



Sacramento Regional Transit District

BOARD MEETING NOTICE TO THE PUBLIC

In compliance with directives of the County, State, and Centers for Disease Control and Prevention (CDC), this meeting is live streamed and closed to the public. Temporary procedures are subject to change pursuant to guidelines related to social distancing and minimizing person-to-person contact.

**SacRT Board Meetings are being streamed live at
<http://iportal.sacrt.com/iapps/srtdbm/>**

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**Members of the public are encouraged to submit written public comments relating to the attached Agenda no later than 2:00 p.m. on the day of the Board meeting
at
Boardcomments@sacrt.com**

**Please place the Item Number in the Subject Line of your correspondence.
Comments are limited to 250 words or less.**



Sacramento Regional Transit District Agenda

BOARD MEETING
5:30 P.M., MONDAY, SEPTEMBER 14, 2020
REGIONAL TRANSIT AUDITORIUM
VIRTUAL MEETING

Website Address: www.sacrt.com

ROLL CALL — Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Miller, Nottoli, Schenirer, Serna and Chair Hansen

Alternates: Directors Detrick, Kozlowski, Sander and Slowey

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 an Amended and Restated Student Ridership Initiative Student Transit Pass 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.

3. **INTRODUCTION OF SPECIAL GUESTS**
4. **UNFINISHED BUSINESS**
5. **PUBLIC HEARING**
6. **PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA***
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)
 - 7.2 Chair Appointment of a 2 x 2 Ad Hoc Committee with the City of Elk Grove to Discuss the Annexation of the City of Elk Grove to Sacramento Regional Transit District (L. Ham)
 - 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
8. **GENERAL MANAGER'S REPORT**
 - 8.1 General Manager's Report
 - a. Innovative Clean Transit Plan Update
 - b. SacRT Meeting Calendar
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

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

16. ADJOURN

*NOTICE TO THE PUBLIC

It is the policy of the Board of Directors of the Sacramento Regional Transit District to encourage participation in the meetings of the Board of Directors.

This agenda may be amended up to 72 hours prior to the meeting being held. An Agenda, in final form, is located by the front door of Regional Transit's building at 1400 29th Street, Sacramento, California, and is posted on the SacRT website.

The Regional Transit Board of Directors Meeting is being streamed live and videotaped. A replay of this meeting can be seen on Metrocable Channel 14. Please check the Metropolitan Cable Commission Broadcast Calendar at for replay dates and times.

Any person(s) requiring accessible formats of the agenda should contact the Clerk of the Board at 916/556-0456 or TDD 916/483-4327 at least 72 business hours in advance of the Board Meeting.

Copies of staff reports or other written documentation relating to each item of business referred to on the agenda are on SacRT's website, on file with the Clerk to the Board of Directors of the Sacramento Regional Transit District. Any person who has any questions concerning any agenda item may call the Clerk to the Board of Sacramento Regional Transit District.



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Cindy Brooks, Clerk to the Board
SUBJ: APPROVAL OF THE ACTION SUMMARY OF AUGUST 24, 2020

RECOMMENDATION

Motion to Approve.

**SACRAMENTO REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS
BOARD MEETING
August 24, 2020**

ROLL CALL: Roll Call was taken at 5:31 p.m. PRESENT: Directors Budge, Harris, Howell, Kennedy, Nottoli, Schenirer, and Chair Hansen. Directors Hume, Miller and Serna arrived shortly after roll call. Director Jennings arrived after Consent.

1. PLEDGE OF ALLEGIANCE

2. CONSENT CALENDAR

- 2.1 Approval of the Action Summary of August 10, 2020
- 2.2 Resolution: Conditional Approval for Sacramento Regional Transit District, Easton Development Company, LLC and the County of Sacramento to Acquire Easements In/Around the Hazel Park and Ride Lot (B. Bernegger)
- 2.3 Resolution: Approving a Contract for Workers' Compensation Third Party Administrator Services with Intercare Holdings Insurance Services, Inc. (B. Bernegger)
- 2.4 Resolution: Approval of a Campaign Contribution Policy Prohibiting Campaign Contributions to Members of the SacRT Board by SacRT Employees During Work Hours and/or Within SacRT Facilities (O. Sanchez-Ochoa)
- 2.5 Student Ridership Initiative Transit Pass (B. Bernegger)
 - A. Resolution: Delegating Authority to the General Manager/CEO to Approve the Amended and Restated Student Ridership Initiative Student Transit Pass Agreement with the City of Sacramento; and
 - B. Resolution: Conditionally Authorizing Students (TK-12) Residing in or Attending School Outside the City Limits of Sacramento and Within SacRT's Service Boundary to Obtain an Annual Student (TK-12) Pass Prepaid Fare Valid from October 1, 2020 through September 30, 2021 Without Payment by a Sponsoring Entity
- 2.6 Resolution: Delegating Authority to the General Manager/CEO to Award and Execute a Contract for Compressed Natural Gas Equipment Maintenance, Repair, and Parts Services (L. Ham)

Director Serna thanked Ms. Sanchez-Ochoa for her help and support for bringing Item 2.4 (Campaign Contribution Policy) forward for approval.

ACTION: APPROVED - Director Budge moved; Director Harris seconded approval of the consent calendar as written. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Hume, Kennedy, Miller, Nottoli, Schenirer, Serna and Chair Hansen; Noes: None; Abstain: None; Absent: Jennings.

3. **INTRODUCTION OF SPECIAL GUESTS**

4. **UNFINISHED BUSINESS**

5. **PUBLIC HEARING**

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

The Clerk read into the record one public written comment, summarized below:

Mike Barnbaum – Mr. Barnbaum requested that Staff provide the Board with a report as to the progress being made to return Route 20 in Folsom, Route 142 Airport Express, and the 200-series supplemental school trippers back into service.

7. **NEW BUSINESS**

The Chair reordered the Agenda to take Item 7.2 before Item 7.1 because two Board Members needed to leave the meeting early.

- 7.2 Resolution: Authorizing the General Manger/CEO to Award a Sole Source Public Works Contract to a Qualified Plumbing Company to Perform an Emergency Repair and/or Replacement of One or More Pipes Leaking a Significant Amount of Water Under Bus Maintenance Facility 1 (L. Ham) – Requires 4/5th Vote

ACTION: APPROVED - Director Schenirer moved; Director Budge seconded approval of the item as written. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Miller, Nottoli, Schenirer, Serna and Chair Hansen; Noes: None; Abstain: None; Absent: None.

7.1 Downtown Riverfront Streetcar Project Update (L. Ham)

- A. Resolution: Approving Reimbursement Agreement for the Redesign of the Downtown Riverfront Streetcar Project and Small Starts Grant Submission with the Riverfront Joint Powers Authority; and

- B. Resolution: Approving the Third Amendment to the Contract for

Downtown Riverfront Streetcar Design Services with HDR, Inc.;
and

- C. Resolution: Approving the First Amendment to the Contract for Environmental Support Services for Downtown Riverfront Streetcar Project with AECOM; and
- D. Resolution: 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

Laura Ham introduced the item, provided an overview of the Project, and reviewed the actions taken by the City of Sacramento Council and West Sacramento Council to move the project forward with SacRT as the owner and operator of the project.

Director Harris noted that he is not a proponent of this project and is concerned that the project does not offer any immediate benefits to the City of Sacramento. For the 1.1-mile service, he believes that “rubber tires” could be extremely effective between the City of Sacramento and West Sacramento. He is concerned that the Staff Report does not analyze what it means to SacRT’s finances and operations, and that there are other projects that could benefit more, such as the 3-mile extension to Elk Grove and the Green Line.

Director Schenirer noted that the City of Sacramento voted in favor of moving forward for the future. The potential for moving forward is worth taking this next step. It is true that SacRT does not want to leave 50 million dollars on the table. The work done with the Federal Transit Administration (FTA) and Congresswoman Matsui is vitally important as we move forward. It is important for new neighbors to get from West Sacramento to Sacramento, and this project will also help relieve congestion. Director Schenirer moved the item.

Director Budge expressed her concern that this project is coming to the Board to make a decision as the project process has not been vetted. She is also concerned that the 2 x 2 meetings and staff’s progress has not been reported to the SacRT Board or Joint Powers Authority (JPA) Board. She feels that there will be very few riders because project has only one destination, Sutter Health Park.

Director Hume asked Mr. Li if SacRT really wanted to take on this project. Mr. Li indicated that the FTA Regional Administrator called him and was very happy that the item was on the agenda. Mr. Li indicated that this call showed that FTA wants to move the project forward. Mr. Li noted that if SacRT ever wanted to move other projects forward, that they are going to need the support of FTA. If SacRT gives up 50 million dollars now, FTA will be disappointed. Mr. Li indicated that it has been difficult to bring this item to the SacRT Board in the past because SacRT was not the owner of the

project. Director Hume then stated that he is concerned that SacRT could be in jeopardy of losing funds, if this project does not move forward.

Director Howell indicated that the ridership may strictly be to the River Cats game, as Director Budge indicated, rubber tire vehicles or trolleys might be less expensive to operate, and does not see it being a regular ride or generating tourism.

Chair Hansen noted that SacRT is fairing better than other transit agencies. He believes that in order to further decongest the freeways, SacRT needs to grow south and north. The Sacramento Area Council of Governments (SACOG) is supportive of this project. This Project is different because it crosses boundaries and is an opportunity to connect to West Sacramento and expand further west. Ultimately this project could be extended past West Sacramento to Davis moving heavy commuter traffic off the freeways and on to transit. This is one of the projects that has a congressional earmark and West Sacramento has identified a tax to pay for their match. This is a beginning of a partnership over the causeway. Chair Hansen noted that the reason he recommended the JPA be dissolved was because SacRT has not received the responsiveness out of the JPA. The reason the two cities took ownership of the project was to save money. Chair Hansen seconded Director Schenirer's motion.

Director Nottoli asked Mr. Li to clarify a statement he made regarding future funding for SacRT if this project did not move forward. Mr. Li clarified that he did not want to imply that it would affect future funding.

Director Nottoli wanted to know if the monies from the Cap and Trade carryover (\$30 million) is solely dedicated to this project, and whether this money would still be available for the revised project. Chair Hansen indicated that as far as he was aware the Cap and Trade money was still available, which is a smaller version than the prior project.

Director Nottoli wanted to know what the change of mode was depicted in the PowerPoint. Chair Hansen noted that the mode proposed was a rubber tire vehicle, which FTA did not support.

Director Harris wanted to clarify that as a City Council member he put forward a motion to deny \$149, 000 which did not carry, that the Green Line was the beginning of a project to get over the river to Natomas, and then to the Airport that would expand SacRT's reach. Director Harris stated that the JPA process has been opaque and gone under the radar. He wanted to know if FTA is fitting the project to the money and where the estimate of ridership was on this Streetcar. He is concerned that FTA does not want a mode change, but we are still calling it a Streetcar, when it is clearly a light rail line. Director Harris indicated that this Project will cost SacRT money, and wanted to know what kind of ridership is expected. Mr. Li indicated that if the mode changes the current funding sources will need to reapply. SacRT planned to sign an Operating and Maintenance (O&M) Agreement with West Sacramento to pay for part of the costs, and if Measure A would pass in 2022, SacRT would have the money to run it in the future.

For the first five-years SacRT could get Cap and Trade money.

Director Budge reiterated that there has been so little discussion on this project and its issues. She indicated that the Staff Report indicated that if the partners did not agree to assist with O & M costs, SacRT would be responsible. Chair Hansen indicated that some of these issues would be vetted later after the dissolution of the JPA.

Director Schenirer indicated that this is not the final step, and it does not exclude SacRT from working on other projects, like light rail to the airport. Director Schenirer believes that moving forward with this project, does give SacRT a better opportunity at monies from FTA.

Director Howell requested that Item B be voted on separately as she needed to recuse herself from voting on that item.

Director Schenirer moved; Chair Hansen seconded approval of Items, A, B, C and D.

ACTION: ITEMS A, C AND D - DID NOT PASS: A roll call vote was held. Ayes: Directors Jennings, Kennedy, Schenirer, Serna and Chair Hansen. Noes: Directors Budge, Harris, Howell, Hume and Nottoli. Abstain: None; Absent: Director Miller.

ACTION: ITEM B - DID NOT PASS: A roll call vote was held. Ayes: Directors Jennings, Kennedy, Schenirer, Serna and Chair Hansen. Noes: Directors Budge, Harris, Hume and Nottoli. Abstain: None; Director Howell recused herself from voting because HDR is a client. Absent: Director Miller.

8. GENERAL MANAGER'S REPORT

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

Mr. Li thanked staff who have been working to keep the trains and buses running through the smoke and the pandemic.

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 6:46 p.m.

Roll Call: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Nottoli, Serna and Chair Hansen. Absent: Directors Miller and Schenirer.

13. CLOSED SESSION

13.1. Conference with Legal Counsel
Pursuant to Gov. Code Section 54956.9(d)
Anticipated Litigation

A. One Case

14. RECONVENE IN OPEN SESSION

15. CLOSED SESSION REPORT

There was no Closed Session Report.

16. ADJOURN

As there was no further business to be conducted, the meeting was adjourned at 7:38 p.m.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Olga Sanchez-Ochoa, General Counsel
SUBJ: AMENDING TITLE II (CONFLICT OF INTEREST AND CODE OF ETHICS) OF SACRAMENTO REGIONAL TRANSIT DISTRICT'S ADMINISTRATIVE CODE TO REVISE APPENDIX A

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Amending Appendix A of Title II of SacRT's Administrative Code will update the list of positions that are required to complete the Fair Political Practices Reporting Form 700.

FISCAL IMPACT

There is no fiscal impact associated with this action.

DISCUSSION

The Political Reform Act (the Act) requires SacRT to review its Conflict of Interest Code every two years. The Act further requires that the Code be amended whenever a newly-created job classification would be subject to the Act's reporting requirements.

SacRT has added several such job classifications since the last amendment to the Conflict of Interest Code. The proposed amendment adds newly-created job classifications and eliminates or renames other job classifications to conform to SacRT's adopted job descriptions as set out in Attachment 1. The newly-created jobs are set out in italics in Attachment 1. The eliminated and renamed jobs are identified with strike-through in Attachment 1.

Staff recommends that the Board approve this revision to Title II of the Administrative Code as set out in the attached resolution and Exhibit A.

**Attachment 1
APPENDIX A**

**CONFLICT OF INTEREST CODE OF THE
SACRAMENTO REGIONAL TRANSIT DISTRICT**

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Accessible Services Administrator	2, 3
Assistant Paratransit Operations Manager	2, 3
Assistant Vice President, Finance & Treasury	1
Assistant Vice President, Human Resources & Labor Relations	1
Assistant Vice President, Innovative and Contract Services	1
Assistant Vice President, Light Rail Operations	1
Assistant Vice President, Bus Operations	1
Assistant Vice President, Planning, Scheduling & Assessment	1
Assistant Vice President, Technology, Innovation & Performance Monitoring	1
Attorney I	2-6
Attorney II	2-6
Attorney III	2-6
Chief Auditor	2, 3
Chief Communications Officer	3, 4
Chief Counsel	1
Chief, Environmental Health & System Safety	3, 4
Consultant (not those involved in the investment of public funds)	*
Deputy Chief Counsel	1
Deputy Chief Operating Officer	1
Deputy Director Legal Services/Legal Counsel	1
Director, Accessible Services	2, 3
Director, Bus Maintenance	2, 3
Director, Bus Operations	2, 3
Director, Civil & Track Design	2, 3
Director, Community Bus Services	2, 3
Director, Community & Contract Bus Services	2, 3
Director, Construction Management	2, 3
Director, Customer Satisfaction	2, 3
Director, Engineering and Construction	2, 3
Director, Facilities Maintenance	2-6
Director, Human Resources	2-4
Director, Information Technology	2, 3
Director, Labor Relations	2, 3
Director, Legal Services/Legal Counsel	1
Director, Light Rail Maintenance	2, 3
Director, Light Rail Operations	2, 3
Director, Long Range Planning	2, 3
Director, Marketing, Communications & Public Information	2, 3
Director, Office of Management and Budget	2, 3
Director, Operations Projects	2, 3
Director, Organizational Development	2, 3
Director, Planning	2, 3

SACRAMENTO REGIONAL TRANSIT DISTRICT

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Director, Procurement Services	2, 3
Director, Project Management	2, 3
Director, Real Estate	2, 3, 5, 6
Director, Scheduling	2, 3
Director, Systems Design	2, 3
Director, Transportation	2, 3
Disadvantaged Business Enterprise Liaison Officer	3
Equal Employment Opportunity Administrator <i>Officer</i>	3, 4
Electronic Fare Collection Systems Administrator	3
<i>General Counsel</i>	2, 3, 5, 6
Human Resources Administrator	3
Internal Accountability and Compliance Auditor	2, 3
Manager, Accounting	2, 3
<i>Manager, Capital and Project Control</i>	2, 3
Manager, Community and Governmental Affairs	1
Manager, Customer Advocacy	2, 3
Manager, Customer Service	2, 3
Manager, Enterprise Resource & Databases	3
Manager, Marketing and Communications	2, 3
<i>Manager, Grants</i>	2, 3
<i>Manager, Labor Relations</i>	2, 3
<i>Manager, Network & End User Operations</i>	2, 3
<i>Manager, Pension and Retirement Services</i>	2, 3
Manager, Quality Assurance & Transit Asset Management	2, 3
Manager, Real Estate	2, 3, 5, 6
Manager, Revenue	2, 3
<i>Manager, Risk</i>	3
<i>Manager, Security and Fare Inspection Services</i>	3
Material Management Superintendent	3
Network and End User Operations Administrator	3
Pension and Retiree Services Administrator	3
<i>Paratransit Operations Manager</i>	2, 3
Principal Civil Engineer	2, 3
Principal Planner	2, 3
Principal Systems Engineer	2, 3
Procurement Analyst I	3
Procurement Analyst II	3
Purchasing and Material Administrator	3
Quality Assurance Administrator	3
Real Estate Administrator, Acquisition	2, 3, 5, 6
Real Estate Administrator, Asset Management	2, 3, 5, 6
Real Estate Administrator, Transit-Oriented Development and Joint Development	2, 3, 5, 6
Risk Administrator	3, 4
Senior Attorney	2-6

SACRAMENTO REGIONAL TRANSIT DISTRICT

<u>Designated Positions</u>	<u>Disclosure Categories</u>
<i>Senior Community Relations Officer</i>	2, 3
<i>Senior Manager, Enterprise Resources and Databases</i>	2, 3
<i>Senior Manager, Environmental Health and System Safety</i>	2, 3
<i>Senior Manager, Human Resources</i>	2, 3
<i>Senior Manager, IT Project Management and Cybersecurity</i>	2, 3
<i>Senior Manager, Labor Relations</i>	2, 3
<i>Senior Manager, Procurement Services</i>	2, 3
<i>Senior Manager, Revenue & Analytics</i>	2, 3
<i>Senior Manager, Strategic Projects and Performance</i>	2, 3
<i>Senior Manager, Transit Oriented Development/Real Estate</i>	2, 3, 5, 6
Senior Procurement Analyst	3
<i>Special Assistant, Office of the General Manager</i>	2, 3
Vice President, Administration	1
Vice President, Engineering & Facilities	1
Vice President, Communications and Partnerships	1
<i>Vice President, Integrated Services & Strategic Initiatives/</i>	
<i>Chief of Staff</i>	1
Vice President, Maintenance	1
<i>Vice President, Operations</i>	1
Vice President, Planning & Accountability Engineering	1
<i>Vice President, Safety, Security & Customer Satisfaction</i>	1
Vice President, Transit Services/Chief Operating Officer	1

*Consultants shall be included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code subject to the following limitation:

The General Manager/CEO may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager/CEO’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

SACRAMENTO REGIONAL TRANSIT DISTRICT

DISCLOSURE CATEGORIES

Disclosure Requirements

Individuals holding designated positions must report their interests according to the following corresponding disclosure category(ies) to which their position has been assigned.

Disclosure Category 1

Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the District; and investments and business positions in business entities, and income, including loans, gifts, and travel payments, from all sources.

Disclosure Category 2

Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the District.

Disclosure Category 3

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the filer is assigned duties.

Disclosure Category 4

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that filed a claim against the District during the previous two years, or have a claim pending.

Disclosure Category 5

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that are of the type to request an entitlement to use District property or facilities, including, but not limited to:

-) a license
-) utility permit
-) station vendor permit.

Disclosure Category 6

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that sought to acquire an interest in real property owned in whole or in part by the District during the previous two years, or have such a proposal pending.

SACRAMENTO REGIONAL TRANSIT DISTRICT

87200 FILERS

Public Officials Who Manage Public Investments

The following positions are not covered by this conflict of interest code because those individuals holding these positions must file under Government Code Section 87200. These positions are listed for informational purposes only:

-) Board Members
-) Retirement Board Members
- ~~) Treasury Controller~~
-) Vice President, Finance/Chief Financial Officer
- ~~) Director, Finance & Treasury~~
- ~~) Deputy General Manager~~
-) General Manager/CEO
-) Consultants (those involved in the investment of public funds)

An individual holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.

