

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

A G E N D A

**REGULAR BOARD MEETING
9:30 A.M., MONDAY, MAY 9, 2016
FOLSOM CITY HALL, COUNCIL CHAMBERS
50 NATOMA STREET, FOLSOM, CALIFORNIA**

ROLL CALL ----- Chair Kerri Howell, Directors Don Nottoli (Alternate: Roberta MacGlashan), Linda Budge (Alternate: Don Nottoli), Shiva Frentzen (Alternate: Ron Mikulaco), and David Sander (Alternate: Linda Budge)

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Motion: Approve Minutes for Regular Meeting of November 2, 2015

CONSENT

2. Motion: Appoint Secretary to the SPTC-JPA Board of Directors
3. Motion: Adoption of FY 2016/2017 Board Meeting Calendar

NEW BUSINESS

4. Resolution: Approval of the following Agreements:
- Sacramento County Quitclaim Deed (Certificate of Acceptance)
 - Amendment to Easement Agreement for Sacramento County
 - Amendment to Easement Agreement for City of Folsom
 - Amendment to Reciprocal Use and Funding Agreement
5. Resolution: Approval of FY 2016/2017 Operating Budget
6. Resolution: Approval of Contract Amendment for CEO Services
7. Information: Update of CIP Project for Natural Trail Development
8. Information: El Dorado County SPTC Segmentation Plan
9. Information: P&SVRR Excursion Rail Services Update

10. Information: CEO/Member Agency Staff Reports:

- CEO
- El Dorado County
- City of Folsom
- Sacramento County
- Regional Transit

IDEAS AND QUESTIONS FROM DIRECTORS

CITIZENS ADDRESS BOARD OF MATTERS NOT ON THE AGENDA*

11. Information: Citizens Address Board on Matters Not on the Agenda

NEXT MEETING

12. Regular Board Meeting – August 1, 2016

*** 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.

The meeting is accessible to the disabled. In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in this meeting, please contact the SPTC-JPA's CEO, John Segerdell, by telephone at (916) 924-8800 or email jsegerdell@pghwong.com. Requests must be made as early as possible and at least two full business days before the start of the meeting.

STAFF REPORT

Board Meeting Date: May 09, 2016

Page 1 of 1

MOTION: Approve Minutes for Regular Meeting of November 2, 2015

**AGENDA ITEM
NO. 1**

BOARD ACTION

MOTION: Approve the attached Minutes for the Regular Meeting of the JPA Board of Directors dated November 2, 2015.

Sacramento–Placerville Transportation Corridor Joint Powers Authority

Minutes of the Regular Meeting of the Board of Directors on

November 02, 2015

**City of Folsom
Folsom City Hall, Council Chambers
50 Natoma St., Folsom, California**

The meeting was called to order at 9:39 a.m. CEO John Segerdell recorded the roll. The following were determined to be present: Chair Kerri Howell and Directors Linda Budge, Shiva Frentzen, Don Nottoli and David Sander.

1. Motion: Approve Minutes for Regular Meeting of August 03, 2015

Upon motion by Director Frentzen and second by Director Budge, the Board voted unanimously to approve the Minutes of August 03, 2015, as presented.

CONSENT

2. Motion: Approve Independent Audit Report for Fiscal Year 2014/2015

Upon motion by Director Nottoli and second by Director Budge, the Board voted unanimously to approve the Audit Report for Fiscal Year 2014/2015, as presented.

NEW BUSINESS

3. Motion: Approve Conflict Waiver Request for SPTC-JPA Counsel

SPTC-JPA Counsel Paul Chrisman presented the item to disclose that his firm, Miller & Owen, serves as general counsel to the Capital SouthEast Connector JPA as well and the SPTC-JPA. Although both JPAs share interests where the Connector crosses the railroad corridor, Counsel does not believe that a conflict currently exists between the SPTC-JPA and the Connector JPA. The Conflict Waiver Request submitted on August 26, 2015 also applies to Renne Sloan Holtzman Sakai LLC, the firm with which Miller & Owen emerged effective October 1, 2015.

Upon motion and second, the Board voted unanimously to ratify the Conflict Waiver Request for SPTC-JPA Counsel as presented.

4. Resolution: Approve SPTC-JPA Natural Trail Project and Adopt Initial Study/Mitigated Negative Declaration (IS/MND) for Natural Trail Project

CEO Segerdell presented the item for the SPTC-JPA's Natural Trail Project, providing background and explaining the completion of the Initial Study/Mitigated Negative Declaration (IS/MND). The Folsom/Sacramento County IS/MND was released for public review on September 11, 2015 and the 30-day review period ended on October 12, 2015. Comments were received from eight members of the public and/or affected agencies. Responses were developed and were reviewed by the JPA staff and Foothill Associates and responses were sent to each commenter. No modifications were made to the analyses or determination identified in the IS/MND in response to public comments received during the comment period.

Segerdell explained that the next steps will be to formulate a plan to construct the project, an extensive meeting will be held in mid-November to brainstorm means to fund and build the project, with an ultimate goal of producing a Construction Implementation Plan.

The following members of the public spoke on this item:

- Jackie Neau
- Jeff Browne
- Don Rose

Counsel Chrisman presented a revised Resolution. Upon motion by Director Budge and second by Director Sanders the Board voted unanimously to approve the Resolution, adopting the IS/MND for the Natural Trail Project, as presented in the September 11, 2015 public draft IS/MND, approving the SPTC-JPA's Natural Trail project, and directing Staff to file a Notice of Determination with Sacramento County.

5. Motion: Receive information from El Dorado County and provide input on whether the SPTC-JPA would be willing to consider a project involving potentially removing 1.42 miles of rail at the terminus of the SPTC-JPA corridor in El Dorado County.

SPTC-JPA Staff Member Vickie Sanders, El Dorado County (EDC), presented to the Board that the EDC Board of Supervisors (BOS) gave direction to their staff to conduct an analysis of two alternatives for a proposed trail project in the JPA corridor, and return to the BOS with options and input from the SPTC-JPA Board.

Matt Smeltzer (EDC) explained that the project would extend a Class 1 bike path adjacent to existing JPA tracks for the project length - Missouri Flat Road to El Dorado Road (2.49 miles). An alternative would be to utilize the existing railbed for a segment of the trail - Missouri Flat Road to Blanchard Road (1.42 miles). EDC estimates that the cost of the project would be \$4.5 million if the trail is

constructed adjacent to the tracks for the entire length of the project, and would be only \$1.8 million if the railbed is used to construct a portion of the trail project

The JPA Board noted that the issue of rail removal for trail projects had previously been rejected by the JPA Board in November 2013, and the Board also expressed concern that the cost estimates seemed too high.

The following members of the public spoke on this item:

- Edward Cunha
- Jack Sweeney
- Woody Deioria
- Keith Berry
- Jeff Browne
- Jim Harville
- Mary Cory
- Don Rose
- Jackie Neau

Upon motion by Director Budge and second by Director Nottoli, the Board approved a motion directing EDC staff to advise the EDC BOS that the JPA Board does not approve the removal of rail for its trail project. The vote was 4 Ayes, 0 Noes, and Director Frentzen abstained.

6. Information: CEO/Member Agency Staff Reports

CEO Segerdell – Explained that the JPA website has gone through a significant remodeling, which will be much easier for the public to navigate and easier for staff to update current activities. The website address is unchanged: www.sptc-jpa.org

Mark Rackovan (City of Folsom) - Updated the Board on activities with SouthEast Corridor Connector, and the latest information on PUC approval of proposed grade crossings.

Director Frentzen updated the Board on EDC Senior nutrition program open on Mondays and Fridays provided at a low cost for seniors.

4. Information: Citizens Address Board on Matters Not on the Agenda

The following member of the public spoke: Jackie Neau

NEXT MEETING

The next meeting will be the Regular Board Meeting of February 08, 2015.

The meeting adjourned at 11:06 a.m.

I hereby certify that the Board of Directors approved the foregoing minutes at its Regular Board Meeting on May 9, 2016.

