



## **Regular Meeting of the Measure V Citizens Oversight Committee**

### **LOCATION**

Meeting held via teleconference/webinar at:

<https://zoom.us/join>

Meeting ID: 885 4035 2014

Passcode: 36918

Phone Audio: (669) 900-6833

### **DATE**

Monday, October 18, 2021

### **TIME**

4:00 PM

### **Measure V Oversight Committee Members**

City of Atwater – Ron Daugherty

City of Dos Palos – Lynn Payne

City of Gustine – Yvette Martin

City of Livingston – *Vacant*

City of Los Banos – *Vacant*

City of Merced – *Vacant*

County of Merced – Jim Cunningham, Chair

Agriculture Industry Representative – Paul Danbom

Audit, Finance or Budget Professional – Demitrios Tatum

Bike/Pedestrian or Transit Representative – Lisa Kayser-Grant

Building Industry Representative – Lucas Dias

Environmental Advocacy Group Representative – Jean Okuye

Ethnic Community Group Representative – *Vacant*

Major Private Sector Employer Representative – *Vacant*

## Welcome to the Measure V Citizens Oversight Committee Meeting

### AGENDA

At least 72 hours prior to each regular Measure V Citizens Oversight Committee meeting, a complete agenda packet is available for review at [www.mcagov.org/measurev](http://www.mcagov.org/measurev) and at the MCAG office, 369 W. 18<sup>th</sup> Street, Merced, CA 95340. All public records relating to an open session item and copies of staff reports or other written documentation relating to items of business referred to on the agenda are on file at MCAG. Persons with questions concerning agenda items may call MCAG to make an inquiry regarding the nature of items described on the agenda.

### INTERPRETING SERVICES

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Servicios de interpretación no son ofrecidos en las juntas públicas de MCAG al menos de que se soliciten tres (3) días de negociación en anticipación. Para solicitar estos servicios por favor contacte a Eva Garibay al (209) 723-3153 x 108 durante horas de oficina.

### INDIVIDUALS WITH DISABILITIES

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### PUBLIC COMMENTS

Members of the public wishing to address agenda items or comment on any item not on the agenda may do so during agenda item 3 – Public Comment. Persons may also address any item on the agenda during consideration of that item. To be recognized to speak, please use the 'raise your hand' feature on Zoom from your smartphone, tablet, or computer; for those dialing in by telephone, press \*9 to alert the moderator that you wish to speak. Comments are limited to three (3) minutes per person. Please state your name and city or community of residence for the record. For items not on the agenda, no action will be taken. If it requires action, the item will be referred to staff and/or placed on the next agenda.

### ADDITIONAL INFORMATION

Merced County Association of Governments	(209) 723-3153	<a href="http://www.mcagov.org">www.mcagov.org</a>
Measure V	(209) 723-3153	<a href="http://www.mcagov.org/measurev">www.mcagov.org/measurev</a>

**Regular Meeting of the  
Measure V Citizens Oversight Committee  
AGENDA**

October 18, 2021  
4:00 PM

Merced County Association of Governments  
369 W. 18<sup>th</sup> Street, Merced

<b>ITEM</b>	<b>PG. #</b>	<b>ACTION</b>	<b>STAFF</b>
1. Roll Call			
2. Adopt AB 361 Resolution	Pg. 5	Action	Mary-Michal Rawling
3. Approval of the Agenda		Action	
4. Public Comment			
5. Approval of Measure V Citizens Oversight Committee Meeting minutes – June 21, 2021	Pg. 8	Action	
6. City of Atwater Measure V Projects		Presentation	City of Atwater staff
7. Summary for Fiscal Year 2021	Pg. 10	Info	Nav Bagri
8. Review Measure V Expenditure Reports for April 1, 2021 – June 30, 2021		Info	Nav Bagri
			<ul style="list-style-type: none"><li>• Atwater (Local)</li><li>• Atwater (Regional)</li><li>• Dos Palos (Local)</li><li>• Dos Palos (Regional)</li></ul>

- Gustine
- Livingston
- Los Banos (Local)
- Los Banos (Regional)
- Merced (Local)
- Merced (Regional)
- Merced County (Local)
- Merced County (Regional East) – *No report*
- Merced County (Regional West)
- Transit
- Admin

- |  |        |        |                     |
|--|--------|--------|---------------------|
| <b>9. Implementation Plan Update</b>           | Pg. 13 | Info   | Matt Fell           |
| <b>10. Transit Free Fare Program Expansion</b> | Pg. 16 | Info   | Christine Chavez    |
| <b>11. Adopt Meeting Schedule 2022/2023</b>    | Pg. 20 | Action | Mary-Michal Rawling |
| <b>12. Appoint Chair and Vice Chair</b>        |        | Action |                     |
| <b>13. Questions/Comments</b>                  |        |        |                     |
| <b>14. Adjourn</b>                             |        |        |                     |

**Next Meeting:**

The next Measure V Citizens Oversight Committee meeting will be held on Monday, January 10, 2022, at 3:00 pm at the MCAG office or via teleconference.

