

**AMADOR COUNTY TRANSPORTATION COMMISSION
MINUTES
February 2, 2023 – 9:44 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:

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

Absent:

Steve McLean, Vice Chairman (conflicting meeting with FEMA)
Robin Peters

Also Present:

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

AGENDA:

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

Ayes: Crew, Bragstad, Oneto, Plasse
Noes: None
Absent: McLean, Peters

PUBLIC MATTERS NOT ON THE AGENDA: Commissioner Oneto stated he and Supervisor Axe are looking into the option of a sales tax measure for road rehabilitation. Mr. Gedney replied the local state partnership program is still in place that provides a \$200,000 incentive which also allows the county to become eligible for the competitive funding.

CONSENT AGENDA (Items #1-8):

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

Ayes: Crew, Bragstad, Oneto, Plasse
Noes: None
Absent: Mclean, Peters

REGULAR AGENDA:

#9. Amador County Unified School District (ACUSD) Consolidation Plan- Traffic Impacts: Mr. Gedney reviewed his staff report and attached letters.

He reviewed a letter received from the Foothill Conservancy, which supports ACTC's staff report and highlighted the last paragraph of page 1 and first paragraph of page 2 describing the interconnectedness of the Consolidation Plan in the face of the School District's attempt to piecemeal the Project.

Commissioner Plasse commented that he finds it bizarre that the School District is making a commitment to abide by the Brown Act as if they have a choice, and then they state that they may rescind that commitment should they so choose. Mr. Gedney stated they can be enjoined to comply with CEQA. Mr. Gedney stated it would be easy if this were a typical development project, where the proposal would be submitted to a city or County. Then, the city/county would review it and the responsible agencies would review and provide comment. Caltrans comments would generally be a request for a traffic study to analyze impacts so that the board/council could make an informed decision and apply appropriate conditions of approve, which is consistent with the Governor's language of "look before you leap" in regard to the intention of CEQA. Mr. Gedney noted in this case the school district just leaps and is now letting the repercussions fall upon others, which can be also seen with the move of the adult education program out to the Shenandoah Charter School location.

Mr. Gedney stated ACTC would like to get Caltrans on board since they are the owner/operator of the highway. He continued that Caltrans is waiting for materials to be provided to them from ACUSD for review. However, the ACUSD noted that the only discretionary action that they seek is approval from the State Architect, which they have already received. He added that the school district did work with the City of Jackson regarding a sewer issue under a specific component part of this plan.

Mr. Gedney recommended bringing this item back next month to include a closed session on the matter. Commissioner Plasse suggested including Caltrans in the closed session discussion, specifically Dennis Agar or Marlon Regisford.

#10. Amador Transit Draft Audit for Fiscal Year Ended June 30, 2022: Mr. Gedney reviewed his staff report. Ms. Amarant noted the auditor did make the adjustment requested by commissioners to show the farebox revenue ratio without the additional nonstate grant revenue and that can be seen on page 28 of the audit.

Commissioner Plasse noted by adding the federal grant funding to the calculation, it provides a distorted view of the farebox ratio, which was why he and commissioner Forster asked to have that shown without it.

Commissioner Oneto commented an in-depth review of the routes and the ridership needs to be performed due to low ridership. Mr. Gedney responded Ms. Amarant and himself have a meeting coming up to research on-demand transit services and will bring information back to the board.

Commissioner Bragstad noted ridership has increased. Commissioner Oneto stated even prior to the pandemic the overall farebox ratio has not performed above 12%.

Commissioner Plasse noted this current farebox ratio of 7.65% is allowing the sales of advertising to supplement the farebox recovery ratio, and without that item the ratio decreases significantly. Mr. Gedney noted without that advertising included, the farebox recovery ratio was 3.9%.

Mr. Gedney noted this is a receive and file item.

#11. ACTC Draft Audit for Fiscal Year Ended June 30, 2022: Mr. Gedney reviewed his staff report.

Commissioner Plasse commented that both audits highlight the ongoing CalPERS item and how it is consuming the agencies revenues. Mr. Gedney stated the commissioners' decision to pay down the CalPERS unfunded liability for both agencies does provide a large long-term savings.

#12. FY 2023/24 Draft ACTC Overall Work Program and Budget: Mr. Gedney reviewed his staff report and the attachment. He noted this will come back to the board again following the distribution of this draft to the local jurisdictions and Caltrans for review and comment.

Commissioner Plasse noted it is difficult to read the annotated version with the blue ink, and suggested providing a version with red ink and larger font. He also asked to have the 2023/24 budget include the 2022/23 budget as a comparison. He noted on page 15, Work Element #1: Program Administration, the indirect cost has increased by almost \$100,000 from last years and LTF funding has increased by approximately \$60,000. Commissioner Plasse continued there are additional areas that have increased the LTF funding such as page 19, Work Element 2.3 Local Project Delivery Support, has increased by \$15,000. He asked for an explanation of the changes.

