

**NOTICE OF REGULAR MEETING**  
**OF THE**  
**TECHNICAL REVIEW BOARD**

**City of Livingston  
1416 C Street  
Livingston, CA 95334**

**(209) 723-3153**

**WEDNESDAY, FEBRUARY 11, 2009 12:00 P.M.**

**1. INTRODUCTION**

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

**2. ORAL COMMUNICATION**

**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**

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

**MERCED COUNTY REGIONAL WASTE  
MANAGEMENT AUTHORITY BOARD**

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

For information only.

- \* # 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

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.

- # 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

Recommend the Merced County Regional Waste Management Authority Board:

- a. Approve 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**

For information only.

\* + **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

Recommend the Transit Joint Powers Authority for Merced County:

- a. Approve 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

Recommend the Transit Joint Powers Authority for Merced County:

- a. 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; or
- b. Provide staff with direction on the development of the RFP.

**MCAG GOVERNING BOARD**

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

For information only.

**12. Caltrans Report**

John Gedney

- \* # **13. Draft Formal Amendment No. 4 to the 2009 Interim Federal Transportation Improvement Program (FTIP)** Marjie Kirn
- 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.
- \* # **14. Draft Formal Amendment No. 5 to the 2009 Interim Federal Transportation Improvement Program (FTIP)** Marjie Kirn
- 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. 2009/19-02.
- 15. Oral Report – Valleywide Blueprint Summit Recommendation** Marjie Kirn
- # **16. Regional Transportation Impact Fee Report** Christina Smith
- For information only.
- \* # **17. Homeless Task Force** Lori Flanders
- Recommend the MCAG Governing Board:
- a. Approve implementation of the Homeless Task Force with the recommended members; or
  - b. Approve implementation of the Homeless Task Force with the recommended members including Candice Adam-Medefind, Renee Davenport and a homeless representative; or
  - c. Not approve the implementation of a Homeless Task Force.
- \* + **18. Atwater/Merced Expressway Update** Jesse Brown
- 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.

\* # **19. FY 09-10 Work Program and Budget**

Jesse Brown

Recommend the MCAG Governing Board transmit MCAG's FY 09-10 Work Program and Budget to the member jurisdictions.

**20. Oral Report - Jurisdictions**

\* Action

# Attachment

+ Enclosure

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*The next Technical Review Board meeting will be held on Wednesday, March 11, 2009 at 12:00 p.m.  
at the City of Los Banos, 520 J Street, Los Banos, CA*

# TECHNICAL REVIEW BOARD MEETING

January 14, 2009

## MINUTES

The regular meeting of the Technical Review Board, held at the City of Gustine, 682 3rd Avenue, Gustine, California, was called to order at 12:15 P.M.

### **MEMBERS PRESENT**

John Bramble, City of Merced  
Len Guillette, City of Atwater (for Greg Wellman)  
Darrell Fonseca, City of Dos Palos  
Mark Fachin, City of Los Banos (for Steve Rath)  
Margaret Silveira, City of Gustine  
Dee Tatum, County of Merced  
Richard Warne, City of Livingston

### **MEMBERS ABSENT**

None

### **OTHERS PRESENT**

Jesse Brown, MCAG staff  
Matt Fell, MCAG staff  
Paul Fillebrown, Merced County Public Works  
Lori Flanders, MCAG staff  
John Gedney, Caltrans  
Joy Gort, MCAG staff  
Scott Johnston, Merced County Solid Waste  
Larnold Jones, Merced County Transit – “The Bus”  
Marjie Kirn, MCAG staff  
Joe Oliveira, MCAG Governing Board Chair  
Stephen Qualls, California Cities  
Larry Shankland, Merced County Transit - “The Bus”  
Candice Steelman, MCAG staff

## **2. Oral Communication**

Paul Fillebrown announced that this would be the last TRB meeting that Scott Johnston would be attending.

Stephen Qualls of California Cities gave a brief update on legislative issues and announced an upcoming seminar on SB 375.

**3. Minutes of the December 10, 2008 Technical Review Board meeting**

Richard Warne moved to approve the minutes of the December 10, 2008 Technical Review Board meeting.

Seconded by John Bramble.

