

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

County of Merced
Board of Supervisors Chambers
2222 M Street
Merced, CA
(209) 723-3153

THURSDAY, FEBRUARY 19, 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. **Minutes of the January 15, 2009 Merced County Regional Waste Management Authority Board**

- * # 5. **San Joaquin Valley Air Pollution Control District Request to Contribute Funds to Conduct a Scientific Field Study to Quantify VOC Control Mitigation Measures that could be Employed at Greenwaste Composting Facilities**

Jesse Brown

Authorize the Chief Executive Officer of the Authority make a contribution of \$5,000 to the San Joaquin Valley Air Pollution Control District to fund emissions research at greenwaste composting facilities.

- # 6. **Decrease in Commodity Prices for Recyclables will Increase the cost to Jurisdictions with Active Curbside Residential Collection Programs**

Curt Royer

For information only.

- * 7. **Capital Improvement Project to Construct Groundwater and Landfill Gas Monitoring Wells at the Highway 59 and Billy Wright Landfills**

Curt Royer

Approve:

- a. The Capital Improvement Project to construct groundwater and landfill gas monitoring wells at the Highway 59 and Billy Wright Landfills; and
- b. Authorize the expenditure of \$500,000 for this Capital Project.

**TRANSIT JOINT POWERS AUTHORITY FOR
MERCED COUNTY**

- * 8. **Minutes of the January 15, 2009 Transit Joint Powers Authority for Merced County meeting**

- * + **9. Consider the Draft Annual Transit Service Plan and Budget for FY 2009-2010 and Authorize Implementation of Route 10X on 3/2/2009** Larry Shankland

Approve:

- a. The Annual Transit Service Plan and Budget for FY 2009-2010; or
- b. Provide staff with direction in modifying the Plan and Budget; and
- c. Authorize the implementation of Route 10X effective 3/2/2009.

- * **10. Authorize the Development and Issuance of a Request for Proposals for the Daily Operation of “The Bus” – Merced County Transit Re: Two Contracts – Fixed Route Services and Dial-A-Ride Services** Larry Shankland

Authorize:

- a. Staff to develop the RFP for the next Transit Service Contracted Operator Agreement with a focus on splitting the service into two separate contracts; or
- b. Provide staff with direction on the development of the RFP

MCAG GOVERNING BOARD

- # **11. Oral Report – Citizens Advisory Committee** Dean Wilson

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.

- * **12. Consent Agenda**

- a. Minutes of the January 15, 2009 Governing Board meeting
- # b. FY 09-10 Work Program and Budget
- # c. FY 2008/2009 2nd Quarter Report October 2008 – December 2008 – 2nd Quarter Warrant Register

13. Information/Discussion Only

- # a. Regional Transportation Impact Fee Report
- b. Minutes of the February 11, 2009 Technical Review Board meeting
- # c. Draft Ramp Metering and High Occupancy Vehicle Lane Study

- * # **14. Homeless Task Force** Jesse Brown
- Provide staff direction.
- 15. Oral Report – San Joaquin Valley Housing Trust** Director Kelsey
- 16. Oral Report – Caltrans** Ken Baxter
- * # + **17. Atwater-Merced Expressway – Project Report Status and Final EIR Certification** Jesse Brown
- Certify:
- a. The FEIR for the Atwater-Merced Expressway by adopting Resolution No. 2009/02-19-03; and
 - b. Select, approve, and transmit the items as stated herein at the March 19, 2009 meeting.
- * # **18. Draft Formal Amendment No. 4 to the 2009 Interim Federal Transportation Improvement Program (FTIP)** Marjie Kirn
- Adopt Formal Amendment No. 4 to the 2009 Interim FTIP adding the Federal Stimulus Economic Recovery Fund program (\$80,000,000 FHWA and \$3,300,000 FTA) as a revenue source by adoption of Resolution No. 2009/2-19-01.
- * # **19. Draft Formal Amendment No. 5 to the 2009 Interim Federal Transportation Improvement Program (FTIP)** Marjie Kirn
- Adopt Formal Amendment No. 5 to the 2009 Interim FTIP adding Federal Economic Stimulus Lump Sum program of projects for local air quality exempt projects by Resolution No. 2009/2-19-02.
- # **20. Blueprint Summit** Marjie Kirn
- For information only.
- * **21. Personnel Evaluation, Executive Director** Jesse Brown
- Authorize the MCAG Executive Committee to convene and conduct the annual performance evaluation of the Executive Director and report their findings and recommendations to the Governing Board.
- 22. Executive Directors' Report**

23. Oral Report - Jurisdictions

* Action

Attachment

+ Enclosure

The next MCAG Governing Board meeting will be held on Thursday, March 19, 2009 at 3:00 p.m, City of Atwater, 750 Bellevue Road , Atwater, CA 95301

MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY BOARD

January 15, 2009

MINUTES

The regular meeting of the **MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY BOARD** held on Thursday, January 15, 2009, at the City of Dos Palos, Council Chambers, 1546 Golden Gate Avenue, Dos Palos, California, was called to order by Chair Oliveira at 3:03 P.M.

DIRECTORS PRESENT

Joan Faul
Johnny Mays
Mike Nelson
Jerald O'Banion
Joe Oliveira
John Pedrozo (arrived at 3:05 pm)
Joe Sousa (for Tommy Jones)
Bill Spriggs
Daniel Varela
Hub Walsh (arrived at 3:05 pm)

DIRECTORS ABSENT

Deidre Kelsey

OTHERS PRESENT

Ken Baxter, Caltrans District 10
Jesse Brown, MCAG staff
John Carlisle, City of Merced
Matt Fell, MCAG staff
Lori Flanders, MCAG staff
Darrell Fonseca, City of Dos Palos
Robert Haden, Legal Counsel
Flip Hassett, United Way of Merced County
Scott Johnston, Merced County Solid Waste
Larnold Jones, Merced County Transit – “The Bus”
Marjie Kirn MCAG staff
Robin Lamas, MCAG staff
Herb Opalek, Merced Rescue Mission
Larry Shankland, Merced County Transit – “The Bus”
Candice Steelman, MCAG staff

3. Oral Communications

Jesse Brown recognized Scott Johnston, Deputy Director Merced County Public Works for Solid Waste, who is retiring at the end of January, for all of the hard work he has done for the Solid Waste division.

Chair Oliveira welcomed the new MCAG Director Hub Walsh.

4. Consent Agenda

Minutes of the October 16, 2008 Merced County Regional Waste Management Authority Board meeting

Fiscal Year 2008/2009 Local Government Waste Tire Cleanup and Amnesty Event Grant Application

Director Nelson moved to approve the Consent Agenda.

Seconded by Director Mays.

MOTION CARRIED UNANIMOUSLY.

5. Minutes of the December 2, 2008 Integrated Waste Management Local Task Force meeting

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 /

Robin Lamas

Administrative Assistant II

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY BOARD

FROM: JESSE B. BROWN, CHIEF EXECUTIVE OFFICER, MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY

SUBJECT: SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT REQUEST TO CONTRIBUTE FUNDS TO CONDUCT A SCIENTIFIC FIELD STUDY TO QUANTIFY VOC CONTROL MITIGATION MEASURES THAT COULD BE EMPLOYED AT GREENWASTE COMPOSTING FACILITIES

SUMMARY

The San Joaquin Valley Air Pollution Control District (District) has sent a letter to the Chief Executive Officer of the Authority requesting a contribution to help fund emission reduction mitigation measures at greenwaste composting operations.

In April 2008 the District began the development of new Draft Rule 4566 for organic waste operations, which include greenwaste composting. Currently, the District's Proposed Rule 4566, which intends to reduce emissions from greenwaste recycling operations, contains a series of proposed Best Management Practices (BMPs) composters may implement to reduce emissions and avoid more expensive solutions. These BMPs are proven to make good compost, but have never been tested to determine whether they offer a measurable air quality benefit. Should Rule 4566 go forward as written, a lack of scientific basis for the BMPs leaves the Rule open to legal challenge from groups concerned about siting compost facilities near where they live. Such an action could extend indefinitely the regulatory limbo, discouraging large investments in composting facilities.

The District recently delayed adoption of Rule 4566 for 18 months in order to perform basic research to validate, adjust, or refute the compost air quality BMPs, and has appropriated \$35,000 from its budget toward the project. Up to \$200,000 in additional funding has been pledged by the Valleywide Air Pollution Study Agency, a Joint Powers Authority set up to provide funding for this type of research. The Air Resources Board (ARB) may become involved in order to add a GHG component to the planned testing of criteria pollutants and precursors. This type of research is extremely expensive, and even \$230,000 is unlikely to be sufficient to test all of the most promising BMPs.

Validating compost BMPs for emissions benefits is important because alternatives to BMPs typically involve enclosure and aeration, technologies that are expensive to build and operate. This could force the Authority to charge higher tipping fees to pay for expensive new emissions reductions technologies. Uncertainty surrounding air quality regulations is stifling the changes needed to accommodate growth in greenwaste received at Authority composting facilities.

A contribution of \$5,000 would give the Authority some influence in the direction of the study in order to focus on finding cost-effective BMPs that reduce emissions.

The Technical Review Board concurs with the requested action.

REQUESTED ACTION

Authorize the Chief Executive Officer of the Authority make a contribution of \$5,000 to the San Joaquin Valley Air Pollution Control District to fund emissions research at greenwaste composting facilities.

Attachments: Letter of January 26, 2009 from the San Joaquin Valley Air Pollution Control District requesting contributions
San Joaquin Air Pollution Control District Organic Composting Emissions Field Study

San Joaquin Air Pollution Control District Organic Composting Emissions Field Study

Project Description

Compost piles will be built at a publicly run compost facility in Merced. Emissions from the piles will be measured with a “flux chamber,” the industry-accepted device for this purpose. Flux chamber placement will be guided by using temperature probes inserted deep into the pile, with the goal to measure emissions fluxes on the pile surface directly above areas identified within specific temperature ranges; for instance, 135-140, 145-150, 155-160, and 165-170 degrees F. Testing will be repeated on multiple days during the active composting phase, defined as the first three weeks, and less frequently over the curing phase, defined as the second 3 weeks. After removal of the flux chamber, the area below the surface will be sampled and tested for moisture content, pH and carbon-to-nitrogen (C:N) ratio. Gases collected by the flux chamber will be measured using the appropriate method for the particular constituent.

Expected Outcomes

There are three potential outcomes from the study: the BMPs will either be validated, adjusted or refuted.

If the BMPs are found to have emissions benefits, then the rule may go forward as written. Composters retain the benefit of using the BMP in lieu of enclosure or aeration. The scientific basis of the regulation is upheld, allowing regulators to proceed with confidence in the efficacy of the proposed rule.

If the BMPs are adjusted, then the rule will be rewritten to conform to the findings. In the best possible scenario, composters would benefit from a less restrictive BMP that delivers measurable clean air benefits. There is a smaller chance that the research would result in a more restrictive BMP; however, composters would still benefit from any operational BMP being available, in lieu of enclosure or aeration. Regulators may offer this option with confidence.

If a BMP is refuted, it may be discarded. Composters benefit from not having to comply with a BMP that delivers no clean air benefits.

Project Goals

This project will:

Deliver the first scientific data on potential correlations between compost pile temperatures and moisture levels with emissions of volatile organic compounds and greenhouse gases.

Provide the first scientific data on greenhouse gas emissions from compost piles, which will assist the CIWMB in assessing the net environmental benefits of commercial compost operations,

Provide the basis for a research report that may be published on the CIWMB web page, as well as articles to be published in at least one reputable peer-reviewed scientific journal, as well as in one industry trade publication, such as BioCycle,

Build working relationships with qualified researchers within the Cal State and UC systems, and strengthen cross-media working relationships with air quality agencies,

Build capacity within the Central Valley to advance the methodology and competence of air emissions studies, which is critical for development of rules which will protect California's environment; and,

Identify at least one potential practical BMP for additional study, which would be funded by federal or state grants.



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Solid Waste Division

Paul A. Fillebrown
Director

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ITEM 6

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY BOARD

FROM: CURT ROYER, INTERIM DEPUTY DIRECTOR OF PUBLIC WORKS, SOLID WASTE DIVISION

SUBJECT: DECREASE IN COMMODITY PRICES FOR RECYCLABLES WILL INCREASE THE COST TO JURISDICTIONS WITH ACTIVE CURBSIDE RESIDENTIAL COLLECTION PROGRAMS

SUMMARY

Commingled recyclables curbside collection programs have been implemented in the County unincorporated area and the cities of Los Banos and Merced. After collection, these materials are taken to either the Highway 59 or the Billy Wright Landfills where they are transferred to the Allied Waste facility in Milpitas California for processing. Each jurisdiction pays the cost of transfer at the landfills (\$8.26/ton), transportation to the processing facility (\$26.63/ton or \$21.85/ton) and residuals¹ disposal (\$44.25/ton). The Solid Waste Division collects, on behalf of the jurisdictions, a percentage of the revenue generated through the sale of the recycled materials by Allied Waste. The revenue generated is credited to the jurisdictions participating in the program. Since the beginning of the Allied contract, the sales revenue has exceeded transportation and residuals disposal costs resulting in a credit on the monthly statements.

