

**DEL NORTE LOCAL TRANSPORTATION COMMISSION
MEETING AGENDA: TUESDAY, JUNE 2 2020 AT 3 PM**

Public Zoom Webinar Registration Link:

https://us02web.zoom.us/webinar/register/WN_F_zG7Dx-Sv21uij-aMsXnA

1. **Call Meeting to Order**
2. **Pledge of Allegiance**
3. **Public comment period**

Anyone wishing to make public comments regarding matters either on or off the agenda and within the Commission's jurisdiction may do so at this time; however, the Commission is not permitted to act on non-agenda items.

4. **Adjourn to the Policy Advisory Committee**

CONSENT AGENDA for POLICY and ADMINISTRATIVE

Items are considered routine in nature and voted on in one motion: Consider public comments or requests to pull matters from the consent agenda for separate action.

- a) Minutes of May 5, 2020

Staff recommendation: By consensus, accept minutes of April 7, 2020.

POLICY and ADMINISTRATIVE

- b) **Extension of Agreement for Executive Director Services Due to COVID-19**
Counsel recommendation: Review and approve, by polled vote, Addendum No. 2 to the Agreement for Executive Director Services, extending the term of the Agreement by one year, and authorize the Chair to sign.

- c) **Discussion items**

- Highway 199 at Elk Valley Cross Road

5. **Commissioner comments and reports**
6. **Action on the recommendations of the Policy Advisory Committee**

Adjourn as the Policy Advisory Committee, reconvene as the Del Norte Local Transportation Commission, and by polled vote, approve and adopt the actions taken by the Policy Advisory Committee in the items listed above.

7. **Adjourn until the regular meeting on Tuesday, July 7, 2020 at 3 p.m.**

Anyone requiring reasonable accommodation to participate in the meeting should contact the Executive Director Tamera Leighton, at (707) 465-3878, at least five (5) days prior to the meeting.

**DEL NORTE TRANSPORTATION COMMISSION
REGULAR MEETING MINUTES: TUESDAY, MAY 5, 2020 AT 4 PM**

Present: Commissioner Roger Gitlin, County
Commissioner Gerry Hemmingsen, County (3:10 PM)
Commissioner Chris Howard, County, Chair
Commissioner Blake Inscore, City
Commissioner Heidi Kime, City

Absent: Commissioner Alex Fallman, City, Chair

Also Present: Susan Brown, Rural Approaches
Tamara Leighton, Local Transportation Commission
Kevin Tucker, Caltrans, Policy Advisory Member

1. CALL MEETING TO ORDER

Chair Howard called the meeting to order at 4:00 p.m.

2. PLEDGE OF ALLEGIANCE

Commissioner Gitlin led the Pledge of Allegiance

3. PUBLIC COMMENT PERIOD

Anyone wishing to make public comments regarding matters either on or off the agenda and within the Commission's jurisdiction may do so at this time; however, the Commission is not permitted to act on non-agenda items.

The following person(s) addressed the Commission: None

4. ADJOURN TO THE POLICY ADVISORY COMMITTEE

Chair Howard adjourned as the Del Norte Local Transportation Commission and immediately reconvened as the Policy Advisory Committee at 4:02 p.m.

CONSENT AGENDA

Items are considered routine in nature and voted on in one motion: Consider public comments or requests to pull matters from the consent agenda for separate action.

a) MINUTES OF APRIL 7, 2020

Staff recommendation: By consensus, accept minutes of April 7, 2020.

b) 2020-21 OVERALL WORK PROGRAM FINAL

TAC and Staff recommendation: By polled vote, adopt Resolution 2020 8 approving 2020-21 Overall Work Program.

c) 2020 ECONOMIC AND DEMOGRAPHIC PROFILE

TAC and Staff recommendation: By consensus, accept the 2020 Economic and Demographic Profile.

d) RESOLUTION AUTHORIZING AND APPROVING THE CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) FOR THE *BUS ELECTRIFICATION PROJECT*

Staff recommendation: By polled vote, adopt resolution 2020 11.

e) CHAMBER OF COMMERCE GOVERNMENT MEMBERSHIP

Staff recommendation: By polled vote, authorize the expenditure of \$85 from the Office Operations/Work Element E1 for a DNLTC Chamber Membership.

