



MENDOCINO COUNCIL OF GOVERNMENTS

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www.mendocinocog.org

PHILLIP J. DOW, EXECUTIVE DIRECTOR

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AGENDA

Monday, October 3, 2016 at 1:30 p.m.

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

Additional Media

For live streaming and later viewing:

YouTube link at <http://www.mendocinocog.org> under Meetings

For later viewing:

Public Access TV Channel 65 and archives at <http://mendocinoaccess.org>

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

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

1. Call to Order / Roll Call
2. Convene as RTPA
3. Recess as RTPA – Reconvene as Policy Advisory Committee

PUBLIC EXPRESSION

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

4. **Public Hearing:** Approval of Resolution M2016-___* Amending the 2016 Regional Transportation Improvement Program (RTIP) – Ryan Creek Fish Passage Project Funding
5. Consideration and Possible Action to Oppose Proposition 53, the California Voter Approval Requirement for Revenue Bonds Above \$2 Billion Initiative

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 August 15, 2016 Minutes
7. Approval of Transportation Planning Overall Work Program (OWP) Project Application Update

RATIFY ACTION

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

REPORTS

9. Reports – Information
 - a. Mendocino Transit Authority
 - b. North Coast Railroad Authority
 - c. MCOG Staff – Summary of Meetings
 - d. MCOG Administration Staff
 1. US-101 Bypass of Willits Update
 2. National Drive Electric Week – September 10-18, Local Ukiah Event September 17
 3. Miscellaneous
 - e. MCOG Planning Staff – *verbal reports*
 1. Caltrans Sustainable Transportation Planning Grant Program – Fiscal Year 2017/18 Cycle, Due November 4
 2. FY 2017/18 Transportation Planning Overall Work Program (OWP) Open for Proposals October 15–December 1, 2016
 3. 2017 Regional Transportation Plan Update and Active Transportation Plan – Community Workshops October– November
 4. Miscellaneous
 - f. MCOG Directors
 - g. California Association of Councils of Governments (CALCOG)

ADJOURNMENT

10. Adjourn

AMERICANS WITH DISABILITIES ACT (ADA) REQUESTS

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

ADDITIONS TO AGENDA

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

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

CLOSED SESSION

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

POSTED 9/26/2016

* Next Resolution Number: M2016-15



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 4
Regular Calendar
MCOG Meeting
10/3/16

STAFF REPORT

TITLE: Second Amendment to the 2016 RTIP - Ryan Creek
Fish Passage Project Funding Request

DATE PREPARED: 09/18/16
MEETING DATE: 10/03/16

SUBMITTED BY: Phillip J. Dow, Executive Director

BACKGROUND

Mauricio Serrano, Project Manager for the bypass project, recently informed me that construction bids for the Ryan Creek Fish Passage Project were higher than the Engineer's Estimate. The lowest qualifying bid was 49% over the estimate.

The Ryan Creek Fish Passage Project is one of four "Child Projects" that are related but distinctly separate from the bypass project, and are funded separately. Ryan Creek improvements are needed to comply with Department of Fish and Wildlife permit requirements for the bypass permit. An additional funding request to comply with the permit requirements (added after the bypass project was initiated) was acted upon by the Board at our December 07, 2015 meeting. This amounted to \$306,000 and was included in the 2016 Regional Transportation Improvement Program (RTIP) that was submitted to the California Transportation Commission (CTC) and ultimately included in the 2016 State Transportation Improvement Program. An increase of \$43,000 for local share costs of right-of-way for the Sherwood Road Geometric Upgrade project (also a Child Project) was also included in the 2016 RTIP.

The Ryan Creek Fish Passage Project requires special techniques because of the tight working conditions. Instead of usual excavation procedures, the two 10-foot diameter pipes required are to be "jacked in" or "rammed in" through existing fill material. Although 15 prime contractors attended the mandatory pre-bid meeting, only three bids were received, the lowest being 49% above the estimate.

When bids come in significantly over an estimate, Caltrans employs a protocol to determine why the discrepancy developed and to determine if all bids should be rejected and the project should be re-advertised. Project Manager Mauricio Serrano is expected to be in attendance to explain the proposed work, the bidding process, the evaluation process, and other factors involved in the bid evaluation process. The bottom line is that Caltrans has determined through contractor interviews and additional analysis that re-bidding the project is unlikely to produce significantly different results. Since there are critical time factors involved, the appropriate course of action is to seek supplemental funding for the construction phase.

Caltrans has requested supplemental funding from the California Transportation Commission and Mendocino Council of Governments in the amount of \$2,084,000 to cover the increase. A supplemental funding request of \$1,771,000 will be considered by the CTC at their October 18-19 meeting in San Jose. Caltrans is requesting a \$313,000 share from MCOG for this additional cost. Since MCOG has no funding available, these funds will be deducted from future shares. Because MCOG's funding on the project has come from the region's State Transportation Improvement Program funding, an RTIP amendment has been proposed in order to commit the funding.

A fact sheet (two pages) has been prepared by Caltrans and is attached. Project Manager Serrano and perhaps other Caltrans staff will be in attendance.

Due to a conflict this month the Technical Advisory Committee (TAC) will not meet until September 28. An agenda item will be included on this topic but will occur after the September Board packet is distributed. The recommendation of the TAC will be reported verbally at the Board meeting.

This is one of those “rock and hard place” situations. The amount requested is relatively moderate, except that MCOG has no un-programmed funding available and this additional amount will come from future shares, as did the supplemental allocation last year. On the other hand, the work to be completed is directly related to the bypass project and must be completed to comply with conditions of Fish & Wildlife permits.

As the Board is aware, the bypass will be opening November 3. Conditions of permits imposed by resource agencies will linger.

ACTION REQUIRED:

1. Receive staff report.
2. Open public hearing.
3. Receive public comments.
4. Close public hearing.
5. By resolution, approve the Second Amendment to the 2016 Regional Transportation Improvement Program, approving supplemental funding for the construction phase of the Ryan Creek Fish Passage Project in the amount of \$313,000, to be deducted from MCOG’s future Regional Improvement Program shares.

ALTERNATIVES: The Board may choose not to approve of the commitment of future shares for this project (not recommended).

RECOMMENDATION: Staff recommends that the Board approve the proposed RTIP Amendment and resolution, committing \$313,000 of future Regional Improvement Program (RIP) shares for construction cost increases to the Ryan Creek Fish Passage Project. The recommendation of the September 28, 2016 Technical Advisory Committee will be reported at the board meeting.

RYAN CREEK FISH PASSAGE PROJECT FACTSHEET
PHIL DOW, MCOG
SEPTEMBER 2016

BACKGROUND

- The Ryan Creek Fish Passage project (EA No. 10-262014) is required mitigation due to the taking of Coho Salmon and the temporary and permanent impacts of the construction of the Willits Bypass (Bypass) project on stream habitat for the species within the Outlet Creek Hydrologic Sub-Area.
- This project was originally programmed for \$2,200,000 (2012 STIP) to improve fish passage at the South Fork only. In March 2014, the CA Department of Fish & Wildlife (CDFW) amended its existing Incidental Take Permit (ITP) & 1602 permit to include fish passage work at the North Fork in addition to the South Fork. Due to the additional scope of work at the North Fork, the final Engineer's Estimate (EE) to build this project increased to \$4,240,000.
- On May 18, 2016, the CTC approved a greater than 120% requested by Caltrans due to the addition of the North Fork fish passage work and allocated \$4,240,000 for this project. Caltrans was responsible for 85% or \$1,734,000 and MCOG was responsible for 15% or \$306,000 of the \$2,040,000 increase.
- This project began advertisement on June 20, 2016 for 8 weeks and bids were opened on August 16, 2016. This project must be awarded in 2016 and construction must be completed by December 2018. The environmental window to work inside the creek is from June 15 thru October 15.

Due to risks identified by the Project Development Team (PDT) in the Risk Management Plan related to project location, culvert size, installation method and construction window, Caltrans implemented the following mitigation measures to ensure delivery:

- Caltrans hired a specialized A&E consultant to assist the PDT with the design, specifications & estimate of the two 10-foot diameter metal pipe installation. The consultant did research on the cost of large pipe diameter ramming installation, but was not able to find specific cost information. The number of "specialized" contractors that do this type of work is very limited and they do not like to share their cost information. The consultant found out that depending on the level of difficulty and restrictions, this type of installation can vary from \$1,200/foot (\$403,440) to \$11,000/foot (\$3,698,200), making it very difficult to accurately estimate the cost. The lowest bidder's price for the pipe ramming installation of the two 10-foot diameter metal pipes came in at \$7,139/foot (\$2,400,000)
- Caltrans allowed for a longer than normal advertisement period (8 weeks vs 4 weeks) to allow contractors sufficient time to bid on this project.
- A mandatory pre-bid meeting (office & field review) was held on July 18, 2016 in Willits to show contractors the site conditions and assist them in bidding accurately.
- Caltrans relocated existing utilities at the South Fork ahead of time (May 2016) to avoid potential delays during tree removal and the pipe ramming operations.
- Due to the longer than normal advertisement period, Caltrans requested to the CTC on May 18, 2016, an additional two months beyond the allowable six months to award this contract.
- Caltrans received and responded to 17 bid inquiries.
- Due to longer than normal advertisement period, Caltrans requested an additional two months, beyond, the allowable six months, to award this contract.

REASON FOR INCREASE

- Only 3 prime contractors bid on this project out of the 15 prime contractors that attended the mandatory pre-bid meeting on July 18, 2016. The lowest bid was 49% or \$1,936,386 over the EE: \$5,817,556 vs \$3,881,170.

RYAN CREEK FISH PASSAGE PROJECT FACTSHEET
PHIL DOW, MCOG
SEPTEMBER 2016

- After analyzing the bid results and contacting the 3 bidders, 95% of the discrepancy between the lowest bid and the EE can be attributed to the two 10-foot diameter steel pipes to be installed at the South Fork (\$1,142,280 over the EE) and the 12 foot X 11 foot Reinforced Concrete Box (RCB) to be installed at the North Fork (\$660,044 over the EE).
- Contractors stated that there were only two subcontractors available to perform the pipe ramming operation work and that subcontractors bids were high. The three contractors that bid on this project estimated that the pipe ramming work was \$2.4M, \$2.85M and \$3.36M respectively. Steep terrain and depth of fill contributed to a higher cost for this item.
- Contractors that bid on the project stated that the high cost for the Reinforced Concrete Box was based on constructing and transporting a large precast box, traffic handling, location of the work area (difficult access and room for work), and environmental conditions.

AWARD RECOMMENDATION

- A total of \$6,324,000 is needed to award this project to the lowest bidder, an increase of \$2,084,000. The \$6,324,000 will cover Item Work, Supplemental Work, State Furnish Materials & Expenses and a 5% Contingency Fund.
- The PDT recommends to award this project to the lowest bidder within 90 days after bid opening (August 16, 2016) by obtaining supplemental funds at the October 2016 CTC meeting. Caltrans will be responsible for **85%** share or **\$1,771,400** and MCOG for **15%** share or **\$312,600** of the **\$2,084,000** increase.
- Caltrans must construct this project to stay in compliance and fulfill its environmental commitments and requirements. This project is required mitigation for the taking of Coho Salmon and the temporary and permanent impacts to existing fish and wildlife due to the construction of the Bypass project which is 95% complete and scheduled to open to traffic on November 3, 2016.
- Caltrans has contacted the lowest bidder and the contractor has agreed to hold their bid prices for 90 days. The lowest bidder is committed to build this project within 125 working days. The environmental window to work inside the creek is from June 15 thru October 15.

MENDOCINO COUNCIL OF GOVERNMENTS

BOARD of DIRECTORS

RESOLUTION No. M2016-___

APPROVING THE SECOND AMENDMENT TO THE 2016 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP)

WHEREAS,

- The Mendocino Council of Governments (MCOG) is the designated Regional Transportation Planning Agency for Mendocino County;
- On December 7, 2016, MCOG adopted the 2016 Regional Transportation Improvement Program (RTIP), which was subsequently submitted to the California Transportation Commission (CTC) for inclusion in the 2016 State Transportation Improvement Program (STIP);
- On February 1, 2016, MCOG adopted the First Amendment to the 2016 RTIP, which was subsequently revised on April 12, 2016, and resulted in delay or deprogramming of some of the region's STIP programming as a result of the CTC's adoption of a reduced Fund Estimate;
- MCOG is a funding partner with Caltrans on the US 101 Bypass of Willits and related "child projects" which are required as mitigation for the project, including the Ryan Creek Fish Passage project, to which MCOG has previously committed a total of \$636,000, which includes cost increases approved as part of the 2016 RTIP;
- Bids for the Ryan Creek Fish Passage project have recently been received by Caltrans, with the lowest bid amount 49% over the Engineer's Estimate for the project;
- Caltrans has requested that MCOG contribute Regional Improvement Program funding in the STIP in the amount of \$313,000 to the total \$2.84 million additional funding needed;
- Because MCOG does not have any unprogrammed Regional Improvement Program funding at this time, the proposed \$313,000 in additional funding will be a commitment of future funds; and
- The Regional Transportation Improvement Program is the regional programming document for STIP funding, and therefore, there is a need to adopt a Second Amendment to the 2016 Regional Transportation Improvement Program in order to approve additional funding for the Ryan Creek Fish Passage project; therefore, be it

RESOLVED THAT:

The Mendocino Council of Governments finds that the Second Amendment to the 2016 Regional Transportation Improvement Program (RTIP) is consistent with Mendocino County's adopted Regional Transportation Plan; and

The Mendocino Council of Governments hereby adopts the Second Amendment to the 2016 Regional Transportation Improvement Program (RTIP), committing \$313,000 in future Regional Improvement Funding to the Ryan Creek Fish Passage project.

ADOPTION OF THIS RESOLUTION was moved by Director _____, seconded by Director _____, and carried this 3rd day of October, 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

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

ATTEST: Phillip J. Dow, Executive Director

Dan Gjerde, Chair



MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 5
Regular Calendar
MCOG Meeting
10/3/16

STAFF REPORT

TITLE: Board Opposition Position to Proposition 53

DATE PREPARED: 09/22/16

MEETING DATE: 10/03/16

SUBMITTED BY: Phillip J. Dow, Executive Director

BACKGROUND

I was contacted shortly after our August meeting agenda had been set by Mr. Kyle Griffith, representing the *No on Proposition 53* campaign, requesting that the Mendocino Council of Governments take an opposing position on this initiative that will come before California voters in November.

Proposition 53 will appear on the November 8, 2016 statewide ballot. It is an initiative that would result in a California constitutional amendment, if passed, to require that State revenue bonds totaling more than \$2 billion to be put to a statewide vote. Proposition 53 is funded by Mr. Dean Cortopassi, a Stockton area landowner, farmer and businessman who has expressed concern about pervasive government debt.

This initiative is opposed by the League of California Cities (LOCC), California State Association of Counties (CSAC), the California Association of Councils of Government (CALCOG, of which MCOG is a member), and a number of other interests. A two-page summary of government agencies, businesses, and unions that have signed on to the *No on Prop 53* effort is attached. Other attachments include:

1. Legislative Analyst Summary of Proposition 53
2. Arguments against Proposition 53, prepared by the *No on Prop 53 Committee*
3. A Fact Sheet, obtained from *Yes on 53.com*

Since the threshold of the revenue bond funding clearly applies to revenue bonds in excess of \$2 billion, it is highly unlikely to directly affect entities in Mendocino County. The issue at play here is more about local control. If the initiative passes, voters statewide will vote on revenue bonds everywhere in the state that exceed the \$2 billion threshold. Voters everywhere in California would vote on bond funding for projects of which they are likely to have little or no knowledge of the feasibility or benefit of the project proposed for bond funding.

An editorial printed in the *Los Angeles Times* on September 15, 2015 states:

“The problem that Proposition 53 aims to resolve is speculative, but the potential damage to local control is real. Requiring state voters to approve large revenue bond issues would make it more difficult to make badly needed infrastructure improvements in this state, and could even discourage the public-private partnerships that could help fill the gap between what the state needs to build and what it can afford. Voters can enforce fiscal discipline in Sacramento with their votes for governor and legislators, not by approving Proposition 53.”

ACTION REQUIRED: Take a Board position in opposition to Proposition 53, an initiative that is to appear on the November 8, 2016 California ballot.

ALTERNATIVES: The Board may also choose support Proposition 53 (not recommended) or to take no position on this initiative.

RECOMMENDATION: Staff recommends that the Board take action opposing Proposition 53.

