



Technical Review Board MINUTES

DATE

Wednesday, April 12, 2023

The regular meeting of the Technical Review Board was held on Wednesday, April 12, 2023, in-person at the Merced County Association of Governments, 369 W. 18th Street Merced, CA and via webinar and was called to order by acting Chair Dewayne Jones at 12:17 p.m.

MEMBERS PRESENT

Anna Nicholas, City Manager of Gustine
Lindsey Johnson for Raul Mendez, CEO of County of Merced, Chair
Christopher Lopez, Interim City Manager of Livingston
Dewayne Jones, City Manager of Dos Palos
Sam Rashe for Lori Waterman, City Manager of Atwater
Scott McBride for Stephanie Dietz, City Manager of Merced
Josh Pinheiro, City Manager of Los Banos

MEMBERS ABSENT

None.

STAFF PRESENT

Stacie Guzman, Executive Director
Nav Bagri, Deputy Executive Director
Elizabeth Forte, Director of Planning and Programming**
James Moore, Regional Waste Authority Director
Jose Perez, Assistant Transit Manager**
Alexandra Arroyo, Procurement Specialist I**
Xavier Garcia, Assistant Planner**
Meg Prince, Senior Planner
Daisy Zaragoza, Procurement and Reporting Analyst**
Patrick Womble, Environmental Resource Manager
Ty Phimmasone, Senior Planner**
Mary-Michal Rawling, Public Affairs Manager
Griselda Villa, Public Program Specialist**
Tara Rodriguez, Transit Analyst**
Myrissa Bravo, Multimedia Specialist**
Kristina Hernandez, Human Resources and Risk Management Manager**

*Arrived after roll call

** Attended via Zoom

OTHERS PRESENT

Ben Goldeen, Townsend Public Affairs**
Hilda Sousa, Caltrans**

1. Call to order/roll call

Acting Chair Dewayne Jones called the meeting to order and asked that roll call be taken. It was determined that a quorum was present.

2. Public comment

No public comments were received.

3. Information items:

a. Merced County Association of Governments

- i. Transportation Planning and Measure V update
- ii. Technical Review Board meeting calendar – 2023
- iii. Calendar of meetings, conferences, and events
- iv. Draft minutes of the March 16, 2023 MCAG Governing Board meeting
- v. MCAG newsletter – April 2023
- vi. City-County Dinner Host Rotation Schedule
- vii. Regional Housing Planning update
- viii. March Governing Board Summary

b. Transit Joint Powers Authority for Merced County

- i. TJPA monthly update

c. Merced County Regional Waste Management Authority

- i. RWA monthly update

4. Consent calendar:

a. Merced County Association of Government

- i. Approve the draft minutes of the March 8, 2023 Technical Review Board meeting
- ii. Recommend the Governing Board approve a contract for agenda management software with Rock Solid Technology
- iii. Recommend the MCAG Governing Board adopt by resolution Formal Amendment 6 to the 2023 Federal Transportation Improvement Program

b. Transit Joint Powers Authority for Merced County

None.

c. Merced County Regional Waste Management Authority

None.

Scott McBride moved to approve the consent calendar.

Seconded by Josh Pinheiro.

AYES: Lindsey Johnson, Scott McBride, Dewayne Jones, Anna Nicholas, Sam Rashe, Christopher Lopez, Josh Pinheiro

NOES: None

MOTION CARRIED UNANIMOUSLY.

MERCED COUNTY ASSOCIATION OF GOVERNMENTS

5. Action items:

- a. Recommend the Governing Board set a blended farebox recovery ratio for FY 2023/24

Elizabeth Forte presented this item explaining that because TJPA operates in both rural and urban areas the farebox rate utilizes a blended ratio methodology. This item is being presented by MCAG because it is the transportation planning agency that is responsible for setting this for regional transit agencies.

Scott McBride moved to recommend the Governing Board set a blended farebox recovery ratio for The Bus for FY 2023/24.

Seconded by Anna Nicholas.

AYES: Lindsey Johnson, Scott McBride, Dewayne Jones, Anna Nicholas, Sam Rashe, Christopher Lopez, Josh Pinheiro

NOES: None

MOTION CARRIED UNANIMOUSLY.

- b. Recommend the Governing Board adopt the Overall Work Program for FY 2023/24

Nav Bagri provided an overview of the FY 2023/24 budget summary including proposed staffing changes, items pertaining to revenue increases, and how expenditures are spread throughout the agency.

