

AMADOR COUNTY TRANSPORTATION COMMISSION

MINUTES

February 13, 2020 –9:28 a.m.

The Amador County Transportation Commission (ACTC) met at the Amador County Transportation Commission Offices, 117 Valley View Way, Sutter Creek, California on the above date, and the following proceedings were had, to wit:

Present on Roll Call:

Brian Oneto, Chairman
Dominic Atlan, Vice Chairman
John Plasse
Keith Sweet
Patrick Crew (alternate for Richard Forster)
Jon Colburn

Absent

None

Also Present:

John Gedney, Executive Director, ACTC
Felicia Bridges, Administrative Secretary, ACTC
Patricia Maggie Amarant, General Manager, Amador Transit
Gregoria Ponce, Office Chief, Caltrans District 10
Mona Ebrahimi, Attorney, Kronick Moskowitz Tiedeman & Girard.

AGENDA:

Motion: It was moved by Commissioner Sweet, seconded by Commissioner Plasse, and unanimously carried to approve the Agenda.

Ayes: Oneto, Atlan, Plasse, Sweet, Crew, Colburn
Noes: None
Absent: None

ELECTION OF OFFICERS: It was moved by Commissioner Plasse, seconded by Commissioner Crew and unanimously carried to approve the re-election of Commissioner Oneto as Chairman and Commissioner Atlan as Vice Chairman for Calendar Year 2020.

Ayes: Oneto, Atlan, Plasse, Sweet, Crew, Colburn
Noes: None
Absent: None

PUBLIC MATTERS NOT ON THE AGENDA: Chairman Oneto stated Amador County Public Works Director, Jered Reinking, resigned from the position, and the position will be filled soon.

CONSENT AGENDA: Commissioner Sweet asked to have item # 2 pulled.

Expenditures Budget vs. Actual (December & January): Commissioner Sweet stated regarding the Regional Surface Transportation Program (RSTP) Trust Fund attachment there appears to be a discrepancy of \$96,440.90 between the *total available fund balance* of \$968,563.53 and the *current balance after receiving American River Bank statement* of \$ 1,065,004.43.

Commissioner Plasse asked if it was obligated money that has yet to be paid out. Mr. Gedney agreed he stated he could provide a more definitive answer and would follow up.

Motion: It was moved by Commissioner Plasse, seconded by Vice Chairman Atlan and unanimously carried to approve the Consent Agenda as discussed.

Ayes: Oneto, Atlan, Plasse, Sweet, Crew, Colburn

Noes: None

Absent: None

Commissioners agreed to move to Regular Agenda to coordinate with the time of the Regional Transportation Plan Public Hearing.

REGULAR AGENDA:

Extreme Weather Needs Assessment: Mr. Gedney reviewed the staff report. He introduced Cindy Engel, ACTC GIS Coordinator, and provided background on the scope of work Ms. Engel has performed to this point including working with fire districts and evacuation route planning, to address the extreme weather events in the County.

Ms. Engel gave a PowerPoint Presentation of the process to this point, accepted feedback from the Commission, and answered questions as received.

Gary Reinoehl, Upcountry Resident-District 5, stated he appreciated the presentation. He stated regarding the traffic sheds, the census data includes permanent residents, but in Amador Pines, (particularly in units 2 and 5) approximately half the structures are not occupied by permanent residents. This area sees a much higher population density during holidays or summer time (higher fire danger time) due to vacation homes in use and asked how this will be taken in to account especially with regards to evacuation routes.

Ms. Engel responded there may be a way to combine the census data and the Assessor data on whether a parcel is improved in order to identify vacation properties. She suggested a more accurate count should be performed somehow to address that issue.

Commissioner Plasse asked, in regards to, Ms. Engel's continuous involvement in the fire district meetings, if CALFIRE has given any thought or mention of relaxing the timber harvesting regulations and standards to allow the private property owners to thin their own land to make them more fire resilient than they currently are. Ms. Engel replied that CALFIRE has only relaxed some regulations in

35 priority project areas statewide, none of which are in Amador County and could follow up with additional information.

Chairman Oneto responded that the question could be taken to the State Board of Forestry, and noted he will be attending a meeting with them in the future.

