



MENDOCINO COUNCIL OF GOVERNMENTS

525 South Main Street~ Ukiah~ California~ 95482
www.mendocinocog.org

NEPHELE BARRETT, EXECUTIVE DIRECTOR

Administration: Suite B
(707) 463-1859
Transportation Planning: Suite G
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AGENDA

Monday, February 6, 2023 at 1:30 p.m.

Teleconference

Zoom videoconference link provided to Council members and by request.

Please submit access request to

info@mendocinocog.org or call MCOG Administration at (707) 463-1859.

Audio Call-in Option: 1 (669) 900-6833 (in CA)
Meeting ID: 826 0436 4050 Passcode: 768356

Attachments Posted

[Board of Directors - Mendocino Council of Governments \(mendocinocog.org\)](https://www.mendocinocog.org)

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](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)

NOTICE: This meeting of the Mendocino Council of Governments will be conducted by teleconference (audio and video) and not available for in-person public participation, pursuant to the Assembly Bill 361, Brown Act: Remote Meetings During a State of Emergency. In order to minimize the risk of exposure to COVID-19, the public may participate in lieu of personal attendance in several ways. Since opportunities during the meeting are limited, we encourage submitting comments in advance.

- In advance of the meeting: comments may be sent by email to info@mendocinocog.org or by using the form at <https://www.mendocinocog.org/contact-us>, to be read aloud into the public record.
- During the meeting: email comments to info@mendocinocog.org or send comments using the form at <https://www.mendocinocog.org/contact-us>, to be made available as soon as possible to the Board of Directors, staff, and the general public as they are received and processed by staff.
- During the meeting: make oral comments on the conference call by phone or video when public comment is invited by the Chair.

Thanks to all for your interest and cooperation.

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

1. Call to Order and Roll Call – Welcome New Members
2. Adoption of Resolution No. M2023-01 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
3. Election of Officers – Chair and Vice Chair

4. Convene as RTPA
5. Recess as RTPA – Reconvene as Policy Advisory Committee

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.

6. Approval of December 5, 2022 Minutes
7. Technical Advisory Committee Recommendation of January 18, 2023: Approval of Second Amendment to Fiscal Year 2022/23 Transportation Planning Overall Work Program (OWP)

PUBLIC EXPRESSION – *Please refer to notice at top of this Agenda.*

8. 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

9. Recognition of Departing Board Members – *No Action*
10. **Public Hearing:** Unmet Transit Needs for Fiscal Year 2023/24 – Including Social Services Transportation Advisory Council (SSTAC) Recommendations of November 28, 2022
11. Appointments to Social Services Transportation Advisory Council (SSTAC)
12. Annual Committee Appointments
 - a. Executive Committee
 - b. Transit Productivity Committee
 - c. California Association of Councils of Governments (CALCOG)
 - d. Ad Hoc Committees – Covelo SR 162 Corridor Multi-Purpose Trail Project and Renewable Energy Network / Climate
13. Approval of Conduct of Meetings Following Expiration of COVID-19 State of Emergency – *continued from December 5, 2022*

RATIFY ACTION

14. Recess as Policy Advisory Committee – Reconvene as RTPA – Ratify Action of Policy Advisory Committee

REPORTS

15. Reports – Information – *No Action*
 - a. Caltrans District 1 – Projects Update and Information
 - b. Mendocino Transit Authority
 - c. Great Redwood Trail Agency
 - d. MCOG Staff - Summary of Meetings
 - e. MCOG Administration Staff
 - i. Covelo SR 162 Corridor Multi-Purpose Trail Project
 - ii. Regional Energy Network (REN) – *verbal report*
 - iii. Miscellaneous

- iv. Next Meeting Date – Monday, March 6, 2023 – *new hybrid format*
- f. MCOG Planning Staff
 - i. Feasibility Study - Mobility Solutions for Rural Communities of Inland Mendocino County
 - ii. Feasibility Study - Mendocino Transit Authority's Ukiah Transit Center
 - iii. MCOG Public Outreach with ChargePoint for Rural Electric Vehicle Charging Grant
 - iv. Miscellaneous
- g. MCOG Directors
- h. California Association of Councils of Governments (CALCOG) Delegates - Annual Regional Leadership Forum, March 6-8, 2023 in Riverside

ADJOURNMENT

16. Adjourn

AMERICANS WITH DISABILITIES ACT (ADA) and TRANSLATION REQUESTS

Persons who require special accommodations, accessible seating, or documentation in alternative formats under the Americans with Disabilities Act, or persons who require interpretation services (free of charge) are advised to contact the MCOG office at (707) 463-1859, **at least five days** before the meeting.

Las personas que requieren alojamiento especial, asientos accesibles, o documentación en formatos alternativos de acuerdo con la Ley de Estadounidenses con Discapacidades, o personas que requieren servicios de interpretación (sin cargo) deben comunicarse con MCOG (707) 463-1859, por lo menos cinco días antes de la reunión.

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 1/31/2023

Next Resolution Number: M2023-02



MENDOCINO COUNCIL OF GOVERNMENTS

BOARD of DIRECTORS

RESOLUTION No. M2023-01

MAKING CONTINUED FINDINGS PURSUANT TO ASSEMBLY BILL 361
TO CONDUCT REMOTE PUBLIC MEETINGS FOR MCOG'S
LEGISLATIVE AND ADVISORY BODIES
DURING THE COVID-19 STATE OF EMERGENCY

WHEREAS,

1. The Mendocino Council of Governments (MCOG) is committed to preserving and fostering public access and participation in its meetings, as required by the Ralph M. Brown Act (Cal. Government Code 54950 – 54963), which makes provisions for remote teleconferencing participation in meetings by members of a legislative body, subject to the existence of certain conditions;
2. A state of emergency was proclaimed by Governor's Executive Order N-33-20 on March 4, 2020, addressing the threat of the COVID-19 pandemic, and remains in effect until its expiration on February 28, 2023;
3. On September 16, 2021, the Governor signed into law AB 361, an urgency measure, that provides flexibility to government bodies, allowing them to meet virtually without conforming to the Brown Act teleconferencing rules during a declared state of emergency if: (a) State or local officials have imposed or recommended measures to promote social distancing, (b) the legislative body is meeting to determine whether, as a result of the emergency, meeting in person presents imminent risks to the health or safety of attendees, or (c) the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees; AB 361 remains in effect through January 1, 2024;
4. In a June 30, 2022 report of the Rural Association of Northern California Public Health Officers (RANCHO) response to recent increases in COVID-19 cases, it was noted that "COVID-19 projections indicate that CA will continue to see increasing cases...Northern California counties generally lag behind the rest of CA for increased cases. This swell of infections is largely due to the highly transmissible BA.2.12.1 Omicron variant, which is already being displaced by the new and even more transmissible BA.4 and BA.5 subvariants."
5. The Mendocino County Public Health Officer continues to recommend teleconferencing during public meetings of all legislative bodies to protect the community's health against the spread of COVID-19, based in part on the continued increased safety protection that physical/social distancing provides as one means by which to reduce the risk of COVID-19 transmission;

