

MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES

Monday December 5, 2016

County Administration Center, Board of Supervisors Chambers

Additional Audioconference:

Caltrans District 1, 1656 Union St., Eureka

ADDITIONAL MEDIA:

Find YouTube link at <http://www.mendocinocog.org> under Meetings
or search Mendocino County Video at www.youtube.com

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 1:30 p.m. with Directors Rex Jackman, from Agenda Item 1 through 4c, replaced by Tatiana Ahlstrand from Agenda Item 4d through 11 (Caltrans/PAC), Doug Hammerstrom, Steve Scalmanini, Larry Stranske, Susan Ranochak, John McCowen, and Dan Gjerde present; Chair Gjerde presiding. There is currently no representative for Point Arena (a new representative is to be appointed at their December 20 meeting).

Staff present: Phil Dow, Executive Director; Janet Orth, Deputy Director/CFO; Loretta Ellard, Deputy Planner; Nephele Barrett, Program Manager; and Marta Ford, Administrative Assistant.

2. Convene as RTPA

3. Recess as RTPA - Reconvene as Policy Advisory Committee

Public Expression. Dusty Dillion, Commissioner of Noyo Harbor District, discussed the Noyo Harbor District Sustainability Plan. There are new members on the commission and they are about to initiate a Community Sustainability Plan for Noyo Harbor. The commission is working with the National Working Waterfronts Association that helps to rebuild harbors around the nation. The Association has worked on projects such as Morro Bay, Half Moon Bay, and Crescent City to work on Sustainability Plans for those districts. To their success, after Morro Bay presented their Sustainability Plan the project was awarded a \$134 million grant. The previous plan for Noyo Harbor was put together in 1985; after a lot of work to obtain approval for the plan, the plan was disregarded. Mr. Dillion submitted a map showing pedestrian access that was agreed on in the 1985 Plan of needs to be developed (Handout Public Expression, 12-5-2016). He also listed ways that Noyo Harbor has brought value to the community. Mr. Dillion requests that the new plan be added to the table of projects for MCOG to work on. He let the group know additional information was available if needed.

The Chair and staff explained the resources available to Mr. Dillion. Ms. Ellard confirmed that MCOG's current year planning program includes a Noyo Harbor Access Plan.

4 – 8. Regular Calendar

4. Public Hearing: Unmet Transit Needs for Fiscal Year 2017/18

- a. Finding of Proper Notice. Ms. Orth confirmed proof of publications were received from four local publishers. It is also posted on MCOG's website and the notice has been sent directly to interested parties. Recommendation of finding of proper notice, then hold the public hearing.

Upon motion by Hammerstrom, second by Ranochak, and carried unanimously on roll call vote (*7 Ayes – Jackman/PAC, Hammerstrom, Scalmanini, Stranske, Ranochak, McCowen, Gjerde; 0 Noes; 0 Abstained; 0 Absent*): IT IS ORDERED that this public hearing on 2017/18 Unmet Transit Needs was properly noticed.

- b. Staff Report: Social Services Transportation Advisory Council (SSTAC) Recommendations of November 1, 2016. Ms. Orth reported findings from the SSTAC's annual workshop conducted on November 1, 2016. An outcome of the meeting was a list of 17 unmet needs that included public input from Mendocino Transit Authority (MTA) meetings and needs identified in the workshop. The list also included three additional recommendations of MCOG's SSTAC, for discussion and to be entered for public record. She also reported a letter from a member of the public in Fort Bragg who has access concerns for disabled individuals and requests evening services in Fort Bragg; this letter is also to be entered for the record of public testimony. Further steps are to follow in order to complete the cycle prior to adoption of budget resolutions next June.
- c. Public Hearing. The Chair opened the hearing at 1:38 p.m. Public comment was invited to add any unmet public transit need. Moriah Moncivais with Northern Circle Indian Housing Authority spoke on behalf of the ten different Federally recognized tribes in Mendocino County that have similar issues and needs as other rural communities. Out of the ten tribes, three have no access to public transportation, four are located more than two miles from a routine stop, and three are located within one mile of a stop. Northern Circle Indian Housing Authority would like to open up discussion about the tribal communities and how their issues and needs are the same as other communities. Director McCowen suggested to Ms. Moncivais to submit her information to MCOG; she noted one of her co-staff members sent a letter to MCOG on December 2 that includes details of this information as well. The Hearing was closed at 1:48 p.m.
- d. Board Action. Upon motion by McCowen, second by Ranochak, and carried unanimously on roll call vote (*7 Ayes – Alstrand /PAC, Hammerstrom, Scalmanini, Stranske, Ranochak, McCowen, Gjerde; 0 Noes; 0 Abstained; 0 Absent*): IT IS ORDERED that 1) MCOG receives as testimony all needs reported by the Social Services Transportation Advisory Council (SSTAC), Mendocino Transit Authority (MTA), and the public hearing; 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 for further review by the Social Services Transportation Advisory Council and the Transit Productivity Committee.