NO53 **ON PROP**

Stop Attack on Local Control

www.NoProp53.com

We Oppose Prop 53

Public Safety

California Professional Firefighters
California State Sheriffs' Association
California State Firefighters Association
Peace Officers Research Association of California
(PORAC)

Local Government

California State Association of Counties (CSAC)
League of California Cities
California Special Districts Association (CSDA)
California Association of Councils of Governments
Cities Association of Santa Clara County
Los Angeles County Metropolitan Transportation
Authority (LA Metro)
Monterey County Board of Supervisors
Self Help Counties Coalition
Rural County Representatives of California (RCRC)
Association of California Cities – Orange County
San Diego Association of Governments
Riverside County Transportation Commission (RCTC)
Transportation Agency for Monterey County
Urban Counties of California
Santa Barbara County Association of Governments
(SBCAG)

Water

Association of California Water Agencies
California Latino Water Coalition
Calleguas Municipal Water District
Clean Water and Jobs Coalition for California
Coachella Valley Water District
Eastern Municipal Water District
Helix Water District
Humboldt Bay Municipal Water District
Foothill Municipal Water District
Las Virgenes Municipal Water District
Metropolitan Water District of Southern California
Mojave Water Agency
Northern California Water Association
Rowland Water District
San Joaquin Valley Water Infrastructure Authority
Southern California Water Committee
State Water Contractors
Vista Irrigation District

Infrastructure

American Council of Engineering Companies –
California
American Society of Civil Engineers Region IX
Associated General Contractors of California
California Alliance for Jobs
California Chapters of the National Electrical
Contractors Association (NECA)
California Construction Industry Labor Management
Cooperation Trust
California Legislative Conference of the Plumbing,
Heating & Piping Industry
Engineering Contractors Association
Northern California Mechanical Contractors
Association
Professional Engineers in California Government
Sacramento Regional Builders Exchange
United Contractors

Education

California's Coalition for Adequate School Housing

Healthcare

California Medical Association
California Hospital Association
Hospital Association of San Diego & Imperial Counties
Hospital Association of Southern California
Hospital Council of Northern and Central California

Community and Ethnic

California State NAACP
California League of United Latin American Citizens
(LULAC)
Courage Campaign
Mexican American Legal Defense and Educational
Fund (MALDEF)
Strategic Actions for a Just Economy (SAJE)
Alliance of Californians for Community Empowerment
(ACCE) Action

Taxpayer

Kern County Taxpayers Association
California Tax Reform Association
Middle Class Taxpayers Association
Ventura County Taxpayers Association

Agriculture

California Citrus Mutual
California Cotton Ginners Association
California Cotton Growers Association
Fresno County Farm Bureau
Western Agriculture Processors Association
Western Growers Association

Environment

California League of Conservation Voters
Natural Heritage Institute
Madera County Water and Land Use Study Group

Business

California Chamber of Commerce
Anaheim Chamber of Commerce
Azusa Chamber of Commerce
Bay Area Council
Bay Planning Coalition
Building Owners and Managers Association California
Building Owners and Managers Association, Greater
Los Angeles
Burbank Chamber of Commerce
California Building Industry Association
California Business Properties Association
California Business Roundtable
California Manufacturers & Technology Association
California Public Securities Association
California Small Business Association
Central City Association, Los Angeles
Cerritos Regional Chamber of Commerce
Dinuba Chamber of Commerce
East Bay Leadership Council
Chambers of Commerce Alliance of Ventura & Santa
Barbara Counties
El Monte/South El Monte Chamber of Commerce
Fontana Chamber of Commerce
Greater Fresno Area Chamber of Commerce
Greater Riverside Chambers of Commerce
Greater Stockton Chamber of Commerce
Greater San Fernando Valley Chamber of Commerce
Hollywood Chamber of Commerce
Inland Empire Economic Partnership (IEEP)
Irvine Chamber of Commerce
Los Angeles Area Chamber of Commerce
Los Angeles County Business Federation (LA BizFed)
North Orange County Chamber of Commerce
Ontario Chamber of Commerce
Orange County Business Council (OCBC)
Oxnard Chamber of Commerce
Pacific Merchant Shipping Association
Pasadena Chamber of Commerce
Pomona Chamber of Commerce
Port Hueneme Chamber of Commerce
Regional Chamber of Commerce – San Gabriel Valley
Regional Chamber Alliance

Business (cont.)

Sacramento Metropolitan Chamber of Commerce
(Metro Chamber)
San Diego Regional Chamber of Commerce
San Francisco Chamber of Commerce
San Gabriel Valley Economic Partnership
San Jose Silicon Valley Chamber of Commerce
San Ramon Chamber of Commerce
Santa Clarita Valley Chamber of Commerce
Silicon Valley Leadership Group
South Bay Association of Chambers of Commerce
Southwest California Legislative Council
Torrance Area Chamber of Commerce
Valley Industry & Commerce Association (VICA)

Labor

California Labor Federation AFL-CIO
Service Employees International Union California
California State Building and Construction Trades
Council
AFSCME California PEOPLE
Los Angeles County Federation of Labor
Auto, Marine & Specialty Painters Local Union 1176
Boilermakers Local Unions 92, 549
California Conference of Machinists
California State Association of Electrical Workers
California State Council of Laborers
California Teamsters Public Affairs Council
Carpet, Linoleum & Soft Tile Workers Local Unions
12,1237
County Labor Councils: North Bay; San Bernardino &
Riverside; San Diego/Imperial; San Francisco;
South Bay
District Council of Iron Workers
District Council 16 International Union of Painters and
Allied Trades
County Building and Construction Trades Councils:
Alameda; Contra Costa; Imperial; Kern, Inyo,
Mono; Los Angeles/Orange; Marin;
Northeastern; Sacramento Sierra; San Diego;
San Mateo; Sonoma, Mendocino & Lake
Counties; Stanislaus, Merced, Mariposa &
Tuolumne
Glaziers, Arch. Metal & Glass Workers Local Unions
169, 718, 767, 1621
Insulators & Allied Workers Local Union 16
International Brotherhood of Boilermakers
International Union of Operating Engineers Local
Unions 3, 12
Ironworkers Local Unions 118, 155, 229, 433, 844
IUPAT Local Unions 294
Laborers' Local Union 67
IBEW Local Unions 6, 11, 40, 47, 100, 180, 234, 302,
332, 340, 413, 428, 440, 441, 477, 551, 569,
595, 617, 684, 952, 1245
Painters and Drywall Finishers Local Union 3

Labor (cont.)

Painters and Tapers Local Unions 83, 272, 376, 487,
507,741, 913
Plasters Local Union 200
Plasterers & Cement Masons Local Union 300
Sheet Metal, Air, Rail and Transportation Workers
Western States Council
Sheet Metal, Air, Rail and Transportation Workers
Local Unions 104, 105, 206
Southern California Pipe Trades District Council 16
Teamsters Joint Council 7
Teamsters Joint Council 42
Teamsters Local Union 431
UFCW Western States Council
United Association of Landscape & Irrigation, Sewer &
Storm, Underground Industrial Piping Industry
Local 345
United Association of Plumbers & Fitters Local 761
United Association of Sprinkler Fitters Local 709
United Association of Plumbers & Pipefitters Local
Unions 78, 114, 582
United Association of Plumbers & Steam Fitters Local
Unions 398, 403, 460, 484
United Association of Plumbers, Steamfitters,
United Association of Steam, Refrigeration, Air
Conditioning, Pipefitters & Apprentices Local 250

Labor (cont.)

Refrigeration & HVAC Service Technicians Local 230
United Union of Roofers, Waterproofers & Allied
Workers Local Unions 27, 36, 40, 45, 81, 95, 220
Western Regional District Council of Roofers &
Waterproofers

Political

California Democratic Party
Los Angeles County Democratic Party

Newspapers

Los Angeles Times
San Francisco Chronicle
Sacramento Bee
The San Diego Union-Tribune
San Jose Mercury News
Bakersfield Californian
East Bay Times
Santa Rosa Press Democrat
Santa Cruz Sentinel
Monterey Herald
Hanford Sentinel

Paid for by No on Prop 53 – Californians to Protect Local Control, a coalition of public safety, local government, business and labor organizations, and taxpayers. Major funding by California Construction Industry Labor Management Cooperation Trust and Laborers Pacific Southwest Regional Organizing Coalition Issues PAC (Committee).

[Skip to main content](#)**BALLOT PAGES**[Initiative Fiscal Analyses \(pre-ballot\)](#)[Proposition Analyses](#)[Ballot Measures by Type: 1974 to Present](#)[Ballot Bonds](#)[Summary of General Obligation Bonds—Election Results 1986 to Present \(Excel File\)](#)[Related LAO Publications](#)

Propositions on the November 8, 2016 Ballot

Proposition 53

November 8, 2016

Revenue Bonds. Statewide Voter Approval. Initiative Constitutional Amendment.

Yes/No Statement

A **YES** vote on this measure means: State revenue bonds totaling more than \$2 billion for a project that is funded, owned, or managed by the state would require statewide voter approval.

A **NO** vote on this measure means: State revenue bonds could continue to be used without voter approval.

Summary of Legislative Analyst's Estimate of Net State and Local Government Fiscal Impact

- Fiscal impact on state and local governments is unknown and would depend on which projects are affected by the measure, whether they are approved by voters, and whether any alternative projects or activities implemented by government agencies have higher or lower costs than the original project proposal.

