

STAFF REPORT



MEETING DATE:	December 13, 2021
SUBJECT:	Approve Agreement with Member Agencies Formalizing Participation in SRTA and Consider Member Agency Representation
AGENDA ITEM:	11
STAFF CONTACT:	Daniel S. Little, AICP, Executive Director

SUMMARY

Since December 2019, the SRTA Board of Directors has held three meetings to consider a formal agreement for member agencies to recognize and participate in SRTA activities. After consultation with city managers and the county executive officer, the attached draft cooperative agreement was developed for board and member agency consideration. This process resulted in board discussion regarding the Redding Area Bus Authority's (RABA) Policy #121 to appoint only Redding representatives of RABA on the SRTA board. Other bylaw changes are proposed to consolidate subcommittees. This matter was delayed by the board on October 21st at the request of RABA staff.

STAFF RECOMMENDATION:

It is recommended that the board of directors:

1. Amend the SRTA Bylaws as attached to broaden both RABA and Redding representation by recognizing the dual SRTA/RABA roles that Redding board members possess;
2. Amend the SRTA Bylaws as attached to combine the SRTA Boards Fiscal Committee and the Human Resources Committee into a single "Fiscal and Policy Committee";
3. Approve and authorize the Chair to sign the attached cooperative agreement with the cities and county, which recognizes SRTA's current responsibilities under state and federal laws; and
4. Authorize the executive director to make any clarifying changes to the agreement prior to execution in response to member agency approval.

DISCUSSION:

The attached cooperative agreement provides formal city and county acknowledgement that SRTA is the regional transportation agency under state and federal laws. While such an agreement existed when SRTA was part of the county, it was never revalidated to recognize SRTA as an independent agency, which occurred in 2012.

The cooperative agreement outlines current agency functions. It does not add any new responsibilities or change current practice. The only commitment in the agreement is that the agencies "cooperate." The concept of an expanded "council of governments" role which would give the board an option to address broader regional issues has been tabled.

RABA Representation on SRTA – The eight-member RABA board consists of five Redding City Council members and one member each from the remaining two city councils and the Board of Supervisors. Currently, one member of the RABA board is appointed to the SRTA board pursuant to the SRTA Bylaws. Staff could find no examples of a regional agency with a dedicated transit agency member in California.

RABA has developed the attached Policy #121 providing that the SRTA representative they appoint be limited to a Redding City Council member. The SRTA Bylaws have no such limitations. It makes sense that Redding would have two seats on the SRTA board due to its size and significance to the region, but doing so under the auspices of a RABA representative and at the exclusion of RABA's Anderson, Shasta Lake, and the county members raises several concerns. These include consistency with the SRTA Bylaws, open and inclusive representation, and equity to all citizens both within the region and within the RABA service area.

Staff recommends that the board amend the SRTA Bylaws to add a second city of Redding representative while also recognizing representation of RABA through all board members that serve on both the SRTA and RABA boards. This approach has several benefits:

- It allows the city of Redding to have the added representation that it clearly desires based on the attached RABA Policy #121, but does so in a more direct and transparent manner.
- It maximizes inclusion on the SRTA board by extending RABA representation to all SRTA board members that also serve on RABA. This additional cross-representation will improve coordination between the SRTA and RABA boards.
- It ensures that all RABA board members and their constituents have equal standing relative to SRTA representation, and renders RABA's exclusionary Policy #121 moot.
- It ensures better attendance at SRTA meetings by allowing two interchangeable Redding alternates, which has been an issue in the past;
- It limits the SRTA board make-up to cities and the county consistent with current laws and practice throughout the state, while recognizing the value of RABA overlap; and
- It allows more direct elected official representation and accountability. The Redding City Council appoints directly to the SRTA board rather than a double-appointment process twice removed from the electorate.

In consultation with RABA, staff has been unable to identify any tangible benefits to having a single RABA representative, or any negative impacts to the proposed change. What's more, the current RABA representative is underutilized in representing RABA needs and reporting SRTA or RABA activities as liaison between the two boards. SRTA staff will work with RABA to bring an item to both the RABA and SRTA boards to explore how coordination and communication can be improved given the enhanced representation proposed in these bylaws.

RABA comments, RABA Policy #121, and SRTA and SRTA legal counsel's responses are attached.

FISCAL COMMITTEE RECOMMENDATION:

The SRTA Fiscal Committee reviewed this item and recommended adding the Redding representative as well as consolidating committees. Since that time, staff has made additions to also recognize broader and more inclusive RABA representation.

