

MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES
Monday, March 7, 2011
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 . The meeting was called to order at 1:35 p.m. with Directors Robertson (PAC), Thomas (Alt.), Stranske, Gjerde, Pinches, Smith, and Ranochak present; Chair Gjerde presiding. Director Sinnott arrived soon after.

Staff present: Phil Dow, Executive Director; Janet Orth, Deputy Director for Administration; and Loretta Ellard, Assistant Executive Director. Nephele Barrett, Senior Planner, was present for Agenda Item #5.

2. Convene as RTPA

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

Public Expression. None.

4 - 7. Regular Calendar.

4. Caltrans Fiscal Year 2011-12 Transportation Planning Grant Program. Ms. Ellard introduced the agenda item, the two applications, and the requested action to meet the deadline of April 1. She then answered questions.

The Environmental Justice grant application was originated by MCOG staff in collaboration with Caltrans District 1. The Community Based Transportation Planning grant application was originated by Mendocino County Department of Transportation, who intends to administer the grant internally and does not need MCOG's sponsorship, only match funds.

When Caltrans opens the grant cycle annually, typically in January, MCOG staff augments Caltrans' outreach by sending a notice to a list of eligible local agencies. A separate deadline is set for MCOG to receive applications requesting sponsorship, in time for Council approval.

- a. Adoption of Resolution Authorizing Application and Local Matching Funds for Environmental Justice Grant – “Round Valley Non-Motorized Needs Technical Study”.

Mr. Dow described priorities for the Covelo project, such as improved access from residential areas into downtown where services are located. Environmental concerns were identified in an initial study; alternatives would be evaluated in this study, including potential for easements with tribal and private property owners.

Director Sinnott arrived at 1:42 p.m.

Mr. Dow noted the earlier Round Valley grant-funded study was applied for by the tribes and health center, not through MCOG. A charrette process identified community desires with a conceptual design and vision. This next phase would provide more specific, detailed information.

- b. Approval of Local Matching Funds for County of Mendocino's Application for Community Based Transportation Planning Grant – "Orchard Avenue Extension (Ukiah Area) Feasibility Study". Discussion included level of local match funds needed and questions of competitiveness. Director Robertson (PAC/Caltrans) concurred that a higher grant match would most likely not make this application any more competitive. Director Smith stated her support for this application as a worthy project.

Howard Dashiell, Director, Mendocino County Department of Transportation, stated he would bring this item to the Board of Supervisors at their meeting of March 22, at which time they may revise the application. His department's contribution is expected to be an in-kind grant match.

Upon motion by Smith, second by Stranske, and carried unanimously on roll call vote (8 Ayes – Robertson/PAC, Thomas/Alt., Stranske, Sinnott, Pinches, Smith, Ranochak, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that

- a) The following resolution is adopted to sponsor a grant as "official applicant" and provide the \$15,000 local match for the Round Valley Non-Motorized Needs Technical Study application;
- b) \$18,000 in local match funds for the Orchard Avenue Extension Feasibility Study application is approved; and
- c) Staff is directed to work with project applicants to clarify roles, refine the applications to meet the specific grant objectives, and revise budgets and tasks as needed.

Resolution No. M2011-02
Authorizing Application for
Caltrans FY 2011-12 Environmental Justice Grant
For the Round Valley Non-Motorized Needs Technical Study
(Reso. #M2011-02 is incorporated herein by reference)

5. Public Hearing: Adoption of Resolution - First Amendment to 2010 Regional Transportation Improvement Program (RTIP) to Add Federal Grant Projects for Transit. Mr. Dow reviewed the process of programming funded projects in the State Transportation Improvement Program (STIP) or Federal STIP. Requested action is to amend the RTIP by resolution. Ms. Barrett handed out a revised draft resolution and summarized the proposed amendments to add two federal grants awarded to Mendocino Transit Authority (MTA) totalling more than \$5 million. Neither grant would result in any MCOG funding commitment. The revised resolution reflects the unanimous recommendation of MCOG's Technical Advisory Committee. Staff then answered questions. Discussion included:

