
**Regular Teleconference Meeting of the Capital SouthEast Connector JPA
Board of Directors**

Date: Friday, September 30, 2022, 8:30 a.m. to 10:30 a.m.

Meeting Location:

Consistent with California Government Code Section 54953(e)(1)(a), an online meeting of the Capital SouthEast Connector JPA Board of Directors will be held exclusively via teleconference in light of COVID-19 and the state of emergency proclamation and state and local recommended measures for physical distancing. This meeting will be held via Zoom. Join the meeting on your computer or mobile device:

Please click the link below to join the webinar:

<https://us06web.zoom.us/j/88465162227?pwd=Mm1FWC8wWTIVQ2VncVBrQVp2NStwUT09>

Webinar ID: **884 6516 2227**

Passcode: **323162**

To join the meeting by phone: +1 669 900 6833 or +1 253 215 8782

Public Comment:

If you wish to address the Board of Directors during the meeting, please wait until the Board Chair requests comments from the public. All public participants will be placed on mute during the meeting, until such time as the Board Chair requests public comment. Computer and mobile device attendees should use the Zoom "Raise Hand" feature when the Board Chair requests public comment. The "Raise Hand" feature can be found by moving your mouse on the Zoom meeting screen to reveal the toolbar. Then click on the "Participants" tab and then click "Raise Hand".

Alternatively, windows users can use the keyboard shortcut ALT+Y and mac users can use the keyboard shortcut OPTION+Y to raise or lower your hand for comment. Phone attendees should press *9 to "Raise Hand" for public comment.

The Board of Directors requests that you limit your presentation to three (3) minutes per person so that all present will have time to participate. The Board of Directors reserves the right to reasonably limit the total time for public comment on any particular noticed agenda item as it may deem necessary.

AGENDA

The Board may take action on any matter listed on this agenda to the extent permitted by applicable law. Staff Reports are subject to change without prior notice.

1. Call to Order & Roll Call: Directors Hidahl, Howell, Hume, Nottoli, Sander
2. Pledge of Allegiance
3. Adopt Resolution 2022-16 Making Findings and Determinations Authorizing Virtual Teleconference Meetings under Government Code Section 54953(e) (AB 361).
4. Public Comment on Non-Agenda Items

Members of the public may comment on any item of interest to the public within the subject matter jurisdiction of the Board of Directors. Each person will be allowed three minutes, or less if a large number of requests are received on a particular subject. After ten minutes of testimony, the Chair may choose to hear any additional testimony following the Discussion Items.

Please note, under the provisions of the California Government Code, the Board is prohibited from discussing or taking action on any item that is not on the agenda. The Board cannot take action on non-agendized items raised under "Public Comment" until the matter has been specifically included on the agenda. Those participants who wish to address a specific agendized item are encouraged to offer their public comments during consideration of that item.

5. Executive Director's Report for September 2022

Consent Calendar Items

6. Approve Action Minutes of August 26, 2022, Regular Board Meeting
7. Connector Project Construction Update (Receive and File)

Discussion and Action Items

8. Authorize Staff to Release a Request for Qualifications to Develop a 5-year Master On-Call for Various Civil Engineering Services
 - Resolution 2022-17
9. Announcements or Final Comments from Board Members

ADJOURN

The next meeting of the Capital SouthEast Connector JPA Board will be held on
October 28, 2022

*City of Rancho Cordova City Hall, Council Chambers
2729 Prospect Park Drive, Rancho Cordova, CA 95670

*Location is subject to change due to COVID-19 restrictions on public gatherings

NOTICE REGARDING CHALLENGES TO DECISIONS

Pursuant to all applicable laws and regulations, including without limitation, California Government Code Section 65009 and or California Public Resources Code Section 21177, if you wish to challenge in court any of the above decisions (regarding planning, zoning and/or environmental decisions), you may be limited to raising only those issues you or someone else raised at the public hearing(s) described in this notice/agenda, or in written correspondence delivered to the Board at, or prior to, the public hearing.

GOVERNMENT CODE 54957.5 et seq.

Public records, including writings relating to an agenda item for open session of a regular meeting and distributed less than 72 hours prior to the meeting, are available for public inspection at 10640 Mather Blvd., Suite 120, Mather, CA 95655. The on-line version of the agenda and associated materials are posted for your convenience at <http://www.ConnectorJPA.net>. Some documents may not be posted on-line because of their size and/or format (maps, site plans, and renderings). As they become available, hard copies of all documents are available at 10640 Mather Blvd., Suite 120, Mather, CA 95655.