RESOLUTION NO. 20-09-0086

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

September 14, 2020

**AMENDING TITLE II (CONFLICT OF INTEREST AND CODE OF ETHICS) OF
SACRAMENTO REGIONAL TRANSIT DISTRICT'S ADMINISTRATIVE CODE TO
REVISE APPENDIX A**

WHEREAS, the Political Reform Act of 1974 is set out as Title 9 (beginning with Section 81000) of the California Government Code; and

WHEREAS, pursuant to Section 87300 of the Political Reform Act, each state and local government agency must adopt and promulgate a Conflict of Interest Code; and

WHEREAS, each agency's Conflict of Interest Code must list each job classification that includes responsibilities involving the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, and for each listed job classification, the specific types of investments, business positions, interest in real property, and sources of income that are reportable; and

WHEREAS, each agency must amend its Conflict of Interest Code to revise the listing of job classifications and reportable interest for which a conflict of interest statement must be filed whenever job classification changes are made affecting responsibilities involving the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest; and

WHEREAS, SacRT has adopted a Conflict of Interest Code pursuant to Government Code section 87300; and

WHEREAS, SacRT has added, revised and/or deleted certain job descriptions for salaried classifications and must update the listing of job classifications for which a conflict of interest statement must be filed and the reportable interests therefor.

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

Section 1: Appendix A of Title II of Sacramento Regional Transit District Administrative Code is hereby amended to read in its entirety as set out in Exhibit A.

Section 2: Section 1 will be effective 30 days after Sacramento County, as the code reviewing body, approves Exhibit A.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

**Exhibit A
APPENDIX A**

**CONFLICT OF INTEREST CODE OF THE
SACRAMENTO REGIONAL TRANSIT DISTRICT**

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Assistant Paratransit Operations Manager	2, 3
Assistant Vice President, Finance & Treasury	1
Assistant Vice President, Human Resources & Labor Relations	1
Assistant Vice President, Innovative and Contract Services	1
Assistant Vice President, Light Rail Operations	1
Assistant Vice President, Bus Operations	1
Assistant Vice President, Planning, Scheduling & Assessment	1
Assistant Vice President, Technology, Innovation & Performance Monitoring	1
Attorney I	2-6
Attorney II	2-6
Attorney III	2-6
Chief Communications Officer	3, 4
Chief, Environmental Health & System Safety	3, 4
Consultant (not those involved in the investment of public funds)	*
Director, Accessible Services	2, 3
Director, Bus Maintenance	2, 3
Director, Bus Operations	2, 3
Director, Community & Contract Bus Services	2, 3
Director, Customer Satisfaction	2, 3
Director, Engineering and Construction	2, 3
Director, Facilities Maintenance	2-6
Director, Light Rail Maintenance	2, 3
Director, Light Rail Operations	2, 3
Director, Marketing, Communications & Public Information	2, 3
Director, Office of Management and Budget	2, 3
Director, Operations Projects	2, 3
Director, Planning	2, 3
Director, Procurement Services	2, 3
Director, Scheduling	2, 3
Disadvantaged Business Enterprise Liaison Officer	3
Equal Employment Opportunity Officer	3, 4
General Counsel	2, 3, 5, 6
Internal Accountability Auditor	2, 3
Manager, Accounting	2, 3
Manager, Capital and Project Control	2, 3
Manager, Customer Service	2, 3
Manager, Grants	2, 3
Manager, Labor Relations	2, 3
Manager, Network & End User Operations	2, 3
Manager, Pension and Retirement Services	2, 3
Manager, Quality Assurance & Transit Asset Management	2, 3
Manager, Risk	3
Manager, Security and Fare Inspection Services	3
Materiel Management Superintendent	3
Paratransit Operations Manager	2, 3

SACRAMENTO REGIONAL TRANSIT DISTRICT

<u>Designated Positions</u>	<u>Disclosure Categories</u>
Principal Civil Engineer	2, 3
Principal Planner	2, 3
Principal Systems Engineer	2, 3
Procurement Analyst I	3
Procurement Analyst II	3
Real Estate Administrator, Asset Management	2, 3, 5, 6
Senior Attorney	2-6
Senior Community Relations Officer	2, 3
Senior Manager, Enterprise Resources and Databases	2, 3
Senior Manager, Environmental Health and System Safety	2, 3
Senior Manager, Human Resources	2, 3
Senior Manager, IT Project Management and Cybersecurity	2, 3
Senior Manager, Labor Relations	2, 3
Senior Manager, Procurement Services	2, 3
Senior Manager, Revenue & Analytics	2, 3
Senior Manager, Strategic Projects and Performance	2, 3
Senior Manager, Transit Oriented Development/Real Estate	2, 3, 5, 6
Senior Procurement Analyst	3
Special Assistant, Office of the General Manager	2, 3
Vice President, Communications and Partnerships	1
Vice President, Integrated Services & Strategic Initiatives/ Chief of Staff	1
Vice President, Operations	1
Vice President, Planning & Engineering	1
Vice President, Safety, Security & Customer Satisfaction	1

*Consultants shall be included in the list of designated positions and shall disclose pursuant to the disclosure requirements in this code subject to the following limitation:

The General Manager/CEO may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager/CEO's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

SACRAMENTO REGIONAL TRANSIT DISTRICT

DISCLOSURE CATEGORIES

Disclosure Requirements

Individuals holding designated positions must report their interests according to the following corresponding disclosure category(ies) to which their position has been assigned.

Disclosure Category 1

Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the District; and investments and business positions in business entities, and income, including loans, gifts, and travel payments, from all sources.

Disclosure Category 2

Interests in real property located within the jurisdiction or within two miles of the boundaries of the jurisdiction or within two miles of any land owned or used by the District.

Disclosure Category 3

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the department or division to which the filer is assigned duties.

Disclosure Category 4

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that filed a claim against the District during the previous two years, or have a claim pending.

Disclosure Category 5

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that are of the type to request an entitlement to use District property or facilities, including, but not limited to:

-) a license
-) utility permit
-) station vendor permit.

Disclosure Category 6

Investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that sought to acquire an interest in real property owned in whole or in part by the District during the previous two years, or have such a proposal pending.

SACRAMENTO REGIONAL TRANSIT DISTRICT

87200 FILERS

Public Officials Who Manage Public Investments

The following positions are not covered by this conflict of interest code because those individuals holding these positions must file under Government Code Section 87200. These positions are listed for informational purposes only:

-) Board Members
-) Retirement Board Members
-) Vice President, Finance/Chief Financial Officer
-) General Manager/CEO
-) Consultants (those involved in the investment of public funds)

An individual holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by Government Code Section 87200.



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Stephen Booth, AVP, Human Resources & Labor Relations
SUBJ: POST-RETIREMENT MEDICAL BENEFITS FOR THE MANAGEMENT AND CONFIDENTIAL EMPLOYEE GROUP (MCEG)

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

If approved, the attached Appendix to the Personnel Policy Manual will codify the current post-retirement benefits that MCEG Employees are entitled to receive.

FISCAL IMPACT

There is no fiscal impact.

DISCUSSION

The Personnel Policy Manual (PPM) at Section 9.01 C provides that retired employees may be eligible to have a portion of the monthly premium for SacRT provided medical insurance paid based upon bargaining unit designation, date of hire and years of service criteria established by SacRT. For employees in represented bargaining units, the employer contribution is specified in the collective bargaining agreements. For those employees not in a represented bargaining unit, those known as the Management and Confidential Employee Group, eligibility criteria are not readily accessible. Appending a chart providing the current criteria previously approved by the Board and referencing the Appendix in Section 9.01 C will correct this oversight.

RESOLUTION NO. 20-09-0087

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

September 14, 2020

**POST-RETIREMENT MEDICAL BENEFITS FOR THE MANAGEMENT AND
CONFIDENTIAL EMPLOYEE GROUP (MCEG)**

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

THAT, the Board hereby approves the Appendix (Exhibit A) and language changes to Section 9.01C (Exhibit B) of the Personnel Policy Manual (PPM), summarizing the retiree health benefits provided to non-bargaining unit employees.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

9.01C Retirement and Dependent Benefits

MEDICAL, DENTAL, LIFE INSURANCE BENEFITS SALARIED EMPLOYEES RETIREMENT PLAN		
Employee Status		Benefit Coverage
A.	Hired prior to January 1, 1994	Employee: Health and Welfare Benefits for life—100% paid by Regional Transit.
	Retired prior to August 1, 1994	Dependents: Health and Welfare for life—100% paid by Regional Transit.
		Deducted semi-monthly from retirement benefits.
B.	Hired prior to January 1, 1994	Employee: Health and Welfare Benefits for life—100% paid by Regional Transit.
	Retired on or after August 1, 1994, but before January 1, 2008	Dependent(s): May elect Dependent Coverage—shall pay a percentage of the monthly medical premium as specified in the chart below and subject to the terms following said chart.
		Deducted semi-monthly from retirement benefits.
C.	Hired prior to January 1, 1994	Employee: Health and Welfare Benefits—shall be required to pay 8% of the monthly medical premium costs incurred by the District.
	Retired on or after January 1, 2008, but not after June 15, 2009	Dependent(s): May elect Dependent Coverage. Employee shall pay a percentage of the monthly medical premium as specified in the chart below and subject to the terms following said chart.
		Deducted semi-monthly from retirement benefits.
D.	Hired prior to January 1, 1994	Employee: Health and Welfare Benefits—shall be required to pay 10% of the monthly medical premium costs incurred by the District.
	Retired on or after June 16, 2009	Dependent(s): May elect Dependent Coverage. Employee shall pay a percentage of the monthly medical premium as specified in the chart below and subject to the terms following said chart.
		Deducted semi-monthly from retirement benefits.

**MEDICAL, DENTAL, LIFE INSURANCE BENEFITS
SALARIED EMPLOYEES RETIRMENT PLAN**

MEDICAL, DENTAL, LIFE INSURANCE BENEFITS SALARIED EMPLOYEES RETIRMENT PLAN		
Dependent Coverage Chart	Length of Service of the Retiree	Percentage of District Paid Premium Toward Dependent Medical Coverage
	10 Years	50%
	11 Years	55%
	12 Years	60%
	13 Years	70%
	14 Years	80%
	15 Years	100%
Medical Allowance Terms	<p>1. The retired employee's dependents shall receive an allowance based upon a percentage equated to the completed years of service of the employee, prior to retirement (see table below), applied to the allowance for dependent benefits incurred by the District. When the retiree and/or his or her dependent attains the age of 65 or Medicare eligibility, whichever comes first, the medical portion of the allowance shall be based upon the applicable Supplemental Medicare Insurance.</p>	
	<p>2. A retired employee may apply his or her allowance to any medical insurance available through the District; however, costs in excess of the allowance provided shall be borne by the retiree by semi-monthly deductions from his or her monthly retirement benefit.</p>	
	<p>3. This allowance may not be used for any purpose other than that provided in this section. The allowance shall be in accordance with the following table.</p>	

MEDICAL, DENTAL, LIFE INSURANCE BENEFITS SALARIED EMPLOYEES RETIREMENT PLAN		
E.	Hired on or after January 1, 1994 Retired before January 1, 2008	Employee: Health and Welfare Benefits for the retired employee only.
		Dependents: May elect coverage and shall bear the entire cost for said coverage.
		Deducted semi-monthly from retirement benefits.
F.	Hired on or after January 1, 1994 Retired on or after January 1, 2008, but not after June 15, 2009	Employee: Health and Welfare Benefits— shall pay 8% of the monthly medical premium costs incurred by the District.
		Dependents: May elect coverage and shall bear the entire cost for said coverage.
		Deducted semi-monthly from retirement benefits.
G.	Hired on or after January 1, 1994 but before January 1, 2015 Retired on or after June 16, 2009	Employee: Health and Welfare Benefits— shall pay 10% of the monthly medical premium costs incurred by the District.
		Dependents: May elect coverage and shall bear the entire cost for said coverage.
		Deducted semi-monthly from retirement benefits.
H.	Hired on or after January 1, 2015 Retired with more than 5 Years of Service, but fewer than 10 Years of Service	Employee: Health and Welfare Benefits will not exceed the minimum Employer Contribution for the occupational group as determined by CalPERS.
		Dependents: May elect coverage and shall bear the entire cost for said coverage.
		Deducted semi-monthly from retirement benefits.
I.	Hired on or after January 1, 2015 Retired with 10 Years or more of Service	Employee: Health and Welfare Benefits— shall pay 10% of the monthly medical premium costs incurred by the District.
		Dependents: May elect coverage and shall bear the entire cost for said coverage.
		Deducted semi-monthly from retirement benefits.

ARTICLE 9: EMPLOYEE BENEFITS

§9.01 Medical Insurance

SacRT provides a series of comprehensive Health and Welfare Insurance Coverages for each full-time employee, eligible part-time employees and eligible dependents as indicated below.

A. Benefits Eligibility Defined

1. Benefit Continuation

- (a) For purposes of applying this language, active service is defined as time spent at work in paid status.
- (b) An employee must be in the Active Service of SacRT 88 hours or more in any calendar month to receive a benefit continuation for that month.
- (c) Any employee not actively working due to a non-industrial illness/injury and who does not satisfy the hourly requirement listed in (b) above may have SacRT Health and Welfare Benefits continued at the employee's expense. Such continuation coverage will be billed by SacRT on a monthly basis for the amount of the premium cost plus applicable administration fees. An employee not making the premium payment(s) will be dropped from coverage.
- (d) Any employee not actively working due to an industrial illness/injury who is expected to return to active employment, as determined by a physician, will have SacRT paid Health and Welfare Benefits continued by SacRT for a period of up to 24 months from the date of the injury or illness. At the conclusion of 24 months, the employee may be eligible for continued coverage in accordance with the applicable provisions of state and federal law. Such continuation coverage will be billed by SacRT on a monthly basis for the amount of the premium cost plus applicable administration fees. An employee not making the premium payment(s) will be dropped from coverage.

B. Dependent Eligibility Status

Dependent eligibility is limited to those individuals deemed "dependents" as defined by the respective group health benefit plans or CalPERS. All registered domestic partners, as described in the Domestic Partner Rights and Responsibilities Act of 2003, will have the same rights, protections, and benefits as other dependents.

C. Medical Insurance

1. Effective January 1, 2011, SacRT will contribute 90% of the Health and Welfare Insurance Premium for each employee participating in medical insurance options provided under the CalPERS Program. The maximum monthly amount paid by SacRT will not exceed 90% of the monthly premium for Kaiser or Blue Shield Access Plus, whichever is greater, for the Sacramento Area (Sacramento, Placer, and El Dorado Counties). Employees electing coverage in a plan that is more costly than the Kaiser or Blue Shield Access Plus Plan in the Sacramento Area will pay the difference in the amount paid by SacRT for either Kaiser or the Blue Shield Access Plus Plan and the cost of the selected plan.

An employee selecting a plan less costly than the Blue Shield Access Plus Plan will still be subject to paying 10% of the monthly premium cost of that plan. The co-payment is not applicable to those employees participating in the Cash-in-Lieu of Medical Program.

Employees who elect a service or disability retirement in a SacRT retirement plan may be eligible to have a portion of the monthly premium for SacRT provided medical insurance paid based upon bargaining unit designation, date of hire and years of service criteria established by SacRT. Eligibility criteria for non-represented employees are provided in Appendix 1 to this Personnel Policy Manual.

2. Medical Insurance Continuation for Dependents of a Deceased Employee

Medical insurance coverage for dependent(s) of an employee who becomes deceased may be extended for two calendar months immediately following the end of the month in which the employee's death occurred. Dependent coverage will be limited to the dependents, on the employee's medical coverage at the time of death. The terms of the medical insurance premium obligations

under this provision will remain the same as if the employee was still an active employee.

D. Dental Insurance

Dental Insurance is provided at no cost to a full-time employee, the employee's spouse and eligible dependents.

Employees who elect a service or disability retirement in a SacRT retirement plan may be eligible to have a portion of the monthly premium for SacRT provided dental insurance is paid based upon bargaining unit designation, date of hire and years of service criteria established by SacRT.

E. Life Insurance

Life Insurance, Accidental Death and Dismemberment is provided at no cost to a full-time employee, the employee's spouse and eligible dependents. Coverage for the employee is for \$50,000 and coverage for the spouse and eligible dependents is for \$1,000 (dependents under 6 months – \$100.00).

F. Supplemental Life Insurance

In addition to the SacRT-provided coverage as specified above, supplemental life insurance is available as an option for each qualified full-time employee, the employee's spouse and/or child(ren). Spousal and dependent coverage will be limited to 50% of the employee's supplemental life insurance amount. The premium cost for this coverage, when elected by the employee, is paid by the employee through payroll deduction.

G. Vision Care

Vision Care Insurance is provided at no cost to each full-time employee, the employee's spouse and eligible dependents. Coverage may also include "buy-up" options that can enhance the insurance coverage that is available for purchase by the employee.

Employees who elect a service or disability retirement in a SacRT retirement plan may be eligible to have a portion of the monthly premium for SacRT provided vision insurance paid based upon bargaining unit designation, date of hire and years of service criteria established by SacRT.

H. Long Term Disability

Long Term Disability (LTD) Insurance is provided at no cost to each full-time employee of SacRT.

I. Cash-In-Lieu Of Medical Coverage

1. Description – The Cash-in-Lieu of Medical Coverage Program is a voluntary election available to all full-time employees eligible for medical benefits. An employee who voluntarily elects to participate, will forego medical insurance coverage, and will receive one-half of the cash value of the “Employee Only” premium for the applicable plan pursuant to (C) above. This additional income is taxable and will be proportionately included in each paycheck. The employee must have minimum essential medical coverage through some other source (e.g. spouse or a previous employer).
2. New Hire/Annual Open Enrollment Period – Employees must enroll within 30 days of becoming eligible as a new hire. A copy of the form is available in the Human Resources Department. After an employee is enrolled in the program, participation continues year after year thereafter unless the employee elects to discontinue participation. Each year during the annual open enrollment period, employees electing to participate in the Cash-in-Lieu of Medical Coverage Program for the first time must enroll. Retroactive enrollments are not permitted.
3. Documentation – Although employees need not reenroll annually, they are required to maintain their alternative insurance and provide proof of minimum essential coverage as requested.
4. Family Status Changes – The employee may not change or cancel their program during the plan year except for allowable family status changes as defined by IRS regulations.



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Devra Selenis, VP of Communications and Partnerships
SUBJ: APPROVING SACRT'S SOCIAL MEDIA POLICY

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Social Media Policy to be implemented at SacRT.

FISCAL IMPACT

There is no fiscal impact associated with this action.

DISCUSSION

Social media platforms are a great avenue for building brand image and developing a loyal customer base, and allows SacRT to share information beyond the conventional outreach experience.

Developing a comprehensive social media policy that includes guidelines, terms of use and best practices for customers and employees is essential to protect SacRT's brand and mitigate risk of misuse. The use of social media is intended to encourage a positive interaction between the user and SacRT. By setting clear boundaries, it will take the guesswork out of what is appropriate to post on SacRT social networks as well as the need for SacRT employees to maintain a clear distinction between their personal social media use and any District-related social media platforms.

Staff hereby recommends that the Board approve the Social Media Policy as described in Exhibit A.

RESOLUTION NO. 20-09-0088

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

September 14, 2020

APPROVING SACRT'S SOCIAL MEDIA POLICY

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

THAT, the Social Media Policy as set forth in Exhibit A, attached hereto, is hereby approved.

THAT, the General Manager/CEO or his/her designee are hereby directed to implement and enforce said policy.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

SacRT Social Media Policy

SacRT's presence on social media platforms creates a forum to disseminate information to customers and the public. SacRT wants our customers and the region to know that we are listening and we are here to help improve the riding experience. SacRT's use of social media is intended to encourage interaction between the user and SacRT.

Nothing in this policy shall be applied to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law. This includes speech and expression protected under state or federal constitutions as well as labor laws or other applicable laws. SacRT cannot verify or confirm the accuracy of user comments or their compliance with the guidelines outlined here. Note that SacRT does not endorse any of the views in comments posted by users. SacRT specifically disclaims all liability for user social media that is not specifically authorized by the District, which means users are personally liable for the content of their personal websites and social media they create. Individual users are fully responsible for anything they post in comments, including links, videos/photos and other material.

For purposes of this policy, "Social Media" includes the various online technology tools that enable people to communicate easily over the internet to share information and resources.

SacRT Social Media Accounts

SacRT's presence on social media sites, including Facebook, Twitter, Instagram, LinkedIn and YouTube accounts, are managed by the Marketing and Communications department. Duplicate, unofficial pages shall be reported, and investigated.

Social Media Content

People who follow or "like" SacRT's social media accounts can expect regular posts covering some or all of the following:

- Information about special events and free-ride promotions
- Updates on time-sensitive service updates (bus, light rail, SmarT Ride and ADA paratransit service)
- Reminders about SacRT best practices
- Alerts about impending route or schedule changes
- News releases and links to stories about SacRT
- Information about public meetings, community partnerships and open houses
- Surveys to provide feedback that will improve service or regional resources
- Shared content from other organizations that partner with SacRT

SacRT's content is also intended to be shared by our followers who find it relevant or interesting.

