

**AMADOR COUNTY TRANSPORTATION COMMISSION
MINUTES
January 5, 2023 – 9:33 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:

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

Absent:

City of Sutter Creek representative (not yet appointed)

Also Present:

John Gedney, Executive Director, ACTC
Felicia Bridges, Administrative Secretary, ACTC
Maggie Amarant, General Manager, Amador Transit

AGENDA:

Motion: It was moved by Vice Chairman McLean, seconded by Commissioner Plasse and carried to approve the agenda.

Ayes: McLean, Bragstad, Crew, Oneto, Plasse
Noes: None
Absent: City of Sutter Creek representative

ELECTION OF OFFICERS:

Motion: It was moved by commissioner Plasse, seconded by Commissioner Bragstad and carried to approve the appointment of Patrick Crew as Chairman and Steve McLean as Vice Chairman for calendar year 2023, and Chairman Crew and Commissioner Bragstad as signatories to sign bank checks for the agency.

Ayes: McLean, Bragstad, Crew, Oneto, Plasse
Noes: None
Absent: City of Sutter Creek representative

PUBLIC MATTERS NOT ON THE AGENDA: Mark Lewis, retired Caltrans employee/Amador County resident, expressed his opposition with regard to the State Route 88/Pine Grove Improvement Project due to the extremely high costs of projects overall, and argued that small local counties such as ours should not be spending State Transportation Improvement Program (STIP) funding on state highways. He noted he has made efforts to communicate his concerns with County staff. He also noted the project could be vastly downsized and does not understand what is taking place.

CONSENT AGENDA (Items #1-4):

#2. Expenditures Budget vs. Actual: Commissioner Oneto asked why line item #52400-Publications & Legal Notices, has increased. Ms. Bridges noted legal notices recently went out for the ACTC Planner recruitment and the Unmet Transit Needs hearing.

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

Ayes: Crew, McLean, Bragstad, Oneto, Plasse
Noes: None
Absent: City of Sutter Creek representative

REGULAR AGENDA:

#5. State Route 16 Relinquishment- Jackson Township Specific Plan Settlement Agreement: Mr. Gedney reviewed his staff report and provided a detailed history of this item. He noted a correction in his staff report with regard to paragraph three (3) that reads *"Unfortunately, after many years of fruitless attempts at negotiation, the Amador region's interests were ignored."* Which should read ***"Unfortunately, after many years of fruitless attempts at negotiation, the Amador region's interests were ignored, except by Executive Director Susan Branson, of the California Transportation Commission"***.

Mona Ebrahimi, ACTC Legal Counsel, reviewed her interactions working with Sacramento County's legal Counsel.

Mr. Gedney reviewed a page from the Jackson Township Specific Plan: Chapter 4- Circulation & Mobility, a handout not included in the agenda packet, but made available, shows the depiction of SR 16 with future travel lanes and widths.

Mr. Gedney recommended that, moving forward since the relinquishment is still under suspension, it should still be ACTC'S position to maintain SR 16 as an interregional corridor. Commissioner Plasse commented that, ultimately, Caltrans and the State Legislature need to recognize that SR 16 is and was an interregional corridor and it comports with then Governor Brown's required definition (contained in Senate Bill 254) that relinquishments are allowed or should only be considered if the facility serves primarily as an interregional connection between regions. Otherwise, it should not be relinquished. He noted that Sacramento County has placed it in a state of limbo, where ACTC has to remain on guard.

Ms. Ebrahimi mentioned that reports indicate we are about to start a recession, which means many of the builders and developers are slowing down what they had planned. She noted she was informed, (at this time) that these projects may not happen for many years. Ms. Ebrahimi continued if she were advising the County she would argue not to accept any relinquishments yet, as the County would then become liable for anything that happens on that roadway. She stated she would advise complete review to see if it makes sense any longer, because the County's primary objective in wanting that relinquishment was that they did not want Caltrans holding back their projects due to California Environmental Quality Act (CEQA) requirements. So, if they are actually able to move forward now, as done with Jackson Township and New Bridge developments then that need for relinquishment diminishes. She noted it is well-known that Caltrans is trying to relinquish various highways, bridges, etc. because the costs of maintenance are extremely high. She suggested continued monitoring of the situation but does not believe it is as big of a threat as it initially was.

