



STAFF REPORT

DATE: December 13, 2021
TO: Sacramento Regional Transit Board of Directors
FROM: Tabetha Smith, Clerk to the Board
SUBJ: APPROVAL OF THE ACTION SUMMARY OF OCTOBER 25, 2021

RECOMMENDATION

Motion to Approve.

**SACRAMENTO REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS
BOARD MEETING
October 25, 2021**

ROLL CALL: Roll Call was taken at 5:37 p.m. via Zoom. PRESENT: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Nottoli, Schenirer, Serna, Valenzuela, and Chair Miller. Absent: None.

1. PLEDGE OF ALLEGIANCE

2. CONSENT CALENDAR

- 2.1 Motion: Approval of the Action Summary of September 27, 2021
- 2.2 Resolution 21-10-0114: Authorize the Board of Directors to Conduct Its Board Meetings for the Next 30 Days Via Teleconference as Authorized Under the Brown Act Pursuant to Government Code Section 54953 as Amended by Assembly Bill 361, During the COVID-19 Pandemic (O. Ochoa-Sanchez/T. Smith)
- 2.3 Ordinance: Adopt Ordinance 21-10-01, Amending and Restating Title I, "Procurement Ordinance" of SacRT's Administrative Code (O. Ochoa-Sanchez)
- 2.4 Resolution 21-10-0115: Approving the Third Amendment to the Contract for Light Rail Vehicle and Station Advertising with Lamar Transit, LLC (D. Selenis)
- 2.5 Resolution 21-10-0116: Approving the First Amendment to the Contract for Naming Rights Negotiation Services with the Superlative Group, Inc. (D. Selenis)
- 2.6 Resolution 21-10-0117: Third Amendment to Fiscal Year 2022 Capital Budget (B. Bernegger)
- 2.7 Resolution 21-10-0118: Approving a Contract for Light Rail Maintenance Facility Wheel Truing Machine Inspection, Preventative Maintenance, and Repair Services with NSH USA Corporation (E. Stanley)
- 2.8 Resolution 21-10-0119: Delegating Authority to the General Manager/CEO to Award Contract(s) for Supplemental Paratransit Services (C. Alba)

- 2.9 Resolution: 21-10-0120: Delegate Authority to the General Manager/CEO to Approve the Third Amendment to Contract for Low Floor Light Rail Vehicle Procurement with Siemens Mobility, Inc. (E. Stanley)
- 2.10 Resolution 21-10-0121: Conditionally Delegating Authority to the General Manager/CEO to Execute the First Amendment to the Memorandum of Understanding for Pilot Public Transit Route Between Davis and Sacramento (The “Causeway Connection” Bus Route) (L. Ham)
- 2.11 Resolution 21-10-0122: Delegating Authority to the General Manager/CEO to Execute a Contract to Conduct Special Services for the Sacramento Metropolitan Air Quality Management District (B. Bernegger)
- 2.12 Motion: Waive the First Reading of Ordinance No. 21-12-01, Amending and Restating Title V, “Providing a Special Claims Procedure” of Sacramento Regional Transit District’s (SacRT) Administrative Code (B. Bernegger)

Director Budge moved; Director Howell seconded approval of the consent calendar with the exception of Item 2.8 which was pulled for discussion. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Nottoli, Schenirer, Serna, Valenzuela, and Chair Miller. Noes: None; Abstain: None; Absent: None.

- 2.8 Resolution 21-10-0119: Delegating Authority to the General Manager/CEO to Award Contract(s) for Supplemental Paratransit Services (C. Alba)

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

Item 2.8 – Helen O’Connell

Is the supplemental paratransit service going to be put in effect in January and how will it be implemented, do people have to be outside the window a certain length of time before they are qualified for supplemental service or does the supplemental service automatically get implemented because SacRT is short drivers?

Director Budge requested an explanation to Helen’s question.

Carmen Alba, Vice President Bus Operations, responded that SacRT is in the RFP process, which are confidential negotiations. Ms. Alba mentioned SacRT is able to say that the trips covered by supplemental service providers will not be determined by a pick-up window. The trips will be identified by SacRT Staff the day prior and then SacRT will notice the service providers. SacRT will control those trips and is expecting to make these supplemental services available shortly after January 2022.

Ms. Alba then explained that there will be an opportunity for SacRT Go customers and the Mobility Advisory Council to ask questions and learn more about the service prior to implementation; open houses and discussions with the MAC Committee will be scheduled in the fall.

Director Schenirer moved; Director Howell seconded approval of Item 2.8 as written. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Nottoli, Schenirer, Serna, Valenzuela, and Chair Miller. Noes: None; Abstain: None; Absent: None.