Commodity values for recycled materials have historically experienced significant price fluctuations. However, during the past several years the demand for recycled materials has been strong and their value has remained consistently high compared to historical values. In recent months the global recession has significantly impacted recycled material demand and commodity prices have plummeted. Attachment 1 illustrates the dramatic price drop in the value of recycled commodities.

Attachment 2 illustrates monthly revenue during 2008 for the three participating jurisdictions. Beginning October 2008, transportation and residuals disposal costs have exceeded shared revenue generated from the sale of recycled commodities. Rather than receiving a credit, each jurisdiction will see a debit for the months of October, November and December. This is likely to continue as there is no way to predict if, or when, commodity prices will rebound. It is possible that prices could

¹ **Residuals** are the portion of the collected commingled recyclables that cannot be economically recycled and are landfilled at the Newby Island Landfill

remain depressed throughout 2009. As a result, participating jurisdictions should be prepared to incur additional costs in their curbside recyclables programs.

REQUESTED ACTION

For information only.

Attachments: 2008 Commodity Value Variation Chart
2008 Jurisdiction Recyclables Revenue Chart



**DEPARTMENT OF PUBLIC WORKS
Solid Waste Division**

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ITEM 7

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY BOARD

FROM: CURT ROYER, INTERIM DEPUTY DIRECTOR OF PUBLIC WORKS, SOLID WASTE DIVISION

SUBJECT: CAPITAL IMPROVEMENT PROJECT TO CONSTRUCT GROUNDWATER AND LANDFILL GAS MONITORING WELLS AT THE HIGHWAY 59 AND BILLY WRIGHT LANDFILLS

SUMMARY

Capital improvement project (CIP) approval and \$500,000 expenditure authorization for the current fiscal year is requested in this agenda item.

In September 2008 the California Integrated Waste Management Board (CIWMB) adopted regulations that required all landfills to install a perimeter landfill gas (LFG) monitoring network. This regulation requires installation of 23 new LFG perimeter probes and the decommissioning of 16 probes total, for both landfills. The regulatory deadline for completion of LFG probes is September 2009.

On November 4, 2008 the Regional Water Quality Control Board (RWQCB) ordered the Authority to develop an Evaluation Monitoring Plan (EMP) to investigate and determine the extent of groundwater contamination resulting from the unlined waste management unit at the Billy Wright Landfill. SCS Engineers has determined that as many as 17 (7 permanent and 10 temporary) new groundwater (GW) monitoring wells will be required to complete the investigation.

On August 20, 2008 the RWQCB approved a plan to replace existing GW monitoring wells that are no longer functional due to a decline in ground water elevation at the Highway 59 Landfill. Additional GW monitoring wells to accommodate the Phase 6 northern expansion area were also approved.

Combining the three drilling projects into a single capital project is anticipated to reduce cost. The single combined project will consist of:

Construction of 17 GW monitoring wells
Decommission of 9 GW monitoring wells
Construction of 23 new LFG perimeter monitoring probes
Decommission of 16 LFG monitoring probes

SCS Engineers has estimated the cost for completion of the combined project at \$500,000. Solid Waste Revenue Bonds, Series 2007 will be the funding source for this project. The Department of Public Works is requesting approval of the CIP and funding to allow this project to go out for bid during this fiscal year in order to ensure the project will be completed by early fall of 2009 as required by CIWMB regulations.

The Technical Review Board concurs with the requested action.

REQUESTED ACTION

Approve:

- a. The Capital Improvement Project to construct groundwater and landfill gas monitoring wells at the Highway 59 and Billy Wright Landfills; and
- b. Authorize the expenditure of \$500,000 for this Capital Project.

TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY

January 15, 2009

MINUTES

The regular meeting of the **MERCED COUNTY ASSOCIATION OF GOVERNMENTS TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY** held on Thursday, January 15, 2009, at the City of Dos Palos, Council Chambers, 1546 Golden Gate Avenue, Dos Palos, California, was called to order by Chair Oliveira at 3:07 P.M.

DIRECTORS PRESENT

Joan Faul
Johnny Mays
Mike Nelson
Jerald O'Banion
Joe Oliveira
John Pedrozo
Joe Sousa (for Tommy Jones)
Bill Spriggs
Daniel Varela
Hub Walsh

MEMBERS ABSENT

Deidre Kelsey

OTHERS PRESENT

Ken Baxter, Caltrans District 10
Jesse Brown, MCAG staff
John Carlisle, City of Merced
Matt Fell, MCAG staff
Lori Flanders, MCAG staff
Darrell Fonseca, City of Dos Palos
Robert Haden, Legal Counsel
Flip Hassett, United Way of Merced County
Scott Johnston, Merced County Solid Waste
Larnold Jones, Merced County Transit – “The Bus”
Marjie Kirn, MCAG staff
Robin Lamas, MCAG staff
Herb Opalek, Merced Rescue Mission
Larry Shankland, Merced County Transit – “The Bus”
Candice Steelman, MCAG staff

6. Minutes of the December 18, 2008 Transit Joint Powers Authority for Merced County meeting

Director Nelson moved to approve the minutes of the December 18, 2008 Transit Joint Powers Authority for Merced County meeting.

Seconded by Director Pedrozo.

MOTION CARRIED UNANIMOUSLY.

7. Economic Stimulus Project Request from Caltrans – Re: Purchase of 15 Low Floor Buses

Larry Shankland gave a review of the Economic Stimulus Project request from Caltrans. Transit staff has included the purchase of 15 low floor buses, in conjunction with a piggyback bid with San Mateo County Transit (SAMTRANS), in the subject request from Caltrans. Staff stated that a waiver from SAMTRANS needed to be signed in order to get the 15 bus project “stimulus timeline” ready.

Director O’Banion moved to authorize the Executive Director sign and return the waiver to SAMTRANS for the 15 buses.

Seconded by Director Spriggs.

MOTION CARRIED UNANIMOUSLY.

8. Public Hearing – Review and Possibly Adopt Fare Increases for “The Bus” – Merced County Transit

Larry Shankland gave a review of the proposed new fare increases for “The Bus” – Merced County Transit. A Public Hearing is required to allow interested persons the opportunity to provide input and testimony to the Transit Joint Powers Authority for Merced County Board.

Public Hearing Opened: 3:15 pm

Public Hearing Closed: 3:16 pm

No comments were received during the public hearing period.

After a public hearing, where no comments were heard, Director Nelson moved to pass a resolution to adopt the fare structure as proposed effective February 2, 2009.

Seconded by Director Mays.

MOTION CARRIED UNANIMOUSLY.

9. Authorize Filing a Three-Year Grant Application for “The Children Ride Free” Program from Merced County First 5 Commission

Director Faul moved to 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.

Seconded by Director Pedrozo.

MOTION CARRIED UNANIMOUSLY.

THERE BEING NO FURTHER BUSINESS OF THE TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY, THAT PORTION OF THE MEETING WAS ADJOURNED AT 3:27 P.M.

/ s /

Robin Lamas

Administrative Assistant II



DEPARTMENT OF PUBLIC WORKS
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ITEM 9

DATE: FEBRUARY 12, 2009

TO: TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY

FROM: LARRY SHANKLAND, TRANSPORTATION MANAGER

SUBJECT: CONSIDER THE DRAFT ANNUAL TRANSIT SERVICE PLAN AND BUDGET FOR FY 2009-2010 AND AUTHORIZE IMPLEMENTATION OF ROUTE 10X ON 3/2/2009

MEMORANDUM

BACKGROUND

Staff has prepared the Draft Annual Transit Service Plan (Exhibit 1) and the proposed budget for FY 2009-2010, which is enclosed.

ANNUAL TRANSIT SERVICE PLAN FY 2009-2010

The Annual Transit Service Plan for FY 2009-2010 is based on operating a total of 111,825.5 hours of bus service on a Monday through Saturday basis. No new service hours are being proposed.

However, a new route; Route 10X (See Exhibit 2) is being proposed in replacement of Carless Commute Run number 9 (Los Banos to Merced) in order to provide for future ridership growth. Currently 24 people ride this bus daily. The new route 10X would operate 760 hours annually. Under this proposal, rural Carless Commute hours would be reduced by the same number of hours.

The Annual Transit Service Plan for FY 2009-2010 is detailed in Exhibit 1.

PROPOSED FY 2009-2010 BUDGET FOR "THE BUS" – MERCED COUNTY TRANSIT

Enclosed is the detail of the proposed transit budget for FY 2009-2010. The proposed budget requests a total of \$9,453,347. Operating expenses are projected to total \$9,035,847 and capital improvement (fixed asset) procurements are estimated at \$417,500. Each budget element is discussed below.

I. OPERATIONS

Operating Expenses

A. Salaries & Benefits	\$ 561,353
B. Bus Maintenance	\$2,031,000
C. Bus Fuel	\$1,309,000
D. Contracted Operator	\$4,231,477
E. Service & Supplies	\$ 903,017
Total Estimated Expenses	<u>\$9,035,847</u>

Operating Expense Financing

Farebox Revenues	\$1,250,000
State Transit Assistance Funding	\$ 0
Federal Transit Operating Funds	\$2,990,000
Miscellaneous Revenues	\$ 179,000
Local Transportation Funds	\$4,616,847
Total Estimated Revenues	<u>\$9,035,847</u>

II. CAPITAL IMPROVEMENTS – FIXED ASSETS

The proposed transit fixed asset purchase program expenses and financing sources are as follows:

Fixed Asset	Total Cost	Federal Grants	Local Match (LTF)
A. Transit Facility Payment	\$ 280,500	\$ --	\$ 280,500
B. Purchase 25 Bus Shelters	\$ 137,500	\$ 110,000	\$ 27,500
Totals	\$ 418,000	\$ 110,000	\$ 308,000

ADDITIONAL INFORMATION

The draft FY 2009-2010 transit budget does not include any State Transit Assistance (STA) funding, as the current state budget shortfall will likely cause the fund to be abolished.

At their meeting of 1/22/09 the TJPAMC Sub Committee recommended that the Plan and Budget be forwarded to TJPAMC for consideration and approval.

The Technical Review Board concurred with the requested action with one no vote from Livingston.

REQUESTED ACTION

Approve:

- The Annual Transit Service Plan and Budget for FY 2009-2010; or
- Provide staff with direction in modifying the Plan and Budget; and
- Authorize the implementation of Route 10X effective 3/2/2009.

Attachments: TJPA – Transit Budget Analysis for 2009-2010 Fiscal Year Budget
Transit Budget Analysis - Budget Years 2008-09 and 2009-10
Transit Budget Comparison - Budget Years 2009-10, 2008-09, and 2007-08

Enclosure: Draft Budget FY 2009-2010

**TJPA – TRANSIT BUDGET ANALYSIS
FOR 2009-2010 FISCAL YEAR BUDGET**

The 2009-2010 Transit Budget was prepared by the Transit Manager and submitted to MCAG for the Agenda and analysis. The 2009-2010 Budget submitted shows a balanced budget of anticipated expenditures and projected revenues. Overall the budget is reduced in both expenditures and revenues in the amount of \$2,185,101. This is primarily due to a decrease in fixed assets. Line items that reflected a significant increase or decrease are outlined below.

Acct No.	Description	Amount Changed Increase/ (Decrease)	Percent % of Change
10181	Management Vacation Sellback	(15,360)	(79.65)
10182	Sick Leave Payoff	(33,180)	(92.99)
21001	Insurance-General Liability	(3,886)	(57.00)
21200	Maintenance Equipment	(294,000)	(12.65)
21800	Prof. Services-Contracted Operations	248,081	6.23
21800	Prof. Services-Bus Bench, Sign, etc	25,000	100.00
33121	Interest Expense	44,000	80.00

Management Vacation Sellback and Sick Leave Payoff have decreased due to the projected retirement scheduled for management staff in Fiscal-Year 2008-2009.

Insurance – General Liability – Per Larry, this is an Auditor’s estimate and he does not know why the decrease.

Maintenance Equipment has a decrease of \$294,000. This is due to three (3) full time bus routes being closed down. The maintenance cost is based on the number of miles of bus operation. Therefore, the reduction in operating miles is reflected in the maintenance cost.

Professional Services-Contracted Operations has an increase of \$248,081, which reflects a contractual requirement for a 6% COLA for the 2009-10 Fiscal Year.

Professional Services-Bus Bench, Sign, etc reflects an increase of \$25,000, which is due to the anticipation of installing twice as many bus benches than in the previous year.

Interest Expense increase of \$44,000 is due to the projected borrowing for cash flow shortages. Estimated interest based on current year cost. This borrowing is necessary to cover for the delay in receiving the grant funds.



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ITEM 10

DATE: FEBRUARY 12, 2009

TO: TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY

FROM: LARRY SHANKLAND, TRANSPORTATION MANAGER

SUBJECT: AUTHORIZE THE DEVELOPMENT AND ISSUANCE OF A REQUEST FOR PROPOSALS FOR THE DAILY OPERATION OF "THE BUS" – MERCED COUNTY TRANSIT RE: TWO CONTRACTS – FIXED ROUTE SERVICES AND DIAL-A-RIDE SERVICES

MEMORANDUM

BACKGROUND

The current contracted operator agreement with First Transit Inc. to provide for the daily operation of "The Bus"- Merced County Transit expires June 30, 2010. The current cost of the contract is about \$4,231,477 per year. Under the contract, First Transit provides drivers, dispatchers, supervision, training, telephones, vehicle and general liability insurance, employee benefits, and daily operations for the systems Dial-A-Ride and fixed route bus services. Merced County owns and maintains the systems 79 buses and administers the transit contract on behalf of the TJPAMC. First Transit obtained the Merced County Transit contract when the company purchased Laidlaw Transit Services in October 2008. The contract is all-inclusive in that it covers both fixed route and Dial-A-Ride services of the system.

First Transit is compensated for its work on a per vehicle service hour operated rate basis. The current rate is \$ 36.74 per vehicle hour and is expected to increase to \$ 37.84 for FY 2009-2010. Current total annual system service hours is 111,825.5.

DISCUSSION

There are advantages and disadvantages to having a private contracted operator provide the daily operation of the Merced County Transit system. The most desirable advantage is the handling of the human resources issues of the systems operational employees by the contractor. However, the "low bid" aspect of every RFP issued for the system since 1996 has resulted in a less-than-desirable level of customer service for the bus riding public. Employee training is always an issue as this is where contractors scrimp. Ownership stake attitudes in the system have been generally non-existent as contracted operator firm appointments to site management positions are most often to persons from areas other than Merced County. Currently only the Dial-A-Ride Supervisor is a long time local resident and has had a decades long employment record with the transit service.

Past thinking led us to believe that a single contract for all the services of the system would produce savings overall. I cannot say that this is the case. I can say that the single contract has limited our ability to improve services to the public simply because of the contractors' union agreement. This agreement allows drivers to bid work shifts based on seniority. As a result, the Dial-A-Ride service has become the repository of the newer drivers as the older veterans aren't interested in working Dial-A-Ride. In Dial-A-Ride, drivers have to think more and they have to help their passengers to a much greater degree than on fixed route service although the pay is the same.

Furthermore, contractor employees that cannot perform their regular duties due to injury or other reasons, but do not qualify for workers compensation, are assigned Dial-A-Ride dispatch duties even though they aren't trained. The Dial-A-Ride service has faltered because of this arrangement. I sincerely believe this is the single most influencing factor in the Dial-A-Ride service costs being so high, its ridership low, and its failure in attaining the required farebox to cost recovery ratios.

A DIFFERENT APPROACH

Staff believes that splitting the service into two separate contracts would allow both the fixed route and Dial-A-Ride services to flourish and possibly provide for some operational savings. Developing the RFP's for these contracts separately would allow innovation on the part of service providers (i.e.; taxicab brokerage, etc.) in the bidding process thus allowing the Board a broader selection of service types and providers. Of course a single company would still be allowed to bid both contracts. And each contract would be specific with respect to disallowing "shared system" attributes (i.e.; the supervisor for fixed route could not also simultaneously be a Dial-A-Ride dispatcher, etc.)

In any event, work on this matter needs to get started soon. A suggested RFP timeline would be as follows:

- | | | |
|------------------------|---|--|
| March 2009 | - | Board Authorization to develop and issue the RFP's |
| June 2009 | - | Issue RFP's |
| July 2009 | - | Pre Bid Meetings with Service Providers |
| August 2009 | - | Proposals Due |
| August/September 2009 | - | Firms Interviewed (Staff, TRB and TJPAMC Sub Committee if desired) |
| November/December 2009 | - | Contract(s) Awarded |
| July 1, 2010 | - | Contracts begin |

The Technical Review Board concurs with the requested action.

REQUESTED ACTION

Authorize:

- a. Staff to develop the RFP for the next Transit Service Contracted Operator Agreement with a focus on splitting the service into two separate contracts; or
- b. Provide staff with direction on the development of the RFP.

CITIZENS ADVISORY COMMITTEE

Meeting Highlights January 9, 2009

CAC representative to Governing Board items:

5. CAC Goal Setting Session

Chair Wilson commented that each person has individual interests, and asked that each committee member take on a topic from the goals listed and provide a 10-15 minute presentation to the committee at a future meeting.

Dennis Cote – Tighter bonding for development, TBD

Dean Wilson – Self Help County, March

Diana Westmoreland-Pedrozo – Preserve Ag Economy, April

The Committee requested the following changes be made to their Goals list:

Impact Fees: change to “Publish difference in level of RTIF and local fees by jurisdiction”.

Preserve Agriculture Economy: change to “Assess current food security and system”.
Possibly add wording regarding policy.

Chair Wilson asked that Diana and Richard take on a re-write of Preserve Agriculture Economy and Industry – food system.

Chair Wilson asked that the committee discuss how to include water into their list of goals at their March meeting.

Matt Fell offered MCAG staff support, if needed, for individual presentations.

9. **Draft Formal Amendment No. 4 to the 2009 Interim Federal Transportation Improvement Program (FTIP)**

Matt Fell explained that Amendment No. 4 adds the proposed Economic Stimulus Package revenue as a fund source. He explained that there is a 14-day public review and comment period, for both Amendment No. 4 and 5, which commenced February 5, 2009 and will close on February 19, 2009 at the regularly scheduled MCAG Governing Board meeting.

Dennis Cote made a motion to recommend the MCAG Governing Board adopt Formal Amendment No. 4 to the 2009 Interim Federal Transportation Improvement Program (FTIP) adding the Federal Stimulus Economic Recovery Fund program (\$80,000,000 FHWA and \$3,300,000 FTA) as a revenue source by adoption of Resolution No. 2009/2-19-01.

Seconded by Dan Hultgren.

MOTION CARRIED UNANIMOUSLY.

10. Draft Formal Amendment No. 5 to the 2009 Interim Federal Transportation Improvement Program (FTIP)

Matt Fell explained that Amendment No. 5 adds lump sum listing of projects that have been provided to MCAG from each jurisdiction. Due to the turn around time that will be required with the Economic Stimulus Package, only projects that do not require an environmental review are eligible.

Melissa Kelly-Ortega was concerned about approving such an amendment without time to research.

Richard Jantz commented that having involvement with the projects chosen would have been beneficial.

Dennis Cote commented that he understands the projects listed can be implemented quickly, however it would be more of a benefit for jurisdictions to not only focus on the worst roads first, but to fund preventive road maintenance as well.

Matt Fell explained that additional dollars might be allocated to Merced County directly from the State. If so, additional projects may be funded, including the Bradley Overhead.

Dan Hultgren made a motion to recommend the MCAG Governing Board adopt Formal Amendment No. 5 to the 2009 Interim Federal Transportation Improvement Program (FTIP) adding a lump sum listing for exempt local projects.

Seconded by Dennis Cote.

MOTION CARRIED UNANIMOUSLY.

MCAG staff / CAC follow-up items	<u>Action</u>	<u>Date</u>
Abandoned Tires Program	Agenda	
Report of Proposition 42 Funding (history)	Agenda	
Bicycle Grants history	Agenda	
Water Issues – where to include with goals?	Agenda	

MCAG GOVERNING BOARD

January 15, 2009

MINUTES

The regular meeting of the **MERCED COUNTY ASSOCIATION OF GOVERNMENTS GOVERNING BOARD** held on Thursday, January 15, 2009, at the City of Dos Palos, Council Chambers, 1546 Golden Gate Avenue, Dos Palos, California, was called to order by Chair Oliveira at 3:27 P.M.

DIRECTORS PRESENT

Joan Faul
Johnny Mays
Mike Nelson
Jerald O'Banion
Joe Oliveira
John Pedrozo
Joe Sousa (for Tommy Jones)
Bill Spriggs
Daniel Varela
Hub Walsh

MEMBERS ABSENT

Deidre Kelsey

OTHERS PRESENT

Ken Baxter, Caltrans District 10
Jesse Brown, MCAG staff
John Carlisle, City of Merced
Matt Fell, MCAG staff
Lori Flanders, MCAG staff
Darrell Fonseca, City of Dos Palos
Robert Haden, Legal Counsel
Flip Hassett, United Way of Merced County
Scott Johnston, Merced County Solid Waste
Larnold Jones, Merced County Transit – “The Bus”
Marjie Kirn, MCAG staff
Robin Lamas, MCAG staff
Herb Opalek, Merced Rescue Mission
Larry Shankland, Merced County Transit – “The Bus”
Candice Steelman, MCAG staff

10. Oral Report – Citizens Advisory Committee

There was no Citizens Advisory Committee report given this month.

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

Director O'Banion moved to approve the Consent Agenda with the corrected resolution for Item 11d as stated.

Seconded by Director Nelson.

MOTION CARRIED UNANIMOUSLY.

12. Oral Report – San Joaquin Valley Housing Trust

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

13. Oral Report - Caltrans

Ken Baxter gave a brief report from Caltrans.

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

So noted.

15. Continuum of Care

Lori Flanders gave an overview of the Continuum of Care program. MCAG has the role of coordination of the Continuum of Care program for Merced County. Following Lori Flanders overview, Dr. Herb Opalek, Director of the Merced Rescue Mission, recommended that MCAG establish an action-oriented countywide task force on homelessness to immediately address the provision of overnight shelter for the homeless for this year and next year as well as provide leadership in the preparation of a 10-year plan. The proposed task force would include selected representatives from the City of Merced, Merced County, non-profits, faith-based organizations, and representatives from each district of the county. Formal action to implement this task force will be scheduled for the February 19, 2009 Governing Board meeting.

16. One Voice State and Federal Policy Platforms

Director O'Banion moved to approve:

- a. The One Voice 2009 State and Federal Policy Platforms with the recommendation to change the verbiage in the State Policy Platform to include the option to apply for an exemption of the CEQA process in regards to the High Speed Rail; and
- b. The One Voice 2009 State and Federal Priorities, with staff's recommendation.

Seconded by Director Sousa.

MOTION CARRIED UNANIMOUSLY.

17. Executive Directors Report

So noted.

18. Directors Report

So noted.

THERE BEING NO FURTHER BUSINESS OF THE MCAG GOVERNING BOARD THE MEETING WAS ADJOURNED AT 3:46 P.M.

/s/

Robin Lamas
Administrative Assistant II

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MCAG GOVERNING BOARD

FROM: JESSE B. BROWN, EXECUTIVE DIRECTOR

RE: FY 09-10 WORK PROGRAM AND BUDGET

BACKGROUND

Enclosed for your review is a draft summary of the MCAG work program, budget, and membership dues schedule for FY 09-10. As provided by the MCAG By-laws, each City Council and the Board of Supervisors will be requested to approve the work program and budget prior to its final adoption by the MCAG Governing Board scheduled for May.

The work program identifies each element's objective, personnel and funding requirements, and funding source. The major emphasis area of this year's work program are described below:

Transportation

SR 99 Atwater Project Study Report: The City of Atwater City Council and the MCAG Governing Board approved an agreement to prepare this PSR. Under this agreement, \$500,000 is provided by the City of Atwater for consultant services and \$45,000 of Regional Improvement Program Funds in the MCAG Work Program and Budget is available for MCAG staff support (Work Element 1987). The work will continue over a two-year period with completion scheduled for December 2009. The City of Atwater is providing local planning and policy leadership for the project. Caltrans is providing oversight and a project manager. MCAG is the consultant contract administrator.

One-Voice Legislative Strategy: Our State and Federal legislative program will be entering its sixth year. Workshops will be held in the fall with the Governing Board, Technical Review Board, and our private sector partners to revise and update the strategies. Our One-Voice delegation will present the state and federal legislative programs to our respective delegations in Sacramento and Washington D.C.

San Joaquin Valley Blueprint: The Blueprint program will be entering its fourth year. Fresno COG has assumed the administrative lead coordination the efforts of the eight Valley Councils-of-Government through this process. The goal is a unified vision and strategy for achieving a valley-wide plan for regional land use, transportation, economic development, and other key components important to valley residents through the year 2050.

San Joaquin Valley Express Transit Study: On behalf of the San Joaquin Valley Regional Transportation Planning Agencies (SJVRTPA), the Merced County Association of Governments submitted a Partnership Planning grant application to prepare a San Joaquin Valley Express Transit Study for \$200,000 of federal funds to be matched with \$50,000 of in-kind match shared among the

eight SJVRTPAs. Recognizing the substantial growth that is currently taking place and the need for relieving traffic congestion, the study will inventory and assess current transit service and evaluate future need for transit services throughout the San Joaquin region.

Yosemite Area Regional Transportation System (YARTS): YARTS has transitioned from a planning function to a three-county transit service Joint Powers Agency. YARTS has contracted with MCAG for staff and administrative support. MCAG is fully reimbursed for its personnel and support costs. YARTS currently does not have a secure on-going source of operating funds other than funds provided by Mariposa County.

Geographic Information System (GIS)

Under agreements with each member jurisdiction, MDSS will maintain the parcel, general plan, and zoning maps as an element of the work program funded with federal, state, and local transportation funds. There will be no separate maintenance cost for MCAG member jurisdictions for these maps or thematic layers. This program also maintains an interactive website that is accessible to the public.

Each jurisdiction may contract with MCAG to provide additional services as they may require.

Grant Administration Program

The grant writing and administration program provides these services to member agencies. The program has a staff of 2.5 regular positions; a program manager and 1.5 grant writer/administrators. Past policy is funding the equivalent of the program manager position with member contributions, LTF planning, and Regional Solid Waste Management Agency funds. The remaining positions are funded through contracts with member jurisdictions. These contracts include CDBG (housing rehabilitation) and other program administration.

Merced County Regional Waste Management Authority Board

The MCAG Governing Board serves as the Policy Board for the Regional Waste Management Authority Board. MCAG staff supports that Board and the Local (Resource/Recovery) Task Force. MCAG staffs the countywide public information and education programs addressing both non-hazardous and hazardous materials, and administers resource recovery projects funded by the State on behalf of the cities and county.

Transit Joint Powers Authority for Merced County

The MCAG Governing Board serves as the Policy Board for the Joint Powers Authority directing transit services in Merced County. MCAG staff prepares and administers federal transit grants for the transit system and secretarial support to the Transit Policy Board.

BUDGET

The budget assumes a reduction in staff from 21 to 19 equivalent regular employees. A current vacancy in the GIS team will not be filled. A position on the Grant team will be accommodated through personnel contract(s). No cost of living adjustment is proposed for the salary schedule. Merit pay increases are budgeted and may be awarded if personnel performance merits.

Federal Transportation Planning funds, (\$682,105-FHWA, \$65,688-FTA) available through TEA-LU provides the majority of funding for the transportation program.

Local Transportation Funds, required for match and to fund federally non-eligible costs, are proposed at \$133,360, no change from last year. Transportation Development Act Administrative funding is proposed to remain the same as last year at \$62,100.

Local Contributions remain at the same level as last year at \$82,200.

The One Voice Legislative Program is funded through local contributions on a per capita basis, no change from the current year, \$113,000. No State or Federal funds may be used for the lobbyist or associated staff time or travel costs.

The Solid Waste Public Education work element is proposed at \$112,700, an increase of \$13,900 from last year reflecting additional staffing for public education on curbside recycling.

No other significant changes in other budget line items are proposed, other than those noted above. A summary of each work element, line item budget, and member contribution schedule is attached.

APPROVAL SCHEDULE

The work program and budget will be submitted to the Technical Planning Committee (public works and planning staff) and the Citizens Advisory Committee for their review and comment in March. This document has also been submitted to state, federal, and regional transportation and air quality agencies. This group will meet with MCAG staff in early March to provide their comments.

Each City and Merced County is requested to approve the FY 09-10 MCAG Budget and Work Program during April.

The Draft FY 09-10 Work Program and Budget are scheduled for submittal to the MCAG Board at their May 21, 2009 meeting.

The Technical Review Board concurs with the requested action.

REQUESTED ACTION

Transmit MCAG's FY 09-10 Work Program and Budget to the member jurisdictions.

Attachments: Work Program and Budget Summary
Member Contribution Schedule

MERCED COUNTY ASSOCIATION OF GOVERNMENTS
FY 2009/2010
OVERALL WORK PROGRAM
TRANSPORTATION PLANNING

Summary: As Regional Transportation Planning Agency and Metropolitan Planning Organization, MCAG is the primary transportation facilitator in Merced County. Responsibilities are many, from acquiring priority projects to assuring money accepted for improving transportation has been properly utilized. MCAG must also be in the forefront of coordinated regional transportation planning activities, and to do so effectively requires the correct tools and program support. Work elements of the Transportation Planning Work Program seek to maintain a quality improvement program and provide additional means to successfully accomplish the goals and objectives established by the MCAG Governing Board.

1200 CITIZEN PARTICIPATION/INTERGOVERNMENTAL COORDINATION

Purpose: To help the public understand issues and processes that affect the regional transportation system in Merced County. To inform and report to residents throughout the county, along with other interested parties, of all the services and products that MCAG provides. To expand citizen participation in the planning process. To act as a liaison between government agencies and member entities, and bring that cooperative viewpoint to the public.

Staff Time: 30.5 Person Months

Funding: FHWA PL Carryover, FTA Sec. 5303, LTF Planning, MCAG Other- \$399,403

1460 REGIONAL TRANSPORTATION PLAN (RTP)

Purpose: To promote a coordinated regional transportation planning process through the development and implementation of a Regional Transportation Plan.

Staff Time: 9 Person Months

Funding: FHWA PL Carryover, RIP, LTF Planning - \$133,000

1470 AIR QUALITY PLANNING

Purpose: To inform and advise MCAG and member agencies on air quality issues and policies; to ensure that MCAG's transportation plans, programs, and projects conform to the most recent air quality requirements; and to coordinate effectively with other government agencies on these matters.

Staff Time: 4 Person Months

Funding: FTA Sec. 5303, RIP, LTF Planning - \$45,638

1520 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP)

Purpose: To maintain a Federal Transportation Improvement Program (FTIP) based on an objective project selection prioritization process and to program for funding the most cost-effective and environmentally sound transportation projects based upon policies and actions identified in the Regional Transportation Plan.

Staff Time: 6.75 Person Months

Funding: RIP - \$83,000

1530 TRAFFIC MODELING

Purpose: To maintain and update the traffic model used for the transportation planning programs.

Staff Time: 4.25 Person Months

Funding: FHWA PL Carryover, LTF Planning, - \$58,701

1538 HIGH SPEED RAIL COORDINATION

Purpose: To monitor high speed rail planning activities within the San Joaquin Valley to further the achievement of the goals, objectives and regulations of the Federal Transportation Act, in coordination and cooperation with regional and state transportation agencies.

Staff Time: 1.5 Person Months

Funding: FTA Sec. 5303, RIP, LTF Planning - \$30,800

1548 PAVEMENT MANAGEMENT SYSTEM

Purpose: To implement and maintain a countywide Pavement Management System.

Staff Time: 2.5 Person Months

Funding: FHWA PL Carryover, LTF Planning - \$30,000

1560 SAN JOAQUIN VALLEY TRANSPORTATION COORDINATION

Purpose: To coordinate the transportation and air quality planning activities within the San Joaquin Valley Nonattainment Area to further the achievement of the goals and objectives of the Federal Transportation Act and the Federal Clean Air Act, in coordination and cooperation with regional and state transportation and air quality planning and regulatory agencies.

Staff Time: 3.25 Person Months

Funding: FTA Sec. 5303, RIP, LTF Planning - \$91,360

1563 SAN JOAQUIN VALLEY EXPRESS TRANSIT STUDY

Purpose: To identify the markets that can support intercounty transit service within the San Joaquin Valley region, and between the San Joaquin Valley Region and its neighbors. To prepare new transit services operating plan and define an institutional and financial structure for the new service.

Staff Time: .5 Person Months

Funding: SP&R Grant, RIP, In-kind - \$66,000

1570 SHORT RANGE TRANSIT PLAN

Purpose: Update and prepare a Short-Range Transit Plan identifying needs, service improvements, and a financial plan.

Staff Time: 1 Person Month

Funding: Discretionary Planning Grant, MCAG Other - \$167,100

1610 GEOGRAPHIC INFORMATION SYSTEM (GIS) MAINTENANCE

Purpose: The purpose of the GIS Maintenance element is the annual collection, editing and maintenance of GIS data from various sources to support MCAG's transportation planning elements. This data is vital for maps and analysis for the Regional Transportation Plan, Regional Transportation Impact Fee, Federal and State Transportation Improvement Plans, and other transportation related projects. The data is also used to update the Traffic Model and Pavement Management System.

Staff Time: 28.5 Person Months

Funding: FHWA PL Carryover, RIP- \$305,855

1630 GIS WEB PAGE/INTERNET APPLICATION

Purpose: To maintain a GIS Website for downloading and displaying maps produced by MCAG and to increase functionality of the GIS Maps Online application. This application utilizes MDSS data and is usable by all member jurisdictions and the public.

Staff Time: 3.5 Person Months

Funding: FHWA PL Carryover, RIP- \$47,500

1645 SAN JOAQUIN VALLEY BLUEPRINT

Purpose: The San Joaquin Valley Regional Blueprint will provide a planning process and products to support long-range planning for the eight San Joaquin Valley MPO's and compliment the work of the San Joaquin Valley Partnership.

Staff Time: 3.65 Person Months

Funding: Blueprint Planning Grant, RIP, - \$50,000

1655 REGIONAL TRANSPORTATION IMPACT FEE (RTIF)

Purpose: To administer a regional transportation impact fee (RTIF) program consistent with state law (Government Code 66000) that will mitigate new development's impact upon the regional transportation system.

Staff Time: 2.25 Person months

Funding: RTIF - \$30,000

1665 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP)

Purpose: To coordinate local planning efforts with other regional, State, and Federal agencies, and to monitor and respond to policies that will affect the development and the implementation of the Regional Transportation Plan and the Regional Transportation Improvement Program. To monitor the implementation of State Transportation Improvement Program projects in Merced County, including project delivery, timely use of funds, and compliance with State law and the California Transportation Commission's guidelines.

Staff Time: 8 Person Months

Funding: RIP - \$123,200

**1670 TRANSPORTATION DEMAND MANAGEMENT/ALTERNATIVE
MODES PROGRAM**

Purpose: To encourage and promote improved air quality, congestion reduction, and energy conservation by the reduction of single-occupancy vehicle trips through the implementation of programs designed to provide alternatives for commuters within Merced County.

To increase bicycle ridership throughout Merced County by providing assistance in planning bike facilities and seeking funding for the development of bicycle facilities and to incorporate pedestrian walkways in plans and programs when appropriate.

To increase bicycle ridership throughout Merced County by promoting bicycling riding as a mode of transportation.

Staff Time: 2.15 Person Months

Funding: CMAQ, LTF Planning - \$25,874

1680 TRANSPORTATION EXPENDITURE PROGRAM

Purpose: Update the Transportation Expenditure Plan for Merced County through an aggressive public participation process.

Staff Time: 2 Person Months

Funding: LTF Planning - \$54,000

1685 TRANSPORTATION DEVELOPMENT ACT FUND ADMINISTRATION

Purpose: To administer the allocation of monies from the Local Transportation Fund (LTF) and State Transit Assistance Fund (STAF) to member entities.

Staff Time: 2.5 Person Months

Funding: TDA Admin - \$62,100

MERCED COUNTY ASSOCIATION OF GOVERNMENTS
FY 2009/2010
OVERALL WORK PROGRAM
COMPREHENSIVE PLANNING

Summary: The Comprehensive Planning Work Program deals with those work elements of the MCAG operation not directly related to transportation, although transportation may be involved in each of the Comprehensive Planning Work Elements.

1810 GRANT DEVELOPMENT

Purpose: *To provide grant writing services to MCAG member jurisdictions, other public agencies, and the Recycling Market Development Zone. To provide a directory of grant resources through the MCAG website.*

Staff Time: 10.75 Person Months

Funding: Solid Waste Enterprise, LTF Planning, MCAG Other - \$82,200

1815 GRANT ADMINISTRATION

Purpose: *To assist in the implementation of MCAG's Grant Development Program. This Work Element also provides funding for the management of all other grant-related services provided by MCAG to member jurisdictions.*

Staff Time: 2.5 Person Months

Funding: MCAG Other - \$40,000

1824 CONTINUUM OF CARE PLAN UPDATE

Purpose: To provide comprehensive planning services to the region to attract resources with which to create economic self-sufficiency for Merced County homeless persons.

Staff Time: 5 Person Months

Funding: Merced County, City of Merced - \$60,000

1953 LOS BANOS NSP DOWN PAYMENT ASSISTANCE PROGRAM ADMINISTRATION

Purpose: To administer and implement the City of Los Banos' Neighborhood Stabilization Program (NSP). These funds will be used as down payment assistance for the purchase of foreclosed homes. The State of California allocated \$1.6 million to the City of Los Banos.

Staff Time: 9 Person Months

Funding: City of Los Banos - \$86,750

1961 LOS BANOS HOME HOUSING ADMINISTRATION - 07

Purpose: To administer and implement Los Banos' Home Investment Partnerships (HOME) award for a housing rehabilitation and first-time homebuyer loan program.

Staff Time: 6.25 Person Months

Funding: City of Los Banos - \$60,000

**1965 GUSTINE COMMUNITY-BASED TRANSPORTATION PLANNING CALTRANS
GRANT ADMINISTRATION**

Purpose: To administer and implement the City of Gustine's CBTP grant as a sub-recipient. The project will develop a conceptual design plan to improved pedestrian, bicycle, and motorized transportation access along the State Route 140 corridor and its main intersecting streets in the City of Gustine.

Staff Time: .5 Person Months

Funding: City of Gustine (Caltrans Award) - \$6,000

1969 MCEDCO ENTERPRISE ZONE ASSISTANCE

Purpose: To provide GIS related services to MCEDCO as it relates to the Enterprise Zone.

Staff Time: .5 Person Months

Funding: MCAG Other - \$5,500

1970 GIS MAPPING

Purpose: To provide GIS related services to MCAG member jurisdictions on an as needed basis.

