

MCAG GOVERNING BOARD

JUNE 19, 2008

MINUTES

The regular meeting of the **MERCED COUNTY ASSOCIATION OF GOVERNMENTS GOVERNING BOARD** held on Thursday, June 19, 2008, at the City of Atwater, Council Chambers, 750 Bellevue Road, Atwater, California, was called to order by Chair Nelson at 3:02 P.M.

DIRECTORS PRESENT

Joan Faul
Tommy Jones
Deidre Kelsey (arrived at 3:06 pm)
Johnny Mays
Mike Nelson
Joe Oliveira
John Pedrozo
Gurpal Samra
Jim Sanders, for Bill Spriggs

DIRECTORS ABSENT

Kathleen Crookham
Jerald O'Banion

OTHERS PRESENT

Ken Baxter, Caltrans
Jesse Brown, MCAG staff
Matt Fell, MCAG staff
Anna Fuentes, MCAG staff
Joy Gort, MCAG staff
Robert Haden, Legal Counsel
Marjie Kirn, MCAG staff
Robin Lamas, MCAG staff
Ron Price, CAC Representative
Larry Shankland, Merced County Transit – “The Bus”
Candice Steelman, MCAG staff

3. Oral Communications

Candice Steelman made a statement that there were two framed documents distributed to each of the Directors, one showing the Values and Goals of MCAG and the other the Vision and Mission statement of MCAG.

4. Oral Report: Citizens Advisory Committee

Ron Price gave the Citizens Advisory Committee report.

5. Consent Agenda

- a. Minutes of the May 15, 2008 Governing Board meeting
- b. Authorize Consent to Assignment and Assumption of Call Box Agreement by and among Comarco Wireless Technologies, Inc., Case Systems, Inc., and Merced County Safe
- c. MCAG Disadvantaged Business Enterprise (DBE) Plan for FY 2008/09
- d. Regional Housing Needs Allocation – Methodology and Allocation
- e. Abandoned Vehicle Abatement Program
- f. Federal Transportation Act - Principals
- g. Legislative Update/Support Letter for AB 3021

Director Jones moved to approve Consent Agenda items 5a, b, c, d, f and g.
Seconded by Director Samra.

MOTION CARRIED UNANIMOUSLY.

Consent Agenda Item 5e

Anna Fuentes gave a brief review of the Abandoned Vehicle Abatement Program. Anna stated that the California Vehicle Code allows counties to form a Service Authority for the “abatement, removal, or the disposal as a public nuisance of any abandoned, wrecked, dismantled, or inoperative vehicle from private or public property”. Formation of the Service Authority would impose a one-dollar registration fee on each vehicle registered. Adoption of the Plan will require a two-thirds vote by the Board of Supervisors, and a vote in favor by the majority of the cities having a majority of the incorporated population. Should MCAG be designated the Service Authority for Merced County, this item would go to the MCAG Governing Board for their approval.

Director Samra moved to approve Consent Agenda item 5e. instructing staff to forward Abandoned Vehicle Abatement Program materials to all of the cities and the county for their consideration and adoption.

Seconded by Director Oliveira.

MOTION CARRIED UNANIMOUSLY.

6. Information Only

- a. Minutes of the June 11, 2008 Technical Review Board meeting
- b. Atwater-Merced Expressway Update

So noted.

7. Oral Report - Caltrans

Ken Baxter gave a brief report from Caltrans.

8. Public Hearing – Regional Transportation Plan Amendment, Air Quality Conformity Analysis and Environmental Determination

Mat Fell gave a review of the Regional Transportation Plan Amendment, Air Quality Conformity Analysis and Environmental Determination. Matt stated that an RTP Amendment was prepared to respond to new federal requirements for a more detailed financial plan and to show the phasing plan for construction of the Los Banos Bypass. However, because of recent high wind “exceedances”, we cannot currently adopt an RTP amendment because we do not have approved air quality conformity budgets.

A public hearing was held to receive comments.

Public Hearing – Opened 3:36

Public Hearing – Closed 3:37

No comments received.

9. Public Hearing – Draft 2009 Federal Transportation Improvement Program and Draft 2009 Interim FTIP Documents for Public Review and Air Quality Conformity Analysis

Matt Fell gave a brief review of the staff report. Matt stated a full FTIP and an Interim FTIP have been prepared because of uncertainty regarding conformity budgets. In all likelihood the Interim FTIP will be on the agenda for approval at the July 2008 meeting.

A public hearing was held to receive comments.

Public Hearing – Opened 3:38

Public Hearing – Closed 3:39

No comments received.

10. Citizens Advisory Committee Membership

Director Pedrozo moved to appoint one Student representative, Adam Cox, and reappoint Richard Jantz as the Economic Development representative to the Citizens Advisory Committee.

Seconded by Director Jones.

MOTION CARRIED UNANIMOUSLY.

11. Independent Performance Audit of “The Bus” – Merced County Transit for the period July 1, 2002 through June 30, 2005

Marjie Kirn stated that every three years a performance audit of “The Bus” – Merced County Transit, is required. The audit identifies that “The Bus” has not met the fare box ratio requirements for the Dial-A-Ride service in the urban area for all three years under audit. In the past months, under the Transit Joint Powers Authority for Merced County, changes have been made to improve the situation however, under the Transportation Development Act, MCAG has the responsibility to review compliance to the fare box ratio and implement penalties if the ratios are not met. Staff has requested leeway by the

Board to determine what penalties should be imposed and come back to the Board with staff's recommendations.

Director Faul moved to accept the 2002-2005 Transit System Performance Audit as presented and direct staff to develop and recommend a course of action consistent with the Transportation Development Act.

Seconded by Director Samra.

MOTION CARRIED UNANIMOUSLY.

12. California Transportation Commission Staff Recommendations regarding the existing Highway 59 Project

So noted.

13. Atwater-Merced Expressway – Legal Services

Director Kelsey moved to authorize the Executive Director to execute an agreement for legal services with the Law Office of Thomas H. Terpstra for the Atwater-Merced Expressway Project in an amount not to exceed \$40,000.

Seconded by Director Samra

MOTION CARRIED UNANIMOUSLY.

14. City-County Congress Next Steps

Jesse Brown gave a brief review of the City-County Congress meeting of May 8, 2008. The Governing Board continued this item for additional discussion at the next meeting.

15. Election of Governing Board Chair and Vice Chair for FY 2008-2009

Director Kelsey moved to recommend Director Joe Oliveira as Chair and Director John Pedrozo as vice chair for the 08/09 fiscal year.

Seconded by Director Samra.

MOTION CARRIED UNANIMOUSLY.

16. Oral Report – Jurisdictions

So noted.

**THERE BEING NO FURTHER BUSINESS OF THE MCAG GOVERNING BOARD
THE MEETING WAS ADJOURNED AT 4:04 P.M.**

_____/s/_____
Robin Lamas
Administrative Assistant II