Terms of Use – Comment Policy

SacRT's goal is to share ideas and information with as many individuals as possible and our policy is to accept the majority of comments made to our profiles. However, consistent with

information elsewhere in this statement, SacRT reserves the right to remove certain comments and/or block followers for the following behavior(s):

- Comments that include unlawful harassment or threats of violence
- Conduct or encouragement of illegal activity
- Comments that promote, foster, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, gender identity, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation
- Hate speech
- Profanity, obscenity or vulgarity
- Nudity in profile pictures
- Defamation to a person or people
- Name calling and/or personal attacks
- Comments whose main purpose are to sell a product
- Comments that infringe on copyrights
- Spam comments, such as the same comment posted repeatedly on different SacRT social media sites
- Comments that are not topically related or out of context
- Links to non-relevant sites (that could be construed as spam)

Shared Content

SacRT may also occasionally share content from other social media sites with our followers that we think may be of interest, and that support SacRT's strategic initiatives. Links to other resources are provided solely for the convenience of users and are intended to provide additional information that may add perspective for our followers. SacRT is not responsible for the accuracy, currency, or reliability of the content of these links. It does not offer any guarantee in that regard and is not responsible for the information found on non-SacRT networks, nor does it explicitly endorse these sites or their content.

Liking and Sharing

SacRT follows, likes and shares other professional social media pages and relevant content to engage our followers. It's a way of building a community around shared interests and common objectives with regional partners, transportation peers, elected officials, constituents and stakeholders. SacRT's decision to like or share does not necessarily imply endorsement of any kind.

Direct Messages and @replies

SacRT encourages feedback and interaction via direct message and private message. We will read @replies and direct messages, and respond in a timely manner. For faster response time, complaints should be made via SacRT's free reporting app, Alert SacRT (available at the App Store and Google Play), or email customeradvocacy@sacrt.com. Complaints will be addressed within 24 to 48 hours (up to two business days). Complaints filed on our social media accounts will take longer as they will need to be forwarded to SacRT's Customer Advocacy department.

SacRT may not reply individually to general messages and comments, or if it doesn't have relevance to the posted subject matter.

Copyright and Owned Content

SacRT logos, images, video and artwork on our social media sites may not be used in any manner likely to cause confusion among followers, or in any manner that disparages or discredits SacRT. SacRT logos, images, video and artwork/graphics may not be modified in any way that substantially alters the content, subject or meaning of the intended use. Use of an image must be accompanied by a photo credit to "SacRT." SacRT logos are protected by copyright.

Social Media Posts Are Public Records

Any content published on SacRT's social media platforms, including but not limited to lists of subscribers, posted communications, and communications submitted for posting, may be considered a public record for purposes of the California Public Records Act.

Employee Use Guidelines

Although SacRT employees enjoy free speech rights guaranteed by the First Amendment to the United States Constitution, certain types of communication, typically by virtue of their subject-matter, may relate enough to have ramifications for the author or subject at the District site. SacRT employees are expected to adhere to the same standard and terms of use outlined in this document.

Although online conversations and media posts on social media sites are often casual, they must remain professional. While interacting on SacRT's social media pages, SacRT employees need to interact in a respectful manner with customers and business contacts, as social media is not the place or means with which to abuse, antagonize or air hostile opinions about or toward customers or partners.

SacRT's social media pages reflect on the District and should therefore be written and structured in an appropriate, ethical, professional and lawful manner. If an employee's activity on SacRT's social media pages is offensive or violates California State laws and/or District policy (e.g., SacRT EEO Policy Statement, SacRT Harassment, Discrimination and Retaliation Prevention Policy, SacRT Anti-Bullying Policy, SacRT Privacy Policy, SacRT Workplace Conduct Policy and SacRT EEO /AA Plan) it may result in employee being blocked from commenting on the page and possibly disciplinary or legal action subject to the provisions of an applicable collective bargaining agreement or the Personnel Policy Manual if not in a represented classification.

SacRT employees must refrain from using their personal social media accounts on personal and work equipment during paid working hours (mandatory meal and rest breaks are exempt). When establishing a personal social media account(s), employees should use non-work email addresses and phone numbers. SacRT employees posting or commenting on SacRT's social media pages should maintain a clear distinction between their personal social media use and any District-related social media platforms. Social media pages, accounts, digital workgroups, or

messaging groups that claim to be affiliated, approved, or otherwise sanctioned by SacRT are prohibited and SacRT will work to have those pages removed or deleted. If a SacRT employee creates a social media page, account, workgroup, or message group with or for the benefit of other SacRT employees or that discusses SacRT, they must make clear that the page, account, workgroup or message group is/are not affiliated, sanctioned or approved by SacRT, and should not be considered as an “official” SacRT social media page or digital platform.

If a SacRT employee posts a comment on one of SacRT’s official social media platforms, it must be made clear that the employee is speaking for himself/herself and not on behalf of SacRT. Employees must keep in mind that social media activity related to SacRT, even on their own time, may still impact the District; therefore, employees should keep SacRT policies (e.g., SacRT EEO Policy Statement, SacRT Harassment, Discrimination and Retaliation Prevention Policy, SacRT Anti-Bullying Policy, SacRT Privacy Policy, SacRT Workplace Conduct Policy and SacRT EEO /AA Plan) regarding confidentiality, non-disclosure and privacy in mind at all times when posting on SacRT’s social media pages.

Media Inquiries

As a reminder, only authorized SacRT representatives may speak to the news media on behalf of SacRT about District matters. Reporters and journalists are increasingly turning to SacRT’s social media as a resource for their news stories. If you are contacted by the media involving District business, please immediately notify your supervisor and direct the reporter to the Marketing and Communications team at pio@sacrt.com.

If you are a member of the media seeking information, formal comment or an interview with someone from SacRT, please send inquiries to pio@sacrt.com.



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Laura Ham, VP, Planning and Engineering
SUBJ: AWARD CONTRACT FOR GENERAL ENGINEERING SUPPORT SERVICES - 2020 TO MARK THOMAS AND COMPANY, INC. AND PSOMAS.

RECOMMENDATION

Adopt the Attached Resolutions.

RESULT OF RECOMMENDED ACTION

Awarding Contracts for General Engineering Support Services (GESS) – 2020 will provide on-call engineering support for various projects.

FISCAL IMPACT

There is no fiscal impact associated with the execution of the GESS Contracts. After negotiation of the scope and price for a Work Order, the General Manager/CEO or his designee will approve Work Orders with a price of \$150,000 or less and Work Orders exceeding \$150,000 will be brought to the Board for approval. As Work Orders are issued to the consultant, they are charged against the project budget line item for the task being performed, or the GESS budget as funds permit. The total consideration for the three-year term is \$3,000,000 per contract.

DISCUSSION

On March 4, 2020, SacRT released a Request for Proposal (RFP) for General Engineering Support Services-2020. The three-year term for the two previous GESS contracts has expired. The GESS contracts will provide on-call engineering support for various projects on SacRT properties and facilities. The potential scope of work includes various disciplines of engineering, civil and systems design, traffic engineering, architectural and landscape design, structural design and testing, surveying and right-of-way, quality control, and estimating. The support services will be contracted over a three-year period with the option to renew for two 1-year periods for a variety of work tasks done on a Work Order basis.

The RFP specified that two consultant teams could be selected. The RFP provides that if SacRT opts to award multiple on-call contracts, SacRT will consider four specified factors in determining which firm will be issued a Work Order for particular work and will issue a Work Order request to the most-qualified Consultant for the specific work to be performed.

Staff advertised the solicitation in publications of general circulation and posted the opportunity on SacRT's website under Contracting Opportunities and on PlanetBids. On April 17, 2020, SacRT received two responsive proposals from: Mark Thomas and Company, Inc. and Psomas. The Selection Committee, consisting of Craig Norman, Principal Systems Engineer; Sangita Arya, Senior Systems Engineer; Eric Oparko, Manager, Quality Assurance & Transit Asset Management, Jeff Anderson, Director, Facilities Maintenance; and James Boyle, Director, Planning, reviewed the written proposals. The qualifying criteria included Project Understanding, Contract Staffing and Experience and Approach to Work.

The Selection Committee completed its evaluation of the written proposals and, based on the results, the Committee determined that oral presentations were not needed and contract negotiations would begin with both firms, Mark Thomas and Psomas. Contract negotiations with Mark Thomas and Psomas have now been finalized.

Because of the uncertain nature of the work and funding sources, pursuant to the Disadvantaged Business Enterprise (DBE) regulations in 49 C.F.R. Part 26 and SacRT's DBE Program, no overall DBE participation goal was set for the overall contracts. DBE Goals will be established on a project-by-project basis on Work Orders that are funded with federal assistance, and that have subcontracting opportunities and for which there is an available pool of DBEs that are certified in the NAICS codes related to the Work Order. Consultants were required, as part of their response to the RFP, to attempt, in good faith, to secure and include sufficient DBE certified firms on their proposed subconsultant team for multiple disciplines and work categories related to General Engineering Support Services to help ensure they can meet, in good faith, the DBE goal set on any federally-funded Work Orders as applicable, that are executed post-award of a Contract.

Staff recommends the Board award Contracts for General Engineering Support Services – 2020 to Mark Thomas and Company, Inc. and Psomas.

RESOLUTION NO. 20-09-0089

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

September 14, 2020

**AWARD CONTRACT FOR GENERAL ENGINEERING SUPPORT SERVICES - 2020
TO MARK THOMAS AND COMPANY, INC.**

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

THAT, the Contract between Sacramento Regional Transit District, therein referred to as "SacRT," and Mark Thomas and Company, Inc, therein referred to as "Consultant," whereby Consultant agrees to provide General Engineering Support Services on a Work Order basis, as further specified in the Contract, for a term of 3 years, for an amount not to exceed \$3,000,000.00, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said Contract.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-09-0090

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

September 14, 2020

**AWARD CONTRACT FOR GENERAL ENGINEERING SUPPORT SERVICES - 2020
TO PSOMAS**

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

THAT, the Contract between Sacramento Regional Transit District, therein referred to as "SacRT," and Psomas, therein referred to as "Consultant," whereby Consultant agrees to provide General Engineering Support Services on a Work Order basis, as further specified in the Contract, for a term of 3 years, for an amount not to exceed \$3,000,000.00, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said Contract.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Brent Bernegger, VP, Finance/CFO
SUBJ: APPROVING AMENDMENT NO. 4 TO THE CREDIT AGREEMENT WITH US BANK NATIONAL ASSOCIATION FOR AN EXTENSION OF THE \$27 MILLION LINE OF CREDIT FACILITY TO SEPTEMBER 21, 2021

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Approving the recommended action will extend the Line of Credit (LOC) with US Bank from 9/30/2020 to 9/30/2021 and maintain the facility amount of \$27 million.

FISCAL IMPACT

The FY21 Operating budget includes interest expense of \$350,000 and legal fees of \$20,000 related to the LOC. No changes to the FY21 budget are necessary for the adoption of the attached resolution.

DISCUSSION

Sacramento Regional Transit District (SacRT) has shown improved financial position for four fiscal years in a row, this was evident as US Bank was able to reduce the fees associated with the LOC in previous years. However, in the current year due to the uncertainty of COVID-19 and SacRT reliance on farebox revenues and sales tax-based revenues, the fees were slightly increased. To ensure that the fees are fair and reasonable SacRT consulted with Public Financial Management (PFM), SacRT’s financial advisor. PFM indicated that the fees are competitive and better than some other facilities that had recently been issued. The competitive fees are the result of SacRT’s continued dedication to fiscal sustainability and reserve growth. Table 1 below shows the comparison in interest rates between FY20 and FY21.

Table 1:

Rate Type		FY21	FY20	% Change
Used	LIBOR +	1.25%	1.10%	14%
Unused	-	0.450%	0.450%	0%

Having access to an appropriate working capital balance, whether through reserves or an LOC, resolves cash flow timing issues. In addition, sound fiscal policy dictates a contingency plan to meet short-term liquidity obligations. Due to the various delay in receipts of Federal, State and Local funds, as mentioned below, SacRT relies upon an LOC to ensure all operating payment obligations are met regardless of timing delays in cash flows.

Therefore, Staff recommends adopting the Amendment No. 4 to Credit Agreement with US Bank extending the term of the existing \$27 Million Line of Credit Facility Note for 12 months which is in compliance with public agency temporary borrowing practices as regulated by California Government Code Sections 53850 – 53858 and California Public Utilities Code Section 102584.

Background:

On November 1, 2013, SacRT and US Bank (Bank) entered into a Credit Agreement wherein the Bank agreed to provide credit to SacRT on an annual basis pursuant to California Government Code §53850 et seq., otherwise referred to as the TRAN Statute. In accordance with that arrangement, SacRT issued a Revolving Line of Credit (LOC) Facility Note in the amount of \$29 million with a final maturity date of October 31, 2014. Subsequent to the expiration of that note, SacRT has worked with Bank to issue multiple LOC notes, with the latest expiring on September 30, 2020 and issued pursuant to California Public Utilities Code Section 102584 and a Credit Agreement dated as of September 1, 2016, as amended from time to time (the “Existing Credit Agreement”). The parties have now agreed to the terms of an amendment to the Existing Credit Agreement that will extend the current \$27 million Line of Credit Facility to September 30, 2021.

SacRT’s operations are heavily reliant on the timely receipt of cash from the State, Local, and Federal Government agencies. As such, on an annual basis (since FY2004), SacRT’s Board of Directors has authorized the General Manager/CEO to issue an LOC Promissory Note for operating and capital cash flow purposes. California Government Code §53854 requires that any LOC note issued pursuant to the authorizing TRAN statute (Cal. Gov’t. Code §§53850-53858) must be repaid within 15 months of issuance. In January 2016, SacRT was granted a bit more flexibility by the State when Assembly Bill (AB) 422 (McCarty) went into effect. AB 422 added California Public Utilities Code Section 102584 to the Public Utilities Code (PUC), which provides SacRT with the authority to obtain a LOC with a maturity date of up to 60 months. California PUC Section 102584 also permits SacRT to provide a multiyear pledge of grant funds as collateral for its LOC. Both of these changes to the law create an opportunity for SacRT to secure a LOC on more favorable terms and will ultimately result in a reduction in costs associated with borrowing against the LOC. While SacRT could secure a longer term for its LOC, at this time its lender, US Bank has offered to provide a one-year extension on the \$27 Million LOC. However, because SacRT has the ability to provide a multiyear pledge, the Bank has eliminated some of the conditions it has historically imposed on SacRT because SacRT was limited to making a single year pledge, exposing the Bank to greater risk.

The LOC primarily serves as temporary gap funding for federal operating money budgeted by SacRT during the current fiscal year, but not received by SacRT until the following fiscal year. For FY 2021, SacRT has budgeted approximately \$35M of federal Preventative Maintenance (PM) revenue, 5307 Urbanized Area funding and 5337 State of Good Repair, to cover reimbursable operating expenses incurred during the fiscal year.

In accordance with Generally Accepted Accounting Principles (GAAP), this revenue will be recognized evenly throughout the year and the expenses will be recorded as incurred. However, from a cash flow prospective, SacRT may not receive these funds until August of the following fiscal year. This funding delay, in addition to funding delays from other State and Local government agencies, is why SacRT depends on a LOC.

Terms and Conditions:

The Credit Agreement (included as amended—by the Amendment No. 4 to Credit Agreement) has similar terms and conditions as the Existing Credit Agreement, such as: requirements addressing how SacRT pledges and sets aside pledged funds, notifying the Bank within 20 business days of apportionment of Federal Operating Grant Revenues, and notifying the Bank 5 business days upon receipt of Federal Operating Grant Revenues.

Other terms of the LOC are:

-) The LOC Note term offered by the Bank is 12 months and a renewal/extension will be reviewed and approved by the Bank prior to the conclusion of the 12-month period.
-) Interest rates are fixed at one-month London Interbank Offered Rate (LIBOR) plus 1.25% for the used portion of the LOC and 0.45% for the unused portion of the LOC.
-) SacRT agrees to pay to the Bank on the date of issuance, all reasonable costs and expenses of counsel to the Bank in connection with the preparation, execution and delivery of this Note and other associated documents, estimated to be \$20,000

In addition to the terms noted above, the loan is subject to bank limitations. The amounts advanced under the Credit Agreement, as amended, and the Amended and Restated Note cannot exceed \$27 million and the Bank will continue to have a pledge of a lien on and security interest in, the following (collectively, the “Pledged Revenues”): (a) a first lien and charge against (i) the first moneys received by the Borrower from the Federal Operating Grants received or accrued during the fiscal year in which the LOC Note is issued; (ii) the first moneys received by the Borrower from the Local Transportation Fund (LTF) Grants received or accrued during the fiscal year in which the LOC Note is issued; (iii) the first moneys received by the Borrower from the STA Funds received or accrued during the fiscal year in which the LOC Note is issued; (iv) the first moneys received by the Borrower from the Measure A Revenues received or accrued during the fiscal year in which the LOC Note is issued; (v) the first moneys received by the Borrower from the Other Revenues received or accrued during the fiscal year in which the LOC Note is issued; and (vi) the first moneys received by the Borrower from the Subordinate Farebox Revenues received or accrued during the fiscal year in which the LOC Note is issued; and (b) a subordinate lien on any and all Farebox Revenues, subject only to the lien thereon securing the Senior Farebox Obligations, as each such term is defined in the Credit Agreement; the Pledged Revenues will be set-aside as set forth in Section 5.20 of the Credit Agreement.

Staff recommends that the SacRT Board of Directors enter into Amendment No. 4 to Credit Agreement with the Bank to extend the \$27 million LOC Facility to September 30, 2021.

RESOLUTION NO. 20-09-0091

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

September 14, 2020

APPROVING AMENDMENT NO. 4 TO THE CREDIT AGREEMENT WITH US BANK NATIONAL ASSOCIATION FOR AN EXTENSION OF THE \$27 MILLION LINE OF CREDIT FACILITY TO SEPTEMBER 21, 2021

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

WHEREAS, in accordance with Section 102584 of the California Public Utilities Code, Sacramento Regional Transit District ("SacRT") may seek and obtain a short-term revolving line of credit for operating purposes in anticipation of receipt of federal operating grants; and

WHEREAS, on September 30, 2016, SacRT entered into a Credit Agreement (the "Original Credit Agreement") with and issued a promissory note issued in the original principal amount of \$29,000,000 from SacRT, as maker, to U.S. Bank National Association ("US Bank"), as payee, and dated September 30, 2016 (the "Original Note") for a revolving line of credit in an amount not to exceed \$29,000,000 and with a stated expiration date of September 29, 2017 (the "Line of Credit Facility"); and

WHEREAS, on September 29, 2017, SacRT entered into Amendment No. 1 to Credit Agreement extending the term of the Line of Credit Facility in an amount not to exceed \$29,000,000 to September 29, 2018; and

WHEREAS, on September 28, 2018, SacRT entered into Amendment No. 2 to Credit Agreement extending the term of the Line of Credit Facility in an amount not to exceed \$27,000,000 to September 28, 2019, and in connection therewith, SacRT issued an amended and restated promissory note, issued in the original principal amount of \$27,000,000 from the Borrower, as maker, to the Bank, as payee, and dated September 28, 2018 (the "Amended and Restated Note"), amending and restating the Original Note (as so amended and restated, the "Note"); and

WHEREAS, on September 26, 2019, SacRT entered into Amendment No. 3 to Credit Agreement extending the term of the Line of Credit Facility in an amount not to exceed \$27,000,000 to September 30, 2020; and

WHEREAS, US Bank has agreed to extend the term of the Line of Credit Facility in an amount not to exceed \$27,000,000 to September 30, 2021, secured as provided in said Section 102584; and

WHEREAS, the parties will enter into an Amendment No. 4 to Credit Agreement to amend the Original Credit Agreement, as previously amended by Amendment No. 1, dated September 29, 2017, Amendment No. 2 to Credit Agreement, dated September 28, 2018 and Amendment No. 3 to Credit Agreement, dated September 26, 2019, to extend the stated expiration date of the Line of Credit Facility to September 30, 2020 as evidenced by the Original Credit Agreement, as amended by the Amendment No. 1 to

Credit Agreement, the Amendment No. 2 to Credit Agreement and the Amendment No. 3 to Credit Agreement (the "Existing Credit Agreement" and as amended by the Amendment No. 4 to Credit Agreement, the "Credit Agreement") and the Note ; and

WHEREAS, pursuant to the terms of the Credit Agreement and the Note, SacRT has pledged and granted a lien on and security interest in the following (collectively, the "Pledged Revenues"): (i) the Federal Operating Grant Revenues; (ii) the LTF Revenues; (iii) the STA Funds; (iv) the Measure A Revenues; (v) the Other Pledged Revenues; and (vi) the Subordinate Farebox Revenues (collectively, the "Available Non-Farebox Revenues"), and (b) a subordinate lien on any and all Farebox Revenues, subject only to the lien thereon securing the Senior Farebox Obligations, all as defined in the Credit Agreement.

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

THAT, the Amendment No. 4 to Credit Agreement between Sacramento Regional Transit District and US Bank extending the stated expiration date of the Line of Credit Facility in an amount not to exceed \$27,000,000 to September 30, 2021, as evidenced by the Credit Agreement and the Note, in the form reviewed by the Board, is hereby approved.

THAT, the Board hereby agrees that the obligations of the Borrower under the Credit Agreement, the Note and the other Loan Documents, including the obligation to make all payments of the interest on and the principal of all Advances outstanding under the Credit Agreement, shall be payable solely from and shall be secured solely by a pledge of, lien on and security interest in the Pledged Revenues as set forth in the Credit Agreement.

