

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, P. O. Box 12688, Oakland, CA 94604-2688

AGENDAS FOR BOARD AND COMMITTEE MEETINGS

June 12, 2008

9:00 a.m.

A regular meeting of the Board of Directors and regular meetings of the Standing Committees will be held on Thursday, June 12, 2008, commencing at 9:00 a.m. All meetings will be held in the BART Board Room, Kaiser Center 20th Street Mall – Third Floor, 344 – 20th Street, Oakland, California.

Members of the public may address the Board of Directors and Standing Committees regarding any matter on these agendas. Please complete a “Request to Address the Board” form (available at the entrance to the Board Room) and hand it to the Secretary before the item is considered by the Board. If you wish to discuss a matter that is not on the agenda during a regular meeting, you may do so under General Discussion and Public Comment.

Any action requiring more than a majority vote for passage will be so noted.

Items placed under “consent calendar” and “consent calendar addenda” are considered routine and will be received, enacted, approved, or adopted by one motion unless a request for removal for discussion or explanation is received from a Director or from a member of the audience.

Please refrain from wearing scented products (perfume, cologne, after-shave, etc.) to these meetings, as there may be people in attendance susceptible to environmental illnesses.

BART provides service/accommodations upon request to persons with disabilities and individuals who are limited English proficient who wish to address BART Board matters. A request must be made within one and five days in advance of Board/Committee meetings, depending on the service requested. Please contact the Office of the District Secretary at (510) 464-6083 for information.

Kenneth A. Duron
District Secretary

Regular Meeting of the
BOARD OF DIRECTORS

The purpose of the Board Meeting is to consider and take such action as the Board may desire in connection with:

1. **CALL TO ORDER**

- A. Roll Call.
- B. Pledge of Allegiance.
- C. Introduction of Special Guests.

2. **CONSENT CALENDAR**

- A. Approval of Minutes of the Meeting of May 22, 2008.* Board requested to authorize.

- B. Fiscal Year 2009 Budget: Proposition 4 Appropriations Limit.* Board requested to authorize.

3. CLOSED SESSION (Room 303, Board Conference Room)

- A. Conference with Real Property Negotiator.
Property: Property Located at the Walnut Creek BART Station
District Negotiators: Carter Mau, Executive Manager, Planning & Budget; and Jeffrey P. Ordway, Manager, Property Development
Negotiating Parties: Walnut Creek Transit Village Lifestyles Associates, LLC, and San Francisco Bay Area Rapid Transit District
Under Negotiation: Price and Terms
Government Code Section: 54956.8
- B. Conference with Real Property Negotiator.
Property: Property Located at the MacArthur BART Station
District Negotiators: Carter Mau, Executive Manager, Planning & Budget; and Jeffrey P. Ordway, Manager, Property Development
Negotiating Parties: MacArthur Transit Community Partners, LLC, and San Francisco Bay Area Rapid Transit District
Under Negotiation: Price and Terms
Government Code Section: 54956.8

4. OPEN SESSION

- A. (CONTINUED from May 22, 2008, Board Meeting)
Revised Option Agreement with Walnut Creek Transit Village Lifestyles Associates, LLC, for Development at the Walnut Creek BART Station. Board requested to authorize.
- B. Option Agreement with MacArthur Transit Community Partners, LLC for Development at the MacArthur BART Station. Board request to authorize.

5. BOARD MATTERS

- A. Fiscal Year 2009 Budget.* Board requested to adopt.

RECESS TO STANDING COMMITTEES

Immediately following the Standing Committee Meetings, the Board Meeting will reconvene, at which time the Board may take action on any of the following committee agenda items.

ALL COMMITTEES ARE ADVISORY ONLY

ADMINISTRATION COMMITTEE

Immediately following the Board Meeting recess

Director Franklin, Chairperson

- A-1. First Amendment to the Millbrae Use, Operations and Maintenance Agreement between the Peninsula Corridor Joint Powers Board, the San Mateo County Transit District, and the San Francisco Bay Area Rapid Transit District.* Board requested to authorize.
- A-2. General Discussion and Public Comment.

ENGINEERING AND OPERATIONS COMMITTEE

Immediately following the Administration Committee Meeting

Director Fang, Chairperson

- B-1. Agreement with King American Ambulance Company to Provide Standby Emergency Medical Services at Specific Locations (Agreement No. 6M3093).* Board requested to authorize.
- B-2. Agreement with the California State Parks Foundation for the Yosemite Slough Project to Satisfy the BART San Francisco Airport Extension (SFO) Project Wetlands Mitigation Obligation.* Board requested to authorize.
- B-3. General Discussion and Public Comment.

PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

Immediately following the Engineering and Operations Committee Meeting

Director Ward Allen, Chairperson

- C-1. Proposed Support for State Legislation.* Board requested to authorize.
- C-2. General Discussion and Public Comment.

RECONVENE BOARD MEETING

6. CONSENT CALENDAR ADDENDA

Board requested to authorize as recommended from committee meetings above.

7. REPORTS OF STANDING COMMITTEES

A. ADMINISTRATION COMMITTEE

- A-1. First Amendment to the Millbrae Use, Operations and Maintenance Agreement between the Peninsula Corridor Joint Powers Board, the San Mateo County Transit District, and the San Francisco Bay Area Rapid Transit District.* Board requested to authorize.

B. ENGINEERING AND OPERATIONS COMMITTEE

B-1. Agreement with King American Ambulance Company to Provide Standby Emergency Medical Services at Specific Locations (Agreement No. 6M3093).* Board requested to authorize.

B-2. Agreement with the California State Parks Foundation for the Yosemite Slough Project to Satisfy the BART San Francisco Airport Extension (SFO) Project Wetlands Mitigation Obligation.* Board requested to authorize.

C. PLANNING, PUBLIC AFFAIRS, ACCESS, AND LEGISLATION COMMITTEE

C-1. Proposed Support for State Legislation.* Board requested to authorize.

8. GENERAL MANAGER'S REPORT

A. Review of the Draft Agenda for the Capitol Corridor Joint Powers Board Meeting of June 18, 2008.* For information.

9. BOARD MATTERS

A. Roll Call for Introductions.

10. GENERAL DISCUSSION AND PUBLIC COMMENT

11. CLOSED SESSION (Room 303, Board Conference Room)

A. Conference with Real Property Negotiator.

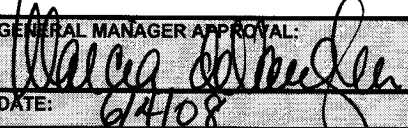
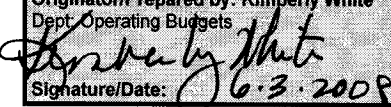
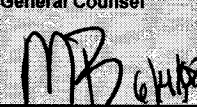

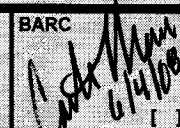
Property:	Oakland Airport Connector
District Negotiators:	Teresa E. Murphy, Assistant General Manager – Administration; and Kathleen Mayo, Deputy Executive Manager – Transit System Development
Negotiating Parties:	Pre-Qualified Proposers and San Francisco Bay Area Rapid Transit District
Under Negotiation:	Price and Terms
Government Code Section:	54956.8

B. Conference with Real Property Negotiator.

Property:	Oakland Airport Connector
District Negotiators:	Teresa E. Murphy, Assistant General Manager – Administration; and Kathleen Mayo, Deputy Executive Manager – Transit System Development
Negotiating Parties:	Port of Oakland and San Francisco Bay Area Rapid Transit District
Under Negotiation:	Price and Terms
Government Code Section:	54956.8



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 		GENERAL MANAGER ACTION REQ'D:		
DATE: 6/4/08		BOARD INITIATED ITEM: No		
Originator/Prepared by: Kimberly White Dept. Operating Budgets Signature/Date:  6.3.2008	General Counsel  6/4/08	Controller/Treasurer  6/4/08	District Secretary []	BARC  6/4/08 []
Status: Routed		Date Created: 05/05/2008		

TITLE:

FY09 Proposition 4 Appropriations Limit

NARRATIVE:

NARRATIVE:

Purpose: To approve the District's fiscal year 2009 appropriations limit, which is required by state law as a result of the Gann Initiative (Proposition 4, passed by the voters in 1979).

Discussion: The Gann Initiative (Proposition 4) provides for limitations on appropriations by state and local government entities. Government Code Section 7910 requires local jurisdictions to annually adopt an appropriations limit by resolution and establishes a 45-day statute of limitations for commencement of any judicial action to challenge the appropriations limit.

Section 7910 requires the Board of Directors to establish by resolution BART's annual appropriations limit "at a regularly scheduled meeting or noticed special meeting." Further, it requires that fifteen days prior to such meeting, documentation used in the determination of the appropriations limit shall be made available to the public. On May 27, 2008, the documentation was made available to the public.

Documentation of the FY09 appropriations limit calculation is summarized in Attachment 1. The attached documentation of the FY09 appropriations limit is consistent with the Uniform Guidelines for Implementation of the Gann Initiative prepared by the League of California Cities and the information furnished by the State Department of Finance.

Attachment 2 is the calculation for the margin as it relates to the Proposition 4 limit. The margin is the difference between the appropriations limit and the expenditures subject to the limit. Based on the calculations, the District will be below the limit of \$457,183,595.

Fiscal Impact: There is no fiscal impact. The FY09 appropriations limit is \$457,183,595, while Operating and Capital expenditures subject to the limit are \$304,452,308. Therefore, the District is well below the limit with a margin of \$152,731,287.

Alternatives: None

Recommendation: Approval of the following motion.

Motion: That the Board adopt the attached resolution which sets the District's FY09 appropriations limit at \$457,183,595.

