

**NOTICE OF REGULAR MEETING  
OF THE  
MERCED COUNTY REGIONAL WASTE MANAGEMENT  
AUTHORITY BOARD/  
TRANSIT JOINT POWERS AUTHORITY FOR  
MERCED COUNTY/  
MCAG GOVERNING BOARD**

City of Dos Palos  
Council Chambers  
1546 Golden Gate Avenue  
Dos Palos, CA  
(209) 723-3153

**THURSDAY, JANUARY 15, 2009– 3:00 P.M.**

1. PLEDGE OF ALLEGIANCE
2. ROLL CALL

**MEMBERS OF THE PUBLIC MAY ADDRESS ANY ITEM ON  
THE AGENDA DURING CONSIDERATION OF THAT ITEM.**

3. ORAL COMMUNICATIONS

**PERSONS WISHING TO ADDRESS AGENDA ITEMS OR  
COMMENT ON ANY ITEM NOT ON THE AGENDA, MAY DO  
SO AT THIS TIME. COMMENTS ARE LIMITED TO THREE  
MINUTES PER PERSON. PLEASE STATE YOUR NAME AND  
ADDRESS FOR THE RECORD.**

**FOR ITEMS NOT ON THE AGENDA, NO ACTION WILL BE  
TAKEN AT THIS TIME. IF IT REQUIRES ACTION, IT WILL  
BE REFERRED TO STAFF AND/OR PLACED ON THE NEXT  
AGENDA.**

**COPIES OF STAFF REPORTS OR OTHER WRITTEN  
DOCUMENTATION RELATING TO ITEMS OF BUSINESS  
REFERRED TO ON THE AGENDA ARE ON FILE IN  
THE OFFICE OF MERCED COUNTY ASSOCIATION OF  
GOVERNMENTS. PERSONS WITH QUESTIONS  
CONCERNING AGENDA ITEMS MAY CALL MCAG TO  
MAKE INQUIRY REGARDING THE NATURE OF THE ITEM  
DESCRIBED ON THE AGENDA.**

ITEM

STAFF

MERCED COUNTY REGIONAL WASTE  
MANAGEMENT AUTHORITY BOARD

- \* **4. Consent Agenda**
  - a. Minutes of the October 16, 2008 Merced County Regional Waste Management Authority Board
  - # b. Fiscal Year 2008/2009 Local Government Waste Tire Cleanup and Amnesty Event Grant Application
- 5. Minutes of the December 2, 2008 Integrated Waste Management Local Task Force meeting**

For information only.

TRANSIT JOINT POWERS AUTHORITY FOR  
MERCED COUNTY

- \* **6. Minutes of the December 18, 2008 Transit Joint Powers Authority for Merced County meeting**
- \* # **7. Economic Stimulus Project Request from Caltrans – Re: Purchase of 15 Low Floor Buses** Larry Shankland

Authorize the Executive Director sign and return the waiver to SAMTRANS for the 15 buses.
- \* # **8. Public Hearing – Review and Possibly Adopt Fare Increases for “The Bus” – Merced County Transit** Larry Shankland

After a public hearing, pass a resolution to adopt the fare structure as proposed effective February 2, 2009.
- \* **9. Authorize Filing a Three-Year Grant Application for “The Children Ride Free” Program from Merced County First 5 Commission** Larry Shankland

Authorize “The Bus” – Merced County Transit staff to apply for funds under the new First 5 three-year grant cycle (2009-2011) to continue “The Children Ride Free” program on “The Bus” and authorize the Executive Director to sign all necessary grant documents and contracts.

## MCAG GOVERNING BOARD

### # 10. Oral Report – Citizens Advisory Committee

*The Citizens Advisory Committee is part of the Merced County Association of Governments. Its mission is to be the eyes, ears and voice of the Citizens of Merced County and to make recommendations to the Governing Board concerning all areas of transportation.*

### \* 11. Consent Agenda

- a. Minutes of the December 18, 2008 Governing Board meeting
- # b. Filming Governing Board Meetings in the City of Los Banos
- # c. Auditing Services FY 2008/2009
- # + d. 2007 Regional Transportation Plan Amendment #2, Formal Amendment No. 3 to the 2009 Interim Federal Transportation Improvement Program (FTIP), and the associated Air Quality Conformity Analysis
- # e. FY 2008-2009 Local Transportation Fund (LTF) Claims
- # f. Letter of Support – CTC Commissioner Kirk Lindsey

### 12. Oral Report – San Joaquin Valley Housing Trust

Director Kelsey

### 13. Oral Report – Caltrans

Ken Baxter

### 14. Minutes of the January 14, 2009 Technical Review Board meeting (to be handed out at the meeting)

For information only.

### 15. Continuum of Care

Lori Flanders

For information only.

### \* # 16. One Voice State and Federal Policy Platforms

Candice Steelman

Approve:

- a. The One Voice 2009 state and federal policy platforms; and
- b. The One Voice 2009 state and federal priorities, with staff's recommendation.

**17. Executive Directors' Report**

**18. Oral Report - Jurisdictions**

*\* Action*

*# Attachment*

*+ Enclosure*

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*The next MCAG Governing Board meeting will be held on Thursday, February 19, 2009 at 3:00 p.m.,  
County of Merced, 2222 M Street, Merced, CA 95340*

# **MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY BOARD**

**October 16, 2008**

## **MINUTES**

The regular meeting of the **MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY BOARD** held on Thursday, October 16, 2008, at the County of Merced, Board of Supervisors Chambers, 2222 M Street, Merced, California, was called to order by Chair Oliveira at 3:00 P.M.

### **DIRECTORS PRESENT**

Kathleen Crookham  
Joan Faul  
Tommy Jones  
Deidre Kelsey  
Johnny Mays  
Jerald O'Banion  
Joe Oliveira  
Gurpal Samra

### **MEMBERS ABSENT**

John Pedrozo  
Mike Nelson  
Bill Spriggs

### **OTHERS PRESENT**

Kome Ajise, Caltrans District 10 Director  
Jesse Brown, MCAG staff  
Joy Gort, MCAG staff  
Robert Haden, Legal Counsel  
Larnold Jones, Merced County Transit – “The Bus”  
Scott Johnston, Merced County Solid Waste  
Marjie Kirn, MCAG staff  
Larry Shankland, Merced County Transit – “The Bus”  
Christina Smith, MCAG staff  
Dean Wilson, Citizens Advisory Committee

### **3. Public Comment**

None.

### **4. Minutes of the August 21, 2008 Merced County Regional Waste Management Authority Board meeting**

Director Faul moved to approve the minutes of the August 21, 2008 Merced County Regional Waste Management Authority Board meeting.

Seconded by Director Samra.

**MOTION CARRIED UNANIMOUSLY.**

**5. Request for Proposals (RFP) for Options for Utilizing and Selling Landfill Gas**

Scott Johnston gave a brief review of the RFP and the proposals that are being presented to the board.

Director Samra moved to authorize:

- a. The Solid Waste Division, on behalf of the Merced County Regional Waste Management Authority Board, to release the Highway 59 Landfill Gas Utilization Project RFP; and
- b. Authorize the Executive Director of the Merced County Regional Waste Management Authority Board to enter into a contract with a Consultant to assist with proposal evaluations and contract negotiations.

Seconded by Director Crookham.

**MOTION CARRIED UNANIMOUSLY.**

**6. Fiscal Year 2008/09 First Quarter Report**

So noted.

**THERE BEING NO FURTHER BUSINESS OF THE MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY BOARD, THAT PORTION OF THE MEETING WAS ADJOURNED AT 3:07 P.M.**

/ s /

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Joy Gort  
Administrative Assistant I



**DEPARTMENT OF PUBLIC WORKS  
Solid Waste Division**

**Paul A. Fillebrown**  
Director

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**ITEM 4b**

**MEMORANDUM**

**DATE: JANUARY 8, 2009**

**TO: MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY BOARD**

**FROM: R. SCOTT JOHNSTON, DEPUTY DIRECTOR OF PUBLIC WORKS, SOLID WASTE DIVISION**

**SUBJECT: FISCAL YEAR 2008/2009 LOCAL GOVERNMENT WASTE TIRE CLEANUP AND AMNESTY EVENT GRANT APPLICATION**

**SUMMARY**

In December 2008 the California Integrated Waste Management Board (CIWMB) announced the *Fiscal Year 2008/2009 Local Government Waste Tire Clean up and Amnesty Event Grant*. The grant application (Attachment 1) was submitted at the January 9, 2009 deadline. The approved resolution from the Authority (Attachment 2) must be submitted to the CIWMB by February 9, 2009.

The grant application requests \$30,000 in grant funds, with a match of \$18,500 in local tire amnesty funds, \$2,133 for public education, and \$1,460 for grant administration. Should a grant be awarded to the regional agency, the grant period would be from approximately June 1, 2009 through June 30, 2010.

In order to include matching funds commitment for the grant application, the Solid Waste Division requests reauthorization of the Authority's tire amnesty local program in the amount of \$18,500 for fiscal year 2009/10, with a limit of \$2,000 per city and \$6,500 for the county. Unused funds from any one jurisdiction will be applied to other jurisdictions that exceed their allocated amount. Each city and the County will continue to be responsible for tire amnesty implementation within their jurisdiction.

## **REQUESTED ACTION**

Approve:

- a. The resolution authorizing the Chief Executive Officer of the Merced County Regional Waste Management Authority Board to sign the Fiscal Year 2008/2009 Local Government Waste Tire Cleanup and Amnesty Event Grant Application;
- b. Authorize the Merced County Department of Public Works to submit the resolution to the California Integrated Waste Management Board to complete the application; and
- c. Reauthorize the Regional Agency's Local Tire Amnesty Program with a limit of \$2,000 per city and \$6,500 for the County for Fiscal Year 2009/10.

Attachments: Tire Amnesty Grant Application to the CIWMB  
Resolution No. 2009/1-15-01

RESOLUTION NO. 2009/1-15-01

**RESOLUTION OF THE MERCED COUNTY REGIONAL WASTE MANAGEMENT  
AUTHORITY BOARD AUTHORIZING SUBMITTAL OF THE *FISCAL YEAR 2008/2009*  
*LOCAL GOVERNMENT WASTE TIRE CLEANUP AND/OR LOCAL GOVERNMENT*  
*WASTE TIRE AMNESTY EVENT GRANT APPLICATION TO THE CALIFORNIA*  
**INTEGRATED WASTE MANAGEMENT BOARD****

WHEREAS, the Merced County Regional Waste Management Authority Board is the governing body of the Merced County Regional Waste Management Authority; and,

WHEREAS, the Joint Powers Agreement (JPA) of the Merced County Regional Waste Management Authority designates Merced County Department of Public Works as the operator and administrator for Merced County Regional Waste Management Authority facilities, and designates the operator as the administering agency for implementing regional diversion programs on behalf of the member jurisdictions of the Merced County Regional Waste Management Authority; and,

WHEREAS, the Merced County Regional Waste Management Authority facilities accept waste tires collected at local tire amnesty events, for the purpose of consolidating and transporting the waste tires to a California Integrated Waste Management Board-permitted tire recycling facility; and,

WHEREAS, Public Resources Code (PRC) Sections 42,800 et seq. established the waste tire program for the State of California and assigns responsibility for its implementation to the California Integrated Waste Management Board (CIWMB); and,

WHEREAS, PRC Section 42889(e) allows the CIWMB to expend available money in the California Tire Recycling Management Fund to pay the costs of cleanup, abatement, or other remedial action related to the disposal of used whole tires; and,

WHEREAS, the CIWMB allocated two million dollars (\$2,000,000) for the *Fiscal Year 2008/2009 Local Government Waste Tire Cleanup and/or Local Government Waste Tire Amnesty Event Grant* program; and,

WHEREAS, the County of Merced and the Cities of Atwater, Dos Palos, Gustine, Livingston, Los Banos and Merced are seeking grant funding in order to enhance existing local tire amnesty programs; and,

WHEREAS, said procedures established by the CIWMB require the applicant to certify by resolution approval of the application before submission of said application to the State; and,

WHEREAS, the applicant will be required to enter into an agreement with the State of California for development of the project, should grant funding be awarded.

NOW, THEREFORE, BE IT RESOLVED, that the Merced County Regional Waste Management Authority authorizes the Chief Executive Officer of the Merced County Regional Waste Management Authority to execute the application in the name of the Merced County Regional Waste Management Authority, and all necessary forms hereto for securing a complete application.

AND; BE IT FURTHER RESOLVED, that the Merced County Regional Waste Management Authority Board authorizes Merced County Department of Public Works to submit to the California Integrated Waste Management Board the *Fiscal Year 2008/2009 Local Government Waste Tire Cleanup and/or Local Government Waste Tire Amnesty Event Grant* application on behalf of the Merced County Regional Waste Management Authority.

AND; BE IT FURTHER RESOLVED that the Merced County Regional Waste Management Authority Board hereby authorizes that the Director of the Merced County Department of Public Works, or his or her designee, is authorized and empowered to execute in the name of Merced County Regional Waste Management Authority all necessary contracts, agreements, amendments and payment requests hereto for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application.

The foregoing resolution was approved by the Merced County Regional Waste Management Authority Board on **January 15, 2009** by \_\_\_\_\_ who moved its adoption, which motion was duly seconded by \_\_\_\_\_ and which was adopted by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Jesse Brown, Chief Executive Officer  
Merced County Regional Waste Management  
Authority Board

\_\_\_\_\_  
Joe Oliveira, Chairperson  
Merced County Regional Waste Management  
Authority Board

**INTEGRATED WASTE MANAGEMENT  
LOCAL TASK FORCE**

**December 2, 2008**

**MINUTES**

The regular meeting of the **INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE** held Tuesday, December 2, 2008 at the Merced County Association of Governments front conference room, 369 W. 18<sup>th</sup> Street, Merced, California, was called to order by Chair Tom Grave at 3:01 PM.

**MEMBERS PRESENT**

Tom Grave, Environmental Representative, Merced Alliance for Responsible Growth  
Julie Hernandez, Private Refuse Hauler, Waste Management  
Patti Dossetti, County Citizen-at-Large  
Lila McIver, City Citizen-at-Large, Merced  
Dennis Shuler, Private Refuse Hauler, Gilton

**MEMBERS ABSENT**

Paul Fillebrown, Merced County Director of Public Works

**OTHERS PRESENT**

Scott Johnston, Merced County Solid Waste Division  
Mary Kay Cruz, Merced County Solid Waste Division  
Marjie Kirn, Merced County Association of Governments  
Jennifer Halpin, Merced County Association of Governments, IWMLTF Secretary

**3. Oral Communications**

Patti Dossetti and Lila McIver are the newest members to the IWMLTF.

