

CITIZENS ADVISORY COMMITTEE

March 6, 2009

MINUTES

REVISED

The regular meeting of the CITIZENS ADVISORY COMMITTEE, held Friday, March 6, 2009 at the Merced County Association of Governments conference room, 369 W. 18th Street, Merced, California, was called to order by Chairman Dean Wilson at 8:32 a.m.

MEMBERS PRESENT

Dennis Coté, Engineering
Tom Crawley, Finance
Kyle Ford, Citizen-at-Large
Mary Ford-Azevedo, Small Business
Tom Grave, Education
Dan Hultgren, Real Estate
Richard Jantz, Economic Development
Melissa Kelly-Ortega, Citizen at Large
John Price, Citizen-at-Large
Ron Price, Water/Irrigation
Diana Westmoreland-Pedrozo, Agriculture
Dean Wilson, Citizen-at-Large

MEMBERS ABSENT

Adam Cox, Student
Matt Hoffman, Citizen-at-Large
Scott Neal, Good Movement
Vacant, Construction

OTHERS PRESENT

Jesse Brown, MCAG
Matt Fell, MCAG
Hicham Eltal, Modesto Irrigation District
Marjie Kim, MCAG
Terri Lewis, MCAG

1. Introductions

So noted.

2. Oral Communications

Melissa Kelly-Ortega made the following announcements:

- March 14, 2009 is Golden Valley Heath Center Clean-Up Day;
- Saturday Walking Groups; and
- High Speed Rail Town Meeting in Merced, March 18, 2009 at the Senior Center.

Tom Grave clarified that the City of Merced Bicycle Advisory Group is not a committee, yet a commission.

Richard Jantz stated that he was able to participate at the AMGEN Tour of California (Stage 3 Merced) – lifestyle booth February 18, 2009 and it is was a great day for Merced with all of the excitement, art, and activities.

3. Minutes of the February 6, 2009 Citizens Advisory Committee Meeting

Dennis Cote made a motion to approve the minutes of the February 6, 2009 Citizens Advisory Committee meeting.

Seconded by Ron Price.

MOTION CARRIED UNANIMOUSLY.

4. Atwater-Merced Expressway – Project Report Status and Final EIR Certification

Jesse Brown recounted the history of the Atwater-Merced Expressway project:

- 1995 Merced County adopted General Plan “loop” as a way to get away from traffic volume loads on G, M, and R Streets from Hwy 99 to the north
- Hwy99 Master Plan concluded that Atwater-Merced Expressway and Campus Parkway projects were needed and were to be included in the Regional Transportation Plan (RTP)
- 3 years ago – the Atwater-Merced Expressway was started with Caltrans as the project lead and with the consideration of several alternative alignments in the environmental process
- 6 months into environmental process – Caltrans claimed they didn’t have sufficient staff available for the project
- MCAG became the project lead in cooperation with Merced County, The City of Merced, and The City of Atwater
- Reduction of alignment number – to 3 within a one basic corridor
- Summer 2008 – on Governing Board agenda to certify the Atwater-Merced Expressway EIR, yet issue with future Atwater school site
- Fall 2008 – Project alignment changed to maximize the distance from Atwater-Merced Expressway and the school site
- Fall/Winter 2008 – EIR recirculated for public comment on alignment modification
- Winter 2009 – Merced agencies met with state school representative and got an OK on alignment changes accommodating school site
- February 2009 – EIR document certified by MCAG Governing Board
- March 2009 – Modified Alignment 1B to MCAG Governing Board for adoption as the preferred alignment

Staffs recommendation of Alignment 1B as the Atwater-Merced Expressway preferred alignment capitalizes on use of Castle land (13 acres) and does not impact large dairies. No source of funding for PE (\$13 M est.) or Construction (\$240 M est.). Jesse Brown reminded members that if the state of California pursues another transportation bond, this project could benefit if it is shovel ready (ready to go).

Melissa Kelly-Ortega expressed her concerns with the distance between the Atwater-Merced Expressway and the future school site. She provided the committee copies of pages 4-10 of the California Air Resources Board land-use handbook as a basis for her concern. The referenced documented provides CARB's recommendations on planning

new sensitive land uses (Freeways and High-Traffic Roads, Key Health Findings, and final recommendations).

Dennis Cote made a motion to recommend the MCAG Governing Board approve selection of Alternative 1B as the “preferred alternative” for the Atwater-Merced Expressway Project.

