MENDOCINO COUNCIL OF GOVERNMENTS
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www.mendocinocog.org

NEPHELE BARRETT, EXECUTIVE DIRECTOR

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

AGENDA

Monday, June 6, 2022 at 1:30 p.m.

Teleconference

Zoom videoconference link provided to Council members and 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: 822 0563 6794 Passcode: 066073

Additional Media

For live streaming and later viewing:
https://www.youtube.com/, search for Mendocino County Video, or
YouTube link at http://www.mendocinocog.org under Meetings

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: This meeting of the Mendocino Council of Governments will be conducted by teleconference (audio and video) and not available for in-person public participation, pursuant to the Assembly Bill 361, Brown Act: Remote Meetings During a State of Emergency. In order to minimize the risk of exposure to COVID-19, the public may participate in lieu of personal attendance in several ways. Since opportunities during the meeting are limited, we encourage submitting comments in advance.

- 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.
- During the meeting: email comments to info@mendocinocog.org or send comments using the form at https://www.mendocinocog.org/contact-us, to be made available as soon as possible to the Board of Directors, staff, and the general public as they are received and processed by staff.
- During the meeting: make oral comments 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. Adoption of Resolution No. M2022-09 Making Continued Findings Pursuant to Assembly Bill 361 to Conduct Public Meetings Remotely for MCOG's Legislative and Advisory Bodies During the COVID-19 State of Emergency
3. Convene as SAFE – Service Authority for Freeway Emergencies
   a. Report of Motorist Aid Call Box Program Status
   b. Adoption of FY 2022/23 Mendocino SAFE Budget
4. Recess as SAFE – 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 May 2, 2022 Minutes
7. Approval of April 13, 2022 Transit Productivity Committee Minutes
8. Approval of Amendment to MCOG Bylaws – Miscellaneous Updates
9. Adoption of Addendum to the 2017 Initial Study/Mitigated Negative Declaration for the Covelo State Route 162 Corridor Multi-Purpose Trail

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

10. 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

Attachments posted: Board of Directors - Mendocino Council of Governments (mendocinocog.org)

11. Technical Advisory Committee Recommendations of May 18, 2022: Adoption of Final Fiscal Year 2022/23 Planning Overall Work Program (OWP)
12. Fiscal Year 2022/23 RTPA and COG Budget
    a. Adoption of Resolution #M2022-10 Allocating Fiscal Year 2022/23 Funds and 2021/22 Carryover Funds for Administration, Bicycle & Pedestrian Facilities, Planning, and Reserves
    b. Adoption of Resolution #M2022-11 Finding That There Are Unmet Transit Needs That Are Reasonable To Meet for Fiscal Year 2022/23
    c. Adoption of Resolution #M2022-12 Allocating Fiscal Year 2022/23 Local Transportation Funds, State Transit Assistance, and FY 2021/22 Carryover Capital Reserve Funds to Mendocino Transit Authority
    d. Adoption of Resolution #M2022-13 Allocating Surface Transportation Block Grant Program Funds for Fiscal Year 2022/23 MCOG Partnership Funding Program, Local Assistance, and Distribution By Formula To Member Agencies
    e. Adoption of Resolution #M2022-14 Allocating Fiscal Year 2021/22 Carryover Regional Early Action Planning (REAP) Program Grant Funds for FY 2022/23
13. Transit Productivity Committee Recommendations of April 13, 2022
    a. Approval of Transit Performance Standards with Adjusted Passengers per Hour
    b. Acceptance of Annual Transit Performance Review
14. Regional Energy Network (REN) and Climate Protection Agency Update and Possible Direction on Senate Bill 852 (Dodd) – Climate Resilience Districts: Formation: Funding Mechanisms
15. Consideration of Possible Action to Oppose Assembly Bill 2237 (Friedman) – Transportation Planning: Regional Transportation Improvement Plan: Sustainable Communities Strategies: Climate Goals

RATIFY ACTION

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

REPORTS

17. 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
        i. 23rd Annual CTF Transportation Forum – Sacramento, May 27, 2022 – *verbal or handout*
        ii. Miscellaneous
        iii. Next Meeting Date – Monday, August 15, 2022
    f. MCOG Planning Staff
        i. Feasibility Study - Mobility Solutions for Rural Communities of Inland Mendocino County – *verbal report*
        ii. Local Road Safety Plans Update – *verbal report*
        iii. Miscellaneous
    g. MCOG Directors
    h. California Association of Councils of Governments (CALCOG) Delegates

ADJOURNMENT

18. 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 5/31/2022 Next Resolution Number: M2022-15

MENDOCINO COUNCIL OF GOVERNMENTS

BOARD of DIRECTORS

RESOLUTION No. M2022-09

MAKING CONTINUED FINDINGS PURSUANT TO ASSEMBLY BILL 361
TO CONDUCT REMOTE PUBLIC MEETINGS FOR MCOG'S
LEGISLATIVE AND ADVISORY BODIES
DURING THE COVID-19 STATE OF EMERGENCY

WHEREAS,

1. The Mendocino Council of Governments (MCOG) is committed to preserving and fostering public access and participation in its meetings, as required by the Ralph M. Brown Act (Cal. Government Code 54950 – 54963), which makes provisions for remote teleconferencing participation in meetings by members of a legislative body, subject to the existence of certain conditions;

2. A state of emergency was proclaimed by Governor's Executive Order N-33-20 on March 4, 2020, addressing the threat of the COVID-19 pandemic, and remains in effect with certain modifications added since the original order, as part of a phased rollback of Executive Orders in response to the pandemic;

3. On September 16, 2021, the Governor signed into law AB 361, an urgency measure, that provides flexibility to government bodies, allowing them to meet virtually without conforming to the Brown Act teleconferencing rules during a declared state of emergency if: (a) State or local officials have imposed or recommended measures to promote social distancing, (b) the legislative body is meeting to determine whether, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees, or (c) the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees; AB 361 remains in effect through January 1, 2024;

4. The Mendocino County Health Officer's order dated March 9, 2022 states in part that "I continue to strongly recommend online public meetings (i.e., teleconferencing meetings) to the extent possible, as these meetings present the lowest risk of transmission of SARS CoV-2, the virus that causes COVID-19. This recommendation is made due to the current community prevalence rates. While the winter surge has declined and the availability of hospital beds has improved, the County continues to be an area, defined by the Centers for Disease Control (CDC), with "High Community Transmission" risk. In addition, rates remain high with the Omicron variant of COVID-19 being the predominant variant, the impact of which on the spread of COVID-19 has shown to dramatically increase the transmission of COVID-19…";

5. Due to the uncertainty and concerns about these current conditions, numerous state and local agencies, including Caltrans and Mendocino Transit Authority, continue to meet from separate remote locations;

6. Given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance

in person in a shared indoor meeting space would pose an unnecessary and immediate risk to attendees;

7. These virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities, and MCOG continues to provide for public access to its remote meetings; and

8. On October 4, 2021, MCOG's Board of Directors made findings of fact by Resolution #M2021-12 including additional background and pertinent details; therefore, be it

RESOLVED, THAT:

- The Mendocino Council of Governments adopts the recitals set forth above as findings of fact.

- MCOG has reconsidered circumstances of the state of emergency.

- MCOG hereby determines that the state of emergency continues to directly impact the ability of the members to meet safely in person.

- In accordance with AB 361, based on the findings and determinations herein, meetings of MCOG's legislative and advisory bodies will be held remotely by virtual means, suspending Brown Act teleconferencing rules while providing for all feasible means of public participation.

- This resolution shall be effective upon adoption and remain in effect until MCOG's next regular board meeting on August 15, 2022, when MCOG shall consider renewing its findings by subsequent resolution, in accordance with AB 361, or shall resume meeting in person.

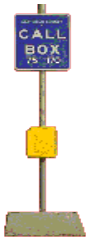
ADOPTION OF THIS RESOLUTION was moved by Director _____, seconded by Director _____, and approved on this 6th day of June, 2022, by the following roll call vote:

AYES:
NOES:
ABSTAINING:
ABSENT:

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

_____ _____

ATTEST: Nephele Barrett, Executive Director Dan Gjerde, Chair



MENDOCINO COUNTY S.A.F.E.

SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

TITLE: Mendocino County SAFE Call Box Update **DATE:** 5/31/2022

SUBMITTED BY: Alexis Pedrotti, Project Manager **MEETING DATE:** 06/06/22

Background:
The Mendocino County Service Authority for Freeway Emergencies (S.A.F.E) is currently operating 141 call boxes throughout Mendocino County in various locations along State Routes 1, 20, 128, 101, 162, 175 and 253. Of these, 97 are traditional cellular call boxes and the remaining are newer boxes using satellite technology.

After many delays, the Mendocino SAFE has completed approximately 70% of the 4G Radio Upgrades across the county. 31 upgrades remain to be completed along State Route 128 and 1. Although minor issues have continued with the upgrades, CASE Systems, Inc. has been diligently working through them. Issues that have continued include reaching cellular service, manipulating the new radios to reach maximum cellular service available, and developing specialized antennae. Historically, cellular radio upgrades can take several years to completely transition and work through operating issues.

Call Boxes can regularly experience service interruptions and issues, not to be confused with the 4G Radio Upgrades. These issues can be very minor to more complex, depending on the box and situation. The Call Boxes can experience battery expiration, outdated equipment failure, and knock downs. As our system continues to age, some of these issues are being seen more consistently. CASE has continued to be very valuable and great at responding to our needs on an as-needed basis. Additionally, they have supported our system with "good condition" used parts coming from other agencies across the state to help with costs incurred by our SAFE.

Staff continues to monitor the 4G Radio Upgrades, while taking into consideration the suitable next move for the system. In the coming months, CASES Systems Inc. and staff will begin evaluating the overall Call Box system, and report back their suggested plan for moving forward.

Action Required:
No action necessary, informational update only.

Alternatives:
None.

Recommendation:
None.

Agenda # 3b
SAFE
MCOG Meeting
06/06/2022

FY 2022/23 Mendocino SAFE Budget - Proposed

June 6, 2022

Year	Fund	2018-19 ACTUAL	2019-20 ESTIMATE	2019-20 ACTUAL	2020-21 ESTIMATE	2020-21 ACTUAL	2021-22 ESTIMATE	2022-23 PROPOSED BUDGET	Notes
Revenue	2110-760175	Audited		Audited		Audited			
Dept. of Motor Vehicle Collected Fees		107,131	105,000	106,621	107,000	110,881	107,000	107,000	$1 per annual vehicle registration.
Interest		2,431	1,418	2,785	2,500	1,356	2,500	1,000	
Carryover of Prior Year Unexpended Balance		130,584	159,141	159,141	166,333	166,333	138,101	-	
Sub-Total		$ 240,146	$ 265,559	$ 268,547	$ 275,833	$ 278,570	$ 247,601	$ 108,000	
Expenditures	2110-760175								
Administration Contract (Dow Contract)		35,439	39,000	37,050	38,509	38,509	39,547	41,665	- Includes administration, monitoring, weed abatement, maintenance computer/phone.
Planning Contract (DBC)			16,991	10,710	17,646	-	18,110	19,067	- Contract amount is a maximum. Program is billed for actual hours at the close of the FY. Billing in a typical year is well below budget.
New System Installations & Upgrades		-	5,000	-	145,500	49,976	100,000	-	- 31 Upgrades still needed (Approx $1,200 per box upgrade) Actual Expenditures for the 4G Upgrades in FY 21/22 were lower than the estimated budget.
Existing System Maintenance		11,004	30,000	14,113	10,000	7,569	10,000	5,000	- Routine as-needed CASE Systems service (repairs, etc.)
Cellular / Satellite Service		33,345	38,650	39,480	40,000	43,636	40,000	40,000	- Satellite service averages $3,000 per month for the 44 Sat Boxes in Mendo. As satellite boxes are replaced with cellular, costs will go down.
CHP Contract for Primary Answering Service		808	600	532	720	778	720	720	- CHP costs remain so minimal compared to the valuable service provided as the Primary Answering Point (PAP).
Direct Expenses		409	-	328	500	-	500	500	
Expenditures Sub-Total		$ 81,005	$ 130,241	$ 102,214	$ 252,875	$ 140,469	$ 208,877 *	$ 106,952	
Adjustments									

* FY 2021/22 Actuals will be reflected after the close of the FY.

Prep'd by A. Pedrotti, J. Orth

May 31, 2022

To: MCOG Board of Directors
From: Janet Orth, Deputy Director & CFO
Subject: Consent Calendar of June 6, 2022

The following agenda items are recommended for approval/action.

6. Approval of May 2, 2022 Minutes – *attached*

7. Approval of April 13, 2022 Transit Productivity Committee Minutes – *attached*

8. Approval of Amendment to MCOG Bylaws – Miscellaneous Updates – This is a routine clean-up of several items that have changed since the last bylaws update in 2013, including provision for remote meetings, removal of North Coast Railroad Authority membership on the Technical Advisory Committee and an obsolete role of the Social Services Transportation Advisory Council. – *Staff report and draft amendment attached*

9. Adoption of Addendum to the 2017 Initial Study/Mitigated Negative Declaration for the Covelo State Route 162 Corridor Multi-Purpose Trail – To avoid project delays, this addendum is prepared in case it becomes necessary to shift the bridge alignment over Mill Creek approximately 15 feet to the west, after the exact location of a sewer line is identified during construction. CEQA guidelines do not require public review or notice of hearing for this item.

   – *Staff report and addendum are attached.*

MENDOCINO COUNCIL OF GOVERNMENTS

MINUTES

Monday, May 2, 2022

Teleconference Only
Pursuant to Brown Act and Assembly Bill 361

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

1. Call to Order / Roll Call. The meeting was called to order at 1:30 p.m. with Directors Jim Brown, Greta Kanne, John Haschak, Michael Carter, Tatiana Ahlstrand (Caltrans/PAC), and Dan Gjerde present by Zoom teleconference; Chair Gjerde presiding. Director Scott Ignacio joined by audio and subsequently by video after resolving technical difficulties. Director Tess Albin-Smith was excused by prearrangement.

Staff present: Nephele Barrett, Executive Director; Janet Orth, Deputy Director & CFO; Loretta Ellard, Deputy Planner; Lisa Davey-Bates, Transportation Planner; James Sookne, Program Manager; Danielle Casey, Program Coordinator; and Jody Lowblad, Administrative Assistant.

Note: Public comment was invited via email and online comment form; staff monitored for incoming comments throughout the meeting, reporting periodically.

2. Convene as RTPA

3. Recess as RTPA – Reconvene as Policy Advisory Committee

4 - 5. Consent Calendar. The Chair invited directors and public to pull any items for discussion; none were so inclined. **Upon motion** by Brown, second by Haschak, and carried unanimously on roll call vote *(6 Ayes – Brown, Kanne, Haschak, Carter, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 2 Absent – Ignacio and Albin-Smith)*: IT IS ORDERED that consent items are approved.

4. Adoption of Resolution Making Continued Findings Pursuant to Assembly Bill 361 to Conduct Public Meetings Remotely for MCOG's Legislative and Advisory Bodies During the COVID-19 State of Emergency.

Resolution No. M2022-06
Making Continued Findings Pursuant to Assembly Bill 361
to Continue Public Meetings Remotely
for MCOG's Legislative and Advisory Bodies
During the COVID-19 State of Emergency
[Reso. #M2022-06 is incorporated herein by reference]

5. Approval of March 7, 2022 Minutes – *as written*

6. Approval of February 28, 2022 Executive Committee Minutes – *as written*

7. Acceptance of MCOG 2020/21 Fiscal Audit – *MCOG received a clean audit.*

8. Acceptance of 2020/21 Fiscal Audit of Mendocino Transit Authority
– MTA received a clean audit.

9. Adoption of Resolution Approving Mendocino Transit Authority's Grant Application for Federal Transit Administration (FTA) Section 5311 Non-Urbanized Program Annual Regional Apportionment for Transit Operating Assistance

Resolution No. M2022-07
Approving the Programming of FTA Section 5311
Non-Urbanized Program Funds for
Mendocino Transit Authority Operating Assistance
[Reso. #M2022-07 is incorporated herein by reference]

10. Approval of Authorization for Executive Director to Engage and Execute Contracts for Project Management and Construction, Consistent with Procurement Policies - Covelo SR 162 Corridor Multi-Purpose Trail

11. Public Expression. None.

12. Public Hearing: Adoption of Resolution Approving Federal Transit Administration (FTA) Section 5310 Grant Program Regional Priority List. Program Manager Sookne summarized his written staff report describing the process, noting the funding cycle occurs every two to three years. The program is for Enhanced Mobility of Seniors and Individuals with Disabilities. MCOG as the RTPA is required to score proposals for traditional capital projects, and not for the expanded program of operating assistance. One application was received for a traditional vehicle acquisition project from Redwood Coast Seniors, as documented in the draft resolution and the list, and several other eligible applicants in Mendocino County submitted directly to Caltrans.

The Chair verified with staff that legal notice was not required for this hearing. The hearing was opened at 1:35 p.m., with none wishing to speak. The hearing was closed at 1:36 p.m.

Upon motion by Brown, second by Haschak, and carried unanimously on roll call vote *(7 Ayes – Brown, Kanne, Haschak, Carter, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 2 Absent – Albin-Smith and Ignacio)*: IT IS ORDERED that the following resolution is adopted, the Executive Director is authorized to sign the required documentation, and staff is authorized to forward the executed resolution and required documents to Caltrans for further processing.

Resolution No. M2022-08
Approving FTA Section 5310 Grant Program
Regional Application Scoring & Priority List
[Reso. #M2022-08 is incorporated herein by reference]

Director Ignacio rejoined the meeting at 1:48 p.m.

13. Technical Advisory Committee (TAC) Recommendation of March 16, 2022: Innovative Concepts Project List. Executive Director Barrett summarized her written staff report and answered questions. Last year Caltrans had solicited proposals to develop a list for potential funding in the Biden Administration's American Jobs Plan. Caltrans called for projects that align with goals and priorities in the California Transportation Plan 2050, Climate Action Plan for Transportation Infrastructure (CAPTI), and Caltrans Strategic Plan. MCOG staff had submitted six projects for consideration. After Caltrans's statewide review, District 1 consulted with the RTPAs on March 15, indicating that funding was unlikely to result and advised not to invest much time in responding. The TAC then opted to prioritize the six projects into three tiers based on several factors in case of future funding, and recommended the tiered list for submittal to Caltrans.

In board questions, Ms. Barrett clarified that Caltrans' review focussed on reduction of greenhouse gas emissions (GHG) and vehicle miles traveled (VMT).

The Chair invited public comment; no one came forward to speak to this item.

