

MADERA COUNTY TRANSPORTATION COMMISSION

EXECUTIVE MINUTES

Date: April 22, 2020
Time: 3:00 pm
Place: MCTC Chambers and Go to Webinar

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

Members Absent: None

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

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

MCTC sitting as the Transportation Policy Committee

1. PLEDGE OF ALLEGIANCE

2. PUBLIC COMMENT

None

3. TRANSPORTATION CONSENT ITEMS

A. *Active Transportation Program Cycle 5*

On September 26, 2013, Governor Brown signed legislation creating the Active Transportation Program (ATP) in the Department of Transportation (Senate Bill 99, Chapter 359 and Assembly Bill

101, Chapter 354). The ATP consolidates existing federal and state transportation programs, including the Transportation Alternatives Program (TAP), Bicycle Transportation Account (BTA), and State Safe Routes to School (SRTS), into a single program with a focus to make California a national leader in active transportation. The ATP is administered by the Division of Local Assistance, Office of State Programs.

The purpose of ATP is to encourage increased use of active modes of transportation by achieving the following goals:

- Increase the proportion of trips accomplished by biking and walking
- Increase safety and mobility for non-motorized users
- Advance the active transportation efforts of regional agencies to achieve Greenhouse Gas (GHG) reduction goals, pursuant to SB 375 (of 2008) and SB 341 (of 2009)
- Enhance public health
- Ensure that disadvantaged communities fully share in the benefits of the program
- Provide a broad spectrum of projects to benefit many types of active transportation users

Cycle 5 is expected to include about \$440M in ATP funding consisting of Federal funding, State SB-1 funding, and State Highway Account (SHA) funding. The funding/programming years are expected to include 21/22, 22/23, 23/24 and 24/25 fiscal years.

The Call for Projects was released on March 25, 2020 with the approval of the updated guidelines by the California Transportation Commission (CTC). The application postmark date is June 15, 2020.

Potential applicants are encouraged to check the [CTC](#) website for future updates including any possible delays due to COVID-19.

Action: Information and discussion

B. FY 2020-21 Unmet Transit Needs Public Hearing Update

The Transportation Development Act (TDA) requires that the MCTC Policy Board determine that public transportation needs within Madera County will be reasonably met in FY 2020-21 prior to approving claims of Local Transportation Funds (LTF) for streets and roads. The MCTC's Social Service Transportation Advisory Council (SSTAC) is responsible for evaluating unmet transit needs. Each year the SSTAC begins the process of soliciting comments from the public by sending letters to agencies and individuals interested in providing feedback on their public transportation needs within Madera County. The request for comment letters was mailed during late February 2020.

MCTC's Unmet Transit Needs public hearing is scheduled as follows:

PUBLIC HEARING –Wednesday, May 20, 2020 at 3:00 p.m.

This meeting/public hearing will be via GoToWebinar

MCTC staff strongly encouraged the public to submit their unmet transit needs comments via unmet transit needs survey, email, snail mail, or by phone. MCTC staff will present each comment to the Board of Commissioners during the May public hearing so that all comments are heard during this process.

The link to the unmet transit needs survey can be found on our website, social media pages, the public hearing notice, and fliers.

A Spanish language interpreter will also be available for those who wish to testify in Spanish. A public notice will be printed in the local newspapers, and fliers will be distributed throughout the community publicizing the hearing.

Action: Information and discussion

C. *Transit Memorandum of Understandings with Local Agencies*

As required by Federal regulations, there shall be an agreement between the Metropolitan Planning Organization (MPO) and operators of publicly owned transit services which specifies cooperative procedures for carrying out transportation planning and programming activities. The current Transit MOUs have been updated to include language regarding Transit Asset Management, performance-based planning and programming, and other related performance measures. All the member transit agencies have returned their fully executed MOUs and were included in the board package.

Action: Approve Transit Memorandum of Understandings with Local Agencies

D. *Low Carbon Transit Operation Program (LCTOP) List of Projects – Resolution 20-01 Amendment No. 1*

The Low Carbon Transit Operations Program (LCTOP) is one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established by the California Legislature in 2014 by Senate Bill 862. The LCTOP was created as a statewide program to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities. This program is funded by auction proceeds from the California Air Resource Board's Cap-and-Trade Program established by Assembly Bill 32 with proceeds deposited into the Greenhouse Gas Reduction Fund.

