

**COUNTY OF SACRAMENTO
CALIFORNIA**

For the Agenda of:
December 12, 2006
3:30 P.M.

TO: Board of Supervisors

FROM: Department of Transportation

SUBJECT: Approve Resolution Authorizing The Chair Of The Board To Execute A Joint Exercise Of Powers Agreement To Establish A Joint Powers Authority For The Elk Grove-Rancho Cordova-El Dorado Connector Project
(Report Back From August 22, 2006, Item No. 38)

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Overview

The Sacramento Area Council of Governments (SACOG) is actively developing the Connector Project, which is a regional high priority transportation project. Staff has been collaborating with SACOG and the other affected jurisdictions to develop an appropriate governance structure to manage the advancement of the Connector Project. This document presents the results of the regional collaboration effort, a Joint Exercise of Powers Agreement, for your Board's consideration.

Recommendations

Approve the Resolution authorizing the Chair of the Board to execute a Joint Exercise of Powers Agreement to establish a Joint Powers Authority (JPA) for the Connector Project.

Measures/Evaluation

Measures or an evaluation are not applicable to this item.

Fiscal Impact

Although it is anticipated that each of the jurisdictions participating in the JPA will provide start-up funds of an undetermined amount within 90 days of execution of the JPA Agreement, future funding will be specified in a funding plan to be adopted by a unanimous vote of the JPA. Future funding will be secured through a combination of Measure A Sales Tax, Development Fees, State and federal funding sources, and through other funding mechanisms developed by the JPA.

BACKGROUND:

The Metropolitan Transportation Plan for 2025 includes a multi-modal transportation corridor that connects the Cities of Elk Grove, Rancho Cordova and El Dorado Hills. The Connector Project will link residential areas and employment centers and will provide multi-modal options for travel, including transit, bicycle and pedestrian facilities. The Connector Project is intended to relieve congestion, improve access and mobility, preserve open space and wildlife habitat, and enhance economic vitality.

SACOG has determined that the Connector Project is a high priority for the region and has been actively developing the project. SACOG has established a number of committees, including a Policy Advisory Committee (PAC), a Technical Advisory Committee, and a Governance Working Group to engage stakeholders and the public in formulating the direction of the project.

On February 7, 2006, the Department of Transportation brought an item to your Board providing background project information and a discussion of the possible governance structures for the Connector Project. Your Board concurred that a separate entity JPA would be the preferred governance structure and directed the Department of Transportation to continue collaborating with representatives of SACOG and the affected jurisdictions (the Cities of Elk Grove, Rancho Cordova, Folsom, and El Dorado County) on the duties and powers of a JPA to oversee development and implementation of the Connector Project.

On August 22, 2006, the Department of Transportation reported back to your Board regarding the status of the project governance and seeking your Board's direction in formulating the purpose, power, membership, and voting structure of a Connector Project JPA. In conclusion, your Board expressed a preference for a JPA with initial powers limited to the planning effort of the project. Your Board also expressed a concern regarding the role and participation of the non-voting members. Your Board then directed staff to continue collaborating with the affected jurisdictions and to report back.

DISCUSSION:

Staff has been extensively involved in discussions with the other affected jurisdictions through the Governance Working Group and the PAC for the Connector Project. The collective effort of SACOG and the affected jurisdictions has resulted in the formation of a final version of the JPA Agreement. On November 8, 2006, the PAC unanimously approved the JPA Agreement, with minor enhancements, for consideration by the SACOG Board. On November 16, 2006, the SACOG Board received and approved forwarding the JPA Agreement to the affected jurisdictions for consideration of adoption. The following provides for a summary of the fundamental elements of the JPA Agreement:

The formation of the Elk Grove-Rancho Cordova-El Dorado Connector Authority (Authority) will create a separate public entity with joint exercise of powers common to the affected jurisdictions: the Cities of Elk Grove, Rancho Cordova, Folsom and the Counties of Sacramento and El Dorado (Members).

The purpose of the Authority is to provide for the planning, design, financing, regulation, permitting, environmental evaluation, public outreach, acquisition of real property, and construction of the Connector Project. The Authority will have a broad expanse of powers including the acquisition of property, the ability to exercise eminent domain, and the ability to secure and collect various forms of revenue.

During previous hearings, your Board expressed a preference for an Authority with powers and duties limited to the initial planning of the Connector Project. This approach met with considerable opposition from the other jurisdictions who preferred an Authority with broad expanses of power. As a compromise, a full powered JPA Agreement was developed that both included phases to allow for local jurisdiction approvals and is bound to Functional Guidelines.

The actions of the Authority are segregated into two phases. Phase I allows for the Authority to proceed with approval and adoption of an environmental document and the general alignment of the Connector Project. The general alignment is defined to mean within 1,000 feet of the actual alignment ultimately constructed. Phase II allows for the Authority to proceed with implementation of the project: approve plans, specifications, and estimates, and to assemble land and construct improvements. However, the Authority may not proceed with any portion of the Connector Project within a Member's jurisdiction beyond Phase I until the general alignment of the Connector Project within that Member's jurisdictional boundaries has been approved by the Board or Council of that Member.

The Authority will also be bound by the attached Functional Guidelines, which set forth the principles and broad objectives addressing the planning, design, and implementation of the Connector Project. The Function Guidelines and the JPA Agreement both contain the following planning principles to establish a foundation to guide development of the Connector Project.

- Improve access to, and connections between, residential and employment areas within and beyond Connector Project Corridor
- Acknowledge that the Connector Project is in the Metropolitan Transportation Plan and further support the transportation and land use principles in the general plans of the local jurisdictions and the Metropolitan Transportation Plan
- Relieve demand on local streets and roads, and regional freeway facilities (US-50, SR-99, and I-5)
- Strategically apply access control and capacity characteristics to preserve and enhance regional functionality while discouraging growth in areas not designated for growth as determined by the local jurisdiction's general plan
- Enhance regional mobility while preserving the livability of communities
- Provide efficient and safe facilities for motor vehicles, transit, bicycle, and pedestrian options for multi-modal travel
- Minimize direct and indirect physical impacts on the natural and man made environments

- Preserve open space to reinforce and support approved land use plans
- Permit-phased implementation with respect to funding, location, and design characteristics

The Authority will be composed of a Board of five Directors, one from each Member, as well as respective alternates. The Authority does not include ex-officio members, but it is anticipated that interested agencies and organizations will be invited to participate on a future technical advisory committee. Actions may be taken with an affirmative vote of the majority of the Board, three affirmative votes, except for the following actions:

- An affirmative vote of at least four Directors is required to exercise the powers of eminent domain and to amend the Functional Guidelines.
- A unanimous affirmative vote of all five Directors is required to adopt a funding plan, establish start-up funding, and to secure revenue.

Members do reserve their right to proceed separately on transportation projects within jurisdictional boundaries which are anticipated to become part of the Connector Project, provided it is consistent with the approved Functional Guidelines.

In the event that each of the five jurisdictions were to approve the creation of a JPA Authority, staff anticipates the need to establish a Transition Committee composed of staff members from each of the member jurisdictions and SACOG to assist in the procedural and start-up processes of the newly formed Authority. The Transition Committee can be disbanded when the Authority is functional and has established resources for its use.

Respectfully submitted,

APPROVED:
TERRY SCHUTTEN
County Executive

THOMAS J. ZLOTKOWSKI, Director
Department of Transportation

By: _____
CHERYL CRESON, Administrator
Municipal Services Agency

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Attachments
Resolution
Agreement
Functional Guidelines
Phase One Report – 50 Corridor Mobility Partnership
JPA Jurisdiction Map
Vicinity Map

c: Dan Shoeman, Chief
Dean Blank, Principal Civil Engineer