

**MINUTES OF A REGULAR MEETING OF THE CALAVERAS COUNCIL OF GOVERNMENTS
COUNTY OF CALAVERAS, STATE OF CALIFORNIA
HELD ON December 6, 2006**

Council Members present: Merita Callaway – Chair, Curly Middleton – *Vice Chair*, Victoria Erickson, Lee Seaton, Michelle Plotnik, Bob Leitzell and Dorian Faught

Absent: Trudy Lackey (Dorian Faught as alternate)

Staff: Tim McSorley – Executive Director; Mary Kelly – Senior Administrative Analyst

CONSENT AGENDA

Items 1 and 4 were pulled for discussion. Motion was then made approving the remainder of the Consent Agenda as submitted:

Moved: Seaton

Second: Plotnik

Approved: 7-0

2. Notice of Public Member Solicitation
3. Minute Order Adopting Population Projections for use in RTP and Air Quality Conformity Analysis - **Action**
5. Acknowledgement of Victoria Erickson – **Action**
6. Acknowledgement of Curly Middleton – **Action**
7. Acknowledgement of Trudy Lackey - **Action**
1. **Minutes** of October 11, 2006 Regular Meeting – **Action**
Moved: Seaton Second: Middleton Approved: 6-0-1 Abstain: Leitzell
4. Council Member Leitzell asked if the steering committee will meet more than once. Mr. McSorley assured him the committee will be meeting again.
Moved: Faught Second: Middleton Approved: 7-0

REGULAR AGENDA

8. **PUBLIC COMMENTS**

Gary Caldwell from Valley Springs suggested that the CCOG maintain a list of alternates for the public member position. This suggestion will be reviewed further at the February meeting after applications are received for the open public member positions.

THE FOLLOWING ACTION WAS TAKEN AT A CLOSED SESSION HELD ON 10/11/06:

Government Code section 54957, personnel matter: Public Employee appointment (Executive Director). The Council appointed Timothy J. McSorley as Executive Director of the CCOG beginning October 30, 2006.

9. **FOOTHILL COMMUTER SERVICES UPDATE – Renee Chapman**

Renee Chapman, consultant for Foothill Commuter Services gave a brief presentation of the Tri-County project.

Council Member Seaton asked if the service can be applied to special events. Renee said there is a bulleted item on the website for one-time trip planning. She will look into adding a “bulletin board” on the website.

10. **CALTRANS REPORT**

Kathleen McClafin, Acting Chief, Caltrans Regional Planning and Administration had no items to present. She reported that Maria Rodriguez will be her replacement at future meetings.

11. **STATE HIGHWAY PROJECT REPORTS**

- a. SR4 Angels Camp Bypass: **Action** – Scott Maas, Project Manager introduced Kome Ajise, Caltrans District 10 Director. Mr. Ajise spoke on the cost increase for the Byway. He explained that right-of-way and constructions costs have escalated beyond the previous estimates given by Caltrans. Caltrans has updated the cost estimates, but even with these updated estimates, the market is very different from what

was anticipated. There has been a cost increase in property values, along with a large cost increase in the utility relocation.

Council Member Faught said that he is appalled at the cost increases. He asked at what point qualified staff anticipates what the market is doing. Mr. Ajise explained that estimates are made and there may be months or years in-between the estimate and the actual start of the project. Caltrans has a sense of what the market is doing at a certain point, but they are not allowed to look too far into the future and put a mark-up on the cost because they would be going outside their bounds of expertise.

Faught said Caltrans is the one pacing this project and should be able to anticipate when the property will be purchased.

Michael Rodriques, Caltrans Chief of Right-of-Way explained that the actual property dollar amounts were set in 2005/06. There were several properties not finished appraising. The market value on these properties have increased significantly from the original appraisals.

Council Member Plotnik asked why the budget was not revised when new cost updates were made. Mr. Ajise said they can anticipate overage, but an amendment or revision cannot be made until the new STIP cycle.

Plotnik stated that every project in the Tri-County partnership has ended up over budget at this point of the project. She said the cost estimating ability of Caltrans needs improvement. It is understood that things have been volatile the last few years with huge cost increases in construction, labor and materials. But, at some point, isn't Caltrans doing enough projects to see the overages coming? She stated that it was particularly frustrating and difficult because we are a three-way partnership.

Executive Director McSorley explained that this request will also be presented to Amador County Transportation Commission and Alpine County for their additional funding approval.

Mr. Ajise said Caltrans' process only allows making decisions about money when they know the least about the project. When the project is developed, more funding information is available.

Plotnik said that this project has two years of construction and there will be additional change orders and more cost overages.