ALTERNATIVES:

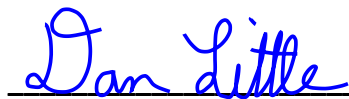
The board may modify the attached cooperative agreement or direct staff to pursue an expanded “council of governments” role as part of a separate future action. The board may also approve a different representation structure to facilitate improved communication and coordination among all partners.

OTHER AGENCY INVOLVEMENT:

If approved, the agreement would be forwarded to the cities and county for council/board approval.

FISCAL IMPACT:

The agreement and bylaw revisions better reflect SRTA’s current responsibilities and practices. There is no fiscal impact.



Daniel S. Little, AICP, Executive Director

Attachment:

- A:** Proposed SRTA Bylaw Amendments, December 6, 2021
- B:** RABA Comments, November 30, 2021
- C:** RABA Policy #121, Updated March 21, 2011
- D:** SRTA Response to RABA Comments, December 7, 2021
- E:** Letter from SRTA Counsel John Kenny Regarding RABA Representation, December 6, 2021
- F:** Cooperative Agreement with Shasta Regional Transportation Agency for Member Agency Participation, December 6, 2021

BYLAWS OF THE SHASTA REGIONAL TRANSPORTATION AGENCY

STATEMENT OF PRINCIPLES AND POLICIES

Shasta County and the incorporated cities within the county are members of an organization known as the "Shasta Regional Transportation Agency" (SRTA), to enable the cities and the county, as governmental agencies closest to the people, to exercise basic initiative and leadership in the transportation planning process. It will be the duty of this body to guide the development of the Regional Transportation Plan, State and Federal transportation improvement programs and their updates, review applications for funds, approve the allocation of and claims for Transportation Development Act funds, and to encourage active citizen participation in the development and monitoring of various transportation-related plans and programs.

To provide a framework wherein this SRTA may function, the following bylaws have been established. The SRTA is not a substitute for basic local government, but an organization through which individual governmental units can work on regional needs through coordination, collaboration, and partnerships.

ARTICLE 1 - DEFINITIONS

1. Board: Board means the governing board of the SRTA.
2. Chair: Chair means the Chairperson of the Board.
3. Executive Director: Executive Director means the Executive Director of the SRTA.
4. SRTA: SRTA means the Shasta Regional Transportation Agency. The SRTA fulfills all legislative roles as both a State Local Transportation Commission and a Federal Metropolitan Planning Organization.

ARTICLE 2 – GENERAL PROVISIONS

SECTION 1: These bylaws shall apply to the SRTA. The SRTA is the federally-designated metropolitan planning organization (MPO) and state-designated regional transportation planning agency for Shasta County.

SECTION 2: The Board of the SRTA shall consist of three members appointed by the Shasta County Board of Supervisors ~~and four-three~~ members appointed by a committee of mayors of the cities within the county consisting of two members from Redding, one member from Anderson, and one member from Shasta Lake, ~~and one member representing the Redding Area Bus Authority (RABA), appointed by the RABA governing board.~~ Appointees shall be elected officials of the agency appointing them and shall serve at the pleasure of that agency.

SECTION 3: It is the intent of SRTA, as a region-wide entity, to be as inclusive as possible with respect to elected official perspectives and representation on the board of directors. All

appointees of a city or county that are also appointed to the RABA board of directors shall represent SRTA in both capacities. Each will provide a valued role as liaisons between SRTA and RABA.

SECTION 4: No appointing authority shall exclude an elected official from representation on the SRTA board based on the geographic area they were elected to represent.

ARTICLE 3 - FUNCTIONS

The functions of the SRTA are as follows:

To carry out all responsibilities as the regional transportation planning agency as designated by California Government Code Section 65080 et seq.

1. To carry out all responsibilities as the metropolitan planning organization (MPO) as designated by 23 USC Section 134 and 49 USC Section 5303.
2. To serve as the lead agency for determination of air quality conformity between transportation plans, programs, and projects and any applicable State Implementation Plan.
3. To provide a venue for discussion and study of regional transportation problems of mutual interest to member agencies.

ARTICLE 4 - MEETINGS

SECTION 1: Regular meetings of the SRTA shall generally be held on the last ~~Thursday~~ Tuesday of the month in February, April, June, October, and December, or as necessary, at a time and location that is mutually agreeable to the Board. The Chair or Executive Director may reschedule regular meetings, as the need arises. The Executive Director shall cause written notice of all regular meetings to be given to all members of the Board at least 72 hours in advance of the meetings. The notice shall contain an agenda for the meeting, and the time and location of the meeting.

