

MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES

Monday, June 4, 2012

Ukiah City Council Chambers

ADDITIONAL AUDIOCONFERENCE LOCATION:

Caltrans District 1, 1656 Union St., Eureka

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 1:40 p.m. with Directors Robertson (Caltrans/PAC) on the audioconference telephone, Mari Rodin, Holly Madrigal, Carre Brown, and Dan Gjerde present; Chair Gjerde presiding. Susan Ranochak and Terry Hughey were excused; Director John Pinches was absent.

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 SAFE

3. Adoption of Resolution #S2012-01 To Approve Agreement with State of California Department of California Highway Patrol. Mr. Dow introduced the matter, noting the contract terms and fees for dispatch, related services, and assistance are identical to the prior three-year agreement.

Upon motion by Madrigal, second by Brown, and carried unanimously on roll call vote (*4 Ayes – Rodin, Madrigal, Brown, and Gjerde; 0 Noes; 0 Abstaining; 3 Absent – Hughey, Pinches, and Ranochak*): IT IS ORDERED that the following resolution is adopted.

Resolution No. S2012-01
To Approve Agreement with
State of California Department of California Highway Patrol (CHP)
(Reso. #S2012-01 is incorporated herein by reference)

4. Report: Mendocino County Call Box Update. Mr. Dow handed out a letter from the President/CEO of CASE Systems, Inc., Mendocino SAFE's service provider for installation and maintenance of the call boxes, in response to a labor compliance question raised by the California Department of Industrial Relations, confirming that CASE would pay prevailing wages to its workers as required for any "public works project."

Questions and discussion followed on staff's report that Mendocino SAFE will "provide a test site for the first satellite call box in California." A site has been identified in an area of poor cellular reception north of Willits. The new satellite call box is to be tested over the summer, and if successful, Mendocino SAFE will purchase and install several more in isolated locations of the county where no other service is available. This technology is more costly than the usual equipment, at about \$10,000 per unit compared to \$8,000 to \$8,500 each, as the company must buy bandwidth on the satellite for the service.

5. Recess as SAFE - Reconvene as RTPA

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

Public Expression. None .

7 - 9. Regular Calendar.

7. Presentation and Acceptance of Final Report: Caltrans Fiscal Year 2010-11 Community Based Transportation Planning Grant – “Rail With Trail Corridor Plan” – *Alta Planning + Design*. Mr. Dow gave an overview, noting the public workshops, emphasis of the study and this final product. A purpose of the study is to identify candidate projects for funding. He reported that City of Ukiah received a State Bicycle Transportation Account (BTA) grant to implement such a project immediately. He then introduced Mr. Michael Jones, a Principal of Alta Planning + Design.

Mr. Jones then began the slide presentation, inviting questions at any point. Highlights included: high level of interest and participation from the public, project goals, definition of a “rail-with-trail,” mapping of segments, characteristics of terrain, benefits of rails-with-trails, summary of public comments and recommendations, specific conditions at proposed project locations, trail alignment options, and potential long-term projects. Board members’ questions included:

- Any outreach to property owners? (Brown) No direct contact, however a number attended the workshops.
- Types of surface and materials? (Rodin) Constraints and options were described.
- What is NCRA’s approval process? (Rodin) Mr. Jones described North Coast Railroad Authority policy and precedents in Sonoma County and City of Arcata. Mr. Dow noted that a representative of the railroad operator had walked the trail sites with the project team and found only limited areas of concern.
- Next steps toward project development? (Madrigal) Preliminary engineering is next. This plan gives a “tremendous competitive edge” when applying for funds, it shows feasible projects and other steps already done.
- Cost of Willits Creek crossing? (Madrigal) Reasonable cost of prefabricated construction.
- What kinds of results come from the concept of “eyes on the trail” promoted by trail designers and do resistant property owners eventually accept it? (Orth--staff) Alta Planning + Design takes seriously concerns of neighboring property owners, although numerous studies have shown consistently that trails do not introduce any more crime than already exists in a given area. The opposite has occurred in cases such as a project sited in Marin County where a large homeless encampment was problematic but disappeared when a new trail was installed. “Eyes on the trail” tends to return a resource to the community.

Staff stated that a public hearing was not required for acceptance of the plan, however public comments would be in order. The Chair opened the floor to public comment.