Staff Time: 1 Person Months

Funding: MCAG Other - \$11,000

1980 SERVICE AUTHORITY FOR FREEWAY EMERGENCIES (SAFE)

Purpose: To maintain and upgrade a Service Authority for Freeway Emergencies (SAFE) call box program in Merced County; also, to participate in a San Joaquin Valley plan to establish 511 call service for travelers.

Staff Time: 1.25 Person Months

Funding: SAFE - \$140,000

1582 LEGISLATIVE PLAN

Purpose: To educate local public and private sector personnel regarding state and federal legislative issues, projects, and programs that may affect the transportation planning and implementation process.

Staff Time: 4.15 Person Months

Funding: RIP, LTF Planning - \$59,500

1984 HIGHWAY 165/99 PROJECT STUDY REPORT

Purpose: To prepare a Project Study Report for the SR 165/99 connection and corridor in accordance with the regulations and guidelines espoused in the Transportation Equity Act for the 21st Century.

Staff Time: .5 Person Months

Funding: TEA III, RIP - \$410,500

1986 ATWATER/MERCED EXPRESSWAY PROJECT

Purpose: This work element will develop an institutional and financial strategy to implement the remaining of the project selected in the Atwater/Merced Expressway PA&ED.

Staff Time: 1.5 Person Months

Funding: RTIF - \$58,400

1987 HIGHWAY 99 ATWATER FREEWAY PROJECT STUDY REPORT

Purpose: To prepare a Project Study Report for the SR 99 from milepost 21.3 to 24.0 through the City of Atwater in accordance with the regulations and guidelines espoused in the Transportation Equity Act for the 21st Century.

Staff Time: 1 Person Months

Funding: City of Atwater, RIP - \$232,005

1990 ONE VOICE LEGISLATIVE PROGRAM

Purpose: To advocate for or against state and federal legislative projects, programs, and policies that would affect the residents of Merced County.

Staff Time: 1.5 Person Months

Funding: Member Contributions, MCAG Other - \$122,500

2100 SOLID WASTE POLICY BOARD ADMINISTRATION

Purpose: To assist in the implementation of the Merced County Integrated Waste Management Plan and the Source Reduction and Recycling Elements, through the provision of administrative and planning assistance to the Solid Waste Advisory Board and the Solid Waste Enterprise.

Staff Time: 2 Person Months

Funding: Solid Waste Enterprise - \$30,000

2200 SOLID WASTE POLICY BOARD REGIONAL RECYCLING AND PUBLIC EDUCATION PROGRAM

Purpose: Initiated in 1991, this element provides a county wide public education program that promotes awareness and education to residents of Merced County regarding the importance of participation in source reduction, recycling, and other diversion efforts. The element also follows guidelines for these activities as outlined in each jurisdiction's Source Reduction and Recycling Element (SRRE), on file with the California Integrated Waste Management Board (CIWMB). The SRRE is required as a result of the 1989 Integrated Waste Management Act, which requires each jurisdiction to reduce the amount of tonnage going to the landfill by 50%. This diversion goal was to be reached by 2000. The tonnage amount is adjusted annually for population increase, sales tax revenues, and employment figures. For 2004, the reported diversion rate for Merced County was 42%. In 2005, it was 51%. In 2007, the board approved a 71% diversion rate.

The Solid Waste Policy Board Regional Recycling and Public Education Program provides outreach services appropriate to all segments of the community and jurisdictions. In addition, the program provides technical support, as requested by jurisdictions and public agencies, in the promotion of new and existing programs related to the establishment and administration of recycling, hauling contracts, and proper disposal of unwanted materials.

Staff Time: 11.75 Person Months

Funding: Solid Waste Enterprise, Solid Waste Enterprise Carryover \$112,700

2210 – CRV RECYCLING – DOC GRANT FUNDED – JURISDICTION PROJECTS

Purpose: To assist in the implementation of California Department of Conservation (DOC) grant funded programs meant to promote the recycling of CRV containers and litter abatement. These programs are selected by member jurisdictions and must have measurable results.

Staff Time: 2.25 Person Months

Funding: DOC - \$22,900

**3100 TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY
TRANSIT ADMINISTRATION**

Purpose: To provide administrative assistance, grant preparation, and quarterly reporting to the Federal Transit Administration and Caltrans on behalf of the Transit Joint Powers Authority for Merced County (TJPAMC).

Staff Time: 3.75 Person Months

Funding: TJPAMC - \$55,000

4100 MERCED DATA SPECIAL SERVICES (MDSS) ACTIVITIES

Purpose: To provide a legal entity whereby products related to services already provided by MCAG may be sold to the public. Those products currently include specialized maps provided by the GIS department and advertising on the www.yosemite.com website.

Staff Time: 5.5 Person Months

Funding: MDSS - \$62,500

**6100 YOSEMITE AREA REGIONAL TRANSPORTATION SYSTEM (YARTS)
MANAGEMENT ACTIVITIES**

Purpose: Provide planning and administrative services, through contract, to the Yosemite Area Regional Transportation System (YARTS) Joint Powers Authority, including oversight of all of the day-to-day operations of the transit system.

Staff Time: 12.75 Person Months

Funding: YARTS - \$141,348

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MCAG GOVERNING BOARD

FROM: CHRISTINA SMITH, GRANT MANAGER

RE: REGIONAL TRANSPORTATION IMPACT FEE REPORT

BACKGROUND

The Regional Transportation Impact Fee (RTIF) program collects one-time fees from new development to mitigate their impact on the regional road network.

Effective August 1, 2005, the cities of Atwater, Dos Palos, Los Banos, Merced and the County of Merced began collecting RTIF fees through their permitting process. The City of Gustine began collecting the fee effective August 22, 2005. The City of Livingston has not adopted an ordinance or resolution to implement the RTIF program fee collection.

MCAG Governing Board and member jurisdictions are updated on the status of the fee collection and the proposed transportation projects through staff report updates.

DISCUSSION

Attached please find:

1. Table one (1) showing fees collected for the current fiscal year by jurisdiction.
2. Table two (2) showing fees collected to-date by jurisdiction.
3. Table three (3) showing fees collected by project.
4. Table four (4) showing project expenditures paid to date.

REQUESTED ACTION

For information only.

Attachments: Table 1 – Fees Collected by Jurisdiction for FY 2008-2009
Table 2 – Fees Collected by Jurisdiction To-Date by Jurisdiction
Table 3 – Fees Collected by Project
Table 4 – Project Expenditures Paid To-Date

TABLE 1

REGIONAL TRANSPORTATION IMPACT FEES (RTIF) COLLECTED BY JURISDICTION FOR FY 2008-2009					
JURISDICTION	1ST QTR	2ND QTR	3RD QTR	4TH QTR	TOTAL
Atwater	0	0			0
Dos Palos	3,115	0			3,115
Gustine	0	662			662
Livingston	0	0			0
Los Banos	233,362	14,295			247,657
Merced City	0	180,792			180,792
Merced County	53,773	301,262			355,035
Interest Earnings	28,145	38,428			66,572
Total	318,395	535,438			853,833

TABLE 2

REGIONAL TRANSPORTATION IMPACT FEES (RTIF) COLLECTED BY JURISDICTION TO-DATE DECEMBER 31, 2008					
JURISDICTION	FY 2005-06	FY 2006-07	FY 2007-08	FY 2008-09	TOTAL
Atwater	16,748	24,338	47,187	0	88,273
Dos Palos	31,625	57,080	17,707	3,115	109,527
Gustine	18,711	45,068	2,802	662	67,243
Livingston	0	0	0	0	0
Los Banos	69,534	601,679	433,153	247,657	1,352,023
Merced City	1,355,575	1,125,032	738,658	180,792	3,400,057
Merced County	973,251	435,576	288,520	321,844	2,019,191
Interest Earnings	32,060	141,768	155,912	66,572	396,312
Total	2,497,504	2,430,541	1,683,940	820,642	7,432,626

Above amounts shown net of refunds.

Please note that all information provide for the Fiscal Year 2007-2008 are pre-audit.

TABLE 3**FEES COLLECTED BY PROJECT (Thru 12/31/08)**

Project Name	Total to Date	FY 2005-2006 Total	FY 2006-2007 Total (Net) *	FY 2007-2008 Total (Net)	FY 2008-2009 Total (Net)
Deposit Amount:	\$7,036,315.00	\$ 2,465,444.65	\$ 2,288,772.38	\$ 1,528,027.77	\$ 754,070.2
Allocations:					
Bellevue - connect 99	\$63,578.99	\$ 24,164.96	\$ 17,236.10	\$ 19,448.97	\$ 2,728.96
Mission - 59 to 99	\$32,922.99	\$ 12,696.36	\$ 9,820.89	\$ 6,514.88	\$ 3,890.86
59 North Realignment	\$2,196,947.84	\$ 904,904.17	\$ 678,939.54	\$ 465,809.67	\$ 147,294.46
59 - Mission to Childs	\$378,318.93	\$ 149,738.12	\$ 130,158.97	\$ 85,902.44	\$ 12,519.40
59 - 152 to Mission	\$227,258.62	\$ 82,735.92	\$ 81,836.09	\$ 52,757.93	\$ 9,928.68
140 Bradley OH	\$742,626.93	\$ 314,179.15	\$ 244,969.54	\$ 162,246.84	\$ 21,231.40
140 - to Campus Pkwy	\$411,001.36	\$ 173,811.99	\$ 135,646.98	\$ 89,832.11	\$ 11,710.28
140/33 Truck Route	\$193,293.90	\$ 84,238.43	\$ 69,503.24	\$ 26,231.61	\$ 13,320.62
152 Los Banos Bypass	\$2,090,829.81	\$ 580,630.01	\$ 707,065.37	\$ 471,507.13	\$ 331,627.30
165 - north of Hilmar	\$503,867.57	\$ 113,691.09	\$ 189,982.85	\$ 132,275.48	\$ 67,918.15
DP Road Improv	\$5,837.73				\$ 5,837.73
Winton Prkwy interchange	\$10,307.04				\$ 10,307.04
Campus Prky 99-Yosemite	\$108,214.64				\$ 108,214.64
Administration	\$71,308.65	\$ 24,654.45	\$ 23,612.81	\$ 15,500.71	\$ 7,540.68
TOTAL all allocations	\$7,036,315.00	\$ 2,465,444.65	\$ 2,288,772.38	\$ 1,528,027.77	\$ 754,070.20
1st Qtr Int. Income	\$85,880.11	\$ 230.18	\$ 25,103.49	\$ 32,258.46	\$ 28,287.98
2nd Qtr Int. Income	\$121,851.91	\$ 3,453.78	\$ 34,422.33	\$ 45,691.52	\$ 38,284.28
3rd Qtr Int. Income	\$101,930.28	\$ 10,430.96	\$ 45,215.18	\$ 46,284.14	
4th Qtr Int. Income	\$86,650.55	\$ 17,945.02	\$ 37,027.17	\$ 31,678.36	
TOTAL	\$7,432,627.89	\$ 2,497,504.59	\$ 2,430,540.55	\$ 1,683,940.25	\$ 820,642.50

* Net is total allocations received less any refunds made during that fiscal year.

TABLE 4

ATWATER MERCED EXPRESSWAY PROJECT EXPENDITURES

		FY 2006-2007		
	Invoice #	Vendor	Date	Amount
		TOTAL PROJECT EXPENSES FY 06-07		\$ 2,453,365.90
		FY 2007-2008		
#1	8110	MCAG/Bender/Thomas	08/29/2007	\$ 903.00
	8158	MCAG/Bender/Thomas	09/21/2007	\$ 1,053.50
	8163	MCAG/Mark Thomas & Co	9/21/007	\$ 31,876.63
	8188	MCAG/Mark Thomas & Co	10/05/2007	\$ 54,837.52
	8205	Robert Haden-Legal	10/12/2007	\$ 150.00
	8266	MCAG/Mark Thomas & Co	11/14/2007	\$ 47,513.58
	8311	MCAG/Bender/Thomas	12/06/2007	\$ 2,558.50
	8352	MCAG/Mark Thomas & Co	12/19/2007	\$ 62,275.15
	8120	Ty/Travel	09/10/2007	\$ 4.00
	8136	County Fleet	09/12/2007	\$ 72.36
	Element 1986	MCAG Oversight	12/31/2007	\$ 13,356.48
		TOTAL #1	\$ 214,600.72	
#2	8397	MCAG/Mark Thomas & Co	01/15/2008	\$ 90,447.86
	8401	MCAG/Bender/Thomas	01/15/2008	\$ 3,474.72
	Element 1986	MCAG Oversight	01/31/2008	\$ 5,200.65
		TOTAL #2	\$ 99,123.23	
#3	8370	Reserve Acct-Office expense	01/08/2008	\$ 6.52
	8454	MCAG/Bender/Thomas	02/05/2008	\$ 1,204.00
	8469	MCAG/Mark Thomas & Co	02/15/2008	\$ 34,974.86
	8516	MCAG/Bender/Thomas	03/04/2008	\$ 451.50
	8536	MCAG/Mark Thomas & Co	03/11/2001	\$ 41,535.05
	8556	MCAG/Bender/Thomas	03/13/2008	\$ 4,214.00
	8581	MCAG/Bender/Thomas	03/24/2008	\$ 2,408.00
	8632	MCAG/Mark Thomas & Co	04/08/2008	\$ 41,086.16
	8670	MCAG/Bender/Thomas	04/25/2008	\$ 1,300.25
	8742	MCAG/Mark Thomas & Co	05/23/2008	\$ 85,736.02
	8767	MCAG/Bender/Thomas	05/23/2008	\$ 1,505.00
	8767	MCAG/Bender/Thomas	05/23/2008	\$ 451.50
	8801	MCAG/Mark Thomas & Co	06/10/2008	\$ 59,479.89
	8472	Jesse Brown Travel	02/15/2008	\$ 169.65
	Element 1986	MCAG Oversight 2/08-5/08	06/11/2008	\$ 11,706.85
		Amount Paid by MCAG-Loan Proceeds		\$ (19,094.14)
		TOTAL #3	\$ 267,135.11	

	8863	MCAG/Bender/Thomas	06/30/2008	\$ 6,923.00
	8869	Robert Haden-Legal	06/30/2008	\$ 625.00
	8891	MCAG/Bender/Thomas	06/30/2008	\$ 903.00
	8916	MCAG/Mark Thomas & Co	06/30/2008	\$ 14,529.82
	8918	Thomas Terspra	06/30/2008	\$ 510.00
	Element 1986	MCAG Oversight 2/08-5/08	06/11/2008	\$ 1,805.90
		TOTAL #4	\$ 25,296.72	
	8923	Morse & Pheiff	06/30/2008	\$ 660.00
	8925	MCAG/Mark Thomas & Co	06/30/2008	\$ 10,787.17
	8926	MCAG/Mark Thomas & Co	06/30/2008	\$ 69,399.27
		TOTAL #5	\$ 80,846.44	
		TOTAL FY 2007-08		\$ 687,002.22
		TOTAL TO-DATE		\$ 3,140,368.12

Above 2007-08 figures are unaudited.

