

# MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES  
Monday, August 20, 2012  
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 1:32 p.m. with Directors Rex Jackman (Caltrans/PAC), Terry Hughey, Mari Rodin, Holly Madrigal, John Pinches, Susan Ranochak, Carre Brown, and Dan Gjerde present; Chair Gjerde presiding. (All attended in person, with no audioconference.) Alternate Director Kendall Smith was also present.

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 #2.

**2. Approval of Resolution Adopting the Methodology for the 2013 Mendocino County Regional Housing Needs Assessment (RHNA).** Mr. Dow briefly introduced the issue. Ms. Barrett then gave an overview of the RHNA procedures as reported at the June MCOG meeting. She has met with MCOG's committee of planning representatives from the member agencies, resulting in a recommended methodology for allocating the target number of 250 potential housing units that could be developed. A resolution was prepared for the Council's adoption of the methodology, to be followed by a further committee meeting to draft an allocation for Council approval as required. The 250 number (handed down by the State) is not cumulative from the past cycle. Unless a jurisdiction is out of compliance with the State's housing element requirements, the process begins anew. She then answered questions. Director Pinches asked about the allocation process with the example of Brooktrails Township.

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

## **Resolution No. M2012-10**

Adopting the Methodology for the 2013 Mendocino County  
Regional Housing Needs Assessment  
(Reso. #M2012-10 is incorporated herein by reference)

- 3. Convene as RTPA**
- 4. Recess as RTPA - Reconvene as Policy Advisory Committee.**

**Public Expression.** None.

## **5 - 8. Regular Calendar.**

**5. Award of Consultant Contract for Independent Triennial Performance Audits of MCOG and Mendocino Transit Authority for Three-Year Period Ending June 30, 2012 as Required by Transportation Development Act (TDA).** Ms. Orth summarized her staff report, including the purpose of the audits, MCOG's budget of \$18,000 for the audits, the selection committee's review of five proposals received, and its unanimous recommendation to award the contract to Pacific Municipal Consultants, dba PMC. She then answered questions about PMC's qualifications, past

auditors, standardized guidance for auditors, and also noted opportunities presented by the audit to seek advice on issues of concern to MCOG and MTA.

**Upon motion** by Pinches, second by Brown, and carried unanimously on roll call vote (8 Ayes – Jackman/PAC, Hughey, Rodin, Madrigal, Pinches, Ranochak, Brown, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the contract is awarded to PMC to conduct the triennial performance audits, and the Executive Director is authorized to execute an agreement.

## 6. Technical Advisory Committee (TAC) Recommendation of August 9, 2012

- a. First Amendment to Fiscal Year 2012/13 Planning Overall Work Program (OWP). Ms. Ellard handed out a revision to the proposed amendment, reflecting updated figures. She explained that the main purpose of this routine amendment was to program additional funds carried over from the prior fiscal year, with eight of the 26 work elements adjusted for carryover. The only other recommendation was to reprogram \$25,000 not expended by the County Department of Transportation's Road System Traffic Safety Review to Work Element 5, Safe Routes to School Plan, increasing its funding to \$55,000. The entire OWP would increase from \$1,445,475 to \$1,538,146. The TAC's recommendation was unanimous. She then answered several brief questions from Council members.

**Upon motion** by Madrigal, second by Rodin, and carried unanimously on roll call vote (8 Ayes – Jackman/PAC, Hughey, Rodin, Madrigal, Pinches, Ranochak, Brown, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the First Amendment to the Fiscal Year 2012/13 Planning Overall Work Program is approved, and the Executive Director is authorized to sign appropriate certifications and a revised OWP Agreement as needed, and to forward to Caltrans as required.

Ms. Ellard then announced Caltrans' recent award of FY 2012/13 Community Based Transportation Planning grant funds to MCOG's proposed "State Route 128 Valley Trail Feasibility Study."

- b. State Implementation of Federal Transportation Bill - Moving Ahead for Progress in the 21st Century Act (MAP-21). Mr. Dow described major components of the two-year bill that was recently enacted into law. He reviewed his staff report of federal programs important to MCOG, noting that many regional agencies in California do not have direct relations with federal government, instead are subject to State agreements. Implementation decisions likely will be addressed early next year by the State Legislature. Few details are available until then. MCOG's TAC identified the Highway Bridge Program (HBP) as a key concern. He invited Howard Dashiell, Director, Mendocino County Department of Transportation (MCDOT), to elaborate.

Mr. Dashiell described HBP program features. A concern of the county engineers' association is that on-system rural bridges may have to compete with larger urban areas under this new law and one proposal is to keep rural bridge funding at 2009 levels.

