

# MENDOCINO COUNCIL OF GOVERNMENTS

## Approved MINUTES

Monday, February 1, 2016

County Administration Center, Board of Supervisors Chambers

### Additional Media:

*Find 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)

**1. Call to Order / Roll Call – Welcome New Members – Orientation Opportunities.** The meeting was called to order at 1:45 p.m. with Directors Rex Jackman (Caltrans/PAC), Doug Hammerstrom, Steve Scalmanini, Larry Stranske, Jim Koogle, Susan Ranochak, Tom Woodhouse, and Dan Gjerde present; Chair Gjerde presiding.

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

Executive Director Dow introduced new member Jim Koogle, Point Arena City Councilmember. Mr. Dow extended an invitation for orientation to Director Koogle and offered an opportunity for re-orientation to all of the returning Directors. Director Woodhouse expressed interest in attending another orientation. Mr. Dow will meet individually with those interested. Staff then presided over the election of officers.

**2. Election of Officers – Chair and Vice Chair.** Deputy Director Orth introduced this item, reviewing staff's recommended procedure for the election as outlined in her written report. She noted the absence of an adopted rule and the option to adopt a rule of procedure for MCOG's officer elections. With no one objecting or proposing another method, Ms. Orth conducted the election.

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

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

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

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

Ms. Orth thanked the Council members for their cooperation and Chair Gjerde presided over the remainder of the meeting.

**3. Convene as RTPA**

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

**Public Expression.** Polly Corvin, Coyote Valley Band of Pomo Indians, voiced her concerns over increased commitment of funds by MCOG for the Willits Bypass project. She suggested members of the board reach out to Sherwood Valley, Coyote Valley, and Round Valley Indian Tribes to inquire about why the tribes have not signed a programmatic agreement with Caltrans and to learn

why the tribes are displeased over how the project has proceeded. She noted her tribe is in a lawsuit with Caltrans over the bypass project.

Adrienne Moore, City Manager, City of Willits, introduced Dusty Duley, Willits' new City Planner. Ms. Moore then announced and invited attendance to a community planning charrette for the Willits Main Street Corridor Enhancement Project during the week of April 18. She thanked MCOG and Caltrans for their assistance with this project.

Holly Madrigal, City Councilmember, City of Willits, spoke in reference to a letter received from the California Transportation Commission (CTC) addressing the transportation funding deficit. She requested a list of the programmed projects by region that are potentially affected in order to evaluate priorities and be prepared for negotiation if possible.

## 5 - 8. Regular Calendar

### 5. Appointments to Standing Committees.

- a. Executive Committee. According to MCOG's bylaws, the Chair and Vice Chair are members of this committee (formalized by following board action) with the addition of a third member, reflecting a city-county balance of representation. Ms. Orth requested a meeting in February for annual business. Director Woodhouse volunteered to serve for another year.  
**Upon motion** by Ranochak, second by Koogle, and carried unanimously (*8 Ayes; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that the Council appoints **Chair Gjerde, Vice Chair Hammerstrom, and Director Woodhouse** to the Executive Committee.
- b. Transit Productivity Committee. There was a brief discussion of duties. Ms. Orth itemized the four topic areas. Director Scalmanini volunteered to serve. **Chair Gjerde** re-appointed himself and appointed **Steve Scalmanini** to the Transit Productivity Committee. (According to the Bylaws, appointments are made by the Chair.)
- c. California Association of Councils of Governments (CALCOG). Duties and upcoming events were noted, with the annual Regional Leadership Forum in late March as the next delegates meeting. **Upon motion** by Hammerstrom, second by Woodhouse, and carried unanimously (*8 Ayes; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that the Council appoints **Director Steve Scalmanini as the Delegate and Chair Dan Gjerde as the Alternate**.

### 6. Webinar Presentation of Greater Ukiah Area Micro-Simulation Model (GUAMM) –

**Caliper Corporation**. A narrative by Mr. Dow was provided as an overview of how this project began in 2005 after MCOG conducted a study of Highway 101 interchanges in Ukiah Valley. In 2013, Caltrans asked MCOG to administer a grant to create a simulation model of the Ukiah area to determine what transportation projects would be best suited to support transportation in our valley for the future. A similar study has been successfully conducted and implemented in Humboldt County. Ms. Ellard referred to the details of her written staff report and recommended that the board accept Caliper's final report at the March board meeting. Dan Morgan of Caliper Corporation began his slide show presentation after a brief introduction by Mr. Dow.