TECHNICAL REVIEW BOARD MEETING

February 11, 2009

MINUTES

The regular meeting of the Technical Review Board, held at the City of Livingston, 1416 C Street, Livingston, California, was called to order at 12:05 P.M.

MEMBERS PRESENT

John Bramble, City of Merced
Greg Wellman, City of Atwater
Steve Rath, City of Los Banos
Margaret Silveira, City of Gustine
Dee Tatum, County of Merced (arrived at 12:10)
Richard Warne, City of Livingston

MEMBERS ABSENT

Darrell Fonseca, City of Dos Palos

OTHERS PRESENT

Stan Feathers, City of Atwater
Paul Fillebrown, Merced County Public Works
Lori Flanders, MCAG staff
John Gedney, Caltrans, District 10
Ernie Garza, Public Works Director, City of Gustine
Joy Gort, MCAG staff
Larnold Jones, Merced County Transit – “The Bus”
Marjie Kirn, MCAG staff
Jerry Lawrie, Merced County Solid Waste
Stephen Qualls, California Cities
Curt Royer, Merced County Solid Waste
Larry Shankland, Merced County Transit - “The Bus”
Christina Smith, MCAG staff
Charlie Woods, City of Atwater

2. Oral Communication

Stephen Qualls of California Cities gave a brief update on legislative issues and announced an upcoming seminar on SB 375 with an offer to contact him if interested in attending.

3. Minutes of the January 14, 2009 Technical Review Board meeting

John Bramble moved to approve the minutes of the January 14, 2009 Technical Review Board meeting.

Seconded by Richard Warne.

MOTION CARRIED UNANIMOUSLY.

**MERCED COUNTY REGIONAL WASTE MANAGEMENT
AUTHORITY BOARD**

4. Minutes of the January 15, 2009 Merced County Regional Waste Management Authority Board

So noted.

5. San Joaquin Valley Air Pollution Control District Request to Contribute Funds to Conduct a Scientific Field Study to Quantify VOC Control Mitigation Measures that could be Employed at Greenwaste Composting Facilities

Dee Tatum moved to recommend the Merced County Regional Waste Management Authority Board authorize the Chief Executive Officer of the Authority make a contribution of \$5,000 to the San Joaquin Valley Air Pollution Control District to fund emissions research at Greenwaste composting facilities.

Seconded by John Bramble.

MOTION CARRIED UNANIMOUSLY.

6. Decrease in Commodity Prices for Recyclables will Increase the Cost to Jurisdictions with Active Curbside Residential Collection Programs

So noted.

7. Capital Improvement Project to Construct Groundwater and Landfill Gas Monitoring Wells at the Highway 59 and Billy Wright Landfills

Richard Warne moved to recommend the Merced County Regional Waste Management Authority Board approve the Capital Improvement Project to construct groundwater and landfill gas-monitoring wells at the Highway 59 and Billy Wright Landfills; and authorize the expenditure of \$500,000 for this Capital Project.

Seconded by Greg Wellman.

MOTION CARRIED UNANIMOUSLY.

TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY

8. Minutes of the January 15, 2009 Transit Joint Powers Authority for Merced County meeting

So noted.

9. Consider the Draft Annual Transit Service Plan and Budget for FY 2009-2010 and Authorize Implementation of Route 10X on 3/2/2009

Greg Wellman moved to recommend the Transit Joint Powers Authority for Merced County approve the Annual Transit service Plan and Budget for FY 2009-2010 and authorize the implementation of Route 10X effective 3/2/2009.

Seconded by Steve Rath.

Ayes: John Bramble, Margaret Silveira, Dee Tatum.

Noes: Richard Warne.

MOTION CARRIED.

10. Authorize the Development and Issuance of a Request for Proposals for the Daily Operation of “The Bus” – Merced County Transit Re: Two Contract – Fixed Route Services and Dial-A-Ride Services

Dee Tatum moved to recommend the Transit Joint Powers Authority for Merced County authorize staff to develop the RFP for the next Transit Service Contracted Operator Agreement with a focus on splitting the service into two separate contracts.

Seconded by John Bramble.

MOTION CARRIED UNANIMOUSLY.

MCAG GOVERNING BOARD

11. Minutes of the January 15, 2009 Governing Board meeting

So noted.

12. Caltrans Report

John Gedney gave a brief report from Caltrans along with an update of the Statewide Blueprint Summit held February 10, 2009.

13. Draft Formal Amendment No. 4 to the 2009 Interim Federal Transportation Improvement Program (FTIP)

The Technical Review Board requested staff to follow up with Caltrans regarding programming of the \$80,000,000 in FHWA funding to local/regional projects.

Steve Rath moved to recommend the MCAG Governing Board adopt Formal Amendment No. 4 to the 2009 Interim FTIP adding the Federal Stimulus Economic Recovery Fund program (\$80,000,000 FHWA and \$3,300,000 FTA) as a revenue source by adoption of Resolution No. 2009/2-19-01.

Seconded by Richard Warne.

MOTION CARRIED UNANIMOUSLY.

14. Draft Formal Amendment No. 5 to the 2009 Interim Federal Transportation Improvement Program (FTIP)

Steve Rath moved to recommend the MCAG Governing Board adopt Formal Amendment No. 5 to the 2009 Interim FTIP adding Federal Economic Stimulus Lump Sum program of projects for local air quality exempt projects by Resolution No. 2009/2-19-02.

Seconded by Richard Warne.

MOTION CARRIED UNANIMOUSLY.

15. Oral Report – Valleywide Blueprint Summit Recommendation

So noted.

16. Regional Transportation Impact Fee Report

So noted.

17. Homeless Task Force

John Bramble moved to recommend the MCAG Governing Board approve the forming of the Homeless Task Force with no recommendation of membership.

Seconded by Greg Wellman.

MOTION CARRIED UNANIMOUSLY.

18. Atwater/Merced Expressway Update

John Bramble moved to recommend the MCAG Governing Board certify the FEIR for the Atwater-Merced Expressway at their February 19, 2009 meeting; and to select, approve, and transmit the items as stated herein at their March 19, 2009 meeting.

Seconded by Greg Wellman.

MOTION CARRIED UNANIMOUSLY.

19. FY 09-10 Work Program and Budget

Steve Rath moved to recommend the MCAG Governing Board transmit MCAG's FY 09-10 Work Program and Budget to the member jurisdictions.

Seconded by John Bramble.

MOTION CARRIED UNANIMOUSLY.

20. Oral Report – Jurisdictions

So noted.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 1:46 P.M.

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MCAG GOVERNING BOARD

FROM: MATT FELL, SENIOR PLANNER

RE: DRAFT RAMP METERING AND HIGH OCCUPANCY VEHICLE LANE STUDY

BACKGROUND

Since 2006 MCAG has participated with the Department of Transportation (Caltrans), the Stanislaus Council of Governments, and the San Joaquin Council of Governments (SJCOG) in preparing a Ramp Metering and High Occupancy Vehicle (HOV) Lane Study for the region. The study was funded by Caltrans. The objective of the study has been to assess the appropriateness of ramp metering and HOV lanes as freeway management systems in the northern San Joaquin Valley region over the next 25 years and to develop a phased plan for funding and implementation of such systems where recommended as providing benefit.

The Draft Final Report of the *Northern San Joaquin Valley Regional Ramp Metering and High Occupancy Vehicle (HOV) Lane Master Plan* is now available. An excerpt of the Study is attached, with the portions relevant to Merced County. The full report is available upon request.

The report has a number of recommendations for Stanislaus and especially San Joaquin Counties, but in Merced County the needs are lower priority. The report concludes that ramp metering may be effective on northbound SR-99 in 10-20 years. It also concludes that HOV lanes should be considered when a 4th lane in each direction is added to SR-99. As you know, there are no plans and no funding to add a 4th lane within the next 20-30 years.

Please submit any comments by February 25, 2009 so they can be passed on to SJCOG and the consultant team. The Plan will be brought back for possible action in March.

REQUESTED ACTION

For review and comment.

Attachment: Excerpt from *Northern San Joaquin Valley Regional Ramp Metering and High Occupancy Vehicle (HOV) Lane Master Plan*

ITEM 14

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MCAG GOVERNING BOARD

FROM: LORI FLANDERS, ASSISTANT PLANNER

RE: HOMELESS TASK FORCE

BACKGROUND

MCAG has had the role of coordination of the Continuum of Care Program in Merced County since 2004. 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 transition from homelessness to eventual permanent housing. A status report regarding the Continuum of Care was provided at your January 14, 2009 meeting.

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. Merced County is eligible to apply for up to \$550,000 annually for homeless housing and/or services through the Continuum of Care program.

MCAG’s contracted scope of work with the City and County 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.

DISCUSSION

Following the Continuum of Care status report at your January 15, 2009 meeting, Dr. Herb Opalek, Director of the Merced County Rescue Mission recommended that MCAG establish an action-oriented countywide task force on homelessness to address overflow shelter services during the winter months for the homeless for 2010, as well as provide leadership in the preparation of a 10 Year Plan to End Homelessness. MCAG would provide the necessary

support to assist the Task Force with their mission. Support includes coordinating meetings and providing printed documents for those meetings.

The Task Force will request participation from members of the Continuum of Care as well as hold public meetings throughout the County.

Dr. Opalek's proposal includes implementing the following subcommittees for six months:

- Interim Sheltering
- Long Term Solutions (10 Year Plan)
- Family Shelter
- Transitional/Permanent Housing
- Shelter for Sex Offenders
- Day Services Programs
- Social/Medical/Mental Health Services for Homeless
- Safe Downtown in Every Community
- Police Issues
- Roles of City/County Governments
- Community Education & Outreach/Legal Assistance
- Role of Faith Based Organizations
- Homeless Youth

Several MCAG Governing Board members have recommended potential committee members. Those recommendations include:

- Herb Opalek, Chair
- Flip Hassett, United Way – Vice Chair

- Phyllis Legg, Merced County Food Bank
- Vicky Humble, Helping Hands of Merced County
- Henry Greene, Merced
- Kathy Hassett, Human Services Agency
- Ana Pagan, Human Services Agency
- Bruce Metcalf, Community Activist/Pastor, Hilmar
- Masoud Niroumand, City of Merced
- Irene De La Cruz, Planada
- Kathy Fowler, Dos Palos Youth in Crisis
- Greg Olzack, Atwater

Several members of the community have expressed concern about the implementation of, or have expressed an interest to serve on, the Homeless Task Force. Those wishing to serve on the Task Force that were not mentioned above include Candice Adam-Medefind with Sierra Presbyterian Church and Renee Davenport, advocate for the homeless in the encampments. Ms. Davenport would also like to see a homeless representative included on the Task Force. Additionally, attached with this staff report, is a letter from Monika Grasely, who is an Executive Council member of the Continuum of Care expressing her concerns with the implementation of such a Task Force.

The Technical Review Board recommended forming the Task Force with no recommendation of membership.

Since the TRB meeting, staff received the attached email from Dr. Herb Opalek requesting the reevaluation of the Task Force so that appropriate “buy in” could be obtained.

Staff recommends referring the objectives of the task force to the Continuum of Care Executive Council for discussion and recommendation to the Governing Board at a future meeting.

REQUESTED ACTION

Provide staff direction.

Attachments: Letter from Monika Grasely
Email from Dr. Herb Opalek and Flip Hassett

Attachment 1

January 21, 2009

To Whom It May Concern,

As a member of the Continuum of Care Executive Council I would like to voice my concern about the process of the creation of the “Merced County Task Force for the Homeless”. While I love the overall goals of this taskforce and applaud the city, county and MCAG to come together on this, it seems like a duplication of efforts.