**MOTION CARRIED UNANIMOUSLY.**

**MERCED COUNTY REGIONAL WASTE MANAGEMENT  
AUTHORITY BOARD**

**4. Minutes of the October 16, 2008 Merced County Regional Waste Management Authority Board**

So noted.

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

Richard Warne moved to recommend the Merced County Regional Waste Management Authority Board:

- a. Approve the resolution authorizing the Chief Executive Officer of the Merced County Regional Waste Management Authority Board to sign the Fiscal Year 2008/2009 Local Government Waste Tire Cleanup and Amnesty Event Grant Application;
- b. Authorize the Merced County Department of Public Works to submit the resolution to the California Integrated Waste Management Board to complete the application; and
- c. Reauthorize the Regional Agency's Local Tire Amnesty Program with a limit of \$2,000 per city and \$6,500 for the County for Fiscal Year 2009/2010.

Seconded by Darrell Fonseca.

**MOTION CARRIED UNANIMOUSLY.**

**TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY**

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

So noted.

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

Darrell Fonseca moved to recommend the Transit Joint Powers Authority for Merced County authorize the Executive Director sign and return the waiver to SAMTRANS for the 15 buses.

Seconded by Dee Tatum.

**MOTION CARRIED UNANIMOUSLY.**

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

Larry Shankland distributed a handout regarding transit agencies raising fares.

Richard Warne moved to recommend the Transit Joint Powers Authority for Merced County pass a resolution to adopt the fare structure as proposed effective February 2, 2009.

Seconded by Dee Tatum.

**MOTION CARRIED UNANIMOUSLY.**

**8a. Authorize Filing a Three-Year Grant Application for “The Children Ride Free” Program from Merced County First 5 Commission**

John Bramble moved to recommend the Transit Joint Powers Authority for Merced County 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 Dee Tatum.

**MOTION CARRIED UNANIMOUSLY.**

**MCAg GOVERNING BOARD**

**9. Minutes of the December 18, 2008 Governing Board meeting**

So noted.

**10. Caltrans Report**

John Gedney gave a brief report from Caltrans.

**11. Filming Governing Board Meetings in the City of Los Banos**

Darrell Fonseca moved to recommend the MCAG Governing Board approve the proposed agreement with the City of Los Banos for filming services in the City of Los Banos.

Seconded by Mark Fachin.

**MOTION CARRIED UNANIMOUSLY.**

**12. Auditing Services FY 2008/2009**

Dee Tatum moved to recommend the MCAG Governing Board direct staff to negotiate a contract for auditing services for FY 2008/2009 with the ability to renew.

Seconded by John Bramble.

**MOTION CARRIED UNANIMOUSLY.**

**13. Continuum of Care**

So noted.

**14. Regional Transportation Plan Amendment**

Richard Warne moved to recommend the MCAG Governing Board adopt the 2007 Regional Transportation Plan Amendment #2.

Seconded by John Bramble.

**MOTION CARRIED UNANIMOUSLY.**

**15. Final Draft Formal Amendment No. 3 to the 2009 Interim Federal Transportation Improvement Program (FTIP)**

John Bramble moved to recommend the MCAG Governing Board adopt by Resolution No. 2009/01-15-03 Formal Amendment No. 3 to the 2009 Interim Federal Transportation Improvement Program (FTIP), the 2007 Regional Transportation Plan Amendment #2, and the associated Air Quality Conformity Analysis.

Seconded by Richard Warne.

**MOTION CARRIED UNANIMOUSLY.**

**16. FY 2008-2009 Local Transportation Fund (LTF) Claims**

Darrell Fonseca moved to recommend the MCAG Governing Board approve the revised Local Transportation Fund claims received by adoption of Resolution 2009/1-15-02.

Seconded by John Bramble.

**MOTION CARRIED UNANIMOUSLY.**

**17. One Voice State and Federal Policy Platforms**

John Bramble moved to recommend the MCAG Governing Board 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 Darrell Fonseca.

**MOTION CARRIED UNANIMOUSLY.**

**18. Oral Report – Jurisdictions**

So noted.

**THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 1:15 P.M.**

**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**

- a. Minutes of the October 16, 2008 Merced County Regional Waste Management Authority Board meeting
- b. 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.**

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Robin Lamas  
Administrative Assistant II

**MEMORANDUM**

**DATE: FEBRUARY 4, 2009**

**TO: TECHNICAL REVIEW 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.

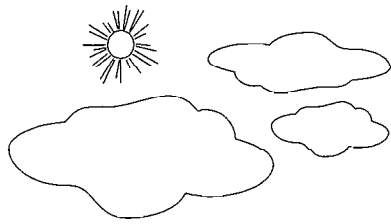
Validating compost BMPs for emissions benefits is important because alternatives to BMPs typically involve enclosure and aeration, technologies that are expensive to build and operate. This could force the Authority to charge higher tipping fees to pay for expensive new emissions reductions technologies. 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.

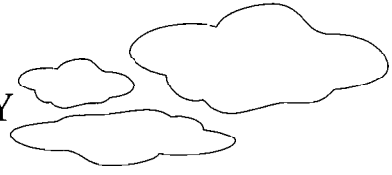
### **REQUESTED ACTION**

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.

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 VALLEYWIDE AIR POLLUTION STUDY AGENCY



A joint powers agency of counties



**Raymond Watson**  
Chair  
Supervisor, Kern County

**William O'Brien**  
Vice Chair  
Supervisor, Stanislaus County

**Tony Barba**  
Supervisor, Kings County

**Judith G. Case**  
Supervisor, Fresno County

**Ronn Dominici**  
Supervisor, Madera County

**Michael G. Nelson**  
Supervisor, Merced County

**Leroy Ornellas**  
Supervisor, San Joaquin County

**J. Steven Worthley**  
Supervisor, Tulare County

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Administrative services  
provided by:  
**San Joaquin Valley  
Air Pollution Control District**  
1990 E. Gettysburg Avenue  
Fresno, California 93726  
(559) 230-6000  
Fax (559) 230-6061

*Legal: Philip M. Jay  
Financial: Roger W. McCoy*

January 26, 2009

Mr. Jesse Brown  
Chief Executive Officer  
Merced County Regional Waste Management Authority  
369 W. 18<sup>th</sup> Street  
Merced, CA 95340

Dear Mr. Brown:

We are requesting your support to fund a field study on volatile organic compound (VOC) emissions control effectiveness and the impact of greenhouse gas (GHG) emissions from selected mitigation measures for organic waste composting. This field study has been initiated by the San Joaquin Valleywide Air Pollution Study Agency (Study Agency) as part of the assessment of emissions contributing to ozone formation in the region. The Central California Ozone Study (CCOS) is a multi-year program of research started by the Study Agency in 1999 with funding through congressional, state and local appropriations and stakeholder contributions. The organic waste compost emissions field study was authorized last fall in a review of additional projects needed to address remaining information gaps on contributing sources to ozone formation. We are asking for your assistance to obtain funds that would supplement the allocation from available Study Agency and San Joaquin Valley Unified Air Pollution Control District (District) contributions that has been reserved for the compost emissions field study.

The District requested Study Agency funding of this project to determine scientifically sound data for regulatory evaluation of potential control options. Although the District is making reasonable progress toward cleaner air within the San Joaquin Valley Air Basin (SJVAB), the District must consider the overwhelming attainment challenge in the upcoming years and evaluate various opportunities to achieve reductions. One of the opportunities includes controlling emissions from stationary sources not traditionally associated with smokestacks. The Green Waste Composting control measure (S-GOV-5) from the District's 2007 Ozone *Plan* requires the District to implement VOC control requirements, including operational and administrative requirements, for all sources that commercially compost green waste. The rule development project for Draft New Rule 4566 (Organic Waste Operations) will seek to obtain as much VOC emissions reduction from

the source category as is expeditiously practicable, technologically feasible, and economically reasonable, as determined by the District's Governing Board. On December 18, 2008, the District's Governing Board approved an extension to the rule adoption date for Draft New Rule 4566 in order to conduct further study.

