



A G E N D A

Sacramento Transportation Authority Sacramento Abandoned Vehicle Service Authority (SAVSA)

700 H Street, Suite 1450 • Sacramento, California • 95814
(Board of Directors may participate via teleconference)

THURSDAY

NOVEMBER 10, 2022

1:30 PM

Members: Rich Desmond (Vice Chair), Sue Frost, Eric Guerra, Jeff Harris, Patrick Kennedy, Steve Miller, Don Nottoli, Rosario Rodriguez, Paul Sandhu, Jay Schenirer, Phil Serna, Bobbie Singh-Allen (Chair), Kevin Spease, Donald Terry, Katie Valenzuela, Mai Vang

Alternates: Nick Avdis, Bret Daniels, Shawn Farmer, Mike Kozlowski, Siri Pulipati, Darren Suen

The Governing Boards of the Sacramento Transportation Authority (STA) and the Sacramento Abandoned Vehicle Service Authority (SAVSA) meet concurrently.

PUBLIC COMMENT PROCEDURES

In compliance with directives of the County, State, and Centers for Disease Control and Prevention (CDC), the meeting will be live stream and open to public attendance pursuant to health and safety guidelines. The practice of social distancing and wearing of face coverings (mask or shield) is recommended for the health and safety of all persons participating in person during the meeting although it is not required.

In-Person Public Comment

Speakers will be required to complete and submit a speaker request form to Clerk staff. The Chairperson will invite each individual to the podium to make a verbal comment.

Telephonic Public Comment

On the day of the meeting dial (916) 875-2500 to make a verbal public comment (follow the prompts for instructions). Refer to the agenda and listen to the live meeting to determine when is the best time to call to be placed in queue for a specific agenda item. Callers may be on hold for up to an extended period of time and should plan accordingly. When the

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Chairperson opens public comment for a specific agenda item or off-agenda matter, callers will be transferred from the queue into the meeting to make a verbal comment. Each agenda item queue will remain open until the public comment period is closed for that specific item.

Written Comment

Contact information is optional. Written communication is distributed, published and filed in the record

- Send an email comment to BoardClerk@saccounty.gov. Include meeting date and agenda item number or off-agenda item.
- Mail a comment to 700 H Street, Suite 2450, Sacramento, CA 95814. Include meeting date and agenda item number or off-agenda item.

VIEW MEETING

The meeting is videotaped and cablecast live on Metrocable 14 on the Comcast, Consolidated Communications and AT&T U-Verse Systems. It is closed captioned for hearing impaired viewers and webcast live at <http://metro14live.saccounty.gov>. There will be a rebroadcast of this meeting on Sunday at 2:00 p.m.

MEETING MATERIAL

The on-line version of the agenda and associated material is available at <https://www.sacta.org/> (click on "Meetings"). Some documents may not be posted on-line because of size or format (maps, site plans, renderings). Contact the Clerk's Office at (916) 874-5411 to obtain copies of documents.

ACCOMMODATIONS

Requests for accommodations pursuant to the Americans with Disabilities Act (ADA) should be made with the Clerk's Office by telephone at (916) 874-5411 (voice) and CA Relay Services 711 (for the hearing impaired) or BoardClerk@saccounty.gov prior to the meeting.

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CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE

COMMENT ITEMS

1. Comments From The Public Regarding Matters Not On The Agenda
2. Executive Director's Report *Kevin M. Bewsey*

CONSENT ITEMS

3. Approve Action Summary For The October 13, 2022 Sacramento Transportation Authority (STA) Governing Board Meeting ◀ *Jennifer Doll*
4. Approve A Resolution Extending Assembly Bill No. 361 ◀ *Kevin M. Bewsey*
5. Approve The 2023 Calendar Year STA Governing Board Meeting Schedule ◀ *Jennifer Doll*
6. SacMetro Freeway Service Patrol Status Report First Quarter Fiscal Year 2023 *Jennifer Doll*
7. Conflict Of Interest Biennial Update ◀ *Jennifer Doll*
8. Authorize A Nomination For The Senate Bill 1 Trade Corridor Enhancement Program For The Sac 5 Corridor Improvement Project ◀ *Kevin M. Bewsey*

SEPARATE ITEMS

9. Reestablishment Of The Sacramento Abandoned Vehicle Service Authority Program ◀ *Kevin M. Bewsey*
10. Approve A Strategy For The Smart Growth Incentive Program For The 2022-2023 SACOG Community Design Program Grant Cycle (Continued From October 13, 2022; Item No. 9) ◀ *Kevin M. Bewsey*

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11. Introduction Of Citizens' Initiative Draft Work Plan
(Continued From October 13, 2022; Item No. 10) *Kevin M. Bewsey*

12. Comments Of Authority Members *All*

◀ *Denotes items that require Board action*

Staff reports and associated materials are available online at www.sacta.org. For assistance with agenda packets, please contact STA at (916) 323-0080 or info@sacta.org. For questions regarding the agenda or any item on the agenda, please contact Kevin M. Bewsey at (916) 323-0080 or Kevin@sacta.org.



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AGENDA ITEM # 2

EXECUTIVE DIRECTOR'S REPORT

Action Requested: Receive and File

Key Staff: Kevin M. Bewsey, Executive Director

In Person Meetings in March 2023

On October 17, 2022, Governor Gavin Newsom announced that the COVID-19 State of Emergency will end on February 28, 2023. The STA Governing Board has been meeting either virtually or using a hybrid format during the proclaimed state of emergency as allowed under AB 361. With the end of the State of Emergency, in person meetings will begin in March 2023.

STA and SACOG MOU Update

STA staff has been working with SACOG staff to further define the scope, schedule, and budget for the greenhouse gas (GHG) study. A draft of the scope will likely come to the STA Governing Board and SACOG Board in January for public review. The final agreement final scope, schedule and budget would come to the STA Governing Board for review and approval at a subsequent meeting. The request for proposals and selection of a Third-Party consultant would need to occur shortly thereafter.

