



SAN JOAQUIN REGIONAL RAIL COMMISSION STATION/FACILITIES DEVELOPMENT COMMITTEE REGULAR MEETING

June 10, 2022 – 9:00 am

Call-In Information: **+1 (332)-249-0500** Phone Conference ID: 956-932-453#
Microsoft Teams Link: [Click here to join the meeting](#)

SPECIAL NOTICE Coronavirus COVID-19 IN PERSON AND REMOTE ATTENDANCE AVAILABLE

In accordance with Assembly Bill 361 (AB 361), San Joaquin Regional Rail Commission Station/Facilities Development Committee (Committee) Members will be attending this meeting via teleconference, videoconference, or in person. Members of the public may attend the meeting in person at the South Hall Meeting Room at the Commission's main office located at 949 East Channel Street Stockton, CA 95202, or by dialing **+1 (332)-249-0500** with Phone Conference ID: 956-932-453# log-in using a computer, tablet or smartphone on Microsoft Teams using link: [Click here to join the meeting](#)

Please note that all members of the public will be placed on mute until such times allow for public comments to be made. If a person wishes to make a public comment during the meeting, to do so they must either 1) use Microsoft Teams and will have the option to notify SJRRC staff by alerting them via the "Chat" function or they can 2) contact SJRRC staff via email at publiccommentssfdcommittee@acerail.com in which staff will read the comment aloud during the public comment period. Emailed public comments should be limited to approximately 240 words as comments will be limited to two (2) minutes per comment.

This Agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact San Joaquin Regional Rail Commission (SJRRC) staff, at (209) 944-6220, during regular business hours, at least twenty-four hours prior to the time of the meeting.

All proceedings before the Committee are conducted in English. Anyone wishing to address the Committee is advised to have an interpreter or to contact SJRRC during regular business hours at least 48 hours prior to the time of the meeting so that SJRRC can provide an interpreter. Any writings or documents provided to a majority of the Committee regarding any item on this agenda will be made available upon request in both English and Spanish for public inspection at the Office of the Executive Director located at 949 East Channel Street, Stockton, California, 95202 during normal business hours or by calling (209) 944-6220. The Agenda is available on the San Joaquin Regional Rail Commission website: <https://www.sjrrc.com/station-facilities-development-committee/>.

1. Call to Order, Roll Call

Chair Zuber

Roll Call: Chiesa, Hume, Vice Chair Hothi, Chair Zuber

2. Public Comments

Persons wishing to address the Committee on any item of interest to the public regarding rail shall state their names and addresses and make their presentation. Please limit presentations to two minutes. The Committee cannot take action on matters not on the agenda unless the action is authorized by Section 54954.2 of the Government Code. Materials related to an item on the Agenda submitted to the Committee after distribution of the agenda packet are available for the public inspection in the Commission Office at 949 E. Channel Street during normal business hours. These documents are also available on the San Joaquin Regional Rail Commission website at <https://www.sjrrc.com/> subject to staff's ability to post the documents prior to the meeting.

3. Consent Calendar

- 3.1 Minutes of Committee Meeting May 13, 2022
- 3.2 Approve a Resolution of the San Joaquin Regional Rail Commission Station/Facilities Development Committee (Committee) Determining to Conduct Meetings of the Committee Using Teleconferencing Pursuant to Government Code 54953 as Amended by AB 361 for the Period June 11, 2022 to July 10, 2022

**ACTION
ACTION**

4. Valley Rail Station Landscaping Criteria Update
(David Lipari)

INFORMATION

5. Committee Member Comments and Executive Director's Report

6. Adjournment

The next regular meeting is scheduled for:
July 8, 2022 – 9:00 am

**SAN JOAQUIN REGIONAL RAIL COMMISSION
STATION/FACILITIES DEVELOPMENT COMMITTEE**
Meeting of June 10, 2022

Item 3.1

ACTION

Minutes of Committee Meeting May 13, 2022

The meeting of the Station/Facilities Development Committee was held at 9:00 a.m., May 13, 2022, via teleconference.

1. Call to Order, Roll Call

Chair Zuber called the meeting to order at 9:00 a.m.

Members Present: Chiesa, Hume, Vice-Chair Hothi, Chair Zuber

Members Absent: None

2. Public Comments

There were no public comments.

3. Consent Calendar

3.1 Minutes of Committee Meeting April 8, 2022

3.2 Minutes of Committee Special Meeting April 29, 2022

3.3 Approve a Resolution of the San Joaquin Regional Rail Commission Station/Facilities Development Committee (Committee) Determining to Conduct Meetings of the Committee Using Teleconferencing Pursuant to Government Code 54953 as Amended by AB 361 for the Period May 14, 2022 to June 12, 2022

ACTION

ACTION

ACTION

There were no comments on the Consent Calendar.

M/S/C (Hume/Chiesa) to Approve items 3.1-3.3 of the Consent Calendar.

