

**REVISED**

**2016 ½ CENT TRANSPORTATION  
SALES TAX MEASURE  
EXPENDITURE PLAN**

Prepared by:



369 W. 18<sup>th</sup> Street  
Merced, CA 95340

**MARCH 2016**

# Introduction

A Merced County ½ Cent Transportation Sales Tax Expenditure Plan was prepared to:

**Guide more than \$450 million in transportation fund expenditures generated through the approval of a Merced County half-cent transportation sales tax over the next 30 years if approved by the voters in the November 2016 election.**

The Expenditure Plan was developed by a 24-member Transportation Expenditure Plan (TEP) Committee created and appointed by the Merced County Association of Governments (MCAG) Governing Board. The committee was comprised of representatives from each of the seven member agencies (Atwater, Dos Palos, Gustine, Livingston, Los Banos, Merced and the County of Merced), as well as, a wide variety of community stakeholders representing diverse interests from across the county (Appendix C).

The Expenditure Plan will address major regional transportation needs in Merced County through the Year 2047 with the initiation of a ½ cent sales tax.

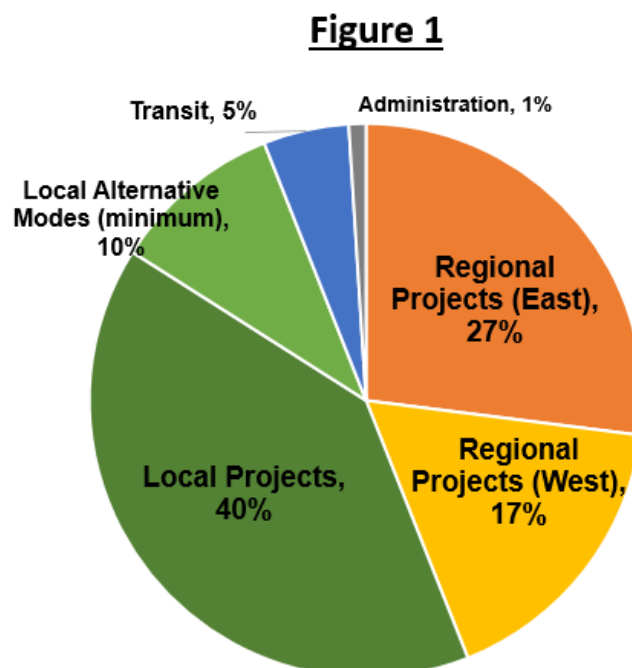
## Where will the money go?

Figure 1 provides an overview of the proposed Expenditure Plan that outlines where the funds will be spent and what categories of projects will be funded.

The funding categories include:

1. Regional Projects
2. Local Projects
- 2A. Alternative Modes Projects
3. Transit, and
4. Administration.

The proposed 30-year Transportation Measure is expected to generate a total of \$450 million.



## **1. REGIONAL PROJECTS**

44% of the Transportation Measure funds are allocated to Regional Projects which are established in the adopted Regional Transportation Plan (RTP) approved by the MCAG Governing Board. 27% must be spent on projects east of the San Joaquin River, and 17% must be spent on projects west of the San Joaquin River. The projects within the RTP were selected through a process that evaluated safety, performance measures and cost effectiveness. The RTP is updated every four years with 25 years of transportation projects. Regional Projects provide for the movement of goods, services, and people throughout Merced County and benefit multiple jurisdictions.

## **2. LOCAL PROJECTS**

50% of the Transportation Measure funds are allocated to Local Projects to address the diverse needs of the cities and the County. The Local Projects funding category provides each of the member agencies with the flexibility to develop a priority list of local projects. This category will allow funding for projects ranging from pot-hole repair and road rehabilitation to sidewalks and safe routes to schools to freeway interchange improvements.

