



STAFF REPORT

DATE: October 25, 2021
TO: Sacramento Regional Transit Board of Directors
FROM: Chris Flores, Deputy Chief of Staff/Special Assistant to the GM and Brent Bernegger, VP of Finance/CFO
SUBJ: ROSEVILLE ROAD LIGHT RAIL STATION SAFE PARKING PROPOSAL

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

Delegate Authority to the General Manager/CEO to negotiate a Facilities Use Agreement with the City of Sacramento (City) to allow for temporary use of a portion of the Roseville Road Light Rail parking lot for a temporarily operated City vehicle shelter program for the unhoused, contingent upon approval from Caltrans and concurrence from the Federal Transit Administration (FTA).

FISCAL IMPACT

The agreement will be structured so that Sacramento Regional Transit District (SacRT) will incur no costs related to the City's use of the station, and the City will be legally obligated to fully indemnify SacRT to the maximum extent legally permitted.

DISCUSSION

In December 2020, City of Sacramento Mayor Darrell Steinberg announced his intent to bring forward for approval by the City Council a proposal to prepare a Master Siting, Programmatic, Operations and Financing Plan (Comprehensive Master Plan) to address the homelessness crisis. The City's proposed plan has set a goal to shelter and house 5,000 unhoused individuals and to prevent others from becoming homeless.

At the SacRT Board meeting on July 26, 2021, SacRT staff presented an informational update regarding three proposed SacRT parking lots. At this meeting, direction was given to staff to work with the City on program details and to conduct community outreach on the various sites.

The Sacramento City Council approved the Comprehensive Master Plan during its Council meeting on August 10, 2021. The City has prioritized Roseville Road as the first pilot site at this time.

SacRT hosted two community outreach meetings regarding the Roseville Road Safe Parking Proposal (September 29th and October 7th). Minutes of those meetings are attached.

The City of Sacramento has provided SacRT with a site plan and agreed upon Program Guidelines which can be found in Attachments A and B. Prior to commencing operations, the City will agree to a Good Neighbor Policy with the surrounding community and must establish a Public Safety Priority Zone that prohibits camping and storing personal property within a designated boundary.

SacRT is presently utilizing the land at Roseville Road through an encroachment permit granted to SacRT by Caltrans. Because SacRT does not own the underlying fee, Caltrans, as owner of the property, must consent to the use the City is proposing before SacRT can authorize the City to use this land for providing a temporary vehicle shelter program. Furthermore, because SacRT used Federal and Local funds to construct all the site improvements on this land, the FTA has a joined financial Federal interest in the property. Therefore, SacRT staff has been working with the appropriate individuals at both Caltrans and the FTA to secure Caltrans approval and FTA concurrence.

Both FTA and Caltrans will require an operational plan, a site map, and an agreement between the City of Sacramento and SacRT before they will approve the planned installation of a Safe Parking encampment at Roseville Road. The minimum conditions will require this agreement to be temporary, that SacRT maintain continuing control over the encumbered area, allow for an early termination, that SacRT is fully indemnified, and security provided to ensure the safety of the public.

SacRT has raised concerns about the level of environmental review that the City performed. The City maintains that the project is exempt from CEQA review. Because SacRT is concerned that the City may not have conducted the appropriate level of environmental review, SacRT has proposed the inclusion of language in the Indemnity provision of the Facilities Use Agreement requiring the City to fully indemnify SacRT in the event SacRT is subject of a CEQA or NEPA lawsuit as a result of this project. City and SacRT staff have been meeting regularly to discuss the terms and conditions to be included in the Facilities Use Agreement and have made tremendous progress. Staff anticipates that an agreement that addresses the majority of SacRT's concerns will be completed within the next few days.

The City of Sacramento will be providing the Board with an overview and a verbal update. Staff is seeking Board input and direction.

