

File No. 141187

Committee Item No. 10

Board Item No. \_\_\_\_\_

### COMMITTEE/BOARD OF SUPERVISORS

#### AGENDA PACKET CONTENTS LIST

Committee: Budget & Finance Committee

Date December 10, 2014

Board of Supervisors Meeting

Date \_\_\_\_\_

#### Cmte Board

- |                                     |                          |  |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/> | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

#### OTHER (Use back side if additional space is needed)

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|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Public Hearing Notice</u>  |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Peninsula Corridor Joint Powers Board Resolution No. 2000-21</u> |
| <input type="checkbox"/>            | <input type="checkbox"/> | _____   |
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Completed by: Linda Wong Date December 5, 2014  
Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor  
2 Joint Powers Board - Not to Exceed \$11,000,000]

3 **Resolution authorizing the issuance and sale by the Peninsula Corridor Joint Powers**  
4 **Board of Farebox Revenue Bonds in an aggregate principal amount not to exceed**  
5 **\$11,000,000; and authorizing related actions as defined in herein.**

6  
7 WHEREAS, The Peninsula Corridor Joint Powers Board (the "Joint Powers Board"), is  
8 a public entity duly established and organized under the laws of the State of California, which  
9 was created pursuant to a joint exercise of powers agreement (the "Joint Powers Agreement")  
10 entered into by the Santa Clara Valley Transportation Authority, formerly known as the Santa  
11 Clara County Transit District, the City and County of San Francisco, and the San Mateo  
12 County Transit District (each, a "Member Agency of the Joint Powers Board"); and

13 WHEREAS, The Joint Powers Board intends to issue certain revenue bonds  
14 (hereinafter referred to as the "Farebox Revenue Bonds"), such Farebox Revenue Bonds to  
15 be issued in an aggregate principal amount not to exceed \$11,000,000, in order to finance (i)  
16 a portion of the costs of the acquisition and renovation of certain rail cars to be utilized in  
17 connection with the operation of the Caltrain commuter rail service (hereinafter referred to as  
18 "Caltrain") within the geographical boundaries of the Santa Clara Valley Transportation  
19 Authority, the City and County of San Francisco (the "City") and the San Mateo County Transit  
20 District and (ii) a portion of the costs of certain related capital expenditures, including, without  
21 limitation, the costs of platform modifications required to accommodate six-car train sets,  
22 made possible as a result of the rail car acquisition, and the costs of acquiring spare parts and  
23 new wheels; and

1           WHEREAS, Pursuant to the Joint Powers Agreement, each Member Agency of the  
2 Joint Powers Board is required to contribute to the operating costs of Caltrain and provide for  
3 the costs of capital projects of the Joint Powers Board in the manner set forth in the Joint  
4 Powers Agreement; and

5           WHEREAS, The Farebox Revenue Bonds, which the Joint Powers Board proposes to  
6 issue, will be issued pursuant to Section 6500 et seq. of the Government Code of the State of  
7 California, as amended and supplemented (the "Act"), and will be secured by and payable  
8 from farebox revenues and certain other revenues collected from the operation of Caltrain  
9 collectively, the "Farebox Revenues"; and

10           WHEREAS, Pursuant to Section 6586.5 of the Act, each Member Agency of the Joint  
11 Powers Board within whose boundaries a public capital improvement to be financed is located  
12 is required: (i) to approve the financing; and (ii) to make a finding of significant public benefit in  
13 accordance with the criteria specified in Section 6586 of the Act after holding a public hearing;  
14 and

15           WHEREAS, In order to satisfy the requirements set forth in Section 6586.5 of the Act,  
16 the Joint Powers Board has requested that the Board of Supervisors of the City and County of  
17 San Francisco (the "Board") (i) cause a public hearing to be held, (ii) make a finding of  
18 significant public benefit in accordance with the criteria specified in Section 6586 of the Act  
19 after such public hearing has been held, and (iii) approve the proposed financing described  
20 herein (the "Financing") in order to satisfy the requirements of Section 6586.5 of the Act; and

21           WHEREAS, Pursuant to Section 6586.5 of the Act, on November 21, 2014, the City  
22 caused a notice to be published in a newspaper of general circulation in the City and County  
23 of San Francisco stating that a public hearing would be conducted by the Controller's Office of  
24 Public Finance with respect to the Financing; and

1           WHEREAS, Such public hearing was held by the Controller's Office of Public Finance  
2 on November 26, 2014, in accordance with the requirements of Section 6586.5 of the Act; and

3           WHEREAS, This Board is the appropriate entity to approve the Financing within the  
4 meaning of Section 6586.5 of the Act; now, therefore, be it

5           RESOLVED, That the Board finds and declares that the above recitals are true and  
6 correct; and, be it

7           FURTHER RESOLVED, That this Board approves the issuance of the Bonds in an  
8 amount not to exceed \$11,000,000 and finds that: (i) the issuance of the Bonds for the  
9 purposes described herein will result in significant public benefits by increasing Caltrain fleet  
10 capacity thereby providing more efficient delivery of transit services to residential and  
11 commercial development within the geographic boundaries of the Member Agencies of the  
12 Joint Powers Board, including the City; and (and collectively, the "Financing"); (ii) such  
13 increased fleet capacity serves a public purpose; and, be it

14           FURTHER RESOLVED, It is the purpose and intent of this Board that this Resolution  
15 constitute approval of the Financing in accordance with Section 6586.5 of the Act; and, be it

16           FURTHER RESOLVED, Notwithstanding anything in this resolution to the contrary, the  
17 City shall not be obligated to levy any form of taxes, and no funds or property is pledged, to  
18 the repayment of the Bonds, other than the Farebox Revenues as herein defined; and, be it

19           FURTHER RESOLVED, That the Mayor, Controller, and the Director of the Controller's  
20 Office of Public Finance (and designees thereof), employees and agents of the City are  
21 hereby authorized and directed, jointly and severally, to do any and all things and to execute  
22 and deliver any and all documents which they deem necessary or advisable in order to carry  
23 out, give effect to and comply with the terms and intent of this Resolution and the Financing  
24 approved hereby; and, be it

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FURTHER RESOLVED, That this Resolution shall take effect immediately upon its passage.

