

# MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES  
Monday, December 3, 2012  
Board of Supervisors Chambers

ADDITIONAL AUDIOCONFERENCE LOCATION:  
Caltrans District 1, 2430 6<sup>th</sup> 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 1:44 p.m. with Directors Mari Rodin, Holly Madrigal, John Pinches, Susan Ranochak, Carre Brown, and Doug Hammerstrom (Alternate) and Kendall Smith (Alternate – not voting) present; Vice Chair Pinches presiding. Director Terry Hughey was excused. Director Dan Gjerde was not present due to his temporary status following the election, no longer a City Councilmember and not yet seated as a County Supervisor. Policy Advisory Committee (PAC) member Jesse Robertson of Caltrans District 1 joined after a technical problem with the call-in line was resolved. The audioconference connection was interrupted several times; because of this issue, Vice Chair Pinches reordered some of the agenda items.

Staff present: Phil Dow, Executive Director; Janet Orth, Deputy Director for Administration; Loretta Ellard, Assistant Executive Director.

**Public Expression.** Mr. J. R. Rose of Ukiah spoke of bicycle and pedestrian hazards, and Dr. Douglas Rosoff's recent fatal accident. He discussed the need for public awareness of the dangers, especially at this time of year, of riding and sharing the road with trucks and other vehicles.

With the PAC member not yet connected, the Vice Chair proceeded to Reports.

## 10. Reports – Information

- a. Mendocino Transit Authority. There was no report.
- b. North Coast Railroad Authority. Ms. Ellard noted current issues include cell towers in the right-of-way; a contract is pending that would generate \$110,000 in up-front revenue. Action on a rail-with-trail proposal in Humboldt County is expected at the December NCRA meeting.
- c. MCOG Administration & Planning Staff
  1. *Summary of Meetings.* Mr. Dow reported a stormy night in Point Arena for a November 28 public workshop, which was cancelled due to a power outage at the meeting location. Also cancelled was the training on asphalt rubberized chip seal, to be rescheduled.
  2. *Pacific Coast Bike Route (PCBR) & CA Coastal Trail Engineered Feasibility Study.* Ms. Orth reported on status of this project, in partnership with Caltrans District 1 and a consultant team, funded by a State Planning & Research grant of \$150,000 and managed through MCOG's transportation planning program. The study is meant to develop information for future funding of improvements. A series of four public workshops were held on the coast in July, with a second series in November and December (refer to #1 above). A Draft PCBR Study has been released; comments are due by December 12. The final study will be presented to the Council on February 4.

The PAC member was connected at approximately 2:00 p.m., during Agenda #10c3.

3. *City of Willits' Blosser Lane Transportation Enhancement (TE) Project.* Mr. Dow reported that the City had withdrawn from the project, which had been programmed by MCOG in the 2010 State Transportation Improvement Program (STIP) at \$643,524. Of this amount, \$40,000 is forfeited and \$604,000 must be programmed by the California Transportation Commission (CTC) for another project in Mendocino County by June 30, 2013. The Technical Advisory Committee (TAC) will make a recommendation to the Council. He then answered Councilmembers' questions. The lack of time for reprogramming precludes soliciting new applications, so the TAC will consider proposals submitted previously for eligible projects that could be delivered timely. This is the last of TE funding, except for remnants of funding remaining available, as the program has expired with the federal bill SAFETEA-LU. There is a different program under MAP21, the new transportation law.

Director Madrigal of Willits commented on the City's reasons for giving up the project and stated their hope that MCOG would be able to reprogram the funds.

4. *MAP-21 Implementation.* Mr. Dow reported that meetings of a statewide delegation are ongoing to negotiate how the transportation bill will be implemented in California. He expects the process will take another several months.
  5. *Draft 2013 Board Calendar.* Ms. Orth reported on staff's efforts to secure a new meeting location as directed by the Council in October. A request for use of the Supervisors' Chambers (today's location) had been submitted and would be confirmed in January. Mr. Dow elaborated on staff's proposed locations for April and October tours. The calendar will be brought back to the Council for adoption in February.
  6. *Miscellaneous.* None.
- d. MCOG Directors. Director Rodin reported the Ukiah City Council will receive a presentation on Complete Streets, as part of the City's policy development. Director Hammerstrom (Alt.) asked whether it could be archived and made available on its website.
  - e. California Association of Councils of Governments (CALCOG) Delegates. Director Brown reported she was not able to attend the recent Delegates meeting in Newport Beach, nor was she able to call in, due to a scheduling conflict.

## **2. Convene as RTPA**

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

The connection with PAC member Robertson was lost; while staff worked to reconnect, the Vice Chair proceeded to Regular Calendar. Mr. Robertson was reconnected during Agenda #4.