Seconded by John Price.

Ayes: (8) – Dennis Cote, John Price, Dean Wilson, Tom Crawley, Mary Ford-Azevedo, Dan Hultgren, Richard Jantz, Kyle Ford

Noes: (2) – Tom Grave and Melissa Kelly-Ortega

Abstain: (1) – Diana Westmoreland-Pedrozo

MOTION CARRIED

5. Expedited ~~Process~~ Project Selection Procedures (EPSP) for the Federal Transportation Improvement Program (FTIP)

Marjie Kirn stated that the correct term is Expedited Project Selection Procedures (EPSP)

Terri Lewis stated that the current modification to MCAG’s adopted EPSP is at the request of the Federal Highway Administration (FHWA) through Caltrans. This minor modification add three federal program(s): 1) Federal Transit Administration (FTA) – multiple programs; 2) Federal Lands Highway Program (FLHP); and 3) Federal Interstate Maintenance (IM) Program. EPSP creates the means for MCAG to move projects with dedicated/programmed funding within the first four-years of the FTIP providing flexibility with project delivery.

Diana Westmoreland-Pedrozo made a motion to recommend the MCAG Governing Board approve the 2009 Expedited Project Selection Procedures (EPSP) clarifying the inclusion of the Federal Transit Administration (FTA) Programs, the Federal Lands Highway Program (FLHP), and the Interstate Maintenance (IM) Program, and moving projects within the first four-year period of the FTIP subject to the conditions of the EPSP with Executive Director approval.

Seconded by John Price.

MOTION CARRIED UNANIMOUSLY.

6. Draft Ramp Metering and High Occupancy Vehicle Lane Study

Matt Fell discussed the Draft Ramp Metering and High Occupancy Vehicle (HOV) Lane Study that was available last month for review and comment. MCAG staff did not receive any comments on the study. The study suggestions might make sense for Merced County in the future (5-10 years), yet ramp metering and HOV lanes are more of a priority for San Joaquin and Stanislaus Counties at this time with greater highway congestion. Ramp Metering can be beneficial with 2 or 3 highway lanes, yet it would need to be incorporated into current or future Interchange designs (i.e. Arboleda and Plainsburg projects). The study states that HOV lanes will not be beneficial until Highway 99 has 4-lane capacity. Four lanes on Hwy 99 in Merced County are well outside the window of the 20-year Regional Transportation Plan (RTP).

Also, Caltrans has requested that MCAG change the motion from “accept” to “adopt”.

Dennis Cote commented that the quality is good for ramp metering; yet he doesn't feel the same about the HOV portion. The HOV portion is inconsistent with the use of "what we need to do" versus "what we can do" with HOV.

Matt Fell responded that the study does not require anything for Merced County, yet our future goals are compatible with the overarching statement of the study.

John Price added that he is not qualified to judge the study yet, and asked if we are locked into anything if we agree to adopt rather than accept the study?

Matt Fell responded that the Ramp Metering HOV study does not lock MCAG into anything specific. This study is simply a plan that is one aspect of transportation on which we need to be informed.

Dan Hultgren added that if ramps are not of a sufficient width, then traffic flow becomes a bottleneck as congestion increases.

Diana Westmoreland-Pedrozo asked what is the difference between "accept" and "adopt" and is this potentially an unfunded mandate?

Matt Fell state that regardless of using "accept" or "adopt", the study is not a commitment of funding.

Richard Jantz added that in his time in the San Joaquin Valley, there are many examples of projects constructed without the consideration for future growth. Does adoption of the study require MCAG to make any changes on interchanges that are currently in design?

Matt Fell responded "no", it is the decision of MCAG's Governing Board to determine whether or not we spend our money for ramp metering and not Caltrans.

Dennis Cote added that Richard Jantz makes a good point (i.e. Hwy 99 and the Atwater-Merced Expressway interchange design). Dennis believes that a single point of entry interchange moves more traffic than the traditional cloverleaf design. Caltrans focuses on the least cost at today's date and doesn't necessarily worry about future congestion.

Melissa Kelly-Ortega inquired regardless of what term (accept or adopt) is used, can the CAC state their concerns.

Matt Fell responded that the CAC Governing Board Rep. can present concerns at the March 19, 2009 meeting.

