

# MENDOCINO COUNCIL OF GOVERNMENTS

## Approved MINUTES

Monday, February 5, 2018

County Administration Center, Board of Supervisors Chambers

### ADDITIONAL MEDIA:

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

**The Mendocino Council of Governments (MCOG) meets as the Board of Directors of:**  
Mendocino Regional Transportation Planning Agency (RTPA) and  
Mendocino County Service Authority for Freeway Emergencies (SAFE)

**1. Call to Order / Roll Call.** The meeting was called to order at 1:31 p.m. with Directors Steve Scalmanini, Larry Stranske, Michael Cimolino, Richey Wasserman, Susan Ranochak, Georgeanne Croskey, Rex Jackman (Caltrans/PAC), and Dan Gjerde present; Chair Gjerde presiding.

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

**2. Election of Officers – Chair and Vice Chair.** Deputy Director Orth introduced this item, reviewing staff's recommended procedure for the election as outlined in her written report. She suggested following the past several years' method of voting, consistent with Robert's Rules of Order. With no one objecting or proposing another method, Ms. Orth conducted the election.

Nominations were opened for office of Chair; Director Gjerde was nominated. With no further nominations, Ms. Orth closed nominations for the office of Chair.

**Upon motion** by Scalmanini, second by Cimolino and carried unanimously (*7 Ayes; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that **Director Gjerde is re-elected Chair.**

Nominations were opened for office of Vice Chair; Director Cimolino self-nominated. With no further nominations, Ms. Orth closed nominations for office of Vice Chair.

**Upon motion** by Wasserman, second by Ranochak and carried unanimously (*7 Ayes; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that **Director Cimolino is elected Vice Chair.**

**3. Convene as RTPA**

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

**5. Public Expression.** None.

**6 - 11. Regular Calendar.**

**6. Technical Advisory Committee (TAC) Recommendations of January 17, 2018**

- a. Public Hearing: Consideration and Finding of Negative Declaration of Environmental Impact, followed by Adoption of Resolution Approving the 2017 Mendocino County Regional Transportation Plan. Ms. Barrett presented proof of notice in three different public media forums: Ukiah Daily Journal on 1/4, Willits News on 1/3, and Independent Coast Observer on 1/1/2018. Also it was posted at the Mendocino County Clerk's office, MCOG website, sent to local agencies and Tribal Governments, and circulated through the State Clearinghouse. IT IS ORDERED that this public hearing on the Negative Declaration of Environmental Impact for the Mendocino County 2017 Regional Transportation Plan (RTP) was properly noticed.

Ms. Barrett distributed handouts that contained copies of responses from Caltrans, State Department of Parks and Recreation, Brooktrails Township Community Services District, and Hal Wagenet of Willits. It also included various pages from the RTP that highlight modifications to the RTP made by the Technical Advisory Committee (TAC) after all comments were received. Ms. Barrett summarized the contents of the RTP and the development process. She summarized the individual comments that were submitted, and modifications made in response to the comments. The modifications included the addition of Climate Change to Countywide Issues and Concerns and added policies in the Goals and Policies section.

Executive Director Dow responded to the comments submitted by Brooktrails and Mr. Wagenet regarding a second access to Brooktrails. He noted why the second access is listed in the RTP under Unfunded Needs, along with access for the Willits Creek trail. He agreed the second access is necessary due to ingress and egress and transportation safety purposes; however, he did not agree that the RTP was the appropriate forum to start developing this project. The RTP is fiscally constrained, the projects described are approved, and planning funds are disbursed within specific guidelines. Starting in 1994, MCOG had invested in four planning projects related to the second access plan. MCOG funded studies by qualified consultants that the Mendocino County Board of Supervisors reviewed then denied. On the Willits Creek trail, the property is privately owned by landowners who have liability and other concerns such as illegal dumping; it is not public land. It is unrealistic to pursue a trail through these properties. Also it would not meet the definition of a Safe Route to School.