Attachment 1

Fiscal Year 2009 Appropriations Limit: Calculation

Based on the provisions in Article XIII B of the California Constitution as approved by the voters in November 1979, the appropriations limit for each succeeding year through 1987 is determined by the District's 1979 appropriations base times a cumulative composite factor. The base year was later revised to 1987. The cumulative composite factor consists of the product of:

- a) The lesser of the relative year change in the all urban consumer price index (SF/Oakland/SJ CPI-U) or the California per capita personal income, and
- b) At the District's discretion, the relative year-to-year change in District wide population, or the population for the District's county that has the highest assessed valuation. Election of the higher of the two growth factors results in a higher appropriations limit.

The District's appropriations limit for fiscal year 2009 is calculated on the basis of the SF/Oakland/SJ CPI-U and the total District population gains. Steps in the calculations are as follows:

Relevant data, percent change:

CPI-U SF/Oakland/SJ, 2.8873% (applies this year per "a." above)

Population Change, Total District, 1.3872% (applies this year per "b." above)

District Population

	<u>As of 1/1/07</u>	<u>As of 1/1/08</u>	<u>% Change</u>
Alameda	1,522,597	1,543,000	1.3400%
Contra Costa	1,037,580	1,051,674	1.3584%
San Francisco	812,241	824,525	1.5124%
Total	3,372,418	3,419,199	1.3872%

2) FY09 Cumulative Adjustment Factor:

(CPIU SF/SF/Oak) x (Population Factor) = Current Adjustment Factor

(Current Adjustment Factor) x (Prior Year Adjustment) = Cumulative Adjustment Factor

$$(1 + 2.8873\%) \times (1 + 1.3872\%) = 1.0431$$

$$1.0431 \times 2.4138 = 2.5180$$

3) FY09 Appropriations Limit:

(FY 87 Appropriations Base) x (FY 09 Cumulative Adjustment Factor)

$$\begin{array}{rclcl} \$181,568,000 & \times & 2.5180 & = & \$457,183,595 \end{array}$$

ATTACHMENT 2

FY09 PROPOSITION 4 APPROPRIATIONS LIMIT

Whole Dollars, revised 05/29/08

LIMIT		NOTES & COMMENTS
CPI-U	2.8873%	CPI-U for SF/OAK 4/08 vs 4/07
Per Capita Personal Income	4.2900%	State DOF data, John Malson (916-323-4096)
District Population Growth	1.3872%	Districtwide growth applies > The county with the highest (Alameda) AV in the District
Annual Adjustment Factor	1.0431	[1+(CPI-U)]*[1+(District population growth)]
Cumulative Adjustment Factor	2.5180	(Current year factor)*(prior year cumulative factor)
Appropriations Limit	\$457,183,595	(FY 87 base appropriations) x (cumulative factor)
APPROPRIATIONS		
Operating Budget	\$558,736,813	Per FY09 Preliminary operating budget
Allocation to SFO	\$17,454,724	Per FY09 Preliminary operating budget
Improvement Allowance	\$0	Per FY09 Preliminary operating budget
Other Capital Allocations:	\$0	Per FY09 Preliminary operating budget
Capital Rehabilitation	\$27,880,552	Per FY09 Preliminary operating budget
Miscellaneous	\$280,000	Per FY09 Preliminary operating budget
Access	\$625,000	Per FY09 Preliminary operating budget
Subtotal	\$28,785,552	Per FY09 Preliminary operating budget
Capital Allocation To Operating		
Capital Expense:		
Funded	\$714,081,682	Per FY09 Proposed capital budget
Unfunded	\$0	Per FY09 Proposed capital budget
Subtotal	\$714,081,682	Per FY09 Proposed capital budget
Less Funded Pass Through	(\$259,369,178)	Per FY09 Proposed capital budget
Less Unfunded Pass Through	\$0	Per FY09 Proposed capital budget
Subtotal	(\$259,369,178)	Per FY09 Proposed capital budget
Net Capital Expense	\$454,712,504	Per FY09 Proposed capital budget
Debt Service:		
Sales Tax Revenue Bonds	\$63,601,999	Per FY09 Preliminary operating budget
Sales Tax Anticipation Notes	\$0	
Loan from MTC	\$6,260,000	
GO Seismic Bonds	\$76,234,046	Per retirement schedule
Subtotal	\$146,096,045	
Total Appropriations	\$1,205,785,638	
EXCLUSIONS		
Allocation from Reserves	\$5,791,008	Per FY09 Preliminary operating budget
ADA Mandated Service Expense	\$11,538,678	Per FY09 Preliminary operating budget
Net Operating Revenue:		
Net Passenger Revenue	\$323,331,131	Per FY09 Preliminary operating budget
Other Operating Revenue	\$31,951,151	Per FY09 Preliminary operating budget
Subtotal	\$355,282,282	Per FY09 Preliminary operating budget
Federal Operating Funds (SMP/Rail Car)	\$27,979,260	Per FY09 Preliminary operating budget
Federal Capital Funds:		
Funded	\$98,876,300	Per FY09 Proposed capital budget
Unfunded		Per FY09 Proposed capital budget
Subtotal	\$98,876,300	Per FY09 Proposed capital budget
Debt Service (GO Seismic Bonds)	\$76,234,046	Per retirement schedule
GO Bond Capital Funds	\$273,563,727	Per FY09 Proposed capital budget
BART Capital Funds	\$52,068,029	Per FY09 Proposed capital budget
Total Exclusions	\$901,333,330	
MARGIN		
Appropriations Limit	\$457,183,595	Per above
Expenditures Subject to Limit	\$304,452,308	Appropriations less exclusions, per above
Margin	\$152,731,287	Appropriations less expenditures subject to limit
RESIDENT POPULATION		
Alameda		Population is less exclusions for military and other non-residents
Population	1,543,000	Data received from the Department of Finance 5/1/2008
Percent Change	1.3400%	
Contra Costa		
Population	1,051,674	Data received from the Department of Finance 5/1/2008
Percent Change	1.3584%	
San Francisco		
Population	824,525	Data received from the Department of Finance 5/1/2008
Percent Change	1.5124%	
District Total		
Population	3,419,199	Sum of population for three counties
Percent Change	1.3872%	Percent increase, 1/1/08 over 1/1/07
REVISED PRIOR YEAR POPULATION		
	As of 1/1/07	
Alameda		
Population	1,522,597	Data received from the Department of Finance 5/1/2008
Contra Costa		
Population	1,037,580	Data received from the Department of Finance 5/1/2008
San Francisco		
Population	812,241	Data received from the Department of Finance 5/1/2008
District Total		
Population	3,372,418	Sum of three counties

**BEFORE THE BOARD OF DIRECTORS OF THE SAN FRANCISCO
BAY AREA RAPID TRANSIT DISTRICT**

In the Matter of the Establishment
Of the Fiscal Year 2009
Appropriations Limit _____ /

Resolution No. _____

WHEREAS, Article XIII B of the California Constitution limits the District's appropriations for Fiscal Year 1981, and subsequent years; and

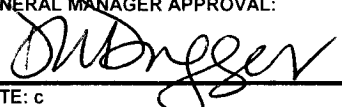



WHEREAS, Government Code Section 7910 requires the District to establish, by resolution, its appropriations limit pursuant to Article XIII B; and

WHEREAS, documentation used in the determination of the Fiscal Year 2009 appropriations limit has been available to the public for at least fifteen days prior to the date of this resolution;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Francisco Bay Area Rapid Transit District that the District's appropriations limit for Fiscal Year 2009 shall be \$457,183,595.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 		GENERAL MANAGER ACTION REQ'D: Place on the June 12, 2008 Administration Committee Agenda		
DATE: c		BOARD INITIATED ITEM: No		
Originator/Prepared by: Robert Umbreit Dept: Operating Budgets & Analysis	General Counsel 	Controller/Treasurer 	District Secretary []	BARC []
Signature/Date:  6-6-08				

TITLE:

ANNUAL BUDGET RESOLUTION FOR FISCAL YEAR 2009

NARRATIVE:

PURPOSE

Adopt the Annual Budget Resolution for Fiscal Year 2009.

DISCUSSION

The Fiscal Year 2009 (FY09) Preliminary Budget is balanced, with \$673.5 million (M) in operating sources, \$674.8M in operating uses, less an Other Post Employment Benefits (OPEB) unfunded liability of \$1.3M, as more fully described below. The main issues in the development of this year's budget have been the slowing economy and maintaining service and reliability with an aging infrastructure, at a time when BART is carrying record levels of ridership and service. Regional economic concerns have led to conservative FY09 projections for ridership and sales tax; both are projected to grow at lower rates than the past several years.

Although the proposed budget is balanced, it is dependent on receiving the level of State Transit Assistance (STA) funding estimated in the Preliminary Budget, which was recently proposed for reduction by \$8.7M (from \$17.4M) in the Governor's May Revision of the state budget. However, the State Assembly and Senate have been considering proposals to restore STA funding, and the transit industry is lobbying for restoration of transit funding. Because the final amount will not be determined until after the District is required to adopt our budget, we propose to adopt the FY09 budget with the \$17.4M in STA funding that was included in the Preliminary Budget, and revise the budget if needed, after the state budget is adopted. If the Governor's proposed cut to STA base funding is adopted, staff will bring back proposals and a recommendation to rebalance the FY09 budget to the Board of Directors for consideration.

A major financial issue in FY09 is the one-time "catch-up" payment of \$14.6M for prior year (FY06 and FY07) retiree medical funding per the District's "ramp-up" funding plan. During the current year (FY08) we set aside \$12.1M of one-time spillover STA revenue into reserves to help fund the FY09 payment, but only \$5.8M is needed, with the balance of \$6.3M remaining in reserves.

