

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

A G E N D A

**BOARD MEETING
9:00 A.M., MONDAY, May 11, 2009
FOLSOM PUBLIC LIBRARY, CONFERENCE ROOM
411 STAFFORD STREET, FOLSOM, CALIFORNIA**

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

APPROVAL OF MINUTES

1. Motion: Special Board Meeting of October 6, 2008

CONSENT

2. Motion: Adoption of FY 2009-2010 Board Meeting Calendar

NEW BUSINESS

3. Information: Presentation of Excursion Rail Operating Plan (progress
 report by FEDS)
4. Resolution: Approving the FY 2009-2010 Operating Budget
5. Resolution: Authorizing Execution of Amendments to Contracts for
 Professional Services
6. Information: CEO/Member Agency Staff Reports

CITIZENS ADDRESS BOARD ON MATTERS NOT ON THE AGENDA*

NEXT MEETING

Regular Board Meeting – August 10, 2009

*** 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

October 6, 2008

9:30 a.m.

City of Folsom

**Folsom Public Library, Conference Room
411 Stafford St., Folsom, California**

Due to the unavailability of the scheduled meeting room, the meeting was moved to the Folsom City Council Chambers at 50 Natoma Street. The meeting was called to order at approximately 9:45 a.m. CEO John Segerdell called the roll. The following Board Members were present: Don Nottoli, David Sander and Chair Jack Sweeney. Board Member Kerri Howell arrived as the meeting was in progress.

CLOSED SESSION

The Board elected not to convene in closed session.

APPROVAL OF MINUTES

1. Motion: Approval of the Regular Board Meeting Minutes of May 12, 2008:

Upon motion and second, the Board voted unanimously to approve the regular Board meeting minutes of May 12, 2008.

NEW BUSINESS

2. Resolution: Authorizing Execution of Nonbinding Letter of Intent for Excursion Rail Operations:

CEO John Segerdell presented an overview of the nonbinding Letter of Intent between the JPA and the Folsom, El Dorado & Sacramento Historical Railroad Association (FEDS), along with Staff's recommendation that the Board authorize and direct the CEO to execute the Letter of Intent. The Board received comments from members of the public supporting Staff's recommendation; no speakers opposed the recommendation. Upon motion and second, the Board voted unanimously to authorize the CEO to execute the Letter of Intent. The Board also directed JPA Staff to present the proposed lease, if and when it has been negotiated, to the Board prior to sending the lease to JPA member agencies for approval.

PUBLIC COMMENT

No other public comments were received at the meeting.

NEXT MEETING

The Board elected to cancel the next regularly scheduled meeting on November 3, 2008. The next regularly scheduled meeting of the Board will be February 9, 2009.

The meeting adjourned at approximately 11:00 a.m.

STAFF REPORT

Board Meeting Date: May 11, 2009

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**MOTION: Adoption of Fiscal Year
2009-2010 Board Meeting Calendar**

**AGENDA ITEM
NO. 2**

DISCUSSION:

In accordance with Section 1.1 "Regular Meetings" of the Rules of Procedure of the JPA, Regular Meetings are to be scheduled no less frequently than once each calendar quarter. The JPA Staff proposes the following meeting dates, times and location for the Board's Regular Meetings during the Fiscal Year 2009-2010:

DATES	TIME	LOCATION
August 10, 2009	9:00 a.m.	Folsom Library, Conference Room
November 2, 2009	9:00 a.m.	Folsom Library, Conference Room
February 8, 2010	9:00 a.m.	Folsom Library, Conference Room
May 10, 2010	9:00 a.m.	Folsom Library, Conference Room

BOARD ACTION:

JPA Staff recommends the Board approve a Motion to adopt the Fiscal Year 2009-2010 Board Meeting Calendar for the dates, time and location indicated above.

STAFF REPORT

Board Meeting Date: May 11, 2009

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

**AGENDA ITEM
NO. 3**

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. One proposal was submitted by the Folsom, El Dorado & Sacramento Historical Railroad Association (FEDS) and one by 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.

JPA Staff held several meetings with the FEDS to initiate the planning and lease negotiations for the aforementioned operations. 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.

JPA Staff has continued to meet with the FEDS to review their draft Operating Plan. At this Board Meeting, Bill Anderson and Larry Daniels of the FEDS will make a progress report to the Board regarding their accomplishments to date and the proposed ERS Operating Plan.

BOARD ACTION:

None – this item is information only.