- Cost of MTA's Facility Solarization & Moderization – Shop Building under the State of Good Repair Grant (\$5 million)
- How cost estimates were arrived at, as part of a larger overall project proposal of \$22 million
- Reasonableness, or lack thereof, of \$5 million for a centralized transit shop facility; potential cost burden on future generations
- MTA's Facility Solarization & Moderization – Solar Canopy under the TIGGER2 Grant (\$470,000), expected to result in cost savings in terms of operations and energy use
- Examples of other solar photovoltaic energy generating projects in the county
- Federal money coming into Mendocino County for local contractors and jobs
- Does MTA have any future vision or plans for public transportation, a transit center/hub, potential for design and co-location of compatible purposes for added value?

Mr. Bruce Richard, MTA General Manager, addressed questions. He distinguished between operating funds and capital funds, emphasizing that only capital funds are available from these grants. This project will result in long-term operational cost savings. The existing shop building is in a state of extreme disrepair, difficult and costly to heat and cool, so that maintenance staff must endure poor working conditions. MTA's long-range plan is to generate renewable energy to power electric transit vehicles with associated infrastructure. Currently, other nonprofit agencies receive the benefit of MTA's maintenance of their vehicles. New innovative services starting up soon include a vanpool and volunteer driver program.

The Chair opened the public hearing at 2:14 p.m.

Mr. Jack Cox of Ukiah agreed with Director Pinches as to the need to set an example by reducing costs, a need in evidence all over the country. MTA's location at Plant Road is not appropriate for a service hub in the future.

Director Pinches added comments and asked whether MTA is still planning a \$22 million facility. Mr. Richard replied that if opportunities arise to fund a new building for MTA's administrative office, they would apply. The full project budget is unknown at this point. Concerning location, the cost to move MTA's central operation elsewhere would be prohibitive.

The hearing was closed at 2:20 p.m.

Chair Gjerde emphasized the importance for elected officials to be cognizant of project funds and costs, illustrating his point with an anecdote. **A motion was made** by Director Sinnott, seconded by Director Smith, to approve staff's recommendation to amend the RTIP. Discussion on the motion followed.

The motion carried on roll call vote (7 Ayes – Robertson/PAC, Thomas/Alt., Stranske, Sinnott, Smith, Ranochak, and Gjerde; 1 No - Pinches; 0 Abstaining; 0 Absent): IT IS ORDERED that the following resolution is adopted to approve the Second Amendment to the 2010 RTIP, programming two Mendocino Transit Authority federal grants totaling \$5,470,000 in grant funding; and staff is authorized to forward the resolution and pertinent documentation to Caltrans for processing of a Federal State Transportation Improvement Program Amendment.

Resolution No. M2011-03

Adopting the Second Amendment to the
2010 Regional Transportation Improvement Program (RTIP)
(Reso. #M2011-03 is incorporated herein by reference)

6. Adoption of Resolution Urging the State Legislature to Enact a Comprehensive Bill to Address Concerns That Have Developed Due to the Impact of Proposition 22 and Proposition 26 on the "Transportation Tax Swap" of March, 2010. Staff outlined the issue, citing numerous statewide associations in favor. If the Legislature takes no action, transportation funding will be negatively impacted. Questions and discussion followed, including the reason for the "gas tax swap," the inability to return to Proposition 42, related lawsuits, and the rising price of gasoline. Mr. Dow emphasized the need to get away from tax revenues based on gasoline consumption.

Upon motion by Stranske, second by Sinnott, and carried unanimously on roll call vote (8 Ayes – Robertson/PAC, Thomas/Alt., Stranske, Sinnott, Pinches, Smith, Ranochak, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the following resolution is adopted.