3. INTRODUCTION OF SPECIAL GUESTS

4. UNFINISHED BUSINESS

4.1 Motion: Approval of the SacRT Final Network Integration Plan (L. Ham)

Laura Ham started her presentation saying this item would finalize the SacRT Network Integration Plan, a requirement of the 2018 TIRCP Grant for new light rail vehicles for the Gold Line. The draft plan was presented at the July 27th Board meeting and was available for public review from June 7th through July 31st.

Ms. Ham mentioned that the plan's goal is to ensure that major state-funded rail projects connect cohesively with the state rail system. The primary subject is future Gold Line service, future bus service to the Sacramento Valley Station (SVS) and the Railyards, and integration affairs into a statewide system.

Ms. Ham went on to say that The Network Plan is primarily a technical study and does not propose service changes. Before implementing any major service changes SacRT would conduct additional public engagement and Title VI analysis as required.

Comments from partner agencies were received and are included in Appendix D. SacRT believes all comments have been responded to. One of the key outcomes of the comment process is that SacRT decided to scale back the number of bus routes to extend into the Railyards from four to two bus routes which will reduce future operating costs and avoid the need for a larger scale multi-block on-street bus terminal. Lastly, it was stated by Ms. Ham that once approved, the final plan would be transmitted to Caltrans which would complete SacRT's requirement under the TIRCP Grant.

Phone in public comment by Sabrina Hocker (relating to Consent Item 2.8 above):

Ms. Hocker wanted to know what the Board/SacRT management is doing to address the issues related to the ongoing violations with the ADA?

Ms. Hocker agrees that subcontracting is a great first step and wonders if staff has

contacted other jurisdictions (East Bay Transit or San Diego MTS) because they do not seem to be having the same issues.

Ms. Hocker inquired as to the loss related to driver turnover, having to train new staff, losses related to losing riders versus giving a slight increase in pay to drivers, whether riders have considered not buying anymore passes as a result of getting stranded for an hour or an hour in a half.

Chair Miller asked Ms. Hocker if it would be all right for staff to contact her. Ms. Hocker responded that it would be fine.

Director Howell moved; Director Hume seconded approval of Item 4.1 as written. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Nottoli, Schenirer, Serna, Valenzuela, and Chair Miller. Noes: None; Abstain: None; Absent: None.

5. PUBLIC HEARING

6. PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA

Written public comment was read into the record by the clerk:

Regina Marie, ACB Capital Chapter of CCB Inclusive Diversity of CA Government Affairs

Ms. Marie requested that an item about service problems including delays and long rides be added to the Board agenda. Ms. Marie indicated that driver shortage that was anticipated by the Mobility Advisory Council and is concerned that it will continue in the future.

Phone in public comment from Barbara Stanton:

Ms. Stanton is happy that the Board meetings are on Zoom now and the public can participate in the meeting.

7. NEW BUSINESS

- 7.1 Resolution 21-10-0123: Delegating Authority to the General Manager/CEO to Negotiate and Execute a Facilities Use Agreement with the City of Sacramento for Use of the Roseville Road Light Rail Station as a Temporary Safe Parking Site (C. Flores/B. Bernegger)

Chris Flores noted that Staff is back before the Board to discuss a proposal regarding the temporary safe parking in a portion of the SacRT Roseville Road Light Rail Station parking lot which was initially brought to the Board at the July 26th meeting as an informational update regarding the City of Sacramento's

comprehensive homeless masterplan. On August 10th, Sacramento City Council unanimously adopted their plan which includes three SacRT parking lots. During the July SacRT board meeting, staff was instructed to conduct additional community outreach and identify operational details to safeguard SacRT riders and ensure a successful program. Since that time, SacRT staff has had many meetings with the City, Caltrans and FTA to discuss details.

Mr. Flores continued to say that the City of Sacramento has focused attention on the Roseville Road Light Rail Station. The station parking lot is long and linear with 1087 spaces. On average, pre-COVID, the station was over 50 percent full and well utilized by commuters. Mr. Flores then mentioned that because of the nature of how SacRT received the encroachment permit from Caltrans, the site has numerous interests from various agencies, complicating the approval process.

Mr. Flores explained the boundaries of the program at the Roseville Road Station, stating it is about 300 yards from the platform to the shelter fence. The majority of people using the station park as close to the station platform as possible and noted that there would be space for administrative staff, restrooms, showers, storage, and dog kennels.

