

**SACRAMENTO REGIONAL TRANSIT DISTRICT  
BOARD OF DIRECTORS  
BOARD MEETING  
February 25, 2019**

**ROLL CALL:** Roll Call was taken at 5:33 p.m. PRESENT: Directors Budge, Hansen, Harris, Howell, Hume, Jennings, Miller, Schenirer, Serna and Chair Kennedy. Director Nottoli arrived at 5:48 p.m.

**PLEDGE OF ALLEGIANCE**

**CONSENT CALENDAR**

1. Motion: Approval of the Action Summary of January 28, 2019
2. Resolution: Approving the Second Amendment to the Temporary Employment Contract with Leslyn Syren for Attorney III (O. Sanchez-Ochoa/L. Ham)
3. Purchase of Twelve E2 Buses to Operate Service Between UC Davis Campus and the UC Davis Medical Center and Amend the Capital Budget (A. Kennedy/A. Carrasco)
  - A. Resolution: Delegating Authority to the General Manager/CEO to Award a Contract for Purchase of 12 40-Foot Catalyst E2 Buses to Proterra, Inc., and
  - B. Resolution: Approving the Fourth Amendment to the Fiscal Year 2019 Capital Budget
4. Resolution: Approving Amendments to the Fiscal Year 2019 Operating Budget (D. Goldman/B. Bernegger)

**ACTION: APPROVED - Director Howell moved; Director Jennings seconded approval of the consent calendar as written. Motion was carried by voice vote. Absent: Director Nottoli**

**INTRODUCTION OF SPECIAL GUESTS**

**UNFINISHED BUSINESS**

**PUBLIC HEARING**

**PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA**

Speakers:

Mike Barnbaum - Mr. Barnbaum provided information on other jurisdictions meetings.

Jeffery Tardaguila – Mr. Tardaguila hopes that the Board is reading the MAC newsletter; has gone through 5 Connect Cards that were not working; need to add another Connect Card terminal at Sacramento Valley Station; and took the longest trip on Paratransit ever in his life.

Robert Coplin – Mr. Coplin, “speaking as part of the Sacramento Mechanics Union, because RT cannot fix the problems they have, only you people up here can with more housing. People cannot afford to go anywhere, they’re not going to ride RT. I hope you know this. What Sacramento County needs more housing and a reason why the people ride the RT bus system, and I don’t see it right now. The whole County has failed with the rising rents. You’re not getting the job done.” The crossing arms were down 3 – 4 and people had to wait at 19<sup>th</sup> Street last week.

### **NEW BUSINESS**

5. Resolution: Approving the Renaming of the 39th Street Light Rail Station to the 39th Street/UC Davis Health Station (D. Selenis)

**ACTION: APPROVED - Director Harris moved; Director Jennings seconded approval of the item as written. Motion was carried by voice vote.**

6. Agreement with the City of Elk Grove for Transit Services (L. Ham)
  - A. Resolution: Approving the Fixed Route, ADA Paratransit/Dial-A-Ride, and Maintenance Operations Contract for Service with the City of Elk Grove; and
  - B. Resolution: Conditionally Approving the Second Amendment to the Service Agreement with the City of Elk Grove

Speaker: Mike Costa

Director Hume questioned Mr. Costa on how Elk Grove staff felt about having a 3 year term with 1 year extensions as opposed to a 5-year term. Mr. Costa said staff would have to look at this option. He indicated that a benefit of the contract from the beginning (18 months ago) was the cost comparison of SacRT vs. MV’s contract. The 5 year contract afforded the City of Elk Grove (Elk Grove) some benefits with some cost savings over MV. If the contract were to be reopened earlier than the 5 years, Elk Grove would have to look at what type of costs savings were available if SacRT wanted to renegotiate compensation or costs prior to those 5 years. Director Hume also asked about the termination clause. Mr. Costa indicated that the benefit in the termination clause is if SacRT were to terminate the contract, Elk Grove would have to, in order to maintain its transit services, go out and

procure a contract that could take upwards of 9 months minimum. If that option would be considered, there would have to be some sort of negotiation about notification and giving Elk Grove enough time to be able to procure a new contractor before SacRT were to leave the property and terminate the services.

Director Hansen asked whether the buses would be branded as SacRT. Director Hansen indicated that the staff positions seemed duplicative. Ms. Ham indicated that the positions would be dedicated to Elk Grove operations sited in Elk Grove at the corporation yard. There are some similar titles such as Superintendent and Dispatcher. The other positions would be duplicate titles but would need to be assigned in Elk Grove locally. Director Hansen indicated that the liquidated damages provision seems unusual for any agency like SacRT to enter into. Director Hansen wanted to know whether SacRT has even entered into a contract that allowed another agency to penalize SacRT in this way. Ms. Ham and Olga Sanchez-Ochoa, Deputy Chief Counsel indicated that neither of them during their tenure with SacRT had that happened. Director Hansen also questioned the \$350,000 per year contribution.

