



MENDOCINO COUNCIL OF GOVERNMENTS

525 South Main Street~Ukiah~California~95482
www.mendocinocog.org

NEPHELE BARRETT, EXECUTIVE DIRECTOR

Administration: Suite B
(707) 463-1859
Transportation Planning: Suite G
(707) 234-3434

AGENDA

Monday, December 2, 2024 at 1:30 p.m.

Primary Location:

County Administration Center, Board of Supervisors Chambers
Room 1070, 501 Low Gap Road, Ukiah

Teleconference Locations:

Fort Bragg City Hall, 416 N. Franklin St., Fort Bragg
Point Arena City Hall, 451 School St., Point Arena

General Public Teleconference:

Zoom videoconference link is provided by request. Please submit access request to info@mendocinocog.org or call MCOG Administration at (707) 463-1859.

Audio Call-in Option: 1 (669) 900-6833 (in CA)
Meeting ID: 863 1864 3389 Passcode: 705832

Attachments Posted

[Board of Directors - Mendocino Council of Governments \(mendocinocog.org\)](http://www.mendocinocog.org)

Additional Media

For live streaming and later viewing:

[Mendocino County Video](http://www.mendocinocog.org) or find
[YouTube link at http://www.mendocinocog.org under Meetings](http://www.mendocinocog.org)

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)

NOTICE: Mendocino Council of Governments meets in person, in a hybrid format. Staff and a potential quorum meet in the Board of Supervisors chambers in Ukiah. Also, board members join remotely by teleconference (audio and video) from City Hall locations in Fort Bragg and Point Arena. Policy Advisory Committee member(s) will join from Caltrans District 1 office in Eureka. The general public may join from any of these posted locations or by calling in to the teleconference.

Several ways to make public comments to MCOG's Board of Directors are available:

- In advance of the meeting: comments may be sent by email to info@mendocinocog.org or by using the form at <https://www.mendocinocog.org/contact-us>, to be read aloud into the public record. Please submit by 10:00 a.m. on the meeting date to ensure comments are received timely, and include the agenda item number(s) addressed.
- During the meeting: make oral comments in person, or on the conference call by phone or video, when public comment is invited by the Chair.

Thanks to all for your interest and cooperation.

NOTE: All items are considered for action unless otherwise noted.

1. Call to Order and Roll Call
2. Assembly Bill 2449 Notifications and Considerations – *to receive and address requests from Board members to participate in the meeting from a non-posted location, subject to conditions set forth in AB 2449*
3. Approval of Executive Committee Recommendation of October 15, 2024: Authorizing Executive Director to Sign the RuralREN North Memorandum of Agreement (MOA) & Bylaws of the Four Governing Partners – *to establish energy efficiency programs*
4. Convene as RTPA
5. Recess as RTPA – Reconvene as Policy Advisory Committee

CONSENT CALENDAR

The following items are considered for approval in accordance with Administrative Staff, Committee, and/or Directors' recommendations and will be enacted by a single motion. Items may be removed from the Consent Calendar for separate consideration, upon request by a Director or citizen.

6. Approval of November 4, 2024 Minutes
7. Adoption of Resolution No. M2024-___* Approving Addendum to the FY 2024/25 Project List for the California State of Good Repair Program – *Mendocino Transit Authority – Emergency Roof Repair*

PUBLIC EXPRESSION – Please refer to notice at top of this Agenda.

8. Participation is welcome in Council meetings. Comments will be limited to three minutes per person and not more than ten minutes per subject, so that everyone can be heard. “Public Expression” time is limited to matters under the Council's jurisdiction that may not have been considered by the Council previously and are not on the agenda. No action will be taken. Members of the public may comment also during specific agenda items when recognized by the Chair.

REGULAR CALENDAR

9. First Amendment to Fiscal Year 2024/25 RTPA & COG Budget – Executive Committee Recommendations of October 15, 2024 and Previously Approved Allocations:
 - a. Adoption of Resolution #M2024-___* Revising Allocation of Fiscal Year 2024/25 Funds and 2023/24_Carryover Funds for Administration, Bicycle & Pedestrian Facilities, Planning and Reserves, Superseding Resolution #M2024-03 – *to augment Administration funding*
 - b. Adoption of Resolution #M2024-___* Reallocating Fiscal Year 2022/23 Local Transportation Funds to Mendocino Transit Authority – *to recover and reallocate ineligible over-allocated LTF funds for MTA Operations, Capital and Reserves*
 - c. Addition of Resolution #M2024-11 Approved October 7, 2024 – *to augment Senior Centers Transportation Program funding*
 - d. Adoption of Resolution #M2024-___* Revising Allocation of Fiscal Year 2023/24 Carryover Regional Early Action Planning (REAP) Program Grant Funds for FY 2024/25, Superseding Resolution #M2024-07 – *balance of reallocation approved August 12, 2024*
 - e. Adoption of Resolution #M2024-___* Allocating FY 2024/25 Funds for RuralREN North Programs and Authorizing Executive Director to Sign Pre-Launch Contract and Subsequent Funding Agreements with Redwood Coast Energy Authority as Lead Administrator – *to budget for first year and draw initial funds*
10. Discussion/Direction and Possible Adoption of 2025 MCOG Board Calendar
11. Recognition of Departing Board Members – *No Action*

RATIFY ACTION

12. Recess as Policy Advisory Committee – Reconvene as RTPA – Ratify Action of Policy Advisory Committee

REPORTS

13. Reports – Information – *No Action*

- a. Caltrans District 1 – Projects Update and Information
- b. Mendocino Transit Authority
- c. Great Redwood Trail Agency
- d. MCOG Staff - Summary of Meetings
- e. MCOG Administration Staff – *verbal reports*
 - i. Miscellaneous
 - ii. Next Meeting Date – Monday, February 3, 2025
- f. MCOG Planning Staff – *verbal reports*
 - i. Work Element 3 – 2026 Regional Transportation Plan & Active Transportation Plan
 - ii. Work Element 5 – Mendocino County Sea Level Rise Roadway Impact Study
 - iii. Work Element 9 – Noyo Harbor Multimodal Circulation Plan
 - iv. Miscellaneous
- g. MCOG Directors
- h. California Association of Councils of Governments (CALCOG) Delegates

ADJOURNMENT

14. Adjourn

AMERICANS WITH DISABILITIES ACT (ADA) and TRANSLATION REQUESTS

Persons who require special accommodations, accessible seating, or documentation in alternative formats under the Americans with Disabilities Act, or persons who require interpretation services (free of charge) are advised to contact the MCOG office at (707) 463-1859, **at least five days** before the meeting.

Las personas que requieren alojamiento especial, asientos accesibles, o documentación en formatos alternativos de acuerdo con la Ley de Estadounidenses con Discapacidades, o personas que requieren servicios de interpretación (sin cargo) deben comunicarse con MCOG (707) 463-1859, por lo menos cinco días antes de la reunión.

ADDITIONS TO AGENDA

The Brown Act, Section 54954.2, states that the Board may take action on off-agenda items when:

- a) a majority vote determines that an “emergency situation” exists as defined in Section 54956.5, **or**
- b) a two-thirds vote of the body, or a unanimous vote of those present, determines that there is a need to take immediate action and the need for action arose after the agenda was legally posted, **or**
- c) the item was continued from a prior, legally posted meeting not more than five calendar days before this meeting.

CLOSED SESSION

If agendized, MCOG may adjourn to a closed session to consider litigation or personnel matters (i.e. contractor agreements). Discussion of litigation or pending litigation may be held in closed session by authority of Govt. Code Section 54956.9; discussion of personnel matters by authority of Govt. Code Section 54957.

POSTED 11/25/2024

* Next Resolution Number: M2024-13





MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

TITLE: RuralREN North Memorandum of Agreement (MOA) & Bylaws

SUBMITTED BY: Janet Orth, Deputy Director & CFO

DATE: 11/25/2024

BACKGROUND:

On September 26, 2024, the CPUC issued its Decision Modifying Rural Regional Energy Network Approved in Decision 23-06-055, and divided the RuralREN into RuralREN North (comprising the North Coast and North Sierra Regions) and RuralREN Central (comprising the Central Coast, San Joaquin Valley and High Sierra Regions), in which MCOG would become a full partner able to use public purpose program funds paid by ratepayers to plan, administer, and implement energy efficiency programs.