The District, in conjunction with the Technical Committees of the Study Agency, is sponsoring a scientific field study to identify the VOC emission control potential and the impact of GHG emissions from proposed mitigation measures. The purpose of the field study is to fill information gaps to establish the efficacy of VOC controls from the mitigation measures that could be employed by the organic waste composting industry and to assess GHG emissions from composting. The field study would evaluate the proposed mitigation measures that are used in practice by compost operators to determine the VOC emissions control. The proposed field study would select mitigation measures implemented at organic waste operations for analyses based on their feasibility as a mitigation practice and the practicality of field assessment to quantify VOC emissions reductions. Information from this study would assure local and county governments that compliance with future District regulation to address compost emissions would limit VOC emissions by the most cost-effective and practical mitigation requirements.

The District and stakeholders, including Merced County Regional Waste Management Authority, have participated in a Study Agency process to develop a Request for Proposals (RFP) for a field research effort to obtain the information we need to evaluate emission reductions attributable to mitigation measures associated with compost operations. All participants will continue to have the opportunity to be involved in the field study process.

It is expected that the proposed field study will cost at least \$200,000. We are seeking partners in funding this important work. The District has pledged \$30,000 and we would ask your Board to pledge a similar amount. We appreciate Merced County Regional Waste Management Authority's continued involvement in the organic waste composting project and thank you in advance for your consideration.

Should you or your staff have any questions or need further information, please contact Koshoua Thao at 559-230-5822 or via e-mail at [koshoua.thao@valleyair.org](mailto:koshoua.thao@valleyair.org).

Sincerely,



Jim Swaney, P.E.  
Study Agency Project Manager

cc: Raymond Watson, Chair  
Michael G. Nelson  
Jerry Lawrie

# **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.



DEPARTMENT OF PUBLIC WORKS  
Solid Waste Division

Paul A. Fillebrown  
Director

2222 "M" Street  
Merced, CA 95340  
(209) 385-7388  
(209) 725-1901 Fax  
[www.co.merced.ca.us](http://www.co.merced.ca.us)

Equal Opportunity Employer

**ITEM 6**

**MEMORANDUM**

**DATE: FEBRUARY 4, 2009**

**TO: TECHNICAL REVIEW 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 residuals<sup>1</sup> 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

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

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 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**

**Paul A. Fillebrown**  
*Director*

2222 "M" Street  
Merced, CA 95340  
(209) 385-7388  
(209) 725-1901 Fax  
[www.co.merced.ca.us](http://www.co.merced.ca.us)

*Equal Opportunity Employer*

**ITEM 7**

**MEMORANDUM**

**DATE: FEBRUARY 4, 2009**

**TO: TECHNICAL REVIEW BOARD**

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

**SUBJECT: CAPITAL IMPROVEMENT PROJECT TO CONSTRUCT  
GOUNDWATER 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.

### **REQUESTED ACTION**

Recommend the Merced County Regional Waste Management Authority Board:

- a. Approve 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.**

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/ s /

Robin Lamas

Administrative Assistant II



**DEPARTMENT OF PUBLIC WORKS  
Transportation Division**

**Paul A. Fillebrown**  
*Director*

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**ITEM 9**

**DATE: FEBRUARY 4, 2009**

**TO: TECHNICAL REVIEW BOARD**

**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**

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**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
<b>Total Estimated Expenses</b>	<b><u>\$9,035,847</u></b>

**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
<b>Total Estimated Revenues</b>	<b><u>\$9,035,847</u></b>

**II. CAPITAL IMPROVEMENTS – FIXED ASSETS**

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

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

**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.

**REQUESTED ACTION**

Recommend the Transit Joint Powers Authority for Merced County:

- a. Approve 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.

Enclosure: Draft Budget FY 2009-2010



DEPARTMENT OF PUBLIC WORKS  
Transportation Division

Paul A. Fillebrown  
Director

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**ITEM 10**

**DATE: FEBRUARY 4, 2009**

**TO: TECHNICAL REVIEW BOARD**

**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**

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**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

**REQUESTED ACTION**

Recommend the Transit Joint Powers Authority for Merced County:

- a. 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; or
- b. Provide staff with direction on the development of the RFP.

## **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 4, 2009**

**TO: TECHNICAL REVIEW 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.

## **REQUESTED ACTION**

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.