6. Given the heightened risks of the predominant variant of COVID-19 in the community, holding meetings with all members of the legislative body, staff, and the public in attendance in person in a shared indoor meeting space may pose an unnecessary and immediate risk to attendees;
7. These virtual meetings have not diminished the public's ability to observe and participate and have expanded opportunities to do so for some communities, and MCOG continues to provide for public access to its remote meetings; and
8. On October 4, 2021, MCOG's Board of Directors made findings of fact by Resolution #M2021-12 including additional background and pertinent details; therefore, be it

RESOLVED, THAT:

- The Mendocino Council of Governments adopts the recitals set forth above as findings of fact.
- MCOG has reconsidered circumstances of the state of emergency.
- MCOG hereby determines that the state of emergency continues to directly impact the ability of the members to meet safely in person.
- In accordance with AB 361, based on the findings and determinations herein, meetings of MCOG's legislative and advisory bodies will be held remotely by virtual means, suspending Brown Act teleconferencing rules while providing for all feasible means of public participation.
- This resolution shall be effective upon adoption and remain in effect until expiration at MCOG's next regular board meeting on March 6, 2023, when MCOG shall resume meeting in person or via hybrid format.

ADOPTION OF THIS RESOLUTION was moved by Director _____, seconded by Director _____, and approved on this 6th day of February, 2023, by the following roll call vote:

AYES:

NOES:

ABSTAINING:

ABSENT:

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

ATTEST: Nephele Barrett, Executive Director

Dan Gjerde, Chair



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 3
MCOG Meeting
2/6/2023

STAFF REPORT

TITLE: Annual Election of Officers

SUBMITTED BY: Janet Orth, Deputy Director & CFO

DATE: 12/15/2022

BACKGROUND:

According to MCOG's bylaws, a Chair and a Vice Chair are elected annually by the Board of Directors, typically on the first Monday in February, as the first meeting of the calendar year. The appropriate sections of the bylaws are attached for your reference.

Officers serving in 2022 have been Dan Gjerde, Chair and Scott Ignacio, Vice Chair.

(This item is placed early on the agenda, since officers are elected to serve the Council regardless of which body is convened -- RTPA, SAFE, or simply as the COG for other business such as housing or economic development. Committee appointments are placed later on the agenda, as their business is mostly related to the Regional Transportation Planning Agency and should be made after convening the Policy Advisory Committee.)

ACTION REQUIRED:

Follow past years' method or vote to use another method.

Procedure followed since 2012, consistent with Robert's Rules of Order¹:

1. Hear any and all nominations for the office of Chair. A second is not required to nominate.
 2. Discuss and answer questions. Nominees may state their qualifications for the office.
 3. Close nominations.
 4. Move, second and vote on each nominee until a motion carries.
 5. Repeat for the office of Vice Chair.
-

ALTERNATIVES:

According to Robert's Rules, *"If no method of nominating has been specified in the bylaws and if the assembly has adopted no rule on the subject, any member can make a motion prescribing the method."* The bylaws do not specify, and to our knowledge MCOG has never adopted, a rule of procedure.

The Council may adopt a rule, by motion and vote. Staff would advise that such a rule be written and ratified at a future meeting.

No alternative to the annual election is identified. According to the bylaws, *"The term of the Chair shall be for one (1) year, commencing on the first Monday in February when elected and ending on the following first Monday in February or at the next officers election."*

RECOMMENDATION:

Allow staff to receive nominations and conduct votes, first for Chair and then for Vice Chair. After that, the new or re-elected Chair presides over the meeting.

Enc: Bylaws excerpt

¹ "A nomination is, in effect, a proposal to fill the blank in an assumed motion 'that _____ be elected' to the specified position. In choosing someone to fill an office or other elected position in a society or assembly, a more effective freedom of choice is maintained through the practice of nominating persons for the office, rather than moving that a given person be elected as in the older British procedure." - Robert's Rules of Order, 2000 edition

Excerpt of MCOG Bylaws Amended June 6, 2022

ARTICLE III - OFFICERS/STAFF/COMMITTEES

Section 1.1 Chair: The Chair of the Council shall be selected by a majority of its voting members. The term of the Chair shall be for one (1) year, commencing on the first Monday in February when elected and ending on the following first Monday in February or at the next officers election.

Section 1.2 Powers of Chair: The Chair, when present, shall preside at all meetings of the Council. The Chair shall preserve order and decorum and shall decide all questions of order subject to the action of a majority of the Council. The Chair shall be permitted to participate in debate without surrender of the chair. The Chair shall be permitted to vote, move, and second a motion. If the Chair is absent, then the Vice Chair shall preside. If both the Chair and Vice Chair are absent, a chair *pro tem* may be appointed for the purposes of the meeting.

Section 2. Vice Chair: The Vice Chair of the Council shall be selected by a majority of its voting members. The term of the Vice Chair shall be for one (1) year, commencing on the first Monday in February when elected and ending on the following first Monday in February or at the next officers election. The Vice Chair shall have all of the powers and act in the place of the Chair in his/her absence.

MENDOCINO COUNCIL OF GOVERNMENTS

MINUTES

Monday, December 5, 2022

Teleconference Only

Pursuant to Brown Act and Assembly Bill 361

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

1. Call to Order / Roll Call. The meeting was called to order at 1:30 p.m. with Directors Jim Brown, Tess Albin-Smith, Scott Ignacio, John Haschak, Michael Carter, Tatiana Ahlstrand (Caltrans/PAC), and Dan Gjerde present by Zoom teleconference; Chair Gjerde presiding; Director Greta Kanne absent.

Staff present: Nephele Barrett, Executive Director; Janet Orth, Deputy Director & CFO; Loretta Ellard, Deputy Planner; James Sookne, Program Manager; Michael Villa, Project Coordinator; Jody Lowblad, Administrative Assistant; and Jesus Rodriguez, Administrative Assistant.

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

2. Convene as RTPA

3. Recess as RTPA – Reconvene as Policy Advisory Committee

4 - 5. Consent Calendar. Upon motion by Carter, second by Haschak, and carried unanimously on roll call vote (*7 Ayes – Brown, Albin-Smith, Ignacio, Haschak, Carter, Ahlstrand/PAC, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent – Kanne*): IT IS ORDERED that consent items are approved.

4. Adoption of Resolution Making Continued Findings Pursuant to Assembly Bill 361 to Conduct Public Meetings Remotely for MCOG’s Legislative and Advisory Bodies During the COVID-19 State of Emergency.

