

MENDOCINO COUNCIL OF GOVERNMENTS

APPROVED MINUTES

Monday, May 6, 2024

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
Caltrans District 1, 1656 Union St., Eureka

General Public Teleconference by Zoom

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:

Mendocino Regional Transportation Planning Agency (RTPA) and
Mendocino County Service Authority for Freeway Emergencies (SAFE)

1. Call to Order and Roll Call. The meeting was called to order at 1:31 p.m. with Directors present: John Haschak, Mike Carter, Josefina Duenas, Bernie Norvell, Greta Kanne and Dan Gjerde in Ukiah; and Tatiana Ahlstrand (Caltrans/PAC) in Eureka. Chair Gjerde presiding. Director Jeff Hansen was excused by prior arrangement.

Guests: Consultants Maura Twomey and Diane Eidam of Regional Analysis & Planning Services (RAPS) were present in Ukiah.

Staff present in Ukiah: Nephele Barrett, Executive Director; Janet Orth, Deputy Director & CFO; Loretta Ellard, Deputy Planner; and Jody Lowblad, Administrative Assistant.

Staff present by Zoom: Lisa Davey-Bates, Transportation Planner; Alexis Pedrotti, Project Manager; James Sookne, Program Manager; and Michael Villa, Project Coordinator.

2. Assembly Bill 2449 Notifications and Considerations. This item is 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. There were no such requests.

3. Approval of Executive Committee Recommendations of April 15, 2024 – CLOSED SESSION pursuant to Government Code § 54957 (Optional) – Direction to the Procurement Consultant, Regional Analysis & Planning Services (RAPS), to Negotiate Contracts for Administrative & Fiscal Services and Planning Services, for the Board of Directors’ Consideration at the June 3, 2024 Meeting. Chair Gjerde summarized procedures done to date for Administration and Planning staff contracts. He introduced the outside consultants leading the procurement process, Maura Twomey and Diane Eidam of RAPS, a nonprofit division of the Association of Monterey Bay Area Governments (AMBAG). Ms. Twomey reported meeting with the Executive Committee to outline the scope of services. RAPS issued a Request for Proposals

(RFP) in accordance with MCOG standards and California Public Policy codes. Proposals were later received and reviewed by the committee. She then invited questions.

Chair Gjerde asked to elaborate on reasons for this RFP process, as MCOG contracts for these services. Ms. Twomey explained that only a few small RTPAs, mostly in the north state, contract out for staff in California, so this is an unusual RFP to issue. Chair Gjerde reported the committee's recommendation and next steps. Ms. Twomey concurred that the recommendation was to make an award to two consulting firms, then negotiate contracts. The closed session option was offered for questions about the proposals, but not required; no one requested the closed session.

Director Haschak moved to approve the Executive Committee's recommendation, seconded by Carter. **Discussion on the motion:** The Chair invited Public comment; none was heard. **The motion carried** unanimously on roll call vote (*6 Ayes – Haschak, Carter, Duenas, Norvell, Kanne, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent – Hansen*): IT IS ORDERED that the Executive Committee recommendations are approved to direct Regional Analysis & Planning Services to negotiate contracts for Administrative & Fiscal Services and Planning Services, for the Board of Directors' consideration at the June 3, 2024 meeting.

Chair Gjerde suggested that Ms. Twomey and Ms. Eidam attend the June meeting by Zoom; they agreed to that. In Board discussion, Vice Chair Haschak said there were two contracts and one applicant for each of the contracts, but he thought the agency was very well served in both regards. Director Gjerde agreed, commenting that MCOG has received substantially more transportation grants than similar rural counties, largely due to staff's efforts.

4. Convene as RTPA

5. Recess as RTPA – Reconvene as Policy Advisory Committee

6 - 8. Consent Calendar. Upon motion by Norvell, second by Haschak, and carried unanimously on roll call vote (*7 Ayes – Haschak, Carter, Duenas, Norvell, Kanne, Ahlstrand/PAC and Gjerde; 0 Noes; 0 Abstaining; 1 Absent*): IT IS ORDERED that consent items are approved.

