



SAN JOAQUIN REGIONAL RAIL COMMISSION

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October 14, 2016 – 8:00 am

Robert J. Cabral Station
South Hall Meeting Room
949 East Channel Street
Stockton, CA 95202

Heritage House
(Conference Call)
County of Alameda
4501 Pleasanton Avenue
Pleasanton, CA 94566

City of Fremont City Hall
(Conference Call)
Ardenwood Room
3300 Capitol Avenue, Bldg A
Fremont, CA 94537

1 Call to Order, Pledge of Allegiance, Roll Call Chair Johnson

Roll Call: Haggerty, Harrison, Dresser, Fugazi, Moorhead, Zapien,
Vice-Chair Maciel, Chair Johnson

Ex- Officios: Agar, Chesley, DeMartino

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. The Commission cannot take action on matters not on the agenda unless the action is authorized by Section 54954.2 of the Government Code. Materials related to an item on the Agenda submitted to the Board of Directors after distribution of the agenda packet are available for the public inspection in the Commission Office at 949 E. Channel Street during normal business hours. These documents are also available on the San Joaquin Regional Rail Commission website at www.acerail.com/about-ace/sjrrc-board.html subject to staff's ability to post the documents prior to the meeting.

3 Presentations and Recognitions

4 Consent Calendar

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4.7	Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing Resolution Amending the Conflict of Interest Code, Appendix A to include the Designated Positions: Board Members, Executive Director and Directors, Secretary, Treasurer, Controller, Consultants, and Council	ACTION	21

5 Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission in Support of a BART/ACE Rail Connection in the Tri-Valley **ACTION**

6 ACEforward Update on South San Joaquin County Alternatives and Recent Town Hall Meetings **ACTION**

7 CLOSED SESSION: Conference with Legal Counsel – Anticipated Litigation Government Code Section 54956.9(b)(1): multiple potential cases **DISCUSSION/ACTION**

8 CLOSED SESSION: Public Employee Performance Evaluation Title: Executive Director **DISCUSSION/ACTION**

9 CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATORS Agency Designated Representative: Chair Bob Johnson Unrepresented Employee: Executive Director **DISCUSSION/ACTION**

10 Approve Any Contract Amendment to the Executive Director’s Contract **DISCUSSION/ACTION**

11 Commissioner Comments

**12 Ex-Officio Comments
Executive Directors Report**

13 Adjournment

The next regular meeting is scheduled for:
November 4, 2016 – 8:00 am
Robert J. Cabral Station
949 East Channel Street
Stockton, CA 95202

SAN JOAQUIN REGIONAL RAIL COMMISSION

October 7, 2016

STAFF REPORT

Item 3

INFORMATION

Presentation of Award

Background:

On June 8, 2016, Good Samaritan, Stephanie Marino, witnessed a vehicle leave the westbound lanes of Highway 120 about 1 mile west of the Lathrop-Manteca ACE Train Station. The SUV came to rest on the main line Union Pacific railroad tracks with two occupants.

Without hesitation, Ms. Marino climbed down a 70 foot embankment to pull the injured persons to safety. Unbeknownst to her, eastbound ACE train #06 was quickly approaching.

At 6:25 PM, ACE train #06 struck the vehicle at 65 mile per hour, just seconds after Ms. Marino freed the injured male passenger.

Because of Ms. Marino's courage to act, both occupants survived.

SAN JOAQUIN REGIONAL RAIL COMMISSION

October 14, 2016

Item 4.1

ACTION

Minutes of September 2, 2016

The regular meeting of the San Joaquin Regional Rail Commission was held at 8:00 am, September 2, 2016 at the Robert J. Cabral Station, 949 East Channel Street Stockton, CA 95202.

1 Call to Order/Pledge of Allegiance/Roll Call

Chair Johnson called the meeting to order at 8:00 am and led the audience in the Pledge of Allegiance.

Commissioners Present: Haggerty, Dresser, Fugazi, Moorhead, Zapien, Vice-Chair Maciel, Chair Johnson

Commissioners Absent: Harrison

Ex-Officio Members Present: Knodt (SJRTD), Dumas (Caltrans)

2 Public Comments

None

3 Presentations and Recognitions

Mr. Schmidt administered the Oath of Office to Manteca Council Member, Debby Moorhead

4 Consent Calendar

- | | | |
|-----|--|-------------|
| 4.1 | Minutes of August 5, 2016 | ACTION |
| 4.2 | Rail Commission/ACE Monthly Expenditure Report | INFORMATION |
| 4.3 | ACE Monthly Fare Revenue | INFORMATION |
| 4.4 | ACE Ridership | INFORMATION |
| 4.5 | ACE On-Time Performance | INFORMATION |
| 4.6 | Washington Update | INFORMATION |
| 4.7 | Approve an Updated Transit Planning and Programming Memorandum of Understanding (MOU) with the San Joaquin Council of Governments to be Compliant with the Requirements Of the Fix America's Surface Transportation Act since its Passage In December 2016 and Authorize and Direct the Executive Director to Sign the MOU. | ACTION |
| 4.8 | Approve a Resolution of the Board of Commissioners of The San Joaquin Regional Commission approving the Proposed FY 2017-2019 Overall Annual Disadvantaged Business Enterprise (DBE) and Small Business Enterprise (SBE) set aside Goals and Authorize the Executive Director to Formally Adopt the Proposed FY 2017-2019 Goal if no Public Comments are received that require Further Consideration or Modification of the Proposed Goal. | ACTION |

M/S/C (Haggerty/Zapien) Approve the Consent Calendar. Passed and Adopted by the San Joaquin Regional Rail Commission on the 2nd day of September 2016 by the following vote to wit:

AYES: 7 Haggerty, Dresser, Fugazi, Moorhead, Zapien, Vice-Chair Maciel,
Chair Johnson
NOES: 0
ABSTAIN: 0
ABSENT: 1 Harrison

5 Approve Resolution of the board of Commissioners of the San Joaquin Regional rail Commission Authorizing and Directing the Chair to Sign a 3 year Extension of the San Joaquin Intercity Rail Service Managing Agency Agreement for Oversight and Administration of the Amtrak San Joaquin Service with the San Joaquin Joint Powers Authority. ACTION

Brian Schmidt informed the Board, Chair Johnson and SJPPA Chair John Pedrozo have conferred and agreed on extending the San Joaquin Intercity Rail Service Managing Agency Agreement for Oversight and Administration of the Amtrak San Joaquin Service between the Rail Commission and the San Joaquin Joint Powers Authority. The extension is for a 3-year period with the same terms and conditions as the current agreement.

