



**MCAG Governing Board
Transit Joint Powers Authority Board
Regional Waste Management Authority Board**

REGULAR MEETING MINUTES

DATE

Thursday, February 17, 2022

The regular meeting of the Merced County Association of Governments Governing Board held on Thursday, February 17, 2022 at the Merced County Admin Building, Board of Supervisors Chambers, 2222 M Street, Merced, CA and via zoom was called to order by Chair Pareira at 3:00 p.m.

DIRECTORS PRESENT

Director John Cale
Director Rodrigo Espinoza
Director Tom Faria
Director April Hogue
Director Daron McDaniel
Director Pat Nagy**
Director Lloyd Pareira, Chair
Director Josh Pedrozo
Director Matthew Serratto, Vice Chair
Director Scott Silveira

DIRECTORS ABSENT

Director Juan Aguilar

GUESTS AND MEMBERS OF THE PUBLIC

Dennis Agar, Caltrans District 10**
Maddie Brown, Citizens Advisory Committee
Darrell Fonseca, City of Dos Palos
Ben Goldeen, Townsend Public Affairs**
Raul Mendez, County of Merced
Christine Murillo, UC ANR**
Marlon Regisford, Caltrans District 10 **
Shane Smith, Citizens Advisory Committee

MCAG STAFF PRESENT

Nav Bagri, Deputy Executive Director
John Costa, RWA Operations Manager
Christine Chavez, Transit Manager
Eva Garibay, Grant Analyst I**
Stacie Guzman, Executive Director
Emily Haden, Legal Counsel
Stephanie Jackson, Executive Assistant**
Kyle Loreto, Diversion Programs Manager**
Navneet Mattu, Staff Services Analyst I**
Alicia Ochoa-Jones, Purchasing and Contracts Manager**
Mary-Michal Rawling, Public Affairs Manager
Jose Perez, Assistant Transit Manger**
Joy Young, Administrative Assistant II
Eric Zetz, RWA Director
Adam Perez, Multimedia Specialist

*arrived after roll call

**attended via zoom

1. Call to order

- a. Roll call
- b. Pledge of allegiance
- c. Invocation

Roll call was taken, and a quorum was present. Chair Pareira led the pledge of allegiance. Eric Zetz led the invocation.

2. Approval of agenda

Director Espinoza moved to approve the February 17, 2022 MCAG Governing Board meeting agenda. Seconded by Director Faria.

Roll call vote:

AYES – Directors Cale, Espinoza, Faria, Hogue, McDaniel, Nagy, Pareira, Pedrozo, Serratto, Silveira

NOES – None

MOTION CARRIED UNANIMOUSLY.

3. Public comment

No public comments were received prior to the meeting and no public comments were received during the meeting.

4. Caltrans Report

Dennis Agar and Marlon Regisford presented the Caltrans report via webinar and discussed the following topics:

- COVID-19 cases are trending down
- Clean California projects ongoing
- Adopt-a-highway still available
- Caltrans looking to coordinate local dump dates with jurisdictions
- Pedestrian/Bike project opportunities are coming up
- SR 99 Summit in March

Chair Pareira asked Caltrans to consider electric bikes as another alternative mode of transportation.

Director Espinoza stated that he would like an update on the crossings in Planada and in Santa Nella.

Director Nagy thanked Caltrans, Stacie Guzman and staff, and Chair Pareira as well as the Directors for the efforts made in getting the conditional encroachment permit for the Gustine project.

5. Citizens Advisory Committee report

Maddie Brown presented the Citizens Advisory Committee report.

6. Information items:

- a. **Merced County Association of Governments**
 - i. MCAG Governing Board revised calendar – 2022

- ii. Calendar of meetings, conferences, and events
- iii. Draft minutes of the February 9, 2022 Technical Review Board meeting
- iv. MCAG newsletter – February 2022
- v. City-County Dinner Host Rotation Schedule
- vi. Transportation Planning and Measure V update
- vii. Quarterly Report on Merced County Association of Governments (MCAG) Board approved contracts
- viii. Dibs Quarterly Activity Report for July – September 2021
- ix. Dibs Annual Community Report
- x. Draft Measure V Citizens Oversight Committee minutes for January 10, 2022
- xi. State Clearinghouse – Notice of Preparation of a Draft Environmental Impact Report for the University Vista Project
- b. **Transit Joint Powers Authority for Merced County**
 - i. TJPA monthly update
 - ii. Quarterly Report on Transit Joint Powers Authority for Merced County (TJPA) Board approved contracts
- c. **Merced County Regional Waste Management Authority**
 - i. RWA monthly update
 - ii. Quarterly Report on Merced County Regional Waste Management Authority (RWA) Board approved contracts

Director McDaniel asked the Regional Waste Management Authority Director if there is a way to relieve those who clean up illegal dumping from the cost burden of taking the trash to the landfill, maybe by billing the jurisdiction from where the trash came from if it could be identified. He also stated that the cost should be carried by all jurisdictions as some of the trash that is dumped in the county can be from cities and that it would only make sense for each jurisdiction to pay if the trash is confirmed from a different jurisdiction.