Commissioner Sweet noted the Commission on Aging is concerned with the housebound elderly that live in the rural areas of the high fire hazard zones of the County and they are looking into ways to keep track of those individuals in the event of a fire, and how to get aid to them. Ms. Engel replied that many agencies come together to discuss this topic and at this point they are asking those residents and their family members to talk to neighbors and create a plan in the event of an emergency. Commissioner Plasse suggested bringing this topic to the Social Services Transportation Advisory Council for additional support.

Chairman Oneto called for a five-minute break.

10:00 a.m. FY 2020 Regional Transportation Plan (RTP) Update/Re-adoption of 2015 RTP Public Hearing: At 10:30 a.m. Chairman Oneto opened the Public Hearing.

Ms. Ponce stated Caltrans District 10 has made comments on the currently proposed 2020 ACTC RTP. She commended ACTC for moving forward with the 2020 RTP, and moving forward with the vision, goals, and projects that stem from the 2015 plan. Ms. Ponce continued there was some information that Caltrans wanted to see expanded in the document in terms of elements that had come forward between 2015 and present (evaluation of projects and how projects are assessed). She explained that language should be included in terms of how it relates to the California Transportation Plan 2040, as the RTP is used as a decision-making document, a planning document, and communication document with partners (both local/State and Federal); as well as describing interrelationships between the region's transportation goals and how they align with the State's Long-Range Transportation Plan's policies and objectives. She continued that this would assist in articulating the significance of Amador County's transportation needs, goals, and vision.

Ms. Ponce stated in terms of the traffic impact analysis and mitigation, the recommendation is to mention in the document the effort to align with the Statewide Transportation Plan's goals, policies, and strategies, as well as recommendations that apply to the need of Amador County including language regarding vehicle miles traveled (VMT) pursuant to Senate Bill 375 for the projects that would trigger a traffic impact analysis and any subsequent mitigation and/or abatement or avoidance measures. She asked if clarification could be made to the planning process in the expanded listing of plans (section 4), and how they were considered to the listing of plans, as it does not coincide with the Appendix E. She asked if any other elements in the consideration of these plans changes are present within the document.

Ms. Ponce commented in the accomplishments/set-backs section, to consider expanding the discussion on any projects or efforts based on the latest approved Congestion Mitigation & Air Quality (CMAQ) Program application, stemming from the 2018 Call for Projects. She also noted updating of the Appendices, goals, and benchmarks.

Chairman Oneto asked Ms. Ponce if the State has ever looked at any of the Government's regulatory aspects and policies, to determine if there are ways to possibly streamline them to eliminate the redundancy of oversight and programs. Ms. Ponce replied various agencies have specific mission, vision, and goals. She stated each agency is charged to address that, in terms of a process, people are asked to look at projects and effects at a holistic level. She stated there is always room for efficiencies and streamlining.

Commissioner Plasse agreed and stated the process of the RTP is an example of redundancy. He explained that the process to create the plan takes approximately 1 ½ years to complete that the State requires be redone every five (5) years, when there has been no appreciable change. He agreed that in urban areas there should be more frequent updating, but in rural areas, the length of time between plans should be longer or the plan should be more of an update vs recreated.

Commissioner Sweet asked what will be done in Appendix F. Mr. Gedney replied the it is not directly related to ACTC's list of projects however it is one of the specific criteria ACTC uses to prioritize projects for funding.

Gary Reinoehl stated in reference to the Regional Traffic Mitigation Fee (RTMF) Memorandum of Understanding (MOU) and how it is reflected in the document, Policy 2-F (page 89), states that new development should pay the full cost of any improvements, but the MOU states the Cities/County agree to collect RTMF from all building permits and applicable entitlements. The policy says new developments will pay, but it is really the Cities/County that pay that money into the RTMF fund. Mr. Reinoehl asked if there could be more clarification made to describe that, and with the new amendment of 2019, that the Cities/County will collect monies and pay it in to the RTMF fund and no longer at their discretion. He commented that page 120, refers to the RTMF MOU and it would be helpful that it read it was amended in 2019 to be made obligatory instead of discretionary.

Mr. Gedney stated ACTC is very appreciative of the public comments and staff will take all public input and revise the document appropriately, and bring this item back for the Board's deliberation. Mr. Gedney did emphasize that staff did look at the 2017 California Transportation Commission (CTC) Guidelines and they specifically allow for re-adoption of the existing RTP in the case that there are no significant changes from the prior.

