



REPORT TO CITY COUNCIL

Approved by:



Department Director



Arnaldo Rodriguez, City Manager

Council Meeting of: February 19, 2020

Agenda Number: B-6

SUBJECT:

Consideration of a Resolution Approving a Memorandum of Understanding between the Madera County Transportation Commission and the City of Madera for the Coordination of Ongoing Transit Planning and Programming of Federal Funds that Support the Ongoing and Future Development of Transit Services by the City

RECOMMENDATION:

Staff recommends City Council (Council) approve the Resolution.

SUMMARY:

The Madera County Transportation Commission (MCTC) is required to enter into a memorandum of understanding (MOU) with operators of public transit services that must comply with cooperative procedures for carrying out transportation planning and programming. This MOU will ensure that the City of Madera (City) actively coordinates transit planning with MCTC on a continuous and cooperative basis to promote efficient and effective transit operations. It also will identify specific agency responsibilities related to planning and programming of federal transit funds, including Federal Transit Administration (FTA) funds, federal Congestion, Mitigation and Air Quality (CMAQ), Measure T, and other sources.

DISCUSSION:

The City proposes to comply with federal requirements to coordinate and cooperate with the MCTC on a continuous basis. This MOU will ensure that the City and MCTC conduct transit planning and programming responsibilities per federal requirements and that those responsibilities are clearly delineated and properly addressed.

As with former MOUs, the purpose of this MOU is to:

1. Foster a cooperative and mutually beneficial working relationship between MCTC and the City to ensure comprehensive, effective, and coordinated transit planning between the two entities; and
2. Identify transit planning responsibilities in coordination with the State of California, including CalTrans for the purpose of programming federal funds within the MCTC Federal Transportation Improvement Program (FTIP), compliance with Federal Transit Administration (FTA), and to maximize pursuit and management of funding opportunities for regional transit services.

FINANCIAL IMPACT:

Entering into the proposed MOU will not impact the City's general fund. MCTC receives external funding to carry out the functions identified in the MOU, which include State and local sources of grant funds and thereby this MOU does not include a cost to either party.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

The approval of this MOU supports Strategy 121. Multi-model transportation: Develop a city-wide multi-modal transportation plan to ensure safe, affordable and convenient transportation modes for residents and businesses within Madera.

ALTERNATIVES:

Potential Council alternatives include:

- Not enter into the proposed MOU with MCTC
- Change conditions on the MOU to reflect Council's direction on changes to conditions

ATTACHMENTS:

1. Resolution
2. Memorandum of Understanding

Resolution No. 20-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA, CALIFORNIA, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE MADERA COUNTY TRANSPORTATION COMMISSION AND THE CITY OF MADERA FOR THE COORDINATION OF ONGOING TRANSIT PLANNING AND PROGRAMMING OF FEDERAL FUNDS THAT SUPPORT THE ONGOING AND FUTURE DEVELOPMENT OF TRANSIT SERVICES BY THE CITY

WHEREAS, the City of Madera (City) is established under the laws of California and was incorporated as a General Law City in 1907; and

WHEREAS, the City is a designated urbanized area, is a public transportation provider that is eligible to apply for and receive Federal Transit Administration (FTA) Section 5307 and other FTA funding for capital, operating, and planning assistance for the delivery of public mass transportation; and

WHEREAS, the City wishes to enter a memorandum of understanding with Madera County Transportation Commission (MCTC) for coordination of ongoing transit planning and programming federal funds that support the ongoing and future deployment of transit services by the City; and

WHEREAS, The MCTC is the Metropolitan Planning Organization (MPO), the Regional Comprehensive Planning Agency, the Regional Transportation Planning Agency (RTPA), and the Local Transportation Commission for Madera County designated pursuant to Title 3, Division 3, Chapter 2, Article II, Section 29532 of the California Government Code; and

WHEREAS, FTA federal guidelines 23 CFR 450.314 (h) requires a written agreement between MCTC and MADERA describing mutual responsibilities for carrying out performance-based planning and programming in the metropolitan areas.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

1. In consideration of the mutual benefits to the parties hereto, and in consideration of the covenants and conditions herein contained, the parties agree to enter into the Memorandum of Understanding to foster a cooperative and mutually beneficial working relationship between CITY and MCTC for the provision of comprehensive, effective, and coordinated transit planning on behalf of the region's transportation system.
2. The City Council authorizes the Mayor to execute the memorandum of understanding to enter into a partnership between City and MCTC.
3. This resolution is effective immediately upon adoption.