**4. Minutes of the August 26, 2008 LTF**

A copy of a recycling survey conducted by Fresno State was requested to serve as an example, but was never received.

Patti Dossetti moved to accept the minutes of the August 26, 2008 IWMLTF meeting.  
Seconded by Julie Hernandez.

**MOTION CARRIED UNANIMOUSLY.**

**5. Updated “Tire Care & Recycling Program” Brochure**

Jennifer Halpin updated the 2000/2001 brochure with English and Spanish versions. Copies of the English brochure were mailed to all City Managers, the County of Merced Division of Public Works and Division of Environmental Health.

**6. Home Depot Taking Back CFL's for Free**

Jennifer Halpin announced that compact fluorescent lights (CFLs) are accepted at Home Depot returns desks. The information about the program is posted on [www.mercedrecycles.com](http://www.mercedrecycles.com) (MCAG's website for recycling information), but it could also be made into a press release for the newspapers and placed in the MCAG newsletter.

**7. New Recycling Laws**

Jennifer Halpin summarized the newest California recycling laws that will be in effect to help deter metal, CRV container, and newspaper thefts.

**8. 2008-09 First Quarter Report to the Merced County Regional Waste Management Authority Board**

Scott Johnston summarized the 2008-09 First Quarter Report to the Merced County Regional Waste Management Authority.

Tom Grave made a correction to page 3 of the report, stating that "Federal" should be changed to "Final" in "Federal Environmental Impact Report (FEIR).

**9. Ag-Chem Container Recycling**

Through a partnership with the Merced County Agriculture Commissioner and Interstate Ag Plastics, agricultural-chemical (ag-chem) containers from growers and commercial applicators will be collected for free.

There are three days left in the schedule: January 12, 13 and 14.

**10. New Recycling Hauler for the Merced County Area**

Jennifer Halpin informed the IWMLTF of Eagle Recycling, a new recycler to the area. Eagle Recycling would like to offer free recycling services to schools in Merced County. Currently, only a few schools have recycling programs in place.

**11. Adjournment**

After much discussion, Chair Tom Grave would like to meet with staff to receive direction on adding a discussion item to the next agenda about where the IWMLTF is heading and what its duties should be.

**THERE BEING NO FURTHER BUSINESS, THE INTEGRATED WASTE MANAGEMENT LOCAL TASK FORCE WAS ADJOURNED AT 3:55 PM.**

**TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY**

**December 18, 2008**

**MINUTES**

The regular meeting of the **MERCED COUNTY ASSOCIATION OF GOVERNMENTS TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY** held on Thursday, December 18, 2008, at the City of Merced, Council Chambers, 678 W. 18<sup>th</sup> Street, Merced, California, was called to order by Chair Oliveira at 3:05 P.M.

**DIRECTORS PRESENT**

Joan Faul  
Tommy Jones  
Johnny Mays  
Jerald O'Banion  
Joe Oliveira  
Bill Spriggs  
Daniel Varela

**MEMBERS ABSENT**

Kathleen Crookham  
Deidre Kelsey  
Mike Nelson  
John Pedrozo

**OTHERS PRESENT**

Ken Baxter, Caltrans District 10  
Jesse Brown, MCAG staff  
Matt Fell, MCAG staff  
Paul Fillebrown, Merced County Public Works  
Kyle Ford, CAC Representative  
Robert Haden, Legal Counsel  
Marjie Kirn, MCAG staff  
Robin Lamas, MCAG staff  
Larry Shankland, Merced County Transit – “The Bus”

**4. Minutes of the November 20, 2008 Transit Joint Powers Authority for Merced County meeting**

Director O'Banion moved to approve the minutes of the November 20, 2008 Transit Joint Powers Authority for Merced County meeting.

Seconded by Director Spriggs.

**MOTION CARRIED UNANIMOUSLY.**

**5. Realignment of Deviated Route TSA-10 (Gustine-Stevinson-Hilmar-Turlock) into a new Route 6 to serve only Hilmar and Turlock effective January 2, 2009**

Larry Shankland gave a review of the proposed realignment of the deviated Route TSA-10 into a new Route 6 to serve Hilmar and Turlock only.

Director Faul moved to authorize the realignment of deviated Route TSA-10 (Gustine-Stevinson-Hilmar-Turlock) into new Route 6 to serve only Hilmar and Turlock effective January 2, 2009.

Seconded by Director Spriggs.

**MOTION CARRIED UNANIMOUSLY.**

**6. Transit Budget Issues – A Summary of Issues and Actions Taken to Date – Potential Alternative Solutions**

Larry Shankland stated that at the Transit Joint Powers Authority for Merced County (TJPAMC) meeting of November 20, 2008 the Board took action to suspend Saturday service effective January 1, 2009. That action also directed staff to return the matter to the TJPAMC Subcommittee on Bus Service and Bus Fares for further consideration and possible additional action at the December 2008 Board meeting.

The Transit Subcommittee met on Thursday, December 11, 2008 to review and discuss possible options for the Transit Service. After discussion, the Subcommittee recommended that the TJPAMC Policy Board rescind the November 18, 2008 action.

Director O'Banion moved to rescind the November 18, 2008 action to eliminate transit service on Saturdays (that was to end December 2008) and direct staff to closely monitor fuel price/budget conditions reporting to the Policy Board should circumstances merit.

Seconded by Director Spriggs.

Ayes: Directors O'Banion, Oliveira, Jones, Faul, Spriggs, Mays

Noes: Director Varela

**MOTION CARRIED.**

**THERE BEING NO FURTHER BUSINESS OF THE TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY, THAT PORTION OF THE MEETING WAS ADJOURNED AT 3:20 P.M.**

/ s /

Robin Lamas

Administrative Assistant II



**DEPARTMENT OF PUBLIC WORKS  
Transportation Division**

**Paul A. Fillebrown**  
*Director*

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**ITEM 7**

**DATE: JANUARY 8, 2009**

**TO: TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY**

**FROM: LARRY SHANKLAND, TRANSPORTATION MANAGER**

**SUBJECT: ECONOMIC STIMULUS PROJECT REQUEST FROM CALTRANS -  
RE: PURCHASE OF 15 LOW FLOOR BUSES**

**MEMORANDUM**

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Transit staff has included the purchase of 15 low floor buses in the subject request from Caltrans. It is estimated that the total cost of the 15 buses will be approximately \$6,400,000 (\$426,667 each). The buses are available from a piggyback bid with San Mateo County Transit (SAMTRANS) through the Gillig Bus Corporation. SAMTRANS is willing to earmark the buses for "The Bus" provided the attached waiver is completed.

It should be noted that the buses would not be purchased unless the Economic Stimulus funding at 100% is awarded to the TJPAMC for the 15-bus purchase. In the event the funding is awarded, staff will return to the TJPAMC for approval to buy the buses.

The waiver from SAMTRANS simply gets the 15 bus project "stimulus timeline" ready.

**REQUESTED ACTION**

Authorize the Executive Director sign and return the waiver to SAMTRANS for the 15 buses.

Attachment: Waiver and Release form



**DEPARTMENT OF PUBLIC WORKS  
Transportation Division**

**Paul A. Fillebrown**  
*Director*

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**ITEM 8**

**DATE: JANUARY 8, 2009**

**TO: TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY**

**FROM: LARRY SHANKLAND, TRANSPORTATION MANAGER**

**SUBJECT: PUBLIC HEARING - REVIEW AND POSSIBLY ADOPT FARE INCREASES FOR "THE BUS" – MERCED COUNTY TRANSIT**

**MEMORANDUM**

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**BACKGROUND**

At their meeting of October 16, 2008 the Transit Joint Powers Authority for Merced County (TJPAMC) Board of Directors took two significant actions to address budget shortfall issues for "The Bus"- Merced County Transit. The first action was to request MCAG to shift \$993,987 in Local Transportation Funds (LTF) previously allocated for road and street purposes back to the transit budget. The second action directed staff to return within 30 days with a proposed fare structure that focused on trip length based fares for Carless Commute passengers and an overall examination of current pass prices for the remainder of the system especially Dial-A-Ride.

**Carless Commute Fares**

Currently "The Bus" operates 11 separate Carless Commute runs. These runs are countywide in nature. Service is provided along State Highway 99 (Turlock-Delhi-Livingston-Winton-Atwater-Merced) and State Highway 152 (Dos Palos-Los Banos-Santa Nella) corridors as well as three cross-county runs (Atwater/Merced to Dos Palos; Los Banos to Merced; and Merced to Los Banos). The majority of riders are commuting to work and some are commuting to program sites that operate during normal work hours. There are two runs serving the adult respite care centers "Dayout" in Merced and "DayBreak" in Atwater.

In examining trip length based fares it became apparent that most commuters compare the cost of gasoline to the cost of riding Carless Commute, which currently charges the bargain rate of \$30 for a 31 day pass.

Structuring rates based on 50% of the estimated fuel charges for each Carless Commute trip traveled by an individual reveals the suggested rates shown on the new proposed fares listed below. Staff is proposing adoption of these rates for Carless Commute.

The proposed rates are for calendar monthly periods and not 31 days. The proposed rates range from a \$50 monthly rate for local service to as much as \$185 per month for a cross-county commute. Each of the proposed monthly rates offer a 50% discount for users compared to what they would pay for gasoline to drive at the \$3.59 per gallon price level.

Rather than offer a media pass card, each Carless Commute customer would pay for their seats in advance and be checked off each month by the driver and transit staff as paid in full. The estimated increase in fare revenue from the \$71,753 collected in FY 07/08 to about \$195,480 per year provided everyone continues to use the service. Informal surveys of the Carless Commute passenger's reaction to the proposed fares show that the proposed increases have not been favorably received at all.

Of course if there are those that want to opt out of the program, the run(s) would be discontinued and those operational costs would be saved.

It should also be noted that at this year's unmet needs hearings staff of Dayout and Daybreak both responded favorably to financially assisting the system for service to their agencies.

### **Standard 31 Day Pass Price For Fixed Route Service & Standard 31 Day Pass Price for Dial-A-Ride (DAR) Service**

The multiple discounts afforded to seniors, the disabled and youths are too low considering today's cost to provide bus service on a countywide basis. Although the fixed routes are attaining the required farebox recovery to cost ratio's of 20% in the urban areas and 10% in the rural areas, subsidies of 80% and 90% are entirely too generous.

On Dial-A-Ride (DAR) the service is subsidized 94%. This service is mandated to attaining a 10% farebox recovery to cost ratio.

The DAR fare shortfalls are \$49,132.17 and \$42,748.84 on the urban and rural DAR services respectively. The total system shortfall in fares is \$91,881.01.

The problem? Our pass prices are too cheap. Shown on Attachment 1 is a complete operating cost to fares paid analysis on the systems DAR service. The analysis shows that only the payers of cash fares and All Day pass users paid enough to meet the 10% farebox recovery requirement.

It must be noted that the DAR service is currently under sanction by MCAG for failure to meet the 10% ratio.

Staff is proposing the following:

1. A standard 31-day pass price of \$45 for all users riding any of the systems fixed route services. No exceptions. This pass would not be valid on DAR.
2. A standard 31-day pass price of \$55 for all users riding any of the systems DAR services. No exceptions. This pass would be valid on all fixed routes.

This pricing strategy would provide for an increase in fixed route farebox revenue of about \$82,800 per year over the \$ 206,000 collected in FY 07/08 and about \$ 58,072 for Dial-A-Ride over the \$59,800 collected in FY 07/08. This is of course if ridership remains the same.

The current and Board approved future fare pass prices for all services of “The Bus”- Merced County Transit are as follows:

<b>PASS TYPE</b>	<b>Price Effective Jan 3, 2008</b>	<b>Price Effective Jan. 3, 2009</b>	<b>Price Effective Jan 3, 2010</b>
31 Day Adult – Reg.	\$45.00	\$50.00	\$50.00
31 Day Senior (60 years & older)	\$25.00	\$30.00	\$35.00
31 Day Disabled (eligibility rules apply)	\$25.00	\$30.00	\$35.00
31 Day Youth ages (6 to 16)	\$25.00	\$30.00	\$35.00
31 Day Carless Commute	\$30.00	\$40.00	\$45.00
All Day Bus Pass	\$5.00	\$6.00	\$7.00
7 Day Bus Pass	\$15.00	\$20.00	\$20.00

At their meeting of November 20, 2008 the TJPAMC Board set a public hearing to consider the proposed fares listed and discussed below for 3:00 p.m. on January 15, 2009. If approved the new fares would become effective February 2, 2009.

**PROPOSED NEW FARES**

1. Fixed Route Service – establish one 31-day pass price of \$45 for all users – this pass would not be valid for use on Dial-A-Ride or Carless Commute.
2. Dial-A-Ride Service – establish one 31-day pass priced at \$55 for all users – this pass would be valid on the fixed routes.
3. Carless Commute – establish calendar monthly fares for the Carless Commute service as follows:

<b>Hwy 99 Corridor All Rides Between</b>	<b>Pass Price Per Month</b>	<b>Cross County All Rides Between</b>	<b>Pass Price Per Month</b>
Turlock & Merced	\$ 100	Turlock & Los Banos	\$ 115
Delhi & Merced	\$ 80	Winton/Atwater & Los Banos	\$ 170
Livingston & Merced	\$ 65	Winton/Atwater & Dos Palos	\$ 115
Winton/Atwater & Merced	\$ 50	Merced & Dos Palos	\$ 110
Local Merced	\$ 50	Merced & Los Banos	\$ 145
Planada & Merced	\$ 50	Merced & Santa Nella	\$ 185
Le Grand & Merced	\$ 65		

**Hwy 152 Corridor  
All Rides Between**

Dos Palos & Los Banos	\$ 70
Dos Palos Y & Los Banos	\$ 50
Local Los Banos	\$ 50
Los Banos & Santa Nella	\$ 50
Los Banos & Gustine	\$ 100

**PURPOSE OF THE PUBLIC HEARING** is to allow interested persons or parties the opportunity to provide input and testimony to the Transit Joint Powers Authority for Merced County Board of Directors on the proposed fare changes.

At the meeting the TJPAMC Board of Directors may adopt the fares as proposed; reduce the proposed fares or make other changes, as they deem appropriate.

**REQUESTED ACTION**

After a public hearing, pass a resolution to adopt the fare structure as proposed effective February 2, 2009.

