



# MENDOCINO COUNCIL OF GOVERNMENTS

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PHILLIP J. DOW, EXECUTIVE DIRECTOR

Administration: Suite 206  
(707) 463-1859  
Transportation Planning: Suite 204  
(707) 234-3434

## AGENDA

**Monday, June 4, 2018 at 1:30 p.m.**

County Administration Center, Board of Supervisors Chambers  
Room 1070, 501 Low Gap Road, Ukiah

### Additional Media

For live streaming and later viewing:

<https://www.youtube.com/>, search for Mendocino County Video, or  
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)

**NOTE: All items are considered for action unless otherwise noted.**

1. Call to Order and Roll Call
2. Report of Executive Director Succession / Appreciation
3. **Public Hearing:** Adoption of Resolution #M2018-\_\_\_\* Adopting Methodology for the 2018 Regional Housing Needs Assessment (RHNA)
4. Convene as RTPA
5. Recess as RTPA – Reconvene as Policy Advisory Committee

### **PUBLIC EXPRESSION**

6. Participation is welcome in Council meetings. Comments will be limited to three minutes per person and not more than ten minutes per subject, so that everyone can be heard. “Public Expression” time is limited to matters under the Council’s jurisdiction that may not have been considered by the Council previously and are not on the agenda. No action will be taken. Members of the public may comment also during specific agenda items when recognized by the Chair.

### **REGULAR CALENDAR**

7. Fiscal Year 2018/19 RTPA Budget:
  - a. Adoption of Resolution #M2018-03 Allocating Fiscal Year 2018/19 Funds and 2017/18 Carryover Funds for Administration, Bicycle & Pedestrian Facilities, Planning and Reserves
  - b. Adoption of Resolution #M2018-04 Finding That There Are Unmet Transit Needs That Are Reasonable To Meet for Fiscal Year 2018/19
  - c. Adoption of Resolution #M2018-05 Allocating Fiscal Year 2018/19 Local Transportation Funds, State Transit Assistance, and Capital Reserve Funds and FY 2017/18 Carryover Funds to Mendocino Transit Authority
  - d. Adoption of Resolution #M2018-06 Allocating Regional Surface Transportation Program Funds for Fiscal Year 2018/19 MCOG Partnership Funding Program, Local Assistance, and Distribution By Formula To Member Agencies
8. Technical Advisory Committee Recommendations of May 23, 2018:  
Adoption of Final Fiscal Year 2018/19 Planning Overall Work Program (OWP)

9. Consideration of Endorsement of Senate Bill 1029 - North Coast Railroad Authority Right-of-Way, Great Redwood Trail Agency / Sonoma-Marín Area Rail Transit District

### CONSENT CALENDAR

The following items are considered for approval in accordance with Administrative Staff, Committee, and/or Directors' recommendations and will be enacted by a single motion. Items may be removed from the Consent Calendar for separate consideration, upon request by a Director or citizen.

10. Approval of May 7, 2018 Minutes
11. Adoption of Resolution #M2018-\_\_\_ \* Approving Mendocino Transit Authority's Grant Application for Federal Transit Administration (FTA) Section 5311 Non-Urbanized Program - Annual Regional Apportionment for Transit Operating Assistance
12. Adoption of Resolution No. M2018-\_\_\_ \* Approving the Programming of FTA Section 5311(f) Intercity Bus Program Funds for Mendocino Transit Authority's Project Proposal: Continuation of Route 65 Service

### RATIFY ACTION

13. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee

### REPORTS

14. Reports – Information
  - a. Mendocino Transit Authority
  - b. North Coast Railroad Authority
  - c. MCOG Staff – Summary of Meetings - *for handout*
  - d. MCOG Administration Staff
  - e. MCOG Planning Staff
  - f. MCOG Directors
  - g. California Association of Councils of Governments (CALCOG) Delegates

### ADJOURNMENT

15. Adjourn

### AMERICANS WITH DISABILITIES ACT (ADA) REQUESTS

To request disability-related modifications or accommodations for accessible locations or meeting materials in alternative formats (as allowed under Section 12132 of the ADA) please contact the MCOG office at (707) 463-1859, at least 72 hours before the meeting.

### ADDITIONS TO AGENDA

The Brown Act, Section 54954.2, states that the Board may take action on off-agenda items when:

- a) a majority vote determines that an “emergency situation” exists as defined in Section 54956.5, **or**
- b) a two-thirds vote of the body, or a unanimous vote of those present, determines that there is a need to take immediate action and the need for action arose after the agenda was legally posted, **or**
- c) the item was continued from a prior, legally posted meeting not more than five calendar days before this meeting.

### CLOSED SESSION

If agendized, MCOG may adjourn to a closed session to consider litigation or personnel matters (i.e. contractor agreements). Discussion of litigation or pending litigation may be held in closed session by authority of Govt. Code Section 54956.9; discussion of personnel matters by authority of Govt. Code Section 54957.

POSTED 5/30/2018

\* Next Resolution Number: M2018-07



# MENDOCINO COUNCIL OF GOVERNMENTS

## STAFF REPORT

Agenda # 3  
MCOG Meeting  
6/4/2018

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**TITLE:** Regional Housing Needs Assessment -  
Public Hearing and Adoption of  
Methodology Statement

**DATE PREPARED:** 05/29/18  
**MEETING DATE:** 06/04/18

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**SUBMITTED BY:** Nephela Barrett, Program Manager

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**BACKGROUND:** The Regional Housing Needs Assessment (RHNA) is a process to allocate a projection of additional housing units needed to accommodate anticipated household growth of all income levels over a specific time period, which in this case is 8.7 years. Prior to finalizing an allocation of the needed housing units, a Methodology Statement must be adopted identifying the method for allocating the regional housing needs for various income levels among member jurisdictions. MCOG staff has worked with a Methodology Committee which is made up of Planning representatives from each jurisdiction to develop a Draft Methodology Statement. That committee's recommended methodology statement is presented below. A resolution adopting the methodology statement has been prepared and is attached.

### *RHNA Draft Methodology Statement*

*As part of the regional housing needs assessment, the Mendocino Council of Governments will allocate the housing need among its member agencies—the Cities of Ukiah, Fort Bragg, Willits and Point Arena and County of Mendocino—using the following methodology:*

*A Regional Housing Needs Allocation Methodology Committee will be formed and made up of representatives from each of the cities and the county. Tribal governments within the region will also be invited to participate in the process. MCOG will work cooperatively with this committee to determine an allocation based on the following factors:*

- *Current population distribution and trends*
- *Past development trends*
- *Availability of appropriately zoned land*
- *Annexation opportunities*
- *Zoning change and General Plan amendment impacts*
- *Availability of resources and infrastructure services*
- *2013 housing allocation*
- *Vacancy rates*
- *Tribal population and housing development*
- *Limitations and challenges to housing and land resulting from recent wildfires*
- *Potential impacts of recent housing related legislation, including SB 35*

As reported at the last meeting, MCOG has now received the regional determination from the State. According to the determination, the Mendocino County region has a total need of 3,845 housing units over the 8.7 year period. An appeal has been submitted to the Department of Housing and Community Development, although the outcome of the appeal is not yet known. In the meantime, MCOG staff has been meeting with the Methodology Committee to develop an allocation. The final allocation and RHNA plan will be presented to the MCOG Board for adoption in August.

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**ACTION REQUIRED:**

1. Make finding that proper notice of meeting has been provided. Notice was published in the Ukiah Daily Journal 4/4/18 (60 day notice).
2. Receive staff report.
3. Open public hearing.
4. Receive public comments.
5. Close public hearing.
6. Action by Resolution on the Methodology for the 2018 Mendocino County Regional Housing Needs Assessment.

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**ALTERNATIVES:** Adopt the Methodology with modifications (if identified at the meeting).

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**RECOMMENDATION:** By resolution, adopt the Methodology for the 2018 Regional Housing Needs Assessment.

