

**AMADOR COUNTY TRANSPORTATION COMMISSION
MINUTES
March 2, 2023 – 9:00 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
Steve McLean, Vice Chairman
Susan Bragstad
Richard Forster
Robin Peters
John Plasse

Absent:

None

Also Present:

John Gedney, Executive Director, ACTC
Felicia Bridges, Administrative Secretary, ACTC
Maggie Amarant, General Manager, Amador Transit
Dennis Agar, Director, Caltrans District 10 (conference call line)
Gregoria Ponce, Office Chief of Rural Planning, Caltrans District 10 (conference call line)

Pledge of Allegiance

AGENDA: Mr. Gedney asked to move Regular Agenda item #12-*Caltrans Report* and *Closed Session* to the top of the agenda.

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

Ayes: Crew, McLean, Bragstad, Forster, Peters, Plasse

Noes: None

Absent: None

#12. Caltrans Report with Dennis Agar/Gregoria Ponce:

- Mr. Agar stated regarding the continuous storms, the maintenance teams are working around the clock and will continue to do so. He noted they appreciate everyone's patience and understanding in keeping safety in mind.
- The maintenance team is also working on another fuel reduction contract where the removal of dead trees, brush, and other dry fuels that are in Caltrans right-of-way are being removed. They are hoping to get this contract executed in the next couple of months and the focus is on Amador, Calaveras, and Tuolumne counties.
- Caltrans received another contract with Butte County Office of Education that will provide another litter removal crew. That crew will be focused on Amador, Calaveras, and Tuolumne counties as well.

- Through the Clean California program, \$100 million is available through the second cycle of the local beautification grant program which is now open and applications are due by April 28th. He encouraged working with Sam Sherman or Marlon Regisford for help with the grant application. Chairman Crew asked if this funding could be added to the current Pine Grove beautification project. Mr. Agar replied yes and again encouraged working with Sam Sherman to prepare a strong application.
- Additionally, through the Clean California program, the Clean California ‘Community Days’ is planned for 11 days dedicated to encouraging people to participate by way of litter pick up, adopt-a-highway, tree planting, and other beautification activities. This event will begin on March 17th and run through March 27th. He noted there is a public portal to sign-up for the event and he will forward that information.
- The Governor’s Office of Planning and Research - Integrated Climate Adaptation and Resiliency Program’s Climate Adaptation Planning Grant provides funding to help fill planning needs to help communities identify climate resilience priorities, and support the development of climate resilient projects across the state. There is \$6.6 million available in funding and the deadline for this grant is March 31, 2023.
- The U.S. Environmental Protection Agency – Environmental Justice Govt-2-Govt Program provides funding at the state, local, territorial, and tribal level to support government activities that address measurable environmental or public health impacts in communities disproportionately burdened by environmental harms. There is \$70 million available in funding and the deadline is April 10, 2023.
- Department of Transportation (DOT) Federal Transportation Administration (FTA) Competitive Funding Opportunity; Buses and Bus Facilities Program has approximately \$469 million in competitive grants under the Bus and Bus Facilities Program to assist in financing bus and bus facility capital projects, including replacing, rehabilitating, purchasing or leasing buses or related equipment, and rehabilitating, purchasing, constructing or leasing bus-related facilities. The Deadline is April 13, 2023.
- Ms. Ponce stated Caltrans is reviewing the FY 2023/24 ACTC Draft Overall Work Program. She noted she recently shared some 2023/24 forms to use with that, and staff will be providing comments to ACTC by the end of the month.

Commissioner Forster highlighted Ms. Ponce’s statement from the February 2, 2023 meeting minutes that reads: ***“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”***. He stated he hopes the second part of that statement does not mean that Caltrans is abdicating their authority on a state highway on this CEQA issue, because it seems clear that Caltrans has a big dog in this fight. Mr. Agar responded that he is not familiar with that comment she made, but if it does involve a state highway, Caltrans does want to provide feedback and input.

