

# MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES  
Monday, December 7, 2009  
Ukiah City Council Chambers

**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 1:38 p.m. with Directors Rodin, Stranske, Pinches, and Gjerde present; Chair Gjerde presiding. Director Robertson (PAC) joined the meeting by audioconference. Directors Colfax and Sinnott arrived soon after. Director Ranochak was excused.

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

**2. Convene as RTPA**

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

**Public Expression.** None.

**4 - 10. Regular Calendar.**

**4. Public Hearing: Unmet Transit Needs for Fiscal Year 2010/11**

- a. Finding of Proper Notice. Orth verified proper 30-day legal notice of the public hearing, citing proofs of publication from four local newspapers (copies included in the meeting materials). Additionally, the notice was posted on the MCOG website ([www.mendocinocog.org](http://www.mendocinocog.org)) and was emailed to interested stakeholders.

**Upon motion** by Pinches, second by Rodin, and carried unanimously (*7 Ayes; 0 Noes; 0 Abstaining; 1 Absent*): IT IS ORDERED that this public hearing on 2010/11 Unmet Transit Needs was properly noticed.

- b. Staff Report. Orth summarized the purpose of this hearing and the annual process as detailed in her written staff report, noting that, according to the Transportation Development Act, this process of identifying transit needs is not required of MCOG unless funds for streets and roads are to be allocated from Local Transportation Funds, which is unlikely under MCOG's current policy. Transit needs are prioritized and typically there are more transit needs than can be funded. However, staff recommends conducting the full process as usual, as it satisfies the citizen participation requirement of the Act.

Director Colfax arrived at 1:45 p.m.

Director Sinnott arrived at 1:48 p.m.

Orth submitted as testimony a list of 28 unmet transit needs and 4 additional recommendations for transportation compiled by MCOG's Social Services Transportation Advisory Council (SSTAC), which included input received by MTA from public meetings during the year. She noted that MTA is also conducting a planning study this year, and the public outreach generated some of the needs on the list. She then reviewed the required

action and staff's recommendation to forward all testimony to Mendocino Transit Authority (MTA) for analysis and later review by the Transit Productivity Committee. The "reasonable to meet" finding is made after the committee's recommendation, usually with budget adoption in June. The Board may also add their own testimony to the list during the public hearing. She invited questions, as follows.

- What criteria are used in identifying needs? (Stranske) Orth and Dow described the procedure by which identified needs are received from those who respond to the call and participate, without any filters or restriction, followed by MTA's analysis to determine validity and potential for implementation.
  - Assumption is that needs on the list are considered for eventual funding? (Pinches) Yes.
  - Why is the need "*More bus stops in Santa Rosa*" on this list? (Pinches) Discussion. The intention is that Mendocino County riders could board and disembark at points along MTA's route in the neighboring county. MTA Transportation Manager Dan Baxter addressed the question, consistent with MCOG staff's previous answer.
  - Are needs on this list competing with one another? (Pinches) Baxter: No, prioritization follows this initial information gathering stage.
  - What is status of a potential Covelo voucher program for transit needs? (Pinches) Baxter: A study is currently underway to identify ways to serve outlying communities, including Covelo, with options for commuting to work in the inland corridor. This effort is high on MTA's priorities.
- c. Public Hearing. The Chair opened the hearing at 1:52 p.m. Orth reported that written testimony was invited in the public notices, and none had been received.

Elle Crosby of Ukiah testified to a need for "round trips to the coastal area from Ukiah," by way of Boonville and Navarro, that depart and return on the same day, for various meetings, appointments and family responsibilities, stopping at points along Route 1 to the north and south, including Gualala, Point Arena, Mendocino and Fort Bragg. She suggested connecting two busses at a midpoint such as Navarro to accomplish this. Currently there is no transit route that goes to the coast and back within one day. She also testified to a need for morning transit service to church on Sundays in Ukiah (already on the list).

The hearing was closed at 1:55 p.m.

- d. Board Action. During discussion it was clarified that this is the time to populate the list with as many needs as can be gathered from the public, and that after analysis of numerous factors and review by MCOG's committee, a few would rise to the top for the Council's consideration of possible funding.

**Upon motion** by Sinnott, second by Stranske, and carried (*6 Ayes; 1 No - Pinches; 0 Abstaining; 1 Absent*): IT IS ORDERED that 1) MCOG receives as testimony all needs reported by the SSTAC, MTA, and today's public hearing, 2) the testimony received includes "unmet transit needs" as qualified by MCOG's adopted definitions, and 3) all testimony is directed to Mendocino Transit Authority for analysis and to the Transit Productivity Committee for subsequent review and recommendation.

**5. Presentation by MCOG Board Members: Walk21 NYC Conference, October 6–9, 2009.**

Chair Gjerde referred to his written report summarizing the conference he attended with Directors Sinnott and Rodin, emphasizing public health benefits. Director Sinnott referred to her

own written report and added that these efforts to design city streets for pedestrian use and safety are consistent with State of California's stated goals for development and that progress can be achieved locally. Director Rodin added remarks, noting that the economics and benefits of these efforts are well documented.

Discussion followed. Chair Gjerde noted opportunities using smart growth principles of infill and mixed use. Vice Chair Pinches commented on local bicycle access and improvements. Director Stranske reported that Willits has approved a project downtown; cost was high, but even so they are going to improve several blocks with bicycle and pedestrian features. Director Rodin suggested that a good economic development strategy would be to invest in a network of connecting lanes and trails, so that visitors would come here for bicycle tours; MCOG should consider allocating funds to support a trail system that would benefit all jurisdictions of the county, enhancing the quality of life. Sinnott thanked MCOG for providing most of the funds for the trip, noting that expenses were minimized by the travelers and she found the meeting highly educational. Cities of Fort Bragg and Ukiah also contributed a portion. Director Rodin said one of her favorite aspects of the conference was the international attendance.

No action was taken.

**6. Executive Committee Report and Recommendations of November 12, 2009.** Orth referred to related agenda items (Nos. 7a, 9b, 13 and 14), as stated in her written staff reports. There was no discussion and no action was taken.

- a. Funding Partnership for Simpson Lane Roundabout Project. The committee recommended that MCOG offer \$200,000 of Regional Surface Transportation Program (RSTP) funds to this project, in partnership with County of Mendocino for the local share of funding.
- b. Draft Goals & Policies for 2010 Regional Transportation Plan. Committee members provided input to staff for the draft document, with no formal recommendation to the Council.

**7. Technical Advisory Committee (TAC) Report and Recommendations of November 18, 2009**

- a. Funding Partnership for Simpson Lane Roundabout Project. Dow stated this project is of regional value. Staff, Executive Committee, and TAC all have concurred, recommending an offer to the County of Mendocino of \$200,000 of RSTP funds toward this project. This amount would come from MCOG's regional share set aside as a capital fund under current policy, if the County decides to pursue Caltrans funding under the "Minor A" program. Discussion followed, including:
  - Environmental work will be done in the coming year. This is a project worthy of COG support. (Pinches)
  - What is the County Board of Supervisors' position? (Sinnott) This approach will help to advance the project, resolving funding during a current cash flow problem. (Pinches) The project is a long time in coming and has support of the Supervisors. Protection of County funds is a priority, but safety is at issue for the past several decades at this location. The question is how to structure financing. (Colfax)
  - This recommendation in no way competes or takes funds away from any other County road projects or higher priorities. (Pinches)
  - What is the "Minor A" program? (Rodin) Caltrans districts have access to this State fund for construction projects under \$1 million. (Dow)
  - Caltrans needs a funding commitment by February 2010, to be ready to list by June. (Dow)

Steve Blair, Caltrans Project Manager for the roundabout, commented and confirmed accuracy of the information presented.

**Upon motion** by Rodin, second by Stranske, and carried unanimously on roll call vote (*7 Ayes – Robertson/PAC, Sinnott, Rodin, Stranske, Pinches, Colfax, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent – Ranochak*): IT IS ORDERED that the recommendations of the Executive Committee, Technical Advisory Committee, and staff are approved to offer \$200,000 in Regional Surface Transportation Program funds to partner with the County of Mendocino in funding the local share of the Simpson Lane/Route 1 intersection improvements, should the Board of Supervisors decide to pursue implementation of this project under the Caltrans Minor A program in Fiscal Year 2009/10.

- b. Ranking of Transportation Enhancement (TE) Funding Applications. Dow introduced the issue, detailed the process, and referred to Nephela Barrett's written staff report. The action requested is to direct staff to prepare the 2010 Regional Transportation Improvement Program (RTIP) such that TE components are programmed according to the TAC's recommendation. The Council will be asked to take action to adopt the RTIP at the meeting of February 1, 2010.

Nephela Barrett spoke to details of her report and distributed a handout showing revisions made to the requests of three of the projects. Options were identified for award of the funds. She then answered questions and discussion followed.

- The earliest portion of funding is available in FY 2011/12, so environmental work and design could start then. Most of the funds are available in FY 2013/14 and 2014/15 and could be used for construction.
- Why was Ukiah Downtown Streetscape Improvement project disqualified? (Rodin) TE is for enhancements above and beyond regular transportation improvements. Barrett referred to the 12 eligible categories. Dow: Much of Ukiah's request involved paving, which is ineligible; other elements of the project are eligible, such as bulb-outs and landscaping, however these added up to less than \$100,000, below MCOG's threshold for project eligibility.

The Chair invited public comment.

Alan Falleri, Community Development Director, City of Willits noted lack of available city staff and thanked MCOG for assisting with their projects. During this TE review process, a trails project with a lot of merit was deemed more recreational than an enhancement. He hopes that in the future, trail projects can be viewed as an important transportation option, as cars eventually become a luxury.

Tamira Jones, Coastal Access Program Manager, Mendocino Land Trust, presented a case for funding the Kibesillah Vista Trail & Caspar Beach Trail project, ranked #8 of 9. Both sites connect to highly visited destination points and are within public access easements, one required by the County as mitigation for a coastal development permit and the other within property acquired with State funding for inclusion in State parks. Both are cost effective, with a substantial State match already spent for technical studies and CEQA permitting. Both site proposals are consistent with local plans and State mandates for coastal trail development. They would link to an interregional non-motorized coastal trail system. The project has public support and would result in benefits to the environment, sustainable transportation corridors, tourism, local economies, and increased access to local resources. She expressed disappointment with the TAC's recommendation regarding eligibility and

asked MCOG to open its deliberations to a broader definition of non-motorized transportation consistent with conditions in rural communities.

Board discussion included the following:

- Director Colfax requested a discussion of funding the complete trails project at \$297,000, rather than portions of other projects, addressing any problems with TE eligibility.
- The eligibility determination is ultimately Caltrans' decision, not MCOG's. Portions of the trail project are eligible, however the TE coordinator determined that it is more recreational than transportation, and to be eligible the project would need to be more directly related to the transportation system. (Barrett)
- Dow elaborated on distinctions between recreational trails and transportation, with details of the trail proposal. It would not comply with ADA and would not meet certain standards, so it is clearly ineligible. This is not the right funding source for building this type of trail.
- When allocating funds, it would be helpful to have visual presentation materials for discussion purposes in the meeting. (Rodin) All applications were posted to MCOG's website. (Barrett)
- Is MCOG or Caltrans falling short in making clear to applicants whether they are meeting certain standards so that time invested in these proposals is not wasted? (Colfax) Evidently it was not made sufficiently clear, particularly to a sponsored applicant not familiar with eligibility. (Dow) The call for projects included extensive information such as screening criteria and Americans with Disabilities Act (ADA) compliance. (Barrett)

Rick Seanor, Deputy Director of Public Works, City of Ukiah (TAC member) stated he understood now why Ukiah's project was not more successful. What impressed him about the TAC's ranking process was that the top project (Blosser Lane Elementary School) was unanimously scored #1, which speaks well for the scoring criteria and intentions behind them.

Bob Parker, Assistant Director, Department of Transportation, County of Mendocino: (TAC member) As an engineer, pavement versus trails is not a criterion he used. There are other detailed scoring guidelines that the TAC was expected to incorporate in their ranking. He recommended against changing their prioritized list to favor the trails project. He agreed with Mr. Seanor as to the consistency of the individual rankings. As TAC members, they wear two hats, one as proponent of their own jurisdiction's project and the other as an objective scorer on a regional basis. All are conscientious in their roles. With only enough to fully fund the first three projects, he recommended funding components of the project ranked in fourth place, Highway One Circulation and Safety Enhancement Project.

Board discussion included the following:

- Chair Gjerde commented on the process and results, and on Fort Bragg's process and reasoning for its funding applications of several project phases. He discussed funding availability in the State Transportation Improvement Program (STIP).
- Vice Chair Pinches spoke to the economic crisis and the opportunity to fund up to five projects. He favored school pedestrian improvements and moving Westport Village School Pedestrian Improvements from seventh to fourth place. He stressed prompt completion of construction projects.
- While other funds for schools may be available through applications competing statewide, TE is a regional share dedicated to MCOG and available now. (Dow)
- Director Sinnott favored the TAC's technical approach over a political decision.

- Ellard reported the TAC discussion of the Westport project that of the total \$145,000 cost, only \$65,000 would go to construction, with the remainder to preliminaries including environmental clearance in the coastal zone.
- Staff noted cost effectiveness is one of the criteria. (Barrett, Dow)
- Director Colfax pointed out that coastal projects have an inherent disadvantage in terms of cost effectiveness because of coastal zone requirements, which needs to be recognized and factored into such decisions.
- The smaller a project, the less cost effective it will be due to administration requirements of federal funds. Examples were noted. (Dow)

**A motion was made** by Director Rodin, second by Director Stranske, to fund the projects ranked in first through third places as shown on the revised table handed out, and to award the remaining funds to the Highway 1 Circulation project. Barrett clarified the action requested is to direct staff to prepare the RTIP to include the recommended projects. The RTIP would be adopted in a public hearing on February 1, with a further opportunity to review and discuss the applications.

