

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
2	12/10/12	Open	Action	12/03/12

Subject: Approving the Stormwater Treatment Measure Access and Maintenance Agreements for the South Sacramento Corridor Phase II (SSCP2) Project with the City of Sacramento

ISSUE

Whether or not to approve the Stormwater Treatment Measure Access and Maintenance Agreements for the South Sacramento Corridor Phase II Project with the City of Sacramento.

RECOMMENDED ACTION

Adopt Resolution No. 12-12-____, Approving the Stormwater Treatment Measure Access and Maintenance Agreements for the South Sacramento Corridor Phase II Project with the City of Sacramento.

FISCAL IMPACT

No Fiscal Impact

DISCUSSION

The South Sacramento Corridor Phase II (SSCP2) Project (Project) is within the City of Sacramento (City). The Morrison Creek Station and Franklin Station include construction of vegetated swale stormwater treatment devices as part of the storm water design of the stations. The City has adopted a policy that requires all developers and other government agencies to meet the State Storm Water Quality requirements as part of any improvement projects within the City limits. Before approving construction, the City is requiring RT to execute an agreement confirming that RT will maintain the stormwater devices and allow City to access the devices for inspection, sampling and testing.

Each Stormwater Treatment Measure Access and Maintenance Agreement identifies the facilities to be installed, requires RT to maintain those facilities, and provides the City remedies if RT fails to comply with its maintenance obligations. Specifically, the Agreement:

- Allows the City to access RT’s vegetated swale with 24 hours’ advance notice for the purpose of inspection, sampling and testing.
- Allows the City to undertake maintenance of the stormwater treatment devices if RT fails to act with due diligence to undertake repairs after receiving notice from the City of the need for repairs.
- Allows the City to bill RT for the actual cost of any repairs undertaken.

Approved:

Presented:

Final 12/03/12

General Manager/CEO

Director, Civil and Track Design

J:\ISSUES\SSCP2\City of Sacramento Stormwater Maintenance Agreement.doc

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
2	12/10/12	Open	Action	12/03/12

Subject: Approving the Stormwater Treatment Measure Access and Maintenance Agreements for the South Sacramento Corridor Phase II (SSCP2) Project with the City of Sacramento

Because execution of this agreement is necessary for construction of SSCP2, Staff recommends approval of the Stormwater Treatment Measure Access and Maintenance Agreement for the South Sacramento Corridor Phase II Project Light Rail Project with the City of Sacramento.

RESOLUTION NO. 12-12-_____

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

December 10, 2012

**APPROVING THE STORMWATER TREATMENT MEASURE ACCESS AND
MAINTENANCE AGREEMENTS FOR THE SOUTH SACRAMENTO CORRIDOR
PHASE II PROJECT WITH THE CITY OF SACRAMENTO**

BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE
SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, the Stormwater Treatment Measure Access and Maintenance Agreement for the South Sacramento Corridor Phase II Project Light Rail Project between the Sacramento Regional Transit District, therein referred to as "Owner," and the City of Sacramento, therein referred to as "City," requiring RT to construct and maintain stormwater treatment devices as part of the South Sacramento Corridor Phase II (SSCP2) Project and allowing City to take certain actions with respect to those devices, as further set forth therein, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said agreement.

BONNIE PANNELL, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary