

**MEMORANDUM OF UNDERSTANDING
BETWEEN
ALPINE COUNTY LOCAL TRANSPORTATION COMMISSION,
AMADOR COUNTY LOCAL TRANSPORTATION COMMISSION, AND
CALAVERAS COUNTY LOCAL TRANSPORTATION COMMISSION**

This Memorandum of Understanding (MOU) is entered into on this ___ day of August, 1997, by and between the Alpine County Transportation Commission (herein after referred to as "ALPINE"), the Amador County Transportation Commission (herein after referred to as "AMADOR"), and the Calaveras County Local Transportation Commission (herein after referred to as "CALAVERAS"). These three Transportation Commissions (herein after referred to as COMMISSIONS) were established pursuant to government Code Section 29535 and have been designated as the Regional Transportation Planning Agencies serving their respective counties by the Secretary, California Business, Transportation and Housing Agency.

The COMMISSIONS, having been advised that the California Transportation Commission (CTC), has been encouraging Regional Transportation Planning Agencies to cooperate in the development of priorities related to the programming of State Transportation Improvement Program (STIP) funds for highway projects. In this regard, two separate Memorandums of Understanding (MOUs) were entered into as follows:

1. In February of 1996, AMADOR and CALAVERAS entered into a two party MOU related to the Amador Route 49 (Sutter Creek) Bypass and the Calaveras Route 4 (Angels Camp) Bypass projects. Under the MOU, AMADOR and CALAVERAS agreed to ask the CTC to "pool" their allocations of STIP funds (County Minimums) for programming purposes. CALAVERAS also consented to allow the CTC to "transfer" STIP funds, previously allocated to the Calaveras Route 4, Angels Camp Bypass project, to the Amador Route 49 project in exchange for the future support of AMADOR with the Angels Camp Bypass project.
2. In May of 1996, ALPINE and CALAVERAS entered into a separate two party MOU related to the Calaveras Route 4 (Angles Camp) Bypass project. Under this agreement, ALPINE and CALAVERAS agreed to "pool" their allocations of STIP funds (County Minimums) for the purpose of funding of the Calaveras Route 4 (Angles Camp) Bypass project.

Subsequent to execution of the above referenced MOU's, the scope of the AMADOR project was refined and all three COMMISSIONS agreed to "pool" their allocations of STIP funds for the purpose of funding the Amador 49, the Calaveras 4 and various passing lane projects identified by ALPINE on Amador Route 88 and Calaveras Route 4. This MOU supersedes and replaces both of the above referenced MOU's.

The purpose of this MOU is to set forth the understanding of the COMMISSIONS with respect to relative project priorities for specified state highway projects in Alpine, Amador and Calaveras counties in conjunction with the CTC's State Transportation Improvement Program (STIP) process. In this regard, the COMMISSIONS agree to "pool" future allocations of STIP funds and

jointly request the CTC take the following actions:

1. **Amador 49 Bypass** - Program additional funds (to augment funds programmed in the 1996 STIP) for the Amador Route 49 Bypass project. This proposed two lane highway, which includes truck climbing lanes, will provide a bypass around the cities of Sutter Creek and Amador City. The project extends from just north of Route 104 in Martel to just north of Amador City in Amador County.
2. **Calaveras 4 Bypass (Angels Camp)** - Program funds to complete of the proposed Calaveras Route 4, Angels Camp Bypass. This proposed two lane highway will provide a easterly bypass around the City of Angels Camp. The project extends from Route 4 at it's northerly intersection with Route 49 easterly to existing Calaveras Route 4 east of Angels Camp.
3. **Alpine passing lane projects (Routes 4 and 88)** - Program sufficient funds to complete two (or more) passing lane projects on Calaveras Route 4 and/or Amador Route 88. The project(s) will be identified by ALPINE in cooperation with Caltrans District 10. *(Note - it is the intent of the COMMISSIONS that the cost of the ALPINE project(s) equal approximately \$6 million)*

To facilitate funding for the above projects the COMMISSIONS agree: 1) to the above stated PROJECT definitions, 2) to provide the CTC with the following "priority list" for use in programming STIP funds to the PROJECTS, and 3) to cooperate in seeking additional state and/or federal discretionary funds for the PROJECTS.

The COMMISSIONS recognize the regional significance of the PROJECTS and agree to allow the CTC to "pool" their County Minimum allocations (or "County Entitlement" under SB 45) and to jointly request that the CTC program sufficient funds to complete all of the PROJECTS in the 1998 STIP. COMMISSIONS agree to jointly present, advocate and support STIP programming for the above PROJECTS.

