

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
5	06/25/12	Open	Action	06/18/12

Subject: Approving the First Amendment to the Owner Participation Agreement for University/65th Street Transit Center Relocation Pre-Construction Project with the City of Sacramento

## ISSUE

Whether or not to approve the First Amendment to the Owner Participation Agreement for University/65th Street Transit Center Relocation Project.

## RECOMMENDED ACTION

Adopt Resolution No. 12-06-\_\_\_\_, Approving the First Amendment to the Owner Participation Agreement for University/65th Street Transit Center Relocation Pre-Construction Project with the City of Sacramento.

## FISCAL IMPACT

Budgeted:	Yes	This FY:	\$	
Budget Source:	Capital	Next FY:	\$	107,315.35
Funding Source:	Redevelopment funds – SHRA/City	Annualized:	\$	
Cost Cntr/GL Acct(s) or Capital Project #:	M002	Total Amount:	\$	107,315.35
Total Budget:	\$ 360,000			

## DISCUSSION

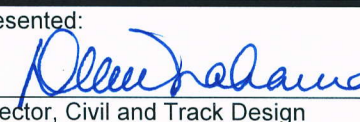
Since November 2007, RT has been working with Sacramento Housing and Redevelopment Agency (SHRA) and the City of Sacramento to plan for a viable transit-oriented development project at the University/65<sup>th</sup> Street Station and Transit Center. SHRA provided \$70,000 of Community Development Block Grant funds for RT to study alternatives for the current bus facility. The Board approved the preferred alternative in 2008. SHRA provided additional funding under an Owner Participation Agreement (OPA) executed January 12, 2009 (“2009 OPA”), to complete design work. Several issues delayed the schedule and caused the 2009 OPA between SHRA and RT to expire with design of the original project only 95% complete. In addition, the parties desired to modify the project scope. Consequently, RT entered into a subsequent OPA with SHRA on March 9, 2011.

Again, several issues delayed completion of the design. The California Supreme Court decision of December 2011 terminating SHRA’s redevelopment activities prevented SHRA from being able to clarify the completion date in the OPA, which was ambiguous. The City of Sacramento, acting as the Redevelopment Agency Successor Agency (RASA), on April 30, 2012 obtained the

Approved:

  
General Manager/CEO

Presented:

  
Director, Civil and Track Design

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approval of the Sacramento Redevelopment Oversight Board to extend the completion date in the OPA.

The proposed amendment will extend the completion dates to November 30, 2012 for RT to complete all work, and January 31, 2013 to submit invoices to the City.

Staff recommends that the RT Board approve an amendment to the OPA with the City (acting as the RASA) that will allow RT to be reimbursed for completing the station design work, preparatory work for right of way acquisitions, and permitting for the University/65<sup>th</sup> Street Transit Center Relocation Pre-Construction Project.

RESOLUTION NO. 12-06-\_\_\_\_\_

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

June 25, 2012

**APPROVING THE FIRST AMENDMENT TO THE OWNER PARTICIPATION  
AGREEMENT FOR UNIVERSITY/65TH STREET TRANSIT CENTER RELOCATION  
PRE-CONSTRUCTION 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 First Amendment to the March 9, 2011 Owner Participation Agreement between Sacramento Regional Transit District (therein "SRTD") and the City of Sacramento, in its capacity as the Redevelopment Agency Successor Agency ("RASA") to the Sacramento Housing and Redevelopment Agency (therein "Agency"), whereby the project completion date is extended to November 30, 2012 and the final invoice date is extended to January 31, 2013, is hereby approved.

\_\_\_\_\_  
BONNIE PANNELL, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: \_\_\_\_\_  
Cindy Brooks, Assistant Secretary