



SunLine Transit Agency
December 2, 2020
11:40 a.m. – 12:00 p.m.

AGENDA

BOARD OPERATIONS COMMITTEE Regular Meeting

VIA VIDEOCONFERENCE

Pursuant to California Governor Newsom's Executive Orders N-25-20 issued on March 4, 2020 and N-29-20 issued on March 18, 2020, the Board Operations Committee 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/89674599644>

Meeting ID: 896 7459 9644

Teleconference Dial In
888-475-4499 (Toll Free)
Meeting ID: 896 7459 9644

One tap mobile
+16699009128,,89674599644#

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 Strategic Planning & Operational Committee Meeting: all public comment requests need to be submitted via email to the Clerk of the Board at clerkoftheboard@sunline.org prior to December 1, 2020 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. If you send written comments, your comments will be made part of the official record of the proceedings and read into the record.

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. REVIEW DECLARATION OF EMERGENCY BY THE BOARD OF DIRECTORS

**APPROVE
(PAGE 3-8)**

(Staff: Eric Vail, General Counsel and Lauren Skiver, CEO/General Manager)

9. SECOND READING OF ORDINANCE NO. 2020-01

**APPROVE
(PAGE 9-11)**

(Staff: Eric Vail, General Counsel and Brittney B. Sowell, Chief of Public Affairs/Clerk of the Board)

10. ADJOURN

**SunLine Transit Agency
SunLine Services Group**

DATE: December 2, 2020 **ACTION**

TO: Board Operations Committee
Board of Directors

FROM: Eric Vail, General Counsel
Lauren Skiver, CEO/General Manager

RE: Review Declaration of Emergency by the Board of Directors

Recommendation

Recommend that the Board of Directors review the declaration of emergency set forth in Board approved Resolution No. 0775 and make no changes to the current status.

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 currently addressing, SunLine Transit Agency and SunLine Services Group proclaimed an emergency situation as outlined in Resolution No. 0775 (attached).

The resolution states that the Board of Directors would review this declaration of emergency “at least once every 60 days, until its termination is proclaimed by the Board of Directors.”

In March, all nine Coachella Valley cities declared a local emergency within their respective jurisdictions and at the May 27, July 22 and September 23, 2020 meetings, the SunLine Board of Directors voted to continue the emergency declaration.

Under Governor Newsom’s tiered system, Riverside County is still observing Tier 1 – the most restrictive. Therefore, at this time, staff believes that the declaration of emergency should remain as many of the procedures that have been put in place for employees and riders cannot be lifted yet.

In response to the COVID-19 pandemic, SunLine implemented enhanced vehicle, stop and facility cleaning procedures; moved to a Sunday service schedule; instituted free fares and rear door boarding to help with recommended social distancing; closed the Agency’s reception area to visitors; and required riders and employees to wear a face covering when on the bus and inside SunLine facilities. In order to keep these measures in place, it is required to continue the Board of Directors’ declaration of emergency.

Financial Impact

There is no financial impact to keep the resolution in place.

SUNLINE TRANSIT AGENCY

RESOLUTION NO. 0775

A JOINT RESOLUTION OF THE SUNLINE TRANSIT AGENCY BOARD OF DIRECTORS AND SUNLINE SERVICES GROUP BOARD OF DIRECTORS PROCLAIMING THE EXISTENCE OF AN EMERGENCY SITUATION AND LOCAL EMERGENCY DUE TO THE WORLDWIDE SPREAD OF COVID-19

WHEREAS, California Government Code (“CGC”) Section 54956.5 authorizes the SunLine Transit Agency Board of Directors and SunLine Services Group Board of Directors (collectively referenced to hereinafter as “SunLine”) to hold emergency meetings on shortened notice to address emergency situations as determined by a majority of the Board of Directors; and,

WHEREAS, California Government Code Section 54954.2 authorizes the Board of Directors to take actions not listed on the agenda, where deemed necessary by a majority of the Board of Directors to address emergency situations; and,

WHEREAS, from January 2020 through March 2020, COVID-19 spread throughout the world, with over 156,000 confirmed cases of individuals contracting COVID-19, and approximately 6,000 confirmed cases of individuals dying from COVID-19; and,

WHEREAS, on March 4, 2020, Governor Newsom of the State of California declared a State of Emergency in response to the COVID-19 (Corona Virus Disease 19); and,

WHEREAS, on March 10, 2020, the Board of Supervisors of the County of Riverside proclaimed the existence of a local emergency for all of Riverside County in response to the outbreak of the COVID-19 in California and in Riverside County; and,

WHEREAS, on March 11, 2020 the World Health Organization (WHO) publicly characterized COVID-19 as a pandemic; and,

WHEREAS, on March 11, 2020 the President of the United States imposed certain travel bans and limitations in response to COVID-19; and

WHEREAS, on March 12, 2020 Governor Newsom of the State of California issued Executive Order N-25-20, superseded by Executive Order N-29-20 on March 18, 2020, in a further effort to confront and contain COVID-19 that among other things suspended certain provision of the Ralph M. Brown Act providing local agencies with greater flexibility to hold meetings via teleconferencing; and,

WHEREAS, on March 13, 2020, the Centers for Disease Control and Prevention (“CDC”) had confirmed 2,726, cases of COVID-19 in the United States, with 55 cases resulting in death, within the United States, including California; and,

WHEREAS, on March 13, 2020, the President of the United declared a National Emergency due to the continue spread and the effects of COVID-19; and,

WHEREAS, the State of California and numerous Counties, School Districts and other local governmental agencies as well as private entities have announced the cancellation or postponement of all events where social distancing cannot be reasonably achieved; and,

WHEREAS, on March 13, 2020 Dr. Cameron Kaiser, Public Health Officer of the County of Riverside closed all Riverside County public Schools, regular classes, and school activities from March 16 through April 3, 2020; and,

WHEREAS, in response to the COVID-19 pandemic SunLine reasonably anticipates that SunLine will be required to utilize physical, personnel, and financial resources of SunLine and to take action to limit the spread of COVID-19 within the territorial jurisdiction of SunLine in order to provide for the safety of persons served by SunLine, and to provide continuity of essential services provided by SunLine; and,

WHEREAS, SunLine is actively providing support to those impacted by COVID-19 and cooperating with State, Federal and County in their response to the pandemic; and,

WHEREAS, SunLine reasonably anticipates both asking for mutual aid from, and providing mutual aid to, other communities who are addressing the spread and effects of COVID-19 which will require SunLine to utilize the physical, personnel, and financial resources of SunLine Transit Agency.

NOW, THEREFORE, BE IT RESOLVED AND HEREBY ORDERED BY THE BOARD OF DIRECTORS OF SUNLINE TRANSIT AGENCY AS FOLLOWS:

Section 1. That the above recitals are true and correct and based thereon, SunLine hereby finds that the spread of COVID-19 constitutes a situation that severely impairs the public health and safety within SunLine and constitutes conditions of extreme peril to the safety of persons and property of SunLine.

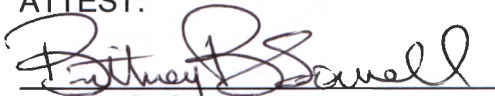
Section 2. That, as authorized in CGC Sections 8630 and 54956.5. and based on the foregoing finding, an “emergency” as defined in CGC Section 54956.5(a) and a “local emergency” as defined in CGC Section 8558(c) hereby exists within the territorial jurisdiction of SunLine and is deemed to continue to exist, and shall

be reviewed at least once every 60 days, until its termination is proclaimed by the Board of Directors.

Section 3. That SunLine will utilize, to the extent reasonably feasible and appropriate, the ability to conduct its Board of Director meetings, and all committee meetings via teleconferencing and other electronic means to permit Board Members and members of the public to adopt social distancing to the greatest extent possible while still proceeding with the efficient handling of SunLine's business in compliance with California Executive Order N-29-20.