In joining a new partnership with Redwood Coast Energy Authority (RCEA), Lake Area Planning Council (APC), and the nonprofit Sierra Business Council (SBC), MCOG administrative staff has been meeting frequently to review and comment on various required documentation such as MOA, business plan, bylaws and program budgets.

MCOG's Executive Committee met on October 15 and recommended that the full Council approve the draft Memorandum of Agreement (MOA) in concept and authorize the Executive Director to sign the MOA after County Counsel has reviewed and the MOA has been finalized by the RREN North partners.

The MOA covers the general terms of this partnership, with further details in the attached Bylaws. The draft MOA among the "Governing Partners" was circulated to our respective legal counsels for review and comment, and discussed by the partners, and now the final MOA incorporating comments and changes is ready for board approval.

Additional steps will need to be made internally by MCOG, in particular an amendment to the Joint Powers Agreement (JPA) to add energy programs as a specific power. To date we have letters of support from all five MCOG member jurisdictions. The JPA process may take several months to fully execute with resolutions, but should not delay moving forward with programs, since we have the support of the MCOG member agencies.

ACTION REQUIRED:

Authorize the Executive Director to sign the RuralREN North MOA and Bylaws.

ALTERNATIVES:

None identified, as approval is required for membership in the RuralREN to move forward.

RECOMMENDATION:

Authorize the Executive Director to sign the RuralREN North MOA and Bylaws on behalf of MCOG, as recommended by the Executive Committee.

Enc: RuralREN North MOA and Bylaws

MENDOCINO COUNCIL OF GOVERNMENTS

MINUTES

Monday, November 4, 2024

Round Valley Library Commons, 23925 Howard St., Covelo

ADDITIONAL MEDIA:

[Mendocino County Video](http://www.mendocinocog.org) or find
[YouTube link at http://www.mendocinocog.org under Meetings](http://www.mendocinocog.org)

The Mendocino Council of Governments (MCOG) meets as the Board of Directors of:
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1. Call to Order and Roll Call. The meeting was called to order at 11:15 a.m. on the bus at Caltrans' Cherry Creek Rest Area en route to the meeting. Present were Directors John Haschak, Michael Carter, Greta Kanne, Josefina Duenas, Dan Gjerde and Tatiana Ahlstrand (Caltrans/PAC). Directors Bernie Norvell and Jeff Hansen were absent. Chair Gjerde presided over the meeting. Caltrans improvements on SR-162 were observed along the way.

Tour Guest Presenters: Howard Dashiell, Director, Mendocino County Department of Transportation; Matthew McKeon, P.E., Resident Engineer, Ghirardelli Associates; Brian Hurt, Wylatti Construction; Patricia Rabano, Tribal Historic Preservation Officer, Round Valley Indian Tribes; and Julia Peterson, Caltrans District 1, Clean California project manager.

Staff present: Nephele Barrett, Executive Director; Janet Orth, Deputy Director & CFO; James Sookne, Program Manager; and Jody Lowblad, Administrative Assistant.

2. Convene as RTPA

3. Recess as RTPA – Serve Lunch – Reconvene as Policy Advisory Committee for Working Lunch.

The lunch recess started at 12:20 p.m., and the meeting was reconvened at 12:58 p.m. Chair Gjerde made welcoming remarks thanking the Library, appreciating MCOG's return to regular tours of the countywide region following the pandemic, and noting the significant new transportation projects in Round Valley. Vice Chair Haschak made remarks as Third District Supervisor about the numerous transportation investments, including Caltrans' work on SR-162 on the way here with \$118 million of rehabilitation and improvements to the roadway. He also noted \$17.4 million to Round Valley for high-speed internet service, and additional funding for fiber-optic cable. Clean California grants have made upgrades to downtown Covelo involving the community. The tour today will cover the multi-purpose trail, which will greatly reduce fatalities and injuries. Finally County of Mendocino will replace a historic bridge in the valley with a new, modern one. He appreciated everyone attending today.

4 - 7. Consent Calendar. Upon motion by Haschak, second by Carter, and carried unanimously on voice vote (*roll call not required for in-person voting*): IT IS ORDERED that consent items are approved.

4. Approval of October 7, 2024 Minutes – as written

5. Approval of October 15, 2024 Executive Committee Minutes – as written

6. Executive Committee Recommendations of October 15, 2024:

- a. Amendment of Administrative & Fiscal Services Contract with Dow & Associates to Add Rural REN North (Regional Energy Network) Program Budgets and to Allow for Future Extensions as Defined in Request for Proposals – *October 1, 2024 through September 30, 2029 and up to five years of extensions*
 - b. Amendment of Planning Services Contract with Davey-Bates Consulting to Allow for Future Extensions as Defined in Request for Proposals – *October 1, 2024 through September 30, 2029 and up to five years of extensions*
- 7. Award of Triennial Performance Auditor Engagement for MCOG and Mendocino Transit Authority Audits, Fiscal Years 2021/22 through 2023/24 – Moore & Associates, Valencia, CA**

8. Public Expression.

Steve Henderson, a.k.a. Gizmo, commented on the value of public transit for emergency evacuation purposes and the possibility of available public funding as such. He suggested upgrades to transit stops and the idea of a satellite transit mall in Covelo for connections to other points around the valley and trips to Ukiah.

Pat Sobrero of Covelo, a retired teacher, expressed concern for elders crossing the street on foot downtown at certain location such as Howard and Main Streets, and hazards due to flooding events. She noted the recent traffic calming projects, thanked everyone for coming today and commended Director Gjerde for his years of public service.

[Anonymous] mentioned a conversation with Mendocino County DOT Director Dashiell about the new downtown traffic calming improvements, which have taken locals a while to become accustomed to, although traffic speeds have slowed noticeably. There is still a need for calming on Howard Street from center of town to points east and the elementary school. He recognized the time it takes to implement, and will continue talking about this.

Chair Gjerde responded that MCOG does planning studies. Ms. Barrett described funding for safety projects and that Director Dashiell is working on transportation safety policies.

9. Approval and Presentation of Proclamation Honoring Outgoing Chair Dan Gjerde. This was Director Gjerde's final meeting before retiring from the Board of Supervisors, after nearly 22 years on MCOG's Board of Directors. Ms. Barrett made brief remarks about his accomplishments in office, then read aloud the proclamation prepared by staff, met with applause. Chair Gjerde then recognized past long-term MCOG Executive Director Phil Dow in the audience, and expressed his gratitude that the MCOG team was able to do so many things for this county with results over time. Plans have more often than not resulted in projects being built. He spoke to the effectiveness of community support and thanked everyone for the opportunity to serve. Cake was served to all.

Upon motion by Kanne, second by Carter, and carried unanimously on voice vote: IT IS ORDERED that the proclamation honoring Chair Dan Gjerde is approved.

10. Discussion of Round Valley/Covelo Area Tour, Transportation Plans & Projects, Related Matters. Ms. Barrett noted the printed handout for the tour, mentioning several projects on the list. She asked Caltrans representatives present to comment.

Director Ahlstrand, Caltrans District 1, noted additional printed material from Caltrans distributed in the room, "State Route 162 Caltrans Projects – Projects in Construction."

Ms. Barrett introduced Ms. Julia Peterson as leader of the Clean California grant-funded projects in town, commending her and the Caltrans team for planning and delivering construction in an unusually short time. The local community was consulted and design changes made as a result.

Also Clean California Dump Days were very popular and successful here and around the county. (More applause.)

Ms. Peterson thanked everyone for working with Caltrans “at the speed of Clean California.” The project went from a thought to reality very quickly.

The Chair invited public comment:

Steve Henderson, a.k.a. Gizmo, asked whether any road signage was planned for the scenic overlook, suggesting improving visibility of the turn-off. Director Ahlstrand did not know, though duly noted the comment. Director Haschak added that fresh ideas like this are welcome.

