

Memorandum

To: Chairman and Commissioners

Date: August 17-18, 2005

From: Diane C. Eidam

**File No:
Book Item 2.1e.(3)
Action**

Ref: PROPOSITION 116 PROJECT APPROVALS/AMENDMENTS – AMEND PA-96-26, PA-00-03, PA-95-18, PA-91-03, PA-00-06, PA-99-09, PA-98-15, PA-96-19, PA-96-03, PA-94-16, PA-92-02, PA-01-08, PA-92-04, and PA-97-05 DEPARTMENT OF TRANSPORTATION - 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to fully implement the program, Commission staff intends to program funds available from projects that were canceled or withdrawn and savings from completed projects.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 the Department of Transportation PUC Section 99622[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 three (3) attached resolutions to adjust funding to the Department of Transportation's PUC Sections 99622, 99623, and 99649, Proposition 116 Rail Program projects and de-program the savings for future uses.

BACKGROUND:

Department of Transportation has completed sixteen (16) projects with savings. The three (3) attached resolutions include 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
Department of Transportation
Proposition 116 Application for the
Various Projects

Resolution PA-05-

Amending PA-01-11, PA-92-02, PA-94-16, PA-01-08,
PA-96-03, PA-98-15, PA-00-06, PA-91-03, PA-00-03, and PA-96-26

- 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 99622) authorizes \$230,000,000 to the Department of Transportation, as follows:

- (a) Improvements to the Los Angeles-San Francisco Bay Area passenger rail corridor and extensions of the corridor to Sacramento [known as the San Joaquin Corridor] \$140,000,000
- (b) Preliminary engineering and feasibility studies of a high speed passenger rail link between Bakersfield and Los Angeles, \$5,000,000
- (c) Implementation of intercity rail service from Placer County to Santa Clara County [known as the Capitol Corridor], \$85,000,000; and

1.10 WHEREAS, the Commission passed the following resolutions which approved Proposition 116 Department of Transportation 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-91-03 11/14/91 99622(c)	Capitol Corridor Track and Signal Improvement	\$19,888,700	\$19,827,101	\$ 61,599
	Inter-Urban Rail Station Capital Outlay	\$3,816,300	\$3,474,863	\$ 341,437
	Placer/Santa Clara Intercity Rail Car Acquisition	\$18,400,000	\$18,373,289	\$ 26,711
PA-01-08 11/7/01 99622(a)	Stockton Intercity Rail Station	\$7,200,000	\$5,870,000	\$1,330,000
PA-92-02 1/16/92 99622(a)	Stockton Track Connection Northeast Quadrant	\$1,682,130	\$1,583,042	\$ 99,088
PA-94-16 6/6/94 99622(c)	Oakland Jack London Station	\$1,800,000	\$1,785,867	\$ 14,133
PA-96-03 1/17/96 99622(a) 99622(c)	Statewide ADA Intercity Rail	\$400,000	\$205,850	\$ 194,150
PA-98-15 7/15/98 99622(a)	Stockton/Sacramento Track Improvements	\$1,108,000	\$199,840	\$ 908,160
PA-00-06 3/30/00 99622(a)	Merced Station	\$205,000	\$204,588	\$ 412
PA-00-03 2/23/00 99622(a)	Stockton BNSF Track Orwood Drawbridge	\$9,875,000	\$9,871,544	\$ 3,456

PA-96-26 9/19/96 99622(a)	Capitol Corridor Station Platforms	\$1,540,000)1,169,239	\$ 370,761
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Deprogram Amount \$3,349,907

- 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-01-11, PA-92-02, PA-94-16, PA-01-08, PA-96-03, PA-98-15, PA-00-06, PA-91-03, PA-00-03, and PA-96-26 are hereby amended.

CALIFORNIA TRANSPORTATION COMMISSION

Commission Project Application Approval Amendment
Department of Transportation
Proposition 116 Application for Various Projects

Resolution PA-05-

Amending PA-97-05, PA-96-19, and PA-99-09

- 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 99623(a) authorizes \$81,000,000 to the Department of Transportation for intercity and commuter rail projects along the Los Angeles-Santa Barbara corridor to be allocated for expenditures as follows:

- 1) In Ventura County - \$31,000,000
- 2) In Santa Barbara County - \$17,000,000
- 3) In Los Angeles County - \$33,000,000; and

1.10 WHEREAS, the Commission passed the following resolutions which approved Proposition 116 Department of Transportation 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-97-05 1/29/97 99623(a)(2)	Moorpark-Goleta Track and Signal Improvements	\$7,458,000	\$7,444,890	\$ 13,110
PA-96-19 7/11/96 99623(a)(2)	Goleta Station	\$800,000	\$777,235	\$ 22,765
PA-99-09 5/5/99 99623(a)(1)	Camarillo Intercity Rail Station Improvements	\$1,101,593	\$964,596	\$136,997
Deprogram Amount				\$172,872

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-97-05, PA-96-19, and PA-99-09 are hereby amended.

CALIFORNIA TRANSPORTATION COMMISSION

Commission Project Application Approval Amendment
Department of Transportation
Proposition 116 Application for Various Projects

Resolution PA-05-

Amending PA-92-04, and PA-95-18

- 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 99649) authorizes \$100,000,000 to be allocated by the commission to fund a competitive program for the acquisition of both commuter and intercity rail cars and locomotives designed pursuant to Section 99603; and

1.10 WHEREAS, the Commission passed the following resolutions which approved Proposition 116 Department of Transportation 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-92-04 1/18/92 99649	Railcars Acquisition Project Management	\$3,700,000	\$3,699,144	\$ 856
PA-95-18 10/18/95 99649	Purchase 20 Railcars	\$5,400,000	\$5,314,087	\$85,913
			Deprogram Amount	\$86,769

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-92-04, and PA-95-18 are hereby amended.