

# MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES

Monday, March 3, 2014

County Administration Center, 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 1:34 p.m. with Directors Leishara Ward, Alternate (Caltrans/PAC), Doug Hammerstrom, Larry Stranske, Trevor Sanders, John Pinches, Susan Ranochak, and Dan Gjerde present; Chair Gjerde presiding. Director Benj Thomas was absent.

Staff present: Phil Dow, Executive Director; Janet Orth, Deputy Director for Administration; and Loretta Ellard, Assistant Executive Director. Nephele Barrett, Senior Planner arrived after Agenda item #4.

**2. Convene as RTPA**

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

**Public Expression.** None.

**4 - 5. Regular Calendar.** All MCOG staff members left the room before the start of Agenda Item #4.

**4. Final Approval to Administer both the Administrative & Fiscal Services Request for Proposal (RFP) and the Planning Services RFP, as Drafted by County of Mendocino Staff, for MCOG Staffing Services Starting FY 2014/15 - continued from Feb. 3, 2014.** County Executive Office staffed this agenda item and provided the following record:

- “County staff Brandon Merritt reported to the MCOG Board about his work on the two draft RFPs that will be administered by the County General Services Agency (GSA) in the month of March. The first thing he asked of the Board was to decide on a length of contract, which the Board unanimously agreed to a 5 year length of contract.
- “Next, the Board talked about altering the timeline for the two RFPs, to be reflected as follows in Section VI, ‘Schedule of Activities’:
  - Letter of Interest and Request for Proposals mailed to prospective proposers – March 14, 2014
  - Inquiry Deadline – April 30, 2014
  - RFP Submission Deadline – June 12, 2014
  - Presentations/Demonstrations – June 30, 2014
  - RFP Selection and Notification – July 7, 2014
  - MCOG Board Approval of Recommendation(s) – July 21, 2014.
- “The Board also approved the Scope of Services for both the Planning Services RFP and the Administrative and Fiscal Services RFP as received in their packets the week of February 24 to February 28.

- “Finally, the Board approved the use of the normal Mendocino County proposal evaluation form – as is, without any extra additions of criteria – found as Attachment F in a typical Mendocino County Request for Proposal form, with two changes:
  - The criterion of ‘Cost’ shall be increased from 15 points to 20 points
  - The criterion of “Implementation Plan and Schedule” shall be decreased from 35 points to 30 points

“All votes were unanimously in approval of these four motions, by roll call vote. A motion by Hammerstrom, seconded by Gjerde, to attach MCOG’s budget summary to the RFP, was split: (4 Ayes – Ward/PAC, Hammerstrom, Sanders, and Gjerde; 3 Noes - Stranske, Pinches, and Ranochak; 0 Abstaining; 1 Absent - Thomas). A later vote to reconsider the motion was unanimous.”

[Clerk’s Note: According to MCOG’s bylaws: “The Caltrans representative shall not be counted as part of a quorum of the Council. A majority vote of four (4) of the seven (7) seated members shall be required to transact business.”]

The Chair called a recess at approximately 3:05 p.m. and reconvened the meeting at 3:12 p.m. MCOG Staff returned to the meeting during the break.

##### **5. Discussion: Feasibility of Mendocino County Transportation Sales Tax Ballot Measure.**

Executive Director Dow gave an overview of past efforts and research, noting that three of the four cities in Mendocino County (Fort Bragg, Willits, and Point Arena) had passed ballot measures to enact dedicated transportation sales taxes. Referring to his written report, he discussed various funding options to address streets and roads improvement needs, pros and cons, and chances of success of several funding strategies, noting how legislation and legislative proposals affect these. The Self Help Counties Coalition now funds more transportation improvements in California regions than does Caltrans. Questions and discussion included (*not necessarily in order*):