ADA COMPLIANCE STATEMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Connector JPA at (916) 876-9094. Notification 48 hours prior to the meeting will enable the Connector JPA to make reasonable arrangements to ensure accessibility to this meeting.

If requested, this agenda can be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 and the Federal Rules and Regulations adopted in implementation thereof. Persons seeking an alternative format should contact the Connector JPA for further information. A person with a disability, who requires a modification or accommodation, including auxiliary aids or services, to participate in a public meeting, should telephone or otherwise contact the Connector JPA 48 hours prior to the meeting. The Connector JPA may be reached at 10640 Mather Blvd., Suite 120, Mather, CA 95655 or by telephone at (916) 876-9094.

ITEM 3

MEETING DATE: September 30, 2022

TITLE: Adopt Resolution Making Findings and Determinations Authorizing Virtual Teleconference Meetings under Government Code Section 54953(e) (AB 361).

PREPARED BY: Osman Mufti, General Counsel

RECOMMENDATION

Approve Resolution 2022-16 making findings and declaring its intent to continue remote teleconference meetings pursuant to Government Code section 54953(e) due to the Governor's COVID-19 State of Emergency Proclamation and state regulations related to physical distancing.

BACKGROUND – ASSEMBLY BILL 361

The JPA Board has been conducting its public meetings under the Governor's Executive Orders issued in connection to the COVID-19 pandemic and its related health and safety risks which allowed legislative bodies to hold meetings exclusively by teleconference.

Effective October 1, 2021, Assembly Bill (AB) 361 allows local legislative bodies to continue to hold modified remote meetings during a proclaimed state of emergency, if state or local officials have imposed or recommended measures related to physical distancing which warrant holding meetings remotely.

STATE GUIDANCE

On February 28, 2022, the California Department of Public Health updated its Guidance for the Use of Face Masks. Although face masks are now recommended, and not required, in most indoor settings for vaccinated and unvaccinated individuals, in workplaces employers remain subject to the Cal OSHA Emergency Temporary Standards. Section 3205 of the Cal OSHA Emergency Temporary Standards continues to regulate close contacts, within 6 feet of another, and physical distancing continues to be recommended. These Cal OSHA requirements continue to support the remote attendance at meetings. Based on these state and local orders the findings to support teleconference only meetings pursuant to section 54953(e)(1) can continue to be made.

Although there are indications that adverse cases and impacts are decreasing, there remains risks associated with COVID-19, the ability to meet in person, and the State regulations continue to impose or recommend measures to promote social distancing. Staff will continue to monitor the conditions related to COVID-19 and provide updates to the Board related to meeting accommodations as conditions change.

TELECONFERENCE MEETINGS

In order for the Board to conduct meetings under the AB 361 teleconference meeting rules, the Board meetings must meet one of the following provisions:

(A) The local agency is holding a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or

(B) The local agency is holding a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or

(C) The local agency is holding a meeting during a proclaimed state of emergency and has determined, by majority vote that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

The AB 361 modified teleconference meeting rules can only be used in the event there is a Governor issued a state of emergency. The Governor's COVID-19 state of emergency satisfies this requirement.

The second requirement of item (A) above is satisfied currently as 8 CCR 3205(c)(5)(D) of the Cal/OSHA regulations state: "the fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19 but are most effective when used in combination."

ATTACHMENTS

- a. Resolution 2022-16



ITEM 3 a

RESOLUTION 2022-16

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY
MAKING FINDINGS AND DETERMINATIONS AUTHORIZING VIRTUAL
TELECONFERENCE MEETINGS DUE TO THE GOVERNOR'S PROCLAMATION OF
STATE EMERGENCY AND CAL OSHA RECOMMENDATIONS**

WHEREAS, the Board of Directors of the Capital SouthEast Connector Joint Powers Authority (the "Board") is committed to preserving public access and participation in meetings of the Board; and

WHEREAS, all meetings of the Board are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963, the "Brown Act"), so that any member of the public may attend, participate, and observe the Board conduct its business; and

WHEREAS, the Brown Act, Government Code section 54953(e), provides 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

WHEREAS, a required condition 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; and

WHEREAS, such conditions now exist in the State, specifically, the Governor of the State of California proclaimed a state of emergency on March 4, 2020, related to the threat of COVID-19, which threat remains; and

WHEREAS, 8 CCR 3205(c)(5)(D) of the Cal/OSHA regulations state: "the fact that particles containing the virus can travel more than six feet, especially indoors, so physical distancing, face coverings, increased ventilation indoors, and respiratory protection decrease the spread of COVID-19 but are most effective when used in combination"; and