Discussion and questions included the following:

- Tribal roads and bridges under Bureau of Indian Affairs jurisdiction; eligibility issues; questions of which entities may apply; infrequency of funding to Mendocino County. (Pinches, Dashiell, Jackman)
- Status of Windy Hollow bridge construction project near Point Arena. (Hughey, Dashiell)
- Ways that MCOG can assist when guidance becomes available. (Pinches, Dow)
- History and potential of cooperative agreements between tribal governments and County of Mendocino to implement federally funded projects; tribes receive the funds and MCDOT responds to their requests. (Gjerde, Dashiell)
- Regional Surface Transportation Program (RSTP) funding levels anticipated, likely comparable to allocations in recent years. (Madrigal, Dow)

The Chair invited public comment; none was heard. **A motion was made** by Director Rodin and seconded by Director Brown, to approve the recommendation of staff and TAC.

**Discussion on the motion:** Director Brown suggested amending the motion to work with those entities listed in the staff report as recommended by the TAC. Ms. Ellard clarified that she had written the recommendation of “support” to be broadly inclusive. Director Brown concurred.

**The motion carried** unanimously (*8 Ayes; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that the Executive Director is authorized to support State legislation that includes an equitable funding solution for “on-system/non-National Highway System (NHS) bridges.”

**7. Consideration of Letter of Support Proposing Designation of a Portion of State Parks Haul Road Near Fort Bragg as a Segment of Pacific Coast Bike Route.** Chair Gjerde introduced the letter that he had drafted with Fourth District Supervisor Kendall Smith (MCOG Alternate) and MCOG staff. The proposed letter to Caltrans District 1 Director Charles Fielder and California Department of Parks & Recreation-Mendocino District Superintendent Loren Rex would request their cooperation to keep much of the Haul Road open to the public and in good repair as part of the popular scenic route. He suggested working toward the designation of the area from Cleone to Fort Bragg, south of the dunes preservation area of MacKerricher State Park where the Haul Road will be closed, as part of the Pacific Coast Bike Route (PCBR). The area is currently under study by MCOG and Caltrans. He described some background on conditions in the area and how a trail could link up to other developed segments, for up to eight miles of Class 1 separated trail. He noted previous work by Assemblymember Wesley Chesbro to fund restoration of the Pudding Creek Trestle, as well as the adjacent Glass Beach area, for public access, at the southern end of the Haul Road.

Director Smith gave some history of this area and its funding, as she had begun working with Congressman Mike Thompson and Assemblymember Virginia Strom-Martin to address these issues over 15 years ago. She considered this proposal timely and an opportunity for funding partnership with State Parks and Caltrans, in light of the study underway. She planned to take the matter also to the Board of Supervisors. She noted both constraints at the northern end of the Haul Road and potential at the southern end to move cyclists off the state highway for a safer route.

A brief Board discussion followed. Chair Gjerde clarified that State Parks has exclusive ownership and right-of-way through the area, excepting the County-owned Ward Avenue.

**A motion was made** by Director Rodin and seconded by Director Hughey, to authorize the letter. **Discussion on the motion:** Is there any reason not to support the proposal? (Rodin) Trail development would compete with other needs for transportation funds. (Pinches)

The Chair invited public comment.

Thad Van Bueren of Westport Municipal Advisory Council stated WMAC’s strong support of the proposal and appreciated for the letter’s spirit of cooperation. He noted WMAC’s recent work with Caltrans and MCOG on a study of State Route 1 north of this area (Westport Area Integrated Multi-Use Coastal Trail Plan). Public comments during that effort favored Class 1 bike routes, separated from the highway wherever possible. He discussed unrealized opportunities in a State Parks general plan that included public access to the designated preserve area; the Haul Road closure; a lack of mitigation for loss of this resource from public access; and ways to create recreational access for cyclists, pedestrians and wheelchairs compatible with the protected environment. A plastic mesh material used for trails over sandy areas is available. An alternate route to the Haul Road could be made through the dunes, with potential connections to existing routes. He approved of the proposed letter and asked MCOG to consider adding the idea of extending a trail through the northern park segment as a safer, less costly project than expanding shoulders on the highway.

J.R. Rose, retired truck driver, Ukiah, described hazards of truck drivers approaching cyclists on the roadway and also referred to his childhood on the Mendocino Coast when he often rode a bicycle on the highway. He considered the matter a safety imperative and supported the letter, asking MCOG and Caltrans to help make conditions safer on both the highway and secondary roads.

Ruth Valenzuela, representing Assemblymember Wesley Chesbro, thanked the Council for considering this issue and expressed support of the effort.

Board discussion resumed:

- Support for the proposal. (Madrigal, Jackman)
- Suggestion of some kind of registration process to generate at least a small increment of revenue from cyclists, as these projects compete with highway funds. (Pinches)
- Additional information on State Parks funding, current plans for the northern preserve area of MacKerricher Park, and subsequent permitting issues; a paragraph could be added to letter addressing that segment. (Gjerde, Hughey)

The Chair called a recess at 2:40 p.m and reconvened the meeting at 2:48 pm.

