



CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEETING OF THE BOARD OF DIRECTORS

Wednesday February 17, 2010

10 a.m.

City Council Chambers
Suisun City Hall
701 Civic Center Blvd., Suisun City, CA
(see attached map)

AGENDA

- I. Call to Order
- II. Roll Call and Pledge of Allegiance
- III. Report of the Chair
- IV. Minutes of November 18, 2009 Meeting *Action*
- V. Consent Calendar *Action*
 1. CCJPA Board 2010 Meeting Schedule: Revised
 2. Capitol Corridor NEPA Program Environmental Assessment: Revised Budget
- VI. Action and Discussion Items (Executive Director)
 1. Business Plan Update (FY 2010-11 – FY 2011-12) *Action**
 2. Governor's Proposed FY 2010-11 Budget/Legislative Matters *Action*
 3. Proposition 1A (California High Speed Train System) Connectivity Projects *Action*
 4. Security Cameras at Unstaffed Stations Project Contract *Action*
 5. Results of December 2009 On Board Surveys *Discussion*
 6. Managing Director's Report (Status of Service Performance) *Info*
 7. Work Completed
 - a. Annual Performance Report (FY 09) *Info*
 - b. CCJPA FY 09 Independent Audit *Info*
 - c. Administrative Support Agreement between the CCJPA and BART *Info*
 - d. Marketing Activities (November 2009 – February 2010) *Info*
 8. Work in Progress
 - a. Status of FRA HSIPR Capital Grants Applications (ARRA and FY2010) *Info*
 - b. Prop 1B Transit Safety/Security Improvement Projects *Info*
 - c. Prop 1B Intercity Rail Projects: Bahia Crossover, Emeryville Track Upgrades *Info*
 - d. Upcoming Marketing Activities *Info*
- VII. Board Member Reports
- VIII. Public Comment
- IX. Adjournment. Next Meeting Date: 10:00 a.m., April 14, 2010 at City Council Chambers, Suisun City Hall, 701 Civic Center Blvd., City of Suisun City, CA

Notes:

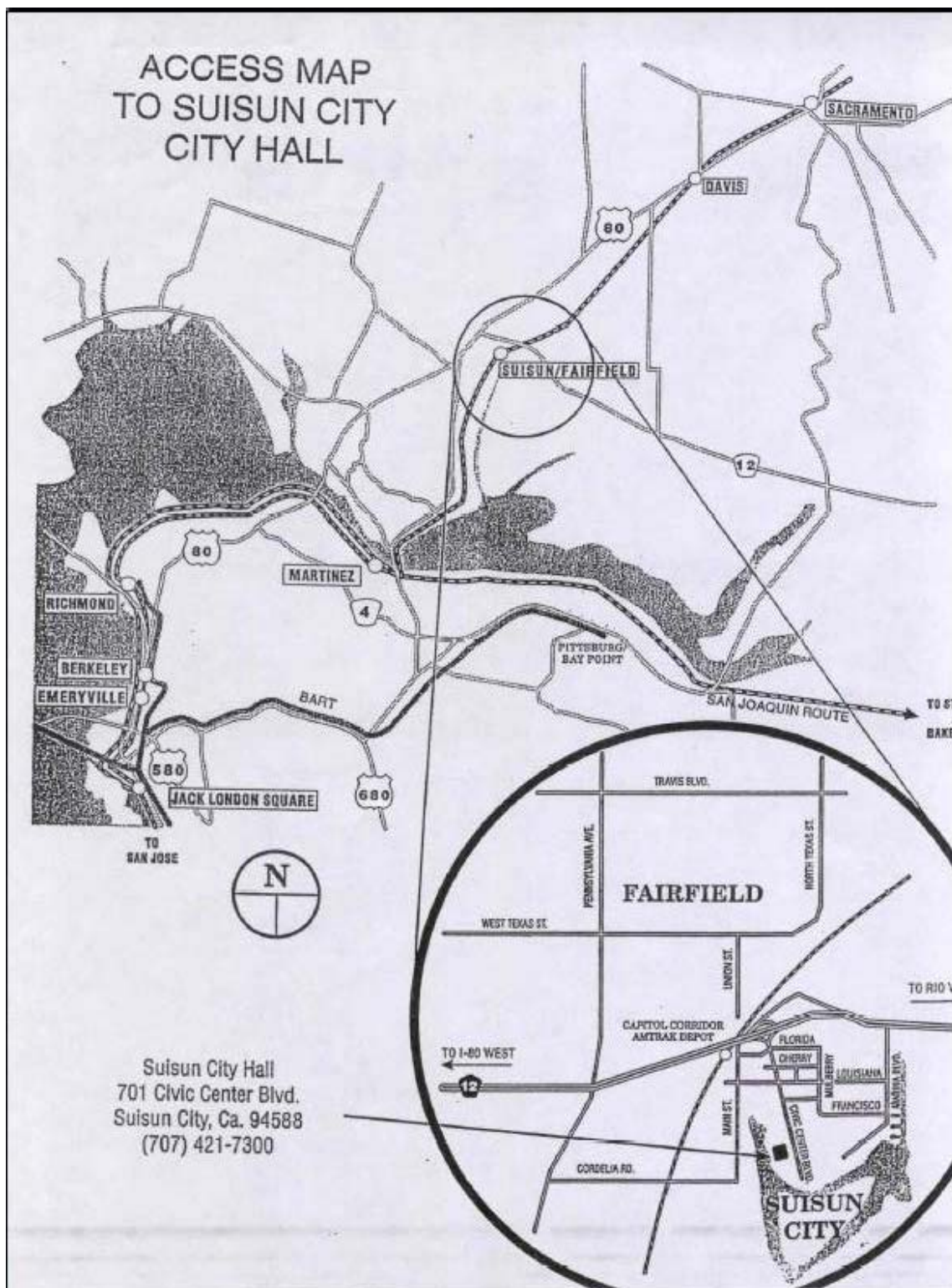
Members of the public may address the Board regarding any item on this agenda. Please complete a "Request to Address the Board" form (available at the entrance of the Boardroom and at a teleconference location, if applicable) and hand it to the Secretary or designated staff member before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under Public Comment. Speakers are limited to three (3) minutes for any item or matter. The CCJPA Board reserves the right to take action on any agenda item.

Consent calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for discussion or explanation is received from a CCJPA Board Director or from a member of the audience.

* Approval of the business plan requires an affirmative vote of at least two-thirds (11) of the appointed members.

The CCJPA Board provides services/accommodations upon request to persons with disabilities who wish to address Board matters. A request must be made within one and five days in advance of a Board meeting, depending on the service requested. Call (510) 464-6085 for information.

MAP DIRECTIONS TO SUISUN CITY HALL



CAPITOL CORRIDOR JOINT POWERS AUTHORITY

Regular Board Meeting

**Capitol Corridor Joint Powers Authority Board of Directors
Minutes of the 74th Meeting
November 18, 2009**

The 74th meeting of the Board of Directors of the Capitol Corridor Joint Powers Authority was held at 10:00 a.m., Wednesday, November 18, 2009, at City Council Chambers, Suisun City Hall, 701 Civic Center Boulevard, City of Suisun City, California. Chair Jim Holmes presided; Kenneth A. Duron, Recording Secretary.

I. Call to Order. Chair Holmes called the meeting to order at 10:06 a.m.

II. Roll Call. Directors present: Chair Jim Holmes, Placer County Transportation Planning Agency (PCTPA); Bob Franklin, San Francisco Bay Area Rapid Transit District (BART); Steve Cohn, Sacramento Regional Transit District (SRTD); Keith Nesbitt, PCTPA; Stephen Souza, Yolo County Transportation District (YCTD); Rose Herrera, Santa Clara Valley Transportation Authority (SCVTA); Ash Kalra, SCVTA; Thomas M. Blalock, BART; Joel Keller, BART; Gail Murray, BART; James Spering, Solano Transportation Authority (STA); and Len Augustine, STA.

Absent: Directors Roger Dickinson, SRTD; Christopher Cabaldon, YCTD; James Fang, BART; and Lynette Sweet, BART.

Chair Holmes led the Board in the Pledge of Allegiance.

III. Report of the Chair. Chair Holmes recognized the impending departure of Managing Director Eugene Skoropowski and introduced a video entitled “Double 0 Skoro”, commemorating Mr. Skoropowski’s ten years of leadership and contributions to the Authority. Chair Holmes noted an event conducted November 17 by the Air Quality Management Districts of the Bay Area and Sacramento Valley together with the Environmental Protection Agency, Caltrans, Amtrak, the CCJPA and the Electro-motive Division of General Motors, commemorating the operation of the first “clean California Locomotive.”

IV. Minutes of September 16, 2009 Meeting. Chair Holmes introduced the Minutes of the September 16, 2009 Meeting. Director Keller moved approval of the Minutes of September 16, 2009. Director Souza seconded the motion, which passed by unanimous acclamation. Ayes: 12 - Directors Holmes, Franklin, Cohn, Nesbitt, Souza, Herrera, Kalra, Blalock, Keller, Murray, Spering, and Augustine. Noes: 0. Absent: 4 – Directors Dickinson, Cabaldon, Fang, and Sweet.

V. Consent Calendar. Chair Holmes introduced the Consent Calendar. Director Herrera moved approval of the Consent Calendar items: Item V.1 Resolution No. 09-08, In the Matter of Approving the Capitol Corridor Annual Performance Report (FFY2008-09) and Item V.2 Adoption of the 2010 CCJPA Board Meeting Schedule. Director Murray seconded the motion, which passed by unanimous acclamation. Ayes: 12 - Directors Holmes, Franklin, Cohn, Nesbitt, Souza, Herrera, Kalra, Blalock, Keller, Murray, Spering, and Augustine. Noes: 0. Absent: 4 – Directors Dickinson, Cabaldon, Fang, and Sweet.

VI. Action and Discussion Items (Executive Director).

- 1. 2010 Spring/Summer Advertising Contract.** Mr. Skoropowski presented the staff recommendation to enter into the necessary agreements to implement the Capitol Corridor advertising plan for the spring and summer of 2010.

Director Herrera moved adoption of Resolution No. 09-09, In the Matter of Authorizing Staff to Enter into Contract for Advertising Services to Support the 2010 Spring/Summer Advertising Campaign. Director Murray seconded the motion, which passed by unanimous acclamation. Ayes: 12 - Directors Holmes, Franklin, Cohn, Nesbitt, Souza, Herrera, Kalra, Blalock, Keller, Murray, Sperring, and Augustine. Noes: 0. Absent: 4 – Directors Dickinson, Cabaldon, Fang, and Sweet.

- 2. Administrative Support Agreement between the CCJPA and BART.** Mr. Skoropowski introduced Daryl K. Halls, Executive Director of the Solano Transportation Authority, representing the Staff Coordinating Group (SCG), to present the recommendation for selection of the Managing Agency for the CCJPA and to extend the Administrative Support Agreement with the San Francisco Bay Area Rapid Transit District (BART) for a five-year term.

Chair Holmes granted the request of Ms. Dorothy Dugger, Executive Director, to address the Board. Ms. Dugger proceeded to announce the selection of Mr. David Kutrosky, Deputy Managing Director, to succeed Mr. Skoropowski as the Managing Director of the CCJPA. The announcement of Mr. Kutrosky's appointment was greeted by unanimous applause from the Board of Directors. Mr. Kutrosky expressed his appreciation for his appointment and the mentorship and guidance of Mr. Skoropowski.

Mr. Halls briefly described the SCG's recommendation.

Director Sperring moved adoption of Resolution No. 09-10, In the Matter of Extending the Administrative Services Agreement between the Capitol Corridor Joint Powers Authority and the Managing Agency for Five Years (February 2010 - February 2015). Director Blalock seconded the motion, which passed by unanimous acclamation. Ayes: 12 - Directors Holmes, Franklin, Cohn, Nesbitt, Souza, Herrera, Kalra, Blalock, Keller, Murray, Sperring, and Augustine. Noes: 0. Absent: 4 – Directors Dickinson, Cabaldon, Fang, and Sweet.

- 3. Legislative Matters.** Mr. Skoropowski provided the Board with a thorough review of the proposed federal and state legislative matters affecting Capitol Corridor service.

Director Sperring moved that the CCJPA Executive Director be authorized to submit a letter(s) of support or opposition for actions relating to the proposed legislative matters affecting Capitol Corridor Service, including modifications provided by the Board. Director Souza seconded the motion, which passed by unanimous acclamation. Ayes: 12 - Directors Holmes, Franklin, Cohn, Nesbitt, Souza, Herrera, Kalra, Blalock, Keller, Murray, Sperring, and Augustine. Noes: 0. Absent: 4 – Directors Dickinson, Cabaldon, Fang, and Sweet.

- 4. Overview of Federal Railroad Administration (FRA) American Reinvestment and Recovery Act (ARRA) High Speed Intercity Passenger Rail (HSIPR) Capital Grants Applications – Tracks 1 and 2.** Mr. Skoropowski described background, conditions, needs and options considered for the CCJPA capital grant applications under tracks 1 and 2 for funding under the ARRA High Speed Intercity Passenger Rail program.

Director Spering moved adoption of Resolution No. 09-11, In the Matter of Authorizing the Submittal of Federal Intercity Passenger Rail Capital Grant Applications. Director Herrera seconded the motion, which passed by unanimous acclamation. Ayes: 12 - Directors Holmes, Franklin, Cohn, Nesbitt, Souza, Herrera, Kalra, Blalock, Keller, Murray, Spering, and Augustine. Noes: 0. Absent: 4 – Directors Dickinson, Cabaldon, Fang, and Sweet.

5. Memorandum of Understanding with Union Pacific Railroad for Added Capitol Corridor Train to/from Auburn. The item was continued to a future meeting at the request of the Managing Director.

Mike Barnbaum addressed the Board.

6. Results of June 2009 On Board Surveys. Mr. Skoropowski reviewed the results of the CCJPA's June 2009 on-board surveys of customer satisfaction, highlighting local transit and bike modes, and use by ticket type.
7. Managing Director's Report. Mr. Skoropowski presented a review of limited rolling stock and the impact of current and future performance, declining ridership and its relationship to revenue, and on-time performance.
8. Work Completed and 9. Work in Progress. Chair Holmes invited questions or comments on Items 8 and 9. None were received.

VII. Board Member Reports. Chair Holmes invited Board member reports. None were received.

- a. Resolution Commending CCJPA Managing Director Eugene Skoropowski. Chair Holmes read the resolution of commendation.

Director Spering moved adoption of Resolution No. 09-13, Commending Eugene K. Skoropowski. Directors Holmes, Franklin, Cohn, Nesbitt, Souza, Herrera, Kalra, Blalock, Keller, Murray, and Augustine seconded the motion, which passed by unanimous acclamation. Ayes: 12 - Directors Holmes, Franklin, Cohn, Nesbitt, Souza, Herrera, Kalra, Blalock, Keller, Murray, Spering, and Augustine. Noes: 0. Absent: 4 – Directors Dickinson, Cabaldon, Fang, and Sweet.

VIII. Public Comment. Chair Holmes invited comment from the public. Mike Barnbaum addressed the Board.

IX. Adjournment. Meeting adjourned at 11:25 a.m. Next Meeting Date: 10:00 a.m., February 17, 2010, at the City Council Chambers, Suisun City Hall, 701 Civic Center Boulevard, City of Suisun City, California.

Motion: The CCJPA Board approves the Minutes of the November 18, 2009 meeting.

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Board

DATE: February 10, 2009

FROM: Dorothy W. Dugger
Executive Director, CCJPA

SUBJECT: 2010 CCJPA BOARD MEETING SCHEDULE: REVISED

PURPOSE

For the CCJPA Board to adopt a revised and updated meeting schedule for the Capitol Corridor Joint Powers Authority Board of Directors during Calendar Year 2010.

BACKGROUND

At its November 18, 2009 meeting, the CCJPA Board adopted the meeting schedule for the 2010 Calendar Year. Since this action, the meeting schedule has been requested to be revised to accommodate the Sacramento region’s visit to Washington DC the week of April 19, 2010, which conflicts with the previously adopted meeting date of April 21, 2010. As such, the CCJPA member agency staff have polled their representatives on the CCJPA Board and it has been recommended to move the April 2010 meeting up one week to April 14, 2010. The following revised schedule is being submitted to the CCJPA Board for adoption:

Date	Time	Location
February 17, 2010	10:00 am	Suisun, City Council Chambers
<u>April 14, 2010</u>	10:00 am	Suisun City, City Council Chambers
June 16, 2010	10:00 am	Oakland, BART Boardroom
September 15, 2010	10:00 am	Suisun City, City Council Chambers
November 17, 2010	10:00 am	Suisun City, City Council Chambers

RECOMMENDATION

It is recommended that the CCJPA Board adopt the revised 2010 meeting schedule for the Capitol Corridor Joint Powers Authority Board of Directors.

Motion: The CCJPB adopts the attached revised meeting schedule.



DRAFT

REVISED

**2010 Meeting Schedule
CCJPA Board of Directors**

BOARD OF DIRECTORS

PLACER COUNTY
TRANSPORTATION
PLANNING AGENCY
Jim Holmes, Chair
Keith Nesbitt
Gina Garbolino (ALT)

SACRAMENTO REGIONAL
TRANSIT DISTRICT
Steve Cohn
Roger Dickinson
Bonnie Pannell (ALT)

SAN FRANCISCO BAY AREA
RAPID TRANSIT DISTRICT
Thomas Blalock
James Fang
Bob Franklin, Vice Chair
Joel Keller
Gail Murray
Lynette Sweet
John McPartland (ALT)

SANTA CLARA VALLEY
TRANSPORTATION
AUTHORITY
Rose Herrera
Ash Kalra

SOLANO TRANSPORTATION
AUTHORITY
Len Augustine
James P. Spering
Jack Batchelor, Jr. (ALT)

YOLO COUNTY
TRANSPORTATION
DISTRICT
Christopher Cabaldon
Stephen Souza
Mike McGowan (ALT)

EXECUTIVE OFFICERS

Dorothy W. Dugger
Executive Director

David B. Kutrosky
Managing Director

**CAPITOL CORRIDOR
JOINT POWERS AUTHORITY**
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14TH FLOOR EAST
OAKLAND, CA 94612
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(F) 510.464.6901
www.capitolcorridor.org

Date	Time	Location
February 17, 2010	10:00 am	Suisun, City Council Chambers
<u>April 14, 2010</u>	10:00 am	Suisun City, City Council Chambers
June 16, 2010	10:00 am	Oakland, BART Boardroom
September 15, 2010	10:00 am	Suisun City, City Council Chambers
November 17, 2010	10:00 am	Suisun City, City Council Chambers

ACTION:	DATE:	ATTEST:
Ayes:		<hr/> Kenneth A. Duron Secretary
Noes:		
Abstain:		

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Board **DATE:** February 10, 2010

FROM: Dorothy W. Dugger
Executive Director, CCJPA

SUBJECT: CAPITOL CORRIDOR NEPA PROGRAM-LEVEL ENVIRONMENTAL ASSESSMENT:
REVISED BUDGET

PURPOSE

For the CCJPA Board to adopt a revised budget for the CCJPA's NEPA Program Environmental Assessment to support CCJPA applications for future federal capital grant funds.