6. Approval of March 4 and April 17, 2024 Minutes – *as written*

7. Approval of February 29 and April 15, 2024 Executive Committee Minutes – *as written*

8. Acceptance of 2022/23 Fiscal Audit of Mendocino Transit Authority – *MTA received a compliant audit.*

9. Public Expression. Steve Henderson, a.k.a. Gizmo, introduced himself and presented a letter, intended to be addressed to the California Highway Patrol (CHP), Department of Motor Vehicles (DMV) Safety Division, and Caltrans. He would like it to be considered on MCOG's next meeting agenda for a signature in support. He then read the sample letter into the record and provided a copy. The letter urges safety measures for ball-type drawbar style trailers sold in California, such as to create a compliance sticker, educational pamphlet and best practices video to address correct installation of trailer chains so as to prevent ignition of wildfires.

Staff reported a letter received from the GrassRoots Institute requesting membership in a Noyo Harbor Multimodal Circulation Plan advisory group. Peter McNamee was present on Zoom to comment on the letter he sent and, with staff's concurrence, saved comments for Agenda #14f, Reports.

10. Fiscal Year 2024/25 RTPA Budget Presentation & Workshop. Ms. Orth gave a slide presentation of highlights and noted attachments in the agenda packet. The draft budget involves several uncertainties: Local Transportation Funds (LTF) from sales tax pending a possible revised estimate by the Acting County Auditor-Controller; estimated Administrative costs until a new contract is negotiated; and a

Governor’s freeze on new transit revenues pending the state budget. Local sales tax revenue is returning to pre-pandemic levels, having depleted the unusual surpluses of 2020/21 and 2021/22, while costs have risen, creating budget challenges. The County Auditor-Controller’s estimate of local sales tax revenues is flat, at the same level as the 2023/24 revised estimate of \$4.2 million. State Transit Assistance (STA) from fuel taxes is up, with a State Controller’s estimate over \$1 million for a second year. The budget includes \$5.3 million of new transit funds from the SB 125 Formula-Based Transit & Intercity Rail Capital Program (TIRCP) and Zero Emission Transit Capital Program (ZETCP), as MCOG adopted an Allocation Plan last December, with no expenditure deadline. As noted, these funds are pending, so estimated revenues in the draft budget from all local, state and federal sources total \$15.5 million if the new SB 125 transit funds are included or \$10.2 million without counting those.

Details covered in her written staff report and the presentation included:

- a. Report of Revenues Fiscal Year to Date 2023/24. Local Transportation Fund (LTF) sales tax receipts from July 2023 through February 2024 total \$2,932,184, for a surplus of \$103,262 (2.4%) compared to the revised budget estimate of \$4,243,383. The revised County Auditor’s estimate predicts a shortfall of \$658,530 at fiscal year end (refer to 2024/25 draft budget); any actual budget shortfall is to be covered by LTF Reserve funds, per MCOG’s amendment.
- b. Executive Committee Recommendations of February 29, 2024 – Revenues & Allocations. The Executive Committee unanimously recommended a draft budget that allocates LTF funds for Reserves, MCOG Administration (\$554,900 estimated), 2% Bicycle & Pedestrian (73,770), Planning (127,301), and the remainder available for Transit (\$3,240,044), consistent with established priorities for Local Transportation Funds. The recommendation reduces LTF Reserve for transit from 15 percent (\$637,000) to ten percent (\$424,000), requiring \$247,368 of new revenue in this proposal.
- c. Technical Advisory Committee Recommendation of April 24, 2024 – Final Planning Overall Work Program. The Technical Advisory Committee (TAC) reviewed and recommended the Draft Transportation Planning Overall Work Program (OWP) and comments were received from Caltrans; a total of \$970,166 was proposed from all funding sources for the Planning program. This amount is expected to be amended as new grants and unexpended 2023/24 funds to carry over are identified for multi-year projects. The amount of LTF funds is on target at three percent (\$127,301). Planning funds are stable with multiple sources available.
- d. Transit Productivity Committee Recommendations of May 2, 2024 – Mendocino Transit Authority’s Annual Transit Claim and Unmet Transit Needs. The TPC met and reviewed the annual transit claim from Mendocino Transit Authority (MTA) claiming all available LTF and STA funds, for a total of \$4,437,822. The TPC recommended approval as submitted. LTF funds available for MTA and Senior Centers shows a decrease of 25% (\$1,112,987) from last year, originally estimated at more than \$4 million for a third successive year, later revised downward by the Acting County Auditor-Controller.

Also reviewed was MTA’s analysis of the needs list; the TPC recommended a finding that “there are Unmet Transit Needs that are reasonable to meet for FY 2024/25” for the top three needs, contingent on SB 125 funding and funding partnership with Mendocino College for evening service in Ukiah. LTF funds are not available for unmet needs. There will also be a recommendation from the Social Services Transportation Advisory Council (SSTAC).

Other funding sources were highlighted, as well as those that are programmed but do not flow through MCOG’s cash accounts. An amendment is likely later in the year when unknowns are resolved. Questions and discussion included:

- Senate Bill 125 TIRCP-ZETCP funds are a possible source to fill MTA’s budget gap, since part of the bill’s intent was to address the statewide transit “fiscal cliff” as well as

- capital projects. MCOG’s allocation plan adopted in December included funds for a new Ukiah Transit Center, zero-emission busses, and a pilot to serve Laytonville and Covelo. An amendment of MCOG’s plan is anticipated to claim the rest of \$11 million for Mendocino County, and to consider another claim from MTA. (Nephele)
- Senior Center’s transportation program funding options were reviewed, including Federal Transit Administration (FTA) Section 5310 competitive grants for capital and a portion available for operations such as service expansion and mobility management; the cycle is due to open next year. (Gjerde, Barrett)

The Chair invited public comments; none were made. No action was taken; for information only.

11. Adoption of Final Fiscal Year 2024/25 Planning Overall Work Program (OWP). Project Manager Alexis Pedrotti summarized her written staff report, the annual process that started last October, and the Final OWP as recommended by the Technical Advisory Committee on April 24, after circulating for comment as required. Caltrans has made minor comments. Her presentation identified each proposed Work Element with their funding sources and responsible agency, including mandated work elements performed by Planning staff. A placeholder for Work Element 5 had been added at Caltrans’ request to reflect MCOG’s pending Sustainable Transportation Planning grant application for a Sea Level Rise Roadway Impact Study (with no funding shown). A Project Reserve would provide local match funds for grants and seed money for the following year’s Pavement Management Program. The total OWP comes to \$970,166. She expects to need an amendment in August as usual due to estimates, when actuals are known. Typically the OWP is adopted in June; she noted the earlier timeline this year for submittal to Caltrans, now due June 3 (same day as next MCOG Board meeting), so with preparation of required forms, adoption is requested at this May meeting. Ms. Pedrotti then invited questions.

In Board discussion, Director Gjerde asked about deliverable products; i.e. when one of the cities requests a planning grant, a study is produced. Mendocino County Department of Transportation (MCDOT) receives an amount annually in the OWP for “Combined Special Studies.” What is in that work element and is there a report produced at the end of it? Ms. Barrett reported that it varies, and one project it funds is the County’s annual local road safety review, which addresses a third of the county road network each year. The process started decades ago and has won an award for this approach to identify safety improvements and small projects such as signage. Ms. Pedrotti stated a final deliverable product is received each year; Director Gjerde requested a digital copy for the Board of Supervisors. Director Kanne also asked for a copy.

Chair Gjerde invited public comments, hearing none.

Upon motion by Haschak, second by Carter, and carried unanimously on roll call vote (7 Ayes – Haschak, Carter, Kanne, Norvell, Duenas, Ahlstrand/PAC and Gjerde; 0 Noes; 0 Abstaining; 1 Absent): IT IS ORDERED that the final Transportation Planning Overall Work Program for Fiscal Year 2024/25 is adopted as recommended by the Technical Advisory Committee and staff, and the Executive Director or designee is authorized to sign certifications and the OWP Agreement and to forward to Caltrans as required.

12. Approval of Staff Recommendation to Oppose Assembly Bill 2290 (Friedman), Senate Bill 1216 (Blakespear) and SB 960 (Wiener), and to Support AB 817 (Pacheco). Ms. Barrett reported several problematic bills and one that would be beneficial to MCOG (information added online after agenda packet distributed). SB 2290 would limit “sharrows” (shared lane markings) or Class III bikeways that share the road with vehicles. The concern is that the Active Transportation Program (ATP) would not fund a project that included Class III even to fill a gap.

SB 1216 also deals with sharrow; while slightly less restrictive, would limit local agencies' flexibility and ability to secure funding. Most significant is a transit facility priority with dedicated bus lanes, adding new responsibilities for State Highway Operations and Protection Program (SHOPP) without new money, creating a negative impact on state highways in the region.

