

MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES
Monday, December 5, 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, Tess Albin-Smith, Scott Ignacio, John Haschak, Michael Carter, Tatiana Ahlstrand (Caltrans/PAC), and Dan Gjerde present by Zoom teleconference; Chair Gjerde presiding; Director Greta Kanne absent.

Staff present: Nephele Barrett, Executive Director; Janet Orth, Deputy Director & CFO; Loretta Ellard, Deputy Planner; James Sookne, Program Manager; Michael Villa, Project Coordinator; Jody Lowblad, Administrative Assistant; and Jesus Rodriguez, 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. Upon motion by Carter, second by Haschak, and carried unanimously on roll call vote (*7 Ayes – Brown, Albin-Smith, Ignacio, Haschak, Carter, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent – Kanne*): 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. M2022-20

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. #M2022-20 is incorporated herein by reference]

5. Approval of November 7, 2022 Minutes – as written

6. Public Expression. Dave Shpak appreciated the staff and Councilmembers’ support for the Gualala Downtown Streetscape master plan over the years, noting the project’s Active Transportation Program (ATP) grant award would go before the California Transportation Commission (CTC) for approval later that week, and could not have reached this point without MCOG’s help. Also he thanked the Council for providing opportunities for meaningful public interaction and wished happy, healthy and safe holidays to all.

7. Recognition of Departing Board Members. Administrative staff had prepared a certificate recognizing Director Brown's service over the past four-year term, shared onscreen and read aloud by Deputy Director Orth. Thanks were given and remarks were made by Executive Director Barrett and Chair Gjerde recalling some of his accomplishments, with a brief farewell by Director Brown.

8. Discussion/Direction: Conduct of Meetings Following Expiration of COVID-19 State of Emergency and Possible Adoption of 2023 MCOG Board Calendar. A draft meeting calendar was provided in the agenda packet. Ms Orth summarized her written staff report, noting the Governor's state of emergency due to expire, after which the AB 361 findings could not justify fully remote meetings of the Council and standing committees. She outlined several options and limitations under SB 2449 and the Brown Act open meetings law, and staff's recommendation to begin meeting in the Board of Supervisors chambers again with hybrid options starting in March, then invited comments. Board discussion included:

- Preference to join meetings remotely, and discrepancy between meeting in person and the State's policies to reduce vehicle miles traveled, a.k.a.VMT. (Albin-Smith, Ignacio)
- Support for teleconference locations at City Halls, where public can join, properly noticed on the agenda. (Albin-Smith, Haschak, Gjerde, Barrett)
- Intention personally to attend at primary location in Ukiah. (Haschak, Carter)
- Having regular satellite locations could conflict with the in-person quorum requirement if a member were to invoke emergency/just cause provisions for a non-posted location under SB 2449 amendments. (Barrett)
- The 2449 rule may be considered a guideline, where if a member's two annual instances are exceeded, an explanation must be provided to evaluation the member's ability to participate. (Ignacio)
- In a recent California State Association of Counties (CSAC) conference, it was indicated that more legislation can be expected; this is staff's understanding also. (Haschak, Barrett)
- The past two years of videoconference meetings has seen an increase in public participation; it is unclear to what degree the new amendments will affect that. (Orth, Barrett)
- Discussion of next steps; staff has sufficient direction from the Board to continue planning upcoming meetings, to be continued to the February agenda. (Group)

The Chair invited public comments. Mr. Shpak of Gualala stated it has been helpful to participate remotely and he would be willing to join meetings in future by teleconference from Point Arena City Hall.

Upon motion by Ignacio, second by Haschak, and carried unanimously on roll call vote (*7 Ayes – Brown, Albin-Smith, Ignacio, Haschak, Carter, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent*): IT IS ORDERED that the 2023 MCOG Board Meeting Calendar is adopted, subject to later amendment.

9. Authorization to Award Construction Contract Pending State Approval of Supplemental Funding – Covelo SR 162 Corridor Multi-Purpose Trail. Ms. Barrett summarized her staff report. All bids came in higher than the engineer's estimate and available funding by \$830,000 and more. Intent to Award to the low bidder had been published, pending additional funds. Caltrans District 1 supports requesting Complete Streets funding from the State Highway Operations & Protection Program (SHOPP). If CTC approval is required, the action could fall between MCOG meetings, so staff recommended authorizing the Executive Director to award and execute the necessary contracts as soon as funding is approved by the State, to avoid further delay. Board discussion included:

- While staff is trusted, it may not be wise to set such a precedent in terms of business practice. Suggestion to seek a lower bid. (Brown)
- Who has reviewed the bids? Staff, Caltrans and the contracted resident engineer were involved. All bids were within a similar range. However the project cannot be modified to accommodate bids, due to strict guidelines of the State grant source. (Gjerde, Barrett)
- Complete Streets funds under SHOPP are meant for bicycle and pedestrian facilities adjacent to a state highway and are a good fit for this project, as the same type funds are already allocated to it, and it must be spent quickly on existing projects. There is a risk of losing the opportunity for an allocation. (Barrett, Sookne)
- Costs are rising with high inflation now; concern for delays and additional cost. (Gjerde)
- If MCOG receives additional SHOPP funds, what other entities might have had access to it? Another Caltrans project in District 1. It is unknown if any other Mendocino County projects have been identified; a Humboldt County project was under consideration. (Haschak, Barrett)
- Since the project cannot be modified, seeking additional funds is the best course. (Haschak)