Director Carter moved approval of staff's recommendation, seconded by Haschak. **Discussion on the motion:** Director Haschack asked staff to clarify that submitting the recommended priority list to Caltrans would be a considered a formality. Ms. Barrett concurred, noting that if a project were to be advanced further, staff would provide more detail and return to the Board for approval. **The motion carried** unanimously on roll call vote: *(7 Ayes – Brown, Kanne, Ignacio, Haschak, Carter, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent – Albin-Smith)*: IT IS ORDERED that the TAC's recommended three-tiered priority list of Innovative Concept Project Proposals is approved for submittal to Caltrans and follow-up as needed:

Tier 1	Brooktrails Second Access
	Ukiah Transit Center
	Noyo Harbor Multimodal Improvement Project
Tier 2	Great Redwood Trail, Phase 5
	Mobility Solutions in Rural Communities
Tier 3	Orchard Avenue Extension

14. Fiscal Year 2022/23 RTPA Budget Presentation & Workshop. Ms. Orth referred to her staff report and gave a slide presentation of highlights. The County Auditor's new estimate of local sales tax revenues sets a new records at $5.1 million, although the recent rapid growth is anticipated to level off to about one percent in the coming year. Reserves are increased to take advantage of the windfall. Gas taxes are recovering from their low point. Planning funds remain stable. The federal coronavirus relief funds for transit are not represented in the budget except as information, since they do not affect MCOG this year. Details covered in her written staff report and the presentation included the following. No action was taken; for information only.

a. Report of Revenues Fiscal Year to Date 2021/22. Local Transportation Fund (LTF) sales tax receipts from July 2021 through February 2022 total $3,376,466, for a surplus of $359,279 (7.9%) compared to the total budget estimate of $4,525,780. The revised County Auditor's estimate predicts a surplus of $566,800 at fiscal year end, to exceed $5 million.

b. Executive Committee Recommendations of February 28, 2022 – Revenues & Allocations. The Executive Committee unanimously recommended a draft budget that allocates LTF funds for Reserves, MCOG Administration ($509,379), 2% Bicycle & Pedestrian (92,560), Planning (315,488), and the remainder available for Transit ($4,657,106), consistent with established priorities for Local Transportation Funds. The LTF Reserve for transit is tripled to 15 percent ($771,000). With Administration and Planning containing costs, Transit is the primary beneficiary of the funding increase.

c. Technical Advisory Committee Recommendation of February 16, 2022 – Draft Planning Overall Work Program. Ms. Pedrotti reported that the Technical Advisory Committee (TAC) had reviewed and recommended the Draft Transportation Planning Overall Work Program; a total of $1,046,598 was proposed from all funding sources for the Planning program. This amount may rise as unexpended 2021/22 project funds to carry over are identified. The final document will be presented for adoption on June 6 along with the budget. She then gave a brief overview of each work element and the funding available for them.

d. Transit Productivity Committee Recommendations of April 13, 2022 – Mendocino Transit Authority's Annual Transit Claim and Unmet Transit Needs. Staff made an initial analysis for TPC review of the annual transit claim from Mendocino Transit Authority (MTA), and advised an allocation for highest priority Unmet Transit Needs, all of which were to restore services cut during the pandemic, according to MTA's analysis of the needs list. The TPC recommended a finding that "there are Unmet Transit Needs that are reasonable to meet,"

and MTA revised its claim to include $300,000 for unmet needs. LTF funds available for MTA and Senior Centers adds 14.4 % ($585,439) over last year, topping $4 million for the second time. (Average annual increases over six years is approximately five percent.) The total available funding is $7,388,761, an increase of 17.6% ($1,108,063), when federal Section 5311 program funds are included. It was noted that MTA is subject to an eligibility test in the annual fiscal audit, so if not all of the funds can be expended during the year, a portion would be returned and made available in future budget years.

15. Award of Triennial Performance Auditor Engagement for MCOG and Mendocino Transit Authority Audits, Fiscal Years 2018/19 through 2020/21. Ms. Orth reported results of the procurement process for a consultant to conduct the performance audit as required by the state Transportation Development Act (TDA) every three years. An evaluation committee of MCOG and MTA management staff scored the two proposals received and found both to be highly qualified. The deciding factor was Moore & Associates' guarantee of on-time delivery of the final report.

The Chair invited public comment, with none wishing to speak to this item.

Upon motion by Brown, second by Carter, and carried unanimously on roll call vote *(7 Ayes – Brown, Kanne, Ignacio, Haschak, Carter, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent)*: IT IS ORDERED that the contract for MCOG and MTA triennial performance audits is awarded to Moore & Associates as recommended by staff, not to exceed the budget of $22,500, and the Executive Director is authorized to sign the Professional Services Agreement.

16. 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 *(6 Ayes – Brown, Kanne, Ignacio, Haschak, Carter, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent):* IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

17. Reports - Information

a. Caltrans District 1 – Projects Update and Information. Director Ahlstrand provided a list of districtwide projects for this year's construction season and reported highlights, such as a bridge replacement on State Route 20 near Redwood Valley and the James Creek West Safety improvement on SR-20 between Willits and Fort Bragg. A community meeting on the Hopland ADA project was held April 12, taking comments on the environmental document. She then answered questions.

The Chair opened public comment and heard from Tom Murphy of Gualala Municipal Advisory Council, who advocated for MCOG's support of Alternative 4-A for the Gualala Downtown Streetscape project and requested an agenda item at the next board meeting. A brief discussion ensued. Chair Gjerde will consult with staff regarding a June agenda item.

b. Mendocino Transit Authority. MTA Executive Director Jacob King reported on several items: the FTA Section 5311 application submitted; MTA's driver shortage and consideration of hiring bonuses; two new all-electric zero-emission busses deployed on the Willits route, with positive response from the public; a Request for Proposals in progress to hire a consultant for the Short Range Transit Development Plan.

c. MCOG Staff - Summary of Meetings. Ms. Barrett referred to the written report.

d. MCOG Administration Staff

i. *Miscellaneous.* Ms. Barrett reported that staff is working with Caltrans to look into adding further elements from MCOG's 2015 Hopland Main Street Corridor Engineered

Feasibility Study, such as pedestrian-oriented street lighting, along with the Americans with Disabilities Act (ADA) improvements planned by Caltrans.

ii. *Next Meeting Date*. Monday, June 6, 2022 – Adoption of Budget and Transportation Planning Program.

e. MCOG Planning Staff

i. *Pavement Management Program Update*. Mr. Sookne gave a slide presentation "State of the Pavements" on MCOG's triennial update in each of the four cities and the County. An active discussion ensued, with comments and questions from all board members present. Refer to presentation in the agenda packet posted at Board of Directors - Mendocino Council of Governments (mendocinocog.org).

ii. *Feasibility Study - Mobility Solutions for Rural Communities of Inland Mendocino County.* Ms. Ellard reported that a consultant had been selected, and answered questions from the Board. The project will identify non-traditional transportation methods for a future pilot project.

iii. *Local Road Safety Plans Update.* Ms. Ellard referred to her written report. The consultant is making presentations to each of the cities and the County through June. The plans will identify priority projects as candidates for federal grants through Caltrans' Highway Safety Improvement Program, with applications due in September.

iv. *Miscellaneous.* None.

f. MCOG Directors. Director Haschak asked whether the Great Redwood Trail Agency would be on future agendas, replacing the now defunct North Coast Railroad Authority, and offered to report next meeting. Chair Gjerde agreed and mentioned the Coastal Commission will be voting on whether to provide administrative services for the new agency.

g. California Association of Councils of Governments (CALCOG) Delegates. Director Haschak reported his remote attendance at the recent board meeting as Alternate Delegate for the first time. He found the discussion interesting, covering a slate of legislative bills with proposed positions on them.

18. Adjournment. The meeting was adjourned at 3:18 p.m.

Submitted: NEPHELE BARRETT, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director

MENDOCINO COUNCIL OF GOVERNMENTS

MINUTES

Transit Productivity Committee - TPC

April 13, 2022

Audio-video Teleconference

PRESENT:

MCOG Board Members:	Dan Gerde, Jim O. Brown
MTA Board Members:	Jim Tarbell, Maureen Mulheren
Senior Centers Rep.:	Richard Baker, Willits Seniors, Jill Rexrode, Redwood Coast Seniors (Alt.)
Staff & Others	Nephele Barrett, Janet Orth, and Jody Lowblad, MCOG
	Jacob King and Dawn White, MTA
ABSENT:	None

1. Call to Order. Chair Gjerde called the meeting to order at 1:00 p.m. Participants on the call were identified.

2. Public Expression. None.

3. Review and Recommendation on MTA's Analysis and Prioritization of 2022/23 Unmet Transit Needs. Janet reviewed the annual process, the recommended action, and MCOG's adopted definitions. Included in the agenda packet was MTA's analysis of the list of all testimony compiled by MCOG from the Social Services Transportation Advisory Council (SSTAC), Mendocino Transit Authority (MTA) and the February public hearing. The report was ranked by five categories: *High Priority* (4), *Medium Priority* (5), *Low Priority* (7), and *Already Exists* (3), for a total of 19 needs. Jacob then reviewed each need on the list, with group discussion.

- "High Priority–Consider for FY 2022/23" – **#M-7, M-10, M-11** and **S-4** all were to restore COVID-related service cuts, brought on by factors such as physical distancing requirements, driver shortages, and lack of ridership. **#S-4** was the SSTAC's catch-all for restoring these service routes, "as feasible." #M-10, Ukiah to North Coast, would be the CC Rider route that includes a trip to Santa Rosa. These are the needs most requested by the public.
- "Medium Priority–Consider for FY 2022/23" – Four of these are inter-related and part of MCOG's mobility solutions feasibility study: **#S-1**, Service for Mendocino College students from Covelo to and from Ukiah campus; **#M-3**, Addition of transit service to Potter Valley; **#M-4**, Micro transit services for the communities of Brooktrails, Potter Valley, Hopland, Covelo and Laytonville; and **#M-8**, Service to Covelo and Laytonville. **#M-9**, Transit Center, is an important project but requires study and will not be feasible within the next fiscal year. These are next most often requested needs.
- "Low Priority–Consider for FY 2022/23" – Six of these, **#S-2, #M-1, #M-2, #M-5, #M12** and **#P-1**, are legitimate service needs, but not feasible in the coming year. **#S-5**, Wednesday service for Ukiah Senior Center transportation, is a specialized service and eligible for a FTA Section 5310 program grant, however the center decided not to apply due to a shortage of staff to lead the effort.
- "Already Exists" – **#S-3** and **#M-6**, Service to The Woods retirement community in Little River, has been on the list for many years and service will start next week. **#P-2**, Locate safe, convenient off-highway bus stops near amenities in downtown Gualala, duplicates existing stop at Sundstrom Mall and other stops where safe and legal.

Questions and discussion included:

- Will MTA's budget include resumption of the High Priority services? Yes, MTA's budget development treated each service route as though it would be running, so when drivers are available, they can start up again. (Nephele, Jacob)
- Are the High Priority needs "reasonable to meet" or not qualified as unmet needs, only temporarily suspended? Pros and cons of each approach. This year's situation is unusual. (Group)
- Is it fair to say that the Medium and Low Priority needs are not reasonable to meet, by definition, and only the High Priority are reasonable to meet? Yes, although the High Priority resumption of services would not be on the list from MTA's point of view. (Richard, Jacob)

- Review of high-level cost estimates for meeting the High Priority needs to restore services: #M-7 (Route 60) at $92K, #M-10 (CC Rider) at $270K, and #M-11 (Route 5) at $108K. (Janet, Jacob)
- Would MTA meet the entire list if drivers were available? No, balance of list would be considered service expansion. Two general categories are 1) micro-transit, currently under study in several local communities and 2) traditional transit. (Jim, Jacob)
- MCOG's current-year Planning program includes a grant-funded feasibility study of Mobility Solutions in remote inland communities of Mendocino County, which is to identify projects appropriate for each locale, such as micro transit, for later funding cycles. (Nephele)
- SSTAC's other recommendation (also #M-9 from the public) is to develop a new transit center; while not meeting the definition of a service need, it would connect various transportation services, and a study will be funded in MCOG's 2022/23 Planning program. (Nephele)
- What is the outlook for driver recruitment? This is a nationwide problem and a major topic of CALACT's Spring Conference. MTA has trained recruits, who immediately took their licenses and left the county; MTA has since put in new safeguards, and could use 10-12 more drivers. (Jim, Jacob)
- Various options were considered for the High Priority items, in light of all resources being available except drivers. (Group)
- Discussion of #S-5 (Low Priority) for seniors' specialized services. Ukiah Senior Center is recruiting for an executive director and could not take advantage of grant opportunities this cycle. Meanwhile, MTA has some service available, though not door-through-door. (Jacob, Richard, Nephele)

Recommendations:
Upon motion by Baker, seconded by Brown, and carried unanimously by roll call vote (*5 Ayes – Gjerde, Brown, Tarbell, Mulheren, Baker; 0 Noes; 0 Absent*), the TPC recommended a finding that "there are unmet transit needs that are reasonable to meet" for Fiscal Year 2022/23, as identified on the FY 2022/23 list:

- #M-7 Resumption of Route 60
- #M-10 Resume services linking inland to the coast – Ukiah to North Coast in the morning and back again, in the afternoon
- #M-11 Resume pre-pandemic service to coastal communities
- #S-4 Resumption of temporary service cuts related to pandemic and staffing shortages, as feasible

4. Review and Recommendation on Fiscal Year 2022/23 Transit Claim. Janet reviewed her written report, noting sales tax revenues to the Local Transportation Fund have been coming in much higher than expected, with the County Auditor's estimate at $5.1 million and an audited FY 2020/21 budget surplus of $754,417 available in FY 2022/23. The Executive Committee recommended holding back more reserves than usual, at 15% of the County Auditor's estimate, or $771,000, which would be available for MTA as specified in policy. $437,150 of LTF would be released for allocations. State Transit Assistance (STA) from fuel taxes also is recovering from the pandemic downturn, with over $1.1 million available due to audited fund balance along with revised and new estimates. So there is evident growth in revenues, although expected to level off to about one percent in the coming year, with inflation on the rise, so care is advised.

A copy of MTA's claim was included in the agenda packet. MTA claimed the full Balance Available for Transit, showing an increase of $1,102,476 over the previous year. The senior centers are expected to receive the same percentage LTF increase as MTA's for their contracted transportation program. Assuming the recommended Unmet Transit Needs finding is made by MCOG's Board, MTA would revise its LTF claim to show a separate amount for those. This year MTA has claimed an amount specifically for Transit Planning to pay for their needed five-year plan.

Discussion and questions included:

- This is good news for transit. What are next steps or recommended action? Identify unmet needs in the claim per TPC's action. (Jim, Janet)
- How best to estimate cost of unmet needs and how would MCOG verify expenditure? Estimate on the low side. MCOG has discretionary authority over enforcement since these are local funds. (Nephele, Janet)

- This will be the first budget with revised formula for senior centers as adopted by MCOG Board; amounts are estimated depending on insurance costs off the top. Ukiah and Redwood Coast will lose 6 to 7%, while the others will receive an increase. (Nephele, Dawn)
- There is a large increase in STA funds; the County's budget model would use a carryover surplus amount for one-time expenditures. Would MTA have such a one-time use for that portion? No, currently that does not appear feasible, as fuel costs have doubled ($650,000 for the coming year), maintenance is up 25%, and retention of workforce is essential. In that case. (Dan, Jacob)
- Discussion of LTF reserves. MCOG can save TDA funds, while MTA cannot. Annual audit tests of eligibility cause unexpended funds to be returned. In that case, the funds carry forward to be released in a following budget year, giving time to understand some of these cost spikes. Brief conversation on economic planning ahead. (Group)

Recommendation:
Upon motion by Brown, seconded by Mulheren, and carried unanimously by roll call vote (*5 Ayes – Gjerde, Brown, Tarbell, Mulheren, Baker; 0 Noes; 0 Absent*), the TPC recommended that MCOG identify Local Transportation Funds for reasonable-to-meet Unmet Transit Needs in MTA's FY 2022/23 allocation.

Local Transportation Fund (LTF)		
MTA Operations	pending	
Unmet Transit Needs	pending	
Senior Center Operations	729,019	
Transit Planning	200,000	
Total LTF		4,657,106
State Transit Assistance Fund (STA)		
MTA Operations	1,167,375	
MTA & Seniors Capital	0	
Transit Capital Reserve	0	
Total STA		1,167,375
Capital Reserve Fund (CRF)		
MTA Capital, Current Year	0	
Senior Capital, Current Year	0	
Long-Term Capital Reserve	701,179	
Total CRF		701,179
Total Recommended FY 2022/23 Transit Allocation		**6,525,660**

5. Review and Recommendation on MCOG Standards. Janet's written staff report recapped where this issue left off, with no action the past two years. Passengers per Hour is the remaining standard due for adjustment. Staff recommended an adjustment to Passengers per Hour for Short Distance Bus Routes [*note error in staff report recommendation naming Long Distance Routes*] for the near term and to revisit after a new five-year transit plan is released. An adjustment for Dial-a-Ride could also be considered.

Discussion included:

- A preview of the performance reports. (Agenda #6)
- The performance auditor has provided useful advice in the past, some of which has been implemented, such as a three-year average method for Cost per Hour. (Nephele)
- Historical context and how to establish targets that are both aspirational and achievable. (Group)
- The next five-year Short Range Transit Development Plan will be very helpful for a strategy. (Janet)

A motion was made by Richard**,** seconded by Dan, to reset the Passengers per Hour standard for Short Distance Bus Routes to 6.0, according to the three-year average from the performance report.

Discussion on the motion: Nephele found performance results from a previous report: 2017/18 at 9.5; 2016/17 at 8.6, and 2015/16 at 12.9 Passengers per Hour for the same service type. Dan noted historical data at 73% and 78% of the standard for different service types and suggested amending the motion to adjust Passengers per Hour to a similar level, rather than basing on performance in abnormal years. It was clarified that the next reset should be after a new transit plan is available. The motion makers concurred.

Recommendation:
Upon motion by Baker, seconded by Gjerde, and carried unanimously by roll call vote (*5 Ayes – Gjerde, Brown, Tarbell, Mulheren, Baker; 0 Noes; 0 Absent*), the TPC recommended that MCOG adjust the Passengers per Hour standard to 73 percent of the existing adopted standard for three service types, and to revisit the standards after the next Short Range Transit Development Plan is completed:

Passengers per Hour	Existing	Adjusted
Short Distance Bus Routes	14.0	10.2
Senior Centers	3.0	2.2
Dial-A-Ride	4.5	3.3

6. Annual Review of MTA Performance Reports Against MCOG Standards. Janet presented findings of her analysis, as documented in the written staff report. In summary, the three-year average compared with last year's review changed only slightly. The one difference is that Long Distance Routes did not meet the optional Cost per Passenger, with costs rising noticeably, but still reached the three-of-three target. Short Distance Routes would meet three-of-three if the Passengers per Hour standard were not set artificially high. Staff's takeaway was that—after a second tough year—all met the goal of at least two out of three standards, so once again congratulations are in order.