Partnering, Leveraging, and Advocating Update

STA staff continues to look for opportunities to assist and advocate for agencies in their efforts to obtain their fair share of federal, state, and regional transportation funds. Below is a summary of these recent efforts.

- Sacramento Regional Transit and STA formally requested that SACOG pursue a Strategic Partnership Grant under the FY 2023-24 Sustainable Transportation Planning Grant Program for a Comprehensive Multimodal Corridor Plan (CMCP) along the Gold Line, American River Parkway, and US 50 corridor. Without a CMCP, the region cannot submit a Senate Bill 1 Solutions for Congested Corridors Program (SCCP) grant application for this corridor. The SCCP is one of largest SB 1 competitive grant programs with \$250 million annually. At SACOG's Transportation Committee meeting on October 3rd, this concept was identified as one of two potential planning concepts under consideration by SACOG.

Extension of the Standby Bond Purchase Agreement for the 2009C Series

On November 1, 2022, STA staff completed a five-year extension of the Standby Bond Purchase Agreement, for the 2009C Series, with U.S. Bank. Staff reviewed related competitive bids with PFM Financial Advisors, STA's Consulting Financial Advisor. STA was able to negotiate a competitive Commitment Fee Rate of 0.34%.



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AGENDA ITEM # 3

APPROVE ACTION SUMMARY: OCTOBER 13, 2022 STA GOVERNING BOARD MEETING

Action Requested: Approve

Key Staff: Jennifer Doll, Special Programs Manager

Recommendation

Approve the attached Action Summary of the October 13, 2022 meeting of the STA Governing Board.

Attachment

1. Action Summary

Item No. 3

Sacramento Transportation Authority

MEETING DATE:

Thursday, November 10, 2022

MATERIAL FORTHCOMING



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AGENDA ITEM # 4

APPROVE EXTENDING ASSEMBLY BILL NO. 361

Action Requested: Approve Staff Recommendations

Key Staff: Kevin M. Bewsey, Executive Director

Recommendations

Approve implementation of AB361 allowing virtual meetings to continue.

Background

A series of executive orders, starting in March 2020 and the most recent expiring September 30, 2021, the Governor's office waived all physical-presence requirements under the Brown Act as a means of limiting the spread of COVID-19. On September 16, 2021 Governor Newsom signed into law AB 361, extending the authority of public agencies to conduct meetings by teleconference, including video conference, during a proclaimed state of emergency such as the COVID-19 pandemic.

On September 28, 2021, Sacramento County Public Health Officer, Dr. Olivia Kasirye, issued a memorandum recommending utilizing teleconferencing for public meetings as a form of COVID-19 prevention.

Discussion

Every 30 days the STA Governing Board must reconsider the continuing need for virtual meetings. If a majority of the members of a legislative body do not adopt these findings, then traditional Brown Act rules apply.

Attachment

1. Resolution

SACRAMENTO TRANSPORTATION AUTHORITY

RESOLUTION NO. _____

**RESOLUTION OF THE SACRAMENTO TRANSPORTATION AUTHORITY
AUTHORIZING REMOTE TELECONFERENCE MEETINGS
FOR THE PERIOD THROUGH DECEMBER 9, 2022
PURSUANT TO THE RALPH M. BROWN ACT**

WHEREAS, all meetings of SACRAMENTO TRANSPORTATION AUTHORITY and its legislative bodies are open and public, as required by the Ralph M. Brown Act (California Government Code § 54950 et seq); and

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of a State of Emergency declaring a state of emergency exists in California due to the threat of COVID-19, pursuant to the California Emergency Services Act (Government Code section 8625); and

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20 that suspended the teleconferencing rules set forth in the Brown Act, provided certain requirements were met and followed; and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that clarified the suspension of the teleconferencing rules set forth in the Brown Act, and further provided that those provisions would remain suspended through September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 that allows a legislative body subject to the Brown Act to continue to meet without fully complying with the teleconferencing rules in the Brown Act provided the legislative body make certain findings; and

WHEREAS, as amended by AB 361, Government Code section 54953(e),

makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions and requirements; and

WHEREAS, a required condition of Government Code section 54953(e) is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558(b); and

WHEREAS, a further required condition of Government Code section 54953(e) is that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body holds a meeting to determine or has determined by a majority vote that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, as of the date of this Resolution, the Proclamation of a State of Emergency remains in effect as neither the Governor nor the state Legislature have exercised their respective powers pursuant to Government Code section 8629 to lift the state of emergency either by proclamation or by concurrent resolution the state Legislature; and

WHEREAS, the California Department of Industrial Relations has issued regulations related to COVID-19 Prevention for employees and places of employment. Title 8 of the California Code of Regulations, Section 3205(5)(D) specifically recommends physical (social) distancing as one of the measures to decrease the spread of COVID-19 based on the fact that particles containing the virus can travel more than six feet, especially indoors; and

WHEREAS, on September 28, 2021, the Sacramento County Public Health Officer Dr. Olivia Kasirye issued a Teleconference Recommendation which states that utilizing teleconference options for public meetings is an effective and recommended

social distancing measure to facilitate participation in public affairs and encourage participants to protect themselves and other from COVID-19; and

WHEREAS, SACRAMENTO TRANSPORTATION AUTHORITY the has an interest in encouraging public participation in open and public meetings while protecting the health, safety and welfare of those who participate.

NOW, THEREFORE, BE IT RESOLVED, by the SACRAMENTO TRANSPORTATION AUTHORITY as follows:

1. **State or Local Officials Have Imposed or Recommended Measures to Promote Social Distancing.** SACRAMENTO TRANSPORTATION AUTHORITY hereby finds and proclaims that state and local officials have imposed or recommended measures to promote social (physical) distancing based on the California Department of Industrial Relations' issuance of regulations related to COVID-19 Prevention through Title 8 of the California Code of Regulations, Section 3205(5)(D) and Sacramento County Public Health Officer Dr. Olivia Kasirye's Teleconference Recommendation issued September 28, 2021.

