



MEMORANDUM

to Nieves Castro, Project Manager, Caltrans District 3 Planning

from Joan Chaplick, Public Involvement Specialist, MIG, Inc.

re SR 99 Soundwall Community Safety and Enhancement Project
April 7, 2010 Meeting Summary

date April 9, 2010

Participants

Terri Bridges, Caltrans Headquarters
Nieves Castro, Caltrans District 3 Planning
Bobbe Dworkis, Sacramento County Neighborhood Services
Eva Gordon, Caltrans Excess Lands
Hilary Gould, Sacramento County Neighborhood Services
Rusty Grout, Caltrans District 3 Maintenance
Derrick Lim, City of Sacramento Neighborhood Services
Ray Lopez, Caltrans District 3 Maintenance
Chris Nguyen, Caltrans District 3 Planning
John Wells, Caltrans District 3 Maintenance
Kris Wimberly, City of Sacramento Neighborhood Services
Joan Chaplick, MIG Inc.
Nicole Lewis, MIG Inc.

Meeting Purpose and Outcomes

Joan Chaplick welcomed meeting participants and invited a round of introductions. She briefly reviewed the meeting's agenda, intended meeting outcomes, and overall project goals. The focus of the meeting was to update the project team on the current project status, including important upcoming meetings and changes to the project timeline, and to discuss current and future community outreach activity.

Project Status, Key Meetings, and Timeline

Nieves Castro shared with the group that the Caltrans project team recently met with the Caltrans Deputy District Director for Maintenance and Deputy District Director for Planning and has confirmed that Caltrans will provide the labor needed to fence properties in the project area. She is hopeful that Caltrans will also cover the cost of the fencing materials.

As a result of the meeting, the Deputy Directors requested four action items:

- **Develop an executive summary for the project.** The summary should define the project scope, project benefits, and provide a solid justification for the project.
- **Meet with Caltrans Legal Department.** Bruce, Rusty, Eva and Nieves have a meeting scheduled with Legal on Monday, April 12th.
- **Present the project to Caltrans Executive Management.** A meeting with the District Director and Executive Management is scheduled for April 26th.
- **Revise the project timeline.** The timeline should be revised based on progress of the property surveying and appraisal process and then re-posted to the website.

The Caltrans project team will develop the executive summary, meet with Legal and revise the project timeline before they meet with Executive Management on April 26th.

Eva Gordon provided an update on the surveying process. Construction activities take precedence over surveying on excess lands. For this reason, the survey crew has not yet started to survey properties in the project area. Eva is hopeful that there will be action on this matter next week. She recommended elevating the matter if there is no action taken by the end of next week (4/16).

The timeline for conducting surveys affects all other project activities, including outreach and communications with landowners and the community meeting. Because surveying determines the proposed cost of sale, the property owners may not buy-in to the project until they have a firm idea of the property costs. The project team agreed to limit formal outreach activities until surveying begins.

The team then discussed the meeting with Executive Management. The intended outcomes of the meeting are to:

- Determine the media and marketing approach for the project. Caltrans' public information officer (PIO) will likely be involved in the meeting.
- Provide direction on briefing headquarters and the California Transportation Commission.
- Provide direction for the community meeting.

Nieves anticipates the Department will take a proactive approach to highlight the positive outcomes of the project as well as its cost effectiveness. Nieves, Rusty and Eva will be working together on the executive summary to provide a strong, justifiable proposal for the project that can be used to create a strong public message about the project's benefits to the community, as

well as the benefits to the Department. Nieves will follow up with Joan if she needs MIG's support in preparing materials for the Executive Management meeting.

Bobbe Dworkis, Derrick Lim, and Nieves agreed that coordination between the County, City and Caltrans PIOs could be very advantageous. The Highway Patrol PIO should also be invited to participate, as well. This will be important in demonstrating true partnership among the agencies and jurisdictions involved. The possible involvement of City and County volunteers will also be important in demonstrating collaboration.

Fencing and Materials

Rusty reiterated that Caltrans Maintenance is on board to provide labor for the project. Whether or not the Agency will agree to cover the cost of materials has yet to be determined, but Rusty is fairly confident that the request to provide materials will be approved also.

John Wells sent two employees out to measure the length of required fencing by hand. They measured roughly 1,392 feet total, which will cost \$1.39 per foot to fence. The total cost for brand new chain link fence is estimated around \$3,000. This does not include the cost of posts and concrete, nor does it factor in the use of recycled fencing. Recycled chain link will be used in some cases. Caltrans also has preliminary costs for post installation.

The estimated cost of labor and all materials is low, and a one-time cost that will save Caltrans significant costs over the long-term. There may be additional, occasional costs to repair breaches in the wall as part of Caltrans' overall responsibility for the sound wall. The project executive summary for Executive Management will include an estimate of total project costs.