SECTION 2: Special meetings of the SRTA may be called by the Chair or upon written request of four members of the Board. The Executive Director shall cause notice of all special meetings to be given to all members of the Board, and to all media outlets that have requested notice in writing, at least 24 hours in advance of the meetings. The notice shall state the time, location and purpose of the meeting. Only the matters specified in the notice may be considered at the special meeting.

SECTION 3: Any regular or special meeting may be adjourned to a time and location specified in the order of adjournment. If all Board members are absent, the Executive Director may adjourn the meeting to a stated time and location. If one or more Board members are present, but less than a quorum, the members present may adjourn the meeting to a mutually agreed upon time

and location.

SECTION 4: When the majority of the Board determines that an emergency situation exists, it may call an emergency meeting. Telephonic notice must be provided to all media outlets that have requested that they receive notice of any special meetings at least one hour prior to the meeting, or as otherwise provided by the Ralph M. Brown Act (California Government Code Section 54950 et seq.).

SECTION 5: All meetings of the SRTA shall be open to the public and held in accordance with the Ralph M. Brown Act and open meeting laws.

SECTION 6: All committees and working groups of the SRTA shall meet on the call of the Executive Director. Each committee or working group member shall be notified of a meeting, either personally or by written notice, at least three calendar days prior to the meeting.

SECTION 7: When the Board is scheduled to consider a matter that requires a public hearing, notice of such public hearing shall be published in a local newspaper of general circulation at least 10 days prior to the hearing. In the case of the annual unmet transit needs hearing, held in accordance with California Public Utilities Code Section 99238.5, the notice of public hearing shall be published at least 30 days prior to the hearing. All notifications shall be consistent with the SRTA Public Participation Plan.

ARTICLE 5 - CONDUCT OF MEETINGS

SECTION 1: Except as herein or otherwise provided, Roberts Rules of Order shall be used to govern all proceedings.

SECTION 2: It shall be the policy of the SRTA to entertain the opinions of any person, firm, or corporation relative to any pending matter. The Chair shall, however, have the prerogative to limit the time of any presentations.

SECTION 3: The Chair may, with the approval of a majority of the representatives present, adjourn any meeting to a time and location of his/her choice.

SECTION 4: All votes shall be cast by the person or persons authorized to do so by the member government they represent. No proxy, absentee or fractional votes may be cast.

SECTION 5: Closed sessions shall be held in conformance with the Government Code of the State of California.

ARTICLE 6 - QUORUM & VOTING

A quorum and voting at Board meetings shall be as follows:

SECTION 1: A majority of the Board shall constitute a quorum.

SECTION 2: Each member of the Board shall have an alternate to represent said member.

SECTION 3: A quorum of the Board must be present to conduct business.

SECTION 4: Each Board member shall have one vote.

SECTION 5: The Board shall take no action except upon the affirmative vote of at least four members.

SECTION 6: The Board shall act by resolution or minute action. All resolutions shall be adopted by a vote recorded in the Board minutes, and signed by the Chair.

ARTICLE 7 - DUTIES OF OFFICERS

SECTION 1: The Chair shall preside at all meetings, decide questions of parliamentary procedure, call special meetings, and perform such other functions and duties which may be prescribed by appropriate authority or which is customary of the office of Chairperson.

SECTION 2: The Vice Chair shall perform the functions and duties of the Chair in the Chair's absence.

ARTICLE 8 - ELECTION OF OFFICERS

SECTION 1: Nomination and election of the Chair and Vice Chair shall be held at each February meeting of the Board. Officers shall serve a one-year term. Any vacancy during the term shall be filled by nomination and election for such office for the remainder of the term.

SECTION 2: Nominations may include any member of the Board, and may be made by any member of the Board.

SECTION 3: The election for the office of Chair and Vice Chair shall be held immediately after all nominations have been declared closed by the Chair.

SECTION 4: Officers shall take office immediately after their election, or as soon thereafter as practicable, and serve until disqualified or until their successors are duly elected.

ARTICLE 9- EXECUTIVE DIRECTOR

SECTION 1: The Executive Director of the SRTA shall be appointed by the Board and serve at the pleasure of the Board.

SECTION 2: The Executive Director shall perform or supervise the administrative and secretarial work of the SRTA, and shall hire and supervise all staff, pursuant to SRTPA Personnel Policies and Procedures. His/her specific duties entail serving as secretary to the SRTA; keeping accurate and

sufficient records of all proceedings; receiving and transmitting all correspondence; maintaining files for all reports; directing and coordinating the work of the SRTA; preparing and administering the SRTA annual budget; maintaining a record of all financial transactions; managing all support functions including personnel, accounting, banking, insurance and facilities; and such other duties as are usually incidental to such position.