Motion: It was moved by Commissioner Plasse, seconded by Vice Chairman Atlan and unanimously approved to close the FY 2020 Regional Transportation Plan (RTP) Update/Re-adoption of 2015 RTP Public Hearing.

Ayes: Oneto, Atlan, Plasse, Sweet, Crew, Colburn
Noes: None
Absent: None

Commissioner Plasse asked if the next steps will be to take the input from the hearing, address the comments made, and bring the amended document back to the Board with highlighted changes to adopt. Mr. Gedney responded that it would be brought back for the Board's consideration. Commissioners agreed with the discussed process.

Caltrans State Route 16 Relinquishment Proposal: Mr. Gedney reviewed his staff report. He commented regarding the California Public Records Act (CPRA) requests sent to both Sacramento County and Caltrans District 3, where Sacramento County has been very responsive to the request with a delivery of approximately 4,000 documents Caltrans District 3 was unresponsive until recently. Mr. Gedney continued that the documents just received from Caltrans District 3 are being reviewed by ACTC legal Counsel. Mr. Gedney stated it is clear that the emails provided by Sacramento County clearly show the reason why the relinquishment has been suspended, they did not want to have this information disclosed in an Environmental Impact Report (EIR) that ACTC has requested. He continued that a meeting was held with Assemblymen Bigelow and the information in the packet was provided to him. Additionally, a meeting with Caltrans District 3, Sacramento County and California Transportation Commission (CTC) staff will take place on February 24th. Mr. Gedney stated ACTC will continue to be in attendance at the CTC meetings, including the upcoming Santa Barbara meeting in March.

Mr. Gedney presented video coverage (YouTube) of the January 30, 2020 CTC meeting where Commissioner Colburn and Ms. Ebrahimi, ACTC legal Counsel, spoke on behalf of the ACTC regarding the SR 16 relinquishment.

Chairman Oneto asked if the relinquishment does not happen can Sacramento County still get where they want to go with Caltrans and not have to include some of the improvements or is Caltrans going to follow the standards to be met. Mr. Gedney replied that in recent years Senate Bill 743 was enacted changing the level of requirements when analyzing development and mitigating impacts from development from Level of Service (LOS) to Vehicle Miles Traveled (VMT), allowing Caltrans to review development proposals under the guidance of SB 743.

Commissioner Plasse asked if Caltrans has an enforcement mechanism in place when conducting intergovernmental reviews on behalf of projects proposed in and around their highway system. Mr. Gedney replied "yes" by withholding the encroachment permit.

Ms. Ebrahimi stated as part of a development application to a land use agency, staff needs to determine whether the project is seeking any kind of entitlements such as: changes to land use policy that need to be made, including revisions to the zoning code, general plan, or whether there are certain permits required. She continued when the project goes through California Environmental Quality Act (CEQA) review to determine the environmental impacts from development of the project, the project must also be circulated to responsible agencies. A responsible agency is one that is not the land use authority, but are another governmental agency that has some jurisdiction over impacts of the project. In this instance, if the development project must seek an encroachment permit from Caltrans, Caltrans now becomes a responsible agency and has the ability to review the impacts and to provide solutions for reduction of those environmental impacts (in this case traffic). Ms. Ebrahimi continued that those recommendations are analyzed and often times incorporated into the project as mitigation measures and the enforcement tool is a mitigation monitoring reporting program that demonstrates compliance. Also, while a lead agency can issue a Statement of Overriding Consideration, that can only be done if there are no feasible mitigation measures that, if incorporated, would lessen the impact.

Commissioners had discussions and directed staff to continue moving forward with this item.

Highway Infrastructure Program (HIP) Call for Projects: Mr. Gedney reviewed his staff report. He stated the previous direction given to staff was to produce a 'Call for Projects' for the funds. Mr. Gedney described two potential options: one would have staff review any proposals based on performance measure criteria that like used in the RTP, or hold an Adhoc Committee of commissioners to review proposals and make recommendations to the Board.

