Chair, Christina Fugazi, City of Stockton Vice Chair, Leo Zuber, City of Ripon Commissioner, Jose Nuño, City of Manteca Commissioner, Mikey Hothi, City of Lodi

Executive Director, Stacey Mortensen

Commissioner, Nancy Young, City of Tracy Commissioner, Kathy Miller, San Joaquin County Commissioner, Melissa Hernandez, Alameda County Commissioner, Lily Mei, City of Fremont

# SAN JOAQUIN REGIONAL RAIL COMMISSION TELECONFERENCE BOARD MEETING

May 7, 2021 - 8:00 am

Call-In Information: +1 (646) 749-3122 Access Code: 970-981-941 GoToMeeting Link: https://global.gotomeeting.com/join/970981941

# SPECIAL NOTICE Coronavirus COVID-19

In accordance with the Governor's Executive Order N-29-20, San Joaquin Regional Rail Commission Board Members will be attending this meeting via teleconference or videoconference. Members of the public may observe the meeting by dialing +1 (646) 749-3122 with access code: 970-981-941 or log-in using a computer, tablet or smartphone at GoToMeeting.com using link: <a href="https://global.gotomeeting.com/join/970981941">https://global.gotomeeting.com/join/970981941</a>

Please note that all members of the public will be placed on mute until such times allow for public comments to be made. If a person wishes to make a public comment during the meeting, to do so they must either 1) use GoToMeeting and will have the option to notify SJRRC staff by alerting them via the "Chat" function or they can 2) contact SJRRC staff via email at publiccommentssjrrc@acerail.com in which staff will read the comment aloud during the public comment period. Emailed public comments should be limited to approximately 240 words as comments will be limited to two (2) minutes per comment.

This Agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact San Joaquin Regional Rail Commission (SJRRC) staff, at (209) 944-6220, during regular business hours, at least twenty-four hours prior to the time of the meeting.

All proceedings before the Commission are conducted in English. Anyone wishing to address the SJRRC Board is advised to have an interpreter or to contact SJRRC during regular business hours at least 48 hours prior to the time of the meeting so that SJRRC can provide an interpreter. Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available upon request in both English and Spanish for public inspection at the Office of the Executive Director located at 949 East Channel Street, Stockton, California, 95202 during normal business hours or by calling (209) 944-6220. The Agenda is available on the San Joaquin Regional Rail Commission website: www.acerail.com.



949 East Channel Street Stockton, CA 95202

(800) 411-RAIL (7245)

#### 1. Call to Order, Pledge of Allegiance, Roll Call

Chair Fugazi

Roll Call: Hernandez, Mei, Hothi, Miller, Nuño, Young, Vice Chair Zuber, Chair

Fugazi

Ex- Officios: Nguyen, Salazar, Zoslocki, Agar

#### 2. Public Comments

Persons wishing to address the Commission on any item of interest to the public regarding rail shall state their names and addresses and make their presentation. Please limit presentations to two minutes. The Commission cannot take action on matters not on the agenda unless the action is authorized by Section 54954.2 of the Government Code. Materials related to an item on the Agenda submitted to the Board of Directors after distribution of the agenda packet are available for the public inspection in the Commission Office at 949 E. Channel Street during normal business hours. These documents are also available on the San Joaquin Regional Rail Commission website at <a href="https://acerail.com/board-of-directors/">https://acerail.com/board-of-directors/</a> subject to staff's ability to post the documents prior to the meeting.

#### 3. Consent Calendar

3.1	Minutes of SJRRC Board Meeting April 2, 2021	ACTION
3.2	Rail Commission/ACE Monthly Expenditure	INFORMATION
3.3	ACE Monthly Fare Revenue	INFORMATION
3.4	ACE Ridership	INFORMATION
3.5	ACE On-Time Performance	INFORMATION
3.6	Washington Update	INFORMATION
3.7	Accept Independent Auditors' Report for Fiscal Year 2019/20	ACTION

4. Review Draft Budget and Direct Staff regarding ACE Service Levels and Reconciliations of Funding Partner contributions for budgetary purposes

(Brian Schmidt/Kevin Sheridan) (Regular and Special Voting Members)

5. Approve a Resolution of Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Pacific Gas and Electric (PG&E) for Electric Relocation and Rearrangement Services for the Cabral Station Track Extension Phase 2 Project for an Amount Not-to-Exceed \$663,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

**ACTION** 

ACTION

(David Ripperda/Kevin Sheridan/Autumn Gowan) (Regular Voting Members)

6. Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Paragon Partner, Inc. (Paragon) for Right of Way Services for the Capital Projects Program for an Amount Not-to-Exceed \$320,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

ACTION

(David Ripperda/Kevin Sheridan/Autumn Gowan) (Regular Voting Members)

7. Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Amendment 02 to the Agreement with O'Dell Engineering for the Ripon Station Platform Project to Increase the Total Compensation by an Amount of \$542,012 with the Total Contract Amount Not-To-Exceed \$3,635,880 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

**ACTION** 

(David Ripperda) (Regular Voting Members)

8. Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Appointing a Committee Chairperson and Vice-Chairperson to the Station/Facilities Development Committee

**ACTION** 

(Stacey Mortensen) (Regular Voting Members)

9. SJRRC A-2 Bond Refunding

**INFORMATION** 

(Nick Perez/Steve Pressley)

10. Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission adopting a procedure for the 2020-2021 Executive Director's Performance Evaluation, adopt the evaluation forms for the 2020-2021 evaluation, and create an Ad Hoc Performance Review Process Committee of Two (2) Regular Voting Members to provide the Commission an Evaluation Summary prior to the June 2021 regular Commission meeting (Daniel J. Schroeder) (Regular Voting Members)

**ACTION** 

- 11. Commissioner's Comments
- 12. Ex-Officio Comments

### 13. Executive Director's Report

### 14. Adjournment

The next regular meeting is scheduled for: June 4, 2021 – 8:00 am

#### SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of May 7, 2021

Item 3.1 ACTION

#### Minutes of SJRRC Board Meeting April 2, 2021

The meeting of the San Joaquin Regional Rail Commission was held at 8:00 a.m., April 2, 2021 via teleconference.

#### 1 Call to Order, Pledge of Allegiance, Roll Call

Chair Fugazi called the meeting to order at 8:00 a.m. and led the audience in the Pledge of Allegiance.

Commissioners Present: Hernandez, Hothi, Miller, Nuño, Young, Vice-Chair Zuber, Chair Fugazi

Commissioners Absent: Mei

Ex-Officio Members Present: Mr. Dumas, Ms. Nguyen, Ms. Franco, Mr. Zoslocki

#### 2 Public Comments

Staff read aloud a public comment email received from Mr. Steven Dunbar regarding the integration of a real time data feed used to make announcements in addition to Facebook and text system.

#### 3 Consent Calendar

3.1	Minutes of SJRRC Board Meeting March 5, 2021	ACTION
3.2	Rail Commission/ACE Monthly Expenditure	INFORMATION
3.3	ACE Monthly Fare Revenue	INFORMATION
3.4	ACE Ridership	INFORMATION
3.5	ACE On-Time Performance	INFORMATION
3.6	Update on Positive Train Control	INFORMATION
3.7	Washington Update	INFORMATION

M/S/C (Miller/Zuber) Approve the Consent Calendar. Passed and Adopted by the San Joaquin Regional Rail Commission on the 2nd day of April 2021 by the following vote to wit:

AYES: 7 Hernandez, Hothi, Miller, Nuño, Young, Vice Chair

Zuber, Chair Fugazi

NOES: 0 ABSTAIN: 0

ABSENT: 1 Mei

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing the Execution of Amendments to a Lease Agreement, Trust Agreement, Site Lease, as well as a Preliminary and Final Official Statement and a Certificate Purchase Contract; Making Certain Determinations Relating Thereto; Authorizing Certain Other Actions in Connection Therewith, in connection with the Refunding of 2010 Taxable Series A-2 Certificates of Participation (COPs), and Authorizing the Chair and Executive Director to Execute Any and All Necessary Documents

Nick Perez and Steve Pressley gave a presentation on this item.

There were no comments on this item.

M/S/C (Zuber/Young) Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing the Execution of Amendments to a Lease Agreement, Trust Agreement, Site Lease, as well as a Preliminary and Final Official Statement and a Certificate Purchase Contract; Making Certain Determinations Relating Thereto; Authorizing Certain Other Actions in Connection Therewith, in connection with the Refunding of 2010 Taxable Series A-2 Certificates of Participation (COPs), and Authorizing the Chair and Executive Director to Execute Any and All Necessary Documents.

Passed and Adopted by the San Joaquin Regional Rail Commission on the 2<sup>nd</sup> day of April 2021 by the following vote to wit:

AYES: 6 Hothi, Miller, Nuño, Young, Vice-Chair Zuber, Chair

Fugazi

NOES: 0 ABSTAIN: 0 ABSENT: 0 **ACTION** 

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing and Directing the Executive Director to Sign and Submit the Fiscal Year 2020/2021 State Transit Assistance Application to Claim Alameda County Transportation Commission Apportionment for the ACE Service in the Amount of \$164,909

**ACTION** 

Dylan Casper gave a presentation on this item.

There were no comments on this item.

M/S/C (Hothi/Young) Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing and Directing the Executive Director to Sign and Submit the Fiscal Year 2020/2021 State Transit Assistance Application to Claim Alameda County Transportation Commission Apportionment for the ACE Service in the Amount of \$164,909.

Passed and Adopted by the San Joaquin Regional Rail Commission on the 2<sup>nd</sup> day of April 2021 by the following vote to wit:

AYES: 7 Hernandez, Hothi, Miller, Nuño, Young, Vice-Chair

Zuber, Chair Fugazi

NOES: 0
ABSTAIN: 0

ABSENT: 1 Mei

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing the Executive Director to Submit and Execute Any and All Grant Applications, Agreements, Certifications and Assurances and Any Other Documents Necessary to Claim \$289,994 from the Low Carbon Transit Operations Program (LCTOP) for Operating Expenses Related to Restoring Service to pre COVID-19 Levels

Dylan Casper gave a presentation on this item.

There were no comments on this item.

M/S/C (Young/Zuber) Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing the Executive Director to Submit and Execute Any and All Grant Applications, Agreements, Certifications and Assurances and Any Other Documents Necessary to Claim \$289,994 from the Low Carbon Transit Operations Program (LCTOP) for Operating Expenses Related to Restoring Service to pre COVID-19 Levels.

**ACTION** 

# Passed and Adopted by the San Joaquin Regional Rail Commission on the 2<sup>nd</sup> day of April 2021 by the following vote to wit:

AYES: 7 Hernandez, Hothi, Miller, Nuño, Young, Vice-Chair

Zuber, Chair Fugazi

NOES: 0 ABSTAIN: 0

ABSENT: 1 Mei

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Contract Change Order #02 (\$53,095) to Agreement 21-R-01-00 (Lathrop/Manteca Station Shuttle Pullout Project) with Diede Construction, Inc. with a Revised Not to Exceed Amount of \$528,979 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

**ACTION** 

David Ripperda gave a presentation on this item.

Commissioner Nuño inquired about the timeline for this project.

Mr. Ripperda explained that the contractor is being mobilized and the work is anticipated to be complete in May.

Chair Fugazi inquired about the life of the slurry seal.

Mr. Ripperda explained that the life of a slurry seal is about ten years and it's a good practice that the seal be redone as the parking lot has not yet been resurfaced.

Ms. Mortensen commented on the Lathrop/Manteca Station and passengers requesting the return of in-person ticket sales. Ms. Mortensen further commented that in response to passenger requests, staff is coordinating the return of the third train, the opening of the new lot with a shuttle bus pullout, a new platform and a ticket sales agent.

M/S/C (Nuño/Young) Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Contract Change Order #02 (\$53,095) to Agreement 21-R-01-00 (Lathrop/Manteca Station Shuttle Pullout Project) with Diede Construction, Inc. with a Revised Not to Exceed Amount of \$528,979 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project.

Passed and Adopted by the San Joaquin Regional Rail Commission on the 2<sup>nd</sup> day of April 2021 by the following vote to wit:

AYES: 6 Hothi, Miller, Nuño, Young, Vice-Chair Zuber, Chair

Fugazi

NOES: 0 ABSTAIN: 0 ABSENT: 0

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving a Reimbursement Agreement with Union Pacific Railroad for Preliminary Engineering Services for the Lathrop Transfer Station Project for an Amount Not-to-Exceed \$125,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Projects

**ACTION** 

David Ripperda gave a presentation on this item.

There were no comments on this item.

M/S/C (Young/Zuber) Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving a Reimbursement Agreement with Union Pacific Railroad for Preliminary Engineering Services for the Lathrop Transfer Station Project for an Amount Not-to-Exceed \$125,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Projects.

Passed and Adopted by the San Joaquin Regional Rail Commission on the 2<sup>nd</sup> day of April 2021 by the following vote to wit:

AYES: 6 Hothi, Miller, Nuño, Young, Vice-Chair Zuber, Chair

Fugazi

NOES: 0 ABSTAIN: 0 ABSENT: 0

#### 9 ACE Passenger Survey Update

**INFORMATION** 

David Lipari gave a presentation on this item.

Chair Fugazi thanked Mr. Lipari for his presentation and commented on future increase in ridership.

Ms. Mortensen commented on recent demographic surveys and findings related to employer transit benefit programs in Alameda County in comparison to San Joaquin County.

Mr. Wolffe commented on housing sales and inquired about a survey taken on new home sales and potential new riders.

Ms. Mortensen explained that staff is starting to track and correlate trends related to existing riders and potential new riders who are relocating.

Commissioner Nuño inquired about large employers terminating their bus service for employees and the effect this might have on ACE ridership.

Mr. Lipari explained that data has been collected from a wide range of employers to find out what they are planning and that the employers are not prepared to provide definitive answers.

Ms. Mortensen commented on trends related to companies moving out of the Bay Area, the job growth in the South Bay and how direct employer contact is going to help the agency for the future.

Commissioner Miller commented on employers actively analyzing data to find out what will work for them. Commissioner Miller further commented on businesses looking at overhead costs and what it would look like if they got out from overhead costs, the impact on commercial real estate sales and evolution of how business is done.

#### 10 Commissioner's Comments

Chair Fugazi commented on construction around the Cabral Station.

#### 11 Ex-Officio Comments

Ms. Nguyen congratulated Ms. Mortensen and staff on the Channel Street Improvement Project and on the award of a \$4M grant from the Active Transportation Program. Ms. Nguyen further commented on a package of projects for OneVoice and on a package of projects for the megaregion, a meeting held with Transportation Secretary, Pete Buttigieg, and a meeting with Congressman Harder regarding Multimodal investment and passenger rail improvements in the region.

Mr. Zoslocki commented on the expansion into Stanislaus County and on the creation of the Stanislaus Regional Transit Authority which will combine efforts of transportation agencies.

Mr. Dumas commented on the CalTrans award of \$227M in safety project funds and the release of the Caltrans Strategic Highway Safety Plan. Mr. Dumas further commented on a call for projects under 5311 CMAQ and the CRISA Program, the release of the climate action plan for transit infrastructure, and the release of call for projects from Congress for this years' apportionment.

#### 12 Executive Director's Report

Ms. Mortensen reported on the approval of the High Speed Rail Authority business plan, the importance of the connection of ACE and the San Joaquins in the Merced area, the funding of the project, and the need for a track connection into Merced from the San Joaquins. Ms. Mortensen further reported on the earmark process and making outreach for the Valley Rail Program.