# MENDOCINO COUNCIL OF GOVERNMENTS

## BOARD of DIRECTORS

### RESOLUTION No. M2018-\_\_\_

#### ADOPTING THE METHODOLOGY FOR THE 2018 MENDOCINO COUNTY REGIONAL HOUSING NEEDS ASSESSMENT

#### WHEREAS,

- The Mendocino Council of Governments (MCOG) is the designated Regional Transportation Planning Agency for Mendocino County;
- The State of California has determined that the RTPA is the appropriate agency to conduct the Regional Housing Needs Assessment (RHNA) process;
- MCOG is required to adopt a methodology to be used in development of the Regional Housing Needs Allocation;
- MCOG released a draft RHNA Methodology statement to local agencies on February 26, 2018;
- Local agencies had the opportunity to provide comment on the draft Methodology Statement, which have now been incorporated into a final statement; and
- The final RHNA Methodology statement is as follows;

#### ***RHNA Draft Methodology Statement***

*As part of the regional housing needs assessment, the Mendocino Council of Governments will allocate the housing need among its member agencies—the Cities of Ukiah, Fort Bragg, Willits and Point Arena and County of Mendocino—using the following methodology:*

*A Regional Housing Needs Allocation Methodology Committee will be formed and made up of representatives from each of the cities and the county. Tribal governments within the region will also be invited to participate in the process. MCOG will work cooperatively with this committee to determine an allocation based on the following factors:*

- *Current population distribution and trends*
- *Past development trends*
- *Availability of appropriately zoned land*
- *Annexation opportunities*
- *Zoning change and General Plan amendment impacts*
- *Availability of resources and infrastructure services*
- *2013 housing allocation*
- *Vacancy rates*

- *Tribal population and housing development*
- *Limitations and challenges to housing and land resulting from recent wildfires*
- *Potential impacts of recent housing related legislation, including SB 35*

THEREFORE, BE IT RESOLVED, THAT:

The Mendocino Council of Governments hereby adopts the above Methodology Statement to be used in the 2018 Mendocino County Regional Housing Needs Assessment.

ADOPTION OF THIS RESOLUTION was moved by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and carried this 4<sup>th</sup> day of June, 2018, by the following roll call vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED.

\_\_\_\_\_  
ATTEST: Phillip J. Dow, Executive Director

\_\_\_\_\_  
Dan Gjerde, Chair



# MENDOCINO COUNCIL OF GOVERNMENTS

## STAFF REPORT

**Agenda # 7**  
Regular Calendar  
MCOG Meeting  
6/4/2018

**TITLE:** Fiscal Year 2018/19 Regional Transportation Planning Agency (RTPA) Budget

**SUBMITTED BY:** Janet Orth, Deputy Director / CFO

**DATE PREPARED:** 5/25/2018

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### BACKGROUND:

I have prepared the stand-alone budget document, enclosed, including an overview, reference material, and the resolutions for adoption with all of the exhibits that detail the budget.

On May 7, I made a presentation to the Council, as an opportunity for input and questions. Staff and council members participated in a workshop to better understand the budget proposals and how these were developed. The draft budget included recommendations from three of our standing committees during budget development, which were documented in the staff report, presentation, and committee meeting minutes. The Social Services Transportation Advisory Council (SSTAC) will meet May 31 for a review and recommendation on the Unmet Transit Needs finding, which we will report June 4. All information to date is summarized for the record in the allocating resolutions.

Final notes and changes since the May draft budget workshop include:

#7a. Administration. The \$2,000 subcontract with Redwood Coast Energy Authority for the North Coast & Upstate Fuel Cell Vehicle Readiness Plan had been carried over from FY 2016/17. This amount was deleted from the 2018/19 draft budget, since the funds will be entirely expended by June 30, 2018 (2017/18 fiscal year end).

Active Transportation Program. ATP infrastructure grant funding has been added to the budget spreadsheets and allocating resolution. An estimated \$422,173 is carried over from FY 2017/18 of \$1,061,000 previously allocated by the California Transportation Commission of grants for the two phases of the SR 162 Corridor Multi-Purpose Trail in Round Valley. Also, up to \$251,000 of further allocations are anticipated in FY 2018/19, if work proceeds as planned. This multi-year project has been awarded over \$3 million in grants, including construction; allocations are made by the California Transportation Commission for each step of the project. Each of the grants is approved by separate resolution as required for Program Supplements under the State Master Agreement.

Planning. As anticipated, the Transportation Planning Overall Work Program (OWP) proposal has increased from \$565,475, consisting of draft funding totals reported at the budget workshop, to \$1,221,126, resulting from the addition of projects carried over from the previous fiscal year.  
- Refer to staff report, Agenda item #8.

#7b. Unmet Transit Needs. The Transit Productivity Committee (TPC) has recommended five (5) needs as “reasonable to meet” consistent with adopted definitions. As noted, the SSTAC, which had produced the original list last November, will meet May 31; any requested revisions can be made to the resolution finding on June 4, as the MCOG directors deem appropriate.

#7c. Transit. Staff has collected all necessary data to make the findings required by the Transportation Development Act (TDA) for funding of Mendocino Transit Authority's annual claim. All supporting documentation for the resolution will be on file and available for verification. When MTA adopts their final budget later in June, we expect to have all of the information required to be submitted with the claim for funds, before the new fiscal year begins. There was enough data provided that I was able to document the required findings, although some of the annual reporting is late. For instance, performance was reviewed using last year's data and the fiscal audit was due March 31 but now is scheduled for June. Also note that MTA will provide a revised claim to reflect the May 17 recommendation of the Transit Productivity Committee, for a revised Exhibit A consistent with the draft allocating resolution in the budget document.

Federal transit funding has been added to the Budget Summary - Supplemental Format, for information. The funds do not flow through our accounts, however MCOG approves the programming and allocation of the funds to specific transit projects as proposed by MTA.

*- Refer also to Agenda items #11 and #12.*

State transit funding also has been added to the same summary: State of Good Repair program funds from Senate Bill 1 are now available at \$128,995 annually and are to be administered in the same manner as State Transit Assistance funds, which MCOG receives and allocates to MTA. This came to our attention late in the budget process, so is not yet claimed. MTA will have the opportunity to submit a claim during the fiscal year, and the budget can be amended to reflect this new source.

#7d. Regional Surface Transportation Program. The resolution details fund balances and carryover not entirely reflected in the budget spreadsheets. RSTP comprises three separate MCOG programs: Partnership Funding, Local Assistance, and Formula Distribution.

The Council as a whole has taken no action on the budget during this process. The budget before you now is the result of deliberations by standing committees and staff, with one additional report due at our meeting. The time has come to adopt the budget, by way of allocating resolutions, for the coming fiscal year.

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#### **ACTION REQUIRED:**

- a. Adopt the resolution to fund MCOG activities: Administration, Bicycle & Pedestrian Facilities, Planning and Reserves. The budget component for Planning will fund the Overall Work Program. The OWP is to be adopted under a subsequent agenda item.
- b. Adopt the resolution to make the annual finding of Unmet Transit Needs. This documents the process that began the budget cycle with the Social Services Transportation Advisory Council's workshop last November and will conclude with this finding by resolution.
- c. Adopt the resolution to fund Mendocino Transit Authority operations, capital needs, and senior center transportation contracts.
- d. Adopt the resolution to allocate RSTP funds for MCOG's Partnership Funding Program, Local Assistance, and Distribution by Formula to Member Agencies.

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## ALTERNATIVES:

- a. If the Council chooses to make changes to the budget for Administration, Bicycle & Pedestrian program, Planning or Reserves, direct staff to adjust the allocating resolutions accordingly and authorize the Chair to execute them, so that funds can be released on time. The next opportunity for Council approval would be the August 20 meeting (unless another special meeting is called), and delay could cause hardship for the agencies that depend upon the funds to be allocated. Or, the Council could release portions of individual budget line items as needed until the budget is adopted. – *changes not recommended*
- b. The Council could adopt an alternative finding that “*there are no unmet transit needs that are reasonable to meet,*” in which case MTA would still proceed with its review of existing routes for possible solutions. Or the Council could add to the list of needs found “reasonable to meet” and identify funding for them. Or you could choose not to make any finding, thereby not concluding the annual process, which we are not required to conduct. – *not recommended*
- c. The Council could request that MTA further revise their claim. – *not recommended*
- d. The Council could revise its established policy for allocation of RSTP funds. The resolution notes, “It is MCOG’s intention to reevaluate its RSTP formula for distribution to the member agencies if a forthcoming federal transportation legislative bill substantially changes the amount of, or designated use of, RSTP funds.” Also, the Council could revise the policy for “off-the-top” allocations to the Partnership Funding Program and Local Assistance. – *not recommended*

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## RECOMMENDATION:

Staff concurs with the three committee recommendations to date, with minor adjustments added as stated in this report. Consider a final report on Unmet Transit Needs for potential amendments and approve the FY 2018/19 RTPA Budget by adopting the four resolutions for execution by the Chair.