SECTION 3: The Executive Director shall:

- a. Advise all prospective Local Transportation Fund (LTF) claimants of the amounts of anticipated area apportionments in accordance with Section 6644 of the California Code of Regulations (CCR).
- b. Review claims submitted pursuant to Sections 6630 and 6732 of the CCR and prepare a proposed annual budget for Transportation Development Act (TDA) funds to be allocated to claimants as approved by the Board.
- c. Transmit allocation instructions to the county auditor to pay from the LTF and State Transit Assistance funds those approved claims that are in the proper order and for which sufficient monies are available in accordance with Sections 6659 and 6752 of the CCR. Such payments shall be made in accordance with SRTA policies and procedures.
- d. Prepare an amended budget for TDA funds as needed to make mid-year allocation and claim adjustments.

SECTION 4: At or near the October meeting in each calendar year, the Board shall meet in closed session to review the performance of the Executive Director. The review shall include review of goals and past performance. The review may include input from staff of SRTA's member agencies. A draft report shall be prepared by the Executive Director and reviewed by the Fiscal and Policy ~~Human Resources~~ Committee. After incorporating recommendations of the Fiscal and Policy ~~Human Resources~~ Committee, the final draft evaluation will be available to the full Board for discussion in the closed session.

ARTICLE 10- OPERATIONS

SECTION 1: The vote on all agenda actions shall be by voice vote unless a roll call vote is requested by a Board member. If the roll is not called, the Chair may order the motion unanimously approved. When the roll is called on any motion, any member present who does not vote in an audible voice shall be recorded as "aye."

SECTION 2: Subjects for inclusion on the agenda are to be directed to the Executive Director. Any subject of mutual interest to the members of the SRTA will be entertained, discussed, and if appropriate, voted upon.

- a. Subjects proposed for discussion by members of the SRTA shall be automatically placed

on the agenda.

- b. Subjects proposed for discussion by persons or organizations that are not members of the SRTA shall be placed on the agenda upon approval of the Chair or Executive Director.
- c. All written requests denied under the preceding sub-section shall be identified in the agenda under "communications" and read or distributed at the meeting upon the direction of the Chair or upon a majority vote of the Board.
- d. Non-members will be recognized by the Chair, who will have the prerogative to establish time limits, or any other control measures he/she deems appropriate for presentations or comments.

SECTION 3: Minutes summarizing the Board's transaction of business shall be kept by the Executive Director or such other person as may be designated by the Executive Director. The minutes need only reflect such business as was actually acted upon by the Board and shall not be required to reflect any remarks of members or of any other person, except at the special request of a member. A record shall be made of the names and addresses of persons addressing the Board, the title of such matter to which their remarks related, and whether they spoke in support of, or opposition to, such matter. As soon as possible after each meeting, the Executive Director shall forward a copy of the minutes to each member. Unless a reading of the minutes is requested by a member, such minutes may be approved without reading if each member has been previously furnished a copy.

ARTICLE 11- AMENDMENTS

These bylaws may be amended by a majority vote of the Board as an agenda item at any duly noticed regular meeting.

ARTICLE 12 - COMMITTEES

SECTION 1: The SRTA shall maintain ~~three~~^{four} standing advisory committees to advise the SRTA on studies and projects on a continuing basis. The Executive Director shall provide staff support for the activities of these committees. The standing committees will include:

- a. **Technical Advisory Committee:** The Technical Advisory Committee (TAC) shall be composed of two members each of the staffs of Shasta County and the cities of Anderson, Redding, and Shasta Lake, and one member each from the Redding Area Bus Authority, Redding Airports, Shasta County Air Quality Management District, the designated Consolidated Transportation Services Agency and Caltrans. The TAC shall review and evaluate all programs and projects for consideration by the Board, and shall provide its recommendation to the Board.
- b. **Social Services Transportation Advisory Council:** The Social Services Transportation Advisory Council (SSTAC) shall include members and conduct its activities in accordance

with the Transportation Development Act (Public Utilities Code Section 99238 et seq.) and in accordance with the SSTAC Guidelines and Bylaws approved by the SRTA.

~~c) Human Resources Committee: The Human Resources Committee convenes on an ad hoc basis and makes recommendations regarding the Executive Director evaluation and any other staffing or personnel matters. The Committee shall consist of the chair and two additional board members appointed or reappointed by the full Board each February.~~

- c. ~~c)d)~~ Fiscal and Policy Committee: The Fiscal and Policy Committee is a standing committee that provides the highest level of management oversight related to SRTA financial operations, all policies, and human resource needs, subject to SRTA Financial and Accounting Policies and Procedures. The Fiscal and Policy Committee shall consist of the chair and two additional Board members appointed or reappointed by the full Board each February.