**The motion carried unanimously** (7 Ayes; 0 Noes; 0 Abstaining; 1 Absent): IT IS ORDERED that staff is directed to prepare the final 2010 Regional Transportation Improvement Program (RTIP) to include full funding for the top three ranked Transportation Enhancement (TE) project proposals and to include partial funding for the project ranked fourth, utilizing the remainder of available TE funds, as follows:

Blosser Lane Elementary School Transportation Enhancements, Phase 1	Willits	643,524
Pedestrian Safety Improvements – Grace Hudson School Zone	County	184,677
Branscomb Road Pedestrian Bridge	County	535,000
Highway One Circulation and Safety Enhancement Project	Fort Bragg	310,799
<b>TOTAL TE PROGRAM FUNDS</b>		<b>\$ 1,674,000</b>

- c. Direction on Preparation of 2010 Regional Transportation Improvement Program (RTIP). Barrett reported details of funding availability, timelines, and staff’s strategy for the RTIP. The only new funds identified for MCOG’s region in the State Transportation Improvement Program (STIP) Fund Estimate adopted by the California Transportation Commission (CTC) are the TE funds. Funds in the 2010 RTIP may be programmed in the five fiscal years from 2011/12 through 2014/15. Existing projects have exceeded revenues, so the CTC has announced delays in programming. Barrett discussed Planning, Programming & Monitoring (PPM), transit, federal, other funded programming. No final action is requested today, as this item will be agendized for action on February 1 in a public hearing. The adopted RTIP is due to Caltrans on February 15. She answered questions.

Dow added that MCOG’s offer of funds for the Simpson Lane Roundabout Project will be on the Board of Supervisors’ agenda of December 15. Based on committee and individual discussions, staff anticipates that if they accept MCOG’s offer, they may request reprogramming of funds for railroad crossing projects under County jurisdiction to the Simpson Lane project, in the same years (nearly all in FY 2011/12).

**Upon motion** by Sinnott, second by Pinches, and carried unanimously (*7 Ayes; 0 Noes; 0 Abstaining; 1 Absent*): IT IS ORDERED that staff is directed to prepare the final 2010 Regional Transportation Improvement Program (RTIP) as drafted, with the addition of Transportation Enhancement programming approved under Agenda No. 7b, for adoption in a public hearing on February 1, 2010.

The Chair called a recess at 3:35p.m. and reconvened the meeting at 3:47 p.m.

**8. Consideration of Support and Participation in Healthy Transportation Symposium.** Dow reported an invitation from Mendocino Land Trust to participate and contribute to this event in Fort Bragg on January 9, 2010. The sponsorship request was for \$2,500 of the \$4,617 event budget, emphasizing the opportunity for public outreach relative to MCOG's 2010 Regional Transportation Plan (RTP) update. Because of budget limitations and the event's focus on bicycle and pedestrian trails, i.e. a single transportation mode, staff recommended a contribution of \$555 for space rental and refreshments.

Tamira Jones of Mendocino Land Trust, thanked the Council for considering this request. The symposium will be the first of several being planned. Other entities also have been asked for participation and support. She described the format, to include field tours, open house, information tables, speaker panels, and keynote speaker. The organizers intend to record the event for the public record and receive input from a variety of stakeholders. The information would be valuable for the RTP update effort.

Questions and extensive discussion ensued, including the following issues:

- Other sponsors and levels of sponsorship
- Area/s of county addressed by symposium
- Opportunities to educate the public and receive feedback
- MCOG attendance at the symposium and in-kind value of staff time
- GIS technical contributions
- Available budgets for such activity
- Relationship to RTP update and leveraging of efforts
- MCOG workshops planned for RTP and methods of outreach used
- Outreach being done for symposium, expected attendance
- Number and locations of event series and funding needs

Director Colfax left the meeting at 4:05 p.m., during discussion.

Director Robertson (PAC) noted that if MCOG staff were to actively participate and take the opportunity to obtain public input at the symposium, above and beyond a monetary donation, he would support staff's recommendation, deferring to staff as to the level of time contributed.

**A motion was made** by Director Rodin, second by Director Sinnott, to sponsor the Healthy Transportation Symposium with a contribution of \$555 as recommended by staff.

**Discussion on the motion:** Specifics as to other events planned, levels of commitment, benefits to the RTP process, needs to be identified, and other concerns were discussed. Ms. Jones answered further questions. The event will be held in Fort Bragg, but will cover countywide issues. Dow cautioned that MCOG's funding sources are constrained for certain purposes.

**The motion failed on roll call vote:** (*4 Ayes – Robertson/PAC, Sinnott, Rodin, and Gjerde; 2 Noes - Stranske, Pinches; 0 Abstaining; 2 Absent – Colfax and Ranochak*). Orth reported that the

bylaws require a majority vote of four (4) of the seven (7) seated members for a motion to carry, not including the added Policy Advisory Committee member, i.e. Caltrans representative. A further brief discussion ensued. Barrett and Dow expressed their desire to attend and participate in the symposium.

**9. Draft Goals & Policies for 2010 Regional Transportation Plan**

- a. Consideration of Proposal for MCOG Board Strategic Planning Workshop. Chair Gjerde proposed convening this workshop. Directors Sinnott and Rodin supported the idea. City of Fort Bragg conducts a similar proactive process of strategic visioning, resulting in general direction to staff on goals and policies, in contrast to reacting to agenda items as they arise. There was a brief discussion of proper noticing of such a workshop. There was concurrence that both staff and board members would participate.

Dow agreed with the concept and outlined his basic vision toward smaller projects now that the Willits Bypass project is essentially resolved. He also reported on status of the “mega-project” issue with Caltrans, the outcome of which, once resolved, would point to smaller projects. There is a need to work on establishing new priorities. He suggested scheduling the workshop for some time in the next few months, before staff is much farther along in RTP work.

Discussion followed on annual appointments of representatives to MCOG, typically in December and January. The Chair and Dow will suggest dates. No action was taken.

- b. Review of Staff and Executive Committee’s Draft Goals & Policies. Dow stated this is a first look and there will be more opportunities for input. Barrett invited the Council members to contact her with specific questions or comments. No action was taken.

**10. Review of Draft 2010 Board Calendar.** Orth and Chair Gjerde summarized the calendar, taking into consideration Board members’ comments at the October meeting and tour of Willits transportation projects. A brief discussion followed. Two “mobile workshops” (tours) are planned for 2010 in Ukiah Valley, one within City limits and one in the unincorporated County area. With none objecting, staff will schedule Council meetings based on this calendar. No action was taken.

**11 - 16. Consent Calendar.** Upon motion by Rodin, second by Stranske, and carried unanimously (*6 Ayes; 0 Noes; 0 Abstaining; 2 Absent*): IT IS ORDERED that consent items are approved:

**11. Approval of October 5, 2009 Minutes** – *as written*

**12. Approval of Corrected August 31, 2009 Minutes** – *as written*

**13. Executive Committee Recommendation of November 12, 2009: Adoption of Fraud Policy**

**14. Approval of Policy Amendment for Annual Transportation Planning Work Program** – *Adds restrictions to carryover of projects as incentive to increase project delivery, and to document existing funding restrictions and current practices.*

**15. Third Amendment to Fiscal Year 2009/10 Planning Overall Work Program (OWP)** – *Amends Work Element 7, Planning, Programming and Monitoring, to allow claiming of specified funds by County and City staffs for Project Study Reports; amends Work Element 24, Pavement Management Program, to transfer \$4,500 from staff budget to consultant budget; and deletes Work Element 25, Coastal Housing/Transportation Nexus Study, as the proposed grant was not awarded by Caltrans, releasing \$10,000 of local match funds. Result is a net fiscal decrease to OWP of \$10,000.*

**16. Appointments to Social Services Transportation Advisory Council** – *Reappoints Willie West, Marilyn DeFrange, and Glenna Blake to expiring seats; appoints Marissa Platt-Horning to vacancy.*

**17. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee.** Upon motion by Pinches, second by Stranske, and carried unanimously (5 Ayes; 0 Noes; 2 Absent): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

**18. Reports - Information**

- a. Mendocino Transit Authority. No one from MTA was present to report.
- b. North Coast Railroad Authority. There was no report. Written materials were provided in the Council's Information Packet.
- c. MCOG Administration & Planning Staff. Dow referred to his written staff reports.
  1. *Summary of Meetings.*
  2. *Willits Bypass Project Development Team.*
  3. *Hopland Bypass Project Development Team.*
  4. *Miscellaneous.*
- d. MCOG Directors. None.
- e. California Association of Councils of Governments (CALCOG) Delegates. No one from MCOG attended the most recent meeting in San Diego.

**19. Adjournment.** The meeting was adjourned at 4:52 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director for Administration