Mr. Morgan proceeded with his presentation, in which he described microsimulation modeling as different from Traffic Demand Models (TDM) and explained the GUAMM will provide further detail for vehicle movement, merging, weaving, traffic flow, and queuing, for use in evaluating potential improvement projects. Mr. Morgan's discussion and demonstration consisted of Project Background, Model Scope, Model Development/Calibration, and Model Applications.

Board questions and discussion included:

- Observed all described projects are transportation related, as opposed to developmental projects. (Scalmanini) The model was tested for intermediate and future year roadway improvement projects, however the 2020 and 2030 projections can be used for more focused studies of land use. (Morgan)
- Does this mean the model can be used to determine the effect of new development at the intersection of Highway 20 and Road A in Redwood Valley? What is the process for usage if it were to be utilized in a couple of weeks? (Scalmanini) It will not predict how much new traffic is drawn to a new area without using traffic data, but there are tools that can help by altering land use and coupling this microsimulation model with the TDM. MCOG or Caltrans are the agencies to contact to utilize the model. (Morgan) The area in question is outside of this model's range. A traffic impact study could be conducted at intersections which are reasonable for any standard land development practice by contacting the County and using conventional methods. (Jackman)
- A training was hosted by MCOG for County, City and Caltrans employees to demonstrate the new simulation model. The demonstration was very technical, but also very helpful; it has practical use for future project planning in the Ukiah area. (Gjerde; Tim Erikson, City of Ukiah, City Engineer; Dow; Howard Dashiell, Director of Mendocino County Department of Transportation)
- Does it validate timing of traffic lights and the effects of traffic patterns in doing so? Yes, it does. (Gjerde, Morgan)

**8. Consideration of Short-Term Loan to Mendocino County Resource Conservation District (MCRCD) to Provide Cash Flow Pending State Reimbursement for Transportation Mitigation Project on Denmark Creek in Anderson Valley.** Following a request by Mr. Dow, and approval by Chair Gjerde, to move Agenda Item #8 forward, Mr. Dow summarized the staff report and recommended approval of a short-term interest-free loan to MCRCD. He explained that six years ago, MCOG helped this agency with two short-term loans, which were paid back on time, and he would like to extend support again to assist in bridging the gap of funding.

Executive Director Patricia Hickey came to the podium and addressed her agency's request, noting why there is a problem. MCRCD does not have lines of credit; they must show cancelled checks of payment to contractors to claim reimbursement from state agencies. They need a loan for approximately two months until reimbursed.

Joe Scriven, Resource Biologist, also addressed the Council about the importance of this project for stream restoration and fisheries. It was indicated as a significant fish barrier, the removal of which offers a benefit to water resources and fish. They thanked staff and the Council for considering this request. Director Woodhouse endorsed their efforts.

Director Hammerstrom asked for confirmation MCOG has the authority to legally engage in advancing funds and asked whether this had been researched. Mr. Dow noted a precedent, though there has been no consultation with County Counsel. Mr. Dow reminded the Council local funds will be used to provide the loan; he reiterated the purpose of the loan, and considered this decision to be within the Council's authority.

**A motion was made** by Director Woodhouse, seconded by **Director Scalmanini**, to approve the loan as recommended. **Discussion on the motion:** The Chair invited public comment; none wished to speak. Director Scalmanini inquired about the outdated map graphic in the agenda packet. Mr. Scriven explained the image is from a computer program, and stated he was unsure of the year the picture was taken.

**The motion carried** unanimously on roll call vote (8 Ayes – Jackman/PAC, Hammerstrom, Scalmanini, Stranske, Koogler, Ranochak, Woodhouse, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED to approve a short-term no-interest loan of \$50,000 to the Mendocino County Resource Conservation District payable by May 1, 2016.

**7. Public Hearing: Approval of Resolution No. M2016-01 Amending the 2016 Regional Transportation Improvement Program (RTIP).** Executive Director Dow explained the problem of lack of state funding as a result of the gas tax swap and related issues. Amendments are due to the California Transportation Commission (CTC) by the end of February, therefore this is the only opportunity to bring this to the Council for action.

