

AMADOR COUNTY TRANSPORTATION COMMISSION (ACTC) MINUTES

March 7, 2024 – 9:03 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
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
Grace Magsayo, Acting Director, Caltrans District 10

Pledge of Allegiance

AGENDA:

Motion: It was moved by Commissioner Forster, seconded by Commissioner Bragstad, and unanimously carried to approve the agenda as presented.

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

PUBLIC MATTERS NOT ON THE AGENDA: Jon Colburn, Plymouth resident, noted he was pleased to be in attendance for the discussion regarding the SR 16 Relinquishment Memorandum of Understanding (MOU).

Also, he provided the board with handouts and commented that he is here today due to the Lone Band of Miwok Indians decision to proceed with the Plymouth casino project which was studied many years ago (approximately 2003). He continued that the tribe intends to complete a Mitigated Negative Declaration (MND) based on the Environmental Impact Study (EIS) that is extremely outdated. Mr. Colburn stated a new EIS and traffic study should be completed prior to moving forward. He commented years ago ACTC, in addition to other individuals, provided comments on the EIS which were never responded to. Additional concerns have been provided to the tribe and continue to go unaddressed. Mr. Colburn clarified a main concern for the City of Plymouth is the tribe is proposing to downsize the casino size, utilize Village Drive as a main entrance (City of Plymouth currently owns that property), and potentially demolish the Shenandoah Inn for additional roadway access purposes. He asked to have this topic added as a future agenda item for review of the previous studies completed and insisted that a new study be performed. He stated this issue was taken to the 9th Circuit by the "No casino group" which was

thrown out, and since then has been appealed. Mr. Colburn added he hopes this moves forward through the courts and hopes to deal in good faith, but to do so, this work cannot be completed using information that is over 25 years old.

Commissioner Forster noted the tribe is currently updating information especially regarding groundwater.

Commissioner Plasse asked if the Shenandoah Inn is for sale. Mr. Colburn replied yes and under an option that they have to pick up by April. He stated he believes what is happening is the tribe is trying to get an agreement with the city/county prior to purchasing that property. Also, they are trying to get a local agreement established in order to secure project financing.

Vice Chairman McLean noted there was discussion of a new hotel going in across the street from the brewery. Mr. Colburn replied that property has not changed hands yet.

CONSENT AGENDA (Items 1-4): Commissioner Forster noted minor corrections throughout the minutes, and expressed his surprise regarding his removal from the 2024 ACTC Committee Appointments. He asked what the thought process was behind his removal by the motion maker. Commissioner Plasse replied, as the motion maker, that decision was based on Commissioner Riordan's expressed interest and the fact that Commissioner Forster is considered "short-term" at this point. Commissioner Forster stated it may have been wise to have had discussion prior to removing him.

Commissioner Bragstad stated the numbering of Regular Items #7, 8, and 9 are duplicated and should be corrected.

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

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

REGULAR AGENDA:

#5. ACTC Meeting Schedule-July Meeting: Ms. Bridges reviewed her staff report and attachment. Commissioners agreed to revisit this at a later date when there is a better idea of what will be included on the July meeting schedule.

#6. State Route 16 Relinquishment-Settlement Agreement: Mr. Gedney reviewed his staff report. He extended his appreciation to Commissioners Plasse and Forster for their extraordinary work over many years and also noted Mr. Colburn's tremendous efforts more recently in working directly with the California Transportation Commission.

Commissioner Forster noted an addition, regarding discussion on page 8 of the staff report, Mr. Penrose did make a comment in response to his assurances to the Senate Transportation and Housing Committee in 2015 of half-mile spacing, saying that "*those were just words*".

Jon Colburn stated the real turning point for this was the support of Susan Bransen- California Transportation Commission Executive Director.

Mr. Gedney stated the maps included in the Attachment (County of Sacramento response letter) show the proposed 14-foot ACTC right-of-way (ROW) preservation for transportation purposes, which is beyond what Sacramento County was requiring of the development proposals.