RESOLUTION NO. 21-10-0123

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

October 25, 2021

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 SAFE PARKING SITE

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

THAT, the Board hereby delegates authority to the General Manager/CEO to negotiate and execute a Facilities Use Agreement with the City of Sacramento (City) for use by the City as a Safe Parking Site, contingent upon City fully indemnifying SacRT to the fullest extent legally permitted in the Agreement, Caltrans issuing an encroachment permit or other agreement authorizing the City to use the premises as a Safe Parking Site, and SacRT securing concurrence from the Federal Transit Administration (FTA) to use a portion of the Roseville Road Light Rail Station as a Safe Parking Site; and

THAT, the General Manager/CEO is hereby authorized to execute any amendment to any existing encroachment permit or other agreement with Caltrans governing the use of the underlying property at Roseville Road Light Rail Station necessary to effectuate the City's use of a portion of the Roseville Road Light Rail Station as a Safe Parking Site.

STEVE MILLER, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary

City of Sacramento-SacRT Safe Parking Program Guidelines (Roseville Rd. Site)

General Program Terms:

1. Due to this site being improved using federal funds, the site may only be used on a temporary basis. Therefore, the site will be operational for one year, with the option to extend for an additional year upon successful implementation of program. The first year shall commence with the start date of service operations at the location. All parties shall reserve the right to terminate contract within 30 days, as is protocol for OHS contracts.
2. Operator shall have trained staff on site 24 hours a day, seven days a week. Staff to Guest ratios shall be consistent with a minimum of 1/30.
3. A minimum of 2 meals shall be provided to each guest daily. Meals will be prepared off-site and delivered. There will be no cooking permitted at the program site or by guests.
4. The Program shall serve between 80 and 100 guests at a time (as is agreed upon by all parties). Guests may keep their pets with them (up to 2), so long as they are leashed, and attached to owner at all times while on-site and confined inside the fenced area. All pets must have up to date vaccines (rabies at minimum). All guests and their pets will abide by SacRT Administrative Rules and pets will not be allowed on station platforms. If SacRT receives any complaints or notice nuisance issues from pets, the city and SacRT will confer.
5. The Program shall operate as a triage, with the goal of connecting the guests to the appropriate services to address their barriers to housing and move them on to the next appropriate steps towards their goals.
6. The program shall be fenced (9ft). The fencing will be covered with privacy sheeting, be properly secured, and be able to withstand up to 35 mph of wind.
7. Previous to launch, the Fire Marshall shall complete an inspection, checking for risks, creating appropriate evacuation plans, and any other standard requirements (i.e. fire extinguishers, exit routes, etc.) for shelter programs.
8. The City shall provide regular reporting of program operations. SacRT shall provide appropriate data/trends to the City as well.
9. At program completion, any damages made to the site shall be restored to their original condition City's expense.
10. SacRT is unable to provide the City with existing electrical power from lighting or train substation. The City shall be permitted to operate secured generators up to 24 hours a day and/or work with SMUD for appropriate power needs.
11. On-site Restrooms, Showers, and Hygiene stations shall be available on site, and maintained without water runoff. Guest will use on-site restrooms and will be prohibited from using their vehicles or septic tanks.
12. Similar to other Emergency Shelter programs, the City will establish a boundary around the outside of the program where unsanctioned camping/loitering will not be permitted.
13. The City & Contractor shall not permit/accept any unsanctioned donations of food, clothing, or other items which would be unable to be properly stored/utilized on-site.

14. Garbage shall be regularly removed and only placed in a designated area prior to removal. The direct outside perimeter of the program shall also be serviced regularly to promote SacRT customer attraction/retention.

General Program Rules:

1. Guests shall not be permitted to bring or operate generators, fuel or propane shall be brought, stored, or used on site (no exceptions).
2. While being low-barrier in nature, no controlled substances not prescribed by a doctor shall be allowed or permitted on site. A designated smoking area, only within the fenced area, will be established and staffed for nicotine/tobacco use.
3. A curfew shall be enforced between 8pm and 8am daily. The only exceptions shall be by reasonable accommodation agreed upon between the guest and provider.
4. Guests shall agree upon program entry (in the form of signed consent) to permitting safety inspections of any and all property on an as-needed basis, with our without notice.
5. Guests shall not tamper with or damage any property not belonging to themselves.
6. Fires shall not be permitted on site at any time.
7. Vehicles shall be in "safe" and drivable (running) condition while on site in the program, free of leaks or other safety hazards. Any vehicle that requires repairs, must be repaired offsite. No vehicles will be towed to the site.
8. Vehicles may not have any deployed balloons, banners, awnings, flags or coverings.
9. All tents/tarps/shade coverings must be approved and properly secured to avoid movement or loss. All tents must be in their own sectioned off area.