Rusty briefly discussed the cost of ongoing clean-up and maintenance to serve as a basis of comparison. Caltrans generally uses in-kind labor provided by programs such as the California Conservation Corps (CCC), Sheriff inmate programs, and the statewide litter programs funded by headquarters to help clean up the excess land along the soundwall. When needed, Maintenance will bring in the Hazardous Materials Division to clean up bio-hazardous materials, primarily resulting from homeless encampments. In the last few years, annual Hazmat costs have totaled between \$4,000 and \$8,000. This cost does not include the cost of the volunteer labor or supervising these crews.

Joan suggested applying the standard hourly rate that the federal government uses to estimate in-kind labor costs, which is roughly \$22. Rusty and John verified that Caltrans only tracks labor by hour for the programs for which it has written agreements. The Sheriff's Department tracks the labor it provides.

Rusty recommended precaution in sharing project costs publicly or as part of Caltrans' outreach to the media. Maintenance wants to ensure that this project is presented to the community appropriately, given recent negative press it has received over doing good things.

The project team then discussed the possible use of volunteers to help fence and secure property once property owners have purchased excess land. Key issues discussed included volunteer availability and coordination, liability concerns, and appropriate volunteer roles.

Volunteer Availability and Coordination

Derrick expressed confidence in the City's ability to recruit volunteers to participate now that the project timeline is moving out a bit. Early summer demand for volunteers is high and the City would likely not be able to help coordinate these resources if project implementation was underway at that time. Derrick also expressed the need to have skilled Caltrans labor on site to direct volunteers who participate in the project.

The County does not have active volunteer groups or neighborhood associations in the project area. The County does work with community-based organizations that it could possibly partner with to recruit volunteers. Bobbe Dworkis and Kris Wimberly confirmed that volunteer engagement in the project area is low relative to other parts of the City and County.

Rusty shared concerns regarding project timing and the availability of CCC labor. The late summer coincides with fire season, and fire safety is the program's top priority. For this reason, the CCC will not be able to provide committed labor later in the season.

John verified that the ability to get support from the County Sheriff is variable, as well. With department cuts, support for Caltrans projects is not consistent. At times the Agency has access to inmates on the weekends.

Insurance Liability

The project team discussed the issue of insurance liability and identified specific issues and scenarios worth addressing. Eva's understanding is that if volunteers participate as part of an organized volunteer group, then that group assumes liability. State law mandates that the "owning agency" can't defer liability in these cases. However, liability as it relates to individual community volunteers is less clear. This question will need to be answered before community volunteers are invited to participate.

Eva suggested that Caltrans may be able to resolve the issue of Caltrans' liability by way of its contract with property owners. Similar to a temporary construction easement, the contract could serve as the legal mechanism that helps manage liability. Rusty made clear that if Caltrans has to assume any liability for injury to volunteers over the course of this project, it will limit the ability of maintenance to provide labor or materials.

Bobbe, Kris and Eva were tasked with clarifying from the City, County and Caltrans perspective who has insurance liability if volunteers are involved. This issue needs to be considered under two scenarios: 1) if fencing is installed and work completed while the excess land is still in Caltrans ownership; and 2) if work is done after the CTC has signed the deed and ownership has been transferred to property owners.

Volunteer Role

Nieves shared that one of the primary objectives of involving volunteers in this project is to demonstrate partnership and collaboration between Caltrans, the City and the County. While involving volunteers in fencing the properties may be problematic, there are other ways to demonstrate partnership. For example, there may be opportunities to involve volunteers in project-related work on public property, thus reducing liability concerns.

After thorough discussion of the potential role of volunteers in this project from both an efficiency and liability perspective, Ray Lopez expressed that due to the skill needed for the labor and tools needed to install the fence, Caltrans would likely conduct the labor itself and tap CCC and other programs to assist as needed. The project team determined that there may be project-related work more suited to volunteers, such as clean-up of adjacent alleyways. Limiting the role of volunteers would also eliminate or greatly reduce the effort required for the City and County to coordinate, recruit and manage the volunteer labor and address liability concerns.

If there is a role for volunteers in this project, Kris Wimberly requested that key questions be answered to make volunteer coordination possible. Ray was tasked with confirming the appropriate role of volunteers in this project before others invest time in answering questions related to insurance liability. If Ray determines that there is a role for volunteers, it was requested that he identify the skills required and provide an estimate of the number of volunteers and volunteer hours that would be required to complete the work.

Update on Outreach Activities

Hilary Gould reported back on his ongoing outreach to community members. He expressed the need for a clear story or well-defined approach to share with property owners before continuing the conversations he has started. Also, based on his communication with potential participants to date, two key questions need to be answered. First, how much will the land cost? Second, when will the formal sale proposal take place?