## ITEM 2

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DATE: October 5, 2021

TO: Measure V Citizens Oversight Committee

FROM: Mary-Michal Rawling, Public Affairs Manager

RE: Action: Adopt Resolution No. 2021/10-18-01 authorizing the COC to hold virtual meetings in accordance with AB 361

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### **SUMMARY**

The Measure V Citizens Oversight Committee (COC) must take action in order to continue to meet virtually under new state law AB 361.

### **REQUESTED ACTION**

Adopt Resolution No. 2021/10-18-01 declaring the COC's need to continue to meet virtually in accordance with AB 361 and provide direction to staff on the COC's preferences for future meetings.

### **BACKGROUND**

In March 2020, Governor Newsom issued Executive Order N-29-20 waiving certain elements of the Brown Act through September 2021. This order essentially allowed legislative bodies to conduct public meetings in a virtual format, such as teleconference.

In September, Governor Newsom signed AB 361 into law which went into effect October 1, 2021 and allows for the practice of holding public meetings via revised teleconference procedures to continue under certain circumstances. These include a declaration that must be made every 30 days by the legislative body that meeting in-person would present an imminent danger to those in attendance. It is important to note that all provisions of AB 361 only apply during a state-declared emergency that directly threatens the safety of the agency members, staff, or the public.

### **PAST ACTION TAKEN**

None.

### **DISCUSSION**

After the COC adopts the attached resolution, the COC meeting will be able to proceed with the meeting via Zoom as per usual. However, it would be helpful for MCAG staff to know if the Committee will still want to meet exclusively by Zoom moving forward or if the group will want to resume in-

person meetings. There is also the possibility of conducting hybrid meetings allowing some individuals (Committee members and members of the public) to meet in-person in the MCAG conference room while others choose to participate online. The MCAG Citizens Advisory Committee has elected this hybrid option, for example.

Should the COC want to hold meetings with any kind of exclusively virtual component, there will need to be action taken once every 30 days in order to continue the practice as per AB 361 requirements. Staff will also be bringing this item to the MCAG Governing Board for consideration. Should the Governing Board members also wish to make findings under AB 361 to allow for virtual meeting participation, their action would cover the virtual meetings of the COC as well and there would be no need to hold additional special meetings of the COC for the purpose of re-stating the findings within the resolution. However, if the MCAG Governing Board does not wish to conduct meetings under the provisions of AB 361, the COC would then need to conduct special meetings in between its regularly scheduled meetings to affirm the findings stated in the resolution.

Finally, AB 361 also discusses the importance of public participation during public meetings held virtually. In fact, the law prohibits local bodies from *only* accepting public comment in advance, although it does allow for that to be an option for members of the public as long as they also have the ability to provide comment to the body in real time. Therefore, in order to ensure all members of the public have ample opportunity to provide public comment, MCAG legal counsel recommends waiting at least two minutes during the initial public comment portion of the agenda and a reasonable amount of time during consideration of each individual item for any individuals who may wish to speak to register with the virtual platform and 'raise their hand' on Zoom so that they can be acknowledged.

#### **FISCAL IMPACT**

None.

#### **REQUESTED ACTION**

Adopt Resolution No. 2021/10-18-01 declaring the COC's need to continue to meet virtually in accordance with AB 361 and provide direction to staff on the COC's preferences for future meetings.

#### **STAFF CONTACT**

For further information, please contact Mary-Michal Rawling, Public Affairs Manager at [mary-michal.rawling@mcagov.org](mailto:mary-michal.rawling@mcagov.org) or (209) 723-3153 x119.