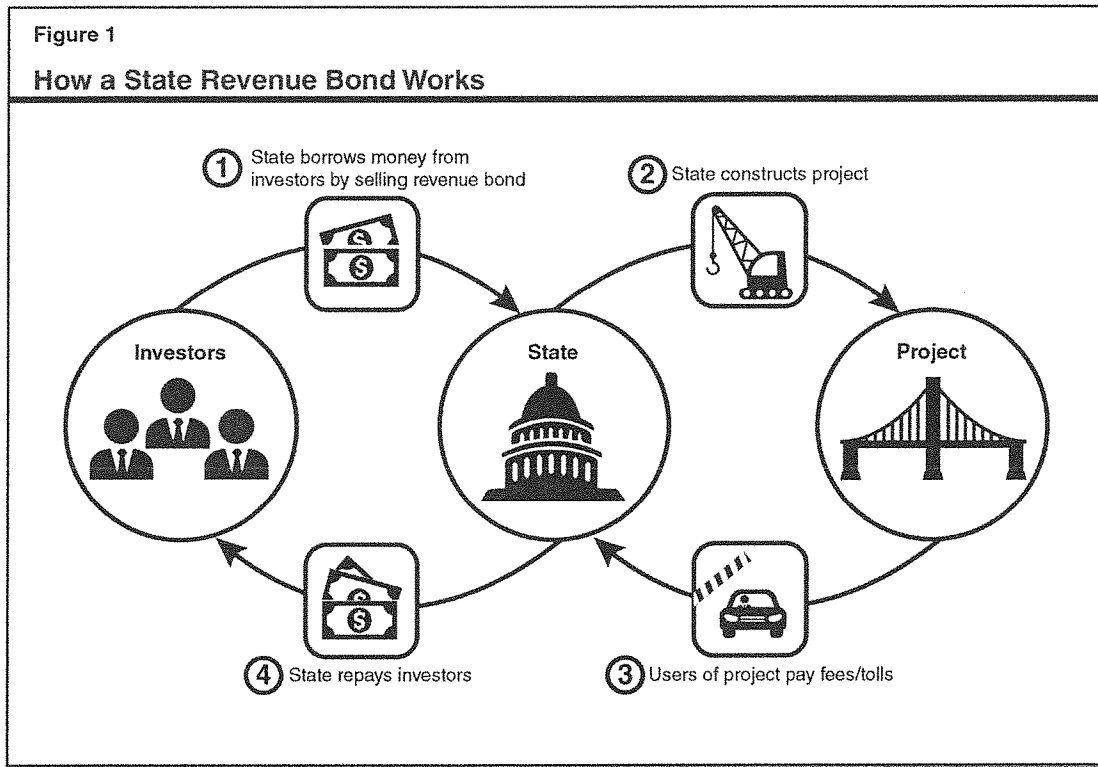
Ballot Label

Fiscal Impact: State and local fiscal effects are unknown and would depend on which projects are affected by the measure and what actions government agencies and voters take in response to the measure's voting requirement.

Background

State Pays for Infrastructure Projects Using Cash and Borrowing. The state builds various types of infrastructure projects like bridges, dams, prisons, and office buildings. In some cases, the state pays for projects on a pay-as-you-go basis using tax revenues received each year. In other cases, the state borrows money to pay for projects, especially for larger projects.

State Borrows Money Using Bonds. The main way the state borrows money is by selling bonds to investors. Over time, the state pays back these investors with interest. The state sells two main types of bonds: general obligation bonds and revenue bonds. The state repays general obligation bonds using the state General Fund, which is funded primarily by income and sales taxes. In contrast, the state usually repays revenue bonds using revenue from fees or other charges paid by the users of the project (such as from bridge tolls). Figure 1 shows how a state revenue bond generally works. (For more information on the state's use of bonds, see the "Overview of State Bond Debt" later in this voter guide.)



Voter Approval Not Required for State Revenue Bonds. Under the California Constitution, state general obligation bonds need voter approval before the state can use them to pay for a project. State revenue bonds do not need voter approval under existing state law.

Proposal

Requires Voter Approval of Certain State Revenue Bonds. The measure requires statewide voter approval of revenue bonds that meet all of the following conditions:

- ***State Sells the Revenue Bonds.*** Revenue bonds are sold by the state, as well as certain associations that the state creates or in which the state is a member. The statewide voting requirement does not apply to bonds sold by cities, counties, schools, community colleges, and special districts.
- ***Bonds Sold for State Project.*** The revenue bonds are sold for a project that is funded, owned, operated, or managed by the state. The measure also contains provisions to prevent a single project from being separated into multiple projects to avoid voter approval.
- ***Bonds for the Project Exceed \$2 Billion.*** The revenue bonds sold for a project total more than \$2 billion. Under the measure, this amount would be adjusted every year for inflation.

Fiscal Effects

The measure's fiscal effects on state and local governments are unknown. It is unlikely there would be very many projects large enough to be affected by the measure's requirement for voter approval. However, for those projects that are affected, the fiscal effects would depend on what actions the state, local governments, and voters take in response to this measure's voting requirement.

Measure Likely to Cover Relatively Few Projects

Few Projects Cost Over \$2 Billion. Relatively few state projects are likely to be large enough to meet the measure's \$2 billion requirement for voter approval. Two state projects that are over \$2 billion and might use revenue bonds are (1) the California "WaterFix" project, which would build two tunnels to move water through the Sacramento-San Joaquin River Delta; and (2) the California High-Speed Rail project. It is possible other large projects could be affected in the future, such as new bridges, dams, or highway toll roads.

Uncertain Which Projects Would Be Affected. While it is unlikely that very many projects would be large enough to be affected by the measure, there is some uncertainty regarding which projects would be affected. This is because the measure does not define a "project." As a result, the courts and the state would have to make decisions about what they consider to be a single project. For example, in some cases a project could be narrowly defined as a single building (like a hospital). In other cases, a project could be more broadly defined as including multiple buildings in a larger complex (like a medical center). A broader definition could result in more projects meeting the \$2 billion requirement, thus requiring voter approval.

How Government Agencies and Voters Respond Would Affect Costs

Government and Voters Could Take Different Actions. When a proposed project meets this measure's requirements for voter approval, governments and voters could respond in different ways. These responses, in turn, would determine the fiscal effects, if any, of this measure:

- On the one hand, if the state held an election and voters approved the project, the state could proceed with the project as planned using revenue bonds. As a result, there would be little fiscal effect from this measure.
- On the other hand, if voters rejected the project or the state chose not to hold an election as required by this measure, the state would not be able to use revenue bonds for the project. Without access to revenue bonds, the state and/or local governments might take other actions to meet the concerns the project was intended to address. They might (1) replace the large project with other smaller projects, (2) perform other activities that would reduce the need for the project, or (3) find other ways to pay for the project instead of using revenue bonds. These actions could result in either higher or lower net costs depending on the specific alternatives that governments pursued and how they compared to the original project proposal.

Some Actions Could Result in Higher Costs. Some types of government and voter response to this measure could result in higher costs for the state and local governments. For example, it could be more expensive in some cases for state and local governments to complete several smaller projects than it would have been for the state to build the original large project. This could happen if the large project was a more efficient way to meet the concerns that the project addressed.

The state also could fund a project in a different way than revenue bonds that might be more expensive. For example, the state could partner with a private company that would sell bonds to fund the project. The state would then have to pay back the private company. This could result in higher costs for the state because the private company would need to make a profit on the project. Also, the private company would probably pay higher interest rates than the state. The private company would likely pass these higher borrowing costs on to the state.

Some Actions Could Result in Lower Costs. Other types of responses could result in lower state and local costs. For example, state and local governments might find ways to make better use of existing infrastructure. For instance, local water agencies might implement water conservation measures, which could reduce the need to build new dams or other projects to provide more water. If existing infrastructure could meet the state's needs adequately with these types of actions, there would be savings from not having to spend the money to build a new project.

The state also could fund a project in a way that might be cheaper than using revenue bonds. For example, the state could borrow money using general obligation bonds. While state general obligation bonds require voter approval, there would be some savings because they have lower interest rates than revenue bonds.

NO 53 ON PROP

Stop Attack on Local Control

www.NoProp53.com

PROP 53 UNDERMINES LOCAL CONTROL AND VITAL INFRASTRUCTURE

Prop 53 is opposed by a broad, bipartisan coalition of organizations including the California Professional Firefighters, California Chamber of Commerce, California Hospital Association, California State Sheriffs Association, firefighters, paramedics, family farmers, environmentalists, law enforcement, and local governments. Prop 53 takes away local control by requiring a statewide vote even for some local infrastructure projects. The measure would add new layers of bureaucracy and red tape that will delay or derail needed improvements to critical infrastructure, including after emergencies and natural disasters. Here are some facts:

Prop 53 Erodes Local Control by Requiring Statewide Vote for Some Local Projects

- Under this measure, cities and towns that want to come together with the state and form a JPA to issue revenue bonds to upgrade local water systems, roads, bridges, and universities would have to put their project on a statewide ballot.
- That means voters in faraway regions could veto some local projects your community needs and supports – even though those distant voters don't use, won't pay for, and don't care about your local community improvements.
- That's why groups representing California's cities, counties and local water agencies, including the League of California Cities and Association of California Water Agencies, all oppose Prop 53.

