

AMADOR COUNTY TRANSPORTATION COMMISSION (ACTC) MINUTES
December 7, 2023 – 9:02 a.m.
ACTC Board Room-117 Valley View Way Sutter Creek, CA 95685

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- Board of Supervisors, Chairman
Steve McLean- City of Jackson, Vice Chairman
Susan Bragstad- City of Amador City
John Plasse- Citizen at Large
Dan Riordan- City of Sutter Creek

Absent:

Richard Forster-Board of Supervisors

Also Present:

John Gedney, Executive Director, ACTC
Felicia Bridges, Administrative Analyst/Recording Clerk, ACTC
Patricia Maggie Amarant, AT General Manager

Pledge of Allegiance

AGENDA:

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

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

PUBLIC MATTERS NOT ON THE AGENDA: None

Commissioner Oneto (alternate for Richard Forster) arrived at 9:04 a.m.

CONSENT AGENDA (Items 1-4):

#1. Meeting Minutes of November 2, 2023: Commissioner Bragstad noted, at the bottom of page 4, discussion of “*this intersection*” should read “*the intersection of SR 88/SR 49/Argonaut Lane*” to ensure there is no confusion of the location being discussed.

Commissioner Plasse asked to have it noted in the minutes that he did attempt to participate remotely via call in option, but was informed by Ms. Bridges that he was not allowed to participate as a voting member of the board due to the new requirement under Assembly Bill 2449, which requires the remote participant to provide both audio and visual feed.

#4. Caltrans District 10 Update: Commissioner Plasse stated, regarding the last item listed in the Caltrans Maintenance updates- AMA-49 Jackson 49 pavement Anchor project, this is a State Highway Operation and

Protection Program (SHOPP) project and for years ACTC has been trying to get advance notice from Caltrans of these kinds of projects so that projects that the jurisdictions were planning could potentially be included in that process. He continued given this project is on such a large stretch of roadway he wanted to draw attention to it. Mr. Gedney replied a member of the Bicycle Pedestrian Advisory Committee (BPAC) did show interest in that project for potential bike paths, and has asked to join the Caltrans field trip scheduled to review this project and will forward that meeting information to Commissioner Plasse.

Motion: It was moved by Commissioner Oneto, seconded by Vice Chairman McLean, and unanimously carried to approve the Consent Agenda with corrections and comments as discussed.

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

Mr. Gedney stated to follow-up on the Caltrans Update, it notes Dennis Agar will be retiring at the end of this month and in attendance today are Duper Tong-Deputy District Director of Traffic Operations and Safety, Mark Samuelson- newly appointed Deputy Director of Planning, Local Assistance, and Environmental, and Ramamohan Bommavaram-Safe System Lead. Commissioners agreed to move the Caltrans report up to accommodate Caltrans staff.

REGULAR ITEM #13. Caltrans Report: Duper Tong-Deputy District Director of Traffic Operations and Ramamohan Bommavaram-Safe System Lead Safety introduced themselves and provided background on their roles and responsibilities. They then introduced Mr. Samuelson-Deputy Director of Planning, Local Assistance, and Environmental. Mr. Samuelson also reviewed his background and provided a brief report which included:

- Federal Transit Administration (FTA) Call for Applications for the Innovative Coordinated Access and Mobility Grant in which \$4.7 million is available in funding and the deadline to apply is February 13, 2024.
- FEMA Call for Applications for the Hazard Mitigation Assistance grant program has \$800 million available to address high level future risk natural disasters and the deadline is February 29, 2024.
- Department of Transportation Advanced Transportation Technology and Innovation grant program has \$120 million available to improve safety, mobility, efficiencies, system performance, and intermodal connectivity/infrastructure with a deadline of February 2, 2024.
- CAL FIRE Wildfire Prevention grants program has issued a call for applications in the amount of \$117 million for hazardous fuels reduction, wildfire prevention planning, and wildfire prevention education with a deadline of January 10, 2024.
- Traffic controls will be in place for bridge work at the Mokelumne River bridge (Amador/Calaveras County line) today from 7:00 a.m. to 5:00 p.m.

Commissioner Oneto commented the Caltrans Maintenance Update states construction was delayed due to bird nesting; he asked what type of bird caused this delay. Mr. Samuelson stated he would have to take that back for review. Commissioner Oneto noted his concern regarding how Senate Bil (SB)-1 funding is allocated and spent, particularly how it is directed to projects such as shoulder work for the Mokelumne River bridge.