#### **ATTACHMENTS**

Resolution No. 2021/10-18-01

**RESOLUTION No. 2021/10-18-01**

**RESOLUTION OF THE MEASURE V CITIZENS OVERSIGHT COMMITTEE (COC) DECLARING THE NECESSITY OF VIRTUAL MEETINGS UNDER THE BROWN ACT AND AB 361.**

The Measure V COC finds and resolves as follows:

**WHEREAS**, the COVID-19 pandemic has substantially impacted the ability of legislative bodies to safely meet in person; and

**WHEREAS**, Governor Gavin Newsom declared a state of emergency due to the rapid spread of COVID-19 on March 4, 2020, which remains in place today;

**WHEREAS**, state and local officials continue to recommend measures to promote social distancing; and

**WHEREAS**, the Measure V COC has considered the circumstances of the existing state of emergency; and

**WHEREAS**, the COVID-19 pandemic continues to directly impact the ability of members and the public to meet safely in person.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

The Measure V COC finds that meeting in person would present an imminent risk to the health and safety of attendees and that the Measure V COC is authorized to hold teleconference meetings as proscribed in Government Code Section 54953(e)(2).

Dated: \_\_\_\_\_

\_\_\_\_\_  
Jim Cunningham  
Measure V COC Chair

Attest:

\_\_\_\_\_  
Recording Secretary



**MEASURE V CITIZENS OVERSIGHT COMMITTEE  
MINUTES**

**DATE**

**Monday, June 21, 2021**

The regular meeting of the Measure V Citizens Oversight Committee held Monday; June 21, 2021, via Zoom was called to order at 3:05 pm.

**MEMBERS PRESENT**

Ron Daugherty, City of Atwater  
John Cates, City of Los Banos  
Jim Cunningham, County of Merced, Chair  
Demetrios Tatum, Audit, Finance or Budget Professional  
Lucas Dias, Building Industry Representative  
Lisa Kayser-Grant, Bike/Pedestrian or Transit Representative

**MEMBERS ABSENT**

Lynn Payne, City of Dos Palos  
Erika Segura, Ethnic Community Group Representative  
Yvette Martin, City of Gustine  
Don Bergman, City of Merced  
Paul Danbom, Agriculture Industry Representative  
Jean Okuye, Environmental Advocacy Group Representative  
Vacant, City of Livingston  
Vacant, Major Private Sector Employer Representative

**STAFF PRESENT**

Natalia Austin, Associate Planner  
Nav Bagri, Finance Director  
Christine Chavez, Transit Manager  
Matt Fell, Deputy Director - Planning  
Eva Garibay, Public Programs Specialist II  
Robert Haden, Legal Counsel  
Mary-Michal Rawling, Public Affairs Manager  
Mauricio Torres, Assistant Planner



**1. Roll Call**

At this time, Chair Jim Cunningham called the meeting to order and instructed that the roll call for attendance be taken. It was determined that a quorum was not present.

**2. Approval of the Agenda**

No action was taken as a quorum was not present.

**3. Public Comment**

No comments were received.

**4. Approval of Measure V Citizens Oversight Committee Meeting minutes – March 15, 2021**

No action was taken as a quorum was not present.

**5. Review Measure V Expenditure Reports for January 1, 2021 – March 30, 2021**

Nav Bagri gave an overview of the January 1, 2021 – March 30, 2021, expenditure reports.

**6. Measure V Projects – Transit**

Christine Chavez gave an overview of the current and future Measure V transit projects.

**7. Appoint Chair and Vice Chair**

No action was taken as a quorum was not present. This item will be placed on the October agenda.

**8. Format of future Committee meetings**

No action was needed because of the rescission of Executive Order N-25-20. The next COC meeting will be held in person at the MCAG office.

**9. Questions/Comments from Committee or Public**

Mauricio Torres, Assistant Planner, offered to meet with any of the COC members to review jurisdictional reports upon request.

**10. Adjourn**

There being no further business, the meeting was adjourned at 3:46 pm.

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**ITEM 7**

DATE: October 6, 2021

TO: Citizens Oversight Committee

FROM: Nav Bagri, Finance Director

RE: Information – Year end Summary of Measure V Expenditure report

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**SUMMARY**

This staff report illustrates how much Measure V funds have been distributed to local jurisdictions and how much of Measure V funds have been spent in fiscal year 2020/2021.

**REQUESTED ACTION**

Information only.

**BACKGROUND**

Measure V, Merced County's 30-year ½ cent transportation sales tax, was passed by Merced County voters with 71% approval on November 8, 2016 and went into effect April 1, 2017. The Measure V Expenditure Plan, as passed by voters, specifies how the \$15 million in projected revenue must be spent across four funding categories: Local Projects, Regional Projects, Transit and Administration. Half of the revenue generated by the transportation sales tax is allocated directly by formula to each of the seven jurisdictions in Merced County: City of Atwater, City of Dos Palos, City of Gustine, City of Livingston, City of Los Banos, City of Merced, and the County of Merced. The governing bodies of the local jurisdictions have complete authority over how these funds are spent so as long as the funds are used for local transportation purposes. The Expenditure Plan does require, however, that each jurisdiction spend at least 20% of their local measure funding on alternative modes projects such as bicycle and pedestrian projects, or any other mode of transportation that reduces single-occupant vehicle use.