**f) SERVICE AUTHORITY FOR FREEWAY EMERGENCIES (SAFE) SYSTEM REPORT
STAFF RECOMMENDATION: BY CONSENSUS, ACCEPT THE SAFE SYSTEM REPORT.**

Public Comment: None

On a motion by Commissioner Gitlin, seconded by Commissioner Inscore, and unanimously carried the Del Norte Local Transportation Commission approved by consensus item 4 a-f.

POLICY and ADMINISTRATIVE

g) AMEND CONTRACT WITH DOKKEN ENGINEERING TO ACCOMMODATE ADDITIONAL COORDINATION WITH CALTRANS FOR US HIGHWAY 199 AT ELK VALLEY CROSS ROAD

Staff recommendation: Approve the three items below simultaneously with one vote to address the steps needed for a single change in the Overall Work Program.

1. TAC and staff recommendation: By polled vote, authorize the execution of Contract Amendment 2 with Dokken Engineering for the Elk Valley Cross Road Corridor Plan.
2. By polled vote, adopt resolution 2020 9, authorizing the funding strategy for additional consultant coordination with Caltrans for the US 199/Elk Valley Cross Road intersection.
3. By polled vote, adopt resolution 2020 10, amending the 2019-20 Overall Work Program to accommodate additional consultant coordination with Caltrans for the US 199/Elk Valley Cross Road intersection.

Tamera Leighton explained that the Elk Valley Cross Road project has met with some challenges and will require an amendment to the contract with Dokken Engineering. Dokken will produce a Tech Memo working with Caltrans on a unified solution to address the accident numbers that have been in dispute. The amendment agreement has been given to the TAC members for their information and consideration. The amendment provides for additional cost, scope, and schedule to allow Dokken to work with Caltrans on the Elk Valley project.

On a motion by Commissioner Hemmingsen, seconded by Commissioner Kime, and unanimously carried on a polled vote the Del Norte Local Transportation Commission approved amending the contract with Dokken Engineering to accommodate additional coordination with Caltrans for US Highway 199 at Elk Valley Cross Road.

h) DISCUSSION ITEMS

- Highway 199 at Elk Valley Cross Road – Tamera Leighton reported that the document will be completed soon and it will be presented at the June meeting for acceptance at the July meeting.
- Last Chance Grade: March 11 begins night closures for 5 days – Tamera Leighton reported that Last Chance Grade will begin night closures on May 11 to allow Caltrans to move ahead quickly with their maintenance work. Public information notices have been sent out, but Tamera will resend the information and reach out to other communities whose travelers may be affected.
- SAFE System call box theft – Tamer Leighton reported that two call boxes have been stolen; one of the systems was a satellite call box. One call box was at Last Chance Grade and the other at Colliers Tunnel. Plans are in place to replace the missing call boxes and the California Highway Patrol will be on the lookout for suspicious activities around the call boxes.

5. COMMISSIONER COMMENTS AND REPORTS

Commissioner Giltin discussed the recent collision on Highway 199, commenting that speed was the issue, and inquired about addressing the speed issue. Chair Howard suggested additional signs, much like the signs Oregon uses that read “Slow Down and Save Lives.”

Chair Howard asked about have future discussions about Highway 101 and North Indian Road citing a high rate of collisions. The Tolowa Tribe should be included in these discussions.

6. ACTION ON THE RECOMMENDATIONS OF THE POLICY ADVISORY COMMITTEE

Adjourn as the Policy Advisory Committee, reconvene as the Del Norte Local Transportation Commission, and by polled vote, approve and adopt the actions taken by the Policy Advisory Committee in the items listed above.

On a motion by Commissioner Inscore, seconded by Commissioner Kime, and unanimously carried on a polled vote the Del Norte Local Transportation Commission approved items 4 a-g.

7. ADJOURN UNTIL THE REGULAR MEETING SCHEDULED ON TUESDAY, JUNE 2, 2020 AT 3 P.M.

With no further business before the Commission, Chair Howard adjourned the meeting at 4:26 p.m., until the next regularly scheduled meeting on Tuesday, June 2, 2020, at 3:00 p.m.

