



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

**DATE**

**Thursday, January 18, 2018**

The regular meeting of the Merced County Association of Governments Governing Board held on Thursday, January 18, 2018, at the City of Livingston, Council Chambers, 1416 C Street, Livingston, CA was called to order by Chair Espinoza at 3:00 P.M.

**DIRECTORS PRESENT**

Director Rodrigo Espinoza, Chair  
Director Alex McCabe, Vice Chair  
Director Michael McGlynn for April Hogue  
Director Lee Lor  
Director Daron McDaniel  
Director Mike Murphy  
Director Joe Oliveria  
Director Lloyd Pareira  
Director Mike Villalta

**DIRECTORS ABSENT**

Director Jerry O'Banion  
Director Jim Price

**GUESTS AND MEMBERS OF THE PUBLIC**

Patti Dossetti, League of Women Voters  
Tom Dumas, Chief, Office of Metropolitan Planning, Caltrans, District 10  
Michael Claiborne, Leadership Counsel for Justice and Accountability  
Chelsey Payne, Mintier-Harnish  
Juan Martinez, United Way  
Hayde Sanchez, Planada MAC  
Gayle Sanchez, Planada MAC  
Isabel Sanchez, Neighbors United for a Better South Merced  
Maria Vargas, Neighbors United for a Better South Merced  
Alex Terrazas, Los Banos City Manager

**MCAG STAFF PRESENT**

Natalia Austin, GIS Analyst  
Nav Bagri, Finance Director  
Stacie Dabbs, Deputy Executive Director  
Matt Fell, Senior Transportation Planner  
Emily Haden, Legal Counsel  
Patrick Pittenger, Executive Director  
Ty Phimmasone, Associate Planner  
Artis Smith, Transit Director  
Brooks Stayer, Regional Waste Authority Director  
Joy Young, Administrative Assistant II

1. **Pledge of Allegiance**

2. **Invocation**

Director McGlynn led the invocation.

3. **Roll Call**

4. **Approval of agenda**

At this time, Item 24 was removed from the agenda at the request of Executive Director, Patrick Pittenger with the intention of bringing this item back at a future meeting.

Director Villalta moved to approve the January 18, 2018, MCAAG Governing Board agenda.  
Seconded by Director Oliveira.

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta  
Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

5. **Public Comment**

No public comments were received.

6. **Minutes**

- a. Special meeting of the Merced County Association of Governments Governing Board meeting for November 17, 2017
- b. Special meeting of the Transit Joint Powers Authority for Merced County Board meeting for November 17, 2017
- c. Special meeting of the Regional Waste Management Authority Board meeting for November 17, 2017

Director McDaniel moved to approve the minutes of the Special meeting of the Merced County Association of Governments Governing Board meeting, the Transit Joint Powers Authority and the Regional Waste Management Authority.

Seconded by Director Lor.

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta  
Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

## 7. Minutes

- a. Merced County Association of Governments Governing Board meeting for December 21, 2017
- b. Transit Joint Powers Authority for Merced County Board meeting for December 21, 2017
- c. Regional Waste Management Authority Board meeting for December 21, 2017

Director McCabe moved to approve the minutes of the Merced County Association of Governments Governing Board, the Transit Joint Powers Authority, and the Regional Waste Management Authority meeting.

Seconded by Director Lor.

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta  
Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

## 8. Citizens Advisory Committee Report

No report was given.

# MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY

## 9. Oral Report – Merced County Regional Waste Management Authority Monthly Update

Regional Waste Authority Director, Brooks Stayer gave the Merced County Regional Waste Management Authority monthly update which included an update on changes in allowable percentages of contamination of recyclables being exported into China which is restricting California from exporting its recyclables at this time. Mr. Stayer stated that this information is just in case future recyclables have to be diverted to the landfill. Mr. Stayer stated that they have submitted the permit to the water board for Billy Wright, Phase 2b and they should go out to bid in the next month. He will bring back the contracts for the company that will be awarded the construction bid. Mr. Stayer stated that 60% of design plans have been completed for Highway 59, Phase 6b and submittal to the water board should happen in the next few months. Mr. Stayer stated that the UC Merced agreement for the Gas to Energy Project has been reviewed by our legal counsel and returned to UC Merced.

