

# MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES  
Monday, August 31, 2009  
Ukiah City Council Chambers

ADDITIONAL AUDIOCONFERENCE LOCATION:  
Caltrans District 1  
1656 Union St., Eureka

**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 1:42 p.m. with Directors Sinnott, Thomas (Alt.), Stranske, Ranochak, and Gjerde present; Chair Gjerde presiding. Directors Pinches and Colfax were excused. Cheryl Willis and Rex Jackman of Caltrans District 1 joined the meeting by audioconference, with Mr. Jackman voting as the PAC member.

Staff present: Phil Dow, Executive Director; Janet Orth, Deputy Director for Administration; and Loretta Ellard, Assistant Executive Director.

**2. Convene as RTPA**

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

**Public Expression.** None.

**4 - 7. Regular Calendar.**

Dow introduced a request from Mendocino County Department of Transportation (MDOT) to add an item to the agenda, for support of MDOT's application for Transportation Investment Generating Economic Recovery (TIGER) discretionary funds, a program under the American Recovery & Reinvestment Act of 2009 (ARRA). The request was received after the MCOG agenda was posted and applications were due September 15, before MCOG meets again.

**Upon motion** by Stranske, second by Thomas, and carried unanimously on roll call vote (*6 Ayes – Jackman (PAC), Sinnott, Thomas, Stranske, Ranochak, and Gjerde; 0 Noes; 0 Abstaining; 2 Absent – Pinches and Colfax*): IT IS ORDERED that there is a need to take immediate action on the matter of a TIGER discretionary funding application, and the need for action arose after the agenda was legally posted.

The Chair placed the item to follow Regular Calendar business.

**4. Presentation by Craig Drake, Drake Haglan & Associates, Inc.: Redemeyer Road Extension Feasibility Study Report.** Dow introduced the guest speaker. Mendocino County Department of Transportation (MDOT) engaged this firm to conduct a study of this important regional project. MCOG had previously committed funds for future environmental and design phases. Mr. Bob Parker of MDOT further introduced the presentation, noting that several design alternatives had been offered and public comment was received in community meetings. A final public workshop was scheduled for the same day at 5:00 pm, after which the report would be finalized.

Mr. Drake gave a slide presentation. Geological and environmental factors were considered. Five alternatives were presented, in addition to “no build.” Various alignments were scored and compared in the study. He noted this is an early stage of the design process. The report is available on Drake Haglan & Associates’ website, through a link on MCOG’s site. Mr. Drake then took questions, including funding issues.

Discussion included the following:

- What are MCOG’s role and public expectations for funding as a result of various project studies that are brought forward? A process could be developed for determining how funds are pooled and leveraged, such as a Capital Improvement Program (CIP). (Gjerde, Thomas)
- The Ukiah Valley Travel Demand Model developed under MCOG’s planning program is being expanded countywide under Work Element 11 this fiscal year. The consultant will produce a countywide CIP that will include capacity and circulation improvement needs. This product is anticipated to be available about a year from now. Until then, project studies may be viewed in the context of the Regional Transportation Plan and similar documents already adopted, without expectations of MCOG members to approve or contribute funds. The next stage of the Redemeyer Road project would be environmental review. (Dow)
- Have there been any public comments to date that this project might be growth inducing? (Thomas) No; this is not considered a land-use project. (Drake)

No action was taken.

**5. Hopland Bypass / North Hopland Projects.** Dow introduced the issue and the reason these two projects are proposed to be combined into one environmental process. Over time, setbacks have occurred, and changing conditions warrant rethinking and a new approach to achieve necessary safety improvements. He described funding challenges. He then introduced the Caltrans project team.

- a. Presentation by Caltrans District 1. Mr. Steven Blair, Project Manager, introduced the four team members present: Lucy Kostrzewa, Design Senior; Eric Lund, Design Project Engineer, and Sandra Rosas, Environmental Senior. Today’s visit was intended to request concurrence to amend the design approach and combine two projects. A map of current alignment was displayed, with various options and phasing of segments. Ms. Kostrzewa gave a slide presentation. The team and also PAC member Jackman answered questions. Discussion ensued during the presentation.

Chair Gjerde raised concerns with costs and lack of additional alternatives to the freeway and expressway alternatives offered. The team noted Caltrans’ planning department would make such decisions; their own mandate is to design the two versions shown here. They also addressed environmental and safety issues. Director Jackman (PAC) noted needs of interstate goods movement on the 101 corridor. Dow brought up the Route Concept for U.S. 101, explaining the cost-benefit argument and the reason for a route concept, as one of the major corridors through the north state. Costs were itemized by four major categories: capital (construction), right of way, environmental, and support.

Mr. Blair concluded the presentation, reiterating the purpose of this effort to keep safety improvements moving forward. In further discussion, Chair Gjerde raised concerns with MCOG’s State Transportation Improvement Program (STIP) commitment by past resolutions and also mentioned local transportation sales tax funding. Director Sinnott asked whether components could be mixed between freeway and expressway. Ms. Kostrzewa responded that they could, within certain parameters. Mr. Blair noted that “North Hopland Upgrade” is the name Caltrans’ team would prefer for the project.

- b. Technical Advisory Committee (TAC) Recommendation of August 19, 2009. The TAC unanimously concurred with Caltran's proposal and recommended approval by MCOG to:
  - Change the name of the project to "North Hopland Project," removing "Hopland Bypass" from the project name;
  - Continue to develop freeway and expressway alternatives for the north Hopland segment, as well as a combined freeway/expressway alternative; and
  - Revise the milepost limits of the project to be m.p.13.6 to m.p.17.6 (from the previous limits of m.p. 8.8 to m.p. 17.6).
- c. Board Action. Upon motion by Stranske, second by Sinnott, and carried unanimously on roll call vote (6 Ayes – Jackman (PAC), Sinnott, Thomas, Stranske, Ranochak, and Gjerde; 0 Noes; 0 Abstaining; 2 Absent – Pinches and Colfax): IT IS ORDERED that the TAC recommendation is approved with one amendment to change the project name to "North Hopland Upgrade."

Dow concluded that he intends to return to the Council with recommendations about how to approach funding of large projects within the context of the STIP and other state considerations.

**6. Executive Committee Recommendations of July 29, 2009.** Orth summarized her written staff report and the requested actions and took questions. The actions were approved in one motion.

- a. Acceptance of Meeting Minutes
- b. Acceptance of County Auditor-Controller's Report of Local Transportation Fund (LTF) Revenue Shortfall for Fiscal Year 2008/09 and Approval of Fund Transfer from LTF Reserve to Cover Budget Allocation to Mendocino Transit Authority According to MCOG Policy. The Auditor reported a shortfall of \$184,995, the first since 1998. The LTF Reserve was established in part to cover such shortfalls. The Reserve balance of \$200,149 covers the revenue shortfall, leaving approximately \$15,154 in reserve for FY 2009/10. Dow elaborated that the reserve is intended to absorb funding gaps so as to avoid sudden disruptions of transit services. If revenues continue to decline, levels of service will need to be evaluated.
- c. Policy for Use of Local Transportation Fund (LTF) Accrued Balance. Existing policy allows cash-flow loans from LTF Reserve to planning accounts to cover grant expenditures until reimbursed by the State. Now the Reserve is depleted, the Committee recommended use of the LTF for these internal loans. Orth reported an unrestricted fund balance of approximately of nearly \$600,000 accumulated over many years, mainly from interest earnings. She had asked the Executive Committee for guidance on developing a policy for its use or reserve. The Committee will review it in context of the next budget cycle, as recommended by staff.

**Upon motion** by Stranske, second by Sinnott, and carried unanimously on roll call vote (6 Ayes – Jackman (PAC), Sinnott, Thomas, Stranske, Ranochak, and Gjerde; 0 Noes; 0 Abstaining; 2 Absent – Pinches and Colfax): IT IS ORDERED that Executive Committee recommendations are approved as follows:

- a) Committee minutes of July 29, 2009 are accepted as written;
- b) County Auditor-Controller's report of LTF revenue shortfall is accepted, and the Committee's approval of a fund transfer from LTF Reserve to cover the FY 2008/09 budget allocation to Mendocino Transit Authority according to MCOG policy is ratified; and

- c) Cash-flow loans from LTF to other MCOG fund accounts to cover reimbursable planning grants are approved up to \$250,000 at any time, on condition that if this amount is exceeded, staff will give a report to the Board of Directors.
- d. Other Reports. Other issues still in progress were covered in the written report. The Committee plans to meet again in October.

**7. Appointment of Third Member to Executive Committee.** Since two members were absent, this item was continued to the next meeting on October 5, hosted by City of Willits. A brief discussion followed on the annual field trip to view projects in various parts of the countywide region. To date, MCOG has met “on location” and toured transportation project sites in Gualala/Point Arena, Laytonville, and Fort Bragg.

**Addition to Agenda: Support for TIGER Discretionary Funding Application under ARRA.** (Refer to urgency finding under Regular Calendar, Page 1.) Mr. Bob Parker, Assistant Director, MDOT, made the request for support of the County’s application and handed out a draft resolution, noting reasons for urgency. The project would address rehabilitation needs of the county road system. He answered questions about how the funds would be allocated if the proposal is funded, such as condition of the roads. It was noted that MCOG funds a county road system review annually for safety, as well as the pavement management program that indexes pavement condition and prioritizes roads for maintenance. MDOT will provide a list of the roads in the funding application to receive asphalt-concrete overlays and double chip seal.

**Upon motion** by Sinnott, second by Stranske, and carried unanimously on roll call vote (5 Ayes – Sinnott, Thomas, Stranske, Ranochak, and Gjerde; 0 Noes; 1 Abstaining - Jackman (PAC); 2 Absent – Pinches and Colfax): IT IS ORDERED that the following resolution is adopted.

**Resolution No. M2009-09**

Support for Mendocino County Application for TIGER Program  
Funding — Rehabilitation of Various County Maintained Roads  
(Reso. #M2009-09 is incorporated herein by reference)

**8 - 12. Consent Calendar.** Upon motion by Stranske, second by Ranochak, and carried unanimously on roll call vote (6 Ayes – Jackman (PAC), Sinnott, Thomas, Stranske, Ranochak, and Gjerde; 0 Noes; 0 Abstaining; 2 Absent – Pinches and Colfax): IT IS ORDERED that consent items are approved:

**8. Approval of June 1, 2009 Minutes – as written**

**9. Acceptance of 2007/08 Fiscal Audit of Mendocino Transit Authority (MTA) - MTA received a clean audit report.**

**10. Award of Consultant Contract for Triennial Performance Audits of MCOG and Mendocino Transit Authority for Three-Year Period Ending June 30, 2009 – to LSC Transportation Consultants, Inc., not to exceed \$17,160 plus optional \$1,575 for presentations**

**11. Technical Advisory Committee Recommendations of August 19, 2009**

- a. **First Amendment to Fiscal Year 2009/10 Planning Overall Work Program (OWP) - Existing funds are carried over or reprogrammed, with no net fiscal impact.**

- b. **County Dept. of Transportation Request to Reprogram Bicycle & Pedestrian Projects in Caspar** – *Transfers \$24,180 awarded for a gravel pedestrian path to a related project to be designed by a consultant including curb, gutter, greenway and sidewalk adjoining the community center and connecting to other bicycle and pedestrian paths.*

**12. Adoption of Resolution Supporting Applications for Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant Program to Fund the U.S. 101 Bypass of Willits Project and Mendocino Transit Authority's Alternative Fuel & Infrastructure Project**

**Resolution No. M2009-10**

Supporting Applications for Transportation Investment  
Generating Economic Recovery (TIGER) Discretionary Grant Program to  
Fund the U.S. 101 Bypass of Willits Project and  
Mendocino Transit Authority's Alternative Fuel & Infrastructure Project  
(Reso. #M2009-10 is incorporated herein by reference)

