

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: June 23-24, 2021

From: MITCH WEISS, Executive Director

Reference Number: 4.15, Action

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Subject: Adoption of the Proposition 116 Clean Air and Transportation Improvement Act of 1990 Close-Out Policy, Resolution G-21-49

Recommendation:

Staff recommends the California Transportation Commission (Commission) approve the Proposition 116 Clean Air and Transportation Improvement Act of 1990 (Proposition 116) close-out policy as outlined below and included in Attachment A:

- The Commission will no longer consider program amendments to previously programmed projects after approval of this policy.
- The Commission will no longer consider allocation amendments to previously programmed projects after approval of this policy.
- The project savings accumulated from the Proposition 116 Program, totaling \$9,575,351, will be programmed to the Stockton Regional Maintenance Facility Expansion Project (PPNO 9884) currently programmed for construction in fiscal year 2020-21 in the State Transportation Improvement Program.
- Any Proposition 116 savings not allocated by June 30, 2021, including funds programmed to the Stockton Regional Maintenance Facility Expansion Project, may be allocated to an eligible rail project(s) programmed in the State Transportation Improvement Program.
- All funds allocated from the Proposition 116 Program shall be invoiced on a non-proportional basis.
- The timely use of funds policy provisions included in the State Transportation Improvement Program shall apply to the Proposition 116 Program.
- All other provisions of the Proposition 116 Program Guidelines remain in effect.

Issue:

The Proposition 116 Program statute and guidelines did not provide sunset provisions to close-out the program. The program is over 30 years old and all projects that received an allocation have been completed.

Assembly Bill 2620 (Dababneh, Chapter 763, Statutes of 2016) authorizes the Commission to reallocate any funds not expended or encumbered by July 1, 2020 to another existing passenger rail project with existing rail services as specified.

As of June 30, 2020, the Commission has allocated \$1.984 billion out of \$1.990 billion in total Proposition 116 funds. A cumulative total of \$9,575,351 has been identified and is available for programming as follows: \$5 million from one project that was never allocated and \$4.575 million from project savings.

Commission Staff proposes to utilize the available Proposition 116 funds to fund construction on the Stockton Regional Maintenance Facility Expansion Project (PPNO 9884) currently programmed in the STIP. There is no increase in the cost of this project. Rather, the Proposition 116 funds will be allocated to this project in place of other STIP funds.

The project is ready to start construction in fiscal year 2020-21 and will expand the existing Altamont Corridor Express Maintenance Facility to accommodate the new fleet of rail cars for the San Joaquin Corridor service. The expanded Regional Rail Maintenance Facility will become a shared maintenance facility with the Amtrak San Joaquin Corridor service and when completed, it could be used for maintenance of Capitol Corridor trains. The project includes a parts storage building and the expansion of the existing rail maintenance facility. The selected project meets eligibility requirements in Section 99613 of the Public Utilities Code as identified in Proposition 116.

Background:

The Clean Air and Transportation Improvement Act of 1990, approved by voters, created the Proposition 116 Program and authorized \$1.990 billion to fund passenger and commuter rail projects as well as some limited funding for bus transit, water-borne ferry, and bicycle projects to improve safety operations and create reliable transit services.

Attachment:

- Attachment A: Proposition 116 Clean Air and Transportation Improvement Act of 1990 Close-Out Policy, Resolution G-21-49

CALIFORNIA TRANSPORTATION COMMISSION
Proposition 116 Clean Air and Transportation Improvement Act of 1990
Close-Out Policy

RESOLUTION G-21-49

- 1.1 **WHEREAS**, the Proposition 116 Clean Air and Transportation Improvement Act of 1990 (Proposition 116) was approved by the voters on June 5, 1990 to fund passenger and commuter rail projects as well as some limited funding for bus transit, water-borne ferry, and bicycle projects to improve safety operations and create reliable transit services; and
- 1.2 **WHEREAS**, the California Transportation Commission (Commission) adopted the Proposition 116 Ferry Program Guidelines on April 25, 1991; and
- 1.3 **WHEREAS**, the Commission adopted the Proposition 116 Bicycle Program Guidelines on April 25, 1991; and
- 1.4 **WHEREAS**, the Commission adopted the Proposition 116 Non-Urban County Transit Program Guidelines on May 23, 1991; and
- 1.5 **WHEREAS**, the Commission adopted the Proposition 116 Rail Program Guidelines on July 18, 1991; and
- 1.6 **WHEREAS**, all allocated projects in the Proposition 116 Program are completed; and
- 1.7 **WHEREAS**, the Proposition 116 Program does not provide provisions to close-out the program; and
- 1.8 **WHEREAS**, Assembly Bill 2620 (Chapter 763, Statutes of 2016) authorizes the Commission to reallocate any funds not expended or encumbered by July 1, 2020 to any existing passenger rail project with existing rail service as specified; and
- 1.9 **WHEREAS**, as of June 30, 2020, a cumulative total of \$9,575,351 has been identified and is available for Proposition 116 funds: \$5 million from one project that was never allocated and \$4.575 million from project savings.

2.1 **NOW THEREFORE BE IT RESOLVED**, that the Commission hereby adopts the below policy to close-out the Proposition 116 Program:

- The Commission will no longer consider program amendments to previously programmed projects after approval of this policy.
- The Commission will no longer consider allocations to previously programmed projects after approval of this policy.
- The project savings accumulated from the Proposition 116 Program, totaling \$9,575,351, will be programmed to the Stockton Regional Maintenance Facility Expansion Project (PPNO 9884) currently programmed for construction in fiscal year 2020-21 in the State Transportation Improvement Program.
- Any Proposition 116 savings not allocated by June 30, 2021, including funds programmed to the Stockton Regional Maintenance Facility Expansion Project, may be allocated to an eligible rail project(s) programmed in the State Transportation Improvement Program.
- All funds allocated from the Proposition 116 Program shall be invoiced on a non-proportional basis.
- The timely use of funds policy provisions included in the State Transportation Improvement Program shall apply to the Proposition 116 Program.
- All other provisions of the Proposition 116 Program Guidelines remain in effect.