

**RESOLUTION NO. 2010-40**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE  
AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF  
UNDERSTANDING WITH THE SAN JOAQUIN REGIONAL RAIL COMMISSION AND  
OTHER VALLEY CITIES, COUNTIES AND SPECIAL DISTRICTS TO PLAN AND  
DEVELOP IMPROVED PASSENGER RAIL TRANSPORTATION BETWEEN THE  
REGIONS OF MERCED AND SACRAMENTO AND TO APPOINT AND CONFIRM  
REPRESENTATIVES TO THE CENTRAL VALLEY EXPRESS ADVISORY  
COMMITTEE OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION**

**WHEREAS**, the COUNTY OF MERCED, CITY OF MERCED, MERCED COUNTY ASSOCIATION OF GOVERNMENTS, COUNTY OF STANISLAUS, CITY OF MODESTO, CITY OF TURLOCK, STANISLAUS COUNCIL OF GOVERNMENTS, SAN JOAQUIN REGIONAL RAIL COMMISSION, SAN JOAQUIN COUNTY, CITY OF STOCKTON, CITY OF LODI AND CITY OF MANTECA, SAN JOAQUIN REGIONAL TRANSIT DISTRICT, SAN JOAQUIN COUNCIL OF GOVERNMENTS, COUNTY OF SACRAMENTO, CITY OF SACRAMENTO, CITY OF ELK GROVE AND CITY OF GALT, SACRAMENTO REGIONAL TRANSIT and SACRAMENTO AREA COUNCIL OF GOVERNMENTS seek to enter into a Memorandum of Understanding to develop passenger rail; and

**WHEREAS**, the agencies listed above (herein referred to as the "Parties") share the goal of improving and increasing passenger rail service interconnecting their communities and the regions; and

**WHEREAS**, the Parties have been working together since February 2007 on a planning study to determine the feasibility of commuter rail service between Merced and Sacramento; and

**WHEREAS**, California voters approved Proposition 1A, the Safe, Reliable High Speed Passenger Train Bond Act on November 4, 2008, requiring that the California High Speed Rail Authority (CHSRA) prepare a plan and design for the high speed rail (HSR) system, conduct environmental studies, obtain necessary permits, and undertake the construction and operation of a high-speed passenger train network in California; and

**WHEREAS**, included in the CHSRA work is planning for HSR service between Merced and Sacramento and a complementary and connecting service between the Central Valley and the Bay Area along the Altamont Corridor, with CHSRA acting as a lead agency in preparing project level environmental impact reports (EIR) for each corridor; and

**WHEREAS**, it is in the best interest of the Parties and CHSRA to coordinate the desires for high speed rail and for regional rail service into one planning effort, and to the extent possible, identify one ultimate Corridor with layered services.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Elk Grove that the Mayor is authorized to execute the Memorandum of Understanding attached hereto as Exhibit "A" and incorporated herein by this reference.

**BE IT FURTHER RESOLVED**, by the City Council of the City of Elk Grove that Council Member Hume is appointed to represent the City of Elk Grove on the Central Valley Express Advisory Committee of the San Joaquin Regional Rail Commission, and confirms Mayor Scherman as the alternate representative.

**PASSED AND ADOPTED** by the City Council of the City of Elk Grove this 24<sup>th</sup> day of February 2010.

  
SOPHIA SCHERMAN, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

  
SUSAN J. BLACKSTON, CITY CLERK

  
SUSAN COCHRAN, CITY ATTORNEY

## **EXHIBIT A**

### **MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN**

COUNTY OF MERCED  
CITY OF MERCED  
MERCED COUNTY ASSOCIATION OF GOVERNMENTS  
COUNTY OF STANISLAUS  
CITY OF MODESTO, CITY OF TURLOCK  
STANISLAUS COUNCIL OF GOVERNMENTS  
SAN JOAQUIN REGIONAL RAIL COMMISSION  
SAN JOAQUIN COUNTY  
CITY OF STOCKTON, CITY OF LODI AND CITY OF MANTECA  
SAN JOAQUIN REGIONAL TRANSIT DISTRICT  
SAN JOAQUIN COUNCIL OF GOVERNMENTS  
COUNTY OF SACRAMENTO  
CITY OF SACRAMENTO, CITY OF ELK GROVE AND CITY OF GALT  
SACRAMENTO REGIONAL TRANSIT  
SACRAMENTO AREA COUNCIL OF GOVERNMENTS

### **FOR THE PURPOSE OF CREATING A WORKING GROUP TO COLLABORATE WITH THE CALIFORNIA HIGH SPEED RAIL AUTHORITY TO PLAN AND DEVELOP IMPROVED PASSENGER RAIL TRANSPORTATION BETWEEN THE REGIONS OF MERCED AND SACRAMENTO**

WHEREAS, the agencies listed above (herein referred to as the “Parties”) share the goal of improving and increasing passenger rail service interconnecting their communities and the regions, and;

WHEREAS, the Parties have been working together since February 2007 on a planning study to determine the feasibility of commuter rail service between Merced and Sacramento, and;

WHEREAS, California voters approved Proposition 1A, the Safe, Reliable High Speed Passenger Train Bond Act on November 4, 2008, requiring that the California High Speed Rail Authority (CHSRA) prepare a plan and design for the high speed rail (HSR) system, conduct environmental studies, obtain necessary permits, and undertake the construction and operation of a high-speed passenger train network in California, and;