Prop 53 Jeopardizes Ability to Repair Outdated Infrastructure

- Our communities already suffer from a massive backlog of local infrastructure needs, including outdated water supply and delivery systems, unsafe bridges, overpasses and freeways, and community hospitals that need to be upgraded to make them earthquake safe.

Reliable Infrastructure is critical to public safety. This measure erodes local control and creates new hurdles that could block communities from upgrading critical infrastructure such as bridges, water systems and hospitals.”

- Sheriff Donny Youngblood, President, California State Sheriffs' Association

Prop 53 Threatens Water Supply and Drought Preparedness

- The Association of California Water Agencies says: “Prop 53 could threaten a wide range of local water projects including storage, desalination, recycling and other vital projects to protect our water supply and access to clean, safe drinking water. Prop 53 will definitely impede our ability to prepare for future droughts.”

Prop 53 Contains No Exemptions for Emergencies or Natural Disasters

- Because Prop 53 fails to contain an exemption for emergencies, in cases of an earthquake or flood, local governments and the state may need to wait as long as two years in order to get voter approval to begin rebuilding damaged or destroyed roads, freeways, bridges, hospitals and water delivery systems.

California Professional Firefighters, representing 30,000 firefighters and paramedics, warns: “Prop 53 irresponsibly fails to contain an exemption for natural disasters or major emergencies. That flaw could delay our state's ability to rebuild critical infrastructure following earthquakes, wildfires, floods or other natural or man-made disasters.”

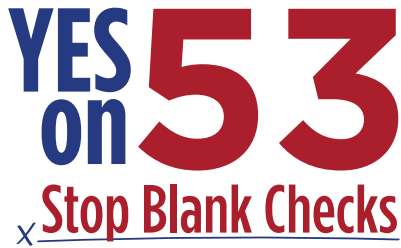
Prop 53 Makes No Fiscal Sense.

- Private investors bear the financial risk for revenue bonds, not the state or its general fund. And revenue bonds are repaid by users of a project who directly benefit, not taxpayers. For instance, repairs to a bridge would be paid by tolls on the bridge, or customers in a specific water district would pay to build a water recycling plant, not taxpayers. It makes no sense to have a statewide election on projects not financed by taxpayers for which the state and local governments bear none of the financial risk.

Prop 53 is Financed and Promoted by Multi-millionaire with a Personal Agenda

- This measure is financed entirely by one multi-millionaire and his family, who are spending millions in an attempt to disrupt a single water infrastructure project. Irrespective of one's position on that single project, his initiative has far-reaching, negative implications for other infrastructure projects throughout California. We cannot allow one wealthy person to abuse the initiative system to push his narrow personal agenda.

Paid for by No on Prop 53 – Californians to Protect Local Control, a coalition of public safety, local government, business and labor organizations, and taxpayers. Major funding by California Construction Industry Labor Management Cooperation Trust and Members' Voice of the State Building and Construction Trades Council of California (Committee).



FACT SHEET

PROPOSITION 53 WILL:

- 1 Close the loophole that allows politicians to issue massive new debt to pay for multi-billion dollar projects — without giving Californians the right to vote.
- 2 Require statewide voter approval for state revenue bond projects costing more than \$2 billion.
- 3 Hold Sacramento politicians accountable by requiring all multi-billion dollar state bonds go to a vote of the people.
- 4 Give voters a say when state government wants to incur enormous new debt that the public will have to repay.
- 5 Ensure voters understand the full cost of future projects, including interest payments, that they are expected to pay.

If taxpayers have to pay, they should have a say!

A MOUNTAIN OF DEBT

California is saddled with historic levels of debt that puts our long-term fiscal health in danger. Totalling over \$330 billion,¹ California's outstanding liabilities are unsustainable.

California has the third worst credit rating of any state in the nation. As a share of personal income, population, and gross domestic product, California's debt load is the third worst among the ten largest states.²

Californians deserve the right to vote on all new major bond debt before they, and future generations, are expected to pay.

1. Legislative Analyst's Office, "Addressing California's Key Liabilities," May 7, 2014.

2. John Chiang, California State Treasurer, "California Debt Affordability Report," Oct. 2015.

SACRAMENTO'S LOOPHOLE

With \$330 billion in debt, Sacramento politicians have maxed out California's credit card, and it is time for voters to stop them from spending more than we can afford.

However, Sacramento politicians are still pushing for controversial projects estimated to cost nearly \$100 billion.

To avoid the public review and accountability that comes with getting voter approval for these controversial, multi-billion dollar projects, politicians want to use a loophole that will allow them to borrow billions in new revenue bond debt without giving voters a voice. Since taxpayers are the ones who have to pay, voters should have a say.

"This measure is simple. It would allow voters a say on the state's biggest, most expensive projects that impact all of us."

Mary N. Piepho and Karen Mitchoff, Contra Costa County Supervisors
Contra Costa Times, 11/20/15

www.YESon53.com

MENDOCINO COUNCIL OF GOVERNMENTS

Agenda # 6
Consent
MCOG Meeting
10/3/16

MINUTES

Monday, August 15, 2016

County Administration Center, Board of Supervisors Chambers

ADDITIONAL AUDIOCONFERENCE LOCATION:

Caltrans District 1, 1656 Union St., Eureka

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 Tatiana Ahlstrand (Alt., Caltrans/PAC), Steve Scalmanini, Larry Stranske, Susan Ranochak, Tom Woodhouse, and Dan Gjerde present; Chair Gjerde presiding. Directors Doug Hammerstrom and Jim Koogle were excused.

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

2. Convene as RTPA

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

Public Expression. Austin McCaffery, Sustainability and Energy Efficiency Specialist, Community Development Commission, introduced the Mendo-Lake Energy Watch program, which offers incentives and services in partnership with Pacific Gas & Electric Company, such as lighting and energy retrofits, for utility cost savings and efficiency.

Regular Calendar. None.

5. Approval of First Amendment to Fiscal Year 2016/17 Transportation Planning Overall Work Program (OWP). This item was pulled from the Consent Calendar by staff, due to necessary revisions. Ms. Ellard described the proposed amendments as routine adjustments to reflect project funding carried over to FY 2016/17, miscellaneous reconciliations, and updated planning staff rates. She handed out a revised staff report, explaining that the proposed carryover of Rural Planning Assistance (RPA) funds must be delayed until Caltrans has certified the 2015/16 fiscal year-end actual amounts expended. Another amendment will be requested at the next meeting in October, when the information is available.

- The current proposed amendment reflects carryover of Local Transportation Funds (LTF); State Planning, Programming & Monitoring (PPM) funds; and State Active Transportation Program (ATP) grant funds.
- Funds are carried over from previous years for nine work elements, based on fiscal year-end actual amounts claimed.
- The planning staff contracted hourly rates for Davey-Bates Consulting services are adjusted by the Consumer Price Index inflation rate increase of 1.47% over the previous year, as authorized under the five-year contract.
- Funding of the work program is increased by \$179,497, from \$1,564,372 to a new total of \$1,743,869, using prior-year carryover, with no new funds.

Upon motion by Ranochak, second by Woodhouse, and carried unanimously on roll call vote (6 Ayes – Ahlstrand/PAC, Scalmanini, Stranske, Ranochak, Woodhouse, and Gjerde; 0 Noes; 0 Abstaining; 2 Absent – Hammerstrom, Koogle): IT IS ORDERED that the First Amendment to the Fiscal Year 2016/17 Overall Work Program (OWP) is approved as recommended by staff, and the Executive Director is authorized to sign appropriate certifications and a revised OWP Agreement as needed, and to forward to Caltrans as required.

[Clerk's Note: Vote on Agenda Item #5 occurred after Consent Calendar vote.]