Council Member Seaton asked if there was a point when the Caltrans process rethinks the design? Mr. Ajise explained that the development of the project is reviewed at an early stage by Caltrans personnel.

Mr. Caldwell reminded the Council that RIP funds is CCOG money. Over \$9M is out of the CCOG's pocket. The CCOG should be livid with Caltrans' estimating. Construction will increase the cost of this project. Something should be done about the cost overruns.

The Council authorized a cost increase of \$12.84M on the Angels Camp Bypass Project. The Council also authorized the submittal of this project for a funding allocation to the California Transportation Commission in order that construction may proceed in the 2007 construction year.

Motion: Erickson Second: Plotnik Approved: 6-1 Noes: Faught

- b. SR4 Wagon Trail Project: **Action** – A motion was made authorizing the Chair to sign an amendment to the Cooperative Agreement with Caltrans previously entered into on December 15, 2004 which specified responsibilities and allowed the CCOG to be the lead agency for the first phase of work on the Wagon Trail project. The amendment specifies which funds will be used.

Motion: Erickson Second: Faught Approved: 7-0

- c. SHOPP Projects – Maas reported that although Caltrans decided not to use the earmark funds for the Pool Station Road curve correction, they have agreed to a full intersection improvement at the site which will work adequately until Wagon Trail is built.
- d. Air Quality Conformity – Maas summarized the report provided in the packet.
- e. Tri-County STIP – Maas summarized the project report provided in the packet.

12. MOU BETWEEN THE CCOG AND COUNTY RE: RIM FEE PROGRAM FUNDING STUDY – Action
 Mr. Caldwell stated that when the RIM fee came to the Board of Supervisors they were told the various sources where the shortfall in the RIM fee could be made up. He said he did not think \$60K needs to be spent to get the same answers again. Chair Callaway said that the County has to prove the Nexus amount because of potential litigation.

CCOG Council reviewed the MOU provided in the packet. After discussion, a motion was made authorizing the CCOG to enter into a Memorandum of Understanding with the County to proceed with the RIM Fee Program Funding Option Study. The CCOG will provide the funding to develop the programs. The MOU, with modifications made by CCOG, will be reviewed by County Counsel before being sent to the Board of Supervisors for approval.

Moved: Plotnik Second: Erickson Approved: 7-0

13. 2007 CCOG MEETING SCHEDULE
 There were no comments on the schedule.

14. FY06/07 BUDGET REVIEW
 There were no comments on the budget review item.

15. MINUTE ORDER APPROVING FY06/07 ADMINISTRATIVE BUDGET
 A motion was made approving the FY 2006/07 administrative budget.

Moved: Erickson Second: Plotnik Approved: 7-0

16. RESOLUTION APPROVING AMENDMENT #2 TO FY06/07 OVERALL WORK PROGRAM – Action
 The Council approved the adoption of a second amendment to the FY2006/07 Overall Work Program.

Moved: Erickson Second: Seaton Approved: 7-0

17. EXECUTIVE DIRECTOR’S REPORT
 The director explained that an opportunity to apply for a grant for the Ebbetts Pass National Scenic Byway was brought to his attention earlier that day. Approval by the CCOG is required before the February CCOG meeting.

The Council voted unanimously that this required urgent action.

Moved: Leitzell Second: Seaton Approved: 7-0

The Council authorized staff to apply for a National Scenic Byway Grant (the requested amount to be decided at a later date.) The Ebbetts Pass National Scenic Byway Association will administer the grant. This grant will fund the implementation of the Ebbetts Pass Corridor Management Plan. The match amount will be funded by the CCOG with RSTP funds and will not exceed 20% of the grant amount.

Moved: Erickson Second: Middleton Approved: 7-0

Mr. McSorley reported that Tyler Summersett has been hired as Transportation Planner and will begin work on December 11th. He then summarized his report included in the packet.

18. COUNTY TRANSPORTATION ISSUES

Nathan Atherstone, Public Works Department/Transit Manager reported that the agreement to acquire the property for the transit transfer station is moving forward. He has received funding from a federal earmark for placing a transit facility in Angels Camp at the end of the completed bypass. This is for the environmental phase only.

The bid packet for new buses is prepared and waiting for Caltrans' review. He anticipates approval by the end of January.

19. CITY TRANSPORTATION ISSUES

Lee Seaton reported there is a Local Government Commission conference in L.A. in February. He suggested going to their website and seeing what the conference has to offer. He is suggesting Angels City Council bring a City team, including staff and Council Members. He encouraged CCOG members or staff to attend.

20. ADJOURNMENT

The meeting was adjourned at 8.30 pm.

Merita Callaway, Chair
Calaveras Council of Governments

ATTEST:

Mary Kelly, Recording Secretary
Calaveras Council of Governments