Commissioner Plasse asked if the 'Call for Projects' goes out to the County and jurisdictions within Amador County. Mr. Gedney replied any eligible agencies who can manage and implement a project utilizing Federal resources can apply. However, due to the extensive process that comes with Federal funding, agencies often look to apply the funds to a project that has already been federalized and gone through the National Environmental Policy Act (NEPA) clearances.

Commissioners discussed and agreed to have potential applicants provide a proposal following a 'Call for Projects' at an upcoming ACTC meeting. The board will then determine the most qualified to receive the funding.

Congestion Mitigation & Air Quality (CMAQ) Program Call for Projects: Mr. Gedney reviewed his staff report. Commissioner Sweet stated the process to receive the funding is extremely difficult and the City of Jackson had to hire a consultant through ACTC to aid in the process of completing the application, which a year later is still not complete, and asked Mr. Gedney for clarification. Mr. Gedney responded that it a difficult process for rural counties with minimal staff, and noted there are counties that do what is called a 'swap' with larger metropolitan areas. He continued that ACTC is investigating the possibility of a swap with CMAQ funding for Surface Transportation Program (STP) dollars or dollar for dollar CMAQ with leniency of the time frame to complete. Mr. Gedney stated he recommends to pursue the swap but continue with the 'Call for Projects' accordingly.

Commissioner Plasse asked if moving forward with a swap of funds would include the first year programmed allocation. Mr. Gedney replied he will have to take that back for further evaluation.

Motion: It was moved by Commissioner Plasse, seconded by Commissioner Sweet and unanimously carried to approve and issue a 'Call for Projects' for Federal Congestion Mitigation & Air Quality Program funding for 2019/20 through 2021/22, and also request the Executive Director investigate the opportunity to entertain the swap of funds with another jurisdiction amenable to doing so.

Ayes: Oneto, Atlan, Colburn, Plasse, Sweet, Crew
Noes: None
Absent: None

One Time Staff Bonus and Payroll Schedule Adjustments: Mr. Gedney reviewed the staff report. He explained this item was approved at the December 12, 2019 ACTC board meeting; however, one additional staffer was not included in the original direction. Mr. Gedney stated he made the decision to provide a \$500.00 bonus for the ACTC Intern, and hoped to add that to the recommendation for approval. He continued that the ACTC Intern has subsequently accepted a position with Tuolumne

County Public Works. Mr. Gedney thanked and congratulated the Intern for work performed with ACTC and thought it was important not to exclude him from the receipt of the bonus.

Chairman Oneto commented that ACTC has had less staff and noted that the work is still being completed.

Motion: It was moved by Commissioner Sweet, seconded by Commissioner Crew, and unanimously carried to approve the one time staff bonus funds and payroll schedule adjustments as amended.

Ayes: Oneto, Atlan, Colburn, Plasse, Sweet, Crew
Noes: None
Absent: None

Draft FY 2020/21 Overall Work Program (OWP): Mr. Gedney reviewed his staff report. He commented that only the work elements are included at this time, with only preliminary budget estimates. The OWP work elements are to be sent out to the local jurisdictions and Caltrans for review of the document. Final edits to the OWP and the budget will be brought to the board at a later date.

Chairman Oneto stated that he liked the edits made to the document regarding “as needed” items.

Commissioners directed staff to distribute the Draft FY 2020/21 ACTC Overall Work Program elements to the local jurisdictions and Caltrans for review and comment.

ACTC Commissioner Reports: Vice Chairman Atlan stated that last week’s lone City Council meeting was cancelled a week ago, however the City agreed to allow the Sales Tax Measure to be moved forward to the ballot. He also commented that the two (2) radar speed signs that ACTC assisted in the purchase of, were ordered as well as the additional two (2) that was purchased by the City of lone. Vice Chairman Atlan noted for months Union Pacific has been replacing railroad ties located on lone Michigan Bar Road, and this work has created a rough drive over the tracks for motorists, and asked if ACTC or the County could reach out to the owners of the tracks to determine what the plan is to level out those ties to make for a safer drive. He stated a representative of the Buena Vista Casino attended the lone City Council meeting and asked where an allocation of \$1.4 million went that was given to the Regional Traffic Mitigation Fee (RTMF) fund. He continued that after some research it was determined to be held at the County. Vice Chairman Atlan stated the Wildflower development is getting ready to install the road along SR 104 near the lone Elementary school, and they are waiting on approval from Caltrans to move forward.

