

**AMADOR COUNTY TRANSPORTATION COMMISSION
MINUTES
January 6, 2022 –9:59 a.m.**

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

Present on Roll Call:

Dominic Atlan, Vice Chairman
Susan Bragstad
Patrick Crew (alternate for Brian Oneto)
Steve McLean
John Plasse
Richard Forster

Absent:

None

Also Present:

John Gedney, Executive Director, ACTC
Felicia Bridges, Administrative Secretary, ACTC
Gregoria Ponce, Chief-Office of Rural Planning, Caltrans District 10 (conference call line)

AGENDA:

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

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

ELECTION OF OFFICERS:

Motion: It was moved by Commissioner Forster, seconded by Commissioner Crew and unanimously carried to approve the election of Dominic Atlan as Chairman and Steve McLean as Vice Chairman for calendar year 2022.

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

Motion: It was moved by Chairman Atlan, seconded by Commissioner Plasse and unanimously carried to approve Chairman Atlan and Commissioner Bragstad with authority to sign bank checks for the agency for calendar year 2022.

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

PUBLIC MATTERS NOT ON THE AGENDA: Commissioner Forster noted in regard to the recent PG&E power outages due to the snow storm, the reports he has received indicate there are 1800 customers in Pioneer (Amador Pines) area, 300 in Volcano, and 230 in West Point still without power, and Tuolumne County was fully restored a few days ago. He stated power should be fully restored by the weekend. He also noted some comments have been made suggesting the County have a system to ensure residents can receive propane deliveries during future long-term power outages/severe storms. Commissioner Forster noted the concern but stated this kind of storm only occurs every 10-15 years and asked if it would be beneficial to create a new system or for the residents to make the appropriate decisions for their safety.

CONSENT AGENDA (Items 1-5):

#1. Minutes of December 2, 2021: Commissioner Plasse noted a minor correction.

#3. ACTC Appointments and Committee Assignments: Commissioners updated the appointments and assignments as follows:

- ***Administrative Committee (normally the Chair and Vice Chair)- Chairman Atlan and Vice Chairman McLean***
- ***Finance Committee- Commissioner Forster and Commissioner Plasse***
- ***Personnel Committee- Chairman Atlan and Commissioner Oneto***
- ***Regional Traffic Mitigation Fee Oversight Committee- Commissioner Plasse***
- ***Transit Performance and TDA Claims Process Committee- Chairman Atlan and Commissioner Oneto***

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

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

REGULAR AGENDA:

#6. Reimbursement to Amador City for the Purchase of Radar Speed Signs: Mr. Gedney stated this item came before the ACTC board in July recommending the authorization of 15 radar speed signs to be distributed among the cities and the county. The City of Amador City has submitted an invoice in the amount of \$10,313.59, which exceeds the original amount authorized in July (\$4,700.00/sign) by approximately \$900.00. Mr. Gedney stated staff is asking to have the additional cost be authorized for payment.

Commissioner Bragstad commented the City of Amador City did work under the price authorized; however, the cost of shipping and sales tax was the additional cost.

Commissioner Plasse asked if this was originally a fixed amount authorized, and if the additional amount would come from another city/county share. Mr. Gedney replied it would be an additional allocation from the Regional Surface Transportation Program (RSTP) fund to cover the cost.

Chairman Atlan suggested in the future to make the purchase more uniform for all cities/county.

Motion: It was moved by Commissioner Plasse, seconded by Commissioner Forster and unanimously carried to approve the revised cost of Amador City's purchase.

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

#7. FY 2020/21 ACTC Draft Fiscal and Compliance Audit: Mr. Gedney reviewed his staff report and attachment. He noted one area that staff wanted to tighten up was task orders on consultant work, in which ACTC accrues expenditures of that work. He continued the auditor noticed one bill from legal that was unanticipated in a task order (legal counsel), and he described to the auditor that ACTC's process in working with legal expenses is fluid and there is not a specific task order for the 'as needed' work to cover that. Once it was clarified with the auditor they were satisfied and made the revision to accrue all the legal expenses that ACTC had through the end of the fiscal year. Mr. Gedney stated in the past this has gone to the Finance Committee for review and the ACTC on-call CPA and auditor for discussion of the findings. This meeting was not held this year however, there is an opportunity to still do so. He stated the requirement is to submit by the end of the calendar year or request an extension, which ACTC did request that extension. He added if there are no concerns the board can receive and file this audit as completed.

Chairman Atlan asked where the findings are located in the report. Mr. Gedney replied there were no significant findings with the audit, however, there were some recommendations made by the CPA. Those recommendations included increasing the capitalization rate of assets from \$1,000 to \$5,000, and an additional recommendation to consider utilizing the LAIF program.

Commissioner Plasse asked how the unanticipated reimbursement of legal expenses was addressed, specifically was it put back into the legal budget. Mr. Gedney stated, as displayed on page 8 of the report, it is returned to the General Fund.