Enclosure: 2018/19 Budget (as separate document)

<p>NOTE: A limited number of print copies of this draft Budget are made available. Copies of the final adopted Budget will be produced and distributed as needed. Electronic copies are available by request and will be posted on MCOG’s website.</p>
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# MENDOCINO COUNCIL OF GOVERNMENTS

**Agenda # 8**  
Regular Calendar  
MCOG Meeting  
6/4/2018

## STAFF REPORT

**TITLE: FY 2018/19 Final Overall Work Program (OWP)**

**DATE SUBMITTED: 5/23/18**

**SUBMITTED BY: Loretta J. Ellard, Deputy Planner**

**MEETING DATE: 6/4/18**

### BACKGROUND:

Enclosed for your review and approval is the proposed FY 2018/19 Final Overall Work Program (OWP). The TAC reviewed this OWP at their meeting of May 23, 2018, and recommended that it be approved.

As previously reported, the Draft FY 2018/19 Work Program was reviewed and recommended by the TAC at their February meeting, and submitted to Caltrans by the March 1, 2018 due date. This Final Work Program includes the projects recommended in the Draft, as well as updated carryover estimates and carryover projects from the current OWP. It also responds to Caltrans' comments on the Draft, which were minor.

Proposed work elements are as follows:

W.E.	Agency	Project	Amount
1	MCOG	Regional Government & Intergovernmental Coordination	\$ 108,200
2	MCOG	Planning Management & General Coordination (Non-RPA)	\$ 90,475
3	MCOG	Community Transportation Planning & Coordination	\$ 10,250
4	MCOG	Sustainable Transportation Planning	\$ 10,000
6	Co. DOT	Combined Special Studies	\$ 60,000
7	MCOG	Planning, Programming & Monitoring (PPM)	\$ 64,025
9	Fort Bragg	Street Safety Plan <i>(Carryover)</i>	\$ 48,000
10	MTA	Transit Designs Guidelines Manual	\$ 35,000
12	Ukiah	Comprehensive ADA Access Plan Update <i>(Carryover)</i>	\$ 35,000
13	Co. DOT	Orchard Ave. Extension Feasibility Study Grant Match <i>(Carryover)</i>	\$ 13,000
14	MCOG	Training	\$ 21,000
15	Fort Bragg	Transportation Planning for Mill Site Reuse & Rezoning	\$ 48,125
16	MCOG	Multi-Modal Transportation Planning	\$ 30,000
17	MCOG	Zero Emissions Vehicle & Alternative Fuels Readiness Plan Update	\$ 35,000
18	MCOG	Geographic Information System (GIS) Activities	\$ 5,600
19	MCOG	Ped. Facility Needs Inventory/Engineered Feasibility Study (S. Coast) <i>(Carryover)</i>	\$ 27,500
20	MCOG	Grant Development & Assistance	\$ 22,800
21	MCOG	Ped. Facility Needs Inventory/Eng. Feasibility Study (Inland/N. Coast) <i>(Carryover)</i>	\$ 157,000
22	MCOG	Safe Routes to School ATP Non-Infrastructure Grant <i>(Carryover)</i>	\$ 400,151
		<b>Total</b>	<b>\$1,221,126</b>

As proposed, the FY 2018/19 Final Overall Work Program includes 19 work elements and totals \$1,221,126. For comparison purposes, the Final (Amended) FY 2017/18 Overall Work Program contains 21 work elements and totals \$1,690,626.

The financial summary pages (9-12) provide a breakdown of funding sources and claimants. Carryover amounts are estimates, and adjustments will be made in an amendment after the fiscal year end closes.

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**ACTION REQUIRED:** Adopt FY 2018/19 Final Overall Work Program.

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**ALTERNATIVES:** Revise work elements or refer back to TAC (*not recommended*).

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**RECOMMENDATION:** Accept TAC's recommendation to adopt FY 2018/19 Final Overall Work Program, and authorize Executive Director or designee to sign certifications and OWP Agreement and forward to Caltrans as required.

*/le*

*attachment: FY 2018/19 Final Overall Work Program*



# MENDOCINO COUNCIL OF GOVERNMENTS

**Agenda # 9**  
Regular Calendar  
MCOG Meeting  
6/4/2018

## STAFF REPORT

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**TITLE:** Consideration of Endorsement of Senate Bill 1029–  
North Coast Railroad Authority Right of Way, Great Redwood  
Trail Agency / Sonoma Marin Area Rapid Transit

**DATE SUBMITTED:** 5/29/18

**SUBMITTED BY:** Loretta Ellard, Deputy Planner

**MEETING DATE:** 6/4/18

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### **BACKGROUND:**

As reported at last month's MCOG meeting, Senate Bill (SB) 1029, known as the "Great Redwood Trail Act", was introduced to the California Senate on February 8, 2018, by Senator McGuire. The most recent version of the bill (Amended May 25, 2018) is attached.

As directed by the MCOG Board, a letter was sent to Senator McGuire requesting amendments to the proposed legislation regarding the composition of the new (to be created) "Great Railroad Trail Agency", as well as the composition of the (to be expanded) Sonoma-Marine Area Rail Transit District (SMART) Board of Directors. Attached is a copy of that letter, dated May 8, 2018.

We have followed up with Senator McGuire's staff asking for clarification on the exact location of mile post 142.5, and have been advised that it is "one mile north of the City of Willits' northern city limits, at the point where the railroad tracks cross Highway 101".

On May 22, 2018 we received a copy of additional amendments proposed by Senator McGuire's office. Several minor clean-ups and additions are included, but the major amendment was to remove the Department of Transportation from the bill and transfer the Right of Way for the northern portion of the line directly to the new "Great Railroad Trail Agency". These amendments were approved in committee on May 25, 2018 and are included in the attached bill.

Pursuant to Board direction at last month's meeting, we have placed this item on the June 4 agenda for your consideration of endorsement of SB 1029. Senator McGuire's staff will be present at the meeting to provide an update and respond to any questions you may have.

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**ACTION REQUIRED:** Discuss SB 1029, and consider whether or not to endorse the legislation.

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**ALTERNATIVES:** The Board may choose to not consider this item.

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**RECOMMENDATION:** After Board discussion, provide direction to MCOG staff on any actions to be taken.

*Attachments: SB 1029 – Amended May 25, 2018  
Letter to Senator McGuire – May 8, 2018*



# California

## LEGISLATIVE INFORMATION

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### SB-1029 North Coast Railroad Authority: right-of-way: Great Redwood Trail Agency: Sonoma-Marin Area Rail Transit District. (2017-2018)

SHARE THIS:



Date Published: 05/25/2018 09:00 PM

AMENDED IN SENATE MAY 25, 2018

AMENDED IN SENATE APRIL 30, 2018

AMENDED IN SENATE APRIL 16, 2018

AMENDED IN SENATE APRIL 05, 2018

AMENDED IN SENATE MARCH 15, 2018

CALIFORNIA LEGISLATURE— 2017–2018 REGULAR SESSION

**SENATE BILL****No. 1029****Introduced by Senator McGuire****February 08, 2018**

An act to ~~add Section 14111 to, and to~~ add Chapter 4 (commencing with Section 93030) to Title 12 of, *and to add and repeal Section 14533.4 of*, the Government Code, to add Chapter 14 (commencing with Section 5880) to Division 5 ~~of, and to repeal Section 5883 of, of~~ the Public Resources Code, and to amend Sections 105001, 105003, 105012, 105020, ~~105032,~~ and 105095 of, to add ~~Section Sections~~ *105032.5 and* 105088 to, and to repeal Sections 105104, 105105, and 105180 of, the Public Utilities Code, relating to transportation.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1029, as amended, McGuire. North Coast Railroad Authority: right-of-way: Great Redwood Trail Agency: Sonoma-Marin Area Rail Transit District.

(1) Existing law creates the North Coast Railroad Authority with various powers and duties relating to rail service in the north coast area of the state, including the authority to acquire, own, operate, and lease real and personal property reasonably related to the operation and maintenance of railroads.

*Existing law establishes in state government the California Transportation Commission with specified powers and duties relative to the programming of transportation capital improvement projects and other related matters.*

*This bill would require the commission to conduct an assessment of the authority's preexisting liabilities related to debt, litigation, or contractual obligations and report that information to the Legislature before July 1, 2019.*

This bill would require the authority, before April 1, 2019, to transfer its rights, privileges, and responsibilities, excluding any preexisting liability related to debt, litigation, or contractual obligations, relating to both its right-of-way south of a point in the City of Willits and the railroad assets the authority owns to the Sonoma-Marín Area Rail Transit District, and *would require the authority, before July 1, 2019,* to transfer its rights, privileges, and responsibilities, excluding any preexisting liability related to debt, litigation, or contractual obligations, relating to its right-of-way north of that point in the City of Willits to the ~~Department of Transportation: Great Redwood Trail Agency~~. The bill would abolish the authority after those transfers are made.