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MEMORANDUM OF UNDERSTANDING
BETWEEN THE
MADERA COUNTY TRANSPORTATION COMMISSION
AND
CITY OF MADERA

“Regarding the Coordination of Ongoing Transit Planning and Programming Federal Funds that Support the Ongoing and Future Deployment of Transit Services by the City of Madera”.

This Memorandum of Understanding (MOU) is entered into between the MADERA COUNTY TRANSPORTATION COMMISSION, hereinafter referred to as (MCTC), and the CITY OF MADERA, hereinafter referred to as (MADERA), a public transportation provider, as of this ____ day of _____ 2020. The purpose of this MOU is to:

1. Foster a cooperative and mutually beneficial working relationship between MCTC and MADERA for the provision of comprehensive, effective, and coordinated transit planning on behalf of MADERA’S public mass transportation system; and
2. Identify the transit planning responsibilities in coordination with the State of California for the purpose of programming federal funds within the MCTC Federal Transportation Improvement Program (FTIP).

WITNESS THAT:

WHEREAS, MADERA was incorporated as a General Law city in 1907; and

WHEREAS, MADERA as a designated urbanized area, is a public transportation provider that is eligible to apply for and receive Federal Transit Administrative (FTA) Section 5307 and other FTA funding for capital, operating, and planning assistance for the delivery of public mass transportation; and,

WHEREAS, MCTC is the Metropolitan Planning Organization (MPO), the Regional Comprehensive Planning Agency, the Regional Transportation Planning Agency (RTPA), and the Local Transportation Commission for Madera County designated pursuant to Title 3, Division 3, Chapter 2, Article II, Section 29532 of the California Government Code; and

WHEREAS, MCTC is directed by a six-member board, composed of six locally elected officials: three members of the Madera County Board of Supervisors, two members of the Madera City Council, and one member of the Chowchilla City Council; and

WHEREAS, MCTC has developed a committee structure that advises the MCTC Board on all planning and policy questions. These committees include the Technical Advisory Committee (TAC) and the Social Services Transportation Advisory Council (SSTAC); and

WHEREAS, 23 CFR 450.310 (b) and 450.312 require MPOs to work cooperatively with public transit operators to develop Regional Transportation Plans (RTPs) and Transportation Improvement Programs (TIPs) for their designated areas. These plans and programs are intended to further the national interest to encourage and promote the safe and efficient management, operation, and development of surface transportation systems. These systems should serve the

mobility of people and freight, and foster economic growth and development within and through urbanized areas, while minimizing transportation-related fuel consumption and air pollution; and

WHEREAS, 23 CFR 450.314 (h) requires a written agreement between MCTC and MADERA describing mutual responsibilities for carrying out performance-based planning and programming in metropolitan areas; and

WHEREAS, 23 CFR 450.306 (d)(2)(iii) – The selection of performance targets that address performance measures described in 49 U.S.C. 5236 (c) and 49 U.S.C. 5329 (d) shall be coordinated, to the maximum extent practicable, with public transportation providers to ensure consistency with the performance targets that public transportation providers establish under 49 U.S.C. 5236 (c) and 49 U.S.C. 5329 (d); and

WHEREAS, 49 CFR 625.45 (b)(1) requires transit providers and group TAM plan sponsors to set state of good repair (SGR) performance targets, as required; and

WHEREAS, MCTC and MADERA rely upon a cooperative relationship to foster comprehensive regional transit planning which feeds directly into State and national planning.

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, and in consideration of the covenants and conditions herein contained, the parties agree as follow:

SECTION 1: Responsibilities of MCTC and MADERA

1.1 Communication

A critical component of this relationship involves open and productive communication, which leads to setting project priorities and federal funding needs. MCTC is required to update the FTIP every even numbered year. The need to ensure responsive communication between the two parties is imperative in order to meet this federal programming mandate.