City Shall Provide:

1. All costs/supplies related to basic needs (i.e. Water, Electricity, Food, Garbage, Restrooms/Hygiene)
2. All costs/supplies related to program operations; including staffing, supplies, technology, insurance, and overall administration.
3. Allowance to SacRT staff to access the site upon request.
4. Full indemnification, as well as provide insurance or commitment to cover costs, should any accidents or liabilities occur while preparing, using, or leaving program site.
5. The city shall reimburse SacRT for additional security designated to Roseville Road station 24/7, during the duration of the agreement. City shall also provide for internal security of program. Reimbursement for additional security costs incurred by SacRT as a direct result of program operations.

SacRT shall provide:

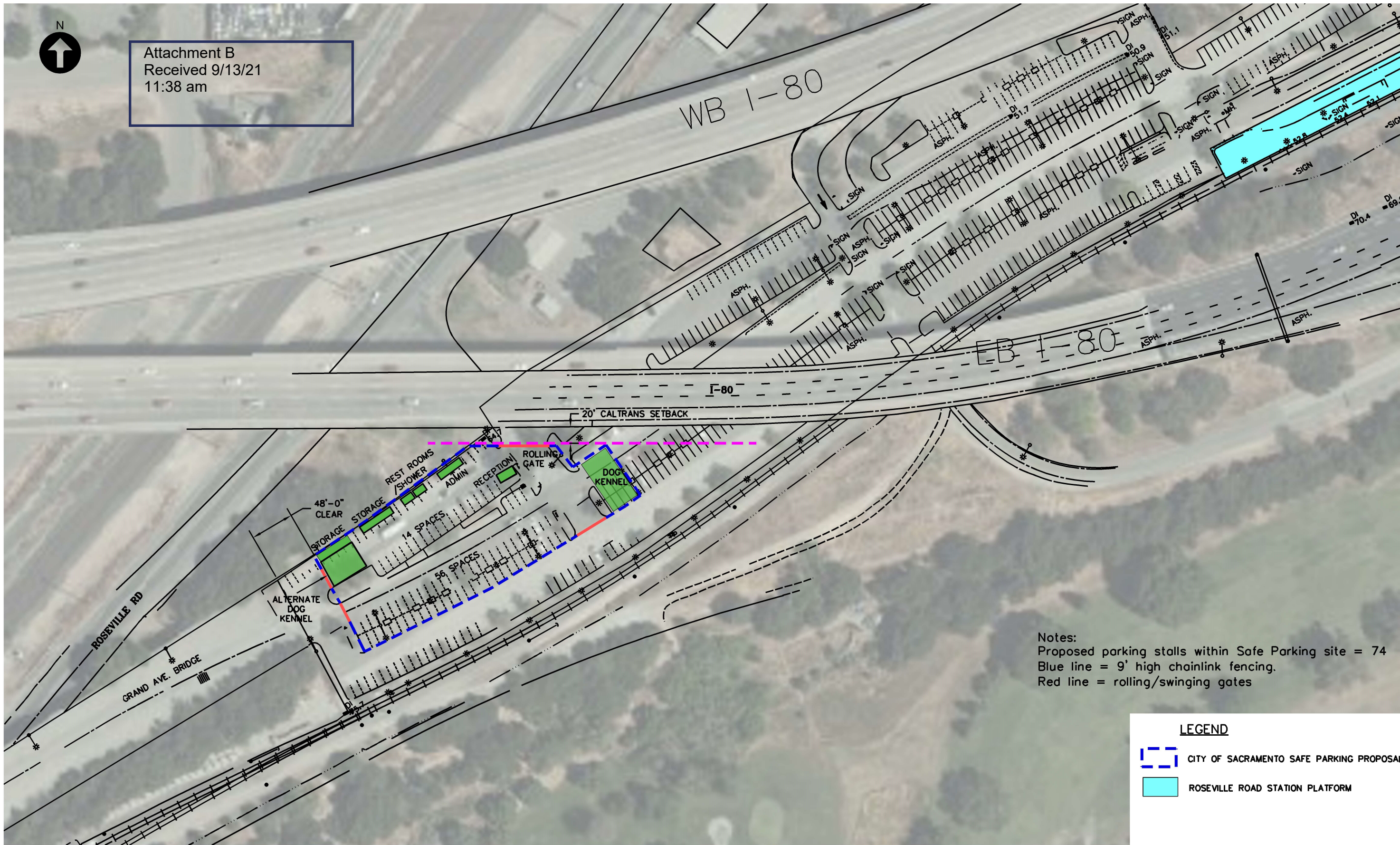
1. Access to the property for the program site (including Land Use Agreement).