# BUSINESS The Chronicle with Bloomberg

## PUBLIC NOTICES

**SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT**

### NOTICE TO PROPOSERS - GENERAL INFORMATION

The SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT, 300 Lakeside Drive, Oakland, California, is advertising on or about November 21, 2014, a Request for Proposals (RFP) No. 6M5087 to provide General Environmental Services to Support BART's Hazardous Materials Program. Proposals will be received until the hour of 2:00 p.m., Tuesday, January 13, 2015, at the District Secretary's Office, 23rd Floor, 300 Lakeside Drive, Oakland, California 94612 (mailing address: P.O. Box 12688, Oakland, California, 94604-2688). Proposers are responsible to ensure that their proposals are received at the time and location specified.

### DESCRIPTION OF SERVICES TO BE PERFORMED

The selected consultants shall provide services to assist and advise BART with environmental services in support of BART projects, including, but not limited to: hazmat program management services and environmental consulting services; site, facility and field investigations; environmental and remediation engineering; regulatory compliance; emergency support services; technology implementation/construction management and public information support. Further details regarding the Scope of Services are provided in the RFP document. The services will not be required on a constant or continuous basis, but rather on an as-needed, on-call basis during a three-year term with the District's option to extend the term up to two additional one year periods. No services may be required of any consultant selected and no minimum services are guaranteed. No individual consultant will receive compensation greater than Two Million Dollars (\$2,000,000).

Although there is no Disadvantaged Business Enterprise (DBE) Participation Goal for this Contract, Proposers are encouraged to take all steps necessary to provide an equal opportunity for DBEs to participate.

### PRE-PROPOSAL MEETING

A pre-proposal meeting will be held on Thursday, December 11, 2014. The pre-proposal meeting will convene at 1:30 PM, at BART's Administrative Office located at 300 Lakeside Drive, 15th Floor, conference room no. 1500, Oakland, CA. Prospective proposers are urged to make every effort to attend this only scheduled pre-proposal meeting. A presentation addressing the services and the procurement process will be made. In addition, the District's Disadvantaged Business Enterprise Participation Program will be discussed.

### WHERE TO OBTAIN OR SEE RFP DOCUMENTS (Available on or after November 25, 2014)

- Copies of the RFP may be obtained:
- By written request to the District's Contract Administrator, Gary Leong, 300 Lakeside Drive, 17th Floor, Oakland, CA 94612. Reference RFP No. 6M5087; General Environmental Services to Support BART's Hazardous Materials Programs and send requests to Fax No. (510) 464-7650.
  - By arranging pick up at the above address after November 25, 2014, call the District's Contract Administrator on (510) 287-4717 prior to pickup of the RFP.
  - By E-mail request after November 25, 2014, to the District's Contract Administrator Gary Leong, Gary.Leong@BART.gov.
  - By attending the Pre-proposal Meeting and obtaining the RFP at the meeting.

Dated at Oakland, California this 18th day of November, 2014.

/s/ Kenneth A. Duron  
Kenneth A. Duron,  
District Secretary San Francisco Bay Area Rapid Transit District  
11/21/14

## PUBLIC NOTICES

**Department of Justice Antitrust Division**

Take notice that a proposed Final Judgment has been filed in a civil antitrust case, United States of America v. Flakeboard America Limited, Celulosa Arauco y Constitución, S.A., Inversiones Angelini y Compañía, Limitada and SierraPine, Civil Action No. 3:14-cv-04949. On November 7, 2014, the United States filed a Complaint alleging that Flakeboard, Arauco, and SierraPine coordinated to close SierraPine's Springfield, Oregon particle-board plant and move the mill's customers to Flakeboard before the proposed transaction received federal antitrust approval and could be consummated. The Complaint alleges that this coordination constituted a per se unlawful agreement between competitors to reduce output and allocate customers in violation of Section 1 of the Sherman Act, 15 U.S.C. § 1. A proposed Final Judgment, filed the same time as the Complaint, remedies the Sherman Act violation by enjoining the defendants from reaching similar anticompetitive agreements with competitors and requiring Flakeboard to disgorge \$1.15 million, the approximate amount of profits that Flakeboard illegally obtained from the closure of the Springfield mill. A Competitive Impact Statement filed by the United States describes the Complaint, the proposed Final Judgment, the industry and the remedies available to private litigants who may have been injured by the alleged Sherman Act violation.

The Complaint also alleges that the conduct constituted a premature transfer of beneficial ownership to Flakeboard in violation of Section 7A of the Clayton Act, 15 U.S.C. § 18a, also commonly known as the Hart-Scott-Rodino Antitrust Improvements Act of 1976 ("HSR Act"). The proposed Final Judgment requires the companies to pay a combined \$3.8 million in civil penalties for this HSR violation.

Copies of the Complaint, proposed Final Judgment and Competitive Impact Statement are available for inspection at the Department of Justice, Antitrust Division, Antitrust Documents Group, 450 Fifth Street, NW, Suite 1010, Washington, DC 20530 (telephone: 202-514-2481), on the Department of Justice's website at <http://www.usdoj.gov/atr>, and at the Office of the Clerk of the U.S. District Court for the Northern District of California.

Interested persons may address comments to Peter Mucchetti, Chief, Litigation I Section, Antitrust Division, Department of Justice, 450 Fifth Street, NW, Suite 4100, Washington, DC 20530 (telephone: 202-307-0001), within 60 days of the date of this notice. Such comments, including the name of the submitter, and responses thereto, will be posted on the U.S. Department of Justice, Antitrust Division's internet website, filed with the Court, and, under certain circumstances, published in the Federal Register.

### NOTICE OF PUBLIC HEARING ON PROPOSED ISSUANCE OF FAREBOX REVENUE BONDS

NOTICE IS HEREBY GIVEN pursuant to Section 6586.5 of the California Government Code that at 9:00 a.m. on Wednesday, November 26, 2014, or as soon thereafter as such matters can be heard, a public hearing will be held by the Controller's Office of Public Finance, City and County of San Francisco (the "City"), in connection with the proposed issuance of not to exceed \$11,000,000 aggregate principal amount of Peninsula Corridor Joint Powers Board Farebox Revenue Bonds (the "Bonds") by the Peninsula Corridor Joint Powers Board (the "JPB"), a joint exercise of powers authority among the Santa Clara Valley Transportation Authority (formerly known as the Santa Clara County Transit District), the City and County of San Francisco and the San Mateo

## PUBLIC NOTICES

hearing will be held in Room 336, City Hall, located at 1 Dr. Carlton B. Goodlett Place, San Francisco, California 94102.