SECTION 2: The SRTA may establish additional committees or working groups as deemed necessary or convenient to fulfill the duties of the SRTA.

ARTICLE 13 – REGIONAL TRANSPORTATION PLANNING

SECTION 1: In all cases, the Board shall allocate funds only in accordance with a finding that the proposed expenditures are consistent with its adopted Regional Transportation Plan.

SECTION 2: The SRTA shall, through its adopted annual Overall Work Program (OWP), allocate to the various other participating agencies sufficient funds to permit such agencies to perform their planning responsibilities as designated in the OWP.

SECTION 3: In discharging its comprehensive regional planning program responsibilities, the SRTA shall be guided by the terms and provisions of its Memorandum of Understanding with the state, its adopted public participation procedures, and by the provisions of the OWP.

SECTION 4: The SRTA shall prepare and update, as necessary, policies and procedures for administration of planning and programming functions including the OWP, TDA claims, and other provisions related to federal, state, and local funding requirements.

ARTICLE 14 - SERVICES

The SRTA shall contract out for legal services, independent audits, and other professional services, as deemed necessary for administration and operation purposes. These services shall be performed under supervision of the Executive Director in accordance with procedures prescribed by the Federal and State governments.

ARTICLE 15 - REFERRALS

The SRTA may accept, by letter or resolution, referrals for studies and reports from any duly constituted advisory or legislative body or their representatives. Reports will be made and returned to the referring body within a reasonable time.

ARTICLE 16 - ADOPTION AND CERTIFICATION

These bylaws were duly adopted by the Board of the Shasta Regional Transportation Agency, at a Board meeting held on May 22, 2012, ~~with , and revisions dated~~ February 23, 2016, ~~and~~ December 13, 2021.

Greg Watkins, Chair
Shasta Regional
Transportation Agency

December 13, 2021

Date

**Aukland, Chuck**

caukland@cityofredding.org



To: You dlittle@srta.ca.gov

Cc: Tippin, Barry btippin@cityofredding.org

Tuesday, November 30, 1:08 PM

Hey Dan,

I noticed in the TAC Packet that you intend to recommend that the RABA rep be removed from the SRTA Board and replaced with a second City of Redding representative. As we have indicated in the past, as City management, Barry and I do not believe its a necessary action at this time. In part for the following considerations:

- RABA Policy 121 already addresses membership to the SRTA Board indicating the RABA rep should be a City of Redding Council Member: <https://www.cityofredding.org/home/showpublisheddocument/10153/636187025744900000>. This person serves to represent RABA's interests as the transit provider and not just the City of Redding.
- One of SRTA's main purposes is to distribute state and federal transit funding including listing the projects in the TIP. As such, it stands to reason that the regions transit agency should have representation on the Board.
- FHWA and FTA suggest that MPO Boards should include a representative from a transportation operator. RABA is the area operator. See link from their executive training on MPO's: <https://www.planning.dot.gov/Documents/MetroPlanning/metroTrans.htm>
- We are unaware of any issues/concerns/problems that need to be fixed by this proposition. In particular, we disagree with many of your bulleted list of practical reasons noted in the staff report:
 - If it reflects current practice, why change?
 - We are unaware of any attendance issues with RABA members or SRTA members
 - We are unaware of any perceived conflicts of interest nor are there any concerns expressed by any legal counsel from any of the member Boards or City Councils
 - As noted above FHWA and FTA recommend a transportation provider representative on the MPO Board
 - We disagree that RABA is adequately represented by all SRTA Board members and therefore important for RABA to have a direct representative. Again, this has not been a problem that warrants fixing.

In addition, it seems appropriate that both the City of Redding City Council and the RABA Board of Directors should weigh in regarding their representation before any decision is made. Perhaps a better solution would be to add an additional member from the Redding City Council.

For these reasons, we hope that you may reconsider SRTA staff's position relative to this matter. Thanks and let us know if you would like to discuss further prior to staff report finalization. Let us know.

Thanks

Chuck

Chuck Aukland, P.E.

Director/City Engineer

Public Works Department

City of Redding

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City of Redding Facilities are open to the public with requirements to wear a mask if you are not vaccinated. If you prefer, business can be conducted online at www.cityofredding.org, by using the drop boxes located outside the facilities or by contacting City of Redding departments directly by phone at www.cityofredding.org/contacts. Thank you for your patience and ensuring the health and safety of the public and City Staff.



