

MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES
Monday, September 19, 2011
Ukiah City Council Chambers

ADDITIONAL AUDIOCONFERENCE LOCATION:
Caltrans District 1, 1656 Union St., Eureka

Dedicated in Honor of Fort Bragg Councilmember Jere Melo

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 1:37 p.m. with Directors Jackman (Caltrans/PAC; Alternate Dave Carstensen also present) on the teleconference phone, Mari Rodin, Larry Stranske, John Pinches, Susan Ranochak, and Dan Gjerde present; Chair Gjerde presiding. Kendall Smith arrived soon afterward. There was no member currently appointed to represent City of Point Arena.

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.

Director Smith arrived at approximately 1:40 p.m.

Public Expression. Bob Parker of Redwood Valley, Assistant Director of Mendocino County Department of Transportation (MCDOT) and MCOG Technical Advisory Committee member, made personal comments. He recommended that the Council take another look at their recently adopted funding policy regarding State Transportation Improvement Program (STIP) project eligibility. He objected to the change of policy that makes road rehabilitation and maintenance ineligible, while less critical transportation enhancement projects are funded. A higher transportation need is to have a viable road system.

Director Smith asked for an example; Mr. Parker cited asphalt-concrete (AC) overlays, noting the pavement management system in use. She then asked Mr. Dow to respond. With the Chair's permission, he replied that in the TAC meeting Mr. Parker made the same proposal and did not receive a second to his motion, as the other members understood the reasons for the revised policy. MCOG has provided tools for each member agency to raise funds for this need, such as local sales tax measures. Since 1994 MCOG has funded the Pavement Management Program and is aware of the need. He confirmed this is a matter of MCOG policy and noted its unanimous adoption. Director Pinches made further comments. The Chair ended the discussion and invited further public expression.

Howard Dashiell, Director, MCDOT, agreed with Mr. Parker on the need, while pointing out that MCOG supports rehabilitation and maintenance with Regional Surface Transportation Program (RSTP) funds. At issue are larger overlay projects, which are not feasible to pursue with the California Transportation Commission (CTC) and STIP funds at this time.

Chair Gjerde directed this complaint to the next Executive Committee meeting agenda.

4 - 7. Regular Calendar.

4. Public Hearings at 1:30 p.m. or as soon thereafter as possible:

- a. Adoption of Resolution Approving Program Environmental Impact Report (EIR) Supplement for the Draft Mendocino County 2010 Regional Transportation Plan (RTP). Executive Director Dow introduced the issue, giving background and recommendation. Staff handed out the draft resolution including CEQA Findings of Fact and Statement of Overriding Considerations with Attached Mitigation Monitoring and Reporting Program for the RTP. Mr. Dow noted timing of the public notice and why the hearing date was extended. The agenda packet contains materials developed by Leonard Charles, the consultant, who specializes in environmental documentation. Items received late were emailed and handed out today. He identified the packet items. Mr. Charles had reported to him that no concerns had been raised by the public or affected agencies. Mr. Dow also reported that no one attended MCOG's legally noticed EIR scoping meeting. He outlined the process for today's meeting.

Ms. Barrett then summarized her written staff report and the recommended action, outlining the process, public input and actions made to date. Mr. Dow added that the decision to do a supplemental EIR process was prompted by changes since the EIR was adopted in 2003. He cited the recent greenhouse gas emissions law AB 32, regional blueprint legislation, railroad activity, and more information available on what is planned for airports. "The good news" is that this brings everything up to date, and this document can be expected to be adequate through the RTP's next five-year update. Ms. Barrett made further comments and invited questions, which included the following.

- How often must the EIR be updated? (Pinches) As often as needed or when circumstances require update or a supplement, such as a significant change in law or internal policy. RTP updates are required every five years. Further elaboration was made. (Staff)
- What is the main reason for this supplement? (Pinches) Cumulative issues and speculative changes, such as reopening of the rail line, contributed to the decision for a supplement. (Staff)

Ms. Barrett reported legal notices published. A finding of proper notice was made for both Agenda Items Nos. 4a and 4b. The Chair opened the hearing at 2:08 p.m. With no one wishing to speak, the hearing was closed at 2:09 p.m.