Attachment: "The Bus" – Merced County Transit Dial-A-Ride Service Analysis, Farebox Recovery Ratios, Dial-A-Ride Operating Costs

The Bus-Merced County Transit Dial-A-Ride Service Analysis		7/1/2007-6/30/2008			Attachment 1								
Farebox Recovery Ratios		Monday-Saturday			dfarean78								
DIAL-A-RIDE OPERATING COSTS		URBAN	RURAL	Total									
Unaudited 9/22/2008		DIAL-A-RIDE	DIAL-A-RIDE	DIAL-A-RIDE									
Statistic		City of Merced	Rural Service	Service									
Total Passengers		85,517	53,596	139,113									
Total Free Riders		3,588	4,115	7,703									
Total Fare Paying Passengers		81,929	49,481	131,410									
Total Operating Costs		\$ 1,368,699.51	\$ 1,061,160.23	\$ 2,429,859.74									
Total Fare Revenues		\$ 87,737.78	\$ 63,367.18	\$ 151,104.96									
Net Operating Costs		\$ 1,280,961.73	\$ 997,793.05	\$ 2,278,754.78									
<b>Total Operating Cost Per Boarding</b>		<b>\$ 16.00</b>	<b>\$ 19.80</b>	<b>\$ 17.47</b>									
Net Op. Costs/Passenger		\$ 14.98	\$ 18.62	\$ 16.38									
Total Vehicle Revenue Hours Operated		19,930	13,859	33,789									
Total Passengers Carried Per Rev. Veh. Hour		4.29	3.87	4.12									
Total Cost Per Revenue Vehicle Hour		\$ 68.68	\$ 76.57	\$ 71.91									
<b>Average Fare Collected Per Boarding</b>		<b>\$ 1.03</b>	<b>\$ 1.18</b>	<b>\$ 1.09</b>									
Farebox Ratio Attained		6.41%	5.97%	6.22%									
Farebox Ratio Required		10.0%	10.0%	10.0%									
Farebox Shortfall through 6/30/08		\$ 49,132.17	\$ 42,748.84	\$ 91,881.01									
Fare Per Passenger Needed to Attain 10% Ratio		\$ 1.60	\$ 1.98	\$ 1.75									
The Bus - Merced County Transit Dial-A-Ride Service Analysis		Urban Service		Merced UZA									
Farebox Recovery		Monday-Saturday		Atwater-Merced-Winton									
July 1,2007 through June 30, 2008		Total Fare Paying Passengers		Total Operating Costs		Total Fares Paid		Fare Revenue Collected Per Boarding		Ratio Attained	Farebox Shortfall	Shortfall Per Pass. Boarding (if any)	Percentage of Ridership & Costs Consumed
Farebox Revenues Contributed		Passengers		Costs		Paid		Per Boarding		Attained	Shortfall	Boarding (if any)	Consumed
Regular Monthly Pass Revenue		3,712	\$ 59,410.56	\$ 4,714.24	\$ 1.27	7.94%	\$ 1,226.82	\$ 0.33	4.34%				
Discounted Monthly Pass Revenue		8,012	\$ 128,232.05	\$ 5,658.07	\$ 0.71	4.41%	\$ 7,165.13	\$ 0.89	9.37%				
Senior Monthly Pass revenue		27,217	\$ 435,608.06	\$ 26,841.41	\$ 0.99	6.16%	\$ 16,719.40	\$ 0.61	31.83%				
Youth Monthly Pass Revenue		2,784	\$ 44,557.92	\$ 2,143.68	\$ 0.77	4.81%	\$ 2,312.11	\$ 0.83	3.26%				
Carless Commute Monthly Pass		10,569	\$ 169,156.84	\$ 12,154.35	\$ 1.15	7.19%	\$ 4,761.33	\$ 0.45	12.36%				
All Day Pass Revenue		1,207	\$ 19,318.03	\$ 2,724.20	\$ 2.26	14.10%	\$ (792.40)	\$ (0.66)	1.41%				
First 5 Children Ride Free		3,608	\$ 57,746.04	\$ 3,355.44	\$ 0.93	5.81%	\$ 2,419.16	\$ 0.67	4.22%				
7 Day Pass		55	\$ 880.27	\$ 71.50	\$ 1.30	8.12%	\$ 16.53	\$ 0.30	0.06%				
Spare the Air		21,565	\$ 345,147.81	\$ 9,138.38	\$ 0.42	2.65%	\$ 25,376.40	\$ 1.18	25.22%				
Cash Fares		6,788	\$ 108,641.93	\$ 20,936.51	\$ 3.08	19.27%	\$ (10,072.32)	\$ (1.48)	7.94%				
<b>Grand Totals</b>		<b>85,517</b>	<b>\$ 1,368,699.51</b>	<b>\$ 87,737.78</b>	<b>\$ 1.03</b>	<b>6.41%</b>	<b>\$ 49,132.17</b>	<b>\$ 0.57</b>	<b>100.00%</b>				
The Bus - Merced County Transit Dial-A-Ride Service Analysis		Rural Service		Remainder of									
Farebox Recovery		Monday-Saturday		Merced County									
July 1,2007 through June 30, 2008		Total Fare Paying Passengers		Total Operating Costs		Total Fares Paid		Fare Revenue Collected Per Boarding		Ratio Attained	Farebox Shortfall	Shortfall Per Pass. Boarding (if any)	Percentage of Ridership & Costs Consumed
Farebox Revenues Contributed		Passengers		Costs		Paid		Per Boarding		Attained	Shortfall	Boarding (if any)	Consumed
Regular Monthly Pass Revenue		3,858	\$ 76,385.48	\$ 4,899.66	\$ 1.27	6.41%	\$ 2,738.89	\$ 0.71	7.20%				
Discounted Monthly Pass Revenue		2,196	\$ 43,479.14	\$ 1,550.82	\$ 0.71	3.57%	\$ 2,797.10	\$ 1.27	4.10%				
Senior Monthly Pass Revenue		12,682	\$ 251,094.00	\$ 12,506.99	\$ 0.99	4.98%	\$ 12,602.41	\$ 0.99	23.66%				
Youth Monthly Pass Revenue		2,097	\$ 41,519.01	\$ 1,614.69	\$ 0.77	3.89%	\$ 2,537.21	\$ 1.21	3.91%				
Carless Commute Monthly Pass Revenue		3,626	\$ 71,792.06	\$ 4,169.90	\$ 1.15	5.81%	\$ 3,009.31	\$ 0.83	6.77%				
All Day Pass Revenue		1,282	\$ 25,382.63	\$ 2,893.47	\$ 2.26	11.40%	\$ (355.21)	\$ (0.28)	2.39%				
First 5 Children Ride Free		4,632	\$ 91,710.09	\$ 4,307.76	\$ 0.93	4.70%	\$ 4,863.25	\$ 1.05	8.64%				
7 Day Pass		433	\$ 8,573.07	\$ 562.90	\$ 1.30	6.57%	\$ 294.41	\$ 0.68	0.81%				
Spare the Air		14,019	\$ 277,565.59	\$ 5,940.69	\$ 0.42	2.14%	\$ 21,815.87	\$ 1.56	26.16%				
Cash Fares		8,771	\$ 173,659.16	\$ 24,920.30	\$ 2.84	14.35%	\$ (7,554.38)	\$ (0.86)	16.37%				
<b>Grand Totals</b>		<b>53,596</b>	<b>\$ 1,061,160.23</b>	<b>\$ 63,367.18</b>	<b>\$ 1.18</b>	<b>5.97%</b>	<b>\$ 42,748.84</b>	<b>\$ 0.80</b>	<b>100.00%</b>				



**DEPARTMENT OF PUBLIC WORKS  
Transportation Division**

**Paul A. Fillebrown**  
*Director*

880 Thornton Road  
Merced, CA 95340  
(209) 385-7600  
(209) 725-3655 Fax  
[www.co.merced.ca.us](http://www.co.merced.ca.us)

Equal Opportunity Employer

**ITEM 9**

**DATE: JANUARY 8, 2009**

**TO: TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY**

**FROM: LARRY SHANKLAND, TRANSPORTATION MANAGER**

**SUBJECT: AUTHORIZE FILING A THREE-YEAR GRANT APPLICATION FOR "THE CHILDREN RIDE FREE" PROGRAM FROM MERCED COUNTY FIRST FIVE COMMISSION**

**MEMORANDUM**

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Since January of 2003 the First 5 Children and Families Commission of Merced County has awarded various grants to "The Bus" –Merced County Transit that allows all children from infancy through five years of age to ride the bus system free when accompanied by a regular fare paying passenger.

The grants were made available during a period when consideration was being made to charge these youngest children bus fares of 50 cents each. Such fares would have been a financial barrier to many bus riding families that do their daily business travel on "The Bus" that have young children.

Under the current grant agreement, First 5 pays \$70,250 per year for the free rides. During the 2007-2008 fiscal year a total of 106,701 children rode "The Bus" free. That total represents 9.1% of the systems total ridership of 1,160,385 for the fiscal year. The \$70,250 provided by the First 5 Commission grant counts toward the systems farebox revenue and makes up 6.4% of the total \$1,100,996 fare revenue collected for FY 07/08.

The current agreement expires on June 30, 2009. The First 5 Commission has issued a Request for Proposals for projects for the next three-year funding cycle. The RFP's are due back to the Commission staff on February 20, 2009.

**REQUESTED ACTION**

Authorize "The Bus" – Merced County Transit staff to apply for funds under the new First 5 three-year grant cycle (2009-2011) to continue "The Children Ride Free" program on "The Bus" and authorize the Executive Director to sign all necessary grant documents and contracts.

## **MCAG GOVERNING BOARD**

**December 18, 2008**

### **MINUTES**

The regular meeting of the **MERCED COUNTY ASSOCIATION OF GOVERNMENTS GOVERNING BOARD** held on Thursday, December 18, 2008, at the City of Merced, Council Chambers, 678 W. 18<sup>th</sup> Street, Merced, California, was called to order by Chair Oliveira at 3:20 P.M.

#### **DIRECTORS PRESENT**

Joan Faul  
Tommy Jones  
Johnny Mays  
Jerald O'Banion  
Joe Oliveira  
Bill Spriggs  
Daniel Varela

#### **MEMBERS ABSENT**

Kathleen Crookham  
Deidre Kelsey  
Mike Nelson  
John Pedrozo

#### **OTHERS PRESENT**

Ken Baxter, Caltrans District 10  
Jesse Brown, MCAG staff  
Matt Fell, MCAG staff  
Paul Fillebrown, Merced County Public Works  
Kyle Ford, CAC Representative  
Robert Haden, Legal Counsel  
Marjie Kirn, MCAG staff  
Robin Lamas, MCAG staff  
Larry Shankland, Merced County Transit – “The Bus”

#### **7. Oral Report – Citizens Advisory Committee**

There was not a Citizens Advisory Committee report available for this month. Kyle Ford from the Citizens Advisory Committee did wish to express his thanks to MCAG for their professionalism and for having a committee like the Citizens Advisory Committee.

**8. Consent Agenda**

- a. Minutes of the November 20, 2008 Governing Board meeting
- b. Abandoned Vehicle Abatement (AVA) Program
- c. Closing the office on December 26, 2008 and January 2, 2009

Director Spriggs moved to approve the Consent Agenda.

Seconded by Director Jones.

**MOTION CARRIED UNANIMOUSLY.**

**9. Information Only**

- a. Minutes of the December 10, 2008 Technical Review Board meeting
- b. Status of Regional Road Projects for Merced County
- c. Neighborhood Stabilization Program Assistance
- d. Public Notice – Atwater-Merced Expressway Flyer
- e. Save the Date: San Joaquin Valley Blueprint Summit – January 26, 2009
- f. Letter of September 30, 2008 from the Department of Transportation
- g. One Voice State and Federal Policy Platforms
- h. Merced County’s Proposed Economic Stimulus Projects
- i. San Joaquin Valley Express Transit Study (enclosure only)

So noted.

**10. Oral Report – San Joaquin Valley Housing Trust**

There was no San Joaquin Valley Housing Trust report available this month.

**11. Oral Report - Caltrans**

Ken Baxter gave a brief report from Caltrans.

**12. Public Hearing – Regional Transportation Plan Amendment**

Matt Fell gave a review of the Regional Transportation Plan (RTP) Amendment. Matt stated that due to new federal requirements regarding financial documentation, it had become necessary to amend the RTP with a minor amendment. This amendment provides more recent and more specific information, which includes revised revenue and expenditure estimates to comply with the new “Year of Expenditure” requirement; more details including expected year of construction and escalated cost estimates; and details on segmenting/phasing approach for construction of the Los Banos Bypass project.

A public hearing is required to receive comments on the RTP Amendment.

Public Hearing Opened: 3:29

Public Hearing Closed: 3:30

No comments were received during the public comment period.

**13. Public Hearing – Draft Amendment No. 3 to the 2009 Interim Federal Transportation Improvement Program**

Matt Fell gave a review of the Draft Amendment No. 3 to the 2009 Interim Federal Transportation Improvement Program.

A public hearing is required to receive comments on the Draft Amendment No. 3 document.

Public Hearing Opened: 3:31  
Public Hearing Closed: 3:32

No comments were received during the public comment period.

**14. San Joaquin Valley Blueprint – Valleywide Scenario Recommendation (BRAC)**

Rich Green gave an in-depth presentation on the San Joaquin Valley Blueprint Valleywide Scenario recommendation.

So noted.

**15. San Joaquin Valley Policy Council Appointments and San Joaquin Valley Partnership**

Director O'Banion moved to appoint Director Oliveira as alternate to the San Joaquin Valley Policy Council and to authorize Directors Mays and Oliveira to submit applications to the San Joaquin Valley Partnership.

Seconded by Director Spriggs.

**MOTION CARRIED UNANIMOUSLY.**

**16. Executive Directors Report**

So noted.

**17. Directors Report**

So noted.

After the Directors Report Paul Fillebrown, Merced County Public Works, announced that the County had held a bid opening for Phase 1 of the Campus Parkway Project. Due to the current economic status, the low bid came in well under the engineering estimate.

**THERE BEING NO FURTHER BUSINESS OF THE MCAG GOVERNING BOARD THE MEETING WAS ADJOURNED AT 3:58 P.M.**

\_\_\_\_\_/s/  
Robin Lamas  
Administrative Assistant II

**MEMORANDUM**

**DATE:           JANUARY 8, 2009**

**TO:             MCAG GOVERNING BOARD**

**FROM:          CANDICE STEELMAN, PUBLIC INFORMATION OFFICER**

**RE:            FILMING GOVERNING BOARD MEETINGS IN THE CITY OF LOS BANOS**

**BACKGROUND**

At the MCAG Governing Board retreat August 8-9, 2007, it was suggested that Governing Board meetings be filmed and shown on television. After researching the possibilities, staff recommended the procedure in October 2007 as outlined in the discussion section. The agreement with the City of Los Banos IT Department is now up for consideration.

