

MENDOCINO COUNCIL OF GOVERNMENTS

Approved MINUTES
Monday, February 6, 2023

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 and Roll Call – Welcome New Members. The meeting was called to order at 1:30 p.m. with Directors John Haschak, Michael Carter, Greta Kanne, Jeff Hansen of Point Arena, Bernie Norvell of Fort Bragg, Josephina Duenas of Ukiah, Tatiana Ahlstrand (Caltrans/PAC), and Dan Gjerde present by Zoom teleconference; Chair Gjerde presiding.

Staff present: Nephelie Barrett, Executive Director; Janet Orth, Deputy Director & CFO; Loretta Ellard, Deputy Planner; Lisa Davey-Bates, Transportation Planner; James Sookne, Program Manager; Michael Villa, Project Coordinator; Alexis Pedrotti, Program Manager; Jody Lowblad, Administrative Assistant; and Jesus Rodriguez, Administrative Assistant.

Ms. Barrett and Chair Gjerde made welcoming comments to the three new Board members: Directors Duenas representing City of Ukiah, Norvell for City of Fort Bragg, and Hansen for City of Point Arena. Staff offered an orientation session on the next Council meeting agenda.

Note: Public comment was invited via email and online comment form; staff monitored for incoming comments throughout the meeting, reporting periodically.

2. 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. Upon motion by Carter, second by Haschak, and carried unanimously on roll call vote (*7 Ayes – Haschak, Carter, Kanne, Hansen, Norvell, Duenas, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that the following resolution is adopted.

Resolution No. M2023-01

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. #M2023-01 is incorporated herein by reference]

3. Election of Officers – Chair and Vice Chair. Deputy Director Orth introduced this item, and with no objections conducted the election consistent with Robert’s Rules of Order as usual. She opened the nominations for the office of Chair; Director Gjerde was nominated. With no further nominations, nominations were closed for the office of Chair.

Upon motion by Haschak, second by Carter, and carried unanimously on roll call vote (*7 Ayes – Haschak, Carter, Kanne, Hansen, Norvell, Duenas, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that **Director Gjerde is re-elected Chair**. He made brief remarks in response.

Nominations were opened for the office of Vice Chair; Director Haschak was nominated. With no further nominations, nominations were closed for the office of Vice Chair.

Upon motion by Carter, second by Kanne, and carried unanimously on roll call vote (7 Ayes – *Haschak, Carter, Kanne, Hansen, Norvell, Duenas, and Gjerde*; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that that **Director Haschak is elected Vice Chair**.

4. Convene as RTPA

5. Recess as RTPA – Reconvene as Policy Advisory Committee

6 - 7. Consent Calendar. Upon motion by Haschak, second by Carter, and carried unanimously on roll call vote (8 Ayes – *Haschak, Carter, Kanne, Hansen, Norvell, Duenas, Ahlstrand/PAC, and Gjerde*; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that consent items are approved.

6. Approval of December 5, 2022 Minutes – as written

7. Technical Advisory Committee Recommendation of January 18, 2023: Approval of Second Amendment to Fiscal Year 2022/23 Transportation Planning Overall Work Program (OWP) – to adjust for rounding errors; to revise tasks in Work Element 13 as requested by City of Fort Bragg; and to reprogram Planning, Programming & Monitoring (PPM) funds between WE's 7 and 15 so ensure expiring funds are expended timely. Total OWP funding increased from \$1,178,312 to \$1,178,314, an increase of \$2. The Executive Director is authorized to sign certifications and a revised OWP Agreement as needed and forward to Caltrans as required.

8. Public Expression. None.

9. Recognition of Departing Board Members. Administrative staff had prepared two certificates recognizing the service of Directors Scott Ignacio and Tess Albin-Smith over their past terms, shared onscreen and read aloud by Executive Director Barrett. Thanks were given and remarks were made by Executive Director Barrett and Chair Gjerde recalling some of their contributions.

10. Public Hearing: Unmet Transit Needs for Fiscal Year 2023/24 – Including Social Services Transportation Advisory Council (SSTAC) Recommendations of November 28, 2022. Deputy Director Orth reported proofs of publication of the legal notice, included in the agenda packet, from Ukiah Daily Journal, Independent Coast Observer and Fort Bragg Advocate-News, published on January 6 and 12. Additional outreach included MCOG's website and email to subscribers.

Upon motion by Haschak, second by Kanne, and carried unanimously on roll call vote (8 Ayes – *Haschak, Carter, Kanne, Hansen, Norvell, Duenas, Ahlstrand/PAC, and Gjerde*; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that this public hearing on 2023/24 Unmet Transit Needs was properly noticed.

The Chair opened the public hearing at 1:47 p.m. Ms. Orth gave a summary of the annual process that started with the SSTAC's unmet transit needs workshop on November 28 and submitted as testimony a list of ten identified needs, including six from the group and four from Mendocino Transit Authority (MTA) public outreach throughout the past year. Issues from the workshop included needs for assisted services, fixed-route service for specified communities, mobility solutions for remote inland areas, evening and weekend service, and affordable trips to Humboldt County with stops in northern locales. Additionally, she submitted two written letters received from members of the public, which she verbally summarized, one from a Hopland resident concerning inter-county routes and fare pricing disparities for youth, and the other from a Fort Bragg/Mendocino business owner addressing fixed route timing for retail shop workers.

After staff's report, public comment was invited, with no further testimony received.

Board questions and discussion included listed need “Mobility solutions/micro-transit service for Covelo, Laytonville, Brooktrails, Hopland and Potter Valley” relative to the current feasibility study planning project. Staff explained the reasoning to keep this item on the list until recommendations are made from the study. – *see also Agenda item #15f*

The public hearing was closed at 1:59 p.m.

Upon motion by Haschak, second by Kanne, and carried unanimously on roll call vote (8 Ayes – *Haschak, Carter, Kanne, Hansen, Norvell, Duenas, Ahlstrand/PAC, and Gjerde*; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that MCOG receives as testimony all needs submitted by the Social Services Transportation Advisory Council (SSTAC), Mendocino Transit Authority (MTA), and written testimony submitted in today’s public hearing; the testimony heard includes Unmet Transit Needs that appear to qualify under MCOG’s adopted definitions, and those needs are directed to Mendocino Transit Authority for analysis and for further review and recommendations by the Transit Productivity Committee and Social Services Transportation Advisory Council.

Staff reported additional SSTAC recommendations to 1) Develop a Ukiah Transit Center for multimodal connections and coordinated services and 2) Develop a new Mendocino Transit Authority administration building. No action was taken on the additional recommendations.

11. Appointments to Social Services Transportation Advisory Council (SSTAC). Ms. Orth reported SSTAC nominations for expiring terms, noting this advisory body would have five voting members filling nine prescribed seats. Two seats for “potential transit users” are persistently vacant, so board members were asked to forward any potential candidates to MCOG staff.

Upon motion by Carter, second by Kanne, and carried unanimously on roll call vote (8 Ayes – *Haschak, Carter, Kanne, Hansen, Norvell, Duenas, Ahlstrand/PAC, and Gjerde*; 0 Noes; 0 Abstaining; 0 Absent): IT IS ORDERED that the following appointments are approved.

- *Dawn While, Mendocino Transit Authority, for “Representative of local Consolidated Transportation Services Agency” – reappointed through April 2026*
- *Luis Martinez, MTA, as Alternate for “Representative of local Consolidated Transportation Services Agency” – reappointed through April 2026*
- *Christine Sookne, Redwood Coast Regional Center, for “Local social service provider for persons of limited means” – reappointed through April 2026*

12. Annual Committee Appointments

- a. Executive Committee. According to MCOG bylaws, the Chair and Vice Chair are members of this committee with addition of a third member reflecting a county-city balance. Director **Norvell** volunteered to serve as the third member of the Executive Committee.
- b. Transit Productivity Committee. Director Gjerde disclosed that he was seated on MTA’s board and asked whether it would be advisable for him to continue on this committee. In brief discussion, staff advised that at least one of the two members should not serve concurrently on MTA, due to MCOG’s oversight role. Director Carter agreed to serve. According to the bylaws, appointments are made by the Chair. Chair Gjerde appointed **himself and Director Carter**.
- c. California Association of Councils of Governments (CALCOG). Director **Haschak** agreed to advance from alternate to voting delegate. Director **Norvell** volunteered as alternate. Discussion included the upcoming forum, March 6-8 in Riverside; appointees and board members were invited to attend with travel expenses paid from MCOG’s budget.
- d. Ad Hoc Committees – Covelo SR 162 Corridor Multi-Purpose Trail Project and Regional Energy Network / Climate. There was one vacancy on each of the ad hocs. Chair Gjerde

gave some background on the pending proposal to join several counties in formation of a Rural Regional Energy Network (REN) and its purpose to administer locally a program of rebates to utility customers, funded by the California Public Utilities Commission (CPUC). – *see also Agenda item #15e*

Director **Haschak** agreed to continue on the Covelo trail project, with Director **Carter** volunteering for appointment.

Directors **Gjerde and Haschak** agreed to continue on the Climate ad hoc. During discussion of duties, Director Kanne volunteered for the Climate ad hoc, then withdrew in support of Director **Hansen's** offered to serve.

Upon motion by Haschak, second by Kanne, and carried unanimously on roll call vote (*8 Ayes – Haschak, Carter, Kanne, Hansen, Norvell, Duenas, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that the Council approves the above slate of committee appointments.

13. Approval of Conduct of Meetings Following Expiration of COVID-19 State of Emergency – continued from December 5, 2022. Ms. Orth summarized her written report of further research into recent amendments to the Brown Act open meetings law and outlined staff's recommendations for compliant meetings based on preferences and direction from the Council for a hybrid of in-person and remote participation. Board discussion included:

- To clarify, is a quorum required to be present at the main location in Ukiah? (Gjerde) Only if a member requests, under SB 2449 amendments, an emergency or just cause finding to participate from a non-posted location.
- Suggestion that members call in their alternate to cover attendance when needed, rather than invoke the exception requiring a quorum present in Ukiah. (Kanne)
- Commitment to join meetings in person at Ukiah location. (Carter)
- Administrative staff will be present in person at the Ukiah location. (Orth)
- Request to reference Fort Bragg location as Town Hall, rather than City Hall, to be confirmed after inquiries into logistics with the City's staff. (Norvell)
- Would a board member need to plan their attendance for the year in advance? (Kanne) No, staff is offering to contact members each time for the agenda notice.
- What kinds of hybrid meeting technology is available to MCOG? (Ahlstrand) Description of the general setup in the County Board of Supervisors' chambers and will receive an orientation training before the next meeting. (Barrett)
- What if a board member chooses not to use their city's remote location for a particular meeting? (Haschak) That member's city hall would not be posted on the agenda and not opened to the public for that date. (Gjerde)

Upon motion by Kanne, second by Haschak, and carried unanimously on roll call vote (*8 Ayes – Haschak, Carter, Kanne, Hansen, Norvell, Duenas, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 0 Absent*): IT IS ORDERED that staff's recommended procedures are approved to hold Brown Act compliant board meetings in the Board of Supervisors' chambers starting in March 2023 with additional, properly noticed teleconference locations open to the public at Fort Bragg City or Town Hall, Point Arena City Hall, Willits City Hall and Caltrans District 1 offices in Eureka, and to add a standing agenda item to allow for AB 2449 options.

14. Recess as Policy Advisory Committee – Reconvene as RTPA – Ratify Action of Policy Advisory Committee. Upon motion by Norvell, second by Carter, and carried unanimously on roll call vote (*7 Ayes – Haschak, Carter, Kanne, Hansen, Norvell, Duenas, 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.

15. Reports - Information

- a. Caltrans District 1 – Projects Update and Information. Director Ahlstrand stated there would be an updated milestone report available at the next meeting.
- b. Mendocino Transit Authority. General Manager Jacob King reported several items of interest. MTA has been working with MCOG and consultant on the Mobility Solutions study, with inspiring results to date. Proposals have been received in the consultant procurement process for the Short Range Transit Development Plan, to be reviewed and scored with MCOG staff. MTA continues to restore services impacted by the pandemic, while facing a driver shortage, though is encouraged by the number of recent applicants.
- c. Great Redwood Trail Agency. Director Haschak reported no news since MCOG last met, and the next meeting scheduled for February 16, to be held on Thursdays going forward. He confirmed that Karyn Gear, Executive Director of the Coastal Conservancy, is serving as the GRTA's interim executive director.
- d. MCOG Staff - Summary of Meetings. Ms. Barrett referred to the written report.
- e. MCOG Administration Staff
 - i. *Covelo SR 162 Corridor Multi-Purpose Trail Project*. Ms. Barrett summarized her staff report with some background for new board members. Currently there is a funding gap of over \$2 million. Caltrans District 1 recently confirmed that Complete Streets funding from the State Highway Operations & Protection Program (SHOPP) will not be made available as had been hoped. District 1 continues to be supportive of the project and is seeking additional funds. While MCOG's board has acted to authorize the Executive Director to award and execute the necessary contracts as soon as funding is approved by the State, staff has not been able to award a contract to date. In news since this agenda packet was released, a meeting was held with District 1, Caltrans Headquarters and California Transportation Commission (CTC) staff, where options were discussed. Caltrans District 1 agreed to put forward the request for additional Complete Streets funds, which would be reviewed by Headquarters for possible submittal to the CTC's business agenda in March or May. In discussion, Director Gjerde suggested the possibility of transportation funds targeted for tribal partnerships; Director Ahlstrand (Caltrans) agreed it was worth looking into, considering the existing pedestrian hazard. Director Haschak reported this issue was discussed at a recent Covelo Municipal Advisory Committee (MAC) meeting; he will keep them informed. Ms. Barrett concluded that if a reduction of project scope is called for due to lack of funds, it would need to be reconciled with the Active Transportation Program (ATP) grant rules, which would be better than no project being built as long as safety goals are met.
 - ii. *Regional Energy Network (REN)*. Ms. Barrett appreciated Director Gjerde's summary of the program under Agenda item #12d, and elaborated on the origins of RENs by the CPUC in 2012 to create a partnership model that offers energy efficiency rebates to hard-to-reach utility customers. MCOG has agreed to join a new RuralREN with Humboldt and other counties in California, subject to approval by the CPUC, now anticipated in October 2023. Implementation could begin in early 2024. Public comment submitted to CPUC argues that one of the eligible REN services, workforce education and development, might duplicate other programs, which is in dispute.

- iii. *Miscellaneous.* Ms. Orth noted that a date typo had been corrected in the 2023 Board Meeting Calendar on MCOG's website.
 - iv. *Next Meeting Date.* Monday, March 6, 2023, in the new hybrid remote and in-person meeting format.
- f. MCOG Planning Staff
- i. *Feasibility Study – Mobility Solutions for Rural Communities of Inland Mendocino County.* Deputy Planner Ellard provided an update on this grant-funded project. Since last reported, the consultant team has completed its analysis of survey results and has developed a range of potential mobility solutions for each of the five communities. These are under review by the project team and Technical Advisory Group, followed by a second round of virtual community meetings to present the findings over the next week. She welcomed attendance by all interested; links to the meetings are provided on MCOG's website. The project is expected to be finalized in August. Funding opportunities are being explored, although so far these appear to be limited. Director Kanne noted hearing local feedback and appreciated MCOG and MTA's efforts on this long-standing issue for remote communities in the area.
 - ii. *Feasibility Study - Mendocino Transit Authority's Ukiah Transit Center.* Ms. Ellard reported on a kickoff meeting, stakeholders workshop, and site visits to potential locations in December. The consultant team will conduct analysis and return in April to lead a planning charrette, conduct interviews and launch a survey. After draft and final reports are produced by November 2023, MTA will seek funding to develop a site.
 - iii. *MCOG Public Outreach with ChargePoint for Rural Electric Vehicle Charging Grant.* Ms. Ellard provided an update to this project as reported last December, for installation of charging stations in the Ukiah valley. Public and stakeholder virtual workshops scheduled for February have been widely advertised, with links provided on MCOG's website. Staff's outreach work is funded under MCOG's Planning Work Element 4, Sustainable Transportation.
 - iv. *Miscellaneous.* None.
- g. MCOG Directors. Former Director Tess Albin-Smith had joined the meeting, and Ms. Barrett re-read the certificate recognizing her service on the Board. Appreciative comments were made.
- h. California Association of Councils of Governments (CALCOG) Delegates – Annual Regional Leadership Forum, March 6-8, 2023 in Riverside. There was a brief discussion of logistics for the new Delegate, Alternate and possibly others to attend the forum; staff offered assistance with registration and travel arrangements.

16. Adjournment. The meeting was adjourned at 3:04 p.m.

Submitted: NEPHELE BARRETT, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director & CFO