Mr. Schmidt noted the agreement extension term is September 29, 2016 through September 19th 2019.

M/S/C (Dresser/Fugazi) Approve Resolution of the board of Commissioners of the San Joaquin Regional rail Commission Authorizing and Directing the Chair to Sign a 3 year Extension of the San Joaquin Intercity Rail Service Managing Agency Agreement for Oversight and Administration of the Amtrak San Joaquin Service with the San Joaquin Joint Powers Authority. Passed and Adopted by the San Joaquin Regional Rail Commission on the 2nd day of September 2016 by the following vote to wit:

AYES: 7 Haggerty, Dresser, Fugazi, Moorhead, Zapien, Vice-Chair Maciel,
Chair Johnson
NOES: 0
ABSTAIN: 0
ABSENT: 1 Harrison

6 Commissioner Comments

None

7 Ex-Officio Comments

None

8 Executive Director Comments

None

9 CLOSED SESSION: Conference with Legal Counsel DISCUSSION/ACTION

**– Anticipated Litigation Government Code
Section 54956.9(b)(1): multiple potential cases Conference**

The Closed Session Item was pulled from the Agenda

10 Adjournment –

The meeting was adjourned at 9:23 am.

The next regular meeting is scheduled for:

November 4, 2016 – 8:00 am

Robert J. Cabral Station

949 E. Channel Street, Stockton CA

**San Joaquin Regional Rail Commission
Altamont Corridor Express
Operating and Capital Expense Report
August 2016
17% of Budget Year Elapsed**

OPERATING EXPENSES	SJRRC FY 16-17 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE	ACE FY 16-17 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE
Project Management, Services & Supplies Subtotal	623,420	57,895	9%	4,435,184	542,254	12%
Contracted Services Subtotal	466,947	30,585	7%	15,895,814	1,940,870	12%
Shuttle Services				1,262,232	37,612	3%
TOTAL OPERATING EXPENSES	1,090,367	88,479	8%	21,593,230	2,520,736	12%

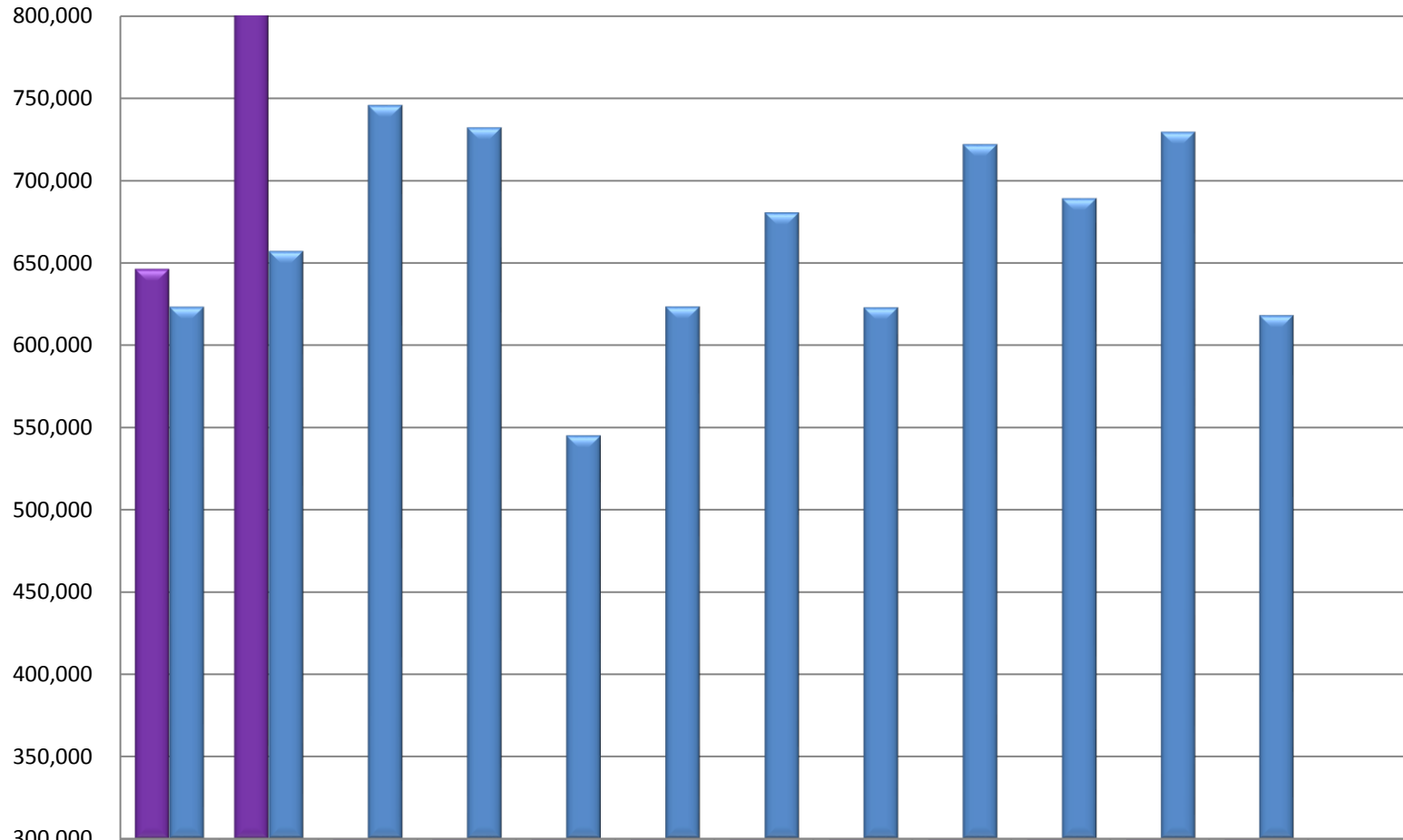
CAPITAL PROJECTS		CAPITAL FY 16-17 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE
1	ACE Forward	9,900,000	-	0%
2	Cabral Track Extension	11,863,925	46	0%
3	A1 & A2 Bond Repayment	3,034,762	-	0%
4	SJ COG Loan Repayment	1,200,000	318,012	27%
5	Altamont Corridor Rail Project HSR/Regional Rail EIR/EIS	4,000,000	-	0%
6	UPRR Capital Access Fee	3,242,516	-	0%
7	Positive Train Control	2,800,000	154	0%
8	Mid Life Overhaul of 1 Locomotive	1,500,000	-	0%
9	Capital Spares/Upgrades for Passenger Cars and Locomotives	500,000	4,225	1%
10	San Joaquin Intercity Minor Capital Project (Funded by State of California)	1,800,000	-	0%
11	eTicketing	1,000,000	-	0%
12	ACE Maintenance & Layover Facility	1,020,000	9,833	1%
13	Sunol Wayside Horn Project	800,000	-	0%
TOTAL CAPITAL PROJECTS		42,661,203	332,270	1%