Mr. Flores stated that in July the Board directed staff to talk with community groups and neighborhoods in the nearby vicinity of each site to get feedback and listen to concerns. The Watt PBID sent an extensive letter to the City and SacRT regarding the proposal in July and then all parties met on September 29th and went through each question in the letter and more. Furthermore, in conjunction with the City and Councilmember Loloee's office, a community and neighborhood meeting were held on the evening of October 7th. Both meetings were well attended, and excellent feedback was provided. Some key takeaways and questions included the following:

- What is the City's long-term vision for addressing homelessness?
- What are the boundaries of the Public Safety Zone?
- The need for additional security measures dedicated to the site.
- The impact on businesses and homes in the surrounding area.

Mr. Flores announced that the City and SacRT staff have been working on the operational details for the Roseville Site. The city has agreed to the terms included in the program guidelines and the city operator will adhere to these stipulations should the program launch. Mr. Flores then highlighted some key provisions:

- The program shall serve between 80 and 100 guests at one time.
- The site shall operate for one year with an option to extend.
- All parties shall reserve the right to terminate contract withing 30 days.
- A curfew shall be enforced between 8:00 pm and 8:00 am daily.
- The operators shall have trained staff on site 24 hours a day seven days a week.

- The city will provide full indemnification to SacRT, as well as provide insurance or commitment to cover costs, should any accidents or liabilities occur.

Lisa Hinz noted that additional security will be needed with the introduction of the safe ground at the Roseville Road Light Rail Station. SacRT is requesting security guards inside and outside the safe ground. In accordance with the California Public Utility Commission (CPUC) recommendations, SacRT has asked the City to reimburse SacRT for an external security guard. The City will staff a security guard inside the safe ground around the clock. SacRT is concerned about the amount of area designated as the public safety priority zone surrounding the safe parking location.

Ms. Hinz then recognized that a safe parking priority zone prohibits additional encampments within the designated area. SacRT is proposing that the safe parking priority zone be large enough to prevent encampments from backfilling the entrance to Roseville Road Light Rail Station as well as under the freeway and bridge. A recent fire that occurred on September 8, 2021, from homeless encampments that were directly under the Grand Avenue Bridge resulted in serious structural damage to the bridge. SacRT is contractually obligated to pay for repairs. The goal for SacRT would be to prevent a further incident such as this by asking the City to maintain a large enough area free of encampments. SacRT and the public have not yet been provided with the safety priority zone radius.

Brent Bernegger stated that for the past two months there have been several discussions with Caltrans and the FTA, and now SacRT has a good understanding of what is required to move forward. Caltrans has an internal process that must be completed before consideration and approvals can be made. The City of Sacramento will need to complete a review process called the District Airspace Review Committee (DARC). Caltrans has started that process and once completed, they can make a final determination. While waiting to hear back from Caltrans, SacRT has had several discussions with the FTA. SacRT has prepared a draft letter that will be sent which includes the guidelines as well as a map of the area. Through briefings with the FTA SacRT learned that the top concern is maintaining continuing control as well as the ridership and security at that site.

Olga Sanchez-Ochoa stated that SacRT's presence at Roseville Road is governed by an encroachment permit issued to SacRT in 1984 for the Light Rail Starter Line. The property was an abandoned freeway right-of-way and Caltrans agreed to allow SacRT to build on that site. The site was improved by SacRT using FTA funds because SacRT does not own the underlying fee at Roseville Road, and it is there by encroachment. SacRT approached Caltrans to seek permission to allow the City to install a safe parking facility at our Roseville Road Light Rail Station. The facilities use agreement that the parties have been negotiating is structured to be compliant with this arrangement. Unfortunately, late last week Caltrans advised SacRT that it cannot allow SacRT to transfer the encroachment rights to the City

and that the only path forward would be for Caltrans to revoke our existing encroachment permit, carve out the area the City wants to use for safe parking and then deal directly with the City through a lease agreement or another arrangement.

Ms. Sanchez-Ochoa stated that the new proposed arrangement is problematic for SacRT for two reasons. First, the parking lot was constructed with FTA funding and FTA has a financial interest in the parking lot. If SacRT no longer has continuing control as the guidelines require over the parking lot because it has lost its encroachment permit, SacRT may be immediately required to reimburse the FTA for the value of the facility. The second concern is if SacRT is no longer able to be in privity of contract with the City, SacRT will be limited in its ability to ensure the safety of the remainder of the station, its patrons, and its employees.