~~(2) Existing law establishes the Active Transportation Program, within the Department of Transportation, to fund projects that promote active modes of transportation, such as biking and walking.~~

~~This bill would require the department, within 2 years of being transferred the rights, privileges, and responsibilities relating to the northern right-of-way described in paragraph (1), to inventory any parcel or contract related to the right of way and complete an environmental assessment of the right of way. The bill would require the department, before January 1, 2021, to transfer those rights, privileges, and responsibilities to the Great Redwood Trail Agency.~~

This bill would create the Great Redwood Trail Agency, and provide for the appointment of its board of directors. ~~The bill would require the agency, upon 4 board members joining the agency's initial board of directors, to advise the department on certain issues relating to the northern right-of-way.~~ The bill ~~would~~ *would, to the extent funding is available,* require the agency to *inventory any parcel or contract related to the northern right-of-way, complete an environmental assessment of the northern right-of-way,* create and maintain a trail in, or next to, the northern ~~right-of-way.~~ *right-of-way,* and complete the railbanking process on a portion of the northern right-of-way, and ~~would~~ authorize the agency to contract with an operator to operate freight or excursion rail service on the remaining portion of the northern right-of-way, as specified.

~~(3)~~

(2) Existing law creates, within the Counties of Sonoma and Marin, the Sonoma-Marín Area Rail Transit District, which is governed by a 12-member board of directors, with specified duties and powers. Existing law requires the district to work with specified authorities to achieve a safe, efficient, and compatible system of passenger and freight rail service and authorizes the district to own, operate, manage, and maintain a passenger rail system within the territory of the district.

This bill would ~~additionally require~~ *authorize* the district to consider the need and financing for employee workforce housing, and would add a member to the district's board of directors, to be appointed by the Mendocino County Board of Supervisors. The bill would require the district to conduct a freight rail study incorporating the southern right-of-way transferred to the district as described in paragraph (1). The bill would also make various conforming changes to the district's provisions relating to the abolishment of the North Coast Rail Authority. The bill would repeal the requirement that the district obtain coverage for itself and its employees under certain federal laws.

~~(4)~~

(3) Because this bill would impose new requirements on local entities, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** This bill shall be known, and may be cited, as the Great Redwood Trail Act.

**SEC. 2.** It is the intent of the Legislature to do all of the following:

(a) Create a systemwide hiking, biking, and riding trail along or parallel to the North Coast Railroad Authority's railroad tracks on the north coast.

(b) ~~Settle—Ascertain~~ all liabilities, debts, contractual obligations, and leasehold interests held by the Northwestern Pacific Railroad Company, and other legal obligations of the North Coast Railroad Authority, transfer the authority's assets and the right-of-way as provided for in this act, and abolish the North Coast Railroad Authority, which was established by statute in 1989.

(c) Transfer the North Coast Railroad Authority's real property, rail assets, rail easements, *licenses and certificates of public convenience and necessity, common carrier obligations*, and right-of-way south of mile post 142.5 in Willits, California, to the Sonoma-Marín Area Rail Transit ~~District for the purposes of creating and maintaining a passenger and freight railroad service and trail system.~~ *District.*

~~(d) Provide funding for the construction and maintenance of the systemwide trail and railroad line, including funding for any related design needs, environmental assessment, permits, mitigation measures, or associated property interests.~~

~~(e)~~

(d) Create the Great Redwood Trail Agency, which will be responsible for constructing and maintaining a hiking, biking, and riding trail in the northern portion of the right-of-way, from mile post 142.5 to mile post 300.5.

~~(f)~~

(e) Transfer the northern portion of the North Coast Railroad Authority's right-of-way, from mile post 142.5 to mile post 300.5, to the ~~Department of Transportation for a period of not more than two years, and then have it transferred to the~~ Great Redwood Trail Agency.

~~(g)~~

(f) Ensure each portion of the right-of-way not used for rail is railbanked or otherwise used as a trail.

~~(h)~~

(g) Ensure each portion of the right-of-way used for rail also has a trail created and maintained in, or next to, it.

~~(i)~~

(h) (1) Provide for the creation of the trail as a multiuse trail wherever practical, provide a safe, continuous alignment with appropriate and flexible design standards for site conditions, and support the intended uses of the trail. *To the extent possible, trail alignments should promote connectivity between communities adjacent, or in close proximity, to established right-of-ways in order to link populations and population centers and to provide enhanced recreation and commuter opportunities. As such, it is the intent of the Legislature to authorize the applicable successor agencies to identify nodes that promote connectivity along the route.*

(2) Provide for the specific trail use types, including hiking, biking, and equestrian uses, to be determined by site specific studies and a broad community engagement process.

~~SEC. 3. Section 14111 is added to the Government Code, to read:~~

~~14111.(a) Within two years of receiving the North Coast Railroad Authority's rights, privileges, and responsibilities, excluding any preexisting liability related to debt, litigation, or contractual obligations, relating to the authority's right of way north of mile post 142.5 in the City of Willits, including any associated branch or spur lines, pursuant to Section 93031, the department shall do both of the following:~~

~~(1) Inventory any parcel or contract related to the right-of-way.~~

~~(2) Complete an environmental assessment of the right-of-way.~~

~~(b) Before January 1, 2021, and after receiving notice from the Great Redwood Trail Agency pursuant to Section 5884 of the Public Resources Code, the department shall transfer those rights, privileges, and responsibilities described in subdivision (a) to the Great Redwood Trail Agency.~~

**SEC. 3.** *Section 14533.4 is added to the Government Code, to read:*

**14533.4.** (a) *The commission shall conduct an assessment of the North Coast Railroad Authority's preexisting liabilities related to debt, litigation, or contractual obligations and report that information to the Legislature before July 1, 2019.*

(b) (1) *The report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795.*

(2) *Pursuant to Section 10231.5, this section is repealed on January 1, 2023.*

**SEC. 4.** Chapter 4 (commencing with Section 93030) is added to Title 12 of the Government Code, to read:

**CHAPTER 4. Abolishment**

**93030.** Before April 1, 2019, the authority shall transfer its rights, privileges, and responsibilities, excluding any preexisting liability related to debt, litigation, or contractual obligations, relating to both its right-of-way south of mile post 142.5 in the City of Willits, including any associated real property, rail easements, and branch or spur lines, *licenses and certificates of public convenience and necessity, common carrier obligations,* and the railroad assets the authority owns to the Sonoma-Marín Area Rail Transit District created pursuant to Section 105010 of the Public Utilities Code.

**93031.** Before ~~April~~ July 1, 2019, the authority shall transfer its rights, privileges, and responsibilities, excluding any preexisting liability related to debt, litigation, or contractual obligations, relating to its right-of-way north of mile post 142.5 in the City of Willits, including any associated branch or spur lines, to the ~~Department of Transportation.~~ *Great Redwood Trail Agency created pursuant to Section 5880 of the Public Resources Code.*

**93032.** In making the transfers pursuant to Sections 93030 and 93031, the authority shall transfer all of its rights, privileges, and responsibilities, excluding any preexisting liability related to debt, litigation, or contractual obligations, relating to any right-of-way.

**93032.5.** *The transfers made pursuant to this chapter shall not effect or negate rights under the Memorandum of Agreement 1991-2324, which was filed on January 31, 1991, with the county clerk-recorder's office for the County of Humboldt.*

**93033.** Upon making all of the transfers described in this chapter, the authority shall be abolished.

**SEC. 5.** Chapter 14 (commencing with Section 5880) is added to Division 5 of the Public Resources Code, to read:

**CHAPTER 14. Great Redwood Trail Agency**

**5880.** The Great Redwood Trail Agency is hereby created.

**5881.** For purposes of this chapter, the following definitions shall apply:

(a) "Agency" means the Great Redwood Trail Agency.

(b) "Board" means the agency's board of directors described in Section 5882.

~~(c) "Department" means the Department of Transportation.~~

~~(d)~~

(c) "Right-of-way" means the entire length of the right-of-way transferred to the ~~department~~ *agency* pursuant to Section 93031 of the Government Code.

**5882.** The agency shall be governed by a board of directors, composed as follows:

(a) The Governor shall appoint two board members, one representing the ~~department~~ *Department of Transportation* and one representing the Natural Resources Agency, who are knowledgeable about trails, parks, railroads, or rivers.

(b) The Senate Committee on Rules shall appoint one board member who is knowledgeable about trails, parks, railroads, or rivers.

(c) The Speaker of the Assembly shall appoint one board member who is knowledgeable about trails, parks, railroads, or rivers.

(d) The Board of Supervisors of the County of Mendocino may appoint ~~one~~ *one of its members to serve as a* board member.

(e) The Board of Supervisors of the County of Humboldt may appoint ~~one~~ *one of its members to serve as a* board member.