Commissioner Bragstad stated on page 50 the report discusses the amount of \$1,482,127 from the Gold Rush Development still owed to the Regional Traffic Mitigation Fee (RTMF) program, and asked if there are efforts to obtain reimbursement. Mr. Gedney replied this item has been discussed at the RMTF Oversight Committee (OC) meetings for several years now. Currently there are no developers interested in reviving the plan that has expired, until a developer comes forward on one or all four of the parcels we cannot obtain reimbursement. Commissioner Plasse noted this issue, along with another in lone, is why the RTMF OC took action to make the necessary changes to the policies surrounding the RTMF MOU.

Commissioners agreed this issue should not be forgotten but do appreciate the changes made to the policy to ensure these issues do not happen again.

Commissioner Plasse stated Mr. Gedney sent this audit report to the Finance Committee last week, and they do not feel a need to have additional correspondence with the auditors. Commissioner Forster agreed with Commissioner Plasse and noted it was a very clean audit.

Mr. Gedney commented usually both ACTC and Amador Transit audits come before the board at the same however, AT's audit will hopefully be on the February agenda.

Motion: It was moved by Commissioner Forster, seconded by Commissioner Plasse and unanimously carried to approve the draft audit as the adopted audit.

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

#8. Project Funding Discussion: Mr. Gedney stated he has brought this item before the board due to the SR 88/Pine Grove Improvement Project showing full funding for construction. He continued that the RTIP was submitted to the California Transportation Commission (CTC) in December, with one adjustment made due to an additional allocation to the region through the Coronavirus relief funds in the amount of \$426,000. Mr. Gedney asked CTC to program those funds into the State Transportation Improvement Program (STIP) this year towards the Pine Grove Improvement Project, leaving more Regional Improvement Program (RIP) shares for future projects.

Mr. Gedney reviewed handouts (made available to the board and public at the meeting) that include the six (6) sources of funding to ACTC, absent federal funds, as those were programmed to the SR 88/Pine Grove Improvement program. He reviewed the State funds which are the most restrictive funds that include:

- Regional Improvement Program (RIP)- \$1.6 million available for programming
- Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA)-\$200,000 available

Mr. Gedney provided an example of how flexible the CRRSAA funds are and are currently being programmed to a variety of projects, including countywide road maintenance. He then reviewed the Local funds which are less restrictive, including:

- Regional Traffic Mitigation Fee (RTMF)-current unobligated balance \$2.2 million, expected balance as of 6/30/22 = \$3 million
- Pedestrian/Bicycle Trust Fund- \$370,000, expected balance as of 6/30/22 = \$388,000
- Regional Surface Transportation Program (RSTP)-\$610,000, expected balance as of 6/30/22 = \$1 million
- Local Transportation Fund (LTF)- \$440,000, expected balance as of 6/30/22 = \$600,000- (Mr. Gedney noted a correction in the handout, he stated currently there is \$300,000 already allocated as excess funding this fiscal year to 'streets and roads' making the excess funds this year closer to \$900,000.)

Commissioner Forster commented, regarding RTMF projects, the Western Lone Roadway Improvement Strategy (WIRIS) has been postponed for other projects and if they are ready to move forward this project should be next. Chairman Atlan noted it has been made clear to the City of Lone that discussion will have to take place this year deciding whether to move forward with the WIRIS or not. Mr. Gedney stated the City of Jackson project is ready for construction but the City of Lone may need to re-evaluate the WIRIS project with more planning work needed.

Commissioner Forster noted County staff is having a meeting with Cal-OES in regard to them performing road reconstruction to Shenandoah Road due to the heavy truck traffic for the Caldor Fire debris removal. However, if they do not perform the needed roadwork this may be a project for discussion.

Commissioner Plasse stated he would like the commission to understand that when larger projects are faced with having to 'go back to the drawing board' as happened with the SR 88/Pine Grove project, that conversations regarding allocation of funds should be more deliberate and asked the Commission to keep this in mind since some of this funding can be directed to other high-priority roadway projects.

Mr. Gedney stated he is providing this as information only at this time and asked for direction moving forward. He commented the cities or county may come forward and present a potential project for consideration of the board or do as ACTC has done in the past and distribute the funding directly under a proportion formula to the cities and County.

Commissioners agreed to have staff bring back a proposal of a proportional distribution formula of the more flexible funds for review.

Commissioner Plasse stated the fiscal responsibility and emphasize on efficiencies of operation of the transit system in general and this board's willingness to look at routes that are underperforming has been what has created this excess LTF revenue. In prior years, it was the goal of previous transit administration to spend 100% of the LTF revenue - which by law they can make that claim. He noted his appreciation of the current AT administration, Ms. Amarant- General Manager, and her recognition of that and her responsible tempering of the claims made of LTF.

Mr. Gedney asked for clarification regarding encouraging the cities and counties to request ad-hoc allocations. Chairman Atlan stated he would like to see the funding distributed to projects based on how the funding came in. He added there are some funds that are based on a proportional population and mileage formula, and certain funding sources that are contributed by the cities/county that should get a proportional apportionment. However, he noted if there is a major project concern that needs funding then it should not be excluded from coming forward.