John Segerdell, Secretary

STAFF REPORT

Board Meeting Date: May 9, 2016

Page 1 of 1

**MOTION: Appoint Secretary to the
SPTC- JPA Board of Directors**

**AGENDA ITEM
NO. 2**

DISCUSSION:

Section 2.3 of the SPTC-JPA Rules of Procedure, approved by resolution of the Board of Directors on December 2, 1991, provides that the Board shall select a Secretary who may, but need not, be a member of the Board. In accordance with the Resolution, the Secretary shall have the following powers and duties:

- (a) Post agendas and sign a declaration of the time and place where each agenda was posted and maintain a file of those declarations with the corporate records.
- (b) Attend all meetings and hearings of the Board and keep minutes of such meetings or hearings in the Authority's Minute Book.
- (c) Attest all resolutions of the Board and the minutes of all meetings or hearings which shall have been approved by the Board, and he or she shall have custody of same.
- (d) Keep and have custody of all books, records and papers of the Authority, and certify true copies thereof whenever necessary.
- (e) Perform such other duties as may be required either by statute, ordinance, resolution or order.
- (f) Call the Board to order in absence of the Chair.

For the past several years, Lori Merklein has been the JPA's Secretary to the Board. Lori Merklein is no longer associated with the JPA and Staff is recommending that this be changed and John Segerdell be appointed as Secretary.

BOARD ACTION:

Motion to appoint John Segerdell as Secretary to the JPA Board.

STAFF REPORT

Board Meeting Date: May 09, 2016

Page 1 of 1

**MOTION: Adoption of Fiscal Year
2016/2017 Board Meeting Calendar**

**AGENDA ITEM
NO. 3**

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 2016/2017:

DATES	TIME	LOCATION
August 1, 2016	9:30 a.m.	Folsom City Hall, Council Chambers
November 07, 2016	9:30 a.m.	Folsom City Hall, Council Chambers
February 6, 2017	9:30 a.m.	Folsom City Hall, Council Chambers
May 8, 2017	9:30 a.m.	Folsom City Hall, Council Chambers

BOARD ACTION:

JPA Staff recommends the Board approve a Motion to adopt the Fiscal Year 2016/2017 Board Meeting Calendar for the dates, time and location indicated above.

STAFF REPORT

Board Meeting Date: May 09, 2016

Page 1 of 1

1. RESOLUTION: Approval of the following Agreements:

- **Sacramento County Quitclaim Deed (Certificate of Acceptance)**
- **Amendment to Easement Agreement for Sacramento County**
- **Amendment to Easement Agreement for City of Folsom**
- **Amendment to Reciprocal Use and Funding Agreement**

**AGENDA ITEM
NO. 4**

DISCUSSION:

In 1996, the JPA granted Easement Agreements to its member agencies over portions of the Rail Corridor located within their respective jurisdictions. Recently, the City of Folsom annexed certain real property located in the County of Sacramento (described in Sacramento LAFCo Resolution 2012-04-0118-04-11). In view of the annexation, the City of Folsom and the County of Sacramento have agreed that the County's easement over the portion of the Rail Corridor located in the annexation area should be transferred to the City of Folsom. The following attached agreements consummate these actions:

1. Sacramento County Quitclaim Deed (Certificate of Acceptance)
2. Amendment to Easement Agreement for Sacramento County
3. Amendment to Easement Agreement for City of Folsom
4. Fourth Amendment to Reciprocal Use and Funding Agreement

BOARD ACTION:

Staff recommends the Board approve the attached Resolution authorizing the Chair and the Chief Executive Officer to execute and deliver the foregoing agreements on behalf of the JPA.

RESOLUTION NO. 2016-05-01

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

May 9, 2016

**APPROVAL OF AGREEMENTS
REALLOCATING RIGHT-OF-WAY BETWEEN
THE CITY OF FOLSOM AND THE COUNTY OF SACRAMENTO**

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 the following agreements,
which shall be substantially in the form presented at this meeting

1. Quitclaim Deed from the County of Sacramento to the SPTC-JPA
(Certificate of Acceptance)
2. Amendment to Easement Agreement between the County of Sacramento
and the SPTC-JPA
3. Amendment to Easement Agreement between the City of Folsom and the
SPTC-JPA
4. Fourth Amendment to Reciprocal Use and Funding Agreement among the
SPTC-JPA and its member agencies

Passed and Adopted by the Board of the SPTC-JPA, this 9th day of May, 2016, by the
following vote on roll call:

AYES:

NOES:

ABSENT:

Kerri Howell, Chair

ATTEST:

John Segerdell, Secretary

Attachment 1

Agenda Item 4, Quitclaim Deed

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Sacramento-Placerville Transportation Corridor
Joint Powers Authority
c/o John C. Segerdell, CEO
1321 Howe Ave., Suite 110
Sacramento, CA 95825

(Space above line for Recorder's use only)

This instrument is exempt from
Recording Fees (Govt. Code §27383)
and from Documentary Transfer Taxes
(R&T Code §11922).

QUITCLAIM DEED

FOR VALUE RECEIVED, the **COUNTY OF SACRAMENTO**, a political subdivision of the State of California (the "County"), hereby remises, releases and forever quitclaims to **SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY**, a joint powers agency ("JPA"), all of its right, title, and interest in and to that certain real property (the "Property"), situated in the County of Sacramento, State of California, as described in **Exhibit A**, attached hereto and incorporated herein.

IN WITNESS WHEREOF, the County has executed this Quitclaim Deed effective as of the 9th day of May, 2016.

COUNTY OF SACRAMENTO

By _____
[Insert Name and Title]

Approved as to Content:

By _____
[Insert Name and Title]

Approved as to Legal Form:

By _____
[Insert Name and Title]

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

On this ____ day of _____, 2016, before me, _____,
a Notary Public in and for said County and State, personally appeared [Insert Name]
who is the [Insert Title] of the County of Sacramento, a political subdivision of the State
of California, and who is personally known to me (or proved to me on the basis of
satisfactory evidence) to be the person whose name is subscribed to in the within
instrument, and acknowledged to me that she executed the same in her authorized
capacity, and that by her signature on the instrument the person, or the entity upon
behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

(Seal)

EXHIBIT A

Property Description

That certain real property situated in the County of Sacramento, State of California, described in the Easement Agreement between the SACRAMENTO PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY, a California joint powers agency, and the COUNTY OF SACRAMENTO, a political subdivision of the State of California, recorded in the Official Records of Sacramento County on July 31, 1997, as Instrument No. 199707311334.

EXCEPTING THEREFROM all that portion of the above-described real property lying south of the centerline of White Rock Road.

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

CERTIFICATE OF ACCEPTANCE

This is to certify that the interests in the real property quitclaimed by the Quitclaim Deed dated as of [Insert Date], from the County of Sacramento, a political subdivision of the State of California, to the Sacramento-Placerville Transportation Corridor Joint Powers Authority, joint powers agency ("JPA"), is hereby accepted by the undersigned officer of the JPA on behalf of the JPA effective as of May 9, 2016, pursuant to authority conferred by resolution of the JPA Board of Directors adopted on May 9, 2016, and the JPA consents to the recordation thereof by the duly authorized officers.

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

By: _____
John C. Segerdell, CEO

Attachment 2

Agenda Item 4, Easement agreement

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Sacramento-Placerville Transportation Corridor
Joint Powers Authority
c/o John C. Segerdell, CEO
1321 Howe Ave., Suite 110
Sacramento, CA 95825

(Space above line for Recorder's use only)

This instrument is exempt from
Recording Fees (Govt. Code §27383)
and from Documentary Transfer Taxes
(R&T Code §11922).

AMENDMENT TO EASEMENT AGREEMENT

THIS AMENDMENT TO EASEMENT AGREEMENT (the "Amendment") is made effective as of May 9, 2016, by and between the **SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY**, a joint powers agency ("JPA"), as grantor, and the **COUNTY OF SACRAMENTO**, a political subdivision of the State of California ("Grantee"), as grantee.

Recitals

WHEREAS, the JPA owns the railroad corridor commonly known as the Placerville Branch, extending from the City of Sacramento in Sacramento County, California, to the City of Placerville in El Dorado County, California (the "Rail Corridor"); and

WHEREAS, the JPA has previously granted Easement Agreements to the Grantee and the City of Folsom over portions of the Rail Corridor located within their respective jurisdictions; and

WHEREAS, the City of Folsom has annexed certain real property located in the County of Sacramento, State of California, described in Sacramento LAFCo Resolution 2012-04-0118-04-11; and

WHEREAS, Grantee and the City of Folsom have agreed that the Grantee's easement over the portion of the Rail Corridor located in the annexation area (the "Annexed Easement Area") should be transferred to the City of Folsom; and

WHEREAS, the Grantee has quitclaimed all of its right, title and interest in the Annexed Easement Area to the JPA; and

WHEREAS, in order to reflect the Grantee's quitclaim of the Annexed Easement Area, the JPA and Grantee desire to amend the Property description set forth in that certain Easement Agreement dated as of September 6, 1996, made by and between the JPA and Grantee and recorded in the Official Records of Sacramento County on July 31, 1997, as Instrument No. 199707311334 (the "Easement Agreement").

NOW THEREFORE, the parties hereto agree as follows:

The description of the Property attached to the Easement Agreement as Exhibit A is hereby amended to read as shown on Exhibit A attached to this Amendment and incorporated herein.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment effective as of the date first above written.

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

By: _____
John C. Segerdell, CEO

Approved as to Legal Form:

By: _____
Paul J. Chrisman,
General Counsel

COUNTY OF SACRAMENTO

By _____
[Insert Name and Title]

Approved as to Content:

By _____
[Insert Name and Title]

Approved as to Legal Form:

By _____
[Insert Name and Title]

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

On this ____ day of _____, 2016, before me, _____,
a Notary Public in and for said County and State, personally appeared John C.
Segerdell who is the CEO of the Sacramento Placerville Transportation Corridor Joint
Powers Authority, a joint powers agency, and who is personally known to me (or proved
to me on the basis of satisfactory evidence) to be the person whose name is subscribed
to in the within instrument, and acknowledged to me that he executed the same in his
authorized capacity, and that by his signature on the instrument the person, or the entity
upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

(Seal)

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

On this ____ day of _____, 2016, before me, _____,
a Notary Public in and for said County and State, personally appeared [insert name]
who is the [insert title] of the County of Sacramento, a political subdivision of the State
of California, and who is personally known to me (or proved to me on the basis of
satisfactory evidence) to be the person whose name is subscribed to in the within
instrument, and acknowledged to me that he executed the same in his authorized
capacity, and that by his signature on the instrument the person, or the entity upon
behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

(Seal)

EXHIBIT A

Property Description

That certain real property situated in the County of Sacramento, State of California, described in the Easement Agreement between the SACRAMENTO PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY, a California joint powers agency, and the COUNTY OF SACRAMENTO, a political subdivision of the State of California, recorded in the Official Records of Sacramento County on July 31, 1997, as Instrument No. 199707311334.

EXCEPTING THEREFROM all that portion of the above-described real property lying north of the centerline of White Rock Road.

Attachment 3

Agenda Item 4, Easement Agreement

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

Sacramento-Placerville Transportation Corridor
Joint Powers Authority
c/o John C. Segerdell, CEO
1321 Howe Ave., Suite 110
Sacramento, CA 95825

(Space above line for Recorder's use only)

This instrument is exempt from
Recording Fees (Govt. Code §27383)
and from Documentary Transfer Taxes
(R&T Code §11922).

AMENDMENT TO EASEMENT AGREEMENT

THIS AMENDMENT TO EASEMENT AGREEMENT (the "Amendment") is made effective as of May 9, 2016, by and between the **SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY**, a joint powers agency ("JPA"), as grantor, and the **CITY OF FOLSOM**, a municipal corporation ("Grantee"), as grantee.

Recitals

WHEREAS, the JPA owns the railroad corridor commonly known as the Placerville Branch, extending from the City of Sacramento in Sacramento County, California, to the City of Placerville in El Dorado County, California (the "Rail Corridor"); and

WHEREAS, the JPA has previously granted Easement Agreements to the Grantee and the County of Sacramento over portions of the Rail Corridor located within their respective jurisdictions; and

WHEREAS, Grantee has annexed certain real property located in the County of Sacramento, State of California, described in Sacramento LAFCo Resolution 2012-04-0118-04-11; and

WHEREAS, Grantee and the County of Sacramento have agreed that the County's easement over the portion of the Rail Corridor located in the annexation area (the "Annexed Easement Area") should be transferred to Grantee; and

WHEREAS, the County of Sacramento has quitclaimed all of its right, title and interest in the Annexed Easement Area to the JPA.

NOW THEREFORE, the parties hereto agree as follows:

JPA hereby grants to Grantee an easement (the "Easement") in, on, under, over and through the entire Annexed Easement Area, which is described on **Exhibit A**, attached hereto and incorporated herein. The Easement shall be in gross and personal to Grantee, its successors and assigns. The Easement may be used for any lawful purpose, and is made subject to all of the terms and conditions set forth in that certain Easement Agreement between the JPA and Grantee, recorded in the Official Records of Sacramento County on December 18, 1996, as Instrument No. 199612180959.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment effective as of the date first above written.

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

By: _____
John C. Segerdell, CEO

Approved as to Legal Form:

By: _____
Paul J. Chrisman,
General Counsel

CITY OF FOLSOM:

By: _____
Evert Palmer
City Manager, City of Folsom

Approved as to Content:

By: _____
David E. Miller
Director of Public Works

Approved as to Legal Form:

By: _____
Bruce Cline
City Attorney

Attest:

By: _____
Christa Saunders
City Clerk

ACKNOWLEDGMENT

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

On this ____ day of _____, 2016, before me, _____,
a Notary Public in and for said County and State, personally appeared John C.
Segerdell who is the CEO of the Sacramento Placerville Transportation Corridor Joint
Powers Authority, a joint powers agency, and who is personally known to me (or proved
to me on the basis of satisfactory evidence) to be the person whose name is subscribed
to in the within instrument, and acknowledged to me that he executed the same in his
authorized capacity, and that by his signature on the instrument the person, or the entity
upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public

(Seal)

STATE OF CALIFORNIA)
) ss.
COUNTY OF SACRAMENTO)

On this ____ day of _____, 2016, before me, _____,
a Notary Public in and for said County and State, personally appeared Evert Palmer
who is the City Manager of the City of Folsom, a municipal corporation, and who is
personally known to me (or proved to me on the basis of satisfactory evidence) to be
the person whose name is subscribed to in the within instrument, and acknowledged to
me that he executed the same in his authorized capacity, and that by his signature on
the instrument the person, or the entity upon behalf of which the person acted, executed
the instrument.

WITNESS my hand and official seal.

Notary Public

(Seal)

EXHIBIT A

Property Description

That certain real property situated in the County of Sacramento, State of California, described in the Easement Agreement between the SACRAMENTO PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY, a California joint powers agency, and the COUNTY OF SACRAMENTO, a political subdivision of the State of California, recorded in the Official Records of Sacramento County on July 31, 1997, as Instrument No. 199707311334.

EXCEPTING THEREFROM all that portion of the above-described real property lying south of the centerline of White Rock Road.

Attachment 4

Agenda 4, RUFA

SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR
JOINT POWERS AUTHORITY

FOURTH AMENDMENT TO
RECIPROCAL USE AND FUNDING AGREEMENT
(Placerville Branch)

THIS FOURTH AMENDMENT TO RECIPROCAL USE AND FUNDING AGREEMENT (the "Fourth Amendment") is made effective as of the 9th day of May, 2016, by and among the COUNTY OF EL DORADO, a political subdivision of the State of California ("El Dorado"), the COUNTY OF SACRAMENTO, a political subdivision of the State of California ("Sacramento"), the CITY OF FOLSOM, a municipal corporation organized and existing under the laws of the State of California ("Folsom"), the SACRAMENTO REGIONAL TRANSIT DISTRICT, a public corporation ("RT"), and the SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY, a California joint powers agency ("SPTC-JPA").

Recitals

A. WHEREAS, effective August 31, 1996, the parties hereto entered into that certain Reciprocal Use and Funding Agreement, which agreement was amended effective September 6, 1996, February 22, 1999, and September 2, 2003 (as amended, the "Agreement"); and

B. WHEREAS, the parties now desire to amend the Agreement to reallocate portions of the Rail Corridor (as defined in the Agreement) between the County of Sacramento and the City of Folsom.

Amendment

NOW THEREFORE, the parties hereto agree as follows:

1. Except as otherwise defined herein, all capitalized terms shall have the meanings ascribed to them in the Agreement.

2. Exhibit A of the Agreement is hereby amended to read as shown on Exhibit A of this Fourth Amendment.

4. This Fourth Amendment may be executed in any number of counterparts, and by different parties in separate counterparts, each of which, when executed and delivered, shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument.

5. Except as expressly amended herein, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Fourth Amendment effective as of the date first above written.