Changes From Preliminary Operating Budget

As presented to the Board of Directors on May 8, 2008, the budget has been updated to include estimated revenues and expenses associated with 725 additional parking spaces at

Dublin/Pleasanton available until transit oriented development takes place; the changes are as follows:

- \$1,265,840 in additional passenger revenue
- \$266,490 increase in parking revenues
- \$127,335 increase in parking expenses for fees related to reserved parking
- \$139,155 reduction (the net parking revenue) in the allocation from operating reserves
- \$1,265,840 increase in capital rehabilitation allocations

New Initiatives

There is limited funding available in the FY09 budget for new initiatives. The focus for the available funding in FY09 was prioritized to "keep up" with ridership growth and service requirements, while ensuring that FY09 investments help create a more efficient and sustainable system. The Preliminary Budget included \$4.1M in operating funding for new initiatives and 4 new operating positions. As reviewed at the May 8th Board of Directors meeting, the initiatives include:

- Rolling Stock and Shops rail car parts and materials
- Maintenance and Engineering rail grinding staff positions and system maintenance materials
- Smaller expenditures, including investments in train scheduling software, a Finance staff position, the Labor Relations budget, workforce development, the emerging projects fund, and other areas.

In addition, \$2.8M was added to the baseline operating to capital allocation budget to fund critical projects including:

- Replacing carpet with spray-on flooring for 100 more cars
- Infrastructure evaluation study
- Other projects including renovations at the Cash Handling Building, the Lakeside computer server room and the Transit Information Center, funding for an Information Technology Strategic Plan, cards for the EZ rider program, and small amounts of funding for several other projects.

It was proposed in the May 8th presentation that the \$1.3M increase in revenues from additional Dublin/Pleasanton parking go towards three projects, two related to energy conservation and one a key maintenance project, as follows:

- Super capacitor rail car demonstration project that has potential to significantly reduce rail car power usage.
- Lighting retrofits and other energy conservation projects
- Replacement of 48 volt power supplies that operate critical station communications equipment.

Budget Summary Information

Total operating sources in the proposed operating budget are \$673.5M, an increase of \$44.3M over the FY08 Adopted Budget. This increase is primarily due to passenger revenue, which is up \$25.1M from FY08, and SamTrans-related financial contributions, up \$17.5M. The financial assistance from SamTrans goes into the SFO extension operating reserve, to be used as needed to subsidize SFO operations. The passenger revenue increase is primarily driven by higher than

budgeted ridership in FY08, which has grown about 5%. As noted previously, slower growth in ridership of 2.8% is estimated for FY09. As previously discussed, sales tax has slowed significantly in FY08 and FY09, with a 2% growth forecasted for both years, significantly below the long-term average.

Operating uses are \$674.8M for FY09, an increase of \$44.3M over the FY08 budget (excluding the decline in the non-cash entry to record OPEB unfunded liability). Some of the significant factors in the expense increase include \$14.6M for the one-time retiree medical "catch-up" funding for FY06 & FY07, a \$5.0M increase for FY09 retiree medical funding, \$9.6M for other labor and benefits (including 4 positions from the budget initiatives), \$3.6M in electric power and \$4.4M for other non-labor (including \$3.7M from the new budget initiatives).

The operating budget (see Attachment 1) includes \$673.5M in operating sources and \$674.8M in operating uses, but is balanced in terms of cash flow. Included in operating uses is recognition of an OPEB unfunded liability of \$1.3M. This is a non-cash accounting entry to recognize as expense the difference between BART's "ramp-up" funding plan for retiree medical and the full actuarially calculated annual required contribution. The District's funding plan is designed to fully fund the retiree medical benefit by gradually ramping up to the full contribution over the next six years. The difference between the actual cash funding and the calculated full contribution will be recorded as expenses, under the guidelines of the Governmental Accounting Standards Board (GASB).

FY09 Capital Budget

The capital budget proposes FY09 expenditures of \$714.1M and funds 362 positions. The capital budget is primarily funded through capital grants; however, District-allocated funds are also needed for a portion of the required local match and for expenditures which do not qualify for grants, including facilities renovation and the replacement of police and maintenance vehicles and equipment. The largest program area for capital expenditure next year will be earthquake safety. System renovation comprises a program of essential reinvestment, primarily in the areas of station modernization, train control, traction power, rail replacement and trackway renovation and other critical projects. Work will also continue on security upgrades, system accessibility improvements and the eBART, Oakland Airport Connector, and Warm Springs extension programs, the West Dublin/Pleasanton Station project, and a program EIR for the Livermore/I-580 corridor.

FY09 Budget Resolution

Staff recommends approval of the attached resolution to adopt the Fiscal Year 2009 Annual Budget. As in previous years, the FY09 budget resolution includes authorization to submit annual applications for Transportation Development Act (TDA), State Transit Assistance (STA) and bridge toll funds that are included in the FY09 capital budget, as appropriate. The resolution also allows the General Manager or her designee to execute the agreement with the City and County of San Francisco to provide annual transfer payments to the San Francisco Municipal Transportation Agency (Muni) for FY09. These annual transfer payments for feeder services are made in accordance with the agreement with MTC and are based on the prior year's sales tax percentage increase or decrease. The budget resolution also incorporates provisions referring to

the SFO extension service plan and certain District's system-wide operating policies. The budget resolution has been updated for FY09 to authorize the General Manager to file grant applications and execute funding agreements on behalf of the District with the U.S. Department of Homeland Security and the Governor's Office of Homeland Security for security grants.

Exhibit A (attached) of the Budget resolution summarizes operating and capital budget totals.

FISCAL IMPACT

The proposed Annual Operating Budget is balanced. Depending on final STA funding levels, the District may later need to revise the budget to maintain a balanced budget for FY09.

ALTERNATIVES

Adoption of the Budget resolution by June 30th is required to authorize expenditures in FY09.

RECOMMENDATION

Staff recommends that the Board adopt the motion set forth below.

MOTION

Adoption of the attached resolution.

Attachments:

- Attachment 1 - Operating Budget Sources and Uses Detail
- Attachment 2 - Capital Budget Program Summary

Fiscal Year 2009 Budget Resolution

Exhibit A - Annual Budget

Exhibit B - Character and Base Salaries

ATTACHMENT 1

Fiscal Year 2009 District Operating Budget Sources and Uses Detail

	FY09		FY09	
SOURCES	PRELIMINARY	Changes	ADOPTED	
Rail Passenger Revenue	\$ 321,480,291	\$ 1,265,840	\$ 322,746,131	
ADA Passenger Revenue	585,000	-	585,000	
Parking Revenue	10,180,350	266,490	10,446,840	
Other Operating Revenue	21,504,311	-	21,504,311	
Sub-Total Operating Revenue	353,749,952	1,532,330	355,282,282	
Sales Tax Proceeds	206,777,346	-	206,777,346	
Property Tax Proceeds	30,718,800	-	30,718,800	
STA & TDA Assistance	17,406,507	-	17,406,507	
Measure B	2,060,688	-	2,060,688	
Federal 5307 Preventive Maintenance (SMP Grant)	5,298,260	-	5,298,260	
Federal 5307 Grant - Rail Car MTC Fund Swap	22,681,000	-	22,681,000	
San Mateo County Financial Assistance	16,000,000	-	16,000,000	
San Mateo County Measure A Sales Tax	653,700	-	653,700	
San Mateo County STA Prop 42 TCRP Increment	801,024	-	801,024	
Millbrae Use, Operating & Maint. Agreement	721,000	-	721,000	
Allocation from SFO Reserve Account	6,172,605	-	6,172,605	
Allocation from W. Dublin Project for Debt Service	3,130,964	-	3,130,964	
Allocation from Operating Reserves	5,930,163	(139,155)	5,791,008	
Sub-Total Financial Assistance & Allocations	318,352,057	(139,155)	318,212,902	
TOTAL SOURCES	672,102,009	1,393,175	673,495,184	
USES				
Labor	388,023,977	-	388,023,977	
OPEB Unfunded Liability	1,343,904	-	1,343,904	
ADA Paratransit	11,538,678	-	11,538,678	
Purchased Transportation	2,884,647	-	2,884,647	
Power	38,328,000	-	38,328,000	
Other Non-Labor	93,809,272	127,335	93,936,607	
Extraordinary Expense - Rail Car Fund Swap	22,681,000	-	22,681,000	
Sub-Total Operating Expense	558,609,478	127,335	558,736,813	
Debt Service	63,601,999	-	63,601,999	
MTC Loan Debt Service	6,260,000	-	6,260,000	
Allocation - To SFO Reserves	17,454,724	-	17,454,724	
Allocation - Capital Rehabilitation	26,614,712	1,265,840	27,880,552	
Allocation - Access Programs	625,000	-	625,000	
Allocation - SFO Ancillary Revenue Reserve	280,000	-	280,000	
Sub-Total Allocations	114,836,435	1,265,840	116,102,275	
TOTAL USES	673,445,913	1,393,175	674,839,088	
OPEB Unfunded Liability	(1,343,904)	-	(1,343,904)	
NET RESULT	\$ -	\$ -	\$ -	
Operating Ratio	66.0%		66.3%	
Rail Farebox Recovery Ratio	61.6%		61.9%	
Farebox Recovery Ratio	60.1%		60.3%	

ATTACHMENT 2

FY09 Capital Budget Headcount and Planned Expenditures

Program Summary

Program Category	Capital Headcount*	Planned Expenditures
System Reinvestment		
Rolling Stock	20	\$5,313,482
Mainline	51	\$40,398,542
Stations	11	\$19,621,630
Controls & Communications	46	\$59,385,326
Facilities	5	\$6,859,125
Work Equipment	1	\$16,029,721
Subtotals	134	\$147,607,826
Safety & Security	15	\$30,704,449
Earthquake Safety	35	\$373,563,727
Service & Capacity Enhancement	45	\$43,442,394
System Expansion	53	\$107,233,606
Capitol Corridor**	16	\$2,541,763
Reimbursable***	16	\$8,987,917
Cost Allocation Plan	48	CAP costs are included in the line items above.
TOTALS	362	\$714,081,682

* Total authorized permanent positions ("high water").

** All expenses for the Capitol Corridor service to be reimbursed as allocated to the Capitol Corridor Joint Powers Board in the Annual State Budget Act.

*** Positions fully reimbursed by Muni, Caltrans, and businesses for BART staff expenses incurred in performing services for the those agencies and businesses.

**BEFORE THE BOARD OF DIRECTORS OF THE
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

**In the matter of approving
The Annual Budget for the
San Francisco Bay Area Rapid
Transit District and authorizing
Expenditures for the Fiscal Year
July 1, 2008, to June 30, 2009**

Resolution No.

WHEREAS, the Board of Directors of the San Francisco Bay Area Rapid Transit District published notices in newspapers of general circulation in the County of San Francisco on May 12, 2008, the County of Alameda on May 12, 2008, and the County of Contra Costa on May 12, 2008, of its intention to adopt an Annual Budget for the Fiscal Year July 1, 2008, to June 30, 2009; **and**

WHEREAS, the Board of Directors of the San Francisco Bay Area Rapid Transit District desires to adopt an Annual Budget for the Fiscal Year July 1, 2008, to June 30, 2009; **and**

WHEREAS, the Board of Directors of the San Francisco Bay Area Rapid Transit District is required by Public Utilities Code Section 28767 to determine and create, by resolution, such number and character of positions as are necessary to properly carry out the functions of the District; **and**

WHEREAS, the Transportation Development Act (TDA), Public Utilities Code §99200, et seq., provides for the disbursement of funds from the Local Transportation Fund of the Counties of Alameda and Contra Costa for use by eligible claimants for the purpose of operating assistance; **and**

WHEREAS, the State Transit Assistance (STA) fund makes funds available pursuant to Public Utilities Code Section 99313.6 for allocation to eligible applicants to support approved transit projects; **and**

WHEREAS, as attested to by opinions of the Office of the General Counsel, the San Francisco Bay Area Rapid Transit District is an eligible applicant for Net Toll Revenues and MTC Rail Extension Reserve bridge toll revenues pursuant to Section 30892 of the Streets and Highways Code; and is an eligible claimant for TDA and STA funds pursuant to Public Utilities Code Section 99260; **and**

WHEREAS, the agreement between the San Francisco Bay Area Rapid Transit District and San Mateo County Transit District, dated April 27, 2007, states that the San Francisco Bay Area Rapid Transit District will provide service on the SFO extension in a manner consistent with BART's system-wide operating policies; **and**

WHEREAS, the system-wide operating plan for Fiscal Year 2009 was presented to the Board of Directors on May 8, 2008, in a presentation entitled FY09 Preliminary Operating Budget – Sources and Uses & Service Plan; and

WHEREAS, the Governor's Office of Homeland Security (OHS) makes funds available from the FY 2008-2009 California Transit Security Grant Program – California Transit Assistance Fund (CTSGP-CTAF) to eligible applicants to support approved security transit projects; **and**

WHEREAS, the Federal Department of Homeland Security, which funds are administered by the Governor's Office of Homeland Security (OHS), makes funds available from the FY 2008 Transit Security Grant Program (TSGP) to eligible applicants to support approved security transit projects;

NOW, THEREFORE, BE IT RESOLVED that the attached Annual Budget (marked Exhibit A and incorporated herein as though set forth at length) is hereby adopted, **and**

BE IT FURTHER RESOLVED that, subject to the following resolved clauses, said Annual Budget includes appropriations of monies expected to be available in the General Fund, Capital Funds including Construction Funds and existing and anticipated Federal, State and local grants, for expenditures in the amounts and for the purposes set forth in said budget; **and**

BE IT FURTHER RESOLVED that the General Manager is authorized to enter into services agreements (including professional, technical, maintenance and repair agreements) and lease or license agreements for District use of real property, facilities, equipment and software provided that:

- (1) The General Manager shall first determine that the work or services concerned, in the amounts authorized in a service agreement, cannot satisfactorily be performed by the officers or employees of the District;
- (2) Except agreements that are let by public bidding, service, lease, and license agreements, and amendments thereto, between \$25,000 and \$100,000, shall be reported bi-monthly to the Board of Directors;
- (3) Prior authorization by the Board of Directors is required when:
 - a. The agreement, and amendments thereto, total in the aggregate \$100,000 or more in the fiscal year; or
 - b. Amendments total in the aggregate \$100,000 or more in any subsequent fiscal year;
- (4) The General Counsel is authorized to enter into services agreements in amounts up to \$100,000 with special counsel not previously designated by the Board without prior notice to the Board where the General Counsel determines that such immediate action is necessary to protect the legal interests of the District. Any such agreement shall be reported by the General Counsel to the Board within the calendar month thereafter.
- (5) The General Manager's authority to take immediate remedial measures, as defined in Section 20224 of the California Public Contract Code, and as authorized in Resolution No. 4834 shall remain unchanged; **and**

BE IT FURTHER RESOLVED that the General Manager is authorized to exchange District goods and services for goods and services from others of approximately equal or greater value; **and**

BE IT FURTHER RESOLVED that all disbursements resulting from the exercise of authority granted the General Manager pursuant to this resolution shall be reported to the Board of Directors in the District's quarterly financial report; **and**

BE IT FURTHER RESOLVED that Resolution No. 5017, adopted June 14, 2007, amended by Resolution No. 5032, adopted October 25, 2007, is repealed effective August 31, 2007, except as it applies to unexpended capital appropriations, **and**

BE IT FURTHER RESOLVED that the General Manager or her designee is authorized to execute and file a Bridge Toll Application, a TDA Application and an STA Application along with necessary supporting documents, with the Metropolitan Transportation Commission for allocation of bridge toll revenues, TDA and STA funds in FY09; **and**

BE IT FURTHER RESOLVED that the General Manager or her designee is authorized to execute any actions necessary for the purpose of obtaining financial assistance provided by the Governor's Office of Homeland Security for the FY 2008-2009 California Transit Security Grant Program – California Transit Assistance Fund (CTSGP-CTAF); **and**

BE IT FURTHER RESOLVED that the General Manager or her designee is authorized to execute any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California for the FY 2008 Transit Security Grant Program (TSGP); **and**

BE IT FURTHER RESOLVED that the San Francisco Bay Area Rapid Transit District's system-wide operating policies shall be generally as set forth in the May 8, 2008, presentation entitled FY09 Preliminary Operating Budget – Sources and Uses Service Plan, subject to such adjustments that staff determines necessary to operate the service in the public's interest; **and**

BE IT FURTHER RESOLVED that the General Manager or her designee is authorized to execute an agreement with the City and County of San Francisco (CITY) to provide a transfer payment in FY09, such transfer payment being paid by the District to CITY in order to facilitate the coordination of transit service and furnish an incentive to CITY for providing enhanced transfer services between MUNI and BART stations; **and**

BE IT FURTHER RESOLVED that the General Manager is authorized to make expenditures and incur liabilities against said funds within the limits set forth in said budget and the provisions of this Resolution, and to act on behalf of the District in connection with contracts arising thereunder, by following the procedures provided by law, and by Board of Directors' Resolutions and Board Rules, except that no contractual obligation shall be assumed by the District in excess of its ability to pay, and provided further that all expenditures shall be in conformance with statutory and other restrictions placed on the use of said funds; **and**

BE IT FURTHER RESOLVED that the General Manager is authorized to exceed Board Appointed Department/Executive Office budgets by more than ten percent (10%) ten (10) days after

written notice of this intended action has been mailed to the Board of Directors, provided that the Total Net Operating Expense line item set forth in "Exhibit A" is not exceeded and such action is consistent with Board Rule 5-1.4 and provided further that the General Manager will prepare and send to the Board, a summary of Department budgets within approximately 30 days after the adoption of this budget; **and**

BE IT FURTHER RESOLVED that the General Manager is authorized to exceed the foregoing ten percent limitation for emergency expenditures which are made in accordance with Resolution No. 4834 and Public Contract Code Section 20224; **and**

BE IT FURTHER RESOLVED that the General Manager is authorized to act on behalf of the District, and to make expenditures and incur liabilities against all funds of the District as provided for in contracts which have been authorized by the Board of Directors of the District and that the Board's authorizations of such contracts also include the necessary appropriations for such contracts and change orders authorized by Rules approved by the Board, subject, however, to compliance with such specific appropriation resolutions as may be adopted by the Board from time to time; **and**

BE IT FURTHER RESOLVED that effective July 1, 2008:

- (1) The total number of permanent full and permanent part-time positions ("high water") as of June 30, 2009, budgeted for the District shall be 3,379.5 (a part-time position is counted as 0.5 positions). Additional permanent positions are authorized, as required, not to exceed 50 positions, of which not more than 25 positions may be charged to operating expense provided the budgeted Total Net Operating Expense is not thereby exceeded;
- (2) The character and salary ranges of such positions, including officers appointed by the Board pursuant to Public Utilities Code Section 28811 shall be as set forth in the agreements entered into with Service Employees' International Union, Local 1021, Amalgamated Transit Union, Local 1555, American Federation of State and County Municipal Employees, Local 3993, the BART Police Officers Association and the BART Police Managers Association as to the employees represented thereby, and with other Bargaining Units for employees that may later be represented thereby, and for all other employees as set forth in the attached "Exhibit B", incorporated herein as though set forth at length. The employment benefits for non-represented employees shall be administered by the General Manager in accordance with Board Rule 4-1.2.
- (3) The General Manager is authorized to make future adjustments to the Professional/Management Salary Ranges ("Exhibit B") in accordance with applicable provisions of the AFSCME Agreement and the Compensation Manual, which reflect the District policy and practice to evaluate such ranges on an annual basis and to establish the mid-points of the pay ranges for positions so that they approximate the 75th percentile of the average of salaries paid for similar jobs in the labor market and to promptly advise the Board of any and all such range adjustments. The General Manager is directed to initiate the annual review by October of each year.

