

# MENDOCINO COUNCIL OF GOVERNMENTS

## Approved MINUTES

Monday, April 2, 2018

County Administration Center, Board of Supervisors Chambers

### ADDITIONAL MEDIA:

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

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

**1. Call to Order / Roll Call.** The meeting was called to order at 1:43 p.m. with Directors Steve Scalmanini, Larry Stranske, Michael Cimolino, Richey Wasserman, Michael Carter (Alt.), Georgeanne Croskey, and Rex Jackman (Caltrans/PAC) present; Vice Chair Cimolino presiding. Chair Dan Gjerde was absent.

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

**2. Convene as RTPA**

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

**4. Public Expression.** None.

**5 - 8. Regular Calendar.**

**5. Presentation and Discussion: Garcia River Climate Adaptation Feasibility Study – Caltrans.** Executive Director Dow introduced Rex Jackman, Branch Chief, Transportation Planning-South, Caltrans District 1, who made the presentation. The comment period on the draft study was extended to April 6. Caltrans has worked with the Manchester-Point Arena Band of Pomo Indians during the project. Various alternatives are proposed to address flooding, when State Route 1 becomes impassable, requiring a detour of five hours and more than 200 miles via all-weather routes. Mr. Jackman reviewed each of the four proposed design alternatives, with costs ranging from \$56 million to \$71 million. Options include improvement of the existing roadbed and new road alignments, the latter raising a question of maintenance responsibility. He then invited questions. Discussion and questions included:

- Scott Ignacio, Point Arena Mayor (MCOG Alternate Director), thanked Caltrans for visiting the City recently with the presentation and noted the tribal chairman was present today. The City Council favored Alternative 4, Bluff Top Alignment to Windy Hollow Road North. There is a separate project for existing bridge replacement at an estimated cost of \$12 million, not included in this study. Alternative 1, Grade Raise on Existing Alignment, includes a viaduct that would still be too low in elevation for future flooding events. In the interests of public safety and connecting communities on either side, it is crucial that the bridge remain open. The nearest medical assistance is in Guerneville to the south, or Fort Bragg to the north. He commented on negative impacts that would incur in Point Arena with Alternatives 2 and 3, and confirmed support for continued study of Alternatives 1 and 4 as indicated in City Manager Shoemaker's February 16, 2018 comment letter to Caltrans.

- Viability of building a road on terrain in Alternatives 3 and 4? Geotechnical analysis was not included in the study. (Cimolino, Jackman)
- Written comments received to date include City, County, MCOG, Bureau of Land Management; Caltrans had a discussion with Stornetta historic property owner and will meet with the tribe; not many individual comments yet. (Cimolino, Jackman) Director Wasserman reported that he had submitted his own individual comments in addition to the City's and encouraged others to do so.
- A fifth alternative could be to build up/raise the Gasker Slough bridge. Project alternatives are all in the \$60 million range or more. Environmental difficulties could call for raising the current bridge as interim measure to provide emergency access, then adding a new bridge when funding becomes available. Caltrans will be taking a closer look at that. (Wasserman, Jackman)
- Which alternative best prepares the area for further rise in sea levels? All of the alternatives address a 100-year forecast. (Scalmanini, Jackman)
- This project was identified in a grant-funded Climate Adaptation study, with the Garcia River selected for further study. Various approaches and strategies were described. (Dow)
- Is there any known opposition to Alternative 4? No; some have expressed preferences for other alternatives. At the Point Arena City Council meeting in January, there was more support heard for Alternative 4 than the others. (Scalmanini, Jackman, Dow)
- Discussion of the City's deliberation; public and private properties in the study zones; and intersection improvements that would be required. Under Alt. 4, existing SR-1 would be turned over to a local agency in good repair; local dairies could still use old SR-1 with an intersection there. (Stranske, Ignacio)

Acting Chair Cimolino invited public comment.

Jaime Cobarrubia, Tribal Chair, Manchester-Point Arena Band of Pomo Indians, spoke to the need for a new permanent bridge over the Garcia River on Windy Hollow Road. There has been a need for improvement at least since his youth. Lives could have been saved if started earlier. This project will help the community--not only his tribe, but also schools, public safety, emergency response, and public transit. Under a Caltrans Environmental Justice grant, he has worked extensively with the Mayor to link the two tribal communities together for transportation access and goods movement. The tribe wants a way to cross the river in times of need. They are less concerned about the features of it than the imperative to start building it.