### **2.A. ALTERNATIVE MODES PROJECTS**

At least 20 percent (20%) of the Local Projects funds each jurisdiction receives must be used for Alternative Modes projects. This sub-category is intended to fund projects that provide transportation alternatives including bicycle, pedestrian, passenger rail, or other modes of transportation that reduce single-occupant vehicle use.

## **3. TRANSIT**

5% of the Transportation Measure funds are directed to support increased transit service.

## **4. ADMINISTRATION**

The remaining 1% of the total Transportation Measure funding is directed to program implementation activities. Details regarding the administration of the funds are provided in Appendix A.

# Responding to Public Needs

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Two-thirds (66.7%) voter approval is necessary to pass the Transportation Measure in November 2016. In order to ensure that Merced County Association of Governments is on target with this Expenditure Plan, voters and community residents were initially surveyed to determine support for a new Transportation Measure.

The voters of Merced County responded with strong support to impose a sales tax which would lead to transportation improvements in Merced County. Meeting the needs of Merced County residents requires leveraging state and federal expenditures with local resources. Even with the passage of the Transportation Measure there will not be enough funding available to address the more than \$1 billion in transportation needs. The Transportation Measure will generate \$450 million over the next 30 years to address a portion of this need. Therefore, leveraging additional federal and state dollars, beyond what the region expects, is critical.

Most state and federal grants require a match. Counties that pass transportation sales tax measures are referred to as “Self-Help” counties and can generate the revenues to be used as matching dollars. Similar measures throughout the San Joaquin Valley and California have been very successful in this regard. Such measures have been viewed as the most important transportation programs ever approved by voters in those counties. According to the Regional Transportation Plan, Merced County needs to become a Self-Help county to achieve its goals and address its transportation needs.

The TEP Committee, which included representatives from each of the cities, the County of Merced, MCAG and a number of community stakeholders, worked together to develop the Expenditure Plan funding categories and other key components.

## Annual Audit of Transportation Measure

The Transportation Measure expenditures and accounts of the local agencies and MCAG will be audited on an annual basis by an independent audit firm retained by Merced County Association of Governments. Appendix A provides additional detail regarding the Transportation Measure audit process.

## Citizen Oversight

To inform the public and to ensure that the Transportation Measure revenues and expenditures are spent as promised to the public, a Citizens’ Oversight Committee would be formed by MCAG as part of the new Transportation Measure. Details regarding the committee are provided in Appendix B.

# Anticipated Measure Revenues

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If voters approve the Transportation Measure on November 8, 2016, they will allow MCAG to impose a ½ cent retail transaction and use tax for 30 years (between April 1, 2017 and March 31, 2047). The Transportation Measure Sales Tax will:

**Provide \$450 million in new revenues for transportation improvements according to financial projections through the year 2047.**

This estimate considers current sales tax receipts (with no growth rate in sales tax proceeds) through March 2047. Since the project funding is shown in current dollars, the projected revenues are shown in current dollars. Actual revenues will depend on actual sales tax proceeds. The allocation of projected revenues to specific transportation funding categories is described in the following sections of this Expenditure Plan. A Transportation Measure Implementation Plan detailing current transportation projects will be updated every two (2) years to adjust the projection of sales tax receipts, ensuring that the projections are consistent with future expenditures and promises made in this initial Expenditure Plan. MCAG will have the option of issuing bonds to deliver Transportation Measure projects to reduce project costs by delivering them earlier.

## Funding Categories

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Through many weeks of intense discussion and hard work, the following Transportation Measure funding categories and commitments were developed by the TEP Committee. MCAG realized that providing funds for all modes of transportation would meet the quality of life intent of the new Transportation Measure. This would in turn enable agencies within Merced County to address the needs of residents, businesses, and major industries over the 30-year life of the Transportation Measure.

The Expenditure Plan will:

**Provide funds for regional road improvements, public transit, rehabilitate existing roads and other transportation programs that improve mobility and air quality within the County and each of the cities.**

## 1. Regional Projects – 44% of total

If \$450 million is collected over 30 years, then \$198 million will be available for Regional Projects - \$121.5 million on the Eastside and \$76.5 million on the Westside.

