

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of June 6, 2008

STAFF REPORT

Item: 4.1	Description: Minutes of April 4, 2008
Information	Staff: Ms. Mortensen

The regular meeting for April 4, 2008 of the San Joaquin Regional Rail Commission was held at 8:00 a.m. at the Robert J. Cabral Station, 949 East Channel Street Stockton, CA 95202

1. Call to Order/Pledge of Allegiance/Roll Call

Chairman Restuccia called the meeting to order at 8:02 a.m. and Commissioner Harris led the audience in the pledge of allegiance.

Commissioners Present: Bestolarides, Harris, Haggerty, Blalock, Chairman Restuccia,

Ex-Officio Members Present: Kelsay, Dial, Dumas

2. Public Comments

None

3. Presentations and Recognitions

None

4. Consent Calendar:

All items listed immediately below will be acted upon under one vote unless specifically requested to be removed from the Consent Calendar by a member of the Commission, a member of staff, or a member of the public.

4.1	Minutes of April 4, 2008	ACTION
4.2	Rail Commission/ACE Monthly Expenditure Report	INFORMATION
4.3	Monthly ACE Fare Revenue	INFORMATION
4.4	ACE Ridership	INFORMATION
4.5	ACE On-Time Performance	INFORMATION
4.6	Audit Report for Fiscal year Ending June 30, 2006	INFORMATION

Items 4.3, 4.5 and 4.6 were pulled by Commissioners for discussion.

M/S/C (Bestolarides/Blalock) to approve the remaining Consent Calendar. Passed and Adopted by the San Joaquin Regional Rail Commission on the 6th day of June, 2008 by the following vote to wit:

Ayes: 5 Bestolarides, Harris, Haggerty, Blalock, Chairman Restuccia,

Noes: 0

Abstain: 0

Chairman Restuccia pulled Item 4.3, Monthly ACE Fare Revenue to inquire about the 9% increase over last year. Commissioner Harris commented on Item 4.5, On-Time Performance and noted that staff effort with Union Pacific over the last couple years have really paid off. Performance near 90% is a dramatic improvement over the mid 70's of a couple years ago.

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Commissioner Harris also pulled Item 4.6, Audit Report for Fiscal Year Ending June 30, 2006 for discussion. He asked for an explanation of the auditor note regarding the unsecured funds in the County Pool. A discussion followed related to the County's bank, the selection of the collateral pool and the actual amount of revenues sitting in the County Pool at a given time. Staff was directed to briefly summarize the agency policy and the status of the funds in a report at the following Commission meeting.

M/S/C (Haggerty/Blalock) M/S/C (Bestolarides/Blalock) to approve Consent Calendar Items 4.3, 4.5 and 4.6, with the direction from the Commission. Passed and Adopted by the San Joaquin Regional Rail Commission on the 6th day of June, 2008 by the following vote to wit:

Ayes: 5 Bestolarides, Harris, Haggerty, Blalock, Chairman Restuccia,
Noes: 0
Abstain: 0

5. Approve Resolution for the Adoption of a Mitigated Negative Declaration, Findings, And Mitigation Monitoring and Reporting Plan; Adopt a Categorical Exclusion under the National Environmental Policy Act (NEPA); Authorize the Executive Director to Execute and File Notice of Determination under the California Environmental Quality Act (CEQA) for the San Joaquin Regional Rail Commission Equipment Maintenance Facility. (Action)

Melissa Duncan, EIP/PBS&J noted that the maintenance facility project was subject to NEPA and CEQA requirements. A Categorical Exclusion was granted by the Federal Transit Administration for NEPA and a Mitigated Negative Declaration has been circulated to meet CEQA. For the NEPA approval, numerous Technical Reports were prepared. A Noise Report determined that there would be no significant impacts associated with construction or operation of the maintenance facility. A Cultural Resources Survey report concluded that there would be no historic properties affected. A historic cemetery was previously on the site, but the cemetery had been relocated. However, as a precaution, the proposed project was designed to avoid placing any buildings on the former cemetery site and appropriate mitigations were incorporated to avoid any impacts. Concurrence was received from SHPO in December of 2007.