Ms. Sanchez-Ochoa then recognized that with this change in arrangement, the Resolution attached to the staff report is no longer viable. Given that, staff recommends revising the Resolution to allow this project to continue moving forward while protecting SacRT's interest. Staff recommends that the Board direct and authorize the General Manager to negotiate a three-party lease agreement between and among the City, Caltrans and SacRT, that would include the protections included in the facilities use agreement and the program guidelines that the parties have previously negotiated. Execution of such agreement would have to be contingent upon the FTA concurring in the action without the requirement that SacRT reimburse the FTA for the facility.

Ms. Sanchez-Ochoa explained that the final agreement should also include resolution over the following outstanding issues. First, finalizing the type of agreement that will replace the facilities use agreement, probably a lease. Second, whether an environmental clearance was appropriately performed and provided for SacRT's indemnification if it was not. Third, securing clarity from the City about the scope of the public safety zone. Fourth, ensuring that the City identify and provide a 24/7 point of contact that can resolve issues that may arise at the safe parking site. Fifth, the City providing a final good neighbor policy document. Sixth, the Grand Avenue Bridge area be cleaned up. An additional issue that staff would like direction from is the public safety priority zone. This issue has been raised as a very important issue to members of the public and to SacRT staff because SacRT wants to ensure that the area surrounding the safe parking site does not attract additional uncontrolled encampments, thereby affecting the ability to provide clean safe and convenient transit to our passengers. SacRT staff would like to see a zone of at least half a mile radius around the Roseville site. As Ms. Hinz noted previously, SacRT has asked the City for clarity on this but to date they have not shared their plans with SacRT on what the zone would look like. Staff is asking that the Board provide guidance on what would be an acceptable radius.

Mr. Flores mentioned that Councilmember Loloee, who nominated this site during the council approval process, was available for questions as well as City staff from various departments

Director Serna pointed out that he was also in attendance virtually at the October 7th community meeting in his capacity as a SacRT Board member.

Mr. Flores apologized and stated it was a very productive meeting and Director Serna's comments along with Supervisor Desmond who attended the previous meeting were great. He then thanked Director Serna.

Director Howell had a concern with regard to the FTA money and if it having to be repaid would result in a lease payment. She suggested that because this is being done at the request of the City of Sacramento that if there is a payment required on leasing of the property, that it should be paid by the City of Sacramento.

Director Budge agreed with Director Howell and mentioned because there were so many questions, that she believes it is not time to take a vote.

Director Howell requested more information about the safe zone and the ability to limit encampments within a distance of the entrance. She was concerned as to whether the City of Sacramento can legally do that because it is public property.

Mr. Flores mentioned that Chris Conlon from the City, who's been taking the lead in the public safety zone, may have additional comment on that. In terms of the lease there have been no discussions about the payment on the lease. The initial thought was SacRT would have a lease agreement with the City but after research, it was a Facilities Use Agreement and has now turned back into a lease.

Director Howell stated that she is pretty sure that from a legal standpoint there has to be some payment for the lease to be valid.

Mr. Flores introduced Assistant City Manager, Chris Conlin to talk about the public safety zone.

Mr. Conlin stated that the public safety zone is already in place in two other locations, Meadowview Navigation Center and the newly built Broadway Alhambra Navigation Center. Mr. Conlin noted that the public safety zone is designed after something done in Los Angeles and basically puts a perimeter around the site and outlines boundaries and explained that it has an increased enforcement zone for camping and storing personal property, and then also increases enforcement of state and local laws prohibiting illegal conduct.

Mr. Conlin then gave a quick explanation of a public safety zone. In order for it to be legally defensible it has to be related to the site. He described the location and talked about why it is important to the people that are inside, in order to protect them against certain activities. The public safety zone has to have finite boundaries. It cannot be arbitrary like a half mile circle around the area. The site

was walked last week and there is a draft that hasn't been sent out or made public but is contingent upon what the lease and the site look like.

Mr. Conlin noted that input from the surrounding community is important because the City wants to develop a good neighbor policy. Mr. Conlin explained that this site is complex because there are various sectors of state, railroad, and county properties. Mr. Conlin noted that it is difficult for the City to enforce the public safety zone because the City cannot enforce state and federal laws. He explained that the City would work with entities like Caltrans and SacRT in order to allow them to adopt this zone and allow SacRT to do enforcement in some of these other areas.

Director Howell thanked Mr. Flores and mentioned she was unaware that the City of Sacramento had done this at other locations and then complimented his work.

Director Schenirer mentioned that the City opened the Broadway and Alhambra Shelter about a month ago. The shelter will eventually serve 100 individuals, there are 57 right now. The City is currently waiting to install security cameras, however, there have been minimal incidents. People are not loitering at the gate or outside the shelter. The people who are in the shelter are appreciative of what is happening.

Chair Miller noticed that propane was not allowed and questioned how they would cook and feed themselves.

