



SunLine Transit Agency  
October 27, 2021  
10:50 a.m. – 11:20 a.m.

## AGENDA

### BOARD OPERATIONS COMMITTEE Regular Meeting

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### VIA VIDEOCONFERENCE

Pursuant to California Government Code section 54953(e), the Board of Directors regular meeting will be conducted remotely through Zoom. Please follow the instructions below to join the meeting remotely.

#### INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

##### Join Zoom Meeting - from PC, Laptop or Phone

<https://us02web.zoom.us/j/88026440578>

Meeting ID: 880 2644 0578

Teleconference Dial In  
888-475-4499 (Toll Free)  
Meeting ID: 880 2644 0578

One tap mobile  
+16699009128,,88026440578#

Phone controls for participants:

The following commands can be used on your phone's dial pad while in Zoom meeting:

- \*6 - Toggle mute/unmute
- \*9 - Raise hand

For members of the public wishing to submit comment in connection with the Board Operations Committee Meeting: public comment requests may be submitted via email to the Clerk of the Board at [clerkoftheboard@sunline.org](mailto:clerkoftheboard@sunline.org) prior to October 26, 2021 at 5:00 p.m. with your name, telephone number and subject of your public comment (agenda item or non-agenda item). Members of the public may make public comments through their telephone or Zoom connection when recognized by the Chair. Those who have submitted a request to speak by the deadline above will be recognized first, then anyone else who wishes to speak will be provided an opportunity to make public comment. If you send written comments, your comments will be made part of the official record of the proceedings and read into the record if they are received by the deadline above.

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**ITEM**

**RECOMMENDATION**

In compliance with the Brown Act and Government Code Section 54957.5, agenda materials distributed 72 hours prior to the meeting, which are public records relating to open session agenda items, will be available for inspection by members of the public prior to the meeting at SunLine Transit Agency's Administration Building, 32505 Harry Oliver Trail, Thousand Palms, CA 92276 and on the Agency's website, www.sunline.org.

In compliance with the Americans with Disabilities Act, Government Code Section 54954.2, and the Federal Transit Administration Title VI, please contact the Clerk of the Board at (760) 343-3456 if special assistance is needed to participate in a Board meeting, including accessibility and translation services. Notification of at least 48 hours prior to the meeting time will assist staff in assuring reasonable arrangements can be made to provide assistance at the meeting.

**ITEM**

**RECOMMENDATION**

1. **CALL TO ORDER**

2. **FLAG SALUTE**

3. **ROLL CALL**

4. **PRESENTATIONS**

5. **FINALIZATION OF AGENDA**

6. **PUBLIC COMMENTS**

**RECEIVE COMMENTS**

**NON AGENDA ITEMS**

Members of the public may address the Committee regarding any item within the subject matter jurisdiction of the Committee; however, no action may be taken on off-agenda items unless authorized. Comments shall be limited to matters not listed on the agenda. Members of the public may comment on any matter listed on the agenda at the time that the Board considers that matter. Comments may be limited to 3 minutes in length.

7. **COMMITTEE MEMBER COMMENTS**

**RECEIVE COMMENTS**

8. **ADOPTION OF RESOLUTION TO CONTINUE  
TELECONFERENCE MEETINGS**

**APPROVE**  
(PAGE 3-8)

(Staff: Eric Vail, General Counsel)

9. **CONTRACT FOR LEGISLATIVE SERVICES**  
(Staff: Nicholas Robles, Chief of Public Affairs)

**APPROVE**  
(PAGE 9-12)

10. **APPROVAL OF BOARD MEETING DATES FOR  
CALENDAR YEAR 2021**

**APPROVE**  
(PAGE 13-14)

(Staff: Christina Brown, Clerk of the Board)

11. **ADJOURN**

**SunLine Transit Agency  
SunLine Services Group**

**DATE:**           **October 27, 2021** **ACTION**

**TO:**             **Board Operations Committee  
Board of Directors**

**FROM:**       **Eric Vail, General Counsel**

**RE:**           **Adoption of Resolution to Continue Teleconference Meetings**

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**Recommendation**

Recommend that the Board of Directors:

- (1) Consider and adopt a resolution making “imminent risk” findings, ratifying holding the October meeting as a fully virtual meeting, and authorizing all future meetings to be held virtually until otherwise so directed by the Board.
- (2) At each meeting subsequent to the October meeting, the Board should consider whether it can make the “imminent risk” finding for the next meeting or whether the Board should return to regular in-person meetings at its next meeting. For example, at the Board’s December meeting it will decide whether to hold the January meeting in-person or whether it will make the imminent risk finding for the January meeting and hold it virtually.