Forty-four percent (44%) of the funds will be allocated to this category.

- 27% of the total is for an Eastside share, to be spent on projects east of the San Joaquin River.
- 17% of the total is for a Westside share, to be spent on projects west of the San Joaquin River.

The dividing line between Eastside and Westside shares is the San Joaquin River. Two committees will be created to recommend projects:

- The Eastside Regional Projects Committee will consist of one council person from each City that includes area east of the San Joaquin River and each County Supervisor whose district includes area east of the River.
- The Westside Regional Projects Committee will consist of one council person from each City that includes area west of the San Joaquin River and each County Supervisor whose district includes area west of the River.

As the Local Transportation Authority overseeing the funds, the Governing Board of Merced County Association of Governments has the authority to approve recommendations made by the Regional Projects Committees. Notwithstanding the foregoing, the MCAG Governing Board shall not approve a project that has not been recommended by a Regional Projects Committee.

Regional Projects must be listed in the applicable Regional Transportation Plan, which is updated every four years and can be amended as needed. These projects provide for the movement of goods, services, and people throughout Merced County. Projects on the State Highway system or the Regional Road System or the Regional Transportation System defined by MCAG are Regional Projects. Projects located in or directly benefitting more than one jurisdiction are Regional Projects.

Examples of Regional Projects include but are not limited to:

- Improving highway and freeways
- Adding lanes to projects on the Regional Road System
- Improvements on the Regional Transportation System
- Passenger Rail
- Bus Rapid Transit
- Regional bikeways and trails
- Improvements to Regional Airports
- Transportation Demand Management benefitting more than one jurisdiction, such as vanpools and ridesharing.

Funds can be used for all phases of project development and implementation. In some cases, other sources of funding will also be used for these projects, for example State Transportation Improvement Program (STIP) funds.

## **2. Local Projects – 50% of total**

If \$450 million is collected over 30 years, then \$225 million will be available for Local Projects.

Fifty percent (50%) of the funds will be allocated to this program. The local elected city councils and the Board of Supervisors will be the decision-making bodies for the use of these funds within their respective jurisdictions. Every year each City and the County will receive funding based on a formula using a base amount, population, and road miles. The goal is to improve the local transportation systems within each individual city and the County overall.

Local agencies in Merced County know what their needs are and how best to address them. The funding will help cities and the County to meet maintenance needs and to rehabilitate their aging transportation systems. Funds can be used for all phases of project development and implementation. Funds can be used for new projects or programs, for safety improvements, or for maintenance or operation of existing projects or programs

Potential uses include but are not limited to:

- Pothole repair
- Repaving streets
- Bridge repair or replacement
- Traffic signals
- Add additional lanes to existing streets and roads
- Improve sidewalks
- Bicycle or pedestrian facilities
- Separate street traffic from rail traffic

The funds for the Local Projects program will be allocated annually to local jurisdictions (the Cities and the County) using a formula as follows:

1. A base amount of \$150,000 will be allocated to each jurisdiction;
2. The remaining funds will be allocated based on the average of the jurisdiction's share of the total countywide population and their share of the total countywide public maintained road miles. For example, if a jurisdiction has 35% of the population and 75% of the road miles they will be allocated 55% of the funds remaining after the base amounts are allocated.

## **2.A Alternative Modes Projects – at least 20% of Local Projects (10% of total)**

If \$450 million is collected over 30 years, then \$45 million will be available for Alternative Modes Projects.