The Madera County Transportation Commission is a designated recipient of Low Carbon Transit Operations Program funds for the Madera region. Funds allocated for the FY 2019/20 Low Carbon Transit Operations Program total \$298,667. Allocation of these funds is based on the State Controller's distribution formula for State Transit Assistance (STA) funds, per Sections 99313 and 99314 of the California Public Utilities Code. Matching funds are not required for this program. The following projects will be submitted:

City of Chowchilla

City of Chowchilla Transit Bus Stop
\$26,922

City of Madera
City of Madera Farebox Modernization
\$124,327
County of Madera
MCC Bus Stop Shelters and Amenities
147,418

Action: Approve LCTOP List of Projects – Resolution 20-01 Amendment No. 1

E. 2019 Federal Transportation Improvement Program (FTIP) Amendment No. 11 – Administrative Modification

Amendment No. 11 (Type 1 Administrative Modification) to the 2019 Federal Transportation Improvement Program. This amendment updates the County of Madera’s Oakhurst Midtown Connector project.

Amendment No. 11 meets all applicable transportation planning requirements per 23 CFR Part 450 and 40 CFR Part 93. These projects and/or project phases are consistent with the adopted 2018 Regional Transportation Plan (RTP), as amended.

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

Action: Ratify 2019 Federal Transportation Improvement Program Amendment No. 11

F. Project Prioritization Study

MCTC, with the assistance of a consultant, will develop a Project Prioritization Study (study) for the Madera County region to address traffic congestion, maintenance, transit needs, or vehicle alternatives, such as bicycle and pedestrian travel. The study will identify currently planned projects, identify projects not currently planned for, establish costs to complete identified projects, establish relevant facility conditions, estimate projected revenue available for transportation in the next 25 years, and identify the funding shortfall resulting from these projections. Once comprehensively listed, a methodology will be developed to help prioritize the projects. The results of the prioritization process will inform the planning and investment decision making process.

The goals of the Project Prioritization Study are to identify and prioritize transportation projects that best help the region meet its various goals related to Greenhouse Gas (GHG) reduction, reducing vehicle mile traveled (VMT), better accommodating diverse modal choice, increasing traffic safety,

supporting economic vitality and decreasing adverse health effects related to travel throughout the Madera Region. The overall process will be one that continues to advance MCTC's overarching goal of further promoting social equity in transportation project delivery.

MCTC previously completed a project prioritization study in 2005. The previous study established the foundation upon which project listings were utilized for various subsequent planning documents and activities including the Regional Transportation Plan, Federal Transportation Improvement Program, and the Measure "T" Investment Plan. The new study will be conducted in three phases with oversight from an MCTC staff project manager and a committee of local agency representative stakeholders. MCTC will retain professional consultant services to assist in the study development.

The first phase will focus on Data Collection. Data collection will focus on the collection and analyses of existing project data as well as developing a method for the identifying of unidentified projects data. The listings will be combined into a comprehensive list. Phase one activities will occur in the Spring of 2020.

The second phase will focus on Data Analysis. Based upon the results of the first phase, project scope, staging, and costs will be identified. A methodology/approach for project prioritization will be developed considering policies and mandates meant to curb VMT and GHG emissions (SB 375 and SB 743) while supporting social equity, economic vitality, public health, safety, and increasing modal choice. Finally, the prioritization of the projects using said approach will commence. Activities for phase two will take place in the Summer/Fall of 2020.

The results of the prioritization will be presented to stakeholders and implemented into the regional planning process. The final phase will focus on application of the prioritized projects towards planning activities and analysis performed in the development or updates of the RTP/SCS, FTIP, ATP, possible Measure "T" Program extension, traffic model network revisions, and other pertinent planning exercises including activities overseen by local agency partners. MCTC will evaluate the need for future updates of this study after completion. Activities for phase three will take place in late fall of 2020.

The study will be funded with FY 19-20 and FY 20-21 SB 1 Sustainable Communities Planning Formula Grants.