2. **Remote Teleconference Meetings.** SACRAMENTO TRANSPORTATION AUTHORITY and any of its legislative bodies are hereby authorized to conduct open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act, and Staff are directed to take all actions necessary to carry out the intent and purpose of this Resolution.

3. **Effective Date.** This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) December 9, 2022 or (ii) such time the Authority adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which it and its legislative bodies may continue to teleconference without compliance with Section 54953(b)(3).

On a motion by [Member] _____, seconded by [Member] _____, the foregoing Resolution was passed and adopted by the [Governing Board of the Sacramento Transportation Authority at a regular meeting thereof this _____ day of _____ 202_, by the following vote, to wit:

AYES: [Members],

NOES: [Members],

ABSENT: [Members],

ABSTAIN: [Members],

RECUSAL: [Members],
(PER POLITICAL REFORM ACT (§ 18702.5.)

Chair of the Governing
Body of the Sacramento
Transportation Authority

(SEAL)

ATTEST: _____
Clerk of the Governing Board of the
Sacramento Transportation Authority



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AGENDA ITEM # 5

2023 CALENDAR YEAR STA GOVERNING BOARD MEETING SCHEDULE

Action Requested: Approve Staff Recommendation

Key Staff: Jennifer Doll, Special Programs Manager

Recommendation

Approve the STA Governing Board meeting schedule for the 2023 calendar year.

Background Information

Meetings generally take place on the second Thursdays of the month in the County of Sacramento Board of Supervisors Chamber located in the County Administration Building at 700 H Street, Sacramento. Meetings are scheduled from 1:30 p.m. to 3:00 p.m. The Board does not meet in July due to Board of Supervisors and various city council summer recesses.

Discussion

Following the general standard—second Thursday meetings—staff proposes the following meeting schedule for the 2023 calendar year. Please note, some dates are not on the second Thursday as noted.

Table with 2 columns: Date, Notes. Rows list dates from January 12, 2023 to December 14, 2023. A note for June 16, 2023 states: BOS Budget Hearing Conflict. This is the ONLY available date in June.



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AGENDA ITEM # 6

SACMETRO FREEWAY SERVICE PATROL STATUS REPORT— 1ST QUARTERS FISCAL YEAR 2023

Action Requested: Receive and File

Key Staff: Jennifer Doll, Special Programs Manager

First Quarter Fiscal Year 2023 Stats

SacMetro FSP provided 8,555 assists and 80 motorists completed the online survey. Total assists are down (25%) from the same period last year. FSP Program Manager and FSP assigned CHP Officers believe the decrease is due to a higher FSP Driver turnover rate—seasoned operators are quicker at completing assists compared to new operators. This issue is being addressed and decreasing with Tow Contractors new hire incentives and increased initial training and in field training of new FSP Drivers. Additionally, the ability to efficiently rove the freeways due to the many freeway construction projects, which limits the use of on/off ramps and freeway shoulders, is a likely contributing factor to the lower number of assists.

Table with 3 columns: Types of Problems, Response Times, Service Rating. Includes statistics on assist types, response times, and survey results.

The following are some of the survey responses:

- Roy was the best! He renewed our faith in the system. Made a bad situation pleasant. He is the best!!!!!!
- Justin was extremely courteous, professional, friendly. Thanks for having this wonderful service and for hiring incredible people like Justin. THANK YOU, THANK YOU!!!
- Excellent, professional service. It also helped that the men have a sense of humor in these stressful situations. We are very grateful!
- Francisco was very professional and courteous. He immediately pulled over to assist and had me back on the road very quickly. Thanks Francisco!
- This Driver restored my faith in humanity. 10/10 saved my day. THANK YOU SO MUCH!



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AGENDA ITEM # 7

CONFLICT OF INTEREST CODE BIENNIAL UPDATE

Action Requested: Approve

Key Staff: Jennifer Doll, Special Programs Manager

Recommendation

Approve an update to the STA’s Conflict of Interest Code, Appendix B: Designated Employees to reflect current designated positions.

Background

The Political Reform Act (Government Code Section 81000, et seq.) requires every local government agency to review its conflict of interest code biennially on even-numbered years and update it as necessary.

Due to the change in position title of Chief Financial & Administrative Officer to Accounting Manager the Authority’s Conflict of Interest Code requires amending.

Discussion

With the Board’s approval, STA staff will update Appendix B of its Conflict of Interest Code and file an amendment to the 2022 Biennial Notice with the County to reflect the following current designated positions:

Designated Positions	Applicable Disclosure Categories
Governing Board Members and Alternates	1. Ownership in Real Property 2. Income from Affected Business Entities 3. Income From and Investments in Supplier/Contractor Businesses 4. Positions Held in Supplier and Contractor Businesses 5. Gifts Received 6. Income From and Investments in Real Estate, Construction, or Engineering Firms Which May Receive Sales Tax Revenues
Executive Director	
Accounting Manager	
Special Programs Manager	
Agency Counsel	
Consultants, where the annual contract amount paid by the Authority to the Consultant equals or exceeds \$10,000	

**APPENDIX B
DESIGNATED POSITIONS**

Description	Applicable Disclosure Categories
Board Members & Alternates	1 through 6
Executive Director	1 through 6
Accounting Manager	1 through 6
Special Programs Manager	1 through 6
Consultants, where the annual contract Amount paid by the Authority to the Consultant equals or exceeds \$10,000	1 through 6
Agency Counsel	1 through 6



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AGENDA ITEM # 8

AUTHORIZE A NOMINATION FOR THE SENATE BILL 1 TRADE CORRIDOR ENHANCEMENT PROGRAM FOR THE SAC 5 CORRIDOR IMPROVEMENT PROJECT

Action Requested: Authorize

Presenter: Kevin M. Bewsey, Executive Director

Recommendation

1. Authorize the Executive Director to nominate the Sac 5 Corridor Improvement Project for the Senate Bill 1 Trade Corridor Enhancement Program.
2. Authorize the Executive Director to enter into any agreements including a baseline agreement with the implementing agencies and/or the California Transportation Commission (CTC) necessary to complete and submit the applications to the CTC and for award.

