

SAN JOAQUIN REGIONAL RAIL COMMISSION

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

AGENDA

June 26, 2009 – 8:00 a.m.

Robert J. Cabral Station	and	Heritage House (Teleconference)
South Hall Meeting Room		County of Alameda
949 E. Channel Street		4501 Pleasanton Ave
Stockton, CA 95202		Pleasanton, CA 94566

1 Call to Order, Pledge of Allegiance, Roll Call (Chairman Harris)

Roll Call: Ives, Johnson, Bestolarides, Johnston, Vice-Chair Sayles,
Chairman Harris, Alameda Commissioners Haggerty, Blalock

Ex-Officios: DeMartino, Tavares, Chesley

2. Public Comments

Persons wishing to address the Commission on any item of interest to the public regarding rail shall state their names and addresses and make their presentation. Please limit presentations to five minutes. Since the Commission cannot take action on matters not on the agenda unless the action is authorized by Section 54954.2 of the Government Code, items of concern which are not urgent in nature can be resolved more expeditiously by completing and submitting to the Rail Commission Staff a “*Citizen Request Form*” which may be obtained from the SJRRC staff.

Materials related to an item on the Agenda submitted to the Board of Directors after distribution of the agenda packet are available for the public inspection in the Commission Office at 949 E. Channel Street during normal business hours. These documents are also available on the San Joaquin Regional Rail Commission website at www.acerail.com/about-ace/sjrrc-board/sjrrc-board.htm subject to staff’s ability to post the documents before the meeting.

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of June 26, 2009

3. Presentations and Recognitions

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 June 5, 2009 | ACTION |
| 4.2 | Rail Commission/ACE Monthly Expenditure Report | INFORMATION |
| 4.3 | ACE Monthly Fare Revenue | INFORMATION |
| 4.4 | SJRRC 2009-2010 Board Meeting Calendar | ACTION |
| 4.5 | Approve Resolution Authorizing and Directing the Executive Director to Submit and Execute a Grant Application, Agreement, Certifications and Assurances, and all Necessary Documents for Obtaining Fiscal Year 2008 Department of Homeland Security (DHS) Transit Security Grant Funds (TSGP) for security training and anti-terrorism exercise Not-to-Exceed \$434,653 | ACTION |
| 5. | Approve a Contract with Top Grade Construction for the Robert J. Cabral ACE Station Improvements project not-to-exceed \$2,096,124, and Authorize and Direct the Executive Director to Execute any and all Documents Related to the Project (Brian Schmidt) | ACTION |
| 6. | Discussion and Approval of the Midday Schedule Change (Stacey Mortensen) | DISCUSSION/ACTION |
| 7. | Report on June 13th Great America Special Train (Christina Clarke) | INFORMATION |
| 8. | Commissioner Comments | |
| 9. | Ex-Officio Comments | |
| 10. | Executive Director Report | |
| 11. | Adjournment | |

The next regular meeting is scheduled for: *August 7, 2009*
Robert J. Cabral Station
949 E. Channel Street
Stockton, CA 95202

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of June 5, 2009

Item 4.1: Minutes of June 5, 2009

The regular meeting of the San Joaquin Regional Rail Commission was held at 8:03 a.m. June 5, 2009 at the Robert J. Cabral Station, 949 East Channel Street Stockton, CA 95202

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

Chairman Harris called the meeting to order at 8.03 am and Mr. Doug Warner led the audience in the pledge of allegiance.

Commissioners Present: Ives, Johnson, Bestolarides, Johnston, Vice-Chair Sayles, Chairman Harris, Alameda Commissioners Haggerty and Blalock

Ex-Officio Members Present: Tom Dumas/Caltrans

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 the staff, or a member of the public.