WHEREAS, included in the CHSRA work is planning for HSR service between Merced and Sacramento and a complementary and connecting service between the Central Valley and the Bay Area along the Altamont Corridor, with CHSRA acting as a lead agency in preparing project level environmental impact reports (EIR) for each corridor, and;

WHEREAS, it is in the best interest of the Parties and CHSRA to coordinate the desires for high speed rail and for regional rail service into one planning effort, and to the extent possible, identify one ultimate Corridor with layered services, and;

WHEREAS, CHSRA has agreed to incorporate the regional services concept into the overall planning and environmental process in order to streamline and coordinate the service development, provided there is an active and committed regional partner,

NOW THEREFORE BE IT RESOLVED, that the Parties agree to engage in a planning process with CHSRA, recognizing local, regional and statewide needs for regional and high speed rail service in a shared service Corridor, identified conceptually on the attached Merced to Sacramento Section Map, and further agree as follows:

1. The parties agree to continue to work cooperatively throughout the preparation of the CHSRA technical studies and the project level EIRs/EISs in the region, and other directly related planning and project development activities.
2. The parties agree to the following general planning principles:
  - a. The shared objective is dedicated passenger trackage for HSR and regional rail service, between Merced and Sacramento, including segments which may provide early independent utility.
  - b. The Merced to Sacramento Corridor will be connected with the Altamont Regional Corridor, Intercity rail services and local and regional transit networks in order to leverage the investment in the corridor. The intention of the planning work is to create seamless connections for the traveler and utilize other transportation services for the broadest coverage.
  - c. Ultimately, high speed rail segments in the region will be fully grade separated, electrified, and suitable for operation of the high speed trainsets which will be used in all portions of the statewide system, and will require that regional service utilize compatible, lightweight trainsets.
  - d. Improvements may be phased so that in the near term, Central Valley regional rail service can be initiated using readily available trainsets.
  - e. Consideration for high speed rail station locations include local support and development strategies, access to other transit connections, regional service markets, interregional service markets and the statutory schedule requirement between Los Angeles and Sacramento.
3. The parties agree that the purpose of this MOU is to continue and expand cooperation among the parties. It is understood that the development of the Corridor may have local implications which will need to be resolved at the local level. The Parties agree, however, that these local discussions and resolutions will be rolled up into the Working Group discussions in order to achieve a smooth Corridor and service transition between the jurisdictions.

4. Each Party agrees to provide leadership and support for the Corridor planning and development process within their respective communities and across jurisdictional boundaries. This may include, but not be limited to, speaking at public meetings, advocating for state and federal funding, executing letters of support, participating in media events, encouraging public awareness and public involvement in the planning process and participating in conflict resolution strategies in the event of project impediments.
5. This MOU is intended to be the first in a series of agreements, each of which is expected to be more specific as planning work progresses and becomes more focused. In addition, this MOU itself is not intended to remain unchanged, but may evolve in the future as the parties confront various problems. All or portions of the MOU may be modified to accommodate the needs of the Parties as planning work progresses, either through direct amendment of this MOU or through supplemental memoranda, as deemed appropriate by the parties.

BE IT FURTHER RESOLVED, that this MOU has been approved by the Parties with an effective date of March 1, 2010. This MOU is in effect and shall continue in effect until and unless terminated by all Parties through mutual written agreement. Any Party may withdraw from the MOU upon 20 days' written notice delivered to the remaining Parties.

The Parties have executed this MOU by their signatures on the following page.

\_\_\_\_\_  
Chair, Merced County Board of Supervisors

\_\_\_\_\_  
Mayor, City Of Merced

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Chair, Merced County Association of Governments

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Mayor, City of Modesto

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Mayor, City of Turlock

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Chair, Stanislaus County Board of Supervisors

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Chair, Stanislaus Council Of Governments

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Chair, San Joaquin County Board of Supervisors

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Chair, San Joaquin Regional Rail Commission

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Mayor, City Of Manteca

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Mayor, City Of Stockton

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Mayor, City of Lodi

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Chair, San Joaquin Regional Transit District

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Chair, San Joaquin Council of Governments

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Mayor, City of Galt

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Mayor, City of Elk Grove

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Mayor, City of Sacramento

\_\_\_\_\_  
Chair, Sacramento Regional Transit

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Chair, Sacramento Board of Supervisors

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Chair, Sacramento Area Council of Governments

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
SUSAN J. BLACKSTON, CITY CLERK

\_\_\_\_\_  
SUSAN COCHRAN, CITY ATTORNEY

**CERTIFICATION  
ELK GROVE CITY COUNCIL RESOLUTION NO. 2010-40**

**STATE OF CALIFORNIA            )**  
**COUNTY OF SACRAMENTO        )**        **ss**  
**CITY OF ELK GROVE             )**

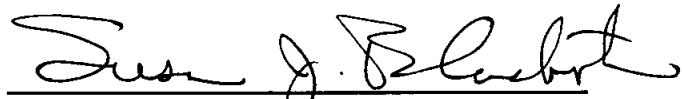
***I, Susan J. Blackston, City Clerk of the City of Elk Grove, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the City Council of the City of Elk Grove at a regular meeting of said Council held on February 24, 2010 by the following vote:***

**AYES :            COUNCILMEMBERS:        *Scherman, Detrick, Cooper, Davis, Hume***

**NOES:            COUNCILMEMBERS:        *None***

**ABSTAIN :        COUNCILMEMBERS:        *None***

**ABSENT:         COUNCILMEMBERS:        *None***

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***Susan J. Blackston, City Clerk***  
***City of Elk Grove, California***