

LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANNING AGENCY



Matthew C. Boyer, Executive Secretary

Office:
1631 Alhambra Boulevard, Suite 100
Sacramento, CA 95816

Phone: (916) 759-2268

Date Posted: March 7, 2019

To: THE LASSEN COUNTY TRANSPORTATION COMMISSION:

Brian Moore (City Council)
Brian Wilson (City Council)
Joe Franco (City Council)

Tom Hammond (Co. Supervisor)
Jeff Hemphill (Co. Supervisor)
David Teeter (Co. Supervisor)

Subject: REGULAR MEETING

of the

LASSEN COUNTY TRANSPORTATION COMMISSION

A meeting of the Lassen County Transportation Commission has been scheduled for **Monday, March 11, 2019 at 1:00 p.m.** The meeting will be held at the City of Susanville Council Chambers, 66 North Lassen Street, Susanville, CA.

The Agenda is as follows.

Page (1) **CONVENE**

1.1 Pledge of Allegiance

1.2 Adoption of the Agenda and Approval of the Consent Calendar: **Motion Required**

The Commission may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda and the Consent Calendar with one single vote. A Commission member may request an item be removed from the Consent Calendar for discussion and separate Commission action. At the appropriate time as called by the Board Chair, members of the public may make a comment on matters on the Consent Calendar prior to Commission action.

1.21 Minutes Approval:

January 10, 2019 Regular Meeting *

(2) **CORRESPONDENCE/PUBLIC COMMENT**

(3) **REPORTS**

3.1 Reports from Caltrans, CHP, City of Susanville, County of Lassen, and LCTC Staff

- Caltrans Report
- California Highway Patrol (CHP) Report
- City of Susanville Report
- County of Lassen Report
- Susanville Indian Rancheria Report
- Executive Secretary Report (LCTC Staff)

(4) NEW BUSINESS

4.01 ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

- Pursuant to Government Code section 54957
Public Employment: Executive Secretary
- Pursuant to Government Code section 54957
Public Employee Appointment: Acting Executive Secretary
- Pursuant to Government Code section 54957.6
Conference with Labor Negotiator:
Agency Negotiator: Chair
Employee: Interim Executive Secretary

4.02 ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

4.10 ACTION/DISCUSSION ITEMS

4.11 Approve Appointment of Interim Executive Secretary

REQUESTED ACTION: Adopt Resolution 19-10 appointing John Clerici as Acting Executive Secretary and approving Agreement for Professional Services with John Clerici

4.12 Approve Appointment of Interim Engineer

REQUESTED ACTION: Adopt Resolution 19-11 appointing Steve Borroum as Interim Engineer and approving Agreement for Professional Services with Steve Borroum

4.13 Low Carbon Transit Operation Program (LCTOP) Allocation Request *

REQUESTED ACTIONS: 1. Adopt Resolution 19-12 authorizing the request for funds from the LCTOP program, and 2. Authorize the Executive Secretary to sign agreements and submit all documentation necessary to receive LCTOP funding.

(5) INFORMATION ITEMS

- 5.01 SR 36/CAPM Project Update *
- 5.02 US 395 Coalition Building Update

5.03 Unmet Transit Needs Update

(6) CORRESPONDENCE

6.01 None

(7) OTHER BUSINESS

7.1 Matters brought forth by the Commission

7.2 Next Regular Commission Meeting – **Monday, May 13, 2019 at 1:00 p.m.**

7.3 Adjourn

* Attachment

Enclosure

^ Handout

ITEMS TENTATIVELY SCHEDULED FOR FUTURE MEETINGS:

May 2019

- Update to Conflict of Interest Policy to Include New Staff and Consultants
- Summary of All Prior Programming Actions for Commission-Controlled Funds
- Final Local Transportation Fund and State Transit Assistance Fund Apportionments
- Local Transportation Fund and State Transit Assistance Fund Claims
- Approval of Fiscal Year 2019/2020 Overall Work Program and Budget
- Approval of County-Format Budgets

LASSEN COUNTY TRANSPORTATION COMMISSION

MINUTES

Regular Commission Meeting

January 10, 2019

City of Susanville City Council Chambers
66 North Lassen Street, Susanville, CA

1:00 P.M. Open Session

1:00 P.M. OPEN SESSION

1. Convene

The Chair called the meeting to order at 1:00 P.M. and the Pledge of Allegiance to the Flag was recited.