Josh Pinheiro inquired about whether planning staff levels were adequate; Nav Bagri and Stacie Guzman provided an overview of the staffing within the Transportation Planning department.

Dewayne Jones asked for more information about the UC Transit Consolidation Study. A discussion ensued about the history of this study, the UC's role in funding it, and their desire to proceed with the study in the coming year.

Josh Pinheiro asked about the proposed cost-of-living increase. Nav Bagri described the recent history of the provision of COLAs and the methodology used to calculate the COLA this year.

Josh Pinheiro moved to recommend the Governing Board adopt the Overall Work Program for FY 2023/24.

Seconded by Scott McBride.

AYES: Lindsey Johnson, Scott McBride, Dewayne Jones, Anna Nicholas, Sam Rashe, Christopher Lopez, Josh Pinheiro

NOES: None

MOTION CARRIED UNANIMOUSLY.

- c. Recommend the Governing Board amend the 2023 One Voice Legislative Platform

Mary-Michal Rawling reviewed the policy priorities put forward by the City of Dos Palos for inclusion in the 2023 One Voice program. There were no questions or discussion.

Scott McBride moved to recommend the Governing Board amend the 2023 One Voice Legislative Platform.

Seconded by Anna Nicholas.

AYES: Lindsey Johnson, Scott McBride, Dewayne Jones, Anna Nicholas, Sam Rashe, Christopher Lopez, Josh Pinheiro

NOES: None

MOTION CARRIED UNANIMOUSLY.

6. Discussion items:

- a. Discuss jurisdictional interest in a regional SB 244 analysis

Meg Prince summarized the requirements of SB 244 and outcomes of the last REAP workgroup meeting. She shared the new cost estimate provided by the consultant for a region-wide SB 244 technical analysis for all seven jurisdictions - approximately \$25,000-\$50,000 with the total being split by the participating jurisdictions. However, before moving forward with the development of the revised proposal, MCAG would need to seek Governing Board approval to modify the scope of the Multi-Jurisdictional Housing Element (MJHE) agreement with the consultant. Once that direction is provided, staff would work with jurisdictions to develop a cost sharing agreement and have that agreement along with a resolution go before City Councils and the Board of Supervisors for approval. Those documents would then be brought to the MCAG Board for consideration when acting to amend the MJHE contract with Rincon/Mintier Harnish.

Scott McBride stated that the existing Disadvantaged Unincorporated Communities (DUCs) are not in the City or created by the City, they are policy and legacy County issues that the City is trying to address so the County should be interested in doing this analysis as well. He also asked if this work can be reimbursed by REAP funds.

Meg Prince indicated that she has contacted HCD on this issue and has still not received a response.

Mr. McBride stated that DUCs can only be established through the prescribed SB 244 analysis.

Anna Nicholas asked about how cost sharing would be determined. Stacie Guzman shared that the cost-sharing mechanism is yet to be determined. Examples for cost-sharing could be based on factors such as the number of DUCs. Ms. Prince responded that the consultants would first need to establish how many DUCs exist in order to estimate the cost. Then it would be up the jurisdictions to determine a formula for splitting the cost. Ms. Nicholas stated that it is difficult for Gustine to determine whether the City will participate until a cost is determined.

A discussion ensued whereby it was determined that an important first step for jurisdictions is to confirm whether REAP funds can be used to pay for the SB 244 analysis work. Staff noted that the determination will need to be made by the four state agencies responsible for REAP implementation: Housing and Community Development, Strategic Growth Council, Office of Planning and Research and California Air Resources Board. Mrs. Guzman and Ms. Prince noted that the majority of REAP 2 is intended for implementation activities, not planning, and any use of these funds must further all three, not just one, of the REAP objectives: infill development, affirmatively furthering fair housing and reduction of vehicle miles traveled.

Mrs. Guzman outlined the process by which this item would go back to the Governing Board for action, including the desire to have regional consensus and the ability to answer core questions likely to arise from the board (i.e. can REAP funds be used). Additionally, this work is further outside the core scope of MCAG's activities therefore, taking the lead on a local government requirement is a policy decision that the Governing Board would need to act upon.

Ms. Prince explained that although it's tied to the housing element timeline it is not part of the housing element and the SB 244 analysis is usually prepared as part of the background documents having to do with the land use elements of Cities' general plans.

Christopher Lopez shared his experience with an MPO facing a similar kind of scenario where a policy regarding a taking on a new subject area outside of its expertise was detrimental to the agency.