**DISCUSSION**

The six meetings held at the County Chambers will be filmed by the County Information Technologies Department, and will be carried live on Channel 96 and also via an Internet stream. Meetings will be archived on the County's server. The MCAG website will provide links to those archived meetings.

Meetings held in the cities of Merced and Atwater will be filmed by the Community Action Network and carried live on Channel 96. An archived copy will be given to MCAG and a copy will also be sent to the City of Los Banos to be rebroadcast on their Government channel.

MCAG staff recently spoke with Rick Spalding, IT Director from the City of Los Banos and was successful in obtaining an agreement for filming services in the City of Los Banos. Due to cost considerations and the lack of technology, meetings held in Gustine, Dos Palos, and Livingston will not be taped at this time, but may be at a later date.

Visitors to the MCAG website are now able to pull up a printed copy of written minutes for each meeting. They will also be able to link to the taped version of those meetings that are filmed at the County and City of Los Banos. DVDs are also available for meetings that we are not able to stream to the Internet.

**REQUESTED ACTION**

Approve the proposed agreement with the City of Los Banos for filming services in the City of Los Banos.

Attachment: Agreement for Filming Services with the City of Los Banos



City of  
**Los Banos**  
*At the Crossroads of California*

December 12, 2008

Mr. Jesse Brown  
Executive Director  
Merced County Association of Governments (MCAG)  
369 W. 18<sup>th</sup> Street  
Merced, CA 95340

RE: Video Production of MCAG Board Meetings held at Los Banos City Council Chambers

Dear Mr. Brown,

We are pleased to offer IT services to MCAG for broadcasting and recording any MCAG meetings held at the Los Banos City Hall Council Chambers during the 2009 calendar year. Following are some points of agreement concerning the services we can provide, subject to the approval of the MCAG Board.

The City of Los Banos IT Department shall provide video camera production and DVD recording of MCAG Board meetings held in the Los Banos City Council Chambers. The City of Los Banos shall provide all the necessary video equipment, cameras (one fixed, one movable), audio and video switching equipment, cabling and video reproduction equipment and personnel necessary to provide audio and video to recording equipment or to the cable television transmission system, if "live feed" is requested. The "live feed" would transmit over Comcast Cable Channel 96 (the City of Los Banos "G" channel), which is also broadcast through the City of Los Banos Web site ([www.losbanos.org](http://www.losbanos.org)).

It is understood that the City of Los Banos IT Department shall not be responsible for the transmission, broadcast quality of such transmission, or broadcast provided by any third-party "access provider or television broadcasting" entity.

Further, it is understood that the agreement shall be effective commencing on the 1<sup>st</sup> day of January, 2009, and shall continue through December, 31, 2009, unless the agreement is modified, or is terminated by either party upon thirty (30) days written notice to the other party.

Video Production of MCAG Board Meetings held at Los Banos City Council Chambers  
Page 2

For services rendered, MCAG shall pay the City of Los Banos for services at the hourly rate for an IT Technician (\$21.09 for business hours, \$34.08 for non-business hours) multiplied by the actual hours spent configuring equipment (not anticipated to be more than one hour) plus actual time spent broadcasting the meeting. MCAG agrees to submit payment for services to the City of Los Banos within thirty days of invoice.

I understand that MCAG intends to hold one meeting at the Los Banos City Council Chambers on September 17, 2009 at 3:00pm. If additional MCAG meetings will be held at the Los Banos City Council Chambers and video production services are desired, MCAG will notify the City of Los Banos IT Department at least two weeks prior to the meeting.

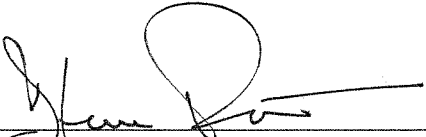
It is understood and agreed that the City of Los Banos IT Department shall provide one DVD recording to MCAG of each meeting the City of Los Banos IT Department records.

Your signature below indicates your agreement of the conditions specified in this proposal.

Agreed:

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Jesse Brown  
Executive Director  
Merced County Association of Governments



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Steve Rath  
City Manager  
City of Los Banos

**MEMORANDUM**

**DATE:           JANUARY 8, 2009**

**TO:             MCAG GOVERNING BOARD**

**FROM:          LORI FLANDERS, ASSISTANT PLANNER**

**RE:            AUDITING SERVICES FY 2008/2009**

**BACKGROUND**

MCAG contracts for annual financial audits for MCAG funds which include:

- Transportation Development Act Funds
- Merced Data Special Services (MDSS)
- Yosemite Area Regional Transportation System (YARTS)
- Regional Solid Waste Management Agency (RSWMA) and RSWMA Bond Program
- Transit Joint Powers Authority for Merced County
- Performance audits for both MCAG and Merced County Transit – “The Bus” on a triennial basis

At your November 20, 2008 meeting, the Governing Board authorized requests for proposals (RFP) for auditing services for MCAG, Countywide Transit Enterprise, Solid Waste Management Agency, and any jurisdiction wishing to use this service for their Transportation Development Act functions.

The RFP was advertised on the MCAG website beginning December 5, 2008, in addition, the 25 firms listed, Attachment A, received a direct mailing of the RFP.

Proposals were received from Kemper CPA Group (Merced), Price Page and Company (Clovis), and Mayer Hoffman McCann (Irvine). An evaluation by MCAG staff took place January 8, 2009. Staff recommends selection of Price Paige & Company located in Clovis, to provide auditing services for FY 2008/2009.

**REQUESTED ACTION**

Direct staff to negotiate a contract with Price Page and Company for auditing services for FY 2008/2009 with the ability to renew.

Attachments: Attachment A – List of firms

## Firms Mailed RFP FY2008/2009

<u>Name</u>	<u>Address</u>	<u>City</u>	<u>Zip</u>	<u>Phone</u>
Borchardt, Corona & Faeth	1540 East Shaw Avenue, Suite 118	Fresno	93710-8008	(559) 225-6891
Douglas M. Smith, CPA	2763 East Shaw Avenue, Suite 107	Fresno	93710-8008	(559) 294-6592
Jose Arechiga, CPA	407 S. Clovis Avenue, Suite 109	Fresno	93727	(559) 452-8676
Kaku & Mersino, LLP	4928 E. Clinton Way, Suite 209	Fresno	93727	(559) 252-7097
Linger, Peterson, Shrum & Co.	575 East Locust Avenue, Suite 308	Fresno	93720-2928	(559) 438-8740
Schafer Accountancy Corporation	7080 N. Whitney Avenue, Suite 103	Fresno	93720	(559) 297-8292
Kemper CPA Group LLP	3168 Collins Drive, Suite B	Merced	95348	(209) 722-2794
John Barnhart, CPA	3183 Collins Dr	Merced	95348	(209) 383-6797
Alice Berger Contreras	847 West 19th Street	Merced	95340	(209) 722-6778
Richard Cooper	2750 North G Street	Merced	95340	209) 723-2127
Robert Craig, CPA	102 West Alexander Avenue	Merced	95340	(209) 725-1370
Davis and Tatum, Inc.	1941 La Costa Ct	Merced	95340	(209) 383-2764
Eileen Duddy, CPA	2662 Palm Avenue	Atwater	95301	(209) 358-7400
Gerald K Hoyt & Company	1120 W I St # D	Los Banos	93635	(209) 826-4871
Roberts and Allan	2824 Park Avenue	Merced	95348	(209) 383-2442
David D Bruner, CPA	3329 G St	Merced	95340	(209) 357-9143
Elwin Floyd, CPA	2750 G St	Merced	95340	(209) 723-2127
Spinardi and Jones	478 E Yosemite Ave # A	Merced	95340	(209) 722-7429
Joe Rios, CPA	1131 Martin Luther King Jr Way	Merced	95340	(209) 723-1384
Brent Sales CPA	102 W Alexander Ave	Merced	95340	(209) 383-7886
Cassabon & Associates	3181 Collins Dr # A	Merced	95340	209) 383-6255
Smith & Ransom	110 W Alexander Ave	Merced	95340	(209) 383-3955
James Sofle, CPA	1640 N St # 220	Merced	95340	(209) 725-2989
Robert Schiffler, CPA	102 W Alexander Ave	Merced	95340	(209) 383-7886
J. Steven Pressley, CPA	5001 California Ave. Suite 111	Bakersfield	93309	(661) 283-6565

**MEMORANDUM**

**DATE:           JANUARY 8, 2009**

**TO:             MCAG GOVERNING BOARD**

**FROM:          MATT FELL, SENIOR PLANNER**

**RE:            2007 REGIONAL TRANSPORTATION PLAN AMENDMENT #2,  
FORMAL AMENDMENT NO. 3 TO THE 2009 INTERIM FEDERAL  
TRANSPORTATION IMPROVEMENT PROGRAM (FTIP), AND THE  
ASSOCIATED AIR QUALITY CONFORMITY ANALYSIS**

**REGIONAL TRANSPORTATION PLAN AMENDMENT #2**

The Regional Transportation Plan (RTP) is the long-term transportation-planning document for Merced County. Major updates are made every 3-4 years, and minor updates are made as needed. The last update was adopted in May 2007.

Due to new federal requirements regarding financial documentation, it has become necessary to amend the RTP. This is a minor amendment, which provides more recent and more specific information, as follows:

1. Revised revenue and expenditure estimates in the Financial Element, specifically to comply with the new Year of Expenditure requirement;
2. More details in "Table 14: Regionally Funded Projects" on page 42, including expected year of construction and escalated cost estimates; and
3. Details on a segmenting/phasing approach for construction of the Los Banos Bypass project.

The proposed amendment to the RTP includes updated funding tables, minor project description corrections and project year of construction edits. Please see the attachment.

No environmental supplement is necessary. Amendment #2 provides clarifying details on project segmenting and financial year of expenditure information. The proposed changes are consistent with the adopted Environmental Impact Report for the Merced County's Regional Transportation Plan.

An Air Quality Conformity Analysis has been undertaken on the proposed amendment. The Analysis contains the documentation to support a finding that the 2007 RTP Amendment #2 meets the air quality conformity requirements for ozone and particulate matter.

A 30-day public review and comment period occurred from November 26, 2008 through December 26, 2008. A public hearing on these documents was held on December 18, 2008. No comments were received.

### **INTERIM FTIP AMENDMENT NO. 3**

Merced County Association of Governments (MCAG) is proposing Formal Amendment No. 3 with the addition of Type 5 projects (relies on a new air quality emissions analysis) and adds Type 3 projects (Air Quality Conformity Exempt projects) to the approved 2009 Interim Federal Transportation Improvement Program (Interim FTIP).

The eight San Joaquin Valley (SJV) Council of Governments (COGs) Directors have directed staff to process Amendment No. 3 to the 2009 Interim FTIP to make the 2009 Interim FTIP as complete of a whole programming document as possible.

In July 2008, when the 2009 Interim FTIP document was processed, the SJV COGs did not have an opportunity to include regionally significant projects that required a new air quality conformity analysis because the Environmental Protection Agency (EPA) had not approved the PM-10 Maintenance Plan. Subsequent to the adoption of the 2009 Interim FTIP being approved, the EPA has approved the PM-10 Maintenance Plan, therefore, SJV COGs now have the necessary emissions budgets to process a new air quality conformity analysis and make the Interim FTIP programming document as whole as possible.

The 2009 Interim FTIP and any subsequent amendment is the programming document that identifies four years (FY 08/09, FY 09/10, FY 10/11, and FY 11/12) of federal, state and local funding sources for transportation projects in Merced County.

The Draft Amendment No. 3 to the 2009 Interim FTIP contains the following changes:

1. Adds regionally significant projects and/or project phases that could not be included in the 2009 Interim FTIP without an air quality conformity analysis:
  - Widening Existing Hwy 59;
  - Los Banos Bypass (project now segmented);
  - SR99 Freeway Widening – Livingston to Stanislaus County line;
  - SR99 Widening Buchanan Hollow to Miles Creek with Arboleda Interchange;
  - SR99 Widening Buchanan Hollow to Madera County line with Plainsburg Interchange;
  - Atwater/Merced Expressway;
  - Campus Parkway (projected segmented);
  - Bradley Overhead;
  - SR165 & SR99 PA/ED includes the Project Study Report (PSR).
2. Adds the new G Street Railroad Undercrossing Prop 1B funded project (exempt from Air Quality Conformity Analysis).
3. Modifies the 2008 SHOPP program Lump Sums (exempt from Air Quality Conformity Analysis):

- a. Adds two new SHOPP Collision Reduction Lump Sum programs to coincide with the Caltrans October 08 listing;
  - b. Add 2006 SHOPP projects in FY08/09 that have received extensions from the California Transportation Commission (CTC);
  - c. Modifies the SHOPP Bridge Preservation Lump Sum program with the Caltrans October 08 listing;
  - d. Modifies the SHOPP Mobility Lump Sum program to coincide with the Caltrans October 08 listing;
  - e. Modifies the SHOPP Roadway Preservation Lump Sum program to coincide with the Caltrans October 08 listing.
4. Modifies the Caltrans Highway Bridge Program (HBP) Local Lump Sum program (exempt from Air Quality Conformity Analysis) to coincide with the 12/27/07 Caltrans listing;
  5. Adds two Federal Safe Routes to Schools (SRTS) (air quality exempt projects) for the City of Livingston in FY10/11 and the City of Los Banos in FY11/12;
  6. Adds two State Safe Routes to Schools (SR2S) (air quality exempt projects) for the City of Merced Schools, and Merced County;
  7. Adds the Hilmar Bike/Pedestrian Bicycle Transportation Account (air quality exempt) project;
  8. Adds the YARTS FTA-5320 FY08/09 (air quality exempt) grant award;
  9. Adds the YARTS State Planning and Research grant (air quality exempt) funding for a Short Range Transit Plan;
  10. Reduces the Merced County Transit CNG bus purchase (air quality exempt) total by \$75,000; and
  11. Technical correction to the CMAQ FY11/12 apportionment to \$2,622,000.

The entire amendment package is available on the MCAG website at <http://mcagov.org/Tcomments.html>

These projects and/or project phases are consistent with the 2007 Regional Transportation Plan (RTP) and Amendment #2 to the 2007 RTP. In addition, the projects and/or project phases contained in Amendment No. 3 do not interfere with the timely implementation of any approved Transportation Control Measures (TCMs).