The Bonds will be issued to finance: (i) a portion of the costs of the acquisition and renovation of certain rail cars to be utilized in connection with the Caltrain commuter rail service operated by the JPB in the County of Santa Clara, the County of San Mateo and the City and County of San Francisco; and (ii) the costs of certain related capital expenditures, including without limitation, the costs of platform modifications required to accommodate six-car train sets, made possible as a result of the rail car acquisition, and the costs of acquiring spare parts and new wheels (collectively, the "Project"). Subsequent to the holding of the public hearing, the Board of Supervisors of the City will consider adoption of a resolution approving the issuance of the Bonds by the JPB for the Project.

Members of the public are invited to attend the public hearing and to offer comment concerning the Project and financing the costs thereof with the proceeds of the Bonds.

Dated: November 21, 2014.  
CITY AND COUNTY OF SAN FRANCISCO  
/s/ Angela Calvillo  
Clerk of the Board of Supervisors

## PUBLIC NOTICES CITY

**ADVERTISEMENT FOR BIDS CITY & COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS Contract No. 22641 (ID No. FCE15018)**

**PAVEMENT RENOVATION, SEWER REPLACEMENT, AND WATERMAIN INSTALLATION - HAIGHT STREET AND HAYES STREET**

Sealed bids will be received at 1155 Market Street, 4th Floor, San Francisco, California 94103 until 2:30 p.m. on December 17, 2014, after which they will be publicly opened and read. Digital files of Bid Documents, Plan Holders Lists, and Addenda may be downloaded at no cost from the Department of Public Works (DPW) Electronic Bid Documents Download site at [www.sfdpw.org/biddocs](http://www.sfdpw.org/biddocs), or purchased on a CD format from 1155 Market Street, 4th Floor, San Francisco, California 94103, telephone 415-554-6229, for a non-refundable \$15.00 fee, paid by cash or check to "Department of Public Works". Please visit the DPW's Contracts, Bid Opportunities and Payments webpage at [www.sfdpw.org](http://www.sfdpw.org) for more information. Notices regarding Addenda and other bid changes will be distributed by email to Plan Holders.

The Work is located on Haight St, from Ashbury St to Laguna St, and on Hayes St from Clayton St to Market St / Larkin St and consists of demolition, pavement renovation, curb ramp construction, sewer replacement and drainage work, watermain installation, AWWSS relocation traffic signal conduits, audible pedestrian signal installation, traffic control, and all associated work. The time allowed for completion is 490 consecutive calendar days. The Engineer's estimate is approximately \$13,000,000. For more information, contact the Project Manager, Ramon Kong at 415-554-8280.

This Project shall incorporate the required partnering elements for Partnering Level 2. Refer to Section 01 31 33 for more details. Pursuant to San Francisco Administrative Code (SFAC) Section 6.25, "Clean Construction" is required for the performance of all work. The Specifications include liquidated damages. Contract will be on a Lump Sum Bid Items With Unit Prices basis. Progressive payments will be made. The Contract will be awarded to the lowest responsible responsive bidder.

## PUBLIC NOTICES CITY

mines that any of the bid item prices are materially unbalanced to the potential detriment of the City. Bid discounts may be applied as per SFAC Chapter 14B. Subcontracting goal is 25% LBE. Call Selormey Dzikunu at 415-558-4059 for details. In accordance with SFAC Chapter 14B requirements, all bidders, except those who meet the exception noted below, shall submit documented good faith efforts with their bids and must achieve 80 out of 100 points to be deemed responsive. Bidders will receive 15 points for attending the pre-bid conference. Refer to CMD Form 2B for more details. Exception: Bidders who demonstrate that their total LBE participation exceeds the above subcontracting goal by 35% will not be required to meet the good faith efforts requirements.

A pre-bid conference will be held on December 4, 2014; 1:30 p.m., at 1680 Mission Street, 3rd Floor.

For information on the City's Surety Bond Program, call Jennifer Elmore at (415) 217-6578.

A corporate surety bond or certified check for ten percent (10%) of the amount bid must accompany each bid. SFAC Sec. 6.22(A) requires all construction greater than \$25,000 to include performance and payment bonds for 100% of the contract award.

Class "A" license required to bid. In accordance with San Francisco Administrative Code Chapter 6, no bid is accepted and no contract in excess of \$400,000 is awarded by the City and County of San Francisco until such time as the Mayor or the Mayor's designee approves the contract for award, and the Director of Public Works then issues an order of award. Pursuant to Charter Section 3.105, all contract awards are subject to certification by the Controller as to the availability of funds.

Minimum wage rates for this project must comply with the current General Prevailing Wage as determined by the State Department of Industrial Relations. Minimum wage rates other than applicable to General Prevailing Wage must comply with SFAC Chapter 12P, Minimum Compensation Ordinance.

This Project is subject to the requirements of the San Francisco Local Hiring Policy for Construction ("Policy") as set forth in Section 6.22(C) of the SFAC. Bidders are hereby advised that the requirements of the Policy will be incorporated as a material term of any contract awarded for the Project. Refer to Section 00 73 30 of the Project Manual for more information.

Bidders are hereby advised that the Contractor to whom the Contract is awarded must be certified by the Human Rights Commission as being in compliance with the Equal Benefits Provisions of Chapter 12B of the City's Administrative Code within two weeks after notification of award.

If a bidder objects on any ground to any bid specification or legal requirement imposed by this Advertisement for Bids, the bidder shall, no later than the 10th working day prior to the date of Bid opening, provide written notice to the Contract Administration Division, Department of Public Works, setting forth with specificity the grounds for the objection. Right reserved to reject any or all bids and waive any minor irregularities.

## CITATION

**SUPERIOR COURT FOR THE STATE OF CALIFORNIA FOR THE CITY AND COUNTY OF SAN FRANCISCO**

**UNITED FAMILY COURT**  
Case Number: JD13-3296  
In the Matter of: L.B.J., A Minor  
To: **MATTHEW VAUGHN BRUGMAN**, Alleged Father; and any other persons(s) claiming to be the Parent(s) of said minor.

