



## STAFF REPORT

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**DATE:** October 26, 2020  
**TO:** Sacramento Regional Transit Board of Directors  
**FROM:** Cindy Brooks, Clerk to the Board  
**SUBJ:** APPROVAL OF THE ACTION SUMMARY OF SEPTEMBER 14, 2020

### RECOMMENDATION

Motion to Approve.

**SACRAMENTO REGIONAL TRANSIT DISTRICT  
BOARD OF DIRECTORS  
BOARD MEETING  
September 14, 2020**

**ROLL CALL:** Roll Call was taken at 5:30 p.m. PRESENT: Directors Budge, Harris, Howell, Hume, Kennedy, Nottoli, Schenirer, Serna, Vice Chair Miler and Chair Hansen. Director Jennings arrived after the Pledge of Allegiance.

**1. PLEDGE OF ALLEGIANCE**

**2. CONSENT CALENDAR**

- 2.1 Motion: Approval of the Action Summary of August 24, 2020
- 2.2 Resolution: Amending Title II (Conflict of Interest and Code of Ethics) of Sacramento Regional Transit's District Administrative Code to Revise Appendix A (O. Sanchez-Ochoa)
- 2.3 Resolution: Approving the Appendix and Language Changes to Section 9.01C of the Personnel Policy Manual Summarizing the Retiree Health Benefits Provided to Non-Bargaining Unit Employees Known as the Management and Confidential Employee Group (S. Booth/S. Valenton)
- 2.4 Resolution: Approving SacRT's Social Media Policy (D. Selenis)
- 2.5 Award Contracts for General Engineering Support Services – 2020 (L. Ham)
  - A. Resolution: Award Contract to Mark Thomas and Company, Inc.;  
and
  - B. Resolution: Award Contract to Psomas
- 2.6 Resolution: Approving Amendment No. 4 to Credit Agreement with US Bank National Association for an Extension of the \$27 Million Line of Credit Facility to September 30, 2021 (B. Bernegger)
- 2.7 Resolution: Conditionally Awarding a Contract for Underwriting Contract Services to RBC Capital Markets, LLC (B. Bernegger)
- 2.8 Awarding Contracts for Workers' Compensation Legal Services (B. Bernegger)

- A. Resolution: Awarding a Contract for Legal Services for Workers' Compensation to Lenahan, Slater, Pearse & Majernik, LLP; and
  - B. Resolution: Awarding a Contract for Legal Services for Workers' Compensation to Albert & Mackenzie, LLP; and
  - C. Resolution: Awarding a Contract for Legal Services for Workers' Compensation to Coleman, Chavez & Associates, LLP; and
  - D. Resolution: Awarding a Contract for Legal Services for Workers' Compensation to Llarena, Murdock, Lopez & Azizad, APC; and
  - E. Resolution: Approving Work Order No. 1 to the Contract for Legal Services for Workers' Compensation with Lenahan, Slater, Pearse & Majernik, LLP.
- 2.9 Resolution: Ratifying an Unauthorized Procurement and Approving the First Amendment to the Contract with Delta Wireless for Radio System Maintenance and Repair Services to Add Funds and Exercise Options Years 6 and 7 (C. Alba)
- 2.10 Resolution: Conditionally Delegating Authority to the General Manager/CEO to Award a Contract for Final Design Services for Rail Modernization 15 Minute Light Rail Service to Historic Folsom with AECOM Technical Services Inc. (L. Ham)
- 2.11 Resolution: Adopting a Categorical Exemption for the Watt I-80 Transit Center Improvements (L. Ham)
- 2.12 Resolution: Approving the Job Description for the Position General Counsel and Changing the Reporting Structure as Authorized Under California Public Utilities Code §102160 (O. Sanchez-Ochoa)
- 2.13 Student Ridership Initiative Transit Pass Modification (B. Bernegger)
- A. Resolution: Repealing Resolution No. 20-08-0078 and Delegating Authority to the General Manager/CEO to Approve and Execute Student Transit Pass Amendment or Agreement with the City of Sacramento; and
  - B. Resolution: Temporarily Modifying the Fare Structure (Resolutions 09-10-0174 and 18-06-0061, as Amended) to Create a 2020-2021 Annual Student (TK-12) Pass Prepaid Fare; and
  - C. Resolution: Authorizing Students (TK-12) Residing In or Attending

School Within SacRT's Service Boundary to Obtain and Use a 2020-2021 Annual Student (TK-12) Pass through November 30, 2020 Without Payment By a Sponsoring Entity and Conditionally Authorizing Students Residing or Attending School Outside the City Of Sacramento to Obtain and Use a 2020-2021 Annual Student (TK-12) Pass through September 30, 2021 Without Payment By a Sponsoring Entity.