Ms. Barrett described the process of fund estimates and what the CTC considered, which was a middle option, to deprogram \$750 million from the STIP, necessitating the deletion or suspension of projects by all agencies involved. While larger agencies can delete one or two large projects, smaller agencies may need to eliminate numerous projects in order to make up for the shortfall. She described how staff approached its recommendation; there was not enough time to get a recommendation by the Technical Advisory Committee (TAC). Her staff report made a recommendation to eliminate four projects from the RTIP, of County, Ukiah, Fort Bragg and Caltrans. Each of these agencies have been contacted. The CTC's 2015-16 allocation priorities (included in the packet) were used in staff's decision making.

Mr. Dow elaborated the CTC must not, by law, program funds beyond a five-year window, and how CTC approaches funding shortfalls with annual allocation priorities; they have the authority to cut projects regardless of the RTIP's recommendations.

Chair Gjerde asked a clarifying question about how this would apply to RTIP projects. If cities were willing to fund a pre-construction phase, would CTC then be more willing to fund? Ms. Barrett explained how construction projects would be prioritized. Local road rehabilitation is higher in the priorities, no longer last on the list and she indicated that a city's willingness to fund pre-construction could potentially move a project up. She explained there are other promising funding options, however even if other options are available, there is no increased capacity for several years. This proposal totals approximately \$3.1 million of deleted programming, which is slightly under the target of \$3.7 million. Ms. Barrett explained that these deleted projects will be prioritized for re-programming once the STIP capacity allows, assuming they are still local agency priorities; this condition is included in the proposed resolution.

Director Hammerstrom expressed his recognition of a shortfall existing, but wondered if the situation could change next year. It was his understanding that the potential for both federal and state funding can increase, but currently they are stalled. Mr. Dow explained that a federal bill has recently passed into law, Fixing America's Surface Transportation Act (FAST Act), however even once the bill has worked its way through the system, there will not be a substantial increase in available funding from it. Mr. Dow went on to inform the board of some other potential future transportation funding sources. The Governor has a proposal for state funding and there are a couple of other bills in the special session of the Legislature being considered. He attended the January 21 CTC meeting when forecasts were shown, and CTC selected a middle path for the fund estimate, rather than the more pessimistic and alarming direction that could have been intended to push the Legislature to action. Director Hammerstrom confirmed his understanding of how this will affect the local process and priorities; our projects being pulled from programming will still hold their place in line and be next when more funds become available. Mr. Dow agreed and assured the board that it is the intention of MCOG, as stated in the resolution, to resume projects when funds return. Mr. Dow passed along the suggestion from CTC to local agencies to contact their state legislators to name specific project cuts and to reiterate how these cuts impact their regions. Mr. Dow had prepared a letter (handed out), and urged others to do the same.

Director Woodhouse expressed concern for the Covelo project, and was reassured by Ms. Barrett that these projects are funded through another source, the Active Transportation Program (ATP). She informed the board there are multiple funding sources that go into the ATP, none of which are impacted by the price-based excise tax; that program is safe. Mr. Dow notified the directors that the Request for Proposals for the environmental portion of the Covelo project will be sent out this week.

Staff provided various scenarios for the postponed projects' schedule of reprogramming, but noted that it is unlikely (though not impossible) that any of these projects will be added back within a year.

The Chair opened the public hearing at 3:25 p.m.

Tim Eriksen, City of Ukiah, City Engineer, thanked MCOG for consulting with the City of Ukiah and spoke to the proposed cut of the roundabout project at Low Gap & Bush. Mr. Eriksen expressed his disappointment at the loss of the project and the \$800,000 that could have benefited the community, but he also expressed his understanding for why staff made the choice. He will take this time to educate the City Council on the importance of roundabouts. He expressed support for the resolution, and was pleased to see the priority of re-programming for the projects being recommended for elimination.

Howard Dashiell, Director of Mendocino County Department of Transportation, validated Ms. Barrett's exchange of information about the gas tax shortfall and agreed with the proposal presented by staff. The project at US-101 North State Street interchange for the proposed casino has not yet come to fruition, and the industrial park proposal has interest in Ford Road and in other access, so the cuts are justified. He affirmed while no one likes to see project money go away, these cuts make the most sense.

The hearing was closed at 3:28 p.m.