Ms. Barrett highlighted a few of the tour projects, particularly the Class 1 multi-use trail, initiated by past Executive Director Dow as the only project that MCOG, as a planning agency, has actually built, starting in 2010 with a Caltrans Environmental Justice grant, followed by grants from California’s Active Transportation Program (ATP) and other state funding, for a total cost of approximately \$8.5 million. (More details provided in the handout.) She outlined the progression from planning through design, right-of-way and construction. The foot bridge remains to be completed next construction season. Benefits have already resulted to this high-risk area. Details are posted on MCOG’s web site. Concluding the tour will be the County’s new bridge planned at Hill Road in south-east Round Valley. In good news, a Safe Routes to School project at various locations on Howard, Airport and Foothill Boulevard is short-listed for ATP grant funds, to be approved at an upcoming California Transportation Commission (CTC) business meeting.

Director Kanne commended MCOG for bringing CTC commissioners and their staff to Mendocino County in Fort Bragg last April, which likely will have had an effect on those decisions.

Phil Dow remarked on the importance of getting decision makers in Sacramento out into the rural areas to see for themselves what “rural” means.

Director Haschak credited Mr. Dow for working on the trail project for many years, followed by many community members supporting it. He brought his family to cycle the trail on Earth Day. It has been in use for other local events and will be used more in future.

No action was taken.

11. Recess as Policy Advisory Committee – Reconvene as RTPA – Ratify Action of Policy Advisory Committee. Upon motion by Carter, second by Haschak, and carried unanimously on roll call vote (*5 Ayes – Haschak, Carter, Kanne, Duenas and Gjerde; 0 Noes; 0 Abstaining; 2 Absent*): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

12. Reports - Information

- a. Caltrans District 1 – Projects Update and Information. Director Ahlstrand stated there were no reports other than those already mentioned.
- b. Mendocino Transit Authority. Executive Director Jacob King had no report. Ms. Barrett thanked Mr. King and MTA for providing the tour’s transportation today.
- c. Great Redwood Trail Agency. Director Haschak reported concerns in the community about the trail. GRTA’s Executive Director and he has set up a meeting with Round Valley Indian Tribes’ administration and president for later this month. Next Board meeting is December 5.
- d. MCOG Staff - Summary of Meetings. Ms. Barrett referred to the written report.
- e. MCOG Administration Staff

- i. *Executive Committee Recommendation of October 15, 2024 – Options to Recover FY 2022/23 Ineligible Local Transportation Funds from Mendocino Transit Authority and Reallocate – for December action.* CFO Orth gave a brief update, noting staff has been meeting with MTA and consultants to develop several options, two of which were brought to the Executive Committee, who recommended one preferred option for Board action in December. Details were available in the committee minutes approved today.
 - ii. *Miscellaneous.* None.
- f. MCOG Planning Staff.
- i. *Work Element 3 – 2026 Regional Transportation Plan (RTP) & Active Transportation Plan (ATP).* Ms. Barrett reported that staff has been conducting a survey with interactive map available, and encouraged all to respond. Materials were available in the room and online.
 - ii. *Miscellaneous.* None.
- g. MCOG Directors. Director Kanne reported a City of Willits new construction sidewalk project entirely funded by Pacific Gas & Electric, connecting south Willits neighborhoods from the senior center to the Haehl Creek housing development, and eventually connecting with Willits' segment of the Great Redwood Trail. This will increase ability to walk and cycle through the area.
- h. California Association of Councils of Governments (CALCOG) Delegates. Director Haschak reported the next meeting will be in person November 15 in Sacramento.

13. Tour of Local Transportation Projects. The group embarked on the walking tour at 1:36 p.m., then boarded the MTA bus, including the following itinerary (more fully described in the handout):

- Clean California grant-funded downtown Covelo improvements
- Walking a portion of the Covelo SR-162 Multi-Purpose Trail, south to north
- MTA bus trip to view extent of the Trail environs and County of Mendocino Department of Transportation (MCDOT) plans and projects
- MCDOT's bridge replacement project on Hill Road.

14. Adjournment. The meeting was adjourned at 4:00 p.m.

Submitted: NEPHELE BARRETT, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director & CFO



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 7
Consent Calendar
MCOG Meeting
12/02/2024

STAFF REPORT

TITLE: Resolution Approving Addendum to State of Good Repair Project List for FY 2024/25
SUBMITTED BY: Janet Orth, Deputy Director & CFO **DATE:** 11/22/2024

BACKGROUND:

On November 5, we received a call from MTA Executive Director Jacob King, informing us of emergency repairs needed on their administrative facility's leaking roof as the rainy season sets in. He had solicited three quotes and signed one for a new 20-year roof at \$27,900. MTA is requesting the funds from the State of Good Repair program.

The State of Good Repair (SGR) program is a transit capital funding program created by the Road Repair and Accountability Act of 2017, also known as Senate Bill 1 (SB 1). This funding source is derived from a fee on vehicle registrations. SGR is a capital program, not to be used for operations. Eligible uses of SGR funds include:

- Transit capital projects to maintain, repair or modernize a transit operator's existing transit fleet or facilities,
- Design, acquisition, and construction of new vehicles or facilities that improve existing transit services, and
- Services that complement local efforts for repair and improvement of local transportation infrastructure.

SGR Guidelines are posted at [State of Good Repair | Caltrans](#) along with related program information. Transit operators submit project lists directly to Caltrans in the [CALSMART](#) online reporting tool. Projects must be approved by Regional Transportation Planning Agencies. Mendocino Transit Authority (MTA) submitted its 2024/25 SGR Project List by September 3 as required, approved by MCOG on October 7.

The State Controller distributes the funds by the same formula as for State Transit Assistance. Allocated revenues have been received by MCOG at approximately \$129,000 to \$159,000 per year. The SGR revenues are received quarterly in MCOG's fund account. Up to four years of funding can be accrued for a project. Once the project is started, four years are allowed for expenditure, allowing up to a total of eight years from the allocation year to expend the funds.

MCOG had an audited SGR fund balance of \$692,074 at June 30, 2023. MTA has claimed \$119,396 to date. Actual revenues were added in 2023/24 of \$159,604, for an unaudited fund balance of \$851,678. We anticipate MTA's invoice of \$514,979 to reimburse for purchase of two vehicles approved in June. Adding estimated 2024/25 new revenue of \$157,731, less \$461,250 reserved for the transit center, the estimated fund balance available is \$33,180. MTA proposes \$27,900 of this balance. That would leave a small margin to cover any difference of actual costs.

However, Caltrans' Division of Rail and Mass Transportation has assured me that if the unprogrammed balance is insufficient, funds can be reprogrammed from the Ukiah Transit Center project as needed.

ACTION REQUIRED:

By resolution, approve the addendum to MTA's State of Good Repair Project List for FY 2024/25 for emergency roof repair at MTA's administration building.

ALTERNATIVES:

The Council could reject the request or identify other funding. – *not recommended*

RECOMMENDATION:

Adopt the resolution approving an addendum to the FY 2024/25 State of Good Repair Project List for emergency roof repair, and authorize staff to submit required documentation to Caltrans and release funds to MTA on receipt of an invoice.

MENDOCINO COUNCIL OF GOVERNMENTS

BOARD of DIRECTORS

RESOLUTION No. M2024-____

APPROVING ADDENDUM TO THE FY 2024/25 PROJECT LIST FOR THE CALIFORNIA STATE OF GOOD REPAIR PROGRAM TO FUND NEW EMERGENCY PROJECT

WHEREAS,

- The Mendocino Council of Governments (MCOG) is the designated Regional Transportation Planning Agency for Mendocino County;
- Senate Bill 1 (SB 1), the Road Repair & Accountability Act of 2017, established the State of Good Repair (SGR) program to fund eligible transit maintenance, rehabilitation and capital project activities that maintain the public transit system in a state of good repair;
- MCOG is an eligible project sponsor that receives and distributes State Transit Assistance and State of Good Repair funds to eligible project sponsors (local agencies) for eligible transit capital projects; and
- Mendocino Transit Authority, as an eligible sub-recipient, has submitted a Fiscal Year 2024/25 Project List for State of Good Repair Program funds, approved by MCOG on October 7, 2024, on file as Exhibit A;
- MTA is now in need of emergency roof repair on their administration building, to be added to this list, with supporting documentation to be provided for MCOG's records; and
- MCOG concurs with the proposed addendum to the previously approved list of eligible projects budgeted for FY 2024/25, to fund the requested emergency project with available SGR funds; therefore, be it

RESOLVED, THAT:

The Mendocino Council of Governments approves the emergency Fiscal Year 2024/25 Project List Addendum and finds that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations and guidelines for all State of Good Repair funded transit capital projects.

