

AMADOR COUNTY TRANSPORTATION COMMISSION (ACTC) MINUTES
February 1, 2024 – 9:38a.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
Brian Oneto (alternate for Richard Forster)-Board of Supervisors
John Plasse- Citizen at Large
Dan Riordan- City of Sutter Creek

Absent:

None

Also Present:

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

AGENDA:

Motion: It was moved by Vice Chairman McLean, seconded by Commissioner Riordan, and unanimously carried to approve the agenda as presented.

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

PUBLIC MATTERS NOT ON THE AGENDA: None

CONSENT AGENDA (Items 1-6): Commissioner Riordan noted minor corrections to the minutes were provided to Ms. Bridges.

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

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

REGULAR AGENDA:

#7. 2024 ACTC Committee Appointments: Commissioner Plasse nominated Commissioner Riordan to be appointed to the Finance Committee in place of Commissioner Forster and to the Transit Performance and TDA Claims Process Committee in place of Robin Peters.

Motion: It was moved by Commissioner Plasse, seconded by Commissioner Oneto, and unanimously carried to approve amendments to the Committee Appointments for calendar year 2024 as follows:

Administrative Committee- Chairman Crew/Vice Chairman McLean

Finance Committee- Commissioner Plasse/ Commissioner Riordan

Personnel Committee- Chairman Crew/ Commissioner Bragstad

Regional Traffic Mitigation Fee Oversight Committee- Commissioner Plasse

Transit Performance and TDA Claims Process Committee - Vice Chairman McLean/ Commissioner Riordan

Ayes: Crew, McLean, Bragstad, Oneto, Plasse, Riordan

Noes: None

Absent: None

#8. 2020 Regional Transportation Plan (RTP) Amendment: Mr. Gedney Reviewed his staff report. Commissioner Oneto asked if funding would be taken from the Pine Grove improvement project to make this amendment. Mr. Gedney replied no, he reviewed how the cost estimate for the Pine Grove project was \$8.3 million and ACTC compiled various funding sources in order to come up with that total. This left a remainder of \$4.8 million to complete the package, and ACTC was able to achieve savings in the Regional Improvement Program (RIP) shares that are provided to the region in the amount of \$1.6 million. With the new fund estimate of RIP shares, including the \$1.6 million in savings, the Amador region can expect a total RIP share of approximately \$4 million, which is the funding programmed to these four (4) paving projects.

Commissioner Oneto noted a correction on the second page of Attachment -Table 5 amended, the location of the amended Buena Vista Road project shows Amador City, and it should be County.

Commissioner Oneto emphasized the limited funding this county receives should be utilized on local roadways and not state highways as shown in this RTP. Mr. Gedney replied that ACTC is currently in the process of updating the RTP as shown in the next agenda item. This amendment today is only a technical correction to the current RTP list in order to request that the California Transportation Commission approve our programming request in the adoption of the 2024 State Transportation Improvement Program.

Motion: It was moved by Commissioner Riordan, seconded by Commissioner Plasse, and unanimously carried to approve the amendment to the 2020 Regional Transportation Plan.

Ayes: Crew, McLean, Bragstad, Oneto, Plasse, Riordan

Noes: None

Absent: None

#9. 2024 Regional Transportation Plan Updates: Mr. Gedney provided a brief background of the update process to date. Ms. Bridges stated in Fall 2022 staff reviewed several areas of distinct change since the 2020 RTP which include: overall stable or flat population trends, project cost increases, impacts from COVID-19, funding sources, and transportation technology. Then in spring of 2023, ACTC held two (2) public workshops to review and update the goals and policies. After brainstorming and ranking activities, the board narrowed down the list to three (3) primary goals with new objectives and implementation measures, which can be found in the Policy Element that was reviewed and approved at the October 2023 ACTC board meeting. Importantly, the goals and objectives of the region's RTP align with "system preservation" goals of the 2050 California Transportation Plan. From July to October staff worked on updating the Tier I regional project listing to only include projects that are considered 'shovel ready' in alignment with newly adopted RTP policies. In November, the Introduction and Planning sections of the document were provided in an annotated and accepted version for review and approval. The board and staff also worked on the prioritization list during that meeting. Since then, staff has worked to