For the CEQA requirements, an Initial Study was prepared addressing the areas of cultural resources, hazardous materials, hydrology and water quality. Mitigations were incorporated to reduce any potential impacts to a less than significant level. During the public review period, only one comment was received from the Department of Toxic Substances Control (DTSC). In response, mitigation measures were then modified to address DTSC concerns.

Commissioner Haggerty commented that he hoped all gravesites had been located to avoid any delays to construction. Ms. Duncan responded that extensive historic research was conducted and ground penetrating radar was used on the sites that may have had graves. No buildings will be placed in the areas, and any pavement constructions have mitigation measures built in to ensure that subsurface areas are not disturbed.

M/S/C (Blalock/Harris) to approve Resolution for the Adoption of a Mitigated Negative Declaration, Findings, And Mitigation Monitoring and Reporting Plan; Adopt a Categorical Exclusion under the National Environmental Policy Act (NEPA); Authorize the Executive Director to Execute and File Notice of Determination under the California Environmental Quality Act

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(CEQA) for the San Joaquin Regional Rail Commission Equipment Maintenance Facility. Passed and Adopted by the San Joaquin Regional Rail Commission on the 6th day of June, 2008 by the following vote of wit:

Ayes: 5 Bestolarides, Harris, Haggerty, Blalock, Chairman Restuccia,
Noes: 0
Abstain: 0

6. Increase HDR Engineering Final Engineering and Contract Document Agreement for the Extension of the Station Track over Miner Ave and Track Extension to the ACE Equipment Maintenance Facility to incorporate Union Pacific Railroad and City of Stockton requests for additional design work; Not-To-Exceed \$305,000. (Action)

Brian Schmidt, Director Planning and Programming reported that this item proposes an increase in the contract with HDR for final engineering and construction documents for the Cabral station track extension and the track connection to the maintenance facility. In the final stages of project review, the City of Stockton Redevelopment agency has requested that the bridge across Minor Avenue incorporate a façade to match the redevelopment concepts for Minor Avenue and the Cabral station theme. In the final stages of negotiation with Union Pacific on the maintenance facility, the negotiating team was successful in getting Union Pacific to agree to an escape route on the north side of the maintenance, in the event that a derailment or equipment failure blocks the sole access coming out on the south end of the facility. Additional design work and permits are estimated not to exceed \$305,000.

M/S/C (Haggerty/Blalock) to approve Increase HDR Engineering Final Engineering and Contract Document Agreement for the Extension of the Station Track over Miner Ave and Track Extension to the ACE Equipment Maintenance Facility to incorporate Union Pacific Railroad and City of Stockton requests for additional design work; Not-To-Exceed \$305,000. Passed and Adopted by the San Joaquin Regional Rail Commission on the 6th day of June, 2008 by the following vote of wit:

Ayes: 5 Bestolarides, Harris, Haggerty, Blalock, Chairman Restuccia,
Noes: 0
Abstain: 0

7. 2008/2009 SJRRC Draft Major Work Program Elements (Information)

Mr. Baxter, Director of Operations discussed how the Draft 2008/2009 Work Program is used to develop the Draft Budget. The major work program elements include ACE Service Oversight, ACE

Corridor Development, Maintenance Facility, Merced to Sacramento Rail Study, Cabral Station Revitalization, Marketing and Special Outreach, Strategic Development and Communications, Capital Improvement Program and Onboard Passenger Amenities Program

Commissioner Harris asked about the category identified for Homeland Security activities. Mr. Schmidt noted that Homeland Security projects are identified in the Capital Improvement Program. He updated the Commission on staff member Steve Walker's efforts to secure \$300,000 in this year and \$500,000 in the next fiscal year. Commissioner Harris wanted to ensure that the stakeholders are aware that Homeland Security is an active part of the Commission's Work Program.

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8. Commissioner Comments

Commissioner Harris thanked the members of the Commission who were meeting with federal legislators and staff on the Commission's legislative priorities.

9. Ex-Officio's Comments

None.

10. Executive Director Report

None

11. Adjournment 8.45 A.M.

The next meeting is scheduled for:

Friday, May 2, 2008 @ 8:00 A.M.

Robert J. Cabral Station

949 E. Channel Street

Stockton, CA 95202