Mr. Gedney asked to hold closed session at this time to accommodate the time of ACTC legal counsel.

Closed Session: At 9:24 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 10:04 a.m. the Chairman adjourned the closed session of ACTC and reported unanimous direction was given to staff.

REGULAR AGENDA:

#5. 10:00 a.m. Annual Unmet Transit Needs Public Hearing: Mr. Gedney reviewed his staff report. He stated Karyn Gregorius, Executive Director-Arc of Amador and Calaveras and Social Services Transportation Advisory Council (SSTAC) chair is in attendance to present the SSTAC recommendations.

Chairman Crew opened the public hearing at 10:05 a.m.

Ms. Gregorius introduced herself and provided a brief background of the SSTAC. She reviewed Attachment A-SSTAC FY 2024/25 Transit Recommendations with the three (3) primary (short-term) needs for recommendation which include: the restoration of fixed routes 5 and 6 (runs before 9:00 a.m. and after 4:00 p.m.), continue expanding Dial-A-Ride (DAR) throughout Amador County’s rural areas, and consideration of applying for grant funding to implement a voucher program.

Commissioner Riordan noted regarding the voucher program, under the considerations section of the document it states “all surrounding transit systems have other types,” and he asked for clarification. April Miller-Amador Transit Mobility Manager, stated staff looked into other local rural transit agencies and they all offer different programs throughout the year such as free fares for students or elderly.

Motion: It was moved by Commissioner Riordan, seconded by Vice Chairman McLean, and unanimously carried to close the public hearing at 10:14 a.m.

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

Motion: It was moved by Commissioner Plasse, seconded by Vice Chairman McLean, and unanimously carried to direct staff to evaluate the unmet needs testimony against the ‘Reasonable to Meet’ criteria and provide recommendations at a later meeting.

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

#12. ACTC Reports:

Item A. Amador County Unified School District (ACUSD) -Consolidation Project Update: Mr. Gedney stated there was a school district meeting on November 8th where staff provided an update to the board on the schedule of the Environmental Impact Report (EIR) distribution. Subsequently to that meeting, ACTC received a letter from Superintendent Gibson scheduling a special meeting on December 14th from 1:00 p.m. to 5:00 p.m. to present the EIR. ACTC legal counsel did submit a letter to ACUSD in response to the Notice of Preparation (NOP) as did Caltrans. Mr. Gedney noted there are pertinent comments in those letters that are relevant to the discussion that was held on the meeting of the 8th. He reviewed a brief outline that was made available on the ACTC website.

Mr. Gedney stated the school district is not understanding their responsibility as a lead agency to provide due diligence in their analysis. The guidance under public resources code section 21099 states that the change from Level of Service to Vehicle Miles Traveled “does not relieve a public agency of the requirement to analyze a projects potentially significant transportation impacts related to air quality, noise, safety, or any other impact associated with transportation”. The NOP letters sent by ACTC and Caltrans specifically ask the ACUSD to study safety impacts. The letter from Caltrans notes: “This project may significantly change traffic patterns, thus a Vehicle Miles Traveled (VMT) study will be required for California Environmental Quality Act (CEQA) analysis. In addition to the analysis, the proposed project needs to conduct the Queue Analysis at the intersections of SR

49/Hoffman St./Sutter St. and SR 88/SR 49/Argonaut Lane to analyze potential safety impacts. As the project may significantly change the traffic patterns the Queue Analysis will determine if any left/right turn storages will accommodate additional traffic from the project". Mr. Gedney stated Caltrans is not just asking but telling them, that the EIR needs to study this as a safety issue. He noted he will attend this special meeting and continue to voice the concerns that they are creating a hazard that needs to be studied in the EIR.

Chairman Crew asked what the next steps are moving forward. Mr. Gedney replied staff will attend the ACUSD meeting; and, after the 45-day review period of the EIR begins, staff will review the document and work with legal counsel prior to bringing back information in January for the board to review. Mona Ebrahimi, ACTC legal Counsel, stated the plan is to attend the next ACUSD board meeting to listen to the comments made on the EIR. Legal counsel staff will then review those comments and prepare a draft response letter to ensure all traffic impacts (not just VMT) are addressed. If not, ACTC will provide feedback on where they need to be providing further analysis and possible mitigation. Ms. Ebrahimi noted that information will be provided at a future meeting, and then that letter will be submitted.