Status on Capital Projects

- 1 ACE Forward - No Activity to date
- 2 Cabral Track Extension Phases 1-3 - Cabral Track Extension is currently ongoing and is scheduled to be completed in a future fiscal year.
- 3 Bond Repayments - Bond repayments are made bi-annually. The first payment for FY16/17 is due in October 2016.
- 4 SJ COG Loan Repayment - annual payment made July 1, 2016 per SJCOG amendment.
- 5 Altamont Corridor Rail Project HSR/Regional Rail EIR/EIS - Project is currently ongoing.
- 6 UPRR Capital Access Fee - annual payment FY 16-17 is due in January 2017.
- 7 Positive Train Control - Expected completion is 16-17. Project is currently ongoing
- 8 Mid Life Overhaul of 1 Locomotive - No activity to date.
- 9 Capital Spares/Upgrades for Passenger Cars and Locomotives - is currently ongoing
- 10 San Joaquin Intercity Minor Capital Project (Funded by State of California) - no activity to date.
- 11 eTicketing Project - is currently ongoing.
- 12 ACE Maintenance & Layover Facility - Ballast project is currently ongoing.
- 13 Sunol Wayside Horn - is currently ongoing

Fare Revenue

Item 4.3



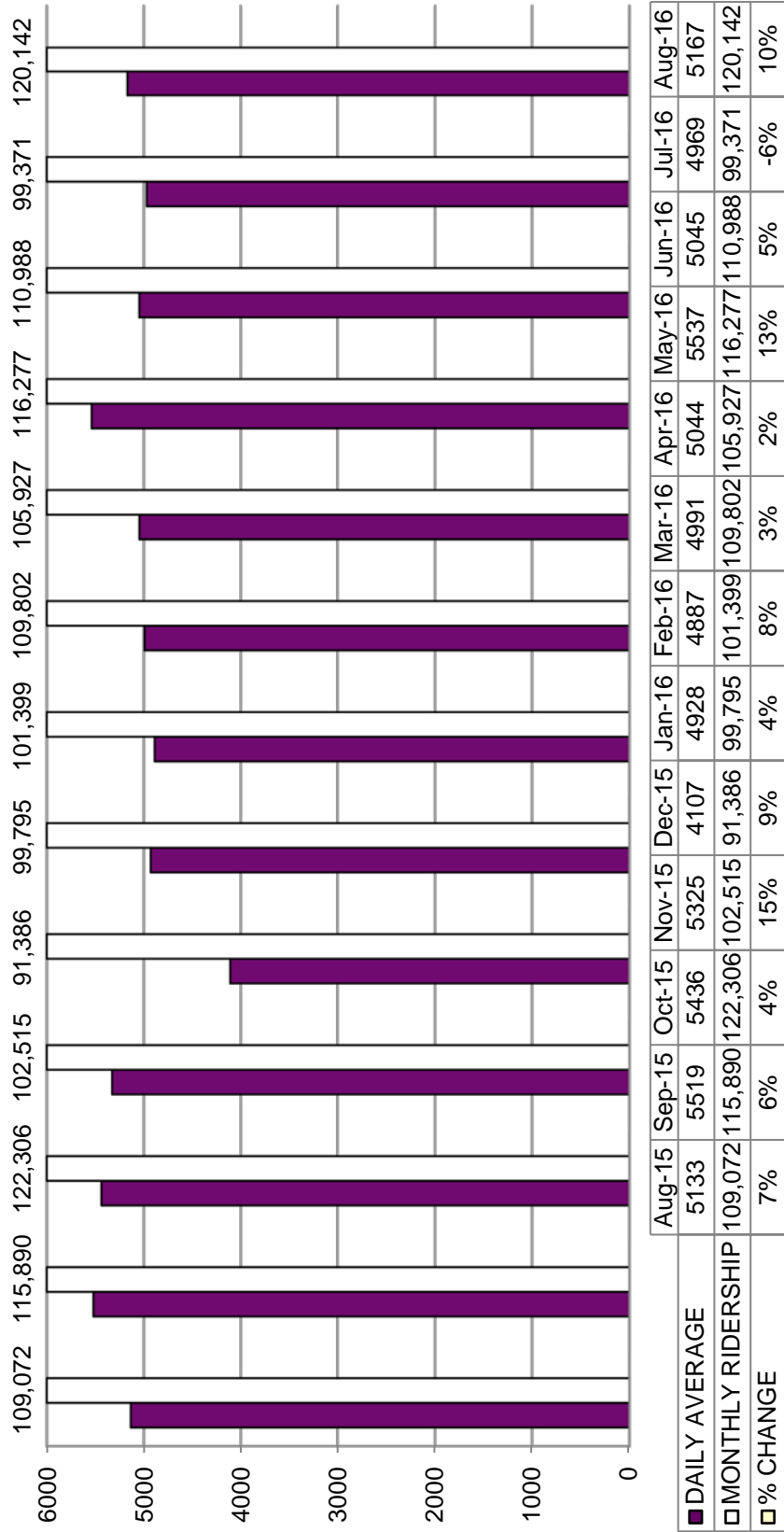
	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17	Apr-17	May-17	Jun-17	FY TOTAL
FY 16-17 Fare Revenue	646,429	824,590	-	-	-	-	-	-	-	-	-	-	1,471,020
FY 15-16 Fare Revenue	622,997	656,896	745,617	732,067	544,828	623,202	680,375	622,604	721,746	689,067	729,375	617,884	7,986,657