Mr. Conlin responded that the people housed there are not allowed to cook on their own. Meals are brought to them. It is the same for the internal restrooms and showers. The City provides these services.

Director Schenirer added that the meals provided at the shelter are primarily purchased in the neighborhood, recycling the funds within the community.

Councilmember Loloee thanked members of the Board and stated that this site is very critical. This would create a safe environment for the unhoused. They will be registered and then laws will be able to be enforced which would minimize loitering and other unlawful activity. There are minimal options within the county. Mr. Loloee's office has conducted at least 15-20 meetings regarding this site making sure the community gets engaged and as he stated he is here to answer any questions.

Chair Miller then asked if there would be residency time limits?

Councilmember Loloee replied that the purpose is to bring them in, register them and then try to find more permanent housing. Mr. Loloee indicated that working through partners within the County and the City of Sacramento, that they are hoping to find more permanent housing much faster and move these individuals into a more conducive environment.

Chair Miller questioned again if there is no time limit?

Councilmember Loloee responded that there is potential for a year, but the objective is a push to get them in a more permanent situation and get the district back to normality. He stated that there are already encampments in SacRT's parking lots and the idea is to clean those out and make one location the center.

Director Schenirer stated the goal is four to six months indicating that the process would be to bring someone in, get them services and find them permanent housing. Low barrier shelter is the model being used.

Chair Miller recalled when the City of Placer tried this a few years back and the difficulty they had.

Director Valenzuela commented that they have already moved 100 people out of the safe ground site at W and X Streets, and that it was not perfectly implemented because they only had ten days to get it organized. They did not get the chance to do safety zones and all the things they plan to do with this site. The City team is getting pretty good in terms of building these relationships and getting people out.

Chair Miller responded that is what they have identified in Citrus Heights. There is a certain amount of quick, easy success with those that want help.

Director Budge wondered whether the City or SacRT staff had surveyed other SacRT property that have the unhoused located on the property, and what the numbers showed, given the population cap at Roseville Road.

Councilmember Loloee responded to Director Budge noting that the Swanston Station at the beginning of this year had about three tents, and today there are about ten to fifteen tents. He questioned, could it create a safe environment at the Roseville location? And, answered, absolutely.

Director Budge asked SacRT staff where this station ranks in terms of boardings.

Mr. Flores responded that the station is quite large with 1,087 parking spaces. Pre-COVID boardings were 500+ per day.

Ms. Hinz is concerned about the drawing shared by the City because it allows for illegal encampments that could jeopardize the infrastructure for SacRT. Staff would like to ask the Board for very specific direction of how large that safety priority zone would be?

Director Serna commented that there are different layers of political geography involved. He explained that the jurisdiction of the use, which is SacRT, and the site itself lies at the border of two different County Supervisorial districts. His direct constituents have expressed their concerns about the growing challenge of homelessness, impacts to their burdening business park and the interest of the property owners there.

Director Serna asked if there was an alternative? If the choice is to not take advantage of a site, that arguable is one of the more optimal sites based on its size and given what we know about the history of the people that are suffering from being unsheltered immediately adjacent to the site, the alternative is the status quo. Director Serna does not want to see an overreaction to the challenge that this poses, some referenced by Directors Valenzuela and Schenirer but as they mentioned, those shelters are making progress. He went on to say that he does not think anyone has the expectation that progress is going to be made overnight, but something has to be done to mitigate the impacts associated with homelessness. He is very supportive of this. Director Serna commended Councilmember Loloee for his community outreach, mentioning he attended one of the meetings, and each question was responded to in a way that was not confrontational and did not try to dismiss what real concerns are. He hopes the right decision will be made.

Director Harris agreed with Director Serna and explained that the Directors here should know that they have been doing safe ground sites and they have been going very well. People near Roseville Road are living in squalor, there is a tremendous number of drugs and violent crimes. Director Harris believes that Roseville Road is an exceptional site to use. The public safety zone is also an essential piece to make this work. Director Harris stressed that this is an important project. This parking lot has greater capacity but was scaled back due to skepticism. Director Harris went on to say that he took a couple of business members from the Watt I-80 PBID to 6th and W to the safe ground sites in Director Valenzuela's District. They were skeptical and against doing anything like this out at Roseville Road. When they came away, their opinion was greatly changed. If you bring people into safety, hygiene and give them regular meals it changes a lot of things. Director Harris supports this item.