In Board discussion, Director Pinches asked how much this work had cost MCOG. Planning staff estimated that \$25,000 was programmed in the Overall Work Program for the consultant contract. Mr. Dow was convinced of the need to do this, and hoped there would be no further cost for the EIR in the next Regional Transportation Plan.

Staff clarified that the findings are identified in the CEQA document handed out and noted corrections made to the document, which will be attached as the resolution's Exhibit A.

Upon motion by Smith, second by Rodin, and carried unanimously on roll call vote (7 Ayes – Carstensen/PAC, Rodin, Stranske, Pinches, Smith, Ranochak and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the following resolution is adopted.

Resolution No. M2011-12

Certifying the Final Program Environmental Impact Report Supplement
for the 2010 Mendocino County Regional Transportation Plan,
Adopting a CEQA Findings of Fact and a
Statement of Overriding Considerations and
Mitigation Monitoring and Reporting Program
(Reso. #M2011-12 is incorporated herein by reference)

- b. Adoption of Resolution Approving the 2010 Mendocino County Regional Transportation Plan. Staff identified the purpose of the recommended resolution. Ms. Barrett noted the most significant changes were discussed by the Board last year in the Draft RTP.

The Chair opened the hearing at 2:16 p.m. With no one wishing to speak, the hearing was closed at 2:17 p.m. (A finding of proper notice was made under the previous item.)

Upon motion by Rodin, second by Ranochak, and carried unanimously on roll call vote (7 Ayes – Carstensen/PAC, Rodin, Stranske, Pinches, Smith, Ranochak and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the following resolution is adopted.

Resolution No. M2011-13

Adopting the 2010 Mendocino County
Regional Transportation Plan
(Reso. #M2011-13 is incorporated herein by reference)

5. Presentation: Westport Area Integrated Multi-Use Coastal Trail Plan – Coastal Land Trust.

Ms. Ellard detailed the process to date of this Community Based Transportation Planning grant project and reported this plan is a “great end product.” Staff recommends acceptance of the plan. She introduced Thad Van Bueren, member of the Technical Advisory Group (TAG) and invited questions. Mr. Van Bueren then gave a slide presentation on the trail plan.

Discussion included the following:

- Mr. Dow explained his early involvement and assumptions, priorities, and possible strategies in the plan to implement.
- Chair Gjerde and Director Pinches mentioned cyclists’ habits based on certain conditions.
- Mr. Van Bueren noted summer months are peak times for cycling activity in the area.
- Ms. Ellard thanked the Westport Municipal Advisory Council (MAC) for their time and effort on the project. Overall she is pleased with the plan, and it came out of a good public process.
- Chair Gjerde noted that qualified local consultants were engaged for this project and suggested more use of local contractors in the future.
- Director Rodin liked the plan and asked how it was funded and who was paid. Ms. Ellard reported the annual funding cycle advertised by Caltrans and MCOG, and that the Westport MAC had developed a proposal and asked MCOG to sponsor a Community Based Transportation Planning grant. This was done and the State awarded a grant. MCOG then contracted with Coastal Land Trust, who led a team including a subconsultant (Mendocino Land Trust) and volunteers.

Ms. Rixanne Wehren, Executive Director of the project’s consultant, Coastal Land Trust, explained how the team was set up and partnerships made. The work included community organizing, administration, and dealing with property owners.

A motion was made by Director Rodin and seconded by Director Smith to accept the Plan as written. **Discussion on the motion:**

Director Smith liked the framing of priorities in the plan and asked for recommendations from the team for next steps toward funding to implement it. Mr. Van Bueren discussed the process of choosing sections based on property ownership and different funding scenarios, noting some challenges of terrain; it may be necessary to start with the easiest, cheapest segments to build. Director Smith invited comments from Caltrans.

Mr. Rex Jackman (Caltrans/PAC) stated he was pleased with the participation and product, noting the concept was supported by the local community. He recognized that this area of the state has constraints on building coastal trails, such as terrain, water, and aesthetic considerations. This is one of the most difficult areas of California to move forward on projects like this. Early cost projections do not always realistically identify the support costs for capital projects, and there is a tendency for construction costs to be easier to identify than support costs. Caltrans will be conducting an engineered feasibility study for bicycle and pedestrian needs on coastal Route 1, funded by the State Planning & Research (SPR) transportation program. The portion covered by this study provides a head start. The SPR study will identify realistic costs, for example right-of-way acquisition; some funding sources are available through Caltrans. He noted the amendment to MCOG's planning program on today's agenda to add two Caltrans planning grants.