- | | | |
|-----|---|-------------|
| 4.1 | Minutes of June 5, 2009 | 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 | Approve Resolution for Shuttle Services for the Altamont
Commuter Express Service and Authorize the Executive Director
to Execute All Necessary Agreements with the Following Agencies: | ACTION |
| | a. Santa Clara Valley Transportation Authority \$275,000 | |
| | b. Livermore-Amador Transportation Authority \$179,000 | |
| | c. Contra Costa County Transportation Authority \$80,000 | |
| | d. Amtrak- Late 3910 Bus \$40,000 | |
| | e. Serendipity Land Yachts, Ltd \$84,000 | |

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of June 5, 2009

- 4.7** Approve Measure K Cooperative Agreements: ACTION
- a. Operating Services for the Altamont Commuter Express (ACE) Project [\$2,006,037]
 - b. Project Management for the San Joaquin Regional Rail Commission's Projects [\$863,557]
 - c. Capital Projects for the San Joaquin Regional Rail Commission's Improvements for the Altamont Commuter Express (ACE) Project [\$3,895,093]
 - d. Special Studies for the San Joaquin Regional Rail Commission [\$500,000]
- 4.8** Approve the Amended and Restated Agreement for the ACE Operations & Maintenance Services on a Continuing Sole Source Basis with Herzog Transit Services, Inc. and Authorize and Direct the Executive Director to Execute All Necessary Documents, Subject to Final Approval of Legal Counsel ACTION
- 4.9** Approve Resolution of the San Joaquin Regional Rail Commission Authorizing and Directing the Executive Director to sign the Transportation Development Act Claim and State Transit Assistance Claim for Rail Operations and Planning Projects Claiming \$754,177 for Fiscal Year 2006/2007 ACTION
- 4.10** Approve Resolution of the San Joaquin Regional Commission Adopting Ordinance No. 09-01 Implementing the Requirements and procedures of the Uniform Public Construction Cost Accounting Act ("UPCCAA"), which serves as an Alternative to the Standard Public Bidding Requirements and Procedures set forth under the Public Contract Code. The San Joaquin Regional Rail Commission Elected to Adopt the UPCCAA by Resolution No. SJRRC-R-08/09-260 at the May 2009 Commission Meeting ACTION
- 4.11** Approve Resolution of the San Joaquin Regional Rail Commission Specifying Construction Trade Journals for Advertising under Ordinance No. 09-01 as part of the requirements and procedures of the Uniform Public Construction Cost Accounting Act ("UPCCAA"), which serves as an alternative to the standard public bidding requirements and procedures set forth under the Public Contract Code. ACTION
- 4.12** Approve the Triennial Title VI Program update and Authorize the Executive Director to Formally Adopt the Program if no Public Comments are Received that Require further Consideration Modification of the Proposed Program (Brian Schmidt) ACTION

M/S/C (Sayles/Johnston) to approve the Consent Calendar. Passed and Adopted by the San Joaquin Regional Rail Commission on the 5th day of June 2009 by the following vote to wit:

Ayes: 7 Johnson, Bestolarides, Haggerty, Blalock, Johnston, Sayles, Chairman Harris

Noes: 0

Abstain: 1 Ives (on item 4.1 only)

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of June 5, 2009

5. Public Hearing: Presentation and Approval of a Resolution Adopting the SJRRC/ACE 2009/2010 Work Program and Budget

Ms. Mortensen reported that she would have Thomas Reeves present the Marketing and Outreach Program and subsequently she would review the changes between the Draft Work Program and Budget discussed in May and the Final Work Program and Budget as part of the June 5th Public Hearing.

Mr. Reeves presented the Marketing & Outreach brochure and presentation. Included in the brochure was a two-page chart which outlined the department's goals, tactics, and measuring tools. In addition, Mr. Reeves presented the board with a sample of the "green" ACE postcard that was sent out to employers.

Mr. Reeves gave an overview of the four major components of the Marketing & Outreach Program: Business Development, Communications & Public Relations, Marketing & Advertising, and Special Trains & Events. In general, the 09/10 focus will be on creating partnerships and word-of-mouth advertising through grassroots marketing efforts. Based on 2008 passenger survey, more than half of ACE's passengers first started riding ACE because of word-of-mouth advertising. The percentage of the Marketing and Outreach Budget allocated to the four major components is as follows:

Marketing & Advertising = 33%;
Special Events & Outreach = 25%
Communications & Public Relations = 24%
Business Development = 18%

Mr. Reeves summarized the Business Development effort to consist of memberships, partnerships, sponsorships, and a business satellite office in the Tri-Valley area. Commissioner Ives asked for clarification on measurement capabilities for sponsorships.

Mr. Reeves described a variety of campaigns that would be directed to the ACE website or a designated phone number. Commissioner Johnson asked whether the hits to the ACE Website could be tracked according to the particular campaign. Commissioner Bestolarides asked staff to track costs associated with each campaign in relation to changes in ridership. Other Board discussion directed staff to periodically report on the cost/benefit factors for each major campaign every 3-4 months.

Mr. Reeves summarized the Communications & Public Relations effort to include passenger surveys, education efforts, public forums, and communication tools. He noted that the Marketing & Advertising effort consisted of radio ads, TV commercials, direct-mail postcards, and the word of mouth campaigns. Commissioner Johnston asked about the duration of campaigns and how often the campaigns are utilized. Mr. Reeves explained how the trial run of several advertising tools will determine how and when the campaigns will be repeated. Commissioner Ives asked about where the ACE radio ads were being aired. Mr. Reeves replied that the ads will be heard on both Bay Area and San Joaquin Valley stations.

Commissioner Blalock mentioned that regardless of the advertising efforts, the economy may have more influence on ridership growth. He also recommended staff look into the possibility of offering free ACE tickets as an incentive to ride.

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Meeting of June 5, 2009

Ms. Mortensen reported on further decreases in the Operating Budget. While there are increases in the line items related to the recent acquisition of additional properties (taxes/assessments and maintenance of facilities). However, these increases are more than offset by decreases in other line items totaling over \$340,000.

Chairman Harris opened the Public Hearing to take comments on the 2009/2010 Work Program and Budget. There were no comments from the audience or the WebEx participants. Chairman Harris closed the Public Hearing.

M/S/C (Sayles/Johnson) to approve Presentation and Approval of a Resolution Adopting the SJRRC/ACE 2009/2010 Work Program and Budget. Passed and Adopted by the San Joaquin Regional Rail Commission on the 5th day of June 2009 by the following vote to wit:

Ayes: 8 Johnson, Bestolarides, Ives, Haggerty, Blalock, Johnston, Sayles, Chairman Harris

Noes: 0

Abstain: 0

6. Approve Ongoing and Multi-Year Professional and Contracted Services Agreements for Fiscal Year 2009/2010 and Authorize the Executive Director To Execute All Necessary Agreements Not to Exceed the Following Amounts:

- a. Neumiller and Beardslee- for Agency Legal Services \$80,000
- b. CJ Strategies- for Federal Legislative Advocacy \$72,000
- c. Capital Representation Group- for State Legislative Advocacy \$30,000
- d. San Jose Hilton - Crew Layover Facilities and Crew Transportation \$230,000
- e. Securitas - Security Services for Trains, Maint.Yard, and HDQRTS \$222,350
- f. Valley Pacific Petroleum – for Diesel Fuel \$1,270,000
- g. Transit Safety Management - for Operations & Special Studies Services \$75,000
- h. Pennino and Associates – Major Project Oversight Support Services \$75,000
- i. Planet Magpie - for Website Hosting, Maintenance, and Development \$80,000

Brian Schmidt, Director of Planning and Programming presented the On-going and Multi-Year Professional and Contracted Services agreements for fiscal year 2009/2010. Mr. Schmidt provided an overview of the administrative and operations related contracts, and advised the Board there is no increase in any of the contracted services.

Commissioner Johnston asked if the Security costs were contracted out and if the amount was for a specific contractor. Mr. Schmidt the name of the current security contracted had been inadvertently omitted. However, if the current security provider was ever performing unsatisfactorily, the Commission could contract with another provider. Commissioner Ives asked if the security contract was a retainer or a month to month cost. Mr. Schmidt stated the contract is structured for monthly payments based on hours worked. Ms. Mortensen noted that the contract contained a termination provision upon specified written notice.

Commissioner Johnston asked what the scope of work Pennino and Associates entailed. Commissioner Bestolarides asked for clarification on whether more work was associated with capital projects as opposed to Operations. Mr. Schmidt noted the majority of the work associated with the contract was for project oversight of the Equipment Maintenance Facility, Security Cameras, and WP Depot Design, which are part of the capital budget.