THAT, the Board hereby authorizes and directs the General Manager/CEO to execute the Amendment No. 4 to Credit Agreement and any other agreements, documents, forms, or applications necessary to effectuate the transaction or secure advances under the Credit Agreement and the Note.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Brent Bernegger, VP, Finance/CFO
SUBJ: CONDITIONALLY AWARDING A CONTRACT FOR UNDERWRITING SERVICES TO RBC CAPITAL MARKETS, LLC

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Conditionally awarding underwriter services to RBC Capital Markets, LLC (RBC) will allow SacRT staff to move forward with the refinancing of the 2012 Farebox Revenue bonds, when market conditions are optimal.

FISCAL IMPACT

The fees for refinancing approximately \$45 million of farebox revenue bonds with RBC are estimated at \$195,000. The fee is comprised of underwriter expenses of approximately \$35,000 and an estimated takedown fee of \$160,000 based on a flat rate of \$3.50 per bond issued.

The final cost of the underwriter services will be contingent on successful completion of the bond issuance and will be incorporated into a Bond Purchase Agreement to be approved by the Board concurrent with final approval of the refunding. The fees associated with the transaction will be incorporated into the offering and therefore there is no fiscal impact on the Operating budget.

DISCUSSION

On November 1, 2012, SacRT issued \$86,865,000 of bonds at a premium to fund the South Line Phase II expansion, to purchase 40' buses, non-revenue vehicles, and to fund other miscellaneous capital projects. In February 2017, SacRT received approximately \$42 million of Traffic Congestion Relief Program (TCRP) funds for the South Line Phase II project that enabled SacRT to defease a portion of the outstanding debt.

As of June 30, 2020, SacRT has approximately \$45 million in outstanding revenue bonds. The first available call date on the debt is September 1, 2020. Staff came to the Board in March 2020 with a plan to refinance the debt in Spring 2020; however, due to the effects of COVID-19 on the bond market and farebox revenues, it was not advantageous for SacRT to progress the refinancing. The bond markets have started to

rebound, and it is now appropriate for SacRT to enter into a preliminary contract with RBC to further explore options for refinancing the debt.

SacRT released Request for Proposals (RFP) #202056 in February 2020 and received 7 responses from underwriter institutions. The evaluation committee deemed RBC to be the highest-ranked Proposer due to its knowledge of SacRT's credit situation, experience with transit finance, and experience with transit finance in California.

The final pricing for the bonds will be directly dependent on the bond market at the time of refinancing. There are three scenarios that could affect the total cost paid to the underwriter:

1. Bonds sold at a premium. This means that SacRT will have to sell fewer bonds because each bond is worth more than the standard \$1,000; in this instance, the takedown expenses would be lower than estimated.
2. Bonds sold at par. This means that SacRT will sell 45,000 bonds at the standard \$1,000/bond, which will result in the estimated takedown expense.
3. Bonds sold at a discount. This means that SacRT will have to sell more bonds because they are priced below \$1,000, resulting in an increase to the takedown expense beyond the estimate.

SacRT will only move forward with the refinancing when debt services savings can be achieved. However, that is attainable with any of the three scenarios above, depending on the interest rate that can be obtained in the market. The final underwriter cost will be brought back to the Board just before the refinancing is finalized for adoption of a formal resolution authorizing the transaction and approval of the Bond Purchase Agreement, at which time all costs will be disclosed.

Proposers that are not selected are entitled to protest a recommendation to award and must be granted the full 10 business days to submit a protest to SacRT. Because the notice was not sent out sufficiently in advance of the Board meeting, the protest period will not have run prior to the Board meeting date; therefore, award of a contract must be conditioned upon the 10-business day protest period elapsing and SacRT not receiving any protest.

Staff recommends the Board conditionally award a Contract for Underwriting Service for the Refunding of Farebox Revenue Bonds, Series 2012 to RBC Capital Markets, LLC.

RESOLUTION NO. 20-09-0092

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

September 14, 2020

CONDITIONALLY AWARDING A CONTRACT FOR UNDERWRITING SERVICES TO RBC CAPITAL MARKETS, LLC

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

THAT, the Contract between Sacramento Regional Transit District, therein referred to as "SacRT," and RBC Capital Markets, LLC., therein referred to as "Consultant," agrees to provide Underwriter Services, as specified, for an amount not to exceed \$195,000, is hereby approved, contingent upon no protest being properly filed by the close of business on Wednesday, September 16, 2020.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said Contract, upon satisfaction of the foregoing contingency.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: September 14, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Brent Bernegger, VP, Finance/CFO

SUBJ: AWARDING CONTRACTS FOR LEGAL SERVICES FOR WORKERS' COMPENSATION AND APPROVING WORK ORDER NO. 1 TO THE CONTRACT FOR LEGAL SERVICES FOR WORKERS COMPENSATION WITH LENAHAN, SLATER, PEARSE & MAJERNIK

RECOMMENDATION

Adopt the Attached Resolutions.

RESULT OF RECOMMENDED ACTION

Approving the contracts will allow SacRT, when needed, to refer workers' compensation cases to outside legal counsel, if the services of SacRT's contracted third-party administrator are insufficient to resolve the claim. Approving contracts with multiple firms will provide the widest range of options for SacRT in claims handling.

FISCAL IMPACT

The costs for the contracts will be paid from the SacRT Insurance Fund.

The proposed five-year not-to-exceed amount for the contract with Lenahan, Slater, Pearse & Majernik, LLP is \$1,000,000. Lenahan is the firm that currently handles SacRT's workers' compensation litigation and that was highest-ranked in the evaluation process. A Work Order in the amount of \$325,000 is also needed to ensure that Lenahan continues to handle open workers' compensation claims currently assigned to the firm.

Staff is proposing a five-year not-to-exceed amount of \$200,000 per firm for the contracts with Albert & Mackenzie, LLP; Coleman Chavez and Associates, LLP; and Llarena, Murdock, Lopez and Azizad, APC.

DISCUSSION

SacRT needs to retain the services of a panel of firms with expertise in the area of workers' compensation law. The attorney firms will be issued Work Orders on an as-needed basis. The firms will provide advice, counsel, and assistance on workers' compensation matters. Claims may be referred to outside counsel when the employee is represented by counsel. Factors influencing a referral to outside counsel include:

1. Complexity of the legal issues involved.

2. Likelihood that the case will go to trial.
3. Cases involving, or potentially involving, multiple employers (codefendants).
4. Need for the deposition of the injured worker or other parties, consideration being given to making the referral to the attorney only for the purpose of the deposition.
5. Claims for the same injured worker filed subsequent to files already referred to defense counsel in which litigation on those claims is unresolved. This may simply be an informational referral so that the defense counsel has all information which may be relevant to the litigated cases.

Staff released a Request for Proposals (RFP) on June 2, 2020 and received four responsive proposals on July 7, 2020 from the following firms: Albert & Mackenzie, LLP; Coleman, Chavez & Associates, LLP; Lenahan, Slater, Pearse & Majernik, LLP; and Llarena, Murdock, Lopez & Azizad, APC. All four firms have excellent qualifications, staffing and experience. After scoring of the written proposals and application of Small Business Enterprise and Local Business Enterprise preference points, the selection committee deemed all four firms qualified for selection to SacRT's Workers' Compensation Legal Services panel, with Lenahan, Slater, Pearse & Majernik as the highest-ranked firm.

The services will be contracted over five years. The General Manager/CEO, or his designee, will approve Work Orders that do not to exceed \$150,000. Work Orders exceeding \$150,000 will require Board approval.

The independent cost estimate for the five-year contracts is \$2,000,000. This cost estimate is based on historical information, which has been adjusted for cost of living and inflation. The hourly rates of all four firms are comparable and have been deemed fair and reasonable.

Lenahan, Slater, Pearse & Majernik, LLP has been the attorney firm working on SacRT's litigated claims for many years, and has a number of active cases; assigning these cases to a new firm would be inefficient and undesirable. To continue and complete work on those cases, Lenahan's not-to-exceed amount is set higher than the not-to-exceed amounts for the other awarded firms. A Work Order in the amount of \$325,000 is also needed to ensure that Lenahan continues to handle open workers' compensation claims currently assigned to the firm. Assignment of new cases will rotate among the four firms and will take into consideration each firms area of expertise.

RESOLUTION NO. 20-09-0093

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

September 14, 2020

APPROVING A CONTRACT FOR LEGAL SERVICES FOR WORKERS' COMPENSATION TO LENAHAN, SLATER, PEARSE & MAJERNIK, LLP

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

THAT, the Contract between Sacramento Regional Transit District, therein referred to as "SacRT," and Lenahan, Slater, Pearse & Majernik, LLP., therein referred to as "Consultant," whereby Consultant agrees to provide Legal Services for Workers' Compensation, as specified, for an amount not to exceed \$1,000,000 for a five-year term, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute the foregoing Contract.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-09-0094

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

September 14, 2020

APPROVING A CONTRACT FOR LEGAL SERVICES FOR WORKERS' COMPENSATION WITH ALBERT & MACKENZIE, LLP

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

THAT, the Contract between Sacramento Regional Transit District, therein referred to as "SacRT," and Albert & Mackenzie, LLP, therein referred to as "Consultant," whereby Consultant agrees to provide Legal Services for Workers' Compensation, as specified, for an amount not to exceed \$200,000 for a five-year term, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute the foregoing Contract.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-09-0095

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

September 14, 2020

APPROVING A CONTRACT FOR LEGAL SERVICES FOR WORKERS' COMPENSATION WITH COLEMAN, CHAVEZ & ASSOCIATES

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

THAT, the Contract between Sacramento Regional Transit District, therein referred to as "SacRT," and Coleman, Chavez & Associates, therein referred to as "Consultant," whereby Consultant agrees to provide Legal Services for Workers' Compensation, as specified, for an amount not to exceed \$200,000 for a five-year term, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute the foregoing Contract.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-09-0096

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

September 14, 2020

AWARDING A CONTRACT FOR LEGAL SERVICES FOR WORKERS' COMPENSATION TO LLARENA, MURDOCK, LOPEZ & AZIZAD, APC

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

THAT, the Contract between Sacramento Regional Transit District, therein referred to as "SacRT," and Llarena, Murdock, Lopez & Azizad, APC, therein referred to as "Consultant," whereby Consultant agrees to provide Legal Services for Workers' Compensation, as specified, for an amount not to exceed \$200,000 for a five-year term, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute the foregoing Contract.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-09-0097

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

September 14, 2020

APPROVE WORK ORDER NO. 1 TO THE CONTRACT FOR LEGAL SERVICES FOR WORKERS' COMPENSATION WITH LENAHAN, SLATER, PEARSE & MAJERNIK, LLP

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

THAT, Work Order No. 1 to the Contract for Legal Services for Workers' Compensation for Lenahan, Slater, Pearse & Majernik, LLP., in an amount of \$325,000, is hereby approved.

THAT, the Board delegates authority to the General Manager/CEO to execute the foregoing Work Order.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: September 14, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Carmen Alba, Acting, VP, Operations

SUBJ: RATIFYING AN UNAUTHORIZED PROCUREMENT AND APPROVING THE FIRST AMENDMENT TO THE CONTRACT FOR RADIO MAINTENANCE AND REPAIR SERVICES WITH DELTA WIRELESS, INC. TO ADD FUNDS AND EXERCISE OPTION YEARS SIX AND SEVEN

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Approval will authorize the past payment of funds in excess of the specified total consideration under the Contract, add further additional funds to provide services for the remainder of Year 5, and allow the continuation of the current contract with Delta Wireless, Inc. for Option Years Six and Seven.

FISCAL IMPACT

<u>Department</u>	<u>Year 5</u>	<u>Option Year 6</u>	<u>Option Year 7</u>
Total	\$50,000.00	\$190,428.60	\$196,978.96

Grand Total for added funds to Year 5 and both Option Years \$437,407.56

Contract amounts to be expended in FY 2020-2021 have been included in FY 2020-2021 Operating Budget. The total contract will be \$1,202,204.04 plus applicable sales taxes.

DISCUSSION

On June 2, 2015, SacRT received one bid from Delta Wireless, Inc. for Radio System Maintenance and Repair. At that time, Staff determined the bid pricing was fair and reasonable based on the Independent Cost Estimate (ICE), which was established using current and past contract rates.

On August 24, 2015, the Board awarded a Contract for Radio System Maintenance and Repair Services to Delta Wireless, Inc., for an amount not to exceed \$764,794.32, plus applicable sales tax for a five-year-term with two one-year options. The current contract

was executed on October 25, 2015, and expires five years later on October 24, 2020, unless SacRT exercises its option to extend the contract.

Due to costs associated with the P25 radio upgrade and the need to install new radios in SacRT GO vehicles, the Total Consideration for the Contract was fully expended in June 2020. Staff continued to request services under the Contract and, to date, \$29,537.83 in invoices have been paid for services in excess of the Contract Total Consideration.

Section 1.105, "Ratification of Unauthorized Procurement" of the Procurement Ordinance permits the Board to ratify an unauthorized procurement if: (1) the supplies or services have been provided to and accepted by SacRT or SacRT will otherwise benefit from the unauthorized procurement; (2) the ratifying official (in this case the Board), has the authority to enter into the contract; (3) the contract would have been proper if made by an appropriate contracting officer; (4) the price is fair and reasonable; and (5) sufficient funds are available.

Because these services were necessary to maintain SacRT's critical radio equipment and systems and were provided at the specified Contract rates, Staff recommends that the Board ratify the unauthorized expenditure of funds and approve the addition of those funds to the Contract Total Consideration, along with additional funds in the amount of \$20,462.17 to fund services through the end of the current term. Staff will be implementing further internal control measures and monitoring to ensure that, in the future, funds are not appropriated or expended for a Contract in an amount in excess of the Total Consideration.

In addition, because Staff has been satisfied with the performance by Delta Wireless under the Contract, Staff is recommending exercise of the two option years. Because of additions and changes to equipment, including maintenance of additional radios for the SacRT GO paratransit service, the option year totals are higher than originally proposed, but the Contract provided for the addition of equipment at the same rates as bid. Staff has reviewed the proposed rates for Option Years 6 and 7 and determined they remain fair and reasonable based on the current market.

Staff recommends the Board approve the First Amendment to the Contract for Radio System Maintenance and Repair Services with Delta Wireless, Inc., ratify the unauthorized payments, add funds for the remainder of the original contract term, extend the term, modify the equipment list covered under the Contract, and increase the Total Consideration by \$437,407.56, from \$764,794.32 to \$1,202,204.04, plus applicable sales taxes.

RESOLUTION NO. 20-09-0098

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

September 14, 2020

RATIFYING AN UNAUTHORIZED PROCUREMENT AND APPROVING THE FIRST AMENDMENT TO THE CONTRACT FOR RADIO MAINTENANCE AND REPAIR SERVICES WITH DELTA WIRELESS, INC. TO ADD FUNDS AND EXERCISE OPTION YEARS SIX AND SEVEN

WHEREAS, Section 1.105, "Ratification of Unauthorized Procurement" of the Procurement Ordinance permits the Board to ratify an unauthorized procurement if: (1) the supplies or services have been provided to and accepted by SacRT; (2) the ratifying official has the authority to enter into the contract; (3) the contract would have been proper if made by an appropriate contracting officer; (4) the price is fair and reasonable; and (5) sufficient funds are available.

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

THAT, in accordance with Section 1.105 of the Procurement Ordinance, the Board of Directors hereby ratifies the excess payment in the amount of \$29,537.83 to Delta Wireless, Inc. for services rendered; and

THAT, the First Amendment to the Contract for Radio System Maintenance and Repair Services between Sacramento Regional Transit District, therein referred to as "RT," and Delta Wireless, Inc. therein referred to as "Contractor," whereby RT exercises its options to extend the Contract for two additional years commencing on October 25, 2020 and terminating on October 24, 2022, the equipment list is updated, and the total consideration is increased by \$437,407.56, from \$764,794.32 to \$1,202,204.04 plus applicable sales tax, is hereby approved.

THAT, the Chair and General Manager/CEO are hereby authorized and directed to execute said First Amendment.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: September 14, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Laura Ham, VP, Planning and Engineering

SUBJ: 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.

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Delegating authority to the General Manager/CEO to approve this Contract will allow SacRT's design consultant to commence and timely complete final design services for the passing track section(s) needed to provide 15-minute light rail service to Folsom, so that construction can proceed in accordance with the grant deadlines.

FISCAL IMPACT

The total not-to-exceed amount for completion of the final design of both the Folsom and Rancho Cordova segments and bid and construction support for the Folsom segment will be \$4,783,750.00. SacRT currently has construction funding only for construction of the Folsom segment. If further funding is identified and construction of the Rancho Cordova segment is later included in solicitation and award of the construction contract, the cost of the option task for bid support and construction support for that segment will be \$623,540. Award of that option task will be brought back to the Board at a later date, if funding is identified.

DISCUSSION

Sacramento Regional Transit (SacRT) applied for State of California Solutions for Congested Corridor Program and Transit Intercity Rail Capital Program funding to provide 15-minute light rail service to Historic Folsom. On April 25, 2018, the project was recommended by Caltrans for funding and was ranked fourth in the State.

At the August 27, 2018 Board meeting, the Board approved a Work Order to Contract for the Environmental Support Services with AECOM Technical Services, Inc. (AECOM) for completion of the preliminary engineering and environmental clearance for the project.

In January 2020, the Board adopted a mitigated negative declaration for the project under the California Environmental Quality Act (CEQA). However, as communicated to the Board at the

July 27, 2020 Board meeting, the process of obtaining environmental clearance under the National Environmental Policy Act (NEPA) has been delayed while issues pertaining to the Biological Assessment were addressed with FTA staff.

SacRT is in the final documentation phase with Federal Transit Administration (FTA) to secure sign off on environmental review and environmental clearance under NEPA.

SacRT Staff prepared a Request for Proposal (RFP) for final design services for the 15-minute service to Folsom project and released the solicitation on February 14, 2020. SacRT received 3 proposals on March 25, 2020 from WSP USA, Gannett Fleming and AECOM. SacRT staff reviewed and evaluated all the proposals. The Selection Committee determined AECOM was the highest-rank proposer based on the evaluation criteria in the RFP.

The Contract scope of work has been divided into Tasks. Task 1 includes designing both the Rancho Cordova segment and Folsom segment of the project including all the signaling, overhead catenary system (OCS), traffic signal, station and civil and track work design. Tasks 2 and 3 are for bid and construction support for Folsom segment and Rancho Cordova segment of the project, respectively.

SacRT has a strict deadline to request CTC approval of funding in December 2020 and must be in construction by June 2021. The design and bid time are very limited to meet the grant deadlines. Under federal regulations, SacRT cannot execute the final design contract until NEPA clearance is obtained from the FTA. Clearance is expected by end of September, but work must proceed expeditiously as soon as that approval is obtained.

Staff recommends the Board conditionally delegate authority to award and execute a Contract for Final Design Services for Rail Modernization for 15 Minute Light Rail Service to Historic Folsom with AECOM Technical Services, Inc. (AECOM), including performance of Tasks 1 and 2 for the amount of \$4,783,750.00 if NEPA environmental clearance is obtained from the FTA. The additional Task 3 for bid and construction support for the Rancho Cordova Segment in the amount \$623,540 will not be currently part of the contract since there is not sufficient funding for the construction of this segment. This optional portion of the Contract work will be brought to the Board in the future for approval if funding is available.

RESOLUTION NO. 20-09-0099

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

September 14, 2020

**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.**

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

THAT, authority is hereby conditionally delegated to the General Manager/CEO to award and execute the Contract for Final Design Services for Rail Modernization 15 Minute Light Rail Service to Historic Folsom by and between the Sacramento Regional Transit District (therein "SacRT") and AECOM Technical Services, Inc. (therein "Consultant") whereby Consultant agrees to perform Task 1 and Task 2 final design services for an amount not to exceed \$4,783,750.00, contingent upon obtaining clearance under the National Environmental Policy Act from the Federal Transit Administration to proceed with the project.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Laura Ham, VP, Planning and Engineering
SUBJ: ADOPTING A CATEGORICAL EXEMPTION FOR THE WATT I-80
TRANSIT CENTER IMPROVEMENTS

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Approves a Resolution Adopting a Categorical Exemption for the Watt I-80 Transit Center Improvements based on the Categorical Exemption Analysis.

FISCAL IMPACT

None

DISCUSSION

The current Watt I-80 Transit Center is one of the busiest transfer centers in the Sacramento region. It has been prone to safety and security issues throughout the years and has attracted criminal activity because of the location of the Transit Center, which is situated both above and below a major freeway, with steep enclosed stairwells and in a high-crime community.

SacRT completed a visioning effort to re-imagine the Watt/I-80 Transit Center in 2018 with participation by a wide range of community stakeholders. With the community-envisioned upgrades, this facility will attract and accommodate more riders, as well as accommodate additional bus service from regional operators and expansion of high capacity transit connecting to American River College, Arden-Arcade, Citrus Heights, McClellan Park and North Highlands.