Commissioner Plasse asked if it would be beneficial to have legal counsel reach out to Sacramento County staff regarding the possibility of removing their application for relinquishment. He noted the Sacramento Board of Supervisors makeup has changed and a new board may have a different outlook on this item.

Ms. Ebrahimi stated she will gather information from Sacramento County staff and once she has that she can return to the board, at which time the board can direct her further. Chairman Crew asked Ms. Ebrahimi to note to the County staff member that ultimately ACTC would like to have the Sacramento County supervisors look into this and asked to forward this matter to them.

Gary Reinoehl, Amador County resident, stated he applauds the efforts of ACTC regarding the relinquishment and the agreement reached is a huge achievement. He agreed with the ACTC board decision to continue questioning whether this is a priority of Sacramento County. He noted he uses that route frequently and would like to see it remain functional for the county.

#6. Amador County Unified School District (ACUSD) Consolidation Plan-Traffic Impacts: Mr. Gedney reviewed his staff report. He highlighted the next ACUSD meeting will be held on January 18th and noted staff could attend that meeting to speak during the public comment period.

Vice Chairman McLean asked if the ACUSD board consists of primarily newly elected members and commented it may be beneficial to participate to show them the ACTC board is paying attention. Commissioner Plasse stated he believes the new board make-up was in favor of the consolidation.

Ms. Ebrahimi stated the last letter she wrote to the school district received no acknowledgement at all, while it did highlight some grossly negligent Brown Act violations. She stated since there is a new composition of the board, ACTC could send the previously delivered letters to the new board members noting the previous members were completely unresponsive and ACTC is giving them another opportunity to cure and correct. If not corrected, ACTC would retain its options in law and equity. She stated she does recommend this option because ACTC does want to have good relationships with other local agencies - it will be telling if ACUSD staff chooses to ignore the additional effort made on ACTC's behalf to address traffic impacts arising from the proposed Consolidation Plan.

Commissioner Plasse commented to would be worth pointing out the details of the Brown Act violations previously made, as there are new members and they may be more concerned and responsive about such violations. He also noted once this information is provided to them it may help them ensure that current staff does not continue the same path.

Commissioners agreed with Ms. Ebrahimi's recommendation to write a third and final letter to the new board and report back at the next ACTC meeting for further direction.

Gary Reinoehl, Amador County resident, stated he is surprised to see how the ACUSD has reacted and supports the additional letter that informs the new members on how to become compliant with the basic requirements of law.

Mr. Gedney noted Gregoria Ponce's staff did provide an email to the ACUSD (Attachment) and this letter could also be written in coordination with Caltrans because they are the owner/operator of the facility. He asked how Caltrans staff would like to coordinate efforts to write this letter.

Ms. Gregoria Ponce, Office of Rural Planning- Caltrans District 10, stated that Caltrans is the owner/operator of the State highway system and in terms of local development and decision-making Caltrans would be in the

position of a California Environmental Quality Act (CEQA) responsible agency, meaning they would comment on any materials coming forward. Ms. Ponce continued in regards to the email made by Caltrans staff to the ACUSD, they typically review instances under their Local Development Review functional unit and there they can see what the project is, who is the lead agency, who is the approving body, how they are meeting project requirements, and also look at the traffic impacts. She stated in terms of the letter, she would need to confer with her executive management on whether they would want to pursue co-writing a letter.

Commissioner Plasse asked if the school district is currently conducting the Environmental Impact Report (EIR). Ms. Ebrahimi replied at the last meeting they committed they would move forward with CEQA analysis prior to any project approval. However, that statement does not comport with their projected timeline for construction or opening of the school (Opening August 2024). She noted an EIR takes approximately one (1) year to complete and there is a 45 day public comment period after the draft EIR is circulated. She stated that timeline does not seem like that would happen and there is no notice that they are doing that.

Ms. Ebrahimi stated she can write the third letter on behalf of ACTC, then share that with Caltrans staff to review and they can attach a cover letter with additional comments that is Caltrans-specific if they choose. Ms. Ponce stated they would have to review it and confer with staff on making comments.

Commissioner Oneto asked if the ACUSD can perform work they need to move forward with the Consolidation Plan and then at some point go through the legal process. Ms. Ebrahimi replied no, that is considered 'piecemealing' and a CEQA violation. Mr. Gedney stated they are already doing that with specific project features.