2. Access to program reports and presentations to the RT Board on operations and outcomes.
3. Access to the site for preparation & take down of the program.
4. Working directly with Cal Trans and the FTA to provide information to both organizations for approval purposes.
5. The seeking out of public input from transit riders, residents, and businesses in the surrounding community via outreach in the nearby areas.

**Please note: The terms and rules presented in this document shall serve as a broad overview of expectations of the program. Depending on the background and needs of the population served, more specific terms and rules (agreed upon by all parties) shall be included prior to launch of Program.*



Attachment B
Received 9/13/21
11:38 am



Notes:
Proposed parking stalls within Safe Parking site = 74
Blue line = 9' high chainlink fencing.
Red line = rolling/swinging gates

LEGEND

- CITY OF SACRAMENTO SAFE PARKING PROPOSAL
- ROSEVILLE ROAD STATION PLATFORM

DATE: 9/13/2021

REVISIONS				
MARK	DATE	DESCRIPTION	BY	CHKD
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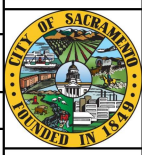
SCALE: VERTICAL: NONE
HORIZONTAL: 1"=150'

ORIGINAL SCALE IN INCHES
FOR REDUCED PLAN

PROJECT ENGINEER: _____ DATE _____
DESIGNED BY: _____
DRAWN BY: _____
CHECKED BY: _____

DRAWING FOR REFERENCE ONLY

PROJ #: _____
FILE: _____
SUBMITTAL: _____



CITY OF SACRAMENTO DEPARTMENT OF PUBLIC WORKS
ROSEVILLE ROAD STATION PARK AND RIDE
SAFE PARKING SITE

SHEET

Roseville Road Community Meeting (Thursday October 7th – 6-7:30pm)

Attendees:

Councilman Sean Loloee

Supervisor Phil Serna

Craig Bratton - McClellan Park

David Gonsalves - Office of Councilman Jeff Harris

Venessa Olmstead - Watt80 PBID board (Office of Supervisor Rich Desmond)

Douglas Wolfe - resident

Franklin Burriss – North Sac Chamber of Commerce

Sondra Betancourt – Watt80 PBID Board /Horseman Association

Kathy Anuszczyk – Hagginwood Association

Mac Young – business owner

Christopher Shannon – North Sac resident

Spenser Eberle – business owner on Longview/ Watt80 PBID board

Tara Keress - Hagginwood Association

Susan Walsh – homeless case manager

Stephen Walton – Business Owner

Veronica Smith – Office of Councilmember Loloee

Ryan Moore – City of Sacramento

James Christensen – City of Sacramento

Nicholas Golling - City of Sacramento

Henry Li – SacRT

Chris Flores – SacRT

Shelly Valenton - SacRT

Lisa Hinz - SacRT

Brent Bernegger – SacRT

Roman Murrietta – SacRT

Traci Canfield – SacRT

SacRT and City staff presented background on the site including draft program guidelines, site map and other terms. Following the presentation, the community was encouraged to ask questions or make comments:

Douglass: what are performance criteria; how is this temporary to solve the problem of homelessness? How might it be extended?