The improvements include: reconstruct of the Transit Center's bus stop waiting areas on Watt Avenue; modify the stair and elevator structures; widen the sidewalks along the Watt Avenue overpass; incorporate improved bike access along the overpass; improve pedestrian crossing of Watt Avenue from the northbound bus stop to the Transit Center structure; and modify the freeway off-ramps for improved pedestrian access. Improvements may include, but are not limited to walkways, waiting areas, stairs, elevator structure, pedestrian crossings, bike paths, lighting, fencing/barriers, wayfinding, customer information signs, site furniture, bus lanes, freeway off-ramps, and

drop off areas. Due to the location of the facility within Caltrans' right of way, the scope of work will include coordination and compliance with Caltrans' requirements.

The Watt I-80 Improvement design kick-off meeting occurred on July 15, 2020. The designer has begun preliminary engineering which includes obtaining the initial data gathering of survey, real estate information and geotechnical boring. Preliminary Engineering is scheduled to be completed by January 2021 and Final Design is scheduled to be completed by October 2021. Construction funding has not yet been identified and obtaining the funding will be a coordinated effort between SacRT, Caltrans and County of Sacramento.

A separate contract for replacing the elevators is currently underway. The first elevator is scheduled to be delivered to the site in October 2020 and installation is anticipated to be completed by the end of 2020. The installation of the second elevator cannot begin until the first elevator installation is complete.

The Project requires environmental analysis in compliance with the California Environmental Quality Act (CEQA). A Project Analysis (Attachment 1) was prepared pursuant to CEQA, resulting in a determination that the project is consistent with the exemption set out in CEQA Section 15301 Existing Facilities (Class 1(c)) as minor alteration to existing highways and streets, and sidewalks, gutters, bicycle and pedestrian trails, and similar facilities that do not result in an expansion of use. A Notice of Exemption (Attachment 2) was prepared and will be submitted to the State Clearinghouse once it is adopted by the Board.

Review and approval of the Project Analysis may also be undertaken by the Federal Transit Administration (FTA) for which it may provide funding. FTA has indicated that it will likely consider the Project using a Documented Categorical Exclusion (DCE) per 23 CFR 771.118, and SacRT is preparing and providing the DCE documentation for FTA's use.

Based on the Project analysis, staff recommends the Board adopt the Categorical Exemption.



AECOM
300 Lakeside Drive, Suite 400
Oakland, CA 94612
aecom.com

RE:
Watt/I-80 Transit Station Improvements Project

From:
Rod Jeung, Project Director
Anne Ferguson, Project Manager
Wendy Copeland, Environmental Planner

To:
Darryl Abansado
Direction, Engineering and Construction
Sacramento Regional Transit District
2811 O St, Sacramento, CA 95816

Date:
August 27, 2020

CC:

CATEGORICAL EXEMPTION ANALYSIS

Introduction

The Sacramento Regional Transit District (SacRT) is the project sponsor for the proposed Watt Avenue/Interstate 80 (I-80) Transit Center Improvements Project (project). The project would improve safety and multimodal access to the Watt/I-80 Transit Center, in unincorporated Sacramento County, adjacent to the northeast portion of the City of Sacramento.

Watt Avenue, a major north-south arterial, crosses over I-80 and the SacRT Blue Line light rail tracks. Transit riders desiring to travel on the Blue Line or transfer to a connecting bus must go down a stairwell on the west side of Watt Avenue to the station platform level and bus stops below. Heavy traffic, narrow sidewalks, limited pedestrian and bicycle connections, a noisy exposed atmosphere, and a lack of amenities characterize the Watt Avenue entrance to the transit center.

Over the past 3 years, SacRT completed a visioning effort to “Re-imagine the Watt/I-80 Transit Center.” SacRT, in partnership with Sacramento County and Mercy Housing, an affordable housing developer, is now making efforts to implement the grand vision for this area. SacRT, using Community Design Grant funds approved by the Sacramento Area Council of Governments (SACOG), is advancing the design and environmental clearance for its portion of the improvements along Watt Avenue—the Watt/I-80 Transit Center. With the community-envisioned upgrades to the station, it would be more accessible, user friendly, and able to attract and accommodate more riders.

The project is under review in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the County. This document contains the analysis necessary per CEQA Section 15301 Existing Facilities (Class 1[c]) as minor alterations to existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities that do not result in an expansion of use.

Project Description

The project includes the following components to improve safety and multimodal access to the Watt/I-80 Transit Center (items 5, 7, 14, 15, 16 and 18 on Figure 1), all of which would occur entirely within existing State and County rights-of-way developed with highways and streets:

-) Relocating the concrete median barrier and narrowing vehicle travel lanes on Watt Avenue on the I-80 overcrossing structure to accommodate wider sidewalks and future bicycle lanes (see item 14 on Figure 1).
-) Enhancing pedestrian amenities on the west side of Watt Avenue, by installing pedestrian-level lighting, landscape buffers, and new ornamental metal security fencing along the overcrossing (see item 14 on Figure 1).
-) Expanding the light rail station entrance plaza on the west side of Watt Avenue by including a new stairway connection to the light rail platform area; installing new pedestrian lighting; removing concrete barriers; adding wayfinding and station monument signage; and providing trash and recycling receptacles, seating, shade/rain shelters, and a landscape buffer (with guardrail) between the plaza and vehicular traffic (see items 5 and 7 on Figure 1).
-) Relocating bus stops on both sides of Watt Avenue to shorten crossing distances and providing space for new bus shelters at the new locations (see item 15 on Figure 1).
-) Creating a new 'kiss-and-ride' pick-up and drop-off space with directional wayfinding on the west side of the overcrossing (see item 16 on Figure 1).
-) Squaring up the on-ramps to eastbound and westbound I-80 for safer pedestrian crossings and adding a new pedestrian crossing on the north leg of Watt Avenue at the I-80 eastbound ramp intersection (see item 18 on Figure 1).

The design of the improvements would incorporate crime prevention through environmental design guidelines, current Americans with Disabilities Act requirements, and requirements for future SacRT low-floor light rail vehicles that are being acquired to make passenger boardings and alightings more convenient. In addition, it is proposed that non-irrigated hydroseed would be applied to the areas where on-ramp concrete has been removed; no ornamental plantings or irrigation are anticipated for the on-ramp areas.

Project Location

The project site in unincorporated Sacramento County includes a portion of the Watt/I-80 Transit Station, the Watt Avenue overpass (over I-80 and the SacRT Blue Line), and Watt Avenue crossings of both the eastbound and westbound I-80 on-ramps (see Figure 2). The immediately surrounding area includes a Walmart, future Mercy affordable housing project, and industrial uses to the northwest; existing lower density housing to the northeast; Internal Revenue Service (IRS) and Drug Enforcement Agency (DEA) offices and retail to the southeast; and industrial and community and regional recreation areas to the southwest.

Re-Imagine Watt/I-80 Transit Center Conceptual Site Plan

(B) SIGNIFICANT STATION ENHANCEMENTS



- LEGEND**
- 1 Pedestrian promenade leading from parking lot to station
 - Pedestrian lighting
 - Wide roadway
 - 2 Reduction of bus bays to two and relocation
 - 3 Lighter, more open architecture for station structures
 - White or light color
 - Angled, non-orthogonal design lets natural light in while providing shade and shelter
 - Lighter roof allows for a smaller support structure and reduces parking holding spaces, blind corners, and visual "weight" of the structure
 - 4 New elevator and restroom structure
 - Maximize visibility around the structure
 - Minimize the visual clutter but by the new structure.
 - 5 Watt Ave station plans
 - Pedestrian lighting
 - Removal of concrete barriers to improve visibility
 - Railways to break up the space and protect pedestrians from cars
 - Wayfinding
 - RT station environment
 - Parallel to the between plans and roadway
 - 6 Bridge added to the new elevator structure
 - 7 Staircase
 - Can be added later with an escalator
 - 8 Low maintenance landscaping and lighting around the station
 - 9 Removal and replacement of existing structures, elevators, and stairs on east side of Watt
 - Removal of bus stop on east side of freeway overcrossing structure
 - 10 Pedestrian friendly station plaza
 - Lots of lighting
 - No sharp corners
 - Plant mass provide shade in the summer and allow light through during the winter
 - Wayfinding, fruit and signage
 - 11 Bus onramp shortened to merge with main onramp before crossing under Watt Ave
 - 12 Maintain vehicle access under Watt Ave overcrossing
 - Drive through area for bus and give restroom access under the overcrossing to official use only
 - 13 Water sidewalks on both sides of Watt Ave
 - From 4ft to 5ft on the west side
 - From 4ft to 5ft on the east side
 - 14 A more pedestrian friendly west side of Watt Ave
 - Pedestrian level lighting
 - Vertical fence reduced to 5ft in height
 - 5ft doublets allow for future conversion to a bike lane
 - Concrete barrier to deter parking
 - Plant mass and street trees for pedestrian safety
 - 15 Bus stop with shelter to match new station architecture
 - 16 Kiss-n-ride and THIC pickup/dropoff
 - 17 Pedestrian bridge and ramp
 - 18 Squared up entrance for safer pedestrian crossing

Option (B) Keep bus stop, add ped x-ing

Scope of this project is outlined in yellow

Figure 1. SacRT Project Components of the Watt/I-80 Transit Center Improvements Project

Watt/I-80 Transit Center Improvements Project
CEQA Memo

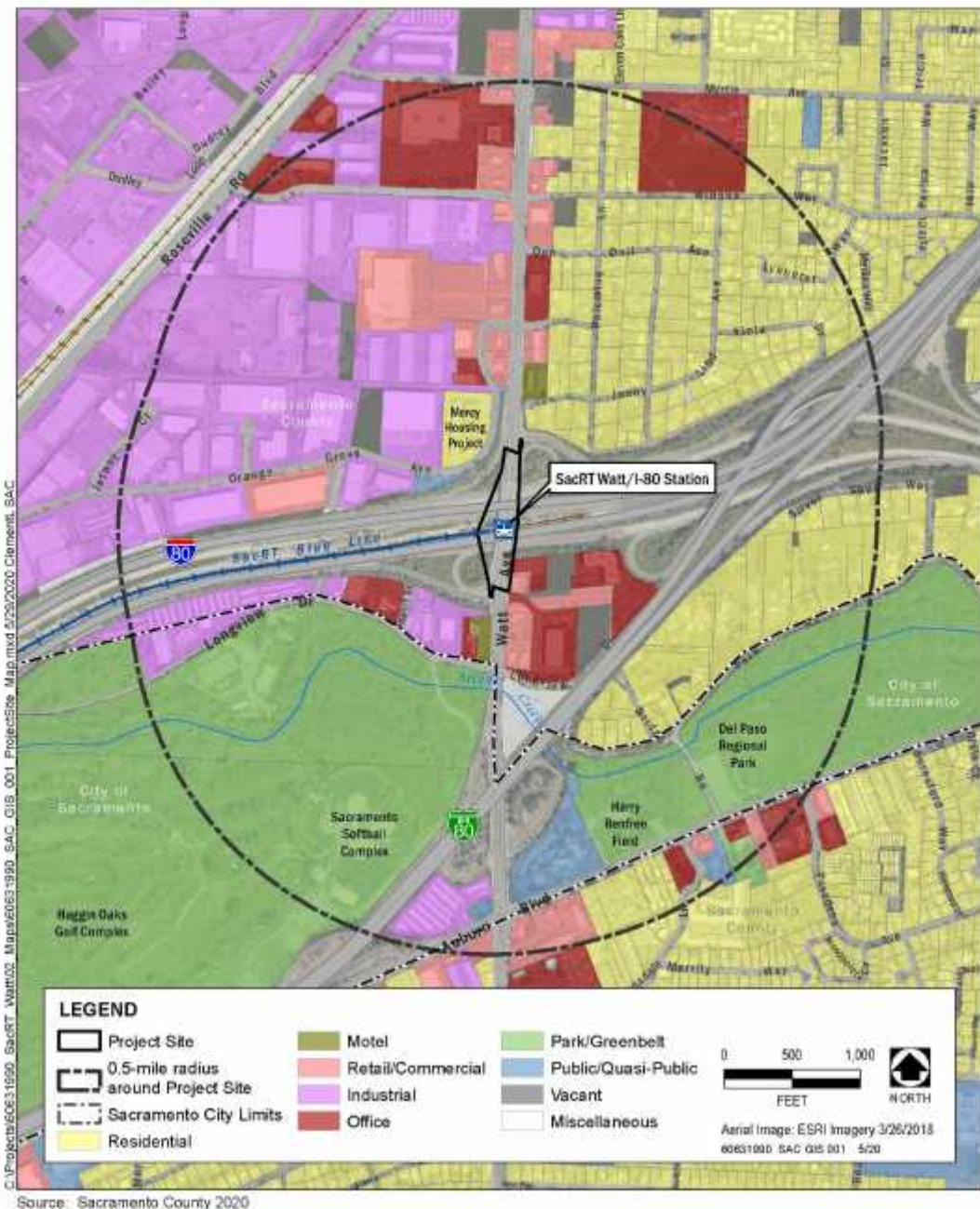


Figure 2. Project Location

Categorical Exemption Analysis

The project qualifies for a Categorical Exemption under Class 1, CEQA Section 15301(c), Existing Facilities. Class 1 is appropriate because it covers relatively minor alterations to existing facilities, including transit facilities. The discussion below provides an analysis of why this project meets the conditions for a Class 1 exemption, as well as the reasons why the exceptions outlined in CEQA Section 15300.2 do not apply to the project.

15301(c) Existing Facilities

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures and facilities, including existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes.

The project meets these features / characteristics. Class 1 covers minor alterations to existing facilities including existing highways, sidewalks, gutters, bicycle lanes and facilities, and transit facilities. The project would include alteration of existing public highways (on-ramps and highway overcrossing), sidewalks, and transit improvements to improve pedestrian and bicycle access to the Watt/I-80 Transit Center. Specific project components include modifying vehicle travel lanes to include wider sidewalks and bicycle lanes; installing improved lighting, landscape buffers, and ornamental fencing for safety and aesthetics; expanding the existing Watt Avenue plaza entrance (including a new stairway) and providing trash and recycling receptacles, seating, shade/rain shelters, and a landscape buffer with guardrail as a separation from vehicular traffic; installing bus stops and bus shelters; providing new pick-up and drop-off spaces; and improving pedestrian crossings of highway on-ramps. The proposed pedestrian, bicycle, and transit enhancements would occur entirely within existing road rights-of-way, and would not require changes to the existing land uses, zoning, or general plan land use designations. Therefore, the project meets the definitions of the Class 1, Section 15301(c) exemption.

Exceptions to Categorical Exemption Analysis

None of the exceptions listed in Section 15300.2 would apply to the project for the following reasons:

- a) **Location.** *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

This exception only applies to Classes 3, 4, 5, 6, and 11. These classifications do not apply to this project (i.e., Class 1); therefore, this exception is not discussed further.

- b) **Cumulative Impact.** *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (State CEQA Guidelines Section 15355). The project would involve installing minor upgrades to the existing Watt/I-80 Transit

Center and squaring-up a small portion of the existing Watt Avenue/I-80 on-ramps. Due to the nature of the project, its small size, and its location, the project would not affect agricultural or forestry resources, air quality, energy, greenhouse gas emissions, land use planning, geology, minerals, public services, recreation, utilities, or wildfire. As discussed in further detail in Sections c–f below, the project would not have significant effects on biological resources, hydrology and flooding, noise, transportation, scenic highways/resources, hazardous waste sites, or historical/archaeological resources. The project's impacts on these resources are highly localized and would not have a considerable contribution to cumulative impacts. There are few other projects in the vicinity that could have a cumulative impact with the Watt/I-80 Transit Center upgrades. A review of pending projects in the adjacent North Highland community (<https://planningdocuments.saccounty.net/>) shows reasonably foreseeable development is primarily related to minor permits, design reviews, and zoning verification letters. The relatively few projects that could contribute impacts would be new industrial buildings at McClellan Park. It is expected that potential impacts from these projects would be associated with traffic, employment growth, air quality/noise, and utility demand. The proposed project would not contribute to long-term impacts on any of these resources/topics. Therefore, cumulative impacts with the project be less than significant.

- c) **Significant Effects.** *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

There are no unusual circumstances at the project site or as part of project operations that would result in significant effects on the environment. The project site is developed as a Transit Center; a small portion of the existing Watt Avenue/I-80 on-ramps are also part of the project site. The project proposes minor alterations to existing transit facilities, would be located entirely within existing road rights-of-way, and would not result in any changes to land use designations or zoning. Furthermore, the project would be consistent with the adopted North Watt Corridor Plan, which provides a comprehensive policy framework to promote infill growth, transportation choices, and infrastructure improvements (Sacramento County 2012). There is nothing about the project site or operations that present unusual circumstances. Thus, and as described in detail below, the project would not have any significant impacts requiring mitigation and this exception to the exemption would not apply.

Biological Resources

Based on a review of the U.S. Fish and Wildlife Service's (USFWS) National Wetland Inventory data (USFWS 2020a) and current and historic Google Earth satellite images of the project site, aquatic features, including wetlands, are not present in the project vicinity. All ground disturbances would be limited to the existing, developed areas only and would not involve modification to, or loss of, wetlands. Stormwater from the project site would continue to be routed to the existing storm drainage system and therefore would not directly drain into a waterway supporting wetlands. In addition, no project activities are proposed within a water body/water course and the project would not require alterations to any surface water features, navigable waterways, or waters of the U.S. Therefore, project-related activities would cause no direct fill or indirect temporary or permanent loss of federally protected wetlands or wetland quality, and would not require related permits.

The project area is in a previously disturbed, highly urbanized, and landscaped area. No known occurrences of threatened or endangered species are present on or adjacent to the project site (California Department of Fish and Wildlife [CDFW] 2020). The nearest records of threatened and endangered species consist of two records of vernal pool fairy shrimp (listed as threatened under the Federal Endangered Species Act) (USFWS 1994) in vernal pool and ephemeral ditch habitats

surrounded by annual grassland near the McClellan Business Park, approximately 0.5 mile northwest of the project site. No suitable habitat for vernal pool fairy shrimp (i.e., seasonal wetlands, ditches, or vernal pools in annual grassland) are present on or adjacent to the project site.

The project site is not located in any designated critical habitat or wildlife corridors (Spencer, et al. 2010; USFWS 2020b). The nearest critical habitat to the project site is more than 3 miles to the southwest along the south bank of the American River and consists of the American River Zone critical habitat for the valley elderberry longhorn beetle (VELB) (*Desmocerus californicus dimorphus*). No suitable habitat for the VELB (i.e., elderberry shrubs) is present in the project site. Wildlife movement corridors in the region typically are associated with rivers and creeks supporting riparian vegetation, which do not occur in the project site and are available elsewhere. The nearest riparian corridor is along Arcade Creek approximately 600 feet south of the project site, south of I-80 and commercial/industrial development. The project site is already used for light rail and bus service and is heavily trafficked, so that project construction would be unlikely to interfere with any existing, limited wildlife movement through or along the project area.

There is no fish habitat within the project site. Existing stormwater drainage systems eventually discharge to the Lower American River, which provides essential fish habitat for Chinook salmon (*Oncorhynchus tshawytscha*) (NOAA 2014). However, SacRT would implement Best Management Practices from the California Department of Transportation (Caltrans) and Sacramento County to reduce any construction-related erosion and control stormwater runoff. Implementation of these practices would result in control of pollutants (including downstream sediment transport) during the project's construction and operational phases, such that degradation of downstream essential fish habitat would not occur. Therefore, impacts on essential fish habitat would be less than significant.

The project would not require trimming or the removal of selected mature trees for the proposed squaring up of the on-ramps to eastbound and westbound I-80 for safer pedestrian crossings and adding a new pedestrian crossing on the north leg of Watt Avenue at the I-80 eastbound ramp intersection. Therefore, the project would not be expected to affect migratory birds protected by the state Fish and Game Code and the federal Migratory Bird Treaty Act.

Hydrology and Water Quality

According to the current Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs), the project is not located within the 100-year floodplain. The project site is in Zone X, an area of minimal flood hazard (FEMA 2012). Therefore, the project would not increase flooding hazards and would not change floodplain elevations or floodways.

There are no surface water bodies within or adjacent to the project site. The closest surface water body is Arcade Creek, approximately 600 feet to the south. Arcade Creek flows southwest into the Natomas East Main Drainage Canal/Steelhead Creek, which discharges into the Sacramento River just upstream from the confluence of the Sacramento and American Rivers. SacRT would implement BMPs contained in the Sacramento County (2018) Improvement Standards (Section 11 "Erosion and Sediment Control") and Caltrans BMPs to reduce any construction-related erosion and to control stormwater runoff. Construction techniques that could be implemented to reduce the potential for stormwater runoff may include minimizing site disturbance, controlling water flow over the construction site, stabilizing bare soil, and ensuring proper site cleanup. BMPs that could be implemented to reduce erosion at the off-ramp squaring up areas may include silt fences, staked straw bales/wattles, silt/sediment basins and traps, geofabric, trench plugs, terraces, water bars, soil stabilizers and re-seeding and mulching to revegetate disturbed areas.

Most of the project site is already covered with impervious surfaces, consisting of roadways, sidewalks, stairways, and roofs. Overall, the project would not increase the amount of impervious surfaces and, consequently, runoff volumes from the project site would be similar to existing conditions. Therefore, the stormwater runoff quality is not expected to change from existing conditions. The project would not alter or create a new direct or indirect connection to Arcade Creek or further impair it or other downstream waterbodies. Therefore, the project impacts on hydrology (including flooding) or water quality would be less than significant.