A 30-day public review and comment period closed on December 26, 2008 at 5:00 pm. A public hearing was held on December 18, 2008. MCAG staff received two sets of written comments: 1) Caltrans District 10; and 2) Caltrans-Headquarters. MCAG staff is in the process of addressing the comments. They are in regards to fund types and other minor changes. They do not affect the conformity analysis.

## **REQUESTED ACTION**

Adopt resolution 2009/01-15-03 adopting: 2007 Regional Transportation Plan Amendment #2, Formal Amendment No. 3 to the 2009 Interim Federal Transportation Improvement Program (FTIP), and the associated Air Quality Conformity Analysis.

Attachments: Resolution No. 2009/01-15-03  
Revised pages (cover, 42, 89-98) of the 2007 Regional Transportation Plan

Enclosure: Final Draft Air Quality Conformity Analysis

**BEFORE THE  
MERCED COUNTY ASSOCIATION OF GOVERNMENTS  
RESOLUTION NO. 2009/01-15-03**

In the Matter of:

**RESOLUTION ADOPTING THE** Amendment #3 to the Merced County Association of Governments 2009 Interim Federal Transportation Improvement Program (Interim FTIP), Regional Transportation Program (RTP) Amendment #2, and Corresponding Conformity Analysis

WHEREAS, the Merced County Association of Governments (MCAG) is a Regional Transportation Planning Agency and a Metropolitan Planning Organization, pursuant to State and Federal designation; and

WHEREAS, federal planning regulations require Metropolitan Planning Organizations to prepare and adopt a long range Regional Transportation Plan (RTP) for their region; and

WHEREAS, federal planning regulations require that Metropolitan Planning Organizations prepare and adopt a Federal Transportation Improvement Program (FTIP) for their region; and

WHEREAS, Amendment #3 to the 2009 Interim Federal Transportation Improvement Program (Interim FTIP) has been prepared to comply with Federal and State requirements for local projects and through a cooperative process between the Federal Highway Administration (FHWA), the Federal Transit Administration (FTA), the State Department of Transportation (Caltrans), principal elected officials of general purpose local governments and their staffs, and public owner operators of mass transportation services acting through the Merced County Association of Governments forum and general public involvement; and

WHEREAS, Amendment #3 to the Interim FTIP program listing is consistent with: 1) the 2007 Regional Transportation Plan, Amendment #2; 2) the 2008 State Transportation Improvement Program; and 3) the Corresponding Conformity Analysis; and

WHEREAS, Amendment #3 to the 2009 Interim FTIP contains the MPO's certification of the transportation planning process assuring that all federal requirements have been fulfilled; and

WHEREAS, Amendment #3 to the 2009 Interim FTIP meets all applicable transportation planning requirements per 23 CFR Part 450.

WHEREAS, projects submitted in Amendment #3 to the 2009 Interim FTIP must be financially constrained and the financial plan affirms that funding is available; and

WHEREAS, Amendment #3 to the 2009 Interim FTIP and 2007 RTP Amendment #2 includes a new Conformity Analysis; and

WHEREAS, Amendment #3 to the 2009 Interim FTIP does not interfere with the timely implementation of the Transportation Control Measures; and

WHEREAS, Amendment #3 to the 2009 Interim FTIP and 2007 RTP Amendment #2 conforms to the applicable SIPs; and

WHEREAS, in accordance with EPA Companion Guidance for the Conformity Rule for multi-jurisdictional areas, MCAG has developed their portion of the PM2.5 regional emissions analysis separately and provided the entire PM2.5 nonattainment area conformity demonstration; and

WHEREAS, the PM2.5 nonattainment area conformity demonstration is contingent upon adoption by all MPOs in the PM2.5 nonattainment area; and

WHEREAS, the MCAG has also developed a regional emissions analysis for Ozone, and PM-10 for Merced County; and

WHEREAS, the documents have been widely circulated and reviewed by MCAG advisory committees representing the technical and management staffs of the member agencies; representatives of other governmental agencies, including State and Federal; representatives of special interest groups; representatives of the private business sector; and residents of Merced consistent with public participation process adopted by MCAG; and

WHEREAS, a public hearing was conducted on December 18, 2008 to hear and consider comments on Amendment #3 to the 2009 Interim FTIP and 2007 RTP Amendment #2 and Corresponding Conformity Analysis; and the remainder of the MPOs in the PM2.5 nonattainment area have conducted public hearings as well; and

NOW, THEREFORE, BE IT RESOLVED, that MCAG adopts Amendment #3 to the 2009 Interim FTIP and RTP Amendment #2 and the Corresponding Conformity Analysis.

BE IT FURTHER RESOLVED, that the MCAG finds that the 2007 Regional Transportation Plan Amendment #2 and Amendment #3 to the 2009 Interim FTIP are in conformity with the requirements of the Federal Clean Air Act Amendments and applicable State Implementation Plan for air quality.

THE FOREGOING RESOLUTION was passed and adopted by MCAG this 15<sup>th</sup> day of January 2009.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

I hereby certify that the foregoing is a true copy of a resolution of the Merced County Association of Governments duly adopted at a regular meeting thereof held on the 15th day of January, 2009.

Signed:

Signed:

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Jesse Brown, Executive Director  
Merced County Association of Governments

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Joe Oliveira, Chair, Merced County  
Association of Governments Governing Board

# 2007 Regional Transportation Plan for Merced County

Adopted on May 17, 2007

Amended January 15, 2009

Prepared by:

Merced County Association of Governments  
369 West 18th St.  
Merced, CA 95340  
209-723-3153  
<http://mcagov.org>

Table 14: Regionally Funded Projects – all amounts in millions (x \$1,000,000) in YOY\*

		Year	Total Cost	Cost by Funding Programs/Source (deciding agency in parentheses)					
Projects		(CON / Open to traffic)	(in YOY dollars)	IIP, TCRP, SHOPP (State)	99 Bond (State)	RIP (MCAG)	RTIF (MCAG)	Dev., Local (Other)	
map	Route - Project – Scope/Type - Limits and/or (Post-miles)								
<b>Funded</b>	<b>A</b>	99 - Mission Ave. Freeway - 4E to 6F - (10.2 / 12.8)	'06 / '07						
	<b>B</b>	99 - Livingston Stage 2 - 4E to 6F - (26.5 / 28.8)	'06 / '08						
	<b>C</b>	99 - Atwater Freeway - 4E to 6F - (23.8 / 26.5)	'08 / '10						
	<b>D</b>	99 - Arboleda Freeway - 4E to 6F - (4.6 - 10.5)	'10 / '13	177	37	140			
	<b>E</b>	99 - Plainsburg Freeway - 4E to 6F - (0.0 / 4.6)	'11 / '14	119	11	108			
<b>Tier 1</b>	<b>F</b>	99 - Livingston-Delhi Widen - 4F to 6F - (28.8 / 37.3)	'12 / '14	80	80				
	<b>G</b>	n/a - Campus Parkway - new 4E - Hwy. 99 to Yosemite Ave.	'12 / '14	71	23			48	
	<b>H</b>	152 - Los Banos Bypass, phase 1 - new 4E - Hwy. 165 to Santa Fe Grade (x / 24.8)	'12 / '15	72	30		17	25	
	<b>H</b>	152 - Los Banos Bypass, phase 2 - new 4E - w. of Los Banos to Hwy. 165 (16.0 / x)	'16 / '19	154	35		84	35	
	<b>I</b>	59 - Widening - 2C to 4C - 16 <sup>th</sup> to Olive (15.4 / 16.6)	'12 / '14	35			35		
	<b>J</b>	140 - Bradley Overhead - 2 to 4 - (36.5 / 37.6)	'09 / '12	43	28		5	9.5	
	<b>K</b>	59 - Atwater-Merced Expressway - new 4E - (14.8 / 19.0)	'17 / '20	214	50		100	30	34
<b>Tier 1 Subtotal</b>				<b>651</b>	<b>235</b>	<b>0</b>	<b>241</b>	<b>148</b>	<b>34</b>
<b>Tier 2 - Unconstrained</b>		Winton Parkway north extension		10					
		Bellevue Rd connection to 99 Westside		10					
		Mission Ave. Improvement		16					
		SR 99 Merced Fwy 6 lane		260					
		SR 99 Merced-Atwater Freeway 6 lane		160					
		SR 99 Atwater Fwy 6 lane		200					
		SR 59 widen to 4/5 lanes – 99 to 152		55					
		SR 140 widen to 4 lanes – to Campus Pkwy		14					
		SR 165 widening n. of Hilmar		46					
		140/33 Truck Route		15					
		SR 165 Hilmar project		43					
	<b>H</b>	SR 152 Los Banos Bypass – phase 3 – interchanges, full freeway		167					
		SR 165 widening/bypass Los Banos		25					
		Bellevue Rd. widening		13					
		RR Grade Separation at G St.		15					
	Santa Fe Ave. widening from 59 to Winton		50						
	SR 59 Southern re-alignment		150						
<b>Tier 2 subtotal</b>				<b>1,249</b>					
<b>Total Need =</b>				<b>1,900</b>					

\*: YOY is Year of Expenditure.

Note that all amounts are estimates based on the information available and are subject to change.

# FINANCIAL ELEMENT

The Financial Element identifies the current and anticipated revenue sources and financing techniques available to fund the planned transportation investments described in the Action Element. The intent of the Financial Element is to define realistic financing constraints and opportunities. The Financial Element is consistent with the goals, policies, and objectives of the RTP.

The purpose of the financial element is to:

- Estimate costs and revenues to implement the projects identified in the Action Element,
- Identify potential funding shortfalls,
- Identify alternative policy directions that affect the funding of projects.

## FINANCIAL ASSUMPTIONS

This section describes anticipated revenues to 2030. Also discussed is the potential for other revenue sources.

To determine the level of available funding for each project mode and type, several assumptions were made. In all cases, assumptions regarding available funds are moderate and clearly identified. There are three primary funding levels for regional transportation projects: federal, state, and local. The tables in this section summarize estimated revenues for the RTP period. The most pertinent information provided in each of these tables is described in more detail afterwards.

The following projects are recently constructed and open to traffic, or under construction, or programmed in the State Transportation Improvement Program. Full funding is assumed.

**Table 18: Projects Under Construction or Fully Funded**

Project	Funding	Amount (YOE dollars)
Mission Ave. Freeway	IIP+RIP	Open to traffic
North Atwater Freeway	IIP	Under construction as of 2008
Livingston Stage 2 Freeway	IIP	Open to traffic
Plainsburg IC and Freeway	IIP & 99 Bond	\$177 million
Arboleda IC and Freeway	IIP & 99 Bond	\$119 million

## Funding Sources

### Federal Funding Sources

Federal funds are used for all modes, including highways and transit projects. These funds normally require a non-federal match of between 11.47-20% for road projects, and a 11.47%-50% match for transit projects. Nine federal funding programs are identified in Tables 19 and 20 below.

**Table 19: Federal Funding Sources**

Fund Source	Abbreviation	Primary Mode
Surface Transportation Program	STP	Streets (local)
Congestion Mitigation / Air Quality	CMAQ	Air quality attainment
Transportation Enhancement Activities	TEA	Bicycle, Pedestrian, Landscaping
Federal Transit Administration Section 5307	FTA 5307	Urban transit
Federal Transit Administration Section 5311	FTA 5311	Rural transit operations
Federal Transit Administration Section 5309	FTA 5309	Discretionary transit
Highway Bridge Replacement/Rehabilitation	HBRR	Bridges (local)
Hazard Elimination/Safety	HES	Streets (local)
Federal Airport Improvement Program	FAIP	Aviation

**Table 20: Federal Funding Sources, Projected Revenue (in escalated dollars)**

Fund Source	Decision Maker	Guarantee?	Annual Funding	Funding thru 2030
STP	MCAG	Yes (TEA-21)	\$ 1,900,000	\$ 58,000,000
CMAQ	MCAG	Yes (TEA-21)	\$ 2,750,000	\$ 84,000,000
TEA	MCAG	Yes(TEA-21)	\$ 400,000	\$ 12,000,000
FTA 5307	MCAG	Yes (TEA-21)	\$ 1,700,000	\$ 52,000,000
FTA 5311	MCAG	Yes (TEA-21)	\$ 200,000	\$ 6,000,000
FTA 5309	Federal	No	\$ 125,000	\$ 3,800,000
HBRR	Caltrans	No	\$ 415,000	\$ 12,700,000
HES	Caltrans	No	\$ 270,000	\$ 8,200,000
FAIP	Caltrans	No	\$ 90,000	\$ 2,700,000
<b>TOTAL</b>			<b>\$ 7,850,000</b>	<b>\$ 239,400,000</b>

### Congestion Mitigation Air Quality Funds

As a non-attainment area, Merced County receives federal Congestion Mitigation Air Quality (CMAQ) funds. These funds are to be used for projects that contribute to improving air quality in the region. MCAG oversees the distribution of these funds. Examples of eligible CMAQ projects include the following:

- Public transit improvements.
- High occupancy vehicles (HOV) lanes.
- Intelligent Transportation Infrastructure (ITI).
- Traffic management, traveler information systems, and electric toll collection systems.
- Employer-based transportation management plans and incentives.
- Traffic flow improvement programs such as signal coordination.
- Fringe parking facilities serving multiple occupancy vehicles.
- Shared ride services.
- Bicycle and pedestrian facilities.
- Flexible work-hour programs.
- Outreach activities establishing Transportation Management Associations.
- Fare/fee subsidy programs.
- and under certain conditions PM-10 projects.

Approximately \$55 million in CMAQ funds are estimated to be available for programming over the next 25 years. CMAQ projects are evaluated and selected on a countywide competitive basis. All of the estimated funding for CMAQ under SAFETEA-LU has been programmed to specific projects.

## State Funding Sources

State funds are generated by license fees, truck fees, sales and fuel taxes, and other state apportioned funds. Eleven state funding programs are identified in Tables 13 and 14 below.