(f) \_\_\_\_ may appoint one board member.

~~5883.(a) Upon four board members joining the agency's initial board, the agency shall advise the department on issues relating to railbanking and the creation and maintenance of a trail in, or next to, the right of way.~~

~~(b) This section shall remain in effect only until January 1, 2022, and as of that date is repealed.~~

~~5884.(a) Before January 1, 2021, the board of directors shall notify the department that the agency is ready to assume ownership of the right of way.~~

~~(b) Upon the department making the transfer described in Section 14111 of the Government Code, the agency shall assume ownership of the right of way.~~

*5883. Upon receiving the North Coast Railroad Authority's rights, privileges, and responsibilities, excluding any preexisting liability related to debt, litigation, or contractual obligations, relating to the authority's right-of-way north of mile post 142.5 in the City of Willits, including any associated branch or spur lines, pursuant to Section 93031, the agency shall do both of the following as soon as possible, to the extent funding is available:*

*(a) Inventory any parcel or contract related to the right-of-way.*

*(b) Complete an environmental assessment of the right-of-way.*

**5885.** The agency shall do all of the ~~following:~~ *following, to the extent funding is available:*

(a) For the portion of the right-of-way between mile post 142.5 and mile post 284, including any associated branch or spur lines, the agency shall complete the railbanking process on, and create and maintain a trail in, or next to, that portion of the right-of-way. The agency may contract with a trail manager or organization to meet the requirements of this subdivision.

(b) For the portion of the right-of-way between mile post 284 and mile post 300.5, including any associated branch or spur lines, the agency shall create and maintain a trail in, or next to, that portion of the right-of-way, and may contract with a trail manager or organization to meet these requirements. The agency may contract with an operator to operate freight or excursion rail service on this portion of the right-of-way, except that the service shall not interfere with or harm the agency's trail.

(c) Before January 1, 2020, and annually thereafter, submit a report to the Legislature, in compliance with Section 9795 of the Government Code, describing its progress towards fulfilling the requirements and goals relating to the right-of-way.

*(d) Utilize the services of the California Conservation Corps wherever possible on projects related to trails, environmental enhancements and restoration, and other improvement projects.*

**5886.** The agency shall have and may exercise all rights and powers, expressed or implied, necessary to carry out the purposes and intent of this chapter, including, but not limited to, to enter into and perform all necessary contracts pursuant to Article 53.5 (commencing with Section 20815) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code.

**5887.** The agency shall be subject to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) and the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code).

**SEC. 6.** Section 105001 of the Public Utilities Code is amended to read:

**105001.** It is the intent of the Legislature in enacting this part to provide for a unified, comprehensive institutional structure for the ownership and governance of a passenger rail system within the Counties of Sonoma and Marin and a freight service that operates upon the same rail line and serves the Counties of Humboldt, Marin, Mendocino, Napa, and Sonoma.

**SEC. 7.** Section 105003 of the Public Utilities Code is amended to read:

**105003.** As used in this part, the following terms have the following meanings:

- (a) "District" means the Sonoma-Marín Area Rail Transit District.
- (b) "Rail transit" means the transportation of passengers and their incidental baggage by rail and provision of freight service by rail.
- (c) "Rail transit works" or "rail transit facilities" means any or all real and personal property, equipment, rights, or interests owned or to be acquired by the district for rail transit service purposes, including ancillary bicycle and pedestrian pathways that provide connections between and access to station sites.
- (d) "Board of directors," "board," or "directors" means the board of directors of the district.
- (e) "Public agency" includes the state, and any county, city and county, city, district, or other political subdivision or public entity of, or organized under the laws of, this state, or any department, instrumentality, or agency thereof.

**SEC. 8.** Section 105012 of the Public Utilities Code is amended to read:

**105012.** (a) Upon the dissolution of the Sonoma-Marín Area Rail Transit Commission and the Northwestern Pacific Railroad Authority, the district shall succeed to any or all of the powers, duties, rights, obligations, liabilities, indebtedness, bonded and otherwise, immunities, and exemptions of the commission and its board of commissioners and the authority and its board of directors.

(b) Upon the dissolution of the Sonoma-Marín Area Rail Transit Commission and the Northwestern Pacific Railroad Authority, the district shall assume the rights and obligations of the commission and the authority under any contract to which the commission or the authority is a party and that is to be performed, in whole or in part, on or after the date of dissolution of the Sonoma-Marín Area Rail Transit Commission and the Northwestern Pacific Railroad Authority.

(c) All real and personal property owned by the Sonoma-Marín Area Rail Transit Commission and the Northwestern Pacific Railroad Authority may be transferred to the district.

(d) Upon the dissolution of the Sonoma-Marín Area Rail Transit Commission, the district shall assume, without any condition whatsoever, all responsibilities and obligations previously assumed by the commission with respect to its fund transfer agreement with the Department of Transportation for the funding of the Sonoma-Marín Area Rail Transit Project.

(e) On and after the date of dissolution of the Sonoma-Marín Area Rail Transit Commission and the Northwestern Pacific Railroad Authority, any reference in any provision of law or regulation to the commission or the authority shall be deemed to refer to the district.

**SEC. 9.** Section 105020 of the Public Utilities Code is amended to read:

**105020.** The government of the district shall be vested in a board of directors, which shall consist of 12 or 13 members, appointed as follows:

(a) Two members of the Sonoma County Board of Supervisors, each of whom shall also serve on the Board of Directors of the Sonoma County Transportation Authority, appointed by the Sonoma County Board of Supervisors.

(b) Two members of the Marin County Board of Supervisors, appointed by the Marin County Board of Supervisors.

(c) Three members, each of whom shall be a mayor or council member of a city or town within the County of Sonoma, appointed by the Sonoma County Mayors and Council Members Association or its successor, provided the following conditions are met:

- (1) At least two members are also city representatives for the Sonoma County Transportation Authority.
- (2) All of the members are from cities on the rail line in Sonoma County.
- (3) No city has more than one member.

(d) The member of the City Council of the City of Novato who also serves on the Marin County Congestion Management Agency, appointed by the Marin County Congestion Management Agency or its successor.

(e) The member of the City Council of the City of San Rafael who also serves on the Marin County Congestion Management Agency, appointed by the Marin County Congestion Management Agency or its successor.

(f) One member, who shall be a mayor or council member of a city or town within the County of Marin and a member of the Marin County Congestion Management Agency, appointed by the Marin County Council of Mayors and Council Members or its successor.

(g) Two members of the Golden Gate Bridge, Highway and Transportation District, neither of whom shall be a member of the Marin or Sonoma County Boards of Supervisors, appointed by the Golden Gate Bridge, Highway and Transportation District or its successor.

(h) One ~~member~~ *member, who shall be a member of the Mendocino County Board of Supervisors*, appointed by the Mendocino County Board of Supervisors, if it chooses to do so.

~~SEC. 10. Section 105032 of the Public Utilities Code is amended to read:~~

~~105032. It shall be the duty of the board and it shall have the power to:~~

~~(a) Own, operate, manage, and maintain a passenger rail system within the territory of the district.~~

~~(b) Determine the rail transit facilities, including ancillary bicycle and pedestrian pathways, to be acquired and constructed by the district, the manner of operation, and the means to finance them.~~

~~(c) Adopt an annual budget for the district that provides for the compensation of its officers and employees.~~

~~(d) Fix rates, rentals, charges, and classifications of rail transit service operated by the district.~~

~~(e) Adopt an administrative code that prescribes the powers and duties of district officers, the method of appointment of district employees, and the methods, procedures, and systems for the operation and management of the district.~~

~~(f) Adopt rules and regulations governing the use of rail transit facilities owned or operated by the district.~~

~~(g) Cause a postaudit of the financial transactions and records of the district to be made at least annually by a certified public accountant.~~

~~(h) Adopt rules and regulations providing for the administration of employer-employee relations.~~

~~(i) Consider the need and financing for employee workforce housing.~~

~~(j) Do any and all things necessary to carry out the purposes of this part.~~

**SEC. 10.** *Section 105032.5 is added to the Public Utilities Code, to read:*

**105032.5.** *The board may consider the need and financing for employee workforce housing.*

**SEC. 11.** Section 105088 is added to the Public Utilities Code, to read:

**105088.** Upon receiving the North Coast Railroad Authority's rights, privileges, and responsibilities relating to the authority's right-of-way south of mile post 142.5 in the City of Willits pursuant to Section 93030 of the Government Code, and upon receiving funding, the district shall do all of the following:

(a) Conduct a freight rail study incorporating the portion of the right-of-way between mile post 0.0 and mile post 142.5.

(b) Create or assign the positions of trail manager and freight rail manager.