Commissioner Forster commented he agrees with the proportional distribution. Commissioner Plasse also agreed and noted regarding the comment made by Chairman Atlan about funding sources that there should be a recognition of what it contributed and that there should be some priority to program those contributions. He noted this concern is specifically in reference to the RTMF funding source and that he has expressed the same concern in the past where certain cities were not contributing funds in a proportional manner but receiving funding for projects unequally. He did note that it appears to be more fairly allocated currently. He suggested Mr. Gedney bring back an allocation model of the discretionary funds, and an allocation model of the RTMF funds based on where those funds were derived.

Gary Reinoehl, Amador County resident, provided input to ask that, since these documents were not provided in the agenda, decisions would not take place on this item. Chairman Atlan stated no decision was made regarding this item only direction to staff was provided. Mr. Reinoehl asked if the SR 88/Pine Grove Improvement Project has to be completed within 20 years. Mr. Gedney replied he does not believe there are any requirements of that and that the Ultimate Project Design is approved and will remain viable into the future, but noted he would look into that further. Mr. Reinoehl also mentioned that power has been restored to Amador Pines.

#9. Approve Monthly Claims List: Commissioner Forster asked what project the funding is for in regard to the City of Jackson bill in the amount of \$30,652.37 on the revised claims list. Mr. Gedney relied this is reimbursement for project development cost for the Sutter Street Extension project from the RTMF fund. Commissioner Forster also asked what the bill in the amount of \$6,480.00 to KAS Landscaping was for. Mr. Gedney responded this bill is for updating of the ACTC facility with mulch, plants, and weed control. Commissioner Forster stated that is a large amount of money for landscaping. Mr. Gedney stated he would provide further information regarding the work performed.

Motion: It was moved by Commissioner Bragstad, seconded by Vice Chairman McLean and unanimously carried to approve the revised claims list.

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

Under Discussion, Commissioner Forster noted the claims list displays Commissioner Oneto receiving payment for today's meeting instead of Commissioner Crew and asked to have that corrected.

#10. ACTC Commissioner Reports: Commissioner Plasse stated he was contacted from a concerned citizen regarding the uncompleted encroachment access in Lone. He reached out to Lone's Commissioner to see if this was a problem with the City of Lone, but noted the point was the incomplete nature of the encroachment from the west side of SR 104 above the elementary school and asked if Caltrans would be striping the facility in the winter months to clearly delineate the fog line and potentially eliminate the orange pylons. The citizen was concerned about the appearance and lack of visibility of the fog line in that area. Mr. Gedney replied ACTC was also contacted by this citizen regarding this concern and stated this is an encroachment permit issue. He informed the citizen and forwarded this concern to the City Manager of Lone to follow up with Caltrans Encroachment Division. Chairman Atlan stated there has been work performed in the last few weeks and it appears they are working on it and indicated he would follow-up with Lone City Manager.

#11. ACTC Reports: None

#12. Caltrans Report with Gregoria Ponce:

- The California Transportation Commission (CTC) has approved more than \$495 million for projects to fix and improve transportation infrastructure throughout California under the Road Repair and Accountability Act of 2017. Within District 10, this will include widening of SR 99 to accommodate the corridor, complete street elements, upgrading facilities for ADA compliance for Calaveras.
- The Governor's Office of Planning and Research released their Technical Advisory for the CEQA streamlining options for more sustainable transportation projects.
- FTA has released a Notice of Funding Opportunity (NOFO) to solicit project proposals up to \$1 million through the FTA 5312 funding for the Enhancing Mobility Innovation Competitive Funding Opportunity(NOFO). Project proposals are due January 11, 2022.
- With regard to SR 16/SR 49 in Drytown on the accident data/ roadway widening request, traffic operations deputy has reached out for further information so the team may move forward in terms of safety evaluations.
- Caltrans maintenance team has been sent out to evaluate the signage concerns on SR 16/ Greilich Road, they have confirmed the current status for signage and ordered some replacements
- Regarding Mule Creek Prison Intersection, investigation should be complete in February 2022.
- Caltrans has confirmed lighting will go in at the SR 88/Liberty Road roundabout. PG&E has not yet connected the power but it is anticipated that will occur mid-January.

Vice Chairman McLean asked for a contact for Caltrans Right-of-Way regarding a project in Jackson. Ms. Ponce replied she will forward that information to Mr. Gedney.

#13. Future Agenda Items:

- Project Funding Discussion
- Amador Transit FY 2020/21 Draft Compliance and Fiscal Audit
- ACTC Budget

Closed Session: At 11:29 a.m. Chairman Atlan called for a Closed Session as noticed: Conference with Labor Negotiators-Pursuant to Government Code §54957.6. At 12:06 p.m. the Chairman resumed the regular meeting of ACTC and reported direction was given to staff.

#14. Adjournment:

At 12:07 p.m. the Chairman adjourned the meeting until 9:00 a.m. Thursday, February 3, 2022, at 117 Valley View Way Sutter Creek, CA 95685.



Dominic Atlan, Chairman
Amador County Transportation Commission

ATTEST:



Recording Secretary

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