Consent Calendar. Upon motion by Ranochak, second by Woodhouse, and carried unanimously on roll call vote (6 Ayes – Ahlstrand/PAC, Scalmanini, Stranske, Ranochak, Woodhouse, and Gjerde; 0 Noes; 0 Abstaining; 2 Absent – Hammerstrom, Koogle): IT IS ORDERED that consent items are approved:

4. **Approval of June 6, 2016 Minutes – as written**
6. **Acceptance of 2014/15 Mendocino Transit Authority Fiscal Audit – MTA received a clean audit report.**
7. **Acceptance of Greater Ukiah Area Micro-simulation Model Final Report by Caliper Corporation**
8. **Adoption of Resolution Approving State Program Supplement Agreements for Funded Active Transportation Program (ATP) Project: S.R. 162 Corridor Multi-Purpose Trail, Phase 2 – Preliminary Engineering**

Resolution No. M2016-14

Approving State Program Supplement Agreements for
Funded Active Transportation Program (ATP) Project:
S.R. 162 Corridor Multi-Purpose Trail, Phase 2 – Preliminary Engineering
(Reso. #M2016-14 is incorporated herein by reference)

9. Recess as Policy Advisory Committee - Reconvene as RTPA - Ratify Action of Policy Advisory Committee. Upon motion by Ranochak, second by Woodhouse, and carried unanimously on roll call vote (5 Ayes – Scalmanini, Stranske, Ranochak, Woodhouse, and Gjerde; 0 Noes; 0 Abstaining; 2 Absent – Hammerstrom, Koogle): IT IS ORDERED that the actions taken by the Policy Advisory Committee are ratified by the MCOG Board of Directors.

10. Reports - Information

- a. Mendocino Transit Authority. There was no report. Chair Gjerde reported riding the bus to Ukiah today.
- b. North Coast Railroad Authority. Ms. Ellard reported attending the recent NCRA board meeting in Novato the previous week, when three actions were approved with regard to property management. A two-year extension of the current agreement with Guillon, Inc. was approved for property management, sale of parcels and development of the Ukiah depot site. An exemption from competitive listing of the property sales was approved for NCRA's agreement with Guillon. There was discussion and public input on possible conflict and issues regarding the listing agreement itself, resulting in approval by a 6-3 vote.

The NWP operator is seeking funding to extend the railroad north; there is interest from Mendocino Forest Products to provide a loading site for shipping. Caltrans awarded a planning grant of \$276,000 to study feasibility of an east-west rail route in the northern counties.

c. MCOG Staff - Summary of Meetings. Mr. Dow referred to his written staff report.

d. MCOG Administration Staff

1. *U.S. 101 Bypass of Willits Update*. Mr. Dow referred to the project manager's written monthly report and announced that Caltrans will open the bypass on November 3, with a ceremony at 11:00 a.m. on the viaduct. A bicycle event is planned for the morning, with opening to traffic that afternoon. Construction was 93% complete; the contractors were working on final paving, striping, signage, and other details.

Ms. Orth reported Caltrans' answer to a question last meeting as to use of herbicides in the mitigation properties. It was confirmed that none had been used and that subsequent contracts did not allow herbicides. Only mechanical or manual methods were used for plant removal.

2. *Active Transportation Program (ATP) Cycle 3 Proposals Submitted*. Mr. Dow referred to his written staff report. Four proposals were submitted by agencies in Mendocino County.

3. *Grant Proposal Submitted June 24, 2016 to California Energy Commission by ChargePoint with MCOG as Partner to Install Electric Vehicle Charging Infrastructure on the U.S. 101 Corridor in Mendocino County and Northern Sonoma County*. Ms. Orth referred to her written report. ChargePoint submitted the proposal on time, with several subcontractors for installation, maintenance, education and analysis, in addition to MCOG's advisory role. Five sites were selected for installation of nine DC fast chargers. Awards are to be announced in the next month or two.

4. *National Drive Electric Week – September 10-18, Local Ukiah Event Saturday, Sept. 17*. Ms. Orth reported that last year she had organized an event, and this year the Ukiah Main Street Program was inviting plug-in electric vehicle (EV) owners to participate in their End of Summer Show-N-Shine Classic & Custom Car Show. Director Scalmanini suggested contacting EV stakeholders who participated in MCOG's May 2015 community forum.

5. *Proposal to U.S. Department of Energy to Form a Northern California Clean Cities Coalition to Foster Use of Low-Carbon Transportation Fuels*. Ms. Orth reported this proposal resulted from the recently completed Northwest California Alternative Transportation Fuels Readiness Project, in which MCOG participated with four other counties. A consensus of these agencies was to continue the effort by forming a coalition under the federal Clean Cities program, which would provide support if approved. She has been meeting with a core group to develop a proposal and if successful, staff would seek the Council's approval to continue with this work as part of its interregional coordination role and Regional Transportation Plan (RTP) goals and objectives.

Mr. Dow noted reasons that staff has been involved in these last three agenda items, both with and without explicit direction from the Council. He had just finished reviewing new RTP guidelines, which include new policies to reduce greenhouse gas emissions. He will be proud to report these various efforts, over the past six years since the last RTP was written, in the next update. Rural regions are expected to contribute even while in legal compliance with regulations. Chair Gjerde agreed that made sense and noted the rise of EVs as they are becoming more affordable.

6. *Next Meeting: Wednesday, September 7 for Mobile Workshop & Tour of Willits Plans & Projects and US-101 Bypass.* Plans were discussed for the fall transportation tour. It was agreed there was no need to convene a formal business meeting, so the day's events would be educational and no action would be taken. A tour of the bypass would be led by Caltrans in the morning, followed by lunch, then an afternoon presentation and walking tour of the downtown area to look at plans for Main Street after relinquishment to the City of Willits. MTA will provide transportation. Staff will distribute a notice with details as usual.

7. *Miscellaneous.* Ms. Orth announced a position is open at Dow & Associates (one of the two MCOG staffing contractors) for an Administrative Assistant.

Mr. Dow elaborated on three items in the Council's Information Packet, his letters of support for projects seeking funds: the MacKerricher State Park Haul Road Repair & Enhancement Project; the Hopland Main Street Corridor safety and ADA improvements; and the Rural Communities Housing Development Corporation's \$24 million Orr Creek Commons proposal for the Affordable Housing/Sustainable Communities state program.

e. MCOG Planning Staff. There were no reports.

f. MCOG Directors. Director Scalmanini reported that only the two incumbents had filed for the City Council seats open in this November's election. He also discussed status of the Costco development project in City of Ukiah, relative to mitigation measures for greenhouse gas emissions, traffic, and other impacts.

Mr. Dow answered a question about a change of zoning on North State Street at the former Masonite industrial site. He reported plans to make the northbound freeway onramp safer at that location.

Chair Gjerde reported recent improvements to State Route 20 (Willits-Fort Bragg) by Caltrans, including seven new turnouts with signage.

g. California Association of Councils of Governments (CALCOG) Delegates. Mr. Dow briefly reported on the most recent CALCOG Directors Association meeting; all are waiting for a transportation funding bill. Senator Beall and Assemblymember Frazier were introducing new bills with comprehensive transportation reform and funding proposals.

Chair Gjerde discussed status of the Board of Supervisors' cannabis tax initiative, which would include some funding for streets and roads if passed by the voters.

11. Adjournment. The meeting was adjourned at 2:35 p.m.

Submitted: PHILLIP J. DOW, EXECUTIVE DIRECTOR

By Janet Orth, Deputy Director/CFO



MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

Agenda # 7
Consent
MCOG Meeting
10/3/2016

TITLE: Transportation Planning Overall Work Program (OWP) Project Application Update **DATE PREPARED:** 9/22/16

SUBMITTED BY: Loretta J. Ellard, Deputy Planner

MEETING DATE: 10/3/16

BACKGROUND:

The annual six-week application cycle for MCOG's Overall Work Program will begin next month with a call for FY 2017/18 project applications (*October 15 – December 1*).

Before the cycle begins, we would like to make some updates to the application package, which consists of the following three documents:

- OWP Policies and Instructions – *last revised in 2012*
- OWP Application - Proposed Scope of Work form – *last revised in 2012*
- OWP Quarterly Report form – *last revised in 1999*

Attached are copies of the proposed updated forms, with staff's recommended revisions shown in **red** and ~~strike-out~~.

This item was **not** presented to the TAC for review, as it does not need a TAC recommendation. If approved, the updated forms will be provided to the TAC for the upcoming application cycle.

ACTION REQUIRED: Consider approval of staff's proposed revisions to MCOG's annual Overall Work Program application package.

ALTERNATIVES: (1) Decline to approve proposed revisions; or (2) Make other changes to OWP policies or forms (*not recommended*).

RECOMMENDATION: Accept staff's proposed revisions to MCOG's annual Overall Work Program application package.

/le

Attachments: (1) OWP Policies & Instructions; (2) OWP Application; (3) OWP Quarterly Report form

(Proposed for MCOG approval on 10/3/16)

MENDOCINO COUNCIL OF GOVERNMENTS OVERALL WORK PROGRAM (OWP) POLICIES AND APPLICATION INSTRUCTIONS

General Information

The Mendocino Council of Governments has adopted a policy that a portion of Local Transportation Funds (LTF) will be allocated to assist in funding the annual transportation planning work program. Other funding sources for the work program include various State and Federal funds.