Roll Call: Present: Franco, Hammond, Hemphill, Moore, Teeter, Wilson
Absent:

1.2 Election of Chairperson and Vice-Chairperson for 2019

It was moved by Commissioner Hemphill to nominate Commissioner Franco as Chairperson. Following no other nominations, Commissioner Teeter was elected Chair by the following vote:

AYES: Franco, Hammond, Hemphill, Moore, Teeter, Wilson
NOES: None
ABSENT: None
ABSTAIN: None

It was moved by Commissioner Franco to nominate Commissioner Hammond as Vice-Chairperson. Following no other nominations, Commissioner Hammond was elected Vice-Chairperson by the following vote:

AYES: Franco, Hammond, Hemphill, Moore, Teeter, Wilson
NOES: None
ABSENT: None

ABSTAIN: None

1.3 Adoption of Agenda and Approval of Consent Calendar:

It was moved by Commissioner Hammond and seconded by Commissioner Hemphill that the Commission adopt the agenda and approve the Consent Calendar. The motion was passed by the following vote:

AYES: Franco, Hammond, Hemphill, Moore, Teeter, Wilson

NOES: None

ABSENT: None

ABSTAIN: None

1.31 Minutes Approval of November 19, 2018 Special Meeting

Adopted Minutes of the October 1, 2018 Special Meeting.

1.32 Contract with Michael Baker International for Triennial Performance Audit.

Authorize the Executive Director and Legal Counsel to Execute and Agreement with Michael Baker International for Triennial Performance Audits for the period ending June 30, 2018.

1.33 City of Susanville Fiscal Year 2018/19 Claim for Article 3 Transportation Development Act Bicycle and Pedestrian Funds

Approve the claim from the City of Susanville for Local Transportation Fund Article 3 Bicycle and Pedestrian funds.

2. CORRESPONDENCE/PUBLIC COMMENT

No written communications were received.

Public Comment: Trevor Albertson with Lassen Community College commented that recent changes to Lassen Rural Bus schedules appeared to make it difficult for students to make it to 8:00 am classes on time. He said they still needed to quantify exactly how many students are impacted, and the severity of the impact. Matt Boyer commented that he would reach out to Mr. Albertson and the transit district to see if an accommodation was needed.

3. REPORTS

3.1 Caltrans

Mike Mogen – Janesville Park and Ride – A request had been made to provide lighting at the park and ride on US 395 near Janesville. Since this is not an official park and ride area, Caltrans is not inclined to want to provide lighting. If it were moved to the county right-of-way they may consider partnering to provide lights. Matt Boyer added that Caltrans is interested in updating a corridor park and ride plan, and this could inform work on this site as well as others along the corridor. Commissioner Wilson noted that the Commission could inform this process but does not want to take responsibility for the park and rides. Commissioner Franco asked if we were sending mixed messages on this issue by encouraging carpooling, but then not providing adequate park and ride locations.

US 395 Accident Data – Mike reported that they had made significant progress on getting their accident data up to date. He noted that the update process had been about 4 years behind, but that it was now down to about one year. Once they have caught up, they would report to the Commission using the up to date information.

SR 139 Project – Caltrans is still looking to partner with Susanville on installing sidewalks as part of ADA compliance for the first three quarters of a mile of the project that is in the city limits. Matt Boyer noted that this could be a candidate for an ATP grant, or potential some SB 1 funding.

CAPM – Work on eliminating curb islands, removing the ones that have been poured, and not making new ones was done.

3.2 CHP

No report was provided.

3.3 City of Susanville

No report was provided.

3.4 Lassen County

No Report was provided.

3.5 Susanville Indian Rancheria

Jim MacKay of the Susanville Indian Rancheria provided the Commission with an overview of the Tribal Transportation Plan inventory update. The

overview included and explanation of the TTP, its purpose and guiding principles, and the status of the road inventory currently included in the plan. He highlighted that funding for the TTP programs comes from the federal gas tax and is administered by FHWA and BIA. He also emphasized public access of roads on tribal lands, and that the inventory can include public roads and bridges such as Paul Bunyon Road.

3.6 Executive Secretary

Matt Boyer provided the following updates:

Susanville ATP grant application – He noted that they did well for their first attempt at getting these funds, and that often it takes a couple of cycles to have success. He added that Commission staff was prepared to provide additional support in the next round.

Vehicle Speed Feedback Signs – Commission staff will work with Lassen County to prepare presentation to Board of Supervisors, and will engage school districts to determine what if any support they can provide.