Director Hansen believes that staff should negotiate a stronger termination provision. Ms. Ham indicated that an option that staff could discuss as part of the termination provision is a potential for a reopener associated with cost. Director Hansen does not believe that the contract represents concentration, but instead it represents SacRT stepping into the shoes of MV under a contract which is not every fair, and does not believe that the Board should delegate to the General Manager/CEO the authority to execute a contract until the Board sees a final terms especially given the \$2.25 million in potential revenue loss over 5 years. The liquidated damages do not feel fair as a partner especially when they are making all the rules. Director Hansen indicated that he could not support this item until he had answers to his questions because SacRT has made significant cuts to its service.

Mr. Li indicated that he wanted to sit down with Directors Hansen and Hume, and Tiffani Fink of Paratransit Inc. to talk about Paratransit Service issues. He feels that staff has a way to move forward. In terms of the \$350,000, staff has followed the practice that was done with the Cities of Citrus Heights and Folsom. Mr. Li indicated that the contract amount should be able to cover the costs. The payment is for Elk Grove to enjoy the light rail service at Cosumnes River College and allows Elk Grove to sit on the SacRT Board. SacRT would like to negotiate a 9 month termination for convenience clause.

Laura Ham indicated that there is an opportunity to address and resolve liquidated damages through dispute resolution.

Director Hansen requested that the buses have some SacRT branding on them. Mr. Li indicated that he will ask Elk Grove to add the SacRT branding on the buses.

Director Nottoli asked for the cost in the current negotiated contract for the facilities that SacRT would be leasing. Laura Ham indicated \$1.00. Director Nottoli suggested a 270 day termination for convenience clause. He would like staff to find a way to balance out the startup costs fitting within the overall costs for the first year.

Director Howell asked whether MV Transportation is a for-profit company. Ms. Ham indicated that they are. Ms. Howell has a problem with the liquidated damages issue. Most of the damages could occur for a number of reasons beyond SacRT's control. It is not normal to have liquidated damages for a public agency. Mr. Li indicated that language was built into the contract for issues "out of SacRT's control." Director Howell also has a problem with the \$350,000 payment.

Director Hume indicated that Elk Grove citizens are leary and have concerns that commuter service is going away, everything is being routed to light rail, and concerned that when decisions have to be made that Elk Grove routes will be on the table first as they were previously, and it is important to remember why Elk Grove wanted to provide "better" transit service. Elk Grove would like to "dip their foot in the pool before we jump in to annexation." The liquidated damages maintain a little bit of that "carrot and the stick" and that SacRT's maintains the quality that the Elk Grove ridership has come to expect. He does not believe that use of the word "subsidize" is not a fair assertion. Director Hume would like to have the annexation discussion before he departs the SacRT Board and Elk Grove City Council.

Director Schenirer agrees with a 9 month cancelation clause and he understands that there is trepidation among Elk Grove leadership and the riders about service over time. Director Schenirer asked if some triggers could be set on liquidated damages so that the contract is performance based where the contract gets more equity over the 5 year period. Director Schenirer moved the item with the direction for staff to come back making the contract so that SacRT can get to the annexation conversation sooner rather than later, if SacRT is performing at the level it thinks it can within the contract, keeping the overall parameters of the contract the same, but look at what we can do to improve it over time.

Chair Kennedy established a sub-committee of the Board consisting of Vice Chair Hansen (chairing the committee), and Directors Hume, Nottoli and Schenirer.

Director Hansen seconded and clarified the motion allowing the negotiations to go forward but that the final contract comes back to the Board for approval. Director Schenirer concurred with the clarification.

Director Nottoli noted the time sensitivity of the getting the sub-committee together.