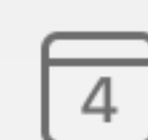
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4 Calendar

**REDDING AREA BUS AUTHORITY
BOARD POLICY**

SUBJECT	RESOLUTION NUMBER	POLICY NUMBER	EFFECTIVE DATE
QUORUM REQUIREMENTS, VOTING REQUIREMENTS, AND ANNUAL REORGANIZATION OF THE BOARD OF DIRECTORS	RABA-138	121	05/15/2000
	RABA-151		12/13/2004
	RABA-155		12/12/2005
	RABA 2011-01		03/21/2011

Background

The Redding Area Bus Authority (RABA) does not have an explicit policy relative to: 1) when the Board of Directors will reorganize (i.e., select a new Chair and Vice Chair); 2) how many Board Members are needed to constitute a quorum; 3) the voting requirements when less than eight Board Members are present; or 4) how to select representatives to various boards, commissions or committees such as the Governing Board of the Shasta County Regional Transportation Planning Agency (SCRTPA).

Purpose

To clarify the issues delineated above, a policy is needed that: 1) establishes a date certain when the Board of Directors will reorganize; 2) establishes how many Board Members are needed to constitute a quorum; 3) explicitly sets forth the voting requirements when less than eight Board Members are present; and 4) establishes the procedure for selecting representatives to various board, commission and committees

Policy

1. The Board of Directors will reorganize at its scheduled meeting in December of each year. If that meeting is cancelled due to the lack of a quorum or for any other reason, the Board of Directors will reorganize at a meeting at such other date and time as the Board may desire.
2. Five Board Members shall constitute a quorum.
3. The act of a majority of the Board Members present and voting on an issue at a meeting at which a quorum is present shall be the act of the Board of Directors.
4. Various board, commission, and committee representation will be reviewed at the Board of Directors annual reorganization meeting as outlined in Item 1 above. At such time, primary and alternate representatives will be determined. From time to time, Board Members may no longer be able to meet their representative obligations due to resignations, or other relevant reasons. In such cases, the Board of Directors will select new representatives at its next regularly scheduled meeting.

It is recognized that the SCRTPA representative and an alternate will normally be appointed from among City of Redding City Council members. The overwhelming majority of the RABA service is provided in the Redding city limits and is, therefore, funded by the City of Redding's share of transit revenues. Consequently, the SCRTPA Board should have a corresponding amount of representation from the City of Redding which stands to be most impacted relative to decisions by the SCRTPA concerning RABA. The alternate representative should not already be a SCRTPA alternate representative for another jurisdiction. The SCRTPA representative will typically serve in that capacity for a minimum of two years in order to ensure continuity.



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Daniel S. Little, Executive Director

December 7, 2021

Subject: SRTA Response to RABA Comments

The preceding email was provided from RABA staff and references RABA Policy #121 regarding exclusion of non-Redding appointments to the SRTA Board of Directors.

Staff agrees that RABA representation and coordination is important. Staff is recommending added RABA representation on the SRTA Board.

Staff agrees that the US Department of Transportation encourages transit representation; however, agencies such as SRTA are exempt. A more thorough read of the US Code (see next page) clarifies that this can be accomplished, if desired, in a more inclusive manner by recognizing all SRTA board members that are also RABA appointees as transit agency representatives on SRTA. The RABA representative role does not turn on for one SRTA board member and shut off for the other members on SRTA that are also on RABA. Why have one RABA representative when a minimum of two, and often more, also serve on the SRTA Board? This is the representation model used by every organization in California.

Staff agrees that the RABA representative to SRTA should also represent Redding; however, this should be extended to all RABA representatives that are also on the SRTA board. Any RABA policy to exclude certain RABA board members from SRTA appointment based on the jurisdiction they were elected to serve should be rescinded.

Staff agrees that there needs to be a discussion with the RABA board, but disagrees that this item should be further delayed. The staff recommendation is for broadened RABA representation and improved, more direct Redding representation. This should be supported. The only question that remains is how to use this for improved coordination between the SRTA and RABA boards.

Staff disagrees with the suggestion that SRTA add a third Redding representative. This only exacerbates the concerns of RABA's policy to exclude non-Redding members.

(d) DESIGNATION OF METROPOLITAN PLANNING ORGANIZATIONS.-

(1) IN GENERAL.-To carry out the transportation planning process required by this section, a metropolitan planning organization shall be designated for each urbanized area with a population of more than 50,000 individuals-

- (A) by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city (based on population) as determined by the Bureau of the Census); or
- (B) in accordance with procedures established by applicable State or local law.

(2) STRUCTURE.-Not later than 2 years after the date of enactment of MAP-21, each metropolitan planning organization that serves an area designated as a transportation management area shall consist of-

- (A) local elected officials;
- (B) officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and
- (C) appropriate State officials.

