

STAFF REPORT

DATE: February 27, 2023

TO: Sacramento Regional Transit Board of Directors

FROM: Jamie Adelman, VP, Procurement, Real Estate and Special Projects

SUBJ: RESCINDING RESOLUTION NOS. 2022-12-145 AND 2022-12-146; DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO ENTER INTO A PROJECT AGREEMENT FOR TWO WATER LINES AND A SEWER LINE PROJECT AGREEMENT WITH NP BGO RANCHO CORDOVA LOGISTICS CENTER, LLC, OR ANY OF ITS SUBSIDIARIES, AND GRANTING CONCURRENCE TO EASEMENT AGREEMENTS BETWEEN THE SACRAMENTO PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY, GOLDEN STATE WATER COMPANY, AND SACRAMENTO AREA SEWER DISTRICT

RECOMMENDATION

Adopt the Attached Resolutions.

RESULT OF RECOMMENDED ACTION

Rescinding Resolution Nos. 2022-12-145 and 2022-12-146 will result in rescinding resolutions that incorrectly identified the name of the developer. Approving the Resolutions will delegate authority to the General Manager/CEO to enter into a project agreement with NP BGO Rancho Cordova Logistics Center, LLC (NP BGO) or any of its subsidiaries and concurring in the granting of an Easement to Golden State Water Company, in perpetuity, from the Sacramento-Placerville Transportation Corridor Joint Powers Authority (JPA) to include two waterline connections; and concurring in the granting of an Easement to Sacramento Area Sewer District, in perpetuity, from the JPA for a sewer connection.

FISCAL IMPACT

Sacramento Regional Transit (SacRT) will receive \$1,099 in consideration for concurring in the granting of each easement, totaling \$3,297. The dollar value of the easement is based on a similar easement recently granted in the same location to the City of Folsom. NP BGO will pay for all the costs for the transaction.

DISCUSSION

The Board granted the General Manager/CEO authority at the December 12, 2022 Board meeting to enter into a project agreement with Northpoint Development LLC and the Sacramento Placerville Transportation Corridor Joint Powers Authority. However, Resolution Nos. 2022-12-145 and 2022-12-146 incorrectly identified the name of the developer and therefore need to be rescinded and replaced with a resolution that correctly identifies the contracting party, NP BGO Rancho Cordova Logistics Center, LLC (NP BGO) or any of its subsidiaries. The scope of the original agreement is not changing.

BACKGROUND

A portion of SacRT's Gold Line is located within JPA-owned right of way and SacRT's facilities are present within the JPA right of way by permanent easement. NP BGO needs to install two waterlines and a sewer line within the JPA right of way and has requested that the JPA grant easements to the Golden State Water Company within SacRT's easement area for two waterlines. In addition, the JPA is being asked to grant an easement to the Sacramento Area Sewer District to manage a sewer line within SacRT's easement area, after the project is complete. All three pipeline connections are on the south side of Folsom Boulevard west of Hazel Avenue. The water and sewer lines are necessary infrastructure for NP BGO's new Rancho Cordova Logistics Center development south of Folsom Boulevard, which is expanding industrial uses west of Hazel Avenue. In addition, these waterline and sewer line services will precede developments that SacRT will have the opportunity to serve in the future.

To complete the work, NP BGO requires access to the JPA right of way over which SacRT has a permanent easement. To facilitate the work, SacRT, NP BGO, and the JPA will enter into a project agreement setting forth the conditions upon which work can be performed in the JPA right of way and granting NP BGO and its contractors temporary access to the right of way for pre-construction and construction activities. Upon completion of the installation of the water lines, the JPA will grant permanent easements to the Golden State Water Company that will authorize the waterlines' presence within the JPA right of way and grant the Golden State Water Company access to the right of way to maintain and repair the waterlines in perpetuity. In addition, the JPA will grant a permanent easement to the Sacramento Area Sewer District that will authorize the sewer line's presence within the JPA right of way and grant the Sacramento Area Sewer District access to the right of way to maintain and repair the sewer line in perpetuity. Because the waterlines and the sewer easement will be within SacRT's existing easement in the JPA right of way, SacRT will need to concur in the granting of the easements to the Golden State Water Company and the Sacramento Area Sewer District.

The three pipelines would be placed underneath SacRT and Union Pacific tracks on a portion of APN 069-0040-014 between Schnitzer Steel and Hazel Avenue near Folsom Boulevard, which is owned by the JPA. The waterlines will be owned and operated by the Golden State Utility Company and the sewer line will be owned and operated by the Sacramento Area Sewer District.

Staff recommends that the Board authorize the General Manager/CEO to enter into a project agreement with the JPA and NP BGO, or any of its subsidiaries, authorizing NP BGO to install two waterlines and a sewer line within the JPA right of way and concur in the JPA granting three easements over JPA right of way upon completion of the installation of the pipelines contingent upon Federal Transportation Administration (FTA) concurrence.