continue prioritizing all Tier I projects based on the performance criteria (Action Element) with modifications that include: removal of cost per mile, drainage, and structural cross section. In addition to the draft narrative sections included for review, staff has included a CEQA flow chart and the RTP checklist that will be used during the Caltrans review process. Ms. Bridges stated all roadway rehabilitation projects proposed as eligible for the Tier I (fully funded) project listing qualify under the Categorical Exemption California Environmental Quality Act (CEQA) category. While some projects proposed for the Tier II (unfunded) project listing may be amended into the Tier I listing during the life of the 2024 RTP Update and may require project-level environmental analysis, all of those projects were previously included in the Supplemental Programmatic Environmental Impact Report prepared in the 2015 RTP Update and re-adopted for the 2020 RTP Update. As such, the 2024 RTP Update may be adopted under a Mitigated Negative Declaration pursuant to CEQA guidelines. Ms. Bridges noted in addition to any revisions/recommendations made today, staff is still working to review/finalize sections and would bring back those revisions at a later date. The recommendation for today is to review the document and provide comment.

Mr. Gedney mentioned that the agenda item includes an annotated and accepted version for review. He noted the previous RTP was quite extensive and focused heavily on a multi-modal preferred alternative. He reviewed the Alternatives and Analysis section and highlighted this board has made the decision to focus this update primarily on local road rehabilitation and maintenance. Mr. Gedney did emphasize this is a 'living document' and this board can advance projects from other Tiers into the Tier I list (providing Wicklow Way Extension as an example). He stated this new Tier I list now has a prioritization based on the criteria suggested by the board. He noted, based on input from Commissioner Plasse, staff did edit the prioritization list to make Pavement Condition Index (PCI) and Average Daily Traffic (ADT) data on a 1-10 ranking between projects, instead of the 1,3,5 ranking to provide more distinction between projects. Mr. Gedney stated the board has the prerogative to utilize that prioritization or not.

Commissioner Oneto stated he does like having that prioritization whether it is used or not. He noted Shenandoah Rd. segments listed may have been recently completed and may need to be removed from the list. He also highlighted Ridge Rd. projects may need further review based on recent funding potentially programmed from the state budget for road rehabilitation.

Commissioner Oneto suggested Latrobe Rd. be included on Tier I, highlighting Sacramento County plans to expand along SR 16 and, as Latrobe Rd. serves as an alternate route, it should be on the Tier I list, even with additional phases of work required. Commissioner Plasse stated the importance of being on the Tier I list has come to show itself in a number of ways recently. Mr. Gedney stated in the past this agency expended funding on project development work and noted this board made the shift to now focus on construction-ready projects, unless a project is brought forward by a jurisdiction with a plan and some funding in place. He provided the Wicklow Way Extension project as an example. Commissioner Plasse asked how some projects such as Amador City Main Street projects can be on both Tier I/ II lists and on the local project list (ineligible for regional funding). Mr. Gedney stated the local project list are projects like pothole maintenance on local roads and the Amador City paving project on the Tier I listing is a full paving rehabilitation project which was submitted as a 'shovel ready' project with an updated engineers estimate. Mr. Gedney reviewed the process of how projects were incorporated and prioritized to be on the Tier I list, which can be modified at the board's discretion. Mr. Gedney stated, at the January meeting, discussion of including an 'alternative funding sources' column to the prioritization criteria took place to acknowledge if there is other funding available/programmed already. He asked how to score that in the prioritization process. Commissioner Plasse stated it should not be included in prioritizing criteria but should be noted for the board's assistance in the decision-making process. Ms. Bridges noted on the 2024 project list, there is a column under revenue that notes 'other sources', and additional info could be included there with regard to previous funding allocation to roadway sections.

Commissioner Riordan asked that the information included in the document be as up-to-date as possible. Commissioner Oneto stated he agrees but noted traffic counts and analysis of that nature can be quite expensive to update. Ms. Bridges commented the data utilized in this update for PCI and ADT is from 2019, and added the only areas that may be inadequate are sections that have been repaved since then. Mr. Gedney stated the data is through Streetlight Data software, which uses mobile phone 'ping' data that can show origin / destination information.

Doug Sim, City of Plymouth Council member, stated Plymouth has access to two (2) car counters that could be provided to assist in traffic counts throughout the county. Mr. Gedney mentioned that discussion with county staff in the past has considered using both counters and cell phone ping data on spot calibration data to verify the cell phone data is accurate. He stated he will bring that specific item back after the RTP is complete as the Nexus study will need updating for the Regional Traffic Mitigation Fee (RTMF) program, which will allow RTMF funding be programmed on pavement rehabilitation projects from the RTP Tier I listing.