Commissioner Bragstad stated the Amador County General Plan still included Level of Service (LOS) studies. Ms. Ebrahimi stated under CEQA LOS is no longer required to be analyzed in an EIR or Mitigated Negative Declaration. However, a jurisdiction can always agree to an enhanced analysis that includes LOS but is not legally required to do so. Commissioner Plasse asked if the County's general plan has any governance over the school district. Ms. Ebrahimi stated no, the school district is an arm of the State so they have slightly different rules. However, they must comply with CEQA, and they must analyze increases in enrollment. The new legislation that was passed that exempts enrollment from analysis applies only to community colleges and higher universities, not K-12 schools. Ms. Ebrahimi stated staff will be reviewing it to ensure all those have been addressed.

Commissioner Riordan asked if it is possible for the ACUSD to approve the EIR without complying to do a more robust study. Ms. Ebrahimi stated the plan is not to approve the EIR yet, as they are required to circulate the draft for 45 days and take public comment and respond. Then, that is turned into a final EIR where they can then review and approve it. Commissioner Plasse commented the ACUSD can then just issue a Statement of Overriding Considerations and approval the EIR. Ms. Ebrahimi stated they can issue a statement of overriding considerations' as they have the burden of proof to demonstrate that impacts that are significant and unavoidable have included all feasible mitigation measures. So, if there are feasible mitigation measures the lead agency cannot simply say they do not feel like adopting them., Only to the extent that there is no further reasonable feasible mitigation measure can the lead agency adopt a Statement of Overriding Considerations. Commissioner Plasse asked who makes that determination of feasibility. Ms. Ebrahimi stated the court will eventually make that decision, but as long as there is substantial evidence in the record that it is feasible, they would have the burden of proof to rebut it with their own substantial evidence.

Commission Bragstad asked when and where this next meeting will be held. Mr. Gedney stated on December 14th at the Amador County Board of Supervisors building at 1:00 p.m.

Commissioner Riordan stated he understands the focus is on the SR 49/88/Argonaut Lane intersection, but noted there are additional areas that will be impacted by this consolidation and the focus should not be only on that one location. Mr. Gedney agreed and stated the ACTC letter did note the numerous areas of impact and staff is hoping the study can be robust enough to cover them all.

Commissioner Plasse stated, in response to Mr. Critchfield's question with regard to why the county has not built Wicklow Way Extension, that project is on the Regional Transportation Plan (RTP) list as a developer funded project and no project has come forward to date until the ACUSD school site consolidation project. That is why it was important that the consolidation was defined as a project in spite of their attempt to piece-meal it outside

of the regulations of CEQA. As such, this is why the County has not built the Wicklow Way Extension and is the reason why the ACUSD should be a partner to look at working on the project now.

Item B. ACTC Building Maintenance Update: Mr. Gedney stated there has been continued water issues with the conference room wall for many years and finally got a contractor under contract to install a 6-inch berm adjacent to the building to provide better drainage of the rain water.

#6. 2024 Regional Transportation Improvement Program (RTIP)-Adoption and Submittal to the California Transportation Commission: Mr. Gedney reviewed his staff report. He then highlighted a new required section of the report on page 6 of the RTIP-section 5. Significant Interregional Highway Needs, in which the preservation of the SR 16 corridor is noted as the most significant interregional highway need.

Commissioner Bragstad stated regarding the 2024 RTIP project prioritization handout (made available at the meeting and on the website) the Amador City project is listed in the 8th place and used to be in the 6th. She added the Amador City project should be above the Hale Rd. project based on ADT. Mr. Gedney stated these projects are not numbered but if they were the Amador City project would be tied with the other projects with an overall score of 19. Mr. Gedney stated this list was established based on the Project Study Report (PSR) equivalents that were submitted to ACTC for potential RTIP funding. They were then prioritized using the approved performance measures and criteria included in the prioritized list. Mr. Gedney stated this list is provided as information as it was a working document only last month.

Commissioner Riordan noted a potential error on the prioritization list for the PCI data of the Sutter Hill Rd. project. Mr. Gedney made note of the error. Commissioner Bragstad asked to see the revised list with changes made.

Motion: It was moved by Commissioner Oneto, seconded by Commissioner Plasse, and carried to approve the 2024 Regional Transportation Improvement Program to request the California Transportation Commission approve Construction phase funding for four (4) local roadway rehabilitation projects at a total cost of \$3,559,846.

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

#7. Regional Surface Transportation Program (RSTP) Project Programming Allocation: Mr. Gedney reviewed his staff report.