- (4) The District Secretary shall insure that an amendment to Exhibit B be prepared to reflect any adjustment to the hourly wage rates or professional/management pay bands as provided above or any adjustment to the Board appointed officers' salaries as a result of merit adjustments or scheduled increases provided in such officers' employment agreements that take effect during the fiscal year. The District Secretary shall attach any such amendment to Exhibit B as an addendum to this resolution.
- (5) The General Manager is authorized to pay employees on the merit plan that portion of their merit increase which exceeds the top of the salary range, but with no increase to the employee's "base wage" above the top of the salary range.
- (6) Except for Paragraph 1, and to the extent it is modified by Resolution No. 4748, Resolution No. 4487 remains in full force and effect.

#

EXHIBIT A
SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
ANNUAL BUDGET - FISCAL YEAR 2009

<u>FUND SOURCES</u>	TOTAL
FUND SOURCES FOR NET OPERATING EXPENSE BUDGET, DEBT SERVICE AND CAPITAL ALLOCATIONS	
Operating Revenue	355,282,282
Property Tax	30,718,800
1/2 ¢ Sales Tax	206,777,346
Measure B Paratransit Assistance	2,060,688
Allocation from SFO Reserve	6,172,605
Caltrain - Millbrae Station Joint Use	721,000
SamTrans - SFO Extension Operating Assistance	16,000,000
Sam Trans - STA Prop 42 TCRP Increment	801,024
SamTrans - Measure A Sales Tax	653,700
5307/08 Preventive Maintenance Grants - SMP & Rail Car Fund Swap	27,979,260
STA/TDA	17,406,507
Allocation from West Dublin Project	3,130,964
Allocations from Reserves	5,791,008
Total Operating Sources	\$ 673,495,184
FUND SOURCE FOR CAPITAL BUDGET	
Capital Funds - Cash Flow FY09	\$ 714,081,682
TOTAL ESTIMATED FUND SOURCES	\$ 1,387,576,866

<u>FUND USES</u>	
FUND USES FOR NET OPERATING EXPENSE BUDGET, DEBT SERVICE AND CAPITAL ALLOCATIONS	
Net Labor Expense ⁽¹⁾	\$ 389,367,881
Non-Labor Expense	146,687,932
Extraordinary Expense - Rail Car Fund Swap	22,681,000
Total Net Operating Expense	<u>\$ 558,736,813</u>
Revenue Bond Debt Service	63,601,999
MTC Loan Debt Service	6,260,000
Allocations to Capital - Rehabilitation	27,880,552
Allocations to SFO Reserves	17,734,724
Allocations - Access Fund	625,000
Total Operating Uses	\$ 674,839,088
Other Post Employment Benefits Unfunded Liability	\$ (1,343,904)
FUND USES FOR CAPITAL BUDGET	
Capital Funds - Cash Flow FY09	\$ 714,081,682
TOTAL ESTIMATED FUND USES	\$ 1,387,576,866
NET FINANCIAL RESULT (DEFICIT)	\$ -

⁽¹⁾ Total Authorized Permanent Positions ("high water") as of 6/30/09 = 3,379.5

EXHIBIT B
CHARACTER AND BASE SALARIES, PAY BANDS,
HOURLY WAGE RATES OF MANAGEMENT AND
NON-REPRESENTED CLASSIFICATIONS

CHARACTER OF POSITION/PAYROLL CLASSIFICATION TITLE		HOURLY WAGE RANGE				
CLERICAL	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6
ADMINISTRATIVE TECHNICIAN	\$24.8063	\$25.9098	\$26.9327	\$27.9820	\$29.0587	\$29.4720
ADMINISTRATIVE SECRETARY	23.8735	24.9346	25.9173	26.9264	27.9618	28.3556
SENIOR SECRETARY	22.2172	23.0457	23.8997	24.9346	25.9437	26.3373
SENIOR CLERK	23.6589	24.7097	25.6835	26.6832	27.7084	28.1022
INTERMEDIATE CLERK	21.1470	22.0180	22.8384	23.6859	24.7095	25.1032
P/T SURVEY TAKER (SINGLE RATE)	28.5162					

NOTE: The clerical rates were effective July 1, 2008.

PROFESSIONAL/MANAGEMENT PAY BANDS

PAY BAND	MINIMUM	MIDPOINT	MAXIMUM
14	\$132,198	\$168,553	\$204,910
13	114,200	145,605	177,012
12	103,584	132,069	160,556
11	98,650	125,779	152,910
10	93,952	119,789	145,627
9	89,478	114,085	138,693
8	85,217	108,652	132,088
7	77,294	98,550	119,807
6	73,614	93,858	114,103
5	66,770	85,132	103,495
4	63,591	81,078	98,567
3	60,562	77,217	93,873
2	57,678	73,540	89,403
1	52,315	66,702	81,090

NOTE: The professional/management pay bands were effective January 1, 2007.

BOARD APPOINTED OFFICIALS/CURRENT ANNUAL SALARY

DISTRICT SECRETARY	\$135,087.03
CONTROLLER-TREASURER	\$179,374.61
GENERAL COUNSEL	\$210,000.00
GENERAL MANAGER	\$290,000.00

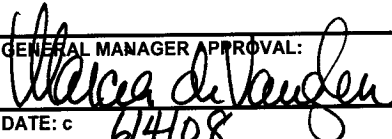
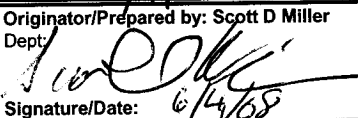
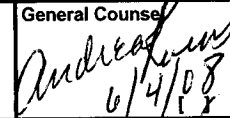
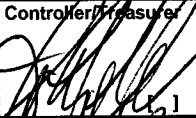

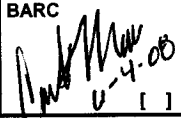
NOTE: The base salaries for District Secretary and Controller-Treasurer were effective January 1, 2008.

The General Counsel's salary was effective January 24, 2008.

The General Manager's salary was effective November 1, 2007.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 		GENERAL MANAGER ACTION REQ'D:		
DATE: c 6/4/08		BOARD INITIATED ITEM: NO		
Originator/Prepared by: Scott D Miller Dept: 	General Counsel:  6/4/08	Controller/Treasurer:  6/4/08	District Secretary:  6/4/08	BARC:  6-4-08

TITLE:
First Amendment to Use, Operations and Maintenance ("UOM") Agreement with JPB and SamTrans

NARRATIVE:

PURPOSE:

To obtain Board authorization for the General Manager to execute the First Amendment to the Use, Operating, and Maintenance Agreement for the Millbrae Station and BART/JPB/SamTrans Facilities Related to the BART SFO Extension Project, dated February 18, 2005, between the Peninsula Corridor Joint Powers Board, ("JPB"), the San Mateo County Transit District ("SamTrans"), and BART. The First Amendment contains a new payment schedule for JPB's reimbursement of Caltrain's share of the costs for operation and maintenance of the Millbrae Station.

DISCUSSION

With the commencement of BART operations on the San Francisco Airport Extension, BART entered into the UOM Agreement, pursuant to which BART provides maintenance for the Caltrain Use Area at the Millbrae Station, and JPB agrees to reimburse BART for Caltrain's share of the costs for operation and maintenance of the station. The original payment schedule called for payments as follows:

FY04	\$400,000
FY05	\$450,000
FY06	\$500,000
FY07	\$600,000
FY08	\$700,000

Under the terms of the UOM Agreement, the amount of the JPB share for the years following FY08 is to be determined by the parties prior to the end of FY08.

BART staff and JPB staff have negotiated a new five year payment schedule which calls for Consumer Price Index ("CPI")-based annual increases for FY09 through FY13. The "CPI-W - Consumer Price Index for Urban Wage Earners and Clerical Workers, San Francisco-Oakland-San Jose CA" index will be used for these calculations. The FY09 CPI-based increase will add \$22,400 to the FY08 payment amount, for a total of \$722,400. The amount due for FY10 will be the amount for FY09 adjusted by the CPI-based increase for the preceding year, and so on for each successive year through FY13.

Fiscal Impact:

The proposed payment schedule will generate sufficient revenues to cover BART's estimated expenses in performing the services detailed in the UOM Agreement.

Alternative:

Without a revised payment schedule, BART would continue to be obligated to provide maintenance without any associated revenue to offset the expenses incurred.

Recommendation:


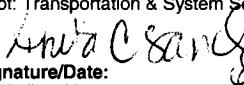


Authorize the General Manager to execute the First Amendment to the UOM Agreement that will put in place a revised payment schedule for FY09 through FY13. The Office of the General Counsel will approve the First Amendment as to form.

Motion:

To authorize the General Manager to execute the First Amendment to the UOM Agreement to put in place a revised payment schedule for FY09 through FY13. Under the revised schedule, the amount paid by JPB in any fiscal year will equal the amount paid the previous fiscal year plus a CPI-based inflationary adjustment.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 		GENERAL MANAGER ACTION REQ'D:		
DATE: 6/6/08		BOARD INITIATED ITEM: No		
Originator/Prepared by: Anita C Sanchez Dept: Transportation & System Service Signature/Date:  6/4/08	General Counsel  6/5/08	Controller/Treasurer  6/6/08	District Secretary []	BARC RUDY GREGO KOK PAUL OVER 6/5/08

TITLE:

Agreement to Provide Standby Emergency Medical Services at Specific Locations

NARRATIVE:

PURPOSE: To request the Board to authorize the General Manager to execute Agreement No. 6M3093 To Provide Standby Emergency Medical Services at Specific Locations with King American Ambulance Company. The Agreement will result in the provision of standby medical response staff and equipment to perform patient assessment and disposition as required for stations between the West Oakland and Civic Center Stations, inclusive. The Agreement is for a base term of three years with options for two additional one-year terms.