You are hereby notified that the San Francisco Juvenile Dependency Court has ordered a hearing pursuant to Welfare and Institutions Code Section 366.26, to determine whether your parental rights should be terminated and your child(ren) be freed from your custody and control for the purpose of being placed in the custody of the State of California.

## PUBLIC NOTICES CITY

hereby cited and required to be before this Court on the day of February 4, 2015 at 1:15 p.m., at the Juvenile Dependency Court, 400 McAllister Street, Room 425, San Francisco, California, then and there to show cause why you should not be declared free from custody and control of his parent. This proceeding is for the purpose of developing a permanent plan for child(ren), which could include adoption.

If you appear on the above-mentioned date in the above-mentioned courtroom, the Judge will advise you of the nature of the proceedings, the procedures, and possible consequences of the entitled action. The parent(s) of the minor(s) have the right to have an attorney present and, if the parent cannot afford an attorney, the court will appoint an attorney for the parent(s).

Dated: 11/19/2014  
CAT VALDEZ, Legal Assistant for Attorney, Department of Human Services (415) 554-3835  
By: ANNIE TOY, Deputy Clerk

## CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS REQUEST FOR PREQUALIFICATION GENERAL CONTRACTOR ANNOUNCEMENT

San Francisco Public Works (PW) announces a Request for Qualification (RFQ) for prequalification of general contractors for ESER 2010 Fire Station 16 Replacement Project located in District 2251 Greenview Street, San Francisco, CA. The scope of work includes deletion of an existing 2-story fire station structure, a hose tower and removal of underground fuel tanks at Greenview Street. The new fire station includes two apparatus bays, as well as dining equipment storage, living dining area and a fitness room, construction cost for this project is estimated at \$8 million.

Digital files of the RFQ Package may be downloaded at no cost from [www.sfdpw.org/biddocs](http://www.sfdpw.org/biddocs). Please see the Public Works Contracts, Bid Opportunities and Payments webpage [www.sfdpw.org](http://www.sfdpw.org) for more information and to register as a plan holder. Notices regarding Addenda and other proposal changes will be distributed by email to plan holders.

An RFQ Informational Conference will be held at 11 am on December 10, 2014 at Public Works 4th floor Conference Room, 30 Van Ness Avenue, San Francisco, CA. Written questions regarding the RFQ shall be directed to Gabriella Judd Cirelli, ESER@sfidpw.org, no later than December 8th, 2014.

Candidates shall submit their Qualifications Package as specified in the RFQ no later than 4:00 PM on December 22nd, 2014 and addressed to: San Francisco Public Works Project Management Division 30 Van Ness Avenue, 4th floor San Francisco, CA 94102  
Attn: Ms. Gabriella Judd Cirelli, Public Works Project Manager  
Re: GC Prequalification - ESER 2010 Fire Station 16 Replacement  
Note that late submissions will not be considered.

## NOTICES OF PROBATE

Richard C. Lam  
SNB 225577  
In the Matter of Richard Lam  
961 Ygnacio Valley Road  
Walnut Creek, CA 94596  
Telephone: 925-938-9030  
Petitioner: JUDY TAKEDA

SUPERIOR COURT OF CALIFORNIA COUNTY OF SAN FRANCISCO  
400 McAllister Street, Dept. 204  
San Francisco, CA 94102-4514

ESTATE OF MIYUKI KOBAYASHI  
DECEDENT

**NOTICE OF PUBLIC HEARING ON PROPOSED  
ISSUANCE OF FAREBOX REVENUE BONDS**

NOTICE IS HEREBY GIVEN pursuant to Section 6586.5 of the California Government Code that at 9:00 a.m. on Wednesday, November 26, 2014, or as soon thereafter as such matters can be heard, a public hearing will be held by the Controller's Office of Public Finance, City and County of San Francisco (the "City"), in connection with the proposed issuance of Farebox Revenue Bonds (the "Bonds") by the Peninsula Corridor Joint Powers Board (the "JPB"), a joint exercise of powers authority among the Santa Clara Valley Transportation Authority (formerly known as the Santa Clara County Transit District), the City and County of San Francisco and the San Mateo County Transit District. The public hearing will be held in Room 336, City Hall, located at 1 Dr. Carlton B. Goodlett Place, San Francisco, California 94102.

The Bonds will be issued to finance: (i) a portion of the costs of the acquisition and renovation of certain rail cars to be utilized in connection with the Caltrain commuter rail service operated by the JPB in the County of Santa Clara, the County of San Mateo and the City and County of San Francisco; and (ii) the costs of certain related capital expenditures, including, without limitation, the costs of platform modifications required to accommodate six-car train sets, made possible as a result of the rail car acquisition, and the costs of acquiring spare parts and new wheels (collectively, the "Project"). Subsequent to the holding of the public hearing, the Board of Supervisors of the City will consider adoption of a resolution approving the issuance of the Bonds by the JPB for the Project.

Members of the public are invited to attend the public hearing and to offer comment concerning the Project and financing the costs thereof with the proceeds of the Bonds.

Dated: November 21, 2014.

CITY AND COUNTY OF SAN FRANCISCO

/s/ Angela Calvillo

Clerk of the Board of Supervisors

**Carroll, John (BOS)**

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**From:** Chan, Yoyo (BOS)  
**Sent:** Monday, November 24, 2014 2:22 PM  
**To:** BOS Legislation (BOS)  
**Cc:** Wong, Linda (BOS)  
**Subject:** RE: Resolution - Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor Joint Powers Board  
**Attachments:** JPA Agreement and Amendment 10-03-1996.pdf  
**Categories:** 141187

Attached is the JPA Agreement. The ad will be running next week and we will provide it to you as soon as it is available.

**Yoyo Chan**  
**Legislative Aide**  
Office of Supervisor Malia Cohen  
(415) 554-4566 | [yoyo.chan@sfgov.org](mailto:yoyo.chan@sfgov.org)

---

**From:** BOS Legislation (BOS)  
**Sent:** Monday, November 24, 2014 2:11 PM  
**To:** Chan, Yoyo (BOS); Bruss, Andrea (BOS); Tugbenyoh, Mawuli (BOS)  
**Cc:** Wong, Linda (BOS); BOS Legislation (BOS)  
**Subject:** RE: Resolution - Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor Joint Powers Board

Please send the e-versions requested below.