Resolution No. M2022-20

Making Continued Findings Pursuant to Assembly Bill 361
to Continue Public Meetings Remotely
for MCOG’s Legislative and Advisory Bodies
During the COVID-19 State of Emergency
[Reso. #M2022-20 is incorporated herein by reference]

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

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

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

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

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

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

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

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

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

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

10. Recess as Policy Advisory Committee – Reconvene as RTPA – Ratify Action of Policy Advisory Committee. Upon motion by Ignacio, second by Albin-Smith, and carried unanimously on roll call vote (*6 Ayes – Brown, Albin-Smith, Ignacio, Haschak, Carter, and Gjerde; 0 Noes; 0 Abstaining; 1 Absent*): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

11. Reports - Information

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

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

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

Submitted: NEPHELE BARRETT, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director & CFO



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda #7
Consent Calendar
MCOG Meeting
2/6/2023

STAFF REPORT

TITLE: Second Amendment to FY 22/23 Overall Work Program

DATE PREPARED: 1/29/23

SUBMITTED BY: Alexis Pedrotti, Project Manager

MEETING DATE: 2/6/23

BACKGROUND:

The MCOG Board previously reviewed and approved the Final FY 2022/23 MCOG Overall Work Program and the First Amendment. Amendments are made to the Overall Work Program if funding modifications need to be done to any element of the OWP, including carryover adjustments from the previous year. In addition, amendments can include new grant funded projects or changes to a funded project scope, schedule, or funding amount.

The proposed Second Amendment comes after a few minor adjustments or requests were identified. Amendment adjustments as follows:

- Work Element 7 – Planning, Programming, and Monitoring (PPM): \$2 Planning, Programming and Monitoring (PPM) funding adjustment. Previous year PPM Funds were not correctly identified in the carryover amount due to rounding errors. These funds have been added to Work Element 7 under MCOG Staff.
- Work Element 13 – City of Fort Bragg – Central Business District Parking Evaluation: Request from the City of Fort Bragg to adjust some tasks in their current project.
- Work Element 15 – Point Arena – Local Street Assessment and Shared Roadway Agreement: This adjustment is to swap FY 2021/22 Planning Programming and Monitoring (PPM) Funds from this work with FY 2022/23 PPM Funding under Work Element 7 to ensure these expiring funds will be fully expended by their deadline. Additionally, the City of Point Arena requested to redirect their funding from this project and request new funding in the upcoming FY 2023/24 Overall Work Program Application Cycle to complete a new project.

This proposed amendment would increase the FY 2022/23 Overall Work Program total from \$1,178,312 to \$1,178,314, an increase of \$2. Details will be shown in **bold** and ~~strike out~~ in the Amended Overall Work Program. *Hard copies of the full amendment will be available upon request.*

The Technical Advisory Committee (TAC) has reviewed and recommended this proposed Second Amendment for approval at the January 18, 2022 meeting.

ACTION REQUIRED: Consider approval of Second Amendment to FY 2022/23 Overall Work Program.

ALTERNATIVES: (1) Approve Amendment (*Recommended*); (2) Do not approve Amendment; or (3) Refer Amendment to TAC for review and recommendation.

RECOMMENDATION: Accept staff's recommendation to approve the Second Amendment to FY 2022/23 Overall Work Program (OWP) and authorize Executive Director to sign appropriate certifications and revised OWP Agreement (as needed), and forward to Caltrans as required.

/ajp

Attachments: FY 2022/23 OWP – Second Amendment



MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

Agenda # 10
Regular Calendar
MCOG Meeting
2/6/2023

TITLE: FY 2023/24 Unmet Transit Needs Public Hearing

SUBMITTED BY: Janet Orth, Deputy Director & CFO

DATE PREPARED: 1/30/2023

BACKGROUND:

Purpose of this public hearing: The Transportation Development Act (TDA) requires that before any Local Transportation Funds are allocated for streets and roads purposes (unallocated revenues at fiscal year end), a process is conducted to identify any “unmet transit needs” that might be “reasonable to meet” for funding. This procedure has been followed annually by MCOG.

Since MCOG established a Local Transportation Fund (LTF) Reserve fund in 1999, excess funds have not been allocated at year end, but instead are carried forward to future budgets. However, there has been a general consensus of the MCOG Board, staff and stakeholders to continue identifying unmet transit needs annually. Past TDA performance audits have commended MCOG for conducting the formal process. It allows for public input that is useful in assessing which transit services should be provided. It provides a focus for the SSTAC’s annual workshop and satisfies the TDA requirement for a citizen participation process (Sec. 99238.5).

Testimony received for this hearing: The Social Services Transportation Advisory Council (SSTAC), a standing committee of MCOG, met for the annual Unmet Transit Needs workshop on November 28. The SSTAC recommended a list of six needs developed in the workshop; considered and endorsed four needs from public input heard at MTA board meetings during the year; for a total of ten needs, attached. Issues raised included 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.

The SSTAC’s duties also include advising MCOG on any other transportation issues. This year, development of a Ukiah Transit Center and a new MTA administration building were recommended.

ACTION REQUIRED:

The following process fulfills TDA requirements.

Finding of Proper Notice:

The Board makes the finding, by motion and vote, that a proper 30-day notice has been given. The notice of public hearing was published by the Ukiah Daily Journal (January 6), Independent Coast Observer (January 6), and Fort Bragg Advocate-News (January 12). Only one notice of general circulation is required, met by the Ukiah paper; proofs of publication are attached. The notice has been posted on our web site and emailed to list subscribers. These actions more than meet the requirement.

Public Hearing:

The Chair opens the public hearing. Staff reports any written testimony received for the record, including findings of the SSTAC’s November 28, 2022 workshop. A list of identified needs is submitted, including unmet needs from public input received by Mendocino Transit Authority. Public testimony is received. The hearing is closed.

Board Action:

The Board of Directors then determines whether any of the testimony received appears to be an “unmet transit need” according to the attached definitions adopted by MCOG, pending further analysis. The two main options for a motion are:

- 1) *"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 SSTAC and the Transit Productivity Committee."*
- 2) *"The testimony heard does not include any Unmet Transit Needs that appear to qualify under MCOG's adopted definitions, therefore there are no unmet transit needs found for fiscal year 2023/24, and the annual process is concluded."*

If the finding is “yes,” testimony does include unmet needs, the list of needs is directed to MTA to prepare an analysis that may include operational costs, ability to provide service, and prioritization of needs. Finally, the analysis would go to MCOG’s Transit Productivity Committee (TPC), in April or May 2023, for a recommendation to MCOG on which, if any, needs are “reasonable to meet” for inclusion in MTA’s 2023/24 Transit Claim, due to MCOG April 1, 2023. The analysis and recommendation also would be discussed by the SSTAC. In June, when MCOG allocates funds to the transit claim, a finding of “reasonableness” is made.