Written public comment was read into the record by the Clerk on the following items:

Item 2.4 – Helen O'Connell  
Item 2.11 – Mike Barnbaum  
Item 2.13 – Helen O'Connell

***ACTION: APPROVED - Director Hume moved; Director Budge seconded approval of the consent calendar with the exception on Item 2.12 which was pulled for discussion. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Nottoli, Schenirer, Serna, Vice Chair Miler and Chair Hansen. Noes: None; Abstain: None, Absent: None. Director Howell recused herself from voting on Item 2.5. only because Mark Thomas is a client.***

2.12 Resolution: Approving the Job Description for the Position General Counsel and Changing the Reporting Structure as Authorized Under California Public Utilities Code §102160 (O. Sanchez-Ochoa)

***ACTION: ITEM CONTINUED TO OCTOBER 26, 2020 - Director Budge provided a substitute motion; Director Harris seconded the substitute motion to continue the item to the October 26, 2020 Board Meeting. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Nottoli, Schenirer, Serna, Vice Chair Miller and Chair Hansen. Noes: None; Abstain: None, Absent: None.***

3. **INTRODUCTION OF SPECIAL GUESTS**
4. **UNFINISHED BUSINESS**
5. **PUBLIC HEARING**
6. **PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA**

Written public comment was read into the record by the Clerk and summarized below.

Mike Barnbaum – Mr. Barnbaum reiterated his request for SacRT Board Meetings to have a call-in number so that the public can speak directly to the Board.

Jeffery Tardaguila – Mr. Tardaguila mentioned the MAC agenda, wants to be provided  
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the status of a current employee, and wants “public disclosure of what is going on in Regional Transit.”

## **7. NEW BUSINESS**

- 7.1 Chair Appointment of Board Members to an Ad Hoc Committee to Provide Input and Recommendations for SacRT’s Administrative Campus and Other Facilities (B. Bernegger)

***ACTION: Chair Hansen appointed himself, Directors Budge, Kennedy, Schenirer and Vice Chair Miller to the Ad Hoc Committee. Director Jennings was appointed as an alternate.***

- 7.2 Chair Appointment of a 2 x 2 Committee with the City of Elk Grove to Discuss the Annexation of the City of Elk Grove to Sacramento Regional Transit District (L. Ham)

Written public comment was read into the record by the Clerk from Mike Barnbaum.

Director Howell expressed her interest in serving on this committee or sharing her experiences since the City of Folsom joined SacRT recently.

Director Hume expressed his interest in serving on this committee from the City of Elk Grove.

***ACTION: Chair Hansen appointed himself and Vice Chair Miller to the 2 x 2 Ad Hoc Committee with Director Howell as an alternate.***

- 7.3 Downtown Riverfront Streetcar Project Update (L. Ham)

- A. Resolution: Conditionally Approving Reimbursement Agreement for the Redesign of the Downtown Riverfront Streetcar Project and Small Starts Grant Update Submission with the Riverfront Joint Powers Authority; and
- B. Resolution: Conditionally Approving the Third Amendment to the Contract for Downtown Riverfront Streetcar Design Services with HDR, Inc.; and
- C. Resolution: Conditionally Approving the First Amendment to the Contract for Environmental Support Services for Downtown Riverfront Streetcar Project with AECOM; and
- D. Resolution: Conditionally Approve Termination of the Subrecipient and Interagency Agreement, Authorize Project Sponsorship and Ownership to Transfer to SacRT, and Directs the General

Manager/CEO to Negotiate Replacement Agreements with the  
Cities Prior to the Dissolution of the Authority

**ACTION: APPROVED – Motion to Reconsider the Item - Director Serna moved; Director Schenirer seconded approval of the request to reconsider the item. Motion was carried by roll vote. Ayes: Directors Jennings, Nottoli, Schenirer, Serna, Vice Chair Miller and Chair Hansen; Noes: Directors Budge, Harris, Hume and Kennedy. Abstain: None. Absent: None. Director Howell recused herself because HDR is a client.**

Laura Ham introduced the item and provided an update on what had changed since the last time the item was presented to the Board.

Chair Hansen noted that the revised item before the Board, because of the comments provided by the Board, is better than what was presented to the Board on August 24<sup>th</sup>, and that SacRT should continue to work with their partner across the river in West Sacramento. Chair Hansen requested that staff bring back a workshop to discuss future SacRT expansion projects, modernization projects and other service enhancements.

Written public comment was read into the record by the Clerk from the following:

Austin Allen	Helen O’Connell	Dennis Neufeld
Sabrina Lockhart	Pat Flint	Dani Langford
Carl Strauss	Steven Bourasa	Louise Bedsworth
Martha Guerrero	Mayor Steinberg	Matthew Johnson*

Chair Hansen indicated that the Board received a letter from the Strategic Growth Council that indicated that SacRT’s \$17.5 million award for the Dos Rios Station was predicated on the Streetcar Project. Laura Ham indicated that if the Streetcar Project did not pass that SacRT would have to identify a replacement project in support for the Dios Rios Station Project.

