

STAFF REPORT

DATE: September 12, 2022
TO: Sacramento Regional Transit Board of Directors
FROM: Henry Li, General Manager/CEO
SUBJ: GENERAL MANAGER'S REPORT

RECOMMENDATION

No Recommendation - For Information Only.

Major Project Updates

Oral Report

SacRT Meeting Calendar

Regional Transit Board Meeting

September 26, 2022
SacRT Auditorium / Webconference
5:30 P.M

Quarterly Retirement Board Meeting

September 14, 2022
SacRT Auditorium / Webconference
9:00 A.M

Mobility Advisory Council Meeting

October 6, 2022
SacRT Auditorium / Webconference
2:30 P.M

Ride SacRT to the Farm to Fork Festival

SacRT teamed up with Visit Sacramento to offer FREE Rides to the Farm to Fork Festival on Friday, September 23 and Saturday, September 24, 2022, with the free ride flyer linked below.

On Friday, free rides are available on light rail, fixed-route bus, and SmarT Ride. On Saturday, free rides are available on light rail and fixed-route bus (SmarT Ride does not operate on weekends). Check sacrt.com/schedules.

To ride free, present the flyer to the bus operator or light rail fare inspection staff upon request. Only one flyer needed per group. Only valid Friday, September 23, 2022, from 2:00 p.m. until the end of service, and Saturday, September 24, 2022, from 9:00 a.m. until the end of service.

Recommended Arrival Stations

- Passengers riding to downtown on the Blue Line from Citrus Heights/Roseville should exit the train at the **7th & Capitol Station**.
- Passengers riding to downtown on the Blue Line from south Sacramento/Elk Grove should exit the train at the **8th & Capitol Station**.
- Passengers riding to downtown on the Gold Line from Folsom/Rancho Cordova should exit the train at the **8th & Capitol Station**.

Recommended Departure Stations

- Passengers taking the Blue Line toward Citrus Heights/Roseville should board trains at the **8th & Capitol Station**.
- Passengers taking the Blue Line toward south Sacramento/Elk Grove should board trains at the **7th & Capitol Station**.
- Passengers taking the Gold Line to Rancho Cordova/Folsom stations should board trains at the **7th & Capitol Station**.

For details about the event, please visit <https://www.farmtofork.com/>

Franklin District's Back to the Boulevard Event

SacRT has partnered with the Franklin Boulevard Partnership to help celebrate Mexican Independence Day with their *Back to the Boulevard* event on Sunday, September 18, 2022, from noon to 6:00 p.m. SacRT will be providing supplemental bus service and free rides to the event, which stretches along Franklin Boulevard from 12th Avenue to Fruitridge Road. Please find the free ride flyer on our website at sacrt.com/freerideflyer.

Citrus Heights 25th Anniversary Sunday Funday

SacRT is excited to provide free rides on September 25th to celebrate the city of Citrus Heights' 25th anniversary. Sunday Funday is Citrus Heights' premiere family and community event that includes live music, food trucks, tours of the historic Rusch Home, and the Citrus Heights Community Marching Band. The event is being held at Rusch Community Park, 7801 Auburn Boulevard, Citrus Heights, from 11:00 a.m. to 4:00 p.m. Please find the free ride flyer on our website at sacrt.com/freerideflyer.

SacRT's SmaRT Ride Expansion

On Monday, August 29, 2022, SacRT expanded two SmaRT Ride zones to better serve residents of Elk Grove, and the McClellan Park area in North Sacramento.

SmaRT Ride Zone Improvements:

- **Elk Grove SmaRT Ride:** Zone expanded to include connections to bus route E113, Elk Grove High School, Elk Grove Library, Elk Grove Adult Education Center, Elk Grove Food Bank, Old Town Plaza, Elk Grove Regional Park, and several Elk Grove grocery stores.

- **Natomas-North Sacramento SmarT Ride:** Zone expanded to include McClellan Park, serving the VA Medical Clinic, and businesses in the southwestern part of McClellan Park.

More information on the SmarT Ride changes is available at sacrt.com/smartride.

SacRT Transit Rules for Utility Carts and Strollers

In an effort to ensure that priority seating is available for seniors and persons with disabilities traveling on the bus and train, and for the safety of passengers and young children, riders are prohibited to board with an open utility cart or stroller. Prior to boarding, utility carts and strollers must be folded, and once onboard, they must be stored out of the aisle so that they do not block areas reserved for persons using mobility devices such as wheelchairs, or pose a tripping hazard for others.