At least twenty percent (20%) of the “Local Projects” funds each jurisdiction receives must be used for Alternative Modes projects. Each jurisdiction may use more than this minimum but not less. The goal of this sub-category of projects is to provide safe alternatives to automobile travel, increase use of alternative modes, and improve air quality and the environment. This sub-category may be used for projects and programs that provide alternatives to single-occupant vehicle use, including but not limited to:

- Sidewalks, crosswalks, safe routes to schools, ADA curb ramps, and other pedestrian projects
- Bicycle projects
- Passenger Rail
- Railroad crossing safety improvements
- Vanpools, carpools or other ridesharing programs or incentives
- Roundabouts or other air quality improvements
- or other alternative modes

This sub-category may be used for new projects or programs, for safety improvements, or for maintenance or operation of existing projects or programs. Funds can be used for all phases of project development and implementation.

This sub-category may also be used as an incentive or as matching funds for transportation-related components of sustainable communities and developments that help increase alternatives to automobiles.

Below is an example of what the annual allocation to each local jurisdiction could look like in any given year, assuming \$15,000,000 in revenue.

| Jurisdiction       | Example Annual Amount | 20% for local alternative modes projects | 80% for other local transportation needs |
|--------------------|-----------------------|--|--|
| City of Atwater    | \$615,763             | \$123,152                                | \$492,610                                |
| City of Dos Palos  | \$244,816             | \$48,963                                 | \$195,853                                |
| City of Gustine    | \$246,594             | \$49,319                                 | \$197,276                                |
| City of Livingston | \$368,040             | \$73,608                                 | \$294,432                                |
| City of Los Banos  | \$767,143             | \$153,429                                | \$613,714                                |
| City of Merced     | \$1,554,461           | \$310,892                                | \$1,243,569                              |
| Merced County      | \$3,703,183           | \$740,637                                | \$2,962,546                              |
| Total              | \$7,500,000           | \$1,500,000                              | \$6,000,000                              |

### 3. Transit – 5% of total

If \$450 million is collected over 30 years, then \$22.5 million will be available for Transit Projects

Five percent (5%) of the funds will be allocated to this program. The Governing Board of the Merced County Association of Governments is the decision-maker for allocating these funds. 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

### 4. Administration – 1% of total

If \$450 million is collected over 30 years, then \$4.5 million will be available for Administration.

One percent (1%) of the funds will be allocated to MCAG to:

- Prepare Implementation Plan updates
- Develop funding allocation requirements
- Administer and conduct specified activities identified in the categories described above
- Prepare Annual Transportation Measure Report
- Contract for annual independent audits
- Staff the regional committees and provide technical assistance.

## For more information

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Merced County Association of Governments  
369 W. 18<sup>th</sup> Street  
Merced, CA 95340  
P: (209) 723-63153

F: (209) 723-0322  
[www.mcagov.org](http://www.mcagov.org)

# Appendices

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## Appendix A – Expenditure Plan Administration

### Governing Board and Organizational Structure

A description of the Merced County Association of Governments and its organizational structure related to the sales tax follows. The structure is consistent with the enabling legislation.

#### **Merced County Transportation Authority Structure under the Transportation Measure**

The Merced County Association of Governments (MCAG) is the Merced County Local Transportation Authority and will administer the Transportation Measure in compliance with Public Utilities Code PUC 180000 et seq. If the Transportation Measure is approved by Merced County voters in November 2016, the Authority will be responsible for administering the Transportation Measure in accordance with plans and programs outlined in this and subsequent updates of this Expenditure Plan. In addition, this Expenditure Plan includes provision for a Citizens' Oversight Committee. Details regarding the Committee are contained in Appendix B. The TEP Implementation Plan will continue to be prepared by MCAG and approved by its Policy Board and by the Authority.

PUC 180000 includes provisions regarding the number of members on the Authority Board. Specifically, the Authority will be represented by eleven (11) members including:

- Five (5) members of the Board of Supervisors
- One (1) member representing each of the six cities in Merced County: Atwater, Dos Palos, Gustine, Livingston, Los Banos, and Merced consisting of members of the city council appointed by the city council

Alternates to the regular members of the authority may participate in accordance with the MCAG By-Laws.