Staff and Council discussion continued. Mr. Dow and Mr. Jackman explained that one or more alternatives will be selected for further analysis during the environmental process, when all comments will be heard. First Caltrans needs consensus that these design alternatives are adequate, both from technical and political stakeholders. It might be possible to fund segments or a complete project; most likely a range of short and long-term solutions will be identified, which will be made more clear as the process unfolds. Mr. Dow's staff comments were included in the agenda packet with a summary of preferences and concerns from his review, which are in concurrence with the City's comments. Director Croskey suggested that he transmit his comments with a cover letter indicating the Council's concurrence.

The Council concurred with staff comments provided to Caltrans on March 19, 2018 that Alternative 2, Windy Hollow Road Alignment, and Alternative 3, Windy Hollow Road with Realignment, should be dropped from further consideration and that Alternative 1, Grade Raise on Existing Alignment, and Alternative 4, Bluff Top Alignment to Windy Hollow Road North, should be retained for further study. The Executive Director was directed by consensus to write a letter conveying the Council's position to the project management at District 1.

**6. Consideration/Adoption of Resolution Supporting Proposition 69 [a constitutional amendment to protect transportation funds from being diverted] and Opposing Repeal of Senate Bill 1, The Road Repair & Accountability Act of 2017.** Mr. Dow introduced the matter. The recommended action would join the Coalition to Protect Local Transportation Improvements. He gave background on Prop 69 and how transportation funds used to be handled at the State level. State Transportation Improvement Program (STIP) funds were raided for other purposes. Prop 45 stopped that practice, when more funds were raised from sales tax on gasoline than from gas tax, as prices rose. In 2010 the State budget “gas tax swap” reversed that situation. Prop 45 is still on the books but does not apply to anything. Therefore Prop 69 is proposed to make a constitutional amendment that transportation revenues will be used only for transportation purposes.

The SB1 repeal effort also presents a challenge. The immediate impact in Mendocino County would be to the recently adopted Regional Transportation Improvement Program (RTIP), which has \$3 million of new revenues from SB1, when it had owed \$8 million of advanced funds for the Willits bypass project. His calculation of revenues and timing of receipt for local member agencies confirms that SB1 makes a real difference for the member cities and County. It is up to the Council whether to go on record by resolution. Discussion included:

- The Board of Supervisors has already written in support of Prop 69 and opposing SB1 repeal. There was CALCOG discussion at the forum in March. Each member is encouraged to raise the issue with the public. A fact sheet from staff of local talking points would be helpful. Emphasize projects that will be done as result, more so than funding. (Croskey)
- The Pavement Condition Index (PCI) shows work needed, people care about filling potholes and repaving. (Dow)
- Accountability is important, as City of Ukiah is learning with Measure Y, the recently passed half-cent transportation sales tax, facing potential controversy. SB1 has accountability in its name and sets a high bar for accounting already in local government applications for the funds and in closeout reporting. The Legislature has close watch on use of the funds. There is “no free money.” (Scalmanini, Dow)
- City of Willits has published in the newspaper several times its plans for the funds, which will be used for resurfacing of streets. (Stranske)
- In Fort Bragg decisions will come down to the council, regardless of staff proposals. A local bicycle and pedestrian project did not have enough funding, so the balance came from gas tax. (Cimolino)

The Acting Chair invited public comment.

Howard Dashiell, Director, Mendocino County Department of Transportation (MCDOT) stated that on advice of counsel he could not take a position but would present factual comments. SB1 is projected to produce from the Road Maintenance & Repair Account about \$100 million in new revenue for the County over the next 18 years, with \$900,000 in the first year. Another SB1 program increases STIP revenues. SB 42 had produced gasoline tax into the County’s general fund, but as price of oil went down in 2014, it lost funds so the general fund had to backfill. By 2019/20, SB1 will increase the County’s road fund. The Board of Supervisors intends to use the funds for road repairs. A resolution will be brought for vote in a public meeting to propose projects for State approval. He then invited questions.

Director Wasserman asked what Prop 69 does for accountability. It further strengthens safeguards already in place. Director Croskey noted that only 60 percent of transportation funds are protected currently, so the bill is needed to protect the other 40 percent.

**Upon motion** by Scalmanini, second by Croskey, and carried unanimously on roll call vote (7 Ayes - Scalmanini, Stranske, Cimolino, Wasserman, Carter/Alt., Croskey, and Jackman/PAC; 0 Noes; 0 Abstaining; 1 Absent - Gjerde): IT IS ORDERED that the following resolution is adopted.