Section
does not
apply:
SRTA is
not a TMA

(3) REPRESENTATION.-

(A) IN GENERAL.-Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

(B) PUBLIC TRANSPORTATION REPRESENTATIVE.-Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

(C) POWERS OF CERTAIN OFFICIALS.-An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).

(4) LIMITATION ON STATUTORY CONSTRUCTION.-Nothing in this subsection shall be construed to interfere with the authority, under any State law in effect on December 18, 1991, of a public agency with multimodal transportation responsibilities-

- (A) to develop the plans and TIPs for adoption by a metropolitan planning organization; and
- (B) to develop long-range capital plans, coordinate transit services and projects, and carry out other activities pursuant to State law.

ATTORNEYS

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December 6, 2021

By email to: dlittle@srta.ca.gov

Daniel S. Little
Executive Director
Shasta Regional Transportation Agency
1255 East Street
Redding, CA 96001

Re: SRТА – RABA Presentation

Dear Dan,

The City of Redding's comments relating to the proposal to replace the RABA position on the SRТА Board with a City of Redding appointment have been reviewed. I am confused. Presently the SRТА Board includes a Redding Council member and a RABA Board member who (in accord with RABA policy 21) is a Redding Council member. To be consistent with practices of other regional transportation, you proposed to delete RABA representation on SRТА and replace it with a City of Redding Council member. As all Redding Council members serve on RABA, Redding's participation on STRA would not be negatively affected. The change would make SRТА's practices consistent with similar agencies. It would also clear up an anomaly in RABA policies. If RABA representation on SRТА is necessary, why is the RABA representative a Redding member to the exclusion of RABA members from Anderson, the County and Shasta Lake?

It appears to me that the change you propose simply clarifies the present reality. Nothing is served by being circuitous. Being circuitous suggests something devious. It's better to be direct.

Very truly yours,

KENNY & NORINE



JOHN SULLIVAN KENNY

JSK:bam

#7004

4864-3445-7861, v. 1

COOPERATIVE AGREEMENT WITH SHASTA REGIONAL TRANSPORTATION AGENCY FOR MEMBER AGENCY PARTICIPATION

Representing: County of Shasta, City of Anderson, City of Redding, and
City of Shasta Lake

V.7

(December 6, 2021)

COOPERATIVE AGREEMENT WITH SHASTA REGIONAL TRANSPORTATION AGENCY FOR MEMBER AGENCY PARTICIPATION

THIS AGREEMENT is made as of the date of the last signature affixed hereto by and among the cities of Anderson, Redding, Shasta Lake and the county of Shasta, heretofore named "member agencies."

RECITALS:

WHEREAS, the people residing within the incorporated and unincorporated areas of Shasta County have an interest in a well-coordinated and planned transportation system; and

WHEREAS, State and Federal legislators designated the Shasta region as a State Local Transportation Commission in 1972 (PUC §130000 et al.) (Government Code §29532, 29535) and a Federal Metropolitan Planning Organization in 1981 (USC Title 23, §134); and

WHEREAS, on July 1, 2012, the agency reorganized to form the Shasta Regional Transportation Agency (SRTA), a separate and distinct entity from its member agencies; and

WHEREAS, the member agencies desire to establish this Agreement in order to: (1) formally recognize the Shasta Regional Transportation Agency as the regional transportation planning entity under State and Federal law; (2) outline the agency's purpose and functions as defined by those laws as updated from time-to-time; (3) agree to promote a governing structure to address transportation-related needs of regional significance; and (4) facilitate cooperation among its member agencies; and

WHEREAS, transportation and transportation-related challenges and opportunities within the region transcend local governmental boundaries and have Countywide implications; and

WHEREAS, there is a demonstrated need for an organization with representatives from the member agencies to provide a forum to address these challenges and opportunities; and

WHEREAS, the member agencies believe that a Countywide transportation planning organization, governed by elected officials from among the member agencies is best suited for this type of regional coordination; and

WHEREAS, the member agencies, working together through this organization can exercise initiative, leadership, and responsibility for addressing Countywide transportation-related issues; and

WHEREAS, the Shasta Regional Transportation Agency can conduct certain governmental operations of common interest efficiently and economically through the cooperation of its members and the pooling of common resources.

IN WITNESS THEREOF, it is mutually agreed as follows:

1. THE SHASTA REGIONAL TRANSPORTATION AGENCY

By adoption of this Agreement, the parties hereto formally recognize the Shasta Regional Transportation Agency, separate and distinct from its member entities, as the agent which exercises the roles and responsibilities described in this Agreement.