% of Budget Year Elapsed: 17%

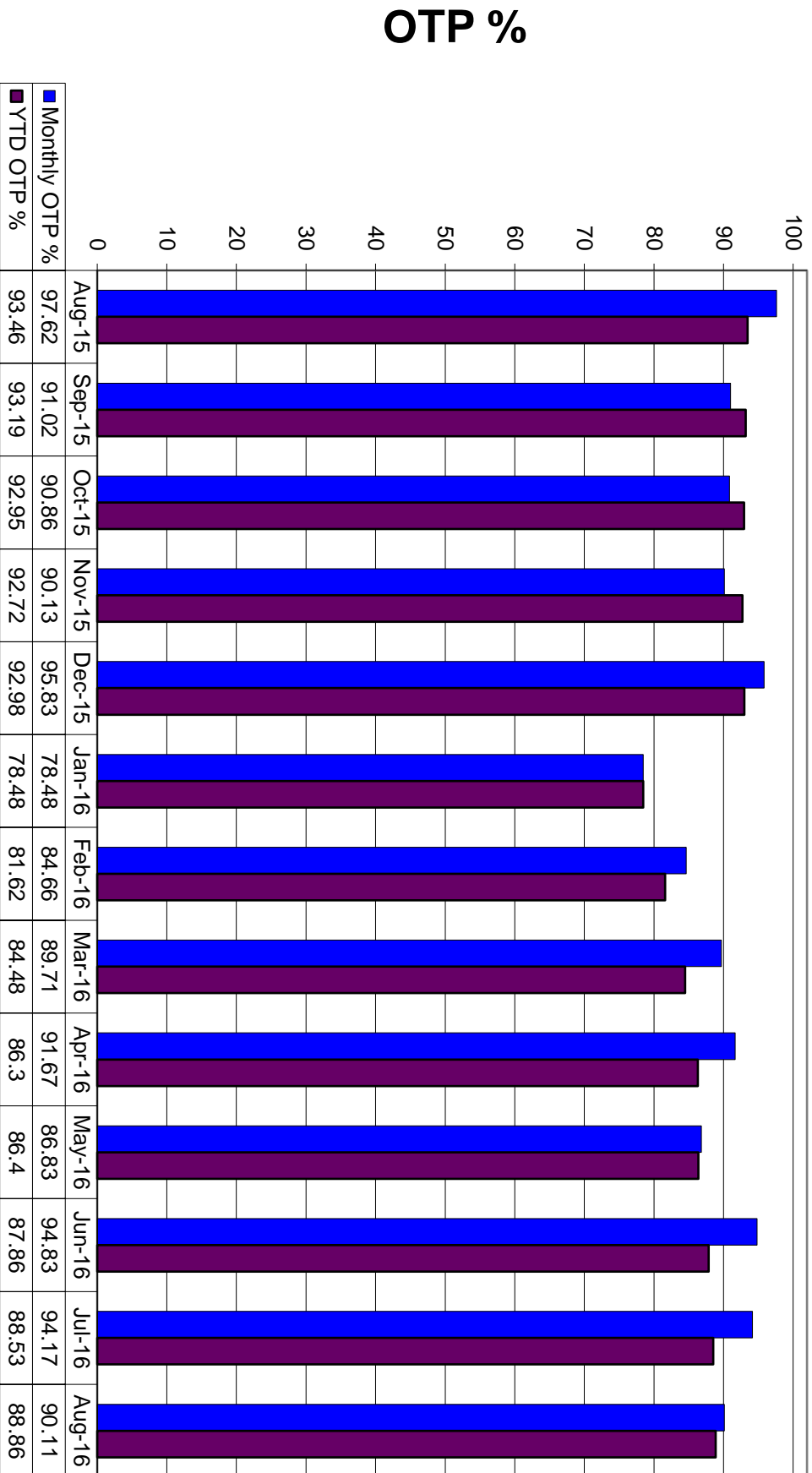
FY 16-17 % of Budgeted Fare Revenue Received to Date: 17.3%

Projected Annual Fare Revenue: \$8,500,000

ACE DAILY AVERAGE RIDERSHIP



ACE ON TIME PERFORMANCE



Monthly Report – September 2016

SJRRC and MHGS Items

- MHGS participated in conference call with SJRRC on 09/13 and 09/27.
- MHGS provided SJRRC with a memo regarding a T&I field hearing on CA HSR.
- MHGS provided SJRRC with a memo regarding the possibility of partnering with AIPRO and other interested partners on a strategy to expand competition in intercity rail corridors. SJRRC is discussing internally how comfortable they are with such a strategy.
- MHGS continues to evaluate a possible legislative fix to the SSRC voting issue, and SJRRC is discussing internally how comfortable they are moving forward.