## 10. Authorization to Sell Surplus Soil at the Highway 59 Landfill

Director Oliveira moved to authorize the Executive Director to negotiate and approve soil sales from the Highway 59 Landfill.

Seconded by Director Pareira.

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta  
Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

**11. Merced County Regional Waste Management Authority Audited Financial Statements for the Year Ending June 30, 2017**

Director Lor moved to accept the Independent Auditor's Report and Financial Statements for the year ending June 30, 2017.

Seconded by Director Murphy.

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta  
Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

## **TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY**

**12. Oral Report – Transit Joint Powers Authority for Merced County Monthly Update**

Transit Director, Artis Smith gave the Transit Joint Powers Authority for Merced County monthly update stating that ridership continues to increase as a direct result of Measure V funds and that percentage of increase equals about 14,000 riders. Mr. Smith stated that the new maintenance facility is progressing with the foundation complete and three walls have been put up. Mr. Smith reported that four new buses and nine paratransit buses have been purchased and should be operational by the end of February.

**13. Transit Joint Powers Authority for Merced County Audited Financial Statements for the Year Ending June 30, 2017**

Director Oliveira moved to accept the Independent Auditor's Report and Financial Statements for the year ending June 30, 2017.

Seconded by Director Lor.

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta  
Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

## **MERCED COUNTY ASSOCIATION OF GOVERNMENTS**

**14. Caltrans Report**

Tom Dumas of Caltrans gave the report and distributed the Mile Marker, Caltrans monthly performance report that includes a list of projects that have been completed. Mr. Dumas stated that bid openings are coming to Merced County for rehab striping on State Route 99, replacement of seals on Interstate 5 and Highway 152 and resurfacing on Highway 59.

Director Villalta requested that Caltrans look into a developing sinkhole in Los Banos at Mercy Springs and Highway 152, at the intersection in the westbound lane.

Director Lor thanked Mr. Dumas and Caltrans for providing detailed information.

Chair Espinoza requested that Caltrans look into the Planada signs on northbound and southbound lanes on State Route 99.

Chair Espinoza asked for an update on the Winton Parkway restriping to fix the bottleneck issue at that location. Mr. Dumas responded that information was obtained that this area of road has a maintenance agreement with the City of Livingston, which is why the restriping was not performed earlier. Mr. Dumas stated that his staff is in communication now with the City of Livingston staff and will forward information to them.

## 15. Information/Discussion Only

- a. Caltrans TCEP application – Letter of Support for the Highway 99 Livingston Widening Project
- b. SJJPA/SJRRRC TIRCP 2018 Grant application – Letter of Support for Improved Passenger Rail Service to Sacramento
- c. Revised MCAG Governing Board 2018 meeting schedule
- d. Calendar of Meetings, Conferences and Events
- e. Technical Review Board meeting minutes for January 10, 2018

So noted.

## 16. Consent Agenda

Director Lor moved to approve the Consent Agenda.

- a. Transportation Planning Priorities FY 18-19
- b. 2018 One Voice Platform
- c. Consultation Process with Federal Land Management Agencies
- d. Social Services Transportation Advisory Council Appointments

Seconded by Director Oliveira.

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta**  
**Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

## 17. Unmet Transit Needs 2018 – Public Hearing Process and Schedule

GIS Analyst, Natalia Austin reported on the Unmet Transit Needs 2018 - Public Hearing process and schedule stating that MCAG is responsible for performing the annual “unmet transit needs” process. Mrs. Austin stated that the committee will hold six public hearings to gather public testimony in Los Banos, Atwater and Merced. The SSTAC will review comments and make a formal recommendation to the board in March or April.

## 18. Transportation Planning Update

Deputy Executive Director, Stacie Dabbs gave a brief update on Measure V stating that funding has been coming in above projections. Ms. Dabbs informed the Board of upcoming Regional Project Committee meetings on February 7<sup>th</sup>, Eastside will meet in Atwater and Westside will meet in Dos Palos. Ms. Dabbs stated that the meetings will give an opportunity to create an implementation plan and look at project prioritization.

**19. Regional Transportation Plan – Preferred Scenario**

Senior Planner, Matt Fell gave a detailed report on the development of the 2018 Regional Transportation Plan and Sustainable Communities Strategy which included a presentation on four scenarios. Staff recommended Scenario 2 “Infill Emphasis” as the preferred scenario.

