

TECHNICAL REVIEW BOARD MEETING

November 18, 2009

MINUTES

The regular meeting of the Technical Review Board, held at the City of Los Banos, Police Annex, 535 J Street, Los Banos, California, was called to order at 12:08 P.M.

MEMBERS PRESENT

John Bramble, City of Merced
Kelly Buendia for Margaret Silveira, City of Gustine
Paul Fillebrown for Dee Tatum, County of Merced
Darrell Fonseca, City of Dos Palos
Steve Rath, City of Los Banos
Greg Wellman, City of Atwater

MEMBERS ABSENT

Richard Warne, City of Livingston

OTHERS PRESENT

Jesse Brown, MCAG staff
Sam Chandler, Merced County Solid Waste
Stan Feathers, City of Atwater
Matt Fell, MCAG staff
Rod Ghearing, Merced County Transit
John Gedney, Caltrans District 10
Joy Gort, MCAG staff
Marjie Kirn, MCAG staff

2. Oral Communication

None.

3. Minutes of the September 9, 2009 Technical Review Board meeting

Darrell Fonseca moved to approve the minutes of the September 9, 2009 Technical Review Board meeting.

Seconded by Greg Wellman.

MOTION CARRIED UNANIMOUSLY.

**MERCED COUNTY REGIONAL WASTE MANAGEMENT
AUTHORITY BOARD**

4. Minutes of the September 24, 2009 Merced County Regional Waste Management Authority Board meeting

So noted.

5. Contract Negotiations for the Highway 59 Landfill Gas Utilization Project

Sam Chandler gave an update on contract negotiations for the Highway 59 Landfill Gas Utilization Project.

6. Oral Report Landfill Tonnage Revenue Update

Sam Chandler distributed handouts showing tonnage to date along with a 4-year tonnage comparison.

7. Update of Phoenix Energy Proposed Biomass Plant

Sam Chandler gave an update of the Phoenix Energy proposed Biomass Plant. Deputy Director Chandler outlined concerns regarding the project, and formally requested Mr. Stangl to address the concerns before any further action could be taken on the proposed project. A response has not been given; therefore, there is no further update to provide at this time.

8. Single Stream Recyclables Processing Rebate Status

Sam Chandler gave an overview of the Single Stream Recyclables Processing Rebate Status and will come back in January with an update.

TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY

9. Minutes of the August 20, 2009 Transit Joint Powers Authority for Merced County meeting

So noted.

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

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

- a. Current transit staff employed by Merced County Public Works would become employees of the Transit Authority;
- b. The Transit Manager would report to and be responsible to the Transit Authority Executive Director who reports directly to the Authority Board;

- c. The Authority would enter into agreements for transit service functions: service operations; and vehicle and land lease for transit office site with Merced County; and
- d. Title to all capital equipment (transit vehicles) and facilities purchased with Authority funding would be transferred from Merced County to the Authority.

Paul Fillebrown moved to recommend the Transit Joint Powers Authority for Merced County approve:

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

With the clarification to the Agreement that both the Transit Authority and Merced County have a six-month option for ending their mutual agreement.

Seconded by Steve Rath.

MOTION CARRIED UNANIMOUSLY.

11. Modification to Policy Regarding Free Rides for Children Under Five

Rod Ghearing gave an overview of the Modification to Policy Regarding Free Rides for Children Under Five with information regarding the research that was conducted on the average height of both boys and girls at five years of age. With the data from the National Center for Health Statistics, a measuring line at 46 inches above the floor of the bus is being proposed.

Steve Rath moved to recommend the Transit Joint Powers Authority for Merced County approve changing Merced County Transit's policy regarding free rides for children less than five years of age when riding with a fare paying adult to free rides for children less than 46 inches in height.

Seconded by Greg Wellman.

MOTION CARRIED UNANIMOUSLY.

12. Public Transportation Modernization, Improvement and Service Enhancement Program (PTMISEA)

Greg Wellman moved to recommend the Transit Joint Powers Authority for Merced County approve the submittal of the four recommended project proposals in the amount of \$1,600,896 to the State for transit projects.

Seconded by Paul Fillebrown.

MOTION CARRIED UNANIMOUSLY.

MCAG GOVERNING BOARD

12a. One Voice Priorities

This item was added to the agenda by consensus of the Technical Review Board for a recommendation to the MCAG Governing Board to approve the One Voice priorities for the 2009-2010 program.

Steve Rath moved to recommend the MCAG Governing Board approve the One Voice priorities for the 2009-2010 program.

Seconded by Darrell Fonseca.

Abstained: Greg Wellman.

MOTION CARRIED.

13. Caltrans Report

John Gedney gave a brief report from Caltrans and wanted to thank staff for adhering to ARRA fund guidelines.

14. Information only

- a. Minutes of the September 24, 2009 MCAG Governing Board meeting
- b. Technical Review Board Calendar for 2010
- c. 2010 Regional Transportation Improvement Program (RTIP) Concept Report
- d. 2009-2010 State Transportation Improvement Program (STIP) Allocation Plan

So noted.

15. FY 2009/2010 Budget Revision – 07/01/2009

Darrell Fonseca moved to recommend the MCAG Governing Board approve the FY 2009/2010 Budget Revision – 07/01/2009.

Seconded by Greg Wellman.

MOTION CARRIED UNANIMOUSLY.

16. Regional Transportation Plan Background Report

Matt Fell gave an overview of the Regional Transportation Plan Background Report. More information will be provided as it is received.

17. Goods Movement Report - Draft

Marjie Kirn presented this item and informed the Technical Review Board that Ty Phimmasone had a power point presentation available if they were interested. It was requested that Ty Phimmasone send his power point presentation to the Technical Review Board members.

18. MCAG Governing Board Amended and Restated Bylaws

Jesse Brown informed the Technical Review Board that the Bylaws for the MCAG Governing Board had been updated and that they follow the model adopted by the recently approved Bylaws for the Regional Waste Management Authority.

Steve Rath moved to recommend the MCAG Governing Board approve the Amended and Restated Bylaws of the Merced County Association of Governments.

Seconded by Greg Wellman.

MOTION CARRIED UNANIMOUSLY.

19. Financial and Institutional Hurdles Study Contract

Steve Rath moved to recommend the MCAG Governing Board award the Financial and Institutional Hurdles Study Contract to Professor Shawn Kantor in an amount not to exceed \$28,000.

Seconded by Paul Fillebrown.

MOTION CARRIED UNANIMOUSLY.

20. Oral Report - Jurisdictions

So noted.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 1:05 P.M.