

**AMADOR COUNTY TRANSPORTATION COMMISSION
MINUTES
March 11, 2021 –9:07 a.m.**

The Amador County Transportation Commission (ACTC) met via Zoom Conferencing on the above date, and the following proceedings were had, to wit:

Present on Roll Call:

Brian Oneto, Chairman
Dominic Atlan, Vice Chairman
Susan Bragstad
Richard Forster
Steve McLean
John Plasse

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
Marlon Regisford, Deputy District Director of Planning, Caltrans District 10

Pledge of Allegiance

AGENDA:

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

Ayes: Oneto, Atlan, Bragstad, Forster, McLean, Plasse

Noes: None

Absent: None

PUBLIC MATTERS NOT ON THE AGENDA: Gary Reinoehl, Amador County resident, explained a concern he has observed while walking along SR 49 from Sutter Hill (by CalFire) towards the intersection of Industry Blvd., adjacent to the northbound lane. He stated there is a wide shoulder along the roadway but there is also a stone embankment on a portion of the road, and noted if a car veered off that section of road, there would be nowhere for pedestrians to move out of the way.

Jim Scully, lone resident, stated he wants ACTC and the City of Lone to understand he and others will take legal action if the alternative study for the Western Lone Roadway Improvement Strategy (WIRIS) project moves forward. He recommends suspending this project and using no more public funding for

studies until a review of widening Main Street in Lone is performed. Mr. Scully stated his opinion that a bypass route around the City of Lone will not work.

Commissioner Plasse noted that concerns brought forward by Mr. Scully should be further discussed under item #8- Regional Traffic Mitigation Fee (RTMF) Oversight Committee as it pertains to RTMF fees.

Commissioner Forster agreed there has been a significant expenditure of funds spent and noted ACTC does not make the decisions regarding this project -the City of Lone is responsible for this project. Mr. Scully replied the City of Lone is responsible but they have received funds from the RTMF committee.

Chairman Oneto moved this discussion to continue under item #8.

Closed Session: At 9:10 a.m. Chairman Oneto called for a Closed Session as noticed: Conference with Legal Counsel-Existing Litigation.

At 9:59 a.m. the Chairman resumed the regular meeting of ACTC and reported an update and direction was given to staff.

CONSENT AGENDA:

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

Ayes: Oneto, Atlan, Bragstad, Forster, McLean, Plasse
Noes: None
Absent: None

REGULAR AGENDA:

ACTC Draft Audit for Fiscal Year Ended June 30, 2020: Mr. Gedney reviewed his staff report. He stated the Governance Letter for the ACTC audit was received this week and distributed to the Board.

Commissioner Plasse confirmed that he and Commissioner Forster, as the ACTC Finance Committee, reviewed the draft audit for ACTC. Questions of staff and Badawi & Associates were answered to their satisfaction and both support the recommendation to accept.

Motion: It was moved by Commissioner Forster, seconded by Bragstad and unanimously carried to approve accepting the ACTC Fiscal Audit for Year Ended June 30, 2020.

Ayes: Oneto, Atlan, Bragstad, Forster, McLean, Plasse
Noes: None
Absent: None

Amador Transit Draft Audit Fiscal Year Ended June 30, 2020: Mr. Gedney reviewed his staff report of the Amador Transit Audit.

Commissioner Plasse stated his concern with the statement made in the *Auditors' Communication with Those Charged with Governance* on the top of page 3. The auditor encountered difficulties when performing the audit of Amador Transit (AT) when requesting information for financial reports - that management "refused to provide". (The letter is provided under the Consent agenda.)

The auditor continued: "In our opinion, this constituted a scope limitation imposed by (Amador Transit) management on the audit. However, we have determined that the impact of the scope limitation was not material to the audit since we were able to perform alternative procedures to satisfy ourselves." (During discussion, it was determined that the auditor reviewed prior Amador Transit agendas to satisfy the request.)

Commissioner Plasse continued with his concerns regarding any refusal by management to provide information requested by an outside auditor. Ms. Amarant responded that the difficulty occurred in February following repeated requests from the auditor to provide information beyond the end of FY 19/20 for expenses not in that fiscal year including: check registers, accounting ledger, etc. Ms. Amarant noted that she spoke with the Certified Public Accountant (CPA), Cathy Castillo, who stated she spoke with the auditors and felt they had all the information needed to perform the audit. Ms. Amarant continued that AT provided the information requested, just not as quickly as the auditor preferred, and the auditors were able to locate the information on their own through the Amador Transit website. She highlighted a section in the Governance Letter where the auditor stated "*there were no disagreements*" and noted that AT has had no issues in past audits of not providing information.

Commissioner Plasse commented data beyond the FY can be requested of the agency because the auditing firms realize an agency can defer expenses beyond the audit period that are relevant to that FY. He stated that is the auditing firm's job, and added he does not believe that is the General Manager or the Certified Public Accountant's decision to make regarding what the auditing firm is asking for. Ms. Amarant responded she will take note and that this incident will not happen again.