BACKGROUND

Previously the CCJPA Board adopted resolutions 8-14 and 9-11 that provided CCJPA staff the authority to apply for capital grants to the Federal Railroad Administration (FRA) who is administering the High Speed Intercity Passenger Rail (HSIPR) program. To be eligible to receive future HSIPR grants under the Track 2 (Corridor Development) Program category, the FRA must first approve a programmatic National Environmental Policy Act (NEPA) document which adequately discloses the environmental impacts and any mitigations required from implementing the program of proposed track improvements. CCJPA's planned service increases as guided by the CCJPA Vision Plan (2005), are consistent with an Environmental Assessment (EA) under NEPA. Initially, CCJPA had embarked on an EA which would just cover the Oakland to San Jose service expansion and planned to later address expansion in Placer County via a project specific NEPA document (e.g., an Environmental Impact Statement – EIS). Because funding opportunities and service expansion potential with Union Pacific Railroad (UPRR) are lining up to allow expansion into Placer County in the more immediate future, the CCJPA has determined that a Programmatic EA covering CCJPA's full service expansion plans is now warranted.

Currently, CCJPA has retained Nelson-Nygaard with Parsons Transportation Group (through the Bay Area Rapid Transit Districts' [BART] on-call consultant services contract) for environmental documentation. The initial budget was \$97,185 for the program EA for the Oakland to San Jose track projects. Subsequently the scope was expanded to include additional projects between Oakland and San Jose and additional projects to allow for service expansion into Placer County as well as along the core Sacramento to Oakland corridor. All together as summarized in Table 1, the EA will now include all necessary project inclusions to develop a Tier 1 EA for the service plan described in the CCJPA's Vision Plan. FRA approval of this EA will ensure that all of CCJPA's capital projects for service expansion are eligible to receive federal funds.

CCJPA has been utilizing revenue credits and recently has been working with Caltrans Rail Division who will help to fund additional incurred expenses as well as the costs to complete the most recent EA scope modifications. The full budget as presented represents the maximum amount of expenses.

RECOMMENDATION

It is recommended that the CCJPA Board adopt the revised budget for the NEPA Program Environmental Assessment for the program of track improvements that will be the subject of future applications by the CCJPA for federal capital grants.

Motion: The CCJPA adopts the attached revised budget.

Table 1: Summary of CCJPA Tier 1 Program EA by Task/Budget and Amendment

Amended Task	Activity	Original Budget	Amendment
1	Develop Annotated Outline for the Program EA for CCJPA review	\$4,044	\$2,000
2	Retain JRP and Far Western	\$20,000	N/A
3	Develop project description and purpose and need statement for CCJPA review	\$5,900	\$12,000
4	Submit data needs to CCJPA	\$7,000	\$15,000
5	Submit Preliminary Administrative Draft Program EA to Marilyn Duffy for two week review	\$43,200	\$44,000
6	Revise and Submit Administrative Draft Program EA to CCJPA for three week review	\$5,200	\$6,000
7	Revise and Submit Screen Check Draft Program EA to CCJPA for approval	\$5,900	\$3,000
8	Submit Draft Program EA to CCJPA to be submitted to FRA	\$6,000	\$3,000
9	Revise Draft Program EA to address FRA comments		\$10,000
10	Release Draft Program EA for 30 day public review		\$6,000
11	Respond to Comments and prepare FONSI		\$10,000
	TOTAL by amendment	\$97,244	\$111,000
	TOTAL full EA		\$208,244

BEFORE THE
CAPITOL CORRIDOR JOINT POWERS AUTHORITY
BOARD OF DIRECTORS

In the Matter of
Approving the Revised Budget
For the NEPA Program-Level Environmental Assessment
for the Planned Improvements on the Capitol Corridor /

Resolution No. 10-1

WHEREAS, the CCJPA Board has adopted resolutions 8-14 and 9-11 which provide CCJPA the authority to prepare and submit materials to the Federal Railroad Administration (FRA) for program and project capital grants which will improve the Capitol Corridor service; and

WHEREAS, the FRA’s capital grants administered through the High Speed/Intercity Passenger Rail (HSIPR) program requires preparation of National Environmental Policy Act (NEPA) documentation; and

WHEREAS, the CCJPA has retained existing Bay Area Rapid Transit District (BART) on-call consulting support to obtain timely assistance with preparing NEPA documentation; and

WHEREAS, the CCJPA has amended the NEPA documentation scope of work to include the anticipated breadth of projects necessary with both Union Pacific Railroad and Caltrain required to implement the service expansion plans as outlined in the CCJPA Board adopted Vision Plan (2005); and

WHEREAS, the budget to complete the tasks as modified has increased from a base budget of \$97,244, to a revised total budget of \$208,244; and

RESOLVED, that the CCJPA Board does hereby approve and adopt a revised budget for NEPA documentation for the Planned Improvements on the Capitol Corridor for an amount of up to \$208,244.

AND BE IT FURTHER RESOLVED, that the CCJPA forthwith transmit a copy of this resolution to Caltrans Division of Rail.

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ACTION:	DATE:	ATTEST:
Ayes:		<hr style="width: 100%;"/> Kenneth A. Duron Secretary
Noes:		
Abstain:		

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Board **DATE:** February 10, 2010

FROM: Dorothy W. Dugger
Executive Director, CCJPA

SUBJECT: CCJPA FY 2010-11 – FY 2011-12 BUSINESS PLAN UPDATE

PURPOSE

For the CCJPA Board to approve the CCJPA FY 2010-11 – FY 2011-12 Business Plan Update (February 2010).

BACKGROUND

A preliminary draft of this business plan update was prepared by staff and sent to the SCG for review. Comments were incorporated into the draft FY 2010-11 – FY 2011-12 Business Plan Update, which was released for public review. For this year's business plan update, eleven (11) public workshops were held on January 12-14. Comments received during the public review process, as appropriate, have been incorporated in the document. Upon approval by the CCJPA Board, the revised business plan update will be finalized and submitted to the Secretary of Business, Transportation and Housing Agency (BT&H) by April 1, 2010, in accordance with the CCJPA's enabling legislation. The very recent awards of High Speed/Intercity Passenger Rail (HSIPR) were not known at the time the draft was written but will be incorporated into the final document to reflect the most recent information.

In summary, this Business Plan Update (sent under separate cover) is premised upon the State's current dismal financial situation and focuses major attention on CCJPA efforts to work with Union Pacific Railroad (UPRR) and Amtrak mechanical staff to improve on-time reliability to acceptable levels (90% 'on-time' or better). It also:

- Maintains the current 32-train service plan in place since August 28, 2006;
- Outlines a capital funding strategy to utilize a variety of state funding sources alone and in combination with federal funds through the HSIPR program to advance the CCJPA's Capital Improvement Program (CIP); and
- Builds upon the success of previous award-winning marketing campaigns/programs to raise the awareness of the Capitol Corridor "brand" as a viable transport alternative along the Northern California's congested highway corridors.

The proposed service levels and capital plans outlined in the FY 2010-11 – FY 2011-12 Business Plan Update are consistent with the CCJPA's *Vision Plan* (updated April 2005), Caltrans' *California Rail Passenger Program Report* (December 2008) and MTC, SACOG, and PCTPA regional transportation plans.

RECOMMENDATION

It is recommended that the CCJPA Board approve the CCJPA FY 2010-11 – FY 2011-12 Business Plan Update and submit a copy of the business plan update to the Secretary of BT&H. (Approval of the Business Plan Update requires an affirmative vote of at least two-thirds (11) of the appointed members.)

Motion: The CCJPA Board adopts the attached resolution.

BEFORE THE
CAPITOL CORRIDOR JOINT POWERS AUTHORITY
BOARD OF DIRECTORS

In the Matter of
Approving the State Fiscal Year 2010-11 – FY 2011-12
Business Plan Update for the Capitol Corridor Service
for the Capitol Corridor Joint Powers Authority /

Resolution No. 10-2

WHEREAS, the CCJPA staff have prepared a draft FY 2010-11 – FY 2011-12 Business Plan Update and held a series of eleven public workshops with a participation of over 100 people on January 12-14, 2010 to receive and incorporate appropriate comments on the final version; and

WHEREAS, the draft FY 2010-11 – FY 2011-12 Business Plan Update maintains the current 32-train service plan in place since FY 2008-09, and outlines a capital funding strategy to advance the CCJPA’s Capital Improvement Program (CIP), builds upon the success of previous award-winning marketing campaigns/programs to raise the awareness of the Capitol Corridor “brand”; and

WHEREAS, the CCJPA Board acting for and on behalf of the Capitol Corridor Joint Powers Authority has prepared for the State of California Business, Transportation and Housing Agency (“BT&H”) a Business Plan Update for the Capitol Corridor Service for State FY 2010-11 – FY 2011-12 in the form appended hereto; and

WHEREAS, preparation and submission of the Business Plan Update to the Secretary of BT&H is mandated pursuant to the provisions of California Government Code 14070.4(b);

RESOLVED, that the CCJPA Board does hereby approve and adopt the FY 2010-11 – FY 2011-12 Business Plan Update for the Capitol Corridor Service.

