



NEVADA COUNTY TRANSPORTATION COMMISSION

Grass Valley • Nevada City • Nevada County • Truckee

MINUTES OF SPECIAL MEETING December 14, 2011

A special meeting of the Nevada County Transportation Commission (NCTC) and the Nevada County Airport Land Use Commission (NCALUC) was held on Wednesday, December 14, 2011 in the City of Grass Valley Council Chambers, 125 East Main Street, Grass Valley, California. The meeting was scheduled for 8:30 a.m.

Members Present: Nate Beason, Carolyn Wallace Dee, Ann Guerra, Sally Harris, Larry Jostes, Dan Miller, and Ed Scofield

Staff Present: Daniel Landon, Executive Director; Mike Woodman, Transportation Planner; Nancy Holman, Administrative Services Officer; Toni Perry, Administrative Assistant

Standing Orders: Chairman Jostes convened the Nevada County Transportation Commission meeting at 8:30 a.m.

Pledge of Allegiance

PUBLIC COMMENT

There were no public comments.

At 8:32 a.m. Chairman Jostes ADJOURNED THE NEVADA COUNTY TRANSPORTATION COMMISSION AND CONVENED THE NEVADA COUNTY AIRPORT LAND USE COMMISSION.

CLOSED SESSION

Conference with Legal Counsel: Pursuant to Government Code Section 54956.9(a), Existing Litigation. Name of Case: City of Grass Valley et al. v. Nevada County Airport Land Use Commission et al.; Nevada County Superior Court Case No. 77990.

Chairman Jostes announced the Closed Session with Legal Counsel. Commissioner Miller recused himself from the Closed Session. The other six Commissioners, Legal Counsel Nancy Miller, and Executive Director Landon left the council chambers to meet in a private room.

Chairman Jostes reopened the meeting from the Closed Session at 9:14 a.m. He stated there was no information to report from the Closed Session.

At 9:15 a.m. Chairman Jostes ADJOURNED THE NEVADA COUNTY AIRPORT LAND USE COMMISSION AND RECONVENED THE NEVADA COUNTY TRANSPORTATION COMMISSION.

ACTION ITEM

1. NCTC/NCALUC Minutes

November 16, 2011 Meeting.

Commissioner Guerra made a motion to approve the Minutes. Commissioner Dee seconded the motion. The motion passed unanimously.

2. 2011/12 Regional Transportation Improvement Program (RTIP)

Executive Director Landon noted this item was continued from the November 16, 2011 NCTC meeting at which time a public hearing was held to receive input on the proposed RTIP. He said the Commission was focused on identifying projects to submit to the California Transportation Commission (CTC) for funding in the 2012 State Transportation Improvement Program (STIP) cycle. He stated there were three projects discussed at the November meeting and the Commission requested additional information on those projects, and wanted to insure that all potential projects that should be considered were on the table.

Executive Director Landon said the Technical Advisory Committee (TAC) met and reviewed the Town of Truckee Mousehole Grade Separation Project, the Dorsey Drive Interchange Project, and a new project presented by Caltrans regarding the next segment of widening on SR 49. He reported that on Monday December 12th NCTC staff was informed of another potential project to install signal preemption on the SR 49 corridor in three locations where there are signals that do not have preemptive devices. Mr. Landon said he worked with Caltrans Programming staff and the CTC to determine that the project was eligible for RTIP funding. Background data was forwarded to the Commissioners prior to the meeting that included the cost of \$136,000. Mr. Landon said that Jerry Good from the Higgins Fire District was there to speak on the topic and he had another meeting to attend so he was asked to speak first. Mr. Landon invited the Commission to interact with the presenters as they spoke.

Jerry Good, Fire Chief at the Higgins Fire District, said he is in charge of the day-to-day operations with Higgins Fire District in south county, which is at the intersection of SR 49 and Wolf/Combie Roads. The other two locations proposed for **signal preemptive devices** were SR 49 at Lime Kiln Road and SR 49 at Alta Sierra Drive. He explained that the challenges at their intersection are like trying to cross I-80 and get people to stop with red lights and sirens on a fire engine. Mr. Good said he personally witnessed three accidents, two involving fire engines and one involving a passenger vehicle that was not paying attention. He felt the preemptive devices are quite important to install. He noted that the fire districts are currently experiencing economic dilemmas and if there is no increase in revenue, fire stations will start to close. He said the problem with that is with the mutual aid system to other fire districts the fire stations remaining will be going further. In the past month his unit went several times to Placer County and several times to Grass Valley and Nevada City. Mr. Good asked on behalf of safety for the fire fighters and critical response time. He said if there is an accident involving a fire truck that has been called out for a medical emergency or a fire; time is of the essence. He said most of the signals on SR 49 in Placer County have preemptive devices already on them, and the City of Grass Valley has some preemptive devices in the city limits,

so these devices placed in their emergency vehicles will allow them to safely travel north and south on SR 49 and in the city. The Nevada County Consolidated Fire District (NCCFD) will also get preemptive devices; they assist Higgins Fire District often.

Bruce Jones, with Citizens for Highway 49 Safety, said their organization supports the preemptive devices project as well. He said they looked into this about one year ago when the County of Nevada made an application for a grant, but the grant was not funded. He stated the safety of fire engines is critical and the request specifies that the NCCFD would also get devices, as well as Higgins Fire District. Mr. Jones is also on the Board for the Higgins Fire District and he said they respond into Grass Valley and other areas of Nevada County more often than they used to. He said with fire budgets pending, these units could be responding more often and further, so the preemptive devices are imperative to be placed at the three intersections requested. The La Barr Meadows Road intersection on SR 49 already has a preemptive device included in that project. Mr. Jones thanked Executive Director Landon and Steve Castleberry from the Nevada County Public Works Department for their work. He noticed the request is on the FY 2015/16 budget and he would just like approval for the project today, but maybe in the future the project could be moved up.

Commissioner Scofield said he supports the preemptive device project also. Commissioner Beason asked to hear from Steve Castleberry on the project.

Steve Castleberry, Engineer with the Nevada County Public Works Department, said they applied to Caltrans for a Highway Safety Improvement Program (HSIP) grant about one year ago to purchase signal preemptive devices. He said Caltrans rates those projects on a benefit cost ratio and the preemptive devices did not rate very high because the proposed project is focused on emergency vehicles. The projects that received higher ratings affect overall accident rates. Mr. Castleberry said the county thought it was a good project and spoke to some local contractors who install the devices, plus Caltrans has a few devices on SR 20, so they had a pretty good idea of their cost. He said they already had the information needed so it was easy to put the project into the STIP process. Executive Director Landon added that Nevada County would be the lead agency on the project and they would do the work under an encroachment permit from Caltrans.

Commissioner Beason commented that it sounded like a pretty good return on investment to him compared to some of the other things that go on in transportation. Commissioner Harris said maybe the Commission should hear all of the presentations before discussing. Chairman Jostes said he thought the process would be to look at all the numbers at the end of the presentations. He reminded the public that they were welcome to speak after the scheduled individuals were finished with their presentations at a time when it was relative to the discussion.

Dan Wilkins, Public Works and Engineering Director for the Town of Truckee, and Becky Bucar, Associate Engineer for the Town of Truckee and Project Manager on the Mousehole, made a presentation on the proposed **SR 89 Mousehole Pedestrian/Bicycle Undercrossing project**. Mr. Wilkins gave a history of the Mousehole project saying the first technical work the Town and NCTC were involved with occurred in 1997 when the Commission funded approximately \$15,000 for a consultant to look at four alternatives to perform widening or improvements at the Mousehole. He said the Mousehole is on the SR 89 corridor just south of I-80 and adjacent to the Placer County/Nevada County border. Mr. Wilkins explained the SR 89 section to the north of the Mousehole is a four-lane wide roadway section, and to the south of the Mousehole is a four-lane wide roadway section. At the Mousehole it is a two-lane wide roadway with no shoulders. He said the Mousehole was constructed in 1928 and it used to be a timber-framed trestle that crossed the Donner Creek Canyon at that location and supported the Union Pacific Railroad (UPRR) tracks. He

said there was a one lane dirt road that wound its ways through the trestle piers, which were fifteen to sixteen feet apart. In 1928 the trestle piers were taken out and the concrete arch structure was constructed; that is what remains to this day.

Mr. Wilkins reported in 1997, an initial Feasibility Analysis was done that provided four alternatives: 1) to add a parallel pedestrian only bore next to the Mousehole to accommodate the pedestrian traffic using the travel lane through the Mousehole from the south to a commercial center on the north side; 2) to construct an additional vehicular traffic tunnel; 3) to tear the existing tunnel out and put in a conventional bridge that would accommodate two lanes of traffic underneath; 4) to tear out the existing tunnel and construct a conventional bridge that would support four lanes of traffic underneath. He said because there was no funding to pursue it further, the project sat for about five years, and in 2003 the Commission programmed RTIP funds to pursue a Project Study Report on the project. He reported that even though the funds were programmed, the state did not have the money to fund the STIP so the project sat for a few more years. Mr. Wilkins said the Town was then successful working with their federal congressional delegation to get \$4 million programmed through the Surface Transportation and Reauthorization that occurred in 2003 or 2004. He said that was Federal Earmark dollars and were offline from funds that would flow through NCTC or the State of California. This allowed the project to move forward once again, and the Town used the STIP dollars that NCTC programmed to match the federal funds. The Town entered into a Cooperative Agreement with Caltrans and they took the lead on the Project Approval and Environmental Documentation (PA/ED), which took a look at the same range of alternatives explained previously.

Mr. Wilkins showed a visual display of the current project the Town is pursuing. He said the Town and Caltrans came to the conclusion that to add significant highway capacity beneath the railroad tracks would be a \$30 to \$50 million endeavor. The Town's perspective was it was unrealistic that they could accumulate that type of money in the near-term, so they began to pursue a phased project that would first construct a pedestrian bore so the pedestrian safety issues on the corridor would be addressed. It would also have some traffic capacity benefit because the conflict between pedestrians and vehicles in the Mousehole would be eliminated and there would be some capacity value there. Mr. Wilkins said the notion was that in the future, should additional funding become available and most likely it would require federal assistance, additional highway bores could be constructed beneath the railroad tracks to the left of the exhibit. Potentially in the future they could even take out the existing Mousehole and make it larger so it could have conventional shoulders included.