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Commissioner Haggerty requested the Crew Layover Facilities and Crew Transportation contract be reviewed and a cost comparison between renting hotel rooms and purchasing a home and providing all services and be brought back before the Board. Ms. Mortensen stated the analysis would be undertaken with a target date to come back to the Board at the September meeting.

M/S/C (Johnston/Sayles) Approve Ongoing and Multi-Year Professional and Contracted Services Agreements for Fiscal Year 2009/2010 and Authorize the Executive Director To Execute All Necessary Agreements Not to Exceed the Following Amounts. Passed and Adopted by the San Joaquin Regional Rail Commission on the 5th day of June 2009 by the following vote to wit:

Ayes: 8 Johnson, Bestolarides, Ives, Haggerty, Blalock, Johnston, Sayles, Chairman Harris
Noes: 0
Abstain: 0

7. Approve Rail Commissioner Assignments for AdHoc Subcommittee Activities

Ms. Mortensen presented a list of the current and proposed AdHoc Subcommittees, and noted where there were vacancies. Chairman Harris reported that he and Ms. Mortensen drafted a tentative list of assignments based upon Boardmember expertise, interest and potential time available. The consensus for the assignments was as follows:

Rail Negotiations SubCommittee

Chairman Harris, Commissioners Ives, and Haggerty

Property Acquisition SubCommittee

Vice-Chair Sayles and Commissioner Bestolarides

Central Valley Commuter Rail Policy Advisory Committee

Chairman Harris and Commissioner Johnson

High Speed Rail Coordination SubCommittee

Commissioners Ives and Johnston

Transit Oriented Development SubCommittee

Vice-Chair Sayles, Commissioners Johnson and Blalock

M/S/C (Johnston/Haggerty) Approve Rail Commissioner Assignments for AdHoc Subcommittee Activities. Passed and Adopted by the San Joaquin Regional Rail Commission on the 5th day of June 2009 by the following vote to wit:

Ayes: 8 Johnson, Bestolarides, Ives, Haggerty, Blalock, Johnston, Sayles, Chairman Harris
Noes: 0
Abstain: 0

8. Report on May 28th High-Speed and Intercity Passenger Rail Workshop Presented by the Federal Railroad Administration.

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Ms. Mortensen reported that the FRA's primary focus of the workshop seemed to be meeting the California HSR stakeholders, generally summarizing the federal HSR program and inviting comments on the federal guidelines.

Commissioner Ives asked to be notified of the future HSR meetings where it would be appropriate for Boardmembers to participate.

9. Commissioner Comments

Commissioner Haggerty announced that MTC's Therese McMillan had been selected as the Deputy Director for the Federal Transit Administration.

Commissioner Johnston reported that she had been asked to serve on Amtrak's National Mayor's Advisory Committee.

Chairman Harris commented on the tour that he and staff participated in at the Community Fuels Bio Diesel Plant in Stockton. He appreciated the relationship that had been formed with the company representatives and felt staff's overall Work Program focus on partnerships would be very productive.

10. Ex-Officio Comments

None.

11. Executive Director Report

None.

Chairman Harris adjourned the meeting into Closed Session at 9:10am

12. Closed Session

Real Property Negotiations – Government Code 54956.8

Property: Parcel #15114005 – 929 East Channel Street

Under Negotiations: San Joaquin Regional Rail Commission

The Board returned from Closed Session at 9:17am. Counsel announced that there was nothing to report.

13. Adjournment

Due to the July 4th holiday, the next regular meeting is scheduled for:

Friday June 26, 2009

@ 8:00 a.m.