**Background**

At the March 25, 2020 Board of Directors meeting, in response to the COVID-19 health emergency that federal, state and local governments are all addressing, SunLine Transit Agency and SunLine Services Group proclaimed an emergency situation as outlined in Resolution No. 0775. Over the last eighteen months, the Board has continuously evaluated the resolution and made decisions regarding the need to extend the declaration. The Board’s last action extended the declaration through December 1, 2021.

SunLine’s Board and Committee meetings have been conducted pursuant to the Governor’s Executive Order N-29-20 and N-08-21 suspending certain provisions of the Brown Act and permitting the use of teleconferencing for members of the body and the public. Those Executive Orders expired on September 30, 2021. In their place the Governor signed AB 361, which went into effect on October 1, 2021. AB 361 amended the Brown Act to permit members of a legislative body to teleconference into a meeting during a state of emergency proclaimed by the Governor. Teleconferencing by members of the body under AB 361 can be done without having to comply with the requirement that

the agenda list the location where members will be teleconferencing from, posting an agenda at that location, and allowing members of the public to attend the meeting from the teleconference location.

To teleconference under AB 361, the legislative body must make findings that either:

- a) State or local officials are imposing or recommending measures to promote social distancing, or
- b) "As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees."

The proposed resolution includes a finding that there is an imminent risk to the health and safety of those attending Board and Committee meetings to support teleconferencing under AB 361. This finding is based on the higher case rates and test positivity rates in Riverside County as compared to the statewide average.

If a teleconference meeting is held under AB 361, the body must reconsider the circumstances every 30 days and make new findings to support the need to continue to teleconference under AB 361.

SunLine's current practice permitting registration for comments prior to and during the meeting, together with the opportunity for real-time comments on agenda items satisfies the requirements of AB 361.

### **Financial Impact**

As SunLine is already implementing teleconferencing for Board and Committee meetings, there is no anticipated additional cost associated with continuing to teleconference.

Attachment:

- [Item 8a](#) – Resolution No. 0787

**RESOLUTION NO. 0787**

**A JOINT RESOLUTION OF THE BOARD OF DIRECTORS OF SUNLINE  
TRANSIT AGENCY AND SUNLINE SERVICES GROUP AUTHORIZING THE  
BOARD OF DIRECTORS AND ITS COMMITTEES TO IMPLEMENT  
TELECONFERENCING FOR CONDUCTING PUBLIC MEETINGS  
PURSUANT TO AB 361**

**WHEREAS**, on March 4, 2020, the Governor of California proclaimed a State of Emergency to exist in California as a result of the threat of novel coronavirus disease 2019 (COVID-19); and

**WHEREAS**, on March 12, 2020, the Governor of California executed Executive Order N-25-20 which suspended and modified specified provisions in the Ralph M. Brown Act (Government Code Section § 54950 *et seq.*) and authorized local legislative bodies to hold public meetings via teleconferencing and to make public meeting accessible telephonically or otherwise electronically to all members of the public seeking to observe and address the local legislative body; and

**WHEREAS**, on March 17, 2020, the Governor of California executed Executive Order N-29-20 which superseded and replaced the provisions of Executive Order N-25-20 related to the Brown Act and teleconferencing; and

**WHEREAS**, on June 11, 2021, the Governor of California executed Executive Order N-08-21 which extended the provisions of Executive Order N-29-20 concerning teleconference accommodations for public meetings through September 30, 2021; and

**WHEREAS**, on September 16, 2021, the Governor of California signed into law Assembly Bill 361 amending Government Code § 54953 and permitting members of a legislative body to teleconference into a meeting without having to comply with the requirements of subdivision (b)(3) Government Code § 54953 during a proclaimed state of emergency if a) State or local officials are imposing or recommending measures to promote social distancing, or b) the body finds that “as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees;” and

**WHEREAS**, AB 361 imposes requirements to ensure members of the public are able to attend and participate in public meetings of a legislative body conducted via teleconference, including:

- Notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option;
- The legislative body shall take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency’s control which prevents members of the public from offering public comments, until public access is restored;
- Prohibits the legislative body from requiring public comments to be submitted in advance of the meeting and specifies that the legislative body must provide an opportunity for members of the public to address the legislative body and offer comments in real time;
- Prohibits the legislative body from closing the public comment period until the public comment period has elapsed or until a reasonable amount of time has elapsed; and

**WHEREAS**, pursuant to Government Code § 54953(e)(3), a legislative body that holds a meeting via teleconference pursuant to AB 361 must reconsider the circumstances of the state of emergency and make findings every 30 days to continue to meet via teleconference.