Background Information

The Trade Corridor Enhancement Program (TCEP) was created by Senate Bill 1 and is administered by the California Transportation Commission (CTC). Its purpose is to make funding investments that increase freight capacity in the transportation system and advance the goals of the National Highway Freight Program, California Freight Mobility Plan, and California Sustainable Freight Action Plan.

The CTC has expressed that competitive projects for TCEP should be regionally significant and provide benefits in multiple geographic areas through a collaborative approach. The CTC evaluates a projects ability to increase goods movement, and freight throughput, velocity, and reliability.

The Sac 5 Corridor Improvement Project proposes to construct managed lanes in both directions on Interstate 5 (I-5) in Sacramento County from I-5/US 50 Interchange to Sacramento River Bridge (Br. #22-0025). Intelligent transportation system (ITS) infrastructure will also be added to actively manage recurrent and non-recurrent congestion. The project is located within the City of Sacramento and unincorporated Sacramento County. For additional information, see Attachment 1.

I-5 Bus/Carpool Lanes from Elk Grove to I-80 are included in the Measure A Expenditure Plan under the Regional Bus/Carpool Lane Connectors/Extensions category as part of the Capital Improvement Program (CIP). Caltrans is nearing completion of the I-5 Bus/Carpool Lanes from Elk Grove to US-50. The remaining segment from US-50 to I-80 is included as part of this Project. Caltrans and STA have executed Capital Allocation and Expenditure Contracts to fund these I-5 improvements in April of 2022.

The STA Board adopted Principles for Remaining CIP Allocations on October 14, 2020 which highlighted the need to leverage additional federal, state, and local funding to help address the anticipated revenue shortfall for those agencies, such as the Caltrans, that have not received all of their planned CIP allocation.

The California Department of Transportation (Caltrans), District 3 requested a letter of support from Sacramento Transportation Authority (STA) for the TCEP grant application in September 2022. The

STA Governing Board authorized a letter of support at the October 13, 2022 board meeting. Subsequently at the October 20, 2022 Sacramento Area Council Of Governments (SACOG) board meeting, the SACOG Board approved the nomination of five projects including the Sac 5 Corridor Improvement Project. On October 21, 2022 Caltrans, STA, and SACOG met virtually to discuss the nomination. Caltrans districts are not eligible to submit nominations on their own behalf and while they are the implementing agency, another agency must nominate and submit the application to the California Transportation Commission (CTC). Caltrans Headquarters had already declined the opportunity as they are submitting other projects for District 3 in this Grant Cycle and could not add another. SACOG clarified that its October Board action was only intended to reflect SACOG's required role as a Metropolitan Planning Organizations (MPOs) to compile a list of project nominations and document consistency with regional plans and it was unable to submit the nomination on Caltrans District 3 behalf. SACOG staff indicated that there would not be adequate time to take additional board action to formally nominate the project prior to when the TCEP applications are due on November 18, 2022.

Discussion

Staff is recommending the STA Governing Board authorize the Executive Director to nominate and submit the Sac 5 Corridor Improvement Project for the Senate Bill 1 Trade Corridor Enhancement Program. Staff is also recommending the STA Governing Board to authorize the Executive Director to enter into any agreements including a baseline agreement with the implementing agencies and/or the CTC necessary to complete and submit the applications to the CTC and for award.

The Project would close a gap in the region's carpool/bus network between I-80 and US-50, improve safety, increase transit connectivity, and improve travel time reliability. The Project would also address air cargo groundside needs at the Sacramento International (SMF) and distribution centers at Metro Air Park. Finally, the project would serve a future Medium-Duty/Heavy-Duty (MD/HD) zero-emission vehicles (ZEVs) truck charging plaza along I-5 near SMF. The Project is requesting \$10 million for final design.

In order for a project to be eligible for TCEP funds the project must be included in an MPO's adopted regional transportation plan and consistent with the Sustainable Communities Strategy (SCS). SACOG is designated by the federal government as the Metropolitan Planning Organization (MPO) for the Sacramento region. The Project is eligible for TCEP funds since it is included in the Sacramento Area Council Of Governments (SACOG) 2020 Metropolitan Transportation Plan and SCS.

Attachment 1: Project Fact Sheet



FACT SHEET

SAC 5 CORRIDOR IMPROVEMENT PROJECT

COST RANGE

\$200,000,000 - \$500,000,000

PRELIMINARY SCHEDULE

Environmental

Complete.....**Winter 2023**

Design Complete.....**Spring 2025**

Construction Start.....**Spring 2026**

Construction

Complete.....**Summer 2029**

PROJECT DESCRIPTION AND LOCATION

The project proposes to construct managed lanes in both directions on Interstate 5 (I-5) in Sacramento County from I-5/US 50 Interchange to Sacramento River Bridge (Br. # 22-0025). Intelligent transportation system (ITS) infrastructure will also be added to actively manage recurrent and non-recurrent congestion. (Refer to map on page 2.)