Outlook for FY17 Appropriations

- FY16 funding for the federal government runs out September 30, 2016.
- Congress is in the midst of ironing out the details of a CR.
- Negotiations are continuing, but a CR is expected to run until December.
- Congressional leaders originally hoped to have the CR wrapped up by mid-September, but funding for Zika, Louisiana flooding, and the water crisis in Flint, MI, caused negotiations to drag out.
- Given that it's a Presidential election year, Members want to depart to their home states to campaign. So, a government shutdown is not viewed as likely.
- MHGS will continue to monitor CR negotiations and report to SJRRC with updates.

Congressional Appropriations and Budget Process

FY17 Administration Budget:

- The Administration released its FY 2017 budget on February 9th.
- The Budget provides a total of \$98.1 billion in discretionary and mandatory budgetary resources for the Department of Transportation in 2017.
- Over the next decade, the Budget reflects an average increase of about \$30 billion per year in investments associated with the 21st Century Clean Transportation Plan to reduce traffic and carbon intensity of the transportation sector and adapt to emerging technologies in developing sustainable systems of the future. This investment package includes:

- An average of about \$10 billion a year over 10-years for new, multi-modal programs awarded at the state and local level to promote innovations that lead to smarter, cleaner regional transportation systems;
- On average, \$10.5 billion annually over 10 years to improve our Nation's transit systems, including \$3.6 billion per year to expand the development, access and use of public transit;
- Nearly \$7 billion annually on average over 10 years to support current operations, improve rail safety and invest in high-performance rail initiatives;
- \$2 billion in FY 2017 to expand investment in the future of our freight system, in addition to nearly \$2 billion in baseline resources;
- \$1.25 billion annually to expand the successful, multi-modal Transportation Investment Generating Economic Recovery (TIGER) program.
- The Budget also fully supports FAST-authorized funding levels for the surface transportation program, which are aimed at keeping the system safe and in a state of good repair. For 2017, this includes:
 - \$44 billion to invest in the critical infrastructure of the nation's highway and bridge systems;
 - Nearly \$10 billion to support operations of public transit systems across the Nation;
 - Roughly \$730 million for the National Highway Traffic Safety Administration (NHTSA) to research and develop new, life-saving technologies and to support vehicle safety programs;
 - Around \$640 million to support nationwide motor carrier safety and consumer enforcement efforts through the Federal Motor Carrier Safety Administration (FMCSA).
- The Budget also provides discretionary resources to fund air, maritime and pipeline and hazardous materials transportation activities, including:
 - \$15.9 billion for the Federal Aviation Administration (FAA) to invest in the safest, most efficient aerospace system in the world.
 - \$295 million for the Pipeline and Hazardous Materials Safety Administration (PHMSA) to facilitate the safe transportation of hazardous materials through pipelines, rail, roadway, air, and waterways.
 - \$428 million for the Maritime Administration to implement programs that promote the economic competitiveness, efficiency, and productivity of U.S. maritime transportation.
 - \$36 million for the Saint Lawrence Seaway Development Corporation (SLSDC), to operate and maintain the U.S. portion of the binational St. Lawrence Seaway, and promote environmental management and regional economic development.

FY17 Congressional Budget:

- On 10/27/15 House Republican Leadership released a draft 2-year budget framework that was negotiated with the support of the White House. The legislation would raise the debt ceiling through March 2017 and establish defense and non-defense spending caps for FY16 and FY17 which would increase spending

by \$80 billion over those two fiscal years. The increase in spending is offset by tapping the Strategic Petroleum Reserve, auctioning spectrum and other revenues and cuts.

- The House passed the measure on 10/28, and on 10/30, the Senate cleared the two-year budget and debt ceiling deal, just 72 hours after it was unveiled by congressional leaders and the White House.
- Less than 4 months after the 2-year deal was signed into law, members of the Freedom Caucus and other conservative lawmakers are demanding additional spending cuts for FY17.
- House Budget Committee Chairman Price has acknowledged that he would have to cut an estimated \$30 billion from the October 2015 deal for FY17 in order to get a budget agreement passed in the House. These cuts are likely to come from mandatory programs, but the legislative process for advancing these cuts is not yet determined. Appropriators are resistant to including these cuts within their annual bills, but other options (like advancing the cuts as a stand-alone measure) have drawbacks as well.
- Neither the House nor the Senate has passed a budget resolution for FY17.
- The budget resolution provides 302(b) allocations which give appropriators topline numbers of how much money is available for them to work with in writing their bills. Without these 302(b) allocations, it is difficult for appropriators to put together spending bills.
- The Senate Appropriations Committee established their 302(b) allocations through a deeming resolution (bypassing the budget process) that adhere to last year's agreement. The House has started the appropriations process using "interim" spending levels.

FY17 THUD Appropriations:

- The Senate marked up their THUD bill on 04/21. It passed through committee by a 30-0 vote. After working through some controversial amendments on the Senate floor, the THUD Appropriations bill passed the Senate by a vote of 89-8 on 05/19.
- The bill contains the following provisions regarding rail and transit:

Rail – \$1.7 billion for the Federal Railroad Administration, \$76 million above the FY2016 enacted level. This includes \$1.4 billion for Amtrak for the Northeast Corridor and National Network, continuing service for all current routes. The bill provides \$334 million for rail safety and research programs, \$46 million above the FY2016 enacted level. This will fund inspectors and provide training to help ensure the safety of passengers and local communities. The bill also provides \$50 million for rail safety activities in the Consolidated Rail Infrastructure and Improvement grants program, \$20 million for Federal-State Partnership for State of Good Repair grants, and \$15 million for Restoration and Enhancement grants. These programs will help implement Positive Train Control (PTC), enhance passenger rail safety, reduce highway-rail grade crossings incidents, and address the state of good

repair backlog on shared use passenger and local commuter rail infrastructure.