Mr. Wilkins reviewed that the current funding picture being presented was for the pedestrian bore that is in excess of a \$10 million project. He explained there are complications to construct a tunnel underneath live train traffic and adjacent to the state highway, both of which need to remain in function during the construction process. Donner Creek, located to the east of the project site, adds a significant environmental constraint to the project also. He said the PA/ED cost already expended was 80% federal and 20% local match with RTIP dollars. Plans, Specifications, and Estimates (PS&E) and right-of-way (R/W) acquisition are phases of the project that the Town is currently pursuing, using federal dollars to fund and their local traffic impact fee program funds being used as the 20% match. He said PS&E and R/W will take about one and a half years to complete, and then they will need about \$7.2 million for construction and construction support. Mr. Wilkins said towards that end they have a commitment for the State Highway Operations and Protection Program (SHOPP) to fund approximately \$4.7 million of that construction cost. He said what occurred in the past year was Caltrans, in response to some ADA litigation, created a separate fund in the SHOPP program that is specific to ADA improvements on the state highway system. He said what the state has agreed to do is recommend to the CTC that \$4.7 million of ADA SHOPP funds be allocated towards the Mousehole Pedestrian Bore project, with the auspices being that right now the ADA path

of travel through the Mousehole is down the middle of the vehicular travel lane and there is no shoulder or any safe facility for ADA or general pedestrian traffic through the corridor. The SHOPP funds combined with the Town of Truckee's Traffic Impact Fee Program funds gets the project to about \$1.3 million short of the total construction cost as it is understood to be today.

Mr. Wilkins said the Town of Truckee put forth a request to the Commission about two months previously asking for the RTIP funds to balance the project. The funding strategy was for the Town to first acquire sources of federal funding for the project, sources of state funding that are not in competition with other regional priorities, to maximize the use of local funding the Town has available for the project, and then to look at the regional dollars as the last source of funds to make the project whole. Mr. Wilkins said they also have other federal requests out currently, such as a TIGER grant application, which is highly speculative, but there is a potential the Town could get other sources of funding that could reduce the pressure on a combination of the local and regional dollars.

Mr. Wilkins explained and showed pictures of the constructability issues associated with the project. He said because they would be cutting a hole under active railroad tracks, their current plan is to employ a combination of boring and jacking technology to install the new tunnel under the tracks, combined with a soil freezing technology as the shoring plan. Mr. Wilkins said the current plan is to drill holes through the railroad embankment, put in refrigeration pipes that would be like a giant icebox coil, freeze the soil around the construction site to stabilize the soil above the site, cast a 130 foot long box culvert to the south of the railroad tracks, and then install hydraulic jacking equipment to slowly push the box culvert through the railroad embankment while they incrementally remove the soil in the front. He said the whole notion is there would be two sources of protection against caving in the tracks: 1) the frozen soil; 2) they would be pushing a monolithic structure through so there would never be a structural problem with the fill during the construction process. He said even with these provisions developed, the UPRR is still extremely nervous in terms of what is proposed. The Town is still working with the UPRR and they would not be surprised if the UPRR would require a third line of protection that would yet need to be developed against some kind of catastrophic or incremental problem with the railroad tracks above the project. He said they are in the middle of working through the constructability issues with UPRR and they think they have a plan that will work. Ultimately the railroad will dictate through their granting of a permit or not as to what additional provisions they want to see. Mr. Wilkins said the Town also has a 2012 Transportation, Community, and System Preservation (TCSP) Program federal grant application that is pending.

Commissioner Miller questioned Mr. Wilkins if the Town does not know whether the UPRR will grant them permission to do the project. Mr. Wilkins said the UPRR will not grant permission until they have full construction documents, at which time they basically would be ready to issue a Maintenance Agreement with the Town of Truckee to construct and maintain the facility. Commissioner Miller asked if the Town was concerned that the UPRR would not grant them permission. Mr. Wilkins replied that the Town believes they ultimately will, but it is a question as to how much additional contingency they want to see employed during the construction process. Commissioner Harris asked what the contingency dollar amount was on the project. Mr. Wilkins said, as it relates to the costs of PS&E, they have a consultant team who has been employed to prepare the plans, specifications, and estimates, and the contract with them is for \$820,000. The Town is confident in that amount, and they built in contingency in the design effort for dealing with the railroad. Mr. Wilkins said if the railroad becomes onerous, he could see that number increasing by another \$100,000 if they have to pursue additional construction techniques beyond what they are envisioning. He said the R/W cost estimate is believed to be accurate, which is the cost of purchasing additional easement from the railroad. Construction support is a percentage of the

construction cost. The construction estimate contains a 15% contingency in that cost estimate. Commissioner Harris asked what the source of funds would be if it becomes greater than the 15%. Mr. Wilkins said if the cost increases beyond what is estimated so far, and the Town is not successful with the other third party funding they are pursuing, then the Town would potentially come back to the Commission as the regional planning agency and request supplemental funding to make the project whole if no other sources are available.

Commissioner Beason asked if there was any AB 1600 money available beyond what is in this project. Mr. Wilkins said when the Town prepared their traffic impact fee program, part of the nexus study for the program had to evaluate how much of the need for the improvement is the result of development activity in the community versus how much is a result of things that are beyond the Town of Truckee. He said the \$1.3 million represents the maximum amount that can be legally put towards the project. He said it is 13% of the total project and what is eligible under AB 1600.

Chairman Jostes said the 15% contingency is on the design as shown, so if the UPRR came back and said they needed a third level of structural safety in the construction process, it would be incremental to this completely. Mr. Wilkins said yes they would expect it would be.

Commissioner Scofield asked if Caltrans was the lead agency on the project. Mr. Wilkins replied that currently the Town is the lead agency. He said the Town had a Cooperative Agreement with Caltrans for Caltrans to perform the PA/ED portion of the project. After that they switched the lead role to the Town, so they now have a Cooperative Agreement that the Town is performing PS&E and R/W acquisition. Construction management and construction support roles are to be determined. He said the expectation was that the Town would take that role, but depending on how the project develops, they would certainly talk with Caltrans about potentially handing it back to them. He said it is a highway that is wholly on the state highway system and in the state right-of-way, so there could be some logic for Caltrans to take back the project. Commissioner Miller asked the reason why the Town took over as lead agency. Mr. Wilkins replied that the Town thought it would be more economical for them to pursue the project in that fashion because of the specialized nature of construction on the project. Caltrans would have needed to hire outside consultants to perform the design work as opposed to doing it in-house. The notion was rather than using the project funds to pay Caltrans to oversee a consultant, the Town would oversee the consultant's efforts directly. He said that Caltrans is still involved with the project in an oversight role, so they are reviewing all of the consultant's submittals, but because of the way the system works that time does not get charged directly against the project. So, rather than having the Caltrans oversight role be charged against the project, their role is funded through other sources of the Caltrans operating budget.

Commissioner Beason asked if the Town could get any straight SHOPP funds for the project, other than the ADA SHOPP funds. Mr. Wilkins said they have been advised by Caltrans that it is not likely that there would be other sources of SHOPP funding coming forward. He said the ADA SHOPP contribution was based on the cost estimate that Caltrans had developed at the conclusion of the PA/ED effort, so if the construction costs increase as a result of the issues discussed, they could ask Caltrans if there would be a likelihood to apply for a greater degree of SHOPP funding. Mr. Wilkins said it was the Town's intent that when the PS&E effort on the project is complete and the cost estimates are further refined, they would potentially update the project report and use that as a basis to see if there is an opportunity for additional ADA SHOPP funds. His suspicion was if there were some funds in the SHOPP program in the ADA designation that were not otherwise accounted for because a project did not make its project delivery target, there may be an opening to get some additional SHOPP funding, but Caltrans advised them it was not something to count on.

Commissioner Miller asked when the project was estimated for completion. Mr. Wilkins replied they believed the project could be ready for construction the summer of 2013. However, because the timeline on the ADA SHOPP funds is such that they are not forecast to be available until the 2014/15 programming cycle, they are looking at construction in 2015. He said because the 2014/15 programming cycle would effectively start July 1, 2014, they do not believe that from early to mid-July through the end of the construction season in Truckee, which is realistically November 1st, there would be time to build the project. Because of the timing of the fund availability in the SHOPP program, they are looking at the 2015 construction start date. Mr. Wilkins added that the RTIP funding request has been matched up with the projected date of the SHOPP funds being available so they are hoping the Regional Improvement Program (RIP) dollars could be programmed in the 2014/15 planning cycle to match up with the SHOPP timing.

Executive Director Landon added that they expected to submit the request to the CTC to program "state-only" funds so those state funds could match the federal funds that are in the project.

Tim Kiser, Public Works Director and City Engineer for the City of Grass Valley, and Trisha Tillotson, Senior Engineer and Project Manager on the Dorsey Drive project for the City of Grass Valley, were at the meeting to provide additional information requested for the **Dorsey Drive Interchange project**. Trisha Tillotson summarized the written request to the Commission for RTIP funds for the Dorsey Drive Interchange Project. She did not provide details of the need for the project or specific design information since it was presented at the previous meeting and Dorsey Drive has been designated as the number one project for the region for a while. She said the project is ready to bid and to begin construction. The environmental work, R/W, and plans and specifications are all complete. She reported that relocation of utilities has begun; NID completed their relocation; PG&E relocations are underway currently; and AT&T and Comcast are scheduled to follow shortly after. Ms. Tillotson said that Caltrans organized a utilities coordination meeting for that day to go over the timelines, but it appeared that they were on target.

Ms. Tillotson said the City of Grass Valley was expecting this month to be identified as the lead agency for the Dorsey Drive project, and in February the city is hoping to select a consultant to complete the bid package review. She said it is expected in April for the consultant to have the review completed, and in June they would expect Caltrans and the city to complete any bid document revisions. In July 2012 the CTC is expected to authorize the remaining funds, which will allow the city to advertise and open bids for the project in the fall, and the award for the bid is planned to occur in the winter of 2012/13. Ms. Tillotson said it is a two year project and construction would be expected to be completed in 2015.