#### 13 Adjournment

The meeting was adjourned at 9:08 am. The next regular meeting is scheduled for: May 7, 2021 – 8:00 am

# San Joaquin Regional Rail Commission Altamont Corridor Express Operating and Capital Expense Report February 2021 67% of Budget Year Elapsed

OPERATING EXPENSES	SJRRC FY 20-21 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE	ACE FY 20-21 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE
Project Management, Services & Supplies Subtotal	1,639,567	911,001	56%	4,840,542	1,887,590	39%
Contracted Services Subtotal	472,133	204,875	43%	15,639,400	10,122,666	65%
Shuttle Services				742,783	495,188	67%
TOTAL OPERATING EXPENSES	2,111,700	1,115,875	53%	21,222,725	12,505,444	59%

	CAPITAL PROJECTS	CAPITAL FY 20-21 ALLOCATION	EXPENSE TO DATE	SPENT TO DATE
SAN.	JOAQUIN RAIL COMMISSION			
1	East Channel Street Improvements	2,209,500	77,589	4%
2	Robert J. Cabral Station Expansion	2,812,203	129,501	5%
3	Non Revenue Maintenance Vehicles	150,000	146,157	97%
TOT	AL CAPITAL PROJECT SJRRC	\$ 5,171,703	\$ 353,248	7%

ALTA	MONT CORRIDOR EXPRESS			
1	SJ COG Loan Repayment	1,118,012	1,118,012	100%
2	A1 & A2 Bond Repayment	3,033,988	1,056,994	35%
3	UPRR Capital Access Fee	3,242,516	3,242,516	100%
4	UPRR Capitalized Maintenance Projects	4,000,000	716,580	18%
5	UPRR Safety Fund	500,000	_	0%
6	ACE Extension Natomas to Stockton	5,000,000	147,863	3%
7	ACE Extension Lathrop to Ceres/Merced	10,000,000	5,344,757	53%
8	Stockton Diamond Grade Separation	3,100,000	_	0%
9	Locomotives (4) and (2) options	1,000,000	220,474	22%
10	Platform Extension Projects	3,000,000	311	0%
11	Cabral Track Extension	6,196,697	182,150	3%
12	Positive Train Control	1,221,823	114,052	9%
13	Rail Cars - (5) passenger rail cab cars (12) passenger coach cars (4) Option Coach	46,411,179	44,273,643	95%
14	Railcar Midlife Overhaul	6,711,081	2,346,909	35%
15	Locomotive Conversion	239,328	_	0%
16	State Owned Equipment Truck Overhaul	1,000,000	94,867	9%
17	Sunol Quiet Zone Quad Gates	475,000	33,830	7%
18	Facility Upgrades and Capital Improvements	93,068	_	0%
19	Lathrop/Manteca Station Improvements	779,700	361,945	46%
20	Tracy ACE Station Improvements	1,223,367	20,447	2%
21	Capital Spares	846,138	266,401	31%
22	Safety/Security Projects	382,115	205,415	54%
23	Short Range Transit Plan	26,123	_	0%
24	WiFi Upgrade	1,130,000	1,082,719	96%
25	Public Information Display Systems (PIDS)	500,000	1,850	0%
26	Network Integration	450,000	185,634	41%
27	Ripon Multimodal Station and Offsite Improvements	405,000	47,899	12%
28	Locomotive (2) Options	8,524,530	_	0%
TOT	AL CAPITAL PROJECTS ACE	\$ 102,085,135	\$ 61,065,268	60%

TOTAL CAPITAL PROJECTS SJRRC & ACE	\$ 115,781,368	\$ 61,418,516	53%
TOTAL CAPITAL PROJECTS SJRKC & ACE	<b>Φ 113,761,306</b>	\$ 01,410,510	33

# Status of FY 20/21 Capital Projects - Notes As of April 2021

# SAN JOAQUIN RAIL COMMISSION

- 1 East Channel Street Improvements SJRRC received \$2 million from the San Joaquin Council of Governments' Measure K funds to improve the pedestrian and bicycle access along Channel Street between the Downtown Transit Center and Cabral Station. SJRRC has begun the environmental clearance and final design for the project, which is anticipated to be completed in 2021. Construction is slated to begin Fall 2021. Projected to be completed by the end of 2022.
- 2 Robert J. Cabral Parking Lot Expansion -Project will construct a new parking lot at the site of the old Western Pacific depot in Stockton, as well as reconstruct the building. Environmental work has been completed and design is underway for the parking lot and building reconstruction.
- 3 Non Revenue Maintenance Vehicles Delivery of the new maintenance vehicles has occurred and the project is complete.

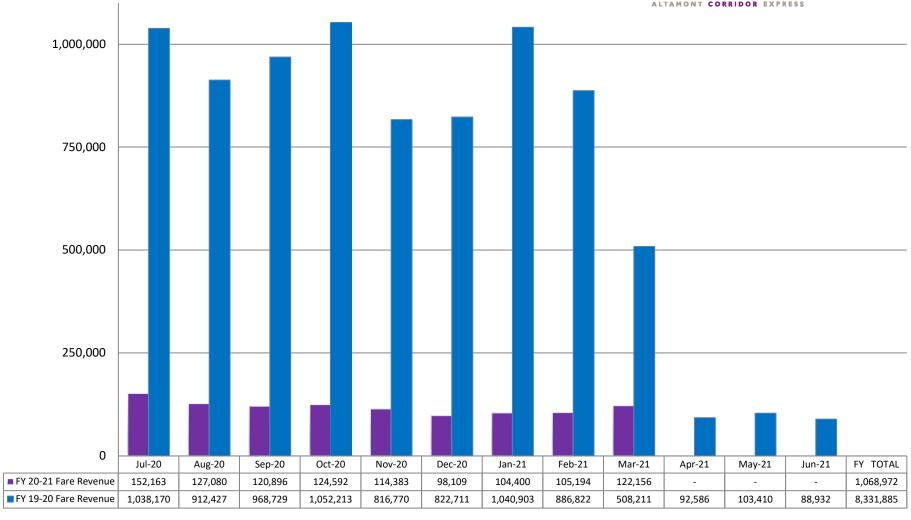
# <u>ALTAMONT CORRIDOR EXPRESS</u>

- 1 SJ COG Loan Repayment Annual payment made July 1, 2020 per SJCOG amended loan agreement.
- 2 Bond Repayments Bond repayments are made bi-annually, payments FY 20-21 are due in October 2020 and April 2021.
- 3 UPRR Capital Access Fee Payment for calendar year 2021 paid in two installments. First payment to be processed in January 2021 and second payment in May 2021
- 4 UPRR Capitalized Maintenance Projects Multi-year project is budgeted at \$4,000,000 for the year. Invoices are received throughout the year.
- 5 UPRR Safety Fund Ongoing project.
- 6 ACE Extension Natomas to Stockton The final Environmental Impact Report (EIR) was adopted at the October 2nd 2020 Board meeting and the Notice of Determination was filed with San Joaquin County on October 6th, 2020. Final Design and Right of Way funding for early segments of the project were allocated at the January 27-28, 2021 California Transportation Commission Meeting. Consultant contracts for the final design and right of way phases for various locations will be awarded at the May through July Board meetings.
- 7 ACE Extension Lathrop to Ceres/Merced The Environmental Impact Report (EIR) was certified in August 2018. Final design is currently underway for individual projects along the corridor. Preparation of a project level EIR for Ceres to Merced is underway. The project level Draft EIR for Ceres to Merced was released for public review on April 22nd, 2021, with comments due June 7th, 2021.
- 8 Stockton Diamond Grade Separation The project will grade separate the existing UPRR and BNSF lines creating an uninterrupted flow of rail traffic through the crossing. Project Approval (PA) and Environmental Document (ED) services for the project are currently underway. Coordination with the host railroads and other project partners to identify a preferred flyover concept is ongoing. Public release of the the Draft Environmental Impact Report occurred on March 15th, 2021. A virtual public meeting will be held on April 6th, 2021 and the public comment period will close on April 29th, 2021.
- **9** Locomotives (4) All four (4) locomotives have been delivered and have been conditionally accepted. Staff received the final CARB engine certification from Siemens and provided the certification to BAAQMD in early October. BAAQMD reimbursement was received mid-November.
- 10 Platform Extension Projects Multi-year project to extend the existing Lathrop/Manteca, Tracy, Vasco, Livermore, and Pleasanton platforms. A contract for final design was approved in May 2018 and is currently under review by Union Pacific. Environmental and design are currently underway for construction of a 400-foot platform extension at the Fremont ACE Station.
- 11 Cabral Track Extension In June, SJRRC received approval from FTA Region 9 for a NEPA Categorical Exclusion. Coordination with Union Pacific on design review is ongoing, with construction anticipated to begin in Summer 2021.
- 12 Positive Train Control The project is on track, staff continues to work with UPRR, Caltrain, FRA and all Passenger Rail Partners on software updates and system improvements.
- 13 Rail Cars A contract with Bombardier was Approved at the April 2020 SJRRC Board meeting. The project is moving forward on schedule. This is Multi-year project for the procurement of five (5) passenger rail cab cars and 12 passenger coach cars. Delivery of the first cars is scheduled for November 2021.
- 14 Railcar Midlife Overhaul Midlife overhauls of ACE's existing fleet of 30 railcars is underway. Currently trucks, carpeting, rubber flooring, lighting and refreshing of the exterior paint scheme to the new colors is underway. The project is scheduled to be completed over the next three years.
- 15 Locomotive Conversion Staff is working with the State of California on a scope of work for the decommissioning and conversion of the two units.
- 16 State Owned Equipment Truck Overhaul Phase 1 of the project is underway, the float pool is being built up and delivery of the trucks is scheduled starting in June 2021 through September 2021.
- 17 Sunol Quiet Zone Construction has been completed but to address public concerns, revisions need to be made. Preliminary Design for the revised project, Four Quadrant Gates on Main Street Sunol, is complete. Coordination with Alameda County for the final design and construction of the project is ongoing.
- 18 Facility Upgrades and Capital Improvements Currently ongoing
- 19 Lathrop/Manteca Station Improvements The construction contract was awarded at the October 2nd 2020 Board meeting. Construction is anticipated to be completed on May 3rd, 2021.
- 20 Tracy ACE Station Improvements Consultant contract was awarded at the May 3rd 2019 Board meeting. Environmental and design are currently underway.
- 21 Capital Spares Preventative Maintenance is ongoing.
- 22 Safety and Security/Video Cameras The camera security project was awarded in June 2018 and is in construction.
- 23 Short Range Transit Plan Update to FY 2018 FY 2027 SRTP is ongoing.
- 24 WiFi Upgrade The Proof of Concept (POC) installation by NOMAD has been completed and initial Factory Acceptance Testing (FAT) is completed. Full production is underway. SJRRC, NOMAD, and Xentrans continue to work on coordinating with the Herzog led ISC technology project to ensure compatibility and integration of the two onboard systems.
- 25 Public Information Display System (PIDS) CCJPA will provide design, implementation, operation and maintenance of CalPIDS. The agreement has been executed as of 3/1/2021 between SJRRC and CCJPA for SJRRC to provide partial reimbursed for shared cost downline stations that share Capitol Corridor stations with ACE and the San Joaquins and complete reimbursement for stations on the ACE and San Joaquins that are the sole providers of service for their non-shared stations. Bi-weekly calls continue to work out bug fixes for the current Operator's Console.
- 26 Network Integration Planning consulting services of integrating the ACE and SJJPA services with high-speed rail and other rail transit services.
- 27 Ripon Multimodal Station and Offsite Improvements A request for proposal for this project is anticipated to be released in May 2021.
- 28 Locomotive (2) Options Staff is working with Siemens on the pricing and schedule for the option. Staff anticipates bringing an item to the Board at the June 2021 meeting requesting approval of the option order.



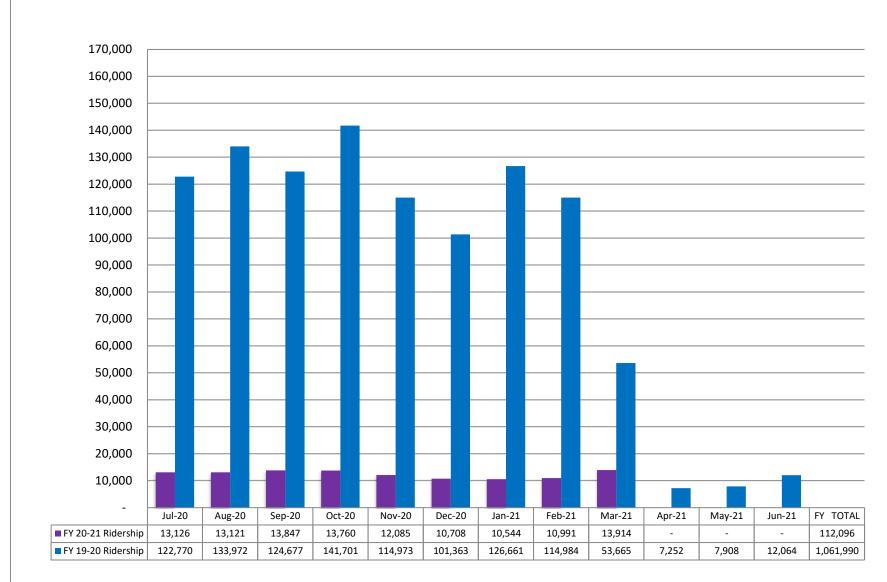


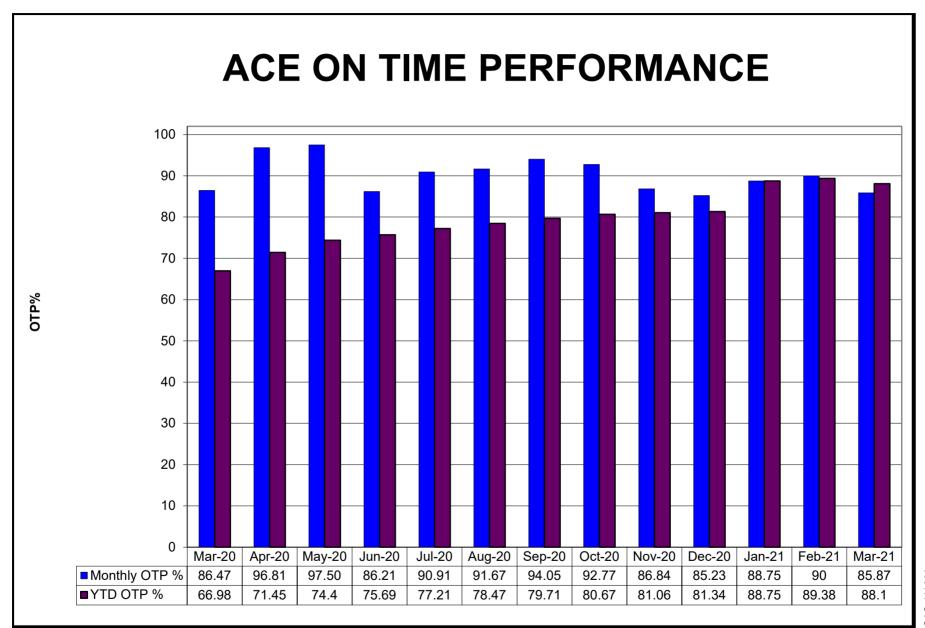




### Ridership









Tai Ginsberg & Associates, LLC 810 7th Street, NE Washington, DC 20002 T 202 415 9703 Buchanan Ingersoll & Rooney PC 1700 K Street, NW, Suite 300 Washington, DC 20006 T 202 452 7900

TO: San Joaquin Regional Rail Commission (SJRRC)

FROM: TG&A Staff

**SUBJECT: Monthly Progress Report for APRIL 2021** 

**DATE:** April 28, 2021

#### THE BIDEN ADMINISTRATION/EXECUTIVE BRANCH

<u>April 28, 2021</u>. President Biden is scheduled to deliver his first address to a joint session of Congress, two days shy of the 100<sup>th</sup> day of his administration. President Biden is expected to detail his American Families Plan.

<u>April 19, 2021</u>. President Biden hosted Members of Congress and Transportation Secretary Pete Buttigieg in the Oval Office to discuss the need for the historic investments laid out in the American Jobs Plan. The group of lawmakers discussed alternative ways to pay for infrastructure spending, including a smaller increase in the corporate tax rate.

<u>April 12, 2021</u>. The White House released <u>State-By-State Fact Sheets</u> highlighting the benefits of the American Jobs Plan for communities. The fact sheets highlight the number of bridges and miles of road in each state in poor condition, the percentage of households without access to broadband, the billions of dollars required for water infrastructure, among other infrastructure needs.

<u>April 12, 2021</u>. President Joe Biden and Vice President Kamala Harris hosted a bipartisan, bicameral group of Members of Congress for a <u>meeting</u> in the Oval Office to discuss the critical need to invest in modern and resilient infrastructure nationwide.

April 9, 2021. President Joe Biden released an outline of his FY 2022 Budget request. The \$1.521 trillion request is \$70.1 million less than the \$1.591 enacted in FY 2021. The budget request only includes discretionary funding proposals, while the forthcoming Budget will include major, complementary mandatory investments and tax reforms as part of a comprehensive plan. The budget request is \$25.6 billion for US DOT discretionary programs, a \$3.2 billion increase (14.3%) over the FY 2021 enacted amount of \$22.4 billion. However, the budget request also proposes to zero-out \$2.9 billion from a General Fund Transfer to Mandatory Programs that traditionally receive funding out of the Highway and Airport/Airway Trust Funds. The majority of US DOT's financial assistance to States, localities and transportation authorities is provided through "mandatory funding" derived from the Highway Trust Fund, as part of multiyear surface transportation authorizations. Therefore, the aforementioned discretionary funding number provides "only a fraction" of US DOT's total budgetary resources. The Budget Request also provides increases for education, healthcare and environmental protection while maintaining spending for defense.

Preliminary details of the "released" portion of the Budget Request highlighting the <u>transportation component</u> are noted in the chart below.

