

MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES
Monday, October 4, 2010
Ukiah City Council Chambers

The Mendocino Council of Governments (MCOG) meets as the Board of Directors of:
Mendocino Regional Transportation Planning Agency (RTPA) and
Mendocino County Service Authority for Freeway Emergencies (SAFE)

1. Call to Order / Roll Call. After the Board members' bus tour of transportation projects (10:00 a.m. to approximately 12:15 p.m. followed by lunch), the meeting was called to order at 1:30 p.m. with Directors Robertson (PAC), Sinnott, Rodin, Stranske, Pinches, Smith, and Gjerde present; Chair Gjerde presiding. Director Ranochak arrived shortly after.

Staff present: Phil Dow, Executive Director; Janet Orth, Deputy Director for Administration; Loretta Ellard, Assistant Executive Director; and Nephele Barrett, Senior Planner.

2. Convene as RTPA

3. Recess as RTPA - Reconvene as Policy Advisory Committee.

Public Expression. None.

Director Ranochak arrived at 1:31 p.m.

4 - 6. Consent Calendar. Ms. Orth read aloud two proposed amendments submitted by Chair Gjerde to the Executive Committee minutes, on Page 1, Agenda #3 (SAFE call box report), second bullet, and on Page 2, Agenda #6 (Miscellaneous/Members' Concerns).

Upon motion by Stranske, second by Pinches, and carried unanimously (*8 Ayes; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that consent items are approved:

4. Approval of August 9, 2010 Minutes – as written

5. Acceptance of Executive Committee Minutes of August 26, 2010 – as amended

6. Technical Advisory Committee Recommendation of September 15, 2010:

Approval of First Amendment to Fiscal Year 2010/11 Planning Overall Work Program (OWP) - Existing funds are carried over from FY 2009/10, miscellaneous revisions are made, with no new fiscal impact. Eleven work elements are continued from the prior fiscal year. The program is increased by \$66,711 in funds carried over, for a total OWP of \$1,461,302.

7 - 11. Regular Calendar. Pending Mr. Dashiell's arrival for Agenda #7, the Chair proceeded to Agenda #8.

8. Executive Committee Recommendation of August 26, 2010: Approval to Request a Proposal from Dow & Associates to Extend Staffing Contract for Two Years, Fiscal Years 2011/12 through 2012/13, with Option for Third Year Extension through FY 2013/14. A motion was made by Director Pinches, seconded by Director Stranske, to approve the Executive Committee's recommendation.

Discussion on the motion: Mr. Dow explained the necessary timetable for a Request for Proposals (RFP) and contracting. This would be the fourth extension of the original contract with his

firm for comprehensive staffing of the agency. He expressed appreciation for the Executive Committee's recommendation and its confidence in Dow & Associates.

Director Rodin asked for a discussion of the RFP bidding process. Chair Gjerde explained that the recommended action would allow more time to examine the process, and this was one of the reasons he supported the recommendation. Director Sinnott stated her position that succession planning for the agency could be coordinated in part with Mr. Dow's own retirement, and that excellent performance evaluations of the Executive Director show the agency is in good hands. Director Stranske agreed. The Chair invited public comment; no one spoke.

The motion carried unanimously (8 Ayes; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that a proposal is requested from Dow & Associates to extend the staffing contract for two years, Fiscal Years 2011/12 through 2012/13, with an option for a third-year extension through Fiscal Year 2013/14.

7. Presentation/Discussion: County of Mendocino Transportation Plans and Projects in Ukiah Valley, Calpella, Redwood Valley, and Potter Valley. Howard Dashiell, Director, Mendocino County Department of Transportation, hosted the morning's tour. Having given his presentation on the bus, he now invited questions. Questions and comments included the following.

- East Side Potter Valley Road status? Environmental documents are complete, identifying mitigation measures. Permits still need to be secured. The County is waiting for a funding allocation to be released for right-of-way acquisition that was approved and programmed by the California Transportation Commission (CTC) last July, now pending passage of the State budget. Construction funds will be sought for an estimated gap of \$4-5 million.
- These trips are valuable for seeing project areas first hand. Some roads were seen today for the first time. The trip's purpose was accomplished, to see what some of the projects look like and problems to be resolved.
- Thanks to Mr. Dashiell for an excellent tour. Thanks to Mendocino Transit Authority for providing the bus and driver.

Discussion followed of potential field trips for next year, as suggested by the Chair and staff. General direction was agreed for staff to research logistics. No action was taken.

9. Discussion of U.S. 101 Bypass of Willits Project Status. Mr. Dow introduced the issue and noted the attachments to his staff report. In recent activity:

- Army Corps of Engineers, as a federal resource agency, did not issue a necessary permit in time for federal funds that were to be allocated contingent on permit approval, as conditions were not met. The project is stalled as a result.
- Today at Caltrans headquarters, a decision will be made whether to request a 20-month allocation extension in the State Transportation Improvement Program (STIP), to continue pursuing the permit.
- Three possible scenarios for the project going forward as outlined in his staff report are best to worst cases for the project.
- Willits City Council addressed a proposal to ask MCOG to reconsider its commitment of \$17.3 million in regional funds to the project in favor of a local alternative; the City took no action.