RESOLUTION NO. 2023-02-013

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

February 27, 2023

RESCINDING RESOLUTION NO. 2022-12-145 AND DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO ENTER INTO A PROJECT AGREEMENT WITH NP BGO RANCHO CORDOVA LOGISTICS CENTER, LLC OR ANY OF ITS SUBSIDIARIES, AND GRANTING CONCURRENCE TO TWO EASEMENT AGREEMENTS BETWEEN THE SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY AND GOLDEN STATE WATER COMPANY FOR TWO WATERLINES, CONTINGENT UPON SECURING FTA CONCURRENCE

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

WHEREAS, on December 12, 2022, the Board was asked to approve delegating authority to the General Manager/CEO to enter into a project agreement with Northpoint Development, LLC; and

WHEREAS, the developer should have been identified as NP BGO Rancho Cordova Logistics Center, LLC, or any of its subsidiaries, rather than Northpoint Development, LLC and

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

THAT, the Board hereby rescinds Resolution No. 2022-12-145; and

THAT, the Board hereby delegates authority to the General Manager/CEO to enter into a Project Agreement with NP BGO Rancho Cordova Logistics Center, LLC, or any of its subsidiaries, and the Sacramento-Placerville Transportation Corridor Joint Powers Authority (JPA) granting NP BGO Rancho Cordova Logistics Center, LLC, or any of its subsidiaries, access to the JPA Right of Way to construct and install two waterlines within the parcel identified as Assessor Parcel Number 069-0040-014, on behalf of the Golden State Utility Company; and

THAT, the Board hereby delegates authority to the General Manager/CEO to concur in the granting of two easements in gross by the Sacramento-Placerville Transportation Corridor Joint Powers Authority to the Golden State Utility Company, upon construction and installation of the waterline by NP BGO Rancho Cordova Logistics

Center, LLC, or any of its subsidiaries, for the purpose of maintaining the waterline by the Golden State Utility Company upon and within the parcel identified as Assessor Parcel Numbers 069-0040-014 in consideration of receipt of payment in the amount of \$2,198, conditioned on Federal Transit Administration (FTA) concurrence in the proposed use of the property; and

THAT, the General Manager/CEO is hereby authorized to execute the above described Project Agreement with NP BGO Rancho Cordova Logistics Center, LLC, or any of its subsidiaries, and the Sacramento-Placerville Transportation Corridor Joint Powers Authority and upon satisfaction of the foregoing condition, the General Manager/CEO is hereby authorized and directed to execute said Easement Agreements, and all documents necessary to demonstrate SacRT's concurrence with the Sacramento-Placerville Transportation Corridor Joint Powers Authority's granting of said Easements to the Grantee.

PATRICK KENNEDY, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary

RESOLUTION NO. 2023-02-014

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

February 27, 2022

RESCINDING RESOLUTION NO. 2022-12-146 AND DELEGATING AUTHORITY TO THE GENERAL MANAGER/CEO TO ENTER INTO A PROJECT AGREEMENT WITH NP BGO RANCHO CORDOVA LOGISTICS CENTER, LLC, OR ANY OF ITS SUBSIDIARIES, AND GRANTING CONCURRENCE TO AN EASEMENT AGREEMENT BETWEEN THE SACRAMENTO-PLACERVILLE TRANSPORTATION CORRIDOR JOINT POWERS AUTHORITY AND SACRAMENTO AREA SEWER DISTRICT FOR A SEWER LINE, CONTINGENT UPON SECURING FTA CONCURRENCE

WHEREAS, on December 12, 2022, the Board was asked to approve delegating authority to the General Manager/CEO to enter into a project agreement with Northpoint Development, LLC; and

WHEREAS, the developer should have been identified as NP BGO Rancho Cordova Logistics Center, LLC, or any of its subsidiaries, rather than Northpoint Development, LLC; and

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

THAT, the Board hereby rescinds Resolution No. 2022-12-146; and

THAT, the Board hereby delegates authority to the General Manager/CEO to enter into a Project Agreement with NP BGO Rancho Cordova Logistics Center, LLC, or any of its subsidiaries, and the Sacramento-Placerville Transportation Corridor Joint Powers Authority (JPA) granting NP BGO Rancho Cordova Logistics Center, LLC, or any of its subsidiaries, access to the JPA Right of Way to construct and install a sewer line within the parcel identified as Assessor Parcel Number 069-0040-014, on behalf of the Sacramento Area Sewer District; and

THAT, the Board delegates authority to the General Manager/CEO to concur in the granting of an easement in gross by the Sacramento-Placerville Transportation Corridor Joint Powers Authority to the Sacramento Area Sewer District, upon construction and installation of the sewer line by NP BGO Rancho Cordova Logistics Center, LLC, or any of its subsidiaries, for the purpose of maintaining the sewer line by the Sacramento Area Sewer District upon and within the parcel identified as Assessor Parcel Numbers 069-0040-014 in consideration of receipt of payment in the amount of \$1,099, conditioned on Federal Transit Administration (FTA) concurrence in the proposed use of the property; and

THAT, the General Manager/CEO is hereby authorized to execute the above described Project Agreement with NP BGO Rancho Cordova Logistics Center, LLC, or any of its subsidiaries, and the Sacramento-Placerville Transportation Corridor Joint Powers Authority and upon satisfaction of the foregoing condition, the General Manager/CEO is hereby authorized and directed to execute said Easement Agreement, and all documents necessary to demonstrate SacRT's concurrence with the Sacramento-Placerville Transportation Corridor Joint Powers Authority's granting of said Easement to the Grantee.

PATRICK KENNEDY, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary