

CITIZENS ADVISORY COMMITTEE

November 6, 2009

MINUTES

The regular meeting of the **CITIZENS ADVISORY COMMITTEE** held Friday, November 6, 2009, at the Merced County Association of Governments conference room located at 369 W. 18th Street, Merced, California, was called to order by Chairman Tom Grave at 8:30 a.m.

MEMBERS PRESENT

Dennis Coté, Engineering
Adam Cox, Student
Kyle Ford, Citizen-at-Large
Tom Grave, Education
Aaron Hill for Scott Neal, Goods Movement
Dan Hultgren, Real Estate
Melissa Kelly-Ortega, Citizen at Large
John Price, Citizen-at-Large (8:40 arrived)
Dean Wilson, Citizen-at-Large

MEMBERS ABSENT

Tom Crawley, Finance
Mary Ford-Azevedo, Small Business
Richard Jantz, Economic Development
Ron Price for Hicham Eltal, Merced Irrigation District
Diana Westmoreland Pedrozo, Agriculture
Vacant, Construction
Vacant, Citizen-at-Large

OTHERS PRESENT

Jesse Brown, MCAG
Matt Fell, MCAG
Rich Green, MCAG
Rod Ghearing, Merced County Transit
Marjie Kirn, MCAG
Terri Lewis, MCAG

1. Introductions

So noted.

2. Oral Communication

Melissa Kelly-Ortega stated that she is not available on November 19, 2009 as the CAC Governing Board Representative.

John Price stated that he is available as the CAC Governing Board Representative on November 19, 2009.

Need to check on the availability of Diana Westmoreland Pedrozo for the December 17, 2009 CAC Governing Board Representative. This would move her from the alternate to the primary representative as John Price has termed out on the CAC this month.

3. Recognition of Dean Wilson and John Price for their service on the Citizens Advisory Committee

Chairman Tom Grave moved this item to follow item 6 to allow time for John Price to arrive.

Marjie Kirn presented CAC appreciation certificates to Dean Wilson and John Price and Thanked them for 8-years of representation on the CAC. Both Dean Wilson and John Price spoke for a few minutes on their CAC experiences.

4. Minutes of the September 4, 2009 Citizens Advisory Committee Meeting

Kyle Ford made a motion to approve the minutes of the September 4, 2009 Citizens Advisory Committee meeting.

Seconded by Melissa Kelly-Ortega.

MOTION CARRIED UNANIMOUSLY.

5. Representative from the MCAG Citizens Advisory Committee to serve on the San Joaquin Valley Air Pollution Control District's (SJVAPCD) Citizen Committee

Dean Wilson provided a briefing on his experience as a Merced County representative on the San Joaquin Valley Air Pollution Control District's Citizen Committee. The SJVAPCD meeting occurs once a month in Fresno on Tuesdays, yet one can participate by videoconference from SJVAPCD satellite offices in Modesto or Bakersfield.

Kyle Ford and/or Adam Cox expressed interest in the SJVAPCD CAC group, if it is possible to use MCAG's video connection as a link to the Air District's video system.

Rich Green stated that he would look into this option.

This item is to be carried over to the December agenda.

6. Amended and Restated Transit Joint Powers Agreement, By-Laws, and Operating Agreement

Jesse Brown reported on the status of the Amended and Restated Transit Joint Powers Agreement, By-Laws, and Operating Agreement, including:

- 1) Current transit staff (6) employed by Merced County Public Works would become employees of the Transit Authority;

- 2) The Transit Manager would report to and be responsible to the Transit Authority Executive Director who reports directly to the Authority Board;
- 3) The Authority would enter into agreements for transit service functions: service operations; and vehicle and land lease for transit office site with Merced County; and
- 4) Title to all capital equipment (transit vehicles) and facilities purchased with Authority funding would be transferred from Merced County to the Authority.

Dan Hultgren inquired if there is any opposition by locals to this change in Transit structure and management.

Jesse Brown added that Merced County Public Works Director Paul Fillebrown is in favor of this change and no opposition has been heard.

Dan Hultgren inquired if this Transit change will generate any cost savings.

Jesse Brown responded that the Transit structure might provide a minimal cost savings.