Noise

The closest noise-sensitive receptor is a residence that is 189 feet from the on-ramp squaring-up area and over 500 feet from the new bus stops on the overpass. The existing noise environment in the project vicinity is heavily influenced by transportation noise sources: light rail and freight train operations alongside the I-80 right-of-way, and vehicular traffic noise primarily from Watt Avenue and I-80, including the on- and off-ramps. There are no existing noise barriers (walls, berms, etc.) between I-80, including on and off-ramps, and homes just north of the I-80 right-of-way.

Based on the types of construction equipment that would be used, the estimated construction noise level at the nearest noise-sensitive receptor (i.e., the residence north of the Watt Avenue/I-80 westbound on-ramp) the project could generate a maximum noise level of 75 Leq dBA at this residence. Sacramento County Code section 6.68.090(e) provides that noise sources associated with construction, repair, remodeling, demolition, paving or grading of any real property, are exempt from maximum noise level requirements, provided those activities comply with the hour restrictions specified in the ordinance (i.e., weekdays from 6am to 8pm and weekends from 7am to 8pm. SacRT will comply with these construction hour restrictions and, therefore, construction, short-term, temporary construction noise impacts would be less than significant.

The project would relocate bus stops but would not increase the volume of buses. In addition, the proposed 'kiss-and-ride' area would allow a place to pull over but would not increase traffic. Therefore, the project would not involve activities or equipment that would contribute to operational noise impacts, and, consequently, noise impacts from long-term, permanent project operation would be less than significant.

A vibration analysis was performed based on two criteria recommended by the Federal Transit Administration (FTA) in its 2018 noise and vibration impact assessment manual: groundborne vibration for infrequent and occasional events (in VdB), and construction vibration damage criteria (in PPV, inches per second). Based on the types of construction equipment and the distance to commercial and residential receptors, the amount of vibration generated by the project would be below the FTA thresholds for (1) structural damage and (2) human annoyance from infrequent and occasional vibration events. Therefore, the project would not result in significant vibration impacts.

Transportation

The project would result in relocation of medians and shifting/restriping of lanes along Watt Avenue to accommodate wider sidewalks and future bicycle lanes, relocated bus stops, and a new 'kiss-and-ride' pick-up and drop-off space. In addition, the Watt Avenue/I-80 on-ramps would be slightly adjusted to allow safer pedestrian crossings and a new pedestrian crossing on the north leg of Watt Avenue at the I-80 Eastbound Ramp intersection. There would be no removal of traffic lanes, only restriping and narrowing of lanes, as well as squaring of the on-ramps. Therefore, roadway capacity of Watt Avenue

would not be affected by the project. The project does not include traffic signal work. All project work would meet Sacramento County Department of Transportation and Caltrans design requirements and therefore would not result in significant traffic safety operational impacts.

During construction, there could be short-term and temporary lane closures to install proposed improvements. A traffic control plan and/or detour plan would be submitted to Sacramento County as required for construction work within the road right-of-way because vehicular, bicycle, and pedestrian patterns would be modified. A traffic control/management plan would also be required by Caltrans as part of its encroachment permit.

The project would not result in temporary or permanent impacts to parking. The only parking within the project site is for buses at the bus stops by the transit station. The bus stops on both sides of the Watt Avenue overcrossing would be relocated to shorten pedestrian crossing distances and provide space for new bus shelters at the new locations. The relocated bus stops, which provide the same amount of curb space, would accommodate existing bus service/routes; there would be no increased bus service as part of the project. The project includes a temporary loading and unloading zone for transit riders, but the addition of this pick-up/drop-off zone would not affect traffic operations and would not create a permanent, long-term parking area. Therefore, the project would not have a significant impact on transportation facilities or parking.

- d) **Scenic Highways.** *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.*

There are no designated scenic vistas at the project site or in the project area. The nearest State-designated scenic highway is State Route 160 near Freeport, approximately 13.5 miles southwest of the project site (Caltrans 2020). The closest Sacramento County-designated scenic highway is Garden Highway, approximately 7 miles southwest of the project site (Sacramento County 2017). Since the topography in the Sacramento area is nearly flat, the project site is not visible from these scenic roadways.

All highway corridors in Sacramento County, including I-80, are protected by designated scenic corridors that extend 660 feet to each side beyond the right-of-way. The purpose of the highway scenic corridor designation is to better control the visual appearance of highway corridors, particularly related to design review of signage and other structures, and to encourage landscaping with native plants and maintenance of natural roadside vegetation (Sacramento County 2017). The project site includes an existing light rail station and elevated entrance plaza, with landscaping, lighting, seating, signage, and trash receptacles. The project would include several new and improved features that would enhance the existing viewshed at the project site, including additional landscaping, ornamental railings for additional pedestrian safety, a new stairway connection from Watt Avenue, new seating, and new rain shelters and new bus stops that would include small areas of new roofing. These elements would be visually similar to and consistent with the existing light rail facilities. Modifying the Watt Avenue overcrossing lane configurations, adding the 'kiss-and-ride' area, and squaring up the on-ramps for pedestrian safety along with hydroseeding would be visually similar to and consistent with the existing roadway facilities and the existing vegetation in the on-ramp areas. All of the new facilities would be designed to provide a visually improved appearance that would complement the existing station facilities. Therefore, the project would not substantially change the appearance of the County-designated scenic corridor along I-80 in the project area, and would not degrade the existing visual character or quality of the project site and its surroundings.

New lighting associated with the additional facilities would be installed according to SacRT design criteria for public safety, as well as with local policies on light pollution and design guidelines requiring light fixtures to be shielded and directed downward, to reduce light pollution. Roofing on the new pedestrian shelters would be designed according to SacRT design criteria to reduce glare. The project does not include tall or wide buildings that could cast adverse shade or shadows on adjacent land uses. Therefore, the project would not result in significant impacts on state or County scenic resources.

- e) **Hazardous Waste Sites.** *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

There is no known or potential hazardous materials contamination at the project site. The project site is not on the list of hazardous materials sites, compiled pursuant to Government Code Section 65962.5. This list, known as the "Cortese List," was reviewed through the record search of the California Department of Toxic Substances Control's (DTSC 2020) online EnviroStor database and the State Water Resources Control Board's (SWRCB 2020) online GeoTracker database. There is only one active known hazardous materials site on the "Cortese List" within 0.5 mile of the project site: the federal Superfund site at the former McClellan Air Force Base (AFB). A small portion of this Superfund site is located southeast of Roseville Road, approximately 1,800 feet northwest of the project site. In this area, fuels were stored during former AFB operations, and the soil and groundwater became contaminated. This area is currently used by Sacramento County as the North Area Recovery Station. Groundwater remediation is ongoing, and the contaminated groundwater plume is confined to the refuse transfer station site. Controls are in place at the North Area Recovery Station that prevent land use changes or soil excavation. Two closed hazardous materials sites are also listed in the GeoTracker database, approximately 700 feet north and approximately 350 feet south of the project site, respectively, at existing Union 76 and Chevron fuel stations. In both instances, minor fuel spills resulted in soil contamination, which was excavated and removed. The cases were closed in 1999 and 1987, respectively.

Because the Superfund site is distant from the project site, the contaminated groundwater plume is confined to the recovery station site, and the depth to groundwater at the project site is approximately 120 feet below the surface (California Department of Water Resources [DWR] 2018), the likelihood of encountering contaminated groundwater beneath the project site is very low. The two nearby closed hazardous materials sites only involved soil contamination and were remediated many years ago; thus, they do not represent a hazard for project-related excavation or construction activities.

Project construction and operation would involve the storage, use, and transport of small quantities of hazardous materials such as fuels, oils, lubricants, and paint, which are typical for transit station upkeep and maintenance. However, SacRT and its construction contractors are required to use, store, and transport hazardous materials in compliance with applicable federal, state, and local regulations during project construction and operation. Workers who handle hazardous materials are required to adhere to federal and state Occupational Safety and Health Administration requirements. Thus, no impacts related to hazardous materials would occur.

- f) **Historical Resources.** *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource*

Historical Resources

The sole historic-age built environment resource in the “Area of Potential Effects (APE)” is the Watt Avenue overcrossing (OC) (State Bridge No. 24 0290) that was built in 1971. The Watt Avenue OC (State Bridge No. 24 0290) was found not eligible for listing as part of a state-wide screening effort, and Caltrans has designated Watt Avenue OC a Category 5 bridge (not eligible for listing in the National Register of Historic Places). Thus, there would be no impact on historical resources.

Archeological Resources

No previously-recorded archaeological resources were identified in the APE during the background research. Two prior studies that included the current APE noted that the area has been heavily modified by development, including the construction of the Watt Avenue overpass and transit station. Any prehistoric archaeological resources that might have been present prior to development would have been on the surface of original native soils; if present, they would have been disturbed or destroyed during cutting and filling episodes to construct I-80 and the Watt Avenue overpass. Thus, there would be no impact on archaeological resources.

Tribal Cultural Resources

Archival research conducted by AECOM indicated that the APE does not contain any previously recorded Native American sites, precontact archaeological sites, historic-period cemeteries, or human skeletal remains. AECOM requested a Sacred Lands File (SLF) search and a list of Native American tribes with potential interest in the undertaking from the California Native American Heritage Commission (NAHC). The NAHC responded that the SLF search was positive for the project. The identified Sacred Land is affiliated with the United Auburn Indian Community of the Auburn Rancheria (UAIC). The following eight tribes were notified of the proposed project:

-) Buena Vista Rancheria of Me-Wuk Indians
-) Colfax-Todds Valley Consolidated Tribe
-) Lone Band of Miwok Indians
-) Nashville Enterprise Miwok–Maidu–Nishinam Tribe
-) Shingle Springs Band of Miwok Indians
-) Tsi Akim Maidu
-) UAIC
-) Wilton Rancheria

Because the SLF search was positive for the UAIC, SacRT and its consultants engaged in multiple email communications to understand the potential concerns and the potential to affect sacred lands and tribal cultural resources (TCRs). SacRT provided more detailed information on the locations and depths of ground disturbance and excavations needed for the foundations of the proposed improvements. On August 20, 2020, the UAIC indicated that it did not believe the project construction would impact tribal cultural resources; however, it did request that avoidance and minimization measures be implemented to address unanticipated discoveries of TCRs. These measures, agreed to by SacRT, are:

-) If any suspected TCRs are discovered during ground-disturbing construction activities, all work shall cease within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. A Tribal Representative from UAIC shall be immediately notified.

- J A minimum of seven days prior to beginning earthwork, clearing and grubbing, or other soil-disturbing activities, SacRT or its contractor shall contact the UAIC with the proposed earthwork start-date and a UAIC Tribal Representative or Tribal Monitor shall be invited to inspect the project site, including any soil piles, trenches, or other disturbed areas, within the first five days of groundbreaking activity, or as appropriate for the type and size of project. During this inspection, a UAIC Tribal Representative or Tribal Monitor may provide an on-site meeting for construction personnel information on TCRs and workers awareness brochure.
- J A Tribal Cultural Resource Awareness brochure and training program for all personnel involved in project implementation shall be developed in coordination with UAIC. The brochure will be distributed, and the training will be conducted by UAIC representatives before any stages of project implementation and construction activities begin on the project site. The training may be done in coordination with the project archaeologist.

With the above avoidance and minimization measures to be incorporated into contractor construction specification, potential impacts on tribal cultural resources would be less than significant.

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Notice of Exemption**Attachment 2**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific:

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: _____
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: _____ Date: _____ Title: _____

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

RESOLUTION NO. 20-09-0100

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

September 14, 2020

ADOPTING A CATEGORICAL EXEMPTION FOR THE WATT I-80 TRANSIT CENTER IMPROVEMENTS

WHEREAS, a Project Analysis was prepared by and for the Sacramento Regional Transit District (SacRT) for the proposed Watt I-80 Transit Center Improvements (the Project) per California Environmental Quality Act (CEQA) Section 15301 Existing Facilities (Class 1(c)) as minor alterations to existing highways and streets, and sidewalks, gutters, bicycle and pedestrian trails, and similar facilities that do not result in an expansion of use).

THEREFORE, BE IT RESOLVED, that this Board does hereby adopt the following findings, which this Board finds are supported by substantial evidence in light of the entire record:

- A. THAT, a Notice of Exemption has been prepared pursuant to California Environmental Quality Act (CEQA);
- B. THAT, the Project is Categorically Exempt consistent with state and SacRT guidelines implementing CEQA;
- C. THAT, the Project would not trigger any exceptions to the application of a Categorical Exemption and would not have unusual circumstances that may result in a significant impact on the environment;
- D. THAT, the Board certifies the Categorical Exemption has been completed and is in compliance with CEQA and is consistent with state and SacRT guidelines implementing CEQA;
- E. THAT, the Board has reviewed and considered the Categorical Exemption;
- F. THAT, the Board has before it all of the necessary environmental information required by CEQA to properly analyze and evaluate any and all of the potential environmental effects of the proposed Project;
- G. THAT, the Board has reviewed and considered the Categorical Exemption, which reflects the Board's independent judgment;
- H. THAT, based on the evidence presented and the records and files herein, the Board determines that the Project will not have a significant effect on the environment;

RESOLVED FURTHER THAT, the Board approves and adopts a Categorical Exemption for the Watt I-80 Transit Center Improvements; and

RESOLVED FURTHER THAT, the Board approves the Project and directs staff to file a Notice of Exemption with the California State Clearinghouse within five working days of this approval; and

RESOLVED FURTHER THAT, the Board designates the Director, Engineering and Construction, or his/her designee, located at 1400 29th Street, Sacramento, CA 95816, as the custodian of the records in this matter.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Olga Sanchez-Ochoa, General Counsel
SUBJ: APPROVING THE JOB DESCRIPTION FOR THE POSITION GENERAL COUNSEL AND CHANGING THE REPORTING STRUCTURE AS AUTHORIZED UNDER CALIFORNIA PUBLIC UTILITIES CODE §102160

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

If the Board approves the job description and change in reporting structure, the General Counsel will report directly to the Board and serve at the pleasure and direction of the Board.

FISCAL IMPACT

There is no fiscal impact associated with this action.

DISCUSSION

Pursuant to California Public Utilities Code §102160 the Sacramento Regional Transit District Board of Directors has the authority to hire the General Manager, legal counsel, a controller, a treasurer, and any other officers it may deem necessary for the operation of the District. Until 2018, the SacRT Board of Directors directly appointed a chief attorney that reported directly to the Board and was responsible for overseeing all the District's legal affairs. The Chief Counsel, as the position was titled, worked with the General Manager/CEO, but was independent and reported directly to the Board of Directors. One of the key duties of the Chief Counsel was to provide advice and counsel to the Board regarding the Board members' fiduciary obligations to the District and their legal obligations as Board members. Additionally, all legal services within the District were consolidated under the Chief Counsel who managed and supervised all SacRT staff attorneys and as well as all outside attorneys that provided legal services to the District.

In 2018 when the Chief Counsel resigned, the Board took the opportunity to change the reporting structure of the position and de-centralized legal services within the District. In an effort to improve the cohesiveness of the General Manager/CEO's Executive Manager Team (EMT), the Board moved the Chief Counsel position under the General Manager/CEO. The title was changed to Director of Legal Services and later on General Counsel after the change in reporting structure. While the General Counsel maintained limited (dotted line) access to the Board, the General Counsel was selected

by the General Manager/CEO and the Board Chair and serves at the pleasure and direction of the General Manager/CEO. The other staff attorneys in the Legal Department were moved out of the Legal Department and assigned to different divisions, no longer reporting to the General Counsel. While there are benefits to this structure, the Board has determined that a legal advisor that is directly accountable to the Board and that has direct responsibility for advising the Board regarding its fiduciary obligations and that serves as an independent direct report responsible for advising the Board and staff regarding legal compliance matters and overseeing all of the District's legal affairs, will provide the Board with an opportunity to provide more oversight and better comply with its obligations as fiduciaries to the District. The legal affairs of the District will be consolidated under the office of the General Counsel and the General Counsel will be accountable for overseeing all legal matters affecting SacRT. While the position will report directly to the Board, it is crucial that the incumbent be a partner to the General Manager/CEO and assist the General Manager/CEO and the EMT with implementing the Board's policy priorities and vision for SacRT and its critical role in the community. Consequently, the Board expects the incumbent to be a functional member of the General Manager/CEO's EMT.

The individual selected to serve as the General Counsel will serve at the pleasure of the Board.

RESOLUTION NO. 20-09-0101

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

September 14, 2020

**APPROVING THE JOB DESCRIPTION FOR THE POSITION GENERAL COUNSEL
AND CHANGING THE REPORTING STRUCTURE AS AUTHORIZED UNDER
CALIFORNIA PUBLIC UTILITIES CODE §102160**

WHEREAS, California Public Utilities Code §102160 authorizes the Sacramento Regional Transit District to hire and appoint its own legal counsel; and

WHEREAS, the Board desires to hire a General Counsel to serve as counsel to the Board and SacRT Management.

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

THAT, the Board hereby approves the job description, attached hereto as Exhibit A, for the position General Counsel, which upon selection will be appointed by the Board and will serve at the pleasure and direction of the Board.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



Title: General Counsel

FLSA Status: EXEMPT

BRIEF DESCRIPTION:

Under the policy direction of the Sacramento Regional Transit District (SacRT) Board of Directors, the General Counsel serves as the Chief Legal Officer of SacRT. The incumbent is appointed by, reports to and serves at the pleasure of the Board of Directors and is SacRT’s chief legal officer, represents SacRT in legal matters, acts as legal advisor to the Board, the General Manager/CEO and other District staff; organizes and manages SacRT legal activities, whether performed by in-house legal staff or outside counsel; and supervises SacRT’s staff attorneys and activities of the Legal Department including the referral of matters to outside counsel; is a collaborative member of the General Manager/CEO’s Executive Management Team and must assist and support the Management staff in progressing the Board’s and GM’s vision for SacRT.

ESSENTIAL FUNCTIONS:

Note: This information is intended to be descriptive of the key responsibilities of the position. The list of essential functions below does not identify all duties performed by any single incumbent in this position. Additionally, please be aware of the legend below when referring to the physical demands of each essential function.

(S) Sedentary	(L) Light	(M) Medium	(H) Heavy	(V) Very Heavy
Exerting up to 10 lbs. occasionally or negligible weights frequently; sitting most of the time.	Exerting up to 20 lbs. occasionally; 10 lbs. frequently; or negligible amounts constantly; OR requires walking or standing to a significant degree.	Exerting 20-50 lbs. occasionally; 10-25 lbs. frequently; or up to 10 lbs. constantly.	Exerting 50-100 lbs. occasionally; 10-25 lbs. frequently; or up to 10-20 lbs. constantly.	Exerting over 100 lbs. occasionally; 50-100 lbs. frequently; or up to 20-50 lbs. constantly.

#	Code	Essential Functions	% of Time
1	S	<ul style="list-style-type: none">) Provides legal advice and consultation to the Board of Directors and other Board Officers; Consults with and advises individual Directors, the Board as a whole, the General Manager/CEO and members of the Executive Management Team and other SacRT staff.) Establishes and maintains goals, objectives, and plans for carrying out the functions of the office consistent with the Board’s policy determinations.) Develops and directs the implementation of goals, objectives, policies, procedures and work standards for the Legal Department.) Directs the selection of legal staff, subject to approval by the General Manager/CEO and provides for their training and professional development; is responsible for the morale, productivity and discipline of department staff.) Advises the Board of Directors and SacRT departments on legal matters through oral or written opinions, drafts legal opinions, legal memoranda; SacRT policies, resolutions and ordinances; and other legal documents.) Directs the handling of legal settlements and legal defenses of claims against SacRT and oversees all 	100%



litigation filed on behalf of or against SacRT. Prepares a variety of reports related to legal activities and litigation cases.

-) Monitors legal developments and reviews and interprets current statutes and ordinances, proposed legislation, judicial decisions, and legal opinions that may impact SacRT. Recommends appropriate action to the Board of Directors and the General Manager/CEO based on such reviews.
-) Works collaboratively with SacRT's Government Affairs staff and provides assistance with the SacRT's legislative agenda.
-) Ensures that SacRT's interests are protected by foreseeing potential liabilities with regard to all SacRT contracts and ongoing litigation and working to mitigate SacRT's exposure to legal challenges.
-) Reviews the efficiency of the Legal Department's organizational structure and evaluates and implements processes and procedures to improve the department's effectiveness. Directs the department's activities and staff, including the training, supervision, and evaluation of attorneys, as well as technical and administrative staff.
-) Responds to, or reviews proposed responses and approves, all responses to requests for information and records under the California Public Records Act.
-) Drafts, reviews and/or approves all formal Requests for Proposal, Invitation for Bid, and contracts to which SacRT is a party for compliance with applicable laws and regulations as well as all legal documents relating to environmental matters that impact SacRT.
-) Provides legal advice and assistance in labor negotiations.
-) Develops and recommends the annual budget for the Legal Department.
-) Attends all meetings of the Board of Directors, including closed session, and reports to the Board concerning pending legislation and litigation, as well as SacRT's obligation to meet all applicable Federal, state, and local laws and regulations. Prepares or reviews all staff reports related to Board agenda items for legal form and compliance with applicable policies.
-) Directs the coordination of Legal Department activities with other agencies and appropriate community organizations. Represents SacRT at meetings of legislative bodies, and community forums, as required.
-) Interprets SacRT policies and procedures for SacRT



employees.

