



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

DATE

Thursday, March 22, 2018

The regular meeting of the Merced County Association of Governments Governing Board held on Thursday, March 22, 2018, at the County of Merced, Board of Supervisors Chambers, 2222 M Street, Merced, CA was called to order by Vice Chair McCabe at 3:00 p.m.

DIRECTORS PRESENT

Director April Hogue
Director Lee Lor
Director Alex McCabe, Vice Chair
Director Daron McDaniel
Director Mike Murphy (left at 3:42)
Director Joe Oliveira
Director Jerry O'Banion
Director Lloyd Pareira
Director Jim Price
Director Mike Villalta (arrived at 3:08)

DIRECTORS ABSENT

Director Rodrigo Espinoza, Chair

GUESTS AND MEMBERS OF THE PUBLIC

Steve Cassidy, Literacy Ink
Patti Dossetti, League of Women Voters
Tom Dumas, Chief, Office of Metropolitan Planning, Caltrans, Dist. 10
Louise Farley, Senator Anthony Cannella's Office
Jack Jackson, Citizens Advisory Committee Representative
Josh Pedrozo, Councilmember, City of Merced

MCAG STAFF PRESENT

Nav Bagri, Finance Director
Stacie Dabbs, Deputy Executive Director
Blake Dunford, Assistant Planner
Matt Fell, Senior Planner
Eva Garibay, Public Program Specialist
Emily Haden, Legal Counsel
Jennifer Halpin, Diversion Programs Manager
Dariana Lua, Assistant Transit Manager
Kristina Meraz, H.R. and Risk Manager
Patrick Pittenger, Executive Director
Artis Smith, Transit Director
Brooks Stayer, Regional Waste Authority Director
Marty Yerrick, Landfill Operations Manager
Joy Young, Administrative Assistant
Daisy Zaragoza, Public Program Specialist

1. Pledge of Allegiance

2. Invocation

Transit Director, Artis Smith led the invocation.

3. Roll Call

4. Approval of agenda

Director Pareira moved to approve the March 22, 2018, MCAG Governing Board agenda.

Seconded by Director McDaniel.

Ayes – Directors Hogue, Lor, McCabe, McDaniel, Murphy, O’Banion, Oliveira, Pareira, Price

Noes - None

MOTION CARRIED UNANIMOUSLY.

5. Public Comment

Steve Cassady of Literacy, Ink. spoke on the importance of literacy in our community and informed the Board that an assembly will soon be scheduled and invites will be given to City and County leaders in the hopes of accepting the challenge to address literacy issues in our county.

6. Minutes

- a. Merced County Association of Governments Governing Board meeting for February 15, 2018
- b. Transit Joint Powers Authority for Merced County Board meeting for February 15, 2018
- c. Regional Waste Management Authority Board meeting for February 15, 2018

Director McDaniel 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 O’Banion.

Ayes – Directors Hogue, Lor, McCabe, McDaniel, Murphy, O’Banion, Oliveira, Pareira, Price

Noes - None

MOTION CARRIED UNANIMOUSLY.

7. Recognition of Dan Caris, Citizens Advisory Committee Representative

So noted.

8. Citizens Advisory Committee Report

Jack Jackson gave the Citizens Advisory Committee report.

MERCED COUNTY ASSOCIATION OF GOVERNMENTS

9. Caltrans Report

Tom Dumas gave the Caltrans Report and distributed the Mile Marker Performance Report and gave an update on current projects in Merced County noting that the 152 Slab Replacement Project was completed about 10 months ahead of schedule.

Director Pareira thanked Caltrans for cleaning the drains on the bridge.

Director Murphy asked about the restriping on SR 99 and noticed that restriping would be done on SR 99 from the Madera County line to Mission Avenue, then pick back up around the AME in Atwater. Director Murphy asked if there were plans to include the Merced portion for restriping. Mr. Dumas stated he would check into it and get back with Director Murphy.

10. Information/Discussion Only

- a. MCAG Newsletter - March 2018
- b. Valley Voice Brochure
- c. Sustainable Transportation Planning Grants Letter of Support for Los Banos - State Route 152
- d. Sustainable Transportation Planning Grants Letter of Support for Los Banos – Pioneer Road
- e. Sustainable Transportation Planning Grants Letter of Support for Kern Council of Governments
- f. State Clearinghouse Notice of Preparation
- g. MCAG Financial Report for July 2017 - December 2017

So noted.