**PAST ACTION TAKEN**

January 11, 2021: Citizens Oversight Committee (COC) reviewed and approved fiscal year 2019/2020 Measure V Audits.

**DISCUSSION**

The COC reviews reports at the end of each quarter of the fiscal year. This report summarizes the yearly total Measure V funds allocated to the jurisdictions and how much of those funds are expended at the end of fiscal year 20/21.

**FISCAL IMPACT**

None.

**REQUESTED ACTION**

Information Only.

**STAFF CONTACT**

For further information, please contact Nav Bagri, Finance Director, at [nav.bagri@mcagov.org](mailto:nav.bagri@mcagov.org) or 209-617-6974.

**ATTACHMENTS**

Year-end Summary of Measure V Expenditure Report

## Measure V Fiscal 2020/21 Summary Report

Jurisdiction	Quarter 1		Quarter 2		Quarter 3		Quarter 4		Totals		Difference
	Revenues	Expenditures	Revenues	Expenditures	Revenues	Expenditures	Revenues	Expenditures	Revenues	Expenditures	
City of Atwater	\$ 232,614	\$ 53,377	\$ 223,895	\$ 4,965	\$ 225,655	\$ 26,818	\$ 276,983	\$ 83,319	\$ 959,147	\$ 168,479	\$790,668
City of Dos Palos	\$ 75,017		\$ 73,340	\$ -	\$ 73,679	\$ 10,113	\$ 83,548	\$ -	\$ 305,584	\$ 10,113	\$295,471
City of Gustine	\$ 76,064	\$ 52,078	\$ 74,341	\$ 126,862	\$ 74,689	\$ 102,788	\$ 84,834	\$ 61,115	\$ 309,928	\$ 342,843	(\$32,915)
City of Livingston	\$ 131,325	\$ 33,183	\$ 127,132	\$ 34,075	\$ 127,979	\$ 110,231	\$ 152,661	\$ 35,281	\$ 539,097	\$ 212,770	\$326,327
City of Los Banos	\$ 297,565	\$ -	\$ 285,943	\$ 140	\$ 288,289	\$ -	\$ 356,703	\$ 3,916	\$ 1,228,500	\$ 4,056	\$1,224,444
City of Merced	\$ 585,652	\$ 242,801	\$ 561,158	\$ 211,095	\$ 566,102	\$ 973,955	\$ 710,302	\$ 469,248	\$ 2,423,214	\$ 1,897,099	\$526,115
County of Merced	\$ 1,483,242	\$ 6,983	\$ 1,418,638	\$ 949,070	\$ 1,431,679	\$ 1,223,832	\$ 1,812,004	\$ 4,107,234	\$ 6,145,563	\$ 6,287,119	(\$141,556)
East Side Regional Project	\$ 1,555,999	\$ 1,731,941	\$ 1,492,802	\$ 281,241	\$ 1,505,559	\$ 524,472	\$ 1,877,599	\$ 1,079,925	\$ 6,431,959	\$ 3,617,579	\$2,814,380
West Side Regional Project	\$ 979,703	\$ 629,630	\$ 939,912	\$ 601,174	\$ 947,945	\$ 25,443	\$ 1,182,192	\$ 109,219	\$ 4,049,752	\$ 1,365,466	\$2,684,286
Admin	\$ 57,630	\$ 23,731	\$ 55,289	\$ 62,705	\$ 55,761	\$ 53,167	\$ 69,541	\$ 33,078	\$ 238,221	\$ 172,681	\$65,540
Transit	\$ -	\$ -			\$ 8,549	\$ 8,549	\$ 38,970	\$ 38,970	\$ 47,519	\$ 47,519	\$0
<b>Total</b>	<b>\$ 5,474,811</b>	<b>\$ 2,773,724</b>	<b>\$ 5,252,450</b>	<b>\$ 2,271,327</b>	<b>\$ 5,305,886</b>	<b>\$ 3,059,368</b>	<b>\$ 6,645,337</b>	<b>\$ 6,021,304</b>	<b>\$ 22,678,484</b>	<b>\$ 14,125,723</b>	<b>\$ 8,552,761</b>

**ITEM 9**

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DATE: October 8, 2021  
TO: Measure V Citizens Oversight Committee  
FROM: Matt Fell, Deputy Director – Planning  
RE: Information: Measure V Implementation Plan Update

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**SUMMARY**

The Measure V Implementation Plan is updated every two years and this process is currently under way. The Eastside and Westside Regional Project Committees will be meeting starting in October to review project applications and make recommendations to the Governing Board. Adoption of an updated Implementation Plan will follow in late 2021 or early 2022.