Eligible Applicants/Projects

Eligible applicants include the parties to MCOG's Joint Powers Agreement (JPA), which are the Cities of Ukiah, Willits, Fort Bragg, and Point Arena; and the County of Mendocino. Mendocino Transit Authority is also an eligible applicant. Other potential applicants must have an eligible JPA member sponsor agency.

Projects funded under the annual work program are of a planning nature, including studies related to transportation needs, technical assistance, transportation-related training for Technical Advisory Committee (TAC) members, Local Agency Staff, and MCOG staff; and administration of the work program, and direct costs.

Application Cycle/Schedule

The cycle for the OWP process shall begin annually October 15th, at which time MCOG staff will forward the OWP application package consisting of [these Policies and Application Instructions](#), an [Application/Proposed Scope of Work Form \(attached\)](#), and a [Quarterly Report Form \(attached\)](#) to TAC members. **There shall be a six week application period of October 15th - December 1st**, with all applications due to the MCOG office no later than 5:00 p.m. on December 1st of each year (if this date falls on a weekend, the following Monday shall apply).

Applicants must submit fourteen (14) copies of the completed application/[scope of work form](#), and one electronic copy. Incomplete applications or applications with insufficient copies will be returned to the applicant for completion.

A preliminary draft OWP is prepared by MCOG staff for review at the TAC level, and ~~submission~~ **submitted** to Caltrans by March 1st. After incorporation of Caltrans' comments, a Final OWP is ~~then~~ prepared for MCOG approval. The Final OWP is adopted along with the Regional Transportation Planning Agency annual budget in ~~May~~ **June** of each year.

Quarterly Reporting/Payments

All agencies that are funded under the work program are required to submit quarterly progress reports to the MCOG office within 15 days following the end of each quarter. The progress of each work element is then compiled into a quarterly OWP report, which is submitted to the State.

(Proposed for MCOG approval on 10/3/16)

Payments are tied to timely submittal of quarterly reports and satisfactory performance as determined by MCOG. Payments are made to work program participants upon invoicing with documentation of work performed, and subject to approval by MCOG's Executive Director.

Amendments

Any change in the approved work program requires an amendment approved by both MCOG and Caltrans, therefore any delays or problems should be promptly communicated with MCOG staff. Amendments to the approved work program are not allowed by Caltrans after April 1st of any year.

Carryover Requests

The program period for each work program is July 1 through June 30 of each year. Every attempt must be made to complete programmed activities within the programmed fiscal year; however, if there is a need to carry over a project to the next fiscal year for completion, the requesting agency must submit justification for the carry over to MCOG. Carryover requests are subject to the following restrictions:

Projects funded with State Rural Planning Assistance (RPA) funds ~~may not be carried over.~~ are expected to be completed in the initial year of programming; however, limited extensions are possible and will be considered on a case-by-case basis (subject to approval by the MCOG Executive Director). Caltrans allows up to 25% of an agency's annual RPA allocation to be carried over for a maximum of one year, after the initial year of programming.

Projects funded with Local Transportation Funds (LTF) funds may be carried over (*subject to approval by the MCOG Executive Director*) for a maximum of two years, after the initial year of programming.

Projects funded with Planning, Programming & Monitoring (PPM) funds may be carried over (*subject to approval by the MCOG Executive Director*) for a maximum of two years, after the initial year of programming.

Grant funded projects are subject to the carryover provisions of the pertinent State or Federal funds. (*i.e. Caltrans' Community Based Transportation Planning (CBTP) grants are for a two year period*).

Attachments: OWP Application – Scope of Work Form
OWP Quarterly Report Form

MENDOCINO COUNCIL OF GOVERNMENTS
FY _____ OVERALL WORK PROGRAM
APPLICATION - PROPOSED SCOPE OF WORK

Applicant Agency:
Contact Person:
Project Title:

Date Submitted:

Use additional sheets as necessary to prepare outline.

GOAL/PURPOSE - What does this planning project intend to achieve? How does this planning work address the goals and objectives of the Regional Transportation Plan? See RTP pages 21-30 - available on MCOG's website www.mendocinocog.org.

PREVIOUS WORK - Has any related work been done in the past?

TASKS - List all tasks and responsible party for each task.

PRODUCTS - Identify products of the planning effort. How will these products be used to improve the State, regional, or local transportation system?

TIME SCHEDULE - Provide a monthly schedule by task. Schedule must indicate that all tasks can be completed in one fiscal year.

SAMPLE

Table with 13 columns (Tasks, Jul, Aug, Sep, Oct, Nov, Dec, Jan, Feb, Mar, Apr, May, Jun) and 3 rows of task data.

ESTIMATED PERSON DAYS/ COST BREAKDOWN - Provide estimated person days and costs for each agency and consultant.

PROPOSED FUNDING SOURCES & AMOUNTS - Provide amounts of proposed funding from all sources. Are there leveraging opportunities available? Has funding from other sources been sought for this planning project?

Notes:

- 1. Receipts and documentation are required for all direct costs, including copies of consultant invoices and receipts. Mark-up of direct costs is not allowed.
2. Travel costs are limited to Caltrans approved travel rates, available at the following link: http://www.dot.ca.gov/hq/asc/travel/ch12/1consultant.htm#rr.
3. It is applicant's responsibility to comply with all fiscal and procurement requirements of federal, state, regional, or local funding agencies.
4. The Transportation Development Act (TDA) requires recipients of Local Transportation Funds to submit annual fiscal audits to MCOG.

MENDOCINO COUNCIL OF GOVERNMENTS
OVERALL WORK PROGRAM QUARTERLY REPORT
_____ Quarter, FY _____
Period Covering _____ to _____

AGENCY:

DATE:

WORK ELEMENT NO./TITLE:

PURPOSE:

PROGRESS:

PRODUCT EXPECTED:

PROBLEMS:

OUTLOOK/STATUS:

FUNDS CLAIMED:

OWP Funding: \$ _____

Claimed this quarter: \$ _____

Claimed to date \$ _____
(including current quarter):

Balance to be claimed: \$ _____

Staff Report

TITLE: Summary of Meetings**DATE PREPARED: 09/23/16****MEETING DATE: 10/03/16****SUBMITTED BY: Phil Dow, Executive Director****BACKGROUND:**

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

1. Caltrans/Regional Coordination Meeting
Teleconference 08/16/16
(Dow, Davey-Bates, & Ellard)
2. *Regional Transportation Planning Agencies (RTPAs)*
San Diego 08/17/16
(Davey-Bates)
3. *California Transportation Commission*
San Diego 08/17/16 – 08/18/16
(Davey-Bates)
4. Clean Cities Coalition
Teleconference 08/22/16
(Orth)
5. *Technical Advisory Committee*
Ukiah 08/24/16
(Dow, Ellard, & Barrett)
6. *Willits Downtown Streets & Alleys Workshop*
Willits 08/25/16
(Ellard)
7. Field Reviews of Mendocino Land Trust Electric Vehicle Charging Station Sites
Willits 08/30/16
(Orth)
8. Barriers to Accessing Transportation, Housing, & Energy Efficiency Programs
Consolidated Tribal Health Project Wellness Center
Redwood Valley 08/31/16
(Dow & Orth)
9. *Mendocino Transit Authority*
Willits 09/01/16
(Ellard)

10. US 101 Bypass of Willits & Willits Main Street Tour
Willits 09/07/16
(Dow, Orth, Davey-Bates, Barrett, & Sookne)
11. U.S. 101 Bypass of Willits Project Development Team (PDT)
Teleconference 9/8/16
(Dow)
12. *Active Transportation Program (ATP) Non-Infrastructure Grant Implementation*
Ukiah 09/13/16
(Barrett, Davey-Bates, & Dow)
13. *Rural Counties Task Force*
Teleconference 09/16/16
(Dow)
14. California Freight Advisory Committee
Los Angeles 09/21/16
(Dow)
15. *Highway Safety Improvement Program (HSIP)*
Teleconference 09/22/16
(Davey-Bates)
16. Technical Advisory Committee
Fort Bragg 09/28/16
(Dow & Ellard)
17. California COG Directors Association
Sacramento 09/27/16
(Dow & Davey-Bates)

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

ACTION REQUIRED:

None.

ALTERNATIVES:

None identified.

RECOMMENDATION: None. This is for information only.