Ms. Tillotson reported that the Dorsey Drive project is currently fully funded based on Caltrans' estimate of \$17 million, which is \$14 million for construction (\$13 million estimated with \$1 million contingency) and \$3 million for construction management. She said the city believes the Caltrans estimate is reasonable, but bid costs are not as predictable as they have been in the past five years due to the current economic situation. Ms. Tillotson showed the Commission a slide of the areas of the bid the city thinks might increase, such as time related overhead, asphalt prices (based on recent city projects and crude oil prices from the California Price Index), rock excavation (based on the city's experience in the area), storm water sampling analysis (based on the Caltrans estimate and looking at the number of rainy days experienced here in the past few years), concrete prices (based on Caltrans estimate), and steel costs (based on the Producer Price Index). The remainder of the costs could potentially increase by 4.1% and that is based on the Construction Cost Index increase from 2010 to 2011. She noted that NID capacity charges were not included in the Caltrans estimate so they could potentially be looking at a construction subtotal of \$16 million, and with contingency that brings the

project to \$17.6 million, which is a potential increase of \$3.6 million. She qualified that the city is not saying the Caltrans estimate of \$14 million is not accurate; they were only reporting the “potential” for increase. The city is not sure where the final bid will come in.

Ms. Tillotson showed the Commission a slide of the city’s funding proposal and said the city is requesting additional RTIP funds now, because if the bids come in higher than estimated in the fall of 2012, then award of the construction contract could be delayed. She said in order to address the Commission’s concerns over the increase in the programming of funds, the city worked with NCTC staff and came up with a plan to create a contingency fund. She said it should not be confused with the construction contingency, but it is more of a bid contingency. Ms. Tillotson said the city is requesting an additional \$3.6 million of RIP funds that would bring the total to \$14.1 million, and they are requesting to take away Regional Transportation Mitigation Fee (RTMF) funds, Redevelopment Agency (RDA), and Regional Surface Transportation Program (RSTP) funds and put them into a contingency fund that would be available if the construction costs came in over the \$14 million. She said then the city would be able to come back to the Commission and get permission to draw from that contingency fund. She said if the city does not need those funds they could be used on other projects. She added that those types of funds are more flexible to use on other projects than the RIP funds.

Ms. Tillotson addressed the concerns if the bids come in too high for the project. She said the city’s first choice is to construct the entire project. The need for sidewalks and pedestrian improvements on Dorsey Drive has been identified by the City of Grass Valley; FREED has also identified it as a high-need area for pedestrians; and Live Healthy Nevada County’s Walkability Sub-Committee has identified the area as a high-need for pedestrian improvements. She said, however, if needed, the city could “postpone” certain sections of the project such as Dorsey Drive roadway improvements and sidewalks; they would come back at a later date to address those needs. These postponed improvements would save \$1 million if it is necessary. Ms. Tillotson stated the worst case scenario is the bids could be rejected, the project scope could be revised, and they could rebid. The downfalls of that would be increased design costs, the project schedule would be delayed, and the much needed improvements would not happen as quickly as everyone hoped. She opened up the discussion for questions from the Commissioners.

Commissioner Harris reviewed that the city said, in regard to the contingency funds, if the bids were to come in higher than estimated, then the City of Grass Valley would come back to NCTC; but the packet information said that any overruns exceeding the contract costs by more than 10% would require approval by Grass Valley City Council and notification to the NCTC Board. She asked for clarification on that. Executive Director Landon replied that in working out the details, one of the comments at the last meeting was there should be some sort of written understanding of how the funding would be utilized. He said the five stipulations noted are items that he suggested and worked on with city staff, and they are things that could be added to the current RDA Funding Agreement to ensure that everyone is clear on how the money would be spent. He said the stipulations would not be enacted until NCTC and the City of Grass Valley agreed to them, and they were put into writing, but at this point they are suggestions.

Ms. Tillotson clarified that with a normal construction contract there would be a 10% contingency, so the city would still have that ability to make changes, but if there was some major change then more coordination would be needed. Commissioner Scofield asked when Caltrans revised the construction estimate. Mr. Kiser responded that it was dated June 2011. Commissioner Beason said the city has done a good job at laying out how they want to use the funding and the contingency, but if it gets to \$20.6 million, at that point they would have to look at eliminating sidewalks and

soundwalls, etc. because he did not think there would be any more money at that point. He thought step one would be to use the contingency, and step two would be to start looking at areas where they could reduce the costs to the \$20.6 million range. Commissioner Miller asked if that was going to be dependent upon the bids that come back. Mr. Kiser said all of this has not gone unstudied; Caltrans did a detailed study for the city looking at different things that they could cut, moving limits, and different areas. Mr. Kiser added it is important to keep in mind that there are Congestion Mitigation and Air Quality (CMAQ) funds involved, and other funds, so they will still construct sidewalks because if you do not construct them you lose the \$1 million of CMAQ funds. He said there are a lot of minor things that do add up like street lights; right now they are every 150 feet and the city could go every 300 feet and reduce that cost in half. Mr. Kiser said there are many incremental small things you could do once you have the bids. Commissioner Beason said the biggest cushion is the \$3 million RDA. Commissioner Miller asked with the city as lead agency, did they have more flexibility as far as postponing or delaying certain aspects of the project. Mr. Kiser said yes because the city is in control; however, they would have to work with Caltrans for anything within their right-of-way per their agreement. He added one of the advantages of the city taking the lead agency, and it is his understanding from both Executive Director Landon and Mr. Bajwa, is the construction management and construction funds will come to the city in one pot. Mr. Kiser said if the city saves money on the construction management side, those funds can automatically roll to the construction side without additional authorization, so there is a benefit there. Mr. Kiser said they are anticipating, in talking with consultants, that there will be some savings in construction management costs.

Winder Bajwa, Caltrans District 3 Project Manager, said the CTC guidelines basically say that the contract has to be awarded within six months of the allocation of RIP funds. If the time exceeds that, then you have to go back to the CTC to get an exception. Commissioner Beason asked if there was any provision to waive that or extend it, or is it bound in stone. Mr. Bajwa said there is an exception process to extend the award.

Chairman Jostes said it seems there is another way you might find yourself beyond the \$20.6 million. The one is if the bids come in high then you would have to adjust the sidewalk issue or some of these other things. He gave a scenario of the bid coming in within the estimate, but change orders from rock problems and excavation problems start to drive the project above the allotted amount well into the project. He asked if there would still be an option to cut back on the sidewalks or have the sidewalks already started, for example. Mr. Kiser said that is the key on who you hire and making sure those individuals are looking out for you. He said normally with a construction project of this size, once you have gotten into a couple months of the construction, the major areas of cost concerns are going to be the rock excavation and that should be the first order of work. Then the bridge construction will be the next biggest dollar amount in one item, and once those are done you should have a fairly good handle moving into some of the other phases of construction. Mr. Kiser said the street lights will be the last thing that goes in. He said some of the other things to look at are the restoration and revegetation efforts since it is very common now on highway projects that they do not do the revegetation of those sites for several years after construction; they seed it, put in erosion control, allow the soils to stabilize, and then go in and do the final mitigation. Mr. Kiser said you are constantly looking at the costs every day, which they did with the roundabout project, and Ms. Tillotson is very good at that. He said every time there is a potential change you are subtracting that out of your contingency funds so you always have a good handle on what funds are available. Mr. Kiser said the city understands if they get the \$3.6 million of RIP funds, any additional funds will have to come from the city or by downscoping the project.

Commissioner Scofield asked for clarification of the G12 funds. He said if Caltrans were the lead agency they would be available, so why or why not should the project pursue them. Mr. Bajwa

replied that G12 funds are designated for Caltrans through a CTC resolution that gives Caltrans authority to use a certain amount of contingency funds for STIP or SHOPP projects. He said only state funded projects are eligible; CMAQ or general funds are not eligible. Mr. Bajwa said, for example, the Dorsey Drive project has \$14 million from RIP towards construction and they ask the CTC to allocate that amount. The G12 works in a way that the CTC gives you \$200,000 plus 10% of the allocated amount, so in this amount it would be \$200,000 plus \$1.4 million; therefore the project would have \$1.6 million available in the G12 capacity. Mr. Bajwa said another thing that is good about G12, in case the bids come in higher than the allocation, the G12 funds can be used to award the contract. He said with the City of Grass Valley as the lead agency, G12 funds do not apply. Commissioner Miller asked if that would also apply for the Mousehole project in Truckee. Mr. Bajwa said it is the same situation with the SHOPP funds available for that project. Mr. Kiser said to clarify that the dollars being discussed is construction costs and not construction oversight; Caltrans separates those two funds where the city has the ability to combine those two funds together. Mr. Kiser said if there is a cost overrun on construction management, it is a separate fund you could not use G12 funds for. Mr. Kiser added that the percentage of funding for the project that is STIP, that percentage holds true for each change order, so if STIP is funding 80% of the project, the G12 funds can only be used to fund 80% of that change order. Mr. Bajwa said that was correct; anything above the 80% would have to be supplemented by other funding sources. Commissioner Scofield reviewed that you would lose a lot of flexibility then on cost overruns. Mr. Kiser replied that his personal opinion of the benefit is the city has more flexibility on how to bid the project; they have a better ability to put in requirements that certain items can be deleted, and look at different options that Caltrans historically has not done. He said Caltrans has a tendency to be more rigid on how they bid their projects. Mr. Kiser said other advantages, in talking to consultants preliminarily, is they feel there is a savings on the construction management side. He said currently it is programmed at about 22-23%, and if you look at Truckee's amount it is at 12.5%; he would assume that 12-15% would be a normal rule-of-thumb for an average project.