5. Acceptance of MCOG Triennial Performance Audit by Michael Baker International. Ms. Orth explained that MCOG is required by the Transportation Development Act (TDA) to complete a compliance performance audit by an independent entity every three years. The contractor that was hired found MCOG to have complied with all 14 applicable State legislative mandates of the Transportation Development Act (TDA). MCOG was commended on efforts that went beyond the requirements. Ms. Orth summarized the six highlights of the functional review and status of the audit recommendations. There are three current recommendations, but none found to be urgent in nature:

one to update MCOG's TDA manual with new legislation (SB 508), and two carried over from the previous audit, to consider an alternate funding formula for senior center TDA funds and to strengthen the role of the SSTAC. MCOG is currently working on the first and third of these.

In Board discussion, there was a question regarding the second finding, which was brought up in the previous audit and should be taken into further consideration. Ms. Orth noted that either MCOG or MTA could consider an alternative formula for allocating funds to the senior centers, but since they are under contract with MTA it may be more appropriate for MTA to take the lead on that issue. Mr. Dow added that it has not been brought up recently as a concern by stakeholders. No members of the public responded to the Chair's invitation to comment.

Upon motion by Ranochak, second by Hammerstrom, and carried unanimously on roll call vote (7 Ayes – *Ahlstrand/PAC, Hammerstrom, Scalmanini, Stranske, Ranochak, McCowen, Gjerde; 0 Noes; 0 Abstained; 0 Absent*): IT IS ORDERED that the triennial performance audit of Mendocino Council of Governments is accepted as prepared by Michael Baker International.

6. Approval of Local Transportation Fund (LTF) Reserve Claim for FY 2015-16 Revenue Shortfall. Ms. Orth reported a budget shortfall of \$65,156 at fiscal year closing, triggering a claim on the reserve fund established for this purpose. This is only the second time MCOG has had a claim for this reserved fund. The County Auditor-Controller verified Local Transportation Fund revenues from the sales tax at \$3,347,426, slightly short of the budget estimate of \$3,412,582. Last February MCOG was made aware that this would be an issue, when the Auditor issued the next year's estimate. Mendocino Transit Authority had already received the funds allocated to it, and MCOG needed to draw funds from the reserve and backfill the main local transportation fund. The reserve fund was set up specifically for transit use.

Upon motion by Hammerstrom, second by McCowen, and carried unanimously on roll call vote (7 Ayes – *Ahlstrand/PAC, Hammerstrom, Scalmanini, Stranske, Ranochak, McCowen, Gjerde; 0 Noes; 0 Abstained; 0 Absent*): IT IS ORDERED that the Executive Director is authorized to instruct the County Auditor to make a funds transfer from LTF Reserve to the Local Transportation Fund in the amount of \$65,156.

7. Appointment of Interim Executive Committee Members. Ms. Orth reported that two appointments of Interim Executive Committee members are necessary for a meeting in January. February is the next scheduled council meeting, when appointments would normally be made. MCOG staff requests the appointments to address MCOG business prior that meeting; two of three committee members will not be available in January. Mr. Dow requested review of the new draft Mendocino County Service Authority for Freeway Emergencies (SAFE) Five-Year Strategic & Financial Plan by the executive committee, as the plan has already expired due to other priorities limiting the ability to thoroughly conclude it.

Upon motion by McCowen, second by Ranochak, and carried unanimously on roll call vote (7 Ayes – *Ahlstrand/PAC, Hammerstrom, Scalmanini, Stranske, Ranochak, McCowen, Gjerde; 0 Noes; 0 Abstained; 0 Absent*): IT IS ORDERED that Directors Scalmanini and Stranske are appointed as interim members of the Executive Committee.

8. Draft 2017 Board Calendar. Staff submitted a proposed draft calendar, included in the board packet. The calendar is not to be adopted at this time, but input and direction are requested prior to taking it the next MCOG meeting, which will include the new appointed Board members. It includes two mobile tours this year and suggests that one of them could be in the Fort Bragg area. The August meeting was proposed for the third Monday of the month. No action was taken.

9 - 11. Consent Calendar. Upon motion by McCowen, second by Stranske, and carried unanimously on roll call vote (7 Ayes – *Ahlstrand/PAC, Hammerstrom, Scalmanini, Stranske, McCowen, Ranochak, Gjerde*; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that consent items are approved:

9. Approval of October 3, 2016 Minutes – as written

10. Approval of Second Amendment to Fiscal Year 2016/17 Transportation Planning Overall Work Program

- *Programs unexpended carryover Rural Planning Assistance (RPA) funds, and makes other minor revisions*
- *Increases funding by \$9,122 from prior-year carryover for a new total of \$1,752,991.*

11. Adoption of Resolution Approving the Allocation of California Proposition 1B Funds, Fiscal Year 2014-15 Transit System Safety, Security, and Disaster Response Program, for Mendocino Transit Authority's Eligible Project

Resolution No. M2016-16

Approving the Allocation of California Proposition 1B Funds Fiscal Year 2014-15
Transit System Safety, Security, and Disaster Response Program
For Mendocino Transit Authority's Eligible Project
(Reso. #M2016-16 is incorporated herein by reference)

12. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee. Upon motion by Hammerstrom, second by Stranske, and carried unanimously on roll call vote (6 Ayes – *Hammerstrom, Scalmanini, Stranske, McCowen, Ranochak, and Gjerde*; 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.

13. Reports - Information

- a. Mendocino Transit Authority. The new General Manager of MTA, Carla Meyer, introduced herself and briefly explained her experience working in the transit industry. Ms. Meyer summarized MTA's current attributes, challenges, upcoming modifications, and goals she has for MTA. Ms. Meyer shared MTA's plans for new dispatching software, restructuring the organization, and bringing in additional revenue by providing advertising space on the buses for local business.
- b. North Coast Railroad Authority. Director McCowen reported that the Depot Project in Ukiah continues to move forward. The two-phased sale of a portion of the property to the State is to accommodate the new courthouse. It is scheduled to start next construction season to construct utility and roadway improvements; by then the sale should be finalized. Construction of the courthouse project is currently on hold. Liquefied petroleum tank cars have been moved offsite for storage on a seasonal basis. The Surface Transportation Board has the legal positions before it and has been briefed by NCRA and SMART.
- c. MCOG Staff - Summary of Meetings. Mr. Dow referred to his written staff report. Nothing was specifically highlighted for this item.
- d. MCOG Administration Staff
 1. *U.S. 101 Bypass of Willits Update – Opening Ceremony of November 3, 2016.* Mr. Dow reported that the ceremony went well; it was very well attended. It was a combined ceremony with the viaduct dedication for Navy Seal Jesse D. Pittman, naming the bridge in his honor.

2. *Active Transportation Program (ATP) Cycle 3 Proposed Award.* Mr. Dow referred to his written report, stating it was not as successful as the previous cycles. Four applications were submitted in Mendocino County and only one was recommended to be awarded, Fort Bragg Coastal Trail Phase II. Two that did not move forward, City of Willits Trails With Trails Project and City of Ukiah Northwestern Pacific Rail Trail Phase 3, will be analyzed to learn where the weaknesses on the application may have been. The other application that was not granted was submitted by State Parks, the MacKerricher State Park Haul Road Repair & Enhancement Project. Mr. Dow noted lessons learning in crafting these ATP proposals.
3. *Notice of Proposed Funding Award by California Energy Commission to ChargePoint and MCOG for Installation of Electric Vehicle Charging Infrastructure on U.S. 101.* Ms. Orth reported that the joint proposal by ChargePoint and MCOG was on the list to be funded. The funding to be awarded was higher than expected; CEC staff recommended awarding \$14 million instead of only the original \$10 million statewide. There is another company called Recargo Inc. that was also awarded funds; ChargePoint and Recargo Inc. cover some of the same communities in Mendocino County, but in different locations, adding to the overall infrastructure for the 101 corridor. The final awards will be made at a Commission business meeting. It was requested that staff provide the locations in the next board agenda packet.