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

**Resolution No. M2016-01**  
Adopting the First Amendment to the  
2016 Regional Transportation Improvement Program (RTIP)  
(Reso. #M2016-01 is incorporated herein by reference)

Mr. Dow asked for input if any of the members had concerns with the letter, before he sends it out on February 3. Chair Gjerde thanked him for the letter.

The Chair called a recess at 3:30 p.m. and reconvened the meeting at 3:40 p.m.

**9 - 11. Consent Calendar.** Upon motion by Woodhouse, second by Stranske, and carried unanimously on roll call vote (*8 Ayes – Jackman/PAC, Hammerstrom, Scalmanini, Stranske, Koogle, Ranochak, Woodhouse, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that consent items are approved:

**9. Approval of December 7, 2015 Minutes – as written**

**10. Adoption of Resolution Approving Final Procurement Policies & Procedures Manual and Authorizing Implementation of the Procedures**

**Resolution No. M2016-02**

Approving MCOG Procurement Policies & Procedures Manual  
and Authorizing Implementation of the Procedures  
(Reso. #M2016-02 is incorporated herein by reference)

**11. Adoption of Resolution Approving the Allocation of California Proposition 1B Funds, Fiscal Year 2013/14 Transit System Safety, Security, and Disaster Response Program, for Mendocino Transit Authority's Eligible Project**

**Resolution No. M2016-03**

Approving the Allocation of Proposition 1B Funds,  
Fiscal Year 2013/14 Transit System Safety, Security and Disaster Response Program  
(Reso. #M2016-03 is incorporated herein by reference)

**12. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee.** Upon motion by Hammerstrom, second by Scalmanini, and carried unanimously on roll call vote (7 Ayes – *Hammerstrom, Scalmanini, Stranske, Koogle, Ranochak, Woodhouse, and Gjerde*; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

**13. Reports - Information**

- a. Mendocino Transit Authority. Chair Gjerde reported Bruce Richard is the interim General Manager. Mr. Dow is serving on the evaluation committee for recruitment.
- b. North Coast Railroad Authority. There was no January meeting and no report.
- c. MCOG Staff - Summary of Meetings. Mr. Dow referred to his written staff report and highlighted the State's Road Charge Pilot Project, encouraging volunteers. Rural areas particularly are asked to participate.
- d. MCOG Administration Staff
  1. *U.S. 101 Bypass of Willits*. Mr. Dow referred to the Project Manager's monthly report.
  2. *Road Charge Pilot Project*. Refer to Agenda Item #13c.
  3. *Statements of Economic Interest (Form 700)*. Staff handed out notices to file Form 700. There was a brief discussion of time-saving ways to comply.
  4. *Miscellaneous*. Ms. Orth announced MCOG's participation in The North State Clean Cities Symposium on February 25, as part of the Northwest California Alternative Transportation Fuels Readiness Project with a five-county region.
- e. MCOG Planning Staff – verbal reports
  1. *Local Transportation Sales Tax Initiative*. Ms. Barrett reported on status of the surveys, which were conducted on January 6 and 19. Likely voters were contacted in the unincorporated Mendocino County area and within the City of Ukiah. A meeting was held last Friday to discuss and learn the results of these two separate surveys. Overall the consultant is pleased with the level of support from both jurisdictions. The intent of the poll was to determine the level of support for two potential sales tax ballot initiatives. Ms. Barrett noted those surveyed were first asked introductory questions and asked whether they were in favor of the ballot measure. These respondents were then asked again whether in favor after they learned more about the measure, and in the unincorporated County area voters' numbers tended to go up after receiving more information, while the City of Ukiah voter numbers dropped slightly. Formal survey results will be reported later.

Chair Gjerde gave background about the County's roads budget and needs; in order to maintain their current condition County roads need approximately \$7 million annually. He asked staff what City funding needs might be. Ms. Barrett said that she would look into the answer for a more informed estimate.

Mr. Dow indicated his intent to issue a press release this week about the initial survey results.

2. *Miscellaneous*. There were no reports.
- f. MCOG Directors. There were no reports.
- g. California Association of Councils of Governments (CALCOG) Delegates. There were no reports.

**15. Adjournment.** The meeting was adjourned at 4:05 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Leila Doyle, Administrative Assistant, with Janet Orth, Deputy Director/CFO