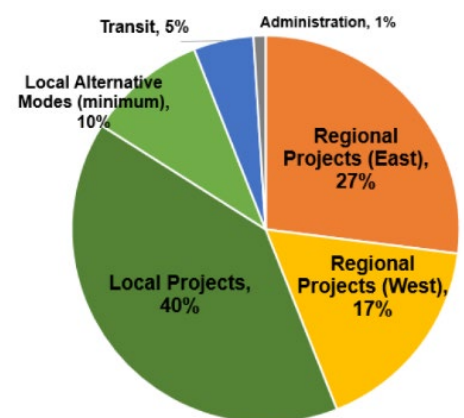
**REQUESTED ACTION**

For information only.

**BACKGROUND**

**Measure V**

Measure V is a 30-year, half-cent, transportation sales tax measure which was passed by Merced County voters in November 2016. Like many such measures throughout the State, it includes funding categories for local projects, regional projects, transit, and administration. Unlike most measures, however, no specific regional projects were listed in the Expenditure Plan that went to the voters. Instead, it specifies the requirements for those projects, and two committees – East side and West side – which recommend projects for funding to the Governing Board.



**Implementation Plan**

The Implementation Plan is updated every two years. It outlines Measure V programmed expenditures to regional projects and transit projects, which are the categories that the MCAAG Governing Board has decision-making authority over, and it includes a financial plan and a revenue forecast for these monies. For each regional project, a funding agreement is entered into between the implementing agency and MCAAG, which then provides for project expenditures to occur on a reimbursement basis. Local projects are not programmed or identified in the Implementation Plan.

Three Plan updates have been prepared to date:

1. In 2018, the MCAG Governing Board adopted the initial Implementation Plan, which programmed the first two fiscal years of revenue (2017-18 and 2018-19).
2. In 2019, an updated Plan was adopted, covering eight fiscal years on the East side (through 2024-25) and 12 fiscal years on the West side (through 2028-29).
3. In 2020, the Plan was amended, adding funding to two existing projects.

## Regional Projects

The following regional projects are currently programmed in the Implementation Plan:

<b>East Side Regional Projects</b>	<b>Amount</b>
Atwater-Merced Expressway, Phase 1B	\$10,980,000
Bradbury Road rehabilitation (Hwy. 165 to Hwy. 99)	\$950,000
Hammatt and Campbell Intersection Improvements	\$1,000,000
Highway 59 Black Rascal Bridge	\$4,090,000
Highway 59 Widening Phase 1 - 16th Street to Olive Ave.	\$5,944,580
Highway 99 Winton Parkway On-Ramp Widening	\$840,000
Livingston Transit Center	\$1,900,000
Sandy Mush Rd. rehabilitation - Hwy. 59 to Nickel Rd.	\$2,465,420
Winton Way Reconstruction Phase 1	\$2,660,000

<b>West Side Regional Projects</b>	<b>Amount</b>
Airport Security Project	\$75,000
Blossom Street East	\$1,988,000
Center Avenue North	\$786,000
East side Storm Drainage Project	\$68,888
Henry Miller Avenue Project, Phase 1	\$2,776,112
Henry Miller Avenue Project, Phase 2	\$5,024,888
Highway 33/140 Roundabout	\$810,000
Highway 33/Highway 140 Signalization Project	\$2,200,000
Ingomar Grade Reconstruction	\$2,025,000
Pacheco Boulevard (Hwy 152) Regional Path	\$2,221,000
Pioneer Road Widening Project	\$8,650,000

## DISCUSSION

The next update of the Implementation Plan is underway and has proceeded according to this schedule:

- March 2021 – new policies and procedures were proposed for discussion
- April 2021 – new policies and procedures were adopted, followed by call for regional projects and/or amendments
- August 2021 – project programming requests from jurisdictions were due
- October 2021 – East and West Regional Project Committees each meet every two weeks until they make project recommendations to the Board
- TBD – public hearings and review, followed by adoption of updated Implementation Plan

## Regional Project Policies

During previous Implementation Plan updates, the Regional Project Committees and the MCAG Governing Board discussed various potential policies concerning project criteria, leverage and leveraging incentive, programming policies, cost overruns and savings, and reserve or contingency funds.