I have been attending the general collaborative Continuum of Care meetings for a couple of years because of its vision to eliminate homelessness in Merced County. As a CoC we are charged to be the response of the city and county to “prevent homelessness, restore homeless persons to stable living environments, preserve and create affordable housing and promote community awareness of homelessness issues through education, legislative advocacy, mutual support and the sharing of ideas and resources.”

Having been homeless as a teenager, I wanted to take a more active role and became a member of the Continuum of Care Executive Council since May 2008. Our responsibilities include administrative oversight of the CoC, tracking progress of the goals set by the collaborative, monitoring financial accountability and performance review of grantees, oversight of the CoC Plan and being the prioritization panel for the funds.

Last month’s CoC found all of us overwhelmed by a small group of people who stirred up contention, was very accusatory and hostile. The accusations included that the CoC is not doing anything and that there was no care given to the homeless. Because of the sensitivity of the subject and the people present, many who were accused could not address the issue at the time.

A similar incident happened at the Merced City Council meeting shortly afterwards, which caused, for my opinion a strong reaction from some people.

A new task force was formed and my concerns are as follows:

1. The Continuum of Care is already a task force with very similar goals as the new task force and has not been considered to be part of it.
2. As an Executive Council member I have not been asked for any input prior to the decision of creating this task force. It is our responsibility to carry this project forward, if we fail in this, the answer would not be to create a new task force, but to come alongside the existing force and help them take the next step.
3. I think we need to ensure that we do not just react to the controversial meetings that month but to work together and utilize the existing groups to address the issue of homelessness.

Please understand that I am not against the new task force or the work that is being done to address the issue (in fact Herb asked me to be the liaison between this group and the CoC), but the way this came about, without consulting the existing group (CoC), and working with them to use their knowledge, expertise and passion for the homeless, makes the work we have done feel worthless and unappreciated. I think we need to work closely together on this topic to really create a solution for homeless without just providing band aides.

Having just been to the January CoC meeting, I realize that there are many underlying issues going on and it might be helpful to have the new Task Force team concentrate on the 10 Year Plan and have the general collaborative (under the direction of the Executive Council) address the immediate issues. That would help both groups accomplish the things they are passionate about. I understand that special task force team needs to be small to really get a 10 Year Plan accomplished in a reasonable time, so maybe having the CoC work on the immediate issues will diffuse the tension a little and give the special task force room to work on the 10 Year Plan.

Sincerely,

Monika Grasely

Concerned Citizen

Merced of the Continuum of Care Council

LifeLine Community Development Corporation of Merced County

Mailing Address: 731 E. Yosemite Ave. Suite B. #165, Merced, CA 95340

209-201-2905

monikagrasley@lifelinecdc.org

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MCAG GOVERNING BOARD

FROM: JESSE BROWN, EXECUTIVE DIRECTOR

RE: ATWATER-MERCED EXPRESSWAY - PROJECT REPORT STATUS AND FINAL EIR CERTIFICATION

The Governing Board was scheduled to act upon the certification of the Environmental Impact Report (EIR) and selection of a preferred project alternative for the Atwater-Merced Expressway (AME) at the August 21, 2008 meeting. At that time, Staff recommended that this item be continued to permit further discussions with stakeholders, specifically the Atwater Elementary School District (AESD), in the project study area.

Those discussions were held and a modification to Alignment 1B was developed that met with the approval of AESD and the State Board of Education. Due to the modifications, it was deemed prudent by Staff and the consultant team to re-circulate the Draft Environmental Impact Report (DEIR) that would include a discussion of the modified Alignment 1B and to hold another public meeting so that full disclosure of the proposed project was made to the public prior to the closure of public comments on January 5, 2009.

PROJECT REPORT

The consultant team has submitted a second version of the Project Report to Caltrans District 10 in January 2009. The Draft Project Report process has been eliminated (with Caltrans approval) since Caltrans is not the lead agency for environmental approval. Approval of the Project Report is expected as soon as May 2009 or as late as June 2009.

ENVIRONMENTAL DOCUMENT

The DEIR for the Atwater-Merced Expressway project was re-circulated to the public on November 17, 2008 and copies were also provided to staff of member agencies for review. The re-circulated DEIR text included the following major changes in respond to comments received:

- Realignment of Alternative 1B to avoid AESD School site
- Changes to Impacts Associated with the Modification for Alternative 1B
- Added discussion on potential project effects on local dairies
- Discussion of Right-of –Way Acquisition and Home Relocations
- Climate Change

A public meeting on the re-circulated DEIR was held on December 16, 2008. A representative from AESD stated at that meeting that they are now in support of the project based on the revisions to the Modified Alternative 1B Alignment.

The public comment period was closed on January 5, 2009. Thirteen (13) written comments on the recirculated DEIR were received and nineteen (19) oral comments from the December 16, 2008 public meeting were recorded. Primary issues raised by the commenters include farmland conversion, growth inducement, relocation of private residences, the location of existing sewer force mains on Avenue One, and impacts to local businesses.

Response to all comments received is included in the Final Environmental Impact Report (FEIR). Additionally, responses to comments received on the original DEIR through noticed public comment periods and public meetings, including the August 21, 2008 Board meeting, have been included in the FEIR.

Overall, no new impacts have been identified due to the comments received and no major revisions will be made to the re-circulated DEIR. Mitigation, monitoring, and reporting programs for identified impacts are incorporated in the Final EIR.

PREFERRED ALTERNATIVE RECOMMENDATION

Staff continues to recommend the Modified Alternative 1B as the preferred alignment based on the same reasons provided back in our August 14, 2008 report to the Governing Board.

In summary, based on the information presented in the AME FEIR, there are very few differences in performance, cost, or environmental impacts between Alternative 1A and the Modified Alternative 1B. All environmental impacts will be mitigated to “Less-than-Significant” thresholds for each alternative with the exception of a noise impact that would occur under either alternative. However, the Modified Alternative 1B would have fewer impacts to existing residences and business; would create fewer unusable parcel remnants; and minimize disruption to operating dairies in the corridor.

PROPOSED ACTIONS

The following actions are proposed to be provided to the Governing Board for their February 19, 2009 and March 19, 2009 meetings:

ACTION TO CERTIFY THE AME FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) – February 19, 2009

That the Governing Board certifies:

1. That the AME FEIR has been completed in compliance with the California Environmental Quality Act (CEQA);

2. That the AME FEIR was presented to the decision-making body of the lead agency (MCAG), and that the decision-making body reviewed and considered the information contained in the AME FEIR; and
3. That the AME FEIR reflects the Governing Board's independent judgment and analysis.

ACTIONS ON AME PROJECT– March 19, 2009

1. Select Modified Alternative 1B as the “preferred alternative” for the Atwater-Merced Expressway Project.
2. Approve the CEQA Findings and Statement of Overriding Considerations for the Atwater-Merced Expressway Project.
3. Transmit a request to the City of Atwater, City of Merced, and County of Merced to incorporate the preferred alternative alignment into their respective General Plans.

The Technical Review Board concurs with the requested action.

REQUESTED ACTION

Certify:

- a. The FEIR for the Atwater-Merced Expressway by adopting Resolution No. 2009/02-19-03; and
- b. Select, approve, and transmit the items as stated herein at the March 19, 2009 Governing Board meeting.

Attachment: Resolution No. 2009/02-19-03

Enclosure: Atwater-Merced Expressway Project FEIR Summary of Comments and Responses
Public Review Draft – February 10, 2009 Atwater-Merced Expressway Project
Atwater-Merced Expressway Project Final Environmental Impact Report

**BEFORE THE
MERCED COUNTY ASSOCIATION OF GOVERNMENTS (MCAG)
RESOLUTION NO. 2009/02-19-03**

In the matter of:
The Atwater-Merced Expressway

RESOLUTION CERTIFYING THE EIR FOR THE ATWATER-MERCED EXPRESSWAY

WHEREAS, the Merced County Association of Governments (MCAG) is an Association of Governments, pursuant to Government Code sections 6500 et seq.; and

WHEREAS, Section 15090 of the Guidelines for the California Environmental Quality Act requires that a final Environmental Impact Report ("EIR") be certified by the "Lead Agency" before approving the underlying project; and

WHEREAS, MCAG is the Lead Agency for the Atwater-Merced Expressway ("AME"), which is a proposed 7-mile long transportation corridor located in the northeast portion of Merced County; and

WHEREAS, the AME would connect with State Route (SR) 59 at Bellevue Road north of the City of Merced, and connect with SR 140 at Gurr Road south of the City of Atwater. The AME would cross SR 99 and include a new interchange with SR 99 west of the City of Merced; and

WHEREAS, in September 2001, the California Department of Transportation ("Caltrans") completed a Project Study Report - Project Development Study (PSR-PDS) that evaluated several possible alignments for the AME. In January 2005, MCAG was authorized by the California Transportation Commission (CTC) to take over the Project Approval/Environmental Document phase of the AME project and MCAG took over the role of lead agency for the environmental document; and

WHEREAS, the MCAG Executive Director approved the Preliminary Design Report for the AME in November of 2007, which finalized the alternative alignments that would be studied in this EIR; and

WHEREAS, MCAG issued a Notice of Preparation of an Environmental Document (NOP) on August 25, 2006 (State Clearinghouse Number 2006081138). A public scoping meeting was held on September 20, 2006 and public comment was taken on that day and continued to be received until September 25, 2006; and

WHEREAS, during the 30-day comment period ending September 25, 2006, written comments regarding the scope and content of the Draft EIR were received from regulatory agencies and interested parties. MCAG and the project team performed extensive technical review of potential environment impacts, including protocol surveys for sensitive biological species, and used these technical reports as the basis of the Draft EIR. The Draft EIR was published on March 3, 2008 and circulated for public review during a 60-day review and comment period. A Public Hearing on the Draft EIR was held on April 1, 2008. Responses to the written comments received on the Draft EIR and comments from the Public Hearing were addressed and incorporated in the AME Final EIR, which was published August 8, 2008; and

WHEREAS, after publication of the AME Final EIR, but prior to certification, several project changes were made to one of the proposed AME project alternatives. The modifications were made due to concern raised by the Atwater Elementary School District (AESD) during the public comment period of the Draft EIR regarding the impacts of Alternative 1B. As a result, MCAG decided that the Draft EIR should be revised and recirculated for a new round of public review and comment; and

WHEREAS, MCAG prepared the Recirculated Draft EIR to assess the potential significant environmental impacts of development of the AME in November of 2008, received public comments during a second public comment period and prepared the Responses to Comments Document on February 9, 2009; and

WHEREAS, the AME Final EIR incorporates the above information, as required by law, to assess the potential significant environmental impacts of development of the project.

NOW, THEREFORE, BE IT RESOLVED, that MCAG hereby certifies the AME Final EIR and finds that it was completed in compliance with the California Environmental Quality Act ("CEQA"); and be it

FURTHER RESOLVED, that the AME Final EIR was presented to the decision-making body of the lead agency (MCAG Governing Board), and that the MCAG Governing Board reviewed and considered the information contained in the AME Final EIR; and be it

FURTHER RESOLVED, that the AME Final EIR reflects the MCAG Governing Board's independent judgment and analysis.

THE FOREGOING RESOLUTION was passed and adopted by MCAG this 19th day of this February, 2009.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Signed:

Jesse Brown, Executive Director
Merced County Association of Governments

Signed:

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

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MCAG GOVERNING BOARD

FROM: TERRI LEWIS, ASSOCIATE PLANNER

**RE: DRAFT FORMAL AMENDMENT NO. 4 TO THE 2009 INTERIM
FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP)**

BACKGROUND

Merced County Association of Governments (MCAG) has been requested by Caltrans Headquarters to process a formal amendment No. 4 (Type 2 Funding Changes) to the 2009 Interim FTIP adding a new funding source anticipated from the Federal Stimulus Economic Recovery (ECREC) Bill that Congress is currently considering. It is anticipated that the President will sign the Federal Stimulus Economic Recovery package in mid February. Any funding revenue estimates are subject to change until the bill is signed into law.

Caltrans has asked that MPO's add the ECREC (estimates provided by Caltrans Headquarters) as a revenue source in the 2009 Interim FTIP. The ECREC fund source is being added without an associated list of projects at this time so that state and federal approval on this amendment can take place quickly. Under the current house bill version, recipients of the federal ECREC funds have only 150 days to obligate this revenue before it is lost to the state. The state (Caltrans) will have only 180 days to obligate this revenue before it can be captured by another state.

Draft Amendment No. 4 adds the Federal Stimulus Economic Recovery fund source and estimated revenue: FHWA - \$80,000,000 with \$4,400,000 estimated for local projects; FTA \$3,300,000 in the 2009 Interim FTIP. Updated financial tables are attached reflecting the addition of the Economic Stimulus fund source.

San Joaquin Valley COG's are currently discussing possible programming options on a separate FTIP amendment that will be needed to program specific Economic Stimulus projects in the 2009 Interim FTIP. It is unclear at this time whether or not a separate amendment will be released concurrently with Amendment No. 4.

