CAPITAL | SOUTHEAST CONNECTOR JPA
Connecting Communities

**ITEM 4**

**MEETING DATE:** October 20, 2023

**TITLE:** Action Minutes of the October 20, 2023, Regular Board Meeting

**PREPARED BY:** Derek Minnema

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## RECOMMENDATION

Approve Action Minutes of the October 20, 2023, Regular Board Meeting.

## ACTION MINUTES

The Capital SouthEast Connector JPA Board of Directors met in regular session on October 20, 2023 in the City of Rancho Cordova City Hall Council Chambers, located at 2729 Prospect Park Drive, Rancho Cordova, CA.

**Call to Order** Chair Hidahl called the meeting to order at 8:32 a.m.
**Roll Call** Present: Directors Hidahl, Kozlowski, Hume*, Gatewood, Spease
*Director Hume joined the meeting at 8:43 a.m.

## Public Comments on Non-Agenda Items

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

## Open Session

### Item #4: Executive Director's Report

The Board received Executive Director Minnema's comprehensive oral report for October 2023. A brief discussion amongst the Board and JPA staff ensued.

There were no comments received on this item.

## Consent Calendar Items

A motion was made by Director Kozlowski and seconded by Director Spease and passed by unanimous vote that:

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

**Item #5: Approve Action Minutes of the May 26, 2023 Board Meeting**

**Item #6: Review of Notable Connector Project Media Articles (Receive and File)**

**Item #7: Approve Seventh Amendment to JPA Office Lease with Schwager Development, LLC, Resolution 2023-18**

**Item #8: Accept the Notices of Completion for All Work Involved in the Construction of Connector Segment A2, Kammerer Road Reconstruction, and Segment B2, Grant Line Road Widening Projects from the City of Elk Grove, Resolution 2023-19**

**Item #9: Authorize the Executive Director to Execute a Baseline Agreement with the State of California Department of Transportation and the California Transportation Commission for Funding related to Grant Line Road between Douglas Road and White Rock Road, Resolution 2023-20**

**Item #10: Authorize the Executive Director to Execute a Program Supplement Agreement with the State of California Department of Transportation for the White Rock Road Class I Trail, Resolution 2023-21**

**Item #11: Authorize the Executive Director to Execute Allocation and Expenditure Contracts with the Sacramento Transportation Authority for Connector Project Capital Funding, Resolution 2023-22**

**Item #12: Authorize the Executive Director to Execute an Allocation and Expenditure Contract with the Sacramento Transportation Authority for Connector Project Environmental Mitigation Funding, Resolution 2023-23**

**Item #13: Approve Budget Amendment to Reflect an Additional $3M in State Funding through the Trade Corridor Enhancement Program, Resolution 2023-24**

There were no comments from the public on this item.

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**Discussion and Action Items**

**Item #14: Authorize the Executive Director to Execute an Agreement with Dokken Engineering, Inc. for Civil and Structural Design Services, Land Surveying, Environmental Support, Right of Way Support, Stakeholder Outreach, and Engineering Construction Support Services for the White Rock Road Class I Trail for an Amount Not-To-Exceed $1,595,635.39, Resolution 2023-25**

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

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

THE BOARD OF DIRECTORS ("BOARD") OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY ("CONNECTOR") HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH DOKKEN ENGINEERING FOR CIVIL & STRUCTURAL DESIGN SERVICES, LAND SURVEYING, ENVIRONMENTAL SUPPORT, PUBLIC OUTREACH, AND ENGINEERING CONSTRUCTION SUPPORT SERVICES FOR THE WHITE ROCK ROAD CLASS I TRAIL FOR AN AMOUNT NOT-TO-EXCEED $1,595,635.39 WITH RESOLUTION 2023-25.

*Director Hume recused himself from voting on this item.

Public comment was received from Don Rose and Robert Goss on this item.

**Item #15: Authorize the Executive Director to Execute an Agreement with Dokken Engineering, Inc. for Civil and Structural Design Services, Land Surveying, Right of Way Support, Environmental Support, Stakeholder Outreach, and Engineering Construction Support Services for the Connector Expressway on Grant Line Road from Chrysanthy Blvd to White Rock Rd for an Amount Not-To-Exceed $4,204,500.28, Resolution 2023-26**

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

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

THE BOARD OF DIRECTORS ("BOARD") OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY ("CONNECTOR") HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH DOKKEN ENGINEERING FOR CIVIL & STRUCTURAL DESIGN SERVICES, LAND SURVEYING, ENVIRONMENTAL SUPPORT, STAKEHOLDER OUTREACH, AND ENGINEERING CONSTRUCTION SUPPORT SERVICES FOR THE CONNECTOR EXPRESSWAY ON GRANT LINE ROAD FROM CHRYSANTHY BLVD TO WHITE ROCK WITH RESOLUTION 2023-26.