If none of the testimony qualifies as an “unmet transit need,” the Board makes a finding that “there are no unmet transit needs” and the annual process is ended. (Rarely, if ever, is this the case.)

ALTERNATIVES:

The Board may cancel or postpone this already noticed hearing. – *not recommended*

Also note TDA Sec. 99238.5(b): *“In addition to public hearings, the transportation planning agency shall consider other methods of obtaining public feedback on public transportation needs. Those methods may include, but are not limited to, teleconferencing, questionnaires, telecanvassing, and electronic mail.”* In this case we have used e-mail and MCOG’s website.

RECOMMENDATION:

Staff recommends that the Board:

- 1) Make a finding of proper notice and hear the staff report.
- 2) Hold the public hearing.
- 3) After hearing all testimony, make a finding that:

"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."

Enclosures:

SSTAC Recommendations of November 28, 2022
Notice of Public Hearing and Proofs of Publication
MCOG’s “Unmet Transit Needs” and “Reasonable to Meet” Process



MENDOCINO COUNCIL OF GOVERNMENTS

FY 2023/24 Unmet Transit Needs
Recommended by
MCOG's Social Services Transportation Advisory Council

Identified at Annual SSTAC Workshop
(not in any order of priority)

November 28, 2022

Needs Identified by SSTAC:

1. Wednesday service for Ukiah Senior Center transportation
2. Westport/North Coast limited service
3. Affordable public transit link to Humboldt County, stopping in Piercy, Leggett, Laytonville
4. Mobility solutions/transit/micro-transit service for Covelo, Laytonville, Brooktrails, Hopland, and Potter Valley
5. Restoration of evening service in Ukiah Valley for people to get to/from work
6. Anderson Valley service to the coast with same-day return.

Needs Identified by Mendocino Transit Authority (MTA):

1. Bus stop at Waugh Lane & Talmage Avenue, for both northbound and southbound Ukiah Local Route 9
2. Saturday service between Ukiah and Willits, round trip
3. Saturday service for Willits Local Route 1
4. Brooktrails connection for commuters AM and PM.

TOTAL of 10 Recommended Unmet Transit Needs

Additional SSTAC Recommendations:

1. Develop a Ukiah Transit Center for multimodal connections and coordinated services.
2. Develop a new Mendocino Transit Authority administration building.



MENDOCINO
COUNCIL OF GOVERNMENTS

525 South Main Street~Ukiah~California~95482
www.mendocinocog.org

NEPHELE BARRETT, EXECUTIVE DIRECTOR

Administration: Suite B
(707) 463-1859
Transportation Planning: Suite G
(707) 234-3434

NOTICE of PUBLIC HEARING
Unmet Transit Needs

Monday, February 6, 2023, the Mendocino Council of Governments (MCOG) will meet at 1:30 p.m. or as soon thereafter as possible, by remote teleconference pursuant to Assembly Bill 361, and consider the following item.

MCOG will consider needs for public transportation services that would benefit a significant number of people and are not currently provided. This hearing applies to transportation service needs for fiscal year July 1, 2023 through June 30, 2024. In addition to new public testimony, MCOG will hear needs reported to Mendocino Transit Authority during the past year, and findings of MCOG's Social Services Transportation Advisory Council. Issues may include but are not limited to: 1) transit services for the elderly, people with disabilities, and low-income or economically disadvantaged persons; 2) adequacy of both private and public transportation services, and 3) service improvements needed to meet expected travel demand.

All interested persons may present testimony at this hearing. For more information on how to participate in the teleconference call or to submit written testimony in advance, contact the MCOG office at 707-463-1859 or visit www.mendocinocog.org/meetings.

Janet M. Orth
MCOG Deputy Director & CFO

Ukiah Daily Journal

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2117222

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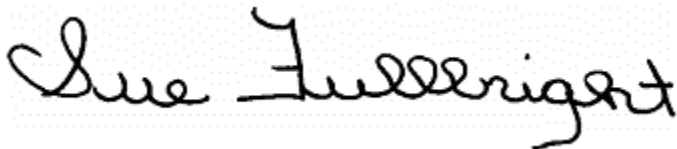
STATE OF CALIFORNIA COUNTY OF MENDOCINO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Ukiah Daily Journal, a newspaper of general circulation, printed and published daily in the City of Ukiah, County of Mendocino and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California, under the date of September 22, 1952, Case Number 9267; that the notice, of which the annexed is a printed copy (set in type not smaller than non-pareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

01/06/2023

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Ukiah, California,
January 6th, 2023



Sue Fullbright, LEGAL CLERK

Legal No. **0006723786**

6729-23 **1-6/23**

NOTICE of PUBLIC HEARING
Unmet Transit Needs

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MCOG Deputy Director & CFO

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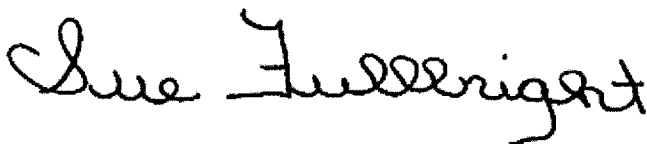
**STATE OF CALIFORNIA
COUNTY OF MENDOCINO**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the Office Clerk of the Fort Bragg Advocate-News, a newspaper of general circulation by the Superior Court of the County of Mendocino, State of California under the date of May 9, 1952 - Case Number 9151, that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been printed in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates:

01/12/2023

I certify (or declare) under the penalty of perjury that the foregoing is true and correct.

Dated at Fort Bragg, California,
January 12th, 2023



Sue Fullbright, LEGAL CLERK

Legal No. **0006723897**

A23-265 1-12/23

NOTICE of PUBLIC HEARING

Unmet Transit Needs

Monday, February 6, 2023, the Mendocino Council of Governments (MCOG) will meet at 1:30 p.m. or as soon thereafter as possible, by remote teleconference pursuant to Assembly Bill 361, and consider the following item.

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All interested persons may present testimony at this hearing. For more information on how to participate in the teleconference call or to submit written testimony in advance, contact the MCOG office at 707-463-1859 or visit www.mendocinocog.org/meetings. Janet M. Orth
MCOG Deputy Director & CFO

Independent Coast Observer

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Gualala, CA 95445

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www.mendonoma.com

Proof of Publication of NOTICE of PUBLIC HEARING Unmet Transit Needs

I, the undersigned say:

That I am over the age of eighteen and am not a party to or interested in the above entitled matter of proceeding; and am, and at all times embraced in the publication herein mentioned, was the principal clerk of the editor and publisher of the INDEPENDENT COAST OBSERVER, a weekly newspaper printed, published and circulated in the County of Mendocino, and adjudged a newspaper of general circulation by the Superior Court of California, Proceeding #15294, that the above NOTICE of PUBLIC HEARING Unmet Transit Needs of which is annexed a true printed copy, was printed in type not smaller than nonpareil and published in said newspaper on the following date(s), to wit: January 6, 2023.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.
Executed and dated at Gualala, California, this January 4, 2023

Signature _____

(ICO Ad number 7897)

Public Notice

NOTICE OF PUBLIC HEARING UNMET TRANSIT NEEDS

Monday, February 6, 2023, the Mendocino Council of Governments (MCOG) will meet at 1:30 p.m. or as soon thereafter as possible, by remote teleconference pursuant to Assembly Bill 361, and consider the following item.