US 395 Coalition Building – Updated the Commission on our efforts to build a strong coalition with Washoe County. Planning a meeting with Washoe county officials with the aim to make a presentation to the Board of Commissioners sometime in March.

SR 36 Complete Streets – Outlined efforts to work with the community to find elements that could be fast tracked and included in the CAPM project.

Independent Auditor Recruitment – The commission was informed that we a new auditor had been hired.

US 395 Strategic Partnerships Grant application – Matt commented on the exceptional work done by staff and consultants at Mark Thomas for preparing the application, and assembling numerous letters of support from a broad range of stakeholders.

April CTC Meeting – The meeting will be held in Chico and that staff will making a presentation on behalf of Lassen County. The presentation would include challenges and opportunities in addressing changing economies, route redundancy for trade movement, emergency access and egress, and goods movement.

4. New Business



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

Matthew C. Boyer, Executive Secretary

1631 ALHAMBRA BOULEVARD
SUITE 100
SACRAMENTO, CA, 95816

PH: (916) 759-2268

To: Lassen County Transportation Commission **AGENDA ITEM 19-10**
Date: March 6, 2019
From: DeeAnne Gillick, General Counsel
Subject: Appointment of Acting Executive Secretary and Approve Agreement with John Clerici

REQUESTED ACTION

BY MOTION, Adopt Resolution 19-10 appointing John Clerici as Acting Executive Secretary and Approving Agreement between Lassen County Transportation Commission and John Clerici.

BACKGROUND

The Lassen County Transportation Commission (LCTC) appointed Matthew Boyer as Executive Secretary and entered into an agreement with Matthew Boyer & Associates signed September 11, 2017 ("Executive Services Agreement") to provide professional services to the Commission. Matthew Boyer is temporarily unable to serve as Executive Secretary.

John Clerici has been providing professional services to LCTC as an employee of Matthew Boyer & Associates and is familiar with the Executive Secretary responsibilities and duties. John Clerici is willing and able to assist the Commission and carry out the duties and responsibilities as the Executive Secretary until such time as Matthew Boyer is able to return as Executive Secretary or until such time as the Commission determines. As Acting Executive Secretary Mr. Clerici would have all of the authority, powers and duties as the Executive Secretary of the Commission.

In Mr. Boyer's absence it is also necessary to enter into a professional services agreement directly with Mr. Clerici with similar scope, fees, terms and conditions as specified in the Executive Services Agreement previously approved with Matthew Boyer & Associates. The agreement with Mr. Clerici provides for the hourly rate of \$143.33 for services provided by Mr. Clerici as Acting Executive Secretary. The Chair of the Commission would be authorized to terminate the agreement with Mr. Clerici as Acting Executive Secretary at any time.

Submitted by:
DeeAnne Gillick
General Counsel, Sloan, Sakai, Young & Wong
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dgillick@sloansakai.com

LASSEN COUNTY TRANSPORTATION COMMISSION

Resolution 19-10

**RESOLUTION OF THE LASSEN COUNTY TRANSPORTATION COMMISSION
APPOINTING JOHN CLERICI AS ACTING EXECUTIVE SECRETARY AND
APPROVING AGREEMENT BETWEEN LASSEN COUNTY TRANSPORTATION
COMMISSION AND JOHN CLERICI**

WHEREAS, the Lassen County Transportation Commission (LCTC) appointed Matthew Boyer as Executive Secretary and entered into an agreement with Matthew Boyer & Associates signed September 11, 2017 to provide professional services to the Commission; and

WHEREAS, Matthew Boyer is temporarily unable to serve as Executive Secretary; and

WHEREAS, John Clerici has been providing professional services to LCTC as an employee of Matthew Boyer & Associates and is familiar with the Executive Secretary responsibilities and duties; and

WHEREAS, LCTC wishes to appoint an Acting Executive Secretary to carry out the Executive Secretary duties and responsibilities in the Executive Secretary's absence; and

WHEREAS, John Clerici is willing to serve as Acting Executive Secretary and provide professional services to LCTC pursuant to an agreement with LCTC.

NOW, THEREFORE, BE IT RESOLVED by the Lassen County Transportation Commission that John Clerici is appointed as Acting Executive Secretary to serve in the absence of the Executive Secretary Matthew Boyer, and is authorized to carry out all of the duties and responsibilities of the Executive Secretary with the same powers and authority as provided by the LCTC to the Executive Secretary.