Inclement Weather

During the last Board meeting there was a question regarding SacRT's policy for allowing riders to board a bus while stationary. SacRT has a policy that all customers must be accommodated during severe inclement weather (heat, cold, rain, etc.) and can stay aboard a bus, or board. For example, during extreme heat, when the temperature is approaching 90 degrees and above, the bus should be left running with the A/C on for customers to wait on board or board during dwelling.

2022 FTA Triennial Update

SacRT recently received the final report for the 2022 Federal Transit Administration (FTA) Triennial Review. The review process started in December 2021, when staff from across the agency began compiling hundreds of documents to support the review requests. The "virtual fieldwork" portion of the review was completed in June 2022 and required attendance by more than 50 SacRT management and staff, at various times, in an intensive three-day schedule covering 23 review areas.

SacRT received kudos from the FTA on several areas of noted performance improvement. The FTA stated that they saw significant changes and improvements to the Disadvantaged Business Enterprise (DBE) Program in response to previous corrective action for both procedure development and implementation. The FTA stated that the SacRT Electronic Clearing House Operations (ECHO) System file review was very clean. ECHO draws are the method in which SacRT seeks reimbursement for all federal funding, including the COVID related stimulus funds allocated to SacRT. Finally, they noted that SacRT completed all reporting on time for project milestone reports, financial reports, and civil rights requirements.

SacRT did receive deficiencies in four areas, but staff were able to clear three of the areas before the final report was issued. Those matters are marked as closed in the final report. None of the deficiencies identified triggered an Extended Review Module, which takes an intensive deep dive into a specific review area. There is one open item that we must clear by December 15, 2022 and SacRT is actively working to close out this item.

1. Satisfactory Continuing Control:
 - a. Real property records missing subrecipient information – This deficiency is closed.

- b. Lacking excess real property utilization inventory plan – This deficiency is closed.
- 2. Maintenance
 - a. Late vehicle/vessel preventative maintenance – This deficiency is closed.
- 3. Procurement
 - a. Lacking independent cost estimate (ICE) – This deficiency is closed.
 - b. Lacking required cost or price analysis - This deficiency is closed.
 - c. Lacking required justification and documentation for single-bid award - This deficiency is closed.
- 4. Equal Employment Opportunity
 - a. Recipient personnel not performing required EEO responsibilities – corrective action due by December 15, 2022

Overall, this was a very successful Triennial Review and that is a testament to the strong preparation and participation by all involved departments.

STAFF REPORT

DATE: September 12, 2022
TO: Sacramento Regional Transit Board of Directors
FROM: Greg Walters, EEO Officer
SUBJ: EQUAL EMPLOYMENT OPPORTUNITY UPDATE

RECOMMENDATION

No Recommendation - For Information Only.

INFORMATION

Greg Walters completed his first full year as EEO Officer. In addition to responding to employee complaints, his focus in the last six months was to prepare for and work with the Federal Transit Administration (FTA) staff on the triennial review.

FTA Review

Of the 62 items on the EEO checklist from the FTA circular 4704.1A, the FTA asked for improvement in one area – to expand the discussion of SacRT’s EEO program and practices both by the EEO officer and by management with their own employees and affinity groups.

Staff have already implemented multiple changes, facilitated over 15 meetings specifically suggested by the FTA and will have a significant amount of documentation to share with the FTA to prior to the December 15th deadline to demonstrate progress. Staff anticipates no EEO-related findings by the FTA.

2022 - 2025 EEO Program Approved

The FTA approved SacRT’s updated EEO program (approved by the Board in January) with one suggestion for the 2026 update – to track training by gender and race. The recent establishment of a Training and Workforce Development department, the hiring of a manager and progress towards securing a learning management system (which facilitates training registration and tracks participation) will allow us to easily fulfill this requirement.

Underutilization Progress

Our updated EEO program came with fresh underutilization data and goals to accomplish during this four-year period. Underutilization occurs when an organization has fewer females or persons of color than are available in the relevant labor market for that type of position. SacRT already has excellent diversity by race and gender so it has underutilization goals in only nine categories – often with goals to increase by fewer than

five people in a particular job group. SacRT has made positive progress in six of the nine categories in the first six months.