**ACTION: APPROVED - Director Schenirer moved; Director Hansen seconded a motion requesting that the General Manager/CEO continue to negotiate with the City of Elk Grove on both the Fixed Route, ADA Paratransit/Dial-A-Ride, and Maintenance Operations Contract for Service and the Second Amendment to the Service Agreement, and return to the Board with the modified agreements at a future Board meeting. Additionally, Chair Kennedy created a subcommittee of Vice Chair Hansen, Directors Nottoli, Schenirer and Hume, to assist the General Manager/CEO to assist with working on the terms of the agreements. Motion was carried by voice vote.**

7. SacRT Forward New Network, Service and Title VI Analysis (J. Boyle/L. Ham)

- A. Resolution: Approving a Title VI Service Change Equity Analysis for Weekend Light Rail Frequency Improvements and the SacRT Forward Plan; and
- B. Resolution: Approving Weekend Light Rail Frequency Improvements That Took Effect Temporarily on January 6, 2019; and
- C. Resolution: Approving the SacRT Forward New Network Plan

Director Serna wanted to know the plan moving forward to adjust concerns. James Boyle indicated that the Planning Department plans to capture boardings daily, the customer service personnel will be receiving phone calls, and staff plans to monitor this network daily addressing concerns as they are received. The Planning Department plans to report back to the Board monthly and will provide a quarterly service change identifying those things that are not working well, and fix them. Mr. Li indicated that staff plans to monitor reliability, on-time performance, ridership and customer satisfaction. Director Serna requested that concerns are addressed in a timely fashion, or with substantive responses.

Director Nottoli wanted to know what sort of frequency is being proposed for the Gerber SmaRT ride. The SmaRT ride is Monday – Friday, and we are talking with SacRT’s operations and customer service staff about possibility doing Saturday service. Is there any e-tran bus that runs along Calvine to connect the Cosumnes River College light rail station, and if so, on the east side of Highway 99, certainly for Elk Grove service area, but for the area coming from Bradshaw west or Elk Grove-Florin West, are there some opportunities to, in coordination with what is proposed here, to improve service for a broader ridership? James Boyle indicated that the Planning Department will reach out to partnership, like Elk Grove, and would meet with them and talk about the new network, to look at ways to coordinate better with them. Director Nottoli asked if the Route 5 will run throughout the year. James Drake indicated that it is planned to run year round, and will be complemented by the SmaRT ride. Director Nottoli wanted to know what the dotted line indicates on La Riviera/Folsom to Watt/Manlove light rail station map (Route 80/84). James Boyle indicated that the dotted line indicates that the Route 84 would stay on Watt Avenue on the weekends and passengers would have to walk from La Riviera to catch the Route 84.

Director Hansen suggested that both public housing communities should be included in the Downtown/East Sacramento SmaRT ride area as only 1 on the communities (Marina Vista) is included. He noted that in the Downtown zone, the hospital (UC Davis Medical Center) is cut out, and wanted to know if that was intentional.

Director Budge noted that the parents from the San Joan Unified School District sent a letter providing incredible statistics about the transit dependency of students as well the letters about Route 5 and Route 19. Director Budge is happy that service to the VA

Hospital (Route 75) and the VA Clinic (Route 26). She is not certain how staff came to the conclusion that the job centers, seniors or transit dependent are being served (Slide 44). Director Budge wanted to know why SacRT is abandoning the philosophy of the relationship between buses and light rail (i.e. Sunrise Station and Folsom Boulevard).

Chair Kennedy noted that he has attended a number of community meetings and the James Boyle and James Drake have made numerous changes to accommodate concerns of the community, and thanked both staff members.

Speakers:	Barbara Stanton	Nick Bryant	Arthur Ketterling
	Helen O'Connell	Trudy Ross	Leslie Thom
	Bonnie Lindemann*	Tracey Schaal	Dan Allison
	Carol Nelson	Mike Barnbaum	Jeffery Tardaguila
	Deborah Wells	Robert Coplin	Doug Dieslam
	Dean Fairbanks	Steven Bourasa	Russell Rawlings
	Gale Morgan	Zach Miller	Joyce Adams Watkins
	Mary Beth Barber	Bruce Griesenbeck	Sharla Smith

Mr. Li noted that staff has discussed the potential additional services for the San Juan USD and noted that staff has planned for adding 4 school peak time routes specifically for the San Juan USD.

Director Serna wants to know how staff communicates with agencies such as the Society for the Blind to offer additional services to help sight impaired ridership relearn new routes. Director Serna would like the issues concerning Route 13 be reconsidered since there are so few routes in the Natomas area. He would also like the Route 68 rerouted back to its current route to address the connectivity of the Fruitridge Community Collaborative in the South Oak Park/ Fruitridge neighborhood. James Boyle noted that staff has worked closely with the Mobility Advisory Council (MAC) and SacRT's Accessible Services Department to make sure that the visual impaired community knows exactly what the route changes are and what is being proposed. Staff can provide a very detailed route by route and turn by turn description. Laura Ham noted that the Accessible Services Department supports the travel training programs in the community (The Society for the Blind, Paratransit Inc., National Federation and the California Council of the Blind are represented on the Mobility Advisory Council). SacRT supports and provides passes for the Society for the Blind, Paratransit, Inc. and other programs. Director Serna wants staff to coordinate, or work closely with the Society for the Blind, to provide some additional level of service that is requested to help those in need. James Boyle understands there is a concern with Route 13 and staff will look again at adding some afternoon trips so that both morning and afternoon trips are covered. James Drake agreed that it would be a minor change to keep the Route 68 as is.