WHEREAS, to allow for physical distancing and remote meeting attendance, the Board does hereby find that the Board shall conduct its meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that the Board shall comply with the requirements



to provide the public with access to the meetings electronically as prescribed in paragraph (2) of subdivision (e) of section 54953.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED by the Board:

1. The foregoing recitals are true and correct.
2. The Board hereby recognizes the Governor's proclaimed state of emergency remains in effect and Cal OSHA recommendations regarding physical distancing continue to remain in effect and continue to impact the ability of the Board and the public to meet safely in person.
3. The meetings of the Board may be held pursuant to the provisions of subdivision (e)(2), due to the current Governor's state of emergency proclamation and Cal OSHA recommendations and guidance.
4. The Board shall conduct public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act for teleconference meetings.

* * * * *

PASSED AND ADOPTED this 30th day of September 30, 2022, on a motion by Director _____, seconded by Director _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson

ATTEST:

Secretary



ITEM 5

MEETING DATE: September 30, 2022

TITLE: Executive Director's Report for September 2022

PREPARED BY: Derek Minnema

Each month the Executive Director provides a report to the Board. The Executive Director will give an oral update on the agency's activities during September at the meeting.

ITEM 6

MEETING DATE: September 30, 2022

TITLE: Action Minutes of the August 26, 2022, Regular Board Meeting

PREPARED BY: Derek Minnema

RECOMMENDATION

Approve Action Minutes of the August 26, 2022, Regular Board Meeting.

ACTION MINUTES

The Capital SouthEast Connector JPA Board of Directors met in regular session on August 26, 2022 in the City of Rancho Cordova City Hall Council Chambers, located at 2729 Prospect Park Drive, Rancho Cordova, CA.

Call to Order Chair Sander called the meeting to order at 8:43 a.m.

Roll Call Present: Directors Hidahl, Howell, Hume, Nottoli, Sander

Public Comments on Non-Agenda Items

There were no comments from the public on non-agenda items.

Adjourn to Closed Session

Item #4: Closed Session - Conference with Legal Counsel: California Government Code Sec. 54956.9(d)(2) – Anticipated Litigation (One Potential Case)

The Board adjourned to closed session at 8:44 a.m. The Board returned to open session at 9:37 a.m. There was no reportable action from closed session.

Open Session

Item #5: Executive Director's Report

The Board received Executive Director Minnema's comprehensive oral report for August 2022. A brief discussion amongst the Board and JPA staff ensued.

No public comment was received on the Executive Director's Report.

Consent Calendar Items

A motion was made by Director Hume and seconded by Director Sander and passed with four* directors voting in favor that:

THE BOARD OF DIRECTORS OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY APPROVES THE FOLLOWING ITEMS ON THE CONSENT AGENDA:

Item #6: Approve Action Minutes of the May 27, 2022 Board Meeting

Item #7: Accept an update on Connector Project Construction

* Director Howell was absent during the vote

No public comment was received on this item.

Discussion and Action Items

Item #8: Receive an update on the JPA's mitigation efforts and strategy

Executive Director Minnema provided a presentation summarizing the item. A brief discussion amongst the Board and JPA staff ensued.

No action was taken on this item.

No public comment was received on this item.

Item #9: Authorize staff to submit a funding application related to the Trade Corridor Enhancement Program

Executive Director Minnema introduced the item and Matt Lampa, Principal Civil Engineer, provided a presentation summarizing the item. A brief discussion amongst the Board and JPA staff ensued.

A motion was made by Director Hidahl and seconded by Director Nottoli and passed with four* directors voting in favor that:

THE BOARD OF DIRECTORS OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY HEREBY AUTHORIZES STAFF TO SUBMIT A GRANT FUNDING APPLICATION TO THE CALIFORNIA TRANSPORTATION COMMISSION RELATED TO THE SENATE BILL 1 TRADE CORRIDOR ENHANCEMENT PROGRAM.

* Director Howell was absent during the vote

No public comment was received on this item.

Item #10: Authorize staff to submit a funding application related to the Active Transportation Program

Executive Director Minnema introduced the item and Matt Lampa, Principal Civil Engineer, provided a presentation summarizing the item. A brief discussion amongst the Board and JPA staff ensued.

A motion was made by Director Nottoli and seconded by Director Hidahl and passed with four* directors voting in favor that:

THE BOARD OF DIRECTORS OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY HEREBY AUTHORIZES STAFF TO SUBMIT A GRANT FUNDING APPLICATION TO THE SACRAMENTO AREA COUNCIL OF GOVERNMENTS RELATED TO THE REGIONAL ACTIVE TRANSPORTATION PROGRAM.