Rod Ghearing added a few comments in support of the Amended and Restated Transit Joint Power Agreement, By-Laws, and Operating Agreement.

Adam Cox added that MCAG, Merced County Public Works, and Merced County Transit should all be praised for this change that will provide greater transparency and accountability for the public.

Dean Wilson made a motion to recommend the Transit Joint Powers Authority for Merced County approve:

- a. The Amended and Restated Joint Powers Agreement of the Transit Joint Powers Authority for Merced County and submittal of the Agreement to its' members for adoption;
- b. The Bylaws of the Transit Joint Powers Authority for Merced County;
- c. The Operations Agreement for Provision of Transit Service Functions by the Joint Powers Board of Directors and submittal to the County of Merced for approval; and
- d. Recommend staff take all other appropriate actions to implement the Amended and Restated Joint Powers Agreement in an expeditious manner.

Seconded by Adam Cox.

MOTION CARRIED UNANIMOUSLY.

7. Regional Transportation Plan Background Report

Matt Fell discussed the Draft Regional Transportation Plan Background report distributed for review and comment. Five public workshops were conducted in October and comments received were general in nature, yet there were a couple of recurring comments:

- 1) Focus needed on reducing auto dependency and reducing vehicle miles traveled (VMT) due to the requirements of SB 375 (Green House Gas Emissions Reductions).
- 2) Incentives are needed to reduce single occupant vehicle (SOV) auto use (auto dependency).

- 3) A State and National campaign is occurring to move away from gas tax as the base revenue for financing infrastructure construction and maintenance.
- 4) Unstable (inconsistent) transportation infrastructure revenue will continue to be even more of a problem in the future than it is in today's budget problems.

Send any comments to Matt Fell in the next few weeks. Another round of workshops will take place in January or February 2010. MCAG Governing Board direction will be requested in February or March of next year with adoption in April 2010.

Dennis Cote added that it is time for MCAG to be more productive in grant funding acquisition (i.e. Delhi without sidewalks).

Marjie Kirn responded that the 2010 MCAG Overall Work Program will be an item on the December agenda. This will be the opportunity for local agencies to discuss the MCAG Work Program for next year.

Melissa Kelly Ortega added that Merced County Planning is holding a General Plan Update public meeting on November 11, 2009 and anyone interested in Merced County Planning issues should attend.

All eight of the San Joaquin Valley COG's are on the same RTP and FTIP coordination schedule due to more stringent federal air quality regulations (PM2.5 conformity requirements).

8. 2010 Regional Transportation Improvement Program (RTIP) Concept Report

Terri Lewis outlined development of the biennial California Transportation Commission (CTC) State Transportation Improvement Program (STIP) Fund Estimate (FE) as the base of anticipated state and federal revenue over a five-year period.

The CTC delayed the adoption of the STIP FE due to state budget issues from June to October 2009. Although the STIP FE included County Share Regional Improvement Program (RIP) Targets, there are no new STIP/RIP funds available for programming in this upcoming STIP cycle. Also, due to less than anticipated state bond sales in October, the FY 09/10 year is over-programmed (above anticipated available revenue) by up to 73%. Up to 73% of RIP funds programmed to existing projects in FY 09/10 will have to be pushed out (delayed) into future programming years. Delivery of projects phases simply gets delayed due to insufficient state funds.

RTIP Schedule

December – Draft 2010 RTIP document for review

January 2010 – Final 2010 RTIP document for adoption

February 12, 2010 – Document due to the CTC

9. 2009-2010 State Transportation Improvement Program (STIP) Allocation Plan

Terri Lewis reported that due to state budget issues, the CTC has chosen to adopt a FY 09/10 STIP allocation plan. This plan outlines the CTC priorities when voting funds (allocation) to programmed projects.

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On a positive note for Merced County transportation projects, The Bradley Overhead Bridge Replacement as well as two landscaping projects on Hwy 99 (Mission Avenue and Arena Way) is included in the project specific listing for the FY 09/10 STIP Allocation Plan.