Director Valenzuela thanked SacRT staff for the methodical nature of the analysis and all the work they have done on the project. She thanked Councilmember Loloee who has been doing a fantastic job with this in his district. Director Valenzuela mentioned her Front Street site that the unhoused are moving in and out of, noting their sense of home and peace and being able to sleep through the night without worrying about what is going on outside changes their manner and attitudes quickly. Director Valenzuela mentioned the growing partnership with the county makes her think they are on the precipice of making a big impact. She drove Roseville Road last weekend to familiarize herself with it and stated it's awful over there. Director Valenzuela commended the Board and thinks part of the reason SacRT got the transit system of the country award is because of trying new things.

Director Budge mentioned she was sympathetic to Director Serna's comment, "What's the alternative?" but wanted some of the open-ended questions to be answered before voting. She then asked Ms. Hinz for specific direction given her law enforcement perspective about the safety zone that is proposed.

Ms. Hinz responded that she is highly concerned about the encampments and the liability. SacRT cannot get to the bridge they are responsible for maintaining because the encampments are blocking the ability for an engineer to come and look at the bridge. Ms. Hinz stated that SacRT would prefer a half a mile, based upon the city's unique ability to create that safety zone.

Director Budge mentioned because of the shape of the area there are places where half a mile is much larger than what is proposed.

Director Howell, in response to Director Budge, said a good part of that area is the golf course and that a homeless encampment is not going to show up in the middle of the golf course.

Director Hume expressed that he did not want to delve into the whole complexity of trying to address homelessness as a whole except to say that it is not a monolithic issue and there is not a panacea that will solve it directly. It's an environmental, humanitarian and an economic crisis. He wanted to key in on something that Director Harris mentioned that ought to be at the forefront when thinking about this, discussing this and when actually deploying public funds and that is that the ultimate goal in this ought to be to change the trajectory of the individual's life. To recognize that these people are not living their best lives and that the City and SacRT have an obligation to help with that. Director Hume continued by mentioning that when trying to attract riders you want to not have any reasons for them to avoid the service and putting them in a situation where they may feel uncomfortable next to where you're trying to entice them is somewhat counterproductive. In looking at the layout of this site, the bridges, and the linear nature of it, it looks like a fairly good opportunity to utilize what is probably otherwise an underutilized portion of the SacRT property. Director Hume supports looking at this but wanted to touch upon points raised by Ms. Hinz and Director Budge. He stated that there must be an ironclad agreement that does not put SacRT's FTA funding at risk or that would put SacRT on the hook to repay FTA and that SacRT should be mindful of the relationship with Caltrans. Next, he pointed out the public safety zone stating that the things called out on the letter that is signed ought to be illegal. Furthermore, the encampment piece is a big one because as somebody referenced with the Boise decision, if there is not an alternative to relocate then you cannot displace them. Director Hume said he would be in favor of a larger public safety zone and thinks there is more than can be hammered out tonight but is in favor of the general concept.

Mr. Bernegger then followed up on a question that Director Budge brought up which was the parking lot utilization. Mr. Bernegger shared a spreadsheet on the screen showing Roseville Road as one of the larger SacRT site with 1087 parking spots. Mr. Bernegger referenced a concern of Director Hume's stating that when the FTA or Caltrans comes back with some nuances that SacRT will make sure that they are not out of pocket for any of those costs and if it required SacRT to pay back the FTA that would be the big concern.

Director Schenirer thanked SacRT and City staff. Director Schenirer complimented Mr. Li for being a great General Manager, thanking him, and stating that Mr. Li is trusted to run quite a large system and that he should be trusted to not make any decisions that would imperil the existence of SacRT at that site or any other. Director Schenirer is very happy to delegate authority to Mr. Li knowing he has the best interest of SacRT at heart and the community. He thanked his colleagues, especially Supervisor Serna for his comments and then touched upon what Director Hume said, that we need to remember these are individuals, and this is not just about safe parking, RVs, or the safety zone. It is about residents of Sacramento. He is very supportive and looks forward to voting yes on this issue. Director Schenirer thanked Mr. Loloee for speaking.

Councilmember Loloee thanked the Board members. Mr. Loloee shared that there are families at Roseville Road, some with children varying in age from one to about thirteen years old. Mr. Loloee expressed his concern for these youth and noted that once they come into a safe environment their defensive guards will come down and they will be more eager to get help.

Director Howell thanked everybody for their work on this and hopes no one misunderstood where she was coming from. If the details get worked out, she thinks this is a great use of that space and thinks Sacramento is doing a really good job at trying to address the issues.

Chair Miller mentioned he is for all these efforts but noted that his concern is that SacRT cannot afford to lose funding from FTA. He stated he really wants to view this as a pilot project, if SacRT can get over the Caltrans and FTA issues.

