



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

**REGULAR MEETING MINUTES**

**DATE**

**Thursday, February 16, 2023**

The regular meeting of the Merced County Association of Governments Governing Board was held on Thursday, February 16, 2023 at the Merced County Administration Building, 2222 M Street, Merced, CA and was called to order by Chair Matt Serratto at 3:03 p.m.

**DIRECTORS PRESENT**

Director Jose Moran\* \*\*  
Director Daron McDaniel  
Director Rodrigo Espinosa  
Director April Hogue  
Director Josh Pedrozo, Vice Chair  
Director Lloyd Pareira  
Director Scott Silveira  
Director Paul Llanez  
Director Matthew Serratto, Chair  
Director Mike Nelson  
Director Pat Nagy

**DIRECTORS ABSENT**

None

**GUESTS AND MEMBERS OF THE PUBLIC**

Anna Nicholas, City of Gustine  
Amanin Jasmine, FHWA\*\*  
Denix Anbiah, CA High Speed Rail Authority\*\*  
Garth Fernandez, CA High Speed Rail Authority \*\*  
Toni Tinoco, California High Speed Rail Authority \*\*  
Marlon Regisford, Caltrans District 10\*\*  
Oscar\*\*  
Dalia Costa\*\*  
Patti Dossetti\*\*  
John Cale, Council Member  
Dennis Agar, Caltrans District 10  
Serenity Anderson, First Transit  
Scot Hansen, First Transit

**MCAG STAFF PRESENT**

Alexandra Arroyo, Procurement Specialist I\*\*  
Nav Bagri, Deputy Executive Director  
Myrissa Bravo, Multimedia Specialist  
Natalia Austin, Senior Planner  
Stacie Guzman, Executive Director  
James Moore, Regional Waste Authority Director  
Emily Haden, Legal Counsel  
Kristina Hernandez, HR and Risk Management Manager\*\*  
Meg Prince, Senior Planner\*\*  
Daisy Zaragoza, Procurement and Planning Specialist\*\*  
Mary-Michal Rawling, Public Affairs Manager  
Griselda Villa, Public Program Specialist\*\*  
Rene Ruiz, Accounting Manager\*\*  
Tara Rodriguez, Staff Services Analyst I\*\*  
Navneet Mattu, Staff Services Analyst II\*\*  
Stephanie Jackson, Executive Assistant  
Adam Perez, Assistant Transit Manager  
Jose Perez, Assistant Transit Manager  
Mauricio Torres, Associate Planner  
Ty Phimmasone, Senior Planner  
Xavier Garcia, Assistant Planner\*\*

Rene Gutierrez\*\*  
Ronald Francis, First Transit

\*arrived after roll call

\*\*attended via zoom

**1. Call to order**

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

Mary-Michal Rawling led the roll call and stated that a quorum was present. Director Pareira gave the invocation and Chair Serratto led the pledge of allegiance.

**2. Approval of agenda**

Director Pareira moved to approve the MCAG Governing Board meeting agenda for Thursday, February 16, 2023.

Seconded by Director Nagy.

**AYES – Directors Espinosa, Hogue, Llanez, McDaniel, Nagy, Nelson, Pareira, Pedrozo, Silveira, Serratto**

**NOES – None**

**MOTION CARRIED UNANIMOUSLY.**

**3. Public comment**

Stacie Guzman introduced James Moore as the new Regional Waste Authority Director.

James Moore introduced himself as the new Regional Waste Authority Director.

**4. Recognition of outgoing Directors: Director Cale**

Directors Pareira, McDaniel, Espinosa and Nagy all thanked Director Cale for his service and support on the MCAG Governing Board.

Vice Chair Pedrozo thanked Director Cale for his service on the MCAG Governing Board as well as with the City of Atwater.

Director Silveira thanked Director Cale for his service on the MCAG Governing Board and looks forward to continuing working with him.

Director Hogue thanked Director Cale for his service on the MCAG Governing Board and stated it was a pleasure working with him.

Chair Serratto presented the recognition plaque to Councilmember John Cale, thanked him for his service on the MCAG Governing Board, and wished him well on his future endeavors.