ADOPTED THIS 25th DAY OF March, 2020

ATTEST:

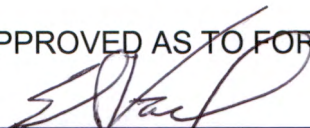


Brittney B. Sowell
Clerk of the Board
SunLine Transit Agency
SunLine Services Group



Kathleen Kelly
Chairperson of the Board
SunLine Transit Agency
SunLine Services Group

APPROVED AS TO FORM:



General Counsel
Eric Vail

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I, BRITTNEY B. SOWELL, Clerk of the Board of Directors of the SunLine Transit Agency, do hereby certify that Resolution No. 0775 was adopted at a regular meeting of the Board of Directors held on the 25th day of March, 2020, by the following vote:

AYES: 10

NOES: 0

ABSENT: 0

ABSTAIN: 0

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of March, 2020.



Brittney B. Sowell
Clerk of the Board
SunLine Transit Agency
SunLine Services Group

SunLine Transit Agency

DATE: December 2, 2020 **ACTION**

TO: Board Operations Committee
Board of Directors

FROM: Eric Vail, General Counsel
Brittney B. Sowell, Chief of Public Affairs/Clerk of the Board

RE: Second Reading of Ordinance No. 2020-01

Recommendation

Recommend that the Board of Directors approve the second reading of Ordinance No. 2020-01 which will repeal Ordinance No. 2018-01 regarding the SunLine Transit Agency Conflict of Interest Code.

Background

Under the Political Reform Act, local public agencies are required to review their Conflict of Interest Codes biennially including the listings of designated positions for employees who must disclose their private economic interests along with the types of disclosures required. Upon review by the SunLine Board of Directors, the amended copy is sent to the County of Riverside Board of Supervisors who serves as the local code reviewing body.

Because the review is conducted biennially, it was the recommendation of the local code reviewing body to approve the Conflict of Interest Code by resolution. As such, staff is requesting for the Board of Directors to approve the second reading of Ordinance No. 2020-01 to repeal Ordinance No. 2018-01 and bring forth any future changes to the code by resolution. The first reading of this ordinance was conducted at the October 28, 2020 Board meeting.

The Board of Directors adopted Resolution No. 0782 on September 23, 2020, establishing SunLine's Conflict of Interest Code which had been updated to include titles that have been revised due to position reclassifications.

Financial Impact

No financial impact.

ORDINANCE NO. 2020-01

**AN ORDINANCE OF THE SUNLINE TRANSIT AGENCY
REPEALING ORDINANCE NO. 2018-01 REGARDING THE
SUNLINE TRANSIT AGENCY CONFLICT OF INTEREST
CODE**

WHEREAS, the County of Riverside and the Coachella Valley cities comprising the joint powers agency known as SunLine Transit Agency (“SunLine”) is a local government agency required by Government Code section 87300 to promulgate a Conflict of Interest Code; and

WHEREAS, the SunLine Board of Directors adopted the provisions of Title 2, section 18730 of the California Code of Regulations as SunLine’s Conflict of Interest Code through the adoption of Ordinance 2018-01; and

WHEREAS, the SunLine Board of Directors desires and deems it to be in the public’s best interest to repeal Ordinance 2018-02 in its entirety and adopt SunLine’s Conflict of Interest Code through resolution; and

WHEREAS, the Board of Directors has adopted Resolution No. 0782 on September 23, 2020, establishing SunLine’s Conflict of Interest Code which had been updated to include titles that have been revised due to position reclassifications.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF SUNLINE TRANSIT AGENCY ORDAINS AS FOLLOWS:

SECTION 1. REPEAL OF SUNLINE TRANSIT AGENCY ORDINANCE NO. 2018-01

Ordinance No. 2018-01 of the SunLine Transit Agency is hereby repealed in its entirety.

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective 30 days from and after its final passage.

SECTION 5. PUBLICATION

The Clerk of the Board is authorized and directed to cause this Ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the jurisdictional boundaries of SunLine in accordance with Government Code section 36933(a) or, to cause this Ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code section 36933(c).

SECTION 6. CERTIFICATION

SunLine shall certify to the passage and adoption of this ordinance and shall cause

the same to be posted and published in the manner required by law.

INTRODUCED at the regular meeting of SunLine Transit Agency Board of Directors on the 28th day of October, 2020.

Robert Radi, Chairperson of the Board of
Directors

ATTEST:

Brittney Sowell, Clerk of the Board

APPROVED AS TO FORM:

Eric S. Vail, General Counsel