DISCUSSION: As part of the FY 2008 budget, a pilot program to provide paramedic services at either end of the Transbay tube was initiated to reduce train delays caused by passenger illness and as a measure to facilitate meeting the Train-On-Time performance standard of 94%. Data shows that, historically, passenger illness delays occurred most frequently at the Embarcadero and West Oakland Stations. Paramedic support is currently being provided on non-holiday weekdays during the peak travel times of 6:00-9:00 a.m. and 3:00-7:00 p.m. at each of these stations under two agreements that expire at the end of FY 2008. Initially funded for a six-month trial, these paramedic services have been instrumental in reducing delays at these two critical points in the system. Therefore, staff is recommending the continuation of these services through a new agreement.

A Request for Quotations was sent to the two current providers, King American Ambulance Company and American Medical Response. The quote from American Medical Response was found to be non-responsive. King American Ambulance responded with a quote of \$697,323.00 for three years and \$232,441.00 for each of the option years. This is lower than staff estimate of \$765,000.00 for the three-year base period.

Staff has reviewed the quotation provided by King American Ambulance Company and has made the determination that it is responsive, the proposed price is fair and reasonable and that the firm is capable of performing services based upon past performance, business history and financial status.

The Office of the General Counsel will approve the Agreement to form.

FISCAL IMPACT: Funding for this Agreement will be provided from Transportation & System Service Department's operating budget (Cost Center 700) in the amount of \$232,441.00 per year for FY2009 through FY2013.

ALTERNATIVE: Do not authorize the execution of the Agreement and end the pilot effective June 30, 2008. This could result in more train delays due to passenger illness.


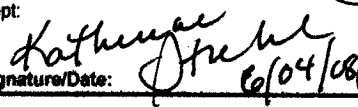
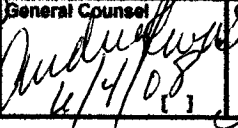

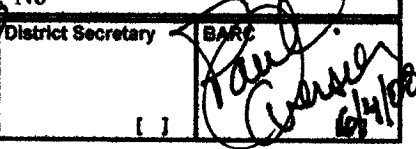
RECOMMENDATION: Adoption of the following motion.

MOTION:

The General Manager is authorized to execute Agreement No. 6M3093 To Provide Standby Emergency Medical Services at Specific Locations with King American Ambulance Company Stations for a base term of three years at a cost not to exceed \$697,323.00, with the option to extend the Agreement for two additional one year terms for an additional amount not to exceed \$232,441.00 per year, for a total Agreement cost not to exceed \$1,162,205.00.



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: 		GENERAL MANAGER ACTION REQ'D:	
DATE: 6/4/08		BOARD INITIATED ITEM: No	
Originator/Prepared by: Paul Fadell	General Counsel	Controller/Finance	District Secretary
Dept:			
Signature/Date:  6/04/08	 6/4/08	 6/4/08	 6/4/08
Status: Routed		Date Created: 05/30/2008	

TITLE:

AUTHORITY TO EXECUTE A FUNDING AGREEMENT WITH THE CALIFORNIA STATE PARKS FOUNDATION FOR THE YOSEMITE SLOUGH PROJECT TO SATISFY THE BART SAN FRANCISCO AIRPORT EXTENSION (SFO) PROJECT WETLANDS MITIGATION OBLIGATION

NARRATIVE:

PURPOSE: Request the Board to authorize the General Manager to execute an agreement (Agreement) with the California State Parks Foundation (CSPF) to satisfy BART's wetlands mitigation obligation related to the SFO Extension Project.

DISCUSSION: In the development of the SFO Extension, BART was required by its environmental permits to create approximately 2.9 acres of seasonal wetlands to replace the wetlands that were taken for construction of the SFO Extension facilities through the West of Bayshore (WOB) portion of the alignment. Despite many efforts by BART over several years to satisfy this obligation at the WOB site, or at several other alternative locations, only recently did staff identify an opportunity to satisfy this obligation within the WOB watershed. The Yosemite Slough Project is an effort by the CSPF to establish wetlands in the Candlestick Park area of San Francisco Bay.

Through discussions with the Regional Water Quality Control Board (RWQCB), staff contacted the CSPF and obtained agreement, subject to BART Board approval, to contribute \$1 million to the Yosemite Slough Project to satisfy BART's SFO wetlands mitigation obligation. BART has obtained the approval of the Department of the Army, Army Corps of Engineers (ACOE), and final approval by the RWQCB is anticipated shortly, for the above-described contribution to satisfy the SFO wetlands mitigation obligation in lieu of creating additional seasonal wetlands. Therefore, to complete BART's obligations under ACOE and RWQCB requirements applicable to the SFO Project, BART Board authorization is requested for the General Manager to execute the Agreement with CSPF to contribute \$1 million to the Yosemite Slough Project. The Office of the General Counsel has approved the Agreement as to form.

Fiscal Impact:

The Funding for \$1 million required under the Agreement with CSPF is within the Right of Way

Fiscal Impact:

The Funding for \$1 million required under the Agreement with CSPF is within the Right of Way line item of the revised total Project Budget. The Office of the Controller/Treasurer certifies that funds are currently available to meet this obligation.

As of May 29, 2008 the following funding sources are available for this commitment:

Fund Grant	Funds Available	Committed	Pending Commitments	Funds Allocated to this EDD
42C-Samtrans	\$80,770,000	\$80,653,360	\$ 0	\$ 116,640
42I-Non-Fed	\$20,361,453	\$20,086,452	\$ 0	\$ 275,001
42J-SFO Proj Investment Earnings	\$35,027,200	\$33,209,493	\$1,000,000	\$ 608,359
Total	\$136,158,653	\$133,949,305	\$1,000,000	\$1,000,000

There is no fiscal impact on available unprogrammed District Reserves.

ALTERNATIVES: Do not execute the Agreement with CSPF to contribute \$1 million to the Yosemite Slough Project. Staff would instead have to keep searching for another alternative acceptable to the ACOE and the RWQCB to satisfy BART's outstanding wetlands mitigation obligation for the SFO Extension Project. This may further delay the close out of the BART's Federal Transit Administration (FTA) Full Funding Grant Agreement for the SFO Project.

RECOMMENDATION: Authorize the General Manager to execute the Agreement with CSPF for the contribution to the Yosemite Slough Project.

MOTION: Authorize the General Manager to execute the Agreement with the California State Parks Foundation for the contribution of \$1 million to the Yosemite Slough Project to satisfy BART's San Francisco Airport Extension wetlands mitigation obligation



EXECUTIVE DECISION DOCUMENT

GENERAL MANAGER APPROVAL: <i>Maica del Real</i>		GENERAL MANAGER ACTION REQ'D:		
DATE: 6/5/08		BOARD INITIATED ITEM: No		
Originator/Prepared by: Paul Fadelli Dept: <i>Finance</i>	General Counsel <i>Andrew Kowalski</i> 6/11/08	Controller/Treasurer []	District Secretary []	BARC <i>6/11/08</i> []
Signature: <i>Paul Fadelli</i> Date: <i>6/11/08</i>				
Status: Routed		Date Created: 05/29/2008		

TITLE:

'08 State Legislation Review

NARRATIVE:

PURPOSE

To review pending legislation where the BART Board has already taken a position, and to seek positions on additional state legislation that could have direct impact on BART.

DISCUSSION:

I. ONGOING LEGISLATIVE AGENDA

In February, the Board approved legislative goals that BART should undertake in 2008 when tracking specific legislation in the State Capitol. The goals included: (1) Follow through on pending prioritized legislation, (2) Monitor and respond to BART funding needs, (3) Monitor environmental legislation and proposals, and position BART, where appropriate, as an "environmental asset," and (4) Respond to BART's need for continued funding from Infrastructure Bonds implementation.

The BART Board has taken positions on the following bills introduced in the first year of the '07-'08 2-year legislative session in the State Capitol:

SUPPORT AB 444 (Hancock) Congestion management: motor vehicle registration:

AB 444 would authorize the congestion management agencies in Alameda, Contra Costa, Santa Clara, Santa Cruz, Marin and Solano counties to place on the ballot a measure to impose up to a \$10 fee on each vehicle registered in the county. Funds raised would be used for congestion relief projects, as well as environmental mitigation projects of which certain transit projects might qualify.

Status: Senate Revenue & Taxation Committee.

SUPPORT SB 748 (Corbett) State & Local Partnership: Prop 1B Funding

SB 748 sets out proposed guidelines for the California Transportation Commission to implement the State-Local Partnership Program established in the Proposition 1B Transportation Bond. The bill defines eligible local matching funds for the required dollar-for-dollar match, and would limit the amount of bond funding to \$25 million for a single project per funding cycle. This bill has been the subject of leadership negotiations for the past several months.

Status: Assembly Appropriations Committee.

SUPPORT AB 1221 (Ma) Transit village developments: Infrastructure Finance Districts:

AB 1221 would extend the area included in a transit village plan from $\frac{1}{4}$ to $\frac{1}{2}$ mile from a transit station. The bill would allow a city or county that prepares a transit village plan to establish an Infrastructure Finance District (IFD) to engage in tax increment financing (TIF) to help fulfill the goals of a transit development plan.