A discussion about next steps followed where it was determined that the questions about the use of the REAP funds for the SB 244 technical analysis and which jurisdictions would want to participate in the work were foundational. Then the basics of a cost sharing formula would need to be established. Mr. McBride suggested using acreage in the spheres of influence as the basis of a formula, which can be prepared by MCAG GIS staff.

Christopher Lopez indicated Livingston is not interested in participating in a regional SB 244 analysis as their consultants have already determined they have no DUCs.

Lindsey Johnson asked if data from the County's 2016 study could be used in the wider analysis and could that be factored into cost. The City of Los Banos also potentially has some data that could be used.

This item and follow up information will come back to the May REAP workgroup meeting for discussion.

TRANSIT JOINT POWERS AUTHORITY FOR MERCED COUNTY

7. Action items:

- a. Recommend the Governing Board adopt resolutions for Low Carbon Transit Operation Program funding in the FY 2023/24 budget

Nav Bagri reviewed the proposed use of LCTOP funding for the next fiscal year including free fare programs in the summer months and holidays, as well as free interregional transfers in partnership with Stanislaus County transit agencies. In addition, funds will be used for the installation of electric vehicle infrastructure at The Bus' operations and maintenance facility. There were no questions or discussion.

Scott McBride moved to recommend the Governing Board adopt resolutions for Low Carbon Transit Operation Program funding in the FY 2023/24 budget.

Seconded by Lindsey Johnson.

AYES: Lindsey Johnson, Scott McBride, Dewayne Jones, Anna Nicholas, Sam Rashe, Christopher Lopez, Josh Pinheiro

NOES: None

MOTION CARRIED UNANIMOUSLY.

8. Discussion items:

None.

MERCED COUNTY REGIONAL WASTE MANAGEMENT AUTHORITY

9. Action items:

- a. Recommend the Governing Board authorize the Executive Director to enter into a contract for the construction of a Low-NOx flare

Patrick Womble reviewed the RFP process for the new Low NOx flare and an overview of the next phase of the project including its construction, which is set to begin in May. There were no questions or discussion.

Anna Nicholas moved to recommend the Governing Board authorize the Executive Director to enter into a contract for the construction of a Low-NOx flare.

Seconded by Josh Pinheiro.

AYES: Lindsey Johnson, Scott McBride, Dewayne Jones, Anna Nicholas, Sam Rashe, Christopher Lopez, Josh Pinheiro

NOES: None

MOTION CARRIED UNANIMOUSLY.

10. Discussion items:

None.

OTHER REPORTS

11. Executive Director's report

Stacie Guzman provided the following updates:

- CalAct conference in Lake Tahoe is this month – The Bus will be honored for the evacuation assistance provided during the flooding events.
- Next TRB meeting has been moved to May 17 due to the One Voice trip
- Billy Wright landfill tour scheduled for May 19 at 11am
- RWA hosting Household Hazardous Waste collection event at the Highway 59 landfill on April 15 from 8:00am-12:00pm
- RWA hosting a compost giveaway for Merced County residents on Earth Day, April 22, from 8:00am-12:00pm at the Highway 59 landfill
- Measure V annual report has been released with hard copies sent to the jurisdictions for distribution; she has also scheduled presentations at all City Councils over the next few months to review Measure V progress and updates

12. Caltrans report

Hilda Sousa provided the following updates:

- Caltrans' draft rail plan is out and feedback from stakeholders is being sought
- Merced County was awarded funding for bridge repair work, including seismic updates, at several locations along Highways 140, 165 and 59

13. Oral report – League of California Cities update

No report.

14. Oral report - Jurisdictions

Josh Pinheiro provided an update on the construction of the new Los Banos police station and welcomed anyone to use the City's two digital message boards to distribute community information.

Anna Nicholas stated that one of the Gustine councilmembers recently resigned so the Council will be deciding how to fill that vacancy at their next meeting.

Lindsey Johnson invited everyone to attend the Spring Fair being held on May 3-7 in Los Banos, and informed the group that the County's regional broadband strategic plan is concluding and the recommended policies for each jurisdiction would be distributed soon.

Dewayne Jones updated the group about the City's new water treatment plant; the bid process will begin this month along with an associated rate increase for local residents being put in place in conjunction with the project. Construction will take approximately two years.

THERE BEING NO FURTHER BUSINESS, THE MEETING WAS ADJOURNED AT 1:32 p.m.

DRAFT