JOB REQUIREMENTS:

-Description of Minimum Job Requirements-	
Formal Education	Juris Doctor degree or equivalent from an accredited school of law. Substitution of experience for the required education is not accepted.
Experience	A minimum of twelve (12) years of broad and extensive experience as a practicing attorney, including progressively responsible management or supervisory and experience working with a public agency. Transit experience is preferred.
Supervision	Work requires managing and monitoring work performance of a division including evaluating program/work objectives and effectiveness, establishing broad organizational goals and realigning work and staffing assignments for the division.
Human Collaboration Skills	Final decisions regarding policy development and implementation are made and/or recommended. Interaction with others outside the organization requires exercising participative management skills that support team efforts and quality processes.
Freedom to Act	The employee normally performs the duty assignments within broad parameters defined by general organizational requirements and accepted practices. End results determine effectiveness of job performance.
Technical Skills	Work requires advanced skills and knowledge in approaches and systems, which affect the design and implementation of major programs and /or processes organization-wide. Independent judgment and decision making abilities are necessary to apply technical skills effectively.
Budget Responsibility	Position has district wide fiscal responsibility. Assures that appropriate linkages exist between district-wide budget, funding limitations and service levels, to meet specific departmental and organizational goals. Monitors progress toward fiscal objectives and adjusts plans as necessary to reach them. Reviews agency financial statements and budget reports.
Reading	Advanced - Ability to read literature, books, reviews, scientific or technical journals, abstracts, financial reports, and/or legal documents. Ordinarily, such education is obtained in at the college level or above. However, it may be obtained from experience and self-study.
Math	Advanced - Ability to apply fundamental concepts of theories, work with advanced mathematical operations methods, and functions of real and complex variables. Ordinarily, such education is obtained at the college level or above. However, it may be obtained from experience and self-study.
Writing	Advanced - Ability to write editorials, journals, speeches, manuals, or critiques. Ordinarily, such education is obtained in at the college level or



	above. However, it may be obtained from experience and self-study.
Certification & Other Requirements	Active Membership in good standing in the California State Bar.

KNOWLEDGE
<ul style="list-style-type: none">) Principles and practices of civil, constitutional, contract, tort, property, employment, environmental, municipal, and administrative law as it relates to SacRT;) Responsibilities, powers and functions of the Office of the General Counsel;) State and federal laws and constitutional provisions affecting SacRT operations;) Principles of land use, municipal law and government finance, California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA);) Federal laws and regulations relating to transit grants, including Section 13(c), and the principles of drafting and negotiating full funding grant agreements, letter of no prejudice, and other federal grant documents;) Management techniques and skills applicable to a professional law office or legal department;) Litigation and arbitration procedures and rules of evidence pertaining to state and federal court) Principles, methods, and practices of legal research) Labor relations and negotiations) Policies, operations, procedures, and functions of the District.

SKILLS
<ul style="list-style-type: none">) Advanced word processing, spreadsheet, presentation and database software) Specialized software related to functional area



ABILITIES

-) Demonstrate unquestioned ethics and integrity; work collaboratively with the General Manager/CEO while remaining independent and objective;
-) Analyze, appraise and organize facts, evidence, and precedents and present such materials orally or in clear written and legal form;
-) Analyze, appraise, and organize facts, evidence, and precedents and present such materials orally in clear, written, and legal form;
-) Analyze and appraise a variety of legal documents and instruments;
-) Draft legal instruments such as resolutions, ordinances, contracts and other pertinent documents;
-) Make effective court and hearing presentations;
-) Establish and maintain effective professional relationships with SacRT personnel and city attorneys of the various jurisdictions within SacRT’s operating region, County Counsel staff, as well as local officials and the general public;
-) Effectively manage and coordinate the work of professional, administrative, and clerical subordinates engaged in work of a legal nature;
-) Work successfully with diverse persons and interest both in government and with the public in general;
-) Coordinate with the legal counsel of member agencies.



OVERALL PHYSICAL STRENGTH DEMANDS:

-Physical strength for this position is indicated below with “X”-

Sedentary X	Light	Medium	Heavy	Very Heavy
Exerting up to 10 lbs. occasionally or negligible weights frequently; sitting most of the time.	Exerting up to 20 lbs. occasionally, 10 lbs. frequently, or negligible amounts constantly OR requires walking or standing to a significant degree.	Exerting 20-50 lbs. occasionally, 10-25 lbs. frequently, or up to 10 lbs. constantly.	Exerting 50-100 lbs. occasionally, 10-25 lbs. frequently, or up to 10-20 lbs. constantly.	Exerting over 100 lbs. occasionally, 50-100 lbs. frequently, or up to 20-50 lbs. constantly.

PHYSICAL DEMANDS:

C Continuously 2/3 or more of the time.	F Frequently From 1/3 to 2/3 of the time.	O Occasionally Up to 1/3 of the time.	R Rarely Less than 1 hour per week.	N Never Never occurs.
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Note: This is intended as a description of the way the job is currently performed. It does not address the potential for accommodation.

-Physical Demand-	-Frequency-	-Brief Description-
Standing	F	Making presentation; Observing work site; Communicating with co-workers
Sitting	C	Desk work; Meetings
Walking	F	To other departments/offices; Around work site
Lifting	O	Supplies; Files
Carrying	O	Supplies; Files
Pushing/Pulling	O	File drawers
Reaching	F	For supplies; For files
Handling	F	Paperwork
Fine Dexterity	F	Computer keyboard; Telephone keypad; Calculator
Kneeling	O	Filing in lower drawers
Crouching	O	Filing in lower drawers; Retrieving items from lower shelves/ground
Crawling	N	
Bending	O	Filing in lower drawers; Retrieving items from lower shelves/ground
Twisting	O	From computer to telephone; Getting inside vehicle
Climbing	R	Stairs
Balancing	R	On step stools
Vision	C	Reading; Computer screens; Driving; Observing work site
Hearing	C	Communicating via telephone/radio to co-workers/public
Talking	C	Communicating via telephone/radio to co-workers/public
Foot Controls	O	Driving
Other (specified if applicable)		None

MACHINES, TOOLS, EQUIPMENT, SOFTWARE, AND HARDWARE:

Telephone, fax machine, copier, vehicle, calculator, computer and associated hardware and software



ENVIRONMENTAL FACTORS:

C Continuously	F Frequently	O Occasionally	R Rarely	N Never
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D Daily	W Several Times Per Week	M Several Times Per Month	S Seasonally	N Never
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-Health and Safety Factors-	
Mechanical Hazards	R
Chemical Hazards	R
Electrical Hazards	R
Fire Hazards	R
Explosives	N
Communicable Diseases	R
Physical Danger or Abuse	R
Other (see 1 below)	

-Environmental Factors-	
Respiratory Hazards	N
Extreme Temperatures	N
Noise and Vibration	N
Wetness/Humidity	N
Physical Hazards	N

(1) N/A

PROTECTIVE EQUIPMENT REQUIRED: None

NON-PHYSICAL DEMANDS:

F Frequently From 1/3 to 2/3 of the time	O Occasionally Up to 1/3 of the time	R Rarely Less than 1 hour per week	N Never Never occurs
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-Description of Non-Physical Demands-	-Frequency-
Time Pressure	F
Emergency Situation	O
Frequent Change of Tasks	F
Irregular Work Schedule/Overtime	O
Performing Multiple Tasks Simultaneously	F
Working Closely with Others as Part of a Team	F
Tedious or Exacting Work	O
Noisy/Distracting Environment	O
Other (see 2 below)	

(2) N/A

PRIMARY WORK LOCATION:

Office Environment	X	Vehicle	
Warehouse		Outdoors	
Shop		Other (see 3 below)	
Recreation/Neighborhood Center			

(3) N/A

The above statements are intended to describe the general nature and level of work being performed by individuals assigned to this position. They are not intended to be an exhaustive list of all responsibilities, duties, and skills required. This description is subject to modification as the needs and requirements of the position change.



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Brent Bernegger, VP, Finance/CFO
SUBJ: RYDEFREE RT YEAR 2 MODIFICATIONS

RECOMMENDATION

Adopt the Attached Resolution.

RESULTS OF RECOMMENDED ACTION

These actions, taken together, will allow SacRT to work with the City of Sacramento and the various school districts to implement a second year of the very successful Student RydeFree RT Program

- (1) The requirement to have a sticker affixed to a Student ID, School ID, or RydeFree RT card (for TK-6 students only) will be eliminated for Year 2 of the RydeFree RT program due to distribution concerns
- (2) Students living or attending school within SacRT's boundaries will be eligible to ride with a qualifying ID through November 30 without a sponsoring entity agreement in place with the City of Sacramento
- (3) New terms would be approved for the sponsoring entity agreement with the City of Sacramento.

FISCAL IMPACT

The City of Sacramento has committed funding for the continuation of the pass program; however, because the agreement has not yet been approved, there is some risk of lost fare revenue if students are permitted to ride through October 31 and an agreement is not ultimately reached with the City of Sacramento.

DISCUSSION OF AMENDED AND RESTATED STUDENT RIDERSHIP INITIATIVE STUDENT TRANSIT PASS AGREEMENT WITH THE CITY OF SACRAMENTO

At the August 24, Board meeting, by Resolution No. 20-08-0078, the Board delegated authority to the General Manager/CEO to execute an amended and restated Student Ridership Initiative Student Transit Pass Agreement. The Staff Report described the proposed parameters of the Agreement as: payment in advance quarterly based on anticipated ridership; a reconciliation at the end of each quarter for material changes in ridership and a Total Consideration amount of \$1,000,000.

In a subsequent City Council action, the City of Sacramento approved expenditures of up to \$750,000 in FY21 for RydeFree RT Year 2. Funding for next fiscal (July through September 30) has not been appropriated.

While the total dollar amount to be received in FY21 has not changed (up to \$750,000) the mechanism by which SacRT is paid is likely to change. Initially staff anticipated billing the City quarterly based on ridership projections. The City of Sacramento has asked that they be billed in arrears based on extrapolations from ridership data.

While the funding has been approved, the actual agreement with the City has not been signed yet. Staff is working to finalize an agreement with the City of Sacramento and anticipates that it will be taken to City Council for approval on October 7th. Staff is requesting a new delegation of authority to the General Manager to execute an agreement consistent with the revised terms

It is important to note that year 1 of the RydeFree RT program is set to end on September 30, 2020. Given that the amended agreement will not be signed prior to then, Staff is requesting that the Board waive the requirement that a funding agreement be in place prior to the beginning of year 2 (October 1, 2020) and authorize all Students living within or attending school within SacRT's boundaries to ride without a sponsoring entity agreement through November 30, 2020 to allow time for completion of the City agreement. Beginning December 1, 2020, Students would only be permitted to use the pass if an agreement is in place with the City of Sacramento, consistent with the Board's prior action in August; as stated in the prior Staff Report, Staff will continue negotiations with other jurisdictions to reach agreements with those entities as well.

Staff anticipates that the agreement signed by the City of Sacramento will require payment in arrears for rides taken by students beginning on October 1, 2020.

DISCUSSION ON MODIFICATIONS TO FARE STRUCTURE

Due to the COVID 19 pandemic Staff has found that it will be difficult to effectively distribute RydeFree RT Year 2 fare media to students. Staff is ready to begin the process of distributing fare media to schools, but distance learning has will decrease opportunities for students to obtain new stickers or new RydeFree RT cards (issued to TK-6 students only).

At this time Staff has believes that it would be prudent to temporarily modify the Fare Structure to allow students in grades TK-12, who live or attend school within SacRT's service boundary, to present their school or SacRT issued Student ID card or a RydeFree RT card (from either year 1 or year 2) as valid fare media for the current school year only.

RESOLUTION NO. 20-09-0106

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

September 14, 2020

REPEALING RESOLUTION NO. 20-08-0078, DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO APPROVE AND EXECUTE ~~AN AMENDED AND RESTATED STUDENT RIDERSHIP INITIATIVE~~ A STUDENT TRANSIT PASS AMENDMENT OR AGREEMENT WITH THE CITY OF SACRAMENTO

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

THAT, Resolution No. 20-08-0078 is hereby repealed.

THAT, authority is hereby delegated to the General Manager/CEO to enter into an ~~Amended and Restated Student Ridership Initiative Student Transit Pass A~~ agreement by and between the City of Sacramento (therein “City”) and the Sacramento Regional Transit District (therein “SacRT”) whereby, the ~~term is extended to September 30, 2021 and~~ City agrees to pay an amount equal to \$0.84 per ride up to a total consideration of \$750,000, based on Student ridership data, as consideration for SacRT to permit Students who live in or attend school within the boundaries of the City or who are homeless or in foster care within the City to ride SacRT services at no cost for the period from October 1, 2020 until September 30, 2021 using an Annual Student (TK-12) Pass.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-09-0107

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

September 14, 2020

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

WHEREAS, by Resolution No. 19-08-0093, the Board established an Annual Student (TK-12) prepaid fare type in the SacRT fare structure; and

WHEREAS, the definition of the Annual Student (TK-12) pass type requires the affixing of a sticker specifying the validity period of the pass; and

WHEREAS, due to continued school closures as a result of COVID-19, it will be difficult to distribute new stickers for the 2020-2021 school year; and

WHEREAS, to ensure continued access to this important pass for transit-dependent students, the Board desires to create a new pass type, for the 2020-2021 period only, allowing Students to present an ID card without a sticker as a valid prepaid fare.

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

THAT, the following definition is hereby added to Article J "Fare Structure Definitions" of the Fare Structure:

"2020-2021 Annual Student (TK-12) Pass means a: (a) School ID, (b) Student ID card or (c) for youth in grades TK-6 only, an RT-issued Sac RydeFree RT card. Eligibility for receipt and use of an Annual Student (TK-12) Pass will be as defined in Section V. Prepaid Fares, paragraph D of the Fare Structure."

THAT, the following provision is hereby added as paragraph E. of Section V, "Prepaid Fares" to define the validity requirements for a 2020-2021 Annual Student (TK-12 Pass).

"A valid 2020-2021 Annual Student (TK-12) Pass entitles the bearer to an unlimited number of Rides on Fixed Route or SmarT Ride Service until September 30, 2021 subject to the following limitations and conditions:

1. The Pass constitutes prepayment of the Applicable Fare for all SacRT service;
2. The Pass is issued to an eligible Student based either: (1) on an agreement between RT and another public entity or private School that has agreed to provide funding for the Annual Student (TK-12) Pass in an amount sufficient to compensate SacRT for the estimated average lost fare revenue from honoring the 2020-2021 Annual Student (TK-12) Pass

for the students defined to be eligible for the Pass as specified in the agreement; or (2) a Resolution adopted by the SacRT Board of Directors authorizing the Pass to be distributed to the student without payment of the required fee.

3. The Pass is issued by RT, an authorized public entity, or School pursuant to the terms of an agreement between RT and that entity.

4. As applicable, the image on the Student ID or School ID matches the bearer.

5. The Pass is non-transferable and non-exchangeable.”

THAT, this Resolution will sunset and this fare type will be removed from the Fare Structure as of September 30, 2021.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-09-0108

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

September 14, 2020

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.

WHEREAS, the Sacramento Regional Transit Board of Directors has established a new 2020-2021 Annual Student (TK-12) Pass Prepaid Fare type; and

WHEREAS, the intent of the 2020-2021 Annual Student (TK-12) Pass is to permit a municipal jurisdiction, school district, or private school to obtain an annual transit pass for all Students (as defined in the SacRT Fare Structure) residing in or attending school within the jurisdiction, district or school, subject to payment by the sponsoring entity of a fee to compensate SacRT for the estimated fare revenue that would otherwise be generated by fares that would have been paid by covered students; and

WHEREAS, the City of Sacramento has committed in its budget to provide funding for the Pass program for Students residing in or attending School within the City of Sacramento to compensate SacRT for fare revenue that would otherwise be paid by Students participating in the Pass program; and

WHEREAS, the Sacramento City Council has not yet approved the amended and restated Student Ridership Initiative Student Transit Pass Agreement; and

WHEREAS, the Board desires to ensure that there is no lapse in program eligibility for Students attending school or residing within the City of Sacramento while the parties proceed to execution of the subsidy agreement by temporarily allowing City Students to participate without a subsidy agreement until November 30, 2020; and

WHEREAS, to provide access to the program to all Students within SacRT's service area, SacRT desires to allow other students to ride for the 2020-2021 school year without a subsidy agreement.

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

THAT, effective upon adoption of this resolution and continuing until November 30, 2020, all Students residing or attending School within the district boundaries of SacRT may obtain and use a 2020-2021 Annual Student (TK-12) Pass valid from October 1, 2020 to November 30, 2020 without payment of the required fee by a sponsoring entity, as specified in the Fare Structure.

THAT, upon entering SacRT into an amended and restated Student Ridership Initiative Student Transit Pass Agreement with the City of Sacramento for the Annual TK-12 Pass and continuing until September 30, 2021, Students residing or attending school outside of the city limits of Sacramento, but within the district boundaries of SacRT, may obtain and use a 2020-2021 Annual Student (TK-12) Pass from December 1, 2020 to September 30, 2021 without payment of the required fee by a sponsoring entity, as specified in the Fare Structure.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Brent Bernegger, VP, Finance/CFO
SUBJ: ESTABLISHING AN AD HOC COMMITTEE TO PROVIDE INPUT AND RECOMENDATIONS FOR SACRT'S ADMINISTRATIVE CAMPUS AND OTHER FACILITIES

RECOMMENDATION

Motion to Approve.

RESULT OF RECOMMENDED ACTION

Motion: Chair Appointment of Board Members to an Ad Hoc Committee to Provide Input and Recommendations to Board and SacRT staff for SacRT's Administrative Campus and Other Facilities

FISCAL IMPACT

None as a result of this action.

DISCUSSION

Staff proposes to research opportunities available for relocating offices and/or additional facilities, as well as assess options to renovate existing buildings and property to modernize SacRT's facilities. The existing office spaces are old, inefficient, and an impediment to work. Facility Department and bus and light rail maintenance facilities have reached full capacity. Expected outcomes include workplace safety upgrades, enhanced communications and productivity, efficient operations, and improved employee morale.

Title III of SacRT's Administrative Code, adopted by the Board, provides for the creation of an Ad Hoc Committee. The Chair is authorized to appoint all Ad Hoc Committees (§3.1.8.1). Title III requires that meetings of Ad Hoc Committees must be open to the public, except for meetings which would be eligible for closed sessions under the Brown Act. If less than a quorum of the Board is appointed to serve on Ad Hoc Committee, no notice need be given other than the posting of a notice of the time and place of such committee meetings on a publicly accessible bulletin board at the offices of the District, which is located at 1400 29th Street, Sacramento, California (§3.1.8.3).



STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Laura Ham, VP, Planning and Engineering
SUBJ: FORMATION OF A 2 X 2 COMMITTEE WITH THE CITY OF ELK GROVE

RECOMMENDATION

Motion to Approve.

RESULT OF RECOMMENDED ACTION

This committee's general objective would be to facilitate further discussion, negotiate regarding specific terms, generate new ideas, and arrive at consensus regarding the terms of an annexation agreement between the City of Elk Grove and the Sacramento Regional Transit District (SacRT).

FISCAL IMPACT

None

DISCUSSION

Title III of SacRT's Administrative Code, adopted by the Board, provides for the creation of an Ad Hoc Committee. The Chair appoints all Ad Hoc Committees (§3.1.8.1). Title III requires that meetings of Ad Hoc Committees be open to the public, except for meetings which would be eligible for closed sessions under the Brown Act. If less than a quorum of the Board is appointed to serve on Ad Hoc Committee, no notice will be given other than the posting of a notice of the time and place of such committee meetings on a publicly accessible bulletin board at the offices of the District, which is located at 1400 29th Street, Sacramento, California (§3.1.8.3).

Since the beginning of the calendar year, staff has engaged in negotiations with the City of Elk Grove staff regarding the terms of a potential annexation agreement. Although much progress has been made, there are a number of key deal points that require additional negotiation. At this time, staff recommends that the Chair form a 2x2 Ad Hoc Committee with members of Elk Grove City Council in order to resolve specific contract terms, generate new ideas, and arrive at consensus on an agreement.



STAFF REPORT

DATE: September 14, 2020

TO: Sacramento Regional Transit Board of Directors

FROM: Laura Ham, VP, Planning and Engineering

SUBJ: STREETCAR PROJECT UPATE AND APPROVE 1) REIMBURSEMENT AGREEMENT BETWEEN SACRT & THE RIVERFRONT JPA, 2) THE 3RD AMENDMENT TO THE CONTRACT WITH HDR, INC., 3) THE 1ST AMENDMENT TO THE CONTRACT WITH AECOM, & 4) STREETCAR OWNERSHIP AGREEMENT

RECOMMENDATION

Adopt the Attached Resolutions.

BACKGROUND

Based on specific feedback from the August 24th Board meeting to reduce risk to Regional Transit and with continued support from Congresswoman Doris Matsui and the Mayors of Sacramento and West Sacramento for the Project, staff requests that the Board reconsider the modified recommendations as described in this report to accept external funding to implement the actions required to obtain the award of a Small Starts Grant Agreement (SSGA) and further hold SacRT harmless for construction and/or operation cost-overruns. If the Board approves these actions, it will also require that the City of West Sacramento enter into an agreement to join the District through annexation or under a contract arrangement by December 31, 2020 and fully implement the agreement prior to the award of a SSGA.