STAFF REPORT

Board Meeting Date: May 11, 2009

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**RESOLUTION: Approving The FY
2009-2010 Operating Budget**

**AGENDA ITEM
NO. 4**

DISCUSSION:

At the May 12, 2008 JPA Board meeting, the Board adopted an Operating Budget of \$144,000 for the Fiscal Year 2008-2009. The Budget was funded with \$25,000 contributions from each Member Agency, an estimated surplus of \$35,000 from the 2007-08 fiscal year, and \$9,000 in reserve funds.

A total of \$78,000 has been expended to date. As indicated in the following chart, Staff forecasts that approximately \$102,000 will be expended by the end of the fiscal year (June 30, 2009), leaving a balance of approximately \$42,000 surplus budget.

EXPENDITURES

LINE ITEM	FY 2008-2009 BUDGET	FY2008-2009 EXPENDITURES (Forecast as of 6/30/09)	FY2008-2009 SURPLUS (Forecasted)
1. Chief Executive Officer	\$50,000	\$30,000	\$20,0000
2. JPA General Counsel	30,000	25,000	5,000
3. Annual Audit	6,500	0	6,500
4. Treasury Services	6,000	6,000	0
5. Administration & Accounting	5,000	1000	4,000
6. Engineering Services	15,000	14,000	1,000
7. Property Assessment	1,500	1,500	0
8. Maintenance Allowance	25,000	23,000	2,000
9. Planning Services	5,000	1,500	3,500
TOTAL	\$144,000	\$102,000	\$42,000

PROPOSED BUDGET

JPA staff recommends no increases in the FY 2009-2010 Operating Budget, which would remain at **\$144,000** with the budget line item amounts indicated in the chart below. This budget would retain the budgets for the CEO position; Legal Counsel, Engineering, Planning, and funding for the JPA to do weed abatement and debris clearance for the portions of the corridor outside of the Sacramento Regional Transit District's operating area. This proposed Operating Budget reflects the level of effort assumed to be required to continue with implementation of the Excursion Rail Services, while taking into account our Member Agencies' current budget reality.

PROPOSED BUDGET

LINE ITEM	FINAL FY 2008-2009 BUDGET	PROPOSED FY 2009-2010 BUDGET
1. Chief Executive Officer	\$50,000	\$50,000
2. JPA General Counsel	30,000	30,000
3. Annual Audit	6,500	6,500
4. Treasury Services	6,000	6,000
5. Administration & Accounting	5,000	5,000
6. Engineering Services	15,000	15,000
7. Property Assessment	1,500	1,500
8. Maintenance Allowance	25,000	25,000
9. Planning Services	5,000	5,000
TOTAL	\$144,000	\$144,000

Staff proposes all of the estimated FY 2009-2010 Budget surplus (\$42,000) and \$2,000 of the reserve be applied to the FY 2008-2009 Operating Budget, with the remaining \$100,000 to be funded by the Member Agencies. The Member Agencies' contribution levels would remain unchanged at **\$25,000** each. There are, however, some risks in keeping the proposed Operating Budget as low as possible:

- Savings (surplus) in this year's Budget is primarily due to the slow progress in the development of the Excursion Rail Operation. However in the event the operation is fully implemented this year, it will require increased staff time by the CEO, Legal Counsel and Engineering Consultant for the current Fiscal Year (FY). Staff is proposing the same amount for these Budget Line Items for the upcoming FY, but there are still unknowns regarding the level of effort that will be needed to implement the ERS.

Other than the annual contribution by the four Member Agencies, the JPA does not have a regular source of revenue, with the minor exception of fee payments for permits and licenses for use of the corridor by 3rd parties. In the past, this has amounted to a couple of thousand dollars per year.

The Reserve Account consists of the final carryover balance from previous fiscal years plus any revenue earned, such as interest and fees collected. The Reserve Account allows the JPA to maintain sufficient funds in its account for cash flow purposes and to cover additional expenses that may occur rather than seeking additional mid-year funding contributions from its member agencies. The estimated Reserve Account balance at the end of the current fiscal year is approximately \$55,000. The Reserve Account balance at the beginning of the upcoming fiscal year, assuming that \$2,000 is provided for the Operating Budget is estimated at approximately \$53,000.

The following describes activities included in each of the Budget line items:

Item 1 – Chief Executive Officer. The position includes responsibility for administering the Reciprocal Use and Funding Agreement (RUFA) on behalf of the JPA Board and Staff, reviewing and executing JPA official documents, assisting with the conduct of JPA Board meetings, management of JPA General Counsel and Engineering and Planning Consultants, and coordination with JPA Member Agency staff. The budget includes the estimated amounts necessary to support the level of effort required by the CEO to address the development of Excursion Rail Services on the corridor.