Service Type	2021	3-Yr Average
Dial-A-Ride (DAR) maintained the same 3-yr average	1 of 4	2 of 4
Short Distance Bus Routes maintained the same 3-yr average	1 of 4	2 of 4
Long Distance Routes dropped by 1 (Pass/Hr) in 2021, dropped by 1 (Pass/Hr) in 3-year average	1 of 4	3 of 4
Senior Centers data is incomplete and reported as available	1 of 4	2 of 4

Discussion included:

- Senior centers Farebox numbers appear artificially high due to differences in revenue types included. In general, costs are high and ridership is low for all service types. (Janet)
- What are reasons for several spikes in Operating Cost per Vehicle Service Hour during 2021? Some costs, such as annual insurance premiums and bulk fuel purchases, or unusual/periodic expenses can skew results for a quarterly reporting period. (Janet, Jacob, Dawn)
- Ridership was up in Spring 2021, as pandemic conditions started to ease and people were out more. (Nephele, Jacob)
- Senior centers were providing just essential services during 2021. The same was true for MTA until July 2021. (Richard, Jacob)
- Senior centers are still requiring masks on buses. A new health order today extended masking on all public transportation from April 18 to May 3. (Jill, Richard, Jacob)
- In good news, Golden Gate Bridge District is now losing less than $1 million per week on its transit services. (Jacob)

Recommendation:
Upon motion by Brown, seconded by Baker, and carried unanimously by roll call vote (*5 Ayes – Gjerde, Brown, Tarbell, Mulheren, Baker; 0 Noes; 0 Absent*), the TPC advised that the performance review was made with no action taken, and recommended annual reviews and reports going forward.

– Annual Transit Performance Reviews (one year and three years) are attached

7. Miscellaneous / Members' Concerns / Announcements. None.

8. Adjournment. The meeting was adjourned at 2:43 p.m.

Submitted by Janet Orth, Deputy Director & CFO

Mendocino Council of Governments

Annual Transit Performance Review

January 1 - December 31, 2021

MCOG Standards	Passengers per Hour	Farebox Ratio	Operating Cost per Vehicle Service Hour	Cost per Passenger
When comparing to performance:	Higher # is better	Higher # is better	Lower # is better	Lower # is better
Dial-A-Ride				
Jan, Feb, Mar 2021	2.6	12%	$118.55	$45.60
Apr, May, June 2021	7.6	31%	$377.05	$49.61
July, Aug, Sept 2021	3.2	15%	$112.65	$35.20
Oct, Nov, Dec 2021	2.0	11%	$86.47	$43.24
Annual Average	3.9	17.3%	$173.68	$43.41
Standard	**4.5**	**10.0%**	NA	NA
CPI Adjusted Rolling Average	NA	NA	**$116.41**	**$25.87**
Result	not met	✓	not met	not met
Short Distance Bus Routes *				
Jan, Feb, Mar 2021	3.8	15%	$226.09	$59.50
Apr, May, June 2021	3.8	10%	$239.43	$63.01
July, Aug, Sept 2021	4.1	16%	$169.00	$41.22
Oct, Nov, Dec 2021	4.0	14%	$199.79	$49.95
Annual Average	3.9	13.8%	$208.58	$53.42
Standard	**14.0**	**10.0%**	NA	NA
CPI Adjusted Rolling Average	NA	NA	**$144.10**	**$10.29**
Result	not met	✓	not met	not met
Long Distance Routes **				
Jan, Feb, Mar 2021	1.6	12%	$188.11	$117.57
Apr, May, June 2021	3.3	8%	$367.84	$111.47
July, Aug, Sept 2021	2.4	11%	$141.83	$59.10
Oct, Nov, Dec 2021	2.5	9%	$174.22	$69.69
Annual Average	2.5	10.0%	$218.00	$89.45
Standard	**3.2**	**10.0%**	NA	NA
CPI Adjusted Rolling Average	NA	NA	**$169.20**	**$52.88**
Result	not met	✓	not met	not met
Senior Centers				
Jan, Feb, Mar 2021	2.1	14%	$85.11	$40.92
Apr, May, June 2021	2.0	22%	$90.84	$45.42
July, Aug, Sept 2021	1.9	23%	$95.54	$51.64
Oct, Nov, Dec 2021	2.0	22%	$133.64	$65.72
Annual Average	2.0	20.4%	$101.28	$50.93
Standard	**3.0**	**10.0%**	NA	NA
CPI Adjusted Rolling Average	NA	NA	**$79.88**	**$26.63**
Result	not met	✓	not met	not met

* Includes 1 Willits Local, 5 Bragg About, 7 Jitney, 9 Ukiah Local

** Includes 20 Willits/Ukiah, 60 Coaster, 65/66 CC Rider, 75 Gualala/Ukiah, 95 Point Arena/Santa Rosa

NOTES:

"CPI Adjusted Rolling Average" uses the Consumer Price Index (CPI) Annual Average, All Urban Consumers, California, percent change from corresponding calendar year to year, added to each of the past three years and averaged.

Check-mark symbol indicates the standard was met.

Cost per Passenger is the result of Cost per Hour divided by Passengers per Hour (may differ slightly from MTA report).

Round-off errors may occur between MTA's report and this summary, or differences from number of decimal places entered.

Inland and Coast routes were changed by TPC recommendation to "Short Distance" and "Long Distance" respectively.

MCOG Board adopted 10% Farebox Ration standard on June 3, 2019 as recommended by TPC.

Reporting of Farebox by certain Senior Centers is inconsistent with TDA, thereby affecting average performance for all.

Mendocino Council of Governments
Annual Transit Performance Review

3 Years: January 1, 2019 - December 31, 2021

MCOG Standards	Passengers per Hour	Farebox Ratio	Operating Cost per Vehicle Service Hour	Cost per Passenger	Cost/Hr Annual CPI adj.	
When comparing to performance:	Higher # is better	Higher # is better	Lower # is better	Lower # is better		
Dial-A-Ride						
Jan. 1 - Dec. 31, 2019	3.3	23.8%	$76.96	$23.03	$79.27	3.00%
Jan. 1 - Dec. 31, 2020	2.8	15.0%	$87.49	$33.69	$88.95	1.67%
Jan. 1 - Dec. 31, 2021	3.9	17.3%	$173.68	$43.41	$181.02	4.23%
3-Year Average	3.3	18.7%	$112.71	$33.38	$116.41	2.97%
Standard	**4.5**	**10.0%**	NA	NA		
CPI Adjusted Rolling Average	NA	NA	**$116.41**	**$25.87**	Cost/Hr divided by Pass/Hr standard	
Result	not met	✓	✓	not met		
Short Distance Bus Routes						
Jan. 1 - Dec. 31, 2019	7.7	35.5%	$101.38	$13.19	$104.42	
Jan. 1 - Dec. 31, 2020	6.4	22.8%	$108.68	$19.48	$110.49	
Jan. 1 - Dec. 31, 2021	3.9	13.8%	$208.58	$53.42	$217.39	
3-Year Average	6.0	24.0%	$139.55	$28.70	$144.10	
Standard	**14.0**	**10.0%**	NA	NA		
CPI Adjusted Rolling Average	NA	NA	**$144.10**	**$10.29**		
Result	not met	✓	✓	not met		
Long Distance Routes						
Jan. 1 - Dec. 31, 2019	4.7	21.8%	$113.47	$25.08	$116.87	
Jan. 1 - Dec. 31, 2020	4.2	15.5%	$160.83	$50.46	$163.52	
Jan. 1 - Dec. 31, 2021	2.5	10.0%	$218.00	$89.45	$227.21	
3-Year Average	3.8	15.8%	$164.10	$55.00	$169.20	
Standard	**3.2**	**10.0%**	NA	NA		
CPI Adjusted Rolling Average	NA	NA	**$169.20**	**$52.88**		
Result	✓	✓	✓	not met		
Senior Centers						
Jan. 1 - Dec. 31, 2019	3.0	30.3%	$67.94	$22.56	$69.98	
Jan. 1 - Dec. 31, 2020	2.1	17.4%	$63.05	$32.32	$64.10	
Jan. 1 - Dec. 31, 2021	2.0	20.4%	$101.28	$50.93	$105.56	
3-Year Average	2.4	22.7%	$77.42	$35.27	$79.88	
Standard	**3.0**	**10.0%**	NA	NA		
CPI Adjusted Rolling Average	NA	NA	**$79.88**	**$26.63**		
Result	not met	✓	✓	not met		

NOTES:

"CPI Adjusted Rolling Average" uses the Consumer Price Index (CPI) Annual Average, All Urban Consumers, California, percent change from corresponding calendar year to year, added to each of the past three years and averaged.

Check-mark symbol indicates the standard was met.

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Inland and Coast routes were changed by TPC recommendation to "Short Distance" and "Long Distance" respectively.

MCOG Board adopted 10% Farebox Ration standard on June 3, 2019 as recommended by TPC.

Reporting of Farebox by certain Senior Centers is inconsistent with TDA, thereby affecting average performance for all.

MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

TITLE: MCOG Bylaws Amendment – Miscellaneous Updates

SUBMITTED BY: Janet Orth, Deputy Director & CFO DATE: 5.17.2022

BACKGROUND:

The Council's bylaws were last updated in 2013, documenting a change in board meeting location. Recently, numerous minor changes have come to our attention:

ARTICLE III

- Section 5.3. Technical Advisory Committee (TAC) – obsolete membership of North Coast Railroad Authority
- Section 5.4. Transit Productivity Committee (TPC) – slight additions to better reflect advisory role as described in Transportation Development Act, PUC 99244
- Section 5.5. Social Services Transportation Advisory Council (SSTAC) – no longer meets as Local Review Committee for FTA 5310 grant applications

ARTICLE IV

- Section 2. Manner of Voting – all votes made by roll call when meeting remotely, per Brown Act regulations

ARTICLE V

- Section 1. Regular Meetings – regular board meetings are not held on succeeding Mondays following holidays; calendar of meetings adopted annually
- Section 2. Special Meetings – written notice delivered by email
- Section 4. Local of Meetings – meetings held remotely
- Section 6. Council Mailing for Meetings – agenda packets sent by email; less lead time is required for receipt five days prior to meeting; agenda packets posted on website, publically available to all interested

I will be glad to address any of these issues at the meeting if requested.

ACTION REQUIRED:

Approve several routine, minor updates to the bylaws, as indicated in strikeout and underlined text on the attached proposed draft amendment.

ALTERNATIVES:

- Add or subtract changes proposed for this amendment.
- Delay action and refer bylaws to the Executive Committee for further review.

RECOMMENDATION:

Approve routine, minor updates to MCOG's bylaws as identified in staff's proposed amendment.

BYLAWS

of the

MENDOCINO COUNCIL OF GOVERNMENTS

Amended May 6, 2013

with Amendments Proposed June 6, 2022

ARTICLE I - THE COUNCIL

The name of the Council shall be the "Mendocino Council of Governments." The Mendocino Council of Governments (MCOG or "the Council") was originally established in 1972 as the Mendocino County and Cities Area Planning Council by a Joint Powers Agreement (JPA) among the Cities of Fort Bragg, Point Arena, Ukiah and Willits, and the County of Mendocino. It was renamed and reorganized by an amended JPA in 1978. MCOG has been designated by the State's Secretary of Business, Transportation, and Housing as the transportation planning agency for Mendocino County, pursuant to Government Code Section 29532. MCOG has the authority to function both as the Regional Transportation Planning Agency (RTPA) for Mendocino County and as a Council of Governments.

The Council members shall be composed of two duly appointed representatives of the Mendocino County Board of Supervisors, one member of each of the City Councils of each incorporated city (Fort Bragg, Point Arena, Ukiah and Willits), and one Mendocino County elected official.

ARTICLE II - PURPOSE

It shall be the policy of the Council to attempt to establish technical and advisory liaisons with all other agencies and public bodies seeking to improve the quality of various matters, such as transportation, planning, health, safety, economic development, welfare and governmental services for all or any part of Mendocino County or its cities.

The Council is expressly authorized to transmit transportation planning information to the Mendocino County Board of Supervisors, the City Councils of the four incorporated cities in Mendocino County, the State Department of Transportation, State Office of Planning, and any duly constituted regional, area or metropolitan planning commission which may request in writing such information.

ARTICLE III - OFFICERS/STAFF/COMMITTEES

Section 1.1 Chair: The Chair of the Council shall be selected by a majority of its voting members. The term of the Chair shall be for one (1) year, commencing on the first Monday in February when elected and ending on the following first Monday in February or at the next officers election.

Section 1.2 Powers of Chair: The Chair, when present, shall preside at all meetings of the Council. The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Council. The Chair shall be permitted to participate in debate without surrender of the chair. The Chair shall be permitted to vote, move, and second a motion. If the Chair is absent, then the Vice Chair shall preside. If both the Chair and Vice Chair are absent, a chair *pro tem* may be appointed for the purposes of the meeting.

Section 2. Vice Chair: The Vice Chair of the Council shall be selected by a majority of its voting members. The term of the Vice Chair shall be for one (1) year, commencing on the first Monday in February when elected and ending on the following first Monday in February or at the next officers election. The Vice Chair shall have all of the powers and act in the place of the Chair in his/her absence.

Section 3. Vacancies: Upon the death, resignation or other removal of the Chair or Vice Chair, the resulting vacancies shall be filled for the unexpired portion of the term in the same manner as the original selection.

Section 4. STAFFING

Section 4.1 Executive Director: The Council shall appoint an Executive Director, under a contract basis, who shall manage the daily duties of the Council's functions. The Executive Director shall maintain a public record of the Council's resolutions, transactions, findings and determinations, and have prepared a set of minutes of every meeting for the review and approval of the Council.

Section 4.2 Transportation Planner: The Council shall have a Transportation Planner, with duties including but not limited to, certain project activities such as preparation of the Regional Transportation Plan, Overall Work Program and other specific planning studies as required for compliance with State and Federal regulations.

Section 5. STANDING COMMITTEES

Section 5.1 Policy Advisory Committee (PAC): The PAC shall consist of the seven Council members and one representative of the California Department of Transportation (Caltrans). The Council's agendas shall be structured such that the Caltrans representative, as a member of the PAC, shall have a vote on all matters dealing with transportation.

Section 5.2 Executive Committee: The Council may appoint an Executive Committee consisting of the Chair, the Vice Chair and one member from a city or the County. The Executive Committee may carry on the administrative and executive functions of the Council between regular meetings of the Council. The Executive Committee may also be used to oversee the personnel budget and policy issues and make recommendations to the full Council.

The Council shall attempt to appoint members to the Executive Committee that reflect a balance between City and County representation.

Section 5.3 Technical Advisory Committee (TAC): The TAC shall consist of nine (9) voting members or their authorized technical representatives, as follows: the County Director of Transportation, the County Director of Planning & Building Services, the Mendocino Transit Authority ~~General Manager~~Executive Director, the Caltrans Transportation Planning Branch Chief, one technical representative appointed by each of the four cities, and the County Air Pollution Control Officer. ~~Additionally, one (1) non-voting member shall be a rail representative appointed by North Coast Railroad Authority, with all other duties and privileges of TAC membership.~~ Further, it is understood that the TAC will work toward consensus. If a vote is required, a motion must pass with a two-thirds majority of those members present voting in the affirmative.

MCOG seeks the Technical Advisory Committee's professional expertise as an independent technical committee. MCOG recognizes that the TAC is to review material

presented before it and make recommendations to the Council. MCOG also recognizes that, although the impact of the TAC's recommendation on an individual constituent agency may be a factor, the decision making process must remain a combination of technical information and individual TAC members' education, experience and professional judgement. Recommendations to the Council shall remain focused on improvement of the transportation system based on technical considerations.

The MCOG Executive Director or his/her authorized representative shall have the responsibility of chairing the Technical Advisory Committee and ensuring that the TAC's recommendations are reported to the Council.

Section 5.4 Transit Productivity Committee (TPC): The TPC shall consist of five (5) voting members: two (2) members of the Council appointed by the Chair; two (2) members of the transit operator's Board of Directors; and one (1) senior centers representative to be selected by those senior centers under the Council's jurisdiction and then formally appointed by the Council. The TPC shall be staffed by the MCOG Executive Director or his/her authorized representative.

The purpose of the TPC will be to review and recommend on transit performance and productivity issues in accordance with approved standards adopted by the Council, including review of quarterly reports of the transit operator and to make recommendations to the Council for revisions to the standards. The TPC will review and make recommendations to the Council on the annual Transit Claim, and also provide input on the "unmet transit needs" process, including findings of the SSTAC. Meetings will be held at least once annually, or quarterly if warranted.

Section 5.5 Social Services Transportation Advisory Council (SSTAC): The SSTAC, as required by SB 498, shall consist of one representative of potential transit users, who is 60 years of age, or older; one representative of potential transit users, who is handicapped; two representatives of local service providers for seniors, including one representative of a social services transportation provider if one exists; two representatives of local service providers for the handicapped, including one representative of a social services transportation provider if one exists; one representative of a local social services provider for persons of limited means; and two representatives from the Local Consolidated Transportation Service Agency if one exists. In the event such membership cannot be filled, MCOG shall approve of membership and attempt to fill all required seats. The purpose of the SSTAC is advisory to MCOG and is to represent the

needs of the transit dependent and transit disadvantaged, including the elderly, handicapped and persons of limited means.

MCOG staff shall serve the SSTAC.

The SSTAC also provides input on the size and location of identifiable groups likely to be transit dependent and analyzes adequacy of existing and potential new service needs. The report from the SSTAC is used during the annual unmet needs process.

~~The SSTAC also sits as the Local Review Committee (LRC) for the Federal Transit Administration (FTA) Section 5310 Program applications for vehicle and equipment replacement and acquisitions. The LRC reviews and ranks applications submitted by the senior centers and the transit operator and forwards the local ranking to Caltrans for statewide ranking and funding. If an applicant feels the review of their proposal and ranking by the LRC was unfair or inadequate, they shall appeal to the Executive Director, who shall respond to the applicant. If the applicant is dissatisfied with the decision of the Executive Director, they may then appeal to MCOG.~~ *[Document this in policies and procedures manual]*

Section 6. ASSOCIATIONS

Section 6.1 California Association of Councils of Governments (CALCOG): The Council shall annually appoint two members of the Council, at least one of whom shall be an Executive Committee member, to the CALCOG organization for the purpose of voting on statewide issues. One member shall be the delegate, the other member, the alternate. The term of these appointments shall be for one year commencing on the first Monday in February when appointed and ending on the following first Monday in February or at the next year's committee appointments.

ARTICLE IV - VOTING

Section 1. Quorum: A quorum of the Council shall consist of at least four (4) of the seven (7) seated members. The Caltrans representative shall not be counted as part of a quorum of the Council. A majority vote of four (4) of the seven (7) seated members shall be required to transact business (ie. if four members were present and a vote was 3-1, the vote would be

invalid). No act of the Council shall otherwise be valid or binding.