**Table 21: State Funding Sources**

Fund Source	Abbreviation	Primary Mode
Interregional Improvement Program	IIP	Significant State Highways
Regional Improvement Program	RIP	Flexible: Regional Needs
TDA: Local Transportation Fund	LTF	Transit needs first, Streets (Local)
TDA: State Transit Assistance Fund	STAF	Transit
Gas Tax - Proposition 111	Prop 111	Streets (Local)
State Highway Operation and Protection	SHOPP	Safety & Rehab on State Highways
Caltrans' Minor Program	Minor	Safety & Rehab on State Highways
Environmental Enhancement Mitigation	EEM	Additional TCMs
REMOVE	REMOVE	Air Quality Projects
Bicycle Transportation Account Funds	BTA	Bicycle Projects
California Aid to Airports Program	CAAP	Aviation

**Table 22: State Funding Sources, Projected Revenue (in escalated dollars)**

Fund Source	Decision Maker	Guarantee?	Annual Funding	Funding through 2030
IIP	Caltrans	No	n/a	\$ 207,000,000
RIP	MCAG	Yes (State law)	\$ 11,000,000	\$ 288,000,000
LTF	MCAG	Yes (State law)	\$ 5,100,000	\$ 157,000,000
STAF	MCAG	Yes (State law)	\$ 350,000	\$ 11,500,000
Prop 111	Local	Yes (State law)	\$ 6,700,000	\$ 198,000,000
SHOPP	Caltrans	No	\$ 5,843,000	\$ 165,000,000
Minor	Caltrans	No	\$ 750,000	\$ 20,000,000
EEM	Caltrans	No	\$ -	\$ -
REMOVE	Air District	No	\$ -	\$ -
BTA	Caltrans	No	\$ 50,000	\$ 1,500,000
CAAP	Caltrans	Yes (formula)	\$ 380,292	\$ 125,000,000
<b>TOTAL</b>			<b>\$ 30,173,292</b>	<b>\$ 1,173,000,000</b>

## Local Funding Sources

Local funds for transportation could be derived from taxes, development fees, impact mitigation fees, and transit revenues. There are six possible local funding sources identified in Table 15.

**Table 23: Potential Local Funding Sources (in escalated dollars)**

Fund Source	Primary Mode	Decision Maker	Annual Funding	Funding through 2030
Developer Impact Fees	Streets	Local/MCAG	\$ 4,550,000	\$ 248,000,000
Developer Mitigations/Local	Streets	Local	\$ 3,450,000	\$ 112,000,000
Transportation Measure	Streets	MCAG	\$ 13,350,000	\$ 267,000,000
Local Assessment Districts	Streets	Local	\$ -	\$ -
Advertising on Buses	Transit	Local	\$ 20,000	\$ 400,000
Farebox Recovery	Transit	Local	\$ 900,000	\$ 18,000,000
<b>TOTAL</b>			<b>\$ 22,270,000</b>	<b>\$ 645,400,000</b>

## Local Transportation Measure

Based on a recommendation in the 1990 RTP, MCAG prepared and approved a Transportation Expenditure Plan (TEP) in November of 1991, for the purpose of obtaining voter approval of a Transportation Measure. However, action to implement the plan was delayed due to the nationwide recession and announcement that Castle Air Force Base would be closed by 1995.

In April 2006, MCAG adopted a revised TEP. Projects included in the TEP were identified through an evaluation of the county's transportation system and interviews with key staff and elected officials

representing the county and all of the cities. Projects were evaluated in a public opinion poll conducted as a part of the study. Projects were prioritized using an objective set of criteria.

Key elements of the TEP include:

- Funds for transportation projects of countywide significance.
- Funds for maintenance, repair, safety and operational improvements to city streets and county roads
- Funds to improve transit.
- A requirement that the county and cities adopt local traffic impact fees to insure that new development pays its own way.

A Transportation Measure for a period of 30 years would generate about \$450 million in additional revenue. The Measure would automatically sunset after 30 years. Measure funds would be allocated as follows:

- 45 percent to Local Street and Road Maintenance with funds allocated to the county and cities on a formula basis.
- 50 percent to fund projects of countywide significance
- 4 percent to fund transit improvements.
- 1 percent for administrative oversight.

A Transportation Measure (Measure M) was placed on the November 2002 ballot. 61% of the voters supported the measure. As a 2/3 support was needed, it did not pass. The Measure was placed on the ballot in June 2006 and November 2006. It again failed to pass.

## Regional Transportation Impact Fee

The Regional Transportation Impact Fee program represents a major step forward in preparing for the anticipated growth in Merced County. The following key points place the program in context:

- The RTIF contributes to the funding of 10 projects across the county.
- Without the RTIF contribution these projects will face delay or termination.
- The total cost of these projects is \$530 million.
- The RTIF contributes about 17%, or \$91 million towards these projects.
- The fee is uniform throughout the county.
- The RTIF will receive an annual review to monitor administration and project progress.

## Funding by Mode

Table 24 shows the breakdown of funding by Transportation Mode. Funding sources for all modes are discussed in the text below.

**Table 24: Funding by Program and Mode (Amounts in Millions) (in escalated dollars)**

Funding Program	Regional Improvements	Local Roads	Transit	Control Measures	Bicycle Pedestrian	Totals by Fund
Interregional Improvement Program	207					207
99 Bond Program	248					248
Regional Improvement Program	288					288
Regional Transportation Impact Fee	248					248
Gas Tax Prop 111		198				198
Local Transportation Funds		57	100			157
Surface Transportation Funds		58				58
Congestion Mitigation Air Quality			63	13	8	84
Federal Transit Administration			61			61
State Transit Assistance			11			11
Transit Fares			18			18
Development Fees and other Local funds	288	112				400
Bicycle Transportation Account Grants					1	1
Totals by Mode	1,279	425	253	13	9	1,979

## Regional Road Projects

Several funding programs are expected to be primarily used for funding safety and maintenance projects on the regional road system. The State Highway Operation and Protection Program (SHOPP) funds are used for safety and rehabilitation projects on the state highway system. On local regional roads, bridge and safety projects are expected to be funded from the following programs: Highway Bridge Replacement and Rehabilitation (HBRR), Hazard Elimination/Safety (HES). HBRR and HES funds are programmed by Caltrans for local projects. SHOPP projects are programmed by Caltrans for State Highway projects. It is reasonable to expect that the Merced region will receive a share of statewide available revenues, in proportion to its share of statewide need, although the Merced County region is not guaranteed to receive funds under these programs. Historically, only about 20% of the candidate projects are approved for funding due to the program funding limitations. Caltrans has responsibility and authority to prioritize and program these types of projects.

Capacity-increasing or improvement projects on the regional road network are primarily funded through the State Transportation Improvement Program (STIP). Through the Regional Transportation Improvement Program, Merced County proposes projects using Regional Improvement Program (RIP) funds. Through the Interregional Transportation Improvement Program, Caltrans nominates highway construction projects using Interregional Improvement Program (IIP) funds. In the past, projects from the regional and interregional programs in a county competed for the same reservoir of funding, then known as the county minimum. Now, seventy-five percent of the STIP dollars available are allocated to the regions. Twenty-five percent of the STIP is allocated to the interregional program, with funds programmed on a statewide basis, and no requirement that any minimum amount be spent in each county.

Approximately \$242 million in Regional Improvement Program funds are estimated to be available for programming. These estimates are subject to change as more accurate information becomes available.

Local revenue for regional road improvements would include the Transportation Measure (\$133.5 million) and the Regional Transportation Impact Fee (\$91 million).

## Local Road Projects

There are limited guaranteed funding sources available for funding local road projects. The following funding sources are allocated to each jurisdiction. These funds are primarily used to maintain the local system.

- State Transportation Program (STP) - Federal, exchanged for state dollars
- Local Transportation Funds (LTF) - derived from State sales tax
- State Gas Tax subventions - derived from State fuel tax

Under state law, the Merced County region and Merced County (the political subdivision of the State of California) are eligible to exchange STP funds for an equal amount of state-collected gasoline tax revenues. This opportunity provides more flexibility in the use of these funds, eliminates the required local match and eliminates the bureaucracy associated with using federal funds on a project. MCAG and Merced County have entered into agreements with the state for exchanging unobligated balances of STP funds. Exchanges are expected to be carried out on an annual basis. Exchange of funds will have no fiscal impact on available revenues.

New revenue for local road projects would come from a Transportation Measure (\$118.8 million).

## Transit Projects

Transit funds are available through passenger fares, funding from the Federal Transit Administration (FTA), and the Transportation Development Act.

The Federal Transit Administration provides funding for operating, capital and special earmark projects. Table 10 identifies the projected revenue from each Federal Transit Administration Section.

The Transportation Development Act established a State Transit Assistance Fund (STAF) and a Local Transportation Fund (LTF). The Merced region is expected to receive \$7,000,000 over the next 20 years in STAF funds. These funds are subject to approval by the Governor, and the annual amount fluctuates with each annual state budget.

By law, LTF funds are first and foremost to be used to fund transit projects. After all "unmet transit needs, which are reasonable to meet" have been met, unspent LTF funds may be used for street and road purposes.

Other potential transit revenues is available includes Congestion Mitigation Air Quality (CMAQ) funds for air quality non-attainment areas, and STP funds which may be used for transit capital projects.

New revenue for transit would come from a Transportation Measure (\$12 million).

## **Non-Motorized/Bicycle Projects**

Funds for non-motorized projects are available from several state and Federal programs, as well as local sources. However, only the Bicycle Transportation Account funds are designed with non-motorized projects as a primary use. Another potential funding source assumed to be used for non-motorized projects includes CMAQ funds.

Revenues for non-motorized projects from the BTA program during the RTP implementation period is anticipated to be \$1 million with an addition \$5 million dollars worth of projects being funded using CMAQ funds.

## **Aeronautics Projects**

The primary sources of funds for aeronautic projects in the Merced region are the California Aid to Airports Program (CAAP) and the Federal Airport Improvement Program. Approximately \$9,339,000 are projected to be available for airport improvements over a 20-year period.

## **Rail Projects**

Intercity rail projects are funded by State Highway Account funds (for projects programmed in the STIP), as well as funding for specific projects from the Public Transportation Account, the Traffic Congestion Relief Program and Proposition 116. There are no regional guarantees for such projects. As the intercity rail system operates on an interregional basis, improvements must be planned on a scale larger than any single county.

# **REVENUE VERSUS NEED**

## **Regional Highways, Streets, and Roads**

The Highways, Streets, and Roads section identified regional project priorities that are necessary within the RTP implementation.

Planned expenditures of Regional Improvement Program and other locally generated funds for regional road improvements total \$535 million. With the expenditure of these funds, it is assumed that approximately \$560 million in state discretionary funding will be leveraged for projects on the state highway system. Additional projects (Tier 2) that are projected to be of regional significance in

the RTP implementation period, but are excluded from the RTP due to a lack of available revenues, total \$53 million.

## Transit

Local governments in the Merced County region have consolidated transit services, resulting in a reduced cost of providing public transit. Transit expenditures are projected to be \$143,000,000 for the RTP implementation period. There is no funding shortfall identified for transit over the RTP implementation period.

## Local Streets and Roads

The County and each of the cities identified several local projects for maintenance and reconstruction for street and road systems in the Federal Transportation Improvement Program (FTIP) which is a three-year program. However, these projects do not reflect the actual transportation needs of Merced County since the FTIP is financially constrained. Over the RTP implementation period, local agencies expect to receive \$354 million in revenues. Based on the projects identified for the next seven years, the total necessary expenditures for local street and road projects over the RTP implementation period will be approximately \$347 million. The local project need represents a significant shortfall in revenues – approximately \$116 million.

## Non-motorized (Bikeways & Pedestrian)

Expenditures for non-motorized projects, which include maintenance and construction of pedestrian and bicycle facilities are estimated to be \$6 million during the 20-year implementation period. These projects will be implemented using discretionary grant funds through other sources and Congestion Mitigation Air Quality Funds.

## Aeronautics

Estimates of expenditures for aeronautics are projected to be approximately \$9,339,000 for the RTP implementation period. The estimated need for Merced County is approximately \$52 million with a shortfall of approximately \$42 million. Aviation projects are listed in the Appendix.

## Summary of Revenue vs. Need

The region's priority transportation projects and strategies cannot all be implemented within the RTP implementation period given estimates of available revenues. Therefore, several projects and strategies are listed as "possible future additions to the RTP."

In Table 25, projected revenues for each mode of transportation are compared with estimated costs of transportation projects and strategies identified in the Action Element, and to the projected needs. Projected needs include all projects that will be necessary to achieve the transportation goals of the RTP, including projects excluded from the RTP because of financial constraint requirements. Shortfall of revenue for each mode is also identified.

**Table 25: Projected Revenues vs. Needs, by Mode (Amounts in Millions)**

<b>Transportation Mode</b>	<b>Revenue</b>	<b>Needs</b>	<b>(Shortfall)</b>
Regional Road & Highway Improvements	1,279	1,900	(621)
Local Road Improvement & Maintenance	425	760	(335)
Transit	253	253	0
Air Quality Control Measures	13	13	0
Bicycle & Pedestrian Facilities	9	17	(8)
<b>Total</b>	<b>1,979</b>	<b>2,943</b>	<b>(964)</b>

**MEMORANDUM**

**DATE:           JANUARY 8, 2009**

**TO:             MCAG GOVERNING BOARD**

**FROM:          LORI FLANDERS, ASSISTANT PLANNER**

**RE:            FY 2008-2009 LOCAL TRANSPORTATION FUND (LTF) CLAIMS**

**BACKGROUND**

At the October 16, 2008 Governing Board meeting, staff was directed to shift \$993,987 of Local Transportation Funds (LTF) back to transit to cover a budget shortfall. The shortfall is due to a \$423,572 shortfall in budgeted State Transit Assistance (STA) funding and a projected \$570,415 shortfall in fuel appropriations due to the increase in gasoline and diesel fuel prices.

**DISCUSSION**

MCAG has received revised LTF claims from the Cities of Atwater, Dos Palos, Gustine, Livingston, Los Banos, Merced, and the County of Merced.

A resolution from the MCAG Governing Board approving the revised LTF claims is required by the Merced County Auditor's office so that these funds can be dispersed. Resolution 2009/1-15-02 is attached for your review.

**REQUESTED ACTION**

Approve the revised Local Transportation Fund claims received by adoption of Resolution 2009/1-15-02.

Attachment:   Resolution 2009/1-15-02  
                  LTF Apportionment Schedule FY 08-09

**RESOLUTION NO. 2009/1-15-02**

**RESOLUTION OF THE MERCED COUNTY ASSOCIATION OF GOVERNMENTS  
GOVERNING BOARD APPROVING REVISED CLAIMS FOR  
LOCAL TRANSPORTATION FUND (LTF)  
MONIES FOR THE FISCAL YEAR 2008/2009**

**WHEREAS**, Merced County Association of Governments (MCAG) is designated the Regional Transportation Planning Agency for Merced County; and

**WHEREAS**, the Cities of Atwater, Dos Palos, Gustine, Livingston, Los Banos, Merced and County of Merced have filed individual revised claims with MCAG for Local Transportation Fund (LTF) (Transportation Development Act) monies in the amount of \$5,800,000 for Fiscal Year 2008/2009; and

**WHEREAS**, these claims include streets and roads projects and projects used for pedestrians and bicycles in the amount of **\$603,152** pursuant to Public Utilities Code (PUC), Division 10, Part 11, Chapter 4, Article 8, Section 99400(a); public transportation services in the amount of **\$4,445,435**, pursuant to PUC, Division 10, Part 11, Chapter 4, Article 4, Section 99260(a) and PUC, Division 10, Part 11, Chapter 4, Article 8, Section 99400(c); and planning projects in the amount of **\$133,360** pursuant to PUC, Division 10, Part 11, Chapter 4, Article 8, Section 99402 and PUC, Division 10, Part 11, Chapter 4, Article 4, Section 99262 for Fiscal Year 2008/2009; and

**WHEREAS**, public transportation services are provided to the general public through operation of the consolidated transit service, "The Bus" - Merced County Transit.

