

REGIONAL TRANSIT ISSUE PAPER

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
19	05/14/18	Open	Action	05/09/18

Subject: Approving the Amended and Restated Light Rail System Operations and Maintenance Agreement

ISSUE

Whether or not to approve the Amended and Restated Light Rail System Operations and Maintenance Agreement between the City of Sacramento and the Sacramento Regional Transit District.

RECOMMENDED ACTION

Adopt Resolution 18-05-____, Approving the Amended and Restated Light Rail System Operations and Maintenance Agreement between the City of Sacramento and the Sacramento Regional Transit District.

FISCAL IMPACT

None

DISCUSSION

On April 5, 1985, the City of Sacramento (CITY) and the Sacramento Regional Transit District (SacRT) entered into a Light Rail System Operations and Maintenance Agreement. The Agreement provides SacRT an irrevocable encroachment permit to operate its light rail system within CITY's street right-of-way, limits CITY's ability to permit incompatible uses, and sets forth the parties' respective rights and obligations arising out of SacRT's operation of its light rail system within the CITY's municipal boundaries.

As part of the Transportation Development Partnership Memorandum of Understanding, the CITY and SacRT agreed to enter into negotiations to prepare a new Operations and Maintenance Agreement that would be reasonable and balanced. The amended and revised Agreement provides a more equitable distribution of costs, rights and responsibilities.

Some of the more notable revisions to the agreement are as follows:

1. The scope of the Agreement will automatically expand to include future SacRT major extensions of the light rail transit system.
2. Each party will bear all costs associated with their respective capital improvement projects regardless of any increased expenses due to the existence of CITY, SacRT or another entity's facilities located within CITY's street right-of-way. Betterments to facilities will be funded by the benefitting entity.

Approved:

Presented:

Final 05/09/18

General Manager/CEO

VP, Engineering and Facilities

J:\Board Meeting Documents\2018\07 May 14, 2018\LR Operations Maintenance IP_nwn_050918.doc

Agenda Item No.	Board Meeting Date	Open/Closed Session	Information/Action Item	Issue Date
19	05/14/18	Open	Action	05/09/18

Subject: Approving the Amended and Restated Light Rail System Operations and Maintenance Agreement

3. When SacRT is actively performing routine maintenance or repair work on the light rail transit system, the CITY will permit marked SacRT vehicles to park in any publicly-available on-street parking space for the duration of the work without charge and without regard to otherwise applicable time limits.

4. Each party assumes the defense of and will indemnify and hold harmless the other party and its officers, employees and agents from and against all actions, damages, costs, liabilities, claims, penalties, fines, demands, losses and expenses, including reasonable attorneys' fees (collectively "Claim(s)"), to which any or all of them may be subjected by reason of or resulting from, directly or indirectly, the negligent act or omission or wrongful act of the party's officers, employees and agents in performing work authorized under the revised agreement.

Both the CITY and SacRT have worked together productively and diligently in the last few years to build a stronger partnership, with a mutual goal of enhancing and improving mobility.

Staff recommends the Board approve the Amended and Restated Light Rail System Operations and Maintenance Agreement between the City of Sacramento and the Sacramento Regional Transit District.

RESOLUTION NO. 18-05-_____

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

May 14, 2018

**APPROVING THE AMENDED AND RESTATED LIGHT RAIL SYSTEM OPERATIONS
AND MAINTENANCE AGREEMENT BETWEEN THE CITY OF SACRAMENTO AND
THE SACRAMENTO REGIONAL TRANSIT DISTRICT**

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

THAT, the Amended and Restated Light Rail Systems Operations and Maintenance Agreement between the City of Sacramento and the Sacramento Regional Transit District, is hereby approved.

THAT, the General Manager/CEO is hereby authorized and directed to sign said Amended and Restated Light Rail Systems Operations and Maintenance Agreement.

PATRICK KENNEDY, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Cindy Brooks, Assistant Secretary