STAFF REPORT

DATE: September 12, 2022
TO: Sacramento Regional Transit Board of Directors
FROM: Olga Sanchez-Ochoa, General Counsel
SUBJ: GENERAL COUNSEL UPDATE

RECOMMENDATION

No Recommendation - For Information Only.

Sacramento Regional Transit District Legal Services Department Update to the Board for 2022

Overview:

Despite the continuing pandemic, SacRT's Legal Department has continued to work at full capacity in 2022. Our department continues to be staffed by three attorneys and one paralegal. As I review our accomplishments for 2022, I am impressed with the volume of the work my team accomplished in 2022. All of our efforts are collaborative as we work closely with our peers in other departments and external partners throughout the region. This year the department took a pivotal role in a number of areas, including finding solutions for the many impacts to our transit system as a result of the unhoused crises in the region and in California generally. Our department has been very busy this year helping progress the Board's agenda. Below please find a synopsis of some of our most significant projects.

Covid-19 Support:

In this third year of the pandemic, SacRT Legal has continued to work closely with Management to try and understand the ever-changing landscape of covid regulations, government recommendations and laws. Legal participates in Management's Covid-19 discussions and provides Management with advice and counsel on CalOSHA's Emergency Temporary Standards (ETS), the Federal OSHA ETS, California Department of Public Health Covid-19 guidance, Sacramento County Covid-19 guidance, to help SacRT ensure that it is providing the public and its employees with a legally compliant, healthy, and safe work environment during these very difficult times.

Employment Litigation:

In 2021, responsibility for management and oversight of employment related litigation was shifted from the Risk Department to the Legal Department. With the addition of one new attorney with experience in employment related litigation, SacRT's Legal Department was

able to seamlessly take over the oversight of all employment related claims and lawsuits. Absorbing the responsibility has allowed SacRT to experience cost savings in this area because SacRT's inhouse attorneys are able to second chair each case. Staff in SacRT's Legal Department handles all document gathering and review throughout the litigation process, which significantly reduces litigation costs. In addition, close oversight of these cases by inhouse counsel has resulted in the quick, cost-effective resolution of most cases. In 2022, SacRT Legal worked closely with outside counsel to successfully and cost-effectively settle three EPL lawsuits and successfully win a motion for summary judgment in fourth EPL related lawsuit. SacRT Legal has been working closely with Management to resolve employment issues early to avoid litigation by providing advice on disciplinary, leave administration, and other employment related process issues to reduce the likelihood of triggering a claim and ensuring positive outcomes for both the agency and SacRT's employees.

Unhoused Crises and Safe Parking

As most other public agencies in the region have had to grapple with how best to address the unhoused crises, SacRT has navigated many challenges over the past couple of years related to the unhoused crises. Management has had to balance the need to protect its critical infrastructure and provide a reliable, clean, and safe transit system to the riding public against a desire to find compassionate solutions to the unhoused crises. SacRT's Legal Department has been a partner to other departments at SacRT in finding that balance. Throughout the year we have provided legal counsel and advice to Management regarding whether *Martin v. Boise* governs SacRT's management of the unhoused crises within its system and how best to legally address the many challenges SacRT faces in this area. We also closely monitor current cases being litigated in Sacramento, the Bay Area, Southern California and throughout the state to understand how courts are resolving such disputes and to help determine how those decisions might impact SacRT's efforts to protect its facilities, critical infrastructure, employees, and passengers from any negative impacts of the unhoused crises on the system.

Additionally, SacRT has worked closely with the City of Sacramento (City) over the past year as the City implements its Safe Parking program. SacRT's Legal Department has worked closely with Management by providing advice and counsel regarding the legal limitations to SacRT's ability to offer the use of Federal Transit Administration (FTA) funded assets for use in the Safe Parking program, SacRT's obligations under various land use arrangements to provide access to its facilities for use in the Safe Parking program, as well as its legal liability risk exposure. During our last report to the Board, SacRT Legal reported that it was working with Caltrans and the City of Sacramento on a complex three party lease that would allow the City to install a safe parking facility for the unhoused within SacRT's Roseville Road Light Rail Station. After months of negotiations, and after securing the FTA's approval, the parties executed the lease early this summer and the City is currently in the process of securing contracts with all necessary vendors so that it can begin the process of installing the new site. At the time of this writing, there was no projected go live date, but we know the City is diligently working towards establishing the site.