As a designated urbanized area, MADERA is eligible to apply for FTA Section 5307 and other FTA funding for capital, operating, and planning assistance for the delivery of public mass transportation. Projects will be programmed and constrained based on the annual FTA appropriation and/or other awarded grants.

As the federally designated MPO, MCTC is responsible for allocating certain federal formula transit funds to MADERA, City of Chowchilla and the County of Madera. MCTC shall allocate the federal transit funds based on a formula developed cooperatively with the local jurisdictions.

The Executive Director of MCTC and the City Manager of MADERA are the primary individuals responsible for ensuring that the provisions specified in this MOU are followed.

1.2 Representation on MCTC Board and Committees

MADERA shall:

- a) Appoint one (1) representative and alternate to serve on the TAC. The TAC meetings are held on the second Monday of every month.
- b) Appoint one (1) representative and alternate to serve as a voting member of the MCTC SSTAC. The SSTAC meeting notices are mailed in advance of meetings.

SECTION 2: Transit Planning

2.1 Short-Range Transit Plan

In accordance with the planning regulations and Federal Transit Administration (FTA) guidance, MADERA and/or MCTC may prepare a five (5) year short-range transit plan to support sound financial and operational decision-making in transit planning and programming. In the development of short-range transit plans, the local jurisdictions included in the plan will provide a draft list of projects for FTA funding. The list shall:

- a) Identify and describe the scope of the specific projects and services, which address ongoing and increased transit demands. These projects and services are to include Americans with Disabilities Act (ADA), and Transportation Control Measures (TCM) with sufficient detail (design, concept, and scope) to permit air quality conformity analysis to be performed by MCTC.
- b) Provide qualitative and quantitative analysis showing how the project addresses transit needs.
- c) Identify the amount and type of federal and non-federal funds required to support the projects for each year represented in the plan. In addition, identify anticipated discretionary funding estimates for the FTIP.

2.2 Long Range Transit Plan

The transit action element of the RTP should assess the transportation needs of MADERA and sets forth improvements necessary to address those needs over a twenty (20) year period and updated every four (4) years.

2.3 Planning Assistance

MCTC will provide input into the development of the transit planning documents produced by MADERA. In addition, MCTC will work cooperatively with and assist MADERA in its efforts to generate planning and forecasting information needed to establish and maintain transit-planning documents. The type of assistance provided by MCTC may include, but is not limited to, the following:

- a) Obtain and analyze data from various sources to develop concrete demographic, growth, and use assumptions for the purpose of transit forecasting and development (e.g. trip generation tables, census information, maps, performance targets).
- b) Assist in securing funds to conduct transit demand studies and in-depth analysis.
- c) Assist MADERA in obtaining State and federal funding of projects consistent with the MCTC Regional Transportation Plan (e.g. facilitating FTIP amendments).
- d) Establish performance targets that address the performance measures or standards established by the State or by establishing quantifiable targets for these measures agreed upon by MADERA and MCTC.
- e) Establish report process and deadlines for performance data.

A final copy of all transit planning documents, including State and/or federal reviews, National Transit Database, and State Controller Reports, as well as the transit asset

management plans, State of Good Repair, and the Public Transportation Agency Safety Plan will be forwarded by MADERA to MCTC. This will assist MCTC in overall transit planning coordination, as well as ensuring that FTA and FHWA transit funds are used as planned, per FTA and FHWA requirements.

2.4 FTIP Programming Criteria

As part of the FTIP updating process, federally funded projects are programmed by MCTC on behalf of all transit providers receiving federal funds through the FTIP. For proposed transit projects, the criteria used for the programming of federal funds within the MCTC FTIP are essential. MCTC and MADERA may employ the following selection criteria to establish priorities for transit funding.

- a) Project purpose and need;
- b) Anticipated benefits;
- c) Degree to which a project will improve transit availability;
- d) Degree to which a project will improve level of service performance standards;
- e) Degree to which a project will, once implemented, make progress toward achieving performance targets;
- f) Air Quality benefits;
- g) Overall cost effectiveness; and
- h) Leveraging of other funding sources.