Commissioner Scofield asked if there would also be a savings in timing as to when the bids could actually go out. Mr. Kiser said the bids going out are pretty much locked in because the funding has to be allocated first. He said the city probably has some additional flexibility as far as getting the bid actually out. Caltrans has a process that goes through several departments and it is not necessarily bid by the people in Marysville, but it is bid by staff in Sacramento headquarters. He said he would assume if you went with Caltrans they could get that organized and ready to go just as the city would be able to get theirs ready to go. Commissioner Miller asked if the city hired a construction management firm for this project, what probability would there be of local contractors getting involved in the construction. Mr. Kiser said it was definitely a possibility with the city hiring a private consultant that they would solicit local contractors. He added that with Caltrans they will do the work in-house, so there would be at least a chance that there are a couple soil engineers in the area that do Caltrans work that could be selected to work on the Dorsey Drive project. Mr. Kiser said the other thing to keep in mind, no matter if the city goes with a private consultant to do the job or if they use Caltrans, they are both basically going to be consultants; even if you select Caltrans, it is not a Caltrans job, it is still a NCTC job that Caltrans is acting as a consultant, just as they have done with the design work.

Commissioner Beason summarized that in September Mr. Kiser told the Commission the city thought they would at least match in savings by local control of the potential G 12 dollars and it sounded that he still felt that way. Mr. Kiser said that was correct, and in working with the City Manager, the city is also looking at holding some of their gas tax funds in reserve in case the project goes higher.

Commissioner Dee said when the Commission signed the agreement with the City of Grass Valley to be the depository for their RDA funds, and she was not familiar with all of the conditions of that, she asked if the designation can be legally changed to put them in a contingency fund rather than her understanding of having accepted the funds and they were dedicated to the construction of the Dorsey Drive project. She was trying to understand the legalities and the redefining of the funds now. Executive Director Landon said her basic understanding was correct in that when the Commission received the RDA funds it was for the purpose of constructing Dorsey Drive. He did not see a problem in designating them as a contingency for Dorsey Drive. He added, at the end of the project, if there are funds remaining then there would have to be some stipulation as to what happens to those funds; would they go back to the city as far as RDA or would they be put onto other projects that NCTC has that are within the RDA area. He said that is an issue that has to be addressed if there is money left over. Commissioner Dee said it sounded like the city was anticipating using all of the money, but she wondered if there had been conversation about where those dollars would go, since the funds are being taken out of the entire county STIP funds, and maybe those funds would go back to a restricted use or back to the city. Mr. Kiser said if there are any overages, the first place the city will pull from is the RDA dollars for the construction of the Dorsey Drive Interchange. He said if there are any funds left over, he believes with previous actions the city council has taken, they are committed to keep those funds in the regional program as far as transportation improvements are concerned. Mr. Kiser said there are going to be limitations with RDA funding; it may need to be a project within their designated area, but there are several projects in the existing RTMF that fall within that category. He also said the SR 49 project that would be explained later in the meeting, if it were extended to McKnight Way, then it would fall within the jurisdictions of the RDA so the funds could be used on that project. Commissioner Dee questioned Mr. Kiser if he anticipated the funds would stay with NCTC and not go back to the city. Commissioner Miller said there is a restriction on that; you cannot use RDA funds outside of the RDA district. Commissioner Dee said she understood that. Commissioner Beason said they could go into a transportation project within Grass Valley. Mr. Kiser said the project would have to have some tie in; if the boundary of the project was within the RDA area. He said, for example, if they extended the SR 49 widening project from the current proposal just short of the ramps at McKnight Way up to McKnight Way, you would now be in the RDA area and the money could be used for that project.

Chairman Jostes asked if this would require an amendment to the current agreement between the Commission and the City of Grass Valley. Executive Director Landon said that was the purpose behind the stipulations put in the meeting packet in order to come up with some written understanding of how the monies are used and if they get to a certain point, determine what the next step would be so it is clear how things would flow. Chairman Jostes said there have been two or three projects in documentation that might fit the definitions within, but the agreement would not lock into any of those; it would be generalized that it would be transportation projects within the appropriate area. Mr. Landon said the agreement could be as specific as the Grass Valley City Council and NCTC would want it to be. Mr. Landon added that he told the Commission at their last meeting that adoption of the RTIP is the opportunity for the Commission to program RIP funds for this cycle. He learned the previous day, when speaking with Caltrans Programming Department staff, that in April or May they would be looking to have the updated estimate and bid documents prepared; at that point-in-time they would be submitting a funds request to the CTC. Mr. Landon said, if based on that up-to-date estimate, it looked like not as much funding was needed as the \$3.6 million programmed, and there was a desire to put more emphasis on the RDA dollars, it would be possible to back out RIP dollars at that point and they would come back directly into NCTC's share; if it is done before the allocation. He said this provides one more step of flexibility that he was not aware of at the previous meeting. He said it will depend on how the estimate comes out.

Commissioner Dee asked if the decision would come back to NCTC or to the City of Grass Valley. Mr. Landon said the decision would come back to NCTC as RIP funds. Commissioner Dee said that would then be a part of the updated agreement for NCTC to designate that.

Commissioner Beason said he did not know what the RDA boundary was, and asked if it is necessarily within the city limits. Mr. Kiser said yes it has to be within the city limits. Trisha Tillotson said if the RDA funds have to be applied to a project within the city's RDA, then that means other funds are not being applied to that project and could potentially be used also, such as the Regional Transportation Mitigation Fee (RTMF). Commissioner Dee said that was her concern because the RTMF funds are restricted for use in western Nevada County, so while you take STIP funds from the entire region, the other funds could only be used in western county. She said there needs to be a balance of funds available for eastern county. Commissioner Miller said \$5.2 million of RDA funds is city skin, which is one of the reasons why the city wants to be the lead agency on the project so they can have a little more say than if Caltrans were the lead agency. He said the RDA is dependent upon what is created within the city boundaries so they would not be using RDA money in Truckee; they have their own RDA. Commissioner Dee said of course you would not, but the City of Grass Valley was asking for "regional" money. Commissioner Miller said the Dorsey Drive Interchange is a regional project. Commissioner Harris explained what the Commission has done sometimes in the past is they have taken these things into consideration as the Commission goes forward, so even though there may be money restricted to western Nevada County, we understand that, and with money that is more flexible we make things equitable. Commissioner Dee said she has an idea about that, but will talk about that during deliberations.

Commissioner Beason said he thought the Commission had an agreement in principle at least, even though they do not have the final action. Commissioner Beason asked that the NCTC Minutes reflect that the Commission has an agreement in principle.

Chairman Jostes asked if there were any other questions on this issue. There were no further questions. Members of the audience requested Chairman Jostes allow them to make **public comment on the Dorsey Drive project** before the Commission moved on to the next project.

Mark DeMartini, part owner of two commercial properties at 102 Catherine Lane and 111 Dorsey Drive, said these properties are located along the corridor included in the construction zone. He said he respectfully disagreed that the R/W acquisition is complete for the construction project as there are still outstanding issues that have not been addressed regarding his properties. He said there are several issues he has discussed with the City of Grass Valley that are ongoing and still yet to be resolved relating to those two properties. Mark DeMartini said you cannot build on someone's property without R/W or a construction easement, and you cannot use someone's private property without a temporary construction easement or R/W. He said both of these things are happening that affect his property and his brother's property. Mark DeMartini said the pharmacy property has access issues caused by the project; the design is totally changing the circulation of the pharmacy, rendering it very difficult to get customers in there in a safe and efficient manner. He said there are ways that it can be addressed, but it has not been addressed with the improvement plans yet and the R/W acquisition. He thought there would be a need for more funding to address the impacts of both properties. He has a topo that Nevada City Engineering has prepared that shows the issues of the close proximity and changes to the circulation for the pharmacy. He said the latest construction plans prepared by Caltrans show construction on their property without it being addressed in the R/W acquisition. Mark DeMartini said that steepening grades and causing access issues for elderly customers, or an ability to access their property with the project, needs to be addressed. He asked the Commission to consider this in their funding needs for the project that these matters be addressed

with the project, and that they receive just compensation for the use of their property and changes to their commercial properties caused by the project.

Mark DeMartini said one of the things that is different from the approved environmental document is it said the bus stops would be perpetuated in place. He said for whatever reason the city or Caltrans chose to move one of the bus stops causing additional impacts to their properties, which still has not been adequately addressed. He said it was not that they did not support the bus stop or the city's desire to have the bus stop at the corner of Dorsey Drive and Catherine Lane, they just wanted to be sure their customers would have safe and efficient access to their commercial property. He asked that those issues be addressed. He noted one additional matter was that he did not see anything about the serpentine rock in the area. He said it may have been addressed by the Caltrans studies, but because of the serpentine rock there is potential for asbestos and that might change the budget issue as well if it has not been addressed.

David DeMartini, owner of Springhill Pharmacy and also partial owner of 102 Catherine Lane and 111 Dorsey Drive with his brother Mark, submitted for public record two letters that he sent: one to the NCTC on November 18, 2011 and one letter to the Grass Valley City Council on June 27, 2011. He explained, as funds are being considered for the continuation of the Dorsey Drive Interchange project, the November letter to the Commission refers to a letter he sent to the Grass Valley City Council on June 27, 2011 that expressed their concerns as mentioned by Mark; mainly elevation concerns. He said the city worked with them trying to mitigate some of their issues, but they have not received a response from their June 27th letter, so they do not know where they stand. David DeMartini said they are concerned about the construction activities in front of the pharmacy for two years. There are only six commercial properties in that zone that he is aware of and his properties are the only ones that have a viable, strong retail business that depends on continued access. He said there have been numerous violations so far to their properties and they are willing to overlook them if necessary, but they do not want to see a two year project go on where they have no say of what happens in front of them, such as no say in where things are parked and how their property is used and their access. David DeMartini said the city has tried to work with that, but since there is no construction easement they feel they have no rights and they feel it is inappropriate.

Commissioner Beason noted that Mr. DeMartini contacted him and copied him on the November and June letters, and asked for a response to his letter. Commissioner Beason said he called the city and wrote a letter to the Grass Valley Mayor in early December asking for a response. He was told there was a meeting between city staff and Mr. DeMartini, but evidently all the questions did not get answered. David DeMartini said there was a meeting, and maybe there were different understandings in the meeting, but part of the understanding he had was that yes they did recognize that the plans did show an elevation difference than what the existing elevation is, and that yes it probably would have some impacts. They also said that the elevation difference would be mitigated by a ramp that would propose no more than a 20:1 slope to access their property; a 5% slope. Commissioner Beason asked if he had received an answer to his letter yet. David DeMartini said he had not. He said they had plans and ideas as to how to make the interface between the project and their property work, but it costs a lot of money and he did not see any way other than having them as owners pay the whole thing, which he did not think was right. He said the city has not communicated that they would follow through on the things they promised. Mark DeMartini said that a couple of years ago the city already committed to them to take care of the grade issues and repave the Springhill Pharmacy parking lot to mitigate the grade issues caused by the project. He said they are willing to consider that. He said they have a topo map prepared and that is what it will take to change the grade of the entire parking lot and put in some drainage structures, and they are open to that; it just needs to be done and it costs money.

Tim Kiser said a letter, dated December 13th, was sent to respond to that issue. He spoke on behalf of Caltrans and the R/W issue, because Caltrans is responsible for the R/W acquisitions. He said some of the information discussed is correct that two to two-and-a-half years ago the city did, with Caltrans, look at a couple of options for that property and one of them involved looking at relocating some power lines. In an effort to relocate those power lines, the city made an offer that they could repave this and deal with some drainage issues onsite to get that easement. At that time it was not deemed sufficient and the city and Caltrans had to make a decision in an effort to keep the project moving as to what could be done. Mr. Kiser said all of the existing improvements being proposed as part of this project are 100% within the existing city right-of-way. He said they have worked with the utility agencies and allowed them to put their poles within the city sidewalk as long as it meets ADA requirements; not their preference, but in an effort to keep the project moving and not cause any impacts to this property, the city allowed that. He said PG&E actually has moved forward and changed their design; everyone has changed their design to make that work so the property would not be impacted. He said the only impact at this point is the 20:1 slope; that is a conform from the existing sidewalk and/or the driveway into their existing parking lot. Access requirements are not required for a construction easement; that is just an access easement. Mr. Kiser said the owners have the right to deny the city that ability and then the city will conform into the existing right-of-way. He said if they would like that extended to the 20:1, it is a standard process; they would provide the city a temporary construction easement to come in and provide that and that is what Caltrans and the city has been discussing with them for several months. He said that position has not changed because at one-point-in-time they had to make a decision in an effort to keep the project moving forward; they selected a design that is 100% within their existing R/W. Commissioner Beason asked if all of this was addressed in the recent letter sent to the DeMartinis. Mr. Kiser said it was a summary of the position taken by the city.

Commissioner Guerra asked about the larger issue of all of the pedestrian activity in the whole construction area and wondered if the city or Caltrans was responsible for that. She said she had not heard anything about it and assumed that it was handled. Mr. Kiser said it is very standard practice as part of what the contractor will have to prepare as a plan to deal with pedestrians through the construction site, i.e. temporary walkways will need to be made, and they may all be shifted to one side of the road and then brought back to the other side during construction. He said the other thing that is required in all construction projects is you have to maintain access to all of the businesses and they have to be able to be maintained, so they may do some night work in critical areas. Mr. Kiser said he is very familiar with maintaining businesses; he worked on the Tahoe City sidewalk project and maintained access to all of those businesses while the sidewalks were redone and he is fully aware of the impacts to businesses and keeping them happy. Commissioner Miller said this is no different than major construction on I-80 where you go over Donner Summit and you have to maintain access to Boreal Ski Resort or other businesses where you are moving lanes of traffic, not just moving pedestrians. He said pedestrians are a lot easier to move and access to businesses are a lot easier to make than moving semis and vehicular traffic. He said the city has had numerous discussions with the DeMartinis both onsite and at city hall related to their concerns, so the city has not been sitting on their hands as far as these issues are concerned. Commissioner Miller said until the City of Grass Valley becomes lead agency, then they will certainly come to a resolution; but with Caltrans as the lead agency on the project they are the ones that have all of the plans and specifications. He said the city just wanted to move the project along. He said the concerns with the DeMartinis will come to a resolution, but not until after the city becomes lead agency.

Commissioner Beason asked if he heard correctly that the point of access is still negotiable at the DeMartini's. Mr. Kiser said as far as right now, the R/W phase is complete. Commissioner Beason said that there was something said that was subject to their approval. Mr. Kiser said it was the

driveway conform; the driveway location has been identified. He said one of the things the city has looked at as far as their plans is the phasing of construction. They have come to the city in the past with the NID relocation and they expressed some concerns about vehicles parking in their parking lot. Mr. Kiser said one of the things the city offered them that they would still be committed to doing is constructing their curb, gutter, and sidewalk first priority within the project so it would prohibit the ability of construction vehicles to park in their area. Commissioner Beason asked if they were confident that they could get this worked out with minimum impact. Mr. Kiser said technically it is worked out; the city has full rights. Commissioner Miller said the city does not want to have a negative impact on any business in Grass Valley. Commissioner Beason said the serpentine rock issue is natural. Mr. Kiser said that is included in their plans. Commissioner Beason said he did not think this was the Commission's issue, but he thought something should be done.

David DeMartini said regarding maintaining access to his business, he realized that the city does have the intention to do that, but as construction projects go, things do not always work out the way you expect and he and his brother have no temporary construction easement so there is no rights really for the property owner to say anything. He said as they relocated the utilities, they had to virtually shut off one door to the pharmacy because of a gas leak during the busiest time of day, denying customer access, and he lost customers because they came to the building and all kinds of red lights were everywhere and they were concerned with the gas leak. He said those types of situations are unforeseen and unfortunate, but it has an impact on their business. He thought they should have a say about when types of construction happen in front of their business as it relates to access. David DeMartini said there were numerous times where people went in from Catherine Lane into their parking lot, since there was all the construction going on, and through their parking lot to avoid the construction mess and out the other side to access Dorsey Drive. He said that creates a huge hazard, especially for senior citizens.

Commissioner Miller said the action item under discussion has to do with the RTIP and not discussion on individual items related to the overall project. He believed this was stepping across the line of Brown Act violation. Mark DeMartini asked to address that because the discussion is regarding a funding issue and he said you need funds to take care of all of these pedestrian issues. He thought it was not right for the city and the utilities and the public to use their property without compensation and he said that is what has been happening. He said they have it documented and the issues of R/W acquisition and conform issues with their property need to be funded with the project as the city previously committed; that is what they are requesting so the city can go forward legally with the project.

Mr. Kiser said the city is speaking on behalf of Caltrans; they are not the lead agency on R/W or R/W acquisition. Ultimately what he was saying for funding is that all has to go through Caltrans; they have been designated as the lead, they are responsible for it, and they are the ones that are saying the R/W has been certified and is complete. Winder Bajwa, Project Manager for Caltrans District 3, stated that Caltrans is done and the project is ready to go to construction. Mr. Bajwa said there are no issues as far as Caltrans is concerned with R/W. He said the things that the DeMartinis are talking about as far as the conforms is Caltrans is doing the same thing on other properties; they are not paying them anything. Mr. Bajwa said as long as they are just conforming, Caltrans is not liable or legally responsible to pay that. He said that a temporary construction easement is a different issue, and they are not buying a temporary construction easement for those properties. He said originally they were going to purchase property for the utilities and things of that nature, but because of the time frame, the decision came to pull the design all within the city right-of-way including the utilities. He said the conform that Mr. DeMartini is talking about is something they do all the time and they do not pay the property owner to conform.

Chairman Jostes said these issues would not get resolved in today's NCTC meeting and he acknowledged that comments were heard from several people with issues that have not been resolved. He said the action needed is not something the Commission can do. He added that there is a process for this and that process has to be followed. He again acknowledged that the statements had been heard and the Commission appreciated their comments and appreciated knowing that there is an outstanding issue that has not been resolved. The meeting moved on to the next project.

Shannon Culbertson, Regional Planning Liaison to Nevada County with Caltrans District 3, gave a presentation on **SR 49 widening** from La Barr Meadows Road to approximately 0.4 mile south of McKnight Way. She said the project proposes to widen to a four lane conventional access control highway with a continuous left turn lane and eight foot shoulders to improve traffic operations and safety. She said originally this project was broken down into two phases and it was estimated to be \$77 million, but is currently estimated at \$32 million. She explained that both phases were listed in the 2009 Corridor System Management Plan (CSMP) and they were listed as priority #3 and #4 and the costs were based on 2007 cost estimates that were very high at the time. Ms. Culbertson said the "Preferred Alternative" versus the No-Build Alternative is to widen the existing highway by adding one 12-foot wide lane in each direction of travel, with a continuous 14-foot median left turn lane, construct 8-foot paved shoulders and right turn pockets, construct two signalized at-grade intersections and an overcrossing structure, improve vertical alignments and shifts in alignment to minimize the impacts to residential properties that would also improve sight distance. She said they do anticipate there will be a significant amount of R/W purchased between R/W acquisition and utility relocation and it will be a major undertaking, although Caltrans has put measures in place to minimize the impacts to the residential properties.

Ms. Culbertson reviewed the cost breakdown and said they were asking for \$6 million total, which would cover the PA/ED (Project Approval and Environmental Documentation) and the PS&E (Plans, Specifications, and Estimates). She said they were not sure how future phases would be funded, but it would be determined in the future. This is a local project in partnership with Caltrans. She said they estimate \$2 million for R/W support, \$4 million for construction support, \$5 million for R/W capital, and \$15 million for construction capital, bringing the project to a total of \$32 million.

Executive Director Landon requested they explain what occurs in PA/ED and PS&E. Winder Bajwa explained that PA/ED is where Caltrans conducts various technical studies, engineering studies, environmental studies, and they hold public open houses and get support from the local jurisdictions and the public. He said the conclusion of that milestone is what concludes the environmental phase of the project. Mr. Bajwa said PS&E is the next phase of the project that coincides with R/W acquisition; R/W cannot begin unless there is environmental approval. He said it is the final plans and specifications and estimates to get the project ready for a contract. Executive Director Landon said there are documents that give the basic scope of the project and its limits, but during the PA/ED phase there will be changes to the project design and it will be determined what size facility is needed and several alternatives will be looked at. Mr. Landon did not want the Commission to think that the graphics shown at the meeting would be exactly what would be built. Chairman Jostes said the concern is that \$6 million would be spent on an undefined project. He asked if it would be fair to say that \$3 million would be spent on an undefined project and at the end of that period there would be a much better idea of what the project would look like before spending the next \$3 million. Mr. Landon said that was correct; at the end of the PA/ED the environmental document would be complete and the project would be able to move forward to design. Chairman Jostes said the question was that there are many, many details in this, including more stop lights, building overpasses, frontage roads; a number of different things all of which have a significant amount of

design input, both engineering and public use, and all of these things. He wanted to understand, because \$6 million is 20% of the project, and he thought you would not want to spend 20% of the money and still not know what you are going to build. He understood Caltrans to say that the first \$3 million almost has to be spent in order to get to a point of true definition. Mr. Landon said that was correct.

Commissioner Beason asked for an explanation, since this is a state project and the STIP funds can be leveraged for a match, can these funds be leveraged for the \$6 million that is being talked about here. Executive Director Landon said yes that amount can be used to leverage. He stated what has been done in the past, for example, with the project from Bear River north to Combie Road on SR 49, NCTC put in 40% of the funds and Caltrans put in 60% of the funds. At the current La Barr Meadows project, NCTC put in 50% of the STIP funds and Caltrans put in 50% of the funds. Mr. Landon added, but in this case rather than matching funds in each phase, the proposal is that NCTC would put up the first \$6 million and Caltrans would then follow.

Shannon Culbertson said because of the nature of this interregional route that is classified as a high emphasis focus route, it is eligible for Interregional Transportation Improvement Program (ITIP) funding, which would be the funds that Caltrans has to match NCTC's RTIP funds. She said that Caltrans fully supports the use of ITIP funds for future phases of the project; it just depends on the availability of funding. She took 2011 as an example where they did not anticipate not getting any ITIP funding in Northern California and they got zero dollars. However, Caltrans included some verbiage in the 2012 STIP document that they prepared for submission to the CTC that includes this project and their support for future funding. Ms. Culbertson said it is anticipated to be included in the 2014 STIP submittal as a project to be funded and that is why they included the verbiage in the 2012 STIP; they do anticipate funding the project in future years.

Shannon Culbertson said they anticipate the PA/ED and PS&E to be in FY 2015/16 and FY 2016/17. She said that consistency with existing plans is a big deal. The project is consistent with the 2009 CSMP; it is included in the 2010 Regional Transportation Plan; and in the 1998 Interregional Transportation Strategic Plan (ITSP), which is a Caltrans document. She said the project is listed in the CSMP as priority #3 and #4 in Table 12 on page 39. Ms. Culbertson showed an aerial view of the proposed alternative to the project, and said the design could change; it depicts the intersection with new frontage roads just south of where La Barr Meadows Road and Walsh Lane come together at SR 49. Another aerial showed an overcrossing structure at SR 49 just south of the existing Cornette Way and includes new road connections to Young American Mine Road, Mirage Court on the left side of SR 49, and new frontage roads that connect Cornette Way and Golden Chain Court. She said the frontage road on the east side continues all the way down to Christian Life Way. Ms. Culbertson showed an aerial view with construction of an at-grade signalized intersection at Christian Life Way and SR 49 with the connecting frontage road. The east side of SR 49 shows a new frontage road that connects to Upward Way and on the west side of the highway shows a new frontage road running between Wellswood Way and continuing north with residential access roads to various properties north of Christian Life Way. She explained that the fourth aerial view shows the frontage road that continues all the way to Smith Road and it shows an at-grade signalized intersection at SR 49 a short distance south of the existing Crestview Drive. She said the new alignment would be made to connect a small inlet and Crestview Drive to the highway on the left side while Crestview Drive would be extended to the east to connect to La Barr Meadows Road. The fifth aerial view shows the northern limits of the project on SR 49, which is 0.4 mile south of the McKnight Way overcrossing.

Commissioner Harris said she could not tell from the picture and questioned if the plans were to go from four lanes to two lanes and back to four lanes again or was it four continuous lanes. Ms. Culbertson said the project is continuing the five lane design that is being done at the La Barr Meadows Road project, which is four lanes of traffic with one continuous lane for left turns. Winder Bajwa said the difference is that at McKnight Way SR 49 starts to operate as a freeway section, so the left turn pockets are discontinued. Commissioner Beason said he thought what the Commission was looking at in the near term is including frontage roads and safety access to the highway. Executive Director Landon said the phasing of the project would be determined in the initial phase, but that is a potential if the full construction funds are not available, then what is doable with the funds available is what will be constructed. Ms. Culbertson said that Caltrans knows there are many conflicts with the access driveways and small roads off the side of the highway, so to provide frontage roads you are eliminating those conflicts or at least putting them into one safe location where they can access or exit the highway. She said the overall intention of the project is to make the overall corridor safer, but also provide adequate access to the residences and businesses.

Chet Krage, resident of south Nevada County and a representative of Citizens for Highway 49 Safety, said the citizens group is very supportive of this section of SR 49 being the next portion of the highway to widen and improve congestion and safety issues. He said it is also the most difficult in his mind because as you get down to Lime Kiln Road and south, the state already owns quite a bit of land along the highway so you would not have the same R/W issues that you would have in the northern portion. Mr. Krage said the citizens group does not necessarily endorse Caltrans' preferred alternative. He thought it was very important for the Commission and the leadership in Nevada County to really hash out early in the game what people would really like to see for SR 49, rather than backing into it. He said he is an advocate of three-way intersections rather than four-way intersections. He believes they are inherently a lot safer.

Mr. Krage stated that one of the most important parts of this project is to deal with all of the encroachments. He said several years ago they counted one hundred encroachments onto SR 49 between Combie Road and McKnight Way. He added that the La Barr Meadows Road project takes care of about twenty of them and he thought that was a very important part of improving this next section of highway. He said in terms of project design you are tying into a freeway design from McKnight Way forward and it does cost money to continue a freeway design to the south, but he thought that at least people should talk about what is really wanted. He said the kind of conceptual discussion and detail is more than you would normally conduct at a seven member Commissioner meeting and he really believed that to a point one or two of the Commissioners, or the second and third district supervisors of Nevada County, or something like that, need to concentrate on this area with Executive Director Landon and Caltrans staff and the local citizens. He thought the leadership involvement is going to be really key with this project. He said a lot of thought has to go into what people want to see in the future and also then to convince the citizens that this is what is best for everyone. Commissioner Miller said the other thing he thinks is what does Nevada City and Grass Valley want to look like, or this part of the county with a four lane freeway that makes this area more accessible for commuters who work down in Sacramento. He said he knows the proposed project will improve safety, but it is going to be like a gold rush up into our area and certainly it is going to impact our current roads and surface streets as far as vehicular traffic. Mr. Krage asked how far south the City of Grass Valley influence area reached. Commissioner Miller said it is just south of McKnight Way, and he agreed there has to be dialogue on the project.

Winder Bajwa said public participation is what Caltrans will be doing during the environmental phase of the project. He said that when the project starts, Caltrans will bring their technical staff and meet with local residents. He said Caltrans had numerous public open houses with the La Barr

Meadows Road project and received input from many and then they finalized the design. He said this is a part of the environmental process. Commissioner Harris suggested that the Commission ask Caltrans whatever questions they had and then take a break before their discussion began.

Commissioner Beason said the PA/ED will accomplish a lot of what Mr. Krage asked about. He said the approval of the funding that day will move the project in a direction to define what it is that people want. Winder Bajwa said once the project is programmed, in this case it is FY 2015/16, that is where the money will be sitting. He is hoping that Caltrans can advance the money if they are the lead agency. In any case, when the project starts, Caltrans will begin by working with the local citizens to make sure all of the important factors are identified.

Chairman Jostes called a break in the meeting at 11:00 a.m. The meeting reconvened at 11:10 a.m.

Chairman Jostes asked for any additional public comment on the agenda item at hand.

Steve Enos, a resident of Grass Valley, commented that the Mousehole needed to be built and he recounted that at the last meeting he told the Commission that he had seen a woman pedestrian get hit in front of him while driving through the Mousehole. He thanked the Commission for bringing forward the additional information and action for the Dorsey Drive Interchange project. He thought it made a lot of sense to have the flexibility provided with the way that the funds could be reallocated, and the additional flexibility of the unused funds and how they could go back into other projects. He thought it could benefit western Nevada County in a number of different ways, including Grass Valley. Mr. Enos said if the city's RDA funds can be saved and reallocated there are a couple of really good projects they could go to that are within the new expanded redevelopment agency area, which includes the McKnight Way intersection where South Auburn Street and McKnight intersect, and work needs to be done there. He said that there is an opportunity with one of the properties being vacant kiddy-corner from the car wash and a roundabout would probably work quite well in there and the land could be acquired; that was one project within the city's expanded RDA where those funds could be used. Mr. Enos said the second area would be Springhill Drive that would connect Idaho-Maryland Road up to Dorsey Drive and it is in the RTP, and in the city's plan, and the expanded RDA includes that area. He said if the RDA funds are not utilized for Dorsey Drive they could go to this project, which one could say actually would be part of the larger Dorsey Drive project to make that connection through there.

Mr. Enos commented on the SR 49 proposed project and said he knew of no one that he has talked to that is impressed or supportive of what they have seen at the La Barr Meadows Road project. He said the project is so massive and we are in Nevada County, not in Sacramento County, or Placer County, or Roseville. He made the analogy that killing a fly with a bull dozer is probably not necessary and that is sort of what appears to have happened at that location, and he thought it was not well received in the community. He went on to say that to then allocate \$6 million to start developing a plan to put two new at-grade intersections between McKnight Way and La Barr Meadows Road is pure insanity; a freeway overpass is not going to happen; new parallel frontage roads and five lanes. He said the only thing missing would be a Galleria Mall like off of Highway 65. He thought the pushback from the community would be massive on that proposed project. He said he could imagine what would happen if you went up to Nevada City and decided you wanted to add a couple of lanes to their freeway and a few more frontage roads. He thought it was pure insanity to go ahead and start glibly tossing out \$3 million followed by another \$3 million on something that is not going to happen. He thought the community would not allow it to happen, especially when they get to experience the overbuild at La Barr Meadows Road. He said when Caltrans goes to build something they go in for 10,000 years in the future and they make it as big as

possible. Mr. Enos asked the Commission to not allocate the \$6 million towards this project. He thought it was a lot of money that could be used in other places to do other things that would actually have some viability in our community. He said the highway does not need more soundwalls. He again asked the Commission to not send \$6 million in the direction of this new project until there is a plan.

Howard Levine, a resident of Grass Valley, a former Grass Valley Planning Commissioner, and a member of the Nevada County General Plan Steering Committee for many years, stated that one of the things he thought was paramount in the Commission's deliberations during the meeting was to guarantee that the Dorsey Drive Interchange is built and that there is funding in place, with enough adequate money that is flexible. He spoke to NCTC on behalf of all the people who drive the community roads and need to get access to the hospital, to Sierra College, and to the high school, which he does because he teaches at the college and he is an advisor at the high school. He thought the plan brought before NCTC by the City of Grass Valley was well thought out and he believes it will keep the project moving. Mr. Levine stated that many years ago his friend Eric Rood brought to the region SR 20 through a number of years of deliberation, and his response on the SR 49 proposed project is he would hope that before all the funds are allocated, that community meetings be held to address the scope of the project and what western Nevada County really wants, and what Grass Valley and the residents of SR 49 and the environs outside of that have some ideas how they are going to be. He said that SR 20 never reached its full potential because all those trucks continue to come through Grass Valley and truckers have told him that they do not like to use that road; it does not quite work the way they want, so he sees that same truck traffic on Main Street and through the downtown Grass Valley area. He thought there should be meetings, without allocating the money, to come up with a feeling of what the community does want. He thanked the Commission for the opportunity to express his opinions.

Chairman Jostes asked if there was further public comment and there were none. He asked staff for any additional comments. Executive Director Landon reviewed that the presentations were made on all the proposed projects and staff was available to answer questions or to assist in the Commission's deliberation. He said the Commissioners had before them a summary of NCTC STIP shares that includes the programming of the projects that were presented that morning. He noted that the programming can be accomplished and still leave \$2.5 million as an unprogrammed share balance. Mr. Landon said he thought the projects had all been well represented and he noted because of the lateness of the timing of the project for signal preemption, staff would want to insure that if it is included, that it does get included in the NCTC Resolution, so an adjustment of the wording would be necessary at the time of approval.

Commissioner Harris said she thought the reason the \$6 million item was included for SR 49 was the Commission gave everyone the opportunity to submit projects if they wanted to include them in this round of RTIP funding requests. She agreed with comments that the Commission really needs to look at the big picture on SR 49 and set policy and give direction, and as Mr. Krage said to not back into it piecemeal. Commissioner Harris said her other big concern on that, when she looks through the meeting packet, is if the Commission were to go forward with the \$6 million, or even \$3 million, the unprogrammed share balance through FY 2019/20 is only about \$2.5 million and she has great concerns that the Commission would be tying up all of the funds for so far into the future. She said there is no way to predict future needs. She said the Commission has also seen on all the projects that day; i.e. the Mousehole project, the Dorsey Drive project, and the fact that she thought it was a typo initially that this SR 49 project went from \$77 million down to \$32 million; that there is so much variability in the huge projects. She thinks the Commission needs to reserve some money so

there is money for the unexpected that comes up. Commissioner Harris thought it would be premature to go forward on the proposed SR 49 project at this time.

Commissioner Beason said he disagrees. He noted that some time ago the Commission determined that they would do whatever they could incrementally to make SR 49 safer. He believed that there was an opportunity to improve frontage roads and improve ingress to the highway. He also believed that the PA/ED portion will help to achieve the snapshot, or vision, or fund the types of things the community could give input to. He asked if he got that wrong. Executive Director Landon said that was the purpose of the PA/ED process. Mr. Landon added that because of the amount of past outreach done on the SR 49 project, he was very confident that the people he has spoken to that live in that project area are very supportive of the project. Commissioner Beason said that most of the people he hears from think the highway needs to be made safer than it is even though some achievements have been made. He thought to make SR 49 a four or five lane highway all the way down to Combie Road you need around \$300 million and he knows that the Commission has voted previously, and he is sure that is recorded in the NCTC Minutes, that NCTC would incrementally try to make SR 49 safer and not necessarily make it a five lane highway. Commissioner Beason said he thought there was discussion about frontage road improvements, as was part of the presentation that day, and making the access points safer and reducing the requirement with frontage roads, is that not correct. Mr. Landon said that was correct. Commissioner Beason said he would stand on that.

Commissioner Guerra said she wanted to speak to that project also, and she agreed that the Commission needs to keep moving forward on SR 49. She said that some of the pieces she heard that day were news to her and she agreed with what Mr. Krage said that the Commission should take a broader view and do some planning about what exactly those pieces would be. She thought to continue to make SR 49 what they want it to be in the future, she wants to take this opportunity to do that, but she wants to make sure that the Commission is not endorsing the specific frontage pieces that were presented that day. She did not think there had been a larger community discussion about those parts, but certainly SR 49 has long been a priority and she supports spending funds and moving in that direction.

Commissioner Scofield said he agreed with his colleagues. He said he drives SR 49 every day. He added that he has not heard of anyone that thinks the La Barr Meadows Road project is a bad project; the people that live down there cannot wait for the project to be completed. He said he tended to think back to when there was a single lane across the Bear River up to Combie Road and during peak times you were stopped at Lone Star Road, miles away from that intersection, and realizes what that double lane did to improve the flow of traffic. Commissioner Scofield noted what Mr. Krage brought out that perhaps this is not the ultimate project, but it can at least get started on what is needed today. He looks at the people that live along SR 49 in the single lane areas and he wonders how they even get out on the highway at some points-in-time. He said the previous day there was a man who could not pull out because there was no visible break in traffic. He thought the project needed to be planned and to get ahead of these issues as best as possible.

Commissioner Miller said he did not disagree that safety is a priority, but he did agree with Commissioner Harris as far as what the residents want to see in the long range and what they want to see the community look like. He said when you hit Combie Road and then you hit the four lane where the speed limit goes to 65 mph (heading south on SR 49), that customarily the speed of vehicles goes to 75 mph. He commented it was his experience that you will get pulled over by the Highway Patrol at 80 mph. He said the average speed when you hit a four-lane freeway is 70-75 mph, so you are looking at increasing your lanes from two to four and the speed is going up too. He agreed that access will then be a huge issue for people and businesses living along SR 49, but he

really wants to know what people want their community to look like. Commissioner Miller said this type of improvement would certainly bring more people into our community to live and not necessarily to work. He asked if Grass Valley and Nevada City, as the primary cities, will be able to handle that with what is currently the roadways. He wondered if the PA/ED and the PS&E will answer those questions for the community. He thought a lot of community dialogue was needed for this project, because he did not think the Commission would want to commit to something that in the long term is not going to address what the community designates. Commissioner Beason said this is planning money and that would be part of the process.

Commissioner Scofield said he thought the issue was there right now for the City of Grass Valley; maybe not so much for Nevada City. He said if you are traveling southbound on SR 49 at 5:00 p.m., the traffic comes to a stop just past McKnight Way. He used to think there must have been an accident, but it is just that traffic is clogged up. Commissioner Miller said he experienced that the other day also. Commissioner Scofield said he was frustrated that the sales tax dollars in south county go to Auburn. He added that one of the reasons for that is because it is a double lane all the way down; it is easy, accessible, and safe. He said people do not like coming north. Commissioner Miller said if you convert four lanes from Grass Valley down to Combie Road, it will make it a lot easier to drive down the hill with tax dollars too, so it will go both ways. Commissioner Beason said they would both be long gone before the whole corridor is widened to four lanes. Commissioner Beason repeated that there is a safety issue on SR 49. Commissioner Miller said you cannot argue when you use the word "safety". Commissioner Harris said she agreed with Commissioner Beason, but the two of them have been on the Commission the longest, and she recalled back when NCTC was doing the RTMF, NCTC was being encouraged by the consultant to put every project into the RTMF, so they looked at what it would cost to widen SR 49 and it was quoted at \$200 million at that time and it would have made the mitigation fees the highest in the state short of one county. Commissioner Harris said because of the costs the Commission decided to focus on "safety", not making it easier for people to move up here, and then commute down and work and spend all of their money somewhere else, but to make it safer for the people who are here. Commissioner Beason said that was what he was talking about. He said his vision was to use the \$6 million for planning and public input to address safety issues and accessibility for people living along that portion of the corridor. He said the Commission should not be worried about growth. Commissioner Miller said he did not think they were worried about growth, but they are worried about the infrastructure that is in place and the ability to improve on that when they do experience growth; but as far as planning money is concerned, he did not mind expending funds on planning. Commissioner Beason noted that expending funds would not turn one shovel.

Chairman Jostes asked, as an example, could the Commission program \$3 million versus \$6 million, or are the two phases pretty well wed together. Executive Director Landon said you could do one and not the other; they are specific components. He noted that in programming the funds you give the project a leg-up and it is said that the PA/ED portion is to do all of the community outreach, get the environmental document approved, determine what is the scope of the project that the community wants and needs, and then your PS&E begins to get all of that ready for bid. Mr. Landon said, if for sake of argument, you take both tranches of \$3 million off the table today, then you push yourself back several years before you start to even determine what the improvement will be. His recommendation would be to keep the PS&E to follow on whatever comes out of your environmental document; that way you keep the project moving forward, and you send a big signal to Caltrans that you are serious about having this improved. What comes out of the PA/ED then gets designed and Caltrans has at least a verbal commitment at this point. Mr. Landon said with the Bear River to Combie Road project and SR 49 at La Barr Meadows Road project, Caltrans came through and held up their end of the bargain. Mr. Landon said he is looking to maintain the previous

cooperative effort, so following the PS&E, Caltrans would begin construction in some phased fashion of the improvements.

Commissioner Dee asked what happens to the unprogrammed balance; do we get that or is that something that they redirect somewhere else. Executive Director Landon replied that it is held in NCTC's account. He added that right now this ability to program is greater than it has been in the past several years for two reasons: 1) there is a little more money available in the state this time; 2) the state has county share periods that are every four years; they have to make your county share whole. He said NCTC's ability to program money right now is good because we are approaching the end of that county share period, and we have been saving money.

Chairman Jostes reviewed that the Commission had a resolution in front of them. Commissioner Dee asked to first go back to the creative financing that Grass Valley is getting. She thought it was very creative; an interesting idea. She said because Grass Valley gets a large share of the entire pot for the county, and she acknowledged that Commissioner Harris said there are many ways to mitigate this, Commissioner Dee requested that the Commission consider giving an additional \$1.3 million to the Mousehole project to mitigate the Town of Truckee's Traffic Mitigation or AB 1600 fee, which would be the last part of what the Town would use in doing the project. She said if additional monies were needed, the Town would be able to draw from their AB 1600 fund, and if they are not needed, then that money could go back into the Town's regional projects. She added that since the money that the City of Grass Valley is talking about would go back only into Grass Valley, Truckee's AB 1600 could then go back into Truckee if they did not need that entire fund to do the Mousehole Pedestrian project. Commissioner Dee said she thought this was what was being alluded to as far as there being ways to balance this. Commissioner Beason asked if that meant \$1.3 million plus \$1.3 million. Commissioner Dee said \$1.3 million is what the Town is putting in for the AB 1600 fee just like the City of Grass Valley is putting in their RDA. She stated that the Town of Truckee has not asked for funding for a long time. She explained further that the City of Grass Valley was asking that their RDA funds be held out as contingency and if those funds are not used then they would go back to Grass Valley. She was saying, in fairness, the Town would pull out their funds that would become their contingency, and if it is not used, then it would go back into "eastern county" projects.

Chairman Jostes reviewed that Commissioner Dee was asking then for \$2.6 million versus \$1.3 million. Executive Director Landon noted for the Commission's consideration that the funds for the Mousehole are programmed in FY 2014/15, and the NCTC will be doing the RTIP exercise again in FY 2013/14 and will know significantly more about the project costs at that point. He said either way there would be an opportunity, if the RIP money was not needed, to reprogram it to something else, or if additional money is needed, to look at it at that point-in-time. Commissioner Beason wondered if the Commission is still in a window so they do not use it or lose it. Mr. Landon said that is correct; you could program it now with no fault or loss. Commissioner Dee said the Town could also give it back in FY 2013/14 if they saw a change in the project.

Commissioner Miller commented, so as not to cause any ill feelings amongst jurisdictions, he thought the SR 267 Bypass was certainly the number one project that received \$32 million worth of funding. He said the fact that the RDA money would be put into the Grass Valley contingency, it would be a logical move by the city if the \$3.6 million is allocated. He thought it was a tit-for-tat exercise so that could happen. Commissioner Beason said another option would be to leave the funds unprogrammed and if the Town needs them, the Commission could take it up again. Chairman Jostes asked if the additional \$1.3 million would be a part of the \$2.5 million that would be left over. Executive Director Landon replied yes it would be a part of the \$2.5 million that is currently showing

on the chart. Chairman Jostes asked if the \$2.5 million is discretionary money of the Commission. Mr. Landon said it is and the next opportunity to access that will be in FY 2013/14, without a STIP Amendment, which can be achieved but it is difficult.

Commissioner Beason asked if the Commission was considering slicing off \$3 million of the \$6 million in the initial proposal for the SR 49 project. Commissioner Harris felt that would be the conservative thing for the Commission to do to only go partway on that project. Commissioner Beason said you could make that argument on any of the projects before the Commission. Commissioner Harris did not think so because the Dorsey Drive Interchange is an intact project. She said when she looks at Dorsey Drive, she sees two key aspects that everyone could agree on: public access to the hospital would be quicker and it would be clearer in how to get there, and it is also going to be an economic generator for the community. Therefore, she is very supportive of the Dorsey project. Commissioner Beason said you could make that argument for SR 49. Commissioner Harris said she did not know about SR 49; that to her is an unknown. She said as far as the Mousehole is concerned, and she has been driving that for 40 years probably hundreds of times, she has never seen someone actually killed, but she has seen hair-raising things happen and it has to be a very high priority from a safety perspective. Commissioner Harris said she is certainly supporting that project. Commissioner Dee asked Commissioner Harris if she was suggesting to just program the first \$3 million for SR 49 and then look at the other \$3 million in FY 2013/14. Commissioner Guerra said she is not with them on that. She is still looking at the entire \$6 million for SR 49 and just having seen that as the number one priority prior to making incremental changes, but the project is not complete and she does not want to miss opportunities to keep moving it forward.

Commissioner Beason said, in the interest of moving the decision forward to a conclusion, he made a motion to adopt Resolution 11-40 with the following modifications: to allocate the \$136,000 for the preemptive devices on SR 49; to fund the \$20.6 million for the Dorsey Drive Interchange as the Commission has defined it; to fund the SR 89 Mousehole Pedestrian project for \$1.3 million for construction in FY 2014/15, as it appears in the documents, and the Commission add the \$1.3 million as requested by Commissioner Dee; and fund the \$6 million on the SR 49 widening project. Chairman Jostes reviewed that the motion creates the NCTC resolution as is, adds \$136,000 for the preemptive devices, adds \$1.3 million to the Mousehole, and accepts everything else as it appears on the chart. Commissioner Dee seconded the motion.

Chairman Jostes said he did not want to call a vote yet because he wanted to think about the motion as amended. He said the motion was one of four possibilities that the Commission could do.

Commissioner Harris asked if the Commission were to go forward with this motion, which is basically to fund everything that everyone wants, what would be the opportunity to change that in future years. Executive Director Landon said that obviously as a project moves forward you can request amendments. He said the Dorsey Drive Interchange would be the project in construction so it would be the most likely to receive an amendment because all the other projects are programmed out past the next STIP cycle. Mr. Landon said in FY 2013/14 any of this could be changed.

Commissioner Scofield said the Dorsey Drive Interchange and the Mousehole project are both set up such that whatever money is left over will go back into the STIP. He said with the Dorsey Drive Interchange he did not think it would be an issue because he thinks they are going to find the construction costs higher and the odds are most of that money is going to go. He said hopefully with the additional \$3.6 million it is going to be enough money to build the project. He was reluctant to add another \$1.3 million to the Mousehole, because going into the meeting the Town said the initial

\$1.3 million would be adequate and he thinks that is where the Commission should leave it. Commissioner Miller said he is reluctant also because until the Town gets permission from the UPRR to go underneath their tracks, the project is still kind of up in the air. He said if they had permission to go under the railroad tracks right now he would not have a problem with the additional \$1.3 million, but until the Town receives that permission, he thinks the project is still iffy. Commissioner Dee said they cannot get the permission until the project is fully funded. Commissioner Miller asked if the project is fully funded. Commissioner Dee said this would more than fully fund it. Her point was that the City of Grass Valley asked for \$3.6 million extra and the Commission thought the Dorsey Drive project was funded. She said the city is asking for money so they can take out and move back their RDA dollars, which would come back to Grass Valley only if it is not used, but they have taken STIP dollars from the entire region. Commissioner Miller said she was playing politics with this. Commissioner Dee said no, she was playing money, because if the Town balances their mitigation monies with the \$1.3 million additional funds they are asking for, then they can put their \$1.3 million of mitigation funds, if they do not have to use them, back into their local projects as well, which is just exactly what the City of Grass Valley is doing. She said that was all that she was asking for. Commissioner Beason asked if the Commission wanted to bring the Mousehole project back next month for discussion. Commissioner Dee responded that the RTIP submittal had to be sent in the next day.

Commissioner Beason amended his motion and moved to adopt Resolution 11-40 as written, add \$136,000 for the preemptive devices, and leave the \$1.3 million previously moved for the Mousehole project in the STIP as undesignated reserve, pending the outcome of the request for SHOPP funds, with the intention for the Commission to reconsider the appropriation of funds as necessary. Commissioner Dee withdrew her second. Commissioner Guerra seconded the motion.

Commissioner Harris said she was still a little uncomfortable about the magnitude of the programming given that it goes to 2020, but she took some heart in Executive Director Landon saying that the Commission will have a chance in FY 2013/14 to change some of this. Chairman Jostes said considering that the railroad has not come in with its final position on the Mousehole project, the project could change.

Executive Director Landon asked for clarification if the "stated intent" regarding the Mousehole funding was part of the motion. Commissioner Beason said yes it was part of the motion. Chairman Jostes concurred that it would be written into the resolution. Commissioner Scofield asked to have the stated intent repeated. Commissioner Beason replied that the Commission intends to reconsider the \$1.3 million request of additional funds for the Mousehole pending the outcome of Truckee's investigation of the availability of more ADA SHOPP funds. Commissioner Scofield asked "when" the Commission would reconsider. Commissioner Beason replied it would be when the Town found out. He added that NCTC will not get any STIP funds before next year.

Chairman Jostes asked for all those in favor of the stated resolution. The motion passed unanimously.

COMMISSION ANNOUNCEMENTS

There were no Commission announcements.

SCHEDULE FOR NEXT MEETING

The next regularly scheduled meeting of the Nevada County Transportation Commission is on January 25, 2012 at the Nevada County Board of Supervisors Chambers, 950 Maidu Avenue, Nevada City, CA.

ADJOURNMENT OF MEETING

Chairman Jostes adjourned the meeting at 11:47 a.m.

Respectfully submitted: Antoinette Perry
Antoinette Perry, Administrative Assistant

Approved on: January 25, 2012

By: L. A. Jostes
Lawrence A. Jostes, Chairman
Nevada County Transportation Commission