

1 [Agreement - Peninsula Corridor Joint Powers Board - Administration of Capital Funding -  
2 Peninsula Corridor Electrification Project - Up to \$39,000,000]

3 **Resolution approving an agreement between the City and County of San Francisco and**  
4 **the Peninsula Corridor Joint Powers Board regarding administration of capital funding**  
5 **for the design and construction of the Communications-Based Overlay Signal System**  
6 **Positive Train Control Project and the Peninsula Corridor Electrification Project, for an**  
7 **amount of up to \$39,000,000 for a term to commence following Board approval through**  
8 **December 31, 2020, or three and a half years after the sale of the last issuance of a**  
9 **Transportation and Road Improvement General Obligation Bond, whichever is later.**

10  
11 WHEREAS, In 1988, the Santa Clara County Transit District (now known as the Santa  
12 Clara Valley Transportation Authority ), the San Mateo County Transit District, and the City  
13 (collectively, Member Agencies) entered into a Joint Powers Agreement (JPA) creating the  
14 Peninsula Corridor Joint Powers Board (JPB) for the purpose of conducting planning studies  
15 related to Peninsula commute service (PCS); and

16 WHEREAS, In 1991, the Member Agencies expanded the powers of the JPB to enable  
17 it to plan, oversee and operate the PCS following transfer of the system assets from the State  
18 of California to local control, and allocate among the parties the administrative, capital and  
19 operating expenses attendant to ownership of the Peninsula Corridor right-of-way and  
20 operation; and

21 WHEREAS, The JPB is proceeding with the design and installation of the  
22 Communications-Based Overlay Signal System Positive Train Control Project (CBOSS-PTC),  
23 which will track train locations and prevent unsafe train movements through the use of  
24 equipment on board the locomotives and in the field; and

1           WHEREAS, The JPB is also designing and plans to install the Peninsula Corridor  
2 Electrification Project (PCEP), which would electrify the Caltrain Corridor from the 4th and  
3 King Station in San Francisco to approximately the Tamien Station in San Jose, convert  
4 diesel-hauled to electric multiple unit trains, and thereby increase service by up to six Caltrain  
5 trains per peak hour per direction; and

6           WHEREAS, The JPA provides that the three Member Agencies of the JPB share  
7 equally the costs of capital projects when those costs are not covered by outside sources; and

8           WHEREAS, In furtherance of the Initial Investment Strategy set forth in a Memorandum  
9 of Understanding among the Member Agencies, dated January 25, 2013, the City agreed to  
10 work with the other Member Agencies to identify the appropriate amounts and types of local  
11 resources that may be used to support the completion of the CBOSS-PTC and PCEP  
12 projects; and

13           WHEREAS, In November 2014, the voters approved a \$500,000,000 Transportation  
14 and Road Improvement General Obligation Bond (2014 GO Bond); and

15           WHEREAS, The City has designated \$39,000,000 for CBOSS-PTC and PCEP using  
16 the 2014 GO Bond sale proceeds; and

17           WHEREAS, In May 2015, the SFMTA Board of Directors adopted Resolution No. 15-  
18 070, which recommended, among other things, that the Board of Supervisors appropriate  
19 \$7,760,000 from GO Bond sale proceeds to the SFMTA to be used to satisfy a portion the  
20 City's contribution to Caltrain for upgrades for the CBOSS-PTC Project; and

21           WHEREAS, On June 18, 2015, the City approved Ordinance No. 93-15, which  
22 appropriated \$7,760,000 from the first issuance and sale of the 2014 GO Bond to satisfy a  
23 portion of the City's contribution to the JPB for the CBOSS-PTC project; and

1           WHEREAS, While this initial disbursement of \$7,760,000 will be used by the JPB for  
2 CBOSS-PTC, other disbursements of GO Bond proceeds for PCEP are planned for the future  
3 as additional GO Bonds are issued and sold; and

4           WHEREAS, The SFMTA will be the fiscal agent for disbursement of the GO Bond  
5 proceeds; and

6           WHEREAS, On June 29, 2009, the JPB found that the CBOSS-PTC project was  
7 exempt from CEQA under Public Resources Code, Section 21080(b)(10) and CEQA  
8 Guidelines, Section 15301(f); and

9           WHEREAS, On January 8, 2015, the JPB Board of Directors adopted Resolution No.  
10 2015-03, certifying the PCEP Final Environmental Impact Report (FEIR) for the Peninsula  
11 Corridor Electrification Project in conformance with CEQA law and Guidelines; and

12           WHEREAS, On January 8, 2015, the JPB Board of Directors, as part of Resolution No.  
13 2015-04 approving the PCEP, approved and adopted CEQA Findings of Fact, including a  
14 Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Plan  
15 (MMRP); and