Robert J. Cabral Station

949 E. Channel Street

Stockton, CA 95202

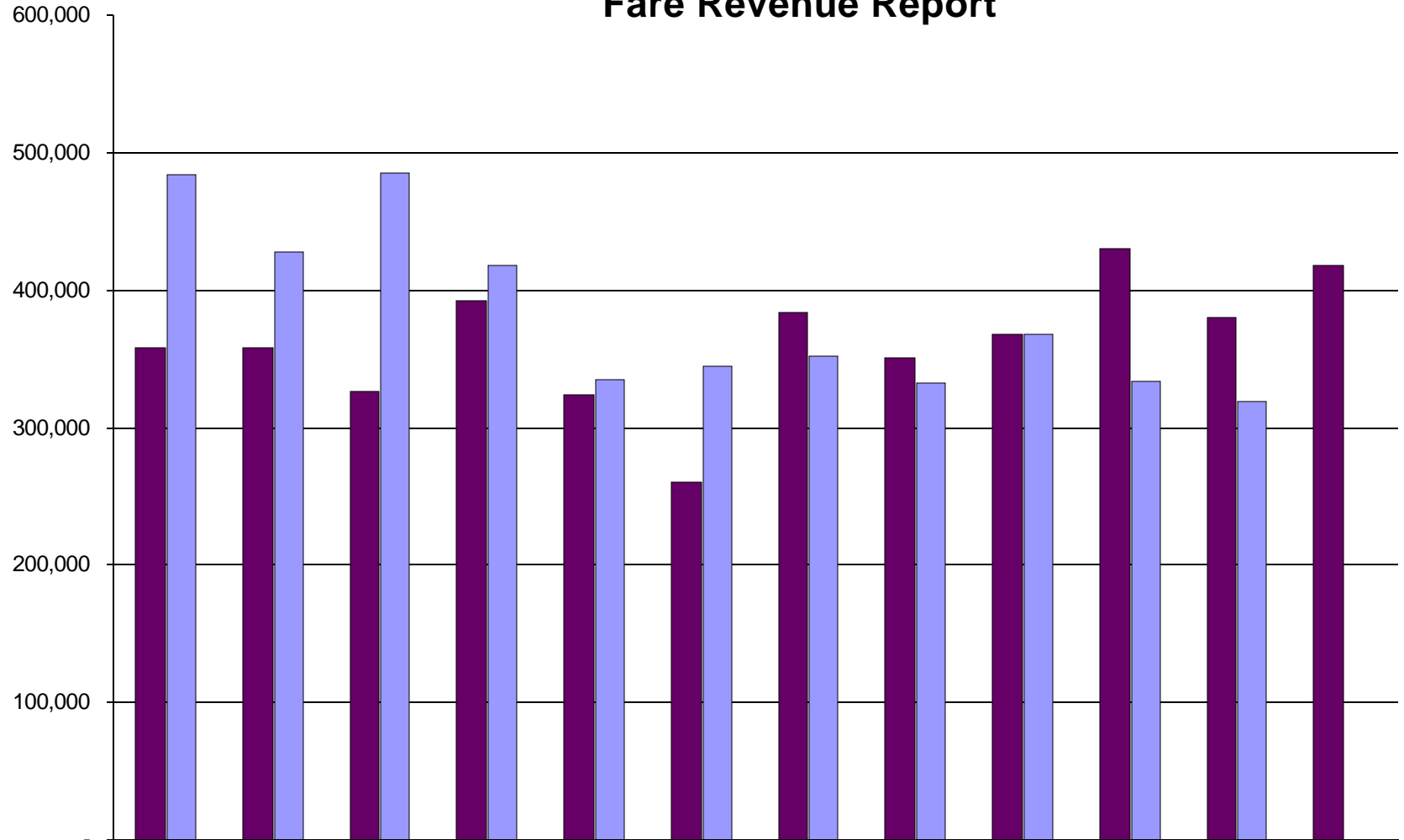
**San Joaquin Regional Rail Commission
Altamont Commuter Express
Operating Expense Report
May 2009
92% of Budget Year Elapsed**

Item 4.2

OPERATING EXPENSES	SJRRRC FY 08-09 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE	ACE FY 08-09 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE
Project Management, Services and Supplies						
Project Management, Services & Supplies Subtotal	872,973	721,496	83%	2,821,022	1,954,635	69%
Contracted Services						
Contracted Services Subtotal	455,976	246,175	54%	11,637,359	8,884,738	76%
Shuttle Services				610,000	387,250	63%
TOTAL OPERATING EXPENSES	1,328,949	967,670	73%	15,068,381	11,226,622	75%

CAPITAL PROJECTS	SJRRRC/ACE FY 08-09 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE
UPRR Improvements Projects	5,581,271	4,799,847	86%
UPRR Capital Access Fee	1,810,049	1,810,049	100%
Capital Spares/Upgrades for Passenger Cars and Locomotives	1,600,000	701,152	44%
Special Studies and Implementation Plans	612,500	92,844	15%
Cabral Station Neighborhood Revitalization	4,000,000	1,643,288	41%
Rail Maintenance and Layover Facility	12,525,000	11,461,463	92%
Department of Homeland Security Projects	665,032	10,467	2%
Cabral Station Track Extension	5,600,000	256,919	5%
Mid-Life Overhaul of 3 Locomotives	500,000	9,898	2%
ACE Station Improvements	550,000	231,923	42%
Existing Cabral Station Improvements	100,000	73,522	74%
4 Passenger Rail Coach Cars	849,000	848,308	100%
Replacement of Modular Office Building for Existing Maint Facility	184,586	121,815	66%
Purchase of an ACE Operations Vehicle	28,000	23,519	84%
Track Upgrade in Lieu		-	
TOTAL CAPITAL PROJECTS	34,605,438	22,085,014	64%

Fare Revenue Report



	Jul 08	Aug 08	Sep 08	Oct 08	Nov 08	Dec 08	Jan 09	Feb 09	Mar 09	Apr 09	May 09	Jun 09	Total
■ FY 07- 08 Revenue	358,214	357,809	326,703	391,769	323,367	260,632	384,243	350,945	368,427	430,679	379,859	417,342	\$4,349,989
■ FY 08- 09 Revenue	483,534	427,603	485,545	417,686	335,123	344,370	351,555	332,533	367,651	333,797	318,891	-	\$3,878,903

% of Budget Year Elapsed: 92%

FY 08-09 % of Fare Revenue to Date: 91%

San Joaquin Regional Rail Commission
Fiscal Year 2009/2010 Board Meeting Schedule
(meetings are scheduled on the first Friday of the month)

Date	Location	Time
July 3, 2009 Rescheduled to June 26th	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM
August 7, 2009	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM
September 4 2009	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM
October 2, 2009	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM
November 6, 2009	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM
December 4, 2009	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM
*January 1, 2010	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM
February 5, 2010	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM
March 5, 2010	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM
April 2, 2010	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM
May 7, 2010	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM
June 4, 2010	Robert J. Cabral Station, South Meeting Room 949 E. Channel Street - Stockton, CA	8:00 AM

Note: January 1st is Holiday

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of June 26, 2009

STAFF REPORT

Item 4.5: Approve Resolution Authorizing and Directing the Executive Director to Submit and Execute a Grant Application, Agreement, Certifications and Assurances, and all Necessary Documents for Obtaining Fiscal Year 2008 Department of Homeland Security (DHS) Transit Security Grant Funds (TSGP) for security training and anti-terrorism exercise Not-to-Exceed \$434,653

Background:

The fiscal year 2008 Department of Homeland Security (DHS) Appropriations Act provided funds for a discretionary grant program to address security and preparedness enhancements for rail and bus transit systems. The Governor of the State of California has designated the Office of Domestic Preparedness as the State Administrative Agency to administer the funds for security and preparedness enhancements for bus and rail transit systems. For the fiscal year 2008 grant cycle, the Rail Commission was identified as a Tier 1 transit property, eligible for rail transit security funding. Funding allocations for rail properties were based upon risk analysis criteria developed by DHS, and based on input from Federal, State, local and industry partners.

On May 15, 2009 SJRRC received a Conditional Subgrantee Award letter (GAN) from DHS indicating that SJRRC's Security Exercise and Training funds request was fully funded in the amount of \$434,653.