Action: Information and discussion

G. FY 2021-22 Sustainable Transportation Planning Grant Update

The California Department of Transportation (Caltrans) is seeking public and stakeholder input on updating the Fiscal Year 2021-22 Sustainable Transportation Planning Grant Application Guide.

WebEx events are scheduled to outline the update process for the grant guide and receive input on potential updates.

This is an opportunity to inform how Caltrans invests State and federal funds from sources including the State's Senate Bill 1 Road Repair and Accountability Act of 2017, the Federal Transit Administration (Section 5304), and the Federal Highway Administration (State Planning and Research, Part I).

The same content will be presented at each workshop. Please see the attached notice for more information.

Action: Information and discussion

H. Letter of Support San Joaquin Regional Rail Commission's FY 2020 BUILD Grant Application

Staff prepared a letter of support regarding the San Joaquin Regional Rail Commission's (SJRRRC) FY 2020 BUILD 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.

SJRRRC is requesting \$25 million in BUILD funding for the construction of the Stockton Diamond Grade Separation project. At an estimated cost of \$237 million, a BUILD award would be matched by significant investments in State funding toward project completion.

Action: Information and discussion. Direction may be provided.

I. California High Speed Rail Authority 2020 Draft Business Plan – WYE Madera Task Force Comment Letter

The WYE Madera County Task Force has reviewed the Draft 2020 California High Speed Rail Authority Business Plan and drafted a comment letter. The letter emphasizes continued support for completion of the Central Valley segment, further clarification on the Madera Station, provide criteria and opportunities for input on High Speed Rail operations and maintenance facilities siting, describing the intended central valley wye construction for interim service, identification and measures to address socioeconomic impacts, and updating environmental and socioeconomic analyses with current projections and plans. A copy of the letter was enclosed in the Board Agenda.

WYE Madera County is a collaborative of agencies in Madera County with common interests pertaining to the California High-Speed Rail ("HSR"). WYE Madera County members are:

- County of Madera
- City of Chowchilla
- City of Madera
- Madera County Transportation Commission
- Madera Unified School District

- Workforce Development Board of Madera County
- Madera County Economic Development Commission

This letter provides WYE Madera County's input to the Authority on the Draft 2020 California High Speed Rail Business Plan ("Draft 2020 Business Plan") issued on February 12, 2020. The close of public comment was originally scheduled for April 12, 2020. The comment period has been extended to June 1, 2020.

Action: Information and discussion

J. 2019 Federal Transportation Improvement Program (FTIP) Amendment No. 12 – Administrative Modification

Amendment No. 12 (Type 1 Administrative Modification) to the 2019 Federal Transportation Improvement Program. This amendment updates the Highway Bridge Program (HBP) Grouped Project Listing and adds Highway Infrastructure Program (HIP) revenue to the financial spreadsheet.

Amendment No. 12 meets all applicable transportation planning requirements per 23 CFR Part 450 and 40 CFR Part 93. These projects and/or project phases are consistent with the adopted 2018 Regional Transportation Plan (RTP), as amended.

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

Action: Ratify 2019 Federal Transportation Improvement Program Amendment No. 12

K. 2019 Federal Transportation Improvement Program (FTIP) Amendment No. 13 – Administrative Modification

Amendment No. 13 (Type 1 Administrative Modification) to the 2019 Federal Transportation Improvement Program. This amendment updates the South Madera 6 Lane (SR 99 Ave 7-12) and Planning Programming, and Monitoring projects.

Amendment No. 13 meets all applicable transportation planning requirements per 23 CFR Part 450 and 40 CFR Part 93. These projects and/or project phases are consistent with the adopted 2018 Regional Transportation Plan (RTP), as amended.

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

Action: Ratify 2019 Federal Transportation Improvement Program Amendment No. 13

Transportation Consent Calendar Action on Items A – K: Upon motion by Commissioner Brett Frazier, seconded by Commissioner Tom Wheeler to approve the Transportation Consent Calendar items (A-K). A vote was called, and the motion carried.