Director Kennedy mentioned that a couple of years ago something similar was proposed at the Florin site, and Director Schenirer and himself had many conversations about that project. Director Kennedy did not support the project because he was wearing his SacRT hat only at that time. He is no longer of the position to look first at the viability and the health of SacRT because it is such a societal/humanitarian issue that transcends transit. Director Kennedy stated he has come full circle and now supports this project and will when they come forward with it in the district that he represents. He feels SacRT Board Members need to look at the health and viability of transit, but as human beings, they need to look at helping fellow neighbors who are unhoused.

Director Nottoli commented that he was prepared to support the staff recommendation.

Ms. Sanchez-Ochoa wanted to clarify what the motion was so that it could be reduced to a Resolution. She stated that staff recommended that the Board direct and authorize the General Manager to negotiate a three-party agreement between and among the City, Caltrans and SacRT that would include the protections

included in the Facilities Use Agreement and program guidelines that the party previously negotiated, and that such delegation would be contingent upon the FTA concurring in the action without the requirement that SacRT reimburse FTA for the facility.

Director Budge expressed concern about the direction that Ms. Hinz asked for in terms of the size of the safe barrier zone.

Director Howell mentioned what the City of Sacramento Assistant City Manager said which was that the safe barrier zone has to be legally defensible or what can be defended legally given the Boise decision. And, if there must be a payment of the lease, Director Howell stated that needs to be the responsibility of the City of Sacramento. She also wants Mr. Li, as the delegated authority for the negotiations, to be aware that is what she would like to see, and if the maker and the seconder of the motion are good with that then hopefully it is clear.

Director Schenirer added in regard to the size of the safe barrier zone that the bigger it can be made the better we are.

Ms. Sanchez-Ochoa then stated for clarification that the safety zone should be as large as legally permissible.

Chair Miller said it should be included in the motion and it should be an alternate motion.

Director Howell then said it should be as big as it needs to be that is legally defensible.

Chair Miller asked if Directors Harris and Serna were alright with the revised motion.

Director Harris, as the maker of the motion, wanted clarification from Chris Conlin. Director Harris stated that he would tend to agree with Ms. Hinz that if the defense area can be expanded to include the critical infrastructure of SacRT, that is legally defensible that SacRT should do so. He continued by saying there was very significant damage done to the underpass and SacRT needs to prevent this and one of the reasons for doing this project is to make a defense of critical infrastructure. That is in fact one of the legal bases upon which the defense zone can be predicated.

Chris Conlin stated that the SacRT Roseville Road station under the City Ordinance is already critical infrastructure and is considered to be defensible just by its own right to include 25 feet around the entire perimeter per the City's critical infrastructure Ordinance. The road crossings, the overpasses and the railroad tracks are also considered to be critical infrastructure under the City Ordinance. What is undefined is ownership. In the case of the SacRT rail line, it is owned by SacRT and policed by SacRT but that SacRT rail line within 25 feet of the station is

already defensible. The roads are owned by Caltrans, and if they so choose, can adopt a City Ordinance on infrastructure and use it. As far as underneath of the area, the one that Ms. Hinz talked about several times, that property is owned by Caltrans. They have already fenced a portion of it because PG&E is doing some work there. There is still a portion that they have not fenced for cleaning. The City is in discussions with them about the fact that they should clean that, and staff has recommended that they do fence the area to protect the infrastructure, however staff only has so much leeway as a City when we are dealing with a state agency.

Director Harris thanked Mr. Conlin for the clarification and stated that instead of micromanaging this, that the Board delegate authority to the General Manager, Mr. Li, to work out the details with Mr. Conlon and the various jurisdictions. Director Harris asked Director Serna if he would accept the clarification and move forward with the staff recommendation.

Director Serna accepted the clarification.

Director Budge mentioned she is concerned about the number of loose ends that everyone has identified but she has a great deal of confidence in Mr. Li.

Director Harris moved; Director Serna seconded and Director Valenzuela provided a third to the approval of Item 7.1 with a modified Resolution. Motion was carried by roll call vote. Ayes: Directors Budge, Harris, Howell, Hume, Jennings, Kennedy, Nottoli, Schenirer, Serna, Valenzuela, and Chair Miller. Noes: None; Abstain: None; Absent: None.

