



**Madera County Transportation Commission**

**2017-18**

**Madera County Grand Jury  
Final Report 1718-07**

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**SUMMARY:**

Nearly 50 years ago, every county in the state was mandated to form a Transportation Commission. In Madera County that entity is the Madera County Transportation Commission (MCTC). The role of the MCTC is to foster intergovernmental coordination, undertake comprehensive regional planning, provide a forum for citizen input, and provide technical services to its member agencies.

The MCTC's stated top priority is to use community input to coordinate local transportation goals while developing sustainable community strategies to reduce greenhouse gasses as required by both federal and state government. The Madera County Grand Jury (MCGJ) found that the MCTC's efforts at obtaining public input are insufficient.

MCTC generates numerous compliance documents and acts as a liaison between local agencies and state and federal bureaucracies to guide local growth plans toward compliance with the ever-restrictive mandates. The modeling used to facilitate the MCTC's objectives is technological guesswork. The language the MCTC uses is difficult for the public to understand. MCGJ makes recommendations to improve MCTC's communication with the public and goal attainment.

**BACKGROUND:**

MCGJ had not investigated the MCTC before this year. MCGJ reviewed and studied the following documents:

- The MCTC Overall Work Program;
- The Transportation Development Act Guidebook from Caltrans;
- The 2006 half-cent Transportation Sales Tax Measure T Investment Plan;
- The Measure T Annual Report;
- The 2014 Final Regional Transportation Plan and Sustainable Communities Strategy;
- The 2016 Regional Transportation Improvement Program;
- The 2017 Notice of Findings Report for the Unmet Transit Needs for Madera County;
- The 2017 Federal Transportation Improvement Program; and
- The 2017-2022 MCTC Final Short Range Transit Development Plan.

MCGJ interviewed leading members of the MCTC staff and a member of the MCTC Board of Directors. MCGJ attended a series of MCTC public workshops in Madera and Oakhurst.

In 1972, the California legislature passed SB 325, the Transportation Development Act (TDA), which required each county to spend a quarter-cent of the state sales tax on public transportation needs. Pursuant to Government Code §29535, the MCTC was created to serve as

the Local Transportation Commission (LTC), which was tasked with administering the TDA funds.

In 1990, California designated the MCTC as a Regional Transportation Planning Agency (RTPA) in order to comply with the Federal Clean Air Act. This law requires that any transportation projects receiving federal funding must be in compliance with prevailing air quality standards. As the RTPA, the MCTC could then plan for and coordinate state and federal funds for local transportation projects.

In 2003, after the 2000 census, the federal government designated MCTC as a Metropolitan Planning Organization (MPO) because of the 50,000+ population of the city of Madera. As an MPO, the MCTC is tasked with maintaining the annual Overall Work Program, which is a comprehensive document detailing the various plans, funding sources and agreements regarding local transportation projects.

In 2014, the California legislature passed SB 375, which mandated all county transportation commissions to incorporate a Sustainable Communities Strategy in the Regional Transportation Plan (RTP) based on greenhouse gas reduction standards set by the California Air Resources Board.

The MCTC, therefore, acts as three organizations in one for Madera County: the LTC, the RTPA, and the MPO. The MCTC works to develop consensus among its members regarding multi-jurisdictional transportation issues while maintaining compliance with air quality standards.

## **DISCUSSION:**

During the course of its investigation, MCGJ ascertained the following:

### **ORGANIZATION:**

The MCTC is governed by a Board of Directors, which is supported by a Policy Advisory Committee (PAC), a Technical Advisory Committee (TAC), and MCTC staff. The Board is comprised of three members from the Madera County Board of Supervisors, two from the Madera City Council, and one from the Chowchilla City Council. The PAC has the same membership as the Board with an additional person representing Caltrans District 6. The TAC is made up of local engineers and planners, members from Madera County Tribal Governments and one member from Caltrans. The MCTC staff includes an Executive Director, a Fiscal Supervisor, a Planning Supervisor, three Regional Planners, a Grants Analyst and an Office Assistant.

### **BUDGET:**

The annual budget for the administrative costs of the MCTC typically varies between one to two million dollars; for 2017-18, it is \$1.6 million. The MCTC is funded by grants, federal funds, Measure T, local member assessments and sales tax, and the Local Transportation Fund (LTF). This money is not used for transportation projects.

Measure T money is used to leverage state and federal funds for projects. Approximately 75% of this money is used regionally, and 25% goes to Caltrans. The MCTC uses grants to fund many transportation projects, but does not write the grant applications; the MCTC pays other entities for this service.

## **THE RTPA AND THE RTP**

As the RTPA, the MCTC is required to update the RTP every four years. The RTP is an extensive document (the 2014 update is 262 pages) that identifies projects of all different modes of transportation 25 years into the future. If a new project was not included in the current RTP, the RTP must be amended. The amendment process can be laborious and time-consuming, so planners make every attempt to include all proposed projects into the current four-year update. The RTP is required to be financially constrained, i.e., it must anticipate the availability of funds for the projects.