Commissioner Colburn stated the Sales Tax Measure proposition will be on the agenda for Plymouth, but noted they may be looking at an alternative to go on their own with a \$0.25 sales tax in and be eligible for the State’s allocation of approximately \$100,000.00-\$200,000.00 as a self-help city.

Mr. Gedney commented that regarding the Elections of Officers item, there was a second part to that, where two (2) Commissioners need to be chosen to sign checks for the year, and asked the board for action.

Motion: It was moved by Vice Chairman Atlan, seconded by Commissioner Plasse, and unanimously carried to keep the same signatories as the previous year (Chairman Oneto, Commissioner Sweet).

Ayes: Oneto, Atlan, Colburn, Plasse, Sweet, Crew

Noes: None

Absent: None

ACTC Report: None

Caltrans Report by Gregoria Ponce:

- Will take back the items regarding streamlining and reviewing the status of the Wildflower Development and what is needed to move forward.
- CTC is preparing for the Active Transportation Program (ATP) cycle 5 Call for Projects, with a deadline of June 2020 and total available funding is \$440 million.
- CTC is preparing for the SB 1 competitive funding cycle 2 Call for Projects, under Solution for Congestion Corridors Program and the Trade Corridors Enhancement Program, with application due June 2020.
- Regarding the Public Safety Power Shutoffs (PSPS) as a reminder, traffic signals might convert to flashing red or lose power and go dark and street lights could turn off, motorists should treat flashing red signal lights as an always stop and treat every entrance to an intersection as a stop sign.
- Caltrans performed vegetation control at SR 124/Preston Avenue to improve visibility at that intersection
- Yellow high visibility crosswalk markings and added restricted parking at the northeast corner were installed at SR 104/West Main St. to improve visibility of the crosswalk area
- Awaiting delivery to install school crosswalk warning signs at SR 104/ Main St. and SR 124/ Church St.
- Lane extension striping was installed at Main St./Church St. intersection to assist motorists and additional signage was added including: Cross Traffic Does Not Stop, Turning Vehicles Yield to Pedestrians, and combine pedestrian/bicycle signs to improve awareness to both motorists and pedestrians.

Vice Chairman Atlan asked when the resurfacing of Main Street in Lone will be done, and stated there have been complaints about cameras being installed at the intersection of SR 124/104 and asked for clarification on the need. Ms. Ponce replied she would take those items back for review.

Chairman Oneto asked why there is concrete around the guardrail posts along the bypass in Sutter Creek (SR 49/ Old SR 49). He also commented if Caltrans is performing any fire fuel reduction precautions along the State highways in the County and Statewide. Chairman Oneto stated there is a

ditch on SR 49/China Street that is full of debris and diverting water/gravel. Ms. Ponce responded she will take those items that back for review.

Approve Monthly Claims List:

Motion: It was moved by Commissioner Sweet, seconded by Commissioner Crew, and unanimously carried to approve the revised claims.

Ayes: Oneto, Atlan, Plasse, Sweet, Crew, Colburn

Noes: None

Absent: None

Ms. Ebrahimi clarified this meeting is considered a 'Special Meeting' due to not occurring on the regularly scheduled 1st Thursday of the month, and with that, regarding item #12- One Time Staff Bonus and Payroll Schedule Adjustment, executive compensation cannot be approved during a special meeting and should be brought back at the next regular meeting for approval.

Future Agenda Items:

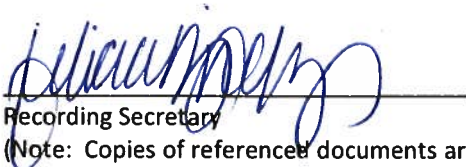
- State Route 16
- Regional Transportation Plan
- FY 2018/19 AT/ACTC Fiscal & Compliance Audit
- One Time Staff Bonus and Payroll Schedule Adjustments

Closed Session: At 1:04 p.m. Chairman Oneto called for a Closed Session as noticed for: Conference with Legal Counsel-Potential Litigation and Conference with Labor Negotiators.



Brian Oneto, Chairman
Amador County Transportation Commission

ATTEST:


Recording Secretary

(Note: Copies of referenced documents are available at the ACTC office.)