ADOPTION OF THIS RESOLUTION was moved by Director _____, seconded by Director _____, and approved on this 2nd day of December, 2024, by the following roll call vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED.

ATTEST: Nephele Barrett, Executive Director

John Haschak, Vice Chair



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 9
Regular Calendar
MCOG Meeting
12/2/2024

STAFF REPORT

TITLE: First Amendment to Fiscal Year 2024/25 RTPA & COG Budget

SUBMITTED BY: Janet Orth, Deputy Director & CFO

DATE PREPARED: 11/22/2024

BACKGROUND:

Over the past several months, MCOG has taken two actions affecting the budget and staff has prepared further materials for a budget amendment. Progress of these issues has been reported to the Council periodically. On October 15, the Executive Committee made several recommendations, including budget items described in Agenda items #9a and 9b below. We now request action to bring together all of these pieces into a single amendment.

All information to date is documented for the record in the allocating resolutions. The attached summary one-page spreadsheet table is now updated, and the multi-page format will provide more detail when completed. Total revenues are **\$19,168,765**, and total proposed allocations are **\$12,374,872**. (There is a substantial balance for later allocation, primarily from the new SB 125 formula transit program, approved by the Legislature and now needing work to develop a local claiming procedure, as well as an allocation plan amendment.)

Changes since the final Budget was adopted in June:

#9a. Administration, Planning & Reserves. MCOG approved the new five-year Dow & Associates Administrative & Fiscal Services contract on August 12, so this revised allocation replaces estimated costs. Also it adds to total Local Transportation Fund (LTF) revenues from fiscal year end Reserve balance and from over-allocated transit funds due from Mendocino Transit Authority (see #9b below). As recommended by the Executive Committee, \$20,000 of LTF funds are added to the Administration staffing contract to replace an over-reliance on other funds, and STBG funds to the contract are reduced. The most recent Transportation Planning Overall Work Program (OWP) amendment funding amounts are updated as approved on October 7. Finally, the new RuralREN North (Regional Energy Network) funds are added to Administration for program services staffing and direct costs.

#9b. Public Transit Funds Recovery and Reallocation. This has been extensively reviewed by staff, Mendocino Transit Authority (MTA) management, consultants and the Executive Committee over many months since MTA's 2022/23 fiscal audits were completed, as documented in staff reports, meeting minutes and the attached resolution.

Staff will be collecting all necessary data, such as MTA's amended budget and capital plan, to make the findings required by the Transportation Development Act (TDA) for funding of MTA's supplemental claim for this reallocation of the ineligible 2022/23 LTF funds.

Supporting documentation for the resolution will be on file and available for verification and audit. Note that the reallocated funds were "prepaid" in the prior year, so no new funds will be paid out under this reallocation. MCOG staff will negotiate a repayment plan with MTA before the next payment of LTF funds in December, likely over a two-year period.

- #9c. Senior Centers Transportation Program. The resolution, approved and signed in October, added funds to the allocation for Senior Centers. It was agreed to meet their LTF budget shortfall halfway, reducing this year’s cut from 24 percent to 12 percent. This was the first portion of reclaimed funds due to MCOG from MTA as described in #9b above. While not as tidy a procedure as could be, this was an urgent matter. Both resolutions will be included in the budget amendment package for full transparency.
- #9d. Regional Early Action Planning (REAP) Program. This resolution documents remaining funds after MCOG’s action August 12 to reallocate the suballocations in order to claim all grant funds before expiration September 30. Ninety percent of the REAP grant funding is suballocated to the five member local agencies and is now fully claimed and paid. The final reimbursement invoice was sent to the State on November 5, so this is a routine action.
- #9e. RuralREN North Programs. We have added a new resolution this year to document this new funding source. MCOG staff has been involved with developing this program for going on three years now. With this action, funds may finally be released so that MCOG can make use of public purpose program funds paid by ratepayers to plan, administer, and implement energy efficiency programs—a new regional role for MCOG.

Once approved, I will compile all of this material into MCOG 2024/25 budget package. Examples of the current budget and past amendments are available at <https://www.mendocinocog.org/mcog-budget>

ACTION REQUIRED:

- a. Adopt the resolution to revise funding of MCOG activities: Administration, Bicycle & Pedestrian program, Planning and Reserves. This updates the LTF Reserve fund balance, adds the second OWP amendment, adds \$20,000 of LTF funds for Administration, and adds funds for RuralREN North program staffing services and direct costs.
- b. Adopt the resolution Reallocating Fiscal Year 2022/23 Local Transportation Funds to Mendocino Transit Authority. This is to recover and reallocate ineligible over-allocated LTF funds for MTA Operations, Capital and Reserves.
- c. Add to the budget amendment Resolution #M2024-11, approved October 7, 2024 to augment Senior Centers Transportation Program funding.
- d. Adopt the resolution revising the allocation of funds carried over for final closeout of the Regional Early Action Planning (REAP) Program. This reflects MCOG’s action of August 12 to complete grant activities that increase housing planning and accelerate housing production.
- e. Adopt the resolution Allocating FY 2024/25 Funds for RuralREN North Programs. This allocates the first year of a multi-year program, and authorizes the Executive Director to sign necessary funding agreements.

ALTERNATIVES:

- a. If the Council chooses to make changes to the budget for Administration, Bicycle & Pedestrian program, Planning or Reserves, direct staff to adjust the allocating resolutions by item and authorize the Chair to execute. – *changes not recommended*

- b. The Council could request that MTA further revise their supplemental claim. Note that MTA may revise or submit claims during the year. – *not recommended at this time*
- c. No alternatives are identified for this resolution executed in October. Any requested revisions should be made to claims submitted by MTA, who subcontracts with the Senior Centers to provide the transportation program services.
- d. No alternatives are identified for the REAP program, under which MCOG has executed a grant funding agreement with State Housing & Community Development Department, now fully claimed for the fifth and final year, with projects of the member local governments completed.
- e. No alternatives are identified for the RuralREN North programs, which are subject to overall budgets developed by the Lead Administrator with the Governing Partners. Note that Executive Director Barrett has estimated multi-year costs to the best of her ability, which can be amended in future years with experience delivering these services.

RECOMMENDATION:

Approve the First Amendment to the FY 2024/25 RTPA & COG Budget by approving the above listed resolutions for execution and authorizing staff to incorporate them with the amended tables into the full budget document package. If desired, this action can be made in a single motion.

Enclosures:

Budget amendment summary table

Four new resolutions for adoption

NOTE: A limited number of print copies of this Budget are made available by request. Copies of the amended Budget will be produced and distributed as needed. The digital version will be available for download on MCOG's website.

Mendocino Council of Governments

Regional Transportation Planning Agency & COG - Fiscal Year 2024/25 Budget

First Amendment - With Executive Committee Recommendations of October 15, 2024 and Previously Approved Allocations