BE IT FURTHER RESOLVED, by the Lassen County Transportation Commission that the Agreement between the Lassen County Transportation Commission and John Clerici is hereby approved substantially in the form of the Agreement attached hereto as Exhibit A.

The foregoing resolution was passed and adopted at the March 11, 2019 meeting of the Lassen County Transportation Commission by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

JOE FRANCO Chair,
Lassen County Transportation Commission

The foregoing instrument is a correct copy of the original on file in the office of the Executive Secretary of the Lassen County Transportation Commission.

March 11, 2019

John Clerici, Acting Executive Secretary

**AGREEMENT BETWEEN LASSEN COUNTY
TRANSPORTATION COMMISSION AND
JOHN CLERICI**

THIS AGREEMENT is made this 11th day of March, 2019, by and between the **Lassen County Transportation Commission**, a political subdivision of the State of California, (hereinafter the "Commission") and **John Clerici** (hereinafter "Consultant").

RECITALS:

WHEREAS, the Commission entered into an agreement with Matthew Boyer & Associates on September 11, 2017 for certain professional services (the "Professional Services Agreement"); and

WHEREAS, the Commission has a need for Acting Executive Secretary Services; and

WHEREAS, Consultant desires to provide those services.

NOW, THEREFORE, in consideration of the services to be rendered, the sums to be paid, and each and every covenant and condition contained herein, the parties hereto agree as follows:

1. **SCOPE OF WORK**

Consultant shall perform Executive Secretary Services consistent with the Professional Services Agreement.

Consultant shall determine the manner and means by which the Scope of Work is performed. The Chair shall determine whether Consultant's performance of the Scope of Work is satisfactory.

2. **COMPENSATION AND EXPENSES**

A. Subject to the terms and conditions of this Agreement, Commission agrees to pay and Consultant agrees to accept, in full payment for the work to be performed, the hourly rate of \$143.33 for reported and approved hours.

B. Commission will reimburse Consultant for the reasonable expenses, upon submission of receipts and other adequate documentation consistent with the terms of the Professional Services Agreement.

C. Payment shall be made by Commission to Consultant, within thirty (30) days of receipt of an invoice approved by Commission's Chair.

3. **MATERIALS, SUPPLIES AND EQUIPMENT**

Except as otherwise specifically set forth in this Professional Services Agreement, Consultant shall, at its sole expense, furnish all materials, supplies, equipment and other items which are or may be required for performance of services pursuant to this Agreement.

4. **OWNERSHIP**

Consultant agrees that all work products including, but not limited to, notes, designs, drawings, reports, memoranda, and all other tangible personal property of whatever nature produced in the performance of this Agreement shall be the sole property of the Commission, provided that Consultant may retain file copies of said work products. Consultant shall provide said work products to Commission upon request.

Consultant represents and warrants that all materials or work product to be furnished to Commission will be produced by Consultant or that required permissions and license agreements will be obtained and paid for by Consultant and that Commission is free to use, reuse, publish or otherwise deal with all such material except as otherwise specifically provided herein. Consultant shall indemnify and hold harmless the Commission and its directors, officers, employees, agents and representatives from any claim, loss, damage, cost, liability or expense arising from any falsity or violation of the foregoing representation and warranty.

5. **LIMITATION OF COMPENSATION**

Consultant and Commission acknowledge that consistent with Attachment "D" of the Professional Services Agreement, the Standard Form Terms and Conditions, Consultant is an independent contractor and not an employee of Commission. Furthermore, Commission is not obligated to employ Consultant or pay royalties or other compensation of any kind to Consultant as result of the use by Commission of the work products referred to in Section 4 hereof, whether or not said use relates to the project for which said work product was prepared.

6. **TIME OF WORK**

Consultant shall perform services required in a timely manner and in accordance with any timeline set forth in the Scope of Work in Section 1 above. Consultant shall provide services pursuant to this Agreement until such time as notice of termination is provided to Consultant by Commission's Chair pursuant to Section 7. below.

7. **TERMINATION**

Either party may terminate this Agreement at any time and for any reason by providing the other party with a written fourteen (14) day advance notice of termination. The Chair of the Commission is hereby authorized to have the authority to terminate this Agreement on behalf of the Commission. The effective date of termination shall be the fourteenth (14th) day of said written notice of termination. In the event of such termination, Commission shall only pay for services rendered through the effective date of termination. If Consultant fails to perform the terms and conditions of this Agreement, Commission may terminate the Agreement immediately, without such advance notice. In no event shall Commission be liable to Consultant for any lost profits or consequential damages.