AND BE IT FURTHER RESOLVED, that the CCJPA forthwith transmit a copy of this resolution to BT&H and Caltrans.

#

ACTION:	DATE:	ATTEST:
Ayes:		<hr style="width: 80%; margin: 0 auto;"/> Kenneth A. Duron Secretary
Noes:		
Abstain:		

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Board **DATE:** February 10, 2010

FROM: Dorothy W. Dugger
Executive Director, CCJPA

SUBJECT: LEGISLATIVE MATTERS

PURPOSE

To provide the CCJPA Board with an overview of the proposed legislative matters affecting Capitol Corridor Service.

BACKGROUND

Legislative Matters

State Legislative Matters

Settlement Between the State and CTA Regarding Supreme Court Ruling in Favor of CTA Lawsuit on Illegal Diversion of PTA Funds for Non-Public Transit Uses and Governor's FY 2010-11 Budget Gas Tax Swap Proposal

Meetings have commenced between the State (represented by the Department of Finance) and the California Transit Association (CTA) with respect to the State Supreme Court's rejection of the Schwarzenegger Administration's appeal of a lower court ruling that annual raids on PTA transit funding are illegal. In its ruling, the Supreme Court affirmed that the shift of dedicated state transit funds away from transit agencies and their riders is illegal. The decision validates that these diversions have been illegal since even before 2007 and further defines mass transportation as it was intended.

Key to the victory over the Administration is the people of California support of transit funding (operating and capital) through several successful ballot measures -- from 1990's Proposition 116 through Proposition 1A of 2006 -- which established the PTA as a trust fund and require that PTA revenues must be spent on "mass transportation purposes."

The CTA has been trying to get the Administration and Legislature to restore those funds taken since the initial lawsuit was filed in October, 2007; however, the Governor in the draft FY 2010-11 Budget completely eliminates the financing mechanism of transit funding by abolishing the state sales tax on motor vehicle fuels. This proposal is clearly in response to the Supreme Court ruling.

The CCJPA has sent a letter to the state's legislative leaders urging them to oppose and defeat this short-sighted gas tax swap proposal (see attached letter).

At its February 20, 2009 meeting, in response to a request from CTA, the CCJPA Board adopted Resolution 09-2 which supported CTA's effort to examine the feasibility of a statewide ballot initiative to protect transit funding. Efforts have advanced and the parties (CTA, California Alliance for Jobs, and League of California Cities) are now involved in a mega-initiative to protect transportation, redevelopment and other local services and are asking for support as the parties attempt to qualify the initiative (see attached resolution).

This bill has been significantly amended to ensure that the High Speed Rail Authority (which is assumed will be placed under the control of the Business, Transportation and Housing Agency (BT&H) via AB 1375 (Galgiani)) prepares a 5-year Strategic Rail Connectivity Plan for the state. The key element of the plan will be to identify improvements to improve linkages within the passenger rail system. The first plan will be submitted to the California Transportation Commission (CTC) by September 1, 2011 and every 5 years afterwards.

Staff believes that this bill as currently provided will allow the ability for the CCJPA to engage BT&H in the CCJPA's plans to ensure that connections are maximized with the planned state high speed train system (schedules, fares, ticketing, customer services).

Status: Amended in Senate on January 26, 2010.

Federal Legislation

FFY2010 Appropriations

FRA High Speed Intercity Passenger Rail (HSIPR) Capital Grants. For FFY2010, the President included \$1B in capital for high speed/intercity passenger rail (HSIPR) development, while, in separate actions, the House passed its FFY10 appropriations with \$4B for the HSIPR program with the Senate Appropriations requesting \$1.2B. The conference committee report passed out of Congress identified \$2.5 billion for the FRA HSIPR capital grant programs. A notice has sent not yet been released by FRA on when the funds will be available. Also the President's budget for FY2011 includes \$1B for the HSIPR capital grant program.

Amtrak and Board Nominations. Amtrak's FFY10 appropriations was for \$1.565B. Additionally, Amtrak stated an immediate need for five different types of equipment, including 130 bi-level cars for corridor service, which could be funded in any type of second round stimulus funding from Congress. For FY2011 the Administration proposes \$1.615B for Amtrak (\$1.052B capital; \$563M operating), slightly above the FY2010 appropriation, but less than the authorized amount of \$1.9B.

The White House has indicated its intent to nominate a new Board Member - Jeffrey R. Moreland. He is the third board nominee named by the President, joining Anthony R. Coscia of New Jersey and Albert DiClemente of Delaware, who were nominated in October 2009. Mr. Moreland's and Mr. Coscia's appointments would be for five year terms. Mr. DiClemente's appointment would be through July 2011. All three must still be approved by the U.S. Senate before joining the Board of Directors. At this point, there is one remaining vacancy on the PRIIA-enlarged Board of Directors.

Grant for Positive Train Control. The Rail Safety Bill of 2008 included a \$250 million funding program for technology grants to railroads for the deployment of train control technologies, train control component technologies, processor-based technologies and other new safety technologies. The intent of this program would help fund implementation of Positive Train Control (PTC) with grant programs of \$50 million per year for the next five years. The FFY2010 appropriations report from Congress included the maximum authorized amount, \$50 million. A special thanks goes to Senator Feinstein who pushed for this amount to be included in the report. The implementation of PTC in California, where passenger trains share congested rail corridors with freight railroads, is the top rail safety priority of California freight and passenger operators. The federal mandate to complete PTC installation on the nation's railroads that carry passenger trains and toxic inhalant freight is December 31, 2015. The President's FFY2011 budget did NOT include any funds for these PTC technology grants.

Surface Transportation Reauthorization

With a focus on a second round of stimulus, providing investment towards infrastructure, particularly transportation, appears to be gaining support as a means to generate jobs. Congressman Oberstar (Chair of House Transportation & Infrastructure Committee) has highlighted his committee's push for authorizing

the next surface transportation funding and investment plan as means to be a job-generator. The prior authorization, SAFETEA-LU, expired on September 20, 2009, and has been extended until February 2010. Of interest to the CCJPA, the American Association of State Highway and Transportation Officials (AASHTO) submitted a list of recommendations for next year's authorization of federal highway and transit programs, totaling a \$545 billion investment from 2010 through 2015 for highways, transit, freight movement and intercity passenger rail, with upwards of \$50B in capital grants for high speed and intercity passenger trains.

RECOMMENDATION

The SCG recommends that the CCJPA Board authorize the CCJPA Executive Director to submit a letter(s) of support or opposition for actions relating to the proposed legislative matters affecting Capitol Corridor Service, including modifications as provided by the CCJPA Board.



February 1, 2010

The Honorable Darrell Steinberg
Senate President pro Tempore

The Honorable Karen Bass
Speaker of the Assembly

The Honorable Dennis Hollingsworth
Senate Republican Leader

The Honorable Martin Garrick
Assembly Republican Leader

SUBJECT: 2009-10/2010-11 State Budget – Gas Tax Proposal Eliminates Funding for California’s Intercity Passenger Trains

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Dorothy W. Dugger
Executive Director

David B. Kutrosky
Managing Director

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Dear Legislative Leaders:

The Capitol Corridor Joint Powers Authority (CCJPA) strongly urges you to **OPPOSE the Governor’s 2010-11 State Budget proposal on transportation.** This action as proposed by the Governor would eliminate the dedicated and sole source of capital and operating funding for the Capitol Corridor (Auburn/Sacramento-Bay Area-Silicon Valley) intercity passenger trains as well as the two other state-supported intercity passenger rail (IPR) services (San Joaquins in the Central Valley and the Pacific Surfliner in Southern California).

Currently, the state’s IPR program is included in the transportation funding program financed with sales tax on gasoline (Proposition 42), sales tax on diesel, sales tax on nine cents of the excise gas tax (Proposition 111), and spillover. All combined this program would receive upwards of \$1.586 billion in FY 2010-11 and has traditionally been supported by the Public Transportation Account (PTA). A portion of PTA provides the sole financing for the state’s IPR operations and capital expenditures (including rolling stock purchases and renovations). Over the last 20 years, the state has invested over \$850 million in operating support and provided close to \$2 billion in capital investment. Due to the state’s long history of funding these interregional trains, California’s IPR system is recognized as the most successful program of its kind in the nation.

The governor’s proposal abandons support for the state’s IPR program and turns its back on the \$3 billion investment the state has already provided to these trains and their riders. Not only does the proposal undermine the environment and increase congestion, it jeopardizes California’s ability to receive funds from the newly established Federal program to support expansion of the state’s IPR services.