Further discussion included:

- Likes the idea. Same process as for road construction? (Stranske) Yes, everything that is applicable. (Van Bueren)
- Concurs; appearance will vary along the coastal route. Funding opportunities will guide how priorities are addressed. (Dow)
- Notes property issues; various right-of-way scenarios might occur that determine how priorities are implemented. (Pinches, Jackman)
- Notes cost estimates reflect all possible costs that might be involved in developing a project. (Van Bueren)

The Board thanked Mr. Van Bueren for the presentation.

The motion carried unanimously on roll call vote (*7 Ayes – Jackman/PAC, Rodin, Stranske, Pinches, Smith, Ranochak and Gjerde; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that Westport Area Integrated Multi-Use Coastal Trail Plan is accepted as presented.

6. Presentation: Update of Safety Issues Concerning State Route 1 – Westport Municipal Advisory Council (WMAC). Executive Director Dow summarized his written staff report, stating significant progress has been made with this matter. He introduced Mr. Darron Hill of Caltrans District 1's traffic safety division.

Mr. Hill covered actions over the past year and a half or so. In October 2009, Caltrans started an investigation of concerns raised. In April 2010 safety hazards were identified and signs posted. His team next met with the WMAC group and consolidated their list of concerns to six main issues. He outlined each of these, addressing locations identified, permit issues, and relevant local plans, then answered questions from the Board.

Mr. Rob Scott, Alternate Member, Westport MAC, was pleased to hear some of Caltrans' recommendations as presented by Mr. Hill. Conditions on the highway have changed over time. Now Route 1 is an internationally traveled road, so usage has changed tremendously. Many types of motorized and nonmotorized vehicles, recreational and otherwise, all need to be accommodated. Turnouts are needed, and more diverse vehicle accommodations. He thanked the Council for moving this issue forward.

Mr. Van Bueren thanked Executive Director Dow and Mr. Hill, as well as Mr. Jesse Robertson of Caltrans District 1 (not present), for meeting with WMAC to address these issues.

No action was taken.

7. Acceptance of Report: Mendocino Countywide Capital Improvement Program (CIP)

– *continued from August 22, 2011.* Mr. Dow summarized activity to date. A revised copy was provided with changes requested by the Council at the August meeting. He noted timing issues that had precluded some projects from going into the draft report; those items are now included. This is a technical document that for the first time puts all of the member agencies' priorities in the same document, across all transportation modes. Various levels of effort were put into the list of projects, so they are not uniformly detailed; he expects future revisions. He described the three tiers of priorities. Acceptance of the CIP is recommended, but staff is willing to go along with the Council's desired action.

Discussion included the following:

- Relationships and distinctions between County's and MCOG's regional priorities; differences in focus and perspective. (Pinches, Dow, Dashiell, Rodin)
- 2012 STIP currently in process; need for candidate projects to program with limited funds; comparison to last cycle's amount available and type of projects; how community meetings for both the RTP and Regional Blueprint identified bicycle and pedestrian needs. (Dow)
- How projects were evaluated and selected based on factors such as project readiness, which affected tier placement. (Gjerde)
- Development of cost estimates; how this document reaches across entities and modes; importance of documenting project origins. (Gjerde, Dow)
- Prioritization criteria used for the CIP that may be different from local plans, such as Vehicle Miles Traveled (VMT) and greenhouse gas (GHG) emissions; emphasis on bicycle and pedestrian needs compared to County's emphasis on streets and roads needs. (Ellard)
- The changing, dynamic nature of the County's list, updated every five years. (Dashiell)

A motion was made by Director Pinches to reject the CIP. There was no second.

A motion was made by Director Rodin, seconded by Director Smith, to accept the CIP.

Discussion on the motion: Chair Gjerde noted updates would not need to be done by the consultant and that it could be done in-house. Member agencies have reduced staff capacity available; for instance City of Fort Bragg recently lost a crucial employee. Mr. Dow stated the same consultant prepared the CIP as developed the model, and noted reasons for project delays. Director Pinches had concerns that if a project is not included in the CIP, it could miss a funding opportunity. Staff made a distinction between project ranking and listing, and described how projects can be listed.