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**From:** BOS Legislation (BOS)  
**Sent:** Friday, November 21, 2014 3:47 PM  
**To:** Chan, Yoyo (BOS); Bruss, Andrea (BOS); Tugbenyoh, Mawuli (BOS)  
**Cc:** BOS Legislation (BOS)  
**Subject:** RE: Resolution - Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor Joint Powers Board

Also, could you please transmit the support documents for this matter, including the published notice mentioned on p2, line 19, the JPA Agreement, and any other outstanding support matters?

Thanks,

John Carroll  
Legislative Clerk  
Board of Supervisors  
San Francisco City Hall, Room 244  
San Francisco, CA 94102  
(415)554-4445 - Direct | (415)554-5184 - General | (415)554-5163 - Fax  
[john.carroll@sfgov.org](mailto:john.carroll@sfgov.org) | [board.of.supervisors@sfgov.org](mailto:board.of.supervisors@sfgov.org)

Please complete a Board of Supervisors Customer Service Satisfaction form by clicking [here](#).

The [Legislative Research Center](#) provides 24-hour access to Board of Supervisors legislation, and archived matters since August 1998.

*Disclosures: Personal information that is provided in communications to the Board of Supervisors is subject to disclosure under the California Public Records Act and the San Francisco Sunshine Ordinance. Personal information provided will not be redacted. Members of the public are not required to provide personal identifying information when they communicate with the Board of Supervisors and its committees. All written or oral communications that members of the public submit to the Clerk's Office regarding pending legislation or hearings will be made available to all members of the public for inspection and copying. The Clerk's Office does not redact any information from these submissions. This means that personal information—including names, phone numbers, addresses and similar information that a member of the public elects to submit to the Board and its committees—may appear on the Board of Supervisors website or in other public documents that members of the public may inspect or copy.*

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**From:** BOS Legislation (BOS)  
**Sent:** Friday, November 21, 2014 9:34 AM  
**To:** Chan, Yoyo (BOS); Givner, Jon (CAT)  
**Cc:** BOS Legislation (BOS)  
**Subject:** RE: Resolution - Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor Joint Powers Board

Good morning,

Please find attached your copy of the below-named legislative matter as introduced on November 18, 2014, I have tracked the clerical changes to the document for your reference. This copy is for your retention. For purposes of version control, please refer to this e-version when working with the legislative text.

Thanks,

John Carroll  
Legislative Clerk  
Board of Supervisors  
San Francisco City Hall, Room 244  
San Francisco, CA 94102  
(415)554-4445 - Direct | (415)554-5184 - General | (415)554-5163 - Fax  
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**From:** Chan, Yoyo (BOS)  
**Sent:** Wednesday, November 19, 2014 10:30 AM  
**To:** BOS Legislation (BOS)  
**Cc:** Carroll, John (BOS)

**Subject:** Resolution - Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor Joint Powers Board

**Yoyo Chan**

**Legislative Aide**

Office of Supervisor Malia Cohen

(415) 554-4566 | [yoyo.chan@sfgov.org](mailto:yoyo.chan@sfgov.org)

JOINT POWERS AGREEMENT  
PENINSULA CORRIDOR PROJECT

This Agreement is made and entered into this 3rd day of October, 1996, by and between the Santa Clara County Transit District, dba Santa Clara Valley Transportation Authority ("SCCTD" or "SCVTA"), the City and County of San Francisco ("CCSF"), and the San Mateo County Transit District ("SamTrans") (collectively referred to herein as "Member Agencies").

RECITALS

WHEREAS, in 1988, SCCTD, CCSF and SamTrans entered into a Joint Powers Agreement (the "1988 Agreement") creating the Peninsula Corridor Study Joint Powers Board ("JPB") pursuant to Title 1, Division 7, Chapter 5, Article I (§6500 et seq.) of the California Government Code, for the purpose of conducting planning studies related to the Peninsula Commute Service ("PCS"); and

WHEREAS, based upon the planning studies and other activities conducted by the JPB, including, among other things, the negotiation of an agreement to acquire the full corridor right-of-way owned by Southern Pacific Transportation needed for operation and future expansion of the PCS, the parties determined that it would be beneficial to residents of their respective counties that the purposes and powers of the JPB be expanded to enable the JPB to plan, oversee and operate the PCS following

transfer of the system assets from the State of California to local control; and

WHEREAS, such planning, oversight, and operation of the PCS required the maintenance and improvement of the Southern Pacific Right of Way and related system assets, as well as the application for and obtainment of State and federal funding; and

WHEREAS, in 1991 SCCTD, CCSF and SamTrans amended and restated in its entirety the 1988 Joint Powers Agreement to reflect their expanded objectives and executed a Joint Powers Agreement dated August 18, 1991 ("1991 Agreement"); and

WHEREAS, the 1991 Agreement provided for the allocation among the parties of the administrative, capital and operating expenses attendant to ownership of the Peninsula Corridor right-of-way ("ROW") and operation of the PCS; and

WHEREAS, pursuant to an Amendment adopted on November 3, 1994, the JPB amended the 1991 Agreement to modify the basis for allocation of administrative and capital costs among the parties and to effect certain other related changes to the 1991 Agreement ("1994 Amendment"); and

WHEREAS, SCTVA has proposed further revisions to the 1991 Agreement pertaining to SCTVA's powers to appoint representatives to the JPB; and

WHEREAS, the parties now desire to restate the 1991 Agreement as amended by the 1994 Amendment to include SCTVA's proposed revisions.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

**Section 1. DEFINITIONS**

The terms defined in this section shall for all purposes of this Agreement have the meanings specified herein.

"Agreement" means this Joint Powers Agreement as it now exists or as it may hereafter be amended.

"Gilroy Service" means the PCS Service between the Tamien Station in San Jose and Gilroy.

"Local Funds" means funds generated by a Member Agency or allocated to a Member Agency by another agency on a non-discretionary basis.

"Main Line Service" means the PCS service between the City and County of San Francisco and the Tamien Station in San Jose.

"Project" means (a) the maintenance and improvement of the ROW, (b) the planning, administration, operation and expansion of the PCS, including the Gilroy Service that will be run on the ROW, and (c) the application for and obtainment of State and federal funding to achieve the aforesaid Project objectives.

