

# MENDOCINO COUNCIL OF GOVERNMENTS

## Approved MINUTES

Monday, May 6, 2019

County Administration Center, Board of Supervisors Chambers

### ADDITIONAL MEDIA:

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

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

**1. Call to Order / Roll Call.** The meeting was called to order at 1:35 p.m. with Directors Jim O. Brown, Larry Stranske, Richey Wasserman, Tess Albin-Smith, Michael Carter/Alt., John Haschak, Rex Jackman (Caltrans/PAC), and Dan Gjerde present; Chair Gjerde presiding.

Staff present: Nephela Barrett, Executive Director; Janet Orth, Deputy Director/CFO; Loretta Ellard, Deputy Planner; and Marta Ford, Administrative Assistant.

**2. Convene as RTPA**

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

**4. Public Expression.** None.

**5 - 7. Regular Calendar.**

**5. Discussion: Recap of MCOG's Point Arena & Gualala Area Transportation Tour April 1, 2019.** Ms. Barrett explained that typically MCOG off-site tours conclude with a short MCOG meeting offering an opportunity to discuss the tour. However, the MCOG Meeting was between the two tour segments and did not allow for a discussion after the Gualala area tour. She briefly went over past and developing projects that were included on the tour. She explained that during the tour of Gualala a community member who is also member of the Gualala Municipal Advisory Committee (GMAC) came to her with concerns. To address the community member's concerns, she and Frank Demling, Project Manager, Caltrans District 1, attended the GMAC meeting two days later. She expressed her appreciation for the work and the special attention Mr. Demling gave to address the community members' concerns before the meeting, and during his presentation. Discussion and questions from the Board included:

- What alternatives did Caltrans provide to address the concerned community member? (*Albin-Smith*) – Ms. Barrett described the alternatives Mr. Demling discussed.
- Do Caltrans projects take into account the sea level rise when calculating costs and solutions in bridge construction projects? (*Albin-Smith*) – Director Jackman confirmed it is required to take sea level rising into consideration on projects near the coast. He reported there was a study completed to identify high-risk areas for the rising sea levels; two areas identified in the study were the Garcia River flood plains and the Navarro River/Hwy 128.
- Its good to hear the project is moving forward. (*Gjerde*)

Ms. Barrett asked Director Jackman about general timelines of the projects. He said researching options and funding for some of them depends on complexity of the projects, so timelines could vary. No action was taken.

**6. Consideration of Opposition to Introduced State Legislative Bills: SB 152, AB 1402 (to amend Active Transportation Program funding formula).** Ms. Barrett referred to her written staff report and two draft letters that she submitted as handouts. She described the Active Transportation Program (ATP) and the collaborative effort of the California Transportation Commission and the State's regional transportation agencies that developed the program. It involved numerous committees and subcommittees to formulate the existing program and that all transportation agencies in the state had an opportunity to provide input. Two pieces of legislation, Senate Bill 152 (Beall) and Assembly Bill 1402 (Petrie-Norris), have been introduced that propose significant changes to the process of distributing the funds. She said it appears the motivation behind the bills is a perception by certain regions, the Bay Area and Orange County, that feel they did not receive a fair amount in the last funding cycle, based on their population. Ms. Barrett reminded the Board that a greater population is not always an indicator of the greatest need. When Senate Bill 1 passed into law by voters, it added money available in the ATP. Current attempts to take money away from non-Metropolitan Planning Organization regions and change the competitive nature of the ATP is counter to the voters' support. MCOG staff recommend that the Board submit letters of opposition of both SB 152 and AB 1402. Board members suggested extending an invitation to Senator Beall, or a designee, to tour the Covelo area to get a better perspective on how the ATP funds assist higher needs, not always based on large populations.

**Upon motion** by Brown, second by Carter, and carried unanimously (*8 Ayes – Brown, Stranske, Wasserman, Albin-Smith, Carter/Alt., Haschak, Jackman/PAC, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that the MCOG Board formally opposes Senate Bill 152 (Beall) and Assembly Bill 1402 (Petrie-Norris) and authorizes the Chair to sign letters of opposition.

**7. Fiscal Year 2019/20 RTPA Budget Presentation & Workshop.** Ms. Orth created a slide presentation that covered her written staff report. The presentation also included an overview of context and trends affecting the proposed budget and recommendations. Questions and discussion by councilmembers and staff were encouraged. 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 2018/19. Local Transportation Fund (LTF) sales tax receipts from July 2018 through February 2019 total \$2,664,724, at \$163,719 (6.5%) more than the FYTD budget estimate of \$2,501,005.
- b. Executive Committee Recommendations of February 20, 2019 – Revenues & Allocations. The committee unanimously recommended a draft budget that allocates Local Transportation Funds (LTF) for MCOG Administration, 2% Bicycle & Pedestrian Program, and Planning, with the remainder available for Transit, consistent with established priorities for LTF. The Executive Committee also recommended allocating an LTF Reserve balance of \$193,000, at five percent, releasing \$375,634 of LTF prior-year audited revenues for allocation; and continuing to reserve the remaining balance of LTF prior-year unallocated revenues of \$29,135, from the original amount of \$596,200. Available funds from State Transit Assistance (STA) and MCOG's Capital Reserve fund balance are to be used for transit purposes. Several other funding sources are available for the Planning program and regional projects. Total revenues in the draft budget proposal were \$8,154,739, with allocations at \$7,416,990.
- c. Technical Advisory Committee Recommendation of February 20, 2019 – Draft Planning Overall Work Program. Ms. Ellard reported funding allocations from various sources for the Draft Transportation Planning Overall Work Program (OWP), which was forwarded per requirement to Caltrans for comment by March 1. Ms. Ellard provided details in her staff report and summary of funding sources worksheet for the Council to review. The total draft program is \$905,377. Additional carryover projects are expected to be added to the Final Work Program. She briefly described each work element and amounts allotted.

- d. Transit Productivity Committee Recommendations of May 2, 2019. Ms. Orth explained the TPC met after the MCOG agenda packet was released, but a copy of Mendocino Transit Authority's (MTA) claim was submitted in the packet. MTA submitted a revised claim at the TPC meeting, which is included as a handout for the Board members. The revised claim amended the Operations claims for MTA and the senior centers. MTA is expected to receive \$3,548,623 (83.2%) of the Local Transportation Funds (LTF) which increased by 12.5% from last fiscal year due to prior-year excess revenue and a higher sales tax estimate for the new fiscal year. Additionally, State Transit Assistance is up significantly due to funding in Senate Bill 1. Total funding available for Transit is a record \$5,765,420. The TPC recommended allocation of full funding of MTA's current-year claims for FY 2019-20 Local Transportation Funds, as revised by MTA on May 2, 2019, and Long-Term Capital from the Reserve fund balance contingent on projects to be identified in MTA's five-year capital plan. No action necessary for this item, information purposes only.

**8. Approval of Ad Hoc Committee Recommendation to Extend Professional Services Agreements through September 30, 2020.** (*Items a and b were addressed together.*)

- a. Administration & Fiscal Services – Dow & Associates
- b. Planning Services – Davey-Bates Consulting

For both Administration & Fiscal Services and Planning Services, Chair Gjerde reported the MCOG Ad Hoc Committee met on March 28, to discuss contract options, terms, and conditions. The Ad Hoc Committee recommended that the Board extend MCOG staffing contracts for Administration & Fiscal Services to Dow & Associates, and Planning Services to Davey-Bates Consulting (DBC) for one-year extensions through September 30, 2020, as allowed in the contracts. Ms. Barrett drew attention to a handout distributed to the Board on the revised Exhibit A of DBC's projected contract amounts.

**Upon motion** by Haschak, second by Stranske, and carried unanimously on roll call vote (8 Ayes – Brown, Stranske, Wasserman, Albin-Smith, Carter/Alt., Haschak, Jackman/PAC, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the *Extension of Agreement for Professional Services – Administration & Fiscal Services* with Dow & Associates and the *Extension of Agreement for Professional Services – Planning Services* with Davey-Bates Consulting, including Exhibit A as amended, are approved through September 30, 2020.

**9-10. Consent Calendar.** Upon motion by Brown, second by Wasserman, and carried unanimously (8 Ayes; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that consent items are approved:

**9. Approval of April 1, 2019 Minutes – as written**

**10. Acceptance of 2017/18 MCOG Fiscal Audit – MCOG received a clean audit, as presented by R. J. Ricciardi, Inc., CPAs.**

**11. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee.** Upon motion by Wasserman, second by Carter and carried unanimously (7 Ayes; 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.

**12. Reports - Information**

- a. Mendocino Transit Authority. Director Albin-Smith reported on the MTA board meeting, held in Point Arena. She gave a summary of highlights on issues and recommended solutions proposed during the meeting, including training, recruitment, and retirement options. A special meeting was scheduled for the following Friday to address a grant application.

- b. North Coast Railroad Authority. Director Haschak reported NCRA's board had resolved the two pending lawsuits at the most recent meeting; now they are allowed to move forward on the affected issues.
- c. MCOG Staff - Summary of Meetings. Ms. Barrett referred to her written staff report.
- d. MCOG Administration Staff. Ms. Barrett reported on SB 127 (Wiener), which proposed changes to the State Highway Operation and Protection Program (SHOPP) that would place requirements for active transportation projects. Concerns with the proposal include overly restrictive requirements to the SHOPP that could prevent important safety improvements from being completed. It would eliminate automobile delay as a performance measure. She reported that CALCOG has taken a strong position of opposition to SB 127 and a request may come back to the Board to submit a letter of position.

Ms. Barrett attended a workshop in Hopland by Caltrans, facilitated by Hopland Municipal Advisory Committee (HMAC). Caltrans presented a project on US 101 through Hopland to make a pedestrian crossing ADA compliant and enhance bicycle and pedestrian facilities through town. A few years ago, MCOG and Caltrans conducted an engineered feasibility study that identified areas that need improving. This project addresses issues identified in that study. Ms. Barrett felt the plans were well received. Timeline for construction is predicted to be Fiscal Year 2024/25.

Ms. Barrett wrote a letter for Mendocino Transit Authority (MTA) in support of their Low and No Emissions Vehicle grant application.

- e. MCOG Planning Staff.
  - 1. *Pedestrian Facility Needs Inventory & Engineered Feasibility Study*. Ms. Ellard reported that the consultant will be coming to the June MCOG meeting to present their report on the project. The project was funded by a Caltrans Sustainable Communities planning grant and supported by the Technical Advisory Group (TAG) throughout the two-year process. The Council will be asked to accept the report at that time, concluding the grant requirements. The draft report will be available on the MCOG website.
  - 2. *Zero Emission Vehicle & Alternative Fuels Readiness Plan Update*. MCOG staff has been working with a consultant to update the Regional Readiness Plan. The consultant will present the updated plan at the June meeting. The draft plan will be posted on the MCOG website in May, for the Board to review in advance. This project was supported by the ZEV Advisory Group (ZAG) throughout the duration of the project. The ZAG was composed of local county and city stakeholders, as well as other agency representatives and MCOG staff. The Council will be asked to accept the report at that time, concluding their requirement under the grant.
  - 3. *Miscellaneous*. None.
- f. MCOG Directors. There were no reports.
- g. California Association of Councils of Governments (CALCOG) Delegates. None.

**13. Adjournment.** The meeting was adjourned at 3:35 p.m.

Submitted: NEPHELE BARRETT, EXECUTIVE DIRECTOR

By Marta Ford, Administrative Assistant