Commissioner Riordan asked what is the benefit of the 14-foot ROW if we never add lanes to the roadway. Mr. Gedney replied preserving that ROW helps in the likelihood that Sacramento planners did not project out the actual impacts of development or individuals may not utilize the transit system the way they expect. Primarily though, the ROW acts as a buffer that prevents development from encroaching on the Sacramento County proposed ROW extent. So, if they do need to widen out in the future and allow development in those 14 feet, it would be cost prohibited at that point to build any new roadway capacity. Commissioner Riordan stated, after hearing about the possibility of a new casino being developed in Plymouth, that increase in traffic should be a consideration regarding travel on the SR 16 corridor.

Commissioner Plasse stated on page 2 of the Attachment (County of Sacramento response letter), it notes there are feasibility challenges for ROW along the south side of the highway such as “protected preserves”. However, an easement could be placed where a protected preserve is located: and, if and when the time came that an additional lane would need to be constructed, they could utilize the process of mitigation banking to mitigate the impacts on the protected area. He asked if that statement could be struck from the agreement.

Mr. Gedney stated staff would work with ACTC Legal Counsel and the sub-committee regarding clarification from Sacramento County pertaining to “protected preserves” and the “sawtooth” comments.

#7. 2024 Regional Transportation Plan-Existing Conditions, Future Conditions, Action Element: Commissioner Forster stated staff did a good job preparing the document. He noted on Attachment B-Future Conditions, page 17-Goods Movement the chapter needs to be identified.

Commissioner Plasse stated on Attachment A page 1-Traffic Volumes, Latrobe Road should be included in the list of roadways, especially as that road may become a primary access to State Route 50 in the future. Commissioner Forster stated he spoke with Dana Jorgensen with regard to needed improvements on that roadway, and he spoke with El Dorado which noted they have no funding slated for improvements.

Commissioner Plasse stated on Attachment A page 2- the final sentence should read “system preservation and reconstruction” instead of pavement improvements. He noted on page 10-Transit, it references working with ModivCare which should be removed at this time. He then asked regarding the list of service providers on page 11, if the Amador Rides program is duplicative of the ModivCare program. Ms. Amarant replied the Amador Rides program is strictly for volunteer drivers only, and is completely covered under the Mobility Management Grant Program. ModivCare is only for Medi-Cal recipients.

Commissioner Plasse stated on Attachment A, page 14- Goods Movement-Rail/ Trucking, it references Caltrans vehicle classification counts (truck traffic) and asked if that data is germane to the criteria/performance measures ranking prioritization, as roadways that are not heavily traveled by truck traffic have a longer lifespan than those that do have heavy truck traffic. Mr. Gedney stated we could incorporate Functional Classification in the prioritization which is another method to differentiate which roadways would have more truck traffic.

Grace Magsayo stated when Caltrans prioritizes projects truck traffic is a factor and noted that state highway data is available to agencies.

Commissioner Riordan stated on Attachment A, page 14-Pedestrian and Bicycle, the last sentence discusses a High Intensity Activated Crosswalk at the SR 49 crosswalk, and that crosswalk should be better identified. He asked why the classification changed for Congestion Mitigation Air Quality Program funding. Commissioner

Plasse clarified the classification changed due to the Federal standards changing in 2015. Commissioner Riordan then asked what the \$1.4 million was spent on. Ms. Bridges replied that previous funding allocation was spent on the Plymouth round-a-bout and the construction of the Amador Transit/ACTC facilities. Mr. Gedney added, the most recent funding allocation went to the Pine Grove Improvement Project, a charging facility and two (2) electric vehicles in the City of Jackson, and \$200,000 was allocated to AT but that did not work out and the funding was lost.

Commissioner Plasse stated on Attachment C-page 64, the table does not show the change from 1,3,5 ranking to 1-10 ranking. Ms. Bridges replied the sections highlighted are areas that require direction from the board still, but noted that ranking does show in the prioritization table if the board chooses to use it. Commissioner Plasse asked if getting back to the earlier question about the type of traffic occurring on the roadways, if that should be incorporated in the criteria. Mr. Gedney offered to use Functional Classification, which shows the classification of roadways such as: rural minor and major collectors, minor and major arterial collectors, highways and freeways. He continued using these classifications one could assume the higher the classification the more truck traffic. He noted staff could incorporate that data in the criteria and bring that back for review.

Commissioner Riordan stated on Attachment B-page 3 Population, there is a run on sentence on paragraph two that needs to be changed.

Mr. Gedney stated that the project prioritization table in Attachment C is a result of the ACTC commissioners' changes to the policies, criteria, and performance measures. Staff we will be bringing back some adjustments to the criteria. The intention was for the board to review and approve the final criteria. The next sections to bring are the Financial Element and Alternatives and Analysis, which flow from the policies and performance criteria. Once the prioritization is approved, those additional sections can be finalized, but staff wants to ensure that is the direction the board wants to go. He added the Tier I and II lists will come out next. Commissioner Plasse asked if the prioritization list only includes the new projects brought forward. Mr. Gedney stated yes, those projects were provided by the local jurisdictions last year to be included on the RTP list and meet the boards policies to be 'shovel-ready' projects. He noted that the prioritization list will become the Tier I list once it is approved, and all carryover projects from the previous RTP will be on the Tier II and Tier III lists.

Commissioner Forster asked if the issue regarding projects that received relinquishment funding was addressed. Mr. Gedney replied yes, those projects have an asterisk next to them showing they have received funding previously.

Jon Colburn commented that truck traffic does vary due to surrounding conditions. He provided the Caldor Fire as an example, as a large volume of traffic took place on Shenandoah Road for fire cleanup.

Commissioners agreed to have the items discussed today addressed and brought back next month, in addition to bringing back the Financial Element and Alternatives and Analysis for review as a separate item.

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

Commissioner Forster asked what the GHD Inc. bill in the amount of \$8,919.00 was for. Mr. Gedney stated this is the first bill for consultant services pertaining to the Amador County Unified School District (ACUSD) Environmental Impact Report, which was approved by the ACTC sub-committee.

Commissioner Forster also asked what the Bowers Outdoor Services in the amount of \$2,825.00. Mr. Gedney stated that was for cleanup work at the park next to the Amador Transit Center.

Commissioner Plasse asked what the bill from Mission IT Solutions in the amount of \$9,766.59 was for. Mr. Gedney stated recently an individual accessed the building overnight, and since then, staff upgraded the current security cameras with night vision and added three (3) cameras outside for better view of the entire building.

Commissioner Bragstad asked what the \$731,000 to the County is for. Mr. Gedney stated that is the excess Local Transportation Fund allocation.

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

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

Noes: None

Absent: None

#9. ACTC Commissioner Reports: None

#10. ACTC Reports: Mr. Gedney introduced Acting District 10 Director, Ms. Grace Magsayo and extended appreciation to Ms. Magsayo for her attendance today. He noted he previously worked with Ms. Magsayo at Caltrans and congratulated her for being appointed to this position. He highlighted a letter received by Ms. Magsayo, which was provided too late to be included in the agenda packet, but will be included in next month's packet for review.

Mr. Gedney stated as an update regarding the Amador County Unified School District- Environmental Impact Report, ACTC did provide the comment letter by the deadline to the district. The ACUSD also received letters from the Cities of Jackson, Sutter Creek, Lone, and the County. Caltrans District 10 also submitted comment letters to the ACUSD in response to the Notice of Preparation and the draft EIR. As next steps, Mr. Gedney stated that the ACUSD should study and propose a mitigation plan to accommodate the traffic safety impacts, not only at the SR 49/88/Argonaut Lane intersection, but also the other locations that were identified as well.