Section 2. Manner of Voting: The voting on all resolutions coming before the Council shall be by roll call vote, or voice vote for all other issues when meeting in person, unless deemed otherwise by the Chair. All votes shall be made by roll call when meeting by remote virtual means, as required by the Ralph M. Brown Act. The "ayes" and "noes" shall be entered upon the minutes of such meeting, except for election of officers, which MAY be by ballot.

Section 3. Vote: In the absence of an objection, the Chair may order the motion unanimously approved by the members present. This rule, however, shall not prohibit any member of the Council from calling for a vote if any member so wishes.

ARTICLE V - MEETINGS

Section 1. Regular Meetings: Regular meetings shall be held on the first Monday of each month as necessary to conduct business, but at least quarterly. The time of the commencement of the meeting shall be determined by the Chair or the Executive Director, unless modified by the Council. ~~If a regular meeting date falls on a holiday, the regular meeting shall be held on the next succeeding Monday that does not fall on a holiday, unless modified by the Council.~~ The Council may adopt an annual calendar of board meetings, subject to revisions as needed by the Chair and Executive Director. If no matters have been set for a regular meeting and there is otherwise no business to transact, the Executive Director may cancel the regular meeting and notify the members of the Council.

Section 2. Special Meetings: Special meetings may be called by the Chair or the Executive Director by delivering personally, ~~or~~ by mail, or by email, written notice to each member and to each local newspaper of general circulation which has requested notice in writing. Such notice must be delivered at least 24 hours before the time of such special meeting as specified in the notice. The notice calling the special meeting shall specify the time, date and place of the meeting and the business to be transacted. No other business shall be considered at the meeting. The notice shall be posted at least 24 hours prior to the special meeting at the Council's regular

place of posting.

Section 3. Adjourned Meetings: Any meeting may be adjourned to a date and place certain by the Council. Any adjourned meeting shall be deemed to be a part of the original meeting so adjourned.

Section 4. Location of Meetings: Unless otherwise ordered by the Chair or the Executive Director, all in-person meetings of the Board of Directors shall be held in the County of Mendocino Board of Supervisors Chambers, Room 1070, 501 Low Gap Road, Ukiah, California. Remote meetings by virtual means shall be held in accordance with applicable laws and regulations.

Section 5. Agendas for Meetings: At least 72 hours before a regular meeting, an agenda shall be posted at the Council's regular place of posting. Such agenda shall contain a brief description of each item of business to be transacted or discussed at the meeting.

Section 6. Council Mailing for Meetings: For each meeting, an agenda shall be prepared and mailed or sent by email ~~eight (8) days~~ prior to the meeting in sufficient time to allow the Council to receive the agenda no later than five (5) days prior to the meeting. Also to be included in the mailing are the Executive Director's report, including recommendations, other materials relating to matters to be considered at the meeting, and minutes of the previous regular meeting and any intervening special meeting.

Copies of the agenda shall also be mailed (or otherwise made available) to the press attending a meeting, the County Library and the interested public if so requested, not less ~~that~~ than five (5) days prior to the meeting. The agenda and supporting materials shall be posted to the Council's website at least 72 hours prior to the meeting.

Section 7. Public Participation: 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.

Section 8. Off Agenda Items: The Council may take action on items of business not appearing on the posted agenda under any of the following conditions:

a) A determination by a majority vote that an "emergency situation" exists. An "emergency situation" refers to: work stoppage or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body; or a crippling disaster that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body.

b) Upon a two-thirds (2/3) vote of the Council, or if less than two-thirds (2/3) of the members are present, a unanimous vote of the members present, that the need to take action arose after the agenda was posted, if posted in the legally appropriate manner.

c) The item was posted as required by law for a prior meeting of the Council occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

Approved By:

~~*/s/ Dan Gjerde*~~

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Chair, Mendocino Council of Governments

~~August 22, 2013~~

Attested By:

~~*/s/ Phillip J. Dow*~~

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Executive Director

~~August 22, 2013~~

MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

Agenda # 9
Consent Calendar
MCOG Meeting
6/06/2022

TITLE: Adoption of the Addendum to the 2017 Initial Study/ Mitigated Negative Declaration for the Covelo State Route 162 Corridor Multi-Purpose Trail

DATE SUBMITTED: 5/31/22

SUBMITTED BY: James Sookne, Program Manager

MEETING DATE: 6/6/22

BACKGROUND: In 2014, MCOG completed the Covelo/Round Valley Non-Motorized Needs Assessment and Engineered Feasibility Study and subsequently applied for Active Transportation Program (ATP) grant funding for the Covelo SR 162 Corridor Multi-Use Trail based on that study. A total of $2,672,000 was awarded in ATP funding.

In May 2016, MCOG entered into a contract with GHD, Inc. to complete the environmental, design, and preliminary right-of-way work for this project. Due to some delays in obtaining permission to enter properties for analysis and seasonal timing, field work didn't begin until the spring of 2017. On December 4, 2017, the MCOG Board adopted the Initial Study and Mitigated Negative Declaration (IS/MND) CEQA document for this project that identified a preferred alternative.

The design and right-of-way phases commenced following the adoption of the IS/MND. In February 2019, MCOG entered into a contract with Bender Rosenthal, Inc. (BRI) for right-of-way appraisal and acquisition services. In September 2019, GHD completed the 95% design and technical specifications. Right-of-way certification was achieved in January 2022.

During the right of way process, MCOG was contacted by Indian Health Services (IHS) and informed that the alignment of the sewer line across Mill Creek may not be where we were initially told it was. This presented an issue since the alignment of the pedestrian bridge was based on the location of the sewer line. Due to the depth of the line under the creek bed, MCOG and Caltrans were unable to find a contractor to easily identify it. In consultation with GHD, BRI, and Caltrans, MCOG determined that the best way to handle the potential conflict would be to have the construction contractor identify the exact alignment during construction and, if necessary, shift the alignment of the bridge 15 feet to the west. If the bridge needed to be moved, the footprint of the new alignment would be slightly beyond the area that was studied in the original IS/MND, further environmental analysis would be required.

To prevent any delays during construction, MCOG and the consultants have evaluated the potential changes in the project design pursuant to the California Environmental Quality Act (CEQA) and found that there are no elements that require the preparation of a subsequent MND. Under CEQA Guidelines Section 15164, a CEQA Lead Agency (MCOG) may prepare an Addendum to a previously adopted negative declaration to analyze changes in a project, or in circumstances surrounding a project, where the record indicates that a subsequent negative declaration is not required. Therefore, the attached addendum to the 2017 IS/MND has been determined to be the appropriate CEQA document. Per CEQA Guidelines, neither a public review period nor public hearing are necessary to adopt the Addendum, therefore a public notice wasn't required.

At this time, we ask that the Board consider adopting the Addendum to the 2017 Initial Study/Mitigated Negative Declaration to the Covelo State Route 162 Corridor Multi-Purpose Trail.

ACTION REQUIRED: Adopt the Addendum to the 2017 IS/MND to avoid potential delays during construction.

ALTERNATIVES: Do not adopt the Addendum which could result in delays during construction should the alignment of the bridge need to be adjusted.

RECOMMENDATION: Adopt the Addendum to the 2017 Initial Study/Mitigated Negative Declaration to the Covelo State Route 162 Corridor Multi-Purpose Trail.

Addendum to the 2017 Initial Study / Mitigated Negative Declaration

Covelo State Route 162 Corridor Multi-Purpose Trail, SCH No. 2017102051

Mendocino Council of Governments

19 January 2022

Contents

1. Introduction

1.1 Background

The Mendocino Council of Governments (MCOG), in partnership with the California Department of Transportation (Caltrans) and the Round Valley Indian Tribe (RVIT), have received grant funding for the design and construction of the Covelo SR 162 Corridor Multi-Purpose Trail. Non-motorized travel is an important form of transportation in Round Valley. Covelo and the Round Valley Indian Reservation are not served by public transportation. Children, elderly and low-income residents use non-motorized travel modes. The need for safe pedestrian corridors was identified by local residents as a high priority in the Covelo/Round Valley Non-Motorized Needs Assessment and Engineered Feasibility Study (2014) and in Making Safe & Healthy Community Connections in Round Valley – Walk/Bike Path and Community Revitalization Strategy (2010).

The purpose of this project is to reduce the potential for conflicts between bicyclists, pedestrians, and vehicles within a portion of the SR 162 Corridor and increase mobility options in the community. SR 162 serves as "Main Street" within the community of Covelo. The highway has no developed facilities for bicycles or pedestrians and the drainage ditches on both sides of the highway force non-motorized users to travel in the vehicle lanes. The project would link critical activity centers within the community, including schools, the downtown center, tribal facilities, and residential areas.

On December 4, 2017, MCOG adopted an Initial Study/Mitigated Negative Declaration (2017 ISMND) and Mitigation Monitoring and Reporting Program and approved the Covelo State Route 162 Corridor Multi-Purpose Trail Project (project). Since adoption of the 2017 ISMND, the project design has been modified to include slight adjustments to the alignment of the proposed bridge.

MCOG has evaluated the changes in the project design along with the circumstances surrounding the project pursuant to the California Environmental Quality Act (CEQA). The changes to the project design have been evaluated and measured against the standards set forth in CEQA Guidelines Section 15162 which outlines the circumstances under which a CEQA Lead Agency is required to prepare a Subsequent MND. No elements requiring the preparation of a Subsequent MND have been identified, as the changes in the project design along with the circumstances surrounding the project do not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects requiring new mitigation measures beyond those previously addressed in the 2017 ISMND. Under CEQA Guidelines Section 15164, a CEQA Lead Agency may prepare an Addendum to a previously adopted negative declaration to analyze changes in a project, or in circumstances surrounding a project, where the record indicates that a subsequent negative declaration is not required. Therefore, an Addendum to the 2017 ISMND has been determined to be the appropriate CEQA document.

This Addendum reflects the analysis of the MCOG as the CEQA Lead Agency. Further, it demonstrates that the environmental analysis, impacts, and mitigation requirements identified in the 2017 ISMND remain essentially unchanged by the minor changes to the project described herein. The project modifications do not result in a new significant impact or substantial increase in the severity of a previously identified significant impact, and therefore do not exceed the level of impacts identified in the 2017 ISMND.

Per CEQA Guidelines Section 15164(c), an Addendum need not be circulated for public review. Per CEQA Guidelines Section 15164(d), the decision-making body shall consider an Addendum prior to making a decision on the project. Accordingly, this Addendum, along with the 2017 ISMND, will be considered by the decision-making bodies prior to any future decision on the project. This Addendum, along with the previous environmental analyses, is on file with and may be obtained from the Mendocino Council of Governments, 367 N. State Street, Suite 206, Ukiah, California, 95482.

1.2 Framework for Evaluation of Project Modifications

As directed by CEQA Guidelines Section 15162, when an MND has been adopted for a project, no subsequent MND shall be prepared, unless one or more of the following circumstances occur:

1. Substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revision of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MND was adopted, shows any of the following:
    a. The project will have one or more significant effects not discussed in the previous MND;
    b. Significant effects previously examined will be substantially more severe than shown in the previous MND;
    c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
    d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The changes in environmental impacts due to modifications in the project or changed conditions have been evaluated and measured against the standards set forth in paragraphs 1, 2, and 3 above. The environmental analysis is provided in Section 3.

2. Changes to Project Since 2017 ISMND

Changes to the project are limited to the Mill Creek bridge crossing, which has been slightly relocated. No additional changes to the project are proposed.

2.1 Mill Creek Bridge Crossing

The construction of the North-South segment of the Covelo Trail along the eastern side of Highway 162 requires the construction of a 240 foot long bridge for the crossing of Mill Creek. The bridge will be built from three 80 foot prefabricated sections. There will be two bents on pile foundations supporting the center section and each end will be built on a pile supported headwall. All support headwalls and bents will be located outside of the active channel.

The bridge was originally designed to be approximately 30 feet east of the existing Caltrans Highway bridge to allow for clearance from the existing bridge, existing power lines, and an existing buried sewer force main operated by Indian Health Services (IHS) to serve nearby tribal facilities. The location of the sewer force main and hence the offset from the existing bridge was based on the IHS design drawings. The original CEQA document was based on this alignment. However, following completion of the CEQA process, IHS made it known that their design drawings were not accurate and in fact the force main was further east, potentially putting it under the proposed pile foundations for the bridge. Therefore, it is necessary to move the bridge further eastward away from the force main.

A modified bridge alignment moved 15 feet to the east is proposed to provide sufficient clearance from the force main. Mill Creek is of uniform cross section in the vicinity of the bridge and hence the bridge concept is the same as originally proposed, but simply moved 15 feet to the east. The new location will require slightly modified approaches to the bridge and a slightly modified footprint (Figure 1).

2.2 Construction Schedule

The 2017 MND anticipated construction activities to begin in the spring of 2020. Construction activities are currently estimated to begin some time in 2022.

3. Analysis of Potential Environmental Effects

The following discussion analyzes the likelihood of the project changes, as described in Section 2, to result in new or substantially more significant effects, or the need for new mitigation measures as compared to those studied in the 2017 ISMND.

3.1 Aesthetics

The project modifications include slight adjustments to the alignment of the bridge crossing over Mill Creek. Construction of the project would require removal of vegetation similar to the original bridge alignment, and a significant change in visual conditions would not result. The project changes would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects relative to those identified in the 2017 ISMND. All impacts related to aesthetics would remain less than significant or no impact.

3.2 Agricultural and Forest Resources

The project modifications do not require revisions to the evaluation of Agricultural and Forest Resources. The location of the project is essentially unchanged from that evaluated in the 2017 MND, and there are no agricultural and forest resources in the project area that would be impacted by the updated bridge alignment. The project changes would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects for agricultural and forest resources than previously addressed in the 2017 ISMND. All impacts related to agricultural and forest resources would remain less than significant or no impact.

3.3 Air Quality

As the construction equipment and duration would remain essentially the same as that evaluated in the 2017 ISMND, the project changes would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects relative to those identified in the 2017 ISMND. The project would continue to incorporate Environmental Protection Action 2 (Implement Air Quality Emission Control Measures During Construction). All impacts related to air quality would remain less than significant.

3.4 Biological Resources

As a result of the updated bridge alignment over Mill Creek, vegetation impacts are anticipated to be moved to the east and slightly increased due to the slightly longer bridge approaches needed to join with the modified bridge location (Figure 1). However, the riparian vegetation in the area of the bridge is generally uniform and therefore the nature of the potential impacts is anticipated to be similar to those analyzed in the 2017 ISMND.

The habitat survey for the project conducted by GHD and completed in September, 2017 concluded that sensitive plant species were not observed within the project study boundary. Valley Oaks were also identified along the trail alignment and anticipated impacts to Valley Oaks were mitigated through additional planting. The area of the bridge is not appropriate habitat for Valley Oaks, and therefore moving the bridge will not alter Valley Oak impacts.

The project wetlands delineation identified the wetted channel of Mill Creek to be jurisdictional wetlands. However, the design of the bridge places the support bents outside of the wetted channel and hence outside of jurisdictional wetlands. The intent of moving the bridge 15 feet eastward is to keep the bridge support bents out of the wetted channel and therefore outside of the jurisdictional wetlands. No additional wetland impacts would result from the updated bridge alignment.

Existing mitigation measures included in the 2017 ISMND would remain to ensure impacts related to the updated bridge alignment are reduced to a less than significant level, including:

- Mitigation Measure BIO-1 Conduct Seasonally Appropriate Pre-Construction Plant Surveys
- Mitigation Measure BIO-2 Survey and (if necessary) Relocation of Sensitive Amphibian Surveys
- Mitigation Measure BIO-3 Conduct Bird Surveys for Protect Avian Species
- Mitigation Measure BIO-4 Replacement of Impacted Riparian Vegetation
- Mitigation Measure BIO-4b Pile Driving in Mill Creek
- Mitigation Measure BIO-5 Protection and Replacement of Oak Trees
- Mitigation Measure BIO-6 Mitigate Direct and Temporary Impacts to Wetlands During Construction

The footprint of the project is essentially unchanged from that evaluated in the 2017 ISMND. The intensity and duration of construction remain the same, and the modified project does not involve any additional construction activities below the ordinary high-water mark of Mill Creek. Mitigation measures would remain applicable to the modified project, avoiding potential adverse impacts to special-status species, migratory birds, riparian habitat, and

existing trees. The project would also continue to incorporate Environmental Protection Action 3 (Construction Measure for Avoiding Special-status Wildlife Species Habitat).

The MCOG has coordinated with jurisdictional resource agencies and applicable project approvals were obtained from each agency. The modified project would not result in new significant environmental effects or a substantial increase in the severity of effects for biological resources previously addressed in the 2017 ISMND. With the incorporation of mitigation measures, all potential impacts related to biological resources would be reduced to a less than significant level or no impact.

3.5 Cultural Resources

The Historical Resources Survey conducted by Tom Origer & Associates and completed in September 2017 and identified six historical resources in the overall project area and provided recommendations for their treatment. None of the resources were identified in the immediate vicinity of the proposed bridge and hence moving the bridge 15 feet to the east is not anticipated to impact any identified historical resources.

Existing mitigation measures for cultural resources would remain applicable to the updated bridge alignment over Mill Creek, including:

– Mitigation Measure CR-1 Protect Archaeological Resources During Construction
– Mitigation Measure CR-2 Protect Paleontological Resources During Construction
– Mitigation Measure CR-3 Protect Human Remains if Encountered During Construction

The modified project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects relative to those identified in the 2017 ISMND. With the incorporation of mitigation measures, all potential impacts to cultural resources would be reduced to a less than significant level.

3.6 Energy

The 2017 ISMND was completed before Energy was added to the Appendix G Environmental Checklist. The project would not result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Given the design update is realigning a bridge that was already part of the project and no new bridge would be added to the project, there would be no measurable change in energy required to construct the project. No additional mitigation measures are required in this Addendum to offset potential impacts related to energy.

	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Less Than Significant)

Construction of the Project would involve a variety of earthwork and construction practices, involving the use of heavy equipment. Construction would require the use of fuels, primarily gas, diesel, and motor oil. As detailed in the 2017 ISMND, the California Emissions Estimator Model (CalEEMod) version 2016.3.1 was used to estimate air pollutant emissions from project construction. Project construction is anticipated to begin in spring 2020 with construction complete within approximately six months. Construction equipment activity was estimated based on 2.5 acres of asphaltic pavement, and a 28.98 total acres of disturbance. Construction activity and duration is

expected to be substantially similar for both alternatives evaluated in the 2017 ISMND Therefore, the emissions output is representative of each alternative.

Inefficient construction-related operations would also be avoided due to the measures in Environmental Protection Action 1 (Implement Air Quality Emission Control Measures During Construction). Equipment idling times would be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes or less (as required by Environmental Protection Action 1). Because construction would not encourage activities that would result in the use of large amounts of fuel and energy in a wasteful manner, and the incorporation of Environmental Protection Action 1 would reduce idling time, impacts related to the inefficient use of construction-related fuels would be less than significant.