11. Consent Agenda

- a. MCAG Approval of State Transit Assistance FY 2017/18 Quarter 2 Allocation Distribution to the Transit Joint Powers Authority for Merced County and the Yosemite Area Regional Transportation System
- b. Memorandum of Understanding (MOU) between Merced County Association of Governments (MCAG) and the Stanislaus Council of Governments (STANCOG) to allocate in the Federal Transit Administration Section 5307 funds
- c. 2018 One Voice Priority Issue Areas and Key Messages
- d. Performance-Based Planning Memorandum of Understanding Addendum between MCAG and Caltrans

Director McDaniel moved to approve the Consent Agenda.

Seconded by Director O'Banion.

**Ayes – Directors Hogue, Lor, McCabe, McDaniel, Murphy, O'Banion, Oliveira, Pareira, Price, Villalta
Noes - None**

MOTION CARRIED UNANIMOUSLY.

12. Transportation Planning Update

Senior Planner, Matt Fell gave the Transportation Planning update discussing:

- Adoption of STIP
- SR 99 Livingston/Delhi widening project
- Regional Transportation Plan – on track and will hold open houses last two weeks in May
- Unmet Transit Needs – Report will be available in April
- ATP – May 16, Call for projects
- Introduction of new transportation planning staff, Blake Dunford and Patricia Marrufo

13. Measure V Implementation Update

Deputy Executive Director, Stacie Dabbs gave the Measure V Implementation update stating that payments received have been above projections and that the next Measure V Regional Committee meetings will be held on May 15th at 10:00 a.m. in Livingston and 2:00 p.m. in Los Banos. Ms. Dabbs stated that the Citizens Oversight Committee meetings have been very engaged.

14. Measure V Maintenance of Effort Requirements and Documentation

Deputy Executive Director, Stacie Dabbs gave an update on the Measure V Maintenance of Effort and discussed requirements and documentation that needs to be reported by each jurisdiction.

15. Measure V Citizens Oversight Committee Appointment

Director McDaniel moved to appoint Katherine Schell Rodriguez to the Measure V Citizens Oversight Committee as the representative for the City of Livingston.

Seconded by Director Pareira.

**Ayes – Directors Hogue, Lor, McCabe, McDaniel, Murphy, O’Banion, Oliveira, Pareira, Price, Villalta
Noes - None**

MOTION CARRIED UNANIMOUSLY.

16. RTP Amendment 2 and FTIP Amendment No. 12 – Campus Parkway and Hilmar Pedestrian Improvements

Director McDaniel moved to adopt 2014 RTP Amendment 2, 2017 FTIP Formal Amendment No. 12, and the corresponding 2018 Conformity Analysis.

Seconded by Director O’Banion.

**Ayes – Directors Hogue, Lor, McCabe, McDaniel, Murphy, O’Banion, Oliveira, Pareira, Price, Villalta
Noes - None**

MOTION CARRIED UNANIMOUSLY.

17. Overview of 2019 Federal Transportation Improvement Program (FTIP)

Senior Planner, Matt Fell gave an update on the 2019 Federal Transportation Improvement Program and discussed the importance of FTIP programming. Mr. Fell stated that this item is in regards to SB 132 and funding being issued to Campus Parkway. The project needs to be programed for the next steps to be taken and this is an administrative step that needs to happen. Mr. Fell stated that the CMAQ call for projects will happen in the fall.

Director McDaniel asked about the Atwater Merced Expressway (AME) being a Tier 2 project and how that would affect funding. Mr. Fell stated that the AME is only Tier 2 in the current RTP and that the future RTP will have more projects under Tier 1.

18. Regional Transportation Impact Fee (RTIF) Options

Executive Director, Patrick Pittenger gave an update on the Regional Transportation Impact Fee (RTIF) stating that as of March 9, 2018, three jurisdictions have taken action as follows:

- February 5, 2018 – the City of Merced approved the 2016 RTIF Study project list contingent on money being distributed based on contribution, and approved option 3C for distribution
- February 27, 2018 – Merced County consented to terminate the implementation agreement, and adopted the 2016 RTIF Study and project list
- March 5, 2018 – the City of Los Banos approved the 2016 project list.