Chairman Oneto agreed with Commission Plasse and added if there is an issue with an auditor the board should be notified.

Vice Chairman Atlan commented he agrees that anything the auditor needs should be provided moving forward and that it should be provided in a timely manner, but does not believe the agency was trying to hide anything.

Commissioner Forster stated if there is an issue with the auditor, then a meeting should be scheduled with the Finance Committee to discuss.

Commissioner Plasse asked to have this feedback forwarded to the CPA for reference.

Motion: It was moved by Commissioner Bragstad, seconded by Forster and unanimously carried to approve accepting the Amador Transit Fiscal Audit for Year Ended June 30, 2020.

Ayes: Oneto, Atlan, Bragstad, Forster, McLean, Plasse
Noes: None
Absent: None

ACTC Legal Contract: Mr. Gedney reviewed his staff report. He stated this is an in-house adjustment and will be included in a more comprehensive Overall Work Program (OWP) amendment in April.

Commissioner Plasse asked how any anticipated reimbursement funds from the legal expenses would be handled. Commissioner Forster responded they may be stated as unexpected funds coming in, and asked if those funds would then be directed to replace the funds moved from work elements #3.1, 3.3, 3.5. Mr. Gedney replied that any future reimbursements would be brought back to the board for action.

Commissioner Bragstad asked what the total amount spent on SR 16 is to date. Mr. Gedney replied he does not have the exact amount at this time, but could provide an update at a later date.

Commissioner Plasse asked, regarding the work elements listed in the attachment, if TBA following the consultant line item stands for "to be announced", and if so then those accounts only serve as holding accounts utilized if a consultant is hired to perform services in those work elements. Mr. Gedney replied yes, much of the work is currently being performed in-house, as well as a grant application that was submitted to Caltrans to perform the Short-Range Transit Plan.

Commissioner Bragstad asked if action regarding this item will be held until it is determined if any funds will be reimbursed. Mr. Gedney requested action be taken immediately as there are outstanding legal bills.

Motion: It was moved by Commissioner Forster, seconded by Vice Chairman Atlan and unanimously carried to approve an amendment to its legal services increasing the 'cost not to exceed' from \$30,000 to \$125,000 and authorize staff to implement the contract amendment.

Ayes: Oneto, Atlan, Bragstad, Forster, McLean, Plasse
Noes: None
Absent: None

FY 2020/21 Regional Traffic Mitigation Fee (RTMF) Oversight Committee agenda: Mr. Gedney reviewed his staff report.

Vice Chairman Atlan stated a good step was established when the Oversight Committee recently mandated that the MOU be made into a 'binding' agreement. He commented that the City of Lone did ask the RTMF Committee to fund a study regarding an alternate route of the WIRIS project. He noted it was only a study, and there are no plans to move forward at this time. He stated the City of lone does intend to bring that up to determine if the alternate route would be something to consider, with public comment included. Vice Chairman Atlan continued with regard to the bridge funding, the

project was funded by local impact fees and if the City of Lone does not spend those funds on roads then the funding would have to be returned.

Commissioner Forster stated in the past the commission has made decisions based on projects brought forward by the cities. He stated the cities have worked well in the past to loan funds to finish projects based on the need.

Commissioner Plasse suggested improving the policy or procedures of allocation through the RTMF account, for projects that have a direct NEXUS to the region in which the fees are collected. He added he would like to see an improvement in the NEXUS of where the funding comes from and where it is going.

Mr. Gedney stated regarding the Gold Rush Ranch development, the tentative map has expired. An option being considered with legal counsel input, is to work with the city council to adopt a sub-area zone for the current four (4) parcels where the Gold Rush Ranch development was originally envisioned. In regard to the JTS funds in the amount of \$504,000 that were deferred and lost, legal counsel looked into this item and ACTC is waiting to get in touch with the Lone City Manager to establish a meeting to review options.

Mr. Gedney commented that if an agency does not participate in good faith with the MOU, they could present multiple projects, but there are many other competing projects on the list to fund. Mr. Gedney stated in regards to the Wicklow Way and Sutter Street Extension projects, the RTMF Committee has been creative with the sharing of funds to complete projects. He continued, the agreement made between Commissioner Plasse and Commissioner Sweet years ago has resulted in the Sutter Street Extension project moving into the design phase. Mr. Gedney noted on the claims list for this month there is a bill in the amount of \$21,208.90 from the City of Jackson for work performed with a consultant to get that project moving again.

Jim Scully, lone resident, stated local impact fees come from new building construction and related increases in traffic that affect surrounding roadways; they are not meant for needed regional infrastructure. He commented that he has heard that a stop sign will be installed at SR 104/Preston Ave., and stated he does not agree and suggested it be signalized. He commented the roadways in lone need to be addressed, and a better review of the accident data needs to be done. Mr. Scully stated he does not suggest providing lone any more funding as they still owe \$500,000 from previous development.