4. TRANSPORTATION ACTION/DISCUSSION ITEM

A. COVID-19 Legislation and Transportation Impacts

The COVID-19 pandemic has created new obstacles for state and local officials as they try to adapt to rapidly changing circumstances and mitigate the scope of anticipated economic and fiscal losses. Revenue, budgets, and regional fiscal resiliency are all now in question as local, state, and national governments closely observe how the outbreak develops.

This agenda item discussed 3 current topics related to the COVID-19 Pandemic:

1. Coronavirus Aid, Relief, and Economic Security Act (CARES Act) – March 27, 2020
2. Revenue, Budgets and Fiscal Impacts of COVID-19
3. “Phase 4” – Emergency Relief and Economic Recover Package – Currently in formation

- **Coronavirus Aid, Relief, and Economic Security Act (S. 3548) or “CARES Act” – March 27, 2020**

The CARES Act was signed by President Trump on March 27, 2020. The CARES Act provides nearly \$2 trillion in financial relief as the United States tries to mitigate the spread of COVID-19. As it relates to local government, the CARES package includes assistance for community development, housing and homelessness, and transportation.

For this report, MCTC staff focused on transportation. The Federal Transit Administration (FTA) announced \$25 billion (\$22.7 billion to large and small urban areas and \$2.2 billion to rural areas) - [25 billion](#) in federal funding allocations to the transit industry following the President signing of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. The CARES Act directs FTA to allocate funding to prevent, prepare for, and respond to the coronavirus through the existing Urbanized Area Formula Grants Program, Rural Areas Formula Grants Program, and the Tribal Transit Formula Grants Program. Funding will be provided at a 100% federal share, with no local match required.

The State of California will receive a total of \$3,767,283,119. The Madera UZA apportionment (City of Madera and a portion to County by agreement) will receive: \$6,440,671. This apportionment includes (1) Section 5307 and 5340; (2) CARES Act Stimulus; and (3) Small Transit Intensive Cities funds. For budget purposes, the annual apportionment is approximately \$2.8 million, and the stimulus is approximately \$3.6 million for a total of \$6.4 million available.

The apportionment for Section 5311 which is allocated to the City of Chowchilla and County of Madera is apportioned by Caltrans Division of Rail and Mass Transportation (DRMT). Caltrans

DRMT is applying to Federal Transit Administration (FTA) for \$30 million (*approximately 30% of California's Section 5311 CARES Act apportionment*). This exceeds the COVID-19 induced shortfall identified by Section 5311 subrecipients in the survey DRMT circulated the first week of April. The allocation each Section 5311 recipient receives from the \$30 million will be based on allocations made by RTPAs and MPOs to their local transit providers for the current operating year. The following numbers identifies the amount calculated for each operator and DRMT will make funds available to each operator as soon as FTA makes the award:

- City of Chowchilla: \$71,394
- County of Madera: \$388,322

The apportionment for 2020/21 Section 5311 is not yet available. For budget purposes, 2019/20 Section 5311 apportionment is as follows:

- City of Chowchilla: \$69,695
- County of Madera: \$368,915

The following is a link for information regarding the funds and apportionment tables:

[Apportionment Tables](#)

The funding amount for each individual transit provider is a local decision. By law, state governors, generally through the state Department of Transportation, distribute FTA formula funds among recipients in rural and small urban areas. For large urban areas, governors select a Designated Recipient. The Designated Recipient then allocates funds within the Urbanized Area to specific transit agencies that then apply for and receive grants from FTA. This is a normal part of FTA grant processes, so states and localities will follow a familiar process for making these decisions. Funds are apportioned directly to Tribes for the Tribal Transit Formula Grants Program.

Funding will be provided at a 100 percent federal share, with no local match required, and will be available to support operating, capital and other expenses incurred beginning January 20, 2020. Operating expenses are eligible for all urban, rural and Tribal recipients, even those in large urban areas, and includes operating expenses to maintain transit services as well as paying for administrative leave for transit personnel due to reduced operations during the emergency are eligible.

Resources for Stakeholders and Grantees

The FTA website provides multiple resources to help grantees to understand eligible expenses, program requirements, and receive grant funds:

- [COVID-19 Page](#)
- [FAQ Page](#)
- [Apportionment Tables](#) for states and Urbanized Areas to begin their planning processes

If grantees require further clarification or technical assistance, please email questions to FTAresponse@dot.gov or contact their [FTA regional office](#) – [FTA - Region 9](#).