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All interested persons may present testimony at this hearing. For more information on how to participate in the teleconference call or to submit written testimony in advance, contact the MCOG office at 707-463-1859 or visit www.mendocinocog.org/meetings.

Janet M. Orth
MCOG Deputy Director & CFO
(7897) January 6, 2023

Adopted by MCOG
11/2/92
Revised by MCOG
12/7/98

MENDOCINO COUNCIL OF GOVERNMENTS

“Unmet Transit Needs” and “Reasonable to Meet” Process

Introduction

The stated intent of the Legislature in passing the Transportation Development Act (TDA) was to provide funding for transit, which would provide an essential public service through a balanced transportation system. The TDA administrative code specifically states, “it is the intent of the Legislature to improve existing public transportation services and encourage regional public transportation coordination.” The Public Utilities Code, in Article 2, Section 99220 provides even more succinctly: “to encourage people to use public transportation rather than private vehicles.”

Prior to using TDA funds for street and road improvements, Sections 99401.5 and 99401.6 of TDA require the Regional Transportation Planning Agency to hold a public hearing and make a determination that there are no unmet transit needs that can reasonably be met within the area of a county, city or eligible operator. As a result, the RTPA has the responsibility and authority to determine what constitutes unmet transit needs and whether or not such unmet transit needs can reasonably be met.

The Mendocino Council of Governments (MCOG), acting in its official capacity as the designated Regional Transportation Planning Agency for Mendocino County, accomplishes this in part through a public hearing process conducted by MCOG taking into account the recommendations of the Social Services Transportation Advisory Council and other various factors in the transportation planning process.

Definitions

The following definitions of “Unmet Transit Need” and “Reasonable to Meet” have been adopted by the Mendocino Council of Governments.

The unmet needs and reasonableness policies apply to new proposed services. Existing services will be evaluated through the existing performance standard policies established by MCOG, and reviewed by the Transit Productivity Committee.

1. Unmet Transit Need: Whenever a need to transport people is not being satisfied through existing public or private resources.
2. Reasonable to Meet: It is reasonable to meet a transit need if all of the following conditions prevail:

“Unmet Transit Needs” and “Reasonable to Meet” Process

Page 2 of 2

12/7/98

- a) Service will be capable of meeting the Transportation Development Act fare revenue/operating cost requirements and established MCOG criteria for new services
- b) Transit services designed or intended to address an unmet transit need shall not duplicate transit services currently provided either publicly or privately
- c) The claimant this is expected to provide the service shall review, evaluate and indicate that the service is operationally feasible, and vehicles shall be currently available in the market place
- d) Funds are available, or there is a reasonable expectation that funds will become available.

/le
/jmo



MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

Agenda # 11
Regular Calendar
MCOG Meeting
2/6/2023

TITLE: Appointments to Social Services Transportation Advisory Council (SSTAC)

SUBMITTED BY: Janet Orth, Deputy Director & CFO

DATE PREPARED: 12/15/2022

BACKGROUND:

The Transportation Development Act (TDA) mandates that Regional Transportation Planning Agencies maintain a Social Services Transportation Advisory Council (SSTAC). The council typically meets twice a year.

SSTAC appointments were last made at the February 2022 MCOG meeting. Membership was reviewed at the SSTAC's November 28, 2022 meeting and nominations made.

Terms will expire in April 2023 for three seats. Two members have agreed to continue serving. A third seat is anticipated to become vacant when the current term expires. The members currently nominated for reappointment are:

- “Representative of local Consolidated Transportation Services Agency”
Reappoint through April 2026
Dawn White, Mendocino Transit Authority (MTA)
Luis Martinez, MTA – Alternate

- “Local social service provider for persons of limited means”
Reappoint through April 2026
Christine Sookne, Redwood Coast Regional Center

The current membership roster is attached for your reference, with the above changes indicated. Four of nine seats are now vacant, with no one yet identified to fill those vacancies. Positions are for three-year, staggered terms. If volunteers become available for the vacant seats, additional appointments can be made by the MCOG Board of Directors.

ACTION REQUIRED: Reappoint three members to fill expiring seats.

ALTERNATIVES:

- The Board may nominate additional names for consideration.
- The Board may appoint more members than the nine prescribed by law.
- It is suggested that appointment of one or more alternates for each seat can increase participation.

RECOMMENDATION:

Reappoint Dawn White, Luis Martinez, and Christine Sookne to fill expiring terms on the Social Services Transportation Advisory Council. This item may be pulled from Consent for any further appointments by the Board.



Social Services Transportation Advisory Council (SSTAC)

Membership Roster

Approved February 7, 2022

Nominations for February 6, 2023

Position	Name	Alternate	Agency	Term Expires
Representative of Local Consolidated Transportation Services Agency	Dawn White - <i>reappoint</i>	Luis Martinez - <i>reappoint</i>	Mendocino Transit Authority	April 2023
Local social service provider for the handicapped	Sheila Keys		Redwood Coast Regional Center	April 2023
Local social service provider for persons of limited means	Christine Sookne - <i>reappoint</i>		Redwood Coast Regional Center	April 2023
Local social service provider for seniors	Richard Baker		Willits Seniors, Inc.	April 2024
Local social service provider for seniors that provides transportation	Jill Rexrode	Laurie Hill	Redwood Coast Seniors	April 2024
Potential transit user at least 60 years of age	<i>Vacant</i>			April 2024
Potential “handicapped” transit user	<i>Vacant</i>			April 2025
Local social service provider for the handicapped that provides transportation		Kathy Sheehy	Ukiah Senior Center	April 2025
Representative of local Consolidated Transportation Services Agency	Jacob King		Mendocino Transit Authority	April 2025



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 12
Regular Calendar
MCOG Meeting
2/6/2023

STAFF REPORT

TITLE: Annual Committee Appointments

SUBMITTED BY: Janet Orth, Deputy Director & CFO

DATE PREPARED: 1/30/2023

BACKGROUND:

Following are the procedures for appointment of Board members to MCOG's standing committees. I have attached the appropriate sections of the bylaws for your reference. (Seats on the other standing committees are not filled by MCOG Board members.)