REVENUES	Trans. Devt. Act (TDA)			State			Federal		RuralREN North	TOTALS
	LTF	STA	CRF	PPM	RPA	Various	STBG	5311, 5304		
2024/25 LTF Official County Auditor's Estimate	4,243,383									4,243,383
2023/24 Auditor's Anticipated Shortfall	<u>-658,530</u>									<u>-658,530</u>
Total Local Transportation Fund (LTF) Estimate	3,584,853									3,584,853
2023/24 Auditor's Anticipat'd Unrestricted Balance - Reversed	658,530									658,530
2022/23 Ineligible LTF Due To MCOG from MTA - <i>for reallocation</i>	1,817,757									1,817,757
Carryover - Planning Overall Work Program and RSTP Local Assistance	172,638							301,017		473,655
2024/25 State Transit Assistance - SCO's Revised Estimate, PUC Sec. 99313 and 99314		1,131,819								1,131,819
2024/25 State of Good Repair - SCO's Revised Estimate, PUC Sec. 99313 and 99314						169,327				169,327
STA and SGR - Fund Balance Available for Allocation - <i>2023/24 carryover</i>		175,016				33,180	SGR			208,196
MCOG's Capital Reserve Fund - Balance Available for Transit			10,654							10,654
FTA Section 5311 Program - Annual Regional Apportionment								738,115		738,115
2024/25 STIP Planning, Programming & Monitoring (PPM)				200,000						200,000
2024/25 Rural Planning Assistance					294,000					294,000
2024/25 Climate Adaptation Planning Grant						354,120				354,120
2023/24 Transportation Planning Program - <i>carryover</i>				176,101	77,268			181,823		435,192
2024/25 Surface Transportation Block Grant (STBG) Program							1,045,738			1,045,738
HCD Regional Early Action Planning (REAP) Housing Funds - <i>final carryover</i>						133,356				133,356
2024/25 State Active Transportation Program (ATP)- SR-162 Corridor Multi-Purpose Trail						1,422,305				1,422,305
SHOPP Complete Streets Program - SR-162 Corridor Multi-Purpose Trail						1,104,114				1,104,114
NEW: SB 125 Formula-Based Transit & Intercity Rail Capital Program (TIRCP) & Zero Emission Transit Capital Program (ZETCP)						5,353,525				5,353,525
2024/25 RuralREN North Energy Programs from PG&E Ratepayer Funds									265,189	265,189
LTF Reserve:										
LTF Reserve Balance as of 6/30/2024 - <i>audit pending</i>	# 192,320									
Less LTF Reserve per Policy amended 8.14.2023 - <i>balance at 10%</i>	<u>424,000</u>									
Amount Needed to Backfill Reserve in FY 2024/25	<u>-231,680</u>									<u>-231,680</u>
TOTAL REVENUES	6,002,098	1,306,835	10,654	376,101	371,268	8,569,927	1,346,755	919,938	265,189	19,168,765
ALLOCATIONS										
2024/25 Administration & RuralREN North Programs	574,900					5,536	89,453		265,189	935,078
2% Bicycle & Pedestrian - 2024/25 LTF Estimate less Admin. x .02	73,370									73,370
2024/25 Planning Overall Work Program (OWP) - <i>new funds at 3% per TDA</i>	127,301			200,000	294,000					
Carryover Funds - See OWP Summary - 2nd Amendment	172,638			176,101	77,268	354,120		181,823	Total OWP:	1,583,251
Total Administration, Bike & Ped., Planning and RuralREN North	948,209	0	0	376,101	371,268	359,656	89,453	181,823	265,189	2,591,699
Less Non-Transit Funding Sources - <i>ATP, SHOPP, SB 125 Admin., RuralREN</i>						-2,637,055				
BALANCE AVAILABLE FOR TRANSIT	5,053,889	1,306,835	10,654	0	0	5,932,872	0	738,115	0	13,042,365
Mendocino Transit Authority Claims:										
MTA Operations - <i>original claim and reallocator</i>	3,446,637	1,197,778								4,644,415
Unmet Transit Needs	0									0
Senior Centers Operations - <i>original claim and reallocator</i>	600,000									600,000
LTF Reserve Fund Contribution - <i>reallocation (half of 2-year repayment)</i>	95,587									95,587
Capital Reserve Fund Contribution - <i>reallocation</i>	300,000		0							300,000
Capital Program, MTA Current Year - <i>reallocation</i>	500,000		0			27,900	SGR claim Dec. 2024			500,000
Capital Program, Long Term (Five Year Plan)			0							0
Total Transit Allocations	4,942,224	1,197,778	0	376,101	371,268	3,047,090	1,045,191	181,823	265,189	6,140,002
Other Allocations:										
RSTP for MCOG Partnership Fund							100,000			100,000
RSTP for County & Cities Projects by Formula							855,738			855,738
New SB 125 for Administration						27,659				
REAP for Admin., County & Cities Projects by Formula						133,356				133,356
ATP Infrastructure Grants - SR162 Corridor Multi-Purpose Trail						1,422,305				1,422,305
SHOPP Complete Streets for SR-162 Corridor Multi-Purpose Trail						1,104,114				1,104,114
TOTAL ALLOCATIONS	5,890,433	1,197,778	0	376,101	371,268	3,047,090	1,045,191	181,823	265,189	12,374,872
Balance Remaining for Later Allocation	111,665	109,057	10,654	0	0	5,522,837	301,564	738,115	0	6,793,893

MENDOCINO COUNCIL OF GOVERNMENTS

BOARD of DIRECTORS

RESOLUTION No. M2024-____

REVISING ALLOCATION OF FISCAL YEAR 2024/25 FUNDS and
2023/24 CARRYOVER FUNDS for ADMINISTRATION,
BICYCLE & PEDESTRIAN FACILITIES, PLANNING and RESERVES,
SUPERSEDING RESOLUTION #M2024-03

WHEREAS,

1. Mendocino Council of Governments (MCOG) is the designated Regional Transportation Planning Agency (RTPA) for Mendocino County;
2. The total 2024/25 Local Transportation Fund (LTF) revenue has been estimated at \$4,243,383 by the Acting Mendocino County Auditor-Controller/Treasurer-Tax Collector, less an estimated shortfall of \$658,530 from prior-year allocated LTF revenues;
3. The LTF Reserve fund balance is \$579,553 after withdrawals of an audited 2022/23 budget shortfall of Local Transportation Funds at \$593,588; further net withdrawals of \$402,921 ~~are anticipated~~ *were made* for FY 2023/24, leaving an ~~estimated~~ *actual* balance of ~~\$176,632~~ *\$192,320 after interest earnings*; the Executive Committee recommended setting aside \$424,000 for the FY 2024/25 LTF Reserve fund balance (at least five percent of the County Auditor-Controller's fund estimate according to policy), requiring ~~\$247,368~~ *\$231,680* of new LTF revenue;
4. *The fiscal audit of Mendocino Transit Authority (MTA) for the year ended June 30, 2023 found a portion of LTF funds to be ineligible in the fiscal year, recommended by staff, consultants and Executive Committee to be recovered and reallocated in the amount of \$1,817,757, adding to available revenues in FY 2024/25;*
5. Total revenue from all LTF sources available for allocation is estimated at ~~\$4,065,697~~ *\$6,002,098* after back-filling the LTF Reserve; other funding sources include Surface Transportation Block Grant (STBG) program, *new RuralREN North funds*, and state grants;
6. Dow & Associates shall have the management responsibility for the 2024/25 overall approved Administration budget of up to ~~\$713,789~~ *\$935,078* from several funding sources, attached and incorporated herein as **Exhibit A**, which includes professional services, *program services staffing*, and other direct costs;
7. Dow & Associates shall have the management responsibility for Surface Transportation Block Grant Program funds for regional project management activities, also referred to as Local Assistance-Project Delivery, itemized in **Exhibit A**;
8. Dow & Associates shall have the management responsibility for Active Transportation Program state grants for the SR 162 Corridor Multipurpose Trail in Covelo, Phases I and II at an estimated \$2,526,419 carried over;
9. Davey-Bates Consulting shall have the management responsibility for the 2024/25 approved Overall Work Program (OWP) as amended and transportation planning and related projects, a budget summary of which is attached and incorporated herein as **Exhibit B**, in the amount of ~~\$970,166~~ *\$1,583,251 as amended October 7, 2024;*

10. The Planning allocation to the 2024/25 Overall Work Program, for transportation planning and related projects, will be provided from 2024/25 LTF revenues, reallocation of prior-year local carryover funds, state and federal sources;
11. Dow & Associates and Davey-Bates Consulting shall be responsible for providing grant administration and management of Regional Early Action Planning (REAP) prior-year funds carried forward from California Department of Housing and Community Development (HCD), allocated by separate budget resolution;
12. Dow & Associates shall have the management responsibility for the new SB 125 Formula-Based Transit & Intercity Rail Capital Program (TIRCP) and Zero Emission Transit Capital Program (ZETCP) when released in the State budget, allocated by separate resolution;
- 13. Dow & Associates shall have the management responsibility for the new RuralREN North (Regional Energy Network) program services, allocated by separate resolution; and**
14. Allocation for Bicycle & Pedestrian facilities are allowable at no more than two percent (2%) of the LTF funds remaining after allocation for Administration; \$73,770 shall be allocated for 2024/25; therefore, be it

RESOLVED, THAT:

