

CITIZENS ADVISORY COMMITTEE

June 5, 2009

MINUTES

The regular meeting of the CITIZENS ADVISORY COMMITTEE, held Friday, June 5, 2009 at the Merced County Association of Governments conference room, 369 W. 18th Street, Merced, California, was called to order by Economic Development Representative Richard Jantz at 8:33 a.m.

MEMBERS PRESENT

Dennis Coté, Engineering
Adam Cox, Student
Mary Ford-Azevedo, Small Business
Tom Grave, Education
Dan Hultgren, Real Estate
Richard Jantz, Economic Development
Melissa Kelly-Ortega, Citizen at Large
Chuck Falkenstein for Scott Neal, Good Movement
John Price, Citizen-at-Large

MEMBERS ABSENT

Tom Crawley, Finance
Hicham Eltal, Merced Irrigation District
Kyle Ford, Citizen-at-Large
Diana Westmoreland Pedrozo, Agriculture
Dean Wilson, Citizen-at-Large
Vacant, Construction
Vacant, Citizen-at-Large

OTHERS PRESENT

Matt Fell, MCAG
Lori Flanders, MCAG
Rich Green, MCAG
Marjie Kim, MCAG
Ty Phimmasone, MCAG
Anna Sanchez, Asthma Coalition

1. Introductions

So noted.

2. Oral Communications

Melissa Kelly-Ortega gave the following announcements:

Friday, June 5, 2009 - UC Merced Health and Wellness Fair from 11:30-2:30 p.m. at the UC Merced's Visitor's Center.

Thursday, June 25, 2009 from 6-8 p.m. (Room LES - 111, 3600 "M" Street) Healthy Air Living Air Quality Chat at Merced College.

<http://www.healthyliving.com/upcoming-events/workshops-meetings.htm>

Every Saturday, 9-10 a.m. at 4th and "N" Street, Merced - Golden Valley Health Centers' "Healthy South Merced Walks".

Monday, June 15, 2009, 11-2 p.m. – San Joaquin Valley Unified Air Pollution Control District's (SJVUAPCD's) Environmental Justice Advisory Group (EJAG) meeting – Modesto, Fresno, and Bakersfield Air District offices.

http://www.valleyair.org/Programs/EnvironmentalJustice/meetings/Environmental_Justice_schedules.htm

June 27, 2009 - Asthma Roundtable Conference 8-Noon (Modesto) - Flyer attached.

From conversation during the meeting, I tried to find information on the Employer Trip Reduction rule, but have not been able to find anything yet.

* Rules and Workshops coming up at the Air District:

http://www.valleyair.org/Workshops/public_workshops_idx.htm

Richard Jantz stated he recently attended the Livingston Riverdance Festival that was a worthwhile effort.

4. Election of Chair and Vice-Chair for 2009/2010

Richard Jantz opened nominations for Chair for 2009/2010 prior to action items.

Adam Cox nominated Kyle Ford.

Richard Jantz nominated Tom Grave.

Adam Cox made a motion to appoint Kyle Ford as the Chair of the CAC for 2009/2010.

Seconded by Dan Hultgren.

AYES: Adam Cox, Dan Hultgren

NOES: Richard Jantz, Tom Grave, Dennis Cote, Mary Ford-Azevedo, Melissa Kelly-Ortega, Chuck Falkenstein for Scott Neal.

MOTION FAILED.

Richard made a motion to appoint Tom Graves as the Chair of the CAC for 2009/2010.

Seconded by Mary Ford-Azevedo.

AYES: Richard Jantz, Tom Grave, Dennis Cote, Mary Ford-Azevedo, Melissa Kelly-Ortega, Chuck Falkenstein for Scott Neal.

NOES: Adam Cox, Dan Hultgren

MOTION CARRIED.

Richard Jantz opened nominations for Vice Chair for 2009/2010 and nominated Kyle Ford.

Richard Jantz made a motion to appoint Kyle Ford as the Vice Chair of the CAC for 2009/2010.

Seconded by Melissa Kelly-Ortega.

MOTION CARRIED UNANIMOUSLY.

3. Minutes of the May 1, 2009 Citizens Advisory Committee Meeting

Dan Hultgren made a motion to approve the minutes of the May 1, 2009 Citizens Advisory Committee meeting.

Seconded by Adam Cox.

MOTION CARRIED UNANIMOUSLY.

5. Draft Formal Amendment No. 10 (Type 2 – Funding Changes) to the 2009 Federal Transportation Improvement Program (FTIP)

Marjie Kirm briefly stated that project sponsors had recently requested FTIP programming changes and the changes are detailed in the staff report. She also explained that the Los Banos Bypass project had FTIP programming changes requested after the CAC agenda had been mailed. The City of Los Banos has many financial issues that they are currently evaluating and one of them is the need for a new wastewater treatment plant. The City had committed local funds of \$8,000,000 for FTIP programming in FY 2008/2009 that was to be used to purchase right of way for their new water treatment plant which is also the same right of way for the Los Banos Bypass project (a dual benefit and win). Due to the number of current foreclosures and more foreclosures anticipated, the situation with sewer capacity has changed. It is unclear at this time, whether the City of Los Banos will move forward with building the new sewer treatment plant and if they will continue to commit local funds to purchase the necessary right of way for the Los Banos Bypass. Due to the unforeseen developments, staff is recommending pushing out the local funds of \$8,000,000 to FY 2009/2010 that will allow time to pursue alternative funding sources for the right of way.

Dennis Cote commented that with the recent market downturns now would be the ideal time to purchase the right of way.

Melissa Kelly-Ortega asked if the committee could vote on each project individually as she has many questions regarding the Los Banos Bypass but is comfortable moving forward with the other items.