Status: Senate Transportation and Housing Committee.

SUPPORT AB 1358 (Leno) Complete Streets:

AB 1358 would require that the legislative body of a city or county, upon any revision of its general plan, modify the *circulation element* to accommodate the safe and convenient travel of users of streets, roads, and highways - defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan.

Status: Senate Floor, Inactive File.

WATCH SB 375 (Steinberg) Transportation planning: travel demand models: sustainable communities strategies: environmental review:

SB 375 would require the California Transportation Commission (CTC) to adopt guidelines for travel demand models used in the development of regional transportation plans by certain transportation planning entities. This bill would require the creation of "Sustainable Communities Strategies" to help limit greenhouse gases and would provide incentives for exemptions of CEQA to help achieve that goal. (See below: staff recommends changing position from WATCH to SUPPORT)

Status: Assembly Appropriations Committee

II. PROPOSED '08 LEGISLATIVE AGENDA**

****See EDD attachment for more information on each of the following bills**

With the legislative goals approved by the BART Board, BART continues in this second year of

the session to monitor and work with authors, staff and our contract lobbyist to identify and help pass legislation which benefits the BART system. The following bills are presented to the Board for consideration.

A. Legislation Proposed for **SUPPORT**:

AB 1836 (Feuer) – Infrastructure Financing Districts (IFD)

Current law authorizes local governments to establish IFDs to help construct public works projects. These projects can then be financed by the issuance of bonds secured by the growth in property tax revenues within the district over a 30-year period (in much the same manner that redevelopment agencies finance projects). The requirement to have an election to approve such IFDs - by two thirds of those voting - has limited the potential of IFD development. AB 1836 would delete this requirement (relying instead on a vote by local city or county governing boards) to make it easier for local communities to realize the financial benefits of IFDs. BART could benefit from this legislation because it would make it easier to establish an IFD which could directly enhance local opportunities for Transit Oriented Development (TOD) at BART stations. In addition, in order for BART's sponsored bill AB 1221 (above) to have passed out of the Senate Local Government Committee, the author, Assemblywoman Ma, had to accept an amendment deleting a similar exemption requiring a local 2/3 voting requirement for transit projects. If passed, AB 1836 would exempt such elections for all IFD projects, and would help fulfill the implementation goals of AB 1221.

AB 2705 (Jones) – Mello-Roos: public transit

The Mello-Roos Act provides local officials with a key tool for accumulating the public capital needed to pay for specific infrastructure and services that make new residential development possible. AB 2705 would add "public transportation" to the list of services that a Community Facilities District could fund through the Mello-Roos Act. This could be a possible alternative source of local revenue with the ability for BART to overlay a Mello-Roos financing structure in a redevelopment plan area.

SB 445 (Torlakson) – Greenhouse Gas Mitigation Fees

SB 445 would authorize specified regional transportation agencies to impose a greenhouse gas mitigation fee - either through a registration fee on vehicles or a fee on motor vehicle fuel - not to exceed \$0.10 per gallon that is sold within the agency's jurisdiction. Such action would take approval by the locally elected governing body and a vote of local citizens. Revenue from fees raised could be used to fund "greenhouse gas mitigation projects and programs." BART could benefit if this bill passes because the first category for qualifying programs is "public transit projects and programs," and the author's office has said that projects focusing on building transit capacity and access would qualify for such mitigation.

B. Legislation Proposed for **SUPPORT (if amended):**

SB 375 (Steinberg) Transportation planning: travel demand models, sustainable communities strategy, environmental review.

SB 375 makes changes with respect to regional transportation and land use planning, with the overall goal of reducing greenhouse gas emissions attributable to the transportation sector in California.

Key provisions require: the development of transportation planning models, creating "sustainable community strategies" (SCS) for inclusion in the regional transportation plan in order to achieve regional greenhouse gas emissions reduction targets, and providing incentives (CEQA exemptions) for local governments to incorporate these strategies into the land use, housing and open space elements of their general plans.

BART has monitored the debate and issues surrounding the evolving SB 375 authored by Sen. Darrell Steinberg of Sacramento – who will be the next leader of the State Senate later this year. BART staff have taken part in CTA workshops on the bill and conferred with the BART legal and planning departments on possible impacts this bill might have on BART. While the bill may continue to change, and provides major policy concerns for cities and developers in the state, on balance we believe BART could benefit by shifting the BART Board position from a WATCH to a SUPPORT – if amendments are accepted which respond to specific BART concerns which have been identified.

Reasons for possible BART support of SB 375 include:

- Considering the enormous state goal established by AB 32 to reduce GHG emissions, SB 375's goals are appropriate. The need for bold action -- to better connect regional planning, land use and transportation -- is real.
- Because BART is striving to be a leader in sustainability through a variety of internal and external policy and administrative changes, supporting SB 375 would place BART publicly in line with how it runs its own operations and the service it provides as an alternative to driving. Bay Area support for SB 375 includes MTC and MUNI (Mayor of San Francisco).
- The bill's encouragement of measures to reduce vehicle miles travelled in order to reduce vehicle GHG emissions could result in increased ridership for BART and other transit operators.
- SB 375 primarily impacts regional planning and would not impact transit funding. The primary focus is to compel better planning – through the inclusion of sustainable communities strategies in RTPs – and would exempt most transit projects already in the pipeline. Future transportation projects would have to be consistent with the regional SCS. Most who oppose the legislation are local officials concerned about losing land use authority or new administrative burdens.
- Modeling provisions in the bill (dealing with VMT reduction) can benefit transit/BART.
- There could be possible benefits if BART can obtain CEQA exemptions or streamlining for projects that further sustainable communities goals.

BART staff has identified some provisions of SB 375 that should be clarified or amended before officially supporting the bill to encourage "sustainable communities strategies":

1. SB 375 defines “consistent with sustainable communities strategy” to mean that “the capacity of the *transportation projects* or improvements does not exceed that which is necessary to provide reasonable service levels for the existing population and the planned growth of the region.” This definition should be amended or clarified to mean “*roadway* capacity.”
2. SB 375 should include a definition of Transit Oriented Development (TOD) and provide, in some way, for a more direct exemption from CEQA for TOD projects which support the author’s greenhouse goals.
3. Language should be amended in the bill to require that additional factors, such as speed and *frequency of service* should also be considered when “Travel Demand Models” are fashioned to help direct development and investments in transit services.

FISCAL IMPACT:

N/A (see attachment)

ALTERNATIVE:

The Board does not support legislation listed for review.

RECOMMENDATION:

Approval of the following motion.

MOTION:

The Board approves the following positions for state legislation:

SUPPORT for:

AB 1836 (Feuer) – Infrastructure Financing Districts
AB 2705 (Jones) – Mello-Roos: public transit
SB 445 (Torlakson) – Greenhouse Gas Mitigation Fees

SUPPORT if amended for:

SB 375 (Steinberg) – Sustainable Communities Strategy

EDD Attachment:



Proposed '08 Legislative Agenda

A. Bills Proposed for *SUPPORT*:

AB 1836 (Feuer) – Infrastructure Financing Districts

AB 2705 (Jones) – Mello-Roos: public transit

SB 445 (Torlakson) – Greenhouse Gas Mitigation Fees

B. Bills Proposed for *SUPPORT -- if amended*:

SB 375 (Steinberg) – Sustainable Communities Strategy

A. Bills Proposed for *SUPPORT*:

AB 1836 (Feuer)

Infrastructure Financing Districts: Voter Approval Repeal

Existing law allows a local legislative body to create an Infrastructure Financing District (IFD), adopt an infrastructure financing plan, and issue bonds to finance specified public facilities, upon voter approval. AB 1836 (Feuer) would eliminate the requirement of voter approval and allow the local legislative body to create the Infrastructure Finance District, adopt the plan, and issue the bonds by resolutions.

Comments from Assembly Floor Analysis (4-30-08):

“Current law authorizes local governments to establish IFDs to construct public works such as highways, sewer projects, and child care facilities. Projects are financed by the issuance of bonds secured by the growth in property tax revenues within the district over a 30-year period (in much the same manner that redevelopment agencies finance

projects). The growth in schools' share of the property tax may not be used to finance an IFD. The diversion of the property tax increment of other local agencies to an IFD requires the consent of the local agency.

“For several years, local officials were reluctant to form IFDs because they worried about the constitutionality of using tax increment revenue from property that was not within the redevelopment project area. When a 1998 Attorney General's opinion allayed those concerns, the City of Carlsbad formed an IFD in 1999 to fund the public works for a new hotel located adjacent to the Legoland theme park. That small project is the only example of local officials' use of the 1990 IFD law.

“Existing law requires a two-thirds voter approval for the formation of an IFD and for the issuance of bonds. This requirement is different than the process for establishing redevelopment areas, where only the approval of the city council or board of supervisors, respectively, is required. The author believes that the requirement for voter approval is a very high bar and has discouraged locals from pursuing the establishment of IFDs. The author feels that in a time when federal and state funding dollars are tight, IFDs could play a critical role in funding much needed infrastructure projects. This bill removes the voter approval requirement for the formation of an infrastructure financing district.”

BART Comments:

- AB 1836 would take away a major hurdle to the establishment of Infrastructure Finance Districts in the state by changing laws which currently require a two-thirds voter approval. IFDs could assist in financing projects associated with transit systems and BART.
- AB 1836 would specifically assist the implementation of the BART sponsored bill AB 1221 (if both passed) to allow greater ability to fashion IFDs for Transit Oriented Development projects.
- With less state support each year for public transit capital and operations, more efforts to empower local support for transit projects is greatly needed.