We are well aware of the enormity of the gap in the General Fund deficit; yet this gas tax swap proposal would do more harm than good in the immediate as well as the long-term. While the Governor assures us that the California IPR trains, starting in FY 2012-13, would receive annual operating and capital support via the General Fund, we know there is virtually no added capacity available in the General Fund to support the state’s successful IPR trains. The loss of these trains would mean that the 5 million annual riders using the state’s three IPR corridors would be forced to abandon the trains and take their 100+ mile journeys in their autos. This would be the equivalent of placing half a billion vehicle miles back onto the state’s congested highway system.

The CCJPA and other supporters of the state's intercity passenger trains see the proposal as a self-defeating measure that would denigrate regional air quality, increase traffic congestion, and negatively impact the quality of life for the people residing in communities along these corridors.

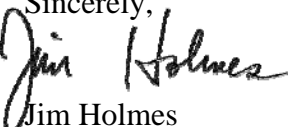
Just as importantly, this proposal would have a significant, negative impact on capital funding available from the Federal Railroad Administration's (FRA) High Speed Intercity Passenger Rail (HSIPR) Program. On January 28, 2010 President Obama announced the recipients of the \$8 billion in ARRA HSIPR capital grants, in the first of a multi-year grant program for HSIPR. California received the largest portion of these grants with \$2.25 billion for the planned LA-SF high speed train system and \$99.4 million for the existing three IPR corridors. Future FRA HSIPR grants would be jeopardized if this gas tax swap proposal were enacted. For FY2010, there will be \$2.5 billion in HSIPR capital grants available to states; however the grants require that all applicants must have a 20% non-federal match plus an identified and dedicated source of long-term operating funds, similar to a Short Range Transit Plans prepared by local transit agencies.

The federal government wants reassurance that if they provide HSIPR capital funds that the states are able to make an on-going financial commitment to ensure these trains will continue to operate. If the gas tax swap proposal moves forward, it would be a clear signal that California is abandoning its commitment to the state's popular IPR trains and is not interested in pursuing neither the \$2.5 billion in FY2010 nor any future year HSIPR grants.

The potential elimination of these state-supported IPR trains combined with the loss of billions of dollars of federal capital investment due to elimination of PTA funding would continue job losses, squander economic stimulus possibilities, and hinder any sort of economic recovery.

Thus, the CCJPA strongly encourages you to reject the Governor's gas tax swap proposal which would eliminate state funding for public transportation and remove the sole operating and capital funding source for the Capitol Corridor, San Joaquin and Pacific Surfliner intercity passenger trains.

We stand ready to work with you to preserve and grow California's successful intercity passenger rail program. Thank you for your consideration. Should you have any questions, do not hesitate to contact David Kutrosky, CCJPA Managing Director, at 510-464-6993.

Sincerely,

Jim Holmes
Chair

cc: Members of the California State Senate - Capitol Corridor Delegation
Members of the California State Assembly - Capitol Corridor Delegation
CCJPA Board of Directors
Randell Iwasaki, California Department of Transportation - Director

BEFORE THE
CAPITOL CORRIDOR JOINT POWERS AUTHORITY
BOARD OF DIRECTORS

Support for Local Taxpayer, Public Safety, And
Transportation Protection Act Of 2010 To Be Placed
On The California November 2010 General Election Ballot/

Resolution No. 10-3

WHEREAS, the Capitol Corridor Joint Powers Authority (“CCJPA”) was formed pursuant to State law to manage the Capitol Corridor public intercity rail transportation services in Northern California;; and

WHEREAS, the CCJPA solely relies on funding from the State of California for operations funding with a majority of such State funding also providing capital investments; and

WHEREAS, in Fiscal Years 2008 and 2009 the Governor of California and the California State Legislature diverted approximately \$3 billion combined from transit programs and placed the funds instead into the State General Fund; and

WHEREAS, the Governor’s Proposed California State Budget for 2010-11 eliminates the state sales tax on gasoline, which is a main source of funding for CCJPA administrative purposes, Capitol Corridor train operations, and marketing programs; and

WHEREAS, the loss of state sales tax on gasoline funds from such a proposal would eliminate funding for the CCJPA and jeopardizes the state’s investment of nearly \$3 billion in the three successful intercity rail corridors; and

WHEREAS, the voters of the State of California have repeatedly passed measures designed to preserve and protect transportation funds; and

WHEREAS, the California Transit Association, of which the CCJPA is a member, has joined a coalition of taxpayers, public safety, local government, transportation, business and labor, seeks to place the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010 before the voters of the State of California; and

WHEREAS, it is necessary for the California Transit Association to have the public support of as many of its Public Transit System member agencies as possible.

NOW, THEREFORE, BE IT RESOLVED, that the CCJPA Board of Directors does hereby support the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010 that would preserve and protect funding for public transit investments.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the California Transit Association.

ACTION:	DATE:	ATTEST:
Ayes:		_____ Kenneth A. Duron Secretary
Noes:		
Abstain:		

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Board **DATE:** February 10, 2009

FROM: Dorothy W. Dugger
Executive Director, CCJPA

SUBJECT: PROP 1A (CALIFORNIA HIGH SPEED TRAIN SYSTEM) CONNECTIVITY PROJECTS

PURPOSE

For the CCJPA Board to approve a list of projects that will be submitted to Caltrans for nomination of such projects to use Proposition 1A funds for the purposes of connecting with the planned California High Speed Train System.

BACKGROUND

Proposition 1A authorizes the release of \$9.95B in state General Obligation Bonds that will be used to develop a high-speed train (HST) system connecting Northern and Southern California and includes \$190 million for the state's intercity passenger rail (IPR) corridors to connect with the HST system. The split of these connectivity funds among the state's three intercity passenger rail corridors is 25% (\$47.5M) will be made available to each of the three (3) IPR corridors with the remaining 25% allocated on a competitive basis. While the bond act passed in the November 2006 General Election, the release of the funds for the three corridors is dependent upon development of guidelines for the use and allocation of these funds from the California Transportation Commission (CTC). Staff has recently reviewed the CTC's preliminary draft guidelines and provided comments to CTC staff. When adopted by the CTC in final form at its February 24-25, 2010 meeting, the CCJPA's strategy is to use these California HST connectivity funds as part of the required 20% minimum match to leverage the new federal High Speed/Intercity Passenger Rail (HSIPR) program administered by the Federal Railroad Administration (FRA).

In FY 2010, at least \$2.5 billion of HSIPR funding will be available and possibly additional funds pending development of a federal jobs stimulus bill. CCJPA is preparing to submit grant applications for these (or any other federally available) grant funds for the improvements listed in Exhibit 1. (Note: the project list and funding plans are preliminary and subject to change.) The table mainly focuses on improvements in the Oakland to San Jose corridor and in the Placer County area since service expansion in both areas will improve the Capitol Corridor's ability to be a feeder/collector at HST stations in San Jose and Sacramento.

Given the State's fiscal situation, CCJPA must give some consideration to the funding capacity for Proposition 1A funds. These considerations may affect the timing and use of these funds to match federal funds. As such, the CCJPA staff will continue to work with partner funding agencies to best identify appropriate funding sources and matches to develop planned capital investments in a timely manner. CCJPA staff will inform the CCJPA Board of applications that have been submitted for any federal capital funding sources, including the matching Proposition 1A funds utilized.

RECOMMENDATION

It is recommended that the CCJPA Board approve the attached resolution authorizing CCJPA staff to utilize Proposition 1A funding in implementation of the capital improvement program that will improve and expand connection with the planned California High Speed Train system.

Motion: The CCJPA Board adopts the attached resolution.

Exhibit 1

Capitol Corridor Proposition 1A Improvement Program (in millions) Capitol Corridor Joint Powers Authority

Preliminary DRAFT (subject to change and revision)

Project Name	Description	Project Sponsor	Estimated Costs	FUNDING OPTIONS						
				CCJPA/State				Federal		Local/ Regional/Other
				Prop 1A	Prop 1B	STIP	Other	FRA HSIPR	Other	
Oakland to San Jose Phase 2 (UPRR)	Series of track improvements (e.g., double tracking) to provide capacity for Capitol Corridor train service to expand from 14 weekday trains to 22 weekday trains	CCJPA	\$400.02	\$47.50		\$18.00	\$32.11	\$235.31	\$49.12	\$17.99
San Jose Terminal Phase 2 (Caltrain)	Track and station improvements in the San Jose Diridon station area which will create capacity for Capitol Corridor, Caltrain, and ACE trains to increase station/track capacity in the San Jose Diridon station area	Caltrain	\$37.00		\$7.00	\$2.00		\$28.00		
Sacramento to Auburn Track Improvements	Track improvements in the Sacramento to Auburn area (also associated with the Donner Pass track capacity project with UPRR) to obtain one additional round trip between Sacramento and Auburn	CCJPA	\$65.00					\$15.00		\$50.00
Roseville 3rd Main Track/Sacramento Layover Facility	Dedicated third mainline track and Sacramento-area satellite maintenance facility and other associated improvements which will permit service capacity increases for the Capitol Corridor in Placer County	CCJPA	\$290.00	\$15.00	\$40.00	\$6.53		\$200.00		
TOTAL			\$792.02	\$62.50	\$47.00	\$26.53	\$32.11	\$478.31	\$49.12	\$67.99

BEFORE THE
CAPITOL CORRIDOR JOINT POWERS AUTHORITY
BOARD OF DIRECTORS

In the Matter of
Approving the List of Projects in the Capitol Corridor and
Funding Plan to Connect with the Planned California High Speed Train System/ Resolution No. 10-4