**WHEREAS**, specific efforts undertaken by MCAG in the transportation planning process and approval of the unmet transit needs process were previously approved by the MCAG Governing Board in a Resolution dated November 29, 2007; and

**WHEREAS**, the cities submitting these claims have filed their claims pursuant to the following codes: for streets and roads PUC, Division 10, Part 11, Chapter 4, Article 8, Section 99400(a); planning projects pursuant to PUC, Division 10, Part 11, Chapter 4, Article 8, Section 99402 and PUC, Division 10, Part 11, Chapter 4, Article 4, Section 99262 and public transportation pursuant to PUC, Division 10, Part 11, Chapter 4, Article 4, Section 99260(a) and PUC, Division 10, Part 11, Chapter 4, Article 8, Section 99400(c);

**WHEREAS**, the **City of Atwater** claim includes **streets and roads** projects in the amount of **\$72,164** and **planning projects** in the amount of **\$14,644** for Fiscal Year 2008/2009; and

**WHEREAS**, the **City of Dos Palos** claim includes **streets and roads** projects in the amount of **\$13,902** and **planning projects** in the amount of **\$2,598** for Fiscal Year 2008/2009; and

**WHEREAS**, the **City of Gustine** claim includes **streets and roads** projects in the amount of **\$15,842** and **planning projects** in the amount of **\$2,732** for Fiscal Year 2008/2009; and

**WHEREAS**, the **City of Livingston** claim includes **streets and roads** projects in the amount of **\$42,985** and **planning projects** in the amount of **\$7,045** for Fiscal Year 2008/2009; and

**WHEREAS**, the **City of Los Banos** claim includes **streets and roads** projects in the amount of **\$88,747** and **planning projects** in the amount of **\$18,670** for Fiscal Year 2008/2009; and

**WHEREAS**, the **City of Merced** claim includes **streets and roads** projects in the amount of **\$154,674** and planning projects in the amount of **\$42,268** for Fiscal Year 2008/2009; and

**WHEREAS**, the **County of Merced** claim includes **streets and roads** projects in the amount of **\$214,838**; **public transportation services** in the amount of **\$4,445,435**; **capital transit purchase** in the amount of **\$553,104** and **planning projects** in the amount of **\$45,403** for Fiscal Year 2008/2009; and

**WHEREAS**, MCAG has conducted meetings of the Citizens Advisory Committee, the Social Services Transportation Advisory Council (SSTAC) and a public hearing in conformance with the PUC, Division 10, Part 11, Chapter 4, Article 3, Sections 99238(2) and 99238.5; and

**WHEREAS**, Merced County transit providers propose to serve, at a minimum, all claimant areas of Merced County within their jurisdictions at the level of public transportation services that are reasonable to meet as defined by the MCAG Governing Board; and

**WHEREAS**, the proposed expenditures on the claims are found to be in conformity with the Regional Transportation Plan; now

**THEREFORE BE IT RESOLVED**, after said SSTAC meetings, public hearings, consideration of testimony presented therein, and consideration of all information identified in a MCAG Minute Order dated November 29, 2007, that the claims for Merced County claimants for Local Transportation Funds (Transportation Development Act) monies for the Fiscal Year 2008/2009 for the purposes specified in PUC, Division 10, Part 11, Chapter 4, Article 8, Section 99400(a) in the amount of **\$603,152**; PUC, Division 10, Part 11, Chapter 4, Article 4, Section 99260(a) and PUC, Division 10, Part 11, Chapter 4, Article 8, Section 99400(c) in the amount of **\$4,445,435**; and PUC Division 10, Part 11, Chapter 4, Article 8, Section 99402 and PUC, Division 10, Part 11, Chapter 4, Article 4, Section 99262 in the amount of **\$133,360** (as listed individually above) be, and are hereby approved.

The above resolution was approved by the Merced County Association of Governments on **January 15, 2009** by \_\_\_\_\_, who moved its adoption, which motion was duly seconded by \_\_\_\_\_, and which was adopted by the following vote:

AYES:

NOES:

APPROVED:

\_\_\_\_\_  
Jesse Brown, Executive Director  
Merced County Association of Governments

\_\_\_\_\_  
Joe Oliveira, Chair  
MCAG Governing Board

DATED: \_\_\_\_\_

**Local Transportation Fund Apportionments Schedule**  
**Fiscal Year 2008 - 2009**  
**Jan-09**

**Table 1: LTF Apportionment Less Expenditures**

Total FY 08-09 LTF Apportionment	\$ 5,800,000
County Auditor	\$ 2,850
MCAG Administration	\$ 62,100
MCAG Planning	\$ 133,360
Capital Transit Purchases	\$ 553,104
<b>Total Expenditures</b>	<b>\$ 751,414</b>
<b>Remainder</b>	<b>\$ 5,048,586</b>

**Table 2: LTF Shares by Jurisdiction prior to Transit**

Jurisdiction	Pop - Depart of Fin Jan 2007	% of Population	MCAG Planning Share	Remaining portion before Transit
Atwater	27,618	10.98%	\$ 14,644	\$ 554,379
Dos Palos	4,899	1.95%	\$ 2,598	\$ 98,338
Gustine	5,152	2.05%	\$ 2,732	\$ 103,417
Livingston	13,287	5.28%	\$ 7,045	\$ 266,711
Los Banos	35,211	14.00%	\$ 18,670	\$ 706,794
Merced	79,715	31.69%	\$ 42,268	\$ 1,600,127
Unincorporated	85,628	34.05%	\$ 45,403	\$ 1,718,820
<b>TOTAL</b>	<b>251,510</b>	<b>100.00%</b>	<b>\$ 133,360</b>	<b>\$ 5,048,586</b>

**Table 3: LTF Funds Needed for Transit**

Remaining LTF before Transit	
	\$ 5,048,586
LTF Needed for Rural Service	\$ 1,550,649
LTF Needed for Urban Service	\$ 1,900,799
<b>Total Needed for Transit Operations</b>	<b>\$ 3,451,448</b>
<b>Balance left for Streets and Roads</b>	<b>\$ 1,597,138</b>
<b>Budget Shortfall</b>	<b>\$ 993,987</b>
Balance left for Streets and Roads	\$ 603,151
1st Quarter Payments	\$ 399,285
Balance to be distributed	\$ 203,867

**Table 4: LTF Transit Costs by Jurisdiction**

Jurisdiction	Remaining portion before Transit	% of Rural Transit Service	Rural Transit Service Deduction	% of Urban Transit Service	Urban Transit Service Deduction	Population Split in UrbanArea**	50% Population Share	Total Urban Share	Transit Share Deduction	Amount Available January 2008 Estimate	1st Quarter Payment	Distribution after Transit Shortfall (based on population)	Amount Available to Claim FY08-09
Atwater	\$ 554,379			16.38%	\$ 155,685	21%	\$ 199,584	\$ 355,269	\$ 355,269	\$ 199,110	\$ 49,777	\$ 22,386	\$ 72,164
Dos Palos	\$ 98,338	3.78%	\$ 58,615						\$ 58,615	\$ 39,724	\$ 9,931	\$ 3,971	\$ 13,902
Gustine	\$ 103,417	3.66%	\$ 56,754						\$ 56,754	\$ 46,663	\$ 11,666	\$ 4,176	\$ 15,842
Livingston	\$ 266,711	8.89%	\$ 137,853						\$ 137,853	\$ 128,859	\$ 32,215	\$ 10,770	\$ 42,985
Los Banos	\$ 706,794	30.05%	\$ 465,970						\$ 465,970	\$ 240,824	\$ 60,206	\$ 28,541	\$ 88,747
Merced	\$ 1,600,127			72.26%	\$ 686,759	58%	\$ 553,133	\$ 1,239,891	\$ 1,239,891	\$ 360,236	\$ 90,059	\$ 64,615	\$ 154,674
Unincorporated	\$ 1,718,820	53.62%	\$ 831,458	11.36%	\$ 107,956	21%	\$ 197,683	\$ 305,639	\$ 1,137,097	\$ 581,723	\$ 145,431	\$ 69,408	\$ 214,838
<b>TOTAL</b>	<b>\$ 5,048,586</b>	<b>100.00%</b>	<b>\$ 1,550,649</b>	<b>100.00%</b>	<b>\$ 950,400</b>	<b>100%</b>	<b>\$ 950,400</b>	<b>\$ 1,900,799</b>	<b>\$ 3,451,448</b>	<b>\$ 1,597,138</b>	<b>\$ 399,284</b>	<b>\$ 203,867</b>	<b>\$ 603,151</b>

\*\* Based on 2000 Census

**Table 5 Historic Use of LTF Funding**

	FY 06-07	FY 07-08	FY 08-09
<b>Apportionment</b>	<b>\$ 7,775,000</b>	<b>\$ 7,300,000</b>	<b>\$ 5,800,000</b>
County Auditor	\$ 2,700	\$ 2,850	\$ 2,850
MCAG Administration	\$ 62,100	\$ 62,100	\$ 62,100
MCAG Planning	\$ 133,360	\$ 183,360	\$ 133,360
Capital Transit Purchases	\$ 381,861	\$ 689,196	\$ 553,104
Transit Budget Shortfall	\$ 384,490	-	\$ 993,987.00
<b>Balance</b>	<b>\$ 964,511</b>	<b>\$ 937,506</b>	<b>\$ 1,745,401</b>
LTF Needed for Rural Service	\$ 1,362,326	\$ 1,907,460	\$ 1,550,649
LTF Needed for Urban Service	\$ 1,413,850	\$ 2,269,796	\$ 1,900,799
More STAF = Less LTF	\$ (1,371,467)	\$ (464,480)	
<b>Total Transit Service</b>	<b>\$ 1,404,709</b>	<b>\$ 4,177,256</b>	<b>\$ 4,445,435</b>
<b>Remaining for Streets</b>	<b>\$ 5,405,780</b>	<b>\$ 2,185,238</b>	<b>\$ 603,151</b>

**Table 6: Historic Apportionments for Streets and Roads**

Apportionment Claimed by Jurisdiction					
Jurisdiction	Original FY 2007-08	Aug Adjustment to Transit Budget	Additional STAF = More LTF	07-08 Final	Draft 08-09
Atwater	\$ 198,131	\$ 233,160	\$ 54,672	\$ 287,832	\$ 72,164
Dos Palos	\$ 42,691	\$ 50,411	\$ 6,206	\$ 56,617	\$ 13,902
Gustine	\$ 50,581	\$ 52,909	\$ 6,639	\$ 59,548	\$ 15,842
Livingston	\$ 127,046	\$ 190,868	\$ 10,782	\$ 201,650	\$ 42,985
Los Banos	\$ 201,626	\$ 273,357	\$ 48,865	\$ 322,222	\$ 88,747
Merced	\$ 172,666	\$ 261,025	\$ 197,866	\$ 458,891	\$ 154,674
Unincorporated	\$ 609,101	\$ 659,028	\$ 139,451	\$ 798,479	\$ 214,838
<b>TOTAL</b>	<b>\$ 1,401,842</b>	<b>\$ 1,720,758</b>	<b>\$ 464,481</b>	<b>\$ 2,185,239</b>	<b>\$ 603,151</b>
		A	B	A+B	

**MEMORANDUM**

**DATE:           JANUARY 8, 2009**

**TO:             MCAG GOVERNING BOARD**

**FROM:          CANDICE STEELMAN, PUBLIC INFORMATION OFFICER**

**RE:            LETTER OF SUPPORT - CTC COMMISSIONER KIRK LINDSEY**

**BACKGROUND**

The California Transportation Commission (CTC) consists of nine members appointed by the Governor, who serve in staggered four-year terms. In addition, there are two ex-officio, non-voting members of the CTC, one from the State Senate and one from the State Assembly.

The Commission is responsible for programming and allocating funds for highway, passenger rail, and transit improvements in California. The Commission advises the Secretary of Business, Transportation, and Housing and the Legislature in formulating and evaluating state policies and plans for the State's transportation programs. The Commission is also an active participant in initiating and developing State and Federal legislation that seeks to secure financial stability for the State's transportation needs.

**DISCUSSION**

Kirk Lindsey was first appointed to the California Transportation Commission in 2000. On April 7, 2004, Governor Arnold Schwarzenegger reappointed him to serve, and again reappointed him on February 14, 2008. The Senate must confirm appointees within one year of appointment date. On January 24, 2009, he will appear before the Senate Rules Committee for a confirmation hearing.

In light of his many years of service to the San Joaquin Valley, his understanding of its unique personality, and his ongoing efforts to seek a fair share for the Valley, MCAG staff recommends sending a letter of support for Kirk Lindsey's reappointment.

**REQUESTED ACTION**

Sign and send a letter of support for the reappointment of Kirk Lindsey as Commissioner on the California Transportation Commission.

Attachment: Lindsey support letter

January 15, 2009

The Honorable Darrell Steinberg, Chair  
Senate Rules Committee  
State Capitol, Room 400  
Sacramento 95814

RE: Support confirmation of Kirk Lindsey  
to the California Transportation Commission

Dear Senator Steinberg,

I am writing, on behalf of the Merced County Association of Governments (MCAG), to support Kirk Lindsey's appointment confirmation to the California Transportation Commission (CTC).

Over the past eight years, Commissioner Lindsey has been a strong advocate for the San Joaquin Valley's ongoing transportation needs. In Merced County, we especially appreciate his support – and deciding vote – to fund the Mission Interchange on Highway 99, which opened up that area for commercial development and also provided the first steps for an appropriate transportation project to provide access to and from UC Merced.

In addition, we join with others in thanking Commissioner Lindsey for his perspective on state transportation financing through the state process, especially Proposition 1B goods movement funding. His insightful leadership has helped guide transportation policy through some challenging funding times.

Therefore, MCAG supports the appointment and confirmation of Kirk Lindsey to a third term as Commissioner on the CTC.