16           WHEREAS, On May 5, 2015, under Resolution No. 15-070, the SFMTA Board of  
17 Directors concurred in the JPB Board's finding that the CBOSS-PTC project was exempt from  
18 environmental review under CEQA and there have been no substantial changes to the project  
19 since that time; and

20           WHEREAS, Based on its review and consideration of the information contained in the  
21 Final EIR, the SFMTA Board, in Resolution No. 2015-04 found that the proposed actions are  
22 within the scope of the PCEP Final EIR and that no additional environmental review is  
23 required under Public Resources Code section 21166; and

1           WHEREAS, The SFMTA Board, as a responsible agency under CEQA, has reviewed  
2 and considered the PCEP FEIR, including the CEQA Findings of Fact, the Statement of  
3 Overriding Considerations and MMRP; and

4           WHEREAS, The CEQA-related documents are on file with the Clerk of the Board of  
5 Supervisors in File No. 151148, and may also be found in the files of the Peninsula Corridor  
6 Joint Powers Board, as the custodian of records, at 1250 San Carlos Ave. in San Carlos, CA;  
7 the documents are incorporated herein by reference; and

8           WHEREAS, The proposed Agreement, a copy of which is on file with the Clerk of the  
9 Board of Supervisors in File No. 151148, sets forth the terms and conditions for disbursement  
10 of the already issued GO Bond proceeds for CBOSS-PTC and future disbursements of PCEP  
11 up to a total of \$39,000,000, pending approval by the Board of Supervisors and appropriation  
12 of future issuances of GO Bonds; and

13           WHEREAS, On December 1, 2015, the SFMTA Board of Directors adopted Resolution  
14 No. 15-170, which authorized the Director of Transportation to execute the proposed  
15 Agreement, pending City Board of Supervisors approval and appropriation of future issuances  
16 of GO Bonds; now, therefore, be it

17           RESOLVED, The Board of Supervisors, representing the City as a responsible agency  
18 under CEQA, has reviewed and considered the PCEP FEIR and record as a whole, and  
19 concurs in the SFMTA Board of Director's finding that the FEIR is adequate for the actions  
20 taken herein, specifically approval of the subject Agreement, and incorporates the CEQA  
21 findings contained in JPB Resolution No. 2015-04, including the Statement of Overriding  
22 Considerations and MMRP, including the commitment to participate with the JPB to  
23 implement Mitigation Measure TRA-3b (surface pedestrian facility improvements to address  
24 the Proposed Project's additional pedestrian movements at and immediately adjacent to the  
25 San Francisco 4th and King Station, with implementation costs shared on a fair-share basis

1 as determined mutually by the JPB and the City), and agrees to Mitigation Measure TRA-3b;  
2 and, be it

3 FURTHER RESOLVED, That the Board of Supervisors approves the Agreement  
4 between the City and County of San Francisco and the Peninsula Corridor Joint Powers  
5 Board Regarding Administration of Capital Funding for the Design and Construction of the  
6 Communications-Based Overlay Signal System Positive Train Control Project and the  
7 Peninsula Corridor Electrification Project; and, be it

8 FURTHER RESOLVED, That within thirty (30) days of the Agreement being fully  
9 executed by all parties, the Director of Transportation shall provide the final Agreement to the  
10 Clerk of the Board for inclusion into the official file.



**City and County of San Francisco**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**Tails  
Resolution**

**File Number:** 151148

**Date Passed:** January 26, 2016

Resolution approving an agreement between the City and County of San Francisco and the Peninsula Corridor Joint Powers Board regarding administration of capital funding for the design and construction of the Communications-Based Overlay Signal System Positive Train Control Project and the Peninsula Corridor Electrification Project, for an amount of up to \$39,000,000 for a term to commence following Board approval through December 31, 2020, or three and a half years after the sale of the last issuance of a Transportation and Road Improvement General Obligation Bond, whichever is later.

December 09, 2015 Budget and Finance Committee - CONTINUED TO CALL OF THE CHAIR

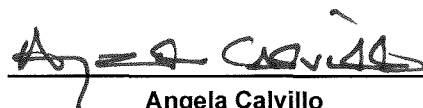
January 20, 2016 Budget and Finance Committee - RECOMMENDED

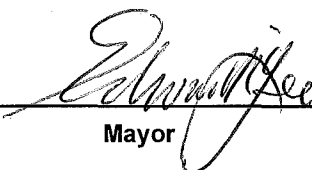
January 26, 2016 Board of Supervisors - ADOPTED

Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

File No. 151148

I hereby certify that the foregoing Resolution was ADOPTED on 1/26/2016 by the Board of Supervisors of the City and County of San Francisco.

  
Angela Calvillo  
Clerk of the Board

  
Mayor

2/4/2016  
Date Approved