Passed and Adopted by the San Joaquin Regional Rail Commission Station/Facilities Development Committee on the 8th day of April, 2022 by the following vote to wit:

AYES:	4	Chiesa, Hume, Hothi, Chair Zuber
NOES:	0	
ABSTAIN:	0	
ABSENT:	0	

4. Site Security Criteria Overview

INFORMATION

David Lipari gave a presentation on this item.

Member Hume confirmed that the railroad tracks cannot be fenced off and would be accessible from either end, and that the fencing is mainly for controlling the parking lot.

Member Chiesa inquired if the license plate readers are hooked up to the police department or if they are for internal use only.

Bryan Pennino commented that because the agency isn't a law enforcement agency, they do not have access to License Plate data, so the license plate readers are for investigative use only.

Member Chiesa commented that it is a great idea for having hookups ready for the backup generator, and that it is essential.

Member Hume inquired about the reason that the station parking lots rolling gate will be closed during the day.

David Lipari responded that it would need to be considered on a site-by-site basis especially if some stations will have afternoon San Joaquins service. Mr. Lipari commented that there will be the availability to contact the operations center through a gate contact button in order to get access to the parking lot during these closed hours.

There were no public comments on this item.

5. Natomas Station and Layover Overview

INFORMATION

Bryan Pennino gave a presentation on this item.

Member Chiesa expressed his excitement about the proximity to Teal Bend Golf Course and the airport.

There were no public comments on this item.

6. Committee Member Comments and Executive Director's Report

There were no Committee Member comments.

Executive Director Stacey Mortensen commented on pairing each Committee Member with local meetings to local jurisdictions because it is a good time for locals to get in to see the level of detail.

Legal Counsel Dan Schroeder discussed potential hybrid meeting options. Counsel explained that the AB361 Resolution every 30 days allows for remote meetings, as well as hybrid meetings held by staff in a

setting open to the public, and that both the Committee Members and members of the public have the availability to attend in person, or to attend remotely if they do not feel ready to meet in a physical setting.

Member Chiesa commented about being fine with either virtual or hybrid meetings.

Chair Zuber commented on deciding the meeting structure on a month-by-month basis to see how things develop.

7. Adjournment

The meeting was adjourned at 9:39 am.

The next regular meeting is scheduled for:
June 10, 2022 – 9:00 am

**SAN JOAQUIN REGIONAL RAIL COMMISSION
STATION/FACILITIES DEVELOPMENT COMMITTEE**
Meeting of June 10, 2022

STAFF REPORT

Item 3.2

ACTION

Approve a Resolution of the San Joaquin Regional Rail Commission Station/Facilities Development Committee (Committee) Determining to Conduct Meetings of the Committee Using Teleconferencing Pursuant to Government Code 54953 as Amended by AB 361 for the Period June 11, 2022 to July 10, 2022

Background:

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of COVID-19. On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings electronically without a physical meeting place.

On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which among other things, rescinded his prior Executive Order N-29-20, effective October 1, 2021. At that point, agencies would have transitioned back to public meetings held in full compliance with the preexisting Brown Act teleconference rules. Since the Governor issued Executive Order N-08-21, the Delta variant has emerged, causing a spike in cases throughout the state. As a result, the Governor's proclaimed State of Emergency remains in effect, and state and local officials, including San Joaquin Public Health Services, the California Department of Public Health and the Department of Industrial Relations, have imposed or recommended measures to promote social distancing.

On September 16, 2021, Governor signed Assembly Bill (AB) 361 into law, effective October 1, 2021, to allow agencies to use teleconferencing for public meetings during proclaimed state of emergencies without requiring the teleconference locations to be accessible to the public or a quorum of the members of the legislative body of the agency to participate from locations within the boundaries of the agency's jurisdiction. AB 361 will sunset on January 31, 2024.

Under AB 361, a local agency will be allowed to meet remotely without complying with prior Brown Act teleconference requirements when:

- a. The local agency holds a meeting during a state of emergency declared by the Governor, and either
- b. State or local health officials have imposed or recommended measures to promote social distancing, or

- c. The legislative body finds that meeting in person would present imminent risks to the health or safety of attendees.

As discussed above, the state of emergency is currently in effect and state and local officials continue to recommend social distancing. Therefore, the Committee may continue to conduct meetings via teleconference, as long as it adheres to the following emergency requirements under Government Code Section 54953(e)(2), added by AB 361:

1. The legislative body gives notice and posts agendas as otherwise required by the Brown Act, including directions for how the public can access the meeting.
2. The legislative body does not take formal action on any item whenever there is a disruption in the meeting broadcast.
3. The public is allowed to provide comment in real time.
4. The legislative body allows time during a public comment period for members of the public to register with any internet website required to submit public comment.

On May 13, 2022, the Committee held a regular meeting via teleconference under AB 361. In accordance with Government Code Section 54953(e)(1), the Committee made the AB 361 finding allowing teleconference meetings for 30 days thereafter. The resolution accompanying this staff report makes those findings to continue to hold teleconference meetings for the next 30 days. As a result, any Committee meetings occurring June 11, 2022 to July 10, 2022, may use the teleconferencing option under AB 361.