Kyle Ford made a motion to recommend that the MCAG Governing Board adopt the *Northern San Joaquin Valley Regional Ramp Metering and High Occupancy Vehicle (HOV) Lane Master Plan*.

Seconded by Tom Graves.

Ayes: (6) – Kyle Ford, Tom Grave, Tom Crawley, Dan Hultgren, Dean Wilson, and John Price.

Noes: (3) – Richard Jantz, Dennis Cote, and Diana Westmoreland-Pedrozo.

Abstain: (2) – Mary Ford-Azevedo and Melissa Kelly-Ortega.

MOTION CARRIED.

7. Information/Discussion Only

- a. CAC Highlights – February 6, 2009
- b. Sign-up sheet for CAC representative to the MCAG Governing Board Meeting 2009

Richard Jantz requested a MCAG Governing Board CAC alternative for the March 19, 2009 meeting.

Dean Wilson stated that he would be the alternative for March.

- c. MCAG Governing Board Minutes - February 19, 2009
- d. Economic Stimulus State Distribution Proposal
- e. Status of Regional Road Projects for Merced County
- f. FY09/10 Work Program and Budget
- g. One Voice Sacramento Trip Report
- h. Bike Plan/Grant Update
- i. Regional Transportation Impact Fee Report

Dean Wilson highlighted information/discussion items 7b, 7f, and 7h due to time limitations.

Dennis Cote added that he appreciates the opportunity to review MCAG's OWP provided two suggestions:

- Work Element #1548 (page 2) - MCAG staff attend an upcoming Pavement Preservation Conference on April 7-9th; and
- Work Element #1670 (page 5) – MCAG staff pursue available grants vigorously.

Dennis Cote wanted clarification on 7d at this time and specifically if any of the \$771M of suballocated RSTP can be used by Caltrans for SHOPP projects.

Marjie Kirn stated that Caltrans doesn't have any discretion over the \$771M of suballocated local RSTP under state law. Also, Marjie confirmed that the Economic Stimulus Act (American Recovery and Reinvestment Act – ARRA) suballocated funds of \$771M statewide and \$4.7 M for Merced County was allocated to the state of California on March 2, 2009; therefore, the obligation clock of 120-days has started.

The remainder of the \$2.6 Billion that California will receive for transportation must go through the California Transportation Commission's (CTC) State Transportation Improvement Program (STIP) process by current state law. This process is very cumbersome and can take 6-9 months for the CTC to allocate funding. With either the 120-day RSTP obligation deadline for local agencies or the 180-day obligation deadline for the state, the current STIP process will most likely not allow California to obligate 100% of its ARRA funding. Also, at this time it is unclear how much funding the CTC will take for the State Highway Operations and Protection Program (SHOPP) that is in dire need of money to maintain the existing system. The CTC could take 100% of the non-suballocated ARRA funds to the SHOPP program.

CalCOG is working on a Plan B - an effort for a change in CA Legislation. If the new legislation cannot be approved by March 15, 2009, then Caltrans/CTC will fall back to existing law (Plan A) and make final decision on how to program the remainder of the \$2.6 Billion (minus TE and the suballocated RSTP portion of \$770M).

If new legislative occurs, MCAG's Governing Board will have to make a decision on how to program the additional second round of funding (approximately \$6M - \$7M of STIP/RIP). This figure is dependent on what the CTC does with their take funding for the SHOPP program. If the CTC takes 100% of the remaining funds for the SHOPP program, then MPO's will not get any more ARRA funds.

CTC action on the ARRA funds is scheduled for March 12, 2009.

So noted.

8. Oral Report – Air District – CAC Report

Chair Dean Wilson clarified his comments from the CAC Air District report last month - The \$6 billion dollars social value cost for clean air is not a hard number, yet rather an estimated figure based on providing a healthy environment for those that live in the San Joaquin Valley.

So noted.

8a. Water Presentation – Hicham Eltal

Hicham Eltal provided a detailed presentation on water in California. There is a great need for a multi-focal approach to water (i.e. having enough in both wet and dry years), including: water conservation; water conveyance, and water storage (reservoirs), and water banking.

So noted.

9. Oral Report – CAC Goals Report – Self Help County

Carry item forward to a future agenda.

THERE BEING NO FURTHER BUSINESS, THE CITIZENS ADVISORY COMMITTEE WAS ADJOURNED BY DEAN WILSON AT 10:35 A.M.