WHEREAS, Proposition 1A authorizes the release of \$9.95B in state General Obligation Bonds to be used to develop a high-speed train (HST) system connecting Northern and Southern California and includes \$190 million for the state’s intercity passenger rail (IPR) corridors to connect with the HST system; and

WHEREAS, the split of these connectivity funds among the state’s three intercity passenger rail corridors is 25% (\$47.5M) will be made available to each of the three (3) IPR corridors with the remaining 25% allocated on a competitive basis; and

WHEREAS, the CCJPA staff have provided comments to the California Transportation Commission (CTC) staff on the draft guidelines to govern the use and allocation of these funds for the three IPR corridors; and

WHEREAS, the CCJPA’s strategy is to use these California HST connectivity funds as part of the required 20% minimum match to leverage the new federal High Speed/Intercity Passenger Rail (HSIPR) program administered by the Federal Railroad Administration (FRA) for capital projects as referenced in Exhibit 1 to allow for service expansion of additional Capitol Corridor trains to/from San Jose and Placer County to connect with and serve the planned California HST system; and

WHEREAS, the cash flow of Proposition 1A funds is dynamic and dependent upon the State’s fiscal situation and thus requires flexibility in developing funding programs to match Proposition 1A funds with HSIPR funds for federal capital grant applications to support the CCJPA’s planned improvements for the Capitol Corridor;

RESOLVED, that the CCJPB does hereby authorize CCJPA Executive Director or her designee to complete and submit the appropriate grant applications as part of any available State Proposition 1A capital grant programs available for intercity passenger rail services and to enter into any funding and related agreements with respect to the acceptance and award of any grant funds affiliated with the applications.

AND BE IT FURTHER RESOLVED, that the CCJPA forthwith transmit a copy of this resolution to the CTC, California High Speed Rail Authority, and Caltrans Division of Rail.

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ACTION:	DATE:	ATTEST:
Ayes:		
Noes:		_____ Kenneth A. Duron Secretary
Abstain:		

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Board **DATE:** February 10, 2010

FROM: Dorothy W. Dugger
Executive Director, CCJPA

SUBJECT: SECURITY CAMERAS AT UNSTAFFED STATIONS PROJECT CONTRACT

PURPOSE

For the CCJPA Board to authorize staff to enter into the necessary agreements to implement the Capitol Corridor Video Surveillance at Stations (VSS) Project.

BACKGROUND

In 2007, CCJPA engaged the services of a consultant to develop a CCJPA Safety and Security Plan that outlined detailed and specific actions CCJPA could implement to protect its passengers, equipment, and facilities, from criminal or terrorist activity. Implementing video surveillance equipment on board trains and at stations ranked high in this plan.

For two years, incidence of vandalism and personal property theft have increased sharply, with several of our unstaffed stations (Auburn, Richmond, Berkeley, Coliseum, Hayward, and Santa Clara) experiencing increased criminal activity. Since March 2008, CCJPA has been forced to relocate two ticket vending machines (TVMs) from unstaffed stations (Hayward, Oakland Coliseum) due to recurring acts of vandalism, which result in unrecovered costs to repair these TVMs.

In an effort to improve security at these locations, CCJPA plans to install video surveillance equipment at Auburn, Richmond, Berkeley, Oakland Coliseum, Hayward, and Santa Clara/Great America unstaffed stations. Surveillance systems at each station will consist of a multi-camera configuration (6+cameras) system using a wired solution (T1, DSL) to deliver digital images to an onsite digital video recorder (DVR). Should an incident occur, digital video footage of the incident can be reviewed remotely, and if necessary retrieved from the DVR. (It is anticipated that within two years, these digital images will be fed directly to equipment and personnel at a Security Operations Center, to be established at the Oakland Maintenance Facility.)

CCJPA staff will draft a Request for Proposal and seek out competitive bids to procure and install digital video surveillance equipment for the stations listed above. Industry estimates have been requested by staff. The budget for this project has been determined not to exceed \$950,000.00. Funding for this project is provided by FY09 and FY10 Prop1B (CalEMA) Funds. Because the budget for the project exceeds \$100,000, pursuant to the rules and regulations of the CCJPA, staff seeks authorization from the CCJPA Board to proceed.

Staff will provide periodic updates for the Video Surveillance at Stations (VSS) project. The timeline for completion is March 2011.

RECOMMENDATION

The SCG recommends that the CCJPA Board authorize staff to enter into contracts to procure and install video surveillance equipment at six (6) unstaffed stations for a contract amount not-to-exceed \$950,000.00.

Motion: The CCJPA Board adopts the attached resolution.

BEFORE THE
CAPITOL CORRIDOR JOINT POWERS AUTHORITY
BOARD OF DIRECTORS

In the Matter of
Authorizing Staff to Enter into Contract
For the Implementation of Security Cameras
At Unstaffed Capitol Corridor Stations /

Resolution No. 10-5

WHEREAS, the CCJPA has identified a need for increased security at unstaffed stations; and

WHEREAS, the installation of Video Surveillance Equipment at unstaffed stations (“The Project”) will increase overall security for our passengers, equipment and facilities alike; and

WHEREAS, the CCJPA seeks to enter into contracts with qualified vendor(s) at this time to oversee and execute all aspects of the Project; and

WHEREAS, the CCJPA has identified a budget of \$950,000 for the Project and will seek out advertising proposals in a competitive bid process in accordance with CCJPA procurement procedures; and

RESOLVED, that the CCJPB does hereby approve the Project budget of an amount not to exceed \$950,000;

AND BE IT FURTHER RESOLVED, that the CCJPB hereby authorizes the CCJPA to enter into all necessary agreements required to complete the project, and increase security at six (6) CCJPA unstaffed stations.

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ACTION:	DATE:	ATTEST:
Ayes:		<hr style="width: 80%; margin: 0 auto;"/> Kenneth A. Duron Secretary
Noes:		
Abstain:		

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Board **DATE:** February 10, 2010

FROM: Dorothy W. Dugger
Executive Director, CCJPA

SUBJECT: RESULTS OF CCJPA DECEMBER 2009 ON-BOARD SURVEYS

PURPOSE

To provide the CCJPA Board with an overview of the results of the CCJPA's December 2009 on-board surveys.

BACKGROUND

Under the annual FY 2009-10 fixed-price operating agreement, the CCJPA conducts two on-board surveys to gauge the performance of Amtrak based on the passengers' responses to questions relating to Amtrak's station agents and on-board crew members. The first survey of this contract year was conducted in December 2009. The survey was divided into eight questions for station staff and six questions for on-board crews. Passengers rated their satisfaction levels (1-low to 5-high). 2,229 completed surveys were collected (a decrease in respondents due to lower ridership levels compared to prior years). The responses to the questions were the best in 10 years. Amtrak station staff received a composite score of 4.15 (vs. 4.13 for June 2009) and on-board crews received a score of 4.37 (vs. 4.32 for June 2009). Areas showing improvement include station and train cleanliness, availability of train schedules, and conductor announcements. Similarly, the Capitol Corridor continues to finish in the top 5 in Amtrak's national customer service indices for all Amtrak routes in FY09. Staff will continue to work with Amtrak to maintain this continued improvement as rated by the Capitol Corridor passengers.

The December 2009 survey also included questions to receive input from Capitol Corridor passengers' demographic information, which are provided below (and also posted on the CCJPA website):

Mode	12/09 (%)	6/09 (%)	12/08 (%)
drove alone	22.4	21.7	22.8
dropped off	22.1	24.6	22.7
Amtrak Thruway bus	7.6	7.0	7.0
local transit	17.0	16.8	18.1
walked	17.0	16.8	16.0
carpool	1.5	2.6	2.8
bike	7.6	7.5	7.2
taxi	2.4	1.9	2.4
<u>other (inc. Amtrak train)</u>	<u>2.3</u>	<u>1.1</u>	<u>1.0</u>
TOTAL	100.0	100.0	100.0

Purpose	12/09 (%)	6/09 (%)	12/08 (%)
business/work	64.2	57.6	64.7
visit family/friends	21.1	29.1	23.5
school	5.2	2.0	3.2
personal business	3.8	5.4	3.1
shopping/vacation	4.6	5.9	5.3
<u>Other</u>	<u>1.1</u>	<u>0.0</u>	<u>0.2</u>
TOTAL	100.0	100.0	100.0

Ticket type	12/09 (%)	6/09 (%)	12/08 (%)
one-way/round trip	44.6	46.4	45.5
45-day 10-ride	25.6	17.7	20.2
<u>monthly</u>	<u>29.8</u>	<u>35.9</u>	<u>34.3</u>
TOTAL	100.0	100.0	100.0

RECOMMENDATION

For discussion.



Date: 10 February 2010
From: David B. Kutrosky
To: CCJPA Board
Subject: Managing Director's Report – February 2010

Overview

The Capitol Corridor ridership is still below historic highs and business plan projections, yet revenue and on-time performance are meeting projections. From all accounts (both from reports on paper and in my observations riding the trains), we are retaining many regular riders who use the train service frequently. They are just not riding as frequently before – primarily a shift from monthly to 10-ride tickets. This trend is also supported by the recent records on positive passenger ratings for the Amtrak train and station personnel based on the December 2009 on-board surveys. The people who are using the train really enjoy the reliability, comfort, and stress-free travel of our trains. If the current performance of the service can continue to be positive in these difficult economic times, it will improve substantially as the economic conditions improve.