Transit – \$12.3 billion for the Federal Transit Administration, \$575 million above FY2016 enacted level. The bill provides \$9.7 billion for transit formula grants, consistent with the FAST Act. The bill provides \$2.3 billion for Capital Investment Grants (New Starts), fully funding all current Full Funding Grant Agreement transit projects. Within this amount, \$333 million is provided for core capacity projects, \$241 million for small starts projects, and \$20 million for the expedited delivery pilot program. These programs provide competitive grant funding for major transit capital investments planned and operated by local communities, including rapid rail, light rail, bus rapid transit, and commuter rail.

- The House marked up their THUD bill on 05/24. It passed through committee by voice vote. It has yet to be considered on the House floor.
- The committee draft contains the following provisions regarding rail and transit:

Rail – The Federal Railroad Administration is funded at \$1.7 billion, an increase of \$42 million over the fiscal year 2016 enacted level and \$4.5 billion below the request. The bill adopts the new Amtrak funding structure as authorized, providing \$420 million for Amtrak’s Northeast Corridor and \$1 billion to support the national network. The bill also continues reforms to ensure the best use of tax dollars, such as requiring overtime limits for Amtrak employees to reduce unnecessary costs, and prohibiting funds from being used to subsidize losses associated with Amtrak’s food and beverage service. Rail safety and research programs are funded at \$300 million, \$12 million above the fiscal year 2016 enacted level. This will fund inspectors and training, plus maintenance and safety investments to the physical rail infrastructure, to help ensure the safety of passengers and local communities. No funding is provided for high-speed rail.

Transit – The bill provides \$12.5 billion in total budgetary resources for the Federal Transit Administration (FTA) – \$743 million above the fiscal year 2016 enacted level and \$7.4 billion below the request. Transit formula grants total \$9.7 billion – consistent with the authorization level – to help local communities build, maintain, and ensure the safety of their mass transit systems. Within this amount, \$2.5 billion is included for Capital Investment Grants (“New Starts”), full funding (\$1.2 billion) is included for all current “Full Funding Grant Agreement” (FFGA) transit projects, and an additional \$500 million is included for FFGAs that will come online over the new year. Core capacity projects receive \$332 million in the bill – an increase of \$282 million – and \$408 million is included to fund all state and local “Small Starts” projects that will begin in fiscal year 2017. These programs provide competitive grant funding for major transit capital investments – including

rapid rail, light rail, bus rapid transit, and commuter rail – that are planned and operated by local communities.

FAST Act/Surface Transportation/Passenger Rail

- On December 4th, President Obama signed into law the FAST Act, a 5-year authorization of surface transportation programs. Amtrak and passenger rail programs were reauthorized as part of the FAST Act.
- The House passed the bill on December 3rd (359-65) and the Senate passed the bill on the same day (83-16).
- The FAST Act is the result of intense conference negotiations between the House and Senate to resolve differences between their two different surface transportation bills.
- With regard to Hazardous Materials, the bill:
 - Grants states more power to decide how to spend training and planning funds for first responders
 - Requires Class I railroads to provide crude oil movement information to emergency responders
 - Reforms an underutilized grant program for state and Indian tribe emergency response efforts
 - Better leverages training funding for hazmat employees and those enforcing hazmat regulations
 - Requires real-world testing and a data-driven approach to braking technology
 - Enhances safety for both new tank cars and legacy tank cars
 - Speeds up administrative processes for hazmat special permits and approvals
 - Cuts red tape to allow a more nimble federal response during national emergencies
- The rail title of the bill:
 - Provides robust reforms for Amtrak, including reorganizing the way Amtrak operates into business lines
 - Gives states greater control over their routes, by creating a State-Supported Route Committee
 - Speeds up the environmental review process for rail projects, without sacrificing environmental protections
 - Creates opportunities for the private sector through station and right-of-way development
 - Consolidates rail grant programs for passenger, freight, and other rail activities
 - Establishes a Federal-State Partnership for State of Good Repair grant program
 - Strengthens Northeast Corridor planning to make Amtrak more accountable and states equal partners

- Allows competitors to operate up to three Amtrak long-distance lines, if at less cost to the taxpayer
- Strengthens passenger and commuter rail safety, and track and bridge safety
- Preserves historic sites for rail while ensuring that safety improvements can move forward
- Unlocks and reforms the Railroad Rehabilitation and Improvement Financing (RRIF) loan program
- Includes reforms to get RRIF loans approved more quickly with enhanced transparency
- Provides commuter railroads with competitive grants and loans to spur timely Positive Train Control implementation
- Provides competitive opportunities for the enhancement and restoration of rail service
- Increases the rail liability cap

Surface Transportation Board Reauthorization Bill

- On December 18th the President signed the Surface Transportation Board Reauthorization, S. 808, into law.
- The bill was passed by the House on December 10th by voice vote.
- On June 18th, the Surface Transportation Board Reauthorization bill passed the Senate by Unanimous Consent. The bill was then sent to the House.
- The bill was introduced on March 19, 2015 by Senators Thune and Nelson.
- Specifically, the bill: 1) Sets timelines for rate reviews and expands voluntary arbitration procedures, 2) Grants STB new authority to proactively investigate rail delay issues and enhances transparency, and 3) Enacts structural reforms on the board (increases to 5 members) to allow for direct discussion to improve efficiency
- The bill was passed out of the Commerce Committee on March 25th. MHGS covered the mark up and provided a separate memo.