Director Nottoli recognized that staff made a tough choice with all the routes, but wanted to address the Route 80/84 again. Director Nottoli requested that staff look at some service on the weekend south of Folsom Boulevard, and provide the ridership numbers. The Sunrise Station was supposed to be a major hub station and if the station is being

underutilized, what is the long term plan for that station. Director Nottoli noted that staff is modifying and trying to have more frequent service, but we are really not reaching any new areas in the County, and there is a growth area that is being levied a fee annually in the Vineyard area, certainly would not cover the cost of the bus, but there is nothing in this plan or that he sees on the horizon to look at how we might build ridership in that area and get people to a light rail station or to backbone service. Director Nottoli is concerned at all of the concerns of the Route 2 have not been addressed. James Boyle noted that the County has made a large investment on Watt Avenue with bus lanes and signal priority for SacRT to use, so staff did not want to disregard that infrastructure so that is why they left the Route 80/84 on Watt Avenue. Director Nottoli indicated that he will take the people's preference over the infrastructure.

Director Budge noted that Rancho Cordova (RC) is in a difficult position because RC has not had a lot of service. She is concerned about the Sunrise Station not being utilized. RC has made investments in transit and was one of the 3 new cities that were required to join SacRT in the LAFCO agreement. Director Budge indicated that the current Cordovan are currently being funded by the transit tax that the homeowner's pay and that, on a per capita basis, the City of Rancho Cordova pays more than the City of Sacramento for transit services that they do not have, and when buying their investment in the Cordovan routes, they are truly paying out of pocket for the little bit of transit service they do have.

James Boyle reminded the Board that SacRT has received a grant from Caltrans to look at BRT, BRT corridors and service in SacRT's service area. The Sunrise Station corridor is one of those corridors that staff will be looking at for this type of service.

Director Howell indicated that the changes that are being proposed are improvements and that tweaks may be required. Director Howell supports the changes.

Director Harris is in support of moving forward and make adjustments as needed.

Director Jennings asked for a description of how tweaks will be made and how the public will be notified, and how the public can suggest change. James Boyle indicated that staff will be communicating with the public in many ways and capturing all the comments and suggestions throughout the process.

Director Miller asked staff to continue with outreach, and supports the next step to improvement.

Chair Kennedy commended staff on their work on this project.

**ACTION: Failed: Subsequent Motion: Director Serna moved; Director Budge seconded a motion to delay approval of the implementation of the SacRT Forward network requesting further refinements to some of the routes. Ayes: Directors Budge, Nottoli, Serna. Noes: Directors Hansen, Harris, Howell, Hume, Jennings, Miller, Chair Kennedy. Absent: Director Schenirer.**

**ACTION: APPROVED - Director Hansen moved; Chair Kennedy seconded approval of the items as written. Ayes: Directors Hansen, Harris, Howell, Hume, Jennings, Miller, Serna and Chair Kennedy. Noes: Directors Budge and Nottoli. Absent: Director Schenirer. Motion was carried by roll call vote.**

### **GENERAL MANAGER'S REPORT**

8. General Manager's Report
  - a. SacRT Meeting Calendar

The General Manager/CEO deferred his General Manager's Report.

### **REPORTS, IDEAS AND QUESTIONS FROM DIRECTORS, AND COMMUNICATIONS**

9. San Joaquin Joint Powers Authority Meeting – January 25, 2019 (Hume)

No additional comments were provided.

10. Paratransit Inc. Board of Directors Meeting – January 30, 2019 (Hume)

No additional comments were provided.

11. Capitol Corridor Joint Powers Authority Meeting – February 13, 2019  
(Kennedy/Miller)

No additional comments were provided.

### **CONTINUATION OF PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA (If Necessary)**

### **ANNOUNCEMENT OF CLOSED SESSION ITEMS**

The Clerk announced that Closed Session is being canceled.

### **RECESS TO CLOSED SESSION**

### **CLOSED SESSION**

- A. Conference with Legal Counsel  
Pursuant to Gov. Code Section 54956.9(b)  
Anticipated Litigation  
One Case

### **RECONVENE IN OPEN SESSION**

### **CLOSED SESSION REPORT**



**ADJOURN**

\*Handout

As there was no further business to be conducted, the meeting was adjourned at 9:00 p.m.

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PATRICK KENNEDY, Chair

A T T E S T:

HENRY LI, Secretary

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