Standard	Jan. 2010	vs. Jan. 2009	YTD	vs. Prior YTD	vs. FY10 Plan
Ridership	117,860	-8.4%	506,907	-8.9%	-6.2%
Revenues	\$1,865,252	-1.6%	\$8,255,588	2.5%	-1.6%
Operating Ratio	45%	45%	47%	47%	49%
OTP	92.7%	93.0%	92.7%	92.5%	90%

Notes: Ridership continues to decline against prior year, revenues are slightly below plan and expenses are under control.

Federal “Stimulus” (American Recovery and Reinvestment Act, ARRA) High Speed /Intercity Passenger Rail (HSIPR) Awards

On January 28, 2010, President Obama released the names of the projects that will receive the \$8 billion in ARRA HSIPR grants, which will be administered by the Federal Railroad Administration (FRA). The CCJPA will receive \$29.2 million of these funds for three projects that were submitted to FRA through Caltrans Rail as part of the “Track 1 application” process in August 2009. \$6.2 million was awarded to the Sacramento Rail Relocation Project which will fill a funding gap and allow for the installation of a new passenger platform as part of the rail line relocation and intermodal station development program. The remaining \$23 million will be allocated for the Yolo Causeway West Crossover Project and the San Jose South Terminal Project, which will expand the station platforms and tracks. A total of six (6) Track 1 Project applications were submitted. The CCJPA has plans to move ahead with the three projects not selected by the FRA. The Ticketing and Communications Project will be included by Amtrak as part of its e-Ticketing Project through the incorporation of the CCJPA’s Automated Ticketing Validation Project once the ATV Project rolls out into full operation later this Spring. The CCJPA plans to use cost savings from other projects to advance the Wireless Network and Capitalized Maintenance projects that were not selected by the FRA.

UPDATE and ALERT on State Budget Proposals for Gas Tax Swap

The governor’s 2010-11 State Budget proposes a transportation funding “gas tax swap” which eliminates the Public Transportation Account (PTA), the primary source of state transit funding. His proposal eliminates the sales tax on gasoline and diesel (a total of \$1.586 billion) and increases the excise tax on gas (by 10.8 cents) in order to provide General Fund relief and greater capacity to pay down bond debt

service. In addition, the swap creates a reduction in revenue which means that the proposal can be approved on a majority vote of the legislature. This proposal eliminates the dedicated PTA operating and capital funding for the Capitol Corridor and the two other intercity passenger rail (IPR) corridor trains. Starting in July 2012, these successful train services would have to struggle for funding in the General Fund which is already oversubscribed and underfunded. Without a dedicated source of operating and capital funding for the Capitol Corridor, the ability to secure future federal High Speed and IPR capital grant funds is seriously jeopardized.

As a counter-proposal, the Democrats in the Legislature are developing a plan that is similar to the governor's proposal except that it increases the gas tax by an additional amount not to exceed 5 cents, maintains the sales tax on diesel for transit (\$313 million for FY 2010-11), and offers a local option through voter approval to assess a fee at the pump for transit.

While on the cover this proposal looks better, it only recovers 20% of the potential PTA funds and does not provide adequate dedicated operating and capital funds to maintain and grow the Capitol Corridor and other IPR services. The Capitol Corridor and the two other intercity passenger rail services need approximately \$200M per year to support operating (\$130M) and capital matching funds (\$70M) for the federal High Speed Intercity Passenger Rail grants. With a 20% non-federal match, the State can garner upwards of \$200M in federal capital dollars on an annual investment of \$200M from the State.

The Democrats' plan would only keep 20% of the PTA through the continuation of the sales tax on diesel, which would yield \$310M in FY11. Under this plan, the State's expenses (CTC, PUC, ITS, IPR operations) of \$200M would come off the top, leaving about \$100M to be allocated to the local/regional transit agencies in the state. This split would not follow the current 50%-50% split between the State and local/regional recipients for diesel sales tax revenues because of the reduced PTA funds (loss of 80% of potential \$1.5B PTA funds) and the need to fund intercity passenger rail (IPR) program.

The IPR program (Capitol Corridor, San Joaquins/Central Valley, and Pacific Surfliner/Southern California) only receives operating and capital funds from the State. No local or regional funds contribute to the IPR services.

As a remedy for the loss of local/regional transit support from the state, the Democrats' plan would allow Metropolitan Planning Organizations (MPOs) and Regional Transportation Planning Agencies (RTPAs) the authority to raise gas tax fees in their jurisdictions for transit purposes. Both MPOs in the Capitol Corridor (SACOG and MTC) are ex-officio agencies of the CCJPA. For historical context, while our CCJPA Capital Improvement Program (CIP) is in each agencies' Regional Transportation Plan (RTP), neither agency has programmed any of their funds for the Capitol Corridor. We will initiate discussions with these MPOs to get their feedback on this proposal.

While the CCJPA and many of our colleagues in the transit industry know that both of these proposals are not justifiable means to provide relief for the General Fund, we are willing to work with them to seek other alternatives.

Taken in the fullest context, the State's IPR program has been saved from severe budget cuts in the past due to (1) the nationally-recognized success of the program, (2) the realization and support from some legislative leaders that the IPR trains only receive operating and capital funds from the PTA, and (3) the lawsuit and State Supreme Court affirmation that prior diversions of PTA funds by the Governor's Administration for non-transit purposes are illegal. The dire financial situation, however, has now reached levels where desperate short-term actions are being proposed in Sacramento that could, if enacted, have dramatic immediate impacts that could jeopardize the ability of the CCJPA to secure federal funding from the FRA HSIPR capital grant program (\$2.5 billion is available for FY2010).

One of the main requirements in these FRA HSIPR capital applications is the identification of a steady, reliable, stable source of operating and matching capital funds, which is uncertain with the current gas tax swap proposals being proposed. Specific projects impacted would be the (1) acquisition of new passenger rail cars and locomotives either jointly with Caltrans Rail or independently, (2) Oakland-San Jose Phase 2 track improvements for up to 22 daily trains to/from San Jose, and (3) design and environmental plans for the Sacramento-Roseville 3rd Track Project (increasing frequency up to 20 trains to/from Roseville).

Ridership: Ridership for January 2010 was down by 8.4% primarily due to the first phase of the “tie renewal program” (January 18 - February 14, 2010) between Suisun/Fairfield and Sacramento stations. Some late-morning and mid-day trains Capitol Corridor are operating on a modified schedule and a bus bridge from Sacramento to Suisun to accommodate UPRR work crews (two daily midday trains are not operating). Another reason for the lower ridership is the impact of Friday Furloughs on State Government employees for three (3) Fridays a month, which contributes to an approximate overall reduction of 5%.

Revenue: Revenues are slightly below projections, contributing to the stable financial performance of the service. The fare increase for November 2009 was cancelled in consideration of the poor economy and its impact on the wallets of our riders. A fare increase for March 2010 will be deferred until a later date (perhaps May 2010) and will be a minimal amount (2% to 3%) for station pairs between Sacramento and San Jose. Ridership and revenue are slipping for weekends due to the impact of the economy on discretionary weekend travel market. Marketing campaigns will launch once the tie renewal program is complete and will target mid-day travel (discounts for school groups and seniors) and restart of the Kids Ride Free on Weekends.

The Capitol Corridor continues to have an enviable variety of travel markets served by the trains – business, school, visiting family/friends – with the appropriate ticket types to attract these markets. It is the focus of the marketing team to target those trains where we have available capacity.

Revenue-to-Cost Ratio: With the revenue meeting plan and the fixed-fee operating agreement with Amtrak, the system operating ratio (or farebox recovery ratio) is a respectable 47%. The end-of-the-year standard is 49%. These first four months of the fiscal year (October 2009 – January 2010) typically represent a lowest level of revenue and subsequently result in a farebox ratio that is typically lower than standard during this time of year.

Service Levels: Service frequency will remain the same - 32 trains on weekdays and 22 trains on weekends and holidays. If we are successful in securing the capital funding for expanded double track in Santa Clara and Alameda counties, upon completion of construction of these improvements we plan to expand to a 22-train schedule (11 round-trips) to/from San Jose pending approval of Union Pacific Railroad. Our current calculations indicate one additional train set will be required to operate this expanded schedule.

We are continuing to work on a new track configuration east of Sacramento jointly with UPRR to add main line track capacity in order to push the easterly terminus of more frequent Capitol Corridor to the Roseville area, and some increased service to Auburn.

On-Time Performance: On time performance (OTP) for January was stellar even with the tie renewal program until the last two days of the month when we had two signal outages and two trespasser fatalities on one day which dropped the OTP to 90%. Even with this OTP for the month, YTD OTP is still 92%, making the Capitol Corridor the most reliable multi-frequency service in the Amtrak national system. In order to remain on top, we are working with (1) Union Pacific to limit the impacts of signal outages and bridge openings on the Martinez-Benicia rail drawbridge and (2) Amtrak to make the necessary

changes to improve the mechanical performance of the trains assigned to the Capitol Corridor (and San Joaquin).