Tax extenders/Tax Reform

- On December 17, 2015, the House passed tax extenders legislation by a vote of 318-109, and the Senate followed suit the next day by a 65-33 vote.
- The extenders package included \$680B in in permanent and short term extensions of tax breaks for businesses and individuals.
- The recently passed legislation includes a number of items specific to transportation. The 45G short line tax credit was extended for two years, through January 1, 2017. It also allows short lines created after 2005 to claim the credit.
- The tax extender legislation also increases and permanently extends the commuter transit tax benefit (from \$130 per month to \$255 per month).
- With the 2016 election now coming into full swing, the prospect for tax reform in the 114th Congress remains dim.
- However, some believe that the recently passed tax extenders bill increases the chances for tax reform to be accomplished in 2017.

- The thinking is that the extenders package altered the budget baseline in such a way that it will be easier to lower the 35% corporate tax rate.
- Additionally, now that the former W&M Chairman Paul Ryan is the House Speaker, he may work to leverage his new power to attain his goal of tax reform.

Short Line Tax Credit

- The Short Line Tax Credit was extended as part of the tax extenders package passed in December 2015 (along with the omnibus).
- Senators Crapo, Wyden, Moran, Schumer, Isakson, Casey, Boozman and Blumenthal introduced the Short Line Tax Credit bill, S. 637, on March 3, 2015. The bill has been referred to the Finance Committee. There are currently 54 co-sponsors.
- This legislation would extend the Short Line Railroad tax credit until January 1, 2017.
- A similar bill has been introduced in the House (H.R. 721) by Representative Jenkins. The bill was referred to the Ways and Means Committee and currently has 261 co-sponsors.

Railroad Safety and Positive Train Control Extension Act

- Congress included a PTC extension in the short term transportation bill extension that they passed in late October.
- The bill would extend the deadline to install PTC to Dec. 31, 2018, from Dec. 31, 2015.
- In addition to the PTC extension that was passed, Sen. Blunt is offering an amendment to the FCC reauthorization bill that would direct the FCC to issue a rule to exempt modest size PTC projects from having to go through the environmental and historical review process. At the time this memo was being prepared, the FCC reauthorization was being considered in the Senate Commerce Committee, and the situation is developing.
- On March 4, 2015, Senators Blunt, Thune, and McCaskill introduced a PTC extension bill, S. 650. There are ten additional co-sponsors: Johnson, Fischer, Inhofe, Sullivan, Murkowski, Moran, Heller, Rubio, Ayotte, and Portman. The bill was referred to the Senate Commerce Committee.
- The purpose of the bill is to extend from December 31, 2015, to December 31, 2020, the deadline for Class 1 Railroads to implement PTC. The bill authorizes the Secretary of DOT to extend the implementation deadline, upon application, in one-year increments. The Secretary is directed to revise federal regulations requiring a Class II or Class III railroad to equip its locomotives with an onboard PTC system to operate in PTC territory.
- The bill was passed out of the Commerce Committee in March. MHGS covered the mark up and provided a memo.
- Prior to the recent Amtrak derailment, MHGS heard that Sen. Blunt's strategy was to seek inclusion of this legislation in the THUD appropriations package that will pass

later this year. However, the derailment changed the political landscape for a PTC delay.

- A PTC extension was included in the House's version of the Surface Transportation Reauthorization bill, as well as the recently announced short term extension.

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of October 14, 2016

STAFF REPORT

Item 4.7

ACTION

Approve Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing a Resolution Amending the Conflict of Interest Code, Appendix A to include the Designated Positions: Board Members, Executive Director and Directors, Secretary, Treasurer, Controller, Consultants, and Council

Background:

The Political Reform Act of 1974, Government Code section 81000 et seq., requires state and local government agencies to adopt and promulgate a Conflict of Interest Code and the Fair Political Practices Commission has adopted a regulation found at California Code of Regulations, title 2, section 18730, which contains the terms of a standard Conflict of Interest Code. The terms of California Code of Regulations, title 2, section 18730, and any amendments adopted by the Fair Political Practices Commission are incorporated into this Resolution by reference. Appendix A of the Resolution designates officials and employees that shall file a Fair Political Practices Commission Form 700 with the Secretary of the San Joaquin Regional Rail Commission.

Recommendation:

Approve Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing a Resolution Amending the Conflict of Interest Code, Appendix A to include the Designated Positions: Board Members, Executive Director and Directors, Secretary, Treasurer, Controller, Consultants, and Council

RESOLUTION SJRRC-16/17-___

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION AMENDING THE CONFLICT OF INTEREST CODE, APPENDIX A, TO INCLUDE THE DESIGNATED POSITIONS: BOARD MEMBERS, EXECUTIVE DIRECTOR AND DIRECTORS, SECRETARY, TREASURER, CONTROLLER, CONSULTANTS, AND COUNCIL

WHEREAS, the Political Reform Act of 1974, Government Code section 81000 et seq., requires state and local government agencies to adopt and promulgate a Conflict of Interest Code;

WHEREAS, the Fair Political Practices Commission has adopted a regulation found at California Code of Regulations, title 2, section 18730, which contains the terms of a standard Conflict of Interest Code;

WHEREAS, after public notice and hearing, the Conflict of Interest Code found in the California Code of Regulations may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act of 1974; and

WHEREAS, on May 4, 1995, the San Joaquin Regional Rail Commission adopted a Conflict of Interest Code by passage of Resolution R-95-001 and the attached Appendix A which identified designated officials and employees subject to the code and established disclosure categories;

WHEREAS, on August 6, 1998, the San Joaquin Regional Rail Commission amended its Conflict of Interest Code by passage of Resolution R-98-03 and the attached Appendix A which identified designated officials and employees subject to the code and established disclosure categories;

WHEREAS, on November 7, 2008, the San Joaquin Regional Rail Commission amended its Conflict of Interest Code by passage of Resolution R-08/09-014 and the attached Appendix A which identified designated officials and employees subject to the code and established disclosure categories;

