CAPITAL | SOUTHEAST
CONNECTOR JPA
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ITEM 5

MEETING DATE: September 24, 2021

TITLE: Action Minutes of the August 27, 2021, Regular Teleconference Board Meeting

PREPARED BY: Derek Minnema

RECOMMENDATION

Approve Action Minutes of the August 27, 2021, Regular Teleconference Board Meeting.

ACTION MINUTES

The Capital SouthEast Connector JPA Board of Directors met in regular session on August 27, 2021, via teleconference.

Call to Order Chair Howell called the meeting to order at 8:32 a.m.
Roll Call Present: Directors Hidahl, Howell, Hume, Nottoli*, Sander
*Directors Nottoli joined the meeting at 8:33 a.m.

Public Comments on Non-Agenda Items

Public comment was received by Dan Cockcroft.

Open Session

Item #4: Executive Director's Report

The Board received Executive Director Minnema's comprehensive oral report for August 2021 and the Executive Director briefly reviewed the report with the Board and the public.

No public comments were received on the Executive Director's Report.

Consent Calendar Items

A motion was made by Director Hume and seconded by Director Sander 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 May 28, 2021 Board Meeting

Item #6: Accept an update on State Funding and Legislation

Item #7: Accept an update on Federal Funding and Legislation

Item #8: Approve Release of a Request for Proposals for Consulting Services related to Project Performance Benefits Analysis - Resolution 2021-15

Item #9: Authorize the Executive Director to Execute an Agreement with Sloan Sakai Yeung & Wong LLP for Legal Services - Resolution 2021-16

Item #10: Authorize the Executive Director to Execute an Agreement with Madrone Ecological Consulting, LLC for Environmental Mitigation Services - Resolution 2021-17

Item #11: Support an Amendment to the 2021-24 Metropolitan Transportation Improvement Program for Connector Segment D2 (Grant Line Road between White Rock Rd and Jackson Rd) - Resolution 2021-18

Item #12: Support the Connector Project as a Priority in California's Interregional Transportation Strategic Plan - Resolution 2021-19

Item #13: Accept an Update on Connector Construction Projects

Item #14: Accept a summary of Connector related media

Public comment was received by Jim Gillum on the consent items.

Discussion and Action Items

Item #15: Authorize the Executive Director to Analyze, Evaluate, and Purchase Mitigation through the South Sacramento Habitat Conservation Plan, including Kammerer Road and Scott Road

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

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

THE BOARD OF DIRECTORS ("BOARD") OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY ("CONNECTOR JPA") HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR TO PURCHASE MITIGATION THROUGH THE IN-LIEU FEE PROGRAM INSTRUMENT OF THE SOUTH SACRAMENTO CONSERVATION AGENCY CONSISTENT WITH THE ADOPTED BOARD BUDGET AND FUND CONNECTOR MITIGATION PURCHASES AND ALL RELATED MITIGATION EXPENSES THROUGH THE AGREEMENT WITH STA UNDER THE SGIP WITH RESOLUTION 2021-20.

No public comment was received on this item.

Item #16: Update on Connector Segment D2 – Scott Road and consider the following action:

1) **Adopting an Addendum to the Final Tiered Initial Study with Mitigated Negative Declaration for Segment D3/E1 – Resolution 2021-21**

2) **Authorize the Executive Director to Approve the Final Bid Package, Advertise the Project for Construction, and release an RFP for Construction Engineering Services – Resolution 2021-22**

3) **Authorize the Executive Director to execute an Amendment to the Agreement for Engineering Services with Mark Thomas & Company, Inc. - Resolution 2021-23**

4) **Authorize the Executive Director to execute an MOU with the City of Elk Grove to exchange funding – Resolution 2021-24**

Executive Director Minnema introduced the item and Matt Lampa, Principal Civil Engineer, provided a presentation summarizing the item.

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

THE BOARD OF DIRECTORS ("BOARD") OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY ("CONNECTOR JPA") RESOLVES AS FOLLOWS WITH RESOLUTION 2021-21:

1. THE BOARD OF DIRECTORS GAVE FULL AND LEGAL NOTICE OF A PUBLIC HEARING TO CONSIDER AND ACT UPON THE ADDENDUM AND THE PROJECT, AND A PUBLIC HEARING WAS DULY HELD ON AUGUST 27, 2021.

2. THE BOARD OF DIRECTORS HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED IN THE FINAL IS/MND, INCLUDING ALL COMMENTS AND RESPONSES TO COMMENTS, AND HAS CONSIDERED THE ADDENDUM TO THE FINAL IS/MND PRIOR TO MAKING ITS DETERMINATION ON THE FINAL PLANS FOR THE REALIGNMENT OF SCOTT ROAD.

3. AN ADDENDUM TO THE FINAL 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 FINAL 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 FINAL 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 FINAL 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 MODIFIED 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 FOR D3/E1 SEGMENT 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.

4. THE BOARD HEREBY ADOPTS THE ADDENDUM TO THE FINAL 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.

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

6. THE EXECUTIVE DIRECTOR IS DIRECTED TO FILE A NOTICE OF DETERMINATION REGARDING THE ADDENDUM.

AND

A motion was made by Director Nottoli and seconded by Director Sander and passed by unanimous vote that:

THE BOARD OF DIRECTORS ("BOARD") OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY ("CONNECTOR JPA") HEREBY AUTHORIZES THE

EXECUTIVE DIRECTOR TO APPROVE THE FINAL BID PACKAGE FOR CONNECTOR SEGMENT D3 – SCOTT ROAD REALIGNMENT, TO PUBLICLY ADVERTISE THE PROJECT FOR CONSTRUCTION, AND TO RELEASE A REQUEST FOR PROPOSALS RELATED TO CONSTRUCTION ENGINEERING SERVICES WITH RESOLUTION 2021-22

AND

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

THE BOARD OF DIRECTORS ("BOARD") OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY ("CONNECTOR JPA") HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH MARK THOMAS & COMPANY, INC. TO INCREASE THE NOT-TO-EXCEED AMOUNT BY $105,171 WITH RESOLUTION 2021-23

AND

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

THE BOARD OF DIRECTORS ("BOARD") OF THE CAPITAL SOUTHEAST CONNECTOR JOINT POWERS AUTHORITY ("CONNECTOR JPA") HEREBY AUTHORIZES THE EXECUTIVE DIRECTOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING, IN SUBSTANTIALLY THE FORM ATTACHED HERETO, WITH THE CITY OF ELK GROVE RELATED TO AN EXCHANGE OF FUNDING FOR THE PROJECT WITH RESOLUTION 2021-24

No public comment was received on this item.

Item # 17: Announcement and Final Comments from Board Members

No public comment was received on this item.

No action was taken on this item.

Adjournment

The meeting adjourned at approximately 9:40 a.m.

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APPROVAL OF ACTION MINUTES FOR AUGUST 27, 2021

Approved By:

Kerri Howell
Chair of the Board

Attest:

Derek Minnema
Board Secretary