**Section 2. PURPOSE**

The purpose of the Agreement is to establish an organization that shall be responsible for implementing the objectives of the Project and related actions pertaining to the PCS.

Section 3. TERM

This Agreement shall be effective upon execution of this Agreement by all parties.

Upon becoming effective, this Agreement shall continue in full force and effect for ten (10) years from the October 18, 1991 execution of the Joint Powers Agreement, subject, however, to each party's right to withdraw upon one (1) year's prior written notice given to the other parties at the end of any fiscal year in the manner prescribed in Section 19 below. At the end of ten (10) years, this Agreement shall continue in full force and effect on a year-to-year basis until such time as two or more parties withdraw pursuant to the terms of Section 12 below.

Section 4. JOINT POWERS BOARD

There is hereby created the JPB as a public entity separate and apart from CCSF, SCVTA and SamTrans, or any current combination thereof. This new entity shall be known as the Peninsula Corridor Joint Powers Board. The Board shall consist of nine (9) members representing their respective Member Agencies as follows:

A. Representing SamTrans

1. Member of SamTrans Board designated by Board;
2. Member of SamTrans Board appointed by San Mateo County Board of Supervisors; and

3. Member of SamTrans Board appointed by the Cities Selection Committee of the Council of Mayors of San Mateo County.

B. Representing the Santa Clara Valley Transportation Authority

1. Member of SCVTA Board of Directors representing the City of San Jose or the County of Santa Clara, as appointed by the SCVTA Board;

2. Member of SCVTA Board of Directors representing the County of Santa Clara or a city in Santa Clara County other than the City of San Jose, as appointed by the SCVTA Board; and

3. The County of Santa Clara's representative to the Metropolitan Transportation Commission ("MTC"), or if this person declines to serve, then the MTC appointee of the Cities Selection Committee, or if this person also declines to serve, then a member of the SCVTA Board of Directors as appointed by the SCVTA Board.

No more than two members of the County of Santa Clara Board of Supervisors may serve on the JPB Board at the same time.

C. Representing the City and County of San Francisco

1. An appointment of the Mayor;
  2. An appointment of the Board of Supervisors;
- and
3. An appointment of the San Francisco Public Transportation Commission.

Each of the nine (9) members shall serve in his or her individual capacity, but at the pleasure of the party appointing him or her.

**Section 5.            POWERS OF THE JPB**

The JPB shall be the policy-making body for the Project and shall have all such powers to implement the Project as may be exercised under applicable laws by joint powers agencies. The JPB hereby is authorized, in its own name, to do all acts deemed necessary or convenient for the exercise of said power, including, but not limited to, any or all of the following: to make and enter into contracts; to acquire, own, and maintain real and personal property; to employ agents and employees; to incur debts, liabilities or obligations which do not constitute a debt, liability or obligation of the State, CCSF, SamTrans, or SCVTA; to sue and be sued in its own name; and to apply for, receive, and utilize State, local, and Federal funding and funds from all other sources given to it for the purpose of accomplishing the Project. Without limiting the generality of the foregoing, the JPB shall:

A.    Approve short-range plans for PCS.

B.    Approve by March 31 of each year the annual PCS operating budget, subject to the approval of the governing board of each Member Agency.

C.    Approve the annual capital budget by March 31 of each year, and approve other proposed actions pertaining to the level of service, changes in service schedules that add or delete

service to or from a station, fares, and capital improvement programs.

D. Commit Proposition 116 Funds earmarked for the JPB to specific capital projects approved in the capital budget without the approval of the Member Agency governing boards. Approve all other specific capital projects requiring use of Local Funds, subject to the approval of the Member Agency governing boards.

E. Concur in the award by the Managing Agency of the operating contract for the PCS.

F. Advise, review and make recommendations to the Managing Agency regarding the following:

1. marketing programs;
2. financial reports;
3. other reports for public distribution;
4. interagency cooperation; and
5. management plan.

G. Award a contract to perform an independent audit of the financial condition of the JPB.

Pursuant to Government Code Section 6509, the power of the JPB is subject to the restrictions upon the manner of exercising the power of SamTrans.

**Section 6. MANAGING AGENCY; DELEGATION OF AUTHORITY**

A. The JPB shall appoint a managing agency ("Managing Agency") to implement the objectives of the Project.

B. SamTrans hereby is appointed as Managing Agency for the duration of the term, provided, however, that the JPB may replace SamTrans as the Managing Agency upon one (1) year's prior written notice given at the end of any fiscal year after SamTrans has been fully repaid monies advanced by it to cover the ROW purchase price.

C. The Managing Agency shall be delegated the following authority and required to perform the following responsibilities:

(i) Award the operating contract for the PCS, subject to the concurrence of the JPB as provided in Section 5 above, and administer and modify said contract consistent with the JPB's operating budget;

(ii) Maintain and manage the ROW and other system assets unless the administration of particular station sites is delegated by the JPB to an individual Member Agency.

(iii) Implement capital programs contained in the approved PCS capital budget unless the administration of particular capital projects is delegated by the JPB to an individual Member Agency;

(iv) Seek, obtain and administer grants;

(v) Develop and implement marketing programs;

(vi) Prepare and submit financial reports;

(vii) Recommend changes in fare structure to the

JPB;

(viii) Recommend changes in scheduling and levels of service to the JPB;

(ix) Prepare and implement changes in scheduling other than those requiring the approval of the JPB as provided in Section 5(C) above.

(x) Prepare capital and operating budgets for presentation to the JPB;

(xi) Keep staff of Member Agencies advised on PCS matters; and

(xii) Report regularly to the JPB regarding PCS issues.

#### Section 7. FINANCIAL COMMITMENTS

##### A. Operations

Each Member Agency agrees to share in the operating costs associated with the PCS. Member Agency subsidies for the Main Line Service shall be based on the existing passenger boarding formula which is predicated upon county of origin a.m. peak hour boardings of passengers as adjusted annually prior to the JPB's adoption of the operating budget. SCVTA shall be responsible for all net operating costs of the Gilroy Service based upon the fully allocated cost methodology.