Eric Zetz replied that staff will have discussion to identify options on how illegally dumped trash brought into the landfill could be paid for as a pass through or shared cost program among the jurisdictions.

7. **Consent calendar:**

- a. **Merced County Association of Governments**
 - i. Approve the minutes of the January 20, 2022 MCAG Governing Board, Transit Joint Powers Authority Board, and the Regional Waste Management Authority Board meeting
 - ii. Approve the Measure V Regional Funding Agreement – Atwater Bellevue Rehab-Realign PSR-E
 - iii. Approve the Measure V Regional Funding Agreement – Merced Mission Avenue PSR-E
 - iv. Authorize the Executive Director to enter into contract for Accounting Software
 - v. Affirm adoption of Resolution No. 2021/10-21-03 authorizing the MCAG Governing Board and all of its subordinate committees to hold virtual meetings in accordance with AB 361
 - vi. Approve the Measure V Citizens Oversight Committee appointment for the City of Gustine representative

Director McDaniel moved to approve consent calendar.
Seconded by Director Pedrozo.

Roll call vote:

AYES – Directors Cale, Espinoza, Faria, Hogue, McDaniel, Nagy, Pareira, Pedrozo, Serratto, Silveira

NOES – None

MOTION CARRIED UNANIMOUSLY.

MERCED COUNTY ASSOCIATION OF GOVERNMENTS

8. Action items:

- a. Release the draft 3rd Amended and Restated Joint Powers Agreement of MCAG to member agencies for review and comment

Stacie Guzman summarized the request to release the draft 3rd Amended and Restated Joint Powers Agreement of MCAG to member agencies for review and comment as well as summarized the process and proposed schedule based on the discussion from the Governing Board Retreat in November 2021.

Director Faria expressed concern over wanting the TRB to have more time to review the document before it is released by the Board.

Director Cale stated that he agrees with Director Faria on the timeframe and would also like more time for staff to review the document for comment.

Emily Haden stated that the proposed action was to release the draft to the jurisdictions to begin the review process at the local jurisdiction level and that the 60-day comment and review period was flexible.

Stacie Guzman stated that the 60-day review period could be extended at the Board's discretion.

Director Serratto stated that he agrees with Directors Faria and Cale and would like to see a term of 120-days at a minimum for adequate time for review from the City of Merced's staff and legal counsel.

Director McDaniel moved to distribute the draft 3rd Amended and Restated Joint Powers Agreement of MCAG to the member agencies for review and comment for a period of 120-days.

Seconded by Director Pedrozo.

Roll call vote:

AYES – Directors Cale, Espinoza, Faria, Hogue, McDaniel, Nagy, Pareira, Pedrozo, Serratto, Silveira

NOES – None

MOTION CARRIED UNANIMOUSLY.

- b. Appoint a Board Director to the 2022 Anna Maria Fuentes Scholarship Selection Committee

Mary-Michal Rawling summarized the request to appoint a Board Director to the 2022 Anna Maria Fuentes Scholarship selection committee. and stated that Anna Fuentes was a former employee of MCAG and that this scholarship is a way to give back to the community in memory of Anna Fuentes.

At Director Espinoza's request, Stacie Guzman shared information about Anna Maria Fuentes and the positive legacy that she is remembered for by her former colleagues.

Director Espinoza stated that Anna Fuentes was from Livingston, and he stated that Anna was a very kind individual that believed in higher education and the scholarship fund is a great way to honor her memory.

Director Pedrozo moved to nominate and appoint Director Faria to serve as Board representation on the 2022 Anna Maria Fuentes Scholarship Selection Committee.

Seconded by Director Nagy.

Roll call vote:

AYES – Directors Cale, Espinoza, Faria, Hogue, McDaniel, Nagy, Pareira, Pedrozo, Serratto, Silveira

NOES – None

MOTION CARRIED UNANIMOUSLY.

9. Discussion items:

- a. Provide direction on development of 2022 One Voice program

Mary-Michal Rawling summarized the logistical issues and remaining decisions that needed to be made related to whether the 2022 One Voice trip will be in-person or virtual, and if to continue in May or look for a later date. She shared the discussion from the TRB including their recommendation to either hold the May trip virtually, or seek a later date for an in-person trip, based on ongoing pandemic travel complications. Mary-Michal shared the latest information related to the lifting of pandemic restrictions in Washington, D.C. and sought direction from the Board.

The Board discussed the 2022 One Voice program and agreed by consensus that an in-person meeting in May, as planned, has value and that strike teams can split up if the size of the group becomes an issue.

