

Memorandum

To: Chairman and Commissioners

Date: August 17-18, 2005

From: Diane C. Eidam

**File No:
Book Item 2.1e.(2)
Action**

Ref: PROPOSITION 116 PROJECT APPROVALS/AMENDMENTS – AMEND PA-93-52, PA-93-53, PA-96-32, PA-96-33, PA-97-11, and PA-00-01 PENINSULA CORRIDOR JOINT POWERS BOARD - VARIOUS PROJECTS

ISSUE:

According to Resolution G-90-23, the Clean Air and Transportation Improvement Act Rail Program Guidelines, passed by the Commission on December 7, 1990, the Commission will award grants as specified in CATIA and ensure that the CATIA is implemented over a term of the Act from 1990 to 2010. In order to fully implement the program, Commission staff intends to program funds available from projects that were canceled or withdrawn and savings from completed projects. Staff is in the process of determining the future uses for the available funding.

Commission staff has identified projects from Peninsula Corridor Joint Powers Board PUC Section 99636[a], [b], and [c] that are complete with savings. In order to make the funds available for other projects, the Commission must first adjust the funding for each completed project to be consistent with the total amount expended and de-program the savings.

RECOMMENDATION:

Approve the attached resolution to adjust funding to the Peninsula Corridor Joint Powers Board's (PUC Section 99636[a], [b], and [c]) Proposition 116 Rail Program projects and de-program the savings for future uses.

BACKGROUND:

Peninsula Corridor Joint Powers Board has completed nine projects with savings. The attached resolution includes the date of project approval, the applicant and project title, the approved funding, the total project cost, and the savings from the project.

CALIFORNIA TRANSPORTATION COMMISSION

Commission Project Application Approval Amendment
Peninsula Corridor Joint Powers Board
Proposition 116 Application for
Various Projects

Resolution PA-05-

Amending PA-93-52, PA-93-53, PA-96-32, PA-96-33, PA-97-11, and PA-00-01

- 1.1 WHEREAS, in June 1990 the voters approved Proposition 116, the Clean Air and Transportation Improvement Act, for \$1.99 billion for rail and mass transportation purposes; and
- 1.2 WHEREAS, the California Transportation Commission is designated in Proposition 116 to oversee the five grant programs over the 20-year term of the Proposition; and
- 1.3 WHEREAS, Proposition 116 calls for the Commission to establish an application process and to develop and adopt guidelines to implement those programs; and
- 1.4 WHEREAS, Proposition 116 establishes as a purpose of the application process that it "facilitate implementation of improved cost-effective transit service to the maximum number of Californians and to prevent the funds provided for by this part from being spent on needlessly costly features"; and
- 1.5 WHEREAS, Proposition 116 requires applications to specify full and complete capital plans, financial plans, and operating plans, including schedules and funding sources; and
- 1.6 WHEREAS, the financial plans include a back-up funding plan, should the project exceed the cost approved by the Commission the increased cost shall be covered by funds other than Proposition 116; and
- 1.7 WHEREAS, the Commission has established a Hazardous Waste Identification and Clean-up Policy (#G-91-2) that requires the local agency to have performed full due diligence in identifying the hazardous waste in the right-of-way and easements and properties as well as clean-up, and that the state has been indemnified from clean-up liability of damages, both present and future; and
- 1.8 WHEREAS, in December 1990 the Commission adopted policy and application guidelines (#G-90-23) for the Proposition 116 rail program; and
- 1.9 WHEREAS, Proposition 116 (PUC Section 99636 authorizes \$173,000,000 to the Peninsula Corridor Joint Powers Board for CalTrain capital improvements and acquisition of rights-of-way, as follows:
 - (a) In the City and County of San Francisco, \$13,000,000

- (b) In San Mateo County, \$19,000,000
- (c) In Santa Clara County, \$21,000,000, to be allocated for expenditure as follows:
 - 1) Existing service from San Jose, \$17,000,000.
 - 2) Extension of service south of San Jose to the county line, \$4,000,000
- (d) Acquisition of rights-of-way, \$120,000,000; and

1.10 WHEREAS, the Commission passed the following resolutions which approved Proposition 116 Peninsula Corridor Joint Powers Board applications and the applicant has completed the projects resulting in the availability of the amounts listed under Savings/Amount to De-program

<u>Resolution</u>	<u>Project</u>	<u>Original Approved Funding</u>	<u>Final Project Cost</u>	<u>Savings/ Amount to De-program</u>
PA-93-53 12/15/93	Commute Service CalTrain Track Rehab	\$1,723,882	\$1,717,136	\$ 6,746
PA-93-52 12/15/93	Key Station Accessibility	\$551,825	\$151,410	\$400,415
PA-97-11 4/2/97	Service Track Rehabilitation	\$1,773,020	\$1,472,890	\$300,130
PA-96-33 11/13/96	CalTrain Station Rehab	\$1,125,000	\$623,570	\$501,430
PA-96-32 11/13/96	San Mateo County Station Improvements	\$1,121,245	\$389,842	\$731,403
	Capital Improvements System Upgrades	\$3,244,288	\$3,243,819	\$ 469
	CalTrain Non-Key Station Access Improvements	\$477,600	\$173,359	\$304,241
	Caltrain Station Improvements Program	\$1,147,590	\$802,495	\$345,095
PA-00-01 1/20/00	Track & Signal Improvements; and	\$8,645,000	\$8,586,451	\$ 58,549
			Deprogram Amount	\$2,648,478

2.1 NOW, THEREFORE BE IT RESOLVED, that the Commission hereby adjusts the approved funding for the projects listed under 1.10 to the amounts listed under Project Cost and de-programs the savings identified for future uses to be determined; and

2.2 BE IT FURTHER RESOLVED, that Resolutions PA-93-53, PA-93-52, PA-97-11, PA-96-33, PA-96-32, and PA-00-01 are hereby amended.