He then invited questions and comments. Discussion included the following:

- Director Stranske, the Willits representative, reported on City Councilmember Holly Madrigal's proposal and the City Council meeting. It was "a packed house," with the majority in favor of MCOG reprogramming the funds. The Mayor did not call for a vote, and no action was taken by the City.

- The \$17.3 million of STIP funds are still programmed to the bypass project. An opportunity to make changes is unlikely before the 2012 STIP cycle. The next opportunity to reprogram would be the 2012 STIP cycle (on MCOG's November 2011 agenda at the earliest) or the 2014 cycle. (Dow, Barrett)
- Discussion of whether STIP funding is based on a formula by local jurisdiction and should be distributed in a similar way, or that MCOG as the RTPA should first take care of regional priorities on the state highway system. (Stranske, Gjerde, Dow)
- Since 1998, MCOG has operated on a partnership system with the State, indicating willingness to invest and attract state funds. There have been some STIP cycles when, without ready highway projects, MCOG was able to program funds locally by formula. (Dow)
- Discussion of how the Corps of Engineers permit situation has developed. Two key people most familiar with the project retired when the conditional permit was requested, followed by a change of command. This and other factors contributed to the lack of permit approval. (Pinches, Dow)
- The representative from Point Arena remains steadfast in support of the project for its value to the region. A surface street alternative is a matter for separate consideration. (Sinnott)
- Caltrans will decide whether to pursue an extension for purposes of completing the permit requirements. If not, they would fall further behind on the project. 20 months would allow two winters of wetlands data. (Dow, Pinches)

The Chair invited public comment.

Holly Madrigal, Willits City Councilmember, reported that the City did not take action on the proposal, but did have a good conversation about internal traffic in Willits, so there was a positive outcome of the meeting. The "TSM" [Transportation System Management] alternative as described in MCOG's agenda packet is not what she had proposed; her proposal would not take out any homes. There are two different connecting parcels, one of which she favors, that could provide congestion relief. None of the City Council members were considering a TSM that eliminated housing. She asked about status of the project and Caltrans' intentions. She supports in-town local traffic solutions and would like to work on advancing such projects.

Mr. Dow answered questions about CTC meetings and contributed comments about the Corps' objections, mitigation plans, project features, and the Project Development Team's understanding that both the bypass and local street solutions are necessary to solve traffic problems in Willits. Director Stranske noted priorities and choices the Willits City Council, past and present, has made.

With no one else wishing to speak, the Chair closed public comment.

Further board discussion including the following.

- The project is not yet dead. (Gjerde, Dow)
- Current alignment is the Least Environmentally Damaging Practicable Alternative (LEDPA), as determined with input from the resource agencies who issue permits. (Dow)
- None of the current CTC commissioners are opposed to the project, all appear to support completion. A CTC staff opinion is that the full four lanes could be funded. The Proposition 1B bond program will result in a number of failed projects, cost savings, and money left over, offering another opportunity to fund construction. (Dow)
- Discussion of various options for Willits and MCOG to address the traffic issues, inherent problems with the town's layout, and lack of City staff; ways that MCOG's role of technical and local assistance could be applied, through the planning process or otherwise, to advance this

matter. (Smith, Stranske, Pinches, Gjerde, Sinnott, Dow) Mr. Dow offered to communicate with Caltrans about restriping and other options, and to attend City Council meetings to discuss.

- Discussion of letters of support, for and against the project. (Pinches, Dow, Sinnott)

No action was taken.

10. Approval of Loan to Mendocino County Resource Conservation District for U.S. 101 Bypass of Willits Mitigation Funding Needs.

Dow summarized the matter and introduced Janet Olave, MCRCRD Director. He recommended advancing funds until the agency can be reimbursed by the State for work already done on the mitigation plan. MCOG did this once before and the loan was repaid promptly by MCRCRD. He proposed a short-term loan of up to \$60,000, releasing \$35,000 immediately. The other \$25,000 would be available as needed for new expenditures. Funds are available in the Regional Surface Transportation Program account.

Ms. Olave reported that she had made the request of Mr. Dow. Currently the State's payment to MCRCRD is three months in arrears due to the budget impasse. \$25,000 should be enough to get through October.

Upon motion by Pinches, second by Smith, and carried unanimously on roll call vote (*8 Ayes – Robertson (PAC), Sinnott, Rodin, Stranske, Pinches, Smith, Ranochak, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that the Executive Director is authorized to prepare an agreement for a loan to the Mendocino County Resource Conservation District of up to \$60,000 from the Regional Surface Transportation Program (RSTP) fund, to be repaid to MCOG upon reimbursement, consistent with the existing MCRCRD Cooperative Agreement with Caltrans.

Director Ranochak was excused from the meeting at 3:01 p.m.

11. MCOG Strategic Planning Workshop of August 9, 2010:

- a. General Debriefing Discussion. Dow reviewed results of the workshop. Summaries are provided in the meeting minutes (refer to Consent Calendar, Agenda #4). There was a brief discussion of the draft Vision statement. Of the two drafts provided by facilitator Sue Haun based on results of the workshop, Director Sinnott stated a preference for the first, shorter version over the second, longer one.
- b. Confirmation of Four Conceptual Agreements. Dow summarized the agreements made in the workshop by the four members and one alternate who were present. Questions and discussion followed. Director Pinches, who had missed the workshop, expressed concern for rural roads, with an apparent emphasis from the workshop on city streets in developing new criteria for regional funding decisions. Mr. Dow noted that "Complete Streets" policies now must be considered by law, however there are ways of addressing rural applications within that frame.

A motion was made by Director Stranske, seconded by Director Rodin, to confirm agreement in concept on the four issues identified and addressed in the August 9, 2010 Strategic Planning Workshop.

Discussion on the motion: Should the vision and mission statements be considered now? It was agreed not to include these in the motion.

The motion carried unanimously (*7 Ayes; 0 Noes; 0 Abstaining; 1 Absent-Ranochak*): IT IS ORDERED that four agreements are made in concept:

- 1) MCOG will be responsible for project development for priority projects to ensure project readiness.
- 2) MCOG's Partnership Funding Program, initiated several years ago with RSTP funding, will be continued through the life of the next federal transportation bill.

- 3) MCOG will pursue expansion of the level of local assistance for its member agencies.
- 4) MCOG will expand project selection criteria to increase the relative importance of leveraging and to reflect outcomes of this workshop.

Staff was directed to continue the Strategic Planning agenda item indefinitely, to allow time to address Vision and Mission over the next several meetings.

- c. Approval of Revised Application Form and Criteria for MCOG's Local Transportation Fund (LTF) 2% Bike & Pedestrian Program. This is the first opportunity to apply the fourth conceptual agreement made above, relative to project selection criteria. Staff confirmed the revision was reported to the Technical Advisory Committee. Ms. Ellard described proposed changes and answered questions, including which entities have long-delayed projects under this program. Also discussed were the various eligible, strategic, and customarily preferred uses of this local fund.

Upon motion by Stranske, second by Sinnott, and carried unanimously (7 Ayes; 0 Noes; 0 Abstaining; 1 Absent-Ranochak): IT IS ORDERED that staff is directed to finalize the revised (LTF) 2% Bike & Pedestrian Program application form.

Chair called a recess at 3:32 p.m. and reconvened the meeting at 3:38 p.m.

12. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee. Upon motion by Smith, second by Sinnott, and carried unanimously (6 Ayes; 0 Noes; 1 Absent): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

13. Reports - Information

- a. Mendocino Transit Authority. No one from MTA was present to report. Chair Gjerde thanked MTA for providing the bus and driver for today's tour.
- b. North Coast Railroad Authority. Ms. Ellard, who attends NCRA's board meetings, invited questions. NCRA is ready to certify the Environmental Impact Report of projects from the Lombard terminus north to Willits. Negotiations are continuing with Sonoma-Marín Area Rail Transit (SMART) on the Cloverdale segment.
- c. MCOG Administration & Planning Staff
 1. *Summary of Meetings.* Dow referred to his written staff report.
 2. *2010 Regional Transportation Plan (RTP) Update.* Ms. Barrett briefly summarized her written staff report. Staff is working with the Technical Advisory Committee and local agencies on various elements of the plan, including Tribal Transportation. She expects to release a draft for discussion on the November Council agenda, with adoption scheduled for December. The Environmental Impact Report currently in effect is expected to be effective without update, as impacts are likely to be less significant than in the previous RTP.
 3. *Regional Blueprint Project.* Ms. Barrett described progress. A website has been launched, including an online survey and interactive maps. She handed out a schedule of workshops at various countywide locations beginning October 19 and encouraged all to attend at least one. Two followup workshops will summarize results of those.

4. *Climate Policy & West Coast Transportation Conference, Sept. 16-17, 2010.* Ms. Orth reported attending this annual meeting of the West Coast Corridor Coalition at Stanford University, described in her written staff report. She was inspired to see a broad consensus forming that recognizes the urgency of this issue. Progress is being made with alternative-fuel and electric vehicles and their related infrastructure along transportation corridors, with a goal of reducing dependence on fossil fuels. Conference presentations are available at www.westcoastcorridors.org. She would like to renew and upgrade the existing public EV charge ports installed under MCOG's Zero Emission Vehicle project during the late 1990s. At the conference she made contacts and identified funds through existing larger umbrella projects statewide. Discussion followed on the charging locations in Mendocino County. Ms. Orth invited Council members to participate in this effort.
5. *Miscellaneous.* None.
 - d. MCOG Directors. Director Smith reported good news that the State Route 1 roundabout project at Simpson Lane is Ready to List for contracting. Caltrans has been diligent in working with property owners and obtaining permits. Construction is anticipated to begin in May 2011. A ground breaking ceremony is being planned for sometime after the first of the year.
 - e. California Association of Councils of Governments (CALCOG) Delegates. There was no report.

14. Adjournment. The meeting was adjourned at 3:56 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director for Administration