Commissioners continued discussion regarding the Nexus study process. Commissioners asked to bring smaller sections of the document for review in the future. Mr. Gedney stated as board has already approved the Introduction, Planning, and Policy Element, staff will bring back the Existing, Future, and Action Elements next month.

Steve Christensen, Sutter Creek resident, stated he would like to see widening of Latrobe Road as a priority project and repaving of Old SR 49 between Amador City and Sutter Creek into the project listing.

#10. Claims: Chairman Crew noted there is a revised claims list for review. Mr. Gedney stated the distribution of Regional Surface Transportation Program (RSTP) funds to the local jurisdictions for streets and roads purposes is included on the claims list. He noted ACTC is incurring sizable legal expenses due to ongoing ACUSD issues.

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

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

#11. ACTC Commissioner Reports: Commissioner Oneto stated citizens have expressed concern over the crosswalk across from townhall in Pine Grove as the one currently in place does not seem to be working well. Mr. Gedney noted as part of the SR 88/Pine Grove Improvement project, a High Intensity Activated Crosswalk (HAWK) pedestrian beacon crossing is expected to be installed at that location if the project moves forward.

#12. ACTC Reports: Mr. Gedney extended appreciation to the board members for attending the meeting held with the Amador County Unified School District (ACUSD). He stated ACTC has a good team in place which includes Don Hubbard-traffic consultant with GHD. In addition, the ACTC Chairman appointed a sub-committee (Vice Chairman McLean, Commissioner Riordan, ACTC staff, and ACTC legal counsel) who have been working through the response letter to the Environmental Impact Report (EIR). He continued, part of that includes a recommendation from legal counsel to look at getting expert witness testimony to provide substantial evidence into the record in case the ACUSD continues down the same path. He stated that is why the sub-committee approved to hire Mr. Hubbard under a task order of our "on-call" contract. Mr. Gedney stated staff was going to have Mr. Hubbard participate via Zoom Conferencing, however, the ACUSD would not provide that option. As such, staff had to ask Mr. Hubbard to attend in person, which did incur additional expenses but was well worth it. Commissioner Plasse asked for clarification on whether the ACUSD 'would not' or 'could not' allow the Zoom option. He noted in a previous ACTC meeting he was not allowed to participate as a board member for the

meeting via phone call without zoom capability. Ms. Bridges clarified an agency does not have to provide remote access to meetings any longer. However, if members of the board participate remotely, they are required to provide both audio and visual feed, and provide that same option to the public.

Mr. Gedney stated Mr. Hubbard's presentation was fantastic which noted the ACUSD is under a "mistaken belief" that they can only study Vehicle Miles Traveled (VMT). He continued, at the end of the meeting, staff was trying to get a resolution with the expert witness with substantial evidence, there was a reasonable and educated opinion provided that the ACUSD consultant agreed with. He stated the ACUSD consultant agreed when asked about the safety analysis and kept insisting they performed that work and it is in the document, but then noted they needed two (2) weeks to work with the traffic consulting team to find that information they said was already generated in the document. He commented there was a great deal of inconsistencies in what was going on at the meeting.

Commissioner Riordan stated Mr. Hubbard's characterization of some of the requirements around California Environmental Quality Act (CEQA) are a different interpretation than the ACUSD's traffic consultant was communicating to their board. They seemed to want to wait and get back together to evaluate the differences in the consultant's analysis. Mr. Gedney stated their consultant noted, "this is the first time we have seen this". It may have been the first time they had seen the PowerPoint presentation but on the slide that references Section 21099 specifically, that does not relieve a public agency of the requirement to study potentially significant transportation impacts related to safety. This was not the first time they had seen that information, and noted he had handed him a card at the workshop with that specific question and citation, which he addressed to the board members at that meeting in November. He continued staff has continued to reiterate this point to the ACUSD board for months now and asked if they agree with our testimony, substantial evidence, and the fact that the school district consultant agrees with our position. The Board members did not answer the question.

Commissioner Plasse noted it is obvious that there are certain board members that are desirous to be more informed. Chairman Crew added they used the wrong software that Caltrans requested. Commissioner Plasse noted that ACUSD staff stated "it's not the board's job to do an EIR, it is staff's job". Commissioner Oneto stated looking at the report, it talks about what the draft EIR study, and Caltrans Notice of Preparation letter asked the district to study queuing issues at three (3) specific intersections. The DEIR traffic consultant did perform an operations analysis at a number of intersections including the three (3) sites by Caltrans. However, this analysis is not incorporated in the body of the DEIR but is instead found in Appendix K which is described in the DEIR as being informational purposes only rather than for impact analysis.

Chairman Crew stated that is what ACTC has asked them to put back in the body of the EIR. Commissioner Oneto stated the problem is when they are doing stuff like that, they lose trust, and how they are operating is a big mistake. They are trying to ram this project through any way they can, and they will probably fail in the long run because when people start getting suspicious and find evidence of wrongdoing it taints the whole operation.

Mr. Gedney extended appreciation to the Board of Supervisors (BOS), who at their recent meeting gave direction to staff to provide a comment letter to the EIR. He continued the ACUSD staff was present at that BOS meeting and commented they have done their 'fair share' contributions and explicitly stated that information was in the document. Then yesterday at the meeting with ACUSD, Torie Gibson stated absolutely we will do our fair share contribution, and then today on the radio she stated that again and noted they have been meeting with ACTC. Mr. Gedney stated they have had conversations with ACTC staff where they told us what they were going to do including: study VMT, have a TDM program to platoon cars, which is the extent of the conversations had with ACUSD staff.

Vice Chairman McLean stated during the meeting there were a couple of public comments allowed, then at the end of the meeting Ms. Gibson noted for the record that they have been transparent, forthcoming, and working with ACTC. Mr. Gedney stated there is another meeting scheduled in two (2) weeks, but from all the indications we do not see that they will concede the point that they need to include mitigation measure discussion and 'fair share' contributions in the body of the document. Chairman crew commented their traffic consultant stated at least three (3) times "we can agree to disagree". Mr. Gedney stated another comment Ms. Gibson stated on the radio was "since we have started this process, we need to finish it now". He stated there is a February 13th deadline for response letters and ACTC will submit one by that date. ACUSD has put off the approval of the EIR by one (1) month so instead of March 6th they will most likely approve it at their April meeting. He noted ACTC legal Counsel commented at the meeting, in response to board member Crow saying "we are going to receive all comments and go through the process", she stated this is the time period where you can invite new ideas and this is the time to discuss stuff that comes up before you approve the draft document, because in her experience the draft document is not much different than the final document. Mr. Gedney stated this is public agency to public agency issue using tax payer funds on traffic consultants, legal counsel, on this consolidation. We have provided evidence, exhausted administrative remedies, and an expert witness that was not rebutted at that meeting, and maybe they will try to rebut at the next meeting. From a legal standpoint, there are no more mechanisms to have our interests heard in the formal process and we expect they will proceed as planned.

Commissioner Plasse stated, regarding the queuing analysis of SR 49/88/Argonaut Lane intersection, it is his understanding that there are Sutter Creek students coming to Argonaut High School and yet neither of the Eastbound (SR 49/88 coming up to Argonaut Lane and making a right-hand turn) nor the Westbound (coming up the grade and making a left-hand turn) show any increase in queuing. He asked where those vehicle trips are. It shows northbound left on Argonaut Lane going out on the highway as significant increases, but no increases either in the morning or evening. He added the PM trips were allocated proportionally to all the intersections but there shows no change in the PM. Commissioner Oneto commented he saw that too and if there is no queuing there, there is pointing to the acceleration lane and just going in. Commissioners agreed there should be some queuing at those locations, and the westbound is the most dangerous section if that queuing does back up into the highway traffic beyond the left-hand turn pocket. Chairman Crew noted Kennedy Flat Road is also going to be a nightmare as well. Mr. Gedney highlighted this is the kind of discussion we want to have with the ACUSD. He stated if they do not concede that CEQA point, that safety needs to be included in the document, this discussion will not be happening where you have a binding commitment to 'fair share' contributions, otherwise we will be having this conversation on the radio and other forums. That is why this is so critical to stay the course.