Operation of the Project would include periodic maintenance including annual inspections, vegetation management, and infrequent pavement repair. In the event of storm damage, more significant repairs to the shared use pathway facility may be needed. These activities would generally be supported by vehicles and use of hand-held tools. The use of fossil-fuel powered equipment to support these operational and maintenance activities would be periodic and short-term (occurring intermittently). These activities would not result in a substantial increase in energy use, and would not result in inefficient, wasteful, or unnecessary consumption of fuels or other energy resources. By promoting bicycle and pedestrian transit, the Project would have a beneficial reduction on energy resources consumed by automobiles.

Operation and maintenance of the Project would not generate additional vehicle trips nor result in an increase in energy use above existing conditions. The potential for wasteful, inefficient, or unnecessary consumption of energy resources would be less than significant.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (No Impact)

The Project would not conflict with or inhibit the implementation of the State Energy Action Plan, Senate Bill (SB) 1389, SB 100, Assembly Bill (AB) 1007, or other State regulations. The Project would not inefficiently utilize energy due to incorporation of Mitigation Measure AIR-1, which limits idling time and provides measures to protect air quality. The Project would temporarily require the use of equipment in order to construct the components of the Project; however, these activities would be temporary and would not interfere with the broader energy goals of the State. Operationally, the Project would reduce automobile-related energy consumption by promoting and supporting pedestrian and bicycle transit. The majority of California's energy-related plans are not directly applicable to the Project or its operations; however, the Project complies with those plan requirements that apply. The Project would therefore not conflict with or obstruct a State or local plan for renewable energy or energy efficiency, as no component of the Project would require an energy source, beyond the temporary use of construction equipment. No impact would result.

3.7 Geology & Soils

The project modifications do not require substantial revisions to the evaluation of geology and soils. The project site for the Mill Creek bridge crossing is only 15 feet away from the original bridge crossing location evaluated in the 2017 ISMND, and there are no changes to the risks associated with faults, ground shaking, liquefaction, landslides, expansive soils, or septic systems based on the same geologic setting. The project would continue to incorporate Environmental Protection Action 1 (Geotechnical Design). The modified project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects relative to those identified in the 2017 ISMND. All impacts related to geology and soils would remain less than significant.

3.8 Greenhouse Gas Emissions

The project modifications do not require substantial revisions to the evaluation of greenhouse gas emissions. The intensity and duration of construction would be essentially unchanged from that evaluated in the 2017 ISMND. Since adoption of the 2017 ISMND, the California Air Resources Board has updated the Climate Change Scoping Plan in December 2017. The recommended measures in the 2017 Scoping Plan are broad policy and regulatory initiatives that will be implemented at the State level and do not relate to the construction and operation of individual projects. The modified project would not result in new significant environmental effects or a substantial

increase in the severity of previously identified significant effects for greenhouse gas emissions than previously addressed in the 2017 ISMND. All impacts related to greenhouse gases would remain less than significant.

3.9 Hazards and Hazardous Materials

The project modifications do not require substantial revisions to the evaluation of hazards and hazardous materials. The intensity and duration of construction and the types of materials to be utilized during construction would be essentially unchanged from that evaluated in the 2017 ISMND. Existing mitigation measures for hazard-related impacts would remain applicable to the updated bridge alignment over Mill Creek, including:

– Mitigation Measure HAZ-1 Impacted Soil and Groundwater Sampling and Analysis
– Mitigation Measure HAZ-2 Prepare and Implement Fire Safety Plan

The modified project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects for hazards and hazardous materials than previously addressed in the 2017 ISMND. All impacts related to hazards and hazardous materials would remain less than significant or no impact.

3.10 Hydrology and Water Quality

The project modifications do not require substantial revisions to the evaluation of hydrology and water quality. the design of the bridge places the support bents outside of the wetted channel. The footprint of the project is essentially unchanged from that evaluated in the 2017 ISMND and would not require any additional in-water work or potential for new, unanalyzed water quality impacts. The project changes do not result in physical barriers that would inhibit the existing floodplain characteristics of Mill Creek. The modified project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects relative to those identified in the 2017 ISMND. All impacts related to hydrology and water quality would remain less than significant or no impact.

3.11 Land Use and Planning

The modified project would not affect environmental resources related to land use and planning. The modified bridge alignment would not physically divide an established community or conflict with the Mendocino County General Plan. The modified project would not result in new significant environmental effects or a substantial increase in the severity of effects for land use and planning previously addressed in the 2017 ISMND. All impacts related to land use and planning would remain no impact.

3.12 Mineral Resources

As with the 2017 project, the modified project is not located on, or would result in the loss of, a known mineral resource. The modified project would not result in new significant environmental effects or a substantial increase in the severity of effects for mineral resources previously addressed in the 2017 ISMND. All impacts related to mineral resources would remain less than significant.

3.13 Noise

The intensity and duration of construction would be unchanged from that evaluated in the 2017 ISMND. The modified project does not require construction work to occur at night but does require pile driving. Mitigation Measure NOI-1 (Hours of Construction) and Mitigation Measure NOI-2 (Implement BMPs from Construction) from the 2017 ISMND would remain applicable to the modified project, limiting the contractor's construction work hours and methods such that noise is reduced to acceptable levels. The modified project would not result in new significant environmental effects or a substantial increase in noise. The project's noise-related impacts would remain less than significant with the incorporation of mitigation.

3.14 Population and Housing

As with the 2017 project, the modified project would not displace existing housing or people. The modified project would not result in new significant environmental effects or a substantial increase in the severity of effects for population and housing previously addressed in the 2017 ISMND. There would be no impact related to population and housing.

3.15 Public Services

As with the 2017 project, the modified project would not result in a land use that would increase the need for public service. The modified project would not result in new significant environmental effects or a substantial increase in the severity of effects for public services previously addressed in the 2017 ISMND. There would be no impact related to public services.

3.16 Recreation

The project, as modified, would continue to benefit recreation. The duration of construction would remain the same as previously evaluated in the 2017 ISMND. The modified project would not result in new significant environmental effects or a substantial increase in the severity of effects for recreation previously addressed in the 2017 ISMND. Any potential impact related to recreation would remain less than significant.

3.17 Transportation/Traffic

The purpose of this project is unaffected by the updated bridge alignment and remains to reduce the potential for conflicts between bicyclists, pedestrians, and vehicles within a portion of the SR 162 Corridor and increase mobility options in the community. The modified project would not result in new significant environmental effects or a substantial increase in the severity of effects for transportation/traffic previously addressed in the 2017 ISMND. All impacts related to transportation and traffic would remain less than significant or no impact.

3.18 Tribal Cultural Resources

	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historic Resources, or in a local register of historic resources as defined in Public Resources Code section 5020.1(k)?				X
b) Cause a substantial adverse change in the significance of a tribal cultural resource that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the criteria set forth in subdivision (c) of the Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of the Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.				X

The 2017 ISMND was completed before Energy was added to the Appendix G Environmental Checklist and the AB 52 tribal consultation process was not yet required or completed. As such, tribal cultural resources were not evaluated through the AB 52 process. However, the project is occurring on tribal lands with the support and partnership of RVIT, for the benefit of the tribe. Additionally, a cultural resources evaluation was completed and resulting recommendations were incorporated into the ISMND as mitigation measures (see Section 3.5 – Cultural Resources). With the incorporation of the mitigation measures summarized in Section 3.5 and the ongoing participation of RVIT in the project, impacts to tribal cultural resources are not expected. No impact to tribal cultural resources would result. No additional mitigation measures are required in this Addendum to offset potential impacts related to tribal cultural resources.

3.19 Utilities and Service Systems

As with the 2017 project, the modified project does not require water or wastewater services and would not result in an appreciable increase in impervious surfaces and storm water runoff. The updated bridge alignment is driven by the need to avoid a conflict with the IHS utility sewerage infrastructure. The modified project would not result in new significant environmental effects or a substantial increase in the severity of effects for utilities and service

systems previously addressed in the 2017 ISMND. All impacts related to utilities and service systems would remain less than significant or no impact.

3.20 Wildfire

The 2017 ISMND was completed before Wildfire was added to the Appendix G Environmental Checklist. Hazards related to wildfire were previously evaluated, in part, under Hazards per the prior Appendix G format in 2017. The project would continue to incorporate Mitigation Measure HAZ-2 (Prepare and Implement Fire Safety Plan). Given the update is realigning a bridge that was already part of the project and no new bridge would be added to the project, there would be no measurable change in wildfire risk related to the overall project. No additional mitigation measures are required in this Addendum to offset potential impacts related to wildfire.

	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slop instability, or drainage changes?				X

As included in the 2017 ISMND under Hazards, Impact h, the project alignment alternatives are located on lands designated both Federal Responsibility Area (FRA) and Local Responsibility Area (LRA) by the California Department of Forestry and Fire Protection (CAL FIRE 2007). California law requires CAL FIRE to identify areas based on the severity of fire hazard that is expected to prevail there. LRA designated lands along both project alignment alternatives include LRA Unzoned, Other Unzoned, Other Moderate, and LRA Moderate. The farther you go in all directions from Covelo and the entire Round Valley the higher the fire hazard severity zone.

a) Substantially impair an adopted emergency response plan or emergency evacuation plan (No Impact)

A review of the Mendocino County Evaluation Plan (Mendocino County 2020) indicates that the proposed shared use pathway would not impair emergency response activities nor established evacuation routes. The Project would not block or alter any roads or pedestrian ways within the project area. No impact would result.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Less than Significant with Mitigation)

Temporary water storage tanks may be used during construction, but no dedicated fire suppression water tanks are proposed. Construction involving heavy equipment, vehicles, power tools, and personnel potentially smoking in and around the project sites could cause the ignition of a wildfire. Although the vegetative characteristics along the project alignment alternatives present only a moderate fire hazard, during warm, dry, and or windy, weather conditions a grass fire originating in the project area could spread quickly to pose a potential risk to surrounding property and people. This would be a significant impact. Thus, Mitigation Measure HAZ-2 was previously incorporated into the project to require the preparation and implementation of a fire safety plan and ensure any potential impacts would be reduced to a less than significant level.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (No Impact)

Development of the trail would not result in a need to expand infrastructure to the project area or in the immediate vicinity of the Project. New roads for fire defense, expanded water sources, new power lines, or the development of other utilities would not be required. No impact would result.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes? (No Impact)

The project is located within a low slope area of topography and no steep drainages are located within the project footprint. If a wildfire were to occur, post-fire slope instability would be unlikely. Furthermore, the drainage of the project area is not proposed to change as a result of the project, as previously detailed in Section 3.9 (Hydrology and Water Quality) of the 2017 ISMND. Therefore, no impact would result.

3.21 Mandatory Findings of Significance

This Addendum discusses the topic areas in the sequence as they are addressed in the 2017 ISMND. This section concludes that the project changes, together with changes in circumstances, are not likely to cause a substantial change in impacts and would not result in new significant impacts relative to the previously adopted 2017 ISMND, and mitigation measures are available to reduce these impacts to levels of less-than-significant. The project changes would not result in new significant environmental effects or a substantial increase in the severity of effects related to the mandatory findings of significance previously addressed in the 2017 ISMND.

4. References

California Department of Forestry and Fire Protection (CAL FIRE), 2007, Draft *Fire Hazard Severity Zones in LRA – Mendocino County*, September 24.

Mendocino County. 2020. Mendocino County Evacuation Plan – An Annex to the Mendocino County Emergency Operations Plan, July 2020.

5. List of Preparers

5.1 Mendocino Council of Governments

Nephele Barrett, Executive Director

James Sookne, Regional Project Manager

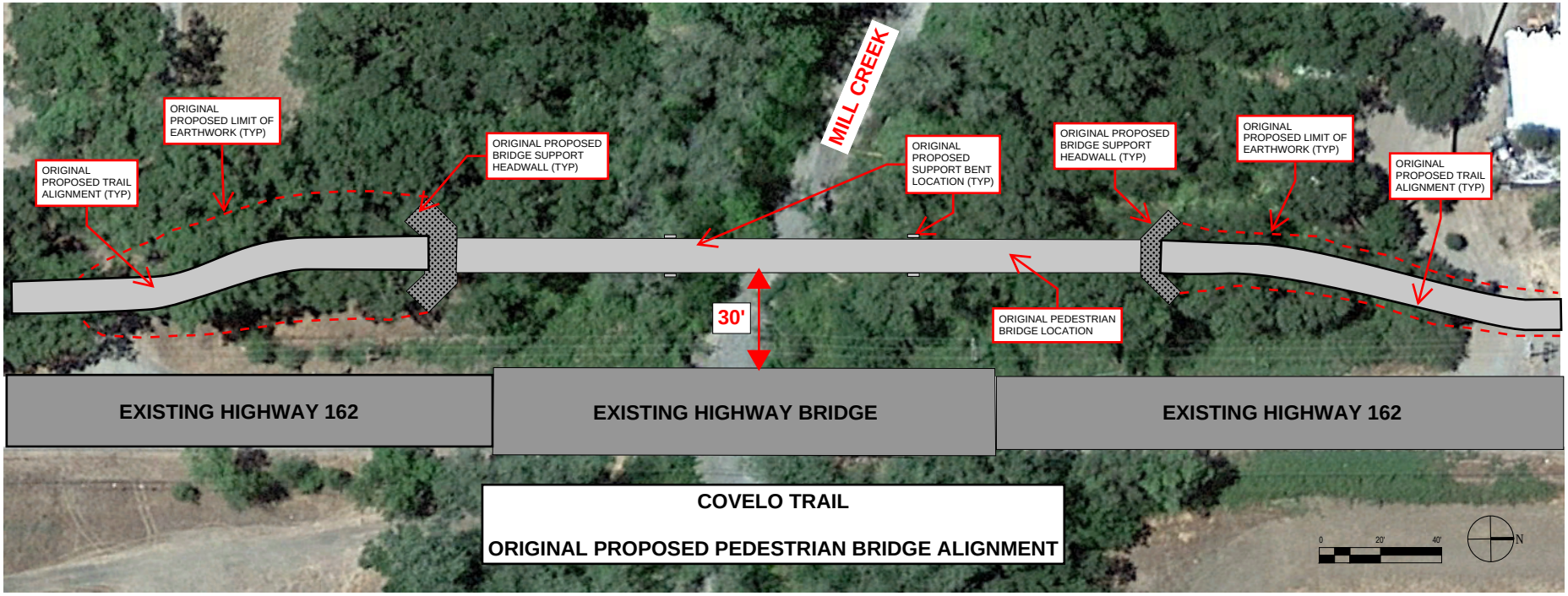
5.2 GHD

Misha Schwarz, Senior Environmental Scientist

Andrea Hilton, Environmental Planner

Appendix A

Figure 1


MILL CREEK
ORIGINAL PROPOSED LIMIT OF EARTHWORK (TYP)
ORIGINAL PROPOSED TRAIL ALIGNMENT (TYP)
ORIGINAL PROPOSED BRIDGE SUPPORT HEADWALL (TYP)
ORIGINAL PROPOSED SUPPORT BENT LOCATION (TYP)
ORIGINAL PROPOSED BRIDGE SUPPORT HEADWALL (TYP)
ORIGINAL PROPOSED LIMIT OF EARTHWORK (TYP)
ORIGINAL PROPOSED TRAIL ALIGNMENT (TYP)
30'
ORIGINAL PEDESTRIAN BRIDGE LOCATION
EXISTING HIGHWAY 162
EXISTING HIGHWAY BRIDGE
EXISTING HIGHWAY 162
COVELO TRAIL
ORIGINAL PROPOSED PEDESTRIAN BRIDGE ALIGNMENT
0
20'
40'
N

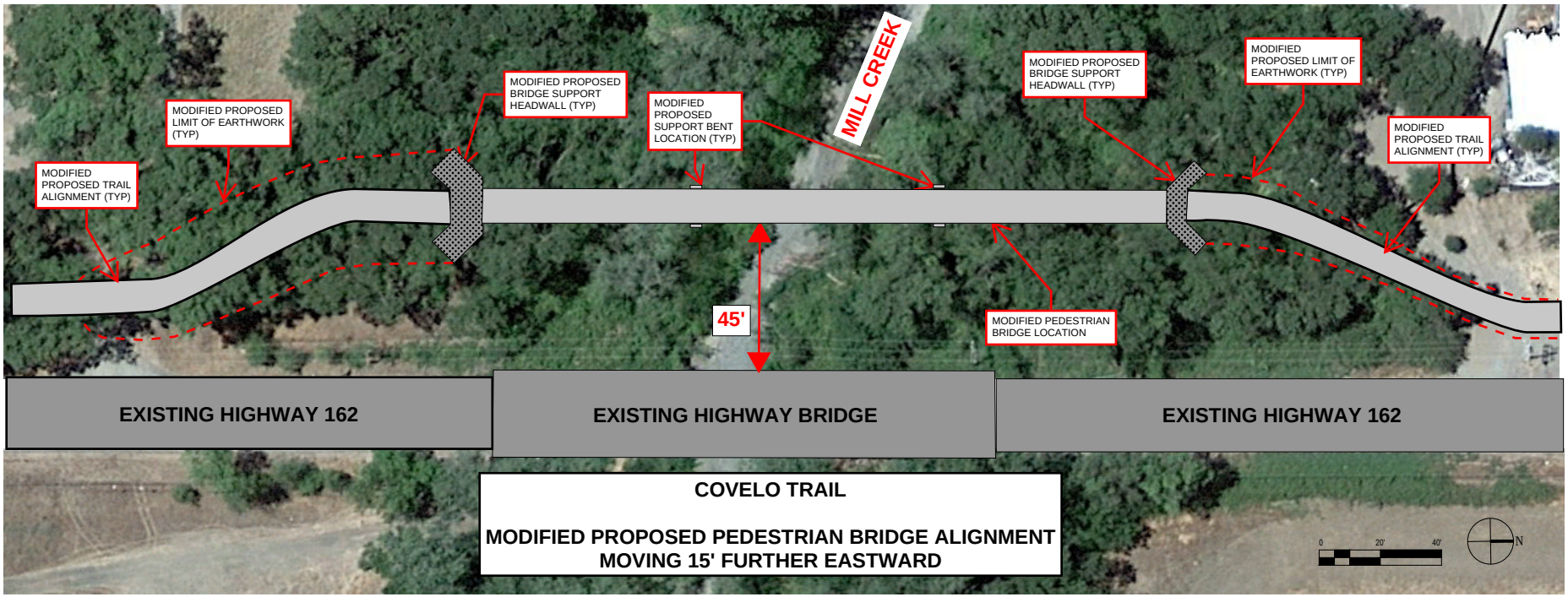

MILL CREEK
MODIFIED PROPOSED LIMIT OF EARTHWORK (TYP)
MODIFIED PROPOSED TRAIL ALIGNMENT (TYP)
MODIFIED PROPOSED BRIDGE SUPPORT HEADWALL (TYP)
MODIFIED PROPOSED SUPPORT BENT LOCATION (TYP)
MODIFIED PROPOSED BRIDGE SUPPORT HEADWALL (TYP)
MODIFIED PROPOSED LIMIT OF EARTHWORK (TYP)
MODIFIED PROPOSED TRAIL ALIGNMENT (TYP)
45'
MODIFIED PEDESTRIAN BRIDGE LOCATION
EXISTING HIGHWAY 162
EXISTING HIGHWAY BRIDGE
EXISTING HIGHWAY 162
COVELO TRAIL
MODIFIED PROPOSED PEDESTRIAN BRIDGE ALIGNMENT
MOVING 15' FURTHER EASTWARD
0
20'
40'
N

Figure 1

MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

TITLE: FY 2022/23 Final Overall Work Program (OWP) **DATE SUBMITTED:** 5/27/22

SUBMITTED BY: Alexis Pedrotti, Project Manager **MEETING DATE:** 6/6/22

BACKGROUND:

Enclosed for your review and approval is the proposed FY 2022/23 Final Overall Work Program (OWP). The TAC reviewed this OWP at their meeting of May 12, 2022 and recommended that it be approved.