Hilary confirmed that he has not started passing out project materials in the County portion of the project area. Eva encouraged Hilary to begin reaching out to property owners throughout the project area, so long as he makes clear that it will be some time before he can provide them with firm prices. At this stage, we simply need to communicate to landowners that our timeline is fluid because we are working to coordinate land surveying with Caltrans' construction schedule.

In discussing the different project phases, Eva reiterated that the goal of the phased approach is to maximize Caltrans resources. Initial letters have gone out to all residents in the project area. However, proposals and deeds will be processed by phase.

Eva confirmed that Mascot Avenue (Phase 3) will be the biggest challenge, and suggested that Hilary begin conversations with Mascot Avenue property owners. The message to share with them

is that while they are “third in line”, their participation is the most critical to project success. Mascot Avenue includes 17 houses adjacent to one another, which means that property owners in the middle will have to sign on before Caltrans can sell excess parcels to others.

Hilary also noted that he is in touch with the CCC and will pursue opportunity to “sell” this project to the CCC as a partnership opportunity and a way to develop participant skills.

Community Meeting

As a result of previous discussion of delays in the surveying process, the project team determined that May would be too soon to hold a community meeting. Joan expressed that the team will need at least six weeks lead time to plan a successful meeting. The project timeline needs to be more defined before a meeting date can be set.

Nicole Lewis provided an update on possible meeting venues. At the last team meeting, the Fruitridge Community Center was identified as the preferred meeting location. The community center has agreed to rent the facility at no cost. However, due to regularly scheduled programming, the center is available on weekday evenings only between May 10 and June 4. Nicole has sent a message to determine if there will be a similar gap in the program schedule later in the summer season. The community center is generally available on Saturdays.

Nicole reported that the Fruitridge Community Center does not provide child care but can certainly accommodate it if the project team coordinates this on its own. Project team members suggested that the Child Action Partnership, Sacramento State Child Development Program, or the City of Sacramento Park and Recreation Department will likely be able to provide child care. Nicole will follow up with Kris first to determine whether the City can provide child care.

The project team identified Pacific Elementary or New Hope Baptist Church as alternative meeting venues. Nicole will follow up directly with Pacific Elementary and will contact John Wells for New Hope’s contact information.

Progress on Additional Action Items

Eva confirmed that she has drafted an indemnification clause that she will share with Legal when she meets with them on Monday. She has also sent an email requesting a list of plants appropriate to use in landscaping that can be shared with landowners.

Kris and Bobbe confirmed that they will continue to provide project updates to elected officials on a regular basis (monthly, in the case of the County). From Kris’ perspective, completing the land appraisal process and having firm cost figures to share with the public will likely trigger broader City interest and involvement in the project.

Joan expressed that action items such as inviting the City Police and County Sheriff's departments to attend the community meeting will remain on the list of action items until it's appropriate to take action on them.

Next Steps and Next Meeting

Team members identified the following next steps and action items to take place in advance of the next team meeting:

- Meeting with Caltrans Legal on April 12th. (Bruce, Eva, Nieves, Rusty)
- Executive Management briefing on April 26th. (Bruce, Eva, Nieves, Rusty)
- Request MIG assistance in developing materials for the Executive Management meeting, if needed. (Nieves)
- Develop a project Executive Summary for the Executive Management meeting (Nieves)
- Update project timeline. (Eva)
- Post updated timeline to the website (MIG)
- Update project website to note that a revised timeline will soon be posted. (MIG)
- Provide Nieves with a recommendation regarding appropriate project opportunities for volunteers, and provide an estimate and breakdown of volunteer tasks and hours. (Ray – see note below)
- (If it is determined that volunteers participation is appropriate) Confirm how the City and County handle volunteer liability insurance. Focus inquiry based on Ray's recommended role for volunteers. (Kris, Bobbe) (see above- no action needed)
- Identify alternative programs that will provide project labor, if appropriate. (Ray, Rusty)
- Begin informal outreach along Mascot Ave. (Hilary)
- Confirm the availability of Fruitridge Community Center for the summer and contact alternative venues to determine availability. (MIG)
- Identify the agency or organization that will provide child care for the community meeting. (MIG)
- Continue to update supervisors on the status of the project. (Bobbe, Kris)

Note: Ray Lopez confirmed on April 8 that due to the nature and skill level of the work needed, Caltrans will not be working with volunteers to install the fencing, but will explore working in partnership with the CCC and other crews where Caltrans has an existing relationship. Rusty confirmed that Caltrans will also cover material costs.

Next meeting date: Wednesday, May 5th, 1pm to 3pm. Caltrans District 3, 2800 Gateway Oaks Drive, Sacramento. The meeting agenda will include designing a preliminary agenda for the community outreach meeting, and updates on the meetings with Legal and Executive Management.