- Legislation: Could a County sales tax measure be applied only to the unincorporated area? No. Sales could be affected by different tax rates in the communities. Special legislation could be pursued to allow a tax by the County that does not increase cities’ rates. A position of support by MCOG would help such an effort. Find out why there was opposition to a similar proposal in Santa Cruz. (Pinches, Dow, Ranochak, Gjerde)
- Public Relations: Two of three Californians live in urbanized areas with such a tax. The countywide library tax measure was a success. Public relations will be important to persuade voters of the need for a transportation sales tax. Opposition seems unlikely to a county tax that merely brings sales tax up to the same level as the cities have now. Opinion polling cost was about \$20,000 when last done by MCOG 12-13 years ago. (Gjerde, Pinches, Dow)
- Logistics: Primary versus general elections, odd- and even-numbered years should be considered. Most economical are odd-numbered years, as costs (\$70,000-\$80,000) are shared with college, community services and other district elections. This measure likely would increase the ballot by only a page. Even-numbered year ballots, especially in November, typically include State propositions. A local measure might be added onto a long list of proposals and not received as favorably by voters. Discussion of “sunset” date for a measure. Willits has a permanent tax. Most sunset in 10-20 years, then show results to the public to consider renewal. (Ranochak, others)
- Impacts. Extended discussion pointed to the steep decline in road condition in the County unincorporated area and City of Ukiah without a dedicated transportation sales tax, while those cities with the tax are keeping up with their street maintenance needs and showing improvement. The MCOG-funded Pavement Condition Index (PCI) has documented this trend over the past 12 years. The cost of inaction is very high; it is estimated that within the next 10 years, the County’s

deferred road maintenance will increase by about \$80 million. Staff reported PCI scores and answered questions about the PCI program, how it can be used, and how the data is reported. The decline could be even greater than indicated, when the one-time infusion of federal stimulus funds is factored in, as investment will not continue at that level. This information can help to make a case for a new sales tax measure. (Pinches, Dow, Barrett, Gjerde)

- Local Measure. Director Pinches suggested a half-cent tax (approximately \$6 million/year) with 80% for transportation and 20% dedicated to emergency services. This would attract support of fire chiefs and other stakeholders who want ambulance service. Discussion followed on expenditure plans, why city residents would vote for it, and the need for a seamless system of both roads and services. A countywide election requires a super-majority and vote of both the Board of Supervisors and City Councils to place a measure on the ballot. The City representatives were asked to comment. (Pinches, Dow)
- City Responses. Pass a local tax and make state tax irrelevant. Not sure a ballot measure would have a positive outcome. (Hammerstrom/Fort Bragg) Gas stations and schools may have other issues or problems with such a measure; would be surprised if it passed the ballot in Willits. (Stranske/Willits) Agree that tying together transportation and emergency services issues would give the proposal a chance that voters would pass a ballot measure. (Sanders/Point Arena)
- Other Revenue Sources. Value of the gas tax has declined; what mechanism can address that and the impact on revenues of more efficient vehicles? A tax on proportionate use of the highway system has been called Vehicle Miles Traveled (VMT); a pilot study in Oregon named a similar system “Mileage Based User Fee,” presented at the most recent California Transportation Commission meeting. The CTC was interested in seeing how it could be implemented here, in which case the gas tax would likely continue for other purposes. There continues to be a state policy conflict such that revenues depend on gasoline consumption while other goals strive for cleaner air, less dependence on foreign oil, and reduction of vehicle miles. (Hammerstrom, Dow)

No action was taken. Director Pinches will propose action on the Board of Supervisors’ agenda. The Chair directed staff to bring a specific recommendation for action at another MCOG meeting.

**6 - 8. Consent Calendar.** Upon motion by Pinches, second by Stranske, and carried unanimously on roll call vote (6 Ayes – Hammerstrom, Stranske, Sanders, Pinches, Ranochak, and Gjerde; 0 Noes; 1 Abstaining – Ward/PAC; 1 Absent - Thomas): IT IS ORDERED that consent items are approved:

**6. Approval of December 2, 2013 Minutes** – as written

**7. Approval of February 3, 2014 Minutes** – as written

**8. Appointments to Social Services Transportation Advisory Council**

– Claudia Hillary, Dan Baxter, Allyn Nonneman, and Priscilla Tarver (Alternate)

**9. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy**

**Advisory Committee.** Upon motion by Stranske, second by Pinches, and carried unanimously on roll call vote (6 Ayes – Hammerstrom, Stranske, Sanders, Pinches, Ranochak, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent - Thomas): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

**10. Reports - Information**

a. Mendocino Transit Authority. MTA had no news to report.