### Plan Update, Approval Process, and Expenditure Plan Amendments

#### **Plan Review and approval process**

There are three primary reports/plans that are referenced as follows:

1. The Expenditure Plan – The Expenditure Plan is approved by the voters and may be amended once a year as outlined below.
2. The Annual Report – The Annual report is prepared each year by the Citizen's Oversight Committee to provide review how sales tax receipts are being spent and publicize the results
3. Biennial Implementation Plan – Prepared every two years to outline project expenditures. The Implementation Plan will be timed to coincide with the development of the Bi-annual State Transportation Improvement Program development.

In compliance with schedules mandated in federal and state law, MCAG regularly prepares a new long-range transportation plan (RTP) that updates and renews a list of candidate projects for all transportation modes (streets, highways, public transportation, bikeways, aviation, etc.). If funds are available for any projects beyond those now listed in this Expenditure Plan, they will be drawn from that list. MCAG will have the option of issuing bonds to deliver Measure projects and programs contained in this Expenditure Plan to reduce project costs by delivering them earlier.

All updates of the Expenditure Plan will be subject to public review and public hearings. While these candidate projects may change and priorities for funding may occur, there are more than enough project

needs within the County to be addressed using all types of funding, including Transportation Measure funds. It will be vital during development of each Expenditure Plan Update to consider financing all transportation modes in order to insure a balanced and efficient transportation system. All of the projects and programs included in this Expenditure Plan are considered essential to meet the transportation needs of Merced County.

The Funding Categories and overall Funding Allocations formulas described in this Expenditure Plan may not be amended without approval of the voters.

#### **Amendments to the Expenditure Plan**

As specified in Public Utilities Code Section 180207:

- (a) The authority may annually review and propose amendments to the county transportation expenditure plan adopted pursuant to Section 180206 to provide for the use of additional federal, state, and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances.
- (b) The authority shall notify the board of supervisors and the city council of each city in the county and provide them with a copy of the proposed amendments.
- (c) The proposed amendments shall become effective 45 days after notice is given.

The Funding Categories and overall Funding Allocations formulas described in this Expenditure Plan may not be amended without approval of the voters.

#### **Bi-Annual Implementation Plan**

At a minimum of once every two years, MCAG will prepare and adopt a Transportation Measure Implementation Plan. This will include a financial plan consistent with the Regional Transportation Improvement Program (RTIP) and the State Transportation Improvement Program (STIP).

- MCAG staff working with member agencies and affected stakeholders will develop the Draft Implementation Plan, and will update it every two years.
- The MCAG Governing Board receives the Draft Implementation Plan and its updates and schedules public hearings to review the Plan
- The MCAG Governing Board adopts the Implementation Plan

### **Independent Financial Audits**

If the Transportation Measure is approved by the voters, MCAG would conduct independent financial audits consistent with PUC 180000 et seq.

### **Implementation Guidelines**

#### **Administration Program: - 1% of the Measure**

There are a number of processes that MCAG must also perform to support the Transportation Measure including maintenance of the Expenditure Plan and development of requirements associated with:

- Each of the proposed allocation programs
- The identification and prioritization of projects

It is recommended that MCAG be allocated 1% of sales tax revenue to address important activities.

Activities of MCAG are described below:

- Prepare Annual Work Program and Budget
- Develop the allocation program requirements including focused studies needed to implement the Transportation Measure
- Prepare the Implementation Plan every two years
- Develop the priority list of regional capacity increasing and rehabilitation projects
- Conduct an independent audit of Transportation Measure funds on an annual basis
- Conduct on on-going public outreach program

- Issue bonds to deliver Transportation Measure projects contained in Implementation Plan to save project costs by delivering them earlier
- Allocate Transportation Measure proceeds to the local jurisdictions consistent with the Expenditure Plan requirements
- **Staff the regional committees and provide technical assistance.**

### **Bonding and Financing**

MCAG will have the authority to bond and use other financing mechanisms, including, when more advantageous economically, loans from banks and other financial lending institutions, for the purposes of expediting the delivery of transportation projects and programs and to provide economies of scale. Bonds or loans, if issued, will be paid with the proceeds of the transportation sales tax. The costs and risks associated with the bonding and loans will be presented in the Implementation Plan, and will be subject to public comment before any bond sale or loan application is approved.