SacRT's Administrative Code Revisions and District Policies

In May 2022, SacRT's Legal Department took an amendment to Title XV of SacRT's Administrative Code to the Board of Directors for consideration. The amendment added camping within 25' of critical infrastructure, as defined in the City of Sacramento's Code, as a prohibited act. The intent of the change is to provide SacRT's Police Services Department with the tools necessary to remove unhoused campers who set up camp within an unsafe distance from our tracks, utility infrastructure and/or facilities. It is intended to protect SacRT's employees, passengers, and the unhoused campers by removing them from areas where they are directly in harm's way and could be injured by our trains, electrical utilities, or other dangerous conditions. As modified, these changes to Title XV can only be enforced within the Sacramento City limits.

In August the Sacramento County Board of Supervisors adopted a critical infrastructure ordinance of its own prohibiting camping near critical infrastructure throughout the County, including SacRT's critical infrastructure. In the next couple of months, SacRT Legal will bring an amendment to Title XV to incorporate the County's anti-camping ordinance so that SacRT's Police Services Department will have an added tool to help protect SacRT facilities including tracks, stations, utility infrastructure from intrusion by unlawful campers on or near critical infrastructure.

Finally, SacRT Legal worked closely with SacRT's Marketing Department earlier this year to develop a new Visual Artwork Policy which ensures the consistent treatment of art installations within SacRT's system and facilities. The Policy sets guidelines for how artwork can be installed and/or displayed within SacRT's system.

California Public Records Act

SacRT's Legal Department historically handled responding to California Public Records Act (CPRA) requests. In 2018 when the legal function at SacRT was restructured, the responsibility for responding to CPRA requests was moved to the Risk Department. SacRT receives a not-insignificant number of CPRA requests and the volume became too demanding for the Risk Attorney to handle, given all the other requirements placed on that position. In April 2021, the responsibility to respond to all CPRA requests returned to SacRT's Legal Department. Since January 2022, the Legal Department has processed approximately 78 requests of varying degrees of complexity. This year, the attorney primarily responsible for responding to PRA requests was out on leave for several weeks. During that time, the Legal Department received a critical assist from our Internal Auditor, Coye Carter, who has experience responding to PRAs. He graciously took the lead while our staff was on leave and did an excellent job responding to PRA requests submitted during this time period. In addition, Michelle Garvin in our Risk Department has taken an important role in helping process the responses that come in. With Michelle and Coye's help, the Legal Department has been able to timely process each request the public submits for various public records in SacRT's possession.

Board Structure

A project the Legal Department was asked to work on late in 2021 was to research how SacRT's Board structure is established and how it can be changed. Working closely with Management, SacRT's Legal Department researched the issue and provided the Board with an overview of the relevant governing statute and options to change the Board structure. During the early part of 2022, the Legal Department worked with the Board, the General Manager/CEO, our Government Affairs team, and our VP, Integrative Services and Strategic Initiatives/COS, to develop legislative language to make key changes to SacRT's Enabling Act. The result of our collaboration was AB 2015, which was approved by the Legislature and signed into law by Governor Newsom in August 2022.

Real Estate Support

Throughout 2022 the Legal Department worked closely with the Real Estate Department on a number of key projects including SacRT entering into two key leases for new staff facilities (R Street Lease and Q Street Lease), providing legal support for the Dos Rios Light Rail Station project, providing legal support for the close out of several remaining real estate transactions related to the SSCP2 project, providing legal support for the acquisition of a new administrative campus and maintenance facilities, providing legal support for the disposition of SacRT's existing facilities, and providing legal support for numerous easements, licenses, rights of entry and other real estate related transactions. There are a number of real estate related transactions that are in progress that SacRT's Legal Department will dedicate significant resources in the remainder of 2022 and 2023 to progress those transactions.

Pension Support

The Legal Department continues to serve the role of counsel to SacRT's pension staff as that staff performs their role of pension administrator. While the Retirement System has its own counsel, SacRT, as the pension administrator that executes the directives of the Retirement Boards, relies on SacRT's Legal Department to provide advice and counsel on pension related issues from the perspective of the pension administrator. In that role, SacRT's Legal Department continues to review all pension applications and approvals before their final approval by the General Manager/CEO. In addition, SacRT Legal continues to review all Qualified Domestic Relations Orders and works with Pension Administrator on ensuring that all provisions in each QDRO comply with SacRT's pension plans.

Leave Administration

SacRT established a Leave Administration Committee approximately 12 years ago to manage complex leave requests submitted by employees. The Committee is a cross-departmental body made up of representatives from Human Resources, Labor Relations, EEO, Risk and Legal. SacRT's Legal Department has been actively engaged with the Committee throughout 2022 providing legal advice and counsel to the Committee on

SacRT's legal obligations related to FMLA, ADA, CFRA, PDL and the various other leave laws that provide leave entitlement to employees in California.

Fare Structure/Policy

The Legal Department was involved in a number of collaborative, cross departmental efforts to make modifications to SacRT's Fare Policy and fare structure that, hopefully, will lead to increased ridership. Among the projects SacRT's Legal Department worked on in 2022 with SacRT staff is the RydeFree program that provides free rides to students within SacRT's service area. SacRT Legal worked closely with SacRT Finance staff to secure renewal of and inception of new agreements with our partners in the region to cover some of the cost of the program by negotiating and drafting reimbursement agreements with the cities and County of Sacramento in SacRT's service area. Additionally, to ensure that the RydeFree program is consistent with SacRT's Fare Policy, SacRT Legal worked with staff to draft necessary amendments to SacRT's Fare Policy.

An additional project SacRT Legal worked on with Planning and Finance was a modification to SacRT's current agreement with CSU Sacramento to change the transit pass from a sleeve to a sticker on the student's identification card. This change ensures that the form of pass used by Sac State students is consistent with SacRT's Fare Structure.

The Legal Department also worked with Planning on negotiating a cost sharing agreement with UC Davis for Route E37 which will provide more direct service to the residents of Elk Grove who work at the UC Davis Health Center.

Procurement Support and Drafting of Contracts

SacRT's Legal Department has historically played a significant role in the Procurement process and 2022 was no different. The Legal Department participated in all procurements from stem to stern, including assisting in the drafting and review of all bid documents, providing advice and counsel during the selection process, drafting the contracts and providing assistance with contract interpretation after contract execution. This year the Legal Department worked on a number of significant procurements including:

- Low-Floor Vehicle Platform Conversion solicitation/award
- Execution of Contract for Rail Modernization 15-Minute Service to Folsom
- Completion of several critical on-call contracts for Wayside and Facilities (Plumbing, CNG Repair, Fencing Repair, Lighting and Electrical, Tree Trimming and Removal, Wayside Generator Repair and Maintenance) that will improve reliability of service and maintenance of SacRT facilities
- Completion of several fencing solicitations/contracts to better protect SacRT facilities from vandalism (BMF1, BMF2, Evergreen)
- Execution of new contract for BMF2 public fueling facility with Clean Energy that will significantly increase SacRT revenue.
- Completion of solicitation of critical contracts for IT (SAP and Cybersecurity consulting services) that will awarded shortly.

- New contract for Revenue Vehicle Tire Lease and Services
- New Contract for State Lobbying Services
- Contract for 41 new Gillig buses
- Emergency Contract for OCS repair

In addition to the procurements listed above, SacRT Legal worked on numerous other smaller procurements. SacRT Legal anticipates that it will continue to serve a key role in the procurement process in 2023. Since January 2022, SacRT Legal has drafted 279 contracts.

General Legal Support

Throughout 2022 SacRT's Legal Department provided advice and counsel to SacRT Management on the many projects the district is progressing. We provided advice and counsel on labor and employment issues, real property, CEQA, NEPA, PEPRA, First Amendment issues, procurement, Brown Act, FPPC and conflicts issues, leave administration, and the many legal issues that arise on a daily basis at a high performing public transit agency. We have faced many challenges during this year and anticipate that 2023 will be no different. We look forward to continuing to assist SacRT Management progress and the Board's many initiatives and priorities.



STAFF REPORT

DATE: September 12, 2022
TO: Sacramento Regional Transit Board of Directors
FROM: Coye E. Carter, Internal Accountability and Compliance Auditor
SUBJ: INTERNAL AUDIT UPDATE

RECOMMENDATION

No Recommendation - For Information Only.