Ms. Ponce clarified her statement - she was specifically referring to a county entity engaging in a specific local action. Caltrans is a CEQA responsible agency, but the activity is specific to changing the operations of the school district, over which Caltrans has no oversight. However, regarding the state highway system, in no manner is Caltrans deferring its responsibility and she appreciates the opportunity to clarify that. Ms. Ponce suggested ACTC reach out directly to the State Architect’s office which does oversee the ACUSD activities regarding the overall concerns that ACTC has.

Commissioner Forster stated he appreciates Ms. Ponce’s clarification but respectfully disagrees. He continued that Caltrans is a big part of this and has control over the state highway and should engage the school district to preserve and protect operations of the state highway. Commissioner Forster asked Caltrans staff to become very familiar with this item and noted they should be very involved in this matter.

Mr. Agar stated he will work with his executive team to become more involved with the concern, and will then provide a clearer direction and response to the board.

Commissioner McLean stated he appreciates a letter he received from Caltrans regarding recognizing the flooding issues on SR 49, between French Bar Road and SR 88, where several homes were impacted. He continued that it looks like Caltrans is interested in working with the City of Jackson on efforts to dredge Jackson Creek to prevent future flooding. Mr. Agar replied he is aware of that letter and would like to continue to work with the City of Jackson to address that issue.

Commissioner Forster complimented Caltrans on the maintenance updates provided in the report (Consent Item #5-Caltrans Correspondence) and noted these are the kinds of projects Caltrans should be doing.

PUBLIC MATTERS NOT ON THE AGENDA: Ellie Routt, Motherlode Land Trust, stated she has come today representing a group who is interested in looking at additional bicycle/pedestrian improvements within the County. She noted that group consists of herself with the Motherlode Land Trust, Amador Trail Stewardship, the City of Amador City, and other community members. She provided background on how the group was created. Ms. Routt stated she has volunteered to write a grant application, through the Caltrans Sustainable Communities Transportation Planning Grant Program, with the City of Amador City as the grant applicant to complete the next phase of the ACTC Bicycle/Pedestrian Plan. She stated the hope is to apply and be awarded funding to hire a consultant/consulting firm and project manager to lead the group to meet with the various communities in Amador County to identify and cost out all the feasible projects. She noted if this grant funding is awarded, they would like to come back to the board to provide an update and next steps.

Commissioner Bragstad noted Amador City Council approved this project, by resolution, at their most recent City Council meeting.

Commissioner Forster asked if this funding would be used for resources on state highways, county roads, and private roads. She replied it is for planning purposes and the primary focus would be to determine what projects are feasible. She stated she did speak with Mr. Richard Vela- Amador County Public Works Director and his questions were valid regarding who maintains the items needed like road signs, or pays for continued maintenance like restriping on the roadways. Ms. Routt stated if they can get the various projects dialed in and create a priority list then as funding becomes available, they can fit those specific funds to the projects. At that time, they could then assess if a particular project would be on a state highway, county road, or private road.

Commissioner Peters asked what exactly is the Motherlode Land Trust's involvement formally in this project. Ms. Routt replied initially when the City transferred the Erickson Ranch to the Motherlode Land Trust there was thought of linking that property with a trail down to SR 49 to link Sutter Creek to Amador City. The Land Trust is currently performing a great deal of work on acquiring properties to allow public access and analyze how to link those preserves. Commissioner Peters then asked what level of involvement would the Motherlode Land Trust have if the grant was awarded. She responded none, she would continue to be part of the group on a personal level and assist as needed.

Closed Session: At 9:29 a.m. Chairman Crew called for a Closed Session as noticed: Conference with Legal Counsel-Regarding initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9. At 9:59 a.m. the Chairman adjourned the closed session of ACTC.

Chairman Crew suspended the ACTC meeting at 9:59 a.m. The ACTC meeting resumed at 10:31 a.m.

CONSENT AGENDA (Items #1-5): Commissioner Forster noted minor corrections on the minutes.