A major goal of the RTP is to develop sustainable community strategies to reduce greenhouse gasses. The MCTC is able to identify these strategies through the use of computer-based modeling. The MCTC researches and creates a large Madera County database of historical and estimated future human behavior inputs such as projected population, average number of cars during peak traffic hours, number of miles driven per day, and proposed housing and business densities. The MCTC then generates model-based outputs to submit to state and federal agencies. If a project is found to be within air quality standards, the MCTC may proceed with the project's funding procurement. The measures and scenarios identified by the RTP to develop sustainable community strategies must meet federal and state air quality control rules and requirements, which the MCTC is required to follow.

## **THE ROLE OF THE MCTC:**

The MCTC does not operate, control, or oversee any public transportation, but it does fund some of it. The MCTC mainly acts as a liaison to the public, providing resources and contacts to help the county satisfy its public transportation needs.

The MCTC fosters intergovernmental coordination by facilitating meetings among Madera County officials and city administrators to understand common interests, work together to select projects for the region, get them funded, and complete them.

The MCTC undertakes comprehensive regional planning. "Regional" means either Madera County, San Joaquin Valley Air Pollution Control District (SJVAPCD), or both. SJVAPCD consists of eight counties in the central valley: San Joaquin, Stanislaus, Merced, Madera, Fresno, Tulare, Kings and Kern. After considering a full spectrum of scenarios for each proposed transportation project, the planners recommend to the Board the best affordable options that achieve the constituents' goals and conform to the standards.

The MCTC provides a forum for citizen input by holding hearings, workshops, and meetings which are all open to the public. MCGJ attended workshops last fall and noticed a citizen turnout of three to seven people at each one, out of a county-wide population of over 150,000. MCTC

acknowledged its current efforts to generate public participation are insufficient. MCTC provides information to the public via presentations, newspapers, the internet, and pamphlets. MCGJ observed that much of the language and acronyms used in presentations and workshops is difficult to understand. The MCTC meets on the third Wednesday of every month except August and December.

The MCTC provides technical services to its member agencies through the TAC and the PAC. The TAC meets with the MCTC on the second Monday of every month to review items to discuss with the MCTC Board of Directors. It also creates an agenda for the Board. The PAC analyzes transportation plans and programs prior to action by the MCTC.

#### **MEMORANDA OF UNDERSTANDING:**

The MCTC is not a joint powers agency because it does not have any joint powers agreements or contracts with other agencies. Instead, the MCTC has memoranda of understanding (MOU) with such agencies. Most of these MOUs are long term agreements with other agencies that outline the policies and procedures which need to be followed in order to get projects funded.

#### **OTHER DUTIES:**

The MCTC must ensure the county continually conforms to state and federal air quality standards. If even one county in the SJVAPCD does not meet the air quality standard of parts per million (PPM) for any pollutant, transportation commission work would be stopped for the entire eight-county region until the standard is met.

#### **FINDINGS:**

F1. Since the MCTC is funded by a number of different sources, it is important that all requirements related to those sources are met to ensure funding continues.

F2. Because the RTP is only published every four years and must be amended whenever a project is added between publications, an additional strain is imposed on the MCTC staff.

F3. The MCTC's requirement to meet federal and state targets of reducing greenhouse gases is onerous due to the number of different and constantly evolving factors which must be taken into consideration.

F4. All model-based scenarios are educated guesses at best because of the unpredictability of human behavior.

F5. The use of technical language and acronyms inhibits the public's understanding of MCTC and its functions.

F6. The scant public participation at the workshops indicates the MCTC is not doing enough to promote public involvement.

F7. Despite constantly changing air quality standards, the MCTC works very hard to achieve its many far-reaching duties, jobs and goals.

## **RECOMMENDATIONS:**

The Madera County Grand Jury recommends that:

R1. The MCTC continue its hard work to accomplish its tasks and goals while adhering to the many federal and state requirements and regulations.

R2. The MCTC re-focus its priority of public participation by posting previous ideas submitted by the public at every future workshop and on its website, effective immediately.

R3. The MCTC explain in layman's terms what they do and how they do it at every workshop and on their website, effective immediately.

R4. The MCTC limit its use of technical language and acronyms in public presentations, effective immediately.

R5. The MCTC work with the Board of Supervisors and city councils to promote the MCTC's calendar of events, effective immediately.

## **REQUIRED RESPONSES:**

Pursuant to Penal Code Section 933, the Madera County Grand Jury specifically requests responses as follows:

Madera County Transportation Commission Board of Directors  
2001 Howard Road, Suite 201  
Madera, CA 93637

Madera County Transportation Commission Executive Director  
2001 Howard Road, Suite 201  
Madera, CA 93637

## **INVITED RESPONSES:**

Madera County Transportation Commission Technical Advisory Committee  
2001 Howard Road, Suite 201  
Madera, CA 93637