(Transportation)	
Preliminary Details - 9 April 2021	
OFFICE OF THE SECRETARY	Billions (\$s
Better Utilizing Investments to Leverage Development (BUILD)	1.000
AVIATION	
Investments in the National Airspace System/Unmanned Aircraft	TBD
RAIL	
New Passenger Rail Competitive Grant Program	0.625
Consolidated Rail Infrastructure and Safety Improvement Grants	0.375
Amtrak	2.700
PUBLIC TRANSPORTATION	
Capital Investment Grants	2.500
Low-No-Emission Buses	0.250
Thriving Communities Initiative Pilot	0.110
Subtotal Traditional Transportation Modes:	7.560
CORPS OF ENGINEERS	
- Invests in the construction of projects to facilitate commercial	TBD
navigation, reduce the risk of damages from floods and storms, and	
restore the Nation's aquatic ecosystems.	
- Makes significant investments to facilitate safe, reliable and	TBD
environmentally sustainable commercial navigation at the Nation's	
GENERAL SERVICES ADMINISTRATION	
- Purchase Electric Vehicles/Charging Infrastructure for GSA	0.300
Other Fed. Agencies to Electrify Motor Vehicle Fleet	0.300

March 31, 2021. President Joe Biden unveiled an ambitious \$2.3 trillion eight year "American Jobs Plan" which is the first of a two-part public investment economic package aimed at making the economy more productive. The first-part of the plan is to focus on infrastructure (approximately \$621 billion according to the White House Fact Sheet), including green-energy programs, while the second-part is to focus more on health-care/child care and other priorities. The President is also proposing a "Made in America Tax Plan" to "fully pay" for the plan within 15 years. See Addendum A. - at the end of the report for a more detailed analysis.

#### **BIDEN 2021 TRANSPORTATION-RELATED NOMINATIONS/CONFIRMATIONS**

Since the March 2021 Report, following are the only changes in status (RED TYPE) to transportation-related nominees. A full 2021 listing of "Nominations" is available from TG&A upon request.

NOMINEE	US DOT ADMINISTRATOR / OTHER	STATUS
Polly Ellen <u>Trottenberg</u>	Deputy Secretary of Transportation.	Nomination received in the Senate and referred to the Committee
US DOT PR		on Commerce, Science, and Transportation on 2/13/2021. The
		nominee testified before the Committee on 3/3/2021. Confirmed
		by the Senate by Yea-Nay Vote of 82 – 15 on 4/13/2021.
Deanne Bennett Criswell	Administrator of the Federal	Nomination received in the Senate and referred to the Committee
	Emergency Management Agency,	on Homeland Security and Governmental Affairs on 2/22/2021.
	Department of Homeland Security	
Nuria I. Fernandez	Federal Transit Administrator, vice	Nomination sent to the Senate on 4/12/2021. Received in the
<u>Fernandez</u>	Peter M. Rogoff, resigned.	Senate and referred to the Committee on Banking, Housing, and
		Urban Affairs on 4/12/2021.
Mohsin Raza Syed	Assistant Secretary of Transportation,	Nomination sent to the Senate on 4/12/2021. See Brief Bio.
<u>Syed</u>	vice Adam J. Sullivan.	Received in the Senate and referred to the Committee on
		Commerce, Science, and Transportation on 4/12/2021.
Victoria Marie Baecher Wassmer	Chief Financial Officer, Department of	Received in the Senate and referred to the Committee on
Wassmer	Transportation, vice John E. Kramer.	Commerce, Science, and Transportation on 4/12/2021.
Meera <u>Joshi</u>	Administrator, Federal Motor Carrier	President Biden announced his intent to Nominate on 4/14/2021.
	Safety Administration.	Received in the Senate and referred to the Committee on
		Commerce, Science, and Transportation on 4/15/2021.
Christopher Coes	Assistant Secretary for Transportation	President Biden announced his intent to Nominate on 4/14/2021.
	Policy.	Received in the Senate and referred to the Committee on
		Commerce, Science, and Transportation on 4/22/2021.
Amit Bose	Administrator of the Federal Railroad	President Biden announced his intent to Nominate on 4/22/2021
	Administration	

#### **APPROPRIATIONS/BUDGET**

April 14-27, 2021. Jason Miller's <u>nomination</u> to be to be Deputy Director for Management, Office of Management and Budget (OMB), was confirmed by the Senate by a yea-nay vote of 81 – 13 on April 27. Mr. Miller is a former Obama Administration economic adviser. On March 23, 2021, the Senate confirmed Ms. <u>Shalanda Young</u> for Deputy Director of the OMB.

#### **SELECTED CONGRESSIONAL HEARINGS/BUSINESS**

T&I Chairman Peter DeFazio Announces Subcommittee Vice-Chairs for the 117th Congress

<u>April 21, 2021</u>. The Chairman of the Committee on Transportation and Infrastructure, Peter DeFazio (D-OR) and the Chairman of the Subcommittee on Coast Guard and Maritime Transportation Salud Carbajal (D-CA) <u>announced</u> that Congressman Jake Auchincloss (D-MA) will serve as Vice Chair of the <u>Subcommittee on Coast Guard and Maritime Transportation</u>.

<u>April 21, 2021</u>. The Chairman of the Committee on Transportation and Infrastructure, Peter DeFazio (D-OR) and the Chairwoman of the Subcommittee on Water Resources and Environment Grace F.

Napolitano (D-CA) <u>announced</u> that Congresswoman Carolyn Bourdeaux (D-GA) will serve as Vice Chair of the <u>Subcommittee on Water Resources and Environment</u>.

<u>April 21, 2021</u>. The Chairman of the Committee on Transportation and Infrastructure, Peter DeFazio (D-OR) and the Chairman of the Subcommittee on Aviation Rick Larsen (D-WA) <u>announced</u> that Congressman Conor Lamb (D-PA) will serve as Vice Chair of the <u>Subcommittee on Aviation</u>.

<u>April 21, 2021</u>. The Chairman of the Committee on Transportation and Infrastructure, Peter DeFazio (D-OR) and the Chairwoman of the Subcommittee on Highways and Transit Eleanor Holmes Norton (D-DC) <u>announced</u> that Congressman Greg Stanton (D-AZ) will serve as Vice Chair of the <u>Subcommittee</u> <u>on Highways and Transit</u>.

<u>April 21, 2021</u>. The Chairman of the Committee on Transportation and Infrastructure, Peter DeFazio (D-OR) and the Chairman of the Subcommittee on Railroads, Pipelines, and Hazardous Materials Donald M. Payne, Jr. (D-NJ) <u>announced</u> that Congresswoman Marilyn Strickland (D-WA) will serve as Vice Chair of the **Subcommittee on Railroads, Pipelines, and Hazardous Materials**.

<u>April 21, 2021</u>. The House Committee on Transportation and Infrastructure held a markup of "Fiscal Year 2022 Budget Views and Estimates of the Committee on Transportation and Infrastructure." See DeFazio Opening Statement. Committee Link and Testimony.

<u>April 20, 2021</u>. The U.S. House of Representatives passed seven bipartisan homeland security bills. Among the measures was the "Transit Security Grant Program Flexibility Act" (<u>H.R. 396</u>), as introduced by Congressman Andrew Garbarino (D-NY), which makes technical changes to the Transit Security Grant Program (TSGP) to improve the ability of transit agencies to prevent/respond to terror attacks. The bill would expand the scope of how TSGP funds can be used to cover costs associated with security efforts.

<u>April 20, 2021</u>. The Senate Committee on Appropriations held a Full Committee hearing to discuss and receive testimony on "The American Jobs Plan: Infrastructure, Climate Change, and Investing in Our Nation's Future." Witnesses included The Honorable Pete Buttigieg, Secretary Department of Transportation, The Honorable Michael Regan Administrator, Environmental Protection Agency and The Honorable Gina Raimondo Secretary, Department of Commerce. <u>Committee Link and Testimony</u>.

<u>April 15, 2021</u>. The House Committee on Appropriations held a hearing to discuss and receive testimony on the, "Fiscal Year 2022 Budget Request for the Department of Transportation." The Honorable Pete Buttigieg, Secretary, US Department of Transportation provided testimony. <u>Committee Link and Testimony</u>.

<u>April 14, 2021</u>. The Senate Committee on Environment and Public Works held a hearing to discuss and receive testimony on," Long-term Solvency of the Highway Trust Fund: Lessons Learned from the Surface Transportation System Funding Alternatives Program and Other User-based Revenue Solutions, and How Funding Uncertainty Affects the Highway Programs." <u>Committee Link and Testimony</u>. TG&A Summary Available Upon Request.

<u>April 14, 2021</u>. The House Committee on Transportation and Infrastructure held a Members Day hearing entitled, "Committee on Transportation and Infrastructure Members' Day Hearing" to provide a forum for non-committee Members to testify about their infrastructure priorities. House T&I Chairman DeFazio (D-OR) statement <u>here</u> and <u>here</u>. <u>Committee Link</u>.

#### SELECTED CONGRESSIONAL "TRANSPORTATION-RELATED" BILLS – APRIL

	SENAT	E BILLS	
S TBA Press Release Fact Sheet	T. Baldwin (D-WI) "Rebuilding Stronger Infrastructure Act of 2021." Help states rebuild stronger and more resilient roads, highways and bridges as they recover from extreme weather and natural disaster damage brought by severe storms, floods or hurricanes. 4/20/2021.	<u>S 1172</u>	E. Markey (D-MA) To carry out a grant program to support efforts to provide fare-free transit service. Introduced 4/15/2021.
S TBA Press Release	R. Portman (R-OH) "Building U.S. Infrastructure by Leveraging Demands for Skills" or "BUILDS Act." Ensure workers are prepared the skills needed for in-demand infrastructure jobs in construction, transportation, maritime, & energy. Introduced 4/13/2021.	<u>S 1066</u>	R. Portman (R-OH) A bill to free States to spend gas taxes on their transportation priorities. Introduced 4/12/2021.
S TBA Press Release	T. Carper (D-DE) "Securing America's Clean Fuels Infrastructure Act." Promote investments in clean vehicle infrastructure, such as electric vehicle charging stations and hydrogen refueling stations for fuel cell vehicles. Introduced 3/25/2021.	S TBA Summary Press Release	S. Capito (R-WV) "Carbon Capture, Utilization, and Storage Tax Credit Amendments Act of 2021." Makes four targeted statutory changes to maximize the utility of the existing 45Q CCUS tax credit. Incorporates changes to the 48A tax credit to make the credit useful for CCUS retrofits on qualifying coal plants with best available pollution control technology. Introduced 3/25/2021.
	HOUSI	E BILLS	
HR 2769	D. Davis (D-IL) Establish the Intercity Passenger Rail Trust Fund to ensure a safe, sustainable, convenient transportation option. Introduced 4/23/2021.	HR 2683	S. Davids (D-KS) To increase a set-aside for the Rural Project Initiative of the TIFIA program. Introduced 4/22/2021.
HR TBA	G. Pence (R-IN) "Rural Opportunities to Use Transportation for Economic Success (ROUTES)." Ensure that rural communities get their proportionate share of federal funding for infrastructure – including airports, railways, roads and highways. Introduced 4/19/2021.	HR TBA Press Release AASHTO	G. Graves (R-LA) "BUILDER Act of 2021." Amends the National Environmental Policy Act (NEPA) and streamlines environmental regulations that infrastructure projects must meet before proceeding. Introduced 4/15/2021.
HR 2514	J.Garcia (D-IL) To encourage and promote the safe and efficient management, operation, and development of surface transportation systems. Introduced 4/14/2021.	HR 2481	T. O'Halleran (D-AZ) To establish a grant program to improve safety on high risk rural roads. Introduced 4/13/2021.
HR 2483	S. Peters (D-CA) To include affordable housing incentives in certain capital investment grants. Introduced 4/13/2021.	HR 2475	N. Malliotakis (R-NY) To allow certain veterans to use high occupancy vehicle lanes, including toll lanes. Introduced 4/13/2021.
HR 2476	N. Malliotakis (R-NY) To prohibit US DOT from implementing a congestion pricing program until an economic impact analysis is completed and made available to the public. Introduced 4/13/2021.	HR 2474	A. Kuster (D-NH) To amend the Railroad Revitalization and Regulatory Reform Act of 1976 to provide for the Secretary to pay certain credit risk premiums for loan or loan guarantees. Introduced 4/13/2021.
HR 2468	J. Garamendi (D-CA) To ensure that certain materials used in carrying out Federal infrastructure aid programs are made in the United States. Introduced 4/13/2021.	HR 2306 Press Release	R. Davis (R-IL) "Small Community Transit Improvement Act." Increase the apportionment for the Small Transit Intensive Cities Program (STIC) from 2% to 3% to urban areas with pop. less than 200,000. Introduced 4/5/2021.
HR 2334	C. Miller. (R-WV) To establish an innovative mobility and technology deployment grants program. Introduced 4/1/2021.	HR 2287	A. Pressley (D-MA) To carry out a grant program to support efforts to provide fare-free transit service. Introduced 3/29/2021.
HR 2340 C. Pap	ppas (D-NH) To direct the Secretary of Transportation to estab	lish a toll credit	exchange pilot program. Introduced 4/1/2021.

#### FEDERAL REGISTER NOTICES OF FUNDING OPPORTUNITY (NOFOs) - GRANT AWARDS

**See Addendum B**. - Calendar Year NOFO/AWARDS SCORECARD – at end of report.

<u>April 21, 2021</u>. The Federal Transit Administration (FTA) <u>announced</u> a <u>Notice of Funding Opportunity</u> (NOFO) [and <u>here</u>] making available approximately \$10 million in competitive grant funds through FTA's FY 2020/2021 <u>Pilot Program for Transit-Oriented Development (TOD) Planning</u>. The funds are to support comprehensive planning efforts that help connect communities, improve access to public transportation and affordable housing, and to advance environmental justice, and promote equitable delivery of benefits to underserved communities. Information on previously funded projects can be found <u>here</u>. **Proposals must be submitted by 11:59 p.m. ET on June 21, 2021**.

April 14, 2021. The Federal Transit Administration (FTA) issued a Notice of Funding Opportunity (NOFO) [and here] making available \$5 million in FY 2020/2021 Technical Assistance and Workforce Development funds to establish a Transit Workforce Center (TWC) that supports public transit agencies' workforce development needs for all modes of public transit across urban, tribal, and rural entities. Eligible lead applicants are national nonprofit organizations capable of a national reach with a demonstrated capacity to develop and provide workforce development programs though labor management partnerships, apprenticeships, among other applicable methods. The FTA will fund up to 100 percent Federal share, but may give priority consideration to proposals that include local match. Applications must be submitted by 11:59 p.m. ET on May 10, 2021.

April 13, 2021. The US DOT published a Notice of Funding Opportunity (NOFO) [and here] [and here] making available \$1 billion in FY 2021 discretionary grant funding through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants, formerly known as BUILD and TIGER grants. For this round of RAISE grants, the maximum grant award is \$25 million, and no more than \$100 million can be awarded to a single State. The FY 2021 Appropriations Act specifies that RAISE grants may not be less than \$5 million, except that for projects located in rural areas, and the minimum award size is \$1 million. Grants may not be greater than \$25 million. There is no minimum award size for RAISE planning grants, regardless of location. Up to \$30 million will be awarded to planning grants, including at least \$10 million to Areas of Persistent Poverty. View here to register for webinars. The deadline to submit an application is July 12, 2021 at 5:00 pm ET. See US DOT Press Release. To ensure that the benefits of infrastructure investments benefit communities large and small the Department will award an equitable amount, not to exceed half of funding, to projects located in urban and rural areas respectively.

<u>April 7, 2021</u>. The US Department of the Treasury <u>released</u> <u>The Made in America Tax Plan</u> report to provide additional depth on the plan as part of President Biden's American Jobs Plan - a comprehensive proposal aimed at increasing investment in infrastructure, the production of clean energy, and the care economy.

<u>April 5, 2021</u>. The Federal Transit Administration (FTA) <u>announced</u> a total of \$187 million in federal funding allocated to four Bus Rapid Transit (BRT) infrastructure projects in California, Utah, and Washington State. Funding is provided through FTA's Capital Investment Grants (CIG) Small Starts Program.

#### OTHER REPORTS/NOTICES/NEWS ARTICLES

<u>April 20, 2021</u>. The FTA published a <u>Dear Colleague letter</u> outlining its oversight approach for the nearly \$70 billion in Federal funding FTA is providing to support the transit industry's <u>COVID-19 response and recovery efforts</u>.

<u>April 19, 2021</u>. The National Academies Press released a <u>Report</u> entitled, "A Pandemic Playbook for Transportation Agencies (2021)."

April 15, 2021. The U.S. Treasury released new guidance on pre-award requirements, outlining immediate steps counties and municipalities need to take to receive future direct payments from the U.S. Treasury under the Coronavirus State and Local Fiscal Funds authorized by the American Rescue Plan Act. By following these guidelines, counties will be better positioned to receive payments quickly and efficiently. Municipalities (with populations at or above 50,000 population) will need to certify and qualify as do counties. If a county is less than 50,000, it will receive a sub-allocation from its respective state. See NACO URL and NACO Tool.

<u>April 13, 2021</u>. Thirty-one transportation organizations signed and sent a joint <u>letter</u> to congressional leaders supporting the creation of "a comprehensive national vehicle miles traveled (VMT) implementation program." The letter further clarified that, "Congress has an extraordinary opportunity to create and test a much-needed long-term replacement for the user fees that we currently rely on to build our roads and bridges."