As reported during the budget overview at the May MCOG meeting, the Draft Work Program was reviewed and recommended by the TAC in February, and submitted to Caltrans by the March 1, 2022 due date. This Final Work Program includes the projects recommended in the Draft, as well as the addition of some estimated carryover funding. It also responds to Caltrans' comments on the Draft, which were minor.

Proposed Final Work Elements are as follows:

W.E.	Agency	Project	Amount
1	MCOG	Regional Government & Intergovernmental Coordination	$ 137,000
2	MCOG	Planning Management & General Coordination (Non-RPA)	$ 108,800
3	MCOG	MTA Feasibility Study for Ukiah Transit Center (NEW)	$ 150,000
4	MCOG	Sustainable Transportation Planning	$ 20,000
5	MCOG	Mobility Solutions – Feasibility Study fir Rural Areas – Carryover	$ 185,000
6	Co. DOT	Combined Special Studies	$ 60,000
7	MCOG	Planning, Programming & Monitoring (PPM)	$ 112,250
12	Ukiah	Truck Route Study (NEW)	$ 45,000
13	Fort Bragg	Central Business District Parking Evaluation (NEW)	$ 57,062
14	MCOG	Training	$ 20,000
15	Point Arena	Point Arena Local Streets Assessment and Shared Roadway - Carryover	$ 53,750
16	MCOG	Multi-Modal Transportation Planning	$ 45,000
18	MCOG	Geographic Information System (GIS) Activities	$ 5,000
20	MCOG	Grant Development & Assistance	$ 47,736
----	MCOG	*PROJECT RESERVE*	$ 0
		Total	**$ 1,046,598**

As proposed, the FY 2022/23 Final Overall Work Program includes **14** work elements and totals **$1,046,598.** For comparison purposes, the Final (Amended) FY 2021/22 Overall Work Program contains 15 work elements and totals $1,265,561.

The financial summary pages (8-11) provide a breakdown of funding sources and claimants. Carryover amounts are estimates, and adjustments will be made in an amendment after the fiscal year end closes.

ACTION REQUIRED: Adopt FY 2022/23 Final Overall Work Program.

ALTERNATIVES: Revise work elements or refer back to TAC *(not recommended).*

RECOMMENDATION: Accept TAC's recommendation to adopt FY 2022/23 Final Overall Work Program, and authorize Executive Director or designee to sign certifications and OWP Agreement and forward to Caltrans as required.

Attachment: FY 2022/22 Final Overall Work Program

MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

TITLE: Fiscal Year 2022/23 Regional Transportation Planning Agency (RTPA) & COG Budget

SUBMITTED BY: Janet Orth, Deputy Director & CFO DATE PREPARED: 5/31/2022

BACKGROUND:

I have prepared the stand-alone budget document, attached and posted separately, including an overview, reference material, and the resolutions for adoption with all of the exhibits that detail the budget.

On May 2, I made a presentation to the Council, as an opportunity for input and questions. Staff and council members participated in a workshop to better understand the budget proposals and how these were developed.

The draft budget included recommendations from four committees* during budget development, which were documented in the staff report, presentation, and committee meeting minutes.

All information to date is summarized for the record in the allocating resolutions. Total revenues are $14,657,892, and total proposed allocations are $14,289,360.

Final notes and changes since the May draft budget workshop include:

#12a. Planning. As anticipated, the Transportation Planning Overall Work Program (OWP) proposal has increased from the initial draft total of $767,848 approved by the Executive Committee, to $1,046,598, as a result of adding project funds carried over from the previous fiscal year. An amendment is anticipated after close of the fiscal year to add further carryover funds. - *Refer to staff report, Agenda item #11*

#12b. Unmet Transit Needs. The Social Services Transportation Advisory Council (SSTAC) met May 17 and concurred with the Transit Productivity Committee (TPC) recommendation that "there are unmet transit needs that are reasonable to meet" according to adopted definitions.

#12c. Public Transit. Staff has collected the necessary data to make the findings required by the Transportation Development Act (TDA) for funding of Mendocino Transit Authority's annual claim. All supporting documentation for the resolution will be on file and available for verification and audit. After MTA adopts their final budget in June, we expect to have remaining information required to be submitted with the claim for funds, including MTA's budget and five-year capital plan, by the start of the new fiscal year.

#12d. Surface Transportation Block Grant Program. The resolution details fund balances and carryover not entirely reflected in the budget spreadsheets. STBG comprises three separate MCOG programs: Partnership Funding, Local Assistance, and Formula Distribution.

#12e. Regional Early Action Planning (REAP) Program. 90% of the grant funding is suballocated to the five member local agencies, of which four projects are carried over from 2021/22; City of Point Arena's project is anticipated to be completed by fiscal year end. A portion of the ten percent for MCOG grant administration and management has been expended to date, with the remainder carried over to 2022/23.

The Council as a whole has taken no action on the budget during this process. The budget before you now is the result of deliberations by committees and staff. The time has come to adopt the budget, by way of allocating resolutions, for the coming fiscal year.

ACTION REQUIRED:

a. Adopt the resolution to fund MCOG activities: Administration, Bicycle & Pedestrian program, Planning and Reserves. The budget component for Planning will fund the Overall Work Program. The OWP is to be adopted under a separate agenda item.

b. Adopt the resolution to make the annual finding of Unmet Transit Needs. This documents the process that began the budget cycle with the Social Services Transportation Advisory Council's workshop last November and will conclude with this finding by resolution.

c. Adopt the resolution to fund Mendocino Transit Authority operations, capital needs, and senior center transportation contracts.

d. Adopt the resolution to allocate STBG funds for MCOG's Partnership Funding Program, Local Assistance, and Distribution by Formula to Member Agencies.

e. Adopt the resolution to allocate grant funds carried over from FY 2021/22 for the Regional Early Action Planning (REAP) Program for activities that increase housing planning and accelerate housing production.

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 accordingly and authorize the Chair to execute them, so that funds can be released on time. The next opportunity for Council approval would be the August 15 meeting (unless a special meeting is called), and delay could cause hardship for the agencies that depend upon the funds to be allocated. Or, the Council could release portions of individual budget line items as needed until the budget is adopted. – *changes not recommended*

b. The Council could adopt an alternative finding that "*there are no unmet transit needs that are reasonable to meet*," in which case MTA would use its general operating funds or other resources to restore services cut during the pandemic, identified as high priority in the needs list. Or you could choose not to make any finding, thereby not concluding the annual process, which we are not required to conduct. – *not recommended*

c. The Council could request that MTA revise their claim. – *not recommended*

d. The Council could revise its established policy for allocation of STBG funds. The resolution notes, "It is MCOG's intention to reevaluate its STBG formula for distribution to the member

agencies if a forthcoming federal transportation legislative bill substantially changes the amount of, or designated use of, STBG funds." There have been no such changes made to date, although the authorization was renewed under the Investment in Infrastructure & Jobs Act, a.k.a. Bipartisan Infrastructure Law. Also, the Council could revise the policy for "off-the-top" allocations to the Partnership Funding Program and Local Assistance. – *not recommended*

e. No alternatives are identified for the REAP program, under which MCOG has executed a grant funding agreement with the State Housing & Community Development Department, and projects of the member local governments are underway or partially completed.

RECOMMENDATION:

Staff concurs with the four committee recommendations to date. Approve the FY 2022/23 RTPA & COG Budget by adopting the five resolutions for execution by the Chair. If desired, this action can be made in a single motion.

Enclosure: 2022/23 Budget (as separate PDF digital document)

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

* The committees recommending on the budget are:
  - Executive Committee
  - Technical Advisory Committee
  - Transit Productivity Committee
  - Social Services Transportation Advisory Council

MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

TITLE: TPC Recommendations: Annual Review of Transit Performance and Standards

SUBMITTED BY: Janet Orth, Deputy Director & CFO DATE PREPARED: 5/25/2022

BACKGROUND:

The Transit Productivity Committee's duties include review and recommendation on MCOG's performance standards for public transit operations. According to MCOG's Bylaws, Section 5.4, "*The purpose of the TPC will be to review transit performance and productivity issues in accordance with approved standards adopted by the Council, including review of quarterly reports of the transit operator…*" We interpret this such that MCOG and MTA cooperate to establish appropriate standards for these performance reviews. This system has been reviewed by past independent performance audits and is found to work well.

Current Status. The only standard due for update is **Passengers per Hour**. In May 2019 the TPC directed staff to research options, and I reported at our 2020 and 2021 TPC meetings. It was agreed to delay action, due to the unusual pandemic conditions emerging at the time. At this point, it is unknown what "normal" conditions may look like going forward, so staff suggested another review of this standard. The TPC met April 13 and deliberated, providing the recommendation below.

Most recent Updates. In August 2014, MCOG's Board of Directors adopted the policy recommended by staff and the TPC, after several years of research, to use a method we call "CPI Adjusted Rolling Average" for the Cost per Vehicle Service Hour and Cost per Passenger standards. This calculates averages of actual performance data, adjusted for inflation using the Consumer Price Index annual average change. From MTA's data, I provide the past three years' combined performance to derive the average performance over that period, for comparison and update of the standards. The result provides cost standards for the separate report of the most recent year ended.

In June 2019, the Council approved the TPC's recommendation to adjust the Farebox recovery standard from 15%, and 12% for senior centers' specialized services, to 10% for all service types, consistent with the State's requirement for rural operators, which was amended by Senate Bill 508, effective July 1, 2016.

Recommended Updates. Based on staff's research and report, and the committee's discussion, the TPC recommends update of the standards for Passengers per Hour to 73% of the existing adopted standard for three service types, and to revisit the standards after the next Short Range Transit Development Plan is completed:

Passengers per Hour	Existing	Adjusted
Short Distance Bus Routes	14.0	10.2
Senior Centers	3.0	2.2
Dial-A-Ride	4.5	3.3

Performance Review. On April 13, transit performance in the year 2021 was reviewed. Summary of results:

Service Type	2021	3-Yr Average
Dial-A-Ride (DAR) maintained the same 3-yr average	1 of 4	2 of 4
Short Distance Bus Routes maintained the same 3-yr average	1 of 4	2 of 4
Long Distance Routes dropped by 1 (Pass/Hr) in 2021, dropped by 1 (Pass/Hr) in 3-year average	1 of 4	3 of 4
Senior Centers data is incomplete and reported as available	1 of 4	2 of 4

ACTION REQUIRED:

a) Approve the update of MCOG's transit performance standards for Passengers per Hour to 73% of the existing adopted standard for three service types as recommended and attached.
b) Accept the TPC's report of the Annual Transit Performance Review through December 31, 2021.

ALTERNATIVES:

The Council may choose to continue its existing standard or to consider the matter at a later date.

RECOMMENDATION:

a) Approve the Transit Productivity Committee's recommendation to update MCOG's transit performance standards for Passengers per Hour on three service types: Short Distance Bus Routes, Senior Centers specialized services, and Dial-A-Ride.
b) Accept the TPC's report of the Annual Transit Performance Review through December 31, 2021.

Enclosures:
2022 MCOG Transit Performance Standards – recommended updates
Annual Transit Performance Reviews - one year and three years
(Refer to meeting minutes under Agenda Item #7 for more details)

Mendocino Council of Governments

Transit Performance Standards

TPC Recommendation of April 13, 2022 for Adoption by MCOG Board on June 6, 2022

Proposed Updates to Passengers per Hour Standards

2022 MCOG Standards	Passengers per Hour	Farebox Ratio	CPI Adjusted Rolling Average: Operating Cost per Vehicle Service Hour	CPI Adjusted Rolling Average: Cost per Passenger
When comparing to performance:	Higher # is better	Higher # is better	Lower # is better	Lower # is better
Dial-A-Ride	~~4.5~~ ***3.3***	10%	$116.41	$25.87
Short Distance Bus Routes	~~14.0~~ ***10.2***	10%	$144.10	$10.29
Long Distance Bus Routes	3.2	10%	$169.20	$52.87
Senior Centers	~~3.0~~ ***2.2***	10%	$79.88	$26.63

NOTES:

1) Starting in 2014, **Cost per Hour** is calculated by averaging the past three years of actual costs, then adjusted annually by the percentage change in the California Consumer Price Index - California, All Urban Consumers, produced by the California Department of Industrial Relations, Division of Labor Statistics and Research. MCOG refers to this method as "CPI Adjusted Rolling Average." https://www.dir.ca.gov/OPRL/capriceindex.htm

2) **Cost per Passenger** is intended for use as an additional evaluation tool in the event 2 out of 3 of the other standards are not met. This standard also is adjusted annually by the CPI inflation rate. Cost per Passenger is the result of Cost per Hour divided by Passengers per Hour.

3) **For "CPI Adjusted Rolling Average" calculations, see Performance Review Tally:** January 1, 2019 - December 31, 2021.

4) On June 3, 2019, **Farebox Ratio** was revised to 10% (ten percent) for all service types, consistent with minimum State requirements under SB 508.

5) On April 13, 2022, the Transit Productivity Committee recommended revising **Passengers per Hour** to 73% of the adopted standards for Dial-A-Ride, Short Distance Bus Routes, and Senior Centers.

Mendocino Council of Governments

Annual Transit Performance Review

January 1 - December 31, 2021

MCOG Standards	Passengers per Hour	Farebox Ratio	Operating Cost per Vehicle Service Hour	Cost per Passenger
When comparing to performance:	Higher # is better	Higher # is better	Lower # is better	Lower # is better
Dial-A-Ride				
Jan, Feb, Mar 2021	2.6	12%	$118.55	$45.60
Apr, May, June 2021	7.6	31%	$377.05	$49.61
July, Aug, Sept 2021	3.2	15%	$112.65	$35.20
Oct, Nov, Dec 2021	2.0	11%	$86.47	$43.24
Annual Average	3.9	17.3%	$173.68	$43.41
Standard	**4.5**	**10.0%**	NA	NA
CPI Adjusted Rolling Average	NA	NA	**$116.41**	**$25.87**
Result	not met	✓	not met	not met
Short Distance Bus Routes *				
Jan, Feb, Mar 2021	3.8	15%	$226.09	$59.50
Apr, May, June 2021	3.8	10%	$239.43	$63.01
July, Aug, Sept 2021	4.1	16%	$169.00	$41.22
Oct, Nov, Dec 2021	4.0	14%	$199.79	$49.95
Annual Average	3.9	13.8%	$208.58	$53.42
Standard	**14.0**	**10.0%**	NA	NA
CPI Adjusted Rolling Average	NA	NA	**$144.10**	**$10.29**
Result	not met	✓	not met	not met
Long Distance Routes **				
Jan, Feb, Mar 2021	1.6	12%	$188.11	$117.57
Apr, May, June 2021	3.3	8%	$367.84	$111.47
July, Aug, Sept 2021	2.4	11%	$141.83	$59.10
Oct, Nov, Dec 2021	2.5	9%	$174.22	$69.69
Annual Average	2.5	10.0%	$218.00	$89.45
Standard	**3.2**	**10.0%**	NA	NA
CPI Adjusted Rolling Average	NA	NA	**$169.20**	**$52.88**
Result	not met	✓	not met	not met
Senior Centers				
Jan, Feb, Mar 2021	2.1	14%	$85.11	$40.92
Apr, May, June 2021	2.0	22%	$90.84	$45.42
July, Aug, Sept 2021	1.9	23%	$95.54	$51.64
Oct, Nov, Dec 2021	2.0	22%	$133.64	$65.72
Annual Average	2.0	20.4%	$101.28	$50.93
Standard	**3.0**	**10.0%**	NA	NA
CPI Adjusted Rolling Average	NA	NA	**$79.88**	**$26.63**
Result	not met	✓	not met	not met

* Includes 1 Willits Local, 5 Bragg About, 7 Jitney, 9 Ukiah Local

** Includes 20 Willits/Ukiah, 60 Coaster, 65/66 CC Rider, 75 Gualala/Ukiah, 95 Point Arena/Santa Rosa

NOTES:

"CPI Adjusted Rolling Average" uses the Consumer Price Index (CPI) Annual Average, All Urban Consumers, California, percent change from corresponding calendar year to year, added to each of the past three years and averaged.

Check-mark symbol indicates the standard was met.

Cost per Passenger is the result of Cost per Hour divided by Passengers per Hour (may differ slightly from MTA report).

Round-off errors may occur between MTA's report and this summary, or differences from number of decimal places entered.

Inland and Coast routes were changed by TPC recommendation to "Short Distance" and "Long Distance" respectively.

MCOG Board adopted 10% Farebox Ration standard on June 3, 2019 as recommended by TPC.

Reporting of Farebox by certain Senior Centers is inconsistent with TDA, thereby affecting average performance for all.