Nick: This is not a longterm solution to end homelessness, but rather it gets people to safety and resources to help them. The City/County need to continue thinking about how to solve the issue. Other types of facilities are being planned as well. The current unsafe issues are what will be mitigated. But parking is not enough.

Chris: Other triggers... such as crime, ridership will be monitored. Progress updates will be presented to the Board.

CM Loloee: This location is temporary. Once people are entered into system, they can be moved into permanent situation. He's working hard to find other solution so this site doesn't last more than one year.

Stephen: How will they exit property so issues like after closing Railroad won't occur. How do you ensure people don't come back to Roseville Rd?

Chris: Described security provisions in the guideline

Lisa: City will provide guards inside camp and pay for SacRT to provide security at station. We'll monitor crime rates and will increase as needed.

Nick: W/X is current program ending in December- will follow same strategy.

Spenser: Order of approvals? And timeline?

Chris: SacRT Board will be contingent on FTA/Caltrans approvals.

Franklin: Doesn't want to see security assigned here to take away from other stations' security. Partnership mean issues are someone else's problem: who will be the point of contact when there is a problem?

Sondra: Didn't realize tent camping is part of this site. Concern/wants assurance that signage will be installed and any additional parking along Roseville Rd will be precluded.

James: The city will designate a public safety zone area to maintain.

Craig: Concerned about children. And will McLellan Park TMA users be protected (users of the station)? Have homeless been surveyed if they want to go here? Is there a demo plan for the campground?

Nick: Children will be welcome in the Safe Ground in separate family area. Homeless have said if there is somewhere to go, they will go there – they want somewhere safe and stable.

Susan: What qualifies a “low barrier” site?

Nick: Two sites operating: land park has been described as 23% success rate;

PBID: Will drug counselors be on site? Concerns about not enough supervision.

Nick: The counselors will not operate 24/7

PBID: How will NPOs be evaluated? What are their accomplishment rates?

Nick: The City will have criteria for evaluating success and will be in constant communication with the community.

Mac: The corridor has many issues and concerned project will increase homeless traffic in unincorporated area and industrial park area. He has had issues around their businesses. Has there been a traffic analysis/environmental document prepared?

Chris: SacRT has request the city conduct an environmental review.

Stephen: Regrading the good neighbor policy – how will it be formed and what is the timeline for it? A clear, transparent policy is very important. Public needs to be part of the process and engaged with creating the policy.

Nick: Core of policy is transparent with community.

Stephen: Will the business and community groups get a *pre*-operation meetings with the city and the vendor?

CM Loloee: This will be built into the Good Neighbor Policy.

Kathy: The Roseville Road bridge connecting to neighborhood has been damaged from homeless– will the bridge be part of the defensible space (public Safety Zone) and areas around it?

Roman: The bridge is currently closed and is being fenced off; campers will not have access to bridge.

Kathy: Will culdesac be in the defensible space?

Roman: Sacrt will not be blocking off culdesac. Entrance from Roseville Rd into station will be open.

Kathy/Franklin: Who will be cleaning up Roseville Road when campers are moved into site?

Nick: It is part of a comprehensive plan to address homelessness citywide. We have experience winding down some previous shelters.

Watt I-80 PBID Outreach Meeting Notes (September 29, 2021 – 3:30pm)

Attendees:

Councilman Sean Loloee

Supervisor Rich Desmond

Rebekah Evans – Watt PBID Executive Director

Spenser – HB Towing Inc., Watt Pbid

Steve Berry – Watt PBID

Jason Ingram – Watt PBID

Veronica Smith – Office of Councilman Loloee.