Director Scalmanini raised a concern of the electrical capacity for multiple demands of use within a short amount of time; there is no current answer to his concern. Ms. Orth repeated the ChargePoint representative's statement that their equipment network is designed to distribute power systemwide in response to demand. She assumed that the State will be working on these issues as plans are implemented.

4. *Ukiah Traffic Study of Schools at Low Gap Road Area.* Mr. Dow referred to his written staff report. He mentioned there are plans to study that area soon, with funding from his discretionary fund in the FY 2016/17 budget, conditional on financial participation from the school district. In Board discussion Director Scalmanini let the Council know of upcoming construction to replace faulty storm drains in that area, which may affect any studies conducted and suggested holding off on the study until after that project is completed. Construction is projected to start within a month or two. One proposed solution to assist with the traffic flow is to work with the school district to review the current bell schedule.
5. *CSDA Board Secretary/Clerk Conference, November 14-16 in Monterey.* Ms. Orth and Ms. Ford attended the CSDA Board Secretary/Clerk Conference, which provided valuable information regarding compliance, software and internal operations. There were materials on web hosting specifically for special districts that can provide a cost efficient solution for MCOG. The conference had a good session on policy and procedure writing, which the administrative staff at MCOG is looking forward to putting into practice to improve on existing documentation
6. *Miscellaneous.* Mr. Dow spoke about two bills in the Legislature, known as the Beall and Frazier bills, that would have addressed the transportation funding deficit; both failed to pass. He attended the Legislative Roundtable on November 28, where the failure of these two bills was discussed; it was disappointing to many others since it would have provided relief for many local and county roads, as well as State highways, where the funding is critically needed.

e. MCOG Planning Staff.

1. *Regional Transportation Plan and Active Transportation Plan – Public Workshops.* Ms. Barrett spoke on the RTP/ATP Workshops that were conducted in October and November. The intent of the workshops was to gather local community members' opinions on active transportation needs. It was an opportunity for people to voice their concerns and opinions of needed projects in their areas. She reviewed a summary of concerns that came out of the workshops.

The draft Active Transportation Plan is expected to come out next Spring with the final completed by the end of the year. The process to collect community input for the needs assessment will continue; a survey is available on the MCOG website (www.mendocinocog.org) and an option to comment through email that will be collected until March 2017.

2. *Traffic Control for Safer Work Zones Training – Tech. Transfer Program, Nov. 17, 2016.* Ms. Ellard explained that the “TS 10 – Traffic Control for Safer Work Zones” training was coordinated with UC Berkley Institute of Transportation Studies (ITS). She felt it was good use of MCOG training funds provided in the Planning Work Program. There were 36 attendees in all from the Cities of Ukiah, Willits, Fort Bragg and Point Arena, and County of Mendocino, including three in attendance from City of Lakeport.
3. *Miscellaneous.* Ms. Ellard reported that December 1 was the deadline for the Annual Transportation Planning Overall Work Program (OWP) Application and that several were received

- f. MCOG Directors – Update of Membership Appointments. The Board will not be filled until the City and County appointments are made in December and January; typically, this is the reason MCOG does not schedule meetings in January. Director Doug Hammerstrom will be leaving the MCOG Council due to his term expiration; Mr. Dow expressed appreciation for his participation, advice and support over the number of years served, and wished him well in new endeavors. Ms. Orth and Director Gjerde also expressed their appreciation for the time he served. In return, Director Hammerstrom voiced his appreciation for the staff's knowledge, experience, and determination to share with the community, which assisted in many good decisions. Supervisor John McCowen is currently serving as the alternate for the appointed supervisor until that appointed director is available to participate.

- g. California Association of Councils of Governments (CALCOG) Delegates. Director Scalmanini reported inability to participate remotely in the delegates meeting of November 14 in Sacramento; Mr. Dow offered to look into the problem.

14. Adjournment. The meeting was adjourned at 3:17 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Marta Ford, Administrative Assistant, with Janet Orth, Deputy Director/CFO