Mendocino Council of Governments
Annual Transit Performance Review

3 Years: January 1, 2019 - December 31, 2021

MCOG Standards	Passengers per Hour	Farebox Ratio	Operating Cost per Vehicle Service Hour	Cost per Passenger	Cost/Hr Annual CPI adj.	
When comparing to performance:	Higher # is better	Higher # is better	Lower # is better	Lower # is better		
Dial-A-Ride						
Jan. 1 - Dec. 31, 2019	3.3	23.8%	$76.96	$23.03	$79.27	3.00%
Jan. 1 - Dec. 31, 2020	2.8	15.0%	$87.49	$33.69	$88.95	1.67%
Jan. 1 - Dec. 31, 2021	3.9	17.3%	$173.68	$43.41	$181.02	4.23%
3-Year Average	3.3	18.7%	$112.71	$33.38	$116.41	2.97%
Standard	**4.5**	**10.0%**	NA	NA		
CPI Adjusted Rolling Average	NA	NA	**$116.41**	**$25.87**	Cost/Hr divided by Pass/Hr standard	
Result	not met	✓	✓	not met		
Short Distance Bus Routes						
Jan. 1 - Dec. 31, 2019	7.7	35.5%	$101.38	$13.19	$104.42	
Jan. 1 - Dec. 31, 2020	6.4	22.8%	$108.68	$19.48	$110.49	
Jan. 1 - Dec. 31, 2021	3.9	13.8%	$208.58	$53.42	$217.39	
3-Year Average	6.0	24.0%	$139.55	$28.70	$144.10	
Standard	**14.0**	**10.0%**	NA	NA		
CPI Adjusted Rolling Average	NA	NA	**$144.10**	**$10.29**		
Result	not met	✓	✓	not met		
Long Distance Routes						
Jan. 1 - Dec. 31, 2019	4.7	21.8%	$113.47	$25.08	$116.87	
Jan. 1 - Dec. 31, 2020	4.2	15.5%	$160.83	$50.46	$163.52	
Jan. 1 - Dec. 31, 2021	2.5	10.0%	$218.00	$89.45	$227.21	
3-Year Average	3.8	15.8%	$164.10	$55.00	$169.20	
Standard	**3.2**	**10.0%**	NA	NA		
CPI Adjusted Rolling Average	NA	NA	**$169.20**	**$52.88**		
Result	✓	✓	✓	not met		
Senior Centers						
Jan. 1 - Dec. 31, 2019	3.0	30.3%	$67.94	$22.56	$69.98	
Jan. 1 - Dec. 31, 2020	2.1	17.4%	$63.05	$32.32	$64.10	
Jan. 1 - Dec. 31, 2021	2.0	20.4%	$101.28	$50.93	$105.56	
3-Year Average	2.4	22.7%	$77.42	$35.27	$79.88	
Standard	**3.0**	**10.0%**	NA	NA		
CPI Adjusted Rolling Average	NA	NA	**$79.88**	**$26.63**		
Result	not met	✓	✓	not met		

NOTES:

"CPI Adjusted Rolling Average" uses the Consumer Price Index (CPI) Annual Average, All Urban Consumers, California, percent change from corresponding calendar year to year, added to each of the past three years and averaged.

Check-mark symbol indicates the standard was met.

Cost per Passenger is the result of Cost per Hour divided by Passengers per Hour (may differ slightly from MTA report).

Round-off errors may occur between MTA's report and this summary, or differences based on number of decimal places entered.

Inland and Coast routes were changed by TPC recommendation to "Short Distance" and "Long Distance" respectively.

MCOG Board adopted 10% Farebox Ration standard on June 3, 2019 as recommended by TPC.

Reporting of Farebox by certain Senior Centers is inconsistent with TDA, thereby affecting average performance for all.

MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

TITLE: REN & Climate Protection Agency Update and Possible - Direction on SB 852 (Dodd)

DATE PREPARED: 05/27/22
MEETING DATE: 06/06/22

SUBMITTED BY: Nephele Barrett, Executive Director

BACKGROUND:

Over the last year, MCOG has been exploring options for a regional role in addressing climate impacts and reducing the region's carbon footprint. Based on an ad hoc committee recommendation, the MCOG Board directed staff to explore options for joining or creating a Regional Energy Network program and forming a regional climate protection agency.

Rural REN

Shortly after the November MCOG meeting, an opportunity immediately presented itself for MCOG to join a new Rural REN in development at that time. As a result, our efforts since that time have focused primarily on the REN. At the February MCOG meeting, the Board approved an MOU with Redwood Coast Energy Authority to participate in the RuralREN under contract with RCEA, with the intent to work toward becoming full REN members. Since that time, RCEA, which is also the program administrator for the new REN has submitted the application for creation of the RuralREN to the California Public Utilities Commission. The application has been grouped with other requests to the CPUC and is currently going through a review and comment process. The only thing of significance from that process so far is that there's an unlikely chance that approval of the RuralREN, anticipated this fall, could be delayed until next year. In the meantime, we are making progress on eligibility to be full RuralREN members. One of the first steps is that we need to become members of the Rural Hard to Reach working group. At the May RHTR meeting, the group voted to develop an amendment to their bylaws that would allow MCOG to join. Approval of that amendment is expected within the next couple of months.

Climate Protection Agency and SB 852

Because of the timing of the RuralREN development and application, we have not yet deeply explored the option of a Climate Protection Agency. However, there is recent legislation that is related to this effort. Senate Bill 852 (Dodd) would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district for the purposes of raising and allocating funding for eligible projects and the operating expenses of those projects (see attached proposed language). The bill would deem each district to be an enhanced infrastructure financing district and would require each district to comply with existing law concerning enhanced infrastructure financing districts, unless the district is specified as otherwise. The bill would require a district to finance only specified projects that meet the definition of an eligible project, defined as projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified. The bill specifically identifies Sonoma County's Regional Climate Protection Agency and establishes a process for creation of other agencies. If it becomes law, it will be important that any climate protection agency for the Mendocino County region follow the process established in SB 852. In addition, because it identifies project types, staff has submitted comments regarding the need for fire evacuation routes as an eligible project.

Although staff is not recommending a position on this bill as it is primarily related to creating funding mechanisms. However, it has been agendized to allow direction to staff if the Board would prefer to take a position. We do recommend that if SB 852 becomes law, staff work with the ad hoc committee to determine appropriate action consistent with the bill.

ACTION REQUIRED: No action is required at this time.

ALTERNATIVES: The Board may approve a position on SB 852 if desired.

RECOMMENDATION: No action is recommended at this time. Staff will keep the board up to date on the progress of the RuralREN and work with the ad hoc committee in upcoming months as appropriate regarding SB 852.

SB-852 Climate resilience districts: formation: funding mechanisms. (2021-2022)

Date Published: 05/18/2022 09:00 PM

AMENDED IN SENATE MAY 18, 2022

AMENDED IN SENATE MAY 02, 2022

AMENDED IN SENATE APRIL 19, 2022

AMENDED IN SENATE MARCH 09, 2022

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

SENATE BILL NO. 852

Introduced by Senator Dodd
(Coauthors: Senators Caballero and Stern)

January 18, 2022

An act to add Division 6 (commencing with Section 62300) to Title 6 of the Government Code, relating to climate resilience districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 852, as amended, Dodd. Climate resilience districts: formation: funding mechanisms.

Existing law authorizes certain local agencies to form a community revitalization authority (authority) within a community revitalization and investment area, as defined, to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization. Existing law provides for the financing of these activities by, among other things, the issuance of bonds serviced by property tax increment revenues, and requires the authority to adopt a community revitalization and investment plan for the community revitalization and investment area that includes elements describing and governing revitalization activities.

Existing law authorizes the legislative body of a city or a county to establish an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance, including projects that enable communities to adapt to the impacts of climate change. Existing law also requires the legislative body to establish a public financing authority, defined as the governing board of the enhanced infrastructure financing district, prior to the adoption of a resolution to form an enhanced infrastructure district and adopt an infrastructure financing plan.

This bill would authorize a city, county, city and county, special district, or a combination of any of those entities to form a climate resilience district, as defined, for the purposes of raising and allocating funding for eligible

projects and the operating expenses of eligible projects. The bill would deem each district to be an enhanced infrastructure financing district and would require each district to comply with existing law concerning enhanced infrastructure financing districts, unless the district is specified as otherwise. The bill would require a district to finance only specified projects that meet the definition of an eligible project. The bill would define "eligible project" to mean projects that address sea level rise, extreme heat, extreme cold, the risk of wildfire, drought, and the risk of flooding, as specified. The bill would establish project priorities and would authorize districts to establish additional priorities.

This bill would impose certain requirements on a project undertaken or financed by a district. In this regard, the bill would require a district to obtain an enforceable commitment from the developer that contractors and subcontractors performing the work use a skilled and trained workforce, in accordance with specified provisions. These certifications would expand the crime of perjury, thereby imposing a state-mandated local program.

This bill would authorize specified local entities to adopt a resolution allocating tax revenues to the district, subject to certain requirements. The bill would provide for the financing of the activities of the district by, among other things, levying a benefit assessment, special tax, property-related fee, or other service charge or fee consistent with the requirements of the California Constitution. The bill would require each district to prepare an annual expenditure plan and an operating budget and capital improvement budget, which must be adopted by the governing body of the district and subject to review and revision at least annually. By imposing duties on counties in the administration of tax revenues and elections of a climate resilience district, the bill would impose a state-mandated local program.

Existing law creates the Sonoma County Regional Climate Protection Authority, requires the authority to be governed by the same board as that governing the Sonoma County Transportation Authority, and imposes certain duties on the authority. Existing law authorizes the authority to apply for and to receive grants of funds to carry out its functions.

This bill would deem the Sonoma County Regional Climate Protection Authority as a climate resilience district and grant the authority all of the powers available to such a district, except that the authority may not use any tax increment revenue unless it complies with the requirements for receiving and using tax increment revenue applicable to a new climate resilience district.

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Division 6 (commencing with Section 62300) is added to Title 6 of the Government Code, to read:

DIVISION 6. Climate Resilience Districts

62300. This division shall be known, and may be cited, as the Climate Resilience Districts Act.

62301. It is the intent of the Legislature in enacting this division to provide the ability for local governments to create districts for the purpose of addressing climate change effects and impacts through activities and actions that include mitigation and adaptation, as necessary and appropriate, to achieve all of the following:

(a) Providing a sustained and certain level and source of funding at the local level.

(b) Allowing activities and actions on an appropriate geographic basis.

(c) Facilitating the receipt and use of federal, state, local, and private funds.

62302. For purposes of this division:

(a) "District" means a climate resilience district formed pursuant to this division.

(b) (1) "Eligible project" means a project, including a capital project, that is designed and implemented to address climate change mitigation, adaptation, or resilience, including, but not limited to, all of the following:

(A) A project that addresses river, bay, or sea level rise, or rising groundwater, including wetlands or marsh restoration, vegetated dunes, living shorelines, erosion control, or levees.

(B) A project that addresses extreme heat or the urban heat island effect, including increasing shade, deploying cool building and surface materials, using cool pavements; constructing, improving, or modifying new or existing facilities; or increasing access to cooling opportunities.

(C) A project that addresses extreme cold, rain, or snow, including constructing, improving, or modifying new or existing facilities.

(D) A project that addresses the risk of wildfire, including establishing fire breaks, prescribed burning, structure hardening, or vegetation control.

(E) A project that addresses drought, including multiuse land repurposing, groundwater replenishment, groundwater storage, or conjunctive use.

(F) A project that addresses the risk of flooding, including structure elevation or relocation, wetlands restoration, flood easements or bypasses, or levees.

(2) At a minimum, a district shall give priority to a project that does any of the following:

(A) Utilizes natural infrastructure, as defined in paragraph (3) of subdivision (c) of Section 71154 of the Public Resources Code, to address climate change adaptation or resilience based upon the best available science.

(B) Addresses the needs of under-resourced communities, as defined in subdivision (g) of Section 71130 of the Public Resources Code, or vulnerable communities, as defined in subdivision (d) of Section 71340 of the Public Resources Code.

(3) A district may adopt additional priorities for projects.

(4) A district shall seek the input of the communities specified in subparagraph (B) of paragraph (2) in the planning, development, and implementation of projects.

(c) "Participating entity" means a city, county, or special district within a climate resilience district that adopts a resolution directing the county auditor or auditor-controller to allocate its share of property tax increment within the area covered by the district to the district pursuant to subdivision (d) of Section 62304.

(d) (1) "Property tax increment" means that portion of the ad valorem taxes, as defined under subdivision (a) of Section 1 of Article XIII A of the California Constitution, excluding any ad valorem taxes or assessments levied pursuant to subdivision (b) of Section 1 of Article XIII A of the California Constitution, divided pursuant to Section 53398.75.

(2) Except as otherwise specified in this division, a district formed pursuant to this division is hereby deemed to also be an enhanced infrastructure financing district pursuant to Chapter 2.99 (commencing with Section 53398.50) of Part 1 of Division 2 of Title 5 and shall be subject to statutory provisions for enhanced infrastructure financing districts.

62303. (a) (1) A city, county, city and county, or a combination of any of those entities may form a climate resilience district pursuant to this division.

(2) The boundaries of the district shall be one of the following:

(A) Coterminous with the city, county, or city and county forming the district.

(B) Within a city, county, or city and county forming the district.

(C) Across two or more cities, counties, or cities and counties that are forming the district.

(D) A special district may join a district initiated by a city, county, city and county, or a combination of cities and counties.

(b) (1) A district shall be formed for the purpose of raising and allocating funding for eligible projects and the operating expenses of eligible projects.

(2) Operating expenses may include any of the following:

(A) The expenses of operating the district.

(B) The planning of eligible projects.

(C) The operational expenses of any eligible project.

(3) A district shall finance only projects described in subdivision (b) of Section 53398.52 if the project meets the definition of an eligible project.

(4) A district shall use the proceeds of bonds issued by a district to finance only eligible projects that meet the requirements of subdivision (a) of Section 53398.52.

(c) A district shall be deemed to be an "agency" described in subdivision (b) of Section 16 of Article XVI of the California Constitution only for purposes of receiving property tax increment revenues.

62303.5. (a) Notwithstanding the procedures for establishing a district under this division, the authority shall be deemed a climate resilience district and is hereby granted all of the powers described in Section 62307, except as provided in subdivision (c).

(b) Notwithstanding subdivision (a) of Section 62305, the legislative body of the district formed pursuant to this section shall be the legislative body of the authority.

(c) This section shall not grant the district the power to use any tax increment revenues unless it complies with the requirements for receiving and using tax increment revenue pursuant to subdivision (d) of Section 62304.

(d) For purposes of this section, "authority" means the Sonoma County Regional Climate Protection Authority created pursuant to Division 19.1 (commencing with Section 181000) of the Public Utilities Code.

62304. Proceedings for the establishment of a district shall be instituted by the adoption of a resolution of intention to establish the proposed district and shall do all of the following:

(a) State that a district is proposed to be established pursuant to this division and describe the boundaries of the proposed district, which may be accomplished by reference to a map on file in the office of the clerk of the city or in the office of the recorder of the county, as applicable.

(b) State the type of eligible projects proposed to be financed or assisted by the district.

(c) State the need for the district and the goals the district proposes to achieve.

(d) The city, county, or city and county, shall not enact a resolution providing for the division of taxes of any participating entity unless it follows the procedures for the preparation and adoption of an infrastructure financing plan described in Sections 53398.59 to 53398.74, inclusive. A district that completes these procedures shall follow the procedures for the division of taxes and issuance of tax increment bonds described in Sections 53398.75 to 53398.88, inclusive.

62305. (a) A district shall be governed by a board that has the same membership as a public financing authority as described in Section 53398.51.1. The board shall have the same powers and requirements as a public financing authority, unless otherwise specified.

(b) The legislative body shall ensure the district board is established at the same time that it adopts a resolution of intention pursuant to Section 62304.

62306. (a) A minimum of 95 percent of the allocated tax increment revenues pursuant to subdivision (d) of Section 62304 shall be used to fund eligible projects.

(b) Not more than 5 percent of allocated revenues may be used for administration.

62307. In addition to the powers granted to an enhanced infrastructure financing district pursuant to Chapter 2.99 (commencing with Section 53398.50) of Part 1 of Division 2 of Title 5, a district has the power to do all of the following:

(a) (1) Levy a benefit assessment, special tax levied pursuant to Article 3.5 (commencing with Section 50075) of Chapter 1 of Part 1 of Division 1 of Title 5, or property-related fee or other service charge or fee consistent with the requirements of Articles XIII A, XIII C, and XIII D of the California Constitution, including, but not limited to, a benefit assessment levied pursuant to paragraph (2).

(2) The district may levy a benefit assessment for any of the purposes authorized by this division pursuant to any of the following:

(A) The Improvement Act of 1911 (Division 7 (commencing with Section 5000) of the Streets and Highways Code).

(B) The Improvement Bond Act of 1915 (Division 10 (commencing with Section 8500) of the Streets and Highways Code).

(C) The Municipal Improvement Act of 1913 (Division 12 (commencing with Section 10000) of the Streets and Highways Code).

(D) The Landscaping and Lighting Act of 1972 (Part 2 (commencing with Section 22500) of Division 15 of the Streets and Highways Code), notwithstanding Section 22501 of the Streets and Highways Code.

(E) Any other statutory authorization.

(b) Apply for and receive grants from federal and state agencies.

(c) Solicit and accept gifts, fees, grants, and allocations from public and private entities.

(d) Issue revenue bonds for any of the purposes authorized by this division pursuant to the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5), subject to any applicable constitutional requirements.

(e) Incur general obligation bonded indebtedness for the acquisition or improvement of real property or for funding or refunding of any outstanding indebtedness, subject to any applicable constitutional requirements.

(f) Receive and manage a dedicated revenue source.

(g) Deposit or invest moneys of the district in banks or financial institutions in the state in accordance with state law.

(h) Sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

(i) Engage counsel and other professional services.

(j) Enter into and perform all necessary contracts.

(k) Enter into joint powers agreements pursuant to the Joint Exercise of Powers Act (Chapter 5 (commencing with Section 6500) of Division 7 of Title 1).

(l) Hire staff, define their qualifications and duties, and provide a schedule of compensation for the performance of their duties.

(m) Use interim or temporary staff provided by local agencies that are a members of the district. A person who performs duties as interim or temporary staff shall not be considered an employee of the district.

62308. (a) If a district proposes a measure that will generate revenues for the district that requires voter approval pursuant to the California Constitution, the board of supervisors of the county or counties in which the district has determined to place the measure on the ballot shall call a special election on the measure. The special election shall be consolidated with the next regularly scheduled statewide election and the measure shall be submitted to the voters in the appropriate counties, consistent with the requirements of Articles XIII A, XIII C, and XIII D, or Article XVI of, the California Constitution, as applicable.

(b) A district shall be deemed a district for purposes of Section 317 of the Elections Code. A measure proposed by a district that requires voter approval shall be submitted to the voters within the boundaries of the district in

accordance with the provisions of the Elections Code applicable to districts, including the provisions of Chapter 4 (commencing with Section 9300) of Division 9 of the Elections Code.

(c) The district shall file with the board of supervisors of each county in which the measure shall appear on the ballot a resolution of the district requesting consolidation, and setting forth the exact form of the ballot question, in accordance with Section 10403 of the Elections Code.

(d) The legal counsel for the district shall prepare an impartial analysis of the measure. The impartial analysis prepared by the legal counsel for the district shall be subject to review and revision by the county counsel of the county that contains the largest population, as determined by the most recent federal decennial census, among those counties in which the measure will be submitted to the voters.

(e) Each county included in the measure shall use the exact ballot question, impartial analysis, and ballot language provided by the district. If two or more counties included in the measure are required to prepare a translation of ballot materials into the same language other than English, the county that contains the largest population, as determined by the most recent federal decennial census, among those counties that are required to prepare a translation of ballot materials into the same language other than English shall prepare the translation and that translation shall be used by the other county or counties, as applicable.

(f) Notwithstanding Section 13116 of the Elections Code, if a measure proposed by a district pursuant to this division is submitted to the voters of the district in two or more counties, the elections officials of those counties shall mutually agree to use the same letter designation for the measure.