(c) Before January 1, 2020, and annually thereafter, submit a report to the Legislature, in compliance with Section 9795 of the Government Code, describing its progress towards fulfilling the requirements and goals relating to the right-of-way.

**SEC. 12.** Section 105095 of the Public Utilities Code is amended to read:

**105095.** The district may provide a rail transit system for the transportation of passengers and their incidental baggage by rail and provision of freight service by rail.

**SEC. 13.** Section 105104 of the Public Utilities Code is repealed.

**SEC. 14.** Section 105105 of the Public Utilities Code is repealed.

**SEC. 15.** Section 105180 of the Public Utilities Code is repealed.

**SEC. 16.** If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.



MENDOCINO  
COUNCIL OF GOVERNMENTS

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(707) 234-3434

May 8, 2018

The Honorable Mike McGuire  
State Senator, District 2  
State Capitol, Room 5061  
Sacramento, CA 95814-4900

RE: SB 1029 – Great Redwood Trail Act

Dear Senator McGuire:

At our meeting of May 7, 2018, the Mendocino Council of Governments (MCOG) considered Senate Bill 1029, and requested some amendments, as explained below.

As the Regional Transportation Planning Agency for Mendocino County, MCOG has closely followed the progress of the North Coast Railroad Authority and activities along the rail line in Mendocino County. As a joint powers agency with members from the County and all four cities, MCOG has broad representation of all geographical areas of Mendocino County, and is interested in being represented on the new “Great Redwood Trail Agency” to be created under this proposed legislation.

MCOG would also like to see local representation of the cities along the rail corridor, on the to-be-expanded Sonoma-Marín Area Rail Transit District (SMART) Board of Directors.

The following specific amendments were requested by the MCOG Board of Directors:

Chapter 14, Section 5882:

- The Mendocino Council of Governments shall appoint one board member.
- The Humboldt County Association of Governments shall appoint one board member.
- The Mendocino Council of Governments and the Humboldt County Association of Governments shall jointly appoint one member.

SEC. 9, Section 105020:

- (i) [New #] Two members, one appointed by the City of Ukiah and one appointed by the City of Willits.

Also, we are requesting clarification of the exact location of the proposed divide between SMART and the new trail. In the bill amended April 30, 2018, that point is identified variously

Senator Mike McGuire  
May 8, 2018  
Page 2

as: “in the City of Willits”; “mile post 142.5 in the City of Willits”; and “mile post 142.5 in Willits.” The mile post location appears to be two or three miles north of the City limits.

We look forward to your consideration of these requested amendments. This proposed legislation will be placed on the June 4, 2018 MCOG agenda for consideration of endorsement, and the Board may provide additional comments at that time.

Thank you, and please feel to contact me or my staff with any questions.

Sincerely,



Phillip J. Dow  
Executive Director

le/jmo

cc: Taylor Morrison, District Representative, Sen. McGuire  
Marcella Clem, Executive Director, Humboldt County Association of Governments  
Sage Sangiacomo, City Manager, City of Ukiah  
Stephanie Garrabrant-Sierra, City Manager, City of Willits

May 29, 2018

**To:** MCOG Board of Directors  
**From:** Janet Orth, Deputy Director/CFO  
**Subject:** Consent Calendar of June 4, 2018

The following agenda items are recommended for approval/action.

10. Approval of May 7, 2018 Minutes – *attached*
11. Adoption of Resolution Approving Mendocino Transit Authority's Grant Application for Federal Transit Administration (FTA) Section 5311 Non-Urbanized Program - Annual Regional Apportionment for Transit Operating Assistance – This is a routine matter annually, requiring MCOG's approval by resolution. Mendocino Transit Authority is eligible for these funds, and staff finds that MTA meets program requirements. The estimated apportionment available to Mendocino County for FFY 2019 is \$503,210. Applications are due July 31, 2018.  
– *Staff report and resolution are attached.*
12. Adoption of Resolution Approving the Programming of FTA Section 5311(f) Intercity Bus Program Funds for Mendocino Transit Authority's Project Proposal: Continuation of Route 65 Service – Operating Assistance – Funds have been awarded over the past four years for this twice-daily round trip from Fort Bragg to Santa Rosa, with MCOG's approval. MTA is now requesting available Operating Assistance Continued Funding for this route, matched with MTA's local funds. At this writing, the amount of funding available is not yet known. MCOG approval is required. Applications are due June 8, 2018.  
– *Staff report and resolution are attached.*

# MENDOCINO COUNCIL OF GOVERNMENTS

**Agenda # 11**  
Consent Calendar  
MCOG Meeting  
6/4/2018

## MINUTES

**Monday, May 7, 2018**

County Administration Center, Board of Supervisors Chambers

### ADDITIONAL AUDIOCONFERENCE LOCATION:

Caltrans District 1, 1656 Union St., Eureka

### 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 1:30 p.m. with Directors Steve Scalmanini, Larry Stranske, Georgeanne Croskey, Mike Carter (Alternate), Mike Cimolino, Richey Wasserman, and Dan Gjerde present; Chair Gjerde presiding. Directors Susan Ranochak and Rex Jackman (Caltrans/PAC) were excused.

Staff present: Janet Orth, Deputy Director/CFO; Loretta Ellard, Deputy Planner; Nephele Barrett, Program Manager; and Marta Ford, Administrative Assistant. Executive Director Phil Dow excused.

**2. Convene as RTPA**

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

**4. Public Expression.** None.

**5 - 8. Regular Calendar.**

**5. Active Transportation Program (ATP) Non-Infrastructure Grants - Safe Routes to Schools Presentations.** Students and teachers representing both Ukiah High School and Laytonville Middle School shared presentations for the MCOG Board. Through the Safe Routes to Schools program, they created PhotoVoice presentations on their daily commute experiences and some of their ideas on possible solutions.

- a. Ukiah High School. Ms. Meredyth Reinhard, ATP Coordinator at Mendocino County Health & Human Services Agency, and three students, Ms. Amanda Reardan, Ms. Alejandra Precird, and Mr. Jesus Rodriguez, spoke on the traffic concerns of unsafe road conditions, misused crosswalks from congested traffic on local streets during school travel, safety and/or lack of designated bus stops, and concerns of safety through walking routes frequented by unsavory individuals.
- b. Laytonville High School. Mr. Roland Spence, teacher, and three students, Mr. Tony Tucker, Mr. Victor Garcia, and Ms. Hailey, presented their PhotoVoice. Their concerns include the area where the buses pick up and drop off students at the school being a trip hazard due to the cracks in the cement. When it rains, the crosswalks near the schools are flooded requiring students to walk on to dangerous roads to avoid the deep puddles. The area around the school lacks sidewalks compelling students to walk on dangerous shoulders of busy roadways with blind curves. Mr. Spence gave his experience of an accident he was involved in that left him critically injured due to a traffic accident in one of the blind curve areas. A concern for the

community is that there are bus stop stations but MTA does not provide transit services to Laytonville.

Comments and questions from the board included:

- *Three MCOG Board members live in the Willits and Laytonville areas. (Gjerde)* Brief discussion by local MCOG members.
- *What other committees will receive these presentations? (Gjerde)* The schools' presentations will also be conducted at city council meetings and school boards. Another suggestion is to ensure Traffic Engineering Committee(s) also receive an opportunity to see them.
- *Director Scalmanini explained the definition of "jay walking" for informational purpose.*
- *How can MCOG staff assist with the issues brought up by these presentations? (Scalmanini)* Ms. Ellard and Ms. Barrett explained several approaches, such as MCOG's Pedestrian Facility Needs Inventory & Engineered Feasibility Study that will address some of the issues later this year. The presentations were created through the Safe Routes to School program. Not all of the issues that were discussed are appropriate specifically for MCOG's action and are planned to be presented to other advisory and decision-making bodies.

**6. Fiscal Year 2018/19 RTPA Budget Presentation & Workshop.** Ms. Orth created a slide presentation that covered her written staff report. The presentation includes 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.

- a. Report of Revenues Fiscal Year to Date (FYTD) 2017/18. Local Transportation Fund (LTF) sales tax receipts through April (8 of the 12 months on the accrual basis) total \$2,578,873, at \$251,066 (7.2%) more than the FYTD budget estimate of \$2,327,807.
- b. Executive Committee Recommendations of February 28, 2018 – 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 \$188,000, at five percent, releasing \$59,998 of LTF prior-year audited revenues for allocation; and temporarily reserving a balance of LTF prior-year unallocated revenues of \$29,135. 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 \$6,267,477, with allocations at \$5,675,810.
- c. Technical Advisory Committee (TAC) Recommendation of February 21, 2018 – 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 a summary of funding sources worksheet for the Council to review. The total draft program is \$565,475. Additional carryover projects are expected to be added to the Final Work Program. She briefly described each work element and amounts allotted. This information was included in the agenda packet for information only; no action is required at this time.
- d. Appointment of Alternate to Transit Productivity Committee. A meeting had been scheduled for May 17. Chair Gjerde appointed Directors Scalmanini and Alternative Director Carter as alternates for the Transit Productivity Committee.