In April 2021 the Board adopted policies regarding the following topics:

- regional projects criteria
- implementation plan updates and mid-cycle progress report
- administrative amendments up to 20% of the total project cost and not exceeding \$500,000
- cost savings and leveraging incentives
- sequential programming of project components – that is, project study report, environmental, design, right-of-way, construction
- advance, contingency, and project development reserves

## Regional Project Applications

Eleven project applications were received. The projects listed in bold below are new projects; the rest are requests for amendments. They are as follows:

East side Regional Project applications:

- **Atwater - Bellevue Road Reconstruction/Realignment**
- Merced - Highway 59 Widening Phase 1
- Merced - Highway 59 Bridges Over Black Rascal Creek
- **Merced - Mission Avenue Henry Street to G Street**
- Merced County - AME, Phase 1B (Green Sands Avenue to Santa Fe Drive)

West Side Regional Project applications:

- Dos Palos - Blossom Street East Area Project
- Gustine - SR33/140 Intersection Signalization
- Los Banos - Pacheco Boulevard (SR 152) Regional Path
- Merced County - Henry Miller Avenue (State Hwy 33 to Volta Rd) Rehabilitation Project
- **Merced County - Right Hand Turn Lane On State Hwy 33 Onto Centinella Drive**
- **Merced County - Whitworth Road (Stanislaus Co. to McCabe Rd) Rehabilitation Project**

## FISCAL IMPACT

No direct impact to MCAG.

## REQUESTED ACTION

For information only.

**ITEM 10**

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DATE: October 11, 2021

TO: Measure V Citizens Oversight Committee

FROM: Christine Chavez, Transit Manager

RE: Information: Update on the recently expanded Measure V Free Fare Program for fixed-route services for seniors, veterans, and ADA-eligible passengers to include all Transit Joint Powers Authority for Merced County bus transit service types

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**SUMMARY**

Staff is providing an update on the Measure V free fare program for seniors, veterans, and ADA-eligible riders on fixed-route services which now includes paratransit, dial-a-ride and micro transit services provided by the Transit Joint Powers Authority for Merced County (TJPA).

**REQUESTED ACTION**

For information only.

**BACKGROUND**

The Measure V Expenditure Plan, as approved by Merced County voters in November 2016, allocates 5% of the annual funding to *support increased transit service* (TEP, p3). Based on the original projected total of \$15 million in new revenue annually, \$750,000 (or 5%) is to be directed to transit purposes. The MCAG Governing Board is the decision-maker for allocating these funds.

Per the Expenditure Plan (p9), *the goal of this funding category is to expand or enhance public transit services and programs. To accomplish this important goal, funding is provided to the transit agency within the County to expand transit services. Potential uses include but are not limited to:*

- *New routes to enhance existing transit service*
- *Low emission buses*
- *Night and weekend service*
- *Bus shelters and other capital improvements*
- *Safer access to public transit services*
- *Fare reduction or subsidies*

Since the passage of the Measure, the Governing Board has approved expenditures from the Measure V transit funds for two specific purposes: 1) The creation of the free fare subsidy program for veterans, seniors, and ADA-eligible passengers on the fixed-route system, and 2) local matching funds for state/federal grants to purchase zero-emission vehicles and charging infrastructure.



## **Free Fare Program**

In June 2017, the MCAG Governing Board approved programming \$150,000 annually to provide free fixed-route transit service countywide to seniors, veterans, and ADA eligible passengers on The Bus. The program began on July 1, 2016. As ridership and use of the free fare program grew, the Governing Board approved increasing the annual funding allocation to \$225,000 in March 2019.

## **TJPA's Transition to Zero-Emission Technologies**

As part of the Governing Board's decision in 2017 to use Measure V transit funds for a free fare program for veterans, seniors, and ADA-eligible passengers, direction was given to staff to allow the remaining funds to accumulate for future use as matching funds for zero-emission buses and related infrastructure. In 2019, the TJPA Governing Board authorized applying for a Federal Transit Agency grant for electric buses, including a proposed match of \$500,000 of one-time Measure V Transit funds. That grant was awarded, and subsequent action was taken by the MCAG Governing Board to approve the use of the matching funds in November 2020. The buses are on order and should be delivered in the Fall of 2022.

The Innovative Clean Transit (ICT) regulation was developed in 2018 by the California Air Resources Board (CARB) and became effective October 1, 2019. The regulation requires all public transit agencies to gradually transition their bus fleets to zero-emission technologies with the mandate that all transit bus fleets must be zero emission by 2040. Furthermore, one quarter of all new bus purchases must be zero-emission after 2026 (small transit agencies) and all bus purchases in 2029 and after must be battery electric or fuel cell electric.