Respectfully submitted

Tamera Leighton, Executive Director

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STAFF REPORT

TO: Del Norte Local Transportation Commission, Board of Commissioners
FROM: Autumn E. Luna, Counsel
RE: Extension of Agreement for Executive Director Services Due to COVID-19
DATE: June 2, 2020

DISCUSSION:

The Del Norte Local Transportation Commission (DNLTC) follows the Rural Transportation Planning Agencies' Procurement Policies and Procedures Manual for contracting purposes. Section 018 of the Manual states that contracts generally should not exceed five years, *unless* the reasons for the extension are well documented.

DNLTC issued an RFP for Executive Director Services in 2014. At that time, Ms. Leighton had been the Executive Director since 2006. The RFP was circulated widely, with advertising locally, statewide, and in national trade journals. DNLTC received only one proposal in response to the RFP; that proposal was from Ms. Leighton. Ms. Leighton has now held the position for nearly 15 years. There is no doubt that Ms. Leighton is well qualified to perform the duties of the position.

Under normal circumstances, DNLTC would have issued another RFP for Executive Director Services in early 2020 in anticipation of the expiration of Ms. Leighton's five-year Agreement. However, by February 2020, the first cases of COVID-19 had spread to the United States, and by March 2020 the Governor of California had issued an unprecedented shelter-in-place order. Needless to say, the spring of 2020 was not an ideal time to perform a meaningful search for qualified individuals to perform the duties of Executive Director.

In light of the past few months of unprecedented changes, and the uncertainty inherent in the world's current efforts to re-open and re-ignite the economy while protecting people from COVID-19, it is my strong recommendation that DNLTC postpones a competitive search until such time as a meaningful one can be conducted.

RECOMMENDATION:

Review and approve Addendum No. 2 to the Agreement for Executive Director Services, extending the term of the Agreement by one year, and authorize the Chair to sign.

ADDENDUM NO. 2
AGREEMENT FOR EXECUTIVE DIRECTOR SERVICES
DEL NORTE LOCAL TRANSPORTATION COMMISSION

This Addendum No. 2 is entered into this 2nd day of June 2020, by and between the Del Norte Local Transportation Commission (“DNLTC”) and Tamera Leighton (“Leighton”), an independent contractor.

WHEREAS, DNLTC and Leighton entered into an Agreement for Executive Director Services effective July 1, 2015 for a term five years, which is set to expire on June 30, 2020; and

WHEREAS, the Agreement states, inter alia, that Leighton is the duly authorized Executive Director of LTC/RTPA/SAFE and must provide administration, planning, and coordination services in connection with its functions, as described in the annual Del Norte Regional Transportation Agency Overall Work Program (OWP) as adopted and from time to time revised and updated by the Del Norte Local Transportation Commission; and

WHEREAS, that Agreement was modified by Addendum No. 1 on October 12, 2017 to add a Staffing Plan to the Agreement; and

WHEREAS, on March 19, 2020, California Governor Gavin Newsom issued Executive Order N-33-20, ordering Californians to stay at home except for essential business in response to the COVID-19 pandemic; and

WHEREAS, as a result of the uncertainty to state and local economies from COVID-19, and the difficulty in conducting a meaningful competitive process to award a new contract during the pandemic, DNLTC has determined that it is necessary and advisable to postpone that process; and

WHEREAS, DNLTC hereby finds that a one-year extension to the Agreement is in the best interest of the community during this unprecedented time; and

WHEREAS, without otherwise altering the terms and conditions of the Agreement, DNLTC and Leighton wish to extend by one year the Agreement for Executive Director Services; and

NOW, THEREFORE, THE PARTIES HERETO DO MUTUALLY AGREE AS FOLLOWS:

A. Term of Agreement.

The term of the Agreement, as stated in paragraph 6 of the Agreement, is hereby extended by one year. The new expiration date is June 30, 2021.

B. Terms and Conditions.

Except as modified in this Addendum No. 2, the terms and conditions of the Agreement, including Addendum No. 1, and the rights, duties, and obligations of the parties thereunder are unchanged and remain in full force and effect.

The above statements are understood and accepted and the parties hereby cause this Addendum No. 2 to the Agreement for Executive Director Services to be executed by the signatures below.

Chris Howard, Chair
Del Norte Local Transportation Commission

Date: _____

Tamera Leighton, Executive Director
Del Norte Local Transportation Commission

Date: _____

APPROVED AS TO FORM:

Autumn E. Luna, Counsel
Del Norte Local Transportation Commission