#7. Claims: Mr. Gedney noted there is a revised claims list for review.

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Plasse, and carried to approve the revised claims.

Ayes: Crew, McLean, Bragstad, Oneto, Plasse

Noes: None

Absent: City of Sutter Creek representative

#8. ACTC Commissioner Reports: Commissioner Oneto stated due to the storms and flooding the Sheriff declared a local emergency and the Board of Supervisors ratified that at their recent meeting. He noted hopefully that will help especially seeing how the City of Jackson was affected by it.

Vice Chairman McLean stated he was recently elected Mayor of the City of Jackson. The board congratulated him. Commissioner Oneto suggested finding a way to clear and cleanup the creek bottom may help with the flooding concern in Jackson.

Commissioner Plasse noted if you want to save your roads then you need to pull the ditches before the rains come.

#9. ACTC Reports: None

#10. Caltrans Report with Marlon Regisford and Gregoria Ponce: Marlon Regisford-Caltrans District 10-Deputy District Director of Planning, Local Assistance, and Environmental introduced himself and noted Dennis Agar-Caltrans District 10 Director was previously listening but had to attend another meeting. He noted Gregoria and he will review the concerns brought forward at today's meeting regarding the ACUSD.

- Mr. Regisford noted Caltrans maintenance staff is on high alert and taking proactive measures to respond to any storm damages across the district and especially in Amador County.
- Mr. Regisford highlighted a federal grant funding program, the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) 2023 grant. With a total of \$1.5 billion available on a competitive basis, for surface transportation infrastructure projects that will improve safety, environmental sustainability, quality of life, mobility and community connectivity, economic competitiveness and opportunity including tourism, state of good repair, partnership and collaboration, or innovation. The deadline for applications is February 28, 2023. Eligible agencies include: local government agency, public agency, a federally recognized Indian Tribe, transit agency, and multi-State or multijurisdictional group of entities, as well as the Clean California local grant program.
- Ms. Ponce stated the DOTP is releasing a Call for Letters of Support (LOS) requests for RAISE 2023. Submittal of letters of support requests no later than January 13, 2023.
- Ms. Ponce also highlighted the Transit and Intercity Rail Capital Program (TIRCP) Cycle 6 Funding Opportunity with a call for Applications issued to fund transformative capital improvements that modernize California’s intercity rail, bus, ferry, and rail transit systems to achieve all of the objectives including greenhouse gas emissions reductions, expand and improve transit service to increase ridership, integrate the rail service of the state’s various rail operations, and improve transit safety. Available funding is up to \$3,980,000,000 and the deadline to submit is February 10, 2023. Eligible agencies include: public agencies with operating intercity feeder bus services.
- Ms. Ponce stated they look forward to processing the fiscal year 22/23 2nd quarter request for reimbursement and progress report and noted the fiscal year 23/24 draft Overall Work Program is due by March 1st 2023.
- Regarding the 2024 Regional Transportation Plan update, Caltrans staff is requesting milestones available.

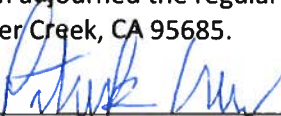
Commissioner Oneto stated he is still waiting on feedback from Caltrans staff regarding information pertaining to the tree removal work that was being performed near Kirkwood. He noted he has been asking for information specific to the contract of this project for approximately six (6) months. Ms. Ponce replied through Public Information Office (PIO) he should have received a notice and if he did not get that she would be happy to reach back out to verify that information gets transmitted to him.

#12. Future Agenda Items:

- ACUSD School Consolidation Plan-Traffic Impacts
- ACTC/AT Annual Draft Audits
- FY 2023/24 Draft ACTC Overall Work Program- sub committee will review prior
- Recognition of Commissioner Oneto’s service to the ACTC

Commissioner Bragstad left the meeting at 11:29 a.m.

#13. Adjournment: At 11:35 a.m. the Chairman adjourned the regular meeting until 9:00 a.m. Thursday, February 2, 2023, at 117 Valley View Way Sutter Creek, CA 95685.



Patrick Crew, Chairman
Amador County Transportation Commission

ATTEST:



Recording Secretary

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