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
<b>TOTAL</b>	<b>\$3,500,000</b>	<b>\$905,000</b>

# Economic Stimulus Distribution

**\*\*DRAFT\*\***

		\$707,737,500
MPO/RTPA/County	Large UZA \$	
	LARGE Urbanized Area \$	Rest of the State
		TOTAL
<b>MTC Region</b>		<b>\$141,744,547</b>
<b>MTC (SF UZA)</b>	\$0	\$20,084,392
<i>Antioch</i>	\$4,546,496	\$0
<i>Concord</i>	\$11,546,906	\$0
<i>SF-Oakland</i>	\$67,460,693	\$0
<i>Santa Rosa</i>	\$5,963,511	\$0
(San Jose UZA)	\$32,142,549	\$0
<b>SACOG</b>	\$25,118,277	\$6,877,925
El Dorado	\$0	\$2,182,429
<i>Sacramento</i>	\$373,075	\$0
Placer	\$0	\$1,310,828
<i>Sacramento</i>	\$3,625,354	\$0
<b>TRPA</b>	\$0	\$964,353
<b>SCAG Region</b>	<b>\$345,096,783</b>	
<b>Los Angeles (SCAG)</b>	\$0	\$5,628,715
<i>LA-LongBeach-SantaAna</i>	\$186,949,930	\$0
<i>Lancaster-Palmdale</i>	\$5,506,419	\$0
<i>Thousand Oaks</i>	\$818,528	\$0
	\$0	\$0
<b>San Bernardino</b>	\$0	\$5,160,089
<i>Riverside-SBd</i>	\$15,254,668	\$0
<i>Victorville-Hesperia-Apple Valley</i>	\$4,188,048	\$0
<i>LA-LongBeach-Santa Ana</i>	\$11,115,284	\$0
	\$0	\$0
<b>Riverside</b>	\$0	\$5,933,652
<i>Riverside-SBd</i>	\$16,229,781	\$0
<i>Indio-CathedralCity</i>	\$5,325,136	\$0
<i>Temecula-Murrieta</i>	\$4,801,808	\$0
	\$0	\$0
<b>Orange</b>	\$0	\$97,683
<i>MissionViejo</i>	\$11,137,182	\$0
<i>LA-LongBeach-Santa Ana</i>	\$48,237,455	\$0
	\$0	\$0
<b>Ventura</b>	\$0	\$5,058,959
<i>Oxnard</i>	\$7,053,858	\$0
<i>Thousand Oaks</i>	\$3,590,042	\$0
<i>LA-LongBeach-Santa Ana</i>	\$34,957	\$0
Imperial (El Centro UZA)	\$0	\$2,974,589
<b>AMBAG Region</b>	\$0	<b>\$14,847,723</b>
Monterey	\$0	\$8,394,691
Santa Cruz	\$0	\$5,340,724
San Benito	\$0	\$1,112,308
Alpine	\$0	\$25,241
Amador	\$0	\$733,404
<b>Butte</b>	\$0	<b>\$4,245,195</b>
Calaveras	\$0	\$847,363
Colusa	\$0	\$392,904
Del Norte	\$0	\$574,750
<b>Fresno (COFCG)</b>	\$11,593,271	\$5,110,088
Glenn	\$0	\$552,727
Humboldt	\$0	\$2,643,554
Inyo	\$0	\$374,955
<b>Kern (Bakersfield) (KCOG)</b>	\$8,276,908	\$5,547,957
<b>Kings (KCAG)</b>	\$0	<b>\$2,705,047</b>
Lake	\$0	\$1,218,348
Lassen	\$0	\$706,825
<b>Madera (MCTC)</b>	\$0	<b>\$2,570,653</b>
<i>Fresno</i>	\$1,672	\$0
Mariposa	\$0	\$357,926
Mendocino	\$0	\$1,802,480
<b>Merced (MCAG)</b>	\$0	<b>\$4,399,460</b>
Modoc	\$0	\$197,434
Mono	\$0	\$268,559
Nevada	\$0	\$1,923,001
Plumas	\$0	\$435,111
<b>San Diego (SANDAG)</b>	\$55,881,504	\$2,912,657
<b>San Joaquin</b>	\$6,548,228	\$5,017,044
<i>Modesto</i>	\$210,932	\$210,932
<b>San Luis Obispo (SLOCOG)</b>	\$0	\$5,154,322
<b>Santa Barbara (SBCAG)</b>	\$0	<b>\$8,344,231</b>
<b>Shasta</b>	\$0	<b>\$3,411,183</b>
Sierra	\$0	\$74,281
Siskiyou	\$0	\$925,656
<b>Stanislaus (Modesto) (StanCOG)</b>	\$6,286,167	\$3,053,696
Tehama	\$0	\$1,170,917
Trinity	\$0	\$272,091
<b>Tulare (TCAG)</b>	\$0	<b>\$7,689,684</b>
Tuolumne	\$0	\$1,138,781
<b>STATEWIDE TOTALS</b>	<b>\$559,818,637</b>	<b>\$147,918,863</b>
		<b>\$707,737,500</b>