- b. North Coast Railroad Authority. Ms. Ellard reported that NCRA had completed remediation of the Ukiah depot site and was awaiting a response from the regional water board. The NCRA board discussed property revenue agreements. The next regular meeting agenda, in Ukiah, will include consideration of access for City of Ukiah's rail-trail project and presentation of an engineering report of cost estimates to extend the line north of Windsor to Ukiah.

Director Pinches objected to excessive encroachment fees charged by NCRA to adjacent landowners for crossing the railroad tracks.

c. MCOG Administration & Planning Staff

1. *Summary of Meetings*. Dow referred to his written staff report.
2. *Draft FY 2014/15 Transportation Planning Overall Work Program (OWP)* Ms. Ellard briefly reviewed her report that the Technical Advisory Committee (TAC) met and recommended a balanced budget draft that was submitted on February 28 to Caltrans as required. The Council will see the proposed OWP at its May meeting, when there will be an opportunity for comments and changes before adoption in June. The Final OWP will include amounts for projects carried over, with significant increases to this first draft. The TAC members understand there may be changes to available funding due to staffing contract uncertainties.
3. *Executive Committee Recommendations of February 28, 2014*. Ms. Orth reported on the first draft FY 2014/15 Regional Transportation Planning Agency budget approved by the committee, including the County Auditor's estimate of transportation sales tax revenue (\$3,224,265, up 5.2% over 2013/14), Local Transportation Fund Reserve balance, Administration, Bicycle & Pedestrian Program, Planning, and balance available for Public Transit. She reported the timeline for budget development, noting potential amendments to be made after June adoption, due to staffing contract uncertainties. Also, the 2012/13 fiscal audit was recommended for acceptance by the Council. The 2013 Caltrans Pre-Award Audit final report was discussed by the committee, with no action.
4. *Quarterly Status of Projects*. Mr. Dow referred to his report and briefly noted updates since its writing.
5. *Status of California's Active Transportation Program (ATP)* Mr. Dow reported on the latest revisions to the draft program in a series of statewide meetings; he has attended several since August, in person and by teleconference. The CTC is in charge of this program and at its March meeting is expected to announce the first grant solicitation, with proposals due May 21. He has been serving on a committee that is drafting the application package and anticipates there will be several competitive applications from Mendocino County. He reported discussions with local agencies about candidate projects.

Chair Gjerde thanked Mr. Dow and Ms. Ellard for participating in a recent conference call about projects to propose. He noted a second solicitation will be due in October, followed by annual cycles, so there will be more opportunities. Mr. Dow noted that ten percent of the funds is dedicated to rural competition. Most Mendocino County communities are "disadvantaged" which does not require a local funding match. Director Pinches appreciated the work to advance projects in Covelo/Round Valley's recent plan.

6. *Miscellaneous*. Ms. Ellard announced a March 20 workshop on project management hosted by MCOG under the Training work element. Instruction will be provided by Fred Pryor Seminars/Careertrack. About 30 staff members are anticipated to attend from local agencies.

Mr. Dow announced that the California Transportation Commission (CTC) released its staff recommendations Friday (February 28) on the 2014 State Transportation Improvement Program (STIP). He was pleased with the results for MCOG's proposals, with the Gualala project schedule accelerated. He would like to see the STIP adopted as recommended by CTC staff. He answered questions, briefly describing the Gualala proposed streetscape improvements and further funding opportunities for its completion.

- d. MCOG Directors. There were no reports.
- e. California Association of Councils of Governments (CALCOG) Delegates – Annual Regional Leadership Forum, March 12-14 in Monterey. Chair Gjerde noted those who planned to attend representing MCOG.

**11. Adjournment.** The meeting was adjourned at 4:26 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director for Administration