#11. Caltrans Report with Grace Magsayo Acting Director, Caltrans District 10 and Gregoria Ponce-Chief, Office of Rural Planning: Ms. Magsayo introduced herself as the Acting District Director following the retirement of Dennis Agar. She stated she has 25 years of experience working with Caltrans over three (3) districts. She continued she has been with Caltrans District 10 for 17 years now, which is where she met Mr. Gedney in 2006. Ms. Magsayo stated she has come to build great partnerships with Executive Directors and Public Works Directors and is honored to be serving in this role not only for the employees of the district but also for the communities that the district serves.

With regard to the ACUSD, Caltrans District 10 has worked with the school district and provided them with the information and requirement for data that Caltrans needs to assess the impacts of the consolidation on state highway operations. She noted Caltrans is in the same position as ACTC, waiting for the ACUSD to provide information as requested. Moving forward, it would be best for all partners and stakeholders to be on the same page, or at least, be aware of each partners' perspectives. She stated the primary objective is safety on the roadways.

Ms. Magsayo stated with regard to Caltrans District 3, Amarjeet Benipal retired approximately the same time as Dennis Agar. The District 3 Interim Director is Sergio Aceves. Commissioner Plasse asked what it means to be "Interim". Ms. Magsayo responded, the recruitment process for a permanent appointment can take months while the 'Interim' or 'Acting' is much shorter. She noted for all intents and purposes she is the District Director and has all authority. She stated she did go through the competitive process for the position, but noted she can only be in the Interim position for 12 months at which time would return to her previous position. Commissioner

Forster stated it shows the importance of communication between the adjacent districts so that they know what they do affects the outlying counties as well. Commissioner Plasse added when Commissioner Forster and himself embarked on this effort of the relinquishment project, SR 16 was legislatively recognized as an interregional route and we wanted it to be preserved as such. Unfortunately, that was unsuccessful, but that is the importance of the interaction between districts that share a common roadway. The functional classification is just as important to the outlying district as it is to the internal district.

Ms. Ponce stated that she echoes Ms. Magsayo's comments regarding working and building partnerships with ACTC and related agencies. She then provided information for the following grant funding opportunities:

- The California Transportation Commission (CTC) recently allocated \$1.2 billion for investments for urban and rural projects throughout the state as part of the federal infrastructure and jobs act. More information can be found at www.rebuildingcalifornia.ca.gov.
- U.S. Department of Energy – Energy Efficiency Conservation Block Grant Program – Call for Applications. The DOE released its call for applications to assist eligible state, local, and tribal governments in implementing strategies to reduce fossil fuel emissions and maximize benefits for local and regional communities. There is \$430 million available and the deadline to apply is April 30, 2024. For further information please see: www.energy.gov
- Department of Transportation - FY 2024 Hazardous Materials Emergency Preparedness (HMEP) Planning and Training Program – Call for Applications. The Department of Transportation announces funding opportunity intended to develop emergency plans. The available funding amount is \$1 million and the deadline to apply is April 5, 2024. Eligible applicants are Native American tribal governments (Federally recognized). For further information please see: www.grants.gov.
- California Office of Emergency Services (CalOES) – Hazard Mitigation Grant Program – Call for Applications. The California Office of Emergency Services continues its call for applications under its' Hazard Mitigation Grant Program that funds plans and projects that reduce the effects of future natural disasters. With \$52 million available and eligible applicants include Public Agency, Nonprofit, Tribal Governments. For further information please see: www.grants.ca.gov.
- Governor's Office of Planning and Research (OPR) - Round 1 Extreme Heat and Community Resilience Program (EHCRP) – Call for Applications. The Pre-Application Interest Form is required, and applicants will gain access to the Full Application Form only after completing it. To learn more about the Program, register for a workshop on the ["Timeline" section of the EHCRP website](#). There is \$20 million available and the deadline to apply is April 23, 2024. For further information please see: www.opr.ca.gov
- Governor's Office of Planning and Research (OPR) - Integrated Climate Adaptation and Resiliency Program (ICARP) – Call for Applications. OPR Integrated Climate Adaptation and Resiliency Program (ICARP) has released its call for applications, final guidelines, and application materials for Round 2 of the Adaptation Planning Grant Program. The Deadline for Applications is due May 20, 2024 at 5pm. There is \$9.5 million available in funding for this program. For further information please see: www.opr.ca.gov
- Caltrans has released the state's final State Climate Resilience Improvement Plan for Transportation (SCRIPT). Caltrans is accepting requests from all eligible PROTECT stakeholders to add new PROTECT nominations for Cycle Two of both the Federal Highway Administration's PROTECT Discretionary Grants and California Transportation Commission's Local Transportation Climate Adaptation Program. The deadline to apply is May 1, 2024. For additional information regarding the Local Transportation Climate Adaptation Program, please visit <https://catc.ca.gov/programs/local-transportation-climate-adaptation-program>.

#12. Future Agenda Items: Commissioner Riordan asked to have the grant opportunities discussed by Caltrans forwarded to the commissioners. Mr. Gedney congratulated the City of Amador City for passing the quarter cent sales tax measure for transportation related purposes.

- Traffic analysis/report-Plymouth casino MND
- SR 16 Relinquishment

The Chairman suspended the meeting at 10:56 a.m. The meeting resumed at 11:45 a.m.

Mr. Gedney stated Mona Ebrahimi, ACTC Legal Counsel is now present and he would like her to hear the direction from the board regarding the SR 16 Relinquishment future agenda item. Mr. Gedney reviewed the process that the legal team has taken to date. Ms. Ebrahimi stated regarding the 'protected preserves' and 'sawtooth' components, there is a lot going on there and preservation easements. There could be something there that is protected that prevents development from occurring. For those reasons, they are saying those sections cannot be included in the ROW as they cannot be paved over. Regarding a 'sawtooth', you have to be careful when planning the roads because if it is doing a 'sawtooth' there will be safety components with drivers which will require correct angles and signage. That is why they expressed to legal counsel the problems with certain portions of ROW. She asked for clarity on what the direction will be in terms of negotiating that, because she is not sure what else you can ask of Sacramento County.

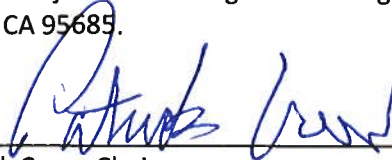
Commissioner Plasse stated if those areas are already in a protected preserve of sorts, what harm does it do to put in an easement overlay over it. He stated his understanding is most of these areas are vernal pools and those areas can be mitigated or replaced and developed elsewhere on a piece of property. So why not push for an easement of those areas just in case? Secondly, regarding saw tothing, those areas could still be preserved for eventual turn pockets that may be necessary for 'right-in' 'right-out' types of turn pockets (when traveling eastbound on SR 16) once those properties become developed. The private parcels that are not part of these large-scale developments now could be used in the future as turn pockets if that easement is preserved.

Ms. Ebrahimi stated, to clarify, this board would like to communicate that we would still want them to protect those areas within the so called 'sawtooth', because we do not know what the future holds. We do not know if a building will be raised and therefore still get that ROW through eminent domain, a grant, etc. We can do offsite mitigation, and so, it is better to retain those pockets right now instead of losing them.

Mr. Gedney stated with that direction, staff will meet with the sub-committee and prepare a response to the letter.

Closed Session: At 11:59 a.m. Chairman Crew called for a Closed Session as noticed: A. Public Employee Performance Evaluation-Pursuant to Government Code Section §54957 Title: Executive Director. At 12:55 p.m. the Chairman adjourned the closed session of ACTC and reported direction was provided to the consultant and to be continued in closed session at the next meeting.

#13. Adjournment: At 12:56 p.m. the Chairman adjourned the regular meeting until 9:00 a.m. Thursday, April 4, 2024, at 117 Valley View Way Sutter Creek, CA 95689.



Patrick Crew, Chairman
Amador County Transportation Commission

ATTEST:



Recording Clerk

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