Attachment "D" of the Professional Services Agreement, the Standard Form Terms and Conditions, are made a part of this Agreement. Consultant's signature on this Agreement constitutes acknowledgment that Consultant has received said Standard Terms and Conditions.

In the event of any inconsistency between said Standard Terms and Conditions and any other provisions of this Agreement, said other provisions shall control.

8. **EXHIBITS**

All exhibits referred to herein are attached hereto and are incorporated herein by reference.

9. **NONEXCLUSIVE AGREEMENT**

Consultant understands and agrees that this is a nonexclusive Agreement. Commission may hire other consultants for work of a similar or identical nature.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto upon the date first above written.

**LASSEN COUNTY TRANSPORTATION
COMMISSION**

BY: _____
Joe Franco, Chair

CONSULTANT

BY: _____
John Clerici



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

Matthew C. Boyer, Executive Secretary

1631 ALHAMBRA BOULEVARD
SUITE 100
SACRAMENTO, CA, 95816

PH: (916) 759-2268

To: Lassen County Transportation Commission
Date: March 6, 2019
From: DeeAnne Gillick, General Counsel
Subject: Appointment of Acting Engineer and Approve Agreement with Steve Borroum

AGENDA ITEM 19-11

REQUESTED ACTION

BY MOTION, Adopt Resolution 19-11 appointing Steve Borroum as Acting Engineer and Approving Agreement between Lassen County Transportation Commission and Steve Borroum.

BACKGROUND

The Lassen County Transportation Commission (LCTC) appointed Matthew Boyer as Executive Secretary and entered into an agreement with Matthew Boyer & Associates signed September 11, 2017 ("Executive Services Agreement") to provide professional services to the Commission. Matthew Boyer is temporarily unable to serve as Executive Secretary.

Steve Borroum has been providing professional engineering services to LCTC as an employee of Matthew Boyer & Associates and is familiar with the work of the Commission. Steve Borroum is willing and able to assist the Commission and carry out the duties and responsibilities of the Commission as its Acting Engineer until such time as Matthew Boyer is able to return as Executive Secretary or until such time as the Commission determines. Mr. Borroum's work would be directed by and supervised by the Acting Executive Secretary or the Chair of Commission.

In Mr. Boyer's absence it is also necessary to enter into a professional services agreement directly with Mr. Borroum with similar scope, fees, terms and conditions as specified in the Executive Services Agreement previously approved with Matthew Boyer & Associates. The agreement with Mr. Borroum provides for the hourly rate of \$121.28 for services provided by Mr. Borroum as Acting Engineer. The Chair of the Commission, the Acting Executive Secretary, or the Executive Secretary, would be authorized to terminate the agreement with Mr. Borroum at any time.

Submitted by:
DeeAnne Gillick
General Counsel, Sloan, Sakai, Young & Wong
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t: 916-258-8811 | o: 916-258-8800
dgillick@sloansakai.com

LASSEN COUNTY TRANSPORTATION COMMISSION

Resolution 19-11

**RESOLUTION OF THE LASSEN COUNTY TRANSPORTATION COMMISSION
APPOINTING STEVE BORROUM ACTING ENGINEER AND
APPROVING AGREEMENT BETWEEN LASSEN COUNTY TRANSPORTATION
COMMISSION AND STEVE BORROUM**

WHEREAS, the Lassen County Transportation Commission (LCTC) appointed Matthew Boyer as Executive Secretary and entered into an agreement with Matthew Boyer & Associates signed September 11, 2017 to provide professional services to the Commission; and

WHEREAS, Matthew Boyer is temporarily unable to serve as Executive Secretary; and

WHEREAS, Steve Borroum has been providing professional services to LCTC as an employee of Matthew Boyer & Associates and is familiar with the work of LCTC and is a professional engineer; and

WHEREAS, LCTC wishes to appoint a staff to assist with carrying out the work of LCTC in the Executive Secretary's absence; and

WHEREAS, Steve Borroum is willing to assist LCTC and serve as staff Engineer for LCTC and provide professional services to LCTC pursuant to an agreement with LCTC.

NOW, THEREFORE, BE IT RESOLVED by the Lassen County Transportation Commission that Steve Borroum is appointed as Acting Engineer to serve as LCTC staff in the absence of the Executive Secretary Matthew Boyer, as directed by the Acting Executive Secretary or the Chair.

BE IT FURTHER RESOLVED, by the Lassen County Transportation Commission that the Agreement between the Lassen County Transportation Commission and Steve Borroum is hereby approved substantially in the form of the Agreement attached hereto as Exhibit A.

The foregoing resolution was passed and adopted at the March 11, 2019 meeting of the Lassen County Transportation Commission by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

JOE FRANCO Chair,
Lassen County Transportation Commission

The foregoing instrument is a correct copy of the original on file in the office of the Executive Secretary of the Lassen County Transportation Commission.

March 11, 2019

John Clerici, Acting Executive Secretary

**AGREEMENT BETWEEN LASSEN COUNTY
TRANSPORTATION COMMISSION AND
STEVE BORROUM**

THIS AGREEMENT is made this 11th day of March, 2019, by and between the **Lassen County Transportation Commission**, a political subdivision of the State of California, (hereinafter the "Commission") and **Steve Borroum** (hereinafter "Consultant").

RECITALS:

WHEREAS, the Commission entered into an agreement with Matthew Boyer & Associates on September 11, 2017 for certain professional services (the "Professional Services Agreement"); and

WHEREAS, the Commission has a need for engineering services; and

WHEREAS, Consultant desires to provide those services.

NOW, THEREFORE, in consideration of the services to be rendered, the sums to be paid, and each and every covenant and condition contained herein, the parties hereto agree as follows:

1. **SCOPE OF WORK**

Consultant shall perform engineering services on behalf of the Commission at the direction of the Acting Executive Secretary and consistent with the Professional Services Agreement.

Consultant shall determine the manner and means by which the Scope of Work is performed. The Chair shall determine whether Consultant's performance of the Scope of Work is satisfactory.

2. **COMPENSATION AND EXPENSES**

- A. Subject to the terms and conditions of this Agreement, Commission agrees to pay and Consultant agrees to accept, in full payment for the work to be performed, the hourly rate of \$121.28 for reported and approved hours.
- B. Commission will reimburse Consultant for the reasonable expenses, upon submission of receipts and other adequate documentation consistent with the terms of the Professional Services Agreement.
- C. Payment shall be made by Commission to Consultant, within thirty (30) days of receipt of an invoice approved by Commission's Chair.

3. **MATERIALS, SUPPLIES AND EQUIPMENT**

Except as otherwise specifically set forth in this Professional Services Agreement, Consultant shall, at its sole expense, furnish all materials, supplies, equipment and other items which are or may be required for performance of services pursuant to this Agreement.

4. **OWNERSHIP**

Consultant agrees that all work products including, but not limited to, notes, designs, drawings,

reports, memoranda, and all other tangible personal property of whatever nature produced in the performance of this Agreement shall be the sole property of the Commission, provided that Consultant may retain file copies of said work products. Consultant shall provide said work products to Commission upon request.

Consultant represents and warrants that all materials or work product to be furnished to Commission will be produced by Consultant or that required permissions and license agreements will be obtained and paid for by Consultant and that Commission is free to use, reuse, publish or otherwise deal with all such material except as otherwise specifically provided herein. Consultant shall indemnify and hold harmless the Commission and its directors, officers, employees, agents and representatives from any claim, loss, damage, cost, liability or expense arising from any falsity or violation of the foregoing representation and warranty.

5. **LIMITATION OF COMPENSATION**

Consultant and Commission acknowledge that consistent with Attachment "D" of the Professional Services Agreement, the Standard Form Terms and Conditions, Consultant is an independent contractor and not an employee of Commission. Furthermore, Commission is not obligated to employ Consultant or pay royalties or other compensation of any kind to Consultant as result of the use by Commission of the work products referred to in Section 4 hereof, whether or not said use relates to the project for which said work product was prepared.

6. **TIME OF WORK**

Consultant shall perform services required in a timely manner and in accordance with any timeline set forth in the Scope of Work in Section 1 above. Consultant shall provide services pursuant to this Agreement until such time as notice of termination is provided to Consultant by Commission's Chair or Commission's Acting Executive Secretary, or Executive Secretary, pursuant to Section 7. below.

7. **TERMINATION**

Either party may terminate this Agreement at any time and for any reason by providing the other party with a written fourteen (14) day advance notice of termination. The Chair of the Commission, the Acting Executive Secretary, or the Executive Secretary, is hereby authorized to have the authority to terminate this Agreement on behalf of the Commission. The effective date of termination shall be the fourteenth (14th) day of said written notice of termination. In the event of such termination, Commission shall only pay for services rendered through the effective date of termination. If Consultant fails to perform the terms and conditions of this Agreement, Commission may terminate the Agreement immediately, without such advance notice. In no event shall Commission be liable to Consultant for any lost profits or consequential damages.