Stacie Guzman thanked Director Cale for his service on the MCAG Governing Board.

**5. Citizens Advisory Committee report**

Rene Gutierrez presented the Citizens Advisory Committee (CAC) report.

## 6. High Speed Rail Update

Garth Fernandez, Toni Tinoco and Denix Anbiah presented the High Speed Rail update and discussed the following topics:

- Phase I: 520 miles from San Francisco to Los Angeles/Anaheim with 119 miles infrastructure under construction
- Phase II: Extends 300 miles with connections to Sacramento and San Diego
- High Speed Rail will travel at approximately 220 mph with up to 24 stations
- Current project advancements include: 422 of 500 miles environmentally cleared, by end of 2023 Palmdale to Burbank EIR/EIS will be brought to board for approval, 119 miles under construction, with advanced design into Merced and Bakersfield-171 miles will be in construction or advanced design, Q4 2023 will include design for Merced and Bakersfield, station design underway for four Central Valley stations
- High Speed Rail Funding sources: \$9.95 billion from Bond measure through 2008 Proposition 1A, \$2.5 billion Federal Grant through 2009 American Recovery and Reinvestment Act (ARRA), \$929 million Federal Funding through FY 2010 Appropriations Bill and \$500-\$750 per year through annual Cap and Trade Auction Market
- Projected project costs roughly in the \$25 billion range
- Additional Federal funding is needed for completing the Merced to Bakersfield segment of the High Speed Rail
- State Federal Partnership Program which has funding of about \$12 billion that they are proposing to use for competitive grants
- If target funding is met, there will be around \$33 billion to use towards project infrastructure from Merced to Bakersfield

Director Silveira requested clarification on what “as soon as possible” would mean for timeframe of work needed for the initiation of the High Speed Rail as he believes “as soon as possible” can have an open ended timeframe. He also inquired on environmental permits that may expire prior to project being completed.

Garth Fernandez stated the timeline for the High Speed Rail portion from Merced to Bakersfield has a timeframe of 2030-2033 depending on funding. Garth stated any changes that occur will be addressed, evaluated, and addressed, as appropriate.

Director Pedrozo requested clarification on the meaning for the phrase ‘Advanced Design’.

Garth Fernandez summarized Advanced Design as being the driving force to how projects and other duties within the project need to be addressed and completed. This helps to understand the projects as they arise as they now have information from prior projects that offer valuable information for timeframing for project completion, minimizing delays while having project completed within timeframe of 2030-2033. Preliminary design goal of completion is within two years in 2024, with final design lasting another two years. The concept of Advanced Design would allow for work to commence in smaller areas of clearance rather than waiting for bigger area of clearance to commence any work. Constraints that could potentially slow construction for bigger areas may not affect smaller areas, allowing for construction to continue in smaller sections while allowing time for clearance of other areas where construction will be completed in the future. This would minimize disruptions to construction.

Director Pareira requested an update on the planning status for the track that will be constructed to go through Pacheco Pass. He inquired how much funds have already been utilized and how much is encumbered. He also inquired what percentage of completion does the 119 miles equate too.

Garth Fernandez stated at this time the main focus is the Merced to Bakersfield section of the High Speed Rail system. When funds become available through federal partners, the design will be progressing to other areas. The overall funds for the program are \$25 billion. In Madera, nine grade separations have been completed and only two are left. Once those are completed, along with the guideway with the final lift of sub-ballast, the net step of installing the ballast will be completed by the subcontractor. That contract remains outstanding.

Director Llanez inquired on whether the local jurisdictions will be responsible for the building and policing of large parking structures or is CHP planning on expanding.

Garth Fernandez stated that as building of rail continues, CHP continues offering support that is needed, however once operations commence, agreements with local jurisdictions will need to be reached for support of local public safety agencies.

Director Serratto thanked Garth for his presentation, continued work and partnership on the project.