The Technical Review Board concurs with the requested action.

REQUESTED ACTION

Adopt Formal Amendment No. 4 to the 2009 Interim FTIP adding the Federal Stimulus Economic Recovery Fund program (\$80,000,000 FHWA and \$3,300,000 FTA) as a revenue source by adoption of Resolution No. 2009/2-19-01.

Attachments: Economic Stimulus Share Distribution
Draft Economic Stimulus Distribution Statewide Totals
Resolution No. 2009/2/19-01

Economic Stimulus Share Distribution

MPO	FHWA \$(1000s)	FTA \$(1,000s)
AMBAG	\$90,000	\$14,500
BCAG	\$32,000	\$2,750
COFCG	\$47,000	\$12,000
KCAG	\$8,000	\$2,300
KCOG	\$73,000	\$1,900
Madera	\$22,000	\$1,500
MCAG	\$80,000	\$3,300
MTC	\$845,000	\$265,000
Rural Non-MPO	\$365,000	\$5,700
SACOG	\$300,000	\$34,000
SANDAG	\$172,000	\$72,500
SBCAG	\$33,000	\$9,000
SCAG	\$1,000,000	\$450,000
SHASTA	\$255,000	\$2,000
SJCOG	\$63,000	\$12,500
SLOCOG	\$25,000	\$3,500
StanCOG	\$37,000	\$7,300
TCAG	\$50,000	\$5,000
TRPA	\$3,000	\$250
TOTAL	\$3,500,000	\$905,000

**BEFORE THE
MERCED COUNTY ASSOCIATION OF GOVERNMENTS
RESOLUTION NO. 2009/02-19-01**

In the Matter of:

RESOLUTION ADOPTING THE Amendment #4 to the
Merced County Association of Governments 2009
Interim Federal Transportation Improvement Program
(Interim FTIP)

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 #4 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 #4 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 #4 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 #4 to the 2009 Interim FTIP meets all applicable transportation planning requirements per 23 CFR Part 450.

WHEREAS, Amendment #4 to the 2009 Interim FTIP is based on Federal Economic Stimulus (ES) apportionment estimates for Merced County provided by Caltrans: 1) Federal Highway Administration (FHWA) \$80,000,000; 2) Federal Transit Administration (FTA) \$3,187,000; and 3) Regional ES \$4,399,460.

WHEREAS, Amendment #4 to the 2009 Interim FTIP adds the anticipated Federal Economic Stimulus Lump Sum fund revenue as a fund source to the current TIP program without an associated list of projects such that Caltrans, FHWA, and FTA can process this amendment as quickly as possible.

WHEREAS, The anticipated Federal ES Bill will have specified deadlines for project revenue obligations that will be clearly outlined by the final bill that is signed into law.

WHEREAS, projects submitted in Amendment #4 to the 2009 Interim FTIP must be financially constrained and the financial plan affirms that funding is available; and

WHEREAS, Amendment #4 to the 2009 Interim FTIP does not interfere with the timely implementation of the Transportation Control Measures; and

WHEREAS, a 14-day public review process occurred from February 5, 2009 to February 19, 2009.

NOW, THEREFORE, BE IT RESOLVED, that MCAG adopts Amendment #4 to the 2009 Interim Federal Transportation Improvement Program (FTIP).

THE FOREGOING RESOLUTION was passed and adopted by MCAG this 19th day of February 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 19th day of February 2009.

Signed:

Signed:

Jesse Brown, Executive Director
Merced County Association of Governments

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

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MCAG GOVERNING BOARD

FROM: TERRI LEWIS, ASSOCIATE PLANNER

**RE: DRAFT FORMAL AMENDMENT NO. 5 TO THE 2009 INTERIM
FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP)**

BACKGROUND

The Federal Economic Recovery Bill that Congress is currently considering may include some very short time frames for obligating funds. Also, it is anticipated the bill or package will be signed into law in mid February, so we are attempting to act as quickly as is possible. Since any funds will be federal and we will be unable to “exchange” them for State funds, these monies and projects funded with them will need to be in the FTIP before they can be obligated.

The prior item on Draft Formal Amendment No. 4 discussed Caltrans request to add a new fund type. However, we would also like to attempt to add a lump sum listing of projects so that these projects can perhaps get a jump-start on whatever the obligation deadline ends up being.

We are using the latest estimate from the state of the moneys to be distributed through us: \$4,399,359. **If it ends up being more than 20% of this, we may have to do another amendment later.** Breaking this down by population and rounding yields the following amounts:

Jurisdiction	% of population	Amount
Atwater	11%	\$ 483,088
Dos Palos	2%	\$ 85,692
Gustine	2%	\$ 90,118
Livingston	5%	\$ 232,413
Los Banos	14%	\$ 615,903
Merced	32%	\$ 1,394,358
County	34%	\$ 1,497,787
TOTAL		\$ 4,399,359

Draft Amendment No. 5 to the 2009 Interim FTIP is a “Type 3” formal amendment that adds a lump sum listing for new local projects. All are exempt from air quality conformity. The list of projects, CTIPs listing, and updated financial tables will be distributed at your meeting and will be posted on the MCAG website (www.mcagov.org) by Thursday February 5, 2009.

The Technical Review Board concurs with the requested action.

REQUESTED ACTION

Adopt Formal Amendment No. 5 to the 2009 Interim FTIP adding a Federal Economic Stimulus Lump Sum program of projects for local air quality exempt projects by Resolution No. 2009/02-19-02.

Attachment: Resolution No. 2009/02-19-02

**BEFORE THE
MERCED COUNTY ASSOCIATION OF GOVERNMENTS
RESOLUTION NO. 2009/02-19-02**

In the Matter of:

RESOLUTION ADOPTING THE Amendment #5 to the
Merced County Association of Governments 2009
Interim Federal Transportation Improvement Program
(Interim FTIP)

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 #5 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 #5 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 #5 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 #5 to the 2009 Interim FTIP meets all applicable transportation planning requirements per 23 CFR Part 450.

WHEREAS, Amendment #5 to the 2009 Interim FTIP is based on Federal Economic Stimulus (ES) apportionment estimates for Merced County provided by Caltrans: 1) Federal Highway Administration (FHWA) \$80,000,000; 2) Federal Transit Administration (FTA) \$3,187,000; and 3) Regional ES \$4,399,460. These figures are subject to change until the final ES bill is signed into law.

WHEREAS, Amendment #5 to the 2009 Interim FTIP adds the Federal Economic Stimulus Lump Sum program and a specific list of ES projects.

WHEREAS, The anticipated Federal ES Bill will have specified deadlines for project revenue obligations that will be clearly outlined by the final approved bill.

WHEREAS, projects submitted in Amendment #5 to the 2009 Interim FTIP must be financially constrained and the financial plan affirms that funding is available; and

WHEREAS, Amendment #5 to the 2009 Interim FTIP does not interfere with the timely implementation of the Transportation Control Measures; and

WHEREAS, a 14-day public review process occurred from February 5, 2009 to February 19, 2009.

NOW, THEREFORE, BE IT RESOLVED, that MCAG adopts Amendment #5 to the 2009 Interim Federal Transportation Improvement Program (FTIP) as the Federal Economic Stimulus Lump Sum of projects.

THE FOREGOING RESOLUTION was passed and adopted by MCAG this 19th day of February 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 19th day of February 2009.

Signed:

Signed:

Jesse Brown, Executive Director
Merced County Association of Governments

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

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MCAG GOVERNING BOARD

FROM: MARJORIE KIRN DEPUTY EXECUTIVE DIRECTOR

RE: BLUEPRINT SUMMIT

SJV Blueprint Update

The San Joaquin Valley COGs have been engaged in Blueprint planning for the past two and a half years in an effort to develop and help implement a vision for the Valley to the year 2050. Major accomplishments to date include: 1) determining the community's values related to quality of life issues; 2) developing a vision that reflects those values; 3) engaging member agencies (the 62 cities and eight counties in the Valley) and the community-at-large in scenario planning exercises that ultimately led to the endorsement of a preferred growth scenario in each county. (Detailed information on the scenarios is available at www.valleyblueprint.org). The locally selected scenarios were then forwarded to UC Davis so that they could be included in the Valleywide analysis. During the process, the COGs conducted hundreds of meetings and outreach events that reached thousands of individuals. The COGs also conducted an extensive media campaign that included radio, television, newspapers, web-based and library components. The outreach was broad based and inclusive.

On January 26, 2009 nearly 600 participants attended the Valleywide Blueprint Summit held in Fresno. A range of planning related topics was covered, including, a report on the Sacramento Area Blueprint, a visual image survey of different housing types and a discussion on how the four alternative Valley Blueprint scenarios were developed. Participants were given an opportunity to discuss the pros and cons of each scenario at their tables and through Q & A. The four scenarios are described as:

Scenario A

The "recent trends" scenario is an effort to portray a continuation of development patterns from the recent past forward into the future. Each county has defined its own starting point and development trends. Limited protections for agriculture and environmental space are implemented county by county. Average dwelling units per acre for new residential development = 4.3.

Scenario B

The "locally combined" scenario is an assembly of scenarios created by each county to represent a desired new direction for the future. This scenario, like the "recent trends", has unique inputs and target densities for each county. A greater emphasis was placed on protection of agriculture land and environmental resources. Average dwelling units per acre for new residential development = 5.9.

Scenario B+

(Included based on direction from the San Joaquin Policy Council) Reflects the land use assumptions of Scenario B and provides more transportation infrastructure that cross county boundaries. Average dwelling units per acre for new residential development = 5.9.

Scenario C

The "valley-wide hybrid" scenario is a unified projection of what the San Joaquin Valley might look like if all the counties chose more compact growth forms emphasizing safe, walkable, likeable communities to accommodate significant transit opportunities and protect open space. New urban growth is encouraged within existing spheres of influence or specifically selected planning areas. Average dwelling units per acre for new residential development = 10.

At the end of the day, the attendees were asked to weigh in on their preferred scenario. Performance measures were provided for each scenario showing how outcomes differed based on various development assumptions. The results of the query showed the following preferences:

Scenario A	4%
Scenario B	10%
Scenario B+	33%
Scenario C	53%

In summary, only 4% of those in attendance wanted to stay with the status quo, while 96% recommended moving toward increased densities and smart growth principles. 53% of the group was willing to strive for the highest density category of 10 dwelling units per acre.

The results from all of the outreach on the four Valleywide scenarios will be presented to the Regional Policy Council (two elected officials from each of the eight counties) on March 27, 2009. It is anticipated that they will endorse one of the scenarios as the preferred and will forward that endorsement back to the local agencies so that they can begin their own process of integrating the Blueprint into their general plans. All of the COGs are committed to assist with this process.

At the same time, the eight Valley COGs will be moving forward with the fourth year of the Blueprint Planning Process. Tasks outlined for the upcoming year include:

Valleywide Blueprint Final Report and Toolkit for Implementation
Translate Valley Blueprint principles into local implementation strategies and develop local government commitment
Convene meetings with local officials to discuss funding challenges of local government (and related "fiscalization of land use")

Address new greenhouse gas directives (SB 375) Develop adequate modeling tools for compliance with SB 375

Address the increasing of residential densities

Determine the impact of various development densities on the fiscal health of cities and counties in the San Joaquin Valley

Determine the market demand for higher density residential housing projects

Greenprint - incorporate Farmland Conservation Model Program mapping, that includes improved information on water resources into the Blueprint for each of the Valley Counties

Work with Central California Economic Development Corporations and the Partnership for SJV to address jobs/housing issue

Continue Blueprint's Valleywide presence by maintaining partnership with Great Valley Center for website oversight and production of one Valleywide Blueprint event

Continue Using Adopted Methods to Measure the Effectiveness of the Regional Blueprint Plan

Continue Extensive Public Outreach Efforts

In the midst of this comprehensive planning process, two pieces of legislation have been approved by the Governor (AB 32 and SB 375) that will greatly impact land use and transportation planning at the local and regional levels. All of the implications of these climate change/greenhouse gas mandates have yet to be determined, but we know for sure that they will have a tremendous effect on the way that COG and its member agencies approach their planning processes. We will continue to monitor these mandates.

REQUESTED ACTION

For information only.

Attachment: 2009 San Joaquin Valley Blueprint Summit Recommendations

MEMORANDUM

DATE: FEBRUARY 12, 2009

TO: MCAG GOVERNING BOARD

FROM: JESSE B. BROWN, EXECUTIVE DIRECTOR

RE: PERSONNEL EVALUATION, EXECUTIVE DIRECTOR

Adhering to the procedure initiated in 1989, it is requested that the Governing Board authorize the convening of the MCAG Executive Committee for the purpose of conducting the annual performance evaluation of the Executive Director and reporting back to the Governing Board with their findings and recommendations. The Executive Committee is composed of Chair Joe Oliveira, Vice-Chair John Pedrozo, and the Immediate Past-Chair, Mike Nelson.

The Executive Committee may meet one or more times during the next month to conduct the evaluation and report back to the Governing Board in February.

REQUESTED ACTION

Authorize the MCAG Executive Committee to convene and conduct the annual performance evaluation of the Executive Director and report their findings and recommendations to the Governing Board.