##### B. Capital Projects

The JPB and the Member Agencies shall use their best efforts to fully fund from state, Federal and JPB Proposition 116 resources, capital projects contained in the approved capital budget. If approved by Member Agencies pursuant to Section 5(D),

Member Agencies shall share in the remaining costs of capital projects according to the following guidelines: Proposed capital projects shall be categorized in the capital-program process as being designed to replace, enhance or expand PCS assets. Costs of capital replacement and enhancement projects that are not covered by outside funding sources shall be shared equally by the Member Agencies. Furthermore, Member Agencies shall support the equal sharing of Federal funding for replacement and enhancement projects with the understanding that the method for allocating the Federal funds will be reviewed by the Metropolitan Transportation Commission Regional Transit Coordinating Council Finance Committee. Cost allocation among the JPB members for expansion projects such as the downtown terminal relocation, the Gilroy Service and the Bayshore Corridor Service shall be determined on a case-by-case basis. SCVTA shall assume full responsibility for obtaining funding for all Gilroy Service capital projects.

In addition to the costs for capital projects to be shared by the Member Agencies as provided in this Section 7.B, on an annual basis the JPB shall determine an amount to be contributed by the Member Agencies into a capital contingency fund to cover unanticipated, necessary capital improvements. Each Member Agency shall contribute an equal share of this capital contingency fund.

C. JPB Administrative Costs

Expenses for personnel and resources of the Managing Agency to administer the affairs of the JPB, including the administration of the operating contract, shall be shared by the Member Agencies based on the a.m. boarding formula as provided in Section 7.A above.

D. Procedures for Making Monthly Contributions.

(i) Operational Subsidies. Operational subsidies shall be paid monthly in advance by each Member Agency to the Managing Agency in accordance with procedures to be enacted by the JPB.

(ii) Capital Contributions. Commitments by Member Agency governing boards to provide Local Funds for a particular capital project shall be obtained prior to the filing of grant applications for each said project. Actual contributions shall be paid as and when they are due and owing. All contributions to the capital contingency fund provided in Section 7.B above shall be delivered to the Managing Agency within sixty (60) days of the JPB's determination of the amount to be funded.

(iii) JPB Administrative Costs. Administrative costs of the JPB shall be billed by the Managing Agency and paid by the Member Agencies on a monthly basis.

(iv) Late Payments. Member Agencies who fail to pay or who are delinquent in any financial commitment hereunder shall be assessed interest charges based on the Managing Agency's average rate of return on its investment portfolio.

E. Duration.

All allocations of expenses and costs established in this Section 7 shall be subject to re-evaluation during the JPB's 1998-1999 fiscal year. Any changes made as a result of this re-evaluation shall become effective during the fiscal year 1999-2000. In the event any allocation method is hereafter revised, any capital projects in progress at the time of the revision shall be carried to completion using the allocation methods in place at the time of the award of the construction/procurement contract for the capital project.

F. Covenant.

Each Member Agency hereby affirmatively covenants to the other Member Agencies henceforth to pay any and all financial obligations to the JPB promptly as and when such obligations become due and owing to the JPB as provided in Section 7 or otherwise in this Agreement.

G. Obligations of the City and County of San Francisco.

CCSF shall pay to the Managing Agency CCSF's portion of the JPB start-up costs in the amount of \$557,485.00, plus interest at the rate of seven percent (7%) per annum in accordance with the schedule of payments contained in Exhibit "A" attached hereto and incorporated herein by this reference. CCSF shall have the right to prepay its outstanding obligation, including accrued interest, at any time. In consideration for the foregoing, and provided that CCSF makes the payments provided

for in Schedule A on a timely basis, the JPB shall waive its right to receive from CCSF interest on late payments made by CCSF for fiscal year 1993-94 financial obligations, The CCSF Board of Supervisors' representative on the JPB shall introduce legislation to approve CCSF's payment of the amounts referenced in this Paragraph 4, as well as to approve all other revisions of the 1991 Agreement contained in this Agreement, within sixty (60) days following JPB's action approving the 1994 Amendment to the 1991 Agreement. This Agreement is subject to the budget and fiscal provisions of the Charter of CCSF. Charges will accrue only after appropriation of funds by CCSF's Board of Supervisors and after prior written authorization certified by CCSF's Controller, and the amount of CCSF's obligation hereunder shall not at any time exceed the amount appropriated and certified for the purpose and period stated in such advance authorization.

**Section 8. MEETINGS OF THE JPB**

**A. Regular and Special Meetings.**

The JPB shall hold at least one (1) regular meeting each month. The date, hour and place of said regular meetings shall be fixed by resolution of the JPB. The Managing Agency may call a special meeting of the JPB by providing written or telephone notice to each member of the JPB at least 72 hours prior to the date of said special meeting, which said notice shall specify the purpose for said meeting.

B. Conduct of Meetings

All meetings of the JPB shall be held subject to the provisions of Section 54950 et seq. of the Government Code of the State of California.

C. Minutes

The Secretary shall cause minutes of all meetings of the JPB to be kept and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to each Member of the JPB.

D. Quorum

A majority of the members of the JPB shall constitute a quorum for the transaction of business. No action may be taken by the JPB except upon the affirmative vote of five or more of its members.

Section 9. BYLAWS

The JPB shall have the power to adopt such bylaws that it, in its sole discretion, may deem necessary or desirable for the conduct of its business.

Section 10. OFFICERS AND EMPLOYEES

A. The JPB shall elect annually a chairperson and a vice-chairperson from among its members. The JPB also shall appoint a secretary who may, but need not be, a member of the JPB.

B. The JPB shall designate its legal counsel.

C. The Managing Agency's General Manager shall be the Executive Director of the JPB.

D. The Finance Director of the Managing Agency shall be the treasurer of the JPB and shall have custody of all the moneys of the JPB from whatever source and shall perform the function of treasurer and have all the powers, duties, and responsibilities of said office as set forth in Government Code Section 6505.5.

E. The Finance Director of the Managing Agency shall act as controller of the JPB and shall perform the functions and have the powers, duties, and responsibilities of said office set forth in Government Code Section 6505.5. The controller shall draw warrants to pay demands against the Managing Agency or the JPB pursuant to authorization of the JPB.

F. The JPB shall designate such independent auditors as it deems appropriate for the purpose of reporting on the JPB's operations and its financial condition.