## **7. Caltrans Report**

Dennis Agar presented the Caltrans report and discussed the following topics:

- Continued work on road closures caused by previous storm is making roads safe for traveling public members
- Caltrans Secretary and Director both paid a visit to one of their sites and spoke about Caltrans' response to the storms; the video will be forwarded to Stacie for distribution to all who would like to view it
- To date, there has been over 25 feet of snow received in some areas
- Clean California Community days will be a statewide effort to help encourage participation not only in the clean-up efforts but to also get the information out to their jurisdictions; the dates are March 17-27 and they are open to the public for signing up; flyer with the link for signups will be forwarded
- \$100,000,000 Second Local Clean California beautification grant is underway, applications due by April 28, 2023
- Quarterly letter was sent out through Caltrans containing all activities Caltrans is doing in the county which include traffic operations, safety investigations and maintenance activities
- Asked Merced county agencies to reach out to District 10 staff to ensure projects align with state and federal priorities before submitting application for state funding grants to make the project as competitive as possible

Marlon Regisford presented the Caltrans report and discussed the following topics:

- Preliminary design has commenced for Gerard Ave. and Hwy 59 project, remains on track for construction
- Plans for Henry Miller project will be forwarded as requested

Director McDaniel thanked Mr. Regisford and Mr. Agar for attending meeting. He inquired if six lanes would be a possibility on any portion of the construction happening with the maintenance construction on Hwy 99. He requested that this option remain in consideration for the Atwater and Merced areas.

Mr. Agar explained temporary structural segments of six lanes were placed in some areas, however the areas will be reverted back to four lanes in the Atwater and Merced areas. Currently, funds are not available for expansion to six lanes. He also addressed Director Silveira's previous inquiry of getting Caltrans Director Tavares to visit Merced county. He recommends sending a letter in advance requesting his presence for a day tour of the region. Director Tavares is willing to come meet with MCAG.

Director Silveira inquired as to the status of road issues on Highway 59 between the southern entrance to the City of Merced to Highway 99. The road is in really bad condition and he asked if there is a maintenance agreement with the City of Merced on that section of the road. He stated the road conditions in that area are getting worse. He also inquired if additional signage would be available during the reconstruction work on Highway 99 for commuters, advising them of which lane to use for freeway exit availability, being that they can only exit Highway 99 from the right-hand lane in this section of the Highway. Having signs placed in areas where they could play a more useful role for commuters would be helpful to drivers. He also mentioned the possibility of reaching out to the High Speed Rail as a potential funding source for the widening of local bridges.

Mr. Agar stated state route 59 in those sections can be evaluated and they arrange for the maintenance department to complete any temporary fixes and follow up with a rehabilitation project. Highway 99 signage has been placed along the project; however, placement might not be where the signs could be most useful. He will investigate the signage placement and ensure signage is relocated to areas that will be most beneficial to commuters.

Stacie mentioned that this was an early issue and is now resurfacing. She isn't certain if this may be an issue due to equipment being shifted in those construction areas. Maybe a review of the full corridor of South Highway 59, south of 99 down to Highway 152 for maintenance issues within city limits as well as an adaptation plan for the bridge at Mariposa Creek to address safety issues as this is a dangerous corridor for commuters to travel. She suggested that having passing lanes or other safety improvements implemented may benefit commuter safety.

Director Nelson thanked Mr. Agar for the update and mentioned he has asked his city manager to collect all information on items related to City Atwater and make them available for city residents to review.

Director Espinosa thanked Mr. Regisford and Mr. Agar for trying to address all the issues. He appreciates the email Mr. Regisford sent him regarding Henry Miller and 33 signal. The environmental phase should be completed by spring and hopefully construction starts in the fall. He also mentioned the north bound 99 Planada sign being run over. Those signs have previously taken two years for replacement and hopefully the sign can be replaced sooner. Planada westbound entry has reported speeding. There is a speed sign leaving Planada, however signage coming into Planada is needed, showing reduced speeds of 35 MPH to help reduce and discourage speeding into town as there is concerns with cross traffic safety. He also would like to see the dead brush from the previous fire five to six months ago cleared up on southbound offramp on Westside Blvd. and Highway 99 in Livingston.

