

**SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR
JOINT POWERS AUTHORITY**

A G E N D A

**BOARD MEETING
9:00 A.M., MONDAY, March 8, 2010
FOLSOM CITY HALL, COUNCIL CHAMBERS
50 NATOMA STREET, FOLSOM, CALIFORNIA**

ROLL CALL Chair Jack Sweeney and Directors Don Nottoli (Alternate: Roberta MacGlashan), David Sander (Alternate: Don Nottoli), Linda Budge, and Kerri Howell

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Motion: Regular Board Meeting of August 10, 2009

NEW BUSINESS

2. Information: Presentation of Excursion Rail Operating Plan (progress report by FEDS)
3. Motion: Approval of Independent Audit Reports, covering Fiscal Year 2004/2005, and Fiscal Years 2005 through 2009
4. Information: CEO/Member Agency Staff Reports

CITIZENS ADDRESS BOARD ON MATTERS NOT ON THE AGENDA*

NEXT MEETING

5. Regular Board Meeting – May 10, 2010

*** NOTE TO CITIZEN PARTICIPANTS**

It is the policy of the Board of Directors of the Sacramento-Placerville Transportation Corridor Joint Power Authority to encourage citizen participation in the meetings of the Board of Directors. At each open meeting members of the public shall be provided with an opportunity to directly address the Board on items of interest to the public that are within the subject matter jurisdiction of the Board of Directors. However, in order that the business scheduled for consideration at such meetings may be disposed of in an orderly matter, citizens wishing to address the Board on matters not on the agenda, whose presentations may be lengthy or in the nature of request for action of some kind on the part of the Board, are requested to first discuss such matters with the Chair or his/her designee. If after such consultation an appearance before the Board is desired, the subject matter may be calendared as an agenda item for a date and time convenient to the parties concerned.

Sacramento-Placerville Transportation Corridor Joint Powers Authority

Minutes of the Regular Meeting of the Board of Directors on

August 10, 2009

9:00 a.m.

City of Folsom

Folsom City Hall, Council Chambers

50 Natoma St., Folsom, California

The meeting was called to order at approximately 9:14 a.m. CEO John Segerdell called the roll. The following Board Members were present: Chair Jack Sweeney, Director Kerri Howell, Director Don Nottoli and Director David Sander.

APPROVAL OF MINUTES

1. Motion: Approval of the Regular Board Meeting Minutes of May 11, 2009:

Upon motion and second, the Board voted unanimously to approve the regular Board meeting minutes of May 11, 2009.

CONSENT

None.

NEW BUSINESS

2. Information: CEO/Member Agency Staff Reports:

CEO John Segerdell introduced two new JPA staff members to the Board, Russ Nygaard for the County of El Dorado and Mark Rackovan for the City of Folsom.

Dan Bolster of the El Dorado County Transportation Commission gave the Board an update report on the El Dorado County bike trail project, which has been completed up to the Weber Creek Bridge. Bob Smart spoke in favor of the project as well.

Mark Rackovan of the City of Folsom reported to the Board on the July 14, 2009, excursion rail update given to the Folsom City Council. The Council's reaction to the concept of an excursion rail station at Iron Point Road was generally positive. However, Council members also expressed their opinion that the majority of the Wye property should be preserved for purposes other than rail purposes. In addition, some Council members expressed concern over the impact of the excursion rail project on potential future crossings of the right-of-way, should the City expand its sphere of influence. Director Howell expressed her opinion that the cost of protecting crossings necessitated by future projects should be borne by the subject projects. Chair Sweeney requested that JPA staff talk to representatives of the California Public Utilities Commission about imposing crossing requirements that will preserve the character of this historic railroad line.

3. Information: Presentation of Excursion Rail Operating Plan (progress report by FEDS):

Larry Daniels gave the Board an update on progress made by the Folsom, El Dorado & Sacramento Historical Railroad Association (FEDS) in connection with the proposed excursion rail project. Progress included initial meetings with staff of the affected member agencies to determine permitting requirements, as well as the initial meetings with representatives of the California Public Utilities Commission with respect to the proposed crossing at White Rock Road. In addition, Mr. Daniels

briefed the Board on the FEDS' request for early rights of entry to perform certain improvement and repair projects in discrete areas of the right-of-way to further the excursion rail project.

4. Motion: Extend Termination Date of Article 16 of the Letter of Intent between the JPA and FEDS, dated October 6, 2008, one year (i.e., to September 1, 2010):

CEO John Segerdell reported to the Board is that, in the opinion of JPA Staff, sufficient progress has been made on the excursion rail project to warrant extension of the Letter of Intent. Upon motion and second, the Board voted unanimously to extend the termination date of the Letter of Intent, dated October 6, 2008, between the JPA and the FEDS from September 1, 2009, to September 1, 2010.

5. Motion: Authorize Staff to negotiate early rights of entry with FEDS for certain excursion rail projects, subject to approval by affected JPA member agencies:

Upon motion and second, the Board voted unanimously (i) to authorize JPA Staff to coordinate with the staff and attorneys of the affected member agencies to negotiate the early rights of entry requested by the FEDS and, (ii) following approval by each affected member agency, to authorize the CEO to execute and deliver the approved early rights of entry on behalf of the JPA.

6. Motion: Approve Conceptual Site Plan on SPTC-JPA Property for El Dorado County Historical Railroad Park:

Chair Jack Sweeney introduced this item by giving an overview of the County Historical Railroad Park proposed by the El Dorado County Historical Museum. Following Chair Sweeney's introduction, museum representative, Keith Berry, gave a brief presentation on the conceptual plan proposed by the museum. Bob Smart also spoke in support of this project. Upon motion and second, the Board voted unanimously to support the proposed El Dorado County Historical Railroad Park conceptual site plan, including the usage of track and signal material reclaimed from El Dorado County projects in the JPA right of way.

PUBLIC COMMENT

Bill Anderson of the FEDS reported that the FEDS have had tentative discussions with City of Folsom staff concerning possible use of the Wye for a local railroad museum.

NEXT MEETING

The next meeting will be the Regular Board Meeting of November 2, 2009.

The meeting adjourned at 10:11 a.m.

STAFF REPORT

Board Meeting Date: March 8, 2010

Page 1 of 2

**INFORMATION: Presentation of
Excursion Rail Operating Plan
(progress report by FEDS)**

**AGENDA ITEM
NO. 2**

DISCUSSION:

At the January 7, 2008, JPA Board Meeting, the Board authorized JPA Staff to issue a Request for Proposal (RFP) for excursion rail operations (ERS). The RFP was issued on January 28, 2008, and JPA Staff received two proposals on March 26, 2008. Proposals were submitted by the Folsom, El Dorado & Sacramento Historical Railroad Association (FEDS) and the Pan-American Railway (Pan-Am) from Hayden, Idaho.

On May 12, 2008, the JPA Board approved a motion to authorize JPA Staff to commence discussions with the FEDS, the City of Folsom and the Counties of Sacramento and El Dorado to determine the feasibility of one or both of the operations proposed under the FEDS' Basic Plan, and to ultimately negotiate a lease with the FEDS for a portion of the rail line, subject to approval by the affected member agencies and the JPA Board of Directors.

It was subsequently determined that in order for the FEDS to commence negotiations with potential lenders and further refine their operating plans, the parties needed to outline the basic parameters of the proposed lease in a nonbinding Letter of Intent (LOI). Such a document would give credibility to the FEDS' excursion rail proposal for their talks with various institutions, including financial, governmental and regulatory agencies. On October 6, 2008, the JPA Board authorized the CEO to execute a nonbinding LOI with the FEDS. At the August 10, 2009 Board Meeting, the Board approved a motion extending the termination date of the LOI from September 1, 2009, to September 1, 2010.

JPA Staff has continued to meet with the FEDS to review their draft Operating Plan. At the May 11 and August 10, 2009 Board Meetings, Bill Anderson and Larry Daniels of the FEDS, made progress reports to the Board regarding their accomplishments and the proposed ERS Operating Plan.

At the August 10, 2009 JPA Board Meeting, at the request of the FEDS, the Board of Directors authorized Staff to negotiate with the FEDS early rights of entry at the following locations.

- Latrobe Yards & Shop
- Washout at Milepost 123.6
- White Rock Road Crossing
- Iron Point Station and Parking Facility

The early rights of entry will be coordinated with the staff and attorneys of the affected member agencies, and would allow the FEDS to commence certain projects related to the proposed excursion rail operation.

At this meeting the FEDS will be making a progress report to the JPA Board.

BOARD ACTION:

None – this item is information only.

STAFF REPORT

Board Meeting Date: March 08, 2010

Page 1 of 1

ACTION: Approval of Independent Audit Reports, covering Fiscal Year 2004/2005, and Fiscal Years 2005 through 2009

**AGENDA ITEM
NO. 3**

DISCUSSION:

At the May 11, 2009 JPA Board meeting, the Board approved budget for the independent Audit Reports. It was reported to the Board that this audit would provide an accounting of the JPA's financial activities, would be preformed by a certified public accountant, and would cover multiple fiscal years. Sides Accountancy Corporation has performed the audits of the JPA's records for FY2004/2005 covering the period from July 1, 2004 to June 30, 2005, and FY2005/2009, covering the period from July 1, 2005 to June 30, 2009. The audit reports were completed and delivered February 22, 2010. A copy of the two reports are attached.

Staff has reviewed and responded to the Auditor's findings. The audit reports have concluded that there are no findings of non-compliance and that the JPA's operations are in conformity with generally accepted accounting principles.

BOARD ACTION:

Staff recommends the Board approve the audit reports for FY 2004/05 and FY 2006/2009.

STAFF REPORT

Board Meeting Date: March 8, 2010

Page 1 of 1

**INFORMATION: CEO/Member Agency
Staff Reports**

**AGENDA ITEM
NO. 4**

DISCUSSION:

The CEO and JPA Staff members will report to the Board on recent activities, including the following:

- 1) CEO: JPA website – www.sptc-jpa.org
JPA FPPC Form 700 submissions
- 2) El Dorado County: Bike Trail project awards
- 3) City of Folsom

BOARD ACTION:

None – this item is information only.