Internal Audit **Semiannual Report to the Board of Directors**

The Sacramento Regional Transit District's (SacRT) Internal Audit (IA) Unit plans, coordinates, and oversees organizational internal audit and risk assessment activities. IA reviews the integrity and efficiency of SacRT's critical activities, projects, and programs in order to determine if internal controls are adequate and effective in mitigating operational risks and complying with applicable laws and regulations. Additionally, IA works collaboratively with management and staff at all levels to implement necessary changes and corrective actions to assist SacRT with accomplishing its organizational goals and missions.

IA created an Internal Audit Plan for Fiscal Years 2021 through 2023 and continues to schedule the identified operational areas for review. The Internal Audit Plan was developed through interviews with SacRT leadership, managers, and staff and review of financial reports, audit reports, and governing regulations for transportation agencies. Several engagements identified on the Internal Audit Plan, and additional special project reviews requested by SacRT Leadership, were completed or are on-going for the period of January 1, 2022 through July 31, 2022:

- Review of Internal Controls for Recording Duty Hours Review – (Completed)
- Vendor Internal Control Review – (On-going)
- ADA Compliance Review – (On-going)
- Capital Assets Review – (On-going)
- Inventory Control Review – (On-going)

Additionally, IA continues to support SacRT's Strategic Plan and four strategic organizational pillars with the following engagements scheduled for fiscal year ending June 30, 2023:

- Take-Home Vehicle Review
- Federal Transportation Administration (FTA) Grant (5307 and 5337) Compliance Review
- Subrecipient Monitoring Review
- Elk Grove Annexation Review
- Key Management and Building Access Review
- National Transportation Safety Board (NTSB) Compliance Follow Up Review
- California Public Utilities Commission (CPUC) Safety Compliance Review
- IT Security Compliance and Asset Management Review

The Internal Audit Plan is periodically reevaluated and adjusted to suit organizational priorities and accommodate special project requests from SacRT Leadership.

Starting in May 2022, IA assisted with coordination efforts of SacRT's Federal Transportation Administration (FTA) 2022 Triennial Review. The FTA conducted its Triennial Review procedures between May 31, 2022 and June 3, 2022. IA also assisted with coordination of SacRT's California Department of Transportation's (Caltrans) 2022 Transportation Development Act (TDA) Triennial. The TDA Triennial was conducted on June 21, 2022 and June 22, 2022.