**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 19<sup>th</sup> 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:

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Jesse Brown, Executive Director  
Merced County Association of Governments

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

**ITEM 14**

**MEMORANDUM**

**DATE: FEBRUARY 4, 2009**

**TO: TECHNICAL REVIEW 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% more than this we may have to do another amendment later.** Breaking this down by population and rounding yields the following amounts:

<b>Jurisdiction</b>	<b>% of population</b>	<b>Amount</b>
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
<b>TOTAL</b>		<b>\$ 4,399,359</b>

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](http://www.mcagov.org)) by Thursday February 5, 2009.

**REQUESTED ACTION**

Recommend the MCAG Governing Board 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 19<sup>th</sup> 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:

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Jesse Brown, Executive Director  
Merced County Association of Governments

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

**MEMORANDUM**

**DATE: FEBRUARY 4, 2009**

**TO: TECHNICAL REVIEW 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:

Table one (1) showing fees collected for the current fiscal year by jurisdiction.

Table two (2) showing fees collected to-date by jurisdiction.

Table three (3) showing fees collected by project.

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**

<b>REGIONAL TRANSPORTATION IMPACT FEES (RTIF) COLLECTED BY JURISDICTION FOR FY 2008-2009</b>					
<b>JURISDICTION</b>	<b>1<sup>ST</sup> QTR</b>	<b>2<sup>ND</sup> QTR</b>	<b>3<sup>RD</sup> QTR</b>	<b>4<sup>TH</sup> QTR</b>	<b>TOTAL</b>
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
<b>Total</b>	<b>318,395</b>	<b>535,438</b>			<b>853,833</b>

**TABLE 2**

<b>REGIONAL TRANSPORTATION IMPACT FEES (RTIF) COLLECTED BY JURISDICTION TO-DATE JUNE 30, 2008</b>					
<b>JURISDICTION</b>	<b>FY 2005-06</b>	<b>FY 2006-07</b>	<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>TOTAL</b>
Atwater	16,748	24,338	47,187		88,273
Dos Palos	31,625	57,080	17,707		106,412
Gustine	18,711	45,068	2,802		66,581
Livingston	0	0	0		0
Los Banos	69,534	601,679	433,153		1,104,366
Merced City	1,355,575	1,125,032	738,658		3,219,265
Merced County	973,251	435,576	288,520		1,697,347
Interest Earnings	32,060	141,768	155,912		329,740
<b>Total</b>	<b>2,497,504</b>	<b>2,430,541</b>	<b>1,683,940</b>		<b>6,611,985</b>