**COUNTY OF SACRAMENTO, a political
subdivision of the State of California**

By: _____
Chairperson, Sacramento County
Board of Supervisors

ATTEST:

Clerk of the Board of Supervisors

APPROVED AS TO CONTENT:

[Insert Name and Title]

APPROVED AS TO FORM:

[Insert Name and Title]

**SACRAMENTO REGIONAL
TRANSIT DISTRICT,
a public corporation**

By: _____
[Insert Name], Chairperson

By: _____
Michael R. Wiley, General Manager/CEO

Approved as to legal form:

By: _____
[Insert Name and Title]

**CITY OF FOLSOM,
a municipal corporation**

[Insert Name], Mayor

APPROVED AS TO CONTENT:

[Insert Name and Title]

APPROVED AS TO FORM:

[Insert Name and Title]

ATTEST:

City Clerk

**COUNTY OF EL DORADO, a political
subdivision of the State of California**

By: _____
Chairman, Board of Supervisors

ATTEST:

By: _____
Clerk of the Board of Supervisors

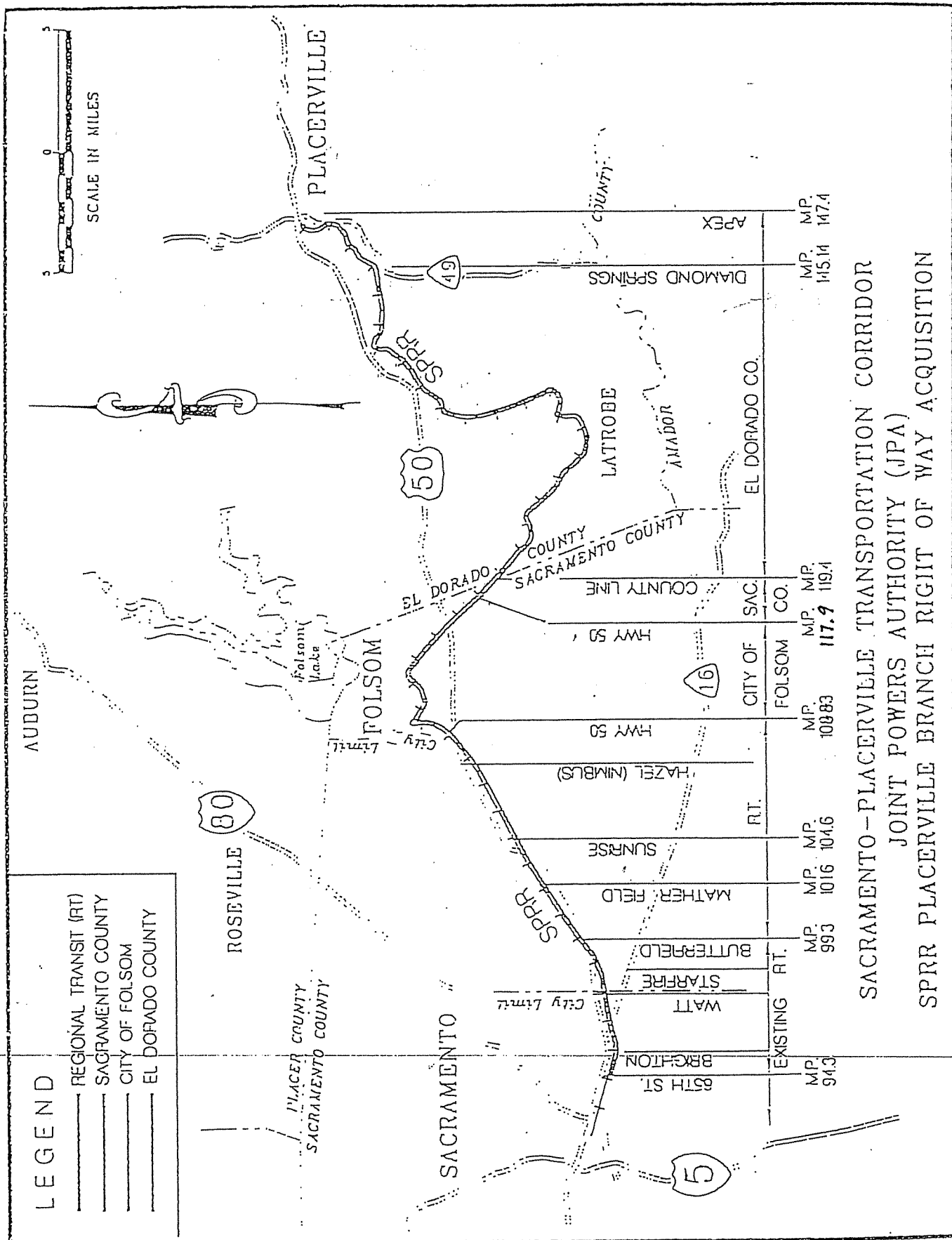
**SACRAMENTO-PLACERVILLE
TRANSPORTATION CORRIDOR JOINT
POWERS AUTHORITY**

By: _____
Kerri Howell, Chair

By: _____
John C. Segerdell, CEO

APPROVED AS TO LEGAL FORM;

By: _____
Paul J. Chrisman
General Counsel



STAFF REPORT

Board Meeting Date: May 09, 2016

Page 1 of 3

RESOLUTION: Approval of FY 2016/2017
Operating Budget

**AGENDA ITEM
NO. 5**

DISCUSSION:

At the May 11, 2015 JPA Board meeting, the Board adopted an Operating Budget of \$110,000 for the Year 2015/2016. The Operating Budget was funded by a contribution of \$27,500 from each Member Agency.

PROPOSED OPERATING BUDGET

The Operating Budget is separated into seven (7) Budget line items to facilitate tracking and managing the budget, as indicate is the chart below. Please see Attachment 1 for a description of the activities included in the Budget line items. Two of the Budget line items will see changes in the new fiscal year:

Item 1—Chief Executive Officer

The purpose of this line item is to provide for the services of the JPA's Chief Executive Officer (CEO) in administering the RUFA and the day-to-day representation of the JPA on behalf of the JPA Board and its staff members. CEO John Segerdell has been involved with the JPA since its inception in October 1991, and has served as the JPA's CEO for approximately 20 years. In the upcoming fiscal year, CEO Segerdell will be phasing out of the position, into retirement. CEO Segerdell's proposed successor, at least on an interim basis, is Mark Rackovan, the City of Folsom's staff representative and Deputy CEO for the JPA. The timing of this transition is still under consideration. CEO Segerdell plans to stay involved through the summer and, among other things, to be actively involved in the start of construction of the JPA's natural trail project.

The budget for line item #1 is proposed to remain the same as the past several years - \$60,000 for the fiscal year. As CEO Segerdell transitions out, a Reimbursement Agreement will be developed and submitted for the Board's approval, to allow the City of Folsom to be reimbursed for time Mr. Rackovan serves performing duties as interim CEO. It proposed that CEO Segerdell's contract amendment, as set forth in the following Agenda item #6, be in the amount of \$25,000, leaving a budget of \$35,000 for the future Reimbursement Agreement with the City of Folsom.

Item 5—Maintenance Allowance

The purpose of the line item is to provide weed abatement services in the JPA corridor and to cover costs for trail maintenance.

In April 2012, the JPA entered into a contract with the FEDSHRA to provide the Weed Abatement services for the JPA corridor. The contract extends 34 miles from the 'Wye'

in the City of Folsom, to Missouri Flat Road in Diamond springs, and includes spraying twice annually, and applying chemicals in and around the tracks, to a distance of 10-feet from the outside rail. The contract requires that labor be provided on a volunteer basis, and that FEDSHRA be reimbursed for the costs of chemicals and fuel. The scope also provides for clearing of the tracks and adjacent areas of any debris that would hinder the weed control application.

Recently, El Dorado County's excursion rail operator, El Dorado Western Rail Road (EDWRR), has developed equipment, expertise and permitting to perform weed control services, and has at times assisted FEDSHRA with the annual weed abatement applications. It has now been agreed between rail operators and the JPA that both entities will perform weed abatement services for the JPA:

- FEDSHRA (in association with P&SVRR) – From the Wye (milepost 111) to the County line (milepost 119.4)
- EDWRR – From the County line (milepost 119.4) to Missouri Flat Road (milepost 1144.9)

The contract with the FEDSHRA will be amended to indicate the changes, and a reimbursement agreement will be developed with the EDWRR to cover their cost of chemicals and fuel.

The following is the proposed Operating Budget for fiscal year 2016/2017:

OPERATING BUDGET LINE ITEM	FINAL FY 2015/2016 BUDGET	EXPENDED FY 2015/2016 (forecasted to June 30, 2016)	PROPOSED FY 2016/2017 BUDGET
1. Chief Executive Officer	\$60,000	\$60,000	\$60,000
2. JPA General Counsel	\$15,000	\$12,000	\$15,000
3. Annual Audit	\$7,000	\$7000	\$7,000
4. Treasury Services	\$6,000	\$6,000	\$6,000
5. Maintenance Allowance	\$12,000	\$8000	\$12,000
6. Insurance	\$10,000	\$0	\$10,000
7. Contingency	\$0	\$0	\$0
TOTAL	\$110,000	\$92,000	\$110,000

JPA staff recommends an Operating Budget of **\$110,000** for Fiscal Year 2016/2017, the same as the current fiscal year's budget. Staff recommends the Operating Budget be funded entirely by the Member Agency contribution. Accordingly, each Member Agency's annual contribution for FY2015/2016 would be **\$27,500**, the same as the current fiscal year.

The forecasted Surplus (approximately \$18,000) would remain in reserve and would be used to supplement the Capital Improvement Program (CIP). The Reserve balance, forecasted to the start of the new fiscal year is approximately \$73,600. It is noted that \$88,430 previously in Reserve has been transferred to the Capital Improvement Program (CIP) for the Trail Development Project.

BOARD ACTION:

Staff recommends the Board approve the attached Resolution approving the fiscal year 2016/2017 Operating Budget, as proposed above.

Attachment 1
Agenda Item 5 Operating Budget Staff Report

OPERATING BUDGET LINE ITEMS

The Operating Budget is separated into six (6) Budget line items to facilitate tracking and managing the budget. The following describes activities included in the Budget line items:

Item 1 – Chief Executive Officer

- Administering the Reciprocal Use and Funding Agreement (RUFA) on behalf of the JPA Board and Staff.
- Reviewing and executing JPA official documents.
- Preparing for and conducting JPA Board meetings, including Secretary to the Board's preparation and approval of the Minutes.
- Assisting the public and Member Agencies with the development of transportation uses in the JPA corridor.
- Coordination with JPA Member Agency staffs, including periodic site visits and Staff Meetings.
- Participating as stakeholder in regional studies or analyses.
- Assisting Member Agencies to administer licenses and access permits.
- Administering contracts with the JPA, including License for Excursion Rail Services, and trail development services.
- Providing business services such as notary, courier, postage, and other administrative activities necessary to conduct the business of the JPA.
- Controlling and administering the JPA's website.
- Providing accounting services to administer Operating and Capital Budgets.

Item 2 – General Counsel

- Providing legal advice to the JPA Board and Staff.
- Assisting with preparing for and conducting JPA Board meetings.
- Reviewing contractual documents that involve the JPA property.
- Addressing legal issues with respect to the corridor as they arise.
- Working on special-use projects within the corridor.

Item 3 – Annual Audit

- The JPA Agreement requires that an accounting of the JPA's financial activities be reported by an independent certified public accountant.
- This line item provides for CPA services to cover the audit for FY 2015/16.

Item 4 – Treasury Services

- This line item reimburses Sacramento County for treasury services provided to the JPA.
- Sacramento County has provided these services to the JPA since inception.

Item 5 – Maintenance Allowance

- This line item provides for weed abatement services through the JPA for the City of Folsom, Sacramento County and El Dorado County.
- Weed abatement services will be provided by the FEDS and EDWRR under contract with the JPA, using volunteer labor, and will provide for reimbursement for costs of fuel and materials.
- This line item also provides for trail maintenance, including JPA sponsorship of a corridor segment in EDC's Adopt a Trail program.

Item 6 – Insurance

- In FY2016/2017, the JPA may be contracting directly for work to be performed under the capital budget and has determined insurance coverage is advisable for errors and omissions and general liability of the JPA, its Board and Staff members.

Item 7 - Contingency

- A contingency is included to cover unexpected budget costs, however, staff is proposing zero contingency at this time. If one of the above line item budgets is underutilized, funds may be transferred into contingency.

RESOLUTION NO. 2016-05-02

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

May 9, 2016

**APPROVAL OF FY 2016/2017
OPERATING BUDGET**

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 2016/2017 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
2016/2017 shall not be increased without the Board's prior approval.

Passed and Adopted by the Board of the SPTC-JPA, this 9th day of May, 2016,
by the following vote on roll call:

AYES:

NOES:

ABSENT:

Kerri Howell, Chair

ATTEST:

John Segerdell, Secretary

STAFF REPORT

Board Meeting Date: May 09, 2016

Page 1 of 1

RESOLUTION: Approval of
Contract Amendment for CEO Services

**AGENDA ITEM
NO. 6**

DISCUSSION:

The proposed Operating Budget discussed in Agenda Item No. 5 contemplates an amendment to the contract for CEO Services. The amendment to the JPA's contract with PGH Wong Engineering, Inc. provides for continuing services for Chief Executive Officer of the JPA and is recommended to be in the amount of \$25,000 as presented in Agenda Item No. 5.

BOARD ACTION:

Staff recommends adopting a Resolution to authorize the foregoing contract amendment for CEO Services for the 2016/2017 fiscal year.

RESOLUTION NO. 2016-05-03

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

May 9, 2016

**APPROVAL OF CONTRACT AMENDMENT
FOR CEO SERVICES**

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 an Amendment to
Contract for Consulting and Professional Services with PGH Wong Engineering Inc.;
which shall be substantially in the form presented at this meeting.

Passed and Adopted by the Board of the SPTC-JPA, this 9th day of May, 2016, by the
following vote on roll call:

AYES:

NOES:

ABSENT:

Kerri Howell, Chair

ATTEST:

John Segerdell, Secretary

**AMENDMENT TO CONTRACT FOR
CONSULTING AND PROFESSIONAL CEO SERVICES**

THIS AMENDMENT TO CONTRACT FOR CONSULTING AND PROFESSIONAL SERVICES ("Amendment") is made effective as of July 1, 2016, by and between the **SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY**, a joint powers agency ("Authority"), and **PGH WONG ENGINEERING INC.** ("Consultant").

Recitals

WHEREAS, on June 1, 2006, Authority and Consultant entered into that certain Contract for Consulting and Professional Services, which contract was amended annually thereafter (together with all amendments, the "Contract"); and

WHEREAS, Authority and Consultant desire to amend the Contract as hereinafter set forth.

Agreement

NOW, THEREFORE, the parties hereto agree as follows:

1. Section 2 of the Contract is hereby amended to read as follows:

"The total consideration payable to Consultant shall not exceed the sum of twenty five Thousand Dollars (\$25,000) through June 30, 2017."
2. The foregoing amendment is effective as of the first day of July, 2016.
3. Except as specifically amended herein, all of the terms and conditions of the Contract shall remain in full force and effect.
4. This Amendment may be executed in any number of counterparts, and by different parties in separate counterparts, each of which, when executed and delivered, shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment effective as of the date first above written.

PGH WONG ENGINEERING, INC.

SACRAMENTO-PLACERVILLE
TRANSPORTATION JOINT POWERS
AUTHORITY, a joint powers agency

By: _____
Clifford Wong,
President

By: _____
Kerri Howell, Chair

Approved as to legal form:

By: _____
Paul J. Chrisman,
Legal Counsel

STAFF REPORT

Board Meeting Date: May 09, 2016

Page 1 of 2

**Information: Update of CIP Project
for Natural Trail Development**

**AGENDA ITEM
NO. 7**

DISCUSSION:

During 2014 and 2015 the JPA Board has approved \$88,430 for a Capital Improvement Project (CIP) to develop ten miles of nature trail extending from Latrobe Road in El Dorado County (EDC), traversing through a segment in Sacramento County, and ending at Iron Point in Folsom.