<u>April 12, 2021</u>. The Congressional Research Service (CRS) issued a <u>Report</u> entitled, "Legal Issues Related to Transportation Mask-Wearing Mandates." The report provides a brief overview of the <u>CDC's Mask</u> <u>Order</u> and the role of other federal agencies in enforcing its requirements. The report then discusses a number of related legal considerations for Congress, including the scope of the federal government's authority to impose mask-wearing requirements in transportation contexts.

<u>April 12, 2021</u>. The Federal Railroad Administration (FRA) Office of Inspector General (OIG) has initiated an <u>audit</u> concerning, "FRA's Use of Automated Track Inspections." The FRA is initiating an audit to evaluate FRA's use of automated inspections to aid track safety oversight.

<u>April 9, 2021</u>. The Federal Transit Administration (FTA) <u>launched</u> a new online application to collect information from FTA recipients and sub-recipients on the impacts of coronavirus disease 2019 (COVID-19). FTA is to use this data to inform FTA actions in support of the transit industry's COVID-19 response and recovery efforts and implementation of the Federal mask requirement for public transportation.

<u>April 8, 2021</u>. The Congressional Research Service (CRS) issued a Report entitled, "House Committees Release Guidance for Transportation Earmarks." The report summarizes the new rules applicable to Member-designated transportation projects and points out certain matters that appear to remain unclear.

<u>April 8, 2021</u>. The Congressional Research Service (CRS) issued a Report entitled, "FEMA Funeral Assistance for COVID-19." The report provides an overview of FEMA COVID-19 Funeral Assistance, including eligible expenses, applicant eligibility criteria, and award amounts.

April 6, 2021. The National Transportation Safety Board (NTSB) released its "2021-2022 Most Wanted List of Transportation Safety Improvements." The 2021 – 2022 MWL draws attention to more than 100 safety recommendations associated with 10 new items on the list. The NTSB notes that the recommendations, if implemented, can save lives, reduce the number and severity of injuries and prevent transportation accidents and crashes. Related: The American Public Transportation Association (APTA) issued a statement noting that "APTA is pleased to see the National Transportation Safety Board (NTSB) remove from its 'Most Wanted' list of safety recommendations the requirement that commuter railroads fully implement Positive Train Control (PTC). After commuter rail agencies invested more than \$4 billion to implement PTC, they successfully met the statutory deadline of December 31, 2020 for full PTC implementation. In addition to the \$4 billion implementation cost, commuter rail operators will spend more than \$100 million each year to maintain and operate the PTC system. We appreciate the NTSB recognizing this accomplishment by removing PTC implementation from its Most Wanted list."

April 1, 2021. The American Association of State Highway and Transportation Officials (AASHTO) sent a letter to Steven Cliff, Acting Administrator of the National Highway Traffic Safety Administration (NHTSA) providing comments regarding the Framework for Automated Driving System Safety, published in the Federal Register on December 3, 2020. AASHTO's comments focused on the technical and engineering specifics of the proposed rule, i.e. on 1) maintaining current federal and non-federal authorities concerning motor vehicle performance; 2) ensuring a strong federal role in facilitating the deployment of connected vehicles and automated vehicles; and 3) the continued importance of future of both connected and automated vehicles.

April 1, 2021. The Government Accountability Office (GAO) issued a 61-page report entitled, "Commuter Rail: Information on Benefits and Funding Challenges for Service in Less Urbanized Communities." The GAO reviewed 31 commuter rail systems that operate in the U.S. that provide passengers with public transit to work, school, medical appointments, and recreational activities. The GAO was asked to review issues related to providing commuter rail service to less urbanized areas. Hence, the report provides selected stakeholders' views on: the benefits of providing commuter rail service to less urbanized communities, the challenges to providing such service, and the initial effects of the COVID-19 pandemic on the commuter rail industry.

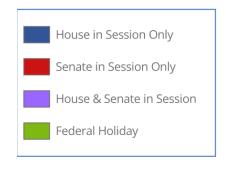
March 30, 2021. The US DOT Office of Inspector General (OIG) is initiating an <u>audit</u> of the Build America Bureau's oversight and management of Transportation Infrastructure Finance and Innovation Act (TIFIA) credit assistance agreements. As of April 2020, the Build America Bureau had financed 87 TIFIA loans totaling \$33.3 billion. The OIG is initiating the audit to assess whether the Build America Bureau has effective internal controls to oversee and manage TIFIA credit agreements.

March 28, 2021. Thirty-Five transportation organizations, including the American Association of State Highway and Transportation Officials (AASHTO), the American Road & Transportation Builders Association (ARTBA) and American Public Transportation Association (APTA) signed a <u>letter</u> to Janet Yellen, Secretary of the U.S. Department of the Treasury, seeking guidance on the American Rescue Plan's "\$350 billion in relief funds for state and local governments and \$10 billion in capital assistance" and "to ensure transportation infrastructure is defined explicitly as a qualifying eligibility."

#### **UPCOMING CONGRESSIONAL CALENDAR – MAY 2021**

The Senate has <u>announced</u> a tentative Calendar with May 3 - May 7 being noted as a State Work Period following with May 31 - June 4 being a State Work Period – these are days that the Senate will not be in session. A combined House/Senate calendar for May is noted below.

			MAY			
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					



#### **UPCOMING DEADLINES/EVENTS**

Note: Given the recommendations from the Centers for Disease Control and Prevention, many upcoming events have/are being cancelled or conducted "virtually" to prevent the spread of COVID-19.

May 10-14 United for Infrastructure 2021;

May 10-14 <u>AASHTO's 2021 Virtual Spring Meeting (agenda)</u>;

May 13	17th Annual NRC Railroad Equipment Auction;
May 18-21	American Public Transportation Association Legislative Conference;
June 8-9	APTA Rail Conference;
June 22	2021 Transit Asset Management Virtual Roundtable;
July 9-12	2021 NACo ANNUAL CONFERENCE - Prince George's County, MD;
July 12-13	Midwest Association of Rail Shippers Summer Meeting, Lake Geneva, Wisconsin;
August 15-19	AASHTO Management Institute (AMI) Bellevue WA, August 22-26 in Minneapolis,
	MN, September 19-23 in Houston, TX; October 10-14 in Annapolis, MD; and
	November 7-11 in West Palm Beach, FL;
August 5-14	AASHTO Leadership Institute (ALI) at the University of Kansas campus, Lawrence, KS;
October 4-7	AASHTO Executive Institute (AEI) in Washington D.C.

#### **SCUTTLEBUTT**

<u>April 24, 2021</u>. State Senator Troy A. Carter, Sr. (Democrat) of Louisiana (CD-2) was elected in a Special runoff. He fills the vacant seat of former Member of Congress Cedric L. Richmond (Democrat).

April 23, 2021. Five Senate Republicans released an outline of a \$568 billion "core" infrastructure plan entitled, "The Republican Roadmap" as an alternative to President Biden's \$2.3 trillion American Jobs Plan. The plan supposedly does not include raising the gas tax as a pay-for, but rather may include a vehicle-miles-traveled tax. Meanwhile, a group of House lawmakers known as the "Problem Solvers Caucus" has endorsed a report that includes raising the gas tax as a possible way to pay for infrastructure spending. The funding breakdown of The Republican Roadmap is as follows:

The Republican Roadmap				
(A Framework to Improve the Nation's I	nfrastructure)			
(\$ Billions)				
Infrastructure Mode	\$ Amount			
Roads and Bridges	299.0			
Public Transit Systems	61.0			
Rail	20.0			
Drinking Water/Wastewater	35.0			
Safety	13.0			
Ports & Inland Waterways	17.0			
Airports	44.0			
Broadband Infrastructure	65.0			
Water Storage	14.0			
Total:	568.0			

April 21, 2021. Senate Republicans met to vote on whether or not to retain their ban or earmarks but avoided a decisive vote by maintaining a symbolic earmark ban, while still allowing individual members to seek earmarks without receiving any party repercussions. Senate Appropriations Chairman Patrick Leahy (D-VT) plans to allow earmarks in the Senate this year and has pledged to allow one-half of earmark pot allocated to Senate Republicans and funding for earmarks will be capped at 1 percent of discretionary spending. Recall that last month the House Republicans voted last month to overturn their ban on earmarks. Update: Politico is reporting that 15 Republican Senators have signed a letter "committed to the ban on earmarks."

<u>April 20, 2021</u>. Canadian Pacific Railway filed a letter with the Surface Transportation Board (STB) urging its members to promptly confirm the Class I's proposed merger with Kansas City Southern under a waiver that the board granted to KCS in 2001. Meanwhile, <u>RAILWAY AGE</u> reported that CN made a counter-offer it said is a "superior proposal" that "will result in a safer, faster, cleaner and stronger railway."

CN's proposal of \$325 per KCS share "represents a 21 percent premium over the implied value of the CP transaction and values KCS at an enterprise value of \$33.7 billion." CN's letter to the KCS board can be found <a href="https://example.com/here">here</a>. Additional information about the proposal is available <a href="here">here</a>. Pete DeFazio (D -OR), Chairman of the House Committee on Transportation and Infrastructure issued a <a href="https://example.com/statement">Statement</a> intimating that, "Multiple railroads are now seeking to acquire KCS, and that flurry should set off alarms bells about a potential new wave of railroad mergers that stifle competition and trigger industry-wide consolidation."

April 18, 2021. The WSJ is reporting that Senator John Cornyn (R-TX) and some of his colleagues could support an infrastructure bill of around \$800 billion. Finding a way to pay for the package will be a central issue in the discussions between Republicans and Democrats as the Administration is opposed to raising the gas tax. Senator Roy Blunt (R-MO) and a top Republican leader in the Senate, said that he could see the potential for a \$600 billion to \$700 billion scaled-down, bipartisan infrastructure bill and said fees for airports and other infrastructure, along with levies for highways, could be used to fund a bipartisan investment package.

<u>April 15, 2021</u>. A Bipartisan group of 20 lawmakers held a virtual meeting in an attempt to strike compromise on the development of an infrastructure package. While Democrats have an option to pass an infrastructure through the budget reconciliation process they have intimated that they are willing to attempt to reach a bipartisan agreement first.

April 15, 2021. The Census Bureau released the first round of data to determine which states will gain/lose the reshuffling of the 435 US House seats. Based on population estimates from the Census Bureau last year prognosticators have assembled US maps projecting winners/losers. Analysts agree that Republicans hold an advantage in redistricting as they control the state legislatures in Texas, Florida, North Carolina and Georgia, which are expected to gain six seats. See WSJ map below for state-by-state projections of the reapportionment of US House seats. <a href="Updated April 27, 2021">Updated April 27, 2021</a> – The Census Bureau confirmed a resident population of 331,449,281 and also the following state <a href="apportionment">apportionment</a> congressional district changes that each state will have for the next decade. See table and map below.

**HOUSE SEATE LOSSES** 

**HOUSE SEAT GAINS** 

Texas	+2	California	-1
Colorado	+1	Illinois	-1
Florida	+1	Michigan	-1
North Carolina	+1	New York	-1
Montana	+1	Ohio	-1
Oregon	+1	Pennsylvania	-1
		West Virginia	-1
Democrats ▼ -3		+3 Republicans *	
		You are viewing: 2020 Actual &	
OR TO	MT NO MN  WY SO.  WY SO.  NE MO  AR  THE TY  T	MY M	

#### THE AMERICAN JOBS PLAN

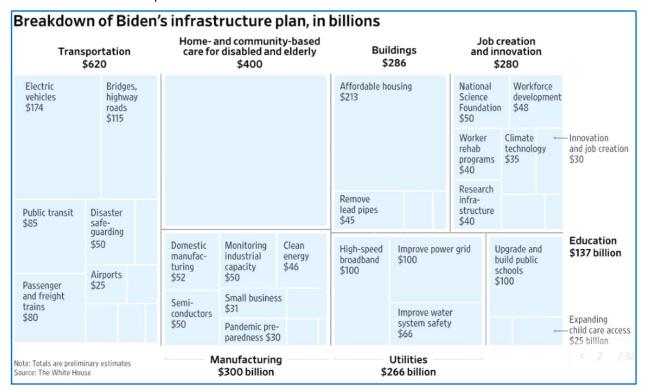
(Rolled-Out on March 31, 2021)

March 31, 2021. President Joe Biden unveiled an ambitious \$2.3 trillion eight year "American Jobs Plan" which is the first of a two-part public investment economic package aimed at making the economy more productive. The first-part of the plan is to focus on infrastructure (approximately \$621 billion according to the White House Fact Sheet), including green-energy programs, while the second-part is to focus more on health-care/child care and other priorities. The Committee for a Responsible Federal Budget notes that, "Over the traditional 10-year budget window, we estimate the net increase in the deficit would be approximately \$900 billion. The plan appears deficit-neutral over 15 years and it would reduce deficits over the long-term." The second part of Biden's plan is expected to be released "in just a couple of weeks" according to the White House. The President is also proposing a "Made in America Tax Plan" to "fully pay" for the plan within 15 years. The White House has intimated that the President hopes to see Congress pass his infrastructure proposal by this summer. The Administration has also intimated that raising the federal gasoline tax is not being considered as part of the infrastructure package. The President has conscripted five members of his Cabinet to help sell his proposal to Congress and the public. The American Association of State Highway and Transportation Officials issued a statement "applaud[ing] the emphasis that President Biden placed on investing in infrastructure." Likewise, Pete DeFazio (D-OR), Chairman of the House Committee on Transportation and Infrastructure, released a statement supporting President Biden's American Jobs Plan.

THE AMERICAN JOBS PLAN					
(Rolled-Out March 31, 2021)					
Singled-Out Infrastructure Componen	<u>t</u>				
(\$ Billions)		_			
	145.0	-			
Bridges / Highways / Roads	115.0	,			
Road Safety	20.0	-			
Public Transit	85.0	-			
Passenger & Freight Rail Service	80.0				
Electric Vehicles	174.0	D.			
Ports / Waterways / Airports	42.0				
Airports	(25.0)	¥			
Inland Waterways / Coastal Ports / Land Ports of Entry / Ferries	(17.0)	Ø			
Reconnect Neighborhoods - New Program	20.0	u			
Large Projects to Benefit Regional or National Economy 25.0					
Resilient Infrastructure Improvement	50.0	В			
-					
Modernize 20,000 miles of highways, roads and main streets and limit greenhouse gar Fix large bridges and repair the worst 10,000 smaller bridges.	as emissions and reduce conges	tion			
Æ Increases to existing safety programs and creates a new "Safe Streets for All Prographans to reduce crashes and fatalities, including cyclists/pedestrians.	am" to fund state/local "vision ze	ro"			
${f \check{3}}$ Modernize and expand public transportation systems to meet rider demand by doubli and to expand bus, bus rapid transit and rail services to communities/neighborhoods ac		og			
<b>H</b> Repair Amtrak backlog, modernize the Northeast Corridor, improve existing corridors enhance grant and loan programs.	and connect new city pairs -				
DŽ Give point of sale rebates and tax incentives to buy American-made EVs. Incentive to build a national network of 500,000 EV chargers by 2030. Replace 50,000 diesel transchool bus fleet.					
f X Includes funding to the Airport Improvement Program, upgrade to FAA assets and a n renovations and multimodal connections.	ew program to support terminal				
$m{\emptyset}$ Includes a "Healthy Ports Program" to mitigate the cumulative impacts of air pollution	on neighborhoods near ports.				
$oldsymbol{W}$ New program to reconnect neighborhoods cut off by historic investments and ensure	new projects increase opportunit	ty,			
advance racial equity and environmental justice and promote affordable access.		_			
f R Dedicated fund for ambitious projects that have tangible benefits to the regional or nat existing funding programs.					
B Safeguard critical infrastructure and services and defend vulnerable communities and water resources to protect communities and the environment due to weather and climate		and			

#### **Broad Overall Spending Summary of the American Jobs Plan**

From: Wall Street Journal - 1 April 2021



The President is also proposing the "Made In America Tax Plan" which will raise taxes and implement tax reforms that will raise \$2 trillion over the next 15 years to pay for the American Jobs Plan. Specifically, the plan proposes, in part, to:

- Increase the corporate tax rate to 28 percent from 21 percent (still below the 35 percent rate prior to the 2017 tax cut);
- Add penalties to make inversions punitive;
- Eliminate a rule allowing US companies to pay zero taxes on the first 10 percent of return when the locate investments in foreign countries;
- Impose a global minimum corporate tax of 21 percent.

#### Addendum B. - Calendar Year NOFO/AWARDS SCORECARD. An Excel spreadsheet with "hot-links" is available from TG&A upon request.

Year NOFO/AWARDS SCORECARD. An Excel spreadsneet with "not-links" is available from 1 G&A upon request.  SELECTED TRANSPORTATION NOTICE OF FUNDING OPPORTUNITIES (NOFOs) &/OR AWARDS  (SCORECARD for CY 2021)										
4/22/2021			(SCC	DRECARD IOI CT 20	121)					
	NOFO TITLE	TYPE (NOFO / AWARD)	NOFO ISSUANCE DATE	NOFO URL	NOFO \$s MADE AVAILABLE	APPLICATION DEADLINE	NOFO \$ AWARDS	AWARDS URL	AWARDED - DATE	COMMENTS
US DOT	Inclusive Design Challenge (FY 2018 Funding)	NOFO/AWARD	4/21/2020	NOFO URL	5,000,000	10/30/2020	3,000,000	Award URL	1/6/2021	\$5 m. prize purse from FY 2018 "Highly Automated Vehicle Research & Dev. Pgm."
	Complete Trip - ITS4US Deployment Program	NOFO/AWARD	6/18/2020	NOFO URL	40,000,000	7/7/2020	38,350,871	Award URL	1/6/2021	
	FY 2021 INFRA Discretionary Grants VOID - TBA - See 2/17/2021 for Revision	NOFO	1/20/2021	NOFO URL	889,000,000	4/4/2021	TBD	TBD	TBC	Postponed Notice URL
	FY 2021 INFRA Discretionary Grants	NOFO	2/17/2021	NOFO URL	1,039,000,000	3/19/2021	TBD	TBD	TBC	
	FY 2021 National Infrastructure Investments (BUILD) VOID - See 4/13 for Updat	NOFO	1/21/2021	NOFO URL	1,000,000,000	4/20/2021	TBD	TBD	TBC	Postponed Notice URL
	Dwight David Eisenhower Transportation Fellowship Program	NOFO	2/18/2021	NOFO URL	1,000,000	4/16/2021	TBD	TBD	TBC	FY 2021 INFRA NOF Fed Reg
	Transportation Demonstration Program	NOFO	2/26/2021	NOFO URL	100,000,000	6/25/2021	TBD	TBD	TBC	
	FY 2021 National Infrastructure Investments (Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant Program)	NOFO	4/13/2021	NOFO URL	1,000,000,000	7/12/2021	TBD	TBD	TBC	
US DHS/										
FEMA	FY 2020 Fire Prevention and Safety (FP&S) Grant program	NOFO	1/14/2021	NOFO URL	35,500,000	2/26/2021	TBD	TBD	TBD	0
	FY 2020 Staffing For Adequate Fire And Emergency Response (SAFER) grants	NOFO	1/27/2021	NOFO URL	355,000,000	3/12/2021	TBD			
	FY 2021 Port Security Grant Program	NOFO	2/26/2021	NOFO URL	100,000,000	5/14/2021	TBD			
	FY 2021 Intercity Passenger Rail - Amtrak	NOFO	2/26/2021	NOFO URL	10,000,000	5/14/2021	TBD			
	FY 2021 Nonprofit Security Grant Program	NOFO	2/26/2021	NOFO URL	180,000,000	5/14/2021	TBD			
	FY 2021 Intercity Bus Security Grant Program	NOFO	2/26/2021	NOFO URL	2,000,000	5/14/2021	TBD			
	FY 2021 Homeland Security Grant Program	NOFO	2/26/2021	NOFO URL	1,120,000,000	5/14/2021	TBD	TBD	ТВС	
	FY 2021 Emergency Management Performance Grant Program (Regions 1-10)	NOFO	2/26/2021	NOFO URL	355,100,000	5/14/2021	TBD			
	FY 2021 Transit Security Grant Program	NOFO	2/26/2021	NOFO URL	88,000,000	5/14/2021	TBD			
DOE	Advanced Research Projects Agency – Energy	FOA	2/11/2021	FOA URL	100,000,000	TBD	TBD	TBD	TBC	Development of high-potential, high-impact energy technologies.
EPA										teemologies.
FAA										
	Airport Coronavirus Response Grant Program	Notice	12/31/2020	Notice URL	2,000,000,000	TBD	TBD	TBD	TBC	)
	Aviation Workforce Development Grant Program - Aviation Maintenance	NOFO	1/20/2021	NOFO URL	5,000,000	3/22/2021	TBD	TBD	TBC	
	Aviation Workforce Development Grant Program - Aircraft Pilots	NOFO	1/20/2021	NOFO URL	5,000,000	3/22/2021	TBD	TBD	TBC	
	Small Community Air Service Development Program	NOFO	1/20/2021	NOFO URL	18,000,000	3/1/2021	TBD	TBD	TBC	Rev. closing date - original was 1/26/2021
FHWA										
	Highway Construction Workforce Partnership (HCWP) Grant Program	NOFO	1/5/2021	NOFO URL	4,000,000	2/22/2021	TBD	TBD	TBD	
	Commuter Authority Rail Safety Improvement (CARSI) Grants	NOFO/AWARD	8/26/2020	NOFO URL	50,000,000		40,255,750	Award URL	1/14/2021	
FRA	FY 2021 Supplemental for the NEC Cooperative Agreement to Amtrak	NOFO	2/11/2021	NOFO URL	1,209,483,050	2/22/2021	TBD	TBD	TBC	Consolidated Approp. Act, 2021 (P.L. 116-260
	FY 2021 Supp. for the National Network Cooperative Agreement to Amtrak	NOFO	2/11/2021	NOFO URL	1,380,241,050	2/22/2021	TBD			Consolidated Approp. Act, 2021 (P.L. 116-260
	FY 2021 Supp.for the NEC Cooperative Agreement to Amtrak	NOFO	2/9/2021	NOFO URL	969,388,160	4/23/2021	TBD			American Rescue Plan Act, 2021
	FY 2021 Supp. for the National Network Cooperative Agreement to Amtrak	NOFO	2/9/2021	NOFO URL	728,611,840	4/23/2021	TBD	TBD	TBC	American Rescue Plan Act, 2021
	FY 2020/2021 Pilot Program for Transit-Oriented Development (TOD) Planning	NOFO	4/21/2021	NOFO URL	10,052,572	6/21/2021	TBD	TBD	TBC	US DOT Announcement
FTA										
	FTA - Coronavirus Response/Relief Supplemental Appropriations Act of 2021	Notice	1/11/2021	Notice URL	14,000,000,000	TBD	TBD	TBD	TBC	b
	FY 2021 Low or No Emission Grant Program	NOFO	2/11/2021	NOFO URL	180,000,000	4/12/2021	TBD	TBD	TBC	)
	Community Rides Grant Program	NOFO	3/22/2021	NOFO URL	100,000	5/10/2021	TBD			
	FY 2020/2021 Technical Assistance and Workforce Development	NOFO	4/14/2021	NOFO URL	5,000,000	5/10/2021	TBD	TBD	TBC	
HUD										
MARAD										
	FY 2021 Small Shipyard Grants program	NOFO	1/15/2021	NOFO URL	19,600,000	2/25/2021	TBD			
NAT'L. SCIENCE	FY 2021 Port Infrastructure Development Program	NOFO	3/29/2021	NOFO URL	230,000,000	7/30/2021	TBD	TBD	TBC	)
FOUNDATIO NHTSA /	N									
FMCSA	EV 2024 III-b Palasita CANV assessment	Nose	4 /00 /000	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	25 244 577	2/4=/20-	we -	w		
	FY 2021 High Priority- CMV program	NOFO	1/28/2021	NOFO URL	25,211,500	3/15/2021	TBD		TBC	1
	FY 2021–Commercial Motor Vehicle Operator Safety Training Program	NOFO	1/28/2021	NOFO URL	2,000,000	3/15/2021	TBD	TBD	TBC	
	FY 2021 Commercial Driver's License Program Implementation	NOFO	1/28/2021	NOFO URL	32,702,000	3/15/2021	TBD			
DOT / PHMSA	FY 2021 High Priority Program – Innovative Technology Deployment	NOFO	1/29/2021	NOFO URL	20,000,000	3/15/2021	TBD	TBD	TBC	,
	FY 2021 Supplemental Public Sector Training (SPST) Grant program	NOFO	2/4/2021	NOFO URL	1,300,000	3/15/2021	TBD	TBD	TBC	)
	FY 2021 - State Damage Prevention Program Grants	NOFO	2/26/2021	NOFO URL	100,000,000	3/15/2021	TBD			
DOC/EDA			,,1		,222,200	.,,	. 30	.00	100	
OSHA										
USDA										

#### SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of May 7, 2021

#### STAFF REPORT

Item 3.7 ACTION

#### Accept Independent Auditors' Report for Fiscal Year 2019/20

#### Background:

Staff met with Chair Fugazi and Commissioner Zuber on April 12th, 2021 to review and discuss the Independent Auditors' Report and Basic Financial Statements for the Year Ending June 30, 2020. Chair Fugazi recommended the item be placed on the consent calendar for acceptance by the Board.

There were no current year findings, questioned costs or auditor comments for management.

For the SJRRC Board, the report can be found at the end of this Board Agenda Packet.

For the public, the report is available upon request.

#### Fiscal Impact:

There is no fiscal impact.

#### Recommendation:

Accept Independent Auditors' Report for Fiscal Year 2019/20.

#### SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of May 7, 2021

#### STAFF REPORT

Item 4 ACTION

Review Draft Budget and Direct Staff regarding ACE Service Levels and Reconciliations of Funding Partner contributions for budgetary purposes

#### Background:

Annually, SJRRC staff present the Work Program and Budget for approval to the Board. This document highlights programs implemented from the previous year and initiatives for the upcoming fiscal year. The Work Program and Budget also includes the Operating and Capital Budgets.

With the COVID-19 pandemic significantly impacting revenue, service levels and ridership the FY2020/2021 Operating Budget reflected an ACE service of two weekday roundtrips for the fiscal year. With stay-at-home orders being lifted and the increasing distribution of the vaccine the Operating budget was Amended at the March 5<sup>th</sup> Board Meeting re-introducing the 3<sup>rd</sup> Roundtrip Monday May 3<sup>rd</sup>.

With the State planning to fully reopen in mid-June 2021, Staff proposes to resume the four (4) daily roundtrips beginning September 7<sup>th</sup>, 2021, consistent with Caltrain adding Service in the August/September time frame. This start date is proposed to provide ACE passengers opportunity to coordinate with the added Caltrain Service.

ACE Member Agency contributions in the Operating Budget will assume the fourth train is added on September 7<sup>th</sup>. However, in the event the fourth train restoration is delayed, staff proposes a semiannual financial reconciliation of the Member Agency contributions to credit the agencies accordingly.

Staff is seeking discussion and direction on the timing of the fourth train service restoration and the process for budgeting and reconciling the Member Agency contributions.

The Draft Capital Budget reflects continued momentum for various projects already underway, including:

- Stockton Diamond Grade Separation
- ACE Extension Stockton to Natomas
- ACE Extension Lathrop to Ceres/Merced
- Rail Car Purchase
- Platform Extensions Projects
- Robert J. Cabral Station Expansion
- Railcar Midlife Overhaul
- Cabral Station Track Extension
- Locomotive Purchase

At the meeting, staff will present on the Draft 2021/2022 Budget, providing a summary of capital projects and anticipated budgets for the upcoming fiscal year. The Draft 2021/2022 Operating Budget is attached at the end of this item.

#### Fiscal Impact:

There is no fiscal impact.

#### Recommendation:

Staff is requesting Board direction regarding ACE Service Levels and Reconciliations of Funding Partner contributions for FY2021-2022 budgetary purposes.

#### SJRRC/ACE 5 YEAR BUDGET COMPARISON

	FY 17/18 SJRRC/ACE Combined Operating Budget	FY 18/19 SJRRC/ACE Combined Operating Budget	FY 19/20 SJRRC/ACE Combined Operating Budget	FY 20/21 SJRRC/ACE Combined Operating Budget	FY 21/22 SJRRC/ACE Combined Operating Budget
Operating Revenue					
Total Operating Revenue	23,778,108	26,668,890	30,851,284	26,862,498	31,842,205
					ı
Project Management Services and Supplies					
Project Management, Services & Supplies Subtotal	5,535,313	6,060,524	7,774,853	6,480,109	6,552,127
Contracted Services					
Contracted Services - Sub-Total	16,972,939	19,338,511	21,721,576	19,361,063	23,969,576
Shuttle Services	1,269,855	1,269,855	1,354,855	1,021,326	1,320,502
Total Operating Expenses	23,778,108	26,668,890	30,851,284	26,862,498	31,842,205

#### Fiscal Year 2021/2022 SJRRC/ACE Preliminary Operating Budget

	FY 19/20 SJRRC/ACE Combined Operating	2021/2022 SJRRC Operating	2021/2022 SJRRC Contracted Services	2021/2022 ACE Operating	2021/2022 SJRRC/ACE Combined	% Change From FY 19/20 Year
	Budget	Budget	Operating Budget	Budget	Operating Budget	to Current Year
On and in a Bound						
Operating Revenue Measure K	4 610 006	2 202 696		0	2 202 606	
	4,610,096	2,392,686			2,392,686	
SJCOG - Local Transportation Funds (LTF) Fare Revenues	4,147,715 10,500,000			4,372,648 4,400,000	4,372,648 4,400,000	
ACTC Measure B Local	3,091,148			2,740,553	2,740,553	
ACTC Measure BB Local	1,454,292			1,056,640	1,056,640	
Santa Clara VTA Local	3,793,064			3,208,226	3,208,226	 
Transportation for Clean Air (TFCA)	80,000			80,000	80,000	
SJCOG - State Transit Assistance (STA)	702,450			0	0	
MTC - State Transit Assistance (STA)	498,478			214,825	214,825	 
ACTC Measure B Local - Admin Fee	15,000			15,000	15,000	
ACTC Measure BB Local - Admin Fee	15,000			15,000	15,000	
Amtrak Thruway Service	75,000			75,000	75,000	
State Rail Assistance	1,603,056				0	-
Ticket Sales Others	163,985			165,000	165,000	-
High Speed Rail	102,000	102,000			102,000	
Valley Link Reimbursement		100,000		470.00	100,000	
LCTOP - Means Based Fare Program & Ops				173,687	173,687	
LCTOP - Operations Other Payanus - Caltrana Sigmans Agreement *			2 125 000	289,994	289,994	
Other Revenue - Caltrans Siemens Agreement * FTA CARES ACT			2,125,000	8,773,983	2,125,000 8,773,983	
FTA CRRSAA				1,541,963	1,541,963	
Total Operating Revenue	30,851,284	2,594,686	2,125,000	27,122,519	31,842,205	3%
Total Operating Novellac	00,001,204	2,004,000	2,120,000	21,122,010	01,042,200	
Project Management Services and Supplies						1
Salaries/Benefits/Contract Help *	6,581,960	1,350,546	150,000	3,759,804	5,260,350	-20%
Office Expenses/Postage	56,073	20,464	,	26,413	46,877	-16%
Subscriptions/Periodicals/Memberships	16,175	6,750		9,650	16,400	1%
Office Equipment Leases / Supplies / Maintenance / Furniture	102,278	28,811		47,950	76,761	-25%
Computer Systems	137,500	201,500		7,350	208,850	52%
Communications	81,648	21,272		60,904	82,176	1%
Motor Pool	89,070	17,240		62,149	79,389	-11%
Transportation/Travel	44,900	10,000		15,000	25,000	-44%
Training	25,995	5,650		12,500	18,150	-30%
Audits/Regulatory Reporting	83,200	26,340		70,840	97,180	17%
Professional Services Legislative	79,500	130,970		0	130,970	65%
Professional Services Legal Professional Services General	150,000 276,529	100,000 128,556		60,000 171,443	160,000 299,999	7% 8%
Publications/Legal Notices	27,000	11,000		16,000	27,000	0%
Taxes/Assessments	23,025	23,025		0	23,025	0%
Project Management, Services & Supplies Subtotal	7,774,853	2,082,124	150,000	4,320,003	6,552,127	-16%
Contracted Services	1,111,000	2,002,121	,	1,0=0,000	2,002,121	
Maintenance of San Joaquin County Facilities	87,000	99,499		0	99,499	14%
Maintenance & Improvements System Wide ACE Stations	54,900	0		54,900	54,900	0%
Maintenance of Headquarters Structures/Grounds	184,055	39,187		130,532	169,719	-8%
ACE Operations & Maintenance	8,301,828	0	-	8,509,374	8,509,374	3%
Contracted Services *	-		1,975,000		1,975,000	100%
Positive Train Control	276,000	0		325,000	325,000	18%
Consumables/Repair Parts	1,208,800	0		1,300,000	1,300,000	8%
Operating Leases	110,000	31,800		72,178	103,978	-5%
Fuel	1,794,223			1,515,145	1,515,145	-16%
Railroad Maintenance, Oversight/Dispatching	2,289,510	100.070		1,958,540	1,958,540	-14%
Insurance	3,214,007	199,676		4,087,507	4,287,183	33%
Insurance Management Fees	150,000 395,729	22,500		127,500	150,000	0%
Security Services/Safety Programs FRA/FTA Drug Testing Program	7,100	44,131		361,416 7,100	405,547 7,100	2% 0%
Community Engagement & Marketing	389,900	33,500		542,142	575,642	48%
Special Trains	163,985	55,500		165,000	165,000	1%
Passenger Services	16,078			14,500	14,500	-10%
Ticketing Services	885,932			582,517	582,517	-34%
Professional Services Operations	509,621	42,269		273,103	315,372	-38%
Communications Operations	193,071	,		112,900	112,900	-42%
Communications WiFi	303,406			185,280	185,280	-39%
Emergency Ride Home/Emergency Bus Bridges	42,330			34,000	34,000	-20%
Rail Maintenance Facility	1,144,101			1,123,380	1,123,380	-2%
Contracted Services - Sub-Total	21,721,576	512,562	1,975,000	21,482,014	23,969,576	10%
Shuttle Services	1,354,855			1,320,502	1,320,502	-3%
Total Operating Expenses	30,851,284	2,594,686	2,125,000	27,122,519	31,842,205	3%

<sup>\*</sup> ACE's third Party Operating Vendor will use existing staff to work with Caltrans and Siemens and test the new state owned rolling stock equipment being stored at the ACE Rail Maintenance Facility site.