Commissioner Forster commented Caltrans has stated (in the letter provided) they agree full signalization does need to be installed at SR 104/Preston Ave., but they are waiting for partnership opportunities to fund and construct the traffic signal.

Mr. Gedney stated, to clarify the issue regarding SR 104/Preston Ave., Caltrans has performed a traffic investigation and is recommending a signal. He continued that he spoke with the deputy in charge of traffic operations specifically about this stop sign issue and he will be providing a letter that DOES NOT recommend stop signs, as they are operationally ineffective at that location. Mr. Gedney added he will forward the letter to the City of Lone once received.

Commissioner Bragstad noted based on the information in attachment A, Lone has received a large amount of funds.

Mr. Gedney stated he will take the information provided today and establish an agenda that will address the board's concerns. In addition to the continued discussion on the deferred and lost fees due to a lapse in the agreement between JTS and the City of Lone, he noted the agenda will also include Gold Rush Ranch properties and options that will compensate the RTMF fund.

Approve Monthly Claims List: Mr. Gedney noted a revised claims list was distributed to the board with the final invoice for the Extreme Weather grant removed due to revisions to the final bill still needed.

Motion: It was moved by Commissioner Forster, seconded by Commissioner Bragstad and unanimously carried to approve the Revised Claims List as discussed.

Ayes: Oneto, Atlan, Bragstad, Forster, McLean, Plasse
Noes: None
Absent: None

ACTC Commissioner Reports: Commissioner McLean stated there was a pedestrian vs. vehicle fatality in Jackson on SR 49 by CVS. He stated an investigation is ongoing at this time, but Caltrans does have plans for lighting in that area.

ACTC Report: Mr. Gedney discussed issues have come up in regard to local project delivery. He would like to discuss options to help move some of the region's bridge projects to the construction phase.

Commissioner Forster asked if ACTC legal counsel was looking into the JTS issue. Mr. Gedney replied they are, and potential options have been discussed. He stated he will present this item to the RTMF meeting for discussion.

Caltrans Report with Mr. Marlon Regisford/Ms. Gregoria Ponce:

- The California Transportation Plan 2050 has been released with many of the same goals but it has added several new focus areas including: climate change, adaptation, and equity.
- The Climate Action Plan for Transportation Infrastructure has been released and focuses on climate change impacts and how they are being addressed.
- The Caltrans Strategic Plan was released for public view last week.
- Regarding the Regional Transportation Planning Grant Program, Caltrans is in the process of evaluating proposals.
- Caltrans staff is working with ACTC on the Overall Work Program.
- The Active Transportation Plan (ATP) is scheduled for completion on June 30 ,2021. There are several areas of interest for pedestrian/ bicycle improvements in Amador County.

Mr. Regisford introduced Mauricio Serrano, Deputy District Director of Maintenance. Mr. Serrano stated there are a few highway projects currently underway for preventative and corrective maintenance. These projects will include overlay and three (3) that will address culvert repairs to be completed by the end of the year. Regarding field maintenance, crews continue to spray

roadside fire strips to reduce potential fire threat. He continued that due to the recent winter storms, Caltrans crews have been clearing limbs and debris from the high winds. Mr. Serrano noted when weather gets better crews will begin shoulder grading, asphalt repairs, crack sealing, and striping activities.

Vice Chairman Atlan stated Main St. lone was supposed to be scheduled for repaving and asked for an update on that project. Ms. Regisford replied he will take that back for review.

Commissioner Forster extended his appreciation for the improvements made to date at SR 88/104. At the intersection of Shakeley Lane/SR 104/ SR 124 in lone, traffic coming from Plymouth on SR 124 can back up to 20-30 cars at the stop sign, leaving the cars that want to turn right on Preston Ave. (towards the golf course) to go over the solid yellow line. This is causing drivers to get pulled over by CHP, and now many drivers are choosing to cut through the Shell station. He asked to have this issue looked into. Mr. Regisford stated he will take that back for review.

Commissioner Plasse asked if the district boundary lines are the County lines. Ms. Ponce responded district 10 has 8 counties and the outside boundaries of those counties define the areas of District 10.

Chairman Oneto stated he has seen the fire fuel reduction work performed on SR 26 in the West Point area, and commented he would like to see that same work performed on SR 88. Ms. Ponce asked for clarification of the location on SR 88. Chairman Oneto replied along the roadway of SR 88 from Jackson to Ham's Station. Ms. Ponce stated she will take that item back for review.

Future Agenda Items:

- FY 2020/21 OWP amendment
- FY 2021/22 OWP budget
- Local Project Delivery Activities

Adjournment:

At 11:26 a.m. the Chairman adjourned the meeting until 9:00 a.m. Thursday, April 1, 2021, at 117 Valley View Way Sutter Creek, CA 95685.



Brian Oneto, Chairman
Amador County Transportation Commission

ATTEST:



Recording Secretary

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