The Natural Trail Development Capital Project has experienced significant accomplishments, including the following:

- Developed and published the SPTC Natural Trail Implementation Plan (June 2014).
- Developed and published the SPTC Natural Trail< Latrobe Road to Iron Point road, Design Refinement Report (April 2015)
- Board approved CEQA required Initial Study/Mitigated Negative Declaration (IS/MND), adopted the Mitigation Program, and approved the Natural Trail Project on November 2, 2015.
- Filed the CEQA Notice Of determination (NOD) on November 6, 2015.
- Conducted an expansive Workshop of the Project's interested parties on November 19, 2015.
- In January 2016, Staff submitted a grant application for the 2016 Doppelt Family Trail Development Fund in the amount of \$20,000. The Rails-to-Trails Conservancy will announce the grant awards on National Trails Day, June 4, 2016. The grant is to cover the most significant construction material direct expenses, including drainage culverts, bridge plates and signage.
- Requested consent of the Natural Trail Project by member agencies as required by the RUFA:
 - Sacramento County Resolution dated February 23, 2016
 - City of Folsom pending approval May 10, 2016
 - El Dorado County pending approval May 2106

- Preparing five (5) Permits identified by the EIR and IS/MND that need to be secured for the construction phase to:
 - Clean Water Act Section 404 Nationwide Permit 42
 - U.S. Army Corps of Engineers Section 106 Cultural Resource Assessment
 - Federal Endangered Species Section 7 Consultation – U.S. Fish and Wildlife
 - Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification
 - California Department of Fish and Wildlife (CDFW) 1600 Streambed Alteration Notification
- Working with consultant to develop “Trail Charts” as the fundamental construction plans required to build the project.

STAFF REPORT

Board Meeting Date: May 09, 2016

Page 1 of 1

Information: El Dorado County
SPTC Segmentation Plan

AGENDA ITEM
NO. 8

DISCUSSION:

At the El Dorado County (EDC) Board of Supervisors meeting on May 10, 2016, an item will be heard regarding the Sacramento Placerville Transportation Corridor Segmentation Plan. The presentation will be made by Vickie Sanders - Parks Manager for EDC and Staff Member for the SPTC-JPA. At this meeting, Vickie Sanders will give an overview her presentation, per the attached EDC staff report.

Attachment 1

Agenda Item 8, EDC Segmentation Plan



The County of El Dorado

Chief Administrative Office

330 Fair Lane
Placerville, CA 95667-4197

Larry Combs
Chief Administrative Officer

Phone (530) 621-5530
Fax (530) 626-5730

April 22, 2016

TO: Board of Supervisors

FROM: Vickie Sanders, Parks Manager

RE: Sacramento Placerville Transportation Corridor Segmentation Plan

History/JPA formation-Provided by John Segredell, SPTC JPA CEO

The Sacramento-Placerville Transportation Corridor Joint Powers Authority (SPTC-JPA, or JPA) was formed in October 1991 by its member agencies, which are the County of El Dorado, the County of Sacramento, the City of Folsom, and the Sacramento Regional Transit District. The JPA is governed by a five-member Board of Directors. Each member agency appoints one elected official to the Board and the Board members appoint a member at large (currently a member of the Rancho Cordova City Council).

From the time of its creation in October 1991, to the close of escrow in September 1996, the JPA's focus was on acquisition of the 53-mile SPTC Corridor right-of-way from the Southern Pacific Transportation Company. The SPTC Corridor extends from approximately 65th Street in the city of Sacramento, through the city of Folsom and a small segment in Sacramento County, and through El Dorado County to Apex, near Placerville.

In the months leading up to the close of escrow, the JPA's member agencies determined that the JPA should not be dissolved upon acquisition, but should continue to be the legal owner of the Rail Corridor responsible to ensure the Corridor's continuity, to preserve the reciprocal rights of the member agencies, and to provide a forum to prevent and resolve disputes between the member agencies. This action by the member agencies ultimately resulted in the Reciprocal Use and Funding Agreement (RUFA) among the JPA and its member agencies, dated August 6, 1996.

Over the next 10 years, from 1996 to 2006, there was no significant transportation activity in the outer portion of the corridor (Folsom through El Dorado County), except for some ad-hoc rail use and little known trail usage. At that time, the focus was getting Light Rail extended to the City of Folsom.

In 2006/2007, there started a push to develop transportation uses in the outer portion of the corridor. Two public Workshops held in spring 2007 to solicit public input for uses of the

corridor, one held in Placerville and one in Folsom. The workshops were well attended with many interests expressed for usage, including bike, pedestrian, rail and equestrian.

After consideration of the proposed alternative uses, the JPA Board concluded that developing excursion rail was the only viable opportunity at that time:

- There would be no costs to the JPA or its Member Agencies
- It was determined excursion rail operations and related uses were exempt from CEQA

It should be noted that the JPA Board was, and continues to be, emphatic that any transportation usage must be able to co-exist with other transportation uses, especially between the development of excursion rail services and the development of trails in the corridor.

In 2008 the JPA issued an RFP for Excursion Rail Services in Folsom, Sacramento County and El Dorado County. Two proposals were received and FEDSHRA (later P&SVRR as the operator) was selected as most responsive.

After much discussion, debate, offers, counter-offers and compromise offers among the JPA and its member agencies, and particularly between the JPA and El Dorado County, the JPA Board approved a License Agreement for Excursion Rail with P&SVRR in November 2012. The License Agreement is for a 5-year term and only provides services in Folsom and Sacramento County.

El Dorado County's rights under the RUFA- Provided by John Segredell, SPTC JPA CEO

The RUFA governs the JPA's powers and responsibilities with respect to the Rail Corridor and is structured to preserve home rule by each member agency over its allocated portion, including El Dorado County. While the JPA is the legal owner of the Rail Corridor, El Dorado County holds an easement covering its allocated portion of the Rail Corridor that gives it very broad discretion concerning its usage. (RUFA, Section 4.)

The JPA has no power to use or transfer any portion of the Rail Corridor without the prior request or consent of El Dorado County (or other Member) to which that portion has been allocated. (RUFA, Section 7(a).)

Conversely, El Dorado County may request the JPA to permit a third-party to use its allocated portion, or to transfer part of its allocated portion, provided that the use or transfer will not:

- Cause any reversionary rights in the Rail Corridor to vest,
- Otherwise threaten the continuity of any portion of the Rail Corridor,
- Violate the terms of any Notice of Interim Trails Use issued by the Surface Transportation Board (i.e., Rails to Trails Act), or
- Conflict with the terms of any agreement affecting the subject portion of the Rail Corridor. (RUFA Section 7(a).)

Except for the foregoing restrictions on uses or transfers and the reciprocal usage rights held by other JPA member agencies, El Dorado County has control over the use and disposition of its allocated portion of the Rail Corridor. This is true whether the JPA continues to exist or is dissolved.

Reversionary Rights- Provided by John Segredell, SPTC JPA CEO

The Rails to Trails Act so far has withstood a number of challenges to its effectiveness in preserving rail corridors, and we do not expect any challenges on our corridor. In some cases the courts have required the United States government to compensate adjoining landowners for the property rights they "lost" due to the preservation of rail corridors under the Rails to Trails Act. In our case, the time for filing such claims has long since expired and any attempt to do so would be prevented by the statute of limitations.

Brandt vs United States: There has been some local concern about this case and its impact on the SPTC-JPA corridor. This case deals solely with the issue of whether the land grants to the railroads under the Act of 1875 were grants of limited fee title or were merely easements. The only issue was whether the United States held the reversionary right (as it would, if the Act of 1875 granted a limited fee) or whether Mr. Brandt held the reversionary right as the underlying land owner (as he would, if the Act of 1875 granted only an easement). In this case, the Court determined that the Act of 1875 granted only easements to the railroads and not limited fee title, therefore Brandt held reversionary rights.

As for the Placerville Branch, it is essentially all in fee title and in such a case would remain as the JPA's property. But the main point is,

- The Placerville Branch was assembled in the 1850s and predates the Act of 1875, and this decision does not apply.
- The Rails to Trails Act was never invoked in the Brandt case, therefore, this case really has nothing to do with that Rails to Trails Act and the disposition of our corridor.

Previous Board Actions and Recommendations

Attachment B is a spreadsheet of Board actions from 2007 to present. There have been many actions taken on this corridor, but there are two pivotal actions taken by the board that I feel are relevant and have gotten us to where we are today.

Legistar Item 10-1169, March 28, 2011, the Board of Supervisors took the following action:

- 1) Adopt the map establishing priority uses as follows:
 - a) Segment 1 – 17.5 mile length from the County line through Latrobe to Mother Lode crossing as a multi-use trail including bike path and equestrian trail;
 - b) Segment 2 – 6 mile length from Mother Lode crossing (mile marker 17.5) through Shingle Springs and El Dorado to Missouri Flat Road to be set aside as a joint multiuse trail for all trail uses, historical railroad and an excursion train;
 - c) Segment 3 – Bike routes to the east of Missouri Flat Road existing Class 1 bike path, bike lanes, and bike route;
- 2) Direct staff to explore the feasibility and legality of removing the tracks in Segment 1 and consider if there are other alternatives to removing the tracks; and
- 3) Direct staff to return with further information on May 17, 2011.

I would like to report on where we are with the direction that was given above.

- 1) a) Segment 1-Several things have happened in this segment. The SPTC JPA have prepared a study and design for 10 miles of natural trail which starts at Iron Point Road in Folsom and ends at the Latrobe Station site (7 Miles in El Dorado County). The environmental document has been completed. The JPA has also submitted a grant which would fund the signage and culverts in the 10 mile segment.
In my opinion one important factor in this segment is that on March 28, 2011 the board directed multi-use trail. Subsequent to that meeting the board voted against the excursion rail license agreement with the JPA. Not approving that agreement supported the action of the board on March 28th. But in a separate action the board has approved excursion rail use for the 7 miles on a limited basis which is against the action of March 28th. So in my opinion this is one factor that is confusing for the trail advocates. The board took several actions with no rail use in this segment but the action following is in conflict.
- b) Segment 2-El Dorado Western has been working on excursion rail in this segment. Transportation has been working on class 1 trail design at Missouri Flat Road to El Dorado Road. Bush clearing has been done in this section by the CCC's and volunteers.
- c) Segment 3-A Class 1 bike path exists from Missouri Flat Road to Los Tramos 9.72 miles. Transportation will be completing another mile of class 1 from Los Tramos to Halcon in 2017.
- 2) September 27, 2011, Legistar Item 11-0892 V2, reported to the board that the SPTC JPA denied the request to remove any rail.

October 10, 2013, (Legistar Item 13-0606) the Board of Supervisors took the following action:

A motion was made by Supervisor Veerkamp, seconded by Supervisor Nutting, to;

- 1) Formally recognize that the trail is open and direct staff to return to the Board with next steps for a Natural Trail-Hiking/Biking/Equestrian trail from Missouri Flat Road to the Sacramento/El Dorado County line and identify the appropriate CEQA review for the project; and
- 2) Pursue any and every grant available relating to this multi-use, multi-modal corridor; and
- 3) Direct staff to work with District II Supervisor on development of the Ordinance; and
- 4) Direct staff to work with the El Dorado Transportation Commission on the Feasibility Study.

The follow up to this board action is as follows:

- 1) Foothill and Associates provided a Needs Assessment for the corridor. The report concluded that to fulfil the mitigation measures in the EIR, a Cultural, Biological and Wetland studies need to be completed. The funding for these studies has been included in the budget this year and we are working on a contract for services to complete this work.
- 2) Community Development Agency, Transportation Division is currently working on the pedestrian overcrossing over Missouri Flat Road and a Class I bike path from Missouri Flat Road to El Dorado. The JPA has also applied for grant funding for

signage and culverts on the 10 mile natural trail at the county line. Staff continues to monitor and apply for grants as applicable to the corridor.

- 3) Staff has been working with County Council on the ordinance and is ready for the first reading.
- 4) Staff was involved with the Feasibility Study. The study included no project or environmental, therefore there is no action to be taken from the study.

Recommendations: From the actions above we are working toward a 26 mile natural trail corridor for biking, hiking and equestrian use. Of those 26 miles, 8 miles include excursion rail use. I feel we are almost there for the natural trail. I would support construction of the Class 1 Bike Path where it is feasible and as funding is secured.

Trail Name

What is the correct name, SPTC or El Dorado Trail? This is even a question. Historically the county has identified the El Dorado Trail as the Class I Bike Path from Missouri Flat Road East which currently ends at Los Tramps, with an additional mile from Los Tramos to Halcon to be completed in 2017.

The SPTC corridor runs from Missouri Flat Road west to the county line. It differs from the El Dorado Trail because it has the tracks and is owned by the SPTC JPA.

Staff Recommendation: I recommend the name remain the SPTC corridor. The 26 mile of rail corridor has the tracks in place and the tracks will remain as directed by the JPA, also because the SPTC JPA owns the corridor.

Park and Recreation Commission Recommendation: A motion was made by Commissioner Payne, seconded by Commissioner Arenz that the rail corridor be identified as the SPTC and the natural trail and Class I trail be identified as the El Dorado Trail.

Signage

Signage needs to be consistent for the corridor. Signage for rail use needs to be installed by the rail groups as per the CPUC.

Staff Recommendation: Staff will continue to install signage as the natural trail is developed. The rail group will continue to install the required signage.

Park and Recreation Commission Recommendation: A motion was made by Commissioner Morgan, seconded by Commissioner Arenz that signage will be provided by each group as required.

El Dorado County Rail Operator

As I have assumed the duties of the SPTC corridor I have depended on El Dorado Western Railroad (EDWRR) for rail advice and maintenance activities.

Staff Recommendation: Name El Dorado Western Railroad as the rail operator/administrator in El Dorado County.

Park and Recreation Commission Recommendation: A motion was made by Commissioner Payne, seconded by Commissioner Morgan that El Dorado Western Railroad is designated as the administrator of the railroad within El Dorado County.

Maintenance

Currently maintenance consisting of weed spraying is done by the Folsom, El Dorado, and Sacramento Historical Railroad Association (FEDSHRR) is done under contract with the SPTC JPA. EDWRR would like to provide the maintenance on the corridor in El Dorado County. The rail operator should be allowed to inspect the infrastructure of the tracks for the preservation of the rails.

Trail maintenance is provided by trail volunteers and the Adopt a Trail. The county also provided and assisted in maintenance projects on both rail and trail projects.

Staff Recommendation: Request that the SPTC JPA give El Dorado Western Railroad the contract for weed abatement in El Dorado County, 10' from center line of tracks on each side of the tracks.

Trail volunteers will maintain from the 10' line to the fence line.

Parks and Recreation Commission Recommendation: A motion by Commissioner Payne, seconded by Commissioner Arenz that we request that the SPTC JPA approve a contract with El Dorado Western Railroad for weed abatement.

Corridor Use

Current Use

Segment 1- Current use in this segment is trail use for 17.5 miles and excursion rail use by P&SVRR for 7 miles from the county line to Latrobe on runs approved by the Board of Supervisors.

Segment 2-This is designated as multi use set aside as a joint multiuse trail for all trail uses, historical railroad and an excursion train meaning excursion rail from Shingle Springs to Missouri Flat Road. The natural trail will be on the side of the tracks. A Class 1 can be constructed along the side of the tracks as the tracks cannot be removed.

Staff Recommendation: It is staffs opinion that one of the major issues surrounding this corridor is the fear that one group will lose and the other will overtake the corridor. Great progress has been made on the corridor but in my opinion the county needs to identify the vision for the whole corridor since use does change in different segments. This will ease the fears of the various users without eliminating any use permanently.

I recommend no excursion rail use on the lower segment as stated in the board action on March 28, 2011.

Option

If the board decides to continue with rail use on the lower section, I recommend that the corridor be divided into three segments.

Segment 1-County line to Latrobe, 7 miles, multi-use including excursion rail

Segment 2-Latrobe to Mother Lode Drive, 11 miles, trails only. Maintenance of the tracks will be provided by EDWRR on the tracks only, twice a year.

Segment 3-Mother Lode Drive to Missouri Flat Road, 8 miles, multi-use including excursion rail

Segment 4-Missouri Flat Road east as Class I Bike Path.

Segment 1 signage will be a requirement of PSVRR. No maintenance will be done to bring the tracks to Class I FRA certification. There will be no large locomotive on this section. Once a month pancake runs would be recommended and only runs that would benefit the community of Latrobe. These runs are outlined in the agenda item request from PSVRR.

Parks and Recreation Commission Recommendation: A motion was made by Commissioner Arenz, seconded by Commissioner Morgan that the options as listed in the staff report be adopted with the addition of Segment 4-Missouri Flat east, trails only, striking the words twice a year in Segment 2 for maintenance and the deletion of the sentences referencing the monthly runs.