1. MCOG hereby allocates available revenues for FY 2024/25 as follows.

USE	AUTHORITY	SOURCE	FISCAL YEAR	AMOUNT	TOTALS
LTF Reserve	MCOG Policy per CCR Sec. 6655.1, 6655.5	LTF	2024/25	247,368 231,680	247,368 231,680
MCOG Administration	PUC Sec. 99233.1	LTF	2024/25	554,900 574,900	554,900 574,900
	Surface Transportation Block Grant Program (STBG)	MCOG Local Assistance – Project Delivery	2024/25	115,813 89,453	115,813 89,453
	SB99/AB101 of 2013 - CA Transportation Commission	Active Transportation Program (ATP) Infrastructure Grants	2020/21	1,422,305	1,422,305
	State Highway Operations & Protection Program (SHOPP)	Complete Streets Program	2022/23	1,104,114	1,104,114
	CA Public Utilities Commission (CPUC)	RuralREN North (Regional Energy Network) Programs	2024/25	265,189	265,189
Bicycle & Pedestrian Facilities	PUC Sec. 99233.3	LTF	2024/25	73,770	73,770
Planning Overall Work Program (OWP)	CCR Sec. 99233.2	LTF	2024/25	127,301	186,329 299,939
			2023/24	59,028 172,638	

	Senate Bill 45	Planning, Programming & Monitoring (PPM)	2024/25	200,000	288,042
			2023/24	88,042 176,101	376,101
	State Highway Account (SHA)	Rural Planning Assistance (RPA)	2024/25	294,000	363,000
			2024/25	65,000 73,268	371,268
			2023/24	4,000	
	Federal Transit Administration (FTA) Section 5304	Caltrans Sustainable Transportation Planning Grant	2023/24	132,795 181,823	132,795 181,823
	State Highway Account (SHA)	Caltrans Climate Adaptation Grant	2024/25	354,120	354,120
			Subtotal OWP	970,166 1,583,251	
			Total Allocations		4,488,436 5,344,662

2. Any amendment to the Overall Work Program approved by MCOG’s Board of Directors may result in a revised OWP budget.

ADOPTION OF THIS RESOLUTION was moved by Director _____, seconded by Director _____, and approved on this 2nd day of December, 2024, by the following roll call vote:

- AYES:
- NOES:
- ABSTAINING:
- ABSENT:

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED.

ATTEST: Nephele Barrett, Executive Director

John Haschak, Vice Chair

**MCOG Administration
FY 2024/25 Budget**

**Board of Directors Approved
June 3 and August 12, 2024**

With Updates Proposed by Staff and Executive Committee for Approval Dec. 2, 2024

Note:

Funding Source	TDA/LTF	STBG	Other	Total	%
Proposed Administration Budget	574,900	89,453	271,549	935,902	100%
Staffing Contract					
Dow & Associates Administrative & Fiscal Services	518,520	89,453			
Other funds that may be claimed in place of LTF or STBG:					
REAP carryover available for Admin.			824		
Portion of SB 125 allocated for Admin.			5,536		
<i>Dow & Associates RuralREN North Program Services</i>					
<i>RuralREN North funds allocated for staffing</i>			245,439		
Total Staffing Contract				859,772	92%
Other Direct Costs					
Memberships - CALCOG, NSSR, CALACT	5,580	-	-	5,580	0.6%
Fiscal Audits of MCOG and MTA	26,000	-	-	26,000	2.8%
Performance Audit	7,500	-	-	7,500	0.8%
County Auditor-Controller	5,000	-	-	5,000	0.5%
Legal Counsel	1,200	-	-	1,200	0.1%
Travel and Training	7,500	-	-	7,500	0.8%
Communications	2,400	-	-	2,400	0.3%
Contingency / Miscellaneous	1,200	-	-	1,200	0.1%
RuralREN North Other Expenses & Travel			19,750	19,750	
Total Other Direct Costs	56,380	-	19,750	76,130	8%

A - TDA
B - STBG

C
D

E
F

G

LEGEND

- TDA/LTF = Transportation Development Act, source of Local Transportation Funds (1/4 cent sales tax)
- STBG = Surface Transportation Block Grant Program, aka RSTP (federal source exchanged for state funds)
- REAP = Regional Early Action Planning from State Housing & Community Devt. for housing activities
- SB 125 = Senate Bill program started in 2023 for Transit Capital and Zero Emission Transit (see Note C)

NOTES

- A) TDA/LTF Admin. at \$574,900 is 13.5% of County Auditor's Estimate of new sales tax revenues (\$4,243,383), up from 11.4% last year.
- B) Less than \$90,000 of new funds and \$0 of prior-year unexpended funds (due to staff position vacancies) from STBG program, a.k.a. RSTP.
- C) When REAP funds are claimed, contractor's invoice reduces LTF claimed; not to exceed the total Dow & Associates staffing contract.
REAP funds were fully expended prior to this budget amendment.
- D) SB 125 created the Formula-Based Transit & Intercity Rail Capital Program (TIRCP) & Zero Emission Transit Capital Program (ZETCP).
The amount drawn for Administration may be more (up to amount in SB 125 allocating resolution) depending on work required in 2024/25.
- E) A new 5-year procurement is required. Estimated Fiscal Audit costs for 2024: MCOG \$12,500; Mendocino Transit Authority \$13,500.
- F) The Triennial Performance Audit expense occurs in FY 2024/25 at budget of \$22,500.
FY 2022/23 started a 3-year cycle of set-asides for the next audit (\$7,500 annually).
- G) Communications expenses have included website hosting, meeting space rentals, meals, miscellaneous legal notices and printing.

MENDOCINO COUNCIL OF GOVERNMENTS

BOARD of DIRECTORS

RESOLUTION No. M2024-___

REALLOCATING FISCAL YEAR 2022/23 LOCAL TRANSPORTATION FUNDS TO MENDOCINO TRANSIT AUTHORITY

WHEREAS,

- The Mendocino Council of Governments (MCOG) is the designated Regional Transportation Planning Agency (RTPA) for Mendocino County;
- Mendocino Transit Authority (MTA)'s 2022/23 annual fiscal audit, and a subsequent single audit of federal funds for that year, confirmed that Local Transportation Funds (LTF) allocated by MCOG, according to the Transportation Development Act (TDA), exceeded the amount eligible for the year based on actual operating costs;
- MCOG made a finding in its allocating Resolution #M2024-05 that *“An estimated \$1,750,000 of LTF operations funding, and an amount of capital funds to be determined, will be recovered by MCOG through a process to be negotiated with MTA and reallocated in an amendment and/or future budgets”*;
- MCOG staff met several times with MTA management and its consultants to research regulatory codes and review calculations of the amount of over-allocated funds, and to negotiate several options for recovery and reallocation of the funds, and presented two options to MCOG's Executive Committee;
- As a result of initial meetings, MTA submitted a revised claim dated September 24, 2024, claiming an increase of funds in the amount of \$81,593, bringing their total Seniors Transportation Program allocation to \$600,000, offset by \$81,593 as the first tranche of audited ineligible FY 2022/23 LTF funds due to be returned to MCOG, approved on October 7, 2024 by Resolution #M2024-11;
- The Executive Committee met on October 15, 2024, considered the material presented, and recommended one of the recovery and reallocation options for approval by the full Council, identifying \$1,817,756 to be recovered and reallocated by MCOG;
- As the designated Consolidated Transportation Services Agency (CTSA) for Mendocino County, MTA submitted a supplemental claim on November 25, 2024 for funding for public transportation purposes in accordance with TDA regulations and MCOG's adopted policies, consistent with the Executive Committee recommendation, and attached hereto as **Exhibit C**;
- Based on all of the above and in accordance with TDA and MCOG allocation priorities, the total 2022/23 LTF funds available for reallocation are \$1,817,757, less \$20,000 to augment MCOG Administration and replace an over-reliance on other sources, less \$81,583 already allocated to the contracted Seniors Transportation Program, resulting in \$1,716,174 of LTF available to claim for public transit as part of a repayment plan to MCOG; therefore, be it

RESOLVED, THAT:

MCOG hereby reallocates Local Transportation Funds to MTA as follows:

1.