## 7. Technical Advisory Committee Recommendations of April 18, 2018

- a. Allocation of Regional Surface Transportation Program (RSTP) Partnership Funds to Match Mendocino County Department of Transportation Funds for the North State Street US-101 Intersection/Interchange Project Study Report, Not to Exceed \$50,000. Ms. Barrett described a joint project of Caltrans and the County to address operational and safety concerns at this freeway interchange in Ukiah. Mendocino County Department of Transportation (DOT) plans to use the study model Greater Ukiah Area Micro-simulation Model (GUAMM) that MCOG funded a few years ago, to model traffic through the area of housing and commercial development. The Technical Advisory Committee (TAC) recommended using funds for a Project Study Report, to match the County's commitment with \$50,000 from the Partnership Program. The study would address the Orchard Street Extension project as well, enabling a consultant to use it for the two portions simultaneously. The study should be completed in time to use for all of the upcoming planned projects in the area.

**Upon motion** by Scalmanini, second by Wasserman, and carried unanimously on roll call vote (7 Ayes –*Scalmanini, Stranske, Croskey, Carter/Alt., Cimolino, Wasserman, and Gjerde*; 0 Noes; 0 Abstaining; 1 Absent –*Jackman/PAC*): IT IS ORDERED that \$50,000 from the MCOG Partnership Funding Program is allocated to match a \$50,000 commitment from Mendocino County to fund the North State Street – US 101 Intersection/Interchange Project Study Report.

- b. Allocation of Regional Surface Transportation Program (RSTP) Partnership Funds for City of Willits Electric Vehicle Charging Station, Not to Exceed \$5,000. Ms. Orth referred to Executive Director Dow's written staff report and the letter of request from the City of Willits for \$5,000 to complete the installation of two electric vehicle charging stations to Americans with Disabilities Act (ADA) city standards, as recommended by the TAC. Grant funds are providing \$74,000 of the \$79,000 project budget. MCOG has allocated funds to assist both Point Arena and Fort Bragg's electric vehicle charging station installations and continues to support the regional deployment plan.

**Upon motion** by Croskey, second by Carter, and carried unanimously on roll call vote (7 Ayes –*Scalmanini, Stranske, Croskey, Carter/Alt., Cimolino, Wasserman, and Gjerde*; 0 Noes; 0 Abstaining; 1 Absent –*Jackman/PAC*): IT IS ORDERED that \$5,000 from the MCOG Partnership Funding Program is allocated to assist the City of Willits in meeting ADA requirements at its electric vehicle charging station site, consistent with city standards, in the public parking lot at School Street and West Mendocino Avenue in Willits.

## 8. Consideration of Amendments to Proposed Senate Bill 1029 – North Coast Railroad Authority Right-of-Way, Great Redwood Trail Agency / Sonoma-Marin Area Rail Transit District.

Ms. Ellard distributed a more recent version of Senate Bill (SB) 1029 than was included in the agenda packet. The updated April 30, 2018 copy of the Great Redwood Trail Act includes an additional amendment. SB 1029 requires the North Coast Railroad Authority (NCRA) to transfer its rights and responsibilities, excluding pre-existing liabilities and debts, to two different agencies. The location south of Willits would be transferred to the Sonoma-Marin Area Rail Transit (SMART) District and north of Willits would be transferred to Caltrans that would create a new Great Redwood Trail Agency, then abolish NCRA after those transfers are made. Senator McGuire's office contacted Humboldt County Association of Governments (HCAOG) staff for an opportunity to suggest amendments to the legislation. HCAOG contacted MCOG staff to receive the same opportunity. HCAOG submitted a suggestion that the newly created agency proposed amendment that gives HCAOG and MCOG the chance to have representation on both agency governing boards. Comments and questions from the directors included:

- How to determine the actual location of the divide between north and south segments referred to in the document, as there are no clear markings of the mileposts the document indicates?
- What happens to the communities that have no representation?
- What would be an appropriate amount of local representation?
- Where are possible locations of a viable terminal?

In discussion, it was agreed to request an amendment for one MCOG and one HCAOG appointed representative and a third appointed by both MCOG and HCAOG, to have more local representation.

**Upon motion** by Stranske, second by Carter, and carried unanimously on roll call vote (7 Ayes –Scalmanini, Stranske, Croskey, Carter/Alt., Cimolino, Wasserman, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent - Jackman/PAC): IT IS ORDERED to request an amendment to add (i) under SEC. 9, Section 105020, for two additional seats on the SMART district board: a member appointed by the City of Ukiah and a member appointed by the City of Willits.

**Upon motion** by Croskey, second by Carter and carried unanimously on roll call vote (7 Ayes –Scalmanini, Stranske, Croskey, Carter/Alt., Cimolino, Wasserman, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent – Jackman/PAC): IT IS ORDERED to request an amendment under Chapter 14, Section 5882, to add one member appointed by MCOG, one member appointed by HCAOG, and one member jointly appointed by both MCOG and HCAOG on the Great Redwood Trail Agency board.

Director Gjerde directed staff to send a letter to Senator McGuire’s office requesting the two amendments and clarification of the exact location of the proposed divide between SMART and the new trail, and to agendize the matter for the next board meeting for possible additional comments in consideration of endorsing the legislation.

**9 -10. Consent Calendar.** Upon motion by Scalmanini, second by Carter, and carried unanimously (7 Ayes –Scalmanini, Stranske, Croskey, Carter/Alt., Cimolino, Wasserman, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent – Jackman/PAC): IT IS ORDERED that consent items are approved:

**9. Approval of February 28, 2018 Executive Committee Minutes – as written**

**10. Approval of April 2, 2018 Minutes – as written**

**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 –Scalmanini, Stranske, Croskey, Carter/Alt., Cimolino, Wasserman, 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.

**12. Reports - Information**

- a. Mendocino Transit Authority. None.
- b. North Coast Railroad Authority. There was no further report or discussion.
- c. MCOG Staff - Summary of Meetings. Ms. Orth referred to Executive Director Dow’s written staff report.
- d. MCOG Administration Staff
  1. California Transportation Commission (CTC) Town Hall, April 11-12 in Santa Rosa. Ms. Orth gave a brief summary; the Town Hall in Santa Rosa went well. It was conducted in the historic DeTurk Round Barn for the designated counties of Lake, Mendocino, and

Sonoma counties for this outreach. About six Commission members attended along with their Executive Director; MCOG staff invited two local officials to share in the 45-minute time slot to present their experiences.

2. *Miscellaneous.* None.

e. MCOG Planning Staff.

1. *Regional Housing Needs Assessment (RHNA) Methodology.* Ms. Barrett referred to her written staff report. She summarized the Regional Housing Needs Allocation (RHNA) process for the next eight-year cycle; the last approved RHNA was in 2013. The California Department of Housing and Community Development assigned Mendocino County the determination of 3,845 housing units in different income categories to accommodate needs anticipated over the next eight years. The goal is to adopt a RHNA plan at the August MCOG meeting, and for MCOG to work with a committee of local agencies for the Housing Element preparation and to develop a challenge of the determination, which is considered unrealistic. Questions/comments from the Board included:
  - *What happens when houses are not occupied due to being dilapidated and are rehabilitated or replaced; do they get counted? (Gjerde)* If they are currently included in the count of existing units, replacement would not be counted.
  - *Where do the numbers come from? What difference do the numbers make and what are the consequences for not taking them into consideration? (Scalmanini)* Representatives and staff for local agencies have to accommodate the numbers in the housing element of their general plans. Some consequences would be more vulnerability to law suits, risk of not qualifying for funding, and loss of control in jurisdiction on development permits/plans. The numbers come from anticipated population growth and age categories that affect the type of unit growth. A consequence of trying to accommodate a larger number could be over-development that does not have the infrastructure and resources to support it.

2. *Miscellaneous.* None.

- f. MCOG Directors. Director Wasserman reported that the City of Point Arena now has an operable charging station in the city parking lot. (Refer to MCOG meeting of February 6, 2017 for details.)