Commissioner Oneto stated he felt unsettled by this allocation due to the City of Sutter Creek just hiring a new City Manager at approximately \$175,000 a year with additional allowances, which seems steep for this region. Commissioner Riordan commented he feels differently, and noted he was unable to attend the last meeting due to a family illness, but as he assisted to get this project study report proposal completed, he was pleased and appreciative at the fact the board was willing to look at it and suggest that it be funded. Commissioner Plasse stated he is not opposed to the discretionary aspect to the use of the RSTP funds, he felt that this board had reached the point where it became necessary to have a scoring basis which evaluates projects by need when choosing projects, rather than from an emotional decision-making standpoint or as stated in the minutes "*in an effort to provide fairness*". He noted the fairness is choosing projects is with the greatest need and effect the greatest number of people in the county. Commissioner Plasse continued he has fought for many years to get the decision-making on the allocation of funding to adopt some level of common-sense and feels a sense of failure after that process was not the process implemented.

Commissioner Riordan noted he understands Commissioner Plasse’s comment regarding the metrics but he looks at the PCI data of the roads and feels the need to move forward with the allocation.

Motion: It was moved by Commissioner Riordan, seconded by Commissioner Plasse, and unanimously carried to approve, by resolution, the allocation of Regional Surface Transportation Program funds to the City of Sutter Creek in the amount of \$405,000 for the Eureka Road Overlay project.

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

#8. FY 2022/23 Regional Traffic Mitigation Fee (RTMF) Annual Report: Mr. Gedney reviewed his staff report and attachments. He highlighted the City of Amador City and City of Jackson have not provided any revenue to date for the year. Vice Chairman McLean stated he will check with city staff and noted there has been staff turnover recently which could be a factor in not receiving revenue yet.

Mr. Gedney stated there has been significant expenditures since the last fiscal year towards the Sutter Street Extension project totaling \$1.17 million of the total \$1.30 million obligated to this project many years ago, which leaves a balance of \$129,000 remaining for project development work. He also highlighted the obligation to the SR 88/Pine Grove Improvement project in the amount of \$1 million, which once the County authorizes the Construction phase of the project, that funding can be provided and will come off the obligation list. Mr. Gedney highlighted \$284,500 was obligated to the Wicklow Way Extension to begin design back in 2015. Commissioner Oneto stated one reason that was obligated was because it was recognized that area could be an issue in the future.

Mr. Gedney stated staff will provide this report to the jurisdictions to receive and file with the request to appoint a representative to serve on the Oversight Committee (OC) for this next calendar year. Staff also asks this board to appoint a representative to serve on behalf of ACTC. Commissioner Plasse asked about his obligation to have the Buena Vista Road- SR 88-124 and Main Street-Amador City paving projects recommended to the RTMF OC for funding. Mr. Gedney replied this was direction from the board last month as part of the RIP funding item, which displayed the list of projects that had submitted PSR Equivalents and commissioners utilized the various funds that ACTC manages to recommend those two (2) projects to the RTMF OC at its next meeting. Commissioner Plasse asked for an explanation to how the Amador City paving project fulfills the requirement of a nexus to regional traffic mitigation. Mr. Gedney reviewed the current Table 5 project listing and how each project on this list could show impacts from essentially anywhere in the county. The requirement is to show a nexus and a proportional expenditure, and this list of projects shows that. Commissioner Plasse stated this is an inappropriate allocation of funding. He continued the traffic impact that was mitigated for Amador City was the \$22 million bypass, in which Caltrans relinquished roadways and provided funding for the preservation of those roadways. He argued against using traffic mitigation fee funds to repave a roadway for approximately 200 residents, especially when there are bigger needs throughout the county, such as the Wicklow Way Extension. Mr. Gedney clarified any one of the projects on the Table 5 list can be recommended for funding. He noted this was only a recommendation to take these projects to the RTMF for review.

Chairman Crew asked if this is time sensitive or if this item could be brought back for further discussion. Mr. Gedney replied yes. Ms. Bridges stated the board does need to appoint a representative to the RTFM OC.

Motion: It was moved by Vice Chairman McLean, seconded by Commissioner Riordan, and unanimously carried to approve the reappointment of Commissioner Plasse as the ACTC representative for the RTMF Oversight Committee for calendar year 2024.