Community Development Agency/Transportation Division

On August 25, 2015 agenda item 15-0911, Community Development Agency/Transportation Division (CDA) had an item on the board to consider removal of 1.42 miles of track for trail development. The Board made the following motion:

A motion was made by Supervisor Ranalli, seconded by Supervisor Novasel to direct staff to:

- 1) Conduct a complete analysis of all options for the El Dorado Trail - Missouri Flat Road corridor and return to the Board with those options; and
- 2) Consult with homeowners adjacent to the El Dorado Trail - Missouri Flat Road corridor regarding the impact of these options.

Update

The CDA made the request to the SPTC JPA in December regarding removal of tracks and the JPA voted to have no tracks removed. The CDA is moving forward with a Class I Bike Path on the side of the tracks.

County Expenditures for Rail and Trail

Rail Expenses:

SPTC JPA has spent zero dollars on rail use.

El Dorado County spent \$20,000 for rail signage and pavement marking for road crossings as required by the CPUC. This was for segment 2-Missouri Flat Road to Shingle Springs.

Trail Expenses:

SPTC JPA has spent \$88,430 for the 10 mile natural trail running from Iron Point in Folsom to Latrobe Road in El Dorado County.

El Dorado County has built numerous Class 1 bike paths in the county, but I am only focusing on the El Dorado Trail expenses. This is an accounting on the El Dorado Trail projects:

El Dorado Trail Projects	
Jacquier to Parkway	\$ 1,668,894.00
Parkway to Los Tramos	\$ 835,100.00
Missouri Flat Road Forni Road	\$ 2,309,500.00
Los Tramos to Halcon (Currently under Construction)	\$ 750,000.00
Culvert Replacement	\$ 30,000.00
	\$ 5,593,494.00

Pedestrian Overcrossing Grant
Class 1 Bike Path Grant 2.5 miles

Summary Recommendations

- The rail corridor is identified as the SPTC
- Signage will be provided by each group as required
- El Dorado Western Railroad is the rail operator/administrator in El Dorado County
- Request the SPTC JPA approve contract with El Dorado Western Railroad for weed abatement
- No excursion rail on the lower segment or Option I.

STAFF REPORT

Board Meeting Date: May 09, 2016

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Information: P&SVRR Excursion
Rail Services Update

AGENDA ITEM
NO. 9

DISCUSSION:

Jim Harville will be making a presentation on the activities of the Placerville and Sacramento Valley Railroad, Inc. (P&SVRR), per the attached information.

Attachment 1

Agenda Item 9, P&SVRR Update

- Informational Addendum -

Progress on the West End

www.psvrr.org

A summary of P&SVRR/FEDSHRA accomplishments in 2015

Important Mileposts in 2015:

- Full-Size Railroad Equipment operates on 15 dates for the public.
- Launched in-house training program for Train Crews.
- By end of year had promoted two volunteers to the position of "Brakeman".
- Acquired a 9000 lb. "Tie Insertor" and restored it to operational status.
- Began training Maintenance-of-Way volunteers on this new equipment.

Ongoing Projects:

- Weed Abatement on the roadbed for the SPTC-JPA . (P&SVRR/FEDSHRA)
- Upgrading of track to Class 1 status between White Rock and County Line. (P&SVRR)
- Updating of Annual Bridge Reports – Folsom Blvd. to County Line. (P&SVRR)
- Various drainage maintenance projects between Folsom Blvd. and County Line. (P&SVRR)

Signature Events in 2015:

- Completion of Eight (8) successful Latrobe Breakfast Specials between March and November.
 - 6th Annual Folsom Railroad Festival – September 26th – 27th. (over 1500 riders in two days)
 - 4th Annual Pumpkin Patch Flyer – Second Weekend Added!
 - 5th Annual Santa's Whistlestop Adventure – First Three Weekends in December.
- These events added to our regular operating weekends for a total of 42 operating days in 2015.

Next Steps:

- Renew Latrobe Breakfast Specials for 2016. (11 dates on our proposed operating schedule)
- Secure permission for more frequent excursions into El Dorado County, enabling P&SVRR to justify the investment of Capitol Improvement Dollars into EDC Rail Infrastructure.
- Completion of Latrobe Creek Washout Repair in cooperation with SPTC-JPA and EDC.
- Regular operation of the Full-Size Equipment in Sac County throughout the 2016 season.

Placerville & Sacramento Valley Railroad, Inc.

A 501(c)3 Non-Profit Corporation

www.psvrr.org

Request for Rail Access in El Dorado County – 2016 Operating Season:

(1) Renew the Latrobe Breakfast Special for 2016:

In 2015 P&SVRR offered eight (8) LBS Excursions out of the nine approved, generating nearly \$1300 in revenue for the Community Hall. Approval of this request will allow us to offer an additional seven (7) Breakfast Specials this year, for a total of nine (9) LBS Excursions in 2016.

(2) Allow a limited number of additional excursions:

June - "Summer Breeze Extras" - One Weekend for Trips to Deer Creek Bridge - (twice daily).

"Latrobe Country Fair" - One Trip Only - (date tbd).

4 "Latrobe Community Hall Extras" - One Trip Each Day - (date tbd).

5 Weekday School Field Trips to Deer Creek Bridge – (two runs each, dates tbd)

(3) Bring back the "Latrobe Local" on a limited trial basis:

May-Sept - "Latrobe Local" - Round Trips Folsom to Latrobe during 4 Holiday Weekends - Memorial Day, Father's Day, Independence Day, Labor Day (twice daily - Sat-Sun only).

Sept 24th-25th - "Latrobe Local - RailFest Edition" - Round Trips Folsom to Latrobe during our 6th Annual RailFest Event (twice daily).

(4) Approve a fact finding trip to the "Lime Mine Gap" for Supervisors/Staff:

By allowing P&SVRR to offer this trip, the County can begin to measure and address legitimate impacts of rail use in this section and separate those impacts from the political hyperbole. This will empower the County as they move forward in developing a balanced policy for the SPTC.

NOTE: P&SVRR to give County 20 days written notice prior to each date/event.

James M. Harville – President
Placerville & Sacramento Valley Railroad, Inc.
Member – FEDSHRA
Member – EDWRF
916-708-7368
president@psvrr.org
www.psvrr.org

- *Informational Addendum* -

P&SVRR Goals in El Dorado County

www.psvrr.org

GENERAL GOALS:

To stabilize, preserve, maintain and improve Rail Infrastructure in the SPTC as follows;

- a) Gain permission to restore and maintain existing drainage systems.
- b) Support existing SPTC-JPA vegetation control programs to maintain proper clearances and preserve track/roadbed integrity.
- c) Conduct essential track/bridge repairs to ensure the public safety.

To monitor all projects affecting the corridor to ensure that they are planned, developed and constructed with full consideration of Excursion Rail Use. This includes projects related to transportation, utilities, housing and business development, and recreation.

To develop Excursion Rail Services between our existing operations in Sacramento County and key Destination/Activity Centers such as Deer Creek, Latrobe, Sugarloaf Mountain, and Bullard Siding, while continuing to protect an eventual connection with EDWRR at Shingle Springs.

To work with other Stakeholder Groups to improve access, movement and safety in the corridor for ALL recreational user groups - including Rail Passengers, Hikers, Bikers, and Equestrians.

SHORT TERM OBJECTIVES:

Complete Latrobe Creek Washout Repair using multi-use guidelines and stakeholder recommendations.

Remove debris and improve drainage in Deer Creek Cut, creating a workman's path outside the rails.

Improve bridge approaches at Carson Creek and Deer Creek to improve rail worker and public safety.

Resolve fencing/easement issues at smaller bridges such as Latrobe Creek and Dunlap Ranch.

MID TERM OBJECTIVES:

Progressively upgrade track to Class 1 status moving easterly from the County Line.

LONG TERM OBJECTIVES:

Work with all user groups to develop a long term plan for the Latrobe Station site which will include Safe Street Access, Parking, Restrooms, Public Parks, and Station Facilities.

STAFF REPORT

Board Meeting Date: May 09, 2016

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

**AGENDA ITEM
NO. 10**

DISCUSSION:

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

- CEO
- El Dorado County
- City of Folsom
- Sacramento County
- Regional Transit

BOARD ACTION:

None – this item is information only.

STAFF REPORT

Board Meeting Date: May 11, 2015

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**INFORMATION: Citizens Address
Board on Matters Not on the Agenda**

**AGENDA ITEM
NO. 11**

DISCUSSION:

This is an Agenda Item that allows members of the public to address the SPTC-JPA Board on matters that do not appear on the published Agenda.

BOARD ACTION:

None – this item is information only.