## **4 - 5. Regular Calendar.**

**4. Public Hearing: Unmet Transit Needs for Fiscal Year 2013/14.** Ms. Orth summarized the purpose of this hearing and the annual process as detailed in her written staff report. She requested a finding of proper notice, verifying 30-day legal notices of the public hearing, citing proofs of publication from four local newspapers. Three of the four published within 30 days of this hearing, including the Ukiah Daily Journal; the Fort Bragg paper published five days prior to it. Only one newspaper of countywide circulation is required. Additionally, the notice was posted on the MCOG website ([www.mendocinocog.org](http://www.mendocinocog.org)) and was emailed to interested stakeholders on MCOG's listserve. The Ukiah paper also published a notice under "Community Briefs."

**Upon motion** by Brown, second by Madrigal, and carried unanimously (*6 Ayes; 0 Noes; 0 Abstaining; 2 Absent*): IT IS ORDERED that this public hearing on 2013/14 Unmet Transit Needs was properly noticed.

- a. Staff Report: Social Services Transportation Advisory Council (SSTAC) Recommendations of November 14, 2012. Ms. Orth submitted as testimony a list of 18 unmet transit needs and three additional recommendations for more general transportation matters compiled by MCOG's SSTAC, which included input received by Mendocino Transit Authority (MTA) from public meetings during the year.

SSTAC member Glenna Blake of MTA answered Director Pinches' questions about identifying needs outside the Ukiah area. In addition to board meetings, MTA's website is available and other methods are used to solicit needs. MTA carefully follows a process annually. More needs are identified whenever a grant project is in progress, which occurred last year. She confirmed that transit riders and the public can call MTA or talk with a driver to report needs at any time.

- b. Public Hearing. The Vice Chair opened the hearing; with no one wishing to speak, the hearing was closed. No further written testimony had been received from the public.
- c. Board Action. Ms. Orth reviewed the required action and staff's recommendation to forward all testimony to MTA for analysis and for later review by the Transit Productivity Committee. The "reasonable to meet" finding is made following the committee's recommendation, as part of budget adoption in June. Staff answered questions.

**Upon motion** by Madrigal, second by Ranochak, and carried unanimously on roll call vote (*7 Ayes – Robertson/PAC, Rodin, Madrigal, Pinches, Ranochak, Brown, and Hammerstrom-Alt.; 0 Noes; 0 Abstaining; 1 Absent – Hughey*): IT IS ORDERED that 1) MCOG receives as testimony all needs reported by the SSTAC and MTA, 2) the testimony received includes "unmet transit needs" as qualified by MCOG's adopted definitions, and 3) all testimony is directed to Mendocino Transit Authority for analysis and to the Transit Productivity Committee for subsequent review and recommendation.

**5. Recognition of Service: Bruce Richard, Mendocino Transit Authority.** Mr. Dow handed out a proclamation he had authored with assistance from staff (with a touch of collegial humor), recognizing Mr. Richard's years of service since 1981 as MTA General Manager and a member of MCOG's Technical Advisory Committee. Director Rodin read the proclamation aloud for the record.

Mr. Richard thanked the Council and Mr. Dow for their support over the years, noting those members who had also served on MTA's board, and acknowledged the contributions of his staff, naming key managers Dan Baxter, Sally Webster, Glenna Blake, and Bob Butler. He announced that Mr. Baxter had been appointed Interim General Manager.

Director Pinches added comments about MTA's funding, design and construction of a beautiful maintenance facility as well as initiating a new administration building, which both had started from humble beginnings and now were an asset to Mendocino County that will serve for decades to come.

Ms. Blake announced a retirement party is scheduled for February 23, and thanked Director Pinches for his heartfelt remarks. She and Ms. Webster made remarks praising Mr. Richard as their longtime employer at MTA. Mr. Baxter will be involved in the process of his replacement and they felt positive about the future.

Director Madrigal and others added their well wishes. Questions were answered about MTA's appointment process, representation and other procedures.

**Upon motion** by Rodin, second by Brown, and carried unanimously (*7 Ayes; 0 Noes; 0 Abstaining; 1 Absent*): IT IS ORDERED that the Proclamation Honoring Bruce Richard is adopted.

**Addendum to Agenda: Consideration of a Letter of Support for Redwood Coast Land Conservancy's Application for State EEMP Funds.** Mr. Dow reported the request for support was received by staff from RCLC representatives. Ms. Orth recommended a required finding to add this item to the agenda, advising Option B listed on Page 2 of the agenda as the most appropriate Brown Act determination.