- The Council may appoint an Executive Committee, consisting of the Chair, the Vice Chair, and one other member reflecting a city-county balance.
- The Chair shall appoint two members to the Transit Productivity Committee. Note: to preserve MCOG's oversight role, staff advises that at least one should not also be serving as a board member of Mendocino Transit Authority.
- The Council shall appoint two members to CALCOG, including at least one Executive Committee member. One serves as the delegate and the other as the alternate.

The most recent appointments are:

- Executive Committee - Chair **Gjerde**, Vice Chair **Ignacio**, and Director **Albin-Smith**
- Transit Productivity Committee (TPC) – Directors **Gjerde** and **Brown**
- CALCOG – Director **Albin-Smith** (Delegate) and Director **Haschak** (Alternate Delegate)

Additionally, there are two active Ad Hoc committees:

- Covelo SR 162 Corridor Multi-Purpose Trail Project – Director Haschak and one vacant seat
 - Renewable Energy Network / Climate – Directors Gjerde, Haschak and one vacant seat
-

ACTION REQUIRED:

- a. Appointment of the Executive Committee. *Please note the annual meeting is to be scheduled for late February, preferably in the final week to allow for budget preparation and proper notice.*
 - b. Appointments to the Transit Productivity Committee. *One or two meetings are typically required in March, April and/or May to address transit performance and standards, MTA's annual funding claim, the unmet needs analysis, and any audit recommendations.*
 - c. Appointment of CALCOG Delegates. *Customarily CALCOG delegates meet annually at the Regional Leadership Forum and for quarterly business meetings. This year the Forum will be held in person March 6-8 in Riverside. Other meetings may be offered in a hybrid format for remote attendees.*
 - d. Appointment to Ad Hoc committee. *Fill one vacant seat on each committee.*
-

ALTERNATIVES:

- The Executive Committee is optional according to the bylaws. The officers could meet with staff for annual business and as needed, ideally reflecting city-county balance.
- TPC membership is mandated by the bylaws, so there is no alternative without amendment.
- Annual CALCOG appointments are mandated also, so there is no alternative without amending the bylaws.
- Ad hoc committees may be dissolved when no longer needed or their purpose is completed.

RECOMMENDATION:

Appoint members to the standing committees described above, following MCOG's bylaws, and to the ad hoc committees. The Council may choose to approve a slate of appointments in one action.

Enc: Bylaws excerpts

Excerpts of MCOG Bylaws Amended June 6, 2022

ARTICLE III - OFFICERS/STAFF/COMMITTEES

Section 5. STANDING COMMITTEES

Section 5.2 Executive Committee: The Council may appoint an Executive Committee consisting of the Chair, the Vice Chair and one member from a city or the County. The Executive Committee may carry on the administrative and executive functions of the Council between regular meetings of the Council. The Executive Committee may also be used to oversee the personnel budget and policy issues and make recommendations to the full Council.

The Council shall attempt to appoint members to the Executive Committee that reflect a balance between City and County representation.

Section 5.4 Transit Productivity Committee (TPC): The TPC shall consist of five (5) voting members: two (2) members of the Council appointed by the Chair; two (2) members of the transit operator's Board of Directors; and one (1) senior centers representative to be selected by those senior centers under the Council's jurisdiction and then formally appointed by the Council. The TPC shall be staffed by the MCOG Executive Director or his/her authorized representative.

The purpose of the TPC will be to review and recommend on transit performance and productivity issues in accordance with approved standards adopted by the Council, including review of quarterly reports of the transit operator and to make recommendations to the Council for revisions to the standards. The TPC will review and make recommendations to the Council on the annual Transit Claim, and also provide input on the "unmet transit needs" process, including findings of the SSTAC. Meetings will be held at least once annually, or quarterly if warranted.

Section 6. ASSOCIATIONS

Section 6.1 California Association of Councils of Governments (CALCOG): The Council shall annually appoint two members of the Council, at least one of whom shall be an Executive Committee member, to the CALCOG organization for the purpose of voting on statewide issues. One member shall be the delegate, the other member, the alternate. The term of these appointments shall be for one year commencing on the first Monday in February when appointed and ending on the following first Monday in February or at the next year's committee appointments.



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 13
Regular Calendar
MCOG Meeting
2/06/2023

STAFF REPORT

TITLE: Conduct of Meetings for 2023 MCOG Board Calendar – *continued from 12/5/2022*
SUBMITTED BY: Janet Orth, Deputy Director & CFO **DATE:** 12/28/2022

BACKGROUND:

Staff has continued to research available options following expiration of the COVID-19 State of Emergency on February 28, 2023. At the December meeting, we discussed AB 2449, which has amended the Brown Act open meetings law, as well as “traditional Brown Act.”

The amended Brown Act updates pre-pandemic teleconferencing rules, adding some new options, while leaving in place certain provisions. Last month we offered several options to consider, including all in-person meetings, partly remote meetings, or some combination. Support was expressed for meeting in the Board of Supervisors chambers with call-in locations at City Halls open to the public. All locations would be properly noticed on the agenda and posted onsite. This format would limit the need for driving (a.k.a VMT or Vehicle Miles Traveled), consistent with adopted goals, policies and objectives. Such a format is still allowable under the Brown Act.

Board preferences expressed at our December meeting, in compliance with traditional Brown Act video teleconferencing rules:

- Three or more members, as well as staff, meet in person at 501 Low Gap Road, Ukiah in the Board of Supervisors chambers.
- Other members choose to join from one of the City Halls (Point Arena, Fort Bragg or Willits) with video call-in capability, open to public, properly noticed on agenda and posted onsite.
- Under new default procedures, in advance of each meeting staff would confirm whether a quorum will be present and locations to be posted.

Additional compliant options under the amended Brown Act:

- Add a standing item to the start of each agenda for a quorum check and AB 2449 Notifications and Considerations.
- If a member invokes AB 2449 for emergency or just cause findings after the agenda has been posted, consider whether to allow the member to join from a non-noticed, private site. A quorum must be present in person at the Ukiah location to approve the request.

Members of the public are allowed under the law to join the teleconference from any other location. Staff is available to answer questions and provide further detail.

ACTION REQUIRED:

Provide direction to staff for procedures of board and committee meetings in the coming calendar year and going forward that are compliant with current state law.

ALTERNATIVES:

New legislation is anticipated in the coming months that will provide further options to be considered. A formal MCOG policy is not necessary or useful, as the bylaws and state law prevail as guidance for staff to organize compliant meetings.

RECOMMENDATION:

Approve procedures to hold Brown Act compliant board meetings in the Board of Supervisors' chambers, starting in March 2023 (subject to availability) with additional, properly noticed teleconference locations open to the public at Fort Bragg City Hall, Point Arena City Hall, and Willits City Hall, and to add a standing agenda item to allow for AB 2449 options.