*Director Hume recused himself from voting on this item.

There were no comments from the public on this item.

**Item #16: Consideration of Adoption of Addendum to the Capital SouthEast Connector D2 Expressway Project Final Tiered Initial Study with Mitigated Negative Declaration (SCH#: 2017032087), Resolutions 2023-27**

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

A motion was made by Director Kozlowski and seconded by Director Hume and passed by unanimous vote that:

THE BOARD OF DIRECTORS OF THE CAPITAL SOUTHEAST CONNECTOR JPA RESOLVES AS FOLLOWS:

AN ADDENDUM TO THE D2 EXPRESSWAY PROJECT'S TIERED INITIAL STUDY WITH MITIGATED NEGATIVE DECLARATION (IS/MND) WAS PREPARED THAT PROVIDES ANALYSIS AND CITES SUBSTANTIAL EVIDENCE THAT SUPPORTS THE FOLLOWING DETERMINATIONS BY THE BOARD:

A. THERE ARE NO SUBSTANTIAL CHANGES PROPOSED FOR THE PROJECT THAT WILL REQUIRE MAJOR REVISIONS OF THE IS/MND DUE TO THE INVOLVEMENT OF NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR A SUBSTANTIAL INCREASE IN THE SEVERITY OF PREVIOUSLY IDENTIFIED SIGNIFICANT EFFECTS;

B. THERE ARE NO SUBSTANTIAL CHANGES WITH RESPECT TO THE CIRCUMSTANCES UNDER WHICH THE PROJECT IS UNDERTAKEN THAT WILL REQUIRE MAJOR REVISIONS OF THE IS/MND DUE TO THE INVOLVEMENT OF NEW SIGNIFICANT ENVIRONMENTAL EFFECTS OR A SUBSTANTIAL INCREASE IN THE SEVERITY OF PREVIOUSLY IDENTIFIED SIGNIFICANT EFFECTS; AND

C. THERE IS NO NEW INFORMATION OF SUBSTANTIAL IMPORTANCE, WHICH WAS NOT KNOWN AND COULD NOT HAVE BEEN KNOWN WITH THE EXERCISE OF REASONABLE DILIGENCE AT THE TIME THE IS/MND WAS ADOPTED, THAT SHOWS ANY OF THE FOLLOWING: (A) THE PROJECT WILL HAVE ONE OR MORE SIGNIFICANT EFFECTS NOT DISCUSSED IN THE PREVIOUS EIR OR NEGATIVE DECLARATION; (B) SIGNIFICANT EFFECTS PREVIOUSLY EXAMINED WILL BE SUBSTANTIALLY MORE SEVERE THAN SHOWN IN THE PREVIOUS EIR; (C) MITIGATION MEASURES OR ALTERNATIVES PREVIOUSLY FOUND NOT TO BE FEASIBLE WOULD IN FACT BE FEASIBLE AND WOULD SUBSTANTIALLY REDUCE ONE OR MORE SIGNIFICANT EFFECTS OF THE PROJECT, BUT THE PROJECT PROPONENTS DECLINE TO ADOPT THE MITIGATION MEASURE OR ALTERNATIVE; OR (D) MITIGATION MEASURES OR ALTERNATIVES WHICH ARE CONSIDERABLY DIFFERENT FROM THOSE ANALYZED IN THE PREVIOUS EIR WOULD SUBSTANTIALLY REDUCE ONE OR MORE SIGNIFICANT EFFECTS ON THE ENVIRONMENT, BUT THE PROJECT PROPONENTS DECLINE TO ADOPT THE MITIGATION MEASURE OR ALTERNATIVE.

D. THUS, NONE OF THE CONDITIONS FOR SUBSEQUENT OR SUPPLEMENTAL ENVIRONMENTAL REVIEW UNDER CEQA GUIDELINES SECTION 15162 HAVE OCCURRED.

E. ONLY MINOR TECHNICAL CHANGES OR ADDITIONS TO THE PROJECT ARE NECESSARY.

F. NO NEW MITIGATION MEASURES ARE REQUIRED TO LESSEN SIGNIFICANT ENVIRONMENTAL EFFECTS OF THE PROJECT. PURSUANT TO PUBLIC RESOURCES CODE SECTION 21081.6, THE BOARD OF DIRECTORS RECOGNIZES THAT THE MITIGATION MEASURES IN THE MITIGATION MONITORING AND REPORTING PLAN ADOPTED WITH THE IS/MND REMAIN APPLICABLE TO THE PROJECT. THE MITIGATION MEASURES IN THE MITIGATION MONITORING AND REPORTING PLAN ADOPTED IN CONNECTION WITH THE CONNECTOR JPA'S PARTICIPATION IN THE SSHCP ARE ALSO APPLICABLE TO THE PROJECT.