## Fiscal Year 2021/2022 SJJPA Draft Operating Budget

	PRIOR YEAR SJJPA OPERATING BUDGET	2021/2022 SJJPA OPERATNG BUDGET	% Change From Prior Year to Current Year
Operating Revenue	_		
	65.962.706	66 656 244	
State Intercity Rail Funds  Total Operating Revenue	65,862,796 <b>65,862,796</b>	66,656,314 66,656,314	
Total Operating Revenue	05,002,790	00,030,314	1 /0
Administrative Expenses			
Salaries/Benefits/Contract Help	2,361,112	2,393,496	1%
Office Expenses/Postage	24,517	18,149	-26%
Subscriptions/Periodicals/Memberships	5,000	5,000	0%
Office Equipment Leases / Supplies / Maintenance / Furniture	-	21,140	100%
Computer Systems	5,000	5,000	0%
Communications	28,977	29,962	3%
Motor Pool	29,779	30,791	3%
Transportation/Travel	40,000	10,000	-75%
Training	7,605	4,850	-36%
Audits/Regulatory Reporting	17,000	21,000	24%
Professional Services Legislative	34,486	55,990	62%
Professional Services Legal	75,000	80,000	7%
Professional Services General	281,015	283,815	1%
Professional Services Grants	67,000	67,000	0%
Publications/Legal Notices	10,000	10,000	0%
Professional Services Operations	20,000	20,680	3%
Communications Operations	11,016	11,391	3%
Maintenance of Headquarters Structures/Grounds	109,623	111,424	2%
Insurance	93,850	122,693	31%
Insurance Management Fees	2,500	2,500	0%
Security Services/Safety Programs	24,109	53,126	100%
Administrative Expenses Subtotal	3,247,589	3,358,007	3%
Marketing Expenses			
Community Engagement & Marketing *	1,540,000	1,500,000	-3%
New Service Advertising	670,000	785,000	17%
Market Anlaysis	200,000	208,100	4%
Marketing Expenses Sub-Total	2,410,000	2,493,100	3%
Contract Expense			
San Joaquin Intercity Rail Operations (All Contracts)	60,205,207	60,805,207	1%
Contract Expense Subtotal	60,205,207	60,805,207	1%
Shuttle Services	-	-	
Total Operating Expenses	65,862,796	66,656,314	1%

#### SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of May 7, 2021

#### STAFF REPORT

Item 5 ACTION

Approve a Resolution of Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Pacific Gas and Electric (PG&E) for Electric Relocation and Rearrangement Services for the Cabral Station Track Extension Phase 2 Project for an Amount Not-to-Exceed \$663,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

#### Background:

During the final engineering of the Cabral Station Track Extension Phase 2, a conflict with existing PG&E utilities at the Harding Way Bridge location was identified. The construction of the Harding Way bridge and retaining wall adjacent to the trackwork requires extensive shoring and deep pile work. The equipment needed to construct this work is very tall and requires clear working space in order to move and perform the work. Due to the PG&E overhead electric lines above this area, there is a risk that the construction equipment could contact the power lines. Therefore, the power poles and lines must be relocated to create a safe working zone.

As the owner of the utility, PG&E requires that their forces perform the work. No other company is allowed to complete this work for PG&E and therefore PG&E is the only contractor who can complete the installation. Subsequently PG&E prepared design engineering to relocate the needed infrastructure and maintain the existing power supply. PG&E must complete the necessary work in advance of the Cabral Station Track Extension construction to avoid construction impacts to the project.

PG&E has prepared a cost estimate for the work required. The price provided by PG&E includes all engineering and administrative costs, necessary labor, equipment, materials, inspection fees, permits, land rights, and related facilities required to perform the work.

#### Fiscal Impact:

The funding sources being utilized are state Proposition 1A funds, Federal Transit Administration funds, and local Measure K funds. Expenditures occurring in Fiscal Year 2020/2021 are identified in the Fiscal Year 2020/2021 Capital Budget. This is a multi-year agreement and future year's costs will be brought before the Board for consideration as part of the annual Budget approval process. The Executive Director shall have authority to amend this agreement on behalf of the SJRRC within their designated spending authority.

#### Recommendation:

Approve a Resolution of Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Pacific Gas and Electric (PG&E) for Electric Relocation and Rearrangement Services for the Cabral Station Track Extension Phase 2 Project for an Amount Not-to-Exceed \$663,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project.

#### SJRRC RESOLUTION 20/21-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING AN AGREEMENT WITH PACIFIC GAS AND ELECTRIC (PG&E) FOR ELECTRIC RELOCATION AND REARRANGEMENT SERVICES FOR THE CABRAL STATION TRACK EXTENSION PHASE 2 PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$663,000 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE PROJECT

WHEREAS, During the final engineering of the Cabral Station Track Extension Phase 2, a conflict with existing PG&E utilities at the Harding Way Bridge location was identified; and

WHEREAS, Due to the PG&E overhead electric lines above this area, there is a risk that the construction equipment could contact the power lines. Therefore, the power poles and lines must be relocated to create a safe working zone; and

WHEREAS, PG&E requires that their forces perform the work. No other company is allowed to complete this work for PG&E and therefore PG&E is the only contractor who can complete the installation; and

WHEREAS, PG&E prepared design engineering to relocate the needed infrastructure and maintain the existing power supply which must be complete in advance of the Cabral Station Track Extension construction to avoid construction impacts to the project; and

WHEREAS, PG&E will provide all work required including but not limited to all engineering and administrative costs, necessary labor, equipment, materials, inspection fees, permits, land rights, and related facilities required to perform the work; and

WHEREAS, SJRRC and PG&E have agreed upon terms and desire to enter into an agreement for these services for Electric Relocation and Rearrangement Services; and; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Approves an Agreement with Pacific Gas and Electric (PG&E) for Electric Relocation and Rearrangement Services for the Cabral Station Track Extension Phase 2 Project for an Amount Not-to-Exceed \$663,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

PASSED AND ADOPTED, by the Board of Commissioners on this 7<sup>th</sup> day of May 2021, by the following vote:

AYES: NOES: ABSTAIN: ABSENT:	
ATTEST:	SAN JOAQUIN REGIONAL RAIL COMMISSION
STACEY MORTENSEN, Secretary	CHRISTINA FUGAZI, Chair

#### SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of May 7, 2021

#### STAFF REPORT

Item 6 ACTION

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Paragon Partner, Inc. (Paragon) for Right of Way Services for the Capital Projects Program for an Amount Not-to-Exceed \$320,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

# **Background:**

In 2019 the Rail Commission established a pre-qualified On-Call Consultant List for a period of five (5) years for the twenty-nine (29) projects identified under RFQ 19-C668 for the SJRRC Capital Projects Program. The Pre-Qualified On-Call Consultant list that was approved for Right of Way Services is as follows:

Rankings	Right of Way Services
1.	Paragon Partners Ltd.
2.	Property Specialists, Inc. (dba DPSI)
3.	Overland, Pacific & Cutler, LLC.

In Spring 2021, SJRRC staff determined that Right of Way services are needed to assist SJRRC in acquiring parcels and easements necessary for the construction of five (5) stations associated with the Valley Rail Program. These stations include Natomas/Sacramento Airport, Lodi, Manteca, Ceres, and the Madera Station Relocation.

Four (4) of these stations, Natomas/Sacramento Airport, Lodi, Manteca, and Ceres will be shared stations between ACE ant the San Joaquins and require approval by the SJRRC Board. The Madera Station Relocation will be approved by the SJJPA Governing Board due to it not being a shared station for both ACE and the San Joaquins.

# **Consultant Selections:**

Using the rankings for the established On-Call Consultant List (Short List), SJRRC staff provided scope and project information for each of the five station locations listed above to Paragon Partners Ltd. (Paragon). Paragon was given a timeline to respond with their scope and cost proposal.

Paragon submitted the required submittals on time and SJRRC's Contracts and Procurement Department deemed the proposal received responsive in meeting the original RFQ/RFP requirements. A selection panel was formed to review the proposal to confirm that Paragon's proposal was agreeable in terms of scope and cost.

SJRRC staff and Paragon met once via teleconference to establish a precise scope of work, schedule, and cost. Both parties agreed to terms and the panel determined there was no need to continue with the Short List rankings.

# Fiscal Impact:

The funding sources being utilized are State funding from the \$500 million Transit and Intercity Rail Capital Program (TIRCP) award for the Valley Rail Program and the \$400 million allocation from SB 132. Expenditures occurring in Fiscal Year 2020/2021 are identified in the Fiscal Year 2020/2021 Capital Budget. This is a multi-year agreement and future year's costs will be brought before the Board for consideration as part of the annual Budget approval process. The Executive Director shall have authority to amend this agreement on behalf of the SJRRC within their designated spending authority.

# Recommendation:

Approve a Resolution of Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with Paragon Partner, Inc. (Paragon) for Right of Way Services for the Capital Projects Program for an Amount Not-to-Exceed \$320,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Agreement.

#### SJRRC RESOLUTION 20/21-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING AN AGREEMENT WITH PARAGON PARTNER, INC. (PARAGON) FOR RIGHT OF WAY SERVICES FOR THE CAPITAL PROJECTS PROGRAM FOR AN AMOUNT NOT-TO-EXCEED \$320,000 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE PROJECT

WHEREAS, SJRRC secured funding from multiple sources including SB 1, SB 132, TIRCP, Federal, and local funds for the Capital Projects Program; and

WHEREAS, on July 27, 2018 SJRRC was authorized to act on behalf of the SJJPA in the development of the joint train layover and station locations between the Cities of Stockton and Natomas using TIRCP funds; and

WHEREAS, on May 3, 2019, the SJRRC Board established a Pre-Qualified On-Call Consultant List for Right of Way Services for the Capital Projects Program; and

WHEREAS, in Spring 2021, SJRRC staff determined that Right of Way services are needed to assist SJRRC in acquiring parcels and easements necessary for the construction of five (5) stations associated with the Valley Rail Program; and

WHEREAS, Using the rankings from the established On-Call Consultant List, SJRRC staff provided scope and project information to Paragon Partners Ltd. (Paragon); and

WHEREAS, the proposals received were reviewed for completeness and responsiveness and evaluated as part of the procurement process; and

WHEREAS, SJRRC and Paragon came to agreement on the terms and price for the projects identified; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Approve an Agreement with Paragon Partner, Inc. (Paragon) for Right of Way Services for the Capital Projects Program for an Amount Not-to-Exceed \$320,000 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

PASSED AND ADOPTED, by the Board of Commissioners on this 7<sup>th</sup> day of May 2021, by the following vote:

AYES: NOES: ABSTAIN: ABSENT:	
ATTEST:	SAN JOAQUIN REGIONAL RAIL COMMISSION
STACEY MORTENSEN, Secretary	CHRISTINA FUGAZI, Chair

# SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of May 7, 2021

#### STAFF REPORT

Item 7 ACTION

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Amendment 02 to the Agreement with O'Dell Engineering for the Ripon Station Platform Project to Increase the Total Compensation by an Amount of \$542,012 with the Total Contract Amount Not-To-Exceed \$3,635,880 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project

#### Background:

In May 2019, the SJRRC Board authorized the Executive Director to negotiate and enter into contract with O'Dell Engineering (O'Dell) to prepare the final design Project Specifications & Estimates (PS&E) for the Ripon Station Platform Project. The final design estimate and contract was based on the Ripon Station Platform identified in the ACE Extension to Lathrop and Ceres Environmental Impact Report. Subsequently, in January 2021 the SJRRC Board approved Amendment 01 to the contract with O'Dell to include the design cost for one mile of new double track section that ties into the Ripon Station Platform and the separate future Stanislaus River Bridge project.

Including the Ripon Station Platform, the Valley Rail Program includes fourteen (14) new stations for ACE and the San Joaquins to provide greater transit connectivity between the Sacramento region, the San Joaquin Valley, and the San Francisco Bay Area. Each station while unique will share many design attributes, features, and fixtures. Through discussions between SJRRC staff, SJRRC's program manager Pennino Management Group, SJRRC's design consultant AECOM Technical Services, and O'Dell and their subconsultant VIA Architecture (VIA), a series of guiding principles have been developed regarding the design of the stations:

- Customer-first approach: A core objective for the Valley Rail Program is to increase passenger rail ridership and provide consistency of customer experience in terms of station approach, access and function resulting in a convenient and comfortable experience.
- Serve Local Community: by providing equal access to the facilities and services for all
  customers inclusive of those with disabilities, supporting all cultural, racial, and
  minority communities. Design stations with an understanding of their unique context
  and integrating them into their communities to enhance their local identity.

- Efficiency of Maintenance: achieved by designing capital investments that minimize
  maintenance effort and expense, operating expense, overall life-cycle costs, energy
  consumption, water consumption, integrated with existing local facilities, both public
  and private, including maximizing the utility and visual aesthetics of the project
  elements.
- Cost savings through standards: identify station elements across the ACE and San Joaquin services that can be standardized using a "kit-of-parts" approach, resulting in system-wide cost savings.
- Cost savings through clear direction for Design Teams: By establishing the intentions and desired outcomes of the design of the station and system elements, the design teams for all stations will have access to consistent information in an accessible and timely manner.

SJRRC staff have requested that O'Dell and VIA develop Design Guidelines and Criteria to support the station specific Design Teams working on the various new Valley Rail stations. These guidelines and criteria will be developed such that they can easily be used in the future to address renovations to SJRRC's existing stations. SJRRC and O'Dell negotiated a scope and fee that is acceptable to both parties. The Design Guidelines and Criteria will be developed with input and guidance from the SJRRC Station/Facilities Development Committee, with the goal of work being completed by January 2022. An agreement with AECOM Technical Services to address their portion of the work on the Design Guidelines and Criteria related to station structures and railroad infrastructure will be brought forward at a future Board meeting.

#### Fiscal Impact:

The funding source being utilized is State funding from the \$400 million allocation from SB 132. Funding for work in the following fiscal year will be incorporated into the 2021/2022 Capital Budget. Expenditures occurring in Fiscal Year 2020/2021 are identified in the Fiscal Year 2020/2021 Capital Budget. This is a multi-year agreement and future year's costs will be brought before the Board for consideration as part of the annual Budget approval process. The Executive Director shall have authority to amend this agreement on behalf of the SJRRC within their designated spending authority.

#### Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving Amendment 02 to the Agreement with O'Dell Engineering for the Ripon Station, Platform Project to Increase the Total Compensation by an Amount of \$542,012 with the Total Contract Amount Not-To-Exceed \$3,635,880 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project.

#### **RESOLUTION SJRRC-R-20/21-**

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING AMENDMENT 02 TO THE AGREEMENT WITH O'DELL ENGINEERING FOR THE RIPON STATION PLATFORM PROJECT TO INCREASE THE TOTAL COMPENSATION BY AN AMOUNT OF \$542,012 WITH THE TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$3,635,880 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ANY AND ALL DOCUMENTS RELATED TO THE PROJECT

WHEREAS, SJRRC secured funding from multiple sources including SB 1, SB 132, TIRCP, Federal, and local funds for the Capital Projects Program; and

WHEREAS, SJRRC and SJJPA are building the Valley Rail Program that will construct new ACE and San Joaquin's passenger rail stations; and

WHEREAS, on June 1, 2019 SJRRC and O'Dell Engineering entered into an agreement for the Ripon Station Platform Project; and

WHEREAS, SJRRC staff have requested that O'Dell Engineering and their subconsultant VIA Architecture prepare Design Guidelines and Criteria for the Valley Rail Program; and

WHEREAS, this contract amendment for the increased project scope related to the Ripon Station Platform Project requires a compensation increase of \$542,012 for a new amount not-to-exceed \$3,635,880;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission Approve Amendment 02 to the Agreement with O'Dell Engineering for the Ripon Station Platform Project to Increase the Total Compensation by an Amount of \$542,012 with the Total Contract Amount Not-To-Exceed \$3,635,880 and Authorizing the Executive Director to Execute Any and All Documents Related to the Project.