Recognizing that the CTC may not have sufficient funds available to fully program all of the PROJECTS in the 1998 STIP, the COMMISSIONS agree to continue to cooperate and "pool" their County Minimum allocations (or "County Entitlement") from subsequent STIPs, as may be required, until all of the PROJECTS are fully programmed/funded. In this regard, COMMISSIONS agree to jointly advise the CTC of the following "priority list" of PROJECTS for use in programming available STIP funds:

1. Tier One priorities (1998 STIP):
 - a. Supplemental funding to make up the current shortfall on the Amador Route 49 project.
 - b. Partial funding for the Calaveras Route 4 project. Funding may be for right-of-way acquisition and/or other defined elements of the project but, in any case, sufficient to allow Caltrans to resume *and complete* project development work on the project.

- c. Funding for at least one "priority" Alpine project (most likely a passing lane project on Calaveras Route 4).

2. Tier Two priorities (year 2000 and, if required, subsequent STIPs):

- a. Additional funding, as may be required, to fully fund the Calaveras Route 4, Angels Camp Bypass, project.
- b. One (or more) additional passing lane project(s) identified by ALPINE (likely on Route 88 in Amador County) up to the agreed to \$6 million± (approximate) limit.

COMMISSIONS agree to jointly request that Caltrans District 10 proceed with all required project development work with all identified PROJECTS and to actively support and cooperate with Caltrans District 10 with said project development efforts. In the case of ALPINE, COMMISSIONS agree to support ALPINE's request that Caltrans proceed immediately to define the scope, limits and cost of passing lane project(s) on Amador Route 88.

COMMISSIONS agree to cooperate in seeking additional revenues and/or to cooperate in implementing cost saving strategies for PROJECTS in their jurisdiction and to advocate that any realized revenues and or savings be used to make up shortfalls with any of the above projects. Revenues and/or cost savings could come from:

1. Sale of excess rights-of-way.
2. Conveyance and/or dedication of project rights-of-way.
3. Downscoping and/or other changes in the scope of the project so long as the project still satisfies the original "need and purpose."

COMMISSIONS agree to work together and cooperate in seeking additional (non-STIP) funds for these PROJECTS and other priority local projects from other state and federal sources including, but not limited to, federal "demo" funds.

COMMISSIONS agree to cooperate in the development of future projects and to cooperate in setting priorities for future STIPs.

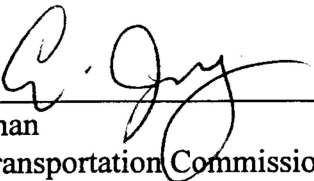
COMMISSIONS agree to not advocate or otherwise promote STIP funding for other projects without the mutual consent of the other COMMISSIONS. COMMISSIONS agree to not to change the scope or limits of their project(s) without the mutual consent of all parties to the MOU. COMMISSIONS agree to meet and confer upon request of any party to discuss any changes in project scope and/or proposed changes in PROJECT priorities. Said consent will not be unreasonably withheld if can be demonstrated that the proposed changes will not impact funding and/or delivery of other priority projects.

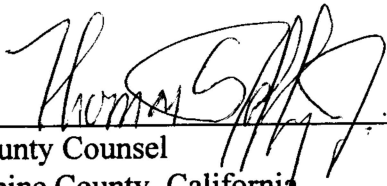
The terms and conditions of this MOU will remain in effect until all identified PROJECTS are complete or abandoned by a unanimous vote of the parties hereto.

ALPINE, AMADOR and CALAVERAS have, by separate resolution or minute action, authorized their duly appointed officers to execute this agreement. It is also understood and agreed that each of the three named COMMISSIONS will, with speed and diligence, seek


resolutions from their respective Boards of Supervisors ratifying this Memorandum of Understanding in order for the MOU to have full effect under Section 188.8 of the California Streets and Highways Code.

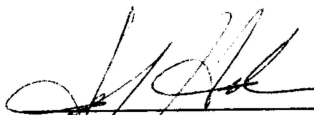
For ALPINE:


Eric Jung, Chairman
Alpine County Transportation Commission
Date 09/02/97
LTC 97-01

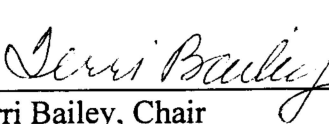

County Counsel
Alpine County, California
Date 9/7/97

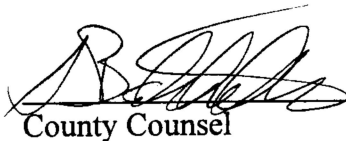
For AMADOR:


L.W. Breiner, Chairman
Amador County Transportation Commission
Date _____



County Counsel
Amador County, California
Date 8/21/97

For CALAVERAS:


Terri Bailey, Chair
Calaveras County Transportation Commission
Date 8-25-97


County Counsel
Calaveras County, California
Date 8/20/97

CALTRANS ACKNOWLEDGMENT: Although not a party to this MOU, Caltrans acknowledges the intent of the parties to pool their county minimum allocations under the provisions of Section 188.8© of the Streets and Highways Code for the purpose of funding improvements to specified State Highways as detailed in this MOU.


Dinah Bortner, District Director
Caltrans District 10
Date 8/22/97