19. Proposition 69, Related to SB 1 Transportation Revenue

Director McDaniel moved to adopt Resolution No. 2018/03-22-02 to support Proposition 69.

Seconded by Director Pareira.

**Ayes – Directors Hogue, Lor, McCabe, McDaniel, Murphy, O’Banion, Oliveira, Pareira, Price, Villalta
Noes - None**

MOTION CARRIED UNANIMOUSLY.

TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY

20. 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 staff is communicating with the City of Merced and the County of Merced for future plans. Mr. Smith stated that staff is scheduled to meet with Merced College for future options for students and that the meeting with UC Merced went well and we are looking forward to future partnerships. Mr. Smith stated that additional bus shelters are being added through the different jurisdictions.

21. State Transit Assistance FY 2017-18 Claim for Quarter 2 Allocation

Director McDaniel moved to submit the STA FY 2017/18, Quarter 2 claim form in the amount of \$442,754 to MCAG.

Seconded by Director Lor.

Ayes – Directors Hogue, Lor, McCabe, McDaniel, O’Banion, Oliveira, Pareira, Price, Villalta

Noes - None

MOTION CARRIED UNANIMOUSLY.

22. Planning and Scheduling Software – Extended Contract

Director O’Banion moved to authorize the Executive Director to enter into a sole source agreement with Remix for one year with an option to extend up to 12 months in an amount not to exceed \$45,000.

Seconded by Director McDaniel.

Ayes – Directors Hogue, Lor, McCabe, McDaniel, O’Banion, Oliveira, Pareira, Price, Villalta

Noes - None

MOTION CARRIED UNANIMOUSLY.

23. Low Carbon Transit Operations Program Allocation Request

Director O’Banion moved to:

- a. Adopt Resolution No. 2018/03-22-04 authorizing Patrick Pittenger, Executive Director to execute the Low Carbon Transit Operations Program documents including the Certifications and Assurances; and
- b. Approve the appointment of Patrick Pittenger, Executive Director as the authorized agent.

Seconded by Director McDaniel.

Ayes - Directors Hogue, Lor, McCabe, McDaniel, O’Banion, Oliveira, Pareira, Price, Villalta

Noes - None

MOTION CARRIED UNANIMOUSLY.

24. Transit Joint Powers Authority for Merced County Financial Report for July 2017 - December 2017

Finance Director, Nav Bagri gave an update on the Transit Joint Powers Authority for Merced County financials.

MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY

25. Merced County Regional Waste Management Authority Monthly Update

Brooks Stayer gave the Merced County Regional Waste Management Authority update noting upcoming events:

- Household Hazardous Waste Collection event at Highway 59 Landfill, Saturday, April 14, 2018 (8:00 a.m. to 12:00 p.m.)
- City of Atwater Spring Clean Up event, May 19th

Director Villalta asked how staff was advertising. Diversion Program Manager, Jennifer Halpin stated that advertising is posted in public newspapers, on our website and staff can speak at council meetings.

26. Capital Project 80038 BW Cell 2B Construction Budget Amendment

Regional Waste Authority Director, Brooks Stayer gave an update on the Capital Project 80038 Billy Wright Cell 2B Construction Budget Amendment stating that the expansion is much larger than the original request. Director Villalta asked what the life expectancy is with the current tonnage coming in. Mr. Stayer stated approximately 6-8 years.

Director Villalta moved to authorize additional capital project funds allocation of \$3,700,000 to Project 80038, BW Cell 2B Construction.

Seconded by Director Pareira.

Ayes – Directors Hogue, Lor, McCabe, McDaniel, O’Banion, Oliveira, Pareira, Price, Villalta

Noes - None

MOTION CARRIED UNANIMOUSLY.

27. Billy Wright Landfill Expansion – Authorization to Award Construction Contract

Regional Waste Authority Director, Brooks Stayer stated that this item is asking to award construction and design bid for Billy Wright Landfill Phase 2B to Wood Bros., Inc.

Director O’Banion moved to authorize the Executive Director to enter into a contract for the Phase 2B Liner Expansion project at Billy Wright Landfill with Woods Bros., Inc. for \$5,141,795 and authorize change orders up to 15% of the original contract amount to be executed by the Executive Director.