A motion was made by Director Haschak, seconded by Director Carter, to approve staff's recommendation. **Discussion on the motion:** Director Ignacio supported the motion, noting that in this case it is the State's responsibility to supplement the project funding. **The motion carried** unanimously on roll call vote (*7 Ayes – Brown, Albin-Smith, Ignacio, Haschak, Carter, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent*): IT IS ORDERED that the Executive Director is authorized to award and execute contracts for construction and construction support for the Covelo SR 162 Corridor Multi-Purpose Trail project once sufficient funding is approved by the State.

10. Recess as Policy Advisory Committee – Reconvene as RTPA – Ratify Action of Policy Advisory Committee. Upon motion by Ignacio, second by Albin-Smith, and carried unanimously on roll call vote (*6 Ayes – Brown, Albin-Smith, 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.

11. Reports - Information

- a. Caltrans District 1 – Projects Update and Information. Director Ahlstrand introduced Project Manager Robert King, who reported two ongoing coastal projects. First, the “Fort Bragg ADA project,” updating and adding sidewalks to Americans with Disabilities Act (ADA) standards. Current issues are a City staff site walk later that week, and a planning commission hearing December 14 with informational workshop. He answered Board questions concerning access to businesses during construction, possible time extension, and alternatives in case of appeal, and provided his contact information. This project is part of a larger grant-funded City project of \$1.6 million with Caltrans providing design and administration.
Second, District 1 has produced a Project Initiation Document for not yet funded bikeway improvements north of town. to include trail access to MacKerricher State Park, currently in process of community outreach.
- b. Mendocino Transit Authority. General Manager Jacob King reported progress of procuring a consultant for the Short Range Transit Development Plan to update the 2012 plan.
- c. Great Redwood Trail Agency. Director Haschak reported no news since sharing the Master Plan presentation in October. Community outreach is in progress.
- d. MCOG Staff - Summary of Meetings. Ms. Barrett referred to the written report.

- e. MCOG Administration Staff
 - i. *Social Services Transportation Advisory Council's Unmet Transit Needs Workshop of November 28, 2022 – Findings to MCOG Public Hearing on February 6, 2023.* Ms. Orth reported that the SSTAC made a list of ten needs and two other recommendations, to be submitted as testimony in the hearing.
 - ii. *Miscellaneous.* None.
 - iii. *Next Meeting Date.* Monday, February 6, 2023.
- f. MCOG Planning Staff
 - i. *Feasibility Study – Mobility Solutions for Rural Communities of Inland Mendocino County.* Deputy Planner Ellard reported funding opportunities under consideration, including the Clean Mobility Options Pilot Program through the California Air Resources Board from cap-and-trade revenues. While a challenging process, it appears to be an ideal fit for the identified needs. A call for projects is anticipated in February, and the consultant is prepared to adjust the work timeline to accommodate proposals. It was recommended not to let this opportunity pass without attempting an application. Ms. Barrett characterized the study's public engagement as the best response in a long time.
 - ii. *Feasibility Study - Mendocino Transit Authority's Ukiah Transit Center.* Ms. Ellard reported a kickoff meeting with staff and consultants, followed by a stakeholders meeting and tour of potential locations, to be held December 7 and a schedule of project events with LSC Transportation Consultants, concluding in November 2023.
 - iii. *MCOG Public Outreach with ChargePoint for Rural Electric Vehicle Charging Grant.* Ms. Ellard gave an update on this successful grant proposal to locate charging stations in the Ukiah area, outlining MCOG staff's role in public engagement to identify preferred sites, as promised with ChargePoint's application last March. The area under consideration is central Ukiah and the greater area from Hopland to Redwood Valley. Staff has time available under Work Element 4, Sustainable Transportation Planning. Ms. Orth added background and details, noting consistency with adopted plans and public demand for more charging opportunities, as well as further funding opportunities. She mentioned County of Mendocino's grant award under the same program, to install chargers at County properties in Ukiah for both fleet and public use. Director Gjerde discussed his vision for these projects and requested that County staff be invited to provide stakeholder input.
 - iv. *Miscellaneous.* None.
- g. MCOG Directors. Director Haschak reported on Caltrans' downtown beautification and connectivity project in Covelo with several recent meetings and a walking tour, noting a best case scenario would connect to the new trail for a safer downtown area. There is enthusiasm for this in the community and Caltrans outreach efforts are appreciated.
- h. California Association of Councils of Governments (CALCOG) Delegates – Annual Regional Leadership Forum, March 6-8, 2023 in Riverside. There was no report.

11. Adjournment. The meeting was adjourned at 2:47 p.m.

Submitted: NEPHELE BARRETT, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director & CFO