Mr. Gedney stated the LTF has been utilized to take the place of RSTP since it is a more flexible funding. He noted the LTF has also been used in past years as a source of funding to go the local jurisdictions through the Administrative Savings Account and was also the funding used to cover the 2022/23 unfunded liability paydown. He then noted the increase of the \$100,000 of Indirect cost is directly related to the next unfunded liability payment for this year. He stated last year when they made the first payment in the amount of \$150,000 to the unfunded liability payment, staff handled it as a budget amendment at the end of the year since the action was taken mid-year. This year it has been accounted for upfront in the budget. Mr. Gedney stated there are three (3) line items related to CalPERS in the budget this year: (1) 50300: Retirement- \$43,000(funded program), (2) 50301:Unfunded Liability Interest Payment-\$32,493(actual interest payment), (3) Unfunded Liability Interest Payment (2nd payment)-\$100,000.

Commissioner Plasse noted the explanation helped but he would still like to see last year's budget closed out numbers by line item with the comparison between 2022/23 and 2023/24.

Mr. Gedney asked to have the budget item tabled, but to allow the OWP document be distributed out for review and comment.

Commissioner Oneto commented the margins in the document could be adjusted or font size increased for better viewing as well. He noted there is funding in the GIS work element and asked if Ms. Cindy Engel was back. Mr. Gedney replied yes, she is back and working on various items.

#13. 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, Bragstad, Oneto, Plasse
Noes: None
Absent: McLean, Peters

#14. ACTC Commissioner Reports: Commissioner Plasse stated the recent storms have heavily impacted the roads and a main component of that damage is a result of the culverts or ditches not being cleared properly. He continued if they were proactively cleared it would cost much less than to repair them after damage is done. He suggested that we look into reappropriating STIP funds for construction measures on local roads that meet the 10-year requirement for longevity.

Ms. Amarant asked if the County has used prison labor for this type of work. Commissioner Oneto replied yes in the past they have, but not in the recent years. Commissioner Plasse noted he had made efforts in the past when he was on the Board of Supervisors, and it's a lack of willingness on the part of the prison to reimplement those programs.

Mr. Gedney stated with regard to the STIP funding, which is much more restrictive, the board will need to start thinking about projects that qualify for those funds. He noted there is RSTP discretionary funding available that could be requested by the cities/county to use for ditching projects.

#15. ACTC Reports:

Mr. Gedney stated Caltrans has recently provided a guidance document for NON-SHOPP Project Initiation Document (PID) nominations, which would be one of ACTC's non-discretionary projects that fall on the state highway system. Commissioner Plasse commented this means to use our money to fix their facilities. Mr. Gedney responded yes and agreed not to submit any requests.

#16. Caltrans Report with Gregoria Ponce:

- She has shared the recent ACUSD letter with the executive team as well as Headquarters Local Development Review staff for further consideration. She again reaffirmed and restated that Caltrans is a CEQA responsible agency and they respect the discretionary authority the local government has with regard to local decision making. With that, she has taken back the additional documentation for further consideration by District 10 executive team.
- The 2022/23 ACTC Overall Work Program Quarter 2 invoice is being processed.
- The Federal Transit Administration fiscal year 2023 competitive funding for low or no emission vehicle program with approximately \$1.22 billion available and the deadline to apply is April 13th. There is also the FY 2023 Competitive Funding Opportunity; Buses and Bus Facilities Program that has \$469 million available with a deadline of April 13th as well. Additional information can be found at www.grants.gov.
- Caltrans has released the 'Call for Projects' for the FY 2023 Federal Transit Administration Section 5311(f) Intercity Bus discretionary funding opportunity for operating assistance projects only. During this 'Call for Projects', the BlackCat Grants Management System is available to existing transit operators with regard to applying for this particular funding type. The deadline to apply is March 9th.

Commissioner Oneto stated he has requested information from Caltrans multiple times for months now with regard to the tree removal performed near Kirkwood and has yet to receive anything still. He commented he will file a Freedom of Information Act (FOIA) and even post a letter in the local newspaper regarding the lack of response from Caltrans. Ms. Ponce responded she appreciates the feedback and received a response from Public Information Office that the information was forwarded. She noted what she can do is look to capture what was sent out and send it directly to Commissioner Oneto again. She and Commissioner Oneto confirmed contact info.


Commissioner Plasse asked when a commissioner of this regional transportation planning agency requests information from Caltrans if it has to come in the form of a Public Records Act request. Ms. Ponce replied that Caltrans is sharing that information through their CPRA process. Commissioner Plasse asked if they are doing

that without a need for ACTC to file a formal FOIA. She stated yes and she will reach back out to the PIO team to see where those are going. She noted she will cc Ms. Bridges in the email to ensure it was received.

#17. Future Agenda Items:

- ACUSD School Consolidation Plan-Traffic Impacts
- FY 2023/24 Draft ACTC Overall Work Program-with modifications as requested to the document
- Funding to County/city roads

#18. Adjournment: At 10:49 a.m. the Chairman adjourned the regular meeting until 9:00 a.m. Thursday, March 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.)