The Shasta Regional Transportation Agency serves as both the Local Transportation Commission as designated by what was then known as the Secretary of the Business, Transportation and Housing Agency for the State of California; (Government Code §29535) and as the Federally designated Metropolitan Planning Organization as approved by the Governor of California for the Shasta County region. Inherent in these State and Federal designations are the following responsibilities:

- a. Act as lead-agency for determination of any applicable air quality conformity between transportation plans, transportation programs, and transportation projects and the applicable State Implementation Plan in accordance with Title 23 USC §134;
- b. Serve as the regional transportation planning and programming representative for the purpose of acting upon any appropriate proposals which may be presented to it for consideration and for transmission of proposed recommendations to Federal and State agencies;
- c. Serve as the regional, multi-jurisdictional organization which may be required by State or Federal law or regulation so that member agencies can continue to qualify for State and Federal funds and programs, and to review and comment on applications for Federal or State funds or programs when appropriate by law or regulation;
- d. Provide assistance to member agencies to collect, analyze, and disseminate information which will be of value to member agencies, including Federal census data and information on State and Federal aid programs, and provide technical assistance as may be requested by member agencies;
- e. Represent the region for transportation-related issues before State and Federal governments and vigorously express to State and Federal agencies the local government point of view on regionwide problems;

- f. Develop transportation-related plans, programs and policies consistent with state and federal requirements, including coordination with local agencies;
- g. Facilitate cooperation and agreement between local government bodies for transportation-related issues and challenges which are common to its members;
- h. Coordinate grant efforts, including applying for grants on behalf of the region, or providing technical grant support to member agencies;
- i. Manage Transportation Development Act, Regional Surface Transportation, State Transportation Improvement Program, and other funds allocated at the regional level;
- j. Provide funding to member agencies as sub-recipients of regional, State, and Federal funds pursuant to Sub-recipient Cooperative Agreements which outline grantor requirements associated with the fund sources provided; and
- k. Other duties as authorized under State and Federal law with respect to Local Transportation Commissions and Metropolitan Planning Organizations.

2. BYLAWS

The Shasta Regional Transportation Agency Board of Directors maintains bylaws guiding agency procedures, functions, officer duties and membership. Amendments to all or a portion of these bylaws are made by the Shasta Regional Transportation Agency Board of Directors in the manner prescribed in the bylaws.

3. POWERS AND FUNCTIONS

The Shasta Regional Transportation Agency has the following powers to establish and administer the agency, and in the exercise of that power, the Shasta Regional Transportation Agency is authorized in its own name to:

- a. Employ an executive director as the chief administrative officer, treasurer, and secretary of the agency;
- b. Employ staff and contract for professional services;
- c. Make and enter into contracts;
- d. Acquire, hold, and convey real and personal property;
- e. Incur debts, obligations, and liabilities;
- f. Accept contributions, grants, or loans from any public or private agency or

individual, or the United States, or the State of California, or any department, instrumentally, or agency thereof, for the purpose of financing its activities;

- g. Invest money that is not needed for immediate necessities, as the Shasta Regional Transportation Agency Board of Directors determines advisable, in the same manner, and upon the same conditions as other local entities in accordance with Section 53601 of the California Government Code;
- h. Exercise the responsibility and duties required of a Local Transportation Commission and a Metropolitan Planning Organization;
- i. Sue and be sued, in its own name only, but not in the name or stead of any member agency; and
- j. Perform all other acts reasonable and necessary to carry out the purpose of this Agreement;
- k. Other duties as may be assigned by the Shasta Regional Transportation Agency Board of Directors, or prescribed in the SRTA Bylaws.

4. COOPERATION

The parties to this Agreement agree to cooperate to perform the functions outlined in this agreement and assign representatives to serve on the Shasta Regional Transportation Agency. Each representative shall act on behalf of the Shasta Regional Transportation Agency in consideration of regional challenges and opportunities, subject to any necessary and legal approvals by the legislative bodies of the member agencies. The parties recognize that the resources of the Shasta Regional Transportation Agency are limited and not all needs can be met for all areas of the region at any one time; however, the Shasta Regional Transportation Agency Board of Directors will strive for equity across all jurisdictions of the region and all populations. Some regional opportunities and decisions may only directly benefit a particular member, but still be in the best interest of the region as a whole. A stronger region ultimately benefits all member agencies.

5. **ATTEST**

County of Shasta

Chair, Board of Supervisors

Date: _____

City of Anderson

Mayor, City of Anderson

Date: _____

City of Redding

Mayor, City of Redding

Date: _____

City of Shasta Lake

Mayor, City of Shasta Lake

Date: _____

Shasta Regional Transportation Agency

Chair

Date: _____