- **Revenue, Budgets and Fiscal Impacts of COVID-19**

MCTC staff is monitoring the COVID-19 pandemic and its potential impacts related to Madera's transportation funding and programs, including Measure T sales tax revenue. As the current situation is quite fluid, rather than focusing on one possible scenario, MCTC staff has developed potential impacts based on assumptions.

Assumptions

- We do not have any known data yet to make reliable projections and forecasts.
- That shelter in place remains through May 31, 2020.
- Moderate recession with V-long recovery.
- Received cash receipts used as baseline.
- Utilized HdL forecast numbers as basis for percentage changes.

Measure T revenues over the remaining life of the measure (sunsets 2027) would be lower by approximately \$10-25 million with the most likely scenario ending somewhere in the middle. This will cause potential impacts to the following projects:

- FY 20-21 would see a drop of 12.58 percent, delaying the availability of funds to reimburse the Oakhurst and SR 233 projects.
- The total reduction over the life of the measure would mean result in at least one project potentially being removed from the Phase 2 Regional Program.

Transportation Development Act (TDA) Revenues

1. Local Transportation Fund: derived from ¼ cent of the 7 ¼ percent state sales tax

- The Local Transportation Fund (LTF) is projected to have a decrease of -3.25 percent in FY 2019-20 compared to the original estimate. However, there is an unallocated balance that should cover this shortfall. As a result, the local jurisdictions should not experience a decrease in LTF for 2019-20.
- LTF for 2020-21 will be negatively impacted by the loss of revenue due to COVID-19. The preliminary projection due to COVID-19 is approximately -13.87 percent. The impact may be assumed for an additional four years, as the preliminary projection shows that revenues may not return to the current year estimate for a four year period.
- Staff is requesting the County Auditor's office to amend its original estimate of the LTF fund for FY 2020-21, due to the negative impacts of COVID-19.

2. State Transit Assistance (STA): derived from gas tax

- It is anticipated that there will be a considerable impact to STA revenues. However, the State Controller's Office indicated that they would keep their original STA estimate for 2020-21 with the understanding they may change their position as the shelter in place

orders remain longer than anticipated.

MCTC revenues will have minimal impact in FY 2019-20 with a possible reduction in revenue of approximately \$40-70,000 per year during the next 5 years due to loss of Measure T administration, TDA planning, and Planning, Programming and Monitoring (PPM) funds.

State Transportation Improvement Program (STIP) – Regional Improvement Program (RIP) funds will be impacted due to loss of sales tax and gas tax revenues. Potential impacts include a delay of state highway projects (SR 99 projects) and/or deletion of state highway projects in future STIP cycles. In addition, possible delay of any new capacity and availability of RIP funds until 2028 cycle (due to an overdrawn balance and the reduction of gas tax).

As MCTC staff begins to receive new data, impacted funds over the next couple of months, and any changes in the shelter in place orders, staff will have the ability to provide updated projections. At this time, there is no way to know when the current economic disruption will end and the severity of the COVID-19 impact on the economy.

- **“Phase 4” – Emergency Relief and Economic Recover Package – Currently being discussed in Congress**

The American Association of State Highway and Transportation Officials (AASHTO) is an organization representing all 50 state departments of transportation (state DOTs), the District of Columbia, and Puerto Rico. Patrick McKenna, President, AASHTO, and Jim Tymon, Executive Director, AASHTO wrote a joint letter, April 6, 2020, on behalf of AASHTO members to Speaker Pelosi, Leader McConnell, Leader McCarthy, and Leader Schumer. The letter acknowledged and thanked the actions of Congress on its historic response to the COVID-19 pandemic, specifically recognizing the significant and timely support for aviation, passenger rail, and transit operating needs provided through the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

The intent of the letter is to urge Congress to take two important steps related to surface transportation infrastructure in the next COVID-19 legislation – “Phase 4” emergency relief and economic recovery package. The first request is an immediate \$49.95 billion in flexible federal funding to offset what is estimated will average at least a 30 percent loss in state transportation revenues in the next 18 months. The federal backstop will help to ensure state DOTs can operate and maintain their systems without disruption and allow current transportation projects and plans to continue. Second, in order to boost years-long economic recovery that will be necessary once the national emergency subsidies, Congress should look to pass a major transportation investment package in the form of surface transportation and water transportation reauthorization. The letter also noted that the requested actions to shore up our nation’s highway, transit, passenger rail, and water transportation systems will send a bold signal to raise consumer and investor confidence and expectations for economic recovery, while strengthening our national transportation system for decades to come.

Included in the Board package was a copy of the AASHTO letter urging Congress to take two important steps related to surface transportation infrastructure in the next COVID-19

legislation— the “Phase 4” emergency relief and economic recovery package. MCTC staff will continue to monitor and engage in discussions related to “Phase 4” emergency relief and economic recovery package.

Conclusion:

The United States had been trending toward increased economic growth and decreased unemployment before the pandemic took hold of the nation. Without a specific end date identified for the safety measures currently in place, state and local governments must evaluate and monitor their finances in order to best serve their region and their constituents. MCTC staff has participated in several webinars related to how to forecast potential scenarios that could alter the fiscal landscape, which would ultimately impact tax revenues and expenditure decisions.

Currently, it is somewhat premature to provide a recommendation and instead, staff continues to monitor and react accordingly. Most agencies, such as MCTC, are preparing assumptions and monitoring the situation, given the unknowns related to this pandemic. Staff also awaits Federal, State, and local agencies to provide additional guidance.

Action: Information and Discussion Only

B. SAFE Rule II Update

On March 31, 2020, the Environmental Protection Agency (EPA) and the Department of Transportation, acting through the National Highway Traffic Safety Administration (NHTSA), finalized Part II of the Safer Affordable Fuel Efficient Vehicles (SAFE) Rule. SAFE Part II sets carbon dioxide (CO₂) emissions standards and corporate average fuel economy (CAFE) standards for passenger vehicles and light duty trucks, covering model years (MYs) 2021-2026.

The SAFE Rule was introduced on August 24, 2018. Part I of the SAFE Rule established one national program for fuel economy regulation on September 19, 2019. SAFE Part I withdrew California’s authority to establish its own vehicle fuel economy standards under Section 209 of the Clean Air Act and finalized NHTSA’s regulatory framework related to preemption of state’s authority to set fuel economy standards.

The final SAFE Part II will be published in the Federal Register in the coming days and will go into effect sixty days later. Upon publication in the Federal Register, the rule will likely be challenged in court. California, among 20 other states, several cities and various other organization, is currently engaged in litigation regarding SAFE Part I. There is some degree of uncertainty of short-term impacts of SAFE Part II due to current and expected new litigation.

MCTC staff will continue to monitor SAFE Rule impacts to the Madera Regions planning process and participate in statewide discussions related to resolution of the potential issues the policy may present. Staff will continue to report on this matter as more detailed information becomes available.

Action: Information and discussion.

C. Senate Bill 743 Implementation Update

Senate Bill 743 (SB 743) was signed in 2013, with the intent to “more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions.” When implemented, “traffic congestion shall not be considered a significant impact on the environment” within California Environmental Quality Act (CEQA) transportation analysis.

SB 743 requires the Governor’s Office of Planning and Research (OPR) to identify new metrics for identifying and mitigating transportation impacts within CEQA. For land use projects, OPR identified Vehicle Miles Traveled (VMT) per capita, VMT per employee, and net VMT as new metrics for transportation analysis. For transportation projects, lead agencies for roadway capacity projects have discretion, consistent with CEQA and planning requirements, to choose which metric to use to evaluate transportation impacts. The level of traffic congestion on a roadway segment, or its Level of Service (LOS), will no longer be an analysis factor for considering the significant impacts of a project.

Regulatory changes to the CEQA Guidelines that implement SB 743 were approved on December 28, 2018. July 1, 2020 is the statewide implementation date and agencies may opt-in use of new metrics prior to that date. OPR released a December 2018 Technical Advisory that contains recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures.