For upcoming teleconference meetings, the Committee can continue to follow the AB 361 requirements by declaring every 30 days that it has reconsidered the circumstances of the state of emergency and either (1) the state of emergency continues to directly impact the ability of the members to meet safely in person, or (2) state or local officials continue to impose or recommend measures to promote social distancing. Resolutions making those findings will be presented at future meetings for consideration.

These findings can be made through the consent calendar.

Fiscal Impact:

There is no fiscal impact.

Recommendation:

Approve a Resolution of the San Joaquin Regional Rail Commission Station/Facilities Development Committee (Committee) Determining to Conduct Meetings of the Committee Using Teleconferencing Pursuant to Government Code 54953 as Amended by AB 361 for the Period June 11, 2022 to July 10, 2022.

**SAN JOAQUIN REGIONAL RAIL COMMISSION STATION/FACILITIES
DEVELOPMENT COMMITTEE RESOLUTION 21/22 -**

**RESOLUTION OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION
STATION/FACILITIES DEVELOPMENT COMMITTEE (COMMITTEE) DETERMINING
TO CONDUCT MEETINGS OF THE COMMITTEE USING TELECONFERENCING
PURSUANT TO GOVERNMENT CODE 54953 AS AMENDED BY AB 361 FOR THE
PERIOD JUNE 11, 2022 TO JULY 10, 2022**

WHEREAS, San Joaquin Regional Rail Commission (SJRRRC) is committed to preserving and nurturing public access and participation in meetings of the Station/Facilities Development Committee; and

WHEREAS, all meetings of the SJRRRC's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), as amended by AB 361 (2021), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on March 4, 2020, the Governor proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS, Cal-OSHA adopted emergency regulations (Section 3205) imposing requirements on California employers, including measures to promote social distancing; and

WHEREAS, one or more of the counties within the SJRRRC's boundaries remain under a Local Health Emergency due to the COVID-19 pandemic, acknowledging that close contact to other persons increases the risk of transmission; and

WHEREAS, currently the dominant strain of COVID-19 in the country is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and

alarming rates of COVID-19 cases and hospitalizations, therefore, meeting in person would present imminent risks to the health or safety of attendees.

WHEREAS, on June 10, 2022, the SJRRC Station/Facilities Development Committee held a regular meeting remotely by teleconference/video conference in accordance with Government Code Section 54953(e) and hereby desires to adopt this resolution in order to continue to use remote teleconference/videoconference for the 30 days thereafter.

NOW, THEREFORE, THE STATION/FACILITIES DEVELOPMENT COMMITTEE OF SJRRC DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Finding of Imminent Risk to Health or Safety of Attendees. The SJRRC Committee members do hereby find that the current dominant strain of COVID-19 in the country is more transmissible than prior variants of the virus, may cause more severe illness, and that even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations has caused, and will continue to cause, conditions of peril to the safety of persons, thereby presenting an imminent risk to health and/or safety to SJRRC's employees and other representatives, and attendees of SJRRC's public meetings; and

Section 3. Teleconference Meetings. The Members of the Committee do hereby determine as a result of the State of Emergency proclaimed by the Governor, and the recommended measures to promote social distancing made by State and local officials that the SJRRC Committee may conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e)(1)(A) and (B) of section 54953, and shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

Section 4. Direction to Staff. The Executive Director and SJRRC staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect on June 11, 2022 and cover the period through July 10, 2022.

PASSED AND ADOPTED, by the San Joaquin Regional Rail Commission Station/Facilities Development Committee this 10th day of June 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

SAN JOAQUIN REGIONAL RAIL
COMMISSION STATION/FACILITIES
DEVELOPMENT COMMITTEE

STACEY MORTENSEN, Secretary

LEO ZUBER, Chair

**SAN JOAQUIN REGIONAL RAIL COMMISSION
STATION/FACILITIES DEVELOPMENT COMMITTEE**
Meeting of June 10, 2022

STAFF REPORT

Item 4

INFORMATION

Valley Rail Station Landscaping Criteria Update

Background:

Designing a multi-modal transit station requires many decisions and requirements to be considered. To guide the design of the Valley Rail Stations, staff has assembled a team to work together to provide design Principles, Guidelines, and Criteria for the stations. This design criteria is to ensure consistency, efficiency, and prioritize the passenger experience, as well as ensure equitable access to the stations. At the August 13, 2021, Station/Facilities Development Committee meeting, the Committee approved the “Design Principles.” Based upon the “Design Principles,” Design Guidelines were drafted and approved by the Committee at the November 12, 2021, meeting. As the station design team continues to progress through the Station Design Criteria, an update will be provided related to the criteria for Landscape. The Landscape discussion will include planting palettes, hardscape elements, and site amenities (i.e. benches, trash bins, bollards etc.).

Fiscal Impact:

There is no fiscal impact.

Recommendation:

This is an informational item. There is no action requested.