Vice Chair Pinches called for a vote on the finding, carried unanimously (*7 Ayes; 0 Noes; 0 Abstaining; 1 Absent*): IT IS ORDERED that the Council determines that there is a need to take immediate action and the need for action arose after the agenda was legally posted, therefore the item is added to the agenda. *Clerical note: Unanimous voice vote without a motion.*

Mr. Dow handed out his staff report and summarized the issue. Redwood Coast Land Conservancy (RCLC), in Gualala, intends to apply for State Environmental Enhancement & Mitigation Program (EEMP) funds to acquire a 12-acre site adjacent to their property at the Hearn Gulch Public Access Headlands. The State funds would match funds from California Coastal Conservancy, enabling the purchase. RCLC wants to connect a section of the California Coastal Trail with a nearby Caltrans property and scenic overlook, which would also provide improved beach access. The project would be consistent with the draft Pacific Coast Bike Route/California Coastal Trail Engineered Feasibility Study, now nearing completion.

Director Madrigal asked whether the project was at all controversial.

Ms. Linda Bell, Executive Director of RCLC, was invited to the podium. She introduced herself and stated the project was not considered controversial, although complex, and described the negotiation process and other details. Discussion and questions included:

- Further assurances? The action would only offer support for an application. The parties have been trying for some time to acquire the property for this purpose, and now competitive funds are available. (Brown, Dow)
- The process involves a willing seller? Yes. The funding program guidelines require a willing seller. (Hammerstrom, Bell, Dow)
- Will RCLC also ask for support of County Board of Supervisors? Yes, RCLC plans to contact Sup. Hamburg. This kind of project would normally not come before MCOG, but the request for support came out of the PCBR study's public outreach, relative to the CA Coastal Trail. (Pinches, Bell, Dow)
- Why not pursue an easement, rather than buy? Arguments for remaining in taxable status. (Pinches) The trust has approached the landowner in multiple ways before now. (Bell)
- There is a clear nexus between the PCBR and Coastal Trail, both highly scenic with high public demand for trails. Multiple plans for improving trails and bike routes are in progress. Connectivity issues make it desirable to take advantage of opportunities like this as they arise. Having a willing seller is always a caveat. MCOG would just be lending its name to support for the concept. (Smith-Alt.)
- State funds are borrowed bond money, but willing to entertain this proposal. (Pinches) The Vice Chair would have a chance to review the letter of support before sending. (Dow)

**A motion was made** by Director Rodin, seconded by Hammerstrom, to approve a letter of support, commenting that Director Pinches' thoughts about taxes were a good point.

**Discussion on the motion:** Clarification was made that Vice Chair Pinches would sign the letter and the Council would receive a copy of the letter in their next agenda packet. Further options for the land deal were offered by Director Pinches, who underscored the impact of lost tax revenue on local schools and other services. Director Ranochak, as County Assessor, confirmed more than \$300 million in assessments by her office, so Director Pinches estimated \$3 million in property taxes countywide.

**The motion carried** unanimously on roll call vote (*6 Ayes – Rodin, Madrigal, Pinches, Ranochak, Brown, and Hammerstrom-Alt.; 0 Noes; 1 Abstaining – Robertson/PAC; 1 Absent – Hughey*): IT IS ORDERED that the Executive Director is authorized to provide a letter of support, with the Vice Chair's signature, for the Redwood Coast Land Conservancy's application for acquisition funding under Fiscal Year 2012-13 Grant Cycle, Environmental Enhancement and Mitigation Program.

**6 - 8. Consent Calendar.** Upon motion by Madrigal, second by Brown, and carried unanimously on roll call vote (*7 Ayes – Robertson/PAC, Rodin, Madrigal, Pinches, Ranochak, Brown, and Hammerstrom-Alt.; 0 Noes; 0 Abstaining; 1 Absent - Hughey*): IT IS ORDERED that consent items are approved:

**6. Approval of November 5, 2012 Minutes – as written**

**7. Acceptance of Social Services Transportation Advisory Council Minutes of October 15, 2012**

**8. Appointments to Social Services Transportation Advisory Council (SSTAC) – Appoints Willie West to vacancy.** Director Brown made positive comments on Mr. West's qualifications for this position, endorsing his appointment; staff agreed.

**9. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee.** Upon motion by Hammerstrom, second by Brown, and carried unanimously on roll call vote (*6 Ayes – Rodin, Madrigal, Pinches, Ranochak, Brown, and Hammerstrom-Alt.; 0 Noes; 0 Abstaining; 1 Absent - Hughey*): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

(#10 – Reports followed Public Expression, first page.)

**11. Adjournment.** The meeting was adjourned at 3:20 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director for Administration