THE BOARD HEREBY ADOPTS THE ATTACHED ADDENDUM TO THE IS/MND AS COMPLETE, ADEQUATE, AND IN FULL COMPLIANCE WITH CEQA AS THE BASIS FOR CONSIDERING AND ACTING UPON THE PROJECT. THE ADDENDUM HAS BEEN PREPARED AS REQUIRED BY LAW AND THE DOCUMENT AS ADOPTED REFLECTS THE INDEPENDENT JUDGMENT AND ANALYSIS OF THE BOARD OF DIRECTORS, WHICH HAS EXERCISED OVERALL CONTROL AND DIRECTION OF ITS PREPARATION.

AND

THE CUSTODIAN OF RECORDS FOR THE ADDENDUM IS THE SECRETARY OF THE BOARD OF THE CONNECTOR JPA, 10640 MATHER BLVD, MATHER, CA 95655.

AND

THE EXECUTIVE DIRECTOR IS DIRECTED TO FILE A NOTICE OF DETERMINATION REGARDING THE ADDENDUM WITH RESOLUTION 2023-27

There were no comments from the public on this item.

**Item #17: Closed Session**

**A. Conference with Real Property Negotiators Pursuant to Government Code § 54956.8**

Property: White Rock Road and Scott Road, Sacramento County, CA
APN #: 072-0060-096 & 072-0110-077

Agency negotiator: Derek Minnema, Executive Director

Negotiating parties: Aerojet Rocketdyne, Inc.

Under Negotiation: Price and terms of payment

**B. Conference with Real Property Negotiators Pursuant to Government Code § 54956.8**

Property: 3450 Grant Line Road
APN: O73-0010-010 and 073-0010-011

Agency negotiator: Derek Minnema, Executive Director

Negotiating parties: TDW Enterprises, dba Grantline Road LLC

Under negotiation: Price and terms of real property transaction

**C. Conference with Legal Counsel- Anticipated Litigation (Government Code, § 54956.9(b))**
Significant exposure to litigation (1 case)

**D. Public Employee Performance Evaluation (Government Code, § 54957(b)(1))**

Employee: Executive Director

**E. Conference with Labor Negotiators (Government Code, § 54957.6)**
Agency Designated Representative: Board Chair
Unrepresented Employee: Executive Director

**Open Session**

The Executive Director was given direction by the Board and there was no reportable action from closed session.

**Item #18: Discussion and possible action, if any, regarding Executive Director Compensation, Resolution 2023-28**

JPA Legal Counsel Osman Mufti introduced the item and presented the item. A brief discussion amongst the Board and JPA staff ensued.

A motion was made by Director Hidahl and seconded by Director Kozlowsky and passed by unanimous vote that:

THE BOARD OF DIRECTORS ("BOARD") OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY ("CONNECTOR HEREBY APPROVES A MERIT INCREASE IN THE AMOUNT OF 3.5% OF THE EXECUTIVE DIRECTOR'S CURRENT SALARY, EFFECTIVE AS OF OCTOBER 1, 2023 WITH RESOLUTION 2023-28.

There were no comments from the public on this item.

**Item #19: Discussion on Organizational Structure and Authorize the Executive Director to Initiate an Amended and Restated Agreement for the Contract for Services with the County of Sacramento, Resolution 2023-29**

Executive Director Minnema introduced the item and gave a presentation on the item. A brief discussion amongst the Board and JPA staff ensued.

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

THE BOARD OF DIRECTORS ("BOARD") OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY ("CONNECTOR") HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR TO INITIATE AND PURSUE AN AMENDED AND RESTATED AGREEMENT WITH THE COUNTY OF SACRAMENTO FOR CONTRACT SERVICES TO FACILITATE

ORGANIZATIONAL RESTRUCTURE AND SATISFY PERSONNEL NEEDS WITH RESOLUTION 2023-29.

*Director Kozlowski left the meeting early.

There were no comments from the public on this item.

**Item #20: 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 11:23 a.m.

**APPROVAL OF ACTION MINUTES FOR OCTOBER 20, 2023**

Approved By:

John Hidahl
Chair of the Board

Attest:

Derek Minnema
Board Secretary