Resolution No. M2011-04

Urging the State Legislature to Enact a Comprehensive Bill
 To Address Concerns That Have Developed Due to the Impact of
 Proposition 22 and Proposition 26 on the
 “Transportation Tax Swap” of March 2010
 (Reso. #M2011-04 is incorporated herein by reference)

7. Draft 2011 Board Calendar and Educational Options – continued from 2/7/2011. Chair Gjerde summarized the proposals for MCOG to sponsor a second “transportation best practices” tour to Sacramento and Davis, to provide financial incentives to members for a trip to the international Walk21 Conference in Vancouver, B.C., and to schedule two mobile workshops within the county. Discussion included:

- Logistics and destinations for a Council meeting and transportation tour April 4 in Covelo
- Benefits anticipated from the Davis tour and Walk21 XII, the International Conference on Walking and Liveable Communities, and results of staff’s poll as to interest in attending
- Concerns of potential negative public perception toward funding a trip outside the United States in the current economy
- Responses to objections, such as educational value of exposure to other countries’ best practices in planning and community design, and the value of costs borne by participants
- Options outlined in the staff report and other cost-effective ways to incentivize and support Walk21 attendance
- Interest in saving part of the Travel and Training budgets for other trips and conferences
- The Executive Director’s duties as to administering the budget and level of funds available.

Upon motion by Pinches, second by Sinnott, and carried unanimously on roll call vote (8 Ayes – Robertson/PAC, Thomas/Alt., Stranske, Sinnott, Pinches, Smith, Ranochak, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that a maximum of \$6,000 from combined budget sources of Administration–Travel and Planning Work Element 14–Training, including carryover from FY 2010/11, shall be made available for costs to attend the Walk21 Conference, October 3-5, 2011 in Vancouver, B.C., with details to be determined by the Chair and MCOG staff; costs in excess of \$6,000 require further Council approval.

After further discussion, staff was directed to amend the 2011 Board Meeting Calendar as follows, contingent on availability of meeting facilities:

August 29 22	Regular Business	Note change to fifth fourth Monday
October 3 September 19	<u>On Location Tour/Mobile Workshop #2:</u> (morning) City of Point Arena and Gualala Projects - <i>tentative</i> Informal Lunch Discussion of Project Tours (afternoon)	Note field trip, meeting on location, and time added to agenda
October	No meeting this month	
October November 3-5	SACOG and Davis Transportation Workshop and Best Practices Tour	Optional attendance
November 7	Regular Business	[No change—return to first Monday of month]

8 - 10. Consent Calendar. Item #10 was pulled for further discussion and separate action. Upon motion by Sinnott, second by Smith, and carried unanimously (8 Ayes; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that Consent Calendar items #8 and #9 are approved:

8. Approval of February 7, 2011 Minutes – as written

9. Acceptance of Executive Committee Minutes of January 26, 2011 – as written

10. Acceptance of 2009/10 Fiscal Audit of Mendocino Council of Governments. Ms. Orth reviewed and reported a clean audit report, then answered questions. Discussion included:

- Capital assets owned by MCOG, consisting of the SAFE motorist aid call boxes and depreciated GIS computer hardware (all other equipment is owned by Dow & Associates)
- How the funds are presented according to auditing standards
- The CPA's observations and recommendations for management: one from the prior year regarding "Audit Adjustments & Fund Balance Sheets, and one for the current year regarding "Cash Reconciliation" – reasons for these and progress toward implementation
- Cash versus accrual accounting methods; necessity and limitations of using County's (cash-based) finance systems as trustee of the funds
- MCOG staff's efforts to improve procedures in order to meet auditing standards and CPA's recommendations, and to be more cost effective and efficient
- Suggestions to respond in writing to the CPA's management recommendations.

Upon motion by Sinnott, second by Stranske, and carried unanimously (*8 Ayes; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that the 2009/10 Fiscal Audit of MCOG is accepted, and staff is directed to provide a written response to the auditor's recommendations for management, for acceptance on the next Council agenda.

11. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee. Upon motion by Sinnott, second by Stranske, and carried unanimously (*7 Ayes; 0 Noes; 0 Absent*):

IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

12. Reports - Information

- a. Mendocino Transit Authority. Mr. Bruce Richard reported that MTA is in its budget preparation process. The baseline \$3.3 million budget for FY 2011/12 is \$400,000 to \$500,000 in the red, with no changes to service, fares, or employee compensation. On March 24, the board will initiate discussion of possible fare increases and cuts to services and staff.
- b. North Coast Railroad Authority. Ms. Ellard reported that NCRA will hear at its March 9 meeting a petition in favor of "rail banking" for the Eel River Canyon. Continued agenda items include the environmental impact report, lifting of an emergency order, and the SMART agreement. Freight service is scheduled to start by March 31 on the segment to Windsor, but is unlikely to meet that timeline.
- c. MCOG Administration & Planning Staff
 1. *Summary of Meetings.* Mr. Dow referred to his written staff report. He and Director Sinnott and Ms. Orth reported on their attendance of a training by the National Charrette Institute, February 8-10 in Fortuna. MCOG's upcoming grant-funded study "Rails With Trails Corridor Plan" was one of the case studies used for the workshop. Chair Gjerde described NCI's certification program. The charrette method has been used several times in recent years on community grant projects where MCOG has been involved.

2. *Executive Committee Budget Recommendation of February 28, 2011.* Ms. Orth gave an oral report of the first budget draft for FY 2011/12, noting a slight increase in sales tax revenues over the current fiscal year is estimated by the County Auditor-Controller.
 3. *Draft Fiscal Year 2011/12 Transportation Planning Overall Work Program (OWP).* Ms. Ellard reported that the OWP is due to Caltrans annually by March 1. The Technical Advisory Committee provided input over several months and in February made a recommendation to approve the draft OWP. Caltrans will provide comments before MCOG adopts the final OWP in June. The program is limited by reduced new revenues, decreased staff capacity of member agencies, and the need to complete carryover projects. The total proposed funding is \$577,862, not including funds carried over.
 4. *U.S. 101 Bypass of Willits.* Mr. Dow reported on mostly positive progress of deliverables for permitting. The Corps of Engineers' preliminary report of habitat evaluation revealed that lands identified to replace lost wetlands are sufficient if livestock grazing is reduced. Mendocino County Resource Conservation District (MCRCD) will be addressing this issue. Director Pinches commented on the importance of historic grazing practices on the local economy and potential negative impacts if the mitigation plan requires areas excluded from grazing. During discussion, Mr. Dow reported his advice to partners that this issue is significant, and that some level of grazing is found to maintain endangered plant species. On a related matter, at Director Pinches' request, Mr. Dashiell commented on status of a Caltrans proposal for a new bridge at Reeves Canyon.
 5. *North State Super Region.* Mr. Dow reported the new association is still in initial stages of compiling statistical information for the use of its membership in accessing funding. Generally the member county/regions have similar problems and issues.
 6. *Quarterly Status of Projects.* Mr. Dow referred to his written staff report of various projects involving MCOG. Director Robertson (PAC) reported there are several Highway Safety Improvement Program applications in Caltrans District 1. Mr. Dow answered questions about status and procedure of requested changes to county road functional classification and will report back. Mr. Dashiell noted the intent is to place roads on the system to be eligible for federal funds.
 7. *Miscellaneous.* None.
- d. MCOG Directors. Directors Smith and Gjerde asked staff to follow up in writing with Caltrans to request a more specific response and information regarding issues identified by Westport Municipal Advisory Council at MCOG's February meeting. Mr. Dow agreed to pursue the matter and identify ways that MCOG can assist.
- Director Smith announced that MCOG's partnership project with the County for a Simpson Lane roundabout at Highway 1 near Fort Bragg was approved by the California Transportation Commission, the project has gone out to bid for construction, and a groundbreaking ceremony is scheduled for Thursday, May 26 at 11:00 a.m.
- e. California Association of Councils of Governments (CALCOG) Delegates. None.

13. Adjournment. The meeting was adjourned at 4:27 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director for Administration