

CITIZENS ADVISORY COMMITTEE

July 10, 2009

MINUTES

The regular meeting of the CITIZENS ADVISORY COMMITTEE, held Friday, July 10, 2009 at the Merced County Association of Governments conference room, 369 W. 18th Street, Merced, California, was called to order by Education Representative Tom Grave at 8:33 a.m.

MEMBERS PRESENT

Dennis Coté, Engineering (arrived at 9:10 a.m.)
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 (left at 9:30 a.m.)
Diana Westmoreland Pedrozo, Agriculture

MEMBERS ABSENT

Adam Cox, Student
Tom Crawley, Finance
Hicham Eltal, Merced Irrigation District
Scott Neal, Goods Movement
Dean Wilson, Citizen-at-Large
Vacant, Construction
Vacant, Citizen-at-Large

OTHERS PRESENT

Jesse Arthur, Citizen
Matt Fell, MCAG
Lori Flanders, MCAG
Marjie Kirn, MCAG
Candice Steelman (9:30 a.m.-9:55 a.m.)
Anna Sanchez, Asthma Coalition

1. Introductions

So noted.

2. Oral Communications

Marjie Kirn informed the committee that Rich Green, MCAG GIS Manager, would conduct a GIS 101 Workshop immediately following the August CAC meeting.

Melissa Kelly-Ortega gave the following announcements:

- Forte Frozen Yogurt has partnered with the Merced/Mariposa Asthma Coalition to offer Car FREE Fridays. When you bike, walk, skateboard or take the bus on Car FREE Fridays, you'll receive a 10% off coupon. Forte Frozen Yogurt is located at 319 West Main Street in Merced.
- South Merced Community Meeting will be held August 5, 2009 from 5:30-7:00 p.m. at Golden Valley Health Centers. Information is available regarding air quality, asthma, and the Asthma-Friendly Flag Program. Melissa further commented that they are also seeking comments regarding the California Endowment grant for Southwest Merced and Southeast Merced County.

Jesse Arthur commented that he served on the CAC in the past and that it is a worthwhile committee.

Chair Grave asked the committee if there was interest in changing the CAC meeting date/time. No comments were made.

3 Minutes of the June 5, 2009 Citizens Advisory Committee Meeting

Mary Ford-Azevedo made a motion to approve the minutes of the June 5, 2009 Citizens Advisory Committee meeting.

Seconded by Melissa Kelly-Ortega.

Diana Westmoreland-Pedrozo abstained due to her absence from the June meeting.

MOTION CARRIED.

4. Regional Transportation Plan Concept Report and Proposed Schedule

Matt Fell provided an overview of the Regional Transportation Plan (RTP). He highlighted the following key points:

- 2010 RTP needs to be adopted by July 2010.
- Last plan was developed through 2030, need to expand plan through 2035 with inclusion of some data through 2050 to leverage products produced through the Blueprint.
- Public participation will take place in October and January via City Council meetings, Social/Service Clubs, Municipal Advisory Committees, and with any group interested in holding a workshop.
- Coordination will take place valley-wide with the seven other San Joaquin Valley MPO's and state/federal agencies to ensure transportation planning and air quality compliance.
- Propose development of a countywide sidewalk inventory along with a Pedestrian Plan.

Melissa Kelly-Ortega asked what data was used to calculate the population forecast(s).

Matt explained that the Department of Finance (DOF) projections are used for a portion of the calculation and the remainder of the forecast(s) is based on staff calculations.

Melissa praised the public participation element, and asked if staff would be available for other venues, such as the Asthma Coalition, Healthy South Merced, and Public Health (CX3).

Staff informed the CAC that they are open to all request for a workshop.

Melissa further commented that the Bicycle Coalition would be meeting on August 25, 2009 at 3pm to discuss existing bike lanes and offered MCAG staff to attend or have access to products as a result of their meetings.

Diana Westmoreland asked if staff is collaborating with the jurisdictions and their general plan projected forecast.

Matt commented that staff is collaborating with jurisdictions.

John Price made a motion to recommend the MCAG Governing Board approve the concept report and schedule for the 2010 Regional Transportation Plan Update.

Seconded by Kyle Ford.

Further discussion occurred following the motion.

Diana commented that she has issues with the DOF projections and the existing general plan forecast due to their aggressiveness. Livingston in particular was a great concern with 2% growth.

Richard Jantz also commented that he has concerns with DOF forecast due to it seems overly optimistic.

John Price withdrew his motion following discussion regarding the concerns with the DOF forecast.

Diana Westmoreland-Pedrozo made a motion to recommend the MCAG Governing Board approve the concept report and schedule for the 2010 Regional Transportation Plan and that further discussion occur jointly with the CAC and Governing Board regarding issues with the jurisdictional General Plans and overall San Joaquin Valley population forecasts.

Seconded by Melissa Kelly-Ortega.

Kyle Ford abstained.

MOTION CARRIED.

5. Transportation Development Act – Fare Box Ratio Requirements

Marjie Kirn discussed the Transportation Development Act (TDA) fare box ratio requirements: 10% for rural and Dial-A-Ride (DAR) services, and 20% for urban fixed route service. Financial statements regarding the Countywide Transit Enterprise Fund indicate that the system did not meet the required 10% for DAR fare box ratios for 2004/05, 2005/06, 2006/07, 2007/08, and 2008/09. In September 2008 the Board approved an alternative option for 2007/08 to combine the non-urbanized service and DAR that is required to meet the 10% fare box ratio. Staff recommended the same alternative for 2008/2009.