Seconded by Director Villalta.

Ayes – Directors Hogue, Lor, McCabe, McDaniel, O’Banion, Oliveira, Pareira, Price, Villalta

Noes - None

MOTION CARRIED UNANIMOUSLY.

28. Memorandum of Understanding (MOU) with the University of California, Merced (UCM)

Regional Waste Authority Director, Brooks Stayer gave a brief update on the Memorandum of Understanding with the University of California, Merced stating that the MOU is an initial stage of engagement and that the next steps in the phase would be the Engineering Design, Engineering Estimates and EIR/CEQA. Mr. Stayer also stated should the RWA confirm the financial and environmental viability of the project, a formal contract will be developed through legal counsel and will be brought to the board for review and approval.

Director Price asked about the 14 cents per kwh and Mr. Stayer responded that RWA is satisfied with the number.

Director Villalta asked how many miles of pipeline will be installed. Mr. Stayer responded that 5 to 6 miles of pipeline will be installed and that RWA and the County are working together to find the best route and to determine right of way and easements that exist already.

Director O’Banion asked how long the contract is for and if there is a termination option. Mr. Stayer responded that the contract will be for 20 years and that the contract will be in phases so that there will be options available.

Director Oliveira stated that UC Merced announced at the San Joaquin Valley Partnership meeting that they are in partnership with MCAG on this project and seemed happy that the project has come to fruition.

Director Lor moved to authorize the Executive Director to execute the attached Memorandum of Understanding with the University of California, Merced for the sale of gas/electricity.

Seconded by Director McDaniel.

Ayes – Directors Hogue, Lor, McCabe, McDaniel, O’Banion, Oliveira, Pereira, Price, Villalta

Noes - None

MOTION CARRIED UNANIMOUSLY.

29. Merced County Regional Waste Management Authority Financial Report for July 2017 - December 2017

Finance Director, Nav Bagri gave an update on the Merced County Regional Waste Management Authority financials.

OTHER REPORTS

30. Executive Director’s Report

Executive Director, Patrick Pittenger thanked Deputy Executive Director, Stacie Dabbs and Public Program Specialist, Eva Garibay for their efforts on the One Voice Program. Mr. Pittenger stated that Ms. Garibay has been working diligently to keep the trip on schedule. Mr. Pittenger also thanked Finance Director, Nav Bagri and staff for their efforts on the ICAP and stated approval of the ICAP looks imminent.

31. Directors’ Report

Director Oliveira wished everyone a Happy Easter and invited everyone to attend the Gustine Easter Egg hunt on Saturday that will be held at Schmidt Park.

Vice Chair McCabe attended the CalCog conference and stated that it was a very good experience and invited everyone to attend the Sikh celebration in Livingston so that they can enjoy great food and get to know their neighbors.

Director Lor attended the CalCog conference and stated that it was a great experience and that there was a lot of discussion around SB 1 and transportation in general that makes you think of the next five to ten years.

Director Pereira attended the CalCog conference and stated that it was a great experience and that Proposition 69 was a hot topic and offered if anyone had any questions or concerns to contact him for more information.

Director McDaniel attended the CalCog conference and stated that it was very informational of what was going on at the state level.

32. CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATIONS (Cal. Gov. Code Section 54956.8)

Property: 357 W. 18th Street, Merced

Agency Negotiator: Patrick Pittenger

Negotiating Parties: Merced County Association of Governments and Artis Smith, Transit Joint Powers Authority for Merced County

Under Negotiation: Sale of Property

Action reported from Closed Session:

Approval to sell property.

33. CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATIONS (Cal. Gov. Code Section 54956.8)

Property: 357 W. 18th Street, Merced

Agency Negotiator: Artis Smith

Negotiating Parties: Transit Joint Powers Authority for Merced County and Patrick Pittenger, Merced County Association of Governments

Under Negotiation: Purchase of Property

Action reported from Closed Session:

Approval to purchase property.

34. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (d) (2) of Section 54956.9: 1 case

Action reported from Closed Session:

MCAG Governing Board gave direction to Legal Counsel.

There being no further business of the MCAG Governing Board, the meeting was adjourned at 4:40 p.m.

_____/s/

Joy Young

Administrative Assistant II