Ms. Barrett concluded by reporting the TAC considered the RTP and Negative Declaration on January 17 and recommended approval.

Chair Gjerde opened the hearing at 2:33 p.m.

Robert Pinoli, Skunk Train, spoke about Mendocino's need to identify a mechanism to transfer goods and services to continue to be competitive with the economy; he feels trucking is not the answer. Other points he made included:

- There are studies that say rail is a viable mode to ship to/from Fort Bragg.
- Current access is denied by NCRA's inability to have functioning railway to their connection point in Willits.
- Statistics on the Skunk Train's usage and benefits from the tourist economy it draws into the county.
- The Skunk Train is privately owned and maintained, and has served Mendocino County for 133 years.
- He encourages MCOG to continue seeking ways to actively improve the railroads and identify freight rail opportunities.
- Tunnel No. One is preventing access to Willits. This past fall they spent a million dollars on engineering and reconstructing the hillside to meet engineering and compaction standards. It needs to settle for a year or two before allowing service back through that tunnel.
- The access to Willits could allow service to freight customers and bring additional revenue to Mendocino County.

Board comments and questions:

- What are the prospects of NCRA connecting the rail up to Willits? (Gjerde) - *Mr. Pinoli could not speak for NCRA, but Mr. Wagenet, NCRA Chair, is in attendance.*
- Who is responsible for pursuing funding? (Scalmanini) - *Mr. Pinoli talked about connecting with Dow & Associates and looking into grants that are available; it depends on the eligible party of those grants.*

Hal Wagenet spoke by first responding to Mr. Pinoli's comments as the NCRA Chair. At the next NCRA meeting, they will reevaluate their mandated mission and look at restoring the service up to Willits. This will take a long time to achieve and there are multiple county jurisdictions to consider.

Then he spoke as a local resident on a Brooktrails second access. He shared Mr. Dow's irritation in regards to the political decisions made after the two studies on the best route for the access. Other points Mr. Wagenet pointed out included:

- Brooktrails second access would serve about 3,700 residence in that area and about 4,500 people in the greater area.
- As a result of the recent fire and daily situations, there is political will to provide the funding needed for a second access.
- He encourages the Board to reaffirm the studies with real data and focus on the access as a transportation corridor and not just the emergency features.

As for the topic of the Safe Routes to Schools, he agrees with Mr. Dow on safety concerns for a Willits Creek trail and that the land is privately owned. Some of the property owners have expressed no desire to open it up to the public. Director Gjerde let him know he is looking forward to being a part of the ad hoc committee to come up with strategies to troubleshoot the barriers.

The Hearing was closed at 2:48 p.m. Board comments and questions included:

- The Brooktrails second access is still a priority for Board members, but at this point it is an unfunded need; the RTP wording is adequate. (Croskey)
- Is the trail something that can be coordinated into the second access? (Croskey) *Mr. Dow answered that it depends on where the second access is permitted. With enough right-of-way there could be pedestrian and bicycle access along it. That would be consistent with statewide policy and also provide a safer, more visible access for walking as well. Ms. Barrett added that since the process of completing a project could take as long as 20 years, that a shorter-term interim access should also be considered.*
- Director Stranske offered assistance of the City of Willits and would like to see progress on a second access for Brooktrails.

**Upon motion** by Stranske, second by Scalmanini, and carried unanimously on roll call vote (8 Ayes- Scalmanini, Stranske, Wasserman, Cimolino, Ranochak, Croskey, Jackman/PAC, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that MCOG finds there is no substantial evidence that adoption of the Plan will have a significant effect on the environmental and, pursuant to CEQA, the Negative Declaration is adopted.

**Upon motion** by Croskey, second by Stranske, and carried unanimously on roll call vote (8 Ayes- Scalmanini, Stranske, Wasserman, Cimolino, Ranochak, Croskey, Jackman/PAC, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the following resolution is adopted.