Dennis Cote made a motion to recommend the MCAG Governing Board approve Formal Amendment No. 10 with funding program modifications to three existing 2009 Federal Transportation Improvement Program regionally significant projects (Campus Parkway, Los Banos Bypass, PSR Hwy 99 & SR 165) with reliance on the previous air quality conformity analysis adopted with Amendment No. 2 to the 2007 Regional Transportation Plan by adoption of Resolution No. 2009/06-18-01 and that MCAG staff research alternate financing for the purchase of the Los Banos Bypass right of way.

Seconded by Richard Jantz.

AYES: Richard Jantz, Tom Grave, Dennis Cote, Mary Ford-Azevedo, Chuck Falkenstein for Scott Neal, Adam Cox

NOES: Dan Hultgren

Abstained: Melissa Kelly-Ortega

MOTION CARRIED.

6. Re-determination of Air Quality Conformity

Matt Fell stated that due to Particulate Matter 2.5 microns or less (PM2.5), all of the San Joaquin Valley Councils of Governments (SJV COGs) must formally adopt a re-determination of Air Quality (AQ) Conformity if any of the eight SJV COG's adopt a new Type-5 FTIP Amendment (Type-5 formal amendments require a new Air Quality Conformity Analysis). San Joaquin COG is in the process of a Type-5 FTIP amendment, therefore, all of the SJV COGs must also process a re-determination of AQ Conformity.

Adam Cox made a motion to recommend the Governing Board adopt a resolution re-determining conformity for the 2009 Federal Transportation Improvement Program Amendment #3 and 2007 Regional Transportation Plan Amendment #2.

Seconded by Dennis Cote.

MOTION CARRIED UNANIMOUSLY.

7. San Joaquin Valley Express Transit Study

Marjie Kirn highlighted the San Joaquin Valley Express Transit study stating that the study represents what could happen with transit on a San Joaquin Valley regional scale. The San Joaquin Valley Express Transit Study was on the May agenda for public comments. MCAG did not receive any public comments on the study.

Dennis commented that the entire study is regarding transit but should also include pedestrian and bicycle elements.

Marjie commented that the study was based on a regional scale that typically does not provide for pedestrian and bicycle connectivity.

Richard Jantz made a motion to recommend the MCAG Governing Board approve the San Joaquin Valley Express Transit Study.

Seconded by John Price.

MOTION CARRIED UNANIMOUSLY.

8. SR 99/165 Project Study Report (PSR) Milestone Approval

Ty Phimmasonne stated that the SR 99/165 PSR is intended to document the improvement to Hwy 99 and SR 165. The SR 99/165 project agreement requires that each of the 5 partner agencies involved are required to approve all project milestone reports.

Tom Grave asked if the April 22, 2009 community workshop showed results of favor or opposition to the project.

Ty commented that he did not see any comments resulting in favor or opposition and that the event was more of an overview of the project.

Richard commented that he attended the meeting and recognized concerns from the community regarding the routes. He further commented that he has concerns regarding the purpose of the project as listed in the staff report. He believes that the economic development has a strong case in the purpose of the project. Richard recommended the addition of "facilitate economic development" to the projects purpose.

Dennis commented that he is concerned that Livingston and Delhi were not mentioned under the clause to support continued growth.

The committee concurred that the report seems to favor the Turlock area.

Dennis Cote made a motion to recommend the MCAG Governing Board approve the Purpose and Need for the SR 99/165 Project Study Report with the following revisions:

- Add the purpose “to facilitate economic development”.
- Include Delhi and Livingston in the “support continued growth in...” purpose.
- Strike “and the City of Turlock’s SE Turlock Specific Plan” as the report already includes mention of Turlock General Plans.

Seconded by John Price.

MOTION CARRIED UNANIMOUSLY.

Melissa further commented that she’d like to see the phrase “support continued growth” to state, “support continued *smart* growth”.

9. MDSS GIS Data Agreement

Rich Green commented that the MDSS agreement allowed for sensitive data to be protected and for MDSS to sell data and services to generate the matching funds needed to leverage Transportation Planning dollars to pay for the ongoing maintenance.

He further explained that he has met with staff from six of the seven jurisdictions to renew their agreements (County is the only remaining agency). Rich commented that the TPC recommended staff hold off on renewing this agreement until concurrence is received from County Planning.

Dennis commented that the County should not be duplicating efforts.

Melissa commented that collaboration is key to this process, and that the County should get on board.

Dennis Cote made a motion to continue consideration of the MDSS/GIS Data Agreement to the July TPC agenda.

Seconded by John Price.

MOTION APPROVED UNANIMOUSLY.

10. ArcGIS Explorer Demonstration

For information only.

11. Information/Discussion Only

- a. CAC Highlights – May 1, 2009
- b. Sign-up sheet for CAC representative to the MCAG Governing Board Meeting 2009
 - Dennis Cote – alternate for the June 18, 2009 meeting
 - Tom Grave – alternate for July 16, 2009 meeting
- c. MCAG Governing Board Minutes May 21, 2009
- d. State of Regional Road Projects for Merced County
- e. Traffic Counts Report

So noted.

12. Oral Report – Traffic Modeling

Matt Fell presented a brief Traffic Modeling presentation.

13. Oral Report – Air District – CAC Report

No report as Dean Wilson was absent from the meeting.

14. Oral Report – CAC Goals Report

Due to time constraints this item was skipped.

**THERE BEING NO FURTHER BUSINESS, THE CITIZENS ADVISORY COMMITTEE
WAS ADJOURNED BY DEAN WILSON AT 10:23 A.M.**