Attachment "D" of the Professional Services Agreement, the Standard Form Terms and Conditions, are made a part of this Agreement. Consultant's signature on this Agreement constitutes acknowledgment that Consultant has received said Standard Terms and Conditions.

In the event of any inconsistency between said Standard Terms and Conditions and any other provisions of this Agreement, said other provisions shall control.

8. **EXHIBITS**

All exhibits referred to herein are attached hereto and are incorporated herein by reference.

9. **NONEXCLUSIVE AGREEMENT**

Consultant understands and agrees that this is a nonexclusive Agreement. Commission may hire other consultants for work of a similar or identical nature.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto upon the date first above written.

**LASSEN COUNTY TRANSPORTATION
COMMISSION**

BY: _____
Joe Franco, Chair

CONSULTANT

BY: _____
Steve Borroum



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

Matthew C. Boyer, Executive Secretary

1631 ALHAMBRA BOULEVARD
SUITE 100
SACRAMENTO, CA, 95816

PH: (916) 759-2268

To: Lassen County Transportation Commission **AGENDA ITEM 4.13**
Date: March 5, 2019
From: John Clerici, Senior Planner *JC*
Subject: Low Carbon Transit Operation Program (LCTOP) Allocation Request

REQUESTED ACTION

BY MOTION, 1) Adopt Resolution 19-12 authorizing the request for funds from the LCTOP program, and designating the Executive Secretary as Authorized Agents on behalf of the Commission, and 2) authorize Executive Secretary to sign agreements, and submit all documentation necessary to receive LCTOP funding.

PAST ACTION

The Commission has previously approved similar requests for funding of specific projects in prior years.

BACKGROUND

The Low Carbon Transit Operations Program (LCTOP) is one of several programs that are part of the Transit, Affordable Housing and Sustainable Communities Program established by the California Legislature in 2014 by Senate Bill 862 (SB862). The LCTOP was created to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities.

At the regular scheduled LCTC meeting on March 12, 2018, the commission started allocating funding for the bus stop improvement project in the amount of \$39,919 for FY 17/18. The 17/18 funding was supposed to be the first of four allocations for this project. LCTOP allows a rollover of funds for a maximum amount of 4 years. The project will purchase, construct and install bus stop enhancements including but limited to benches, shelters, trash cans, solar lighting, bus shelter concrete pads, sidewalk, and curb gutter at stops and park and ride facilities within the County of Lassen.

DISCUSSION

Lassen County Transportation Commission staff was informed that funding in the amount of \$59,357.00 of LCTOP funds is available under the LCTOP FY 18-19 program. Per Public Resource Code 75230 (f) (1-3), moneys from the program shall be expended to provide transit operating or capital assistance that meets any of the following:

1. Expenditures that directly enhance or expand transit service by supporting new or expanded bus or rail services, new or expanded water-borne transit, or expanded intermodal transit facilities, and may

include equipment acquisition, fueling, and maintenance, and other costs to operate those services or facilities.

2. Operational expenditures that increase transit mode share.
3. Expenditures related to the purchase of zero-emission buses, including electric buses, and the installation of the necessary equipment and infrastructure to operate and support zero emission buses.

Eligible projects include:

A. Operational Projects

1. New expanded/enhanced transit service
2. Free or reduced fares
3. Network/fare integration
4. Alternative transportation services

B. Capital Projects

1. Purchase expansion zero-emission or low-emission vehicles and equipment in support of new expanded/enhanced transit service.
2. Purchase, construct, and/or install infrastructure to support zero-emission or low-emission vehicles in support of new expanded/enhanced transit service.
3. Purchase, construct, and/or install passenger amenities at transit stops/stations to encourage increased transit ridership.
4. Purchase, construct, and install renewable energy for transit facilities in support of new expanded/enhanced transit service.
5. Purchase and construct active transportation facilities that connect to stops/stations and encourage ridership.
6. Purchase, construct, and install equipment and facilities needed to provide expanded/enhanced transit service.
7. Purchase and install equipment on transit vehicles to encourage increased transit ridership.
8. Purchase Replacement zero-emission vehicles.
9. Purchase construct, and/or install infrastructure, equipment, or facilities to support zero-emission vehicles.

Staff recommends to keep allocating funds for the Bus Stop improvement project that could include park and ride facilities along US395. The guidelines of the LCTOP state that if the Lead Agency intends to roll over funds or hold funds for a more substantial project, a full Allocation Request must be submitted in each year. Unrequested funds will not be held by the State for a future request.

Approved by:

Matt Boyer
Executive Secretary

**LASSEN COUNTY TRANSPORTATION COMMISSION
AMENDED RESOLUTION 19-12**

**AUTHORIZATION FOR THE EXECUTION OF THE
THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) PROJECT**

WHEREAS, the Lassen County Transportation Commission is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) now or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies).

NOW, THEREFORE, BE IT RESOLVED by the Lassen County Transportation Commission that the fund recipient agrees to comply with all conditions and requirements set forth in the applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

BE IT FURTHER RESOLVED that the LCTC does hereby authorize the Executive Secretary to execute all documents necessary to obtain funds through the LCTOP program for Fiscal Year 2018/2019 and to administer the following LCTOP project:

Project name: Bus Stop Improvement

Amount of LCTOP funds requested: \$59,357.00

Short description of project: The proposed project would purchase, construct and install bus stop enhancements including but not limited to benches, shelters trash cans, solar lighting, bus shelter concrete pads, sidewalk, and curb gutter at stops and park and ride facilities within the County of Lassen. The LCTC plans to roll funds over into the following years to create a more substantial project.

The foregoing resolution was adopted by the Lassen County Transportation Commission at its March 11, 2019 meeting by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

JOE FRANCO, Chairman
Lassen County Transportation Commission



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

Matthew C. Boyer, Executive Secretary

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PH: (916) 759-2268

To: Lassen County Transportation Commission
Date: March 5, 2019
From: Steve Borroum, PE TE *NB*
Subject: Update on SR 36/CAPM through Susanville

AGENDA ITEM 5.01

BACKGROUND & DISCUSSION

At the February 25th Technical Advisory Committee meeting, the current Caltrans CAPM project on Route 36 thru Susanville was discussed as were the draft plans prepared by Mark Thomas for focusing input to the Caltrans project. These draft plans will be available at the meeting for discussion.

It is understood coming out of this meeting that street light improvements and wayfinding signs would be on the community to fund. The street lighting seems very straight forward; however in those cases where the wayfinding signs would be proposed to replace existing directional signs, it has been asked that Caltrans reconsider this position. In those cases where the wayfinding signs would be providing direction to newly designation locations not currently noted with directional signs, I can understand the hesitancy on the part of Caltrans. In the case of the streetlights, local community representatives indicated that they will be approaching the local utility agency for consideration of allocating funds to upgrade the street light system along the Route.

There is yet a question locally regarding the enhanced paving proposal. The added maintenance expense is not insignificant on the part of the City. And, it is our understanding that both the capital and maintenance costs of these proposals (concrete texturing of the curb return area and enhanced side street cross walk pavement texturing) would be on the City. The City will need to assess this situation carefully.

It is understood that Caltrans Operations will review the existing regulatory and advisory signs for duplication, and remove any such duplicate signs (which I believe there are at least a few).

Also, it is understood that Caltrans Operations will review the latest combined traffic count information for potentially modifying the lane drop thru town. Two alternatives have been presented by Mark Thomas, each with pluses and minuses. As this restriping will not be accomplished to mid to late summer, it is anticipated that Caltrans will return to the community with a revised proposed striping plan for consideration.

The most discussed item was the need for sidewalk rehabilitation efforts. After much discussion a couple of points came out. First that the City gets from Caltrans an annual sum for sidewalk rehabilitation along this route, a small sum of \$12,000 per year. It is clear that the City needs to consider requesting an increased amount as there is considerable need for sidewalk rehab along the Route thru town. And, after some discussion, it made was made very clear that Caltrans did not wish to take responsibility for upgrading parts of the existing sidewalk to meet current ADA standards. I have asked that Caltrans reconsider this position. Also, it was noted that in some areas, the curb and gutter has greatly deteriorated, and is in need of replacing as part of the CAPM project. During this

discussion it was indicated that in these cases where the adjacent sidewalk was also deteriorated, that this sidewalk would be replaced as a unit with the curb and gutter. These areas have yet to be identified.

RECOMMENDATION

The Commission request that Caltrans within the current CAPM project:

1. Incorporate those identified wayfinding signs which would replace current directional signs,
2. Consider upgrading the sidewalk to meet ADA standards, and
3. Aggressively replace deteriorated curb, gutter and sidewalk sections.