

# REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
12	06/08/15	Open	Action	05/21/15

Subject: Ratifying Previous GM Actions; Repealing Resolutions 15-03-0034 and 15-04-0039; Agreeing to Comply with LCTOP Regulations; Authorizing Submission of Documents for FY2014/15 LCTOP Funding; and Delegating Authority to GM to Execute LCTOP Documents

## ISSUE

Whether or not to ratify previous actions by the GM/CEO, repeal Resolution Nos. 15-03-0034 and 15-04-0039, agree to comply with Low Carbon Transit Operations Program (LCTOP) regulations, authorize submission of documents for FY 2014/15 LCTOP funding, and delegate authority to the GM/CEO to execute documents for the LCTOP program.

## RECOMMENDED ACTION

Adopt Resolution 15-06- \_\_\_\_\_, Ratifying Previous Actions by the General Manager/CEO Authorized by Resolution Nos. 15-03-0034 and 15-04-0039; Repealing Resolution Nos. 15-03-0034 and 15-04-0039; Agreeing to Comply with Low Carbon Transit Operations Program (LCTOP) Statutes, Regulations, and Guidelines; Authorizing Submittal of Documents to Apply For and Receive FY 2014/15 LCTOP Funds; and Delegating Authority to the General Manager/CEO to Execute Documents for the LCTOP Program.

## FISCAL IMPACT

Approval of authority to apply for and receive funds will enable RT to access \$603,163 in FY 2014-15 LCTOP funds to operate the South Line Phase 2 Light Rail Extension, Bus Route 65 Expansion, Bus Route 25 Enhancement, and Connect Card Implementation projects; as well as future years' LCTOP funds for these projects once LCTOP funds are appropriated.

## DISCUSSION

LCTOP was created in 2014 by Senate Bill 862 to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities. Eligible LCTOP projects support new or expanded bus or rail service, and/or expand intermodal transit facilities. Each project is required to reduce greenhouse gas emissions. For transit agencies serving disadvantaged communities, at least 50% of the LCTOP monies received must be spent on projects that benefit disadvantaged communities. \$25 million is appropriated statewide for LCTOP in FY 2014-15. RT's share is \$603,163 for FY 2014-15 and is expected to be 4 times that amount for FY 2015-16. Five percent of the annual Cap and Trade auction proceeds in the Greenhouse Gas Reduction Fund (GGRF) are appropriated annually for LCTOP.

Approved:

Presented:

Final 06/02/15

General Manager/CEO

Chief Financial Officer, Acting

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The Board approved Resolution No.15-03-0034 in March 2015 and Resolution No.15-04-0039 in April 2015. These Resolutions authorized RT’s General Manager/CEO to apply for and receive FY 2014/15 LCTOP funds for 4 projects: 1) South Phase 2 Light Rail Expansion; 2) Bus Route 65 Expansion; 3) Bus Route 25 Enhancement; and 4) Connect Card Implementation. The grant applications were signed by the General Manager/CEO and submitted to Caltrans on April 15, 2015.

In early May, Caltrans notified RT it needed a Board resolution approving the Certification and Assurances form and a project resolution identifying the projects as well as the amount of FY 2014/15 LCTOP funds RT is seeking for each of the 4 projects.

RT responded that Resolution Nos. 15-03-0034 and 15-04-0039 provided blanket authority to RT’s General Manager/CEO to execute all documents necessary to apply for and receive LCTOP funds for the 4 projects, including certifications and assurances, and that additional Board action is not necessary.

Caltrans, however, maintains that in the interests of transparency and full disclosure, the Board also needs a Resolution to 1) formally agree to abide by LCTOP statutes, regulations, and guidelines, including the “certifications and assurances,” and 2) authorize the amount of FY 2014/15 funds to be requested for each project.

FY 2014/15 LCTOP funds are available only through June 30, 2015, for Caltrans approved projects. Without these resolutions, Caltrans will not approve the 4 RT projects.

Staff recommends the following RT Board actions to conform the FY 2014/15 LCTOP Resolutions to Caltrans’ required format:

1. Ratify previous actions taken by the General Manager/CEO authorized by Resolution Nos. 15-03-0034 and 15-04-0039.
2. Repeal Resolution Nos.15-03-0034 and 15-04-0039; and
3. Replace them with a new Resolution where RT’s Board:
  - a. Agrees to abide by LCTOP statutes, regulations, and guidelines, including Certifications and Assurances;
  - b. Authorizes the submission of grant applications for the projects listed above for specific LCTOP fund amounts; and
  - c. Delegates to RT’s General Manager/CEO or designee authority to execute all required documents for the LCTOP program.

RESOLUTION NO. 15-06-\_\_\_\_\_

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

June 8, 2015

**RATIFYING PREVIOUS ACTIONS BY THE GENERAL MANAGER/CEO AUTHORIZED BY RESOLUTION NOS. 15-03-0034 AND 15-04-0039; REPEALING RESOLUTION NOS. 15-03-0034 AND 15-04-0039; AGREEING TO COMPLY WITH LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) STATUTES, REGULATIONS, AND GUIDELINES; AUTHORIZING SUBMITTAL OF DOCUMENTS TO APPLY FOR AND RECEIVE FY 2014/15 LCTOP FUNDS; AND DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO EXECUTE DOCUMENTS FOR THE LCTOP PROGRAM**

**WHEREAS**, Sacramento Regional Transit District is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) now or sometime in the future for transit projects; and

**WHEREAS**, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

**WHEREAS**, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

**WHEREAS**, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

**WHEREAS**, Sacramento Regional Transit District wishes to delegate authorization to execute documents and any amendments thereto to the General Manager/CEO.

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

THAT, previous actions of the General Manager/CEO authorized by Resolution Nos. 15-03-0034 and 15-04-0039 are hereby ratified.

THAT, Resolution Nos. 15-03-0034 and 15-04-0039 are hereby repealed.

THAT, the Board agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and applicable statutes, regulations and guidelines for all Low Carbon Transit Operations Program (LCTOP) funded transit projects.

THAT, the Board authorizes the submittal and project nomination and allocation request to Caltrans requesting FY 2014/15 Low Carbon Transit Operations Program (LCTOP) funds of \$365,969 for the South Line Phase 2 Expansion Project; \$ 116,751 for the Bus Route 65 Expansion Project; \$45,292 for the Bus Route 25 Enhancement Project; and \$75,150 for the Connect Card Project.

THAT, Regional Transit's General Manager/CEO or designee is hereby authorized to execute all required documents of the Low Carbon Transit Operations Program (LCTOP) program and any Amendments thereto, with the California Department of Transportation.

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JAY SCHENIRER, Chair

A T T E S T:

MICHAEL R. WILEY, Secretary

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