Director Pareira thanked Mr. Agar for his responsiveness on issues that arose on North Highway 59. He received information from a company he does business with reporting 16 potholes located in the area between Los Banos and Stevinson. along Highway 165. They are continuing to grow and need attention.

Director Serratto stated he will reach out to Mr. Agar offline to discuss traffic flow issues being experienced on 13th Street in the City of Merced.

## **8. Information items:**

- a. **Merced County Association of Governments**
  - i. Transportation Planning and Measure V monthly update
  - ii. MCAG Governing Board calendar – 2023
  - iii. Calendar of meetings, conferences, and events
  - iv. MCAG newsletter – February 2023

- v. City-County Dinner Host Rotation Schedule
- vi. Regional Housing Planning update
- vii. January Governing Board summary
- viii. Quarterly report on Merced County Association of Governments (MCAG) Board approved contracts
- ix. 2022 Regional Transportation Plan and 2023 Federal Transportation Implementation Program amendment update
- 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

So noted.

**9. Consent calendar:**

- a. **Merced County Association of Governments**
  - i. Approve the minutes of the January 19, 2023 MCAG Governing Board, Transit Joint Powers Authority Board, and the Regional Waste Management Authority Board meeting
- b. **Transit Joint Powers Authority for Merced County**
  - i. None.
- c. **Merced County Regional Waste Management Authority**
  - i. Adopt a resolution authorizing RWA to submit and administer grants from CalRecycle

Director Pedrozo moved to approve the consent calendar.

Seconded by Director Llanez.

**AYES – Directors Espinosa, Hogue, Llanez, Moran, McDaniel, Nagy, Nelson, Pareira, Pedrozo, Silveira, Serratto**

**NOES – None**

**MOTION CARRIED UNANIMOUSLY.**

## MERCED COUNTY ASSOCIATION OF GOVERNMENTS

**10. Action items:**

- a. Adopt by resolution the FY 2023/24 Finding of Fact and approve the Unmet Transit Needs FY 23/24 Analysis and Recommendations report

Mauricio Torres summarized the request to authorize the Executive Director to adopt by resolution the FY 2023/24 Finding of Fact and approve the Unmet Transit Needs FY 23/24 Analysis and Recommendations report.

Director Hogue moved to authorize the Executive Director to adopt by resolution the FY 2023/24 Finding of Fact and approve the Unmet Transit Needs FY 23/24 Analysis and Recommendations report. Seconded by Director Pedrozo.

**AYES – Directors Espinosa, Hogue, Llanez, Moran, McDaniel, Nagy, Nelson, Pareira, Pedrozo, Silveira, Serratto**

**NOES – None**

**MOTION CARRIED UNANIMOUSLY.**

- b. Adopt by resolution the 2023 Federal Transportation Improvement Program amendment 2 to program Congestion Mitigation and Air Quality projects

Ty Phimmasone presented the request to adopt by resolution the 2023 Federal Transportation Improvement Program amendment 2 to program Congestion Mitigation and Air Quality projects

Director Silveira inquired if projects are selected only by scoring totals as he saw there were two projects for Atwater and two for Gustine but that they were not funded.

Mr. Phimmasone stated that the projects are selected strictly through scoring totals. The top four ranked applications were selected for full programming.

Director McDaniel moved to approve the FY 2023-24 Overall Work Program Priorities.

Seconded by Director Espinosa.

**AYES – Directors Espinosa, Hogue, Llanez, Moran, McDaniel, Nagy, Nelson, Pedrozo, Serratto**

**NOES – Directors Pareira, Silveira**

**MOTION CARRIED.**

- c. Appoint a Director to the 2023 Anna Maria Fuentes Scholarship Selection Committee

Mary-Michal Rawling summarized the request to appoint a Director to the 2023 Anna Maria Fuentes Scholarship Selection Committee.

Director McDaniel nominated Director Pedrozo for appointment to the 2023 Anna Maria Fuentes Scholarship Selection Committee. Seconded by Director Silveira.

Director Silveira mentioned Anna Maria Fuentes was a Livingston resident and as such, Director Moran may want to consider being appointed to the 2023 Anna Maria Fuentes Scholarship Selection Committee.

Director Espinosa also expressed his interest in being appointed to the 2023 Anna Maria Fuentes Scholarship Selection Committee. He is familiar with the program and has history with Anna Maria Fuentes and her family.

Stacie Guzman mentioned there is opportunity for more than one director to be appointed to the committee if multiple directors are interested.

Director Pareira proposed an amendment to Director McDaniel's nomination and nominated Director Moran, Director Espinosa and Director Pedrozo to be appointed to the 2023 Anna Maria Fuentes Scholarship Selection Committee.

Seconded by Director Silveira.

**AYES – Directors Espinosa, Hogue, Llanez, Moran, McDaniel, Nagy, Nelson, Pareira, Pedrozo, Silveira, Serratto**

**NOES – None**

**MOTION TO AMEND THE ORIGINAL MOTION CARRIED UNANIMOUSLY.**

**AYES – Directors Espinosa, Hogue, Llanez, Moran, McDaniel, Nagy, Nelson, Pareira, Pedrozo, Silveira, Serratto**

**NOES – None**  
**MOTION CARRIED UNANIMOUSLY.**

**11. Discussion items:**

- a. FY 23-24 Budget considerations for member agencies

Stacie Guzman presented FY 23-24 Budget considerations for member agencies.

- b. Update on Brown Act meeting requirements

Mary-Michal Rawling presented an update on Brown Act meeting requirements.

Director Silveira requested more detailed information on how many days staff would prefer the notice in advance, if possible, for “just cause” reason. He also requested the number of directors that would have to be physically present to have a quorum. He also mentioned attendance to CSAC annual meeting is usually attended by five Directors. This may cause a quorum to not be present during that Governing Board. Meeting scheduling consideration is being requested for the dates around the CSAC meeting as this could pose conflict for Directors’ attendance to the MONTH Governing Board meeting. He mentioned Dalia would be the contact person to reach out to for exact dates of CSAC meeting for coordination of meeting dates.

Stacie mentioned 10 days to two weeks would be ideal advance notice.

Emily Haden clarified that six directors would need to be physically present at Governing Board meetings for a quorum to be present.

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

**12. Action items:**

None.

**13. Discussion items:**

- a. Update on bus fleet purchases

Stacie Guzman presented an update on bus fleet purchases authorized at the January board meeting. The original request was to purchase four 35-foot low floor diesel buses and four 29-foot diesel buses. The purchase was updated to purchasing eight 29-foot diesel buses. These updates change costs from \$5.3 million to \$5.2 million. Stacie presented information on the following:

- Comparison of low-floor diesel buses and cutaways/vans.
- Cost effectiveness of low-floor diesel buses vs. cutaways/vans.
- 64% of our current fleet are cutaway vans used for paratransit/micro-transit.
- Useful life of diesel buses is 12 years or 500,000 miles whichever comes first. Useful life of cutaways is seven years or 200,000 miles, whichever comes first.
- All vehicles are ADA compliant.
- Purchase price for low floor 40-foot battery-electric buses is \$1.2 million each. Purchase price for low floor 40-foot Diesel bus is \$800,000 with a price per mile cost of \$1.39, maintenance cost \$0.29 per mile with a total cost \$1.68 per mile based on useful life of buses. They are also built for longer, stop and go operations, incur lower maintenance costs, have mid-life rehab options



to help extend bus life, safer in accidents, ramps allow for quicker on/off boarding, which is important for fixed route schedules, more effective for emergency uses.

- Purchase price for 28-foot cutaway paratransit/micro-transit buses/vans is \$215,600 with a price per mile cost of \$0.97, maintenance cost \$1.19 per mile with a total cost \$2.16 per mile based on useful life of buses/vans. They are not built for stop and go operations, cab and chassis are heavy duty vehicles with rough air suspension, frames are prone to crack, require more frequent engine and transmission replacements, lower purchase price but have a higher maintenance cost with shorter useful life span.
- When fleet analysis is completed, consideration will be kept regarding replacement of diesel vehicles with 29-foot sizes buses when necessary for making future fleet replacement purchases.