Marjie Kirm provided the following status on the Bradley Bridge Replacement project:
Right-of-Way certification to next level – March 2010
Start Construction – Summer 2010

10. Goods Movement Report - Draft

Ty Phimmason highlighted the Draft Goods Movement Report via a PowerPoint presentation, including:

- a. The US economy depends on timely and efficient freight linkages from supplies to markets;
- b. The US economy depends on California to handle vast amounts and value of merchandise trade via truck freight;
- c. Since goods movement transcends borders, an important facet of this movement is that regional (Merced County and San Joaquin Valley region) goals align with state and nation goods movement goals.
- d. The following economic benefits are derived from having a reliable, efficient freight movement system:
 1. Promotes Economic Vitality;
 2. Creates Jobs;
 3. Improves safety by reducing accidents; and
 4. Minimizes the impact to Air Quality;
- e. Congestion has a negative impact to goods movement, including:
 1. Reduces Economic productivity and vitality;
 2. Harms the environment (air quality, etc.); and
 3. Harmful to roadway conditions in local communities

Marjie Kirm added that under the authority of SB 83, counties could approve up to a \$10 dollar vehicle registration fee with 100% of these funds going to regional projects. This is a potential source of transportation funds in Merced County.

11. GIS Day Announcement

Rich Green announced that MCAG would be celebrating Geography Awareness Week on November 17, 2009 with an Annual GIS (Geographical Information Systems) day event at Merced City Hall (Sam Pipes Room) from 9 a.m. to 4 p.m. All are invited to attend to view a GIS map gallery and other vendor presentations on the use of GIS technology. Lunch will be provided to those in attendance.

12. Information/Discussion Only

- a. CAC Highlights – September 4, 2009
- b. Sign up sheet for CAC representative for the MCAG Governing Board meeting – 2009
- c. MCAG Governing Board minutes September 24, 2009
- d. CAC calendar for 2010

13. Oral Report – Air District – CAC Report

Dean Wilson stated that the SJVAPCD CAC did not meet in October, therefore, there is no report to be given.

14. Oral Report – Self-Help Discussion

Dean Wilson conducted a short presentation on what is a “Self-Help” County. Self-Help County’s have chosen to enact a local transportation sales tax measure to provide funds for road improvements. Many of California’s counties have chosen to tax themselves because both the state and federal governments have limited revenue sources and not enough money available to pay 100% of the project cost. Self-Help Counties leverage local dollars with federal revenue; therefore, they have more transportation dollars in the end. The easiest way of achieving “Self-Help” status is to pass a local sales tax measure (historically ¼ or ½ cent additional sales tax on purchases). The public perception that we are taxed “too much” is based on a 1970’s picture when property tax could be increased to generate more local revenue. With the enactment of Proposition 13 and the capping of property taxes, today’s picture is much different, yet public perception is still stuck in the 1970’s and does not reflect the needs of today.

Local sales tax measure money cannot be raided by the state. MCAG’s CAC was to be the public oversight group for the transportation sales tax measure funds.

Dean Wilson added that these are things that need to be done in the future when a local transportation measure is being considered:

- a. Need to educate the public and modernize the mindset to today;
- b. Focus on transportation sales tax support in the larger cities (City of Los Banos, City of Merced); and
- c. Recognize that Merced County is behind the 8-ball (delays with Bradley Overhead for last eight years) because County cannot leverage state and federal funds without a local measure source.

Dan Hultgren added that MCAG needs to address the amount of property taxes collected in Merced County and only the small amount that comes back to Merced County (only 19%).

Dean Wilson suggested that a bullet point is added to the CAC Goals regarding property tax percentages that come back to Merced County.

Marjie Kirn stated that this discussion on property tax amounts is outside the area of MCAG expertise because these funds don't come through MCAG. Marjie stated that she will try to get someone from Merced County to come to the next meeting and discuss property tax return.

Dennis Cote volunteered to head the CAC efforts for the next transportation measure attempt.

Marjie Kirn stated that it might be possible to place discussion of a transportation measure on the January 2010 agenda.

15. Oral Report – CAC Goals Report

Item carried over to January agenda – no discussion at this time.

THERE BEING NO FURTHER BUSINESS OF THE TECHNICAL PLANNING COMMITTEE, THE MEETING WAS ADJOURNED BY CHAIRMAN TOM GRAVE AT 10:10 A.M.