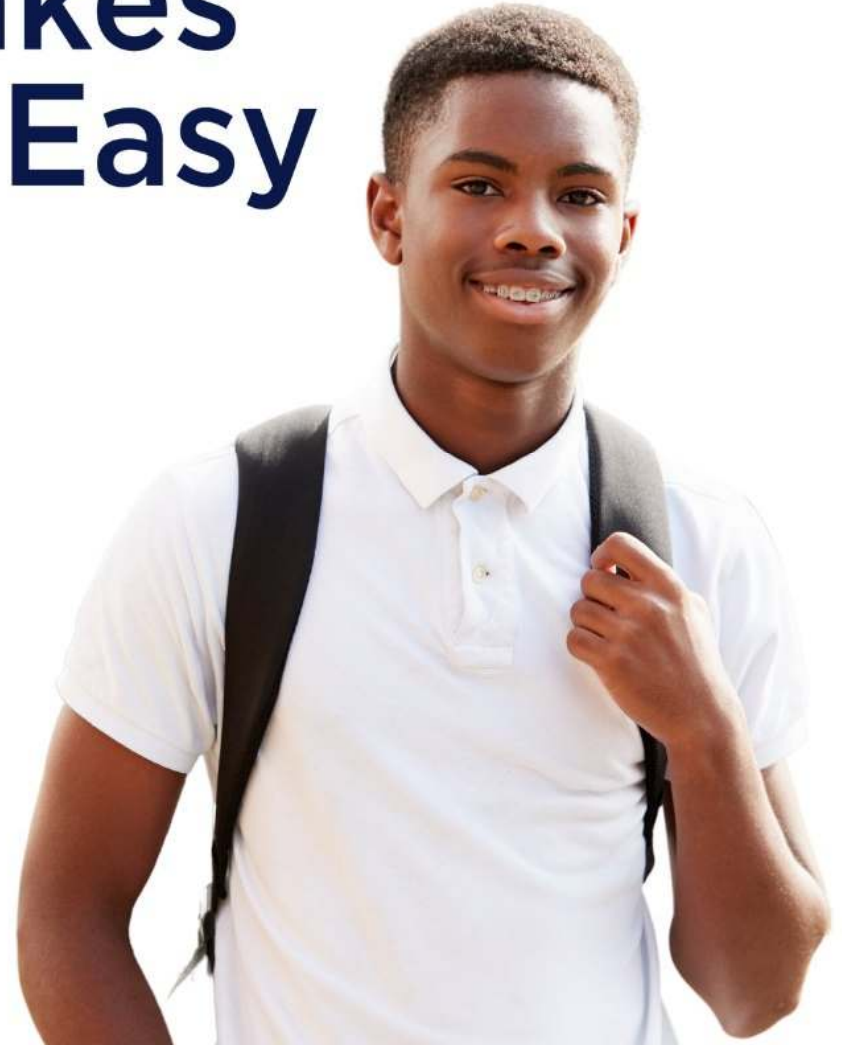
RydeFreeRT Makes Back to School Easy

Ryde

Fare-free for youth FREE RT

Fare-free transit for youth grades TK through 12th

Sacramento  Regional Transit



Heatwave

TRIPLE DIGIT TEMPERATURES

RIDER NOTICE



Upcoming Hiring Events

Event: SETA Job Talk
Date: September 13, 2022
Location: 925 Del Paso Blvd.,
Suite 100, Sacramento
Time: 10 am – 2 pm

Event: SETA Job Talk
Date: September 27, 2022
Location: 925 Del Paso Blvd., Suite 100,
Sacramento
Time: 10 am – 2 pm

Event: Folsom Cordova Adult School
Date: September 14, 2022
Location: 10850 Gadsten Way, Rancho
Cordova
Time: 10 am – Noon

Event: SacRT Hiring Event
Date: September 28, 2022
Location: SacRT Auditorium
1400 29th Street, Sacramento
Time: 10 am – 3 pm

Event: SacRT Hiring Event
Date: September 20, 2022
Location: SacRT Auditorium
1400 29th Street, Sacramento
Time: 2 pm – 7 pm

Event: SacJobs Fall Career Fair
Date: September 29, 2022
Location: Lions Gate Hotel
3410 Westover Street, McClellan Park
Time: 11 am – 3 pm

Paratransit In Person Hiring Event



Natomas Jibe Partnership

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Chalk It Up Festival!



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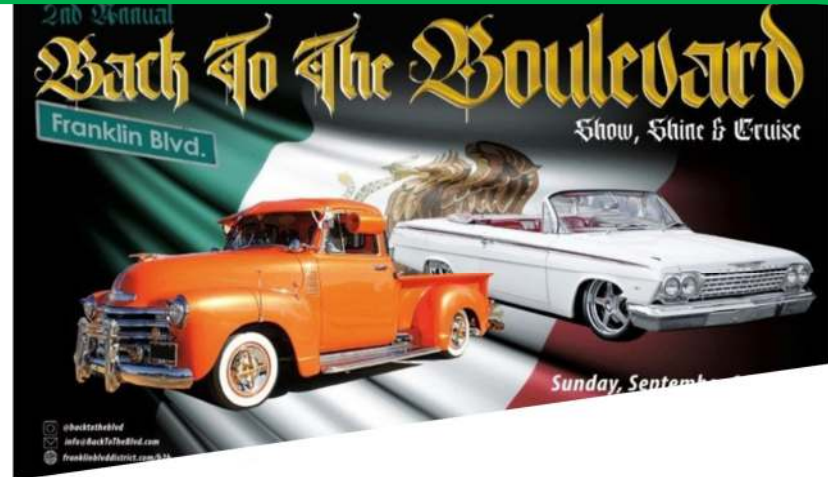
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Festival



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Rebranding Project

**COMING
SOON**

**SacRT Seeking Input
on New Brand Identity
and Logo**

sacrt.com/rebranding

Sacramento Rolling Library Train



sacrt.com/rollinglibrary

Rail Safety Week



RAIL OLI.ORG
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