Director Scalmanini informed the group of the recent news that Volkswagen's program Electrify America plans to install charging stations at Walmart parking lots. Ms. Orth said Electrify America reached out to Redwood Coast Energy Authority and Siskiyou County, MCOG's coalition partners, to accommodate disadvantaged communities. According to the settlement of a lawsuit against Volkswagen, Electrify America is investing \$2 billion over the next ten years in Zero Emission Vehicle (ZEV) infrastructure, education/outreach, and access/exposure representing the largest commitment of its kind to date.

- g. California Association of Councils of Governments (CALCOG) Delegates. None.

**13. Adjournment.** The meeting was adjourned at 4:46 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Marta Ford, Administrative Assistant



## MENDOCINO COUNCIL OF GOVERNMENTS

### STAFF REPORT

**Agenda # 11**  
Consent Calendar  
MCOG Meeting  
6/4/2018

**TITLE:** Approval of Mendocino Transit Authority's Grant Application for Federal Transit Administration (FTA) Section 5311 Non-Urbanized Program - Annual Regional Apportionment for Transit Operating Assistance

**SUBMITTED BY:** Janet Orth, Deputy Director / CFO

**DATE PREPARED:** 5/29/2018

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#### BACKGROUND:

As an annual matter, Mendocino Transit Authority (MTA) is applying to Caltrans for funds available under the Federal Transit Administration (FTA) Section 5311 Non-Urbanized Program for Federal Fiscal Year 2019. The estimated amount available is **\$503,210** (up 3.8%). This amount is Mendocino County's regional apportionment. Applications are due July 31, 2018.

MAP-21 legislation amended eligible recipients to include a State or Indian tribe that receives a federal transit program grant directly from the FTA. A subrecipient of the program includes a State or local governmental authority, a non-profit organization, or an operator of public or private transportation or intercity bus service that receives federal transit program grant funds. (We assume this follows under the current FAST Act.)

MTA would be a "subrecipient." The proposed "projects" consists of transit operations that the program is meant to assist in rural areas. We are not aware of any other claims. Note that MTA is the designated Consolidated Transportation Services Agency for the region.

Executive Director Dow's signature on the application represents MCOG's certification that the regional agency has approved, by resolution, the programming of these funds for MTA and that MTA complies with certain standard requirements related to local funding match availability, coordination with other transportation service providers, and STIP requirements.

This has been considered a routine item with no reason to withhold support. Also note that when allocating Local Transportation Funds, the Transportation Development Act (TDA) requires a finding by MCOG of whether MTA is making full use of available federal funds.

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#### ACTION REQUIRED:

Adopt the resolution to program these funds for MTA's Operating Assistance. The certification document, as part of the application, includes a statement that the regional agency has approved, by resolution, the programming of funds for this project. The Executive Director is able to certify the other two assurances. (Certification statements are available on request.)

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#### ALTERNATIVES:

If MCOG does not approve this action, MTA will not receive the federal operating assistance for which they are eligible. If another eligible recipient or subrecipient were to make a claim under this year's program, a decision would need to be made before July 31.

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#### RECOMMENDATION:

Adopt the attached resolution approving the programming of MCOG's FY 2018/19 regional apportionment of FTA Section 5311 transit operating assistance funds and authorizing the Executive Director's signature on the certification documents for MTA's application.

# MENDOCINO COUNCIL OF GOVERNMENTS

BOARD of DIRECTORS

RESOLUTION No. M2018-\_\_\_

## APPROVING THE PROGRAMMING OF FTA SECTION 5311 NON-URBANIZED PROGRAM FUNDS FOR MENDOCINO TRANSIT AUTHORITY OPERATING ASSISTANCE

WHEREAS,

- The Mendocino Council of Governments (MCOG) is the designated Regional Transportation Planning Agency for Mendocino County; and
- Mendocino Transit Authority (MTA) intends to apply for Federal Fiscal Year 2019 funding from the Federal Transit Administration (FTA) Section 5311 Non-Urbanized Program for the purpose of assisting its transit operations; and
- MTA is an eligible applicant for these funds in the region and is able to meet the requirements of the Section 5311 program; and
- The program application requires certification that MCOG, as the transportation planning agency, has approved by resolution the programming of funds for this project; therefore, be it

RESOLVED, THAT:

MCOG approves the programming of its estimated regional apportionment of FTA Section 5311 funds in the amount of \$503,210 for FFY 2010, or of its final regional apportionment amounts when issued, for Mendocino Transit Authority operating assistance and the Executive Director is authorized to sign the required documents and certifications.

ADOPTION OF THIS RESOLUTION was moved by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and approved on this 4th day of June, 2018, by the following roll call vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED.

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ATTEST: Phillip J. Dow, Executive Director

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Dan Gjerde, Chair



## MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 12  
Consent  
MCOG Meeting  
6/4/2018

### STAFF REPORT

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**TITLE:** Approval of Mendocino Transit Authority's Project Proposal for FTA Section 5311(f) Intercity Bus Program Grant Funds – “Continuation of Route 65 Service”

**SUBMITTED BY:** Janet Orth, Deputy Director / CFO      **DATE PREPARED:** 5/29/2018

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#### BACKGROUND:

Caltrans annually makes available the Federal Transit Administration (FTA) Section 5311(f) funds. According to the program guidelines, "*The... Intercity Bus Program in California is designed to address the 'intercity bus transportation needs of the entire state' by supporting projects that provide transportation between non-urbanized and urbanized areas that result in connections of greater regional, statewide, and national significance.*"

The application requires certification, by resolution, that the Regional Transportation Planning Agency approves the programming of Section 5311(f) funds for the proposed project.

FTA 5311(f) funds were awarded in 2014 for an additional Route 65 trip between Willits and Santa Rosa, meeting several unmet transit needs. In 2015 MTA successfully applied for another 5311(f) grant to extend this run from Fort Bragg to Santa Rosa (Phase 2). In 2016, MTA successfully applied for more funds to operate an additional round trip daily from Fort Bragg to Santa Rosa. In 2017, MTA was awarded funds to continue the expanded Route 65 service.

This year, MTA again intends to apply for a 5311(f) grant to continue this service; applications are due June 8, 2018. MCOG has supported each of MTA's proposals for Route 65 service under this FTA program. At this writing, the available amount of funding has not been confirmed.

MTA is responsible for any required match of funding resources. MCOG is responsible to ensure the project is consistent with the Regional Transportation Plan.

If the application is approved and funded, MCOG staff would need to process the paperwork to include the project in the Federal State Transportation Improvement Program (FSTIP).

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#### ACTION REQUIRED:

Approve the programming of available FTA Section 5311(f) funds for MTA's project.

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#### ALTERNATIVES:

It will not be feasible to postpone this decision, as applications are due June 8. The Council could decline approval or take no action; although without MCOG's programming of these federal funds, MTA's application cannot be approved. – *not recommended*

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#### RECOMMENDATION:

Adopt the attached resolution approving the programming of available federal grant funds for the transit project identified above and authorizing the Executive Director to sign the required documents and certifications. Authorize staff to coordinate the process of including the project in the FSTIP.

Enc.: Draft resolution

# MENDOCINO COUNCIL OF GOVERNMENTS

BOARD of DIRECTORS

RESOLUTION No. M2018-\_\_\_\_\_

APPROVING THE PROGRAMMING OF FTA SECTION 5311(f)  
INTERCITY BUS PROGRAM FUNDS FOR  
MENDOCINO TRANSIT AUTHORITY'S PROJECT PROPOSAL:  
CONTINUATION OF ROUTE 65 SERVICE – OPERATING ASSISTANCE

WHEREAS,

- The Mendocino Council of Governments (MCOG) is the designated Regional Transportation Planning Agency for Mendocino County;
- Mendocino Transit Authority (MTA) will apply for funding from the Federal Transit Administration (FTA) Section 5311(f) Intercity Bus Program, Federal Fiscal Year 2019;
- This funding request is for Operating Assistance Continued Funding of MTA's Route 65 service, with Fort Bragg as the terminus for round trips between Ukiah in Mendocino County and Santa Rosa in Sonoma County, six days weekly, up to the amount of available funds for Mendocino County;
- MTA is an eligible applicant for these funds in the region and is able to meet the requirements of the Section 5311(f) program; and
- The program application requires certification that MCOG, as the transportation planning agency, has approved, by resolution, the programming of funds for this project; therefore, be it

RESOLVED THAT:

MCOG approves the programming of FTA Section 5311(f) funds for this MTA continued service project in Federal Fiscal Year 2019, and the Executive Director is authorized to sign the required documents and certifications.

ADOPTION OF THIS RESOLUTION was moved by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, and approved on this 4th day of June, 2018, by the following roll call vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

WHEREUPON, the Chairman declared the resolution adopted, AND SO ORDERED.

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ATTEST: Phillip J. Dow, Executive Director

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Dan Gjerde, Chair