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 15d
Reports
MCOG Meeting
2/05/2023

STAFF REPORT

TITLE: Summary of Meetings

DATE PREPARED: 1/30/2023

SUBMITTED BY: Jody Lowblad, Administrative Assistant

BACKGROUND: Since our last regular MCOG meeting packet, MCOG Administration and Planning staff have attended (or will have attended) the following meetings on behalf of MCOG:

Date	Meeting/Event	Staff
Dec 6	Mobility Solutions Grant Meeting w/MTA and AMMA	Barrett & Ellard
Dec 6	Covelo Project Development Team	Barrett, Sookne and Villa
Dec 6	Regional Transportation Planning Agency	Barrett, Davey-Bates, Orth
Dec 7	Ukiah Transit Center Study Kick-off	Barrett, Ellard & Sookne
Dec 7	Ukiah Transit Center Stakeholder Meeting	Barrett, Ellard, Sookne, & Orth
Dec 7	Ukiah Transit Center Site Visit	Sookne & Ellard
Dec 7-8	CA Transportation Commission (CTC) Meeting in Riverside and remotely	Davey-Bates & Orth
Dec 8	Clean Mobility Options (CMO) "Office Hours"	Ellard
Dec 8	Clean Mobility Options (CMO) Grant Workshop	Ellard
Dec 8	State Route 222 Meeting	Barrett
Dec 13	Clean California Guidelines Workshop	Ellard
Dec 13	Reconnecting Communities: Highways to Boulevards (RC:H2B) Meeting w/Caltrans District 1 Staff	Barrett, Villa & Davey-Bates
Dec 14	Local Assistance Webinar: New & Existing Funding Opportunities	Ellard
Dec 15	Strategic Highway Safety Plan (SHSP) Steering Committee	Barrett
Dec 15	ChargePoint Rural EV Planning Meeting	Orth, Ellard & Rodriguez
Dec 15	Mobility Grant Clean Mobility Options (CMO) "walk thru" Webinar	Ellard
Dec 15	Veloz Webinar: National Electric Vehicle Infrastructure (NEVI) Program	Orth
Dec 16	Meeting w/ Blue Zones regarding Willits Trail	Barrett & Ellard
Dec 19	Great Redwood Trail Agency (GRTA) Meeting	Ellard
Dec 19	Reconnecting Communities: Highways to Boulevards (RC:H2B) Meeting	Ellard
Dec 20	ChargePoint Rural EV Planning Meeting	Orth, Ellard & Rodriguez
Jan 5	Mobility Solutions Grant Meeting	Barrett & Ellard
Jan 6	Caltrans System Investment Strategy (CSIS) Meeting	Barrett
Jan 9	Hopland Project Development Team (PDT) Meeting	Barrett & Villa
Jan 11	CalCOG Equity Training	Barrett & Ellard
Jan 11	CalSTA Stakeholder Briefing on Governor's Budget	Ellard
Jan 12	Covelo Meeting	Barrett
Jan 13	Covelo Meeting	Barrett & Sookne
Jan 17	Caltrans System Investment Strategy (CSIS) Rural Workshop	Ellard
Jan 17	CalCOG Directors Association of California (CDAC) Briefing	Barrett & Davey-Bates
Jan 17	Noyo Harbor Grant Meeting	Barrett & Ellard
Jan 17	Geographic Information System (GIS) Webinar	Rodriguez
Jan 17	Caltrans System Investment Strategy (CSIS) Workshop	Ellard & Barrett
Jan 18	MCOG Technical Advisory Committee (TAC) Meeting	Barrett, Ellard, Villa, Rodriguez, & Sookne
Jan 18	Caltrans Division of Local Assistance (DLA) Funding Opportunities Webinar	Villa
Jan 19	Strategic Highway Safety Plan (SHSP) Steering Committee	Barrett
Jan 19	Blue Zones Steering Committee	Barrett
Jan 20	Rural Counties Task Force (RCTF) Meeting	Barrett & Ellard
Jan 20	North State Super Region (NSSR) Meeting	Barrett
Jan 24	Caltrans Planning Meeting	Barrett
Jan 24	Infrastructure Investment & Jobs Act (IIJA) Implementation Meeting	Barrett

Jan 24	Regional Transportation Planning Agency (RTPA) Meeting	Barrett & Davey-Bates
Jan 26	Rural Hard to Reach (RHTR) Monthly Meeting	Barrett
Jan 27	Noyo Harbor Grant Planning Meeting	Barrett & Ellard
Jan 27	CalCOG Board Briefing	Barrett
Jan 31	Caltrans D1 Surface Transportation Program Grant (STPG) Workshop	Ellard
Feb 1	CalCOG Equity Training	Barrett & Ellard
Feb 2	Mobility Solutions Grant Meeting	Barrett & Ellard
Feb 2	SAFE Check in w/CASE Systems (contractor)	Pedrotti

We will provide information to the Board regarding the outcome of any of these meetings as requested.

ACTION REQUIRED: None.

ALTERNATIVES: None identified.

RECOMMENDATION: None. This is for information only.



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 15ei
Reports
MCOG Meeting
2/05/2023

STAFF REPORT

TITLE: Covelo SR 162 Multi-Purpose Trail Project – Project Update **DATE PREPARED:** 01/30/23
MEETING DATE: 02/06/23

SUBMITTED BY: Nephele Barrett, Executive Director

BACKGROUND:

The Covelo SR 162 Corridor Multi-Purpose Trail Project will construct a Class I multi-purpose trail parallel to State Route 162, a distance of approximately 1.5 miles through the community of Covelo, plus an east-west portion of the trail approximately 0.5 mile in length.

The bid opening took place on November 29, 2022. Unfortunately, all bids were significantly over the Engineer's Estimate and available funding. The total funding currently allocated to the project for construction and construction support is \$4,183,000. The apparent low bid was about \$830,000 over that total funding. Our bid documents included language requiring contractors to hold their bids for 240 days, allowing for a cost escalation with no award after 60 days equal to the increase in the Construction Cost Index. Unfortunately, from November to January, the CCI jumped about 5.5%. With contingencies and construction engineering needs, we have a funding gap of just over \$2 million.

Prior to the bid opening, we had discussed possible supplemental funding with Caltrans in the event that bids were high. Caltrans District 1 staff had reported that additional Complete Streets funding was coming to District 1 that could be dedicated to the project in that event. Unfortunately, once bids were opened, District 1 staff was told by Caltrans headquarters that they wouldn't be able to add the funds to the project, in spite of the fact that it is District 1's highest priority pedestrian path. As I understand it, their reasoning is because they've already added to the project and it isn't their standard practice to increase financial contribution to a local project. I'm still working with District 1 to secure additional funding. At a previous meeting, the MCOG Board gave authorization to award the construction contract once additional funding from the State is approved, so if their position changes, we'll be able to move forward.

In the event that additional funding cannot be secured from the State, there may be a possibility of modifying the scope of the project to fit within the existing funding. This wasn't an option previously, but CTC will be considering a policy change at an upcoming meeting to allow this. Unfortunately, it would be a significant reduction in scope, so we're still hoping to secure full funding.

ACTION REQUIRED: No action - information/discussion only.

ALTERNATIVES: None identified.

RECOMMENDATION: Receive/discuss the report. No action is needed.



MENDOCINO COUNCIL OF GOVERNMENTS
STAFF REPORT

Agenda # 15fi
Reports
MCOG Meeting
2/05/2023

TITLE: Mobility Solutions for Rural Communities of Inland Mendocino County – Feasibility Study

DATE PREPARED: 1/26/23

SUBMITTED BY: Loretta Ellard, Deputy Planner

MEETING DATE: 2/6/23

BACKGROUND:

This to give you an update on the grant-funded “Mobility Solutions for Rural Communities of Inland Mendocino County – Feasibility Study” project.

This consultant-led project is a study of the remote rural communities of Covelo, Laytonville, Brooktrails, Hopland, and Potter Valley, to research potential mobility solutions and alternatives to traditional transit service for these hard-to-serve areas.

As previously reported, community workshops and stakeholder meetings were held in these five communities last August, followed by a successful community survey which received 339 responses.

The consultant team (AMMA Transit Planning, Inc.) has completed analysis of the survey results and developed a range of potential mobility solutions that are currently being reviewed by the project team (Consultant, MCOG, MTA and Caltrans). Next steps include a meeting of the Technical Advisory Group (TAG) on February 7, followed by another round of virtual community meetings to review potential mobility solutions for each community. Virtual meetings are scheduled as follows, and the Zoom information below is the same for all meetings.

Brooktrails - Tuesday, February 7 (5:00 - 6:30 pm)
Covelo - Wednesday, February 8 (11:00 am - 12:30 pm)
Potter Valley - Thursday, February 9 (10:00 - 11:30 am)
Laytonville - Thursday, February 9 (1:00 - 2:30 pm)
Hopland - Thursday, February 9 (5:00 - 6:30 pm)

<https://us06web.zoom.us/j/88006861530?pwd=TjdNYUdnYzJkcmNMZmlVRGh0RWduZz09>

Meeting ID: 880 0686 1530 Passcode: 531155 Dial in: +1 669 444 9171 US

The consultant team continues to work with MCOG, MTA and Caltrans to identify appropriate funding sources to implement the identified mobility solutions, which is an ongoing challenge.

The timeline for this study runs through this summer, with presentation of the final plan anticipated to occur at the August 2023 MCOG Board meeting. We will be coordinating with MTA to invite MTA Board members to this presentation.

ACTION REQUIRED: Information only.

ALTERNATIVES: N/A.

RECOMMENDATION: Information only.



MENDOCINO COUNCIL OF GOVERNMENTS
STAFF REPORT

Agenda # 15fii
Reports
MCOG Meeting
2/05/2023

TITLE: Feasibility Study - MTA Ukiah Transit Center

DATE PREPARED: 1/10/23

SUBMITTED BY: Loretta Ellard, Deputy Planner

MEETING DATE: 2/6/23

BACKGROUND:

This report is to give you an update on the feasibility study and location analysis for MTA’s new Ukiah Transit Center planning project that recently got underway. The purpose of this project is to evaluate potential locations (including opportunities for multi-modal improvements) for a new transit center in the greater Ukiah area.

MCOG staff administered a competitive procurement process for this project, in which two proposals were received. A Consultant Selection Committee of MCOG & MTA staff reviewed the proposals and unanimously recommended the firm of LSC Transportation Consultants (*with subconsultant – Design Workshop*). The contract was executed in November, and a project kick-off meeting was held in early December, followed by an initial stakeholder meeting and site visits to potential locations.

The anticipated project schedule is as follows:

- December 2022: Kick-off meeting, Potential Site Location Tour, Stakeholder Workshop – *completed*
- February 2023: Tech Memo 1: Program and Potential Site Analysis
- April 2023: Online Survey, Planning Charrette, and Stakeholder Interviews
- July 2023: Tech Memo 2: Scoring Criteria and Site Selection
- September 2023: Draft Final Report
- November 2023: Final Report

MTA will utilize the recommendations in the feasibility study to pursue next steps of property acquisition, environmental process, design, and construction of the new facility and multimodal improvements. This study is funded in the current year’s Overall Work Program (Work Element 3).

We will continue to report as the project progresses.

ACTION REQUIRED: Information only.

ALTERNATIVES: N/A.

RECOMMENDATION: Information only.



MENDOCINO COUNCIL OF GOVERNMENTS
STAFF REPORT

Agenda # 15fiii
Reports
MCOG Meeting
2/05/2023

TITLE: MCOG Public Outreach with ChargePoint for Rural Electric
Vehicle Charging Grant

DATE PREPARED: 1/26/23

SUBMITTED BY: Loretta Ellard, Deputy Planner

MEETING DATE: 2/6/23

BACKGROUND:

As reported at the December MCOG meeting, MCOG staff supported ChargePoint's California Energy Commission (CEC) application early last year by agreeing to assist with a public outreach process to identify desired charging locations. The grant was successful, and the project includes installation of 25 EV chargers dispersed at five separate sites in the greater Ukiah area.

The purpose of this report is to advise you of upcoming virtual community and stakeholder workshops we will be hosting with ChargePoint to identify preferred charging locations for the new EV chargers. ChargePoint envisions the project to include a fast charging hub in central Ukiah, plus four additional sites to be located in surrounding areas between Redwood Valley and Hopland. Each of the five sites will include approximately five chargers.

To kick off the first phase of outreach, we are planning a virtual community workshop on **Thursday, February 16 (5:30 – 6:30 p.m.)** at which representatives from MCOG and ChargePoint will review the project's goals and invite community input. Attendees will be invited to visit the project website (including survey and map) to provide input on desired charging locations. Other methods of submitting comments will also be provided. An email invitation with Zoom meeting link will be widely distributed a few weeks before the workshop, along with a press release to local media.

Following the community workshop, a separate virtual stakeholder meeting will be held on **Wednesday, February 22, 2023 (9:00 – 10:00 a.m.)** to provide an additional opportunity for local agency staff and other stakeholders to submit input and communicate with ChargePoint and MCOG staff.

Zoom meeting information for both workshops will be posted on MCOG's website (www.mendocinocog.org).

ACTION REQUIRED: None, this report is for information only.

ALTERNATIVES: N/A.

RECOMMENDATION: None. Members may attend community and/or stakeholder workshops and provide input on desired EV charging locations, if desired, keeping in mind Brown Act restrictions.