AB 2705 (Jones) Mello-Roos: public transit

The Mello-Roos Community Facilities Act of 1982 authorizes the establishment of “community facilities districts” and the issuance of bonds and the levying of special taxes to finance various types of facilities and services within the district. This bill would add “public transit services” to the types of services that may be financed under the act.

Comments from Assembly Floor Analysis (4-30-08):

“The Mello-Roos Act is an important feature of the local fiscal landscape, providing local officials with a key tool for accumulating the public capital needed to pay for the infrastructure and services that make new residential development possible. Since 1985, CFDs have issued over \$18 billion in long-term bonds, mostly for capital improvements. Without access to Mello-Roos bond funding, many builders would have to pay higher development impact fees and raise housing prices.

“According to the author's office, this bill will provide many communities with options to build and sustain responsible housing growth centered around transportation. The author feels that by simply adding public transportation to the list of services that a CFD can fund the state is providing a source of funding that communities currently lack when planning for public transportation. The author points to a study done by the American Public Transit Association that found both that property values rise near public transportation, and that the demand for transit-oriented development is increasing, as evidence to why transit funding should be linked to property-related assessments.”

BART Comments:

- BART staff believes this bill could assist with a possible alternative source of local revenue if BART has the ability to overlay a Mello-Roos financing structure in a redevelopment plan area.
- With less state support each year for public transit capital and operations, more efforts to empower local support for transit projects is greatly needed.
- The California Transit Association (CTA) supports this bill.

SB 445 (Torlakson) – Greenhouse Gas Mitigation Fees

SB 445 would authorize statewide that specified regional transportation agencies could impose a “greenhouse gas mitigation fee” -- either a registration fee on vehicles or a fee on motor vehicle fuel, not to exceed \$0.10 per gallon.

The bill would require the fee to be implemented pursuant to a plan, which would be required to contain an expenditure plan describing specified transportation projects and programs to be funded from fee revenues. The fee would be subject to majority approval of the governing board of the implementing agency and local voter approval of a ballot measure containing the expenditure plan and the proposed fee in the jurisdiction where the fee is to be imposed. The fee would be collected by the Department of Motor Vehicles or by another appropriate agency, as specified.

BART Comments:

- SB 455 could provide additional funding for BART if Regional Transportation Agencies (RTA) apply local greenhouse mitigation fees on vehicles or fuel in BART service areas. The legislation would allow these possible new revenues to be used for a variety of mitigation efforts – with “Public transit projects and programs” listed first on a list of eight, which also included “transit-oriented development” and other potential options available to BART to assist in mitigating GHG.
- With less state support each year for public transit capital and operations, more efforts to empower local support for transit projects is greatly needed.
- The author’s staff has said funding green transit efforts is a primary goal of the bill.
- The California Transit Association (CTA) supports this legislation as possible revenue source for local transit projects.

B. Bill Proposed for *SUPPORT -- if amended*:

SB 375 (Steinberg) Sustainable Communities Strategy

California’s landmark AB 32 (Nunez), the Global Warming Solutions Act of 2006, was enacted to reduce greenhouse gas emissions in the state to 1990 levels by 2020. The greatest challenge in meeting the mandates set by AB 32 is from the transportation sector – responsible for at least 40% of the greenhouse gas emissions in the state (30% from cars and light trucks alone) and 50% of the pollution.

Background/Objectives

- SB 375 seeks to assist the implementation of AB 32 (reduce the “share” of greenhouse gas emissions) by changing land-use patterns and their connection to transportation funds.
- SB 375 seeks to create incentives for metropolitan regions to reduce emissions and pollution from cars and trucks by helping to calculate how those emissions would vary under different development scenarios.
- The bill seeks to focus state transportation funding toward those regions and “sustainable communities” that make land-efficient, transit-friendly plans, where CEQA relief would also be awarded.

Bill Provisions

SB 375 would establish a comprehensive link between land use policy, transportation planning and CEQA.

Travel Demand Models

The legislation requires the California Transportation Commission (CTC) to develop guidelines for travel demand models (in conjunction with the Air Resources Board) to be used by federally-designated metropolitan planning organizations (MPOs) in developing their regional transportation plans (RTP).

Sustainable Communities Strategies” (SCS)

The bill requires that a greater level of land-use planning be conducted by Regional Transportation Planning Agencies (RTPAs) and reflected in their RTPs. The development of “**Sustainable Communities Strategies” (SCS)** would be required to:

- Establish growth development patterns and transportation networks that help reduce greenhouse gas emissions pursuant to targets provided to RTPAs by the California Air Resources Board (CARB). If emission targets cannot be met through the SCS, the RTPA would have to prepare a “supplement” (alternative development patterns or additional transportation measures) indicating what actions would take place to meet targets.
- The Action Element of the RTP—i.e., the listing of projects and programs over the 25-year RTP period—must be “consistent” with the SCS, defined as: *“the capacity of the transportation projects is not in excess of what is needed to provide reasonable service levels for the existing population and planned growth pursuant to the Sustainable Communities Strategy.”*

EXEMPTIONS TO CONSISTENCY REQUIREMENT

- Projects programmed before Dec 31, 2011, *if* they are in the 2007 or 2009 Federal Transportation Improvement Program (TIP).
- Projects “specifically listed” in local transportation sales tax ballot measures before December 31, 2006.
- Projects funded with Proposition 1B funds.

ROLE OF CALIFORNIA AIR RESOURCES BOARD (CARB)

- Establish targets for each RTPA by January 1, 2009.
- Auto targets to be reached by 2020.
- Light truck targets to be reached by 2035.
- Take into account what other greenhouse gas emissions measures are expected to achieve.

- Update regional targets consistent with RTP updates until 2050.

CEQA RELIEF

If a local jurisdiction has amended its General Plan to be *substantially* consistent (i.e., same density housing, retail, commercial, open space, etc.) with the Sustainable Communities Strategy, development projects consistent with the General Plan will be considered as “sustainable communities” projects and not subject to certain CEQA provisions provided the:

- Development can be served by existing utilities.
- Site does not contain wetlands, wildlife habitat, endangered species, or hazardous substances.
- Site is not a wildland fire hazard or seismic hazard zone.
- Development is located on an infill site.
- Development is a residential or mixed-use project.
- Development is not more than 8 acres.
- Development does not result in loss of affordable housing units.

BART Comments:

- SB 375’s author wants to assist the state in the difficult goals to reduce GHG emissions set by AB 32. For this goal to be met, many say the bold action of connecting regional planning, land use and transportation must occur soon.
- BART is emerging as a leader on sustainability issues through a variety of internal and external policy and administrative changes. Supporting SB 375 would place BART publicly in line with how it runs its own operations and give those actions a higher profile.
- SB 375 primarily impacts regional planning and would not impact transit funding in the near term. The primary focus is to force better planning – through the creation of RTPs – and would exempt most transit projects already in the pipeline.
- Most who oppose SB 375 are CMAs or local officials concerned about losing land use authority or acquiring new administrative burdens – while important, these are not directly BART’s concern because BART does not function as a CMA.
- The bill’s modeling provisions (dealing with VMT) can benefit transit/BART.
- Bay Area support for SB 375 includes MTC and MUNI (Mayor of SF).
- Unless amended, there is a possibility that SB 375 could create certain land use/planning precedents that do not assist BART’s more suburban communities.
- BART should also consider amendments that would better highlight TOD assets and seek CEQA exemptions for such developments; in addition, BART should also seek an amendment to include additional factors that should be included when VMT models are developed to assist Sustainable Communities Strategies.
- SB 375 will probably continue to change in response to a significant amount of requested amendments. The author’s staff has said a major new amended version

of the bill is due soon, and other Senators may introduce alternative proposals. Would BART be supporting only a “snapshot” in time if BART seeks amendments and shifts its position to SUPPORT? If BART’s suggested amendments are accepted, BART would be supporting the broad goals of the bill and would be an ally in moving legislation which supports the senator’s goals – and if enacted the bill would generate additional riders for BART and public transit. Should the bill again change in ways that do not support BART goals, the author would be notified and the bill would be brought back before the BART Board for further direction.



CAPITOL CORRIDOR JOINT POWERS AUTHORITY MEETING OF THE CAPITOL CORRIDOR JOINT POWERS BOARD

Wednesday, June 18, 2008

10:00 a.m.

City Council Chambers

Suisun City Hall,

701 Civic Center Blvd., Suisun City, CA

(see attached map)

DRAFT AGENDA

I. Call to Order

II. Roll Call and Pledge of Allegiance

III. Report of the Chair

IV. Minutes of February 20, 2008 Meeting

Action

V. Consent Calendar

Action

1. Automated Ticket Validation Project – Updated Budget

VI. Action and Discussion Items (Executive Director)

1. 2008 State Transportation Improvement Program- Interregional Improvement Program

Action

2. FRA FY 08 Intercity Rail Application – San Jose-Newark Track Improvement Project

Action

3. Governor's Proposed FY 2008-09 Budget/Legislative Matters

Action

4. Results of January 2008 On Board Surveys

Discussion

5. Managing Director's Report (Status of Service Performance)

Info

6. Work Completed

a. May 12, 2008 Timetable Change

Info

b. Marketing Activities (February – May 2008)

Info

7. Work in Progress

a. Proposition 1B FY 08 Transit Security Improvement Projects

Info

b. Proposition 1B Intercity Rail Project Allocations

Info

c. June 2008 UPRR Tie Renewal Project: Benicia-Fairfield

Info

d. "Fix I-5" Downtown Sacramento Construction/Capitol Corridor Mitigation Services

Info

e. Upcoming Marketing Activities

Info

VII. Board Member Reports

VIII. Public Comment

IX. Adjournment. Next Meeting Date: 10:00 a.m., September 17, 2008 at City Council Chambers, Suisun City Hall, 701 Civic Center Blvd., City of Suisun City, CA

Notes:

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

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

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