#2. Expenditures Budget vs. Actual: Commissioner Peters stated he spoke with Mr. Gedney briefly regarding this item but noted this expenditure report does not show anything on the income side. He continued at some level we are asked to approve warrants and cut checks and his comfort level to approve warrants without seeing the income is shaky. He asked if there is a way to introduce some rudimentary information on the income side on a routine basis that would be helpful. Mr. Gedney replied the ACTC budget is set with firm and fixed budgeted amounts of reliable funds. Those funds are either reimbursable or in the bank. Mr. Gedney continued as far as warrants, the ACTC does approve claims at the end of the meetings that are accounted to each of the budget line items. If there are any warrants that are exceeding budgeted amounts, a budget amendment is recommended to adjust funds to different work elements.

Commissioner Peters stated he appreciates the explanation; and, in his experience, working with the city and other organizations, before they wrote checks, they always made sure they were operating within the budget and that there were revenues to pay those warrants.

Commissioner Plasse commented he had the same concerns early on as a board member and had to revise the way the budget was presented to the board, which is the reason behind the year-to-date percentage of the year past and how that compares to the percent of the budget expended so far on the various warrants and line items.

Mr. Gedney stated he will make sure he is clear on particular items, as an example, on the current warrants agenda item there is an expenditure to the City of Jackson in the amount of \$243,746.35 which is paid to reimburse work being conducted on the Sutter Street Extension project through the Regional Traffic Mitigation Fee (RTMF) program. That funding is specifically paid out of RTMF fees and not out of the ACTC budget, but shows up in ACTC warrants since the funds need to be transferred to the ACTC checking account to pay that bill. Another example is this month's recommendation to adjust ACTC legal expenses, which otherwise would show up next month on the budget line item as an over-expenditure. Commissioner Peters noted it will take some getting used to.

#3. FY 2022/23 ACTC Overall Work Program Mid-Year Budget Amendment:

Commissioner Peters stated it appears this item is more about the budget and not as much about the document itself. Mr. Gedney stated staff received notification that ACTC would receive Project, Programming, and Monitoring (PPM) funds in the amount of \$38,000. Those funds were not in the original budget so we needed to make the amendment. He also noted funds needed to be moved to accommodate the increase in legal fees. Commissioner Peters asked at what point is the OWP document discussed. Mr. Gedney replied that discussion began last month with a first draft provided, then it goes to Caltrans for review and comment. Another draft comes back to the ACTC board for final review with Caltrans comments addressed.

Motion: It was moved by Vice Chairman McLean, seconded by Commissioner Forster, and carried to approve the Consent Agenda with minor corrections.

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

REGULAR AGENDA:

#6. FY 2023/24 ACTC Draft Overall Work Program (OWP) Budget: Mr. Gedney reviewed his staff report.

Regarding the population for Amador City displayed on page 4 of the OWP, Commissioner Bragstad noted that 2020 census data was used in 2021 while the Department of Finance (DOF) data is used for 2022. This shows a loss of nine (9) residents in Amador City which is not accurate. She also highlighted the population change from 4,655 in 2021 to 8,888 2022 for lone must relate to the prison population. Mr. Gedney stated yes, the anomaly is due to the decennial census numbers used as the benchmark that come in every ten years, and as that happens all the DOF forecast numbers then have to be adjusted. He also replied that the difference for lone is due to the prison population not included in the census but included in the DOF estimates.

Commissioner Peters asked if the board will see another draft OWP at another meeting to provide comments prior to approval. Mr. Gedney replied a final draft document will be provided to the board for additional review once staff has received Caltrans comments and recommendations.

Motion: It was moved by Commissioner Forster, seconded by Commissioner Plasse, and unanimously carried to approve the draft FY 2023/24 ACTC OWP Budget.

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

#7. 2024 Regional Transportation Plan: Update Process: Mr. Gedney reviewed his staff report. He then reviewed the revised RTP Table 5 and highlighted the significant change is to assign the project Lead Agency responsibility with the appropriate jurisdiction or agency. For example, it is recommended that Amador County should be the Lead Agency for projects in the County and Caltrans should be Lead Agency for projects on the State Highway. The new listing reflects that policy.

Mr. Gedney continued that the listing begins with regional projects that come from Tier 1 and 2. The local projects listed come from an additional appendix of the 2015 RTP and were not proposed for inclusion to the Tier I or II listing to be eligible for regional funding.

Commissioner Forster asked regarding page 2- line items WIRIS F-I, show a red-lined time frame and asked what that means. Mr. Gedney noted that was an error and will be corrected. He stated he is sending this revised RTP table to the Technical Advisory Committee and all the local jurisdictions for review and update of the projects.

Commissioner Plasse stated, given public comment provided today, this is how we ended up with the "Implement a multi-modal circulation improvement program" choice in our 2015 RTP. He continued, a study was performed where a survey question asked '*if you bicycle, do you bicycle for recreation?*' followed by the question '*if you bicycle, do you bicycle for transportation?*'. Commissioner Plasse noted that the skew of that response was so far off with the overall majority using it for recreation and very few considering it commuter transportation, that staff changed the question in the subsequent survey to '*Do you bicycle for recreation or transportation?*'

He commented that he just wants this board to see how the 2015 RTP became driven by a stakeholders committee and resulted in a bicycle centric RTP. He noted this county has the highest average age of population of just about any county in the state, and now we have people that want to apply for grant funding and they refer to our 2015 RTP to receive those funds on bicycle improvements. Mr. Gedney recalled that Commissioner Plasse was disappointed in the direction the previous RTP was going and insisted on including local road rehabilitation as a top priority. It was included as an alternative in the report but not supported as the highest priority by the stakeholder committee.

The commissioners discussed the current goals and policies in the attachments including the 'should' versus 'shall' verbiage and Level of Service (LOS) versus Vehicles Miles Traveled (VMT). Mr. Gedney suggested holding a workshop to review the current goals and policies in order to have a more focused discussion. Commissioners agreed to table this item until the workshop. The board scheduled a special meeting for the workshop on Monday March 20th from 9:00 a.m. to 12:00 p.m. to further review the goals and policies.

#8. ACTC Public Involvement Procedures Update: Mr. Gedney reviewed his staff report and attachments. Commissioners discussed the previous process and agreed public participation is provided consistently through regular monthly board meetings that are agendized and noticed, which allow for public comment in-person and by conference call line.

Chairman Crew noted the board should develop the goals and policies and then allow for the public to comment/participate regarding those specific goals and policies.

Mr. Gedney recommended, based on today's discussion, to only approve the proposed revision of line item #12 that *"ACTC may (will), ~~upon advice from the CAC,~~ form special (ad-hoc) project "oversight committees" for the development of all special plans, projects, or programs necessary to complement or implement the RTP Update"*.

Motion: It was moved by Commissioner Plasse, seconded by Commissioner Peters, and unanimously carried to approve the proposed revision that ACTC may form special (ad-hoc) project "oversight committees" for the development of all special plans, projects, or programs necessary to complement or implement the RTP Update.

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

Commissioner Forster left the meeting at 11:30

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

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

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

#10. ACTC Commissioner Reports: None

#11. ACTC Reports: Mr. Gedney stated that he and Maggie Amarant-AT General Manager have been working with Via, an On-Demand transit vendor, to discuss potential options available. He added this item coincides with the Unmet Transit Needs Report that has been delayed due to efforts by Ms. Amarant to work with staff of the Shenandoah School to better understand the needs pertaining to their testimony at the December hearing.

#13. Future Agenda Items:

- FY 2023/24 Annual Unmet Transit Needs Report

#14. Adjournment: At 11:39 a.m. the Chairman adjourned the regular meeting until 9:00 a.m. Thursday, April 6, 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.)