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

#9. SB 125 Transit and Intercity Rail Capital Program (TIRCP) & Zero-Emission Transit Capital Program (ZETCP):

Mr. Gedney reviewed his staff report. He stated after discussion with the CalSTA staff, a potential direction would be to develop a phased approach for funding. Initially, complete a feasibility study to determine the most suitable alternative fuel for our region, costs associated, and better efficiency of the current bus routes with a transition plan for the AT vehicle fleet. Once that section is complete, ACTC could purchase an alternative fuel bus for the Sacramento commuter route to ensure interregional connection and a reduction of greenhouse gas emissions with smart card ticketing or first mile/last mile or other proven technological improvement that would show increased ridership for the ZETCP portion of the funding. Finally, installation of alternate fuel infrastructure could take place.

Commissioner Riordan asked, regarding Attachment A-Feasibility Study Outline, #18, if that item does include information of our geography and as it relates to the efficacy of a hydrogen solution. Mr. Gedney stated yes. All the information we gather is then brought back to the board for review and determination of what best fits our region. Mr. Gedney stated at this point, we are asking for input and direction on whether to proceed to apply for funding.

Commissioner Oneto asked if smaller hydrogen buses are being manufactured and noted they may be very complex vehicles. Ms. Amarant replied she does not believe so.

Commissioner Riordan clarified the direction today is only to do the feasibility study to help us determine the best way to move forward with alternative fuels, and asked if ACTC staff is prepared to oversee the work required for this study. Mr. Gedney stated yes and highlighted that ACTC staff is working with County staff on this. Commissioner Oneto asked if performing the feasibility study commits ACTC to anything beyond that. Mr. Gedney replied no. Commissioner Plasse asked what portion of the funding is distributed to ACTC, the cost of the feasibility study or the whole year one allocation. Mr. Gedney stated he anticipates a phased approach to receive funding. The feasibility study as phase 1, and construction/implementation of an alternative fuel bus and ridership technology as phase 2.

Commissioner Plasse stated ACTC has been down this road before with regard to researching alternative fuel vehicles, and noted other agencies that have moved forward with these zero emission fleets have had nothing but problems. He commented efforts to push technology that is just not there yet ultimately falls on us. Mr. Gedney stated the funds do not go away until 2028, so there is time to perform the necessary research.

Commissioner Oneto left the meeting at 11:37 a.m.

Commissioner Plasse asked if this study is relative to the use of one of these alternative fuels for the Sacramento run so that it connects with intercity rail and meets the requirements of the grant. He also asked if Sacramento purchased the bus used for the Sacramento service or they just pay the operational expenses of that route. Ms. Amarant replied Sacramento did purchase the bus, and in the event that Sacramento County does not renew the contract with AT for that route (contract up in 2025), she felt it would be a disservice to the residents of both regions to no longer provide that service. If that were to occur, she would recommend AT continue that service. Commissioner Plasse clarified her recommendation would be to assume all the costs of the route. Ms. Amarant replied yes, but on a modified route only to 65th street. She stated at this time she is not sure what Sacramento will do.

Steve Christensen, Amador County resident, provided a link on Zoom regarding a hybrid trolley as something that could be used on the main corridor as it would be aesthetically pleasing and potentially increase ridership.

Motion: It was moved by Vice Chairman McLean, seconded by Commissioner Bragstad, and carried to approve the authorization for the ACTC Executive Director to submit an Increased Transit Ridership and Zero-Emission Bus Transition Plan Feasibility Study to the California State Transportation Authority pursuant to guidelines established by the Senate Bill 125 Formula-Based Transit and Intercity Rail Capital Program & Zero-Emission Transit Capital Program.

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

#10. Claims: Chairman Crew noted there is a revised claims list for review.

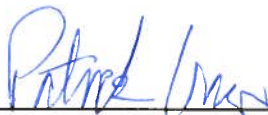
Motion: It was moved by Commissioner Plasse, seconded by Vice Chairman McLean, and carried to approve the revised claims list.

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

#11. ACTC Commissioner Reports: None

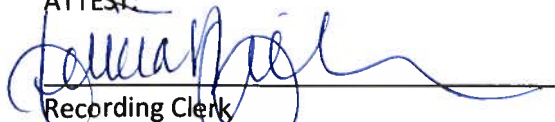
#14. Future Agenda Items: None

#17. Adjournment: At 11:43 a.m. the Chairman adjourned the regular meeting until 9:00 a.m. Thursday, January 4, 2024, at 117 Valley View Way Sutter Creek, CA 95685.



Patrick Crew, Chairman
Amador County Transportation Commission

ATTEST:



Recording Clerk

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