Director Espinosa inquired when the transition to electric buses is to take effect and what percentage of the fleet needs to be replaced within how many years span.

Stacie Guzman mentioned that a quarter of procurements for new battery electric buses must be completed by 2024 with full electrification by 2040. She encouraged purchase of diesel bus replacements to the extent possible before the increased cost of battery-electric buses is required. TJPA will be receiving its first set of electric buses in 2023 which will give the agency time for analysis of buses and fleet needs.

Director Espinosa voiced support for the idea of purchasing diesel buses as we can purchase more and incur less costs before the full electrification date requirements.

Director Pareira wanted to confirm that the maintenance costs for cutaway buses/vans is \$35,000 per vehicle per year.

Nav Bagri confirmed the vehicle maintenance costs for cutaway buses/vans were accurate and include tires, brake pads, oil changes, suspensions, engine replacements and other vehicle maintenance needs for bus upkeep.

Scot Hansen with First Transit summarized how differentials, transmissions, air conditioners, engine overhauls are required. 200,000 miles come up rather quickly as buses are in service. Older buses are no longer available, making parts impossible to find for repairs. A welder is kept on call to make sure cracks in cutaway frames are addressed promptly.

Stacie Guzman clarified that it is the mileage of 200,000 or seven years, whichever comes first, that is used for determining maintenance and buses are reaching the 200,000-mile mark sooner than reaching the seven-year mark requiring maintenance sooner than seven years.

Director Silveira wanted to clarify the figure for maintenance costs of \$1.3 million.

Nav Bagri stated that TJPA pays \$1.3 million in parts only; there are additional maintenance and operational costs of \$2 million. The operational and maintenance costs are paid to First transit for bus maintenance services. He will send out a breakdown of the information for maintenance and operational charges paid to First Transit for their services.

Scot Hansen explained that the fixed-route buses are able to have a midlife maintenance completed on them when they reach 250,000 miles which will help in extending useful life for said buses by eight years whereas the cutaway busses will need to be discarded once their mile maturity is reached.

Director Silveira mentioned the costs and lifespan for cutaway buses does not seem like the most beneficial option. He recommends future purchases of cutaway buses would not be desirable and to instead focus purchases on 29-foot diesel buses for cost-effectiveness.

Stacie Guzman stated TJPA will be replacing eight of the 28-foot cutaway buses and replacing them with eight 29-foot low-floor, diesel buses. The benefits and performance are maximized with these types of changes to the bus fleet.

Director Espinosa thanked everyone for the information and excused himself to attend another meeting.

## MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY-

### 14. Action items:

None.

### 15. Discussion items:

#### a. FY 23-24 Budget considerations for member agencies

Stacie Guzman presented FY 23-24 Budget considerations for member agencies and discussed the following topics:

- Recyclables Transportation and Processing Contract has current costs of \$64.95/ton to \$68.72/ton with an automatic increase per existing contract with CARTS/Caglia. The affected jurisdictions are City of Merced, Merced County and City of Atwater.
- Organics DBO Contract has a current cost for green waste of \$10.50/ton. Brush and wood costs are \$21.00/ton. On July 1, 2023 costs will increase to \$56.00/ton. There is a pending contract with Agromin. The affected jurisdictions will be the City of Merced, Merced County, and private haulers at the Billy Wright and Highway 59 landfills.
- RWA Tipping Fee (Municipal Solid Waste only) has a current cost of \$31-43/ton. This will increase by 10 percent. This change will affect all customers.

Director Nagy expressed concern that this change will cause more illegal dumping within the county.

## OTHER REPORTS

### 16. Executive Director's report

Stacie Guzman discussed the following topics:

- Thanked Directors Moran, Llanez and Nelson for attending New Board member orientation
- HHW event on Saturday, February 18, 2023 at the Highway 59 landfill
- March 4, 2023 will be the community cleanup and HHW event at the Los Banos fairgrounds
- Requested attendance RSVP for those who have not yet responded to her message about the RWA Tip Fee workshop taking place February 22, 2023 at Sam Pipes room at 5pm

### 17. Directors' Reports

None.

### 18. Adjournment