8. GENERAL MANAGER'S REPORT

- 8.1 General Manager's Report
 - a. Major Project Updates
 - b. San Joaquin Joint Powers Authority – September 24, 2021 (Hume)
 - c. SacRT Meeting Calendar

Mr. Li stated that SacRT has experienced a sharp increase in ADA paratransit trips with SacRT GO carrying nearly as many riders daily as it carried pre-pandemic. Mr. Li mentioned that as a result of the labor shortage, SacRT has received a few complaints from paratransit riders regarding scheduling challenges. While workforce shortages are impacting all sectors of economy locally and nationally, SacRT has implemented several new processes to improve recruitment and incentivize employment with SacRT. The SacRT GO Team provided an update to the Mobility Advisory Committee earlier this year. Mr. Li thanked the MAC Chair, Pam Flohr and other partners for their support.

Mr. Li stated that today's action by the Board will allow SacRT to broker SacRT GO trips with other private sector providers to meet the increased demand and realize efficiencies in the service. He went on to say that more than half of SacRT's paratransit riders is ambulatory and these brokered services will allow SacRT to meet increased

mobility demands. SacRT is hopeful these actions and improvements will better serve customers.

Mr. Li then highlighted that SacRT, YoloBus and UC Davis will be entering into an MOU to better serve the Causeway Connection service from UC Davis campus to the UC Davis Medical Center. Ridership on the Causeway has increased from an average of 40 riders a day to over 110 passengers recently. This is an important transit connection that links Davis with Sacramento, and this agreement will allow SacRT to operate the entire service for over 8 months, starting next month or later. SacRT is happy to help SacRT partners and fulfill the needs of students, faculty, and riders.

Mr. Li. stated that after a year of event cancellations due to the pandemic, the region is safely reopening and holding major festivals, concerts and community gatherings are returning. At the beginning of October, SacRT provided supplemental bus service to assist the Aftershock Music Concert. The four-day concert helped generate over \$30 million in economic activity and SacRT carried over 5,000 passengers, greatly mitigating traffic impacts at the end of each evening. SacRT also provided special service to assist with the Folsom City Blues half marathon, the California Clean Air Day, and the homeless transfer during the rainy weather. SacRT is proud to help support the Sacramento region on these important events.

Mr. Li provided a SacRT ridership update which continues an upward trajectory. In September 2021, compared to ridership in September 2020, SacRT saw a 34% increase in trips. Specifically, bus ridership was up 57%, light rail was up 10% and demand response was up 40%. For the 1st quarter of this fiscal year (July through Sept), SacRT total ridership is up 21.8%. The uptick in ridership is driven largely from SacRT's RydeFreeRT Program and students returning to the classroom and traveling to other destinations. SacRT has been working hard to raise awareness for the program and staff has distributed nearly 250,000 RydeFreeRT cards to the community. In September, there were over 210,000 student boardings, accounting for approximately 25% of all riders in the system. Student ridership is seven times higher now than it was a year ago.

Next, Mr. Li reminded everyone that SacRT has relaunched airport bus service as of September. On October 4, California Transportation Commission Chair Norton flew to Sacramento Airport to meet with the Governor's Office and CalSTA Secretary Kim. Secretary Kim shared positive reviews of her experience. Secretary Kim was pleased that SacRT service was on time, well utilized by other passengers, and had a very informative operator.

Mr. Li announced that in two weeks, SacRT will be honored by the American Public Transportation Association (APTA) as the Outstanding Transit Agency for 2021. Chair Miller and Director Valenzuela will join staff to accept the award. SacRT is truly proud of this achievement, the progress made in recent years and the innovations that have been implemented to lead the industry. Mr. Li concluded his remarks by sharing a short video.

9. REPORTS, IDEAS AND QUESTIONS FROM DIRECTORS, AND COMMUNICATIONS

Director Serna thanked Mr. Li for highlighting the economic contribution that the Aftershock event contributes to the region. Director Serna has worked with promoters since the inception of Aftershock. One of the last-minute challenges this year was the need for shuttle service from the former Sleep Train Amphitheatre parking lot. Director Serna thanked Mr. Li again for his quick response and problem solving as it relates to the endeavors that are being pursued in the County and the City.

Director Hume asked for staff to bring back a discussion regarding the allocation of the seats on the Board now that we are moving from weighted voting to one seat, one vote. He is requesting to look at the allocation of those votes.

Mr. Li replied to Director Hume that staff will conduct some analysis and bring it back to the Board.

10. CONTINUATION OF PUBLIC ADDRESSES BOARD ON MATTERS NOT ON THE AGENDA (If Necessary)

11. ANNOUNCEMENT OF CLOSED SESSION ITEMS

12. RECESS TO CLOSED SESSION

The Board recessed to Closed Session at 7:28 p.m.

13. CLOSED SESSION

13.1 Conference with Legal Counsel
Pursuant to Gov. Code Section 54956.9
Existing 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 7:40 p.m.

STEVE MILLER, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary