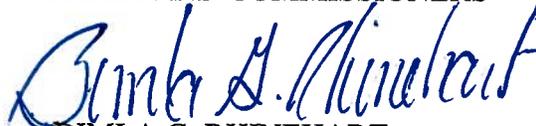


# Memorandum

TAB 20

To: CHAIR AND COMMISSIONERS

Meeting Date: June 30-July 1, 2010

  
From: BIMLA G. RHINEHART  
Executive Director

File: Reference No. 2.1d.(2)  
ACTION

Ref.: **PROPOSITION 116 RAIL PROGRAM APPLICATION AMENDMENT**  
**RESOLUTION PA-10-07, amending RESOLUTIONS PA-05-21 and PA-06-06**

## ISSUE

Should the Commission approve an amended application from the Peninsula Corridor Joint Powers Board (JPB) to de-program \$52,237 in Proposition 116 savings from two completed projects and program the savings to a new project?

## RECOMMENDATION

Staff recommends that the Commission approve the attached resolution to:

- remove \$50,805 in Proposition 116 savings from the completed Tamien Layover Yard project;
- remove \$1,432 in Proposition 116 savings from the completed Palo Alto CalTrain Station ADA Pedestrian Undercrossing and Platform Improvements project; and
- program the \$52,237 in Proposition 116 funds to the new San Bruno Grade Separation project.

Approval of the amendment sets the Proposition 116 funding for the three JPB projects as follows: (1) Tamien Layover Yard - \$229,195; (2) Palo Alto CalTrain Station ADA Pedestrian Undercrossing and Platform Improvements - \$1,452,223; and (3) San Bruno Grade Separation - \$52,237.

## BACKGROUND

In November 2005, the Commission adopted Resolution PA-05-21 approving an application from the JPB to program \$280,000 in Proposition 116 funds for the Tamien Layover Yard project.

In October 2006, the Commission adopted Resolution PA-06-06 approving the JPB application to program \$1,453,655 in Proposition 116 funds for the Palo Alto CalTrain Station ADA Pedestrian Undercrossing and Platform Improvements project.

In May 2010, the Commission received an amended application requesting that \$52,237 in savings be de-programmed from two completed projects, the Tamien Layover Yard and the Palo Alto CalTrain Station ADA Pedestrian Undercrossing and Platform Improvements, and that the savings be reprogrammed to the new San Bruno Grade Separation project.

Commission staff has reviewed the Proposition 116 application, as well as subsequent clarifications, and they meet the requirements specified in the Proposition 116 Rail Bond Program, as well as the Commission's policies and guidelines, and staff recommends approval.

Attachment

CALIFORNIA TRANSPORTATION COMMISSION

Proposition 116 Project Application Approval Amendment  
Peninsula Corridor Joint Powers Board (JPB)  
San Bruno Grade Separation Project

Resolution PA-10-07  
Amending Resolutions PA-05-21 and PA-06-06

- 1.1 WHEREAS, in June 1990 the voters approved the Clean Air and Transportation Improvement Act, Proposition 116, 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 should the project exceed the cost approved by the Commission and that increased costs shall be covered by funds other than Proposition 116; and
- 1.6 WHEREAS, in December 1990 the Commission adopted policy and application guidelines (#G-90-23) for the Proposition 116 rail program; 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, Proposition 116 (PUC Section 99636) authorizes \$173,000,000 to the Peninsula Corridor Joint Powers Board (JPB) 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
  - (d) Acquisition of rights-of-way, \$120,000,000; and