PASSED AND ADOPTED, by the Board of Commissioners this 7<sup>th</sup> day of May 2021, by the following vote:

AYES: NOES: ABSENT: ABSTAIN:	
ATTEST:	SAN JOAQUIN REGIONAL RAIL COMMISSION
STACEY MORTENSEN, Secretary	CHRISTINA FUGAZI, Chair

# SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of May 7, 2021

#### STAFF REPORT

Item 8 ACTION

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Appointing a Committee Chairperson and Vice-Chairperson to the Station/Facilities Development Committee

# Background:

The SJRRC Ordinance creating the Station/Facilities Development Committee states that the Chair and Vice Chair of the Committee shall be appointed by the Rail Commission from the two Regular Voting Commissioners that serve on the Committee.

Vice Chair Zuber and Commissioner Hothi serve on the Stations/Facilities Committee.

# Fiscal Impact:

There is no fiscal impact.

# Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Appointing a Committee Chairperson and Vice-Chairperson to the Station/Facilities Development Committee.

#### **RESOLUTION SJRRC-R-20/21-**

# RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPOINTING A COMMITTEE CHAIRPERSON AND VICE-CHAIRPERSON TO THE STATION/FACILITIES DEVELOPMENT COMMITTEE

WHEREAS, at the October 4<sup>th</sup>, 2019 Rail Commission Board Meeting, Ordinance No. 2019-01 was adopted which established the Station and Facilities Development Committee of the San Joaquin Regional Rail Commission; and

WHEREAS, the Committee has certain decision-making authorities delegated to it by the Rail Commission under an annual, Rail Commission approved scope and budget identified for the Valley Rail Expansion in Stanislaus, San Joaquin and Sacramento Counties; and

WHEREAS, the committee is made up of four (4) members including one from Stanislaus County region, one from Sacramento County region and two Rail Commissioners from the areas of San Joaquin County affected by the expansion; and

WHEREAS, the Ordinance states that the Chairperson and Vice-Chairperson are to be appointed by the Rail Commission from the two Rail Commissioners on the Committee;

t the Board of Commissioners of the San Joaquin
Vice-Chairperson
Commissioners this 7 <sup>th</sup> day of May 2021, by the
SAN JOAQUIN REGIONAL RAIL COMMISSION

CHRISTINA FUGAZI, Chair

STACEY MORTENSEN, Secretary

#### SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of May 7, 2021

# STAFF REPORT

Item 9 INFORMATION

# Refunding 2010 Series A-2 Bonds

On Tuesday April 13th, the San Joaquin Regional Rail Commission issued \$22.2 million of Certificates of Participation (COPs) to refund the Commission's outstanding Series 2010 COPs to achieve debt service savings. The public offering was well received, with 11 different investors placing orders for the Commission's COPs. The strong investor demand together with prevailing low rates and a stable municipal bond market provided very good results for the Commission. The Commission's Series COPs have a 20-year final maturity and received an all-in interest rate of 2.22%. This lowered the Commission's borrowing cost and resulted in \$6.7 million of total debt service savings through 2040, or \$5.4 million on a present value basis. This equates to \$350,000 of annual debt service savings.

Commission staff worked with the financing team prior to and through the COVID-19 pandemic to prepare this public offering. Commission staff met with Moody's rating agency in March to present our current financial status and our management plan. This resulted in Moody's confirming the Commission's "A2" rating on the COPs, which was a success given the current challenges presented by COVID-19. While the pandemic required the Commission to be patient with the refunding through 2020, that patience paid off with a low interest rate environment, a low borrowing cost and \$6.7 million of reduced interest cost through 2040. The Series 2021 COPs closed on April 28th and the prior, Series 2010 COPs will be called and redeemed on May 1st. The Commission's Series 2021 COPs represent the Agency's only outstanding long-term indebtedness.

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# SOURCES AND USES OF FUNDS

San Joaquin Regional Rail Commission Refunding Certificates of Participation (ACE Maintenance Facility Project) Pursuant to the Lease Agreement with California Transit Finance Corporation FINAL - VERIFIED

#### Sources:

Par Amount	22,255,000.00
Premium	5,056,046.55
	27,311,046.55
Other Sources of Funds:	
Prior Reserve Fund Release	1,736,289.00
May 1, 2021 Principal on Hand	920,000.00
May 1, 2021 Interest on Hand	615,934.12
May 1, 2021 Subsidy on Hand	441,059.76
	3,713,282.88
	31,024,329.43
Refunding Escrow Deposits:	
Cash Deposit	28,941,993.88
Cash Deposit Other Fund Deposits:	28,941,993.88
Cash Deposit	, ,
Cash Deposit  Other Fund Deposits: Debt Service Reserve Fund  Delivery Date Expenses:	, ,
Cash Deposit  Other Fund Deposits:     Debt Service Reserve Fund  Delivery Date Expenses:     Cost of Issuance	28,941,993.88 1,775,163.75 197,425.00
Cash Deposit  Other Fund Deposits: Debt Service Reserve Fund  Delivery Date Expenses:	1,775,163.7: 197,425.00 107,614.70
Cash Deposit  Other Fund Deposits:     Debt Service Reserve Fund  Delivery Date Expenses:     Cost of Issuance	1,775,163.7: 197,425.00
Cash Deposit  Other Fund Deposits:     Debt Service Reserve Fund  Delivery Date Expenses:     Cost of Issuance	1,775,163.7: 197,425.00 107,614.70
Cash Deposit  Other Fund Deposits:     Debt Service Reserve Fund  Delivery Date Expenses:     Cost of Issuance     Underwriter's Discount	1,775,163.7: 197,425.00 107,614.70

# SUMMARY OF REFUNDING RESULTS

Dated Date Delivery Date Arbitrage yield Escrow yield Value of Negative Arbitrage	04/28/2021 04/28/2021 1.552382% 0.000000%
Bond Par Amount True Interest Cost Net Interest Cost All-In TIC Average Coupon Average Life	22,255,000.00 2.141168% 2.436203% 2.221015% 4.399434% 11.326
Par amount of refunded bonds Average coupon of refunded bonds Average life of refunded bonds  PV of prior debt to 04/28/2021 @ 1.552382% Net PV Savings	27,885,000.00 7.558349% 10.855 36,088,151.93 5,428,536.07
Percentage savings of refunded bonds Percentage savings of refunding bonds	19.467585% 24.392433%

# SAVINGS

#### San Joaquin Regional Rail Commission Refunding Certificates of Participation (ACE Maintenance Facility Project) Pursuant to the Lease Agreement with California Transit Finance Corporation FINAL - VERIFIED

Date	Prior Debt Service	Prior Receipts	Prior Net Cash Flow	Refunding Debt Service	Savings	Present Value to 04/28/2021 @ 1.5523821%
06/30/2021	1,528,458.53	1,535,934.12	-7,475.59		-7,475.59	-7,474.63
06/30/2022	2,131,439.88		2,131,439.88	1,775,163.75	356,276.13	351,290.27
06/30/2023	2,129,422.80		2,129,422.80	1,774,400.00	355,022.80	344,730.87
06/30/2024	2,130,645.86		2,130,645.86	1,774,900.00	355,745.86	340,115.35
06/30/2025	2,124,889.06		2,124,889.06	1,768,400.00	356,489.06	335,579.30
06/30/2026	2,127,372.38		2,127,372.38	1,770,150.00	357,222.38	331,093.21
06/30/2027	2,122,655.84		2,122,655.84	1,764,650.00	358,005.84	326,711.64
06/30/2028	2,120,959.44		2,120,959.44	1,762,150.00	358,809.44	322,404.72
06/30/2029	2,117,063.22		2,117,063.22	1,762,400.00	354,663.22	313,779.95
06/30/2030	2,115,967.12		2,115,967.12	1,760,150.00	355,817.12	309,955.88
06/30/2031	2,112,451.20		2,112,451.20	1,755,400.00	357,051.20	306,244.24
06/30/2032	2,112,336.66		2,112,336.66	1,753,150.00	359,186.66	303,336.76
06/30/2033	2,109,617.86		2,109,617.86	1,753,150.00	356,467.86	296,415.28
06/30/2034	2,104,294.82		2,104,294.82	1,745,150.00	359,144.82	294,048.61
06/30/2035	2,101,367.54		2,101,367.54	1,744,400.00	356,967.54	287,776.43
06/30/2036	2,100,619.02		2,100,619.02	1,744,200.00	356,419.02	282,877.77
06/30/2037	2,096,832.20		2,096,832.20	1,741,800.00	355,032.20	277,404.67
06/30/2038	2,090,007.10		2,090,007.10	1,732,200.00	357,807.10	275,229.68
06/30/2039	2,090,143.72		2,090,143.72	1,730,600.00	359,543.72	272,267.15
06/30/2040	2,086,808.02		2,086,808.02	1,731,600.00	355,208.02	264,801.82
	41,653,352.27	1,535,934.12	40,117,418.15	33,344,013.75	6,773,404.40	5,828,588.98

# Savings Summary

PV of savings from cash flow	5,828,588.98
Less: Prior funds on hand	-2,177,348.76
Plus: Refunding funds on hand	1,777,295.85
Net PV Savings	5,428,536.07

# BOND SUMMARY STATISTICS

Dated Date	04/28/2021
Delivery Date	04/28/2021
Last Maturity	05/01/2040
Arbitrage Yield	1.552382%
True Interest Cost (TIC)	2.141168%
Net Interest Cost (NIC)	2.436203%
All-In TIC	2.221015%
Average Coupon	4.399434%
Average Life (years)	11.326
Duration of Issue (years)	9.234
Par Amount	22,255,000.00
Bond Proceeds	27,311,046.55
Total Interest	11,089,013.75
Net Interest	6,140,581.90
Total Debt Service	33,344,013.75
Maximum Annual Debt Service	1,775,163.75
Average Annual Debt Service	1,754,178.72
Underwriter's Fees (per \$1000)	
Average Takedown	3,250000
Other Fee	1.585529
Total Underwriter's Discount	4.835529
Bid Price	122.235146

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Refunding Certificates of Participation	22,255,000.00	122.719	4.399%	11.326	19,326.70
	22,255,000.00			11.326	19,326.70
	TIC		All-In TIC		itrage Yield
Par Value + Accrued Interest	22,255,000.00	22,2	255,000.00	22,255,0	00.00
<ul><li>+ Premium (Discount)</li><li>- Underwriter's Discount</li><li>- Cost of Issuance Expense</li><li>- Other Amounts</li></ul>	5,056,046.55 -107,614.70	-1	056,046.55 107,614.70 197,425.00	5,056,0	46.55
Target Value	27,203,431.85	27,0	006,006.85	27,311,0	46.55
Target Date Yield	04/28/2021 2.141168%		04/28/2021 2.221015%	04/28 1.552	/2021 382%

# BOND PRICING

Bond Component	Maturity Date	CUSIP	Amount	Rate	Yield	Price	Yield to Maturity
Refunding Certificate	s of Participation	:					
	05/01/2022	79811TAN9	745,000	5.000%	0.170%	104.863	
	05/01/2023	79811TAP4	790,000	5.000%	0.250%	109.509	
	05/01/2024	79811TAQ2	830,000	5.000%	0.370%	113.838	
	05/01/2025	79811TAR0	865,000	5.000%	0.510%	117.792	
	05/01/2026	79811TAS8	910,000	5.000%	0.680%	121.236	
	05/01/2027	79811TAT6	950,000	5.000%	0.840%	124.324	
	05/01/2028	79811TAU3	995,000	5.000%	1.010%	126.930	
	05/01/2029	79811TAV1	1,045,000	5.000%	1.180%	129.108	
	05/01/2030	79811TAW9	1,095,000	5.000%	1.320%	131.158	
	05/01/2031	79811TAX7	1,145,000	5.000%	1.440%	133.070	
	05/01/2032	79811TAY5	1,200,000	5.000%	1.510%	132.304 C	1.759%
	05/01/2033	79811TAZ2	1,260,000	5.000%	1.560%	131.761 C	2.010%
	05/01/2034	79811TBA6	1,315,000	5.000%	1.600%	131.328 C	2.215%
	05/01/2035	79811TBB4	1,380,000	4.000%	1.770%	120.371 C	2.292%
	05/01/2036	79811TBC2	1,435,000	4.000%	1.810%	119.965 C	2.407%
	05/01/2037	79811TBD0	1,490,000	4.000%	1.850%	119.560 C	2.509%
	05/01/2038	79811TBE8	1,540,000	4.000%	1.890%	119.158 C	2.599%
	05/01/2039	79811TBF5	1,600,000	4.000%	1.930%	118.757 C	2.680%
	05/01/2040	79811TBG3	1,665,000	4.000%	1.970%	118.357 C	2.753%
			22,255,000				
	Dated D	ate	0-	4/28/2021			
	Delivery	Date	04	1/28/2021			
	First Co		1	1/01/2021			
	Par Amo	ount	22,2	55,000.00			
	Premium	1	5,0	56,046.55			
	Producti	on	27,3	11,046.55	122.718699%		
	Underwi	riter's Discount	-10	07,614.70	-0.483553%		
	Purchase Accrued		27,20	03,431.85	122.235146%		
	Net Proc	eeds	27,20	03,431.85			

# BOND DEBT SERVICE

Period Ending	Principal	Interest	Debt Service
06/30/2022	745,000	1,030,163.75	1,775,163.75
06/30/2023	790,000	984,400.00	1,774,400.00
06/30/2024	830,000	944,900.00	1,774,900.00
06/30/2025	865,000	903,400.00	1,768,400.00
06/30/2026	910,000	860,150.00	1,770,150.00
06/30/2027	950,000	814,650.00	1,764,650.00
06/30/2028	995,000	767,150.00	1,762,150.00
06/30/2029	1,045,000	717,400.00	1,762,400.00
06/30/2030	1,095,000	665,150.00	1,760,150.00
06/30/2031	1,145,000	610,400.00	1,755,400.00
06/30/2032	1,200,000	553,150.00	1,753,150.00
06/30/2033	1,260,000	493,150.00	1,753,150.00
06/30/2034	1,315,000	430,150.00	1,745,150.00
06/30/2035	1,380,000	364,400.00	1,744,400.00
06/30/2036	1,435,000	309,200.00	1,744,200.00
06/30/2037	1,490,000	251,800.00	1,741,800.00
06/30/2038	1,540,000	192,200.00	1,732,200.00
06/30/2039	1,600,000	130,600.00	1,730,600.00
06/30/2040	1,665,000	66,600.00	1,731,600.00
	22,255,000	11,089,013.75	33,344,013.75

# BOND DEBT SERVICE

Period Ending	Principal	Interest	Debt Service	Annual Debt Service
12/30/2021		519,338.75	519,338.75	
06/30/2022	745,000	510,825.00	1,255,825.00	1,775,163.75
12/30/2022	, ,,,,,,	492,200.00	492,200.00	-,,,,-,-,-,-,
06/30/2023	790,000	492,200.00	1,282,200.00	1,774,400.00
12/30/2023	,	472,450.00	472,450.00	-,,,,,,,,,,,
06/30/2024	830,000	472,450.00	1,302,450.00	1,774,900.00
12/30/2024		451,700.00	451,700.00	-,,,,,,,,,,,,,,,
06/30/2025	865,000	451,700.00	1,316,700.00	1,768,400.00
12/30/2025	000,000	430,075.00	430,075.00	1,700,100.00
06/30/2026	910,000	430,075.00	1,340,075.00	1,770,150.00
12/30/2026	,10,000	407,325.00	407,325.00	1,7,70,120.00
06/30/2027	950,000	407,325.00	1,357,325.00	1,764,650.00
12/30/2027	,,,,,,,,,	383,575.00	383,575.00	1,701,000.00
06/30/2028	995,000	383,575.00	1,378,575.00	1,762,150.00
12/30/2028	,,,,,,,,,,	358,700.00	358,700.00	1,702,130.00
06/30/2029	1,045,000	358,700.00	1,403,700.00	1,762,400.00
12/30/2029	1,012,000	332,575.00	332,575.00	1,702,100.00
06/30/2030	1,095,000	332,575.00	1,427,575.00	1,760,150.00
12/30/2030	1,055,000	305,200.00	305,200.00	1,700,120.00
06/30/2031	1,145,000	305,200.00	1,450,200.00	1,755,400.00
12/30/2031	1,115,000	276,575.00	276,575.00	1,755,100.00
06/30/2032	1,200,000	276,575.00	1,476,575.00	1,753,150.00
12/30/2032	1,200,000	246,575.00	246,575.00	1,755,150.00
06/30/2033	1,260,000	246,575.00	1,506,575.00	1,753,150.00
12/30/2033	1,200,000	215,075.00	215,075.00	1,723,130.00
06/30/2034	1,315,000	215,075.00	1,530,075.00	1,745,150.00
12/30/2034	1,515,000	182,200.00	182,200.00	1,7 15,150.00
06/30/2035	1,380,000	182,200.00	1,562,200.00	1,744,400.00
12/30/2035	1,500,000	154,600.00	154,600.00	1,7 11,100.00
06/30/2036	1,435,000	154,600.00	1,589,600.00	1,744,200.00
12/30/2036	1,155,000	125,900.00	125,900.00	1,7 11,200.00
06/30/2037	1,490,000	125,900.00	1,615,900.00	1,741,800.00
12/30/2037	1,170,000	96,100.00	96,100.00	1,7 11,000.00
06/30/2037	1,540,000	96,100.00	1,636,100.00	1,732,200.00
12/30/2038	1,540,000	65,300.00	65,300.00	1,732,200.00
06/30/2039	1,600,000	65,300.00	1,665,300.00	1,730,600.00
12/30/2039	1,000,000	33,300.00	33,300.00	1,750,000.00
06/30/2040	1,665,000	33,300.00	1,698,300.00	1,731,600.00
	1,005,000	33,300.00	1,070,300.00	1,751,000.00
	22,255,000	11,089,013.75	33,344,013.75	33,344,013.75