PURPOSE AND NEED

Purpose:

- Ease congestion and improve overall person throughput¹
- Improve freeway operation on the mainline, ramps, and at system interchanges
- Support reliable transport of goods and services throughout the region
- Improve modality² and travel time reliability
- Provide expedited traveler information and monitoring systems

Need:

- Recurring congestion during the AM and PM peak periods exceeds current design capacity limiting person throughput
- Operational inefficiencies lead to the formation of bottlenecks due to short weaving and merging areas as well as lane drops
- Currently inefficient movement of goods and services impedes regional and interstate economic sustainability
- The corridor users rely heavily on single occupancy vehicles, with limited multi-modal options such as transit, carpool, bicycle, pedestrian uses resulting in unreliable travel times
- Lack of real time traveler information and coordinated traffic communication systems impedes timely response to roadway incidents resulting in secondary collisions and congestion

Benefits:

- **Improve Safety:** The additional lane will create a safety benefit by reducing collisions that occurred in the interior lanes.
- **Bike/Ped:** Bike pedestrian trail enhancement under San Juan Road UC/I-5 to close bike trail gap.
- **Transit Connectivity:** increase transit connectivity by providing 34-lane miles of seamless managed lane network for commuters and transit signal priority devices to manage VMT
- **Travel Time Reliability:** Increase speeds by improving merge/weave traffic movements and reduced bottleneck impacts.
- **CO, NOx, and VOC:** decrease emissions over a 20- year life cycle with the construction of the larger I-5 Managed Lanes Project

¹ Throughput is the number of people moving efficiently through a region.

² Modality is the variety in modes of transportation. This includes access and multiple options for the movement of people and goods. Examples include access to transit, carpool, bicycle, and pedestrian facilities.





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AGENDA ITEM # 9

REESTABLISHMENT OF THE SACRAMENTO ABANDONED VEHICLE SERVICE AUTHORITY PROGRAM

Action Requested: Authorize

Presenter: Kevin M. Bewsey, Executive Director

Key Staff: Jennifer Doll, Special Programs Manager

Recommendation

1. Authorize staff to pursue state legislation to provide abandoned vehicle service authorities with regulatory authority that corresponds to the related reasonable regulatory fees and charges associated with abandoned vehicles.
2. Authorize the staff to coordinate this state legislation with Sacramento Abandoned Vehicle Service Authority member agencies, other service authorities, and state and regional organizations that have a shared interest in the role of service authorities.

Background Information

In 1990, Assembly Bill 4114 was signed into law and California Vehicle Code (CVC) section 22710 was added. CVC section 22710 permits the creation of an abandoned vehicles Service Authority ("AVSA") for the abatement of abandoned vehicles in a county and the imposition of a one-dollar (\$1) vehicle registration fee. The fee is collected by the Department of Motor Vehicles (DMV) and allocated to an AVSA by the State Controller pursuant to CVC section 9250.7. The revenue received by the AVSA can only be used only for the abatement, removal, and disposal of any abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof from private or public property. AVSA member agencies implement, manage, and enforce their respective programs and then are reimbursed from the AVSA utilizing a formula based on population and abatements.

The Sacramento County Abandoned Vehicle Authority Program was established in 1992 with the creation of the Sacramento Abandoned Vehicle Service Authority (SAVSA), the Governing Board that sits concurrently as the Sacramento Transportation Authority Governing Board (Board). Creation of SAVSA required the Board of Supervisors of the County, by two-thirds vote, and a majority of the cities having a majority of the incorporated population to adopt resolutions providing for the creation of the SAVSA. The SAVSA program was initially authorized for a period of ten years and was extended in 10-year increments thereafter. The Board extended the program for an additional ten years in 2001 and in 2011.

The County of Sacramento and the Cities of Isleton, Galt, and Sacramento were the original members of the SAVSA. The City of Folsom joined in 1999, followed by the City of Citrus Heights in 2000, the City of Elk Grove in 2003 and the City of Rancho Cordova in 2014. The only member to withdraw from the program was Isleton in 2014.

Revenue collected by the DMV is distributed by formula (per California Vehicle Code section 22710) on a quarterly basis to the SAVSA members. The formula is based on two factors: relative population of the SAVSA entities – 50 percent and relative number of abatements - 50 percent. On average, the Sacramento Transportation Authority (STA) deducts two percent of the total revenues to pay for administration and overhead costs.

In the nearly 30 years of the program's existence, the program generated about \$30 million in revenues and abated over 300,000 vehicles in Sacramento County. With Sacramento County's steady population growth over the last ten years, revenues increased 24 percent (24%) and abatements by 207 percent (207%). On average the SASVA program reimbursed member agencies approximately 58 percent (58%) of the cost of Sacramento County AVA Program.

SAVSA Extension Background

Proposition 26 was approved by a majority of California voters at the November 2, 2010, general election and required that certain State and Local Fees be approved by two-thirds public vote. Proposition 26 also changed the definition of taxes to be broader and include many payments previously considered to be fees or charges, with few exceptions. Prior to the passage of Proposition 26, there were 41 active AVA programs statewide compared to 30 current active programs in 2021.

In early 2021 with the SAVSA fee program set to expire on April 30, 2022, STA/SAVSA legal counsel advised that the SAVSA fee qualifies as a tax under California Proposition 26 and, therefore, its extension would require a public vote with a supermajority (2/3) adoption threshold.

On December 9, 2021, the SAVSA Governing Board adopted Resolution 22-SAVSA-01 initiating the renewal of the SAVSA program by way of a tax measure at the June 2022 election. The renewal of the SAVSA program was added to the June ballot as Measure C. Also, at the December board meeting the SAVSA Governing Board executed a contract for public education & outreach for Measure C with FSB Public Affairs (FSB). The contract covered digital, outdoor, and print media and had a total contract amount of two hundred thousand dollars (\$200,000).

In 2021 and early 2022, staff also pursued a potential legislative solution looking at both an increase in one dollar (\$1) vehicle registration fee and change or an acknowledgement that the fee was not a tax. Staff was assisted by Sacramento County's Governmental Relations and Legislative Office. These efforts were not successful at the time for several reasons including lack of support to sponsor a new bill, the timing of the request as it relates to the legislative session, and that the request was only coming from one AVSA.

The final election results for Measure C were received on July 12, 2022. While the Measure did receive a majority of the vote it did fail to meet the two-thirds voter approval requirement with a 57.7% voter approval.

Discussion

After the results of the June 2022 election were finalized, staff began to revisit options to continue the SAVSA program. Staff worked with STA/SAVSA legal counsel to look at why the SAVSA fee qualifies as a tax under Proposition 26 requiring a public vote with a supermajority (2/3) adoption threshold and does not fall within the identified exceptions. Staff determined that CVC section 22710 does not clearly support an exception for reasonable regulatory fees because it does not confer regulatory (i.e., permitting or licensing) authority on AVSA's. SAVSA does not have the necessary regulatory authority under CVC section 22710 to qualify for a Prop 26 exception for "regulatory fees".

If Vehicle Code section 22710 were amended through state legislation to provide AVSA's with authority to qualify as a regulatory program, the one-dollar (\$1) vehicle registration fee could qualify for a Prop 26 exception and would no longer be subject to a public vote with a supermajority (2/3) adoption threshold.

Staff recommends the STA Governing Board authorize the following:

1. Authorize staff to pursue state legislation to provide service authorities with regulatory authority that corresponds to the related reasonable regulatory fees and charges associated with abandoned vehicles.
2. Authorize staff to coordinate this state legislation with Sacramento Abandoned Vehicle Service Authority member agencies, other service authorities, and state and regional organizations that have a shared interest in the role of service authorities.

Staff anticipates working with Sacramento County their Governmental Relations and Legislative Office, but also SAVSA member agencies, other service authorities, and state and regional organizations such as the California State Association of Counties (CSAC), Self Help Counties Coalition (SHCC), and League of California Cities.



NOVEMBER 10, 2022

AGENDA ITEM # 10

APPROVE A STRATEGY FOR THE SMART GROWTH INCENTIVE PROGRAM FOR THE 2022-2023 SACOG COMMUNITY DESIGN PROGRAM GRANT CYCLE

Action Requested: Approve Strategy

Key Staff: Kevin M. Bewsey, Executive Director

Recommendation

Approve a strategy for leveraging Measure A's Smart Growth Incentive Program (SGIP) as the minimum local match for the Sacramento Area Council Of Governments (SACOG) Community Design Program and set aside \$1.7million in capital funding for the SACOG 2022-2023 Funding Round.

Background Information

Measure A allocates 15% of fees collected through the Sacramento Countywide Transportation Mitigation Fee Program (SCTMFP) to the Smart Growth Incentive Program (SGIP). The SGIP is described in Section XI of expenditure plan as funding that is available to local jurisdictions on a competitive basis for projects that meet certain smart growth objectives. This program is administered by the Authority and shall take into account the SACOG Community Design Program competitive funding. The program description also includes funding for the planning, development and acquisition of the Cosumnes River Permanent Open Space Preserve for the Capital SouthEast Connector Project and/or any other environmental mitigation needed to offset impacts from that project consistent with the adjacent local jurisdictions' land use planning documents and processes.

The Definition of Eligible Expenditures adopted by the STA Governing Board on March 7, 2007 and updated on August 12, 2021 further defines the SGIP as a competitive grant program among local public agencies to facilitate land use planning and development/redevelopment projects that promote pedestrian, bicycle, and transit travel and a reduced reliance on personal automobiles. This program will be funded exclusively via the countywide development fee component of Measure A. At least \$5 million will be expended exclusively for environmental mitigation associated with construction of the I-5/SR99/SR50 connector project.

Current estimates of funding from Measure A's SCTMFP are \$181 million for the Measure A Program period. With 15% of these SCTMFP fees for the SGIP this results in an availability of about \$27 million for the program. To date \$10.5 million in SGIP funds have been allocated which includes \$5 million for the Cosumnes River Permanent Open Space Preserve for the Capital SouthEast Connector Project.

On October 14, 2020 the STA governing board approved a strategy for utilizing \$5.5 in SGIP funds to allow recipient agencies to participate in the 2020-2021 cycle of the SACOG Community Design Program. The Community Design Program uses regional transportation funding to promote the construction of land use developments (or land use and related projects) that lead to fewer vehicle miles traveled and more walking, biking, and transit use while improving or enhancing the livability of a community and creating a sense of place.

Applications for SACOG’s Community Design Program were submitted on January 15, 2021 and then on April 15, 2021 the SACOG board approved the competitive funding awards for the four-county funding program. The \$5.5 million in SGIP funding was leveraged for the award of \$33.5 million in state and federal funding for projects in Sacramento County. The following is a summary of these awards. The results show that for every \$1 of Measure A SGIP funds, \$6 dollars in federal and state funding was awarded.

2021 Community Design Program Awards

Agency	Project	SACOG Award	SGIP Match
City of Citrus Heights	Auburn Blvd Complete Street (Phase 2)	\$8,324,000	\$676,000
City of Galt	Kost Road Improvements	\$275,000	\$45,000
City of Rancho Cordova	Chase Drive- American River Parkway Connection Project	\$2,362,000	\$788,000
City of Sacramento	Broadway Complete Street	\$8,274,000	\$750,000
City of Sacramento	Envision Broadway in Oak Park	\$713,000	\$237,000
City of Sacramento	Franklin Blvd Complete Street	\$5,411,000	\$750,000
City of Sacramento	Stockton Blvd Complete Street	\$500,000	\$150,000
Sacramento County	Arden Way Complete Street Phase 2	\$2,348,000	\$513,000
Sacramento County	Greenback Lane Complete Street Phase 1	\$1,540,000	\$783,000
Sacramento Regional Transit	Sacramento Valley Station Realignment and Railyards Station	\$3,755,000	\$808,000
TOTAL		\$33,502,000	\$5,500,000

Discussion

As mentioned in the September 2022 executive director’s report, staff has been working with SACOG to again leverage Measure A’s SGIP funds to provide the required minimum local match for SACOG’s 2022-2023 Community Design Program. At the October 20th, SACOG Board meeting, the Community Design Program funding was shown as \$13 million dollars. Based on this amount, STA anticipates having adequate revenue to provide the minimum local match (up to \$1.7 million) from Measure A’s SGIP funds. STA staff also reached out to the professional advisory group to ensure that there were no concerns with this strategy.

By implementing this strategy, local agencies will be able to leverage funding in a streamlined approach without impacting existing local funding sources. It is anticipated that for every \$1 of Measure A SGIP funds, \$6 or more dollars in federal or state funding can be leveraged. In addition, by combining the Community Design Program and SGIP into one competitive process,

the total cost and time to prepare applications is minimized for all applicants. Finally, agencies within Sacramento County that may not have adequate local funds can now compete for these federal and state funds.

The Community Design Program has two categories. The first category has the majority of the funding and is a competitive category with the County, cities, Caltrans District 3, and transit districts eligible to submit applications. The second category is a smaller planning category intended for jurisdictions that do not have a Community Design capital project ready to compete this cycle. These funds can then help projects progress through technical milestones to then compete for larger amounts in future funding opportunities. Only the County and cities can compete for this smaller funding category.

Staff recommends the STA Governing Authorize a strategy to set aside up to \$1.7 million in Measure A's SGIP funds for this upcoming Community Design Program grant cycle as a local match for eligible agencies. STA staff will work with SACOG and the Professional Advisory Group on how to show these funds in their applications and in SACOG's competitive grant program.

Applications for Community Design Program are due January 11, 2023. Interviews are anticipated in February 2023 with awards in May or June 2023. STA staff will coordinate with SACOG staff on the award of matching funds.

Fiscal Impact

The recommended action would utilize \$1.7 million in SGIP funds. It is anticipated that a majority of these funds would be programmed in fiscal year 2024-25 and beyond. Staff anticipates that by the end of fiscal year 2023-24, there will be \$1.8 million in SGIP funds available for this effort. Because the Community Design Program is part of a four-county funding cycle, it is unlikely that all of the projects would be in Sacramento County. Any money remaining from the \$1.7 million can be made available for future capital program needs.



NOVEMBER 10, 2022

AGENDA ITEM # 11

INTRODUCTION OF CITIZENS' INITIATIVE DRAFT WORK PLAN

Action Requested: Receive and Comment

Key Staff: Kevin M. Bewsey, Executive Director

Recommendation

Receive information on a draft work plan for the Citizens' Initiative.

Background

On June 10, 2022, a citizens' group known as "A Committee For A Better Sacramento" ("the Committee") filed an initiative petition and signatures with the Sacramento County Department of Voter Registration & Elections (VRE) for a local ballot measure called the "Sacramento County Transportation, Maintenance, Safety and Congestion Relief Act of 2022 - Retail Transactions and UseTax" Initiative (herein, "Initiative"). The Committee drafted the Initiative as an ordinance of the Sacramento Transportation Authority (STA) identifying STA as the administering agency responsible for the implementation of the requirements of this Initiative, including the Expenditure Plan.

The Initiative qualified for the ballot for the general election on November 8, 2022. Should the Initiative pass with a simple majority vote, collection of the retail transaction and use tax would begin on April 1, 2023 and STA would begin receiving revenue in late June 2023.

Should the Initiative pass, STA staff anticipates initiating the development of necessary administrative policies and new funding programs in December 2022 in collaboration with the Professional Advisory Group (PAG), Independent Taxpayer Oversight Committee (ITOC) and other stakeholders prior to making recommendations to the STA Governing Board.

The STA Governing Board has already taken action to adopt the necessary administrative policies and funding programs under the current Measure A. STA staff anticipates leveraging that work to the extent feasible and consider any lessons learned from the implementation of Measure A and prior comments from the PAG, ITOC, and stakeholders.

Discussion

Staff has reviewed the Initiative and developed the following draft work plan and schedule to adopt the necessary administrative policies, implement the new funding programs, and provide needed staffing to administer the Initiative. The elements that are included in the work plan are shown in Figure 1.

STA staff anticipates reaching out to the PAG, ITOC, and other stakeholders prior to making any updates to the work plan and another presentation to the STA Governing Board. It is anticipated that the work plan and schedule function as a roadmap to implementation of the Initiative and STA staff will adapt the work plan and schedule based on STA Governing Board direction.



Figure 1. Work Plan Elements

1. Policy

The Initiative contains thirty-six pages encompassing a variety of sections, including a detailed expenditure plan. Staff has reviewed the Initiative to determine where administrative policy development is needed prior to finalizing the various funding programs. The below list contains major administrative policy areas although there may be minor policy work needed to finalize the funding programs.

a. **Performance Standards (Program Wide Policy)**

Section I, Subsection D of the Expenditure Plan details the Requirement for Annual Financial and Performance Audits of Initiative funds similar to the existing measure. The performance audits are based on performance standards adopted by the STA Governing Board. These performance standards as well as progress reporting should be developed with consideration of the policies discussed below and the Initiative's overall goals and purpose.

b. **Five-Year Programs and Annual Reporting (Program Wide Policy)**

The Initiative requires each implementing agency to annually adopt a Five-Year Expenditure Program that is approved by the STA Governing Board. The Initiative also includes implementation guidelines to ensure that progress can be evaluated through reporting.

c. **"Fix it First" (Program Wide Policy)**

The Initiative guarantees a certain level of funding for "Fix it First" to be used for local streets and roads, bridges, and transit. This guarantee includes performance metrics that need to be monitored for the first five years and thereafter by STA.

d. **Federal Air Quality, Metropolitan Transportation Plan and GHG Reduction Targets (Program Wide Policy)**

Section I, Subsection J and K of the Expenditure Plan details the requirement for meeting federal air quality conformity, and Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) greenhouse gas (GHG) reduction targets. STA and the Sacramento Area Council Of Governments (SACOG) have already executed a memorandum of understanding that detail the roles and responsibilities of each agency.