**Resolution No. M2018-01**

Adopting the 2017 Mendocino County Regional Transportation Plan  
(Reso. #M2018-01 is incorporated herein by reference)

- b. Award of Local Transportation Fund (LFT) Two Percent Bicycle & Pedestrian Program Grants. Mr. Dow referred to his written staff report and explained each project from the submitted applications. The Technical Advisory Committee (TAC) recommended three projects for funding from the FY 2017/18 2% Bicycle & Pedestrian Program. The three projects and the fund amount requested, in order of ranking:

- Mendocino County Department of Transportation – Branscomb Road Multi-Use Bridge Over Ten Mile Creek in Laytonville - \$137,000
- City of Point Arena – Port Road Rehab & Overlay - \$89,832
- City of Willits – Elm Lane Pedestrian Ramp Improvements - \$48,000

There was no public comment or Board discussion. **Upon motion** by Scalmanini, second by Wasserman and carried unanimously on roll call vote (*8 Ayes- Scalmanini, Stranske, Wasserman, Cimolino, Ranochak, Croskey, Jackman/PAC, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that the Technical Advisory Committee recommendation is approved to award \$137,000 in LTF 2% Bike & Pedestrian funding to the #1 ranked project, Branscomb Road Multi-Use Bridge Over Ten Mile Creek with any remaining funds to be made available to the #2, Port Road Rehab & Overlay and #3, Elm Lane Pedestrian Ramp Improvements ranked projects, in order of ranking.

- c. Approval of Request for Regional Surface Transportation Program (RSTP) Funds – City of Fort Bragg Electric Vehicle Charging Station, Not to Exceed \$12,000. Mr. Dow referred to his written staff report. On January 17, 2018 the TAC recommended approval of the City of Fort Bragg’s request for assistance of up to \$12,000 for bringing into compliance with ADA standards the new EV charging station site on Laurel Street south of City Hall. The charging station has been installed, but the building permit will not be signed until the property corrects the slope that is out of compliance. Staff recommended, with TAC concurrence, a contribution of matching funds from the RSTP Partnership Funding Program.

**Upon motion** by Scalmanini, second by Stranske and carried unanimously on roll call vote (*8 Ayes- Scalmanini, Stranske, Wasserman, Cimolino, Ranochak, Croskey, Jackman/PAC, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that up to \$12,000 from the Partnership Funding Program to match Fort Bragg’s costs to correct ADA related deficiencies at the new EV charging site in Fort Bragg is approved.

**7. Consideration/Discussion and Presentation of State Route 1 Traffic Issues in Elk.** This item was moved up to be heard before Agenda Item #6, per request from participating community member. Mr. Dow referred to his written staff report. At the May 2017 meeting Norman de Vall requested that this agenda item be brought back to see how the community reacts to interventions to improve the parking issues put in place by Caltrans and California Highway Patrol. Mr. Dow reported on efforts applied to address the issues, which include repositioning the northbound radar feedback sign closer to the approach into “metro” Elk to be more effective. It was also recommended to add another sign by the elementary school on the southbound approach to Elk; Caltrans agreed to do that as the sign becomes available. An effort to support improvements in Mendocino County, including Elk, is a new element in MCOG’s Transportation Planning Overall Work Program (OWP), Work Element 19 – Pedestrian Facilities Needs Inventory/Engineered Feasibility Study for the South Coast. The Caltrans Sustainable Communities Planning Grant that MCOG that was awarded recently will provide the same product throughout the remainder of the county. The study will provide information critical in identifying and prioritizing improvement projects that can be applied to obtain competitive grants throughout the county.

Director Jackman gave an update on the status of the sign Caltrans plans to install in Elk. The hardware for the radar feedback is currently in the shop but will be installed shortly. The situation with parking is a large problem in every community. The communities have to take into consideration the multi-use shoulders on State Route 1; many locations do not have sidewalks; they are used by bicycles and often for parking. If it is safe, it is usually permitted. Mr. Dow added that enforcing a no-parking zone is not a priority for the California Highway Patrol.

In public comment, Mr. de Vall gave an update that the Harbor House at the Greenwood Pier is expected to open in 2018; State Parks will also be bringing in the rest of the mechanics for the iron ranger to collect fees for parking across the street from the store. A concern of his is that people will park on the highway, where there is not adequate room, to avoid the park's parking fees. BLM has secured an office for the museum and a coastal national monument that will draw additional people to the town of Elk. Also there are plans to open a public restroom close to the Post Office, again will draw more people to that area. He presented a handout of pictures showing the multi-use shoulder close to The Harbor House and the school after completion of a culvert installation. The culvert limited the walkway for people; now they have to contend with a gulch or cross the highway, then have to cross it once more to get to the school. The area also is access to the beach and Catholic Church. He requests further research to improve the walkway in that area. Director Gjerde confirmed with Mr. Dow that the consultant selected to work on the South coast project would cover these types of issues to make recommendations. Mr. Dow has concerns about putting crosswalks on the highway; it could be too much of a liability.

No action was taken.

## **8. Annual Appointments to Standing Committees.**

- a. Executive Committees - According to MCOG bylaws, the Chair and Vice Chair are members of this committee (formalized by following board action) with addition of a third member, reflecting a city-county balance of representation. Ms. Orth requested a meeting in February for annual business. Director Scalmanini volunteered to continue serving on the Executive Committee.
- b. Transit Productivity Committee. **Chair Gjerde** appointed himself and **Director Ranochak** to remain on the Transit Productivity Committee. (According to the Bylaws, appointments are made by the Chair.)
- c. California Association of Councils of Governments (CALCOG). Duties and upcoming events were noted. The annual Regional Leadership Forum is scheduled for March 14-16, 2018 as the next delegate meeting. The Council appointed **Director Croskey, and Chair Gjerde as the Alternate Delegate**.

**Upon motion** by Croskey, second by Wasserman and carried unanimously (*7 Ayes; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that the Council approves the above slate of committee appointments.

**9. Adoption of 2018 Board Calendar.** Ms. Orth referred to the Board Calendar included in the MCOG Agenda Packet. One change was proposed to the draft calendar previewed in December, to cancel the On Location Tour/Mobile Workshop in April. She let the Board know of another event to be added to "relate meetings of interest," April 11 – 12 the California Transportation Commission (CTC) Town Hall for Regional Transportation Planning Agencies (RTPA), location to be determined in Sonoma, Mendocino, or Lake County. Commissioners have the opportunity to visit an area and there is time on the agenda to discuss local issues.

**Upon motion** by Wasserman, second by Stranske and carried unanimously (*8 Ayes; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that the 2018 Board Meeting Calendar is adopted with elimination of the April tour and addition of the CTC Town Hall.

**10-13. Consent Calendar.** Upon motion by Ranochak, second by Croskey, and carried unanimously on roll call vote (*8 Ayes- Scalmanini, Stranske, Wasserman, Cimolino, Ranochak, Croskey, Jackman/PAC, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that consent items are approved, including the Third Amendment to FY 2017/18 Overall Work Program, and the

Executive Director is authorized to sign appropriate certifications and revised OWP Agreement (as needed) and forward to Caltrans, as required.

**10. Approval of December 4, 2017 Minutes – as written**

**11. Acceptance of 2016/17 MCOG Fiscal Audit – MCOG received a clean audit.**

**12. Appointments to Social Services Transportation Advisory Committee (SSTAC)**

- *Richard Baker, Willits Seniors, Inc. for the “Local social service provider for seniors” - appointed through April 2021*
- *Teresa Newton, Area Agency on Aging for the “Local social service provider for seniors” - appointed through April 2021*
- *Charles Bush, Redwood Coast Seniors for the “local social service provider for seniors that provides transportation” - reappointed through April 2021*
- *Jacob King, Mendocino Transit Authority for the “Representative of local Consolidated Transportation Services Agency” - appointed through April 2019.*