Chair Gjerde proposed adding to the draft letter: *“As to the section of the Haul Road north of Ward Avenue, in the preserve, we encourage DPR to work with Caltrans to consider alternate trail alignments other than State Route 1.”* Director Smith concurred, thanked members of the public for attending this meeting, and made further remarks, noting the long-term nature of proposed improvements. The motion makers accepted the new paragraph for addition to the letter.

**The motion carried** unanimously (8 Ayes; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the Chair is authorized to sign the letter to Caltrans District 1 Director Charles Fielder and State Parks & Recreation, Mendocino District Superintendent Loren Rex, as amended.

**8. Approval of Agreement with Mendocino County Health & Human Services Agency for MCOG to Administer Safe Routes to School Mini-Grants.** Mr. Dow reported this request by the County agency to administer a portion of a California Community Transformation Initiative grant they received recently from the Public Health Institute. According to his written report, *“Staff believes this minor project is a good example of public agencies working cooperatively to improve the health and safety of Mendocino County’s school-age children.”* Since the needed assistance is compatible with MCOG’s ongoing work, he submitted a proposal that was accepted by the agency. He noted examples of grant-funded activities under the program, which are mainly educational, and verified that the program does not involve any construction projects.

**Upon motion** by Rodin, second by Madrigal, and carried unanimously on roll call vote (8 Ayes – Jackman/PAC, Hughey, Rodin, Madrigal, Pinches, Ranochak, Brown, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that staff’s proposal is approved and the Executive Director is authorized to contract with Mendocino County Health & Human Services Agency for administration of their Safe Routes To School mini-grant awards program.

**9. Consent Calendar.** Upon motion by Madrigal, second by Hughey, and carried unanimously (8 Ayes; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the consent item is approved:

**9. Approval of June 4, 2012 Minutes – as written**

**10. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee.** Upon motion by Ranochak, second by Madrigal, and carried unanimously (7 Ayes; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

## 11. Reports - Information

- a. Mendocino Transit Authority. Sally Webster, MTA Finance & Personnel Manager, announced the opening ceremony for their new “state of the art” maintenance facility building, tomorrow at 5:30 p.m.; all are invited.
- b. North Coast Railroad Authority. Ms. Ellard reported that NCRA is looking into the possibility of allowing installation of cell towers along the railroad right-of-way, as a revenue source. Two board members were appointed to work on a Humboldt Bay rail-trail committee. Their next meeting will be in September, in Ukiah.

Director Pinches commented on public controversy over cell towers in Mendocino County; Ms. Ellard clarified NCRA’s role.

- c. MCOG Administration & Planning Staff

1. *Summary of Meetings*. Mr. Dow referred to his written staff report.
2. *Completion of Downtown Gualala Refined Streetscape Plan*. Mr. Dow reported that this third planning phase was completed in June. He noted how the plan relates to MCOG’s current Pacific Coast Bike Route Study; if a project is selected by Caltrans for prioritization along the south coast, this will make clear local community preferences for such improvements. The plan is available at [www.mendocinocog.org](http://www.mendocinocog.org).
3. *Local Transportation Fund (LTF) Revenues at Fiscal Year End 2011/12*. Ms. Orth reported that the quarter-cent sales tax deposits came in \$215,528 above the budget estimate, roughly comparable to one month’s worth of revenue. Total LTF revenues for the year were \$2,986,712, an increase of eight percent over the previous fiscal year.
4. *Safe Routes To School Grant Awards*. Staff reported an award to Calpella School for pedestrian improvements, a priority for several years of both MCOG and MCDOT. A brief discussion followed, noting related improvements scheduled for the area.
5. *Miscellaneous*. Mr. Dow reported plans and logistics for MCOG’s October 1 meeting and tour in Point Arena. Benefits of the tour were noted. He also reported his letter of request to Point Arena Mayor Doug Burkey for time on the City Council’s agenda to address several persistent issues of concern to MCOG.

Ms. Orth reported a letter received from Ukiah’s City Manager, notifying MCOG that the City needs to begin charging a fee for its use of the council chambers. Staff will look into alternatives for comparison and report back.

Mr. Dow announced Caltrans’ Willits bypass ground-breaking on October 31.

- d. MCOG Directors. Director Madrigal reported a City of Willits work in progress at Gregory Lane and South Main Street/Highway 101 to install a pedestrian refuge island where a fatality had occurred last year. She also announced the first Kinetic Carnivale hosted by the County Museum and Roots of Motive Power in Willits, September 8 and 9; all are invited. The event continues a local tradition of hand-car races on the railroad tracks in town.
- e. California Association of Councils of Governments (CALCOG) Delegates. No report.

## 12. Adjournment.

The meeting was adjourned at 3:42 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director for Administration