- e. Geographic and Social Equity (Program Wide Policy)
The Initiative includes a goal to distribute transportation funding in a geographically and socially equitable manner and provide mobility options for all County residents without specific implementation guidelines or reporting requirements. As such, staff suggests the STA Governing Board create and adopt policies and reporting requirements considering eligible projects listed in the expenditure plan. The policy should consider how geographic and social equity have been incorporated into federal and state competitive grant programs and how that could affect the leveraging of Initiative funds. The STA Governing Board should consider a Geographic and Social Equity study of the Initiative to inform the policy work.
- f. Debt Policy and Plan of Finance (Program Wide Policy)
Staff recommends adopting a debt policy to guide the use of STA's bonding authority under the Initiative. Additionally guiding principles designed to support a sustainable long-term financing plan need to be developed that take into consideration lessons learned. These guiding principles should consider which funding categories would likely utilize debt financing with reimbursements allocated monthly and those that will likely be "pay as you go" (PAYGO) with formulaic distributions allocated monthly.
- g. Local Banking Requirements (Program Wide Policy)
Policies for the Initiative's local banking requirement should be adopted.
- h. Project Implementation Policies
Accountability policies in the following areas are needed.
 - Environmental Review,
 - Complete Streets,
 - Road and Health Safety, &
 - Skilled and Trained Workforce

2. Programs

Staff has assessed the Initiative to determine where additional funding program work is needed as summarized below.

- a. Definition of Eligible Expenditures
Similar to the existing Measure, staff recommends that the STA Governing Board adopt a list of eligible expenditures as guidance to implementing agencies. The Professional Advisory Group will provide recommendations prior to taking these definitions to the STA Governing Board.
- b. Regional Mobility Innovation Program (RMIP)
This program is intended to support innovative mobility solutions that reduce vehicle miles traveled by increasing access to transportation options for all residents. STA is required to convene all implementing agencies and SACOG to collaborate in the creation of a mobility innovation program. The program will be funded through the Local Street and Road Repair and Transformative System Improvements Funding Program, but the County and the incorporated Cities must choose to invest a portion of their funding into the program.
- c. "Off the Top" Programs

The Initiative has several funding programs that are “Off the Top”. Similar to Measure A these programs will need a MOU with quarterly reporting of expenditures.

- Regional Mobility Center
- Commuter Rail Service Enhancements
- Sacramento Intermodal Transportation Facility
- Transportation Management Agencies
- American River Parkway

d. Ongoing Programs (Services)

The Initiative has several funding programs that are formulaically allocated. Similar to the existing Measure A, a Memorandum Of Understanding (MOU) will need to be developed to align with programs requirements.

- Senior and Disabled Transportation Services, and
- Air Quality

e. Ongoing Programs (Capital)

Several of the formulaically allocated funding programs Initiative require Five-Year Programs and a MOU that needs to be developed to align with programs requirements.

- Local Street and Road Repair and Transformative System Improvements
- SacRT Maintenance, Operations, and Transformative System Improvements

f. Capital Programs

Capital projects have typically operated under a capital contract using a reimbursement approach with quarterly reporting of capital projects status. A new capital contract or MOU is needed to align with the program requirements and need for Five-Year Programs.

- Local Projects of Regional Significance
- Transit and Rail Congestion Improvement Projects
- Highway Congestion Improvement Projects

3. Staffing

The implementation and administration of the Initiative will require additional staff to implement the policies and programs discussed earlier. A review of those additional positions and office space is described below.

a. Program Manager

Staff anticipates hiring one (1) program manager that would work for the Executive Director and with the Accounting Manager to assist with funding program management, policy implementation, reimbursement and reporting review of the new programs.

b. Accounting Support

Staff anticipates hiring one (1) additional staff member that would report to the Accounting Manager to assist with the accounting needs of the new programs.

c. Office Space

STA's current office space can accommodate two (2) additional staff with onsite improvements.

4. Schedule

STA will have approximately six (6) months to develop and adopt policies and implement certain funding programs before the initial revenue is received in June of 2023. Additionally, Five-year Programs are due in December 2023. Staff has outlined reflecting those activities occurring in the first six months and those in the first 12 months.

First Six Months

- a. *Policy*: Staff anticipates the administrative policy work to support the funding programs below would be complete within this time period. Certain policies such as Geographic and Social Equity as well as Debt Policy will likely extend beyond June 2023 in order to have sufficient time to complete.
- b. *Programs*: Similarly, staff anticipates completing the work necessary to implement the following funding programs by July 2023:
 - i. Definition of Eligible Expenditures, this work is needed for all of the funding programs and is foundational for agencies to understand allowable expenditures.
 - ii. Regional Mobility Innovation Program (RMIP), given the optional nature of this program, early adoption of the RMIP would inform the funding for other programs.
 - iii. "Off the Top" Programs, because most of these programs funds have a fairly defined scope these can be easily implemented.
 - iv. Ongoing Programs (Services), these programs are similar in nature to the "Off the Top" programs and can easily implemented.
- c. *Staffing*: Staff anticipates hiring both a program manager, accounting support, and addressing office space needs by June 2023.

First Twelve Months

- a. *Policy*: Staff anticipates completing the Geographic and Social Equity Policy as well as the Debt Policy by December 2023. The Plan of Finance work may go into summer of 2024.
- b. *Programs*: Similarly, staff anticipates completing the work necessary to implement the remaining funding programs by December of 2023. These funding program categories are listed below:
 - v. Ongoing Programs (Capital),
 - vi. Capital Programs

Fiscal Impact

This item is for information only and outlines a draft work plan for the Initiative. There is no fiscal impact associated with this receive and comment item. The work plan proposes distributing revenue beginning in July 2023 for the "Off the Top" Programs and Ongoing Programs (Services). For the funding programs with capital dollars, such as the Ongoing Programs (Capital) and Capital Programs, these funds cannot be distributed until the Five-Year Programs are approved in December 2023. Since most agencies approve an agency wide five-year capital improvement program in June of each year, it is likely that these agencies will need to process a fiscal year 2023-24 budget amendment. Staff may also have to work with Implementing Agency's to help align the timing of each agency's annual budget and capital improvement program five-year plan with STA's annual need for five-year programs.