Michael Claiborne with the Leadership Counsel for Justice and Accountability stated that MCAG had good policies in the preferred scenarios for the RTP/SCS but he proposed a hybrid of scenarios 2 and 4 and requested that it be included as an option in the EIR.

Director Murphy asked if it was feasible to consider doing a hybrid scenario at this point in the process. Director Lor stated she would like to see a hybrid option as well and would be in support of a special meeting to approve it to stay within the timeline. Director Lor would like to see the Greenhouse Gas Emission numbers for the scenarios.

Executive Director, Patrick Pittenger indicated that the public involvement process did not address the suggested hybrid scenario and that the consistency with the public process is a concern, not necessarily the potential to hold a special meeting.

Senior Planner, Matt Fell indicated that he will work with the consultant to determine how components of the proposed hybrid can be addressed and/or incorporated into the draft RTP document. He also indicated that the Greenhouse Gas Emission numbers will be released with the draft plan.

Director McCabe asked staff to provide the Board the results of the surveys.

Director Lor moved to select Scenario 2 “Infill Emphasis” as the preferred scenario for the Draft Regional Transportation Plan and Draft Environment Impact Report.

Seconded by Director Oliveira.

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta  
Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

**20. Authorization for the Execution of the Allocation of FY 17/18 California State of Good Repair (SGR) Projects**

Director Oliveira moved to:

- a. Adopt Resolution No. 2018/01-18-01 authorizing the filing of the FY 2017-18 SGR projects; and
- b. Authorize the Executive Director to sign and execute the related documents as stated above.

Seconded by Director McDaniel.

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta  
Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

**21. Merced County Association of Governments Audited Financial Statements for the Year Ending June 30, 2017**

Finance Director, Nav Bagri gave an overview of the audited financial statements for FY 16/17. Executive Director, Patrick Pittenger discussed the financial health of MCAG and informed the board that MCAG staff is working with Caltrans to resolve a long standing issue with the Indirect Cost Allocation Plan (ICAP), which has negatively impacted MCAG's financial condition.

Director Lor moved to accept the Financial Statements and Independent Auditor's Report for the year ending June 30, 2017.

Seconded by Director Oliveira.

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta  
Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

**22. Regional Transportation Impact Fee (RTIF) Options**

Executive Director, Patrick Pittenger gave an update on the Regional Transportation Impact Fee and requested that the Board select an option from the RTIF alternatives list provided and direct staff on the future of the RTIF.

Director Villalta stated that he would like to see the funds split between the Eastside and Westside using the Measure V formula, and indicated that the Los Banos Council is in agreement.

Director Villalta made a motion to request member jurisdictions rescind the implementation agreement of the RTIF and adopt the 2016 RTIF Study List.

Director Murphy supported the split as long as distribution amounts are based on contributions from the jurisdiction rather than population.

Director Oliveira supported the split to the Eastside and Westside Measure V Regional Projects Committees.

Director Pareira stated that the county could do an exchange of funds with jurisdictions whose RTIF amounts that are too small to complete a project.

Director McCabe supported the split using the option 3B-1 allocating funds by Measure V formula.

Director Murphy wanted to clarify that a motion was made to rescind the RTIF without an agreement regarding the distribution of funds. Legal Counsel, Emily Haden clarified that the individual jurisdictions would only take action on rescinding the agreement and adopting the 2016 project list, but not on the distribution of funds. The MCAG Governing Board makes the final decision on the distribution of funds.

After a lengthy discussion, Director Villalta moved to request member jurisdictions rescind the implementation agreement of the RTIF and adopt the 2016 RTIF Study List.

Seconded by Director Oliveira.

**At this time a Roll Call Vote was taken.**

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta  
Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

After additional discussion, Director McDaniel moved to tentatively approve RTIF Option 3C: as presented to allocate remaining funds to all jurisdictions based on contributions, with direction to Governing Board members to discuss the decision at their local councils prior to the Governing Board taking action at the March 22, 2018 MCAG Governing Board meeting.

Seconded by Director Lor.

