

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
14	11/12/12	Open	Action	10/31/12

Subject: Approving the Second Amendment to the 2004 Memorandum of Understanding for continuing involvement in the planning of the Sacramento/West Sacramento Downtown/Riverfront Transit Project

ISSUE

Whether or not to approve the Second Amendment to the 2004 Memorandum of Understanding for continuing involvement in the planning of the Sacramento/West Sacramento Downtown/Riverfront Transit Project leading to the preparation of a Federal Transit Administration (FTA) Small Starts application under MAP-21.

RECOMMENDED ACTION

Adopt Resolution No. 12-11-_____, Approving the Second Amendment to the 2004 Memorandum of Understanding for Continuing Involvement in the Planning of the Sacramento/West Sacramento Downtown/Riverfront Transit Project.

FISCAL IMPACT

There is no fiscal impact associated with this item.

DISCUSSION

Background:

An initial Memorandum of Understanding (MOU) for the Sacramento/West Sacramento Downtown/Riverfront Transit Project planning process was approved by Regional Transit in 2004. The 2004 MOU with the cities of Sacramento and West Sacramento and the Yolo County Transit District (YCTD) was for the planning of a Sacramento/West Sacramento Downtown/Riverfront Transit Project. In 2009, Regional Transit approved the first amendment to the 2004 MOU. The First Amendment expanded the Policy Steering committee (PSC) to include up to six (6) representatives from the local community or development interests appointed, three each, by the Sacramento and West Sacramento City Councils. This action would amend the previously adopted MOU and extend the MOU to continue planning efforts for this project.

Regional Transit has been working with its partners on a Downtown/Riverfront Transit Project since the mid-2000's. In late 2011 and early 2012, based on input from the Federal Transit Administration (FTA) and local discussions, the MOU partners determined that a federal "Small Starts" effort would be undertaken. "Small Starts" is an FTA program that provides potential federal funding for major transit capital investments up to \$250M in value with up to a 50% match of federal and local funds. Specific new federal guidance on Small Starts is presently under development with the new federal transportation law – MAP-21. RT and its partners are working with FTA and others to help develop and implement the new guidance.

Approved:

Presented:

Final 11/6/12

General Manager/CEO

Principal Planner

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The decision was made by the Participating Agencies to pursue federal funds for the planning, design/environmental clearance and, ultimately, construction funding via the FTA “Small Starts” process. The passage of MAP-21 has changed this process with the goal of reducing complexity and time to complete each step in the process. Specific Guidance on the “Small Starts” process is now under development. Interim Guidance will consist of guidance from the Notice of Proposed Rulemaking (NPRM) for Small Starts/New Starts released by FTA in January 2012 and anticipated to have a Final Rulemaking released by November 2012. The MOU will help position the region to successfully complete this effort and compete for FTA funding.

Because this is a Small Starts process, previously conducted “Streetcar” studies will help inform the process. Factors, technologies and other information will influence the outcome and refinement of the locally preferred alternative (LPA) refinement. Once the (draft) LPA is identified and selected, it will need to be approved by the governing Boards of the Participating Agencies and then by SACOG for inclusion into the Metropolitan Transportation Plan (MTP). Following this effort, it is the intention to request FTA authorization to move the LPA into the Project Development phase of work.

In addition to the technical work, the effort will also focus on developing Governance options for Board consideration, estimating economic benefits of the project, developing concepts for funding the capital and O&M aspects of the project, and continue with community and business outreach.

Modifications:

This amendment has five key changes from the previously approved 2009 MOU:

- 1). The amendment identifies the Sacramento Area Council of Government (SACOG) as the Sponsoring Agency and FTA Grant Recipient, and Mr. Kirk Trost, on behalf of SACOG, as the Project Manager for this on-going effort. The previous MOU identified the City of West Sacramento as the Sponsoring Agency and providing the Project Manager, and identified YCTD as the FTA Grant Recipient.
- 2). The amendment adds SACOG as a party to the MOU.
- 3). The amendment has also been revised to acknowledge the undertaking and completing of an FTA-funded “Small Starts” process following the (now under development) guidance set forth under the federal transportation bill legislation (MAP-21) which went into effect on October 1, 2012. The MOU may also apply to the follow-on Project Development (Environmental Clearance and Final Design) phase of work if all parties agree following the selection of the Locally Preferred Alternative (LPA) and the successful completion of the request to FTA to enter Project Development.

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- 4). The Policy Steering Committee (PSC) has been modified to consist of 10 members including one (1) representative each from the Regional Transit Board and the Yolo County Transit District Board and two (2) representatives each from the City of Sacramento and the City of West Sacramento city councils. In addition, each city will appoint two (2) representatives from the local community or business and development interests. Each representative shall have one (1) vote and a simple majority vote shall determine the direction of any actions requiring a vote. The City of Sacramento and the City of West Sacramento are authorized to have both of their respective votes cast by one (1) elected representative if only one (1) elected representative from that City is present at the PSC meeting. Currently, Director Serna represents RT on this Committee with Chair Pannell as an alternate.
- 5). The term of the MOU is extended to remain in effect through June 30, 2016, or until such time as modified prior to that date.

RESOLUTION NO. 12-11-_____

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

November 12, 2012

APPROVING THE SECOND AMENDMENT TO THE 2004 MEMORANDUM OF UNDERSTANDING FOR CONTINUING INVOLVEMENT IN THE PLANNING OF THE SACRAMENTO/WEST SACRAMENTO DOWNTOWN/RIVERFRONT TRANSIT PROJECT.

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

THAT, the Second Amendment to the 2004 Memorandum of Understanding for continuing Regional Transit's involvement in the on-going planning of the Sacramento/West Sacramento Downtown/Riverfront Transit Project is hereby approved.

BONNIE PANNELL, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

By: _____
Cindy Brooks, Assistant Secretary