SB 960 creates requirements for Caltrans to include targets and performance measures for bicycle, pedestrian, and priority transit facilities in State plans, affecting SHOPP funding of projects, and requiring "complete streets" facilities.

AB 817 would provide flexibility under the Brown Act Open Meetings law for advisory bodies, such as MCOG's committees, to participate in meetings from remote locations that would not have to be publically noticed on agendas. The bill would expire January 1, 2026, so not a permanent solution.

CALCOG's positions are to "seek amendments" on the first three and strong support for AB 817. Board discussion included:

- Agreement with SB 2290 concept, though a maintenance project would have to include an additional bicycle facility, limiting funds or adding to cost. (Gjerde)
- Flexibility is needed, especially in rural counties; though bills are well intentioned, most legislators are from urban areas with different conditions. At issue are unfunded mandates and taking away funding from rural areas. (Haschak, Kanne)
- Discussion on first three bills of whether to take a "watch" position, send comments on specific concerns, or oppose unless amended; agreed opposition would get more attention.
- The Brown Act bill needs to be passed. Advisory bodies include the County Municipal Advisory Councils (MACs); remote meetings keep people safely and efficiently off the roads as much as possible. It is challenging enough to get those groups together, while current requirements discourage participation. (Haschak, Barrett)

Upon motion by Haschak, second by Carter, and carried unanimously on roll call vote (7 Ayes – Haschak, Carter, Kanne, Norvell, Duenas, Ahlstrand/PAC and Gjerde; 0 Noes; 0 Abstaining; 1 Absent): IT IS ORDERED that staff is directed to send letters opposing AB 2290, SB 1216 and SB 960 including specific comments, and supporting AB 817.

13. Recess as Policy Advisory Committee – Reconvene as RTPA – Ratify Action of Policy Advisory Committee. **Upon motion** by Carter, second by Norvell, and carried unanimously on roll call vote (6 Ayes – Haschak, Carter, Duenas, Norvell, Kanne, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent – Hansen): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

14. Reports - Information

- a. Caltrans District 1 – Projects Update and Information. Director Ahlstrand reported on an application for PROTECT (Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation) program funds for a segment of SR-128 to address flooding, storm surges and sea-level rise and create a plan; awards are expected in June.

Addressing a public comment on Ukiah's North State Street interchange heard at MCOG's March meeting, she reported a Caltrans feasibility study in 2011 that proposed various improvements, and in 2018 a Project Initiation Document (PID) was developed to apply for a Trade Corridor Enhancements Program (TCEP) grant, though not selected for funding. Caltrans continuously monitors collisions at this location, with none reported since 2016, and since January 2021 the northbound on-ramp has had one collision. Other work at this location includes removal of one non-mature oak tree for visibility in 2023. A work order starting today will bring new signage that helps clarify the lane merge. Future options include

bridge widening when due for replacement, potential safety projects and re-applying for TCEP funds in FY 2025/26. In public comment, Gizmo responded with a concept for the ramp.

She then shared screen of the latest Milestone Report, noting new format details such as projects pinned on a map. Brian Finch (Finck?), a District 1 Project Manager, shared screen depicting a safety project six miles south of Willits, near top of the grade, Post Mile 39.88 to PM 40.40 (Ridgewood Ranch Road to Black Bart Road), increasing size of shoulders; construction scheduled between 2026 and 2028. A brief discussion ensued.

Public comment followed from Peter McNamee, inquiring into a pending proposal for a new gas station along US-101 near Redwood Valley; if permitted by the County this would require southbound vehicles to cross the highway. What is Caltrans' position? Director Ahlstrand reported a Caltrans team member attended a Board of Supervisors meeting on the subject and offered to follow up with more information.

- b. Mendocino Transit Authority. No one from MTA was present to report.
- c. Great Redwood Trail Agency. Director Haschak reported a public meeting on April 10 in Ukiah for feedback on the draft master plan was well attended. The Board will meet April 16 in Healdsburg. They are holding meetings in multiple locations in represented counties.
- d. MCOG Staff - Summary of Meetings. Chair Gjerde referred to the written report provided. Ms. Ellard noted two online workshops on May 2 that she did not attend after all.
- e. MCOG Administration Staff
 - i. *Debrief of California Transportation Commission (CTC) Town Hall Meeting Hosted by MCOG in Fort Bragg, April 17-18, 2024*. Ms. Barrett reported a successful event and thanked those who attended as well as City of Fort Bragg who assisted. Commissioners appeared to appreciate both the transportation challenges faced in the region and its accomplishments. The various presentations and bus tour were well received. A brief discussion ensued. Director Kanne thanked staff for their work and was glad to have attended. Director Haschak said MCOG's team presented the information well and hoped the CTC would recall it when making funding decisions. Director Gjerde noted inclusion of Mendocino County Resource Conservation District brought more insights than may be heard in the CTC's usual transportation forum, and thanked staff.
 - ii. *Caltrans Hopland ADA Project*. Ms. Barrett reported status of efforts to improve slope, crosswalks, pavement and SR-175 intersection, which slowed during the pandemic. Discussion of a funding limitations where utilities are involved with a highway project. The small local public utility district of about 300 ratepayers lacks funds for such a project, highway funds cannot be used, and Caltrans is considering a scaled-back project to avoid utilities. A public meeting is scheduled for early June. New legislation could be introduced but would not help with this project.
 - iii. *Miscellaneous*. None.
 - iv. *Next Regular Meeting Date*. Monday, June 3, 2024 – Budget Adoption.
- f. MCOG Planning Staff
 - i. *Work Element 9 - Noyo Harbor Multimodal Circulation Plan*. Deputy Planner Ellard reported on this project at \$200,000 for consultants portion, describing the selection committee's composition that met to review two proposals received. Interviews were scheduled for this week and they hope to start on the project in May, complete in 2025. There will be two advisory groups, technical and stakeholder.

Mr. McNamee commented on GrassRoots Institute's request noted in Public Expression. Advisory group membership would fit their purpose; 80 or so local citizens form a working group active on the coast, addressing climate change via local planning and other means. The stakeholder group might be appropriate for them. He described community participation in sessions and studies on topics such as land-use development, water and transportation; and thanked MCOG for the opportunity, putting his name forward in support. Staff agreed the stakeholder advisory group would be an appropriate membership, noting other stakeholders to be involved.

- ii. *Work Element 10 - Update/Expand Local Road Safety/Action Plans.* Ms. Ellard reported the purpose of this project was to fill in missing components to become eligible for certain federal grants, citing efforts to date. The first public meeting was held April 25, with low attendance. Two in-person workshops are scheduled, as well as a virtual public workshop. They expect to complete by the end of June.

Director Haschak commented on Sherwood Road traffic safety issues discussed with law enforcement agencies; traffic calming measures are needed on the corridor, which carries about 9,000 trips a day although built for just 3,000 per day. Ms Ellard will assist to get those comments on the record. Director Kanne noted impacts of the corridor on City of Willits.

- iii. *Miscellaneous.* Ms. Ellard looked forward to a decision on the grant for a climate adaptation sea-level rise roadway impact study. Mr. Sookne reported on the County's Mountain View Road project in the STIP (State Transportation Improvement Program), with slight changes from the original application, as an eligible use and already approved. Discussion ensued. Alicia Winokur of Mendocino County Department of Transportation was present to provide an update on the County's approach to the project.

- g. MCOG Directors. Director Haschak reported on Earth Day, April 20 in Covelo, where several families joined him on the new multipurpose trail. It will certainly save lives; he hopes more people will start using the trail. Also he met with a member of Padula family trust regarding the Brooktrails second access road and how to move forward with environmental review and design phases. Driving SR-20 he saw new fiber optic cable being installed for the "middle mile." Staff noted two projects currently with more to come.

Director Duenas reported driving SR-1 from Leggett to Fort Bragg for the first time in 25 years, seeing firsthand and thankful for all of the good work being done by all involved to keep these routes open, and thinking of how to make it even better for all in Mendocino County.

- h. California Association of Councils of Governments (CALCOG) Delegates. Director Haschak Haschak reported Legislative Day with board meeting coming up May 21, 10am to 2pm in Sacramento, but would not be able to attend. He suggested Director Novell attend as Alternate.

15. Adjournment. The meeting was adjourned at 3:57 p.m.

Submitted: NEPHELE BARRETT, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director & CFO