2.5 Regional Planning

MCTC will provide a forum that will foster partnerships wherein the development of public transit services through Madera County will be accomplished. As part of the coordinated regional transportation system, MCTC will expand the continuing, cooperative, and comprehensive planning of the transportation system in MADERA.

MCTC will be responsible for the development of the regional planning documents such as the Regional Transportation Plan and the analysis and determination of Unmet Transit Needs. MADERA will have the opportunity to provide technical advice during the development of these regional planning documents through the MCTC committee structure.

As a critical part of the regional planning process, MADERA will assist MCTC with efforts to achieve regional goals including the requirement to assist in the attainment of federal air quality standards and performance targets.

2.6 Application for Transit Funding

MADERA will prepare applications to the FTA for federal transit funding. MCTC will review the applications, consistency of projects with FTIP programming, and prepare a letter of concurrence if information is accurate. MADERA's application for federal funding shall be consistent with the MCTC Regional Transportation Plan as required by federal guidelines. MADERA shall work with MCTC to develop consistent funding requests from all potential transit funding sources in order to prevent funding delays.

2.7 Transit Asset Management Plan

MADERA must develop a transit asset management (TAM) plan if it owns, operates, or manages capital assets used to provide public transportation and receives federal financial assistance under 49 U.S.C. Chapter 53 as a recipient or subrecipient. A TAM plan must be updated in its entirety at least every four years, and it must cover a horizon period of at least four years. The selection of targets that address transit asset management shall be coordinated, to the maximum extent practicable with MCTC to ensure consistency with the performance targets that public transportation providers establish.

2.8 Public Transportation Agency Safety Plan

MADERA must develop a Public Transportation Agency Safety Plan (PTASP) plan if receives federal financial assistance under 49 U.S.C. Chapter 53, Section 5307 as a recipient or subrecipient. The plan must include performance targets. A PTASP must be updated and certified by the transit agency annually.

SECTION 3: FTIP Project Monitoring and Maintenance

3.1 Progress Reporting

The MCTC will be responsible for tracking the overall progress of all projects in the FTIP. MCTC will prepare an annual list of projects for which federal funds have been obligated in the preceding year and will ensure that it is made available for public review.

MADERA will assist MCTC's effort to track the overall progress of FTIP projects by submitting an annual report that addresses the status of each project receiving federal funds. At a minimum, the report will do the following:

- a) Identify and correlate the documentation of projects to individual categories as identified in the FTIP (e.g., Operations, Planning, Capital Purchase, Facility Maintenance, Planning).
- b) Document the state of project implementation.
- c) If the project is behind schedule, include the reasons for the delay.
- d) Status of amount of federal funding obligated, received and used to support projects.
- e) Identify the need for a FTIP amendment.

In addition to provide the above supporting documents, MADERA will forward to MCTC a final copy of all planning documents produced as a result of receiving FTA funding. This will assist MCTC in overall transit planning and ensure that FTA funds were used accordingly for planning purposes as per FTA's requirements. Documents need to be sent to the following address:

Attention: Patricia Taylor, Executive Director
Madera County Transportation Commission
2001 Howard Road, Suite 201
Madera, California 93637

3.2 FTIP Amendments

MCTC's Executive Director will exercise the authority delegated by the MCTC Policy Board to process minor administrative amendments, involving for example, minor changes in the project scope, shifting of federal funds between project phases within the quadrennial element of the FTIP.

As part of the annual report, or sooner if required, MADERA will alert MCTC to the need to amend the FTIP. In general, reasons for FTIP amendment includes, for example, funding shortfalls, delays in project implementation and/or new projects that need to be included in the document.

SECTION 4: MOU Amendment

This MOU may be amended by the written consent of both parties.

SECTION 5: MOU Termination

Either party upon thirty (30) days of written notification to the other may terminate this MOU.

SECTION 6: Authorization of MOU

4.1 Authorization

By signature, we agree that the responsibilities outlined in this MOU foster healthy collaboration for the purpose of fostering transit planning and programming federal funds within the MCTC Federal Transportation Improvement Program.

ANDREW J. MEDELLIN Date
Mayor, City of Madera

Date PATRICIA TAYLOR Date
Executive Director, MCTC

APPROVE AS TO FORM:

City Attorney, City of Madera Date