* Director Howell was absent during the vote

No public comment was received on this item.

Item # 11: Announcement and Final Comments from Board Members

No action was taken on this item.

No public comment was received on this item.

Adjournment

The meeting adjourned at approximately 10:23 a.m.

APPROVAL OF ACTION MINUTES FOR AUGUST 26, 2022

Approved By:

Attest:

David Sander
Chair of the Board

Derek Minnema
Board Secretary

ITEM 7

MEETING DATE: September 30, 2022

TITLE: Connector Project Construction Update (Receive and File)

PREPARED BY: Matt Lampa

RECOMMENDATION

Receive and file this update.

CONSTRUCTION UPDATE

Class 1 Multi-Use Path, White Rock Road (Prairie City Road to East Bidwell Street)

- Completed subgrade preparation between Prairie City Road and Oak Avenue
- Completed subgrade and retaining wall from Oak Avenue to Alder Creek
- Began work on subgrade from Alder Creek East Bidwell Street
- Poured concrete deck on bridge over Alder Creek
- Completed drainage work near Alder Creek





Scott Road Realignment

- Began placing and compacting road base for the new Scott Road alignment
- Placed concrete Type 5 Curb for Median Islands and concrete Mountable Curb for the Roundabout
- Placed textured, stamped concrete in-fill for the Median Islands
- Set decorative boulders in the central island of the roundabout
- Began layout and installation of fencing at the relocated State Parks Gate 4 entrance road.





ITEM 8

MEETING DATE: September 30, 2022

TITLE: Authorize Staff to Release a Request for Qualifications to Develop a 5-year Master On-Call for Various Civil Engineering Services

PREPARED BY: Matt Lampa

RECOMMENDATION

Approve Resolution 2022-17 authorizing staff to release a Request for Qualifications (“RFQ”) to develop a 5-year master on-call list for various civil engineering services.

BACKGROUND

The Connector JPA Contracting and Purchasing Procedures Manual requires an RFP or RFQ for any procurement that exceeds \$50,000 to be approved by the Board of Directors before its publication unless identified in the adopted budget.

An RFQ is different from the traditional Request for Proposals as it does not require a detailed scope of work, schedule, or cost proposal. Instead, it focuses on the consultant firms’ history, qualifications, experience, and understanding of Connector JPA needs.

The JPA executed Master On-Call Agreements in 2017 with numerous civil engineering land surveying, traffic, and real estate acquisition firms for five years. The Master On-Call Agreements expire on December 31, 2022.

Master On-Call Agreements enable JPA staff to augment existing resources by forming a pool of qualified consultants that can provide specialized services for minor projects or planning efforts through small “Task Orders” that do not exceed \$50,000.

POTENTIAL SCOPE OF SERVICES

The following is a list of typical tasks associated with on-call services:

Land Surveying

- Boundary retracement and Records of Survey
- Survey acquisition documents (Legal Description and Plats)
- Comprehensive base mapping, aerial imagery, and topographic surveys

Right-of-Way Acquisition Services

- Appraisals and appraisal review
- Acquisition services, required documentation, escrow, title, and closing

Traffic Planning Services

- Perform traffic counts or household/employment travel surveys
- Volume development and operational analysis

Civil Engineering Services

- Preparation of civil engineering geometric concepts and alternative analysis
- Initial structural and geotechnical studies
- QA/QC of engineering design
- Cost estimates
- Studies related to construction staging, including paving and drainage
- Visual and graphical depiction of engineering concepts
- Grant funding applications and studies related to grant funding applications, including traffic performance benefits and project costs

ATTACHMENTS

- a. Resolution 2022-17



ITEM 8 a

RESOLUTION 2022-17

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY
AUTHORIZING STAFF TO RELEASE A REQUEST FOR QUALIFICATIONS TO
DEVELOP A 5-YEAR MASTER ON-CALL LIST FOR VARIOUS CIVIL
ENGINEERING SERVICES**

BE IT RESOLVED by the Board of Directors ("Board") of the Capital SouthEast Connector Joint Powers Authority ("Connector JPA") hereby authorizes staff to release a request for qualifications to develop a 5-year master on-call list for various civil engineering services.

This Resolution shall take effect from and after the date of its passage and adoption.

* * * * *

PASSED AND ADOPTED this 30th day of September, 2022, on a motion by
Director _____, seconded by Director _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chairperson

ATTEST:

Secretary