**WILLITS BYPASS PROJECT
CONSTRUCTION UPDATE
SEPTEMBER 2016**

The following is a summary of the construction activities that have been completed up to **September 20, 2016**

- **Contractor has completed approximately 96% of work on the project.**

South Segment (Beginning of Project to Center Valley Road) – STA "A" 96+00 to 149+00 (3.3 miles):

- Paving HMA complete with the exception of Stamped gore paving at ramp gores. Completion is expected by October 01.
- Northbound traffic is currently routed onto the bypass to the new Hwy 20 exit and back to Willits. Traffic will be in this configuration until the bypass opening.
- Striping and delineation operations are in process. Completion is expected by the middle of October.
- The Drainage systems are complete and functioning.
- Electrical facilities for message boards and CCTV cameras are currently being installed. Completion is expected by the middle of October. Street lighting is operational.
- Roadway signs are currently being installed and anticipated to be completed in early October.
- All structures are complete.
- Contractor is working on miscellaneous punchlist items and cleanup to complete construction. Completion is anticipated to be complete by the end of October.

Floodway Viaduct - STA "A" 149+00 to 167+50 (1.2 miles):

- Viaduct is complete

North Segment (Viaduct to End of Project) – STA "A" 167+50 to 191+10 (1.5 miles):

- Drainage systems are complete with the exception of minor punchlist items which will be complete by mid October.
- Paving up to the northern tie-in is complete.
- Paving operations are currently underway for the old highway, intersection to the bypass, and the newly constructed cul-de-sac. Completion is expected by the end of September.
- All signs, striping, and delineation are expected to be completed by mid October.
- All structures are complete.
- Erosion control is being monitored and maintained at all locations.
- Street lighting is functional and currently running on Generator power until the PGE drop is completed. The remainder of electrical services is expected to be complete by mid October.
- Contractor is working on miscellaneous punchlist items and cleanup to complete construction. Completion is anticipated to be complete by the end of October.

WETLAND/RIPARIAN MITIGATION PROJECTS CONSTRUCTION UPDATE SEPTEMBER 2016

The following is a summary of the construction activities that have been completed up to **September 20, 2016**.

Emergency Limited Bid (ELB) Contract. This contract work started on August 11, 2014 and was completed in December 2015.

- 25 acres of invasive plant removal (Target Weed removal) using mechanical/manual methods.
- 8.89 acres of wetland establishment (MGC Plasma North).
- 3 Locations of headcut repairs (Benbow, Lusher and Frost). Drainage improvement by grading eroded gullies, placed rock still structures and pool structures to slow the flow (rock lined check dams) and stabilized the area with wetland seeds and BMPs.
- 3 Locations of eroding bank repairs along Outlet Creek. Cut creek bank to widen creek, installed root wad (trunk/root ball) and footer logs for fish habitat along the creek bank, placed RSP to stabilize the creek banks, placed wetland seeds and native grass straw, and planted willows along the creek bank.
- Access road development for all mitigation parcels/areas. Placed Box culvert at Hearst Willits Road, temporary bridges at Mill Creek/Davis Creek and paved several driveways.
- Seeds for this project were collected using a separate service contract and provided to the contractor.

Mitigation Contract No. 1. This Contract was awarded on April 15, 2015. The first working day was on September 9, 2015. This project includes 3 years of plant establishment. Estimated Completion date is June 2020.

- 52.35 acres of wetland establishment (100% completed).
- Developed stream crossing at 19 locations (100% completed). Harden stream crossing were constructed using 9" cobble stone and 3" clean sand and gravel to access through the creek.
- 69 acres of invasive plant removal- Target Weed (This will continue until contract acceptance) using mechanical/manual methods.
- 82 acres of heavy treatment (area preparation for riparian planting, 100% completed).
- Developed water sources and installed irrigation system for planting and plant establishment work (50% completed).
- Planted the ELB project areas and Oak woodland areas (54,000 plants installed) and 750 days Plant Establishment started on 01/04/2016 for 2015 planting.
- Installation of 350,000 plants in wetland creation area (will start in 2016 fall).
- Installation of 147, 645 plants via Change Order (CO) in mitigation area (will start in 2016 fall).
- Seeds for this project were collected using a separate service contract and provided to the contractor.
- Plants for this projects were propagated using a separate service contract and provide to the contractor.
- Develop water supply ongoing for the project and include the CO for additional planting.
- Plant establishment continues for the 54,000 plants planted in the fall of 2015
- Installation of the temporary bridge over Mill Creek (CO work 60% completed to-date)
- Mendocino County road pavement repairs (CO work) started on August 22, 2016
- Mendocino County road pavement repairs (CO work) **completed** on September 07, 2016
- Installation of the temporary bridge over Mill Creek completed September 19, 2016
- 2015 Plant Establishment and Develop Water Supply are on-going operations.
- Set up onsite nurseries, flail mowing and pre-watering ahead of planting started on August 29, 2016.
- 2016 planting started on September 7, 2016. on wetland creation areas. Around 74,000 plants planted to-date.
- **Contractor completed approximately 39%. Time elapsed 24%.**

WETLAND/RIPARIAN MITIGATION PROJECTS CONSTRUCTION UPDATE SEPTEMBER 2016

Mitigation Contract No. 2. This Contract was awarded on June 30, 2015. The first working day was on September 9, 2015. This project includes 3 years of plant establishment. Estimated Completion date is March 2021.

- 2 acres of invasive plant removal -target weed removal, Started on July 5th (This will continue until contract acceptance) using mechanical/manual methods.
- 33 acres of invasive plant removal - heavy treatment started on July 18th (5% completed).
- 27 acres of Invasive Plant Removal –light treatment, started on June 8th, 2016 (This will continue until contract acceptance).
- Developing water sources and installing irrigation system for planting and plant establishment work.
- Installation of 287,340 plants.
- Seeds for this project were collected using a separate service contract and provided to the contractor.
- Plants for this projects will be propagated by the contractor.
- 30.45 acres of Invasive Plant Removal - Heavy Treatment 100% completed on August 11, 2016.
- 30.45 acres of Ripping 100% completed on August 19, 2016; CO work.
- 7300 CY of dirt mounds removal 100% completed on August 19, 2016; CO work.
- On-Site well drilling started on August 18, 2016
- 30.45 acres of Disking started on August 19, 2016; CO work. Completed on September 02, 2016.
- Drill seeding, straw cover and incorporate materials completed on September 06,2016
- On-site well drilling completed on September 15, 2016
- Planting started September 21, 2016 (today)
- **Contractor completed approximately 28%. Time elapsed 11%.**

Additional Mitigation Work Completed to Date Includes: In April 2010, a Contract Change Order (CCO) was executed using the Bypass project to implement infrastructure such as 132,000 feet of fencing, 50,000 feet of 2” underground water line, 150 gates, 65 stock tanks, and 25 cattle shades to facilitate cattle grazing activities within the Wetland/Riparian Mitigation project area.



MENDOCINO COUNCIL OF GOVERNMENTS

STAFF REPORT

Agenda # 9d2
Reports
MCOG Meeting
10/3/2016

TITLE: National Drive Electric Week – September Event in Ukiah

SUBMITTED BY: Janet Orth, Deputy Director/CFO

DATE: 9.23.2016

BACKGROUND:

The sixth annual National Drive Electric Week (NDEW), September 10-18, highlighted the benefits of driving electric cars, including zero emissions, cost savings and fun. There were 235 events in the U.S. and Canada this year, celebrating the more than 500,000 EVs sold nationwide.

Last year I organized the first event in Ukiah for NDEW. This year the Ukiah Main Street Program invited plug-in electric vehicle (EV) owners to participate in their End of Summer Show-N-Shine Classic & Custom Car Show. While the organizers did not participate in NDEW, those of us who entered appreciate the space provided and the opportunity to educate and show off our cars again.

On display were two Chevy Spark EVs, a Chevy Volt, an Audi, and the latest Tesla Model S. The owner generously allowed us to test drive this high-performance Tesla, and I was impressed with the “Level 1” autonomous driving features of the car, adding to the vehicle’s safety and convenience.

During the event, six Tesla drivers plugged into the Tesla charging stations in the downtown Ukiah parking lot where our event was located. Many people are curious about these eight superchargers, which are not compatible for charging other EVs. However, City of Ukiah soon will install four universal chargers in the downtown area that were donated by Tesla.

There were about half as many participants, vehicles and spectators at the EV display compared to last year. Next year I would recommend more promotion and networking, and also take advantage of the NDEW coordination and resources available, to boost exposure and attendance. National Drive Electric Week is sponsored by the nonprofit Plug In America, Sierra Club, and Electric Auto Association.

ACTION REQUIRED:

None, this is for information only.

ALTERNATIVES:

Not applicable.

RECOMMENDATION:

Continue to learn more about the many benefits of driving plug-in electric vehicles. While MCOG was not directly involved with this reported event, it is relevant to this agency’s efforts to develop public infrastructure for plug-in electric vehicles and other alternative transportation fuels.