**Resolution No. M2018-02**

Supporting Proposition 69 and Opposing Repeal of Senate Bill 1,  
The Road Repair and Accountability Act of 2017  
(Reso. #M2018-02 is incorporated herein by reference)

**7. Consideration of Alternatives for Improvements to US 101/ North State Street Interchange.**

Mr. Dow described the effort that began this year, coming for the first time to the Council. Caltrans has funding to improve this hazardous northbound on-ramp in a developing area, while MCDOT will have funds for North State Street improvements. MCOG staff has participated in talks with both parties. He described illustrations (provided in agenda packet) of the two design alternatives proposed: 1) Road and Bridge Widening, and 2) New Northbound Onramp. Cost comparisons, safety concerns, and other issues will be examined. This is an introductory look, so no action is required. Director Jackman emphasized the importance of working together to improve both State Street and the 101 interchange. Discussion and questions included:

- Any idea of costs of each alternative? Have not looked at costs yet, more feasibility and safety. (Cimolino, Dow)
- Any accident data driving this project? Nothing very bad yet. However there is a long history of collisions that do not necessarily generate funding. Caltrans has done many incremental tweaks, minor improvements, which help but do not solve the problem. (Cimolino, Dow, Jackman)
- Traffic is moving north to the safer Lake Mendocino Drive interchange. (Croskey)
- Lovers Lane development in the same area is an issue for the City that may add traffic congestion. Currently the truck stop is rebuilding there. (Scalmanini)
- MCDOT Director Dashiell identified various interchange options for modeling with the tool developed by MCOG and Caltrans, Greater Ukiah Area Micro-simulation Model (GUAMM), which will help with planning. A funding proposal will be presented next month. (Dow)
- The agenda packet includes a report of 2018 RTIP funding for the County's North State Street Intersection & Interchange Improvement project, with Environmental in FY 2020/21 and Design in 2021/22. Staff encourages City and County to work together. (Barrett)

The Acting Chair invited public comment.

Scott Ignacio, Point Arena Mayor noted that Alternative 1 discusses earthquake retrofits, which do not appear in Alternative 2. Mr. Jackman offered to research the question.

Howard Dashiell, MCDOT Director stated this is a key part of the county system; the Masonite property, now "Friends of Liberty," is in this congested area that is subject to the most near-term growth and change. He cited accident data from a 2008 Caltrans report with a higher than statewide rate at that location. The County will ask MCOG for funding to do more analysis of this area and would like a comprehensive study.

Mr. Dow noted the original motivation to establish MCOG's Partnership Funding Program was the 2005 study of US-101 interchanges in Ukiah Valley. The Recession delayed development pressure by ten years, and it is now time to proceed with these projects.

Michael Horger, resident of Willits, expressed approval of the Liberty property proposals at the former Masonite site where he used to work. Circulation is inadequate there. He recommended using available space to redesign the northbound off-ramp. He also noted the Lovers Lane area.

No action was taken.

**8. Appointment of Ad Hoc Committee to Serve During Litigation – Covelo State Route 162 Corridor Multi-Purpose Trail Project – CEQA Challenge.** Ms. Orth referred to her written staff report and briefly summarized. County Counsel had advised that MCOG form an ad hoc committee at the earliest opportunity, as the best way to preserve confidentiality of the lawsuit proceedings. The meetings would not be subject to Brown Act open meeting rules, so would not meet in public. This ad hoc would meet the appropriate criteria of a single-subject, short-term committee.

The Acting Chair appointed three volunteers: Directors Scalmanini, Croskey, and Cimolino.

**9. Consent Calendar.** Upon motion by Croskey, second by Carter, and carried unanimously (7 Ayes; 0 Noes; 0 Abstaining; 1 Absent): IT IS ORDERED that consent items are approved:

**9. Approval of February 5, 2018 Minutes – as written**

**10. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee.** Upon motion by Croskey, second by Wasserman, and carried unanimously (6 Ayes; 0 Noes; 0 Abstaining; 1 Absent): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

#### **11. Reports - Information**

- a. Mendocino Transit Authority. No MTA representative was present. Ms. Orth reported speaking with Mark Harvey, the new Chief Financial Officer who had started today. MTA is behind on its audit reports but is working hard to catch up. The annual claim for funds is due to MCOG today.
- b. North Coast Railroad Authority. Mr. Dow reported, having attended the most recent NCRA meeting. There are several proposals concerning the role of NCRA. A bill introduced by Senator McGuire would turn over the southern portion of the railroad to Sonoma-Marine Area Rail Transit (SMART) and the northern end to Caltrans temporarily while creating a new trail agency to administer it. A brief discussion followed.
- c. MCOG Staff - Summary of Meetings. Mr. Dow referred to his written staff report.
- d. MCOG Administration Staff
  1. *Executive Committee's FY 2018/19 Budget Recommendations of February 28, 2018.* Ms. Orth reviewed highlights from her written staff report. The County Auditor's estimate of sales tax revenues to the Local Transportation Fund (LTF) are up, above the CPI rate of inflation. An excess of three percent is projected for the current year. After reserves according to policy, total LTF revenues are \$3.8 million. Revenues from all sources are budgeted at \$6.3 million, not including funds to be carried over from the Planning program. All MCOG program allocations are recommended at \$1,164,100. The total balance available for public transit comes to \$4,427,376.
  2. *California Transportation Commission (CTC) Town Hall, April 11-12 in Sonoma County.* Mr. Dow reported on the upcoming meeting for Mendocino, Lake and Sonoma counties. He had proposed that Point Arena City Manager Richard Shoemaker attend and make a presentation, due to his various roles and perspectives in local and regional government over the years, including serving on this Council. He invited the board members to consider attending and to contact him if interested.

3. *North State Super Region Meeting April 10 at Lake Transit Authority (LTA)*. Mr. Dow reported that LTA would host the semiannual meeting and that MCOG staff would attend.
  4. *California Transportation Foundation 19<sup>th</sup> Annual Trans. Forum, Feb. 21 in Sacramento*. Ms. Orth referred to her written report and summarized highlights. The keynote was a stimulating presentation by Tony Seba on “Clean Disruption of Energy and Transportation – How Silicon Valley Will Make Oil, Nuclear, Natural Gas, Coal, Electric Utilities and Conventional Cars Obsolete by 2030.” Also Caltrans Director Malcolm Dougherty announced his retirement and named Laurie Berman as successor.
  5. *Miscellaneous*. Ms. Orth reported status of MCOG’s participation in the North Coast and Upstate Fuel Cell Vehicle Readiness Project. Notices will go out this month to MCOG’s email list-serve to inform and inquire as to any interest in the community. She asked the Council to refer to her anyone interested in further information.
- e. MCOG Planning Staff.
1. *2018 State Transportation Improvement Program (STIP) Adoption*. Ms. Barrett reported that everything requested in MCOG’s Regional Transportation Improvement Program (RTIP) was approved by the CTC at their March meeting. The North State Street Intersection/Interchange Improvement project was delayed by one year, to FY 2020/21. In 2016, for first time since Senate Bill 45 in 1998, projects had to be deleted due to a funding shortfall. SB1 helped to stabilize and restore funding to the STIP. Advance Project Development (ADPE) funds are programmed in FY 2019/20 for Gualala’s Downtown Streetscape.
  2. *Miscellaneous*. Ms. Ellard announced activities in Planning Work Element 3. Staff will be meeting in Point Arena, Willits and other local communities with downtown plans, to reconnect with stakeholders about making progress on their plans and priorities. Mr. Dow added background on the Community Based Transportation Planning grants that funded these plans. Ms. Orth reported that she is building web pages for each community plan and that the Rails With Trails page is already up at MCOG’s new website:  
<https://mendocinocog.specialdistrict.org/>
- f. MCOG Directors. Director Scalmanini revisited his comments on Americans with Disabilities Act (ADA) issues in City of Ukiah from past Council meetings, reporting good news about ADA requirements for pedestrian curb ramps.
- g. California Association of Councils of Governments (CALCOG) Delegates – Annual Regional Leadership Forum, March 14-16 in Monterey. Director Croskey reported attending the forum with Ms. Orth and Ms. Ellard. The schedule was intensive, with sessions looking into the future. One of the ideas was that most people by 2030 will not own a car; parking structures will be converted to other uses. Topics included changing technology, sea level rise, and cybersecurity. Getting the word out about SB1 benefits was emphasized. Major themes were the future, where technology is headed, and how transportation revenue will be raised based on mileage rather than fuel. The forum ended with a report on the recent southern California wildfires and advice from a national expert on emergency planning.

**12. Adjournment.** The meeting was adjourned at 4:43 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director / CFO