Currently, TJPA is in varying stages of procuring, ordering, and receiving the agency's first eight electric buses with the first five expected to be delivered in the fall of 2022. However, with a fleet of 68 vehicles, TJPA's transition to a zero-emission fleet over the next 19 years will be costly. There are many grant opportunities to help with this transition process, however, local matching funds are required. Measure V transit funds will continue to be a critical source of local matching funds for the system's transition to zero-emission.

## **PAST ACTION TAKEN**

June 2017: Governing Board approved allocating \$150,000/year of Measure V transit funding to provide free fares on the fixed-route system for seniors, veterans, and individuals with disabilities and utilizing remaining funds to leverage grants for zero-emission buses and charging infrastructure.

March 2019: Governing Board approved increasing the annual allocation of Measure V transit funding from \$150,000 to \$225,000 for free fares on the fixed-route system for seniors, veterans, and ADA-eligible passengers.

November 2020: Governing Board approved allocating \$500,000 of Measure V transit funding for the use as local match to a federal grant to purchase electric buses.

July 2021: Governing Board approved expanding the Measure V free fare subsidy program for seniors, veterans, and ADA-eligible passengers for fixed route services to include all transit service types provided by the Transit Joint Powers Authority for Merced County; and increase the Measure V free fare program subsidy cap to \$320,000 annually.

## DISCUSSION

### Expansion of the Free Fare Subsidy Program

When the Governing Board was presented options for the use of the Measure V Transit funding in the spring of 2017, the staff recommendation for a free fare program specifically identified the program would only be applied to the fixed-route system and not the paratransit or dial-a-ride services due to cost of the services and the uncertainty of how much revenue would be generated by Measure V. Since then, staff has been able to track passenger type on all services. In July of 2021 staff recommended the inclusion of all transit services – fixed-route, Dial-a-Ride, Paratransit and Microtransit - in the Measure V free fare program for veterans, seniors, and ADA-eligible passengers. This action did require an increase in the annual fare subsidy cap that was established at \$225,000 to an annual amount of \$320,000.

Service Type	Estimated Share of Subsidy
Fixed Route	\$225,000
Paratransit	\$80,000
DAR/Microtransit	\$15,000
Max Annual Subsidy TOTAL	\$320,000

Fixed-Route Service is the regularly scheduled buses that operate on predetermined routes according to predetermined schedules. This service operates countywide from printed timetables and designated stops where riders can plan to be picked up and dropped off. Under the existing program, veterans, seniors, and ADA-eligible passengers utilizing this service are able to take advantage of the Measure V free fare program. To date, the actual expenditure for the fixed-route, free fare program for veterans, seniors and ADA-eligible passengers is around \$132,000 per year, which means more than \$90,000 a year is returned to the unencumbered transit fund account. These unspent funds nearly total the cost of the proposed expansion for paratransit and DAR/micro transit, however staff recommended increasing the annual cap to include the historical ridership for those services because doing so ensures adequate funds are available for fare reimbursement and also provides assurance that any unused funds are returned to the unencumbered account. As a reminder, TJPA is reimbursed for actual ridership, so if the ridership does not occur, Measure V is not charged and the funds are returned to the unencumbered account for future programming at the Board's discretion.

Paratransit Service is a shared-ride, origin to destination (curb to curb or door to door) bus service for individuals whose disabilities prevent fixed-route use. Passengers must be certified through an ADA process to utilize this service, therefore, by definition, all paratransit passengers would be eligible for the proposed expansion of the Measure V free fare subsidy program. TJPA currently provides paratransit countywide with the average annual farebox revenue at around \$78,000. Since paratransit is only provided for ADA passengers, ridership eligibility will not be changed by this decision, but an increase in ridership could be expected if the service is free. Staff factored in \$80,000 for paratransit services in the proposed annual subsidy cap increase.

Dial-A-Ride/Microtransit are also on-demand, shared-ride transit services that provide a more specialized and localized service but do not require ADA certification and are only offered in areas where either fixed-route services are not provided, or are needed to complement limited fixed-route. Up until May 2021, Dial-A-Ride (DAR) was the bus option provided on the west side of the county in the

communities of Los Banos, Dos Palos and limitedly in Gustine. DAR was replaced by Microtransit earlier this year in these communities and was expanded to include more service in Gustine and also in Santa Nella. DAR was a curb-to-curb service that was expensive to operate. Microtransit provides a more customized service than fixed route, but not as specialized as DAR – instead of curb to curb, Microtransit operates between virtual stops within a community for the general public. ADA certified passengers are still provided curb to curb service when needed via the Micro transit platform. Data from the last three years on veteran, senior, and ADA-eligible passengers who utilized this service suggest an annual subsidy of up to \$15,000 will be sufficient.