Asanda – Horseman's Association

Venessa Olmstead - Watt80 PBID board (Office of Supervisor Rich Desmond)

Henry Li – SacRT

Chris Flores – SacRT

Traci Canfield – SacRT

Chris Conlon – City of Sacramento

Nicholas Golling – City of Sacramento

Jason Christensen – City of Sacramento

CM Loloee, City Staff and SacRT outlined the progress to date, shared the city plan and draft program guidelines for a Safe Parking Proposal at Roseville Road. Staff reviewed the Watt PBID letter to the SacRT Board on July 26th to address all questions contained in the correspondence. Questions and comments were encouraged during that process in order to capture feedback.

Rich: How do you protect against negative impacts to surrounding businesses? Beyond public safety zone. What will be implemented to mitigate?

Chris Conlon: They are already out there. City will bring them into the Safe Grounds. Public Safety Zone will stop loitering near camps. Roseville Road surrounding area will be focus area to bring them into shelter. Can't compel them but the city will enforce vehicle code along Roseville Rd: tow vehicles or make them move into shelter. Can't guarantee within "3 miles" for a public safety zone, but will craft it with all safety considerations. They city doesn't have control in County and other entities (Caltrans, UP).

Supervisor Desmond: The challenge is those who won't go into camp. Any discussions about additional enforcement and partnership among surrounding businesses? Any area with sites should have extra attention. Private security?

Chris Conlon: Good neighbor policy – agreements on what City can/can't do. The city can't provide new police patrols but will provide private security within the Safe Grounds and augment SacRT security with increased security.

CM Loloee: The non-profit will be providing food – make it more tempting for them to stay in Safe Grounds than go out. When you bring people into controlled environment will help. Businesses in his district are providing 30+ jobs to folks.

Rebekah: PBID knows who is there; they have 24/7 security. Supervisor knows this and that no control in County will cause impacts. Very few take offers to assistance. They need help with addictions, mental issues, leaving their pets.

Nick: The operations will have point of contact that anyone in the community can contact at any time.

Supervisor Desmond: There may be a need liaison with County for business in County to contact. Concerned about people migrating to Watt Ave.

Rebekah: People are stealing catalytic converters from businesses along Longview and Orange Grove. PBID is willing to partner to help.

Jason Ingram – Once a Public Safety zone is created, everyone outside of safe zone, will laws be enforced? What is the long term impact on community? What happens when it shuts down? (Railroad is worse area now). Hopes SacRT will look at all these items before making decision.

Chris Conlon: Railroad Drive and how it changed from operations to today. (recently had cars towed)

Rich: How many will be served/capacity?

Chris Conlon: Up to 75 (pallet homes can fit more)

Supervisor Desmond: Will the vehicles need to be operable?

Chris Conlon: They need to be “safe”; some RVs won’t be fully operable (dead batteries).

PBID: Will those with misdemeanors be allowed? Smoking?

Nick – NPOs have standards for eligibility and disciplinary process for those not following rules. Smoking is prohibited on SacRT property

Rebekah: If individuals go through the bushes onto Longview, it is very dark and business get robbed continuously. How can that be stopped?

Asanda: Horseman’s Associated leases 14 acres south of tracks. Trespassers walk and drive onto property, start fires, from equestrian trail along I80 and golf course creek trail or along Longview Dr.

Jason: They also walk along Caltrans property.

Rebekah: People dump boxes of food along corridor and creates hazards.

Chris F: Food will have to be eaten on site, not taken off. Trash will be cleaned up on site regularly.

Rebekah: Downtown PBID answered some of her questions from their experience. Her primary responsibility is to take care of the businesses in her district.

CM Loloee: We all agree for the need for businesses to succeed. The city will host meetings regularly for first 6 months to make sure program is successful.

Chris Conlon: meetings will be continuous

Henry – We are trying to consider all angles to make sure businesses and transit customers all feel safe. The SacRT Board wants our staff to talk with public. May have special board meeting in October for topic. SacRT welcomes comments to Board and ideas for improvement.

Spenser: (located on Longview): Have suffered a lot of theft/loss over years. Generally supportive. Lives in City D2 and on committee – Railroad site was great until City ran out of money. Hopes City will lean on staff to deal with people after they leave site.

CM Loloee: Partnership between City and County is imperative for this to work.

Supervisor Desmond: County is committed to providing interim housing.