Item 2 – JPA General Counsel. General Counsel will continue to provide legal advice to the JPA Board and Staff, address legal issues with respect to the corridor as they arise, and work on special-use projects within the corridor. The budget includes the estimated amounts necessary to support the level of effort required by the General Counsel to address the development of Excursion Rail Services on the corridor.

Item 3 – Annual Audit. The Joint Powers Agreement requires that an accounting of the JPA's financial activities be reported by an independent certified public accountant. This budget will cover the audit for FYs 2006-2007 – 2008-2009.

Item 4 – Treasury Services. The County of Sacramento has provided treasury services for the JPA since inception. The average billing for these services has been approximately \$6,000 annually.

Item 5 – Administration & Accounting. This account is to provide for organizational services such as notary, courier, postage, and other routine expenses incurred by staff. The budget also provides the CEO with the option of contracting separately for administrative and/or accounting services previously provided by the Planning and Engineering consultants, or to perform them under the CEO contract.

Item 6 – Engineering Services. The Engineering Consultant provides engineering review and coordination of agency submittals, permitting review, coordination with legal and processing for CEO and/or Board approval and maintenance coordination between agencies. The budget assumes that accounting services previously covered under this line item are shifted to Item 5.

Item 7 – Property Assessments. Proposition 218 mandated that public agencies pay their share of property assessments where a benefit is established.

Item 8 – Maintenance Allowance. This account will allow for weed abatement and other right-of-way maintenance services to be provided through the JPA for the City of Folsom, Sacramento County, and El Dorado County.

Item 9 – Planning Services. The Planning Consultant attends meeting and hearings as needed on transportation issues, and updates the JPA website.

BOARD ACTION:

Staff recommends approving the attached Resolution approving the 2009-2010 fiscal year operating budget, as proposed above.

RESOLUTION NO. 2009-05-01

Adopted by the Board of Directors of the Sacramento-Placerville Transportation
Corridor Joint Powers Authority on the date of:

May 11, 2009

APPROVING THE OPERATING BUDGET FOR FY 2009-2010

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO-
PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY AS
FOLLOWS:

THAT, the Operating Budget for FY 2009-2010 is hereby approved as presented
to the Board at this meeting; and

THAT, that the Chief Executive Officer is hereby authorized to reallocate
budgeted amounts among the line-items in the approved Operating Budget, as he may
deem necessary or desirable; provided, however, that the total amount budgeted for FY
2009-2010 shall not be increased without the Board's prior approval.

Chair

ATTEST:

Paul J. Chrisman, Secretary

STAFF REPORT

Board Meeting Date: May 11, 2009

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**RESOLUTION: Authorizing
Execution of Amendments to
Contracts for Professional Services**

**AGENDA ITEM
NO. 5**

DISCUSSION:

The proposed Operating Budget discussed in Agenda Item No. 4 contemplates amendments to two contracts with budgets in excess of \$25,000, which require the Board's approval.

1. The amendment to the JPA's contract with PGH Wong Engineering, Inc. which provides for a Chief Executive Officer budget in the amount of \$50,000 as presented in Agenda Item No. 4.
2. The amendment to the JPA's contract with Miller, Owen & Trost (General Counsel) provides for a legal services budget in the amount of \$30,000 as presented in Agenda Item No. 4.

BOARD ACTION:

Staff recommends adopting a resolution to authorize the foregoing contract amendments for the JPA's 2009-2010 fiscal year

RESOLUTION NO. 2009-05-02

Adopted by the Board of Directors of the Sacramento-Placerville Transportation
Corridor Joint Powers Authority on the date of:

May 11, 2009

**AUTHORIZING EXECUTION OF AMENDMENTS
TO CONTRACTS WITH
PGH WONG ENGINEERING INC.
AND MILLER, OWEN & TROST;**

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO-
PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY AS
FOLLOWS:

THAT, the Chair and Chief Executive Officer, or their designees, are authorized and directed on behalf of the Authority to execute and deliver (i) an Amendment to Contract for Consulting and Professional Services with PGH Wong Engineering Inc.; and (ii) an Amendment to Contract for Consulting and Professional Services with Miller, Owen, & Trost, both of which shall be substantially in the forms presented at this meeting.

Jack Sweeney, Chair

ATTEST:

Paul J. Chrisman, Secretary

STAFF REPORT

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

**AGENDA ITEM
NO. 6**

DISCUSSION:

CEO John Segerdell and JPA Staff members will report to the Board on recent activities, if any.

BOARD ACTION:

None – this item is information only.