These funds will be used to supplement additional grants for a full-scale multi-agency security exercise as well as additional security training for SJRRC and Herzog personnel. The total amount is split into two separate amounts as indicated below:

\$245,935	Anti-terrorism security exercise
\$188,718	Security training

Fiscal Impact:

The Department of Homeland Security funds are included in the approved fiscal year 2009/2010 SJRRC/ACE Contract Services budget in the Mandatory DHS/FRA First Responders Training and Exercises line.

Recommendation:

Approve Resolution Authorizing and Directing the Executive Director to Submit and Execute a Grant Application, Agreement, Certifications and Assurances, and all Necessary Documents for Obtaining Fiscal Year 2008 Department of Homeland Security (DHS) Transit Security Grant Funds (TSGP) for security training and anti-terrorism exercise Not-to-Exceed \$434,653

RESOLUTION NO. SJRRC-R-08/09-__

A RESOLUTION OF BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION AUTHORIZING THE SUBMISSION AND EXECUTION OF GRANT APPLICATIONS AND AGREEMENTS, CERTIFICATIONS AND ASSURANCES AND OTHER DOCUMENTS AS NECESSARY TO OBTAIN FEDERAL FINANCIAL ASSISTANCE PROVIDED BY THE DEPARTMENT OF HOMELAND SECURITY TRANSIT SECURITY GRANT PROGRAM (TSGP) AND SUBGRANTED THROUGH THE STATE OF CALIFORNIA NOT TO EXCEED \$434,653 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE ALL NECESSARY DOCUMENTS

WHEREAS, the United States (U.S.) Department of Homeland Security (DHS) provides federal financial assistance to eligible grantees for transportation security projects, and

WHEREAS, the California Governor's Office of Homeland Security (OHS) is the grantee for U.S. DHS federal funds in the State of California (OHS);

WHEREAS, The San Joaquin Regional Rail Commission (SJRRC) is an eligible sub grantee for DHS funding the California OHS;

WHEREAS, the U.S. Department of Homeland Security requires a resolution from the governing board in order to receive the funds and that SJRRC will abide by the terms that go with this grant;

WHEREAS, SJRRC has been awarded \$434,653 in TSGP fiscal year 2008 funds for security exercises and training May 2009;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Joaquin Regional Rail Commission that the Executive Director is hereby authorized to file and execute grant applications, grant agreements, certifications, assurances and other documents as may be necessary for obtaining federal financial assistance provided by the Federal DHS and sub-granted through the State of California Governor's OHS following all required rules and terms.

PASSED AND ADOPTED by the San Joaquin Regional Rail Commission this 26th, day of June 2009, by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

SAN JOAQUIN REGIONAL
RAIL COMMISSION

STACEY MORTENSEN, Secretary

JOHN W. HARRIS, Chair

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of June 26, 2009

STAFF REPORT

Item 5: Approve a Contract with Top Grade Construction for the Robert J. Cabral ACE Station Improvements project not-to-exceed \$2,096,124, and Authorize and Direct the Executive Director to Execute any and all Documents Related to the Project

Background

On May 11, 2009, plans and bid documents were released for the civil, building, and landscaping improvements for the Robert J. Cabral ACE Station. The project was advertised at the Public Planrooms at Stockton Blue, MacGraw Hill, and Stockton Builder's Exchange; on the ACE website; and on the CalTransit website. Out of the 20 plan holders, three firms submitted bids on the project:

- Top Grade Construction - Stockton \$2,096,124.00
- Diede Construction: - Lodi \$2,379,475.98
- Knife River Construction - Stockton \$2,490,035.50

A pre-bid walk-through was held on May 19, 2009, and the public bid opening was held on June 2, 2009, with Top Grade Construction the apparent low bidder. After reviewing the bids, Top Grade Construction of Stockton was determined to be lowest responsive bid at \$2,096,124, which is 33.7% below the original engineer's estimate. The scope of the contract includes all general and sub-contracting work for the project. A contingency of 10% is being maintained for the construction. The remaining cost savings are being evaluated to be allocated to Western Pacific Depot Renovation project.

A copy of the contract and bid documents is on files at the Rail Commission Offices.

Residents and businesses in the surrounding area will be notified by door-to-door communication about relevant construction activities or partial street closures. Construction is scheduled to begin on July 6, 2009 and be completed by February 18, 2010.