MCTC staff have been participating in various discussion with state partners and MPO peers related to SB 743 implementation. Additionally, staff have been coordinating with local agency staff and consultant firms retained by local agencies for environmental analysis on implementation strategies. Staff is incorporating travel output features into the Madera traffic model update project to best situate the tool for VMT analysis of future projects in the region as a result of this collaboration.

Action: Information and discussion

D. Madera Amtrak Station Relocation Project – Webinar Announcement

San Joaquin Joint Powers Authority (SJJPA) staff will be hosting webinars to be held online on May 14, 2020 in lieu of previously planned in-person open houses due to the Coronavirus. During the webinars, Project staff will provide more detailed information about the Project and provide an opportunity for interested parties to submit questions and comments. Additional webinars or in-person meetings will be scheduled as the Project proceeds. For more information and to sign up for the SJJPA email list, visit: www.sjjpa.com/madera-station-relocation-project.

The primary project contact is:
Dan Leavitt

Manager of Regional Initiatives
San Joaquin Joint Powers Authority
dan@sjipa.com
(209)944-6266

Commissioner's Jose Rodriguez and Andy Medellin provided staff with a recommendation to publish the webinar announcements in the Madera Tribune. MCTC staff stated they will work with the project manager, Dan Leavitt, and will publish the announcement on MCTC's website and other social media.

Action: Information and discussion

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

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

6. ADMINISTRATIVE CONSENT ITEMS

A. Executive Minutes – March 18, 2020

Summary: Included in the Board packet was a copy of the March 18, 2020 Executive Minutes of the Regular Meeting of the Policy Board and a copy of the March 18, 2020 Executive Meetings of the Special Meeting of the Policy Board.

Action: Approve Executive Minutes of the March 18, 2020 Regular Meeting and the March 18, 2020 Special Meeting

B. New Employment Policies due to COVID-19 Legislation

Due to passage of the Families First Coronavirus Response Act (FFCRA or Act), staff has written draft supplemental employment policies to address new federal law. This act requires certain employers to provide employees with paid sick leave or expanded family and medical leave for specified reasons related to COVID-19. The Department of Labor's Wage and Hour Division administers and enforces the new law's paid leave requirements. These provisions will apply from the effective date through December 31, 2020.

Generally, the Act provides that employees of covered employers are eligible for:

- Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or

- Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee’s regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; and
- Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee’s regular rate of pay where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.

Staff has written a draft *Emergency Telecommuting Policy*. This policy addresses the responsibilities of employees while working from home in an emergency such as Governor Newsom’s current shelter in place order to combat COVID-19.

Action: Approve New Employment Policies

C. Proposed FY 2020-21 Member Assessment Fees

Madera County’s participation in the Valley Voice program is crucial to the Valley effort as it not only allows Madera a seat at the table but also allows Madera to be seen and heard; especially recognizing that Madera is a self-help county allowing leveraging opportunities. The Valley Voice effort has been successful, and Madera County has benefited from its establishment. If the Policy Board wishes not to participate, the disadvantage would be that Madera would not be visible and perhaps lose a seat at the table with the other Valley Counties. Unfortunately, there are no MCTC Federal or State funding sources that can be utilized for lobbying activities.

In order to actively participate in the Valley Voice programs, staff recommends continuing Member Assessment Fees in the 2020-21 Budget process on a per capita basis in the amount of \$37,000.

Included in the Board packet was a copy of the proposed 2020-21 Member Assessment Fees Schedule that identifies the proportional amount that each member agency would be requested to pay for the Valley Voice effort.

Proposed Member Assessment Fee Schedule			
FY 2020-21 Member Assessment Fee (Valley Voice)			
Member	DOF (E-1) Population 05/01/19	Percent	Proportional Amount
Chowchilla	12,329	7.99%	\$ 2,956
Madera	66,225	41.38%	\$ 15,311

County	80,340	50.63%	\$ 18,733
	158,894	100.00%	\$ 37,000

Action: Approve proposed 2020-21 Member Assessment Fees Schedule and direct staff to contact the local jurisdictions to incorporate the fee in its respective jurisdiction budget.