AUTHORITY		SOURCE	USE	AMOUNT
A.	PUC Sec. 99260(a)	Local Transportation Fund (LTF)	MTA Operations	725,000
	PUC Sec. 99260(a)		Unmet Transit Needs	0
	PUC Sec. 99400(c)		Senior Center Operations	0
	PUC Sec. 99260(a)		Transit Capital Projects	500,000
			Total LTF to Operations & Capital	1,225,000
B.	CCR Sec. 6648	Reserve Funds	Capital Reserve Fund	300,000
	CCR Sec. 6655.1		LTF Reserve Fund	191,173
			Total LTF to Reserves	491,173
		Total LTF and Reserve Allocations	1,716,173	
		Rounding error	1	
		2022/23 Ineligible LTF to be Returned by MTA	1,716,174	

2. Methods of recovery of the funds are to be negotiated with MTA, with some combination of lump sum transfer, a repayment schedule, reduction of monthly allocation payments, and an accounting record of returned funds against the reallocated funds.

3. Additionally, MCOG makes the following required findings from Article 5, Section 6754 of the California Code of Regulations, regarding STA and LTF eligibility and fund allocation (refer to documentation on file):

A. MCOG as the regional entity may allocate funds to an operator or a transit service claimant on the basis of all these findings:

a. The claimant’s proposed expenditures are in conformity with the Regional Transportation Plan.

b. The level of passenger fares and charges is sufficient to enable the operator or transit service claimant to meet the fare revenue requirements of Public Utilities Code (PUC) Section 99268.2, 99268.3, 99268.4, 99268.5, and 99268.9, as they may be applicable to the claimant. The most recent fiscal audit dated June 30, 2023 confirmed that MTA’s farebox ratio of 3.5% had not met the ten percent ratio required by Senate Bill 508, (effective July 1, 2016); however, State legislation continued to waive this regulation under COVID-19 pandemic relief.

c. The claimant is making full use of federal funds available under the Urban Mass Transportation Act of 1964 as amended, now referred to as the Federal Transit Administration (FTA). Operating assistance funds were claimed in FY 2022/23 for COVID-19 pandemic relief that caused MTA to exceed eligibility for TDA funds received in that audited fiscal year.

- d. Of five measures for analysis on eligibility for Capital and Operations for use by both LTF and STA funds that were applied by the independent auditor in the most recent fiscal audit (ending June 30, 2023), two were not met, one was met, and one was waived by legislation according to the auditor's report, and the remaining measure did not apply to MTA.
 1. The sum of the claimant's allocations from LTF (TDA) did exceed the amount the claimant is eligible to receive during the fiscal year for operating.
 2. The sum of the claimant's allocations from LTF (TDA) did exceed the amount the claimant is eligible to receive during the fiscal year for capital.
 3. The claimant's subcontractors (senior centers) did not exceed the eligibility criteria for LTF and STA funds during the fiscal year.
 4. The sum of the claimant's allocations from STA did exceed the amount the claimant is eligible to receive during the fiscal year for operations purposes according to efficiency standards. For the fiscal year audited, all of the STA funds claimed by MTA were for operating purposes. State Assembly Bill 90 provided statutory relief due to the COVID-19 pandemic.
 5. The fifth measure pertains to passenger rail eligibility and was not applicable for the fiscal year audited.

An estimated \$1,716,174 of LTF operations funding will be recovered by MCOG under this reallocating resolution in FY 2024/25 and 2025/26. An amount of STA capital funds remains to be determined for recovery.

- B. MCOG as the regional entity may allocate funds to an operator for any transit-related purpose (as specified in Section 6730) on the basis of all these findings:
 - a. The operator has made a reasonable effort to implement the productivity improvements recommended pursuant to PUC Section 99244. This finding shall make specific reference to the improvements recommended and to the efforts made by the operator to implement them. On May 2, 2024, the Transit Productivity Committee (TPC) reviewed performance data through December 31, 2023 reporting improvement in fixed route performance, maintenance of effort by DAR and by Senior Centers specialized services as a whole, and cost reduction for all service types over the past year, and also noting opportunities to support and market specialized transportation services provided by the Senior Centers to help increase ridership.
 - b. The California Highway Patrol has certified, within the last 13 months and prior to filing claims, that the operator is in compliance with Section 1808.1 of the Vehicle Code, as required by PUC Section 99251.
 - c. The operator is not in compliance with the eligibility requirements of PUC Section 99314 as applicable (relative to STA funds); however, State Assembly Bill 90 provided statutory relief due to COVID-19.

4. The above allocations are to be distributed to MTA in conformance with allocation instructions as submitted by MCOG's Executive Director to the County Auditor-Controller.

ADOPTION OF THIS RESOLUTION was moved by Director _____, seconded by Director _____, and approved on this 2nd day of December, 2024, by the following roll call vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED.

ATTEST: Nephele Barrett, Executive Director

John Haschak, Vice Chair



SERVING MENDOCINO COUNTY SINCE 1976

November 22nd, 2024

Ms. Nephele Barrett, Executive Director
 Mendocino Council of Governments
 525 South State Street, Suite B
 Ukiah, CA 95482

Dear Nephele,

Here is our Supplemental Claim to Reallocate 2022/23 Local Transportation Funds for Fiscal Year 2024-2025:

In summary, MTA is requesting:

AUTHORITY		SOURCE	USE	AMOUNT
A.	PUC Sec. 99260(a)	Local	MTA Operations	725,000
	PUC Sec. 99260(a)	Transportation	Unmet Transit Needs	0
	PUC Sec. 99400(c)	Fund (LTF)	Senior Center Operations	0
	PUC Sec. 99260(a)		Transit Capital Projects	500,000
			Total LTF to Operations & Capital	1,225,000
B.	CCR Sec. 6648	Reserve	Capital Reserve Fund	300,000
	CCR Sec. 6655.1	Funds	LTF Reserve Fund	191,173
			Total LTF to Reserves	491,173
		Total LTF and Reserve Allocations		1,716,173
		Rounding error		1
		2022/23 Ineligible LTF to be Returned by MTA		1,716,174

We understand after your Resolution is approved at MCOG's December meeting; we will be negotiating with you the details of a repayment plan before the December LTF payment to MTA.

Regards,

A handwritten signature in black ink, appearing to read "Jacob King". The signature is fluid and cursive, with the first name "Jacob" and last name "King" clearly distinguishable.

Jacob King
Executive Director

Cc: Budget File

MENDOCINO COUNCIL OF GOVERNMENTS

BOARD of DIRECTORS

RESOLUTION No. M2024-___

REVISING ALLOCATION OF FISCAL YEAR 2023/24 CARRYOVER
REGIONAL EARLY ACTION PLANNING (REAP) PROGRAM
GRANT FUNDS FOR FY 2024/25
SUPERSEDING RESOLUTION #M2024-07

WHEREAS,

- The California Department of Housing and Community Development (HCD) is authorized to provide up to \$125,000,000 under the Local Government Planning Support Grants Program to Councils of Governments and other Regional Entities (as described in Health and Safety Code section 50515.02), including the Regional Early Action Planning (REAP) Program;
- The Mendocino Council of Governments (MCOG) is the Regional Entity in Mendocino County eligible to apply for and receive said funds and may execute a Master Fund Agreement with HCD;
- To this end, MCOG amended its Joint Powers Agreement (JPA) in 2020 to add housing matters as a specific power, with all five member agencies approving by resolution;
- REAP funds were available to MCOG at \$383,245 for activities that “increase housing planning and accelerate housing production” with eligible activities that include providing technical assistance, performing infrastructure planning, and conducting feasibility studies;
- Funds may be suballocated to cities and counties for these activities, MCOG staff consulted with member agencies’ staff, and on November 2, 2020, MCOG approved a distribution formula for suballocation and amended the budget December 7, 2020; a REAP application was submitted January 29, 2021, revised May 11, 2021, and a Master Agreement with HCD was executed February 11, 2022 to receive the funds;
- A portion of the \$38,325 (ten percent) for Grant Administration & Management was expended in Fiscal Years 2020/21, 2021/22, 2022/23 and 2023/24, and City and County suballocations were partially or fully expended; and
- *Reallocation of unexpended balances among the claimants for allowable costs of eligible activities was approved by HCD on August 8, 2024 and by MCOG on August 12, 2024, anticipating that the grant funds would expire September 30, 2024, and a final reimbursement invoice was submitted to HCD on November 5, 2024;* therefore, be it

RESOLVED, THAT:

1. MCOG hereby carries over ~~estimated~~ **remaining** REAP funds to 2024/25, allocated as follows.

RECIPIENT	AMOUNT	TOTALS
MCOG Grant Administration & Management		15,417
		823.72

Formula Distribution to MCOG Member Agencies (rounded to nearest dollar)	County of Mendocino	125,051 <i>0</i>	171,461 <i>132,531.93</i>
	City of Ukiah	0 <i>25,912.16</i>	
	City of Fort Bragg	46,410 <i>80,581.77</i>	
	City of Willits	0 <i>26,038.00</i>	
	City of Point Arena	0	
TOTAL			186,193 <i>133,355.65</i>

ADOPTION OF THIS RESOLUTION was moved by Director _____, seconded by Director _____, and approved on this 2nd day of December, 2024, by the following roll call vote:

- AYES:
- NOES:
- ABSTAINING:
- ABSENT:

WHEREUPON, the Vice Chair declared the resolution adopted, AND SO ORDERED.