Projects Under Construction:

1. Emeryville Station track expansion and crossover relocation, permitting parallel moves into/out of the north end of the station, will greatly reduce congestion at this current ‘choke point’ and improve freight rail access to/from the Port of Oakland. Initial stage of construction began in December 2010 and will finish when the 2nd phase of the tie renewal program ends in early March 2010.
2. The second leg of the Bahia crossover project in Benicia is planned to be installed after the Emeryville Project in April 2010.

Hercules Station: The City of Hercules is continuing to develop its design plans and has submitted a funding plan to the CCJPA. If the funding plan is complete, the City of Hercules will be before the CCJPA Board at its April 14, 2010 meeting seeking approval for Capitol Corridor trains to serve this station. The station is projected to be open for service in 2015.

Fairfield/Vacaville: The City of Fairfield continues to develop plans, gain the approvals and execute agreements with UPRR as necessary for construction of this facility at the Peabody Road site. Funding is secured and Amtrak has concurred with the CCJPA to allow Capitol Corridor trains to serve this station. Currently, the project schedule shows an opening date in 2013.

Sacramento Station: City and developer plans are being finalized in preparation for construction of the first phase of the project, the track relocation and new station platforms and access. The funding gap has been secured via the award of \$6.2 ARRA HSIPR funds for the first phase of the project (track relocation, new platforms and passenger tracks, canopies, etc.). Construction should begin in mid-2010.

Marketing: Status report sent under separate mailing.

Outlook: While ridership continues to lag behind projections, all other performance indicators (revenue, revenue-to-cost ratio and on-time performance) continue to meet or exceed standards/ projections. Ridership should increase to meet or exceed projections as the economy improves.

The keys to our success will be:

- (1) The retention of frequent riders through excellent customer service and solid reliability
- (2) Maintaining the long-term funding (operating and capital) commitment in the state’s budget plans through outreach and education to the Legislature
- (3) Delivery of the ARRA HSIPR-funded projects on-time and within budget and
- (4) Securing future HSIPR grant awards by submittal of responsive and complete applications that will be developed in consultation with the FRA.

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Board **DATE:** February 10, 2010

FROM: Dorothy W. Dugger
Executive Director, CCJPA

SUBJECT: WORK COMPLETED (February 17, 2010 Meeting)

PURPOSE

To provide a report on work completed up to the February 17, 2010 CCJPA Board meeting.

BACKGROUND

The following is a report on recently completed work:

- a. FY 09 Annual Performance Report. Pursuant to the Resolution 09-8, CCJPA Board adopted the draft Performance Report covering the Federal Fiscal Year 2008-09 (October 2008-September 2009). Staff has provided final revisions to the text, charts, and photos and the document was formatted for production and printing. The final, finished report was prepared and distributed starting in late January 2010 to the Board Directors, the State Legislature and other interested agencies.
- b. FY 09 CCJPA Independent Audit. As stipulated in the Joint Exercise of Powers Agreement between the CCJPA member agencies, the Controller-Treasurer's Office of the CCJPA is required to conduct and prepare an annual independent audit of the CCJPA and submit the report of such audit by December 31 of each year. The financial report stating the findings of the independent audit for Fiscal Year 2008-09 (July 2008-June 2009) was prepared and submitted to the SCG for review. Comments were incorporated and the final report was transmitted to the CCJPA Board Directors on December 31, 2009.
- c. Administrative Services Agreement between BART and CCJPA. Pursuant to adopted Resolution 09-10, the CCJPA Board extended the Administrative Services Agreement (ASA) with the San Francisco Bay Area Rapid Transit District (BART) for a five-year term, effective February 2010 and continuing through February 2015. The ASA identifies management services that BART will provide for the Capitol Corridor as well as providing administrative support to the CCJPA Board. The ASA, as extended by the CCJPA Board, was adopted by the BART Board on January 28, 2010, and will be executed by the CCJPA and BART officials.
- d. Marketing Activities (November 2009 – February 2010). The following work has been completed as part of the CCJPA's FY 2009-10 Marketing Program:
 - Communications for Jan-Mar 2010 Tie Replacement Project Phase 1: Temporary schedules distributed at stations and online. Other elements included station flyers, e-mails to passengers, and media advisories.
 - Spring/Summer Advertising & Promotions Planning: Kids Ride Free on Weekends and Seniors Ride Half Off Midweek: advertising agency proposals received and CCJPA is in final selection process.
 - Print Projects: 2010 Transit Transfers, Winter Newsletter

- Events/Public Relations:
 - Oakland Tailgate Train with KTKZ held on board on 11/15
 - Green Locomotive – Oakland event held November 17 garnered additional media coverage in the Bay Area market for the repowered locomotive
 - Respect the Rails – Rail Safety education – Operation Lifesaver launched the “Common Sense” awareness campaign in Northern California with a high school outreach program led by Caltrans. CCJPA will participate at schools along our service line as schedules permit.

RECOMMENDATION

For information only.

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Board **DATE:** February 10, 2010

FROM: Dorothy W. Dugger
Executive Director, CCJPA

SUBJECT: WORK IN PROGRESS (February 17, 2010 Meeting)

PURPOSE

To provide an update on work in progress up to the February 17, 2010 Meeting CCJPA Board meeting.

BACKGROUND

The following is a report on work efforts currently underway:

- a. Status Of Federal Intercity Rail Capital Grants Applications (ARRA and FY2010). For the first time in its history, the Capitol Corridor Joint Powers Authority (CCJPA) will receive \$29.2 million in federal High Speed/Intercity Passenger Rail (HSIPR) funding for three projects in Northern California to improve Capitol Corridor intercity passenger rail. \$6.2 million was awarded to the Sacramento Rail Relocation Project which will fill a funding gap and allow for the installation of a new passenger platform as part of the rail line relocation and intermodal station development program. The remaining \$23 million will be allocated to the Yolo Crossover project, and the San Jose Station project. These HSIPR funds were awarded through a competitive grant program administered by the Federal Railroad Administration (FRA) within the U.S. Department of Transportation. The award of these funds will allow each of these projects to start construction within the next 6 months.

In Spring of FY 2010 the FRA is expected to announce the details of the release of \$2.5 billion in additional HSIPR funds. Unlike the awarded HSIPR-ARRA funds, the FY 2010 will require projects with at least a 20% non-federal match. CCJPA is already taking the necessary steps, by identifying the program of improvements, preparing the necessary environmental documentation, and securing a financing plan in order to submit grant applications for some portion of the FY 2010 HSIPR funding.

- b. Proposition 1B Transit Safety/Security Improvement Projects. The CCJPA has been advancing work on the following CCJPA security projects:
- PIDS Sign Upgrades at Capitol Corridor Stations: Software upgrades nearing completion, first phase sign installation to begin mid February 2010. The second phase will be completed by April 2010.
 - Safety and Security Upgrades at the Oakland Maintenance Facility: work completed
 - Onboard Passenger Information System (CCJPA matching funds): Caltrans currently developing specifications.
 - Security Cameras at Capitol Corridor Stations: Design and Technical Specifications completed, staff requesting approval from CCJPB to enter into contracts to complete procurement and installation of VSS equipment.
 - Installation of Crossing Barriers, Swing Gates, Signage and Bollards: Locations of fencing, bollards and signs being developed in conjunction with local communities, Amtrak and UPRR
 - Automated Ticketing Validation (ATV) Project: Pilot program proceeding; evaluation of key performance indicators ongoing.
 - CCJPA Wireless Network: Funding applications being prepared and submitted.

- c. Proposition 1B Intercity Rail Project Allocations: Bahia Crossover, Emeryville Station Track Upgrades. The construction schedules for the Bahia Crossover and Emeryville Station Track projects have changed slightly. For the Emeryville Station track Project, the CCJPA has executed construction agreements with UPRR (for track upgrades) and Amtrak (for station-related construction work). Work began in December 2009 and will be complete by March 2010 (rather than the initial date of February 2009). Amtrak's portion of this station project will begin and be complete in late February 2010. The Bahia Crossover Project has also incurred a delay. UPRR now indicated that the construction of the second (and final) leg of the crossover switch (two legs comprised a full universal crossover switch) will be completed by April 2010 rather than the initial date of December 2009.
- d. Upcoming Marketing Activities.
- Communications for Jan-Mar 2010 Tie Replacement Project Phase 2: Temporary schedules will be distributed at stations and online. Other elements will include station flyers, e-mails to passengers, and media advisories.
 - Spring Timetable scheduled for May 10, 2010
 - Spring/Summer Advertising & Promotions: Kids Ride Free on Weekends and Seniors Ride Half Off Midweek – advertising for both of the offers will launch in April
 - Online Paid Search Advertising – geographically targeted to drive traffic to website. Staff attended a workshop on this subject and will seek out proposals from agencies for late Spring advertising.
 - Partnerships/Joint Community Outreach:
 - Oakland A's promotional partnership will launch in April. Elements include in-game exposure, ticket back exposure, discounted group travel, etc.
 - CCJPA will partner with PCTPA to prepare for May's Bike to Work Month activities.
 - Print Projects:
 - 20% Coupon which is used for customer service issues will be reprinted late February Spring
 - Newsletter will be published late March
 - Events/Public Relations:
 - Rider Appreciation Events scheduled for late March, after track work is completed
 - Respect the Rails – Rail Safety education – high school outreach program led by Caltrans. CCJPA will continue to coordinate with Caltrans on outreach efforts where possible.

RECOMMENDATION

For information only.