# SUMMARY OF BONDS REFUNDED

	Maturity	Interest	Par	Call	Call
Bond	Date	Rate	Amount	Date	Price
Series 2010A-2 RZEDBs:					
2030 Term Bond	05/01/2030	7.643%	920,000.00		
	05/01/2030	7.643%	10,205,000.00	05/01/2021	100.000
2040 Term Bond	05/01/2040	7.540%	16,760,000.00	05/01/2021	100.000
			27,885,000.00		

# PRIOR BOND DEBT SERVICE

Period Ending	Principal	Interest	Debt Service	Other Cash Flow	Total
06/30/2021	920,000	1,056,993.88	1,976,993.88	-448,535.35	1,528,458.53
06/30/2022	955,000	2,043,672.16	2,998,672.16	-867,232.28	2,131,439.88
06/30/2023	995,000	1,970,681.50	2,965,681.50	-836,258.70	2,129,422.80
06/30/2024	1,040,000	1,894,633.66	2,934,633.66	-803,987.80	2,130,645.86
06/30/2025	1,080,000	1,815,146.46	2,895,146.46	-770,257.40	2,124,889.06
06/30/2026	1,130,000	1,732,602.06	2,862,602.06	-735,229.68	2,127,372.38
06/30/2027	1,175,000	1,646,236.16	2,821,236.16	-698,580.32	2,122,655.84
06/30/2028	1,225,000	1,556,430.90	2,781,430.90	-660,471.46	2,120,959.44
06/30/2029	1,275,000	1,462,804.16	2,737,804.16	-620,740.94	2,117,063.22
06/30/2030	1,330,000	1,365,355.90	2,695,355.90	-579,388.78	2,115,967.12
06/30/2031	1,385,000	1,263,704.00	2,648,704.00	-536,252.80	2,112,451.20
06/30/2032	1,445,000	1,159,275.00	2,604,275.00	-491,938.34	2,112,336.66
06/30/2033	1,505,000	1,050,322.00	2,555,322.00	-445,704.14	2,109,617.86
06/30/2034	1,565,000	936,845.00	2,501,845.00	-397,550.18	2,104,294.82
06/30/2035	1,630,000	818,844.00	2,448,844.00	-347,476.46	2,101,367.54
06/30/2036	1,700,000	695,942.00	2,395,942.00	-295,322.98	2,100,619.02
06/30/2037	1,770,000	567,762.00	2,337,762.00	-240,929.80	2,096,832.20
06/30/2038	1,840,000	434,304.00	2,274,304.00	-184,296.90	2,090,007.10
06/30/2039	1,920,000	295,568.00	2,215,568.00	-125,424.28	2,090,143.72
06/30/2040	2,000,000	150,800.00	2,150,800.00	-63,991.98	2,086,808.02
	27,885,000	23,917,922.84	51,802,922.84	-10,149,570.57	41,653,352.27

# ESCROW REQUIREMENTS

Period Ending	Principal	Interest	Principal Redeemed	Total
05/01/2021	920,000.00	1,056,993.88	26,965,000.00	28,941,993.88
	920,000.00	1,056,993.88	26,965,000.00	28,941,993.88

# ESCROW SUFFICIENCY

Date	Escrow Requirement	Net Escrow Receipts	Excess Receipts	Excess Balance
04/28/2021 05/01/2021	28,941,993.88	28,941,993.88	28,941,993.88 -28,941,993.88	28,941,993.88
	28,941,993.88	28,941,993.88	0.00	

# FORM 8038 STATISTICS

#### San Joaquin Regional Rail Commission Refunding Certificates of Participation (ACE Maintenance Facility Project) Pursuant to the Lease Agreement with California Transit Finance Corporation FINAL - VERIFIED

Dated Date 04/28/2021 Delivery Date 04/28/2021

ond Component	Date	Princip	al Coupon	Price	Issue Price	Redemption at Maturity
funding Certificates	s of Participation:					
· ·	05/01/2022	745,000.0	5.000%	104.863	781,229.35	745,000.00
	05/01/2023	790,000.0	5.000%	109.509	865,121.10	790,000.00
	05/01/2024	830,000.0	5.000%	113.838	944,855.40	830,000.00
	05/01/2025	865,000.0	5.000%	117.792	1,018,900.80	865,000.00
	05/01/2026	910,000.0	5.000%	121.236	1,103,247.60	910,000.00
	05/01/2027	950,000.0	5.000%	124.324	1,181,078.00	950,000.00
	05/01/2028	995,000.0	5.000%	126.930	1,262,953.50	995,000.00
	05/01/2029	1,045,000.0	5.000%	129.108	1,349,178.60	1,045,000.00
	05/01/2030	1,095,000.0	5.000%	131.158	1,436,180.10	1,095,000.00
	05/01/2031	1,145,000.0	5.000%	133.070	1,523,651.50	1,145,000.00
	05/01/2032	1,200,000.0	5.000%	132.304	1,587,648.00	1,200,000.00
	05/01/2033	1,260,000.0	5.000%	131.761	1,660,188.60	1,260,000.00
	05/01/2034	1,315,000.0	5.000%	131.328	1,726,963.20	1,315,000.00
	05/01/2035	1,380,000.0	00 4.000%	120.371	1,661,119.80	1,380,000.00
	05/01/2036	1,435,000.0	00 4.000%	119.965	1,721,497.75	1,435,000.00
	05/01/2037	1,490,000.0	00 4.000%	119.560	1,781,444.00	1,490,000.00
	05/01/2038	1,540,000.0	00 4.000%	119.158	1,835,033.20	1,540,000.00
	05/01/2039	1,600,000.0	00 4.000%	118.757	1,900,112.00	1,600,000.00
	05/01/2040	1,665,000.0	00 4.000%	118.357	1,970,644.05	1,665,000.00
		22,255,000.0	00		27,311,046.55	22,255,000.00
	Moturity	Intovost	Logue	State	0	
	Maturity Date	Interest Rate	Issue Price	Redemption at Maturi	C	Yield
Final Maturity	05/01/2040	4.000%	1,970,644.05	1,665,000.0	00	
Entire Issue	03/01/2010	1.00070	27,311,046.55	22,255,000.0		1.5524%

# FORM 8038 STATISTICS

#### San Joaquin Regional Rail Commission Refunding Certificates of Participation (ACE Maintenance Facility Project) Pursuant to the Lease Agreement with California Transit Finance Corporation FINAL - VERIFIED

Proceeds used for accrued interest	0.00
Proceeds used for bond issuance costs (including underwriters' discount)	305,039.70
Proceeds used for credit enhancement	0.00
Proceeds allocated to reasonably required reserve or replacement fund	1,775,163.75
Proceeds used to refund prior tax-exempt bonds	28,941,993.88
Proceeds used to refund prior taxable bonds	0.00
Remaining WAM of prior tax-exempt bonds (years)	10.8550
Remaining WAM of prior taxable bonds (years)	0.0000
Last call date of refunded tax-exempt bonds	05/01/2021

# 2011 Form 8038 Statistics

Proceeds used to currently refund prior issues	28,941,993.88
Proceeds used to advance refund prior issues	0.00
Remaining weighted average maturity of the bonds to be currently refunded	10.8550
Remaining weighted average maturity of the bonds to be advance refunded	0.0000

# FORM 8038 STATISTICS

San Joaquin Regional Rail Commission
Refunding Certificates of Participation (ACE Maintenance Facility Project)
Pursuant to the Lease Agreement with California Transit Finance Corporation
FINAL - VERIFIED

# Refunded Bonds

Component	Date	Principal	Coupon	Price	Issue Price
Series 2010A-2 RZ	EDBs:				
30T	05/01/2021	920,000.00	7.643%	100.000	920,000.00
30T	05/01/2022	955,000.00	7.643%	100.000	955,000.00
30T	05/01/2023	995,000.00	7.643%	100.000	995,000.00
30T	05/01/2024	1,040,000.00	7.643%	100.000	1,040,000.00
30T	05/01/2025	1,080,000.00	7.643%	100.000	1,080,000.00
30T	05/01/2026	1,130,000.00	7.643%	100.000	1,130,000.00
30T	05/01/2027	1,175,000.00	7.643%	100.000	1,175,000.00
30T	05/01/2028	1,225,000.00	7.643%	100.000	1,225,000.00
30T	05/01/2029	1,275,000.00	7.643%	100.000	1,275,000.00
30T	05/01/2030	1,330,000.00	7.643%	100.000	1,330,000.00
40T	05/01/2031	1,385,000.00	7.540%	100.000	1,385,000.00
40T	05/01/2032	1,445,000.00	7.540%	100.000	1,445,000.00
40T	05/01/2033	1,505,000.00	7.540%	100.000	1,505,000.00
40T	05/01/2034	1,565,000.00	7.540%	100.000	1,565,000.00
40T	05/01/2035	1,630,000.00	7.540%	100.000	1,630,000.00
40T	05/01/2036	1,700,000.00	7.540%	100.000	1,700,000.00
40T	05/01/2037	1,770,000.00	7.540%	100.000	1,770,000.00
40T	05/01/2038	1,840,000.00	7.540%	100.000	1,840,000.00
40T	05/01/2039	1,920,000.00	7.540%	100.000	1,920,000.00
40T	05/01/2040	2,000,000.00	7.540%	100.000	2,000,000.00
		27,885,000.00			27,885,000.00

	Last Call Date	Issue Date	Remaining Weighted Average Maturity
Series 2010A-2 RZEDBs	05/01/2021	11/23/2010	10.8550
All Refunded Issues	05/01/2021		10.8550

# UNDERWRITER'S DISCOUNT

Underwriter's Discount	\$/1000	Amount
Average Takedown	3.25000	72,328.75
CDIAC	0.22467	5,000.00
CUSIP	0.03105	691.00
DAC	0.01573	350.00
Day Loan	0.02778	618.19
DTC	0.03595	800.00
IPREO	0.08208	1,826.76
Out of Pocket / Contingency	0.04493	1,000.00
Underwriter's Counsel	1.12334	25,000.00
	4.83553	107,614.70

# COST OF ISSUANCE

\$/1000	Amount
1.79735	40,000.00
1.79735	40,000.00
0.26960	6,000.00
2.69602	60,000.00
1.07841	24,000.00
0.20894	4,650.00
0.04381	975.00
0.44934	10,000.00
0.08987	2,000.00
0.10335	2,300.00
0.33700	7,500.00
8.87104	197,425.00
	1.79735 1.79735 0.26960 2.69602 1.07841 0.20894 0.04381 0.44934 0.08987 0.10335 0.33700

# SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of May 7, 2021

#### STAFF REPORT

Item 10 ACTION

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission adopting a procedure for the 2020-2021 Executive Director's Performance Evaluation, adopt the evaluation forms for the 2020-2021 evaluation, and create an Ad Hoc Performance Review Process Committee of Two (2) Regular Voting Members to provide the Commission an Evaluation Summary prior to the June 2021 regular Commission meeting

# Background:

Per the Executive Director's (Director) employment contract with SJRRC, the Commissioners shall conduct an annual performance evaluation of the Director. The annual evaluation shall include review of accomplishment of objectives and goals and evaluate changing the base annual salary.

In 2020, the Commissioners established a procedure for performing the Executive Director's annual evaluation. That procedure provided that the process should start in February of each year. However, the procedure was inadvertently calendared to begin in April. Staff notified legal counsel and the Chair of the error and updated the calendar notification. To get the 2020-2021 Executive Director Performance Evaluation on schedule, legal counsel drafted a revised procedure for the 2020-2021 executive director's performance evaluation in coordination with the Chair (see attached). The revised schedule allows the Commissioners to approve the use of the evaluation form used last year at the May 6, 2021 board meeting and streamline the process to allow the Executive Director's performance evaluation to be on schedule at the June meeting.

#### Fiscal Impact:

There is no fiscal impact.

#### Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission adopting a procedure for the 2020-2021 Executive Director's Performance Evaluation, adopt the evaluation forms for the 2020-2021 evaluation, and create an Ad Hoc Performance Review Process Committee of Two (2) Regular Voting Members to provide the Commission an Evaluation Summary prior to the June 2021 regular Commission meeting.

# Executive Director Performance Evaluation Schedule For Only The 2020-2021 Evaluation Year

- At the May 7, 2021, SJRRC regular meeting, the Regular Voting Commissioners shall a) approve
  the performance evaluation forms ("evaluation form" and "self-evaluation form") for the 20202021 to be used for the executive director's performance evaluation, and b) appoint two (2)
  Regular Voting Commissioners to the Ad Hoc Performance Review Committee.
- 2. The approved 2020-2021 self-evaluation form will be provided to the Executive Director by legal counsel immediately after the May 7, 2021, SJRRC regular meeting. The Executive Director will also be provided a copy of her 2019-2020 self-evaluation. The Executive Director shall return the completed self-evaluation form to legal counsel by May 12, 2021.
- Legal counsel will provide each Regular and Special Voting Commissioner the approved 2020/2021 evaluation form on or before May 13, 2021. Each Commissioner will also be provided a copy of the 2019-2020 evaluation form if they filled one out, the 2019-2020 evaluation summary, and the Executive Director's completed 2019-2020 and 2021 selfevaluation forms.
- 4. The Commissioners will return their completed evaluation forms to legal counsel by no later than May 21, 2021.
- 5. The Ad Hoc Committee will meet and review the returned evaluation forms and approve an evaluation summary, including mean average of ratings, by the May 28, 2021.
- 6. Legal counsel will send copies of the evaluation summary to each Regular and Special Voting Commissioner by no later than June 1, 2021.
- 7. At the June 4, 2021 SJRRC regular meeting, the Regular and Special Voting Commissioners will hold a closed session performance evaluation of the Executive Director.
- 8. Following the June 4, 2021, SJRRC regular meeting, but prior to the next scheduled SJRRC regular meeting, the Chair, or if the Chair is unavailable, the Vice Chair, will meet with the Executive Director and share the current evaluation summary and any other evaluation information as authorized by the Commissioners, as well as discuss any proposed changes to the Executive Director's contract.
- 9. At the next scheduled SJRRC regular meeting following the June 4, 2021 SJRRC regular meeting, the Regular and Special Voting Commissioners will hold a closed session regarding any proposed change to the Executive Director's contract. Any changes to the Executive Director's contract will subject to approval of a majority of the Regular Voting Members.

#### **RESOLUTION SJRRC-R-20/21-**

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION ADOPTING A PROCEDURE FOR THE 2020-2021 EXECUTIVE DIRECTOR'S PERFORMANCE EVALUATION, ADOPTING EVALUATION FORMS FOR THE 2020-2021 EVALUATION, AND CREATING AN AD HOC PERFORMANCE REVIEW PROCESS COMMITTEE OF TWO (2) REGULAR VOTING MEMBERS TO PROVIDE THE COMMISSION AN EVALUATION SUMMARY PRIOR TO THE JUNE 2021 REGULAR COMMISSION

WHEREAS, the San Joaquin Regional Rail Commission and Executive Director entered into an Agreement on July 1, 1998; and

WHEREAS, the agreement outlines the employee shall receive an annual performance review. Such review shall include review of Employee's accomplishment of objectives and goals established by Employer. Employer and Employee shall evaluate raising Employee's base annual salary; and

WHEREAS, In 2020 the Commissioners established a procedure for performing the Executive Director's annual evaluation ("Evaluation Procedure") that created an ad hoc committee comprised of two Regular Voting Commissioners which would recommend to the Commissioners a process and forms to assist the Commission in performing the Director's annual performance evaluation; and

WHEREAS, The Evaluation Procedure process would start in February of each year; and

WHEREAS, By error that Evaluation Process was not calendared to begin until April 2021; and

WHEREAS, The Commissioners desire to create an expedited evaluation process for the 2020-2021 performance evaluation of the Executive Director to complete the evaluation process by the July 2021 regular meeting as set forth in the attachment hereto.

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby adopts the attached 2020-2021 Executive Director Performance Evaluation Schedule, approves using the 2019-2020 evaluation forms for the 2020-2021 performance evaluation, and appoints the following two Regular Voting Members to the Ad Hoc Performance Review Process Committee:

<del>\_\_\_\_\_</del>

PASSED AND ADOPTED, by the Board of Commissioners this 7th day of May 2021, by the following vote:		
AYES: NOES: ABSENT: ABSTAIN:		
ATTEST:	SAN JOAQUIN REGIONAL RAIL COMMISSION:	
STACEY MORTENSEN, Secretary	CHRISTINA FUGAZI,Chair	