ATTEST: Nephele Barrett, Executive Director

John Haschak, Vice Chair

MENDOCINO COUNCIL OF GOVERNMENTS

BOARD of DIRECTORS

RESOLUTION No. M2024-___

ALLOCATING FY 2024/25 FUNDS FOR RURALREN NORTH PROGRAMS AND AUTHORIZING EXECUTIVE DIRECTOR TO SIGN PRE-LAUNCH CONTRACT AND SUBSEQUENT FUNDING AGREEMENTS

WHEREAS,

- In February 2022, the Mendocino Council of Governments (MCOG) approved a Memorandum of Understanding (MOU) with Redwood Coast Energy Authority (RCEA) and Lake Area Planning Council (Lake APC) to participate as a subcontractor to RCEA in the recently formed Rural Regional Energy Network (RuralREN), and this RuralREN was approved by the California Public Utilities Commission (CPUC) in June 2023;
- On September 26, 2024, the CPUC issued its Decision Modifying Rural Regional Energy Network Approved in Decision 23-06-055, and divided the RuralREN into RuralREN North (comprising the North Coast and North Sierra Regions) and RuralREN Central (comprising the Central Coast, San Joaquin Valley and High Sierra Regions), in which MCOG would become a full partner able to use public purpose program funds paid by ratepayers to plan, administer, and implement energy efficiency programs;
- The 2022 MOU between RCEA, MCOG and Lake APC is being terminated, and a new RuralREN North Memorandum of Agreement (MOA) and Bylaws have been reviewed by each partner agency and its legal counsel and is ready to execute before launching programs in 2025;
- On December 2, 2024 the MCOG Board approved the RuralREN North MOA and Bylaws and authorized the Executive Director and County Counsel to sign on behalf of the Mendocino Council of Governments;
- A Pre-Launch Contract and subsequent Funding Agreements also will be required with RCEA as Lead Administrator of the RuralREN North, in order to receive funding and deliver these needed energy and cost saving programs in Mendocino County; and
- The RuralREN North is developing a four-year budget, of which this 2024/25 allocation is a portion to fund program staffing services and associated direct costs such as travel; this allocation does not include rebates, incentives, or loan seed funding, which is not anticipated to be held by MCOG, but instead by RCEA and/or third parties to be available for all four partners of the RuralREN North; therefore, be it

RESOLVED, THAT:

1. The Executive Director is authorized to sign a Pre-Launch Contract and subsequent Funding Agreements with Redwood Coast Energy Authority as Lead Administrator as needed to receive funding and deliver RuralREN North programs to the Mendocino countywide region.

2. The Mendocino Council of Governments hereby allocates FY 2024/25 funds received for RuralREN North programs under these contracts and agreements, summarized as follows:

RuralREN North Program Services		
Dow & Associates Staffing Contract	245,439	
Other Expenses and Travel	19,750	
Total 2024/25 Allocation		265,189

ADOPTION OF THIS RESOLUTION was moved by Director _____, seconded by Director _____, and approved on this 2nd day of December, 2024, by the following roll call vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED.

ATTEST: Nephele Barrett, Executive Director

John Haschak, Vice Chair

2025 MCOG BOARD MEETING CALENDAR

1st Monday at 1:30 pm, 9-10 months per year

As of 11.22.2024 – subject to change
First Draft for Review & Comment

Date	Planned Highlights and Recurring Actions	Notes
January	No meeting this month	
February 3	Election of Officers and Committee Appointments <u>Social Services Transportation Advisory Council (SSTAC) Recommendations:</u> 2025/26 Unmet Transit Needs - Public Hearing	
March 3	<u>Staff and Executive Committee Recommendations:</u> Draft 2025/26 Budget – No Action	Meet as needed
April 7	Regular Business	
May 5	Fiscal Year 2025/26 Budget Workshop Including: <u>Staff and TAC Recommendations:</u> Planning Overall Work Program <u>Transit Productivity Committee (TPC) Recommendations:</u> Unmet Transit Needs Reasonable-to-Meet Finding Funding of MTA's Annual Transit Claim	
June 9	<u>Combined Recommendations of Staff & Committees:</u> Adoption of 2025/26 Regional Transportation Planning Agency Budget <u>TAC Recommendations:</u> Adoption of 2025/26 Planning Overall Work Program	
July	No meeting this month	
August 18	Regular Business	Change to third Monday – this month only
September	No meeting this month	
October 6	Regular Business / Optional Tour of Plans & Projects – <i>TBD</i>	All-day field trip and community meeting
November 3	Discussion/Direction: Draft Regional Trans. Improvement Program (RTIP)	
December 1	Adoption of Final 2026 Regional Transportation Plan (RTP) – tentative	

Related Meetings of Interest / Educational Options

March 5-7	CALCOG Delegates: 2025 Regional Leadership Forum – Sacramento California Association of Councils of Governments (calcog.org)	Assn. of regional agencies; networking & current issues
???	2025 CTF Transportation Forum – Sacramento California Transportation Foundation (the-ctf.org)	CA's leading charitable transportation organization
November 16-18	Self Help Counties Coalition: 2025 Focus on the Future Conference, San Francisco http://www.selfhelpcounties.org/focus/	25 local agencies with transportation sales taxes



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda #13d
Reports
MCOG Meeting
12/02/2024

STAFF REPORT

TITLE: Summary of Meetings

DATE PREPARED: 11/22/2024

SUBMITTED BY: Jody Lowblad, Administrative Assistant

BACKGROUND: Since our last regular MCOG meeting packet, MCOG Administration and Planning staff have attended (or will have attended) the following meetings on behalf of MCOG:

Date	Meeting/Event	Staff
Nov 5	Noyo Harbor Project Team Monthly Meeting	Barrett & Ellard
Nov 6	RuralREN North (Regional Energy Network)- In-Person Training Eureka	Orth
Nov 6	Round Valley MAC- RTP Report	Sookne
Nov 6	RuralREN North (Regional Energy Network)- In-Person Meeting Eureka	Barrett & Orth
Nov 7	GMAC Meeting RTP Report- Zoom	Sookne
Nov 13	RuralREN North (Regional Energy Network) Partners Meeting	Barrett & Orth
Nov 13	Redwood Valley MAC- RTP Report	Pedrotti & Sookne
Nov 14	Richardson Grove Meeting w/Caltrans	Barrett
Nov 14	RuralREN North (Regional Energy Network) Marketing Meeting	Barrett
Nov 15	Covelo Product Development Team (PDT)	Barrett & Sookne
Nov 15	Rural Counties Task Force (RCTF) Meeting	Barrett
Nov 19	RuralREN North (Regional Energy Network) Meeting- Residential Programs	Barrett & Orth
Nov 20	MCOG TAC Meeting	Barrett, Ellard, Parker, Sookne, Pedrotti & Villa
Nov 20	Anderson Valley CSD- RTP Report	Ellard
Nov 21	Strategic Highway Safety Plan (SHSP) Steering Committee	Barrett
Nov 21	Laytonville MAC- RTP	Pedrotti
Nov 26	RuralREN North Partners Meeting	Orth

We will provide information to the Board regarding the outcome of any of these meetings as requested.

ACTION REQUIRED: None.

ALTERNATIVES: None identified.

RECOMMENDATION: None. This is for information only.