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**

Project Name	Total to Date	FY 2005-2006 Total	FY 2006-2007 Total (Net) *	FY 2007-2008 Total (Net)
<b>Deposit Amount:</b>	\$ 6,280,765.80	\$ 2,465,444.65	\$ 2,288,772.38	\$ 1,528,027.77
<b>Allocations:</b>				
Bellevue - connect 99	\$ 60,850.03	\$ 24,164.96	\$ 17,236.10	\$ 19,448.97
Mission - 59 to 99	\$ 29,032.13	\$ 12,696.36	\$ 9,820.89	\$ 6,514.88
59 North Realignment	\$ 2,049,653.38	\$ 904,904.17	\$ 678,939.54	\$ 465,809.67
59 - Mission to Childs	\$ 365,799.53	\$ 149,738.12	\$ 130,158.97	\$ 85,902.44
59 - 152 to Mission	\$ 217,329.94	\$ 82,735.92	\$ 81,836.09	\$ 52,757.93
140 Bradley OH	\$ 721,395.53	\$ 314,179.15	\$ 244,969.54	\$ 162,246.84
140 - to Campus Pkwy	\$ 399,291.08	\$ 173,811.99	\$ 135,646.98	\$ 89,832.11
140/33 Truck Route	\$ 179,973.28	\$ 84,238.43	\$ 69,503.24	\$ 26,231.61
152 Los Banos Bypass	\$ 1,759,202.51	\$ 580,630.01	\$ 707,065.37	\$ 471,507.13
165 - north of Hilmar	\$ 435,949.42	\$ 113,691.09	\$ 189,982.85	\$ 132,275.48
Administration	\$ 63,767.97	\$ 24,654.45	\$ 23,612.81	\$ 15,500.71
TOTAL of all allocations	\$ 6,282,244.80	\$ 2,465,444.65	\$ 2,288,772.38	\$ 1,528,027.77
1st Qtr Interest Income	\$ 57,592.13	\$ 230.18	\$ 25,103.49	\$ 32,258.46
2nd Qtr Interest Income	\$ 83,567.63	\$ 3,453.78	\$ 34,422.33	\$ 45,691.52
3rd Qtr Interest Income	\$ 101,930.28	\$ 10,430.96	\$ 45,215.18	\$ 46,284.14
4th Qtr Interest Income	\$ 86,650.55	\$ 17,945.02	\$ 37,027.17	\$ 31,678.36
<b>TOTAL</b>	<b>\$ 6,611,985.39</b>	<b>\$ 2,497,504.59</b>	<b>\$ 2,430,540.55</b>	<b>\$ 1,683,940.25</b>

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

**TABLE 4****ATWATER MERCED EXPRESSWAY PROJECT EXPENDITURES**

		<b>FY 2006-2007</b>		
	<b>Invoice #</b>	<b>Vendor</b>	<b>Date</b>	<b>Amount</b>
		<b>TOTAL PROJECT EXPENSES FY 06-07</b>		<b>\$ 2,453,365.90</b>
		<b>FY 2007-2008</b>		
<b>#1</b>	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
		<b>TOTAL #1</b>	<b>\$ 214,600.72</b>	
<b>#2</b>	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
		<b>TOTAL #2</b>	<b>\$ 99,123.23</b>	
<b>#3</b>	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		<b>\$ (19,094.14)</b>
		<b>TOTAL #3</b>	<b>\$ 267,135.11</b>	

	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
		<b>TOTAL #4</b>	<b>\$ 25,296.72</b>	
	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
		<b>TOTAL #5</b>	<b>\$ 80,846.44</b>	
		<b>TOTAL FY 2007-08</b>		<b>\$ 687,002.22</b>
		<b>TOTAL TO-DATE</b>		<b>\$ 3,140,368.12</b>

Above 2007-08 figures are unaudited.

**MEMORANDUM**

**DATE: FEBRUARY 4, 2009**

**TO: TECHNICAL REVIEW 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:

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

**DISCUSSION**

Following the Continuum of Care status report to the Governing Board on January 15, 2009, 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.

## **REQUESTED ACTION**

Recommend the MCAG Governing Board:

- a. Approve implementation of the Homeless Task Force with the recommended members;  
or
- b. Approve implementation of the Homeless Task Fore with the recommended members including Candice Adam-Medefind, Renee Davenport and a homeless representative; or
- c. Not approve the implementation of a Homeless Task Force.

Attachment: Letter from Monika Grasely

## Attachment

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](mailto:monikagrasley@lifelinecdc.org)

**MEMORANDUM**

**DATE: FEBRUARY 4, 2009**

**TO: TECHNICAL REVIEW 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 re-circulated 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's 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.

**REQUESTED ACTION**

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.

Enclosure: Atwater-Merced Expressway Project FEIR Summary of Comments and Responses

**MEMORANDUM**

**DATE: FEBRUARY 4, 2009**

**TO: TECHNICAL REVIEW 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 (SJVTPA), 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 SJVRPAs. 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 are 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.

**REQUESTED ACTION**

Recommend the MCAG Governing Board transmit MCAG's FY 09-10 Work Program and Budget to the member jurisdictions.

Attachments: Work Program and Budget Summary  
Member Contribution Schedule