Administrative Consent Calendar Action: Upon motion by Commissioner Andy Medellin, seconded by Commissioner Waseem Ahmed to approve the Administrative Consent Calendar (Items A - C). A vote was called, and the motion carried.

7. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. FY 2020-21 Overall Work Program and Budget, Resolution 20-03

Included in the Board packet was the 2020-21 MCTC Overall Work Program Table of Contents and Line Item Budget. The document is available to review in its entirety at <http://www.maderactc.org/projects/overall-work-program/>.

This document is prepared annually as requested by Caltrans. The OWP discusses the MCTC, its organizational structure, regional planning issues, and presents work element descriptions and budgets. The draft document was circulated for local agency and Caltrans review beginning in February. Comments received are reflected in the final document.

The Madera County Transportation Commission (MCTC) and the Madera County Transportation Authority (MCTA) are independent agencies – separate from that of the Cities and County. Therefore, all budgets, work products, and administration/operation are comparable of other Metropolitan Planning Organizations and Transportation Authorities and funding to operate the two agencies can only be utilized for transportation planning and administrative purposes.

The MCTC budget is derived from the following funding resources:

- FHWA-PL – federal planning funds
- FTA 5303 – federal planning funds
- PPM – STIP – State Planning, Programming and Monitoring funds
- TDA – Transportation Development Act administration and planning funds
- SB-1 Sustainable Communities Grant
- Measure “T” administration funds
- Member Assessment Fees

Action: Upon motion by Commissioner Brett Frazier, seconded by Commissioner Andy Medellin to approve FY 2020-21 Overall Work Program and Line Item Budget – Resolution 20-03. A vote was called, and the motion carried.

B. FY 2019-20 Overall Work Program and Budget Amendment No. 3

Included in the Board packet was a copy of the letter to Caltrans requesting an amendment to the Overall Work Program & Budget, a copy of the amended budget, an amended OWP spreadsheet, and the amended work elements. The revised Budget is \$2,004,439 (an increase of \$10,000 from previously amended budget). The amendment reflects the final allocations of the federal CPG grant, adds funds for Measure T public outreach, and adjusts for actual costs versus budgeted costs regarding work hours.

The amendment is recognized in the following categories:

Revenues – (Increase \$10,000)

- FHWA PL – increase \$2,390
- FHWA PL Carryover – decrease \$2,389
- FTA 5303 – increase \$3,892
- FTA 5303 Carryover – decrease \$3,892
- TDA Carryover – decrease \$371
- MCTA – increase \$10,370

Other Direct Costs – (Increase \$10,000)

- Public Participation Program – increase \$10,000

The amendment is reflected in the following OWP Work Elements: 100 – Regional Transportation Plan; 110 – Regional Planning Database; 120 – Goods Movement and Highway Planning; 122 – Project Coordination & Financial Programming; 130 – Public Transportation; 151 – Alternative Transportation Activities; 901 – Transportation Funds Administration; 902 – Overall Work Program and Budget; 910 – MCTA Administration.

Action: Upon motion by Commissioner Brett Frazier, seconded by Andy Medellin to approve FY 2019-20 Overall Work Program and Budget Amendment No. 3. A vote was called, and the motion carried.

MCTC Sitting as the Madera County 2006 Transportation Authority

8. AUTHORITY – CONSENT ITEMS

None

9. AUTHORITY – ACTION/DISCUSSION ITEMS

None

10. Miscellaneous

A. *Items from Caltrans*

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

B. *Items from Staff*

Patricia Taylor, MCTC Executive Director, stated that MCTC staff are observing the shelter in place order and are working remotely. She also stated that staff has remote access to the network to access work files from home. In addition, there has been daily Webinars, WebEx, teleconferences, and Zoom meetings to continue business as usual. Staff is working to meet all deadlines accordingly.

MCTC Staff signed an emergency telecommuting policy and has been very productive working remotely and has been working as a team.

MCTC will continue to monitor CARES Act infrastructure grant opportunities and will forward all information to our agencies.

C. *Items from Commissioners*

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

11. *Adjournment*

Meeting adjourned at 4:02 pm

Next meeting scheduled for Wednesday, May 20, 2020

Respectfully Submitted,



Patricia S. Taylor
Executive Director
Madera County Transportation Commission