Diana Westmoreland-Pedrozo made a motion to recommend that MCAG Governing Board combine all the non-urbanized service (rural and DAR) required to meet the 10% ratio and determine that the fare box ratio was met.

Seconded by John Price.

MOTION CARRIED UNANMOUSLY.

6. Revision of the San Joaquin Valley Air Pollution Control District Memorandum of Understanding with the Eight San Joaquin Councils of Governments

Marjie provided an overview of the staff report.

Dan Hultgren commented that he is opposed to the San Joaquin Valley Policy Council and that they have too much power to control individual freedoms. He further commented that government continues to become more and more involved in dictating standards by which we must live, and that he is very much apposed to the Air Resources Board having a seat on the council, as he feels they hold enough influence already.

Richard Jantz made a motion to recommend the MCAG Governing Board approve the adoption of the Memorandum of Understanding with the eight Regional Planning Agencies in the San Joaquin Valley and the San Joaquin Valley Air Pollution Control District with Merced County Association of Governments Governing Board Chairperson and Executive Director signatures.

Seconded by Diana Westmoreland-Pedrozo.

AYES: Kyle Ford, Mary Ford, Tom Grave, Richard Jantz, Melissa Kelly-Ortega, John Price, Diana Westmoreland-Pedrozo

NOES: Dennis Cote, Dan Hultgren

MOTION CARRIED.

7. Information/Discussion Only

- a. CAC Highlights – June 5, 2009
- b. Sign-up sheet for CAC representative to the MCAG Governing Board Meeting 2009
 - Tom / Diana – can serve as alternate for October 15, 2009 meeting
 - Richard Jantz – can serve as alternate for November 19, 2009 meeting
- c. MCAG Governing Board Minutes June 18, 2009

So noted.

8. Oral Report - Legislative Affairs

Candice Steelman provided an update of legislative activity MCAG is following.

SB716 - Local transportation funds. Existing law requires that 1/4% of the local sales and use tax be transferred to the local transportation fund of the county and be allocated, as directed by the transportation planning agency, for various transportation purposes. Existing law specifies the allowable uses for local transportation funds, and generally requires these funds to be used for transit purposes in urban counties, while in counties with a population under 500,000 as of the 1970 census and certain other counties, these funds may also be used for local streets and roads, if the transportation planning agency finds that there are no unmet transit needs or no unmet transit needs that are reasonable to

meet, and for other specified purposes. This bill would instead authorize those local transportation funds to be used for local streets and roads in those circumstances and for those other specified purposes in counties with a population under 500,000 as of the 2000 census, and each decennial census thereafter, and in certain other counties. *The* bill, in those counties where local transportation funds may be allocated to local streets and roads, would also authorize use of those funds for specified farmworker vanpool purposes upon a finding by the transportation planning agency that there are no unmet transit needs or no unmet transit needs that are reasonable to meet.

SB406 would authorize a municipal planning organization or council of governments to adopt a resolution to impose a \$2 motor vehicle registration surcharge on vehicles registered in the entity's jurisdiction that would be collected by the Department of Motor Vehicles. Among others, the Department of Motor Vehicles spoke against the bill saying it was confusing as to who would do what when.

High Speed Rail Bills

SB 783 requires the High Speed Rail Authority (HSRA), prior to seeking an allocation of bond funding for the 2009/10 fiscal year, to prepare an expanded business plan, with a draft of the plan being submitted to the Legislature by September 1, 2009 and the final plan being adopted by the HSRA's governing board by March 2010. The draft business plan must be circulated for public comment.

AB 733 would authorize the authority to consider, to the extent permitted by federal and state law, the creation of jobs in California when awarding major contracts or purchasing high-speed trains (hire California first).

ACA 9 - The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities. This measure would change the 2/3 voter-approval requirement for special taxes to, instead, authorize a city, county, city and county, or special district to impose a special tax with the approval of 55% of its voters voting on the tax.

SB 632 request development of a study/plan that provides proper guidance, oversight and accountability, ensuring that the San Joaquin Valley is eligible for funds to address port-related cargo pollution, and allows for varied congestion reduction infrastructure

AB 934 will require the California Department of Water Resources to study the economic impacts of water supply reductions, specifically as it affects crops in certain counties in the San Joaquin Valley. The department must report its findings to the Legislature on or before January 1, 2011.

Candice stated that this bill has been placed in a suspense file.

Kyle Ford asked if staff could draft a letter supporting AB 934 for the CAC to sign.

Richard Jantz would also like to request the MCAG Governing Board draft a letter.

Diana Westmoreland-Pedrozo offered to assist with the letter as she is very familiar with the bill and has helpful points to include. Staff and Diana will draft letter for inclusion with the August CAC agenda.

9. Oral Report – Air District – CAC Report

No report as Dean Wilson was absent from the meeting.

10. Oral Report – CAC Goals Report

Chair Grave commented that Diana Westmoreland-Pedrozo and Richard Jantz would be presenting at the August meeting along with staff.

**THERE BEING NO FURTHER BUSINESS, THE CITIZENS ADVISORY COMMITTEE
WAS ADJOURNED BY TOM GRAVE AT 10:05 A.M.**