NOW, THEREFORE, BE IT RESOLVED that the terms of California Code of Regulations, title 2, section 18730, and any amendments thereto duly adopted by the Fair Political Practices Commission are hereby incorporated into this resolution by reference;

BE IT FURTHER RESOLVED that this resolution and the attached Appendix A designating officials and employees and establishing disclosure categories shall constitute the amended Conflict of Interest Code of the San Joaquin Regional Rail Commission;

BE IT FURTHER RESOLVED that designated officials and employees shall file their required Form 700 statements with the Secretary of the San Joaquin Regional Rail Commission who will submit the forms to the appropriate agencies, maintain and make the statements available for public inspection and reproduction; and

BE IT FURTHER RESOLVED that statements for all designated officials and employees will be retained by the San Joaquin Regional Rail Commission; and

BE IT FURTHER RESOLVED that persons holding designated positions shall file a Fair Political Practices Commission Form 730 or Form 721 as appropriate.

PASSED AND ADOPTED by the San Joaquin Regional Rail Commission this 14th day of October 2016, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

SAN JOAQUIN REGIONAL
RAIL COMMISSION

STACEY MORTENSEN, Secretary

BOB JOHNSON, Chair

APPENDIX A

Designated Positions:

Disclosure Categories

Board Members	All
Executive Director and Directors	All
Secretary	All
Treasurer	All
Controller	All
Consultants*	All
Council	All

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation: The Chairperson of the Board may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such a written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chairperson's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of October 14, 2016

STAFF REPORT

Item 5

ACTION

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission in Support of a BART/ACE Rail Connection in the Tri-Valley.

Background:

At the September 14, 2016 Altamont Regional Rail Working Group Meeting in Livermore, the attached resolution was unanimously passed. The Altamont Regional Rail Working Group is requesting that all its member agencies take action to pass this Resolution in support of the efforts to provide a BART/ACE rail connection in the Tri-Valley.

At the August 5, 2016 SJRRC Board Meeting, the members expressed their support for a BART/ACE rail connection. Member Zapien suggested that a resolution be adopted first by the Altamont Regional Rail Working Group and then brought to the SJRRC for approval.

Advancement of any specific improvements to effect a direct rail connection will be subject to all required state and federal environmental review and permitting, further planning design and engineering as well as available funding. The resolution is a statement of general support and is not a commitment to any specific location or design of a direct connection.

Recommendation:

Approve Resolution in Support of BART/ACE Rail Connection in the Tri-Valley.

RESOLUTION SJRRC-16/17-___

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION FOR THE PURPOSE OF SUPPORTING A RAIL CONNECTION BETWEEN THE BAY AREA RAPID TRANSIT AND ALTAMONT CORRIDOR EXPRESS RAIL SYSTEMS IN THE TRI-VALLEY

WHEREAS, the Northern California Megaregion population totaled 12.2 million in 2015 and is growing; and

WHEREAS, housing affordability issues in the Bay Area have been one cause of the population influx in the inland portions of the megaregion, causing 68.7% of megaregional workforce commuters crossing regional boundaries to commute into the Bay Area for work; and

WHEREAS, the growth of Northern San Joaquin Valley commuters to the Bay Area has been particularly dramatic, more than doubling from 1990 to 2013, causing the I-580 being one of the most congested and intolerable freeways in the Megaregion; and

WHEREAS, the I-580 Altamont Pass is a key corridor for freight movement between the Northern San Joaquin Valley and the Port of Oakland, with slowing traffic on the highway a contributor to greenhouse gas emissions; and

WHEREAS, the best current connection between BART and the Altamont Corridor Express (ACE) in the Tri-Valley is by shuttle bus, and a faster, more reliable and more direct rail connection between these two services would increase both BART and ACE ridership and relieve pressure on Interstate 580 and other transportation systems and increase interregional mobility; and

WHEREAS, the Altamont Regional Rail Working Group was formed in October of 2015 for the purpose of facilitating and accelerating the planning and construction of a BART to ACE connection in the Tri-Valley, the planning of which traverses multiple Metropolitan Planning Organizations and transportation agencies; and

WHEREAS, the Altamont Regional Rail Working Group members include elected officials from the City of Livermore, City of Dublin, City of Pleasanton, County of Alameda, County of San Joaquin, City of Tracy, the Altamont Corridor Express, the Bay Area Rapid Transit Authority, the Livermore Amador Valley Transit Authority, and representatives of regional business organizations including the Easy Bay Leadership Council, Innovation Tri-Valley Leadership Group and the San Joaquin Partnership; and

WHEREAS, an Altamont Regional Rail Authority has recommended that their respective agencies pass resolutions of support for a rail connection of the BART and ACE rail systems in the Tri-Valley; and

WHEREAS, the advancement of any specific rail connection improvements to will be subject to all required state and federal environmental review and permitting processes, this Resolution a statement of general support and is not a commitment to any specific location or design of a direct connection.

NOW, THEREFORE, BE IT RESOLVED, that the San Joaquin Regional Rail Commission affirms its support of timely planning and constructing a BART to ACE rail connection in the Tri-Valley; and

BE IT FURTHER RESOLVED, that the San Joaquin Regional Rail Commission affirms its intent to make a BART and ACE rail connection in the Tri-Valley a priority and will take steps toward greater regional collaboration to achieve this goal.

PASSED AND ADOPTED by the San Joaquin Regional Rail Commission this 14th day of October 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

SAN JOAQUIN REGIONAL
RAIL COMMISSION

STACEY MORTENSON, Secretary

BOB JOHNSON, Chair

SAN JOAQUIN REGIONAL RAIL COMMISSION

October 14, 2016

STAFF REPORT

Item 6

INFORMATION

ACEforward Update on South San Joaquin County Alternatives and Recent Town Hall Meetings

Staff will present an update on the South San Joaquin alternatives and recent Town Hall Meetings associated with ACEforward.