- b. 2022 Regional Transportation Plan / Sustainable Communities Strategy Overview

Stacie Guzman summarized the 2022 Regional Transportation Plan and Sustainable Communities Strategy and discussed the plan development as well as the next steps.

TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY

10. Action items:

- a. Authorize the Executive Director to enter into a construction contract for the transit administration building remodel and approve FTIP amendment No. 10 and related FY 21/22 budget amendment

Stacie Guzman summarized the request to authorize the Executive Director to enter into a construction contract for the transit administration building remodel and approve FTIP amendment No. 10 and related FY 21/22 budget amendment with T&S West as the selected vendor.

Director Silveira moved to:

- A. Authorize an additional \$213,661 for the transit administration building remodel project (\$170,928.80 in FY 18/19 FTA 5339(a) and \$42,732.20 in State of Good Repair (SGR) funds as a match);
- B. Adopt 2021 FTIP amendment No. 10 to program the \$213,661 of federal and matching funds to the transit administration building remodel project;
- C. Amend the FY 2021/22 budget to include the additional \$213,661 in the capital projects budget; and
- D. Authorize the Executive Director to enter into a construction contract for the remodel of the transit administration building in an amount not to exceed \$1,314,676.

Seconded by Director Pedrozo.

Roll call vote:

AYES – Directors Cale, Espinoza, Faria, Hogue, McDaniel, Nagy, Pareira, Pedrozo, Serratto, Silveira

NOES – None

MOTION CARRIED UNANIMOUSLY.

- b. Accept the Transit Joint Powers Authority for Merced County Audited Financial Statements for the year ending June 30, 2021

Nav Bagri summarized the request to accept the Transit Joint Powers Authority for Merced County Audited Financial Statements for the year ending June 30, 2021 .

Director Silveira thanked Nav Bagri and staff for their work on this item.

Director Espinoza moved to accept the Transit Joint Powers Authority for Merced County Financial Statements and Independent Auditor’s Report for the year ending June 30, 2021.

Seconded by Director Cale.

Roll call vote:

AYES – Directors Cale, Espinoza, Faria, Hogue, McDaniel, Nagy, Pareira, Pedrozo, Serratto, Silveira

NOES – None

MOTION CARRIED UNANIMOUSLY.

11. Discussion items:

None.

MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY-

12. Action items:

- a. Authorize the Executive Director to enter into a contract with Restore Merced for litter collection services

Eric Zetz introduced John Costa as the new RWA Operations Manager.

Eric Zetz summarized the request to authorize the Executive Director to enter into a contract with Restore Merced for litter collection services.

Director Cale stated his concern with the method of sole sourcing this contract when there are other small businesses that provide the service. He stated he would prefer that the contract be bid out to give other businesses the opportunity.

Chair Pareira stated that he originally suggested a partnership with Restore Merced with the previous RWA Director as an option for litter collection services at a time when the services were being provided in-house with reduced staffing levels.

Chair Pareira moved to authorize the Executive Director to enter into a contract for litter collection services for one year with a one-year extension option in an amount not to exceed \$68,000.

Seconded by Director Faria.

Roll call vote:

AYES – Directors Espinoza, Faria, Hogue, McDaniel, Nagy, Pareira, Pedrozo, Serratto, Silveira

NOES – Director Cale

MOTION CARRIED.

13. Discussion items:

None.

OTHER REPORTS

14. Executive Director's report

Stacie Guzman presented the Executive Director's report and discussed the following topics:

- She will be attending the SR 99 Summit – March 3-4, 2022 at the Tulare Ag Center along with Directors McDaniel, Cale and Silveira who serve as MCAG's representatives on the San Joaquin Valley Regional Policy Council
- Budget season will begin in March with the MCAG draft budget presentation, followed by TJPA in April and RWA in May.
- She shared that there has been recent discussion at TRB meetings about MCAG processes and procedures. She stated that in order to remain consistent with previous Board direction and policy, she will inform TRB members that any requests for changes should be raised by the jurisdiction's Board Director, per the agenda request policy, for discussion and potential direction.

15. Directors' report

Director Nagy wished Stacie an enjoyable trip.

Director Espinoza shared concerns he received from First Transit employees about not having adequate access to bathrooms at the City's Transpo Center and wanted to make sure that there is a solution regarding bathroom, and breakroom issues. He also shared concerns about drivers having frequent radio/communication issues.

Director Cale stated that the Castle Veterans Association and Old Town Atwater will put on an 1880 Baseball event at Memorial Field with 1880 uniforms and rules on April 16, 2022.

Director McDaniel stated that the MCAG Governing Board is the policy and decisionmakers for MCAG and the TRB is an advisory committee to the Governing Board.

16. Adjournment

Chair Pareira adjourned the meeting at 4:45 p.m.

There being no further business of the MCAG Governing Board, the meeting was adjourned at 4:45 p.m.

_____/s/
Joy Young, Administrative Assistant II