#13. Caltrans Report with Gregoria Ponce-Chief, Office of Rural Planning, District 10:

- Ms. Ponce extended appreciation with work performed to date on the 2024 Regional Transportation Plan update, and is glad to hear the California Transportation Plan (CTP) 2050 is being considered as part of the RTP development and hopes the California Action Plan for Transportation Infrastructure (CAPTI) is also a component for consideration as part of the document.
- Caltrans has been awarded \$63.7 million in federal funds to fix and install electric vehicle charging stations statewide.
- The Department of Transportation has issued a 'Call for Applications' for the Acceleration Innovation Deployment (AID) Demonstration program in the amount of \$47.5 million to be available to eligible entities to accelerate the implementation and adoption of innovation in highway transportation.
- Ms. Ponce extended appreciation with regard to the ACUSD movement and the continued dialog.
- Caltrans is reviewing the draft FY 2024/25 Overall Work Program and will provide comments by the end of February.
- Caltrans staff is awaiting ACTC's 2nd quarter request for reimbursement.

Mr. Gedney extended appreciation for forwarding the Caltrans comment letter of the ACUSD EIR. ACTC is noting that the letter is unique and had very pointed criticisms of the traffic analysis that the ACUSD had undertaken. He asked Ms. Ponce to address the items asked for in the Notice of Preparation (NOP) letter that they may not have addressed and if Caltrans is reenforcing that request in the EIR Comment letter and is there any additional information to share. Ms. Ponce stated with regard to the letter, Caltrans noted that the lead agency had filed with the Governor's Office of Planning Research (OCR) with a very specific comment date, which was January 29th but Caltrans staff did not see an extension filed with OCR, and as such staff wanted to make sure their letter came before that deadline. With that, the letter was very specific. The comments specific to traffic operations were on their traffic operations CEQA memorandum. Ms. Ponce noted they requested to provide specific scenarios in existing year conditions, existing year plus proposed project, proposed project only, cumulative conditions with and without purposed project, and analysis results for the 95th percentile queues. Also Caltrans requested information on peak hour traffic with regard to including bicycle and pedestrian volumes. We had observations in that the conclusion was not consistent with the signal warrant analysis and we made note of that, and requested raw traffic data as part of the study they conducted to be included in the traffic operations memorandum. Also, they requested again the use of the specific worksheet California MUTCD and Synchro/Sim traffic software for the intersection analysis. And, the letter recommended scheduling a focus meeting to assess the comments relative to the comments related to the memorandum. Caltrans has some questions on the CEQA transportation memorandum on the travel demand management coordinator.

Mr. Gedney stated in the NOP response letter Caltrans conceded that VMT is required by CEQA but they needed to do that additional analysis at those particular intersections. At the meeting yesterday, the ACTC consultant made them aware of Section 21099 does not relieve them from studying safety impacts, and in the letter Caltrans just sent ACUSD when asking for that additional analysis, it states they need to do that in the proposal however they are including it in as an appendix and the issue is that it needs to be not just informational but also part of the mitigation measure, 'fair' share contribution discussion. He asked if that is Caltrans understanding of the requirement they are under. Ms. Ponce stated Caltrans requested that information and that they conduct those studies and provide that information to Caltrans. CEQA is very clear with requesting an analysis of the impacts. She continued they usually see direct, indirect, and cumulative impacts being addressed and it is not uncommon that lead agencies address those. Mr. Gedney stated ACTC plans to provide a very specific comment letter, and extended appreciation to Ms. Ponce noting she did not see ACUSD file an extension. Mr. Gedney stated ACTC traffic consultant referenced the Caltrans letter requesting they use Synchro, and instead, he noted they used Vistro instead. He stated they looked at the results of the Synchro vs. Vistro analysis at that SR 88/Argonaut Lane intersection and noted the queuing in linear feet using Vistro was going to be 275 feet but using Synchro would be 880 feet. He made the equivalence that represents 40 vehicles and represents significant safety queuing.

Ms. Ponce asked to be cc'd in the ACUSD response letter that ACTC will provide in addition to providing that to State Clearing House.

#14. Future Agenda Items:

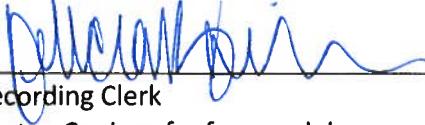
- 2024 Regional Transportation Plan
- SR 16 Relinquishment- Mr. Gedney stated staff received response from Sacramento County and they responded to our request for additional information to be provided in a potential settlement agreement, which has been forwarded to the ACTC sub-committee members (Plasse/Forster) and that this could be an adequate resolution to this long-standing issue.

#17. Adjournment: At 11:25 a.m. the Chairman adjourned the regular meeting until 9:00 a.m. Thursday, March 7, 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.)