- 1.9 WHEREAS, in November 2005, the Commission adopted Resolution PA-05-21 approving the JPB application to program \$280,000 in Proposition 116 funds (PUC Section 99636[a] \$93,333, [b] \$93,333, and [c] \$93,334) for the Tamien Layover Yard project; and
- 1.10 WHEREAS, in October 2006, the Commission adopted Resolution PA-06-06 approving the JPB application to program \$1,453,655 in Proposition 116 funds (PUC Section 99636[a] \$71,261, [b] \$1,302,833, and [c] \$79,561) for the Palo Alto CalTrain Station ADA Pedestrian Undercrossing and Platform Improvements project; and
- 1.11 WHEREAS, the Tamien Layover Yard and the Palo Alto CalTrain Station ADA Pedestrian Undercrossing and Platform Improvements projects have been completed, resulting in the availability of the amounts listed below 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-05-21 11/03/05	Tamien Layover Yard 99636(a) - San Francisco	\$ 93,333	\$ 76,406	\$ 16,927
PA-05-21 11/03/05	Tamien Layover Yard 99636(b) - San Mateo	\$ 93,333	\$ 76,394	\$ 16,939
PA-05-21 11/03/05	Tamien Layover Yard 99636(c) - Santa Clara	\$ 93,334	\$ 76,395	\$ 16,939
PA-06-06 10/12/06	Palo Alto CalTrain Improvements 99636(a) - San Francisco	\$ 71,261	\$ 71,261	\$ 0
PA-06-06 10/12/06	Palo Alto CalTrain Improvements 99636(b) - San Mateo	\$1,302,833	\$1,301,401	\$ 1,432
PA-06-06 10/12/06	Palo Alto CalTrain Improvements 99636(c) - Santa Clara	\$ 79,561	\$ 79,561	\$ 0
<b>Total De-program Amount</b>				<b>\$ 52,237</b>

- 1.12 WHEREAS, in May 2010, the Commission received an amended Proposition 116 application from JPB requesting that the funds for the completed Tamien Layover Yard project be reduced by \$50,805, from \$280,000 to \$229,195; and that the funds for the completed Palo Alto CalTrain Station ADA Pedestrian Undercrossing and Platform Improvements project be reduced by \$1,432, from \$1,453,655 to \$1,452,223; and the \$52,237 in savings from the two completed projects be de-programmed; and
- 1.13 WHEREAS, the May 2010 amended application from JPB also requested that the available \$52,237 be programmed to the new San Bruno Grade Separation project; and
- 1.14 WHEREAS, the amended application from the JPB, including all supplemental information, has been reviewed by Commission staff, and appears to meet all the basic requirements as specified in Proposition 116 and the Commission's policies and guidelines.

- 2.1 BE IT THEREFORE RESOLVED, that the Commission hereby approves the amended Proposition 116 application from the Peninsula Corridor Joint Powers Board for \$1,733,655 for three projects: \$229,195 for the completed Tamien Layover Yard project; \$1,452,223 for the completed Palo Alto CalTrain Station ADA Pedestrian Undercrossing and Platform Improvements project; and \$52,237 for the new San Bruno Grade Separation project; and
- 2.2 BE IT FURTHER RESOLVED, that the \$1,733,655 of Proposition 116 funds approved for the three projects is available pursuant to PUC Sections 99636(a), (b) and (c) as follows:

<u>Project</u>	<u>PUC Section</u>	<u>Prop 116 Amount</u>
Tamien Layover Yard	99636(a) - San Francisco	\$ 76,406
Tamien Layover Yard	99636(b) - San Mateo	\$ 76,394
Tamien Layover Yard	99636(c) - Santa Clara	\$ 76,395
<b>Final Proposition 116 Project Costs</b>		<b>\$ 229,195</b>
Palo Alto CalTrain Improvements	99636(a) - San Francisco	\$ 71,261
Palo Alto CalTrain Improvements	99636(b) - San Mateo	\$1,301,401
Palo Alto CalTrain Improvements	99636(c) - Santa Clara	\$ 79,561
<b>Final Proposition 116 Project Costs</b>		<b>\$1,452,223</b>
San Bruno Grade Separation	99636(a) - San Francisco	\$ 16,927
San Bruno Grade Separation	99636(b) - San Mateo	\$ 18,371
San Bruno Grade Separation	99636(c) - Santa Clara	\$ 16,939
<b>Proposition 116 Approved for New Project</b>		<b>\$ 52,237</b>
<b>Total Proposition 116 Approved Amount</b>		<b>\$1,733,655</b>

- 2.3 BE IT FURTHER RESOLVED, that Resolutions PA-05-21 and PA-06-06 are hereby amended.