

Memorandum

To: Chairman and Commissioners

Date: August 17-18,2005

From: Diane C. Eidam

**File No:
Book Item 2.1e.(6)
Action**

**Ref: PROPOSITION 116 PROJECT APPROVALS/AMENDMENTS – AMEND PA-01-05,
SAN JOAQUIN REGIONAL RAIL COMMISSON – ALTAMONT COMMUTER EXPRESS
(ACE) STATION IMPROVEMENTS**

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to fully implement the program, Commission staff intends to program funds available from projects that were canceled or withdrawn and savings from completed projects.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 a project from PUC Section 99644, the San Joaquin Regional Rail Commission's Altamont Commuter Express (ACE) Station Improvements Project that is complete with savings. In order to make the funds available for other projects, the Commission must first adjust the funding for each completed or withdrawn project to be consistent with the total amount expended and de-program the savings.

RECOMMENDATION:

Approve the attached resolution to adjust funding to the San Joaquin Regional Rail Commission's (PUC Section 99644) Proposition 116 Rail Program project and de-program the savings for future uses.

BACKGROUND:

The San Joaquin Regional Rail Commission has completed the Altamont Commuter Express (ACE) Station Improvements Project 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
San Joaquin Regional Rail Commission
Proposition 116 Application for the
Altamont Commuter Express (ACE) Station Improvements

Resolution PA-05-

Amending PA-01-05

- 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 99644) authorizes \$14,000,000 to the San Joaquin County Council of Governments for expenditure on rail projects along the Stockton-Manteca-Tracey Corridor to the Alameda County line; and

- 1.10 WHEREAS, in February 2001 the Commission approved an application request that transferred the applicant status from the San Joaquin County Council of Governments to the San Joaquin Regional Rail Commission; and
- 1.11 WHEREAS, in February 2001 the Commission approved the application submitted by San Joaquin Regional Rail Commission to program \$173,659 in Proposition 116 funds for its Altamont Commuter Express (ACE) Station Improvements project, which included capital improvements at the Stockton, Lathrop/Manteca and Tracy Stations, as well as security equipment at the San Joaquin RRC headquarters; and
- 1.12 WHEREAS, the San Joaquin Regional Rail Commission has completed the Altamont Commuter Express (ACE) Station Improvements project and has a cost savings of \$65,130; and
- 2.1 BE IT THEREFORE RESOLVED, that the Commission hereby approves the Proposition 116 amended application from the San Joaquin Regional Rail Commission and the Commission hereby adjusts the approved funding for the Altamont Commuter Express (ACE) Station Improvements project to \$108,529 and de-programs the savings of \$65,130 for future uses to be determined; and
- 2.2 BE IT FURTHER RESOLVED, that Resolution PA-01-05, is hereby amended.