MCAG will also be able to use other means to accelerate the delivery of Regional Projects including partnering with other COGS, the State of California, the federal government, and other government agencies, federal authorization funds, federal earmarks, partnering with private entities, seeking outside grants and matching or leveraging tax receipts to the maximum extent possible.

Local agencies may choose to advance funds for a project, either a project specified in the plan, or a project for which they plan to use their local agency Local Project funds, and to receive reimbursement for that advancement in accordance with the plan. The fund advancement and reimbursement projections must be approved by MCAG in accordance with the voting requirements, prior to proceeding with the project. Local agencies may also accumulate funds from their Local Projects allocations over several years to fund larger or higher cost projects.

### **Regional Projects Contingency Fund**

MCAG will also have the ability to set aside a contingency fund for Regional Projects shares of up to 5% of the annual receipts from the tax. Revenues to fund the contingency may be accumulated if revenues exceed projections.

In the event that actual revenues in any given year are less than the budgeted revenues, the MCAG Board may use the contingency fund to make up the difference between the budgeted revenues and the actual revenues. The contingency fund may also be used to fund projects where the actual cost exceeds projections.

### **Accountability**

All business of MCAG will be conducted in an open and public meeting process in accordance with the California Brown Act. MCAG will approve all spending plans described in this document and will ensure that adequate public involvement has been included in the preparation of all spending plans. MCAG will be required to hire an independent auditor who will annually audit all sales tax expenditures, ensuring that expenditures are made in accordance with the plan, and with prudent, established accounting regulations and practices.

### **Maintenance of effort**

The enabling legislation in Public Utilities Code PUC 180001(e) states:

*It is the intent of the Legislature that funds generated pursuant to this division be used to supplement and not replace existing local revenues used for transportation purposes.*

Each Agency receiving revenues for “Local Projects” shall annually maintain, as a minimum, the same level of local fully discretionary general fund revenues that were expended on average for fiscal years 2013/14, 2014/15 and 2015/16, for transportation purposes. Dedicated funds for transportation such as gas tax revenues are not counted as general fund revenues. Transfers in to the general fund will not be counted as general fund revenues. Grant awards and general fund revenues used as matching funds for

grant awards will not be counted as general fund revenues.

### **Other Guidelines**

This plan is guided by principles that ensure that the revenue generated by the transportation sales tax is spent in the most efficient and effective manner possible, consistent with the desires of the voters of Merced County. The principles outlined in this section provide flexibility needed to address issues that may arise during the life of the plan.