Project Update: The Downtown Riverfront Streetcar Project (Project) received approval from Federal Transit Administration (FTA) to enter Project Development as a Small Starts Project in 2014. The original scope of the Project was environmentally cleared, designed, and issued for bid in November 2018, with Construction Bids received in January of 2019. Unfortunately, the bids received for the Project came in significantly higher than expected.

In March 2019, the Mayors of both Cities subsequently directed the formation of a Mobility Technical Working Group (MTWG). The goal of the MTWG was to present technical alternatives to the currently proposed Streetcar Project (independent of funding and regulatory obstacles) that achieve the best mobility for and between both Cities. The alternatives were to be “forward looking,” allow for future innovation, be achievable in phases, and implemented within five years. The project team was expanded to include representatives from Sacramento Municipal Utility District (SMUD), the Sacramento Metropolitan Air Quality Management District (SMAQMD), the Sacramento Mayor’s Office and Congresswoman Matsui’s Office. Over the next several months, over a half-dozen MTWG meetings were held to establish clear objectives and explore various project

alternatives to reduce costs and to deliver a project consistent with the original intent, purpose, and need.

Two of the principal objectives driving the analysis included: 1) Preservation of the Congressionally appropriated \$50 million to complete the Streetcar Project; and 2) Connect the two Cities and the region with frequent, high-quality mass-transit service over the Sacramento River. The decision was made by the MTWG to move forward with a reduced-scope rail project that preserved the portion of the original Downtown Riverfront Streetcar connecting West Sacramento from Sutter Health Park (formerly Raley Field) with Sacramento Valley Station (SVS). This alternative offered many of the benefits of the original Streetcar Project, in that the West Sacramento to SVS connection:

-) is within the original environmentally-cleared alignment, requiring minimal environmental document updates;
-) was substantially designed by the consulting engineering team, requiring minimal design revisions;
-) maintained three of the planned Streetcar stations along the existing route;
-) provided an opportunity to preserve the \$50 million federal appropriation to the project; and
-) would establish the much-needed regional mass-transit connection between the two Cities.

The Streetcar Project partners, with leadership and direction from Congresswoman Matsui, agreed to proceed with the reduced-scope project. After several discussions with the FTA, SACOG and SacRT (with support from the Cities) sent a letter to the FTA on February 13, 2020, outlining the revised project, expressing the partners' commitment to the Streetcar Project as revised, and committing to deliver a full Streetcar Project update (including updated environmental documentation, engineering design, revised project management plan, operating plan, and associated studies by January 2021), and notified the FTA of their intent to submit an updated Small Starts Grant application. During this time period, SacRT remained a technical advisory role to the project stakeholders; however, SacRT developed many of the options and costs for the group's consideration and once a decision was made that the project would be reduced in scope, it was prudent to consider transitioning ownership of the Project to SacRT.

Between January of 2018 and October of 2019, staff requested project related actions or provided project updates to the SacRT Board of Directors at eight separate meetings.

The revised Project is a 1.51-mile segment from the Sacramento Valley Station (SVS) (Sacramento's intermodal transportation facility) to Sutter Health Park (formerly known as Raley Field) in West Sacramento. The Streetcar would depart the SVS at 3rd Street, turn west on Capitol Mall, cross the Sacramento River on the Tower Bridge and continue on Tower Bridge Gateway to Sutter Health Park. The Streetcar project would add new Streetcar Stations at Sutter Health Park, Capitol Avenue and the SVS.

The revised Project will improve transit service and local circulation by connecting West Sacramento and downtown Sacramento with an alternative (non-auto) mode and support existing and future development in the City of West Sacramento and downtown Sacramento.

Some of the differences between the original and the revised scope are as follows:

-) The revised Project scope is a 1.5-mile project versus the original 4.4-mile project.
-) The revised Project has 3 stops versus 21 stops from the original scope.
-) The terminus of the revised Project in West Sacramento is Sutter Health Park (Raley Field) rather than West Sacramento City Hall. There will be no connection to Riverfront Street in West Sacramento.
-) The revised Project will terminate at the SVS, rather than serving Midtown Sacramento as planned with the original scope.
-) The Project will be able to use SacRT's existing Operations and Maintenance Facility and will not require a new facility in West Sacramento as was planned for the Project.
-) The revised Project does not include the relocation of Light Rail from K Street to H Street. Moving Light Rail to H Street is not a necessary element of the revised Project.
-) Only two vehicles will be procured rather than the six vehicles from the original scope.
-) Utility relocations will be significantly less than the original scope.
-) Traffic impacts and at-grade crossing impacts will be less significant on the revised alignment versus the original alignment.
-) End-to-end travel times are estimated at 10 minutes one way versus the original estimated 40-minute travel time.

As mentioned previously, SacRT and the Cities, and SACOG are working on the Small Start Submittal Update, as requested by the FTA. The Small Starts Update consists of a revised Travel Forecast, an Updated Land Use/Economic Development plan specific to the reduced scope (alignment/stations) and an updated Financial Plan which is expected to maintain an acceptable project rating. SacRT, the Cities, and SACOG intended to submit the update by August 28, 2020, which was the deadline by the FTA for project submittals for requesting additional appropriations. However, SacRT was recently informed by FTA that because this is not a new project, and we are not requesting an additional budget appropriation, we are able to submit an update for project re-rating at any time. Based on initial evaluations, staff believes the Project will receive at least a medium rating.

In addition to the updated application, the environmental documentation and the design are required to be updated in order for the FTA to perform a project readiness review. A successful review will ensure that the \$50 million Small Starts Grant Agreement will be executed prior the expiration of the 2017 appropriation in September 2021. These

updates will be performed by the environmental and design consultants that previously performed work on the Project through new amendments. Funding this work requires the execution of the reimbursement agreement between the Riverfront Joint Powers Authority (Authority) and SacRT as presented in this report, which allows the Authority to reimburse SacRT for these contract services.

RESULT OF RECOMMENDED ACTION

1. Conditionally approving the Reimbursement Agreement between Sacramento Regional Transit District (SacRT) to receive funding from the Cities of Sacramento and West Sacramento through a Reimbursement Agreement for SacRT to move the project toward: delivering a revised Project that will meet the Small Starts application update for the 2017 earmark expiration in September 2021. The Reimbursement Agreement will need to provide full funding from both Cities (\$2,600,000). Based on the decisions from the August 18, 2020 City of Sacramento Council Meeting, the Council approved an amended agreement that reduced the City of Sacramento's commitment by \$151,000. This creates a shortfall in funding for SacRT staff time to manage the project consultants. SacRT anticipates enough funding to allow SacRT staff to work for approximately 60 days. Full funding is required for specific additional work needed to continue advancing the project through the award of the Small Starts Grant Agreement (SSGA). Therefore, once the available funding under the current agreement is expended, a subsequent amendment or a new agreement between the Cities and SacRT will be necessary to provide the \$151,000, plus the additional \$560,000 required to reach an SSGA. This recommended action is contingent on the Cities' approval of a fully funded amended/revised agreement(s) that will continue to hold SacRT harmless for additional pre-development costs and cost-overruns from construction and operations of the future project.
2. The Third Amendment to the Contract for the Downtown Riverfront Streetcar Design Services with HDR, Inc. will allow HDR to complete final design for the revised Project. Execution of the Amendment would be contingent upon execution of the Reimbursement Agreements referenced above.
3. The First Amendment to the Contract for the Downtown Riverfront Streetcar Environmental Support Services with AECOM would provide funding to complete the CEQA/NEPA revisions necessary to move forward with the Project as revised. Execution of the Amendment would be contingent upon execution of the Reimbursement Agreements referenced above.
4. The Subrecipient and Interagency Agreement approved by the Board in July 2018 provided for the Authority to be the owner of the Project. Termination of that agreement would allow the parties to negotiate alternative agreements for the funding of construction and operation of the Project, with ownership transferring to SacRT. The City of Sacramento took action on August 18, 2020 to dissolve the Authority. On August 19, 2020, the City of West Sacramento also took action to dissolve the Authority. Therefore, contingent upon securing the full funding for the project from partner entities and executing new agreements for that funding, the Board of Directors authorizes 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.

5. The Board also directs staff to immediately begin negotiations with the City of West Sacramento to enter into an agreement, no later than December 31, 2020, to join the District through annexation or under a contract arrangement and to fully implement this agreement in order to accept the award of a SSGA.

FISCAL IMPACT

- 1. Reimbursement Agreement between SacRT and the Cities:** The new reimbursement agreement between SacRT and the Cities directly or through the Authority will allow SacRT to be reimbursed for work to advance the project through the award of SSGA. A total of \$659,345.92 was previously billed under the 2018 Authority-Cities Agreement, leaving available funds in the amount of \$1,789,654.08 to continue advancing the Project. The City of Sacramento's obligation under the prior 2018 agreement has been reduced from \$300,000 to approximately \$149,000 in this agreement (\$151,000 reduction). In order to fund the project through the award of the SSGA, the Cities must fund, directly or through a grant from a partner agency, the remaining project estimate of \$560,000 and approval of this item is conditioned on these actions. These estimates will be updated once a revised schedule is developed. Therefore, upon completion of this work, staff will bring forward to the Board a report with an update of remaining funds needed for the project and options to consider.
- 2. Third Amendment to the Contract for the Downtown Riverfront Streetcar Design Services with HDR:** The original Contract for Downtown Riverfront Streetcar Design Services with HDR, Inc. included design up to the 85% completion with a value of \$4,704,884.89. The First Amendment included the 100% design and the Second Amendment included updates to the Vehicle Maintenance Facility Location and the riverfront alignment in West Sacramento. This third amendment will address the 15% shortfall noted above by reducing the scope of the project by shortening and reconfiguring the termini of the Project. The Third Amendment will increase the contract between HDR Inc. and SacRT by \$1,113,293.00 from \$12,172,738.25 to \$13,286,031.25. This increase of \$1,113,293 will be reimbursed through the agreement with the Authority.
- 3. First Amendment to the Contract for the Downtown Riverfront Streetcar Environmental Support Services with AECOM:** SACOG prepared the original CEQA/NEPA documentation for the original project. The Contract for Streetcar Environmental Support Services between SacRT and AECOM included services to address additional environmental issues when minor revisions were made to the original Project alignment. This First Amendment will provide all the necessary revisions to complete environmental updates for the revised Project. The First Amendment is for \$123,582.23. The Contract between AECOM and SacRT will increase by \$123,582.23, from \$89,354.66 to \$212,936.89. This increase of \$123,582.23 will be reimbursed through the agreement with the Authority.
- 4. Terminate the Subrecipient and Interagency Agreement between SacRT, the Cities, and the Authority:** The last remaining governance document approved by

the Board is the Subrecipient and Interagency Agreement between SacRT, the Authority, and both Cities. That document designates the Authority as the owner of the Project and SacRT as the manager of the state and federal grant funds. Through discussions with the both Cities and SACOG, it is proposed that SacRT become the owner and operator of the completed Project. This will require termination of the Subrecipient and Interagency Agreement and a petition from SACOG to the FTA to transfer the Project sponsorship from SACOG to SacRT. It is estimated that the Operating and Maintenance (O&M) cost of the Project will be \$1.5 million annually, which is discussed further below. Finally, staff will work to achieve an agreement with the City of West Sacramento to join the District through annexation or under a contract arrangement under the terms noted above.

DISCUSSION:

Operating & Maintenance:

As mentioned above, it is estimated that the O&M cost of the Project will be \$1.5 million annually. Discussions are underway regarding an O&M agreement. The prior O&M Agreement approved as part of the governance documents expired at the same time as the Design, Procurement and Construction (DPC) Agreement. It is expected that the Cities will be parties to the agreement and that operating costs will be shared between West Sacramento, SacRT, and potentially other partners, and funded by sources such as LCTOP, Cap and Trade, SACOG's innovative project programs, a future sales tax measure, and other sources. West Sacramento is not a member or participating entity of SacRT; therefore, a separate O&M agreement will need to be developed. This agreement could be similar to the light rail O&M agreement between SacRT and the City of Folsom, which was in place for almost 15 years, prior to Folsom joining SacRT in late 2018. In order to avoid having SacRT be responsible for the operating cost deficits, the stakeholders must enter into an O&M agreement prior to award of the SSGA.

O&M costs were estimated based upon the current travel time of 20 minutes round trip utilizing one vehicle and 10 minutes during peak hours utilizing two vehicles. Maintenance of the vehicles will be done at SacRT's existing Light Rail Maintenance Facility at Academy Way.

Ownership:

The last remaining governance document approved by the Board is the Subrecipient and Interagency Agreement between SacRT, the Authority, and both Cities. That document designates the Authority to be the owner of the Project and for SacRT to manage the state and federal grant funds. Through several discussions with both Cities and SACOG, it is proposed that SacRT become the owner and operator of the completed Project upon dissolution of the Authority and approval of the SacRT Board of Directors. This will require termination of the Subrecipient and Interagency Agreement and a petition from SACOG to the FTA to transfer the Project sponsorship from SACOG to SacRT.

Since both Cities took action to dissolve the Authority and begin the winddown process, Staff recommends the Board approve SacRT to own and operate the Streetcar, contingent upon negotiating fully funded interagency reimbursement agreements with the partners, and the City of West Sacramento joining the District.

Due the Project delay, actions will likely be required to request an extension of the 2017 \$50 million federal appropriation.

Recommended Actions:

Staff recommends that the Board conditionally approve the Reimbursement Agreement and the two amendments to the consultant contracts, as described above.

SacRT recommends that the Board conditionally approve the termination of the Subrecipient and Interagency Agreement to allow SacRT to be the sole grantee of the state and federal funds for the Project and the owner of the constructed Project, subject to execution of replacement and reimbursement agreements for construction and operating funding for the Project by the Cities.

RESOLUTION NO. 20-09-0102

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

September 14, 2020

CONDITIONALLY APPROVING REIMBURSEMENT AGREEMENT FOR THE REDESIGN OF DOWNTOWN RIVERFRONT STREETCAR PROJECT AND SMALL STARTS GRANT UPDATE SUBMISSION WITH THE RIVERFRONT JOINT POWERS AUTHORITY

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

THAT, the Reimbursement Agreement for the Redesign of Downtown Riverfront Streetcar Project and Small Starts Grant Update Submission by and between the Sacramento Regional Transit District (therein "RT") and the Riverfront Joint Powers Authority (therein "Authority"), whereby RT's agrees to provide specified and limited services to advance a revised streetcar project, subject to reimbursement by the Authority of RT's costs up to a maximum amount available to the Authority under the Interagency and Cost Reimbursement Agreement between the Authority and the Cities of Sacramento and West Sacramento (\$2,600,000), as further specified therein, is hereby conditionally approved.

THAT, when available funding is nearly expended, SacRT will notify the Cities of the need to stop work and will be held harmless.

THAT, this action is dependent on the Cities amending the existing or entering into a new Subrecipient and Interagency Agreement that includes SacRT and adds the additional \$151,000 plus \$560,000 (totaling \$711,000) in funding required to reach the award of the Small Starts Grant Agreement.

THAT, the General Manager/CEO is hereby authorized and directed to execute the Reimbursement Agreement for the Redesign of Downtown Riverfront Streetcar Project and Small Starts Grant Update Submission.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-09-0103

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

September 14, 2020

CONDITIONALLY APPROVING THE THIRD AMENDMENT TO THE CONTRACT FOR DOWNTOWN RIVERFRONT STREETCAR DESIGN SERVICES WITH HDR, INC.

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

THAT, the Third Amendment to the Contract for Downtown Riverfront Streetcar Design Services by and between Sacramento Regional Transit District, therein referred to as "RT," and HDR, Inc., therein referred to as "Consultant," whereby the scope is amended to provide for Consultant to prepare a revised final design for the shortened project alignment and the total consideration is increased by \$1,113,293.00, from \$12,172,738.25 to \$13,286,031.25 is hereby conditionally approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute the foregoing Third Amendment contingent upon execution of the Reimbursement Agreement(s) for the Redesign of Downtown Riverfront Streetcar Project and Small Starts Grant Submission by and between the Sacramento Regional Transit District (therein "RT") and the Riverfront Joint Powers Authority (therein "Authority").

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-09-0104

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

September 14, 2020

CONDITIONALLY APPROVING THE FIRST AMENDMENT TO THE CONTRACT FOR DOWNTOWN RIVERFRONT STREETCAR ENVIRONMENTAL SUPPORT SERVICES WITH AECOM

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

THAT, the First Amendment to the Contract For Environmental Support Services for Downtown Riverfront Streetcar Project between Sacramento Regional Transit District, therein referred to as "SacRT," and AECOM, therein referred to as "Consultant," whereby the scope is amended to provide for Consultant to prepare revised environmental documentation for the shortened project alignment and the total consideration is increased by \$123,582.23, from \$89,354.66 to \$212,936.89, is hereby conditionally approved.

THAT, the General Manager/CEO is hereby authorized and directed to execute the foregoing First Amendment contingent upon execution Reimbursement Agreement(s) for the Redesign of Downtown Riverfront Streetcar Project and Small Starts Grant Submission by and between the Sacramento Regional Transit District (therein "RT") and the Riverfront Joint Powers Authority (therein "Authority").

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

RESOLUTION NO. 20-09-0105

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

September 14, 2020

CONDITIONALLY APPROVING TERMINATION OF THE SUBRECIPIENT AND INTERAGENCY AGREEMENT, AUTHORIZING PROJECT SPONSORSHIP AND OWNERSHIP TO TRANSFER TO SACRT, AND DIRECTING THE GENERAL MANAGER/CEO TO NEGOTIATE REPLACEMENT AGREEMENTS WITH THE CITIES PRIOR TO THE DISSOLUTION OF THE AUTHORITY

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

THAT, the Board hereby authorizes and directs the General Manager/CEO to take the steps necessary to terminate the existing Subrecipient and Interagency Agreement with the Riverfront Joint Powers Authority.

THAT, the Board approved Sacramento Regional Transit District to own and operate the completed Downtown Riverfront Streetcar Project and directs the General Manager/CEO to negotiate replacement and reimbursement agreements for the construction and operation of the Project are developed and executed between SacRT and the Cities. The Board also directs staff to immediately begin negotiations with the City of West Sacramento to enter into an agreement, no later than December 31, 2020, to join the District through annexation or under a contract arrangement and to fully implement this agreement in order to accept the award of a SSGA.

STEVE HANSEN, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary

STAFF REPORT

DATE: September 14, 2020
TO: Sacramento Regional Transit Board of Directors
FROM: Henry Li, General Manager/CEO
SUBJ: GENERAL MANAGER'S REPORT

RECOMMENDATION

No Recommendation — For Information Only.

Innovative Clean Transit Plan Update

Power Point Presentation by Laura Ham

SacRT Meeting Calendar

Regional Transit Board Meeting

September 28, 2020
SacRT Auditorium / Webconference
5:30 P.M

Quarterly Retirement Board Meeting

October 28, 2020
SacRT Auditorium / Webconference
9:00 A.M.

Mobility Advisory Council Meeting

October 1, 2020
SacRT Auditorium / Webconference
2:30 P.M.

Innovative Clean Transit (ICT) Rollout Plan

- ICT regulation adopted in December 2018 by California Air Resources Board (CARB).
- Requires all public transit providers to convert fleets to zero emission buses (ZEB) by 2040.
- All vehicle purchases must be ZEB's starting in 2029.
- All public agencies must submit Board approved ICT Rollout Plan to CARB by July 1, 2020.
- SacRT was granted an extension.

Innovative Clean Transit (ICT) Rollout Plan

ZEB Purchase Schedule required by CARB:

Year	Large Transit	Small Transit
2023	25%	-
2024	25%	-
2025	25%	-
2026	50%	25%
2027	50%	25%
2028	50%	25%
2029	100%	100%

SacRT ICT Rollout Plan Guiding Assumptions:

- The ZEV transition is based upon the normal replacement cycle for the current bus fleet.
- Battery Electric Bus (BEB) and hydrogen fuel cell technologies should be considered as options.
- It is not feasible to expand the fleet in order to operate the same level of service with a ZEV fleet to accommodate the range limitations of BEB's.
- A reduction in service in order to transition to a ZEV fleet is not an acceptable alternative to accommodate the range limitations of BEB's.

SacRT ICT Rollout Plan Guiding Assumptions:

- In route charging may be an alternative for some specific service but should not be considered as a strategy for the larger fleet conversion as a method of overcoming the range limitations of BEB's. As technology improves this will become less of an issue.
- SacRT may need to consider smaller light maintenance/dispatching facilities in order to address fueling limitations for both BEB and hydrogen fuel cell technologies.

Innovative Clean Transit (ICT) Rollout Plan

Plan Outline:

- Rollout Summary
- Introduction
- Fleet and Acquisitions
- Facilities and Infrastructure
- Disadvantaged Communities
- Work Force Training
- Cost and Funding Opportunities
- Start-Up and Scale-Up Challenges

Innovative Clean Transit (ICT) Rollout Plan

Next Steps

- Finalize Plan
- Public/Peer Review
- Bring ICT Rollout Plan for Board approval at the October meeting
- Submit to ICT Rollout Plan to CARB
- Complete Full Transition Plan