Alan Falleri, Community Development Director, City of Willits, thanked MCOG for this work. Benefits include a regional study that smaller cities cannot produce on their own, and Mr. Jones is an expert in this field. There was a high turnout at the Willits public workshop. A few years ago the City hosted a conference at Ridgewood Ranch, where guest speaker Dr. Jackson asked how many of the 100 attending walked or biked and found that most did. However very few walked or biked to school. He emphasized health aspects. This is a great first step; development will take time.

Chris Brown, Air Pollution Control Officer, Mendocino County Air Quality Management District, cited an example of security problems along Ukiah’s railroad corridor. His observation from frequent walks on trails such as in MacKerricher State Park are that problems are not apparent on developed trails, yet crime and homelessness are present on the railroad behind his Ukiah office. Trails will significantly reduce air pollution if people use them for commuting.

Neil Davis, President, Ukiah Valley Trails Group and Director of Nursing, Community Health Clinics, approved of the plan and hoped to see trails developed as quickly as possible. He reported that some neighbors residing along Ukiah trails his volunteer group has developed had concerns initially, but now are glad the trails are there. One study shows statistics that crime rates are lower on rail-trails than in the areas around them.

Dave Madrigal, retired City of Willits Public Works Director, commented that the study was done well but that his concern is implementation of projects. One obstacle is gaining acceptance of ownership responsibility by city or county government for the new facilities and their maintenance. He predicted the unlikelihood that City of Willits or County of Mendocino will support development of the proposed segments in their jurisdictions, particularly given the high cost to build the trails. Parts of the corridor are already well used in spite of some hazards. He cited the state of disrepair on the rail corridor between Willits and Redwood Valley and suggested a less costly improvement by filling in the tracks with gravel. Since public transportation funds would require certain standards, he made a case for alternative methods. He further discussed local volunteer efforts, cost of this trail plan, local match requirements of some grants, and called for attention to political issues not addressed in this plan.

A brief discussion followed. Mr. Dow responded to Mr. Madrigal's comments, noting some agreement, however the main issue is that NCRA's permission is required for any use of the corridor and some decisions will be contingent on the future disposition of the railroad north of Willits.

J. R. Rose, Senior Citizens' Advocate, offered information that he had worked on the Island Mountain railroad and talked about conditions and impacts north of Willits and around Dos Rios. He agreed it would be easier and less costly than standard trail construction to infill material between the rail tracks and described trail approaches at trestle bridges.

Director Rodin asked Mr. Jones to comment on responsibility for trails once built. He stated most rural county governments do not have the resources to assume the burden. However it should be considered that this particular rail-with-trail would be of statewide importance when done, attracting visitors to the area. Also volunteer groups often take a leadership role with a vision and commitment to maintain trails. Sometimes an agency or nonprofit will be formed as a result and multiple entities may be needed to sustain the facility. He responded to the idea of gravel treatment, as best applied north of Willits once NCRA makes a determination for the Eel River segment, where it would be a highly scenic trail although a big challenge to accomplish. Discussion followed.

Chair Gjerde commented this is an exciting project and thanked City of Ukiah for taking the lead for many years and now about to build a first segment of the trail.

Ben Kagayama, City of Ukiah, confirmed status of their trail construction project. A request for proposals is being prepared. Design is expected by next spring and construction in 2013.

Upon motion by Madrigal, second by Rodin, and carried unanimously on roll call vote (5 Ayes – Robertson/PAC, Rodin, Madrigal, Brown, and Gjerde; 0 Noes; 0 Abstaining; 3 Absent – Hughey, Pinches, and Ranochak): IT IS ORDERED that the Mendocino County Rail With Trail Corridor Plan is accepted.

Chair called a recess at 2:45 p.m. and reconvened the meeting at 2:50 p.m.

8. Fiscal Year 2012/13 RTPA Budget. Mr. Dow introduced Ms. Orth who had prepared the budget. She noted the budget workshop in May and then expanded on the process of the findings recommended for adoption by resolution.

- a. Adoption of Resolution #M2012-05 Finding That There Are Unmet Transit Needs That Are Reasonable To Meet for Fiscal Year 2012/13. Ms. Orth explained status of this annual process. Four needs were recommended by MCOG’s Transit Productivity Committee (TPC) as “reasonable to meet, contingent on further analysis,” that could potentially be met by route adjustments. Staff recommended making the finding now, followed by Mendocino Transit Authority’s report to the TPC later in the autumn, who would then provide a final recommendation to conclude the matter before the next annual process begins in November.