(g) The county clerk of each county shall report the results of the special election to the authority. If two-thirds of all voters voting on the question at the special election vote affirmatively, or a different approval threshold required by the California Constitution at the time the election is achieved, the measure shall take effect in the counties in which the measure appeared on the ballot within the timeframe specified in the measure.

(h) The county clerk of each county shall report the results of the special election to the district.

62309. (a) Each district shall prepare an annual expenditure plan that identifies and describes the operations and eligible projects undertaken by the district. The expenditure plan shall be, after public review and hearing, adopted by the governing body of the district and subject to review and revision at least annually.

(b) Each district shall also prepare and adopt an annual operating budget and capital improvement budget. The annual operating budget and capital improvement budget shall be, after public review and hearing, adopted by the governing body of the district and subject to review and revision at least annually.

62310. (a) A district shall provide for regular audits of its accounts and records, maintain accounting records, and report accounting transactions in accordance with generally accepted accounting principles adopted by the Governmental Accounting Standards Board of the Financial Accounting Foundation for both public reporting purposes and for reporting of activities to the Controller.

(b) A district shall provide for annual financial reports and make copies of the annual financial reports available to the public.

(c) Commencing in the calendar year in which a district has allocated a cumulative total of more than one million dollars ($1,000,000) in property tax increment revenues under this division or other revenues pursuant to subdivision (b) of Section 62253, including any proceeds of a debt issuance, and each year thereafter, the district shall contract for an independent audit conducted in accordance with generally accepted governmental auditing standards.

62311. (a) All meetings of the district shall be subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5).

(b) All records prepared, owned, used, or retained by the district are public records for purposes of the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1).

62312. *(a) The following requirements shall apply to a project that is undertaken or financed by a district:*

(1) Construction, alteration, demolition, installation, and repair work on the project shall be deemed a public work for which prevailing wages must be paid for purposes of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code.

(2) The district shall obtain an enforceable commitment from the developer or general contractor that the developer or general contractor and all its contractors and subcontractors at every tier will individually use a skilled and trained workforce, in accordance with Chapter 2.9 (commencing with Section 2600) of Part 1 of Division 2 of the Public Contract Code, to perform all work on the project that falls within an apprenticeable occupation in the building and construction trades.

(3) Paragraph (2) shall not apply if all contractors and subcontractors at every tier performing the work will be bound by a project labor agreement that requires the use of a skilled and trained workforce and provides for enforcement of that obligation through an arbitration procedure.

(b) For purposes of this section:

(1) "Project labor agreement" has the same meaning as set forth in paragraph (1) of subdivision (b) of Section 2500 of the Public Contract Code.

(2) "Skilled and trained workforce" has the same meaning as set forth in subdivision (d) of Section 2601 of the Public Contract Code.

SEC. 2. The Legislature finds and declares that the allocation of revenues derived from a sales and use tax or a transactions and use tax to a climate resilience district pursuant to Division 6 (commencing with Section 62300) of Title 6 to the Government Code, as added by this act, is not subject to Section 29 of Article XIII of the California Constitution because a district is not a city, county, or city and county within the meaning of that provision, but is rather a separate political entity as described in subdivision (c) of Section 62303 of the Government Code, as added by this act.

~~SEC. 3.If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

SEC. 3. *No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.*

However, if the Commission on State Mandates determines that this act contains other costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

TITLE: Proposed Opposition to AB 2237 (Friedman)

DATE PREPARED: 05/27/22
MEETING DATE: 06/06/22

SUBMITTED BY: Nephele Barrett, Executive Director

BACKGROUND:

Although the apparent intent of Assembly Bill 2237 (Friedman)—reducing climate impacts and increasing multi-modal transportation options—is to be applauded, the requirements of the bill unfortunately have the potential to harm rural counties and our ability to implement critical projects, reduce local funding control, and create costly mandates that would impact our limited financial and staff resources. In addition, the bill is based on a report that has been widely criticized for its inaccurate data.

AB 2237 is based on the conclusions of the California Transportation Assessment Report (AB 285, 2019) which used limited data and excluded local project-level data provided pursuant to SB 1 (Beall, 2017). Also, the report relies heavily on Federal Transportation Improvement Program (FTIP) data sets, which exclude local and state funding expenditures related to transit operations, complete streets, bicycle and pedestrian projects, and maintenance expenditures that are broadly consistent with state transportation climate goals. Rural counties outside of MPO regions were not reflected at all in the report's data.

AB 2237 would require that projects and programs included in a Regional Transportation Improvement Program be consistent with the most recent sustainable communities strategy (SCS) and state climate goals. Additionally, all RTIP projects must be ranked and prioritized based on adherence to the SCS and state climate goals. Ranking would be used to prioritize funding and implementing, which would be submitted to California Air Resources Board and the California Transportation Program to determine consistency with the SCS and the state's climate goals. As a rural county not part of an MPO, Mendocino County is not required to prepare an SCS. However, the bill does not clearly exempt from these requirement counties without an SCS. We may be required to comply with these new requirements as the bill also identifies "state climate's goals" in addition to SCS. While the bill calls for ranking based on climate goals, it does not specify how this would be done, however, it could require data collection or modeling that MCOG does not currently conduct.

The bill states that projects in Regional Transportation Improvement Programs "shall not induce vehicle miles traveled." This strict limitation is very concerning for rural regions, where safety projects on rural roads and highways may be viewed by the State as inducing vehicle miles traveled. Although MCOG does not currently have any major system expansion projects planned, there's still reason to be concerned. Any project that widens, such as shoulder widening or lane separation for vehicle recovery, would become ineligible for funding in the RTIP, as would creation of much needed evacuation routes.

The bill would also require RTPAs to submit a report on local transportation tax measures to the California Transportation Commission. The Commission, with ARB would propose recommendations on alignment of local tax measures with state's climate goals. This means that the sales tax measure expenditures of the cities of Fort Bragg, Point Arena, Willits, and even Ukiah which has now been

recognized by the CTC as eligible for Local Partnership Program funding, would be under the scrutiny of and subject to recommendations of these State agencies.

For all of these reasons, many groups are opposing AB 2237, including CalCOG (oppose unless amended) and the California League of Cities. The Rural Counties Task Force and North State Super Region are expected to oppose the bill as well. Staff recommends that the MCOG Board oppose AB 2237. A draft letter will be prepared prior to the MCOG Board meeting.

ACTION REQUIRED: Oppose AB 2237 (Friedman) and authorize staff to send a letter of opposition.

ALTERNATIVES: The Board may choose to take no action or approve a different position on AB 2237.

RECOMMENDATION: Oppose AB 2237 (Friedman) and authorize staff to send a letter of opposition.

AB-2237 Transportation planning: regional transportation improvement plan: sustainable communities

Date Published: 05/20/2022 04:00 AM

AMENDED IN ASSEMBLY MAY 19, 2022

AMENDED IN ASSEMBLY APRIL 18, 2022

AMENDED IN ASSEMBLY MARCH 22, 2022

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

ASSEMBLY BILL NO. 2237

Introduced by Assembly Member Friedman

February 16, 2022

An act to amend Section 65082 of, and to add ~~Sections 65080.05 and~~ *Section* 65082.5 to, the Government Code, relating to transportation planning.

LEGISLATIVE COUNSEL'S DIGEST

AB 2237, as amended, Friedman. Transportation planning: regional transportation improvement plan: sustainable communities strategies: climate goals.

~~Existing law establishes the Strategic Growth Council in state government. Existing law requires the council to develop and administer the Affordable Housing and Sustainable Communities Program to reduce the emissions of greenhouse gases through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support related and coordinated public policy objectives, as specified.~~

Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires each regional transportation plan to also include a sustainable communities strategy prepared by each metropolitan planning organization. ~~Existing law requires the council, by January 31, 2022, to submit a report to the relevant policy and fiscal committees of the Legislature that includes, among other things, an overview of those sustainable communities strategies, an assessment of how implementation of those sustainable communities strategies will influence the configuration of the statewide integrated multimodal transportation system, and a review of the potential impacts and opportunities for coordination of specified funding programs, including the Affordable Housing and Sustainable Communities Program~~.

~~This bill would require the council, in consultation with the State Air Resources Board, the Department of Housing and Community Development, and the Transportation Agency, to convene a task force to review the roles and responsibilities of metropolitan planning organizations and to define "sustainable community."~~

Existing law requires each regional transportation planning agency or county transportation commission to biennially adopt and submit to the California Transportation Commission and the Department of Transportation a 5-year regional transportation improvement program that includes, among other things, regional transportation improvement projects and programs proposed to be funded, in whole or in part, in the state transportation improvement program.

This bill would require that those projects and programs included in each regional transportation improvement program also be consistent with the most recently prepared sustainable communities strategy of the regional transportation planning agency or

county transportation commission and the state's climate goals, as defined. The bill would require each regional transportation planning agency or county transportation commission to rank all transportation projects and prioritize projects based on adherence to its most recently adopted sustainable communities strategy and the state's climate goals, prioritize funding and implementing projects in the order of prioritization, and submit the prioritized list to the state board and the California Transportation Commission. The bill would require the state board, in consultation with the commission, to determine whether those projects and programs are consistent with the sustainable communities strategy and the state's climate goals, and would prohibit a regional transportation planning agency or county transportation commission from funding inconsistent projects or programs, as specified.

The bill would also require each regional transportation planning agency or county transportation commission to submit a report on local transportation tax measures to the California Transportation Commission on or before March 30, 2023, as provided. The bill would require the commission, in consultation with the state board, to propose recommendations on alignment of local tax measures with the state's climate goals. The bill would require, to the extent permitted by the local tax measures, projects funded by local tax measures to be included in regional transportation plans and to adhere to the most recently adopted sustainable ~~community~~ *communities* strategy of the applicable regional transportation agency or county transportation commission and the state's climate goals.

By imposing additional requirements on local government, including regional transportation planning agencies and county transportation commissions, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

~~SECTION 1.Section 65080.05 is added to the Government Code, to read:~~

~~65080.05.The Strategic Growth Council, in consultation with the State Air Resources Board, the Department of Housing and Community Development, and the Transportation Agency, shall convene a task force to do both of the following:~~

~~(a)Review the roles and responsibilities of metropolitan planning organizations.~~

~~(b)Define "sustainable community."~~

~~**SEC. 2.**~~***SECTION 1.*** Section 65082 of the Government Code is amended to read:

65082. (a) For purposes of this section, the following definitions apply:

(1) "Regional transportation planning agency or county transportation commission" means a regional transportation planning agency or county transportation commission required to adopt and submit a regional transportation improvement program to the California Transportation Commission and the Department of Transportation pursuant to Section 14527.

(2) "State's climate goals" means the goals expressed in any of the following:

(A) Climate Action Plan for Transportation Infrastructure prepared by the Transportation Agency, including the guiding principles in the final draft as adopted by the Transportation Agency and endorsed by the California Transportation Commission in July 2021.

(B) State and federal air quality standards set by the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.), including all state ambient air quality standards, as set forth in Section 70200 of Title 17 of the California Code of Regulations, and national ambient air quality standards, as established pursuant to Section 7409 of Title 42 of the United States Code, in all areas of the state, as described in California's state implementation plans required by the federal Clean Air Act (42 U.S.C. Sec. 7401 et seq.).

(C) Senate Bill 375 (Chapter 728 of the Statutes of 2008).

(D) Senate Bill 32 (Chapter 249 of the Statutes of 2016).

(b) (1) Each regional transportation planning agency or county transportation commission shall prepare, adopt, and submit a five-year regional transportation improvement program to the California Transportation Commission on or before December 15 of each odd-numbered year thereafter, updated every two years, pursuant to Sections 65080 and 65080.5 and the guidelines adopted pursuant to Section 14530.1, to include regional transportation improvement projects and programs it proposes to be funded, in whole or in part, in the state transportation improvement program and that are consistent with its most recently prepared sustainable communities strategy and the state's climate goals.

(2) Major projects shall include current costs updated as of November 1 of the year of submittal and escalated to the appropriate year, and be listed by relative priority, taking into account need, delivery milestone dates, and the availability of

funding.

(c) Except for those counties that do not prepare a congestion management program pursuant to Section 65088.3, congestion management programs adopted pursuant to Section 65089 shall be incorporated into the regional transportation improvement program submitted to the commission by December 15 of each odd-numbered year.

(d) Local projects not included in a congestion management program shall not be included in the regional transportation improvement program. Projects and programs adopted pursuant to subdivision (b) shall be consistent with the capital improvement program adopted pursuant to paragraph (5) of subdivision (b) of Section 65089, and the guidelines adopted pursuant to Section 14530.1.

(e) Other projects may be included in the regional transportation improvement program if listed separately.

(f) Unless a county not containing urbanized areas of over 50,000 population notifies the Department of Transportation by July 1 that it intends to prepare a regional transportation improvement program for that county, the department shall, in consultation with the affected local agencies, prepare the program for all counties for which it prepares a regional transportation plan.

(g) The requirements for incorporating a congestion management program into a regional transportation improvement program specified in this section do not apply in those counties that do not prepare a congestion management program in accordance with Section 65088.3.

(h) The regional transportation improvement program may include a reserve of county shares for providing funds in order to match federal funds.

~~**SEC. 3.**~~ ***SEC. 2.*** Section 65082.5 is added to the Government Code, to read:

65082.5. (a) For purposes of this section, the following definitions apply:

(1) "Regional transportation planning agency or county transportation commission" has the same meaning as defined in Section 65082.

(2) "State's climate goals" has the same meaning as defined in Section 65082.

(b) (1) Each regional transportation planning agency or county transportation commission shall rank all transportation projects and prioritize projects based on their adherence to its most recently adopted sustainable communities strategy and the state's climate goals. Ranked projects shall accelerate sustainable communities strategies implementation and shall not induce vehicle miles traveled. Each regional transportation planning agency or county transportation commission shall fund and implement projects in the order of prioritization.

(2) Each regional transportation planning agency or county transportation commission shall submit the prioritized list developed pursuant to paragraph (1) to the State Air Resources Board and the California Transportation Commission. This prioritized list shall be due according to the same timeline as the applicable sustainable communities strategy described in paragraph (2) of subdivision (b) of Section 65080.

(c) Upon receiving a list submitted pursuant to subdivision (b), the State Air Resources Board, in consultation with the California Transportation Commission, shall determine whether each project is consistent with the most recently adopted sustainable communities strategy of the regional transportation planning agency or county transportation commission and the state's climate goals.

(d) (1) Each regional transportation planning agency or county transportation commission shall submit a report on local transportation tax measures to the California Transportation Commission on or before March 30, 2023. This report shall include all of the following information:

(A) The text of the local transportation tax measure.

(B) A description of whether the local transportation tax measure aligns with the most recently adopted sustainable communities strategy and the state's climate goals.

(C) A description of the transportation projects funded by the local transportation tax measure.

(D) A timeline of the transportation projects, including when they were passed and when they will expire.

(2) The California Transportation Commission, in consultation with the State Air Resources Board, shall conduct an analysis and propose recommendations on alignment of local tax measures with the state's climate goals.

(e) Projects funded by local tax measures shall, to the extent permitted by the terms of the local tax measures, be included in the regional transportation plans prepared pursuant to Section 65080 and adhere to the most recently adopted sustainable ~~community~~ *communities* strategy of the applicable regional transportation agency or county transportation commission and the state's climate goals.

(f) Regional transportation planning agencies or county transportation commissions that approve projects that adhere to their most recently adopted sustainable communities strategies and the state's climate goals shall, upon appropriation by the

Legislature, receive additional funds from surplus state transportation funds and federal funds.

(g) A regional transportation planning agency or county transportation commission shall not fund a project or program determined to be inconsistent with its most recently adopted sustainable communities strategy or the state's climate goals pursuant to subdivision (c).

~~SEC. 4.~~ ***SEC. 3.*** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

TITLE: Summary of Meetings DATE PREPARED: 5.31.2022

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
May 3	Bike/Scooter Share Working Group	Ellard, Casey, Rodriguez and Barrett
May 3	Gualala Active Transportation Program (ATP) Meeting with Caltrans	Barrett, Ellard, Casey and Sookne
May 3	Albion Bridge Scoping Meeting	Barrett
May 3	Hopland Project Broadband Meeting	Barrett
May 4	Caltrans Planning Grants Application Guidelines Workshop	Ellard
May 5	Multimodal Projects Discretionary Grant (MPDG) Rural Program	Staff
May 6	Meeting with City of Ukiah Regarding Great Redwood Trail ATP Grant	Barrett and Ellard
May 6	Great Redwood Trail Meeting	Barrett & Ellard
May 9	Mobility Solutions Planning Grant RFP - Consultant Debrief Meeting	Ellard
May 9	Regional Transportation Planning Agencies (RTPA) Directors Group	Barrett
May 10	Hopland Project - Americans with Disabilities Act Meeting (ADA)	Barrett
May 10	Covelo Trail Project Development Team (PDT)	Barrett and Sookne
May 11	Local Road Safety Plan (LRSP) Presentation	Ellard
May 12	Gualala ATP Meeting	Barrett, Casey and Ellard
May 16	MCOG Triennial Performance Audit Initiation Meeting with Consultant	Barrett and Orth
May 17	Gualala ATP Meeting with Caltrans	Barrett, Casey and Ellard
May 17	Mendocino County DOT Project Status Meeting	Barrett and Sookne
May 17	Street Story Webinar	Ellard
May 17	RTPA Group Meeting	Barrett
May 17	Social Services Transportation Advisory Council (SSTAC) Meeting	Orth, Barrett, Lowblad and Sookne
May 18	California Transit Association – Legislative Conference, Sacramento	Sookne
May 18	MCOG Technical Advisory Committee (TAC) Meeting	Barrett, Ellard, Pedrotti, Sookne, Orth
May 18	Gualala Town Planning Meeting	Barrett
May 18	California Transportation Commission (CTC) Meeting - Central Valley	Barrett
May 18	Local Road Safety Plan (LRSP) Presentation	Ellard
May 18	Mobility Solutions Planning Study Meeting	Barrett and Ellard
May 19	California Transportation Commission (CTC) Meeting	Barrett
May 20	Rural Counties Task Force	Barrett
May 21	Willits Bypass Mitigation Lands – Guided Walking Tour	Orth
May 23	Gualala ATP Meeting with Caltrans	Barrett, Casey and Ellard
May 24	Covelo Trail PDT	Barrett and Sookne
May 25	North State Zero Emission Vehicles (ZEV) Working Group	Orth, Sookne and Rodriguez
May 25	Mendocino Transit Authority (MTA) Board Meeting	Sookne
May 25	Gualala Meeting	Barrett
May 26	Gualala ATP Meeting	Barrett, Casey and Ellard
May 26	California Transportation Foundation (CTF) - Awards Gala, Sacramento	Orth
May 27	CTF 23rd Annual Transportation Forum, Sacramento	Orth and Ellard
May 27	RTPA Group Meeting	Barrett
June 2-3	Far North Transit Symposium (Lake Transit Authority, CALACT) - Ukiah	Davey-Bates, Sookne, Orth, Rodriguez, Parker, others

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.