**13. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee.** Upon motion by Sinnott, second by Stranske, and carried unanimously on roll call vote (*5 Ayes – Sinnott, Thomas, Stranske, Ranochak, and Gjerde; 0 Noes; 0 Abstaining; 2 Absent – Pinches and Colfax*): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

**14. Reports - Information**

- a. Mendocino Transit Authority. Bruce Richard, General Manager, reported execution of a funding agreement for American Recovery & Reinvestment Act (ARRA) projects. MTA is starting a bid process to procure the vehicles funded. He identified seven new vehicles of various types, one of which will be a hybrid-electric bus, replacing a heavy-duty bus. MTA's preference is for hybrid-drive, however the mid-size vans MTA needs are not yet available in this new technology.
- MTA also received a (non-ARRA) federal grant under the Jobs Access program to purchase one medium-size vehicle. The new Mobility Management program is now up and running with a coordinator hired, who is learning about agricultural-worker transportation programs in other areas. She is driving a new hybrid staff vehicle (Ford Escape).
- b. North Coast Railroad Authority. Loretta Ellard reported she will attend an NCRA planning workshop on September 9.
- c. MCOG Administration & Planning Staff
1. *Summary of Meetings*. Dow referred to his written staff report.
  2. *American Recovery & Reinvestment Act of 2009 (ARRA) Project Status*. Dow reported on the process to date. A brief discussion followed on concerns about receiving timely clearance from Caltrans during construction season. State staffing furloughs were noted, while ARRA has increased their work load. Director Willis (PAC) commented on the Local Assistance program's approval process; she thought that everything has been approved and moving forward; District 1 staff will follow up to confirm. MCOG staff confirmed that the North State Street improvements currently in progress are funded by the STIP, not ARRA.

3. *2010 State Transportation Improvement Program (STIP) Fund Estimate and Process.* Dow commented on the backlog and project delays. No new funds will be provided in the 2010 STIP. He reported status of the Transportation Enhancements (TE) program. The only new funds available in STIP are for TE projects. MCOG will be accepting competitive applications in October. The TAC will review them in November, and projects selected will be included in the draft Regional Transportation Improvement Program (RTIP). Discussion followed on types of projects that make good TE candidates.
4. *Status of Joint Powers Amendment - Proposal to Form Mendocino Area Energy Authority.* Dow reported that the JPA amendment was circulated to the five member entities. All five must approve for an amendment to be adopted. It was approved by Cities of Fort Bragg and Point Arena, and County of Mendocino. City of Willits turned down the proposal, while City of Ukiah took no action, requesting amended language addressing their status as an energy provider. Legislation allows the energy authority to be formed, however Dow stipulated that an implementation plan and memorandum of understanding would be necessary to take any action beyond the initial enabling authority. He emphasized that a structure must first be provided, by other than MCOG staff, to satisfy concerns.

Janet Orth addressed an issue that had been raised concerning her own potential conflict of interest, noting she was seeking legal advice. If MCOG wanted to pursue such an energy amendment in the future, she hoped this would not stand in the way of it and thought her knowledge and experience could be of value. She also noted other opportunities open to those member entities that want to pursue planning for energy independence in their communities.

5. *Miscellaneous.* Orth reported that she had distributed a new edition of the *Mendocino COGnizance* newsletter and additional copies are available; it can also be found on MCOG's website.
- d. MCOG Directors. Handouts were distributed from Directors Gjerde and Sinnott, reporting on their recent attendance at a national conference on Safe Routes To School in Portland, Oregon. Discussion followed on grant funding for bicycle and pedestrian projects and advice for grant writers. A coalition of interests is involved in this effort. Resource publications brought back from the meeting will be available in MCOG's library.
- e. California Association of Councils of Governments (CALCOG) Delegates. There were no reports.

**15. Adjournment.** The meeting was adjourned at 4:15 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director for Administration