Project updates via video feeds will be available to interested parties via the ACERAIL website (www.acerail.com), and staff will present periodic updates at future board meetings. Any questions on the project can be directed to Thomas Reeves, 944-6242 or thomas@acerail.com

Fiscal Impact:

Funding for the project is included in the SJRRC/ACE 2009/2010 fiscal year Capital Budget in the Cabral Station Neighborhood Revitalization line.

Recommendation

Approve a Contract with Top Grade Construction for the Robert J. Cabral ACE Station Improvements project not-to-exceed \$2,096,124, and Authorize and Direct the Executive Director to Execute any and all Documents Related to the Project.

SAN JOAQUIN REGIONAL RAIL COMMISSION
Meeting of June 26, 2009

Item 6: Discussion and Approval of the Midday Schedule Change to be effective October 26, 2009

Background

During the presentation of the San Joaquin Regional Rail Commission's FY 2009/2010 Work Program and Budget, the Commissioners directed staff to evaluate aggressive schedule alternatives to generate new ACE ridership. Since the August 2006 addition of the midday train, the schedule has not been significantly modified.

The midday train was added in 2006 as a way to attract a new demographic of ridership. In partnership with Caltrans and Amtrak, the midday train was scheduled to provide a connection to and from the Valley's Amtrak SAN JOAQUIN service. However, with the exception of weekly ridership on Friday's, the midday train has not met the expectations for ridership. Based upon the comparison of the midday ridership levels to the ridership levels of the peak period trains, and the impacts of the economic downturn, the Board directed staff to move the midday train to more productive time slots.

Initially, staff recommended that the morning train continue to depart Stockton at 9:30 a.m. and the afternoon train be moved to a 6:45 p.m. San Jose Departure. Several Boardmembers questioned whether the 9:30 train could also be moved to a more optimal slot. After a review of the low number of morning transfers from the SAN JOAQUINS and a conference call in which Caltrans and Amtrak noted they would be decreasing funding contributions toward the train to \$75,000 (from \$175,000), staff is now recommending that the morning train be moved into a peak commute slot as well. It should be noted that the addition of a peak morning train requires some changes to the other trains in order to fit into the peak period.

A summary of the proposed changes to the schedule is described below:

Mornings:

- ACE 5 will operate **20 minutes earlier** at all stations (to make room for the new train), leaving Stockton at 6:20am
- ACE 7 will move from 9:30am **to a 7:15am departure** from Stockton.

Afternoons:

- ACE 2 will move from a 12:05 departure from San Jose **to a 6:40pm departure, Monday to Thursday.** (Will be renumbered to ACE 10)
- **On Fridays**, instead of the 6:40pm train, the train will run at **2:25pm train out of San Jose** This will provide an early Friday return train, which is more consistent with the ridership patterns on Fridays.

Potential Challenges

- Passengers come to rely on a regular routine and the changes to ACE 3 and ACE 5 will cause some initial disruption.
- Schedule change is geared toward the higher ridership potential in Santa Clara County
- Educating the public on the Special Friday Schedule
- Having enough time for all the shuttles at Great America to return between trains

Potential Benefits

- Tenfold higher ridership potential on a peak period train than on the midday train

Information on the proposed schedule change will be widely distributed through the ACE websites, ACE bulletins, seat drops, agency and employer partners, and at station locations. The schedule change is planned for October 26th which coincides with the Amtrak national schedule change and allows adequate time to negotiate shuttle service changes and provide advance notice to passengers.

Fiscal Impact

Costs associated with moving the 9:30 train to a peak period slot are anticipated to be minimal and can be accommodated within the approved 2009/2010 Budget. However, in the event the longer Great America shuttle routes are unable to return on time to meet the next train, additional shuttle costs may be incurred. At that time, staff would present a Budget Amendment for Board consideration.

Recommendation

Approve schedule change to be effective October 26, 2009.

SAN JOAQUIN REGIONAL RAIL COMMISSION
Meeting of June 26, 2009

STAFF REPORT

Item 7: June 13th Great America Special Train

Staff Report will be presented the day of the Board Meeting