Expanding the free fare program from just a fixed-route benefit to all bus transit service TJPA offers, means that veterans, seniors, and ADA-eligible passengers throughout the county will benefit from a completely free fare transit system.

### **FISCAL IMPACT**

Fiscal Impact to the update to the Free Fare Program for TJPA:

- \$320,000 is programmed annually for the purpose of reimbursing TJPA for actual fares from veterans, seniors, and ADA-eligible passengers on all TJPA transit services throughout the county. At the end of the fiscal year, any remaining balance would be returned to the general Measure V transit revenue account, contributing to an increase in the unencumbered balance.
- With the fare subsidy program being an annual max amount to be used to reimburse TJPA for actual eligible fares, the account is only charged based on actual ridership which means any unused funds roll-over to the unencumbered balance which has grown annually.

### **REQUESTED ACTION**

For information only.

### **STAFF CONTACT**

For further information, please contact Christine Chavez, Transit Manager at (209) 723-3100 or [Christine.Chavez@mercedthebus.com](mailto:Christine.Chavez@mercedthebus.com)

**ITEM 11**

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DATE: October 5, 2021  
TO: Measure V Citizens Oversight Committee  
FROM: Mary-Michal Rawling, Public Affairs Manager  
RE: Action-Adopt meeting schedule for 2022-23

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**SUMMARY**

Staff is seeking the Measure V Citizens Oversight Committee (COC) direction on its future meeting schedule.

**REQUESTED ACTION**

Adopt the COC 2022-2023 meeting schedule as proposed.

**BACKGROUND**

The Measure V COC is established by the Transportation Expenditure Plan passed by Merced County voters in 2016. According to the language in the Measure, the COC is required to “hold one formal meeting annually, with additional meetings scheduled as needed by the Committee”. The annual meeting is held for the purpose of acting upon the annual audited financial statements; this meeting occurs in January.

In 2019, the COC took action to adopt, and the Governing Board subsequently approved, the updated attendance policy for the committee. The policy states that no member can miss more than one meeting per year, and that the January meeting was mandatory for the purpose of approving the annual audited Measure V financial statements. If a member is absent for more than one meeting in a calendar year, or misses the January meeting, the member is considered to have vacated their seat on the COC.

**PAST ACTION TAKEN**

July 18, 2019: Governing Board approves COC attendance policy.

**DISCUSSION**

Since its inception, the COC has elected to meet quarterly. However, MCAAG staff has encountered ongoing issues with the retention and recruitment of COC members since the adoption of the attendance policy. In addition, staff believes there is not significant activity available to Committee

members outside of the review of the annual audited financial report. However, staff understands the desire of the committee to meet somewhat more frequently than once a year. As a result, staff recommends the reduction of meetings of the COC from four to two per year. Aside from the January meeting, the October meeting is the next most valuable time period for the COC to meet. This is because of the availability of the complete set of financial reports from the jurisdictions after the close of the fiscal year.

**FISCAL IMPACT**

None.

**REQUESTED ACTION**

Adopt the COC 2022-2023 meeting schedule as proposed.

**STAFF CONTACT**

For further information, please contact Mary-Michal Rawling, Public Affairs Manager, at (209) 723-3153 x119 or [mary-michal.rawling@mcagov.org](mailto:mary-michal.rawling@mcagov.org).

**ATTACHMENTS**

Proposed 2022-23 calendar of COC meetings



## Citizens Oversight Committee 2022-2023 Meeting Schedule

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### Current meeting schedule

#### **2022**

Monday, January 10, 2022\*  
Monday, March 21, 2022  
Monday, June 20, 2022  
Monday, October 17, 2022

#### **2023**

Monday, January 9, 2023\*  
Monday, March 20, 2023  
Monday, June 19, 2023  
Monday, October 16, 2023

### Proposed meeting schedule

#### **2022**

Monday, January 10, 2022\*  
~~Monday, March 21, 2022~~  
~~Monday, June 20, 2022~~  
Monday, October 17, 2022

#### **2023**

Monday, January 9, 2023\*  
~~Monday, March 20, 2023~~  
~~Monday, June 19, 2023~~  
Monday, October 16, 2023

\*This meeting is mandatory per the COC attendance policy.

Location: All Meetings will be held at 3:00pm at MCAG, 369 W. 18<sup>th</sup> Street Merced, CA or via Zoom.