1. MCAG will fund both regional and local projects, and will also provide funds to local agencies to address special and localized needs.
2. MCAG is charged with a fiduciary duty in administering the transportation sales tax proceeds in accordance with the applicable laws and this Expenditure Plan. Receipt of these tax proceeds may be subject to appropriate terms and conditions as determined by MCAG in its reasonable discretion, including, but not limited to, the right to require recipients to execute funding agreements and the right to audit recipients' use of the tax proceeds.
3. The monies collected through MCAG shall be accounted for and invested separately, unless and until the funds are turned over to a local agency in accordance with the plan. At such time, the local agency shall keep a separate accounting of the monies and any and all expenditures to ensure that the monies are spent in accordance with the approved expenditure plan.
4. All meetings of MCAG will be conducted in public accordance to state law, through publicly noticed meetings. The annual budget of MCAG, annual work plan, biennial Implementation Plan, and annual report will all be prepared for public scrutiny. The interests of the public will further be protected by the Citizens' Oversight Committee described in this Plan.
5. Under no circumstances may the proceeds of this transportation sales tax be applied to any purpose other than for transportation improvements benefiting Merced County and its member agencies.
6. Actual revenues may be higher or lower than expected in this Plan, due to changes in receipts and/or matching or leveraging capability. Estimates of actual revenue will be programmed annually by the MCAG during its annual budget process.
7. All projects funded with these transportation sales tax funds will be required to complete appropriate California Environmental Quality Act (CEQA) and other environmental review as required.
8. Funds may be accumulated by MCAG or by recipient agencies over a period of time to pay for larger and long-term projects. If accumulated for a general purpose, the proceeds will be used for the transportation purposes described in the Expenditure Plan.
9. MCAG will have the ~~capability of loaning authority to loan~~ transportation sales tax receipts ~~allocated to Regional Projects~~ at prevailing interest rates to ~~other~~ member agencies for the implementation of needed transportation projects, provided that a guaranteed revenue stream is devoted to repay such a loan over a maximum amount of time, and provided that the loan will not interfere with the implementation of programs or projects defined in the Expenditure Plan. Loaning of funds ~~allocated to Regional Projects~~ requires ~~2/3rds~~ MCAG Board approval ~~and approval by the affected Regional Committee.~~
10. Each Local jurisdiction shall have the authority to loan transportation sales tax receipts allocated to them for Local Projects to member agencies for the implementation of needed transportation projects.
11. New incorporated cities or new transit agencies or services that come into existence in Merced County during the life of the Expenditure Plan could be considered as eligible recipients of funds through a Plan Amendment, and an additional position created on the governing board.

## **Appendix B – Citizens Oversight Committee**

### **Committee Purpose**

- To provide input on implementation of the Plan, and to advise the MCAG Board if and when the Plan needs to be augmented and to ensure that the funds are being spent in accordance with the Plan.
- To inform the public and to ensure that the Transportation Measure (Measure) funding program revenues and expenditures are spent as promised to the public.

### **Administrative Issues**

#### **Committee Formation**

- The Committee will be formed within six (6) months upon approval of the Transportation Measure by the voters of Merced County in November 2016.
- The Committee shall not be amended out of the Expenditure Plan.
- Meetings will commence when Transportation Measure revenues are recommended for expenditure; including Implementation Plan updates.

#### **Selection and Duties of Committee Chair and Vice Chair**

- The Committee shall select a Chair and Vice Chair from the members, each of whom shall serve a one (1) year term.
- The duties of the Chair will be to call meetings, set agendas, and preside over meetings.
- The duties of the Vice Chair will be to perform the same duties described above in the absence of the Chair.

#### **Committee Meetings**

- The Committee will hold one formal meeting annually, with additional meetings scheduled as needed by the Committee.
- All Committee meetings must be held in compliance with the Brown Act.
- All meetings will be conducted per “Robert’s Rules of Order”.

#### **Subcommittee Requirements**

- The Committee may elect to form subcommittees to perform specific parts of its purpose.
- All subcommittees shall have an odd number of members.

### **Committee Membership, Selection, and Quorum**

#### **Membership & Selection**

The Committee will be designed to reflect the diversity of the County. The Committee will consist of 14 members. Each organization represented on the Citizens’ Oversight Committee will nominate its representative; with final appointments approved by the governing board of MCAG. The membership shall be as follows:

- One member will be appointed by each City and the County (Total of 7)
- One representative from the building industry
- One representative from the agriculture industry
- One representative from an ethnic community group
- One representative from a major private sector Merced County employer
- One representative from an advocacy group representing bicyclists and pedestrians, and/or transit
- One member who is a professional in the field of audit, finance and/or budgeting with a minimum of five years in a relevant and senior decision-making position in the public or private sector
- One representative from an environmental advocacy group

In the case of the final four representatives, applications from residents within Merced County who are over the age of 18 will be solicited and accepted. The representatives will be selected by the MCAG Governing Board.

#### **Quorum**

- A quorum will be no less than eight (8) members of the Committee
- An action item of the Committee may be approved by a simple majority of those present, as long as the quorum requirement is met.

#### **Term of Membership**

- Terms of membership will be for two (2) years. No member may serve more than 8 years.
- Members may be reimbursed for authorized expenses, but not be compensated for their service on the Committee.
- In an effort to maintain Committee member consistency, during the first two (2) years of the Committee, terms will be staggered with 7 of the members to serve a one-year term, 7 of the members to serve a two-year term. The length of the first terms will be determined via random selection.
- Proxy voting will not be permitted.

#### **Eligibility**

- U.S. citizen 18 years of age or older who resides in Merced County
- Not an elected official at any level of government
- Not a public employee at any State, County or local city agencies
- Must submit an annual statement of financial disclosure consistent with Fair Political Practices Commission (FPPC) rules and regulations and filed with the Authority

#### **Staffing**

- MCAG will staff the Committee and provide technical and administrative assistance to support and publicize the Committee's activities.
- MCAG services and any necessary outside services will be paid using the MCAG's Transportation Measure Administration revenues.
- Expert staff will be requested to provide information and make presentations to the Committee, as needed.

#### **Responsibilities**

The Committee may receive, review and recommend any action or revision to plans, programs, audits or projects that is within the scope of its purpose stated above. Specific responsibilities include:

- Receive, review, inspect, and recommend action on independent financial and performance audits related to the Transportation Measure
- Receive, review, and recommend action on other periodic reports, studies and plans from responsible agencies. Such reports, studies and plans must be directly related to Transportation Measure revenues or expenditures
- Review and comment upon Measure expenditures to ensure that they are consistent with the Expenditure Plan
- Annually review how sales tax receipts are being spent and publicize the results
- Present Committee recommendations, findings, and requests to the public and MCAG in a formal annual report to inform Merced County residents how funds are being spent.
- The Committee will have full access to the MCAG independent auditor and will have the authority to request and review specific information, with the understanding that the Committee will rely upon data, processes and studies available from MCAG, and other relevant data generated by reputable sources. It is understood; that MCAG will be continuously striving to improve the reliability of data and to update analytical and modeling
- processes and that the Committee will be kept abreast of any such efforts, and is invited to participate in development of such updates in a review capacity.

The Committee will assist MCAG in taking advantage of changing situations with technical and transportation developments in the future. Therefore, the provisions regarding the Committee make up, processes and protocols are viewed through 2047 based upon a 2016 perspective, and are not meant to be unduly restrictive on the MCAG and the Committee's roles and responsibilities.

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## Appendix C – TEP Steering Committee Roster

|   |  |
|---|--|
| MCAG/Merced County                                | Deidre Kelsey<br>Hub Walsh                   |
| Leadership Council for Justice and Accountability | Kaylon Hammond                               |
| Hilmar  | Mike Seward                                  |
| Assembly Member Adam Gray                         | Ryan Heller                                  |
| Caltrans  | Tom Dumas                                    |
| Transit   | Rich Green                                   |
| Merced Boosters                                   | Michael Carpenter<br>Vinton Thengvall        |
| Greater Merced Chamber of Commerce                | Adam Cox                                     |
| Golden Valley Health Centers                      | Mary-Michal Rawling                          |
| UC Merced   | Phillip Woods                                |
| Merced College                                    | Paul Baxter                                  |
| City of Gustine                                   | Ellen Hasness<br>Pat Nagy                    |
| City of Dos Palos                                 | Jerry Antonetti<br>Michael McGlynn           |
| City of Los Banos                                 | Mike Villalta<br>Steve Carrigan/Gary Brizzee |
| City of Atwater                                   | Jim Price<br>Scott McBride                   |
| City of Merced                                    | Josh Pedrozo<br>Tony Dossetti - Alternate    |
| City of Livingston                                | Alex McCabe                                  |
| Agriculture                                       | Diana Westmoreland Pedrozo                   |