**Ayes – Directors Espinoza, Lor, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta**

**Noes – Director McCabe**

**MOTION CARRIED.**

## **23. 2018 Appointments to Regional Boards and Commissions**

Director Murphy moved to appoint Governing Board members to the following positions for the 2018 year:

- a. California Association of Councils of Government: Lloyd Pareira and Alternate - Alex McCabe
- b. San Joaquin Joint Powers Authority: Rodrigo Espinoza and Alternate - Mike Villalta
- c. San Joaquin Valley Regional Policy Council: Mike Villalta and Daron McDaniel, Alternate - Mike Murphy
- d. CalVans: Rodrigo Espinoza and Alternate - Alex McCabe
- e. California Partnership for the San Joaquin Valley: Joe Oliveira

Seconded by Director Villalta

**Ayes – Directors Espinoza, Lor, McCabe, McGlynn, McDaniel, Murphy, Oliveira, Pareira, Villalta**

**Noes - None**

**MOTION CARRIED UNANIMOUSLY.**

## **25. Federal Rescission Impact on the Congestion Mitigation Air Quality (CMAQ) Program**

Associate Planner, Ty Phimmason gave a brief update on the Federal Rescission impact on the Congestion Mitigation Air Quality program seeking direction to explore options and approaches to protect the region's remaining carryover balance from possible future Federal Rescissions and bring those options back at a future meeting for action.

## **26. Local Partnership Program**

Senior Planner, Matt Fell gave a brief update on the Local Partnership Program stating that this item is for information only at this time and the Local Partnership Program funding will be brought back for direction or action at a subsequent meeting.

## **27. Caltrans Customer Service Online Tool**

Deputy Executive Director, Stacie Dabbs reported on the Caltrans Customer Service Online tool stating that this new tool provides a forum for anyone to use to submit service requests online and it is a great tool that can be referred to constituents.

## **28. Technical Assistance for Development of Active Transportation Plans**

Senior Planner, Matt Fell stated that MCAG is offering to assist jurisdictions that have outdated bicycle and pedestrian plans with preparing ATP applications in the Plan category. Mr. Fell stated to contact Natalia Austin if any of the jurisdictions are interested.



## 29. Equipment to Record Governing Board Meetings

Deputy Executive Director, Stacie Dabbs gave an update on the equipment to record MCAG Governing Board meetings. We currently have recording capabilities in Livingston, Los Banos, Merced, Atwater and at the County of Merced. We are currently checking into options for Dos Palos and Gustine as our previous review to purchase the equipment is cost prohibited.

Director Villalta stated that he would offer Los Banos as a meeting location that offers excellent video recording capabilities for Dos Palos and Gustine if they would like.

Director Murphy is in support of the meetings being recorded and feels it is important for the public to access the recorded meetings.

## OTHER REPORTS

### 30. Executive Director's Report

Executive Director, Patrick Pittenger mentioned the funding program State of Good Repair and wanted to highlight it as a source of funding as other sources phase out. Mr. Pittenger stated that MCAG is making good progress towards staffing our Transportation Department and thanked current staff for their work. Patrick stated he was able to attend the meeting of Executive Directors and they discussed the potential of SB1 to be eliminated and they also discussed ACA5 which is expected to be on the June ballot and basically is a measure that protects transportation planning dollars and keeps them from being moved.

### 31. Directors' Report

Director McCabe thanked everyone for attending the meeting in Livingston and invited everyone to stick around and have dinner and do some shopping in Livingston.

Director McGlynn invited everyone to the Dos Palos Lions Club Crab Feed on Saturday, January 20, 2018.

Director McDaniel stated that he has been elected to leadership with Rural Counties Representing California and wanted to invite the public to bring any rural concerns to him as this is a great lobbying body.

Director Murphy mentioned the State of the City that would take place on February 9<sup>th</sup> from 10:30 a.m. to 12 p.m. and invited everyone to attend. State of the City lunch specials will be held throughout the city.

Chair Espinoza invited everyone to the MCAG Governing Board meeting in Los Banos next month and invited everyone to attend the Livingston Crab Feed on Friday at the Portuguese Hall.

**THERE BEING NO FURTHER BUSINESS OF THE MCAG GOVERNING BOARD, THE MEETING WAS ADJOURNED AT 5:30 P.M.**

\_\_\_\_\_/s/  
Joy Young  
Administrative Assistant II