Mr. Howard Dashiell stated some benefits of a general, broad-brush report such as this one; for example, if a bicycle and pedestrian corridor is identified, it becomes easier to implement projects. Also, the County's main shovel-ready projects are on the CIP list.

The motion carried on roll call vote (6 Ayes – Jackman/PAC, Rodin, Stranske, Smith, Ranochak and Gjerde; 1 No - Pinches; 0 Abstaining; 0 Absent): IT IS ORDERED that Mendocino Countywide Capital Improvement Program (CIP) is accepted.

8 - 10. Consent Calendar. Ms. Ellard handed out additional material for Agenda Item #9, noting two work elements for Caltrans grants that District 1 requested MCOG to administer. The Council opted not to pull this item off of the Consent Calendar for discussion.

Upon motion by Stranske, second by Ranochak, and carried unanimously on roll call vote (7 Ayes – Jackman/PAC, Rodin, Stranske, Pinches, Smith, Ranochak and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that consent items are approved:

8. Approval of August 22, 2011 Minutes – as written

9. Technical Advisory Committee Recommendation of September 7, 2011: Approval of First Amendment to Fiscal Year 2011/12 Planning Overall Work Program (OWP) - *Makes routine adjustments to funding balances carried over based on fiscal year-end claims, deletes a grant project that was not awarded funds, and renumbers work elements; adds a work element for MCOG's approved new staff position for regional local assistance, and adds two new work elements for grant projects funded by Caltrans to be administered by MCOG; total OWP funding increases from \$1,212,203 to \$1,575,122; Executive Director is authorized to sign appropriate certifications and revised OWP Agreement as needed, and to forward to Caltrans as required.*

10. Adoption of Resolution Approving the Allocation of California Proposition 1B Funds, Fiscal Year 2009/10 Transit System Safety, Security, and Disaster Response Program, for Mendocino Transit Authority's Eligible Project

Resolution No. M2011-14

Approving the Allocation of Proposition 1B Funds,
Fiscal Year 2009/10 Transit System Safety, Security
and Disaster Response Program
(Reso. #M2011-14 is incorporated herein by reference)

11. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee. This item was inadvertently omitted and will appear on the next meeting's Consent Calendar.

12. Reports - Information

- a. Mendocino Transit Authority. There was no report.
- b. North Coast Railroad Authority. Ms. Ellard answered questions about recent NCRA actions.
- c. MCOG Administration & Planning Staff. Mr. Dow highlighted the agenda's dedication in memory of Mr. Jere Melo, recognizing how much he had done for his community.
 1. *Summary of Meetings*. Mr. Dow referred to his written staff report and invited questions.
 2. *Recognition of Lauren Sinnott's Service on MCOG*. Staff reported the recent City of Point Arena election result. Ms. Orth read aloud a certificate prepared for Director Sinnott recognizing her term of office and services volunteered while on the Council. This was presented with applause to Ms. Sinnott, who made remarks.
 3. *Quarterly Status of Projects*. Mr. Dow referred to his written staff report and invited questions. He briefly discussed several items on the list.
 4. *Draft Requested Additions to MCOG Website*. Ms. Orth, as webmaster, reported progress on information requested by Director Smith at the August meeting, handed out copies of revisions drafted so far, and welcomed input to this ongoing process.
 5. *Miscellaneous*. Ms. Orth reported attending the Green Drive Expo in Richmond, California on September 17, where various electric and alternative-fuel vehicles were on display and available for test drive by consumers. More info: www.greendriveexpo.com.

Ms. Ellard handed out flyers for MCOG's upcoming Rails With Trails workshops.

Mr. Dow reported on a recent meeting of the North State Super Region; a member from the North Coast was seeking a seat on the California Transportation Commission. He also reported that MCOG's appeal of the State's FTA Section 5310 grant program ranking resulted in a higher ranking for Willits Senior Center's application, so their project (a vehicle) will be funded. Lastly, the September CTC meeting in Petaluma would be attended by most of MCOG's staff.

Staff reminded the Council of the next regular meeting date, November 7.

- d. MCOG Directors. Chair Gjerde announced a schedule change for MCOG's upcoming Transportation Best Practices Tour to Sacramento and Davis, now November 3 and 4.
- e. California Association of Councils of Governments (CALCOG) Delegates. There were no reports.

13. Adjournment. The meeting was adjourned at 4:00 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director for Administration