planned to come from savings from the Ave 12 Interchange project.

FISCAL IMPACT:

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



Making Conservation
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DEPARTMENT OF TRANSPORTATION

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August 3, 2020

Mr. Mitch Weiss
Executive Director
California Transportation Commission
1120 N Street, MS-52
Sacramento, CA 95814

Dear Mr. Weiss:

The California Department of Transportation (Caltrans), in partnership with Madera County Transportation Commission (MCTC), are pleased to submit the Madera South Widening (Project) for consideration in the Senate Bill 1 (SB 1) Trade Corridors Enhancement Program (TCEP) 2020. Caltrans and MCTC are requesting \$5,500,000 in SB1 TCEP 2020 funding for right-of-way capital and support, with \$2,200,000 being requested from the State share and \$3,300,000 from the regional share.

The project is on State Route 99 (SR 99) in Madera County from south of the Ave 7 to north of the Ave 12. SR 99 connects District 6 from north of Madera County to south of Kern County with the rest of the State and is the primary inter-regional corridor within the San Joaquin Valley. It provides a critical linkage for shipment via freight trucks of agricultural goods produced in the District to markets outside of the Valley; provides for through traffic between major ports and metropolitan areas of California; and during the summer months provides significant recreational access. Enhancement of this section of SR 99, which runs through southern Madera County, is needed to improve truck freight mobility and travel time reliability, preserve acceptable facility operation, improve safety, and reduce congestion. The segment is already beginning to break down and operate at unacceptable levels. The Annual Average Daily Traffic (AADT) for trucks is up to 21% within this corridor as compared with the State average of 9% for truck AADT. The proposed 6-lane freeway would improve the flow and travel-time reliability along this segment of SR 99 for current volumes of traffic and provide enough capacity to manage the projected increases to both freight and passenger vehicle volumes.

Madera Widening Project (from Ave 12 to Ave 17), north of this project and

Mr. Mitch Weiss
August 3, 2020
Page 2

currently in construction, is a prime example of the successful partnership between MCTC and Caltrans. MCTC used their Measure and Regional Improvement Program funds for environmental, design and right-of-way phases in order to have the project shovel ready for construction. MCTC and Caltrans plan to have a similar partnership for the Madera North Widening project that will widen SR 99 all the way to State Route 152.

We greatly appreciate the California Transportation Commission's consideration of the requested investment in this project, as it is a critical component of the transportation infrastructure for the Central Valley. We believe the Project is a strong candidate for SB1 TCEP 2020 funding.

The signatures below confirm support from Caltrans and MCTC including that all the information within the application and the Project Programming Request form is accurate.

Sincerely,

Patricia Taylor
Executive Director
Madera County Transportation Commission

Date

Diana Gomez
District 6 Director
California Department of Transportation

Date

TOKS OMISHAKIN
Director
California Department of Transportation

Date