**THEREFORE, BE IT RESOLVED** by the Board of Directors of SunLine Transit Agency and SunLine Services Group, as follows (collectively “Board of Directors”):

SECTION 1. The Board of Directors hereby declares that the recitals set forth above are true and correct, and incorporated into this resolution as findings of the Board of Directors.

SECTION 2. The SunLine Transit Agency continues to follow safety measures in response to COVID-19 as ordered or recommended by the Centers for Disease Control and Prevention (CDC), California Department of Public Health (CDPH), and/or County of Riverside, as applicable. Based upon that guidance, in person attendance indoors at public meetings continues to present an imminent risk to the health and safety of attendees and those attendees have close contact with after attending a meeting in person. The Board of Directors desire to ensure that all persons desiring to attend public meetings may do so in a manner that protects the health and safety of the attendees, their families and other close contacts. As of October 5, 2021, data from CDPH shows that Riverside County has a daily new COVID-19 case rate of 17.3 case per 100,000 in population and a COVID-19 test positivity rate of 5.2%. This is significantly higher than statewide data of 13.8 new cases per 100,000 in population and a 2.5% test positivity rate. Given the higher prevalence of COVID-19 in Riverside County than in other parts of the State, requiring in person attendance to participate Board and Committee meetings would present imminent risks to the health or safety of attendees. Teleconferencing will provide increased meaningful participation options for both members of the legislative body and members of the public in a manner that protects the health and safety of the attendees, their families and other close contacts.

SECTION 3. The Board of Directors hereby declare that, pursuant to the findings in Sections 1 and 2, the Board of Directors and its standing committees are authorized to utilize teleconferencing to conduct public meetings pursuant to AB 361 and Government Code § 54953, as amended thereby.

SECTION 4. Staff is directed to agendize no less than every 30 days Board consideration of the need to continue with teleconferenced meetings as allowed by AB 361.

SECTION 5. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Resolution is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of Directors hereby declares that it would have adopted this Resolution and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared unconstitutional.

SECTION 6. This Resolution shall become effective immediately upon adoption.

**PASSED, APPROVED AND ADOPTED**, at a meeting of the Board of Directors of SunLine Transit Agency and SunLine Services Group on this 27th day of October, 2021.

ATTEST:

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Christina Brown  
Clerk of the Board  
SunLine Transit Agency

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Glenn Miller  
Chairperson of the Board  
SunLine Transit Agency

APPROVED AS TO FORM:

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Eric S. Vail  
General Counsel

STATE OF CALIFORNIA                    )  
COUNTY OF RIVERSIDE                ) ss.  
SUNLINE TRANSIT AGENCY                )

I, CHRISTINA BROWN, Clerk of the Board of Directors of SunLine Transit Agency and SunLine Services Group, hereby certify that Resolution No. \_\_\_\_\_ was adopted by the Board of Directors of the SunLine Transit Agency and SunLine Services Group at a regular meeting held on the 27th day of October, 2021, and that the same was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Christina Brown  
Clerk of the Board

## SunLine Transit Agency

**DATE:**       **October 27, 2021** **ACTION**

**TO:**         **Board Operations Committee**  
**Board of Directors**

**FROM:**      **Nicholas Robles, Chief of Public Affairs**

**RE:**         **Contract for Legislative Services**

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### **Recommendation**

Recommend that the Board of Directors delegate authority to the CEO/General Manager to negotiate and execute a one (1) year contract with two (2) one-year option periods for a total amount not to exceed \$166,000 with Townsend Public Affairs for legislative services at the state and federal level.

### **Background**

SunLine Transit Agency issued a Request for Proposals to find a firm that could assist with legislative issues and help the Agency influence the zero emissions and public transit regulatory environment. A key factor for SunLine in reviewing proposals was the ability of the firm to handle matters on both the state and federal level. The procurement was publicly advertised in a newspaper of general circulation and a notice was posted on the Agency's website.

Townsend Public Affairs (TPA) was determined to be the bidder with the best value, price, and other factors to meet SunLine's service needs in Sacramento and Washington, DC. TPA's final pricing was determined to be fair and reasonable based on price analysis and adequate price competition.

TPA will be working on behalf of SunLine to:

- Promote legislation that aids the goals and priorities of the Agency.
- Promote pertinent legislative and regulatory action to advocate for positions beneficial to the Agency.

### **Financial Impact**

The estimated financial impact of \$166,000 over three (3) years will utilize local funds in the respective operating year budgets.

Attachment:

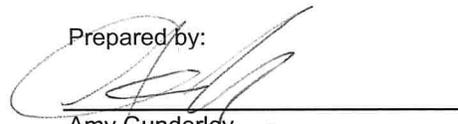
- [Item 9a](#) – Price Analysis
- [Item 9b](#) – Solicitation List



RFP  
Legislative Services  
Procurement # 22-015

**Price Analysis BAFO**

<b>Open Rate</b>	<b>Townsend Public Affairs</b>	<b>Joe A. Gonsalves &amp; Son</b>	<b>Cruz Strategies</b>	<b>Alcalde &amp; Fay</b>
Year 1 monthly rate	\$4,500.00	\$4,500.00	\$3,000.00	\$5,000.00
Option year 1 monthly rate	\$4,500.00	\$4,500.00	\$3,000.00	\$5,250.00
Option year 2 monthly rate	\$5,000.00	\$4,500.00	\$3,000.00	\$5,500.00
Average rates	\$4,666.67	\$4,500.00	\$3,000.00	\$5,250.00
Evaluation Score	9.64	10.00	15.00	8.57

Prepared by:  
  
Amy Gunderloy  
Procurement Specialist

Solicitation List

Golden State Government Relations  
2544 Cleveland Ave. Ste. 204  
Santa Rosa, CA 95403  
[andy@goldenstrategr.com](mailto:andy@goldenstrategr.com)

Cruz Strategies  
925 L Street Ste. 300  
Sacramento, CA 95814  
[audrey@cruzstrategies.com](mailto:audrey@cruzstrategies.com);  
[steve@cruzstrategies.com](mailto:steve@cruzstrategies.com)

California Advocates  
1112 11<sup>th</sup> Street  
Sacramento, CA 95814  
[calad@californiaadvocates.com](mailto:calad@californiaadvocates.com)

Townsend Public Affairs, Inc.  
2699 White Road Ste. 251  
Irvine, CA 92614  
[calex@townsendpa.com](mailto:calex@townsendpa.com);  
[ctakkinen@townsendpa.com](mailto:ctakkinen@townsendpa.com);  
[aconklin@townsendpa.com](mailto:aconklin@townsendpa.com)

California Strategies  
980 9<sup>th</sup> Street Ste. 2000  
Sacramento, CA 95814  
[info@calstrat.com](mailto:info@calstrat.com)

JGC Government Relations Inc.  
1100 K Street Ste. 100  
Sacramento, CA 95814  
[icl原因@jqcconsulting.com](mailto:icl原因@jqcconsulting.com)

KP Public Affairs  
621 Capitol Mall Ste. 1900  
Sacramento, CA 95814  
[mburns@ka-pow.com](mailto:mburns@ka-pow.com); [lroling@ka-pow.com](mailto:lroling@ka-pow.com)

Stacy Miller Public Affairs, Inc.  
300 E. Esplanade Drive Ste. 900  
Oxnard, CA 93036  
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[jva@alcade-fay.com](mailto:jva@alcade-fay.com)

GF Advocacy  
[glenn@gfadvocacy.com](mailto:glenn@gfadvocacy.com)

Sacramento Advocates Inc.  
1215 K Street Ste. 2030  
Sacramento, CA 95814

Governmental Advocates  
1127 11<sup>th</sup> Street Ste. 400  
Sacramento, CA 95814

Subject Matter  
1201 New York Avenue NW Ste. 900  
Washington, DC 20005





## **SunLine Transit Agency/SunLine Services Group**

# **Board Meeting Schedule for 2022**

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**January 26**

**February 23**

**March 23**

**April 27\***

**May 25**

**June 22**

**July 27**

**September 28**

**October 26**

**December 7**

NOTE: The majority of all Board meetings are held at noon on the 4<sup>th</sup> Wednesday of the month with a few exceptions. The Board of Directors go dark in August and November. Special Board meetings may be called by the Chairman if needed. All Regular meetings are held in the Board Room at the SunLine Transit Agency Thousand Palms headquarters.

\*The April 27<sup>th</sup> meeting is subject to change to April 22<sup>nd</sup> upon Board approval.