Director Budge asked for clarification on the “leverage” of the Streetcar Project with the Dos Project. Laura Ham provided the answer on how the two projects were connected.

Director Harris indicated his frustration that the item was brought back to the Board to try to get a different outcome. Director Harris noted no economic benefits to the City of Sacramento, and ridership will be minimal. Director Harris expressed his interest, if this item passes, to ask for reconsideration at the next Board meeting. This item is predicated on future actions of both entities coming up with money to promote the connector project, and a future STA Measure. Projects should be built for the organization that will support ridership and people adopting a different type of lifestyle.

Director Budge questioned the reason why the item is back in front of the Board. Director Budge reiterated that the process is backwards. She believes that all of the promises need to be confirmed before the SacRT Board takes action because it does not conceptually

approve anything until the City of Sacramento and City of West Sacramento take action and the City of West Sacramento commit to joining SacRT.

Vice Chair Miller noted that he previously said he would support the project as long as taxpayers did not pay for this project, because it was a City of Sacramento and West Sacramento project, and now it is only a West Sacramento project. He provided other concerns such as cost overruns, construction and operations, and that a contract needs to be in place so that SacRT will be reimbursed for costs to date. If those conditions are met, he indicated that he could see moving forward in constructing this project for West Sacramento.

Director Hume noted that he was not a fan of the original iteration of the project. The revised project is still Streetcar in name only. It is the beginning of a SacRT line into West Sacramento, and may go deeper into Yolo County, but does the public a disservice when we are doing a bait and switch. Director Hume noted that he is not against what is being proposed, but is against the manner in which it is being carried forward.

Director Nottoli asked to clarify that the current resolutions require subsequent actions by both cities. Laura Ham noted that the work on the project would be on pause until the agreements are fully funded (including the current reimbursement agreement and the subsequent or replacement agreement that would provide for the \$151,000 that we are short from the current \$2.6 million agreement, plus the projected \$560,000 that is required to reach the small starts grant agreement). Those agreements would also fund the two work orders currently before the Board for approval. Staff will continue to develop the ridership forecast, update the schedule and update the environmental and design work required for project development. Ms. Ham noted that a condition has been set that an operations and maintenance agreement or annexation occur prior to the end of the current calendar year. The current reimbursement agreement does hold SacRT harmless for any project development cost overruns; this new condition expands that to include construction and operations. Director Nottoli indicated that it is incumbent on the two cities to determine if this project fits with the criteria that SacRT is being asked to put forward and carry the project.

Director Schenirer noted the many conditions before the project can move forward. SacRT will be held harmless with the benefits of the additions that were made from the last reading.

***ACTION: APPROVED – Chair Hansen moved; Director Serna seconded approval of items A, B, C, and D as written. Motion was carried by roll call vote. Ayes: Directors Jennings, Nottoli, Schenirer, Serna, Vice Chair Miller and Chair Hansen; Noes: Directors Budge, Harris, Hume and Kennedy. Abstain: None. Absent: None. Director Howell recused herself because HDR is a client.***

## **8. GENERAL MANAGER’S REPORT**

### 8.1 General Manager’s Report

- a. Innovative Clean Transit Plan Update
- b. SmaRT Ride Presentation
- c. SacRT Meeting Calendar

Written public comment was read into the record by the Clerk from the following:

Mike Barnbaum

Laura Ham provided an overview of the Innovative Clean Transit Plan and reviewed her power point on the California Air Resource Board mandate to a zero-emission vehicle fleet. Public and peer review of the plan should be available in the next 10 days. In support of this effort and a full zero emission vehicle transition plan, SacRT received \$215,000 Caltrans grant.

- 9. **REPORTS, IDEAS AND QUESTIONS FROM DIRECTORS, AND COMMUNICATIONS**
- 10. **CONTINUATION OF PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA (If Necessary)**
- 11. **ANNOUNCEMENT OF CLOSED SESSION ITEMS**
- 12. **RECESS TO CLOSED SESSION**

The Board recessed to Closed Session at 7:01 p.m.

13. **CLOSED SESSION**

- 13.1 Conference with Labor Negotiator  
Pursuant to Section 54957.6  
District Negotiator : Stephen Booth
  - A. Employee Organization: AFSCME
  - B. Employee Organization: ATU
  - C. Employee Organization: IBEW
  - D. Employee Organization: OE3
- 13.2 Conference with Legal Counsel  
Pursuant to Gov. Code Section 54956.9(d)  
Anticipated Litigation
  - A. One Case
- 13.3 Public Employee Appointment  
Pursuant to Section 54957



Title: General Counsel

14. **RECONVENE IN OPEN SESSION**

15. **CLOSED SESSION REPORT**

There was no Closed Session Report.

16. **ADJOURN**

\* Received after the meeting ended.

As there was no further business to be conducted, the meeting was adjourned at 7:57 p.m.

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STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

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