Mr. Bruce Richard, MTA General Manager, was invited to comment. He stated that MTA’s highest priority currently was to resolve performance issues with the “Willits Rider” service. He and Mr. Dow confirmed that this would not be affected by the resolution, as it is an ongoing service, whereas the finding concerns services not yet provided.

Ms. Orth further detailed why this procedure is customarily part of MCOG’s budget.

Upon motion by Brown, second by Rodin, and carried unanimously on roll call vote (5 Ayes – Robertson/PAC, Rodin, Madrigal, Brown, and Gjerde; 0 Noes; 0 Abstaining; 3 Absent – Hughey, Pinches, and Ranochak): IT IS ORDERED that the following resolution is adopted.

Resolution No. M2012-05

Finding That There Are Unmet Transit Needs
 That Are Reasonable To Meet for Fiscal Year 2012/13
 (Reso. #M2012-05 is incorporated herein by reference)

MCOG finds that “there are unmet transit needs that are reasonable to meet, contingent on further analysis”, as identified on the Fiscal Year 2012/13 list:	
#M9	Weekday service to Raley’s in Ukiah
#M10	Service to Plowshares in Ukiah for lunch
#M11	Stop closer to the Ukiah Valley Medical Center
#M19	Service to Fort Bragg High School

- b. Adoption of Resolution #M2012-06 Allocating Fiscal Year 2012/13 Funds and 2011/12 Carryover Funds for Administration, Bicycle & Pedestrian Facilities, and Planning. Chair Gjerde commented that this was the second time the Board had discussed these items and the Executive Committee had reviewed them earlier, with no substantial changes by staff since then. Ms. Orth noted that the Planning program allocation included placeholders for grants yet to be awarded.

Upon motion by Rodin, second by Brown, and carried unanimously on roll call vote (5 Ayes – Robertson/PAC, Rodin, Madrigal, Brown, and Gjerde; 0 Noes; 0 Abstaining; 3 Absent – Hughey, Pinches, and Ranochak): IT IS ORDERED that the following resolution is adopted.

Resolution No. M2012-06

Allocating Fiscal Year 2012/13 Funds
 and 2011/12 Carryover Funds for
 Administration, Bicycle & Pedestrian Facilities, and Planning
 (Reso. #M2012-06 is incorporated herein by reference)

Local Transportation Fund (LTF)		
MCOG Administration	323,725	
2% Bicycle & Pedestrian	52,454	
Planning Program – new funds	100,000	
LTF carryover – Planning program	89,450	

Total LTF		565,629
Other funding sources - Planning		1,256,025
Total Allocations		1,821,654

- c. Adoption of Resolution #M2012-07 Allocating Fiscal Year 2012/13 Local Transportation Funds, State Transit Assistance, and Capital Reserve Funds and FY 2011/12 Carryover Funds to Mendocino Transit Authority. **A motion was made** by Director Rodin, seconded by Director Brown, to adopt the recommended resolution.

Discussion on the motion: Chair Gjerde invited public comment; no one came forward. Ms. Orth noted that the resolution contains a set of findings that staff had collected and documented in the budget file.

The motion carried unanimously on roll call vote (5 Ayes – Robertson/PAC, Rodin, Madrigal, Brown, and Gjerde; 0 Noes; 0 Abstaining; 3 Absent – Hughey, Pinches, and Ranochak): IT IS ORDERED that the following resolution is adopted.

Resolution No. M2012-07

Allocating Fiscal Year 2012/13 Local Transportation Funds, State Transit Assistance, and Capital Reserve Funds and FY 2011/12 Carryover Funds to Mendocino Transit Authority (Reso. #M2012-07 is incorporated herein by reference)

Local Transportation Fund (LTF)		
MTA Operations	2,165,103	
Unmet Transit Needs	0	
Senior Center Operations	401,723	
Capital Reserve Fund	0	
Total LTF		2,566,826
State Transit Assistance (STA)		
MTA Operations	350,000	
MTA & Senior Center Capital	191,920	
MTA Capital - Reclaimed Carryover	14,507	
Capital Reserve Fund	0	
Total STA		556,427
Capital Reserve Program		
Current Year – MTA	0	
Current Year – Senior Centers	32,308	
Long Term – MTA and Seniors	224,552	
Total Capital Reserve		256,860
Total Transit Allocations		3,380,113

- d. Adoption of Resolution #M2012-08 Allocating Regional Surface Transportation Program Funds for Fiscal Year 2012/13 MCOG Partnership Funding Program, Local Assistance, and Distribution By Formula To Member Agencies. **A motion was made** by Director Madrigal, seconded by Director Brown, to adopt the recommended resolution.

Discussion on the motion: Ms. Orth reported good news that the awaited FY 2011/12 fund agreement had been received in the same amount as budgeted. Mr. Dow noted that carryover from the previous year had been advanced to the regional agencies to make up a full fiscal year of funding during a series of three-month extensions of the expired SAFETEA-LU federal legislation. The FY 2012/13 budget is only an estimate, pending a new transportation bill from Congress. Chair noted this is a “more or less status quo” budget with one change, that this will be the first full year when a staff position is filled for “Local Assistance - Project Delivery.”

The motion carried unanimously on roll call vote (5 Ayes – Robertson/PAC, Rodin, Madrigal, Brown, and Gjerde; 0 Noes; 0 Abstaining; 3 Absent – Hughey, Pinches, and Ranochak): IT IS ORDERED that the following resolution is adopted.

Resolution No. M2012-08

Allocating Regional Surface Transportation Program Funds
for Fiscal Year 2012/13 MCOG Partnership Funding Program,
Local Assistance, and Distribution By Formula To Member Agencies
(Reso. #M2012-08 is incorporated herein by reference)

MCOG Partnership Funding Program		100,000
Local Assistance - Project Delivery		90,000
Formula Distribution to Members		
Mendocino County DOT	98,091	
City of Ukiah	132,009	
City of Fort Bragg	88,139	
City of Willits	82,726	
City of Point Arena	54,677	
Total Formula Distributions		455,642
Total Allocations		645,642

9. Technical Advisory Committee Recommendations of May 16, 2012.

- a. Adoption of Final Fiscal Year 2012/13 Planning Overall Work Program (OWP). Chair Gjerde noted that the proposed planning projects and funding sources were reported and discussed during the May 7 budget workshop. Ms. Ellard invited any further questions; none were heard.

Upon motion by Rodin, second by Madrigal, and carried unanimously on roll call vote (5 Ayes – Robertson/PAC, Rodin, Madrigal, Brown, and Gjerde; 0 Noes; 0 Abstaining; 3 Absent – Hughey, Pinches, and Ranochak): IT IS ORDERED that the 2012/13 Final Overall Work Program is adopted as recommended by the Technical Advisory Committee, and the Executive Director is authorized to sign appropriate certifications and the OWP Agreement and to forward to Caltrans as required.

- b. **Public Hearing:** Adoption of Resolution #M2012-09 Approving 2012 Mendocino County Regional Bikeway Plan. Ms. Barrett handed out a map revision for inclusion in the final plan document. Mr. Dow characterized the plan as a capital improvement program, noting that the Cities and County may also adopt it to qualify for State Bicycle Transportation Account grants. Ms. Barrett verified that a ten-day legal notice of this hearing had been published in the Ukiah Daily Journal on May 26.

Upon motion by Rodin, second by Brown, and carried unanimously on roll call vote (5 Ayes – Robertson/PAC, Rodin, Madrigal, Brown, and Gjerde; 0 Noes; 0 Abstaining; 3 Absent – Hughey, Pinches, and Ranochak): IT IS ORDERED that this public hearing on Adoption of the 2012 Mendocino County Regional Bikeway Plan was properly noticed.

Ms. Barrett gave a staff report, reviewing components of the Bikeway Plan, then answered Councilmembers' questions.

The Chair opened the public hearing at 3:14 p.m.

J. R. Rose, Senior Citizens' Advocate, asked about status of improvements to North State Street in Ukiah, describing cycling hazards on a narrow bridge in that segment of roadway. Does the Regional Bikeway Plan address this and is there funding identified for it?

Howard Dashiell, Director, Mendocino County Department of Transportation, (MCDOT) described the North State Street improvements as a safety project and provided details. Two structures, Masonite overcrossing and Ackerman Creek Bridge, are funded through the federal Highway Bridge Program. The first was completed in the interests of time. Enhancements to the bridge are planned with additional funding from Mendocino College, which will take more time due to environmental requirements.

The public hearing was closed at 3:19 p.m.

Discussion included:

- Advantages to the member entities' that MCOG prepares this plan; the Cities of Fort Bragg and Ukiah have benefited from several grants and projects as a result. (Gjerde)
- The plan provides a good synopsis of bikeway development countywide over the past 10-15 years from a variety of funding sources. (Dow)
- Agreement that this regional plan and funding partnerships are valuable. A recent trip to Ashland, Oregon, was a good cycling experience. (Madrigal)
- A ballot initiative could be a way to raise funds for construction of local rail-trail projects. This could be viewed as an investment with potential returns of tourism dollars. (Rodin)
- Whistler, British Columbia, is an example of a popular, well-developed bicycle and pedestrian summer resort destination. (Orth)

Upon motion by Madrigal, second by Brown, and carried unanimously on roll call vote (5 Ayes – Robertson/PAC, Rodin, Madrigal, Brown, and Gjerde; 0 Noes; 0 Abstaining; 3 Absent – Hughey, Pinches, and Ranochak): IT IS ORDERED that the following resolution is adopted.

Resolution No. M2012-09
Adopting the 2012 Mendocino County
Regional Bikeway Plan
(Reso. #M2012-09 is incorporated herein by reference)

Mr. Dow noted the \$10,000 local funding contribution from Mendocino County Air Quality Management District for preparation of this Plan.

10. Consent Calendar. Upon motion by Rodin, second by Brown, and carried unanimously on roll call vote (5 Ayes – Robertson/PAC, Rodin, Madrigal, Brown, and Gjerde; 0 Noes; 0 Abstaining; 3 Absent – Hughey, Pinches, and Ranochak): IT IS ORDERED that consent item is approved:

10. Approval of May 7, 2012 Minutes – as written

11. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee. Upon motion by Rodin, second by Brown, and carried unanimously on roll call vote (4 Ayes – Rodin, Madrigal, Brown, and Gjerde; 0 Noes; 0 Abstaining; 3 Absent – Hughey, Pinches, and Ranochak): 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. There was no report.

- b. North Coast Railroad Authority. Ms. Ellard planned to attend the next meeting in Healdsburg. She commented on a suggestion during public comment under Agenda #7 that NCRA would oppose based on their past positions. Trail development that covers over rail tracks would be termed a “rail-to-trail” indicating abandonment and conversion, in contrast to the planned “rails-with-trails” for dual use of the corridor, for which NCRA has expressed support.
- c. MCOG Administration & Planning Staff
 1. *Summary of Meetings*. Mr. Dow added a CALCOG Directors Association meeting on May 29 where the federal transportation reauthorization bill “MAP21” was discussed. No one knows much about it yet. On May 30 he attended the Gualala Streetscape Design Plan meeting, which is on schedule to be concluded in June.
 2. *Regional Housing Needs Assessment*. Ms. Barrett described the five-year cycle for preparing the RHNA seven-year plan and reported current status. The California Department of Housing & Community Development issues housing unit numbers to each regional jurisdiction to be allocated to the local governments for developing housing element plans as required. She will be working with MCOG’s member agencies to develop a methodology for this by June 30. She does not anticipate this process will be overly complicated, as the regional number of housing units corresponding to properly zoned land is only 250 as compared to 3,495 in the previous cycle.

Director Brown asked about pending legislation addressing this process. Mr. Dow replied that frequently bills are introduced as it has been an unpopular mandate, although he had not heard of one yet this year. Chair Gjerde and staff agreed that notice would be received from the State if the program were affected by changes to the law. In further discussion, Chair Gjerde and staff noted differences in requirements for the more urban regions. Mr. Dow reported the regional Blueprint planning process could preclude the need for this if the parties involved agreed to the local findings.
 3. *Miscellaneous*. Staff reminded the Council that the next meeting date is Monday, August 20, 2012.
- d. MCOG Directors. There were no reports.
- e. California Association of Councils of Governments (CALCOG) Delegates. There were no reports.

13. Adjournment. The meeting was adjourned at 3:37 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director for Administration