Sincerely,

Joe Oliveira, Chair  
MCAG Governing Board

cc:

The Hon. Cathleen Galgiani  
The Hon. Jeff Denham

**ITEM 15**

**MEMORANDUM**

**DATE:           JANUARY 8, 2009**

**TO:             MCAG GOVERNING BOARD**

**FROM:          LORI FLANDERS, ASSISTANT PLANNER**

**RE:            CONTINUUM OF CARE**

**BACKGROUND**

“Continuum of Care” is a U.S. Department of Housing and Urban Development (HUD) term referring to a “continuum” of services that allow individuals to move from homelessness to eventual permanent housing.

The City of Merced, along with Merced County, have contracted with the Merced County Association of Governments (MCAG) to facilitate the Continuum of Care (CoC) Program. MCAG’s contracted scope of work includes:

- Facilitating monthly meetings with stakeholders to discuss gaps in services and seek solutions;
- Researching potential grant opportunities that may assist stakeholders in addressing gaps in services;
- Submitting the annual Continuum of Care Plan, which describes the Merced County region’s comprehensive response to homelessness; and
- Assisting potential applicants of Continuum of Care Funds.

HUD offers Continuum of Care grant funds to communities that have undertaken an extensive planning process to identify the extent of homelessness, potential solutions, and leverage available resources. Continuum of Care grant funds are highly competitive at a national level and are not guaranteed.

The 2005 Merced County Continuum of Care Plan and Grant Application was awarded \$565,953 from HUD to fund a data collection project known as a Homeless Management Information System (HMIS) and a supportive housing project known as Project Home Start. The 2006 Continuum of Care Plan and Grant Application requested \$570,338 for an expansion of Project Home Start, which would have provided permanent supportive housing to six additional individuals. MCAG was notified in February of 2007 that the project had not been awarded funding. In 2007 HMIS was renewed for another year. The 2008 Continuum of Care Plan requested the renewal of HMIS for another year. Awards are expected to be announced in January 2009.

During the current contract period, MCAG staff has facilitated a number of Continuum of Care community meetings and Executive Council meetings, as outlined below:

<b>First Quarter (June 08 – Sept 08)</b>	
06/11/08	<b><i>Executive Council Meeting</i></b> 7 attendees. Reviewed goals to include with the 2008/2009 Continuum of Care Plan. Reviewed quarterly progress reports for HMIS and Project Home Start.
06/18/08	<b><i>General Collaborative Meeting</i></b> 18 attendees. Presentation by Impact House. Discussion regarding the purpose of the Continuum of Care. Reviewed 2007/2008 Plan score. Established goals for the 2008/2009 CoC Plan.
08/13/08	<b><i>Executive Council Meeting</i></b> 5 attendees. Appointed members to the Prioritization Panel (ranks project applications submitted for CoC funding). Reviewed goals to include with the 2008/2009 CoC Plan.
08/20/08	<b><i>General Collaborative Meeting</i></b> 22 attendees. Distributed applications for Executive Council vacancies. Presentation by Herb Opalek of the Merced County Rescue Mission.
09/09/08	<b><i>Prioritization Panel Meeting</i></b> 4 attendees. Evaluated capacity of project applications submitted for CoC funding. Ranked accordingly for priority in CoC Plan.
09/17/08	<b><i>General Collaborative Meeting</i></b> 12 attendees. Discussion to implement a One Stop Shop at the D Street Homeless Shelter. Appointment of Executive Council. Homeless guest provided her view of what services are missing within Merced County.

<b>Second Quarter (Oct 08 – Dec 08)</b>	
10/08/08	<b><i>Executive Council</i></b> 6 attendees. Appointed Chair and Vice Chair. Reviewed priorities for following three months. Reviewed annual progress report for HMIS.
10/15/08	<b><i>General Collaborative</i></b> 14 attendees. Presentation by the Merced City School District, re: Donation of leftover food for homeless. Informational presentation from Lifeline Phone Services.
11/12/08	<b><i>Executive Council</i></b> 5 attendees. Discussion of attendance portion of CoC Bylaws. Neighborhood Stabilization Program overview. Discussion of conducting a consumer survey for Project Home Start.
11/19/08	<b><i>General Collaborative</i></b> 20 attendees. Discussion of encampment clean up. Recruitment for members to join the Street Count subcommittee. Grant opportunities flyer provided to attendees.

<b>Second Quarter continued (Oct 08 – Dec 08)</b>	
12/10/08	<b><i>Executive Council</i></b> 7 attendees. Discussion of Project Homeless Connect in San Francisco, Neighborhood Stabilization Program, impact of homeless encampment clean up, and One Stop Shop at Homeless Shelter.
12/17/08	<b><i>General Collaborative</i></b> 40 attendees. Announcement of the first One Stop Shop taking place on December 19, 2008 at the D Street Shelter. Discussed possible solutions to house the homeless individuals that are living at several encampment sites; discussed available mail sources for homeless individuals; announced date of Street Count, January 22, 2009.

**REQUESTED ACTION**

For information only.

**MEMORANDUM**

**DATE:           JANUARY 8, 2009**

**TO:             MCAG GOVERNING BOARD**

**FROM:          CANDICE STEELMAN, PUBLIC INFORMATION OFFICER**

**RE:            ONE VOICE STATE AND FEDERAL POLICY PLATFORMS**

**BACKGROUND**

The One Voice delegates have traditionally carried earmark requests to legislators and agencies in Washington, D.C. and a mix of funding and policy requests to State agencies and legislators. During the course of this year's program, One Voice participants requested that State and Federal policy platforms be established. The lists of needs compiled during the first two One Voice meetings was then divided up into appropriate policy and earmarks requests.

**DISCUSSION**

Attached are the drafts of the State and Federal policy platforms. On December 12, 2008, One Voice attendees ranked their priorities. The results were as follows:

**State Priorities**

1. Economic Development: Adopt a San Joaquin Valley prevailing wage.
2. Water: Pass a comprehensive water plan that addresses supply, quality, conveyance, and storage.
3. Transportation: Lower requirement for self-help measures to 55%.
4. Healthcare: Support a County Organized Health System (COHS).
5. Education: Pass legislation to put Career Technical Education on equal footing with other forms of education, thus receiving equal opportunities for funding.

**Federal Priorities**

1. Water: Support legislation to establish a comprehensive water plan for the San Joaquin Valley that addresses supply, quality, conveyance, and storage.
2. Transportation 1: Fund right-of-way purchase for Phase II of the Campus Parkway.
3. Transportation 2: Fund right-of-way purchase for Phase I of the Los Banos bypass.
4. Healthcare: Pass legislation to make Merced County a medical needs region for enhanced reimbursement.
5. Education: Fund the Engineering Academy model program.

After discussing the priorities with MCAG's state and federal lobbyists and with legislative staff, MCAG staff recommends some changes. At the federal level, there are only three earmarks and they should appear first. The Healthcare request, while not an earmark, is a defined program. Water is a top concern, but as the request stands, it is too ambiguous. Unfortunately, knowledgeable water advisors only attended the first One Voice meeting, which was not enough to help guide discussion towards a project. Therefore, staff concurs with the state priority list and recommends this arrangement of the federal priorities:

1. Transportation: Los Banos bypass. Continue to keep this project as the top priority. Consistency is important. Legislators question when priorities, which have not been fully funded, change.
2. Transportation: Campus Parkway.
3. Education: Engineering Academy.
4. Healthcare: Medical needs region.
5. Water: Comprehensive water plan for the San Joaquin Valley.

### **REQUESTED ACTION**

Approve:

- a. The One Voice 2009 State and Federal Policy Platforms; and
- b. The One Voice 2009 State and Federal Priorities, with staff's recommendation.

Attachments: One Voice 2009 State Policy Platform  
One Voice 2009 Federal Policy Platform

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## **Merced County Association of Governments One Voice: 2009 Federal Legislative Platform**

### ***Introduction***

In 2003, due to concerns that Merced County was receiving considerably less funding per capita than other California counties, the Governing Board of the Merced County Association of Governments asked that a legislative program be developed. The result was the One Voice program, a coalition of elected officials, business owners, nonprofit agencies and other interested parties. This coalition meets to select priority issues for the year and, with the approval of the MCAG Governing Board, travels to Sacramento and Washington, D.C. to present to legislators issues of importance to the cities and county of Merced.

The MCAG Governing Board consists of one elected official from each of the six cities and one supervisor from each of the five county districts.

The One Voice group, in coordination with the MCAG Governing Board, has established a Legislative Platform that reflects the current priorities of One Voice in state and federal legislative matters. The goal of the Legislative Platform is to represent a unified voice when communicating legislative issues of regional importance to our state and federal legislative members as well as to relevant state and federal agencies.

### **In General**

- Pursue a fair share of funding from all state and federal sources for Merced County, which has traditionally received 33-42% less per capita than other areas of the state and country

### **Transportation**

- Support efforts to provide additional sources of funding for all modes of transportation, including road improvements, road maintenance, air and rail travel, transit, and bicycle and pedestrian paths
- Under the "Moving Ahead for Progress in the 21<sup>st</sup> Century" (MAP 21) Federal Surface Transportation Authorization bill, support the San Joaquin Valley COG Directors Policy Council proposal to create a National Goods Movement Program, with emphasis on farm to market corridors. This would necessitate increased rail movement carrying San Joaquin Valley agricultural goods to reduce number of truck trips on SJV corridors and installation of grade separations that promote safety and faster rail and truck movement
- Support federal funding to develop a High Speed Rail system

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## Economic Development

- Support the Seattle office of U.S. EDA in their request to create an earmark for the entire San Joaquin Valley to help fund activities within a regional economic development district
- Support legislation that provides incentives for renewable energy companies to locate in Merced County

## Water

- Support legislation and bond proposals that adequately address the water supply, water storage, and water quality needs of the San Joaquin Valley, with special recognition of the importance of agriculture to the Valley's economy.
- Emphasize how the San Joaquin River restoration, lack of water storage, lack of a conveyance system around the Delta, and invasive species in the Delta impact not only Merced County, but the entire San Joaquin Valley
- Provide incentives to build regional wastewater treatment plants. Some communities can not afford to pay their fair share, which limits regional solutions.
- Fund countywide ground and surface water supply studies and model development. Fund old promises made by state and federal agencies.

## Healthcare

- Oppose lowering Medicare reimbursements
- Support the San Joaquin Valley as a medical needs region for enhanced reimbursement. The Valley has the 2<sup>nd</sup> poorest health statistics in the nation, just ahead of Mississippi.

## Housing Foreclosure Crisis

- Pursue additional funding from the Neighborhood Stabilization Program

## Education

- Support funding for maintenance and expansion of local general and specialty programs that have proven successful
- Support funding for Career Technical Education programs that integrate best practices into their programs; support funding for state-of-the-art facilities for CTE 5
- Encourage language in legislation that recognizes Career Technical Education (CTE) as a viable and valuable path for continuing education; support funding for programs that combine core curriculum with CTE experiences

## Air Quality

- Support legislation, such as S 3496 (Sen. Barbara Boxer), that provides funding to retrofit or replace engines in heavy duty trucks and buses to attain air quality standards and improve the health of Valley residents
- We join with the California Partnership for the San Joaquin Valley to ensure full funding of the Environmental Quality Incentives Program (EQIP) under the Farm Bill, including a fair allocation to the San Joaquin Valley.

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## **Merced County Association of Governments One Voice: 2009 State Legislative Platform**

### ***Introduction***

In 2003, due to concerns that Merced County was receiving considerably less funding per capita than other California counties, the Governing Board of the Merced County Association of Governments asked that a legislative program be developed. The result was the One Voice program, a coalition of elected officials, business owners, nonprofit agencies and other interested parties. This coalition meets to select priority issues for the year and, with the approval of the MCAG Governing Board, travels to Sacramento and Washington, D.C. to present to legislators issues of importance to the cities and county of Merced.

The MCAG Governing Board consists of one elected official from each of the six cities and one supervisor from each of the five county districts.

The One Voice group, in coordination with the MCAG Governing Board, has established a Legislative Platform that reflects the current priorities of One Voice in state and federal legislative matters. The goal of the Legislative Platform is to represent a unified voice when communicating legislative issues of regional importance to our state and federal legislative members as well as to relevant state and federal agencies.

### **In General**

- Pursue a fair share of funding from all state and federal sources for Merced County, which has traditionally received 33-42% less per capita than other areas of the state and country
- Seek a San Joaquin Valley presence on all state advisory committees when committee recommendations will affect the economic well-being and quality of life for Merced County residents

### **Transportation**

- Support efforts to provide additional sources of funding for all modes of transportation, including road improvements, road maintenance, air and rail travel, transit, and bicycle and pedestrian paths
- Oppose the practice of placing spillover funds in the General Fund; allow Prop. 42 to receive all gas sales tax revenues
- In order to help counties help themselves, lower voting requirements to become a self-help county from 66.67% to 55%
- Support development of High Speed Rail

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## **Economic Development**

- Support a San Joaquin Valley prevailing wage to replace the current Bay Area-based prevailing wage which discourages or limits projects in Merced County due to costs
- Support legislation that provides incentives for renewable or alternative energy companies to locate in Merced County
- Join the California State Association of Counties (CSAC) to oppose reduction in funding for Community Block Development Grants (CDBG)

## **Water**

- Support legislation and bond proposals that adequately address the water supply, water storage, and water quality needs of the San Joaquin Valley, with special recognition of the importance of agriculture to the Valley's economy.
- Emphasize how the San Joaquin River restoration, lack of water storage, lack of a conveyance system around the Delta, and invasive species in the Delta impact not only Merced County, but the entire San Joaquin Valley
- Provide incentives for communities to build regional wastewater treatment plants. Some communities can not afford to pay their fair share, which limits regional solutions
- Fund countywide ground and surface water supply studies and model development. Fund old promise made by state and federal agencies.

## **Healthcare**

- Oppose lowering Medi-Cal reimbursements
- Pursue Health Empowerment Zone legislation linking current Health Professional Shortage Area designations with economic development's Enterprise Zones to increase the number of health providers in an underserved area and, specifically, the supply of primary care in more isolated communities

## **Housing Foreclosure Crisis**

- Pursue additional funding from the Neighborhood Stabilization Program as more funds become available

## **Education**

- Support funding for maintenance and expansion of local general and specialty programs that have proven successful
- Support funding for Career Technical Education programs that integrate best practices into their programs; support funding for state-of-the-art facilities for CTE
- Encourage language in legislation that recognizes Career Technical Education (CTE) as a viable and valuable path for continuing education; support funding for programs that combine core curriculum with CTE experiences.

## **Air Quality**

- Support legislation that provides funding to retrofit or replace engines in heavy duty trucks and buses to attain air quality standards and improve the health of Valley residents