**13. Approval of Third Amendment to Fiscal Year 2017/18 Transportation Planning Overall Work Program (OWP).** Ms. Ellard included her staff report in the MCOG Agenda Packet that explained the TAC’s recommendation for a third amendment. The proposed revisions are:

- *W.E 10 Regional Transportation Plan 2017 Update, Phase 2 Carryover - \$32,000 in RPA funds transferred out, decreasing the project total from \$72,707 to \$40,707.*
- *W.E. 1 Regional Government & Intergovernmental Coordination - \$15,000 in RPA funds transferred from W.E. 10 to increase the work element from \$81,975 to \$96,975.*
- *W.E. 3 Community Transportation Planning & Coordination - \$10,000 in RPA funds transferred from W.E. 10 to increase the work element from \$14,750 to \$24,750.*
- *W.E. 16 Multi-Modal Transportation Planning - \$7,000 in RPA funds transferred from W.E. 10 to increase the work element from \$20,000 to \$27,000.*
- *Proposed New Project – W.E. 21 Pedestrian Facilities Needs Inventory & Engineered Feasibility Study – Inland/North Coast – Total of \$202,450 (\$179,229 from Caltrans Sustainable Communities Transportation Planning Grant, plus \$23,221 local match from LTF Carryover) to conduct the Pedestrian Facilities Needs Inventory & Engineered Feasibility Study for the inland/North Coast area of Mendocino County.*
- *Total funding of the work program would increase by \$202,450, from \$1,488,176 to a new total of \$1,690,626.*

**14. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee.** Upon motion by Croskey, second by Wasserman, and carried unanimously: IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

**15. Reports Information**

- a. Mendocino Transit Authority. None.
- b. North Coast Railroad Authority. Mr. Dow reported that the Director and Board members of NCRA submitted an item for the January 31, 2018 agenda of the California Transportation Commission (CTC) in Sacramento. CTC asked them to provide a Business Plan; NCRA submitted a strategy document instead. The CTC requested for them to continue working on a Business Plan to show how they were going to maintain staying in business in the future.

CTC took action to form a staff sub-committee to work with the NCRA Board of Directors to create a plan the CTC would approve.

- c. MCOG Staff - Summary of Meetings. Mr. Dow referred to his written staff report; nothing further that he wanted to highlight.
- d. MCOG Administration Staff. None.
- e. MCOG Planning Staff. Director Jackman noted that included in the information packet was a study to look at the before and after conditions of the Willits bypass. The findings were of no surprise; a Caltrans Engineer will present it to the TAC at a later date.

Ms. Ellard reported the Pedestrian Facility Needs Inventory and Feasibility Study application MCOG submitted was awarded a Caltrans planning grant in the amount of \$179,229; the local match, which MCOG Board approved on the Consent Calendar of \$23,221, brings the total project funding to \$202,450. Caltrans concurred with combining projects that include three cities, Ukiah, Willits, and Fort Bragg and the North inland part of the county, with Point Arena and the South coast that is locally funded through the Overall Work Program. An RFP went out for bid; three proposals were submitted that are currently being reviewed. A consultant should be under contract within the next few weeks.

- f. MCOG Directors. Director Scalmanini gave an update to an issue he brought to MCOG about a year ago regarding the requirement to upgrade existing ADA curb ramps when using grant funding for projects. He stated Caltrans is working on an assumption that when a street is getting a repair or resurfacing, the City is required to upgrade existing ADA ramps. The money from the grants cannot be use to put in new ramps where none exist at all, only to improve existing ones. He does not agree with this law and says he will continue working to appeal it. Director Jackman said he spoke with the District Local Assistance Engineer, and she confirmed that if the City is working at an intersection it is required to upgrade the facilities to ADA standards.
- g. California Association of Councils of Governments (CALCOG) Delegates. None.

**16. Adjournment.** The meeting was adjourned at 3:43 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Marta Ford, Administrative Assistant