**Section 12. WITHDRAWAL FROM AGENCY**

Any party may withdraw from this Agreement upon one (1) year's prior written notice to the other parties given at the end of any fiscal year. Upon delivery of such a notice, the Member Agencies shall jointly request the Metropolitan Transportation Commission ("MTC") to mediate the issues giving rise to the withdrawal notice, and shall participate in such mediation if undertaken by the MTC. In addition, should a withdrawal result despite such mediation efforts, each Member Agency, including the withdrawing party, shall participate with MTC in a further mediated negotiation relative to disbursement of regional funds

to assure the remaining Member Agencies are not subject to undue financial hardship. In the event of such a withdrawal by a single party, the JPB shall continue to exist, with the membership adjusted to reflect the withdrawal. Withdrawal by a single party shall not entitle that party to reimbursement for past capital contributions or to distribution of any assets or funds of the JPB. If two or more of the parties to this Agreement withdraw, then this Agreement shall terminate at the end of the fiscal year following expiration of the one-year's notice given by the second party to withdraw from the Agreement, at which time the property and funds of the JPB shall be distributed to the Member Agencies pursuant to the terms of Section 13.

**Section 13. DISPOSITION OF PROPERTY AND FUNDS**

At such time as this Agreement is terminated, any property interest remaining in the JPB, following discharge of all obligations due by the Board, shall be disposed of and the proceeds or property shall be allocated in accordance with a separate agreement to be entered into between the parties.

**Section 14. ACCOUNTS AND REPORTS**

The JPB shall establish and maintain such funds and accounts as may be required by good accounting practice. The books and records of the JPB shall be open to inspection at all reasonable times to the parties to this Agreement and their representatives. The JPB, within one hundred twenty (120) days after the close of each fiscal year (which shall be the period

from July 1 of each year to and including the following June 30), shall give a complete written report of all financial activities for such fiscal year to the parties. The Controller shall prepare and maintain such accounts and reports.

**Section 15. OBLIGATIONS OF THE JPB**

The debts, liabilities and obligations of the JPB shall not be debts, liabilities and obligations of any of the parties to this Agreement unless and to the extent specifically provided by agreement in writing with any of such parties.

**Section 16. INDEMNIFICATION**

The JPB shall acquire such insurance protection as it deems necessary to protect the interests of the JPB, the parties to this Agreement and the public. The JPB shall assume the defense of and indemnify and save harmless each party to this Agreement and its respective officers, agents and employees, from all claims, losses, damages, costs, injury and liability of every kind, nature and description directly or indirectly arising from the performance of any of the activities of the JPB not delegated to the Managing Agency or the activities of the JPB undertaken pursuant to this Agreement.

**Section 17. AMENDMENTS**

This Agreement may be amended at any time by agreement of all of the parties.

**Section 18. ENTIRE AGREEMENT**

This Agreement constitutes the entire Joint Powers Agreement among the parties, and supersedes any prior oral or

written understandings between them pertaining to the same subject matter, including, but not limited to, the 1988 Agreement, the 1991 Agreement and all amendments to these agreements.

**Section 19.      NOTICES**

All notices, payments, requests, demands and other communications to be made or given under this Agreement shall be in writing and shall be deemed to have been duly given on the date of service if served personally, or on the second day after mailing if mailed to the party to whom notice is to be given, by first class mail, registered or certified, postage prepaid, and properly addressed as follows:

CCSF:	Public Transportation Commission 949 Presidio Avenue San Francisco, CA 94115 Attn: Director of Public Transportation
SamTrans:	San Mateo County Transit District 1245 San Carlos Drive San Carlos, California Attn: General Manager
SCCTD:	Santa Clara Valley Transportation Authority 3331 North First Street Bldg. C, 2nd Floor San Jose, California 95134-1906 Attn: Assistant Executive Officer

Any party may change its address for purposes of this Section by giving the other parties written notice thereof in the manner set forth above.

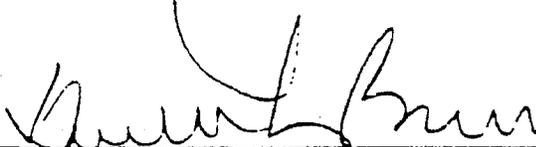
Section 20. COUNTERPARTS

This Agreement may be entered into in counterparts each of which shall be deemed an original, but all of which together shall be deemed an entire Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

CITY AND COUNTY OF SAN FRANCISCO

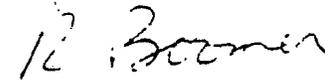
APPROVED  
PUBLIC TRANSPORTATION  
COMMISSION  
Resolution No. 96-136  
Dated: Nov. 26, 1996

BY   
MAYOR

Approved as to Form and Legality  
Louise H. Renne, City Attorney

ATTEST:

BY   
Deputy City Attorney

  
Secretary, PUBLIC  
TRANSPORTATION COMMISSION

CITY AND COUNTY OF SAN FRANCISCO  
BOARD OF SUPERVISORS  
Ordinance No. 22-97

ATTEST:

  
John Taylor, Clerk

SANTA CLARA COUNTY TRANSIT DISTRICT

By *Paul H. Cipolla*

Approved as to Form and Legality

By *Gregory Miller*  
111 708.77

SAN MATEO COUNTY TRANSIT DISTRICT

By *[Signature]*

Approved as to Form and Legality

By *David Miller*

**RESOLUTION NO. 2000 - 2 /**

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STATE OF CALIFORNIA**

**ADOPTION OF FISCAL YEAR 2000-2001 OPERATING BUDGET IN THE AMOUNT  
OF \$63,031,120; CAPITAL CONTINGENCY FUND OF \$960,000; AND APPROVAL OF  
FAREBOX CAPITAL FUND OF \$1,128,000**

WHEREAS, the Joint Powers Agreement requires approval of an operating budget each year; and

WHEREAS, the adoption of an operating budget is necessary for obtaining both Federal and State funds to support the Peninsula Commute Service operation; and

WHEREAS, the Executive Director has prepared and presented an operating budget for Fiscal Year 2001 in the amount of \$63,031,120, which sets forth the projected revenues and expenses associated with the Peninsula Commute Service; and

WHEREAS, following review and deliberation the Staff Coordinating Council has recommended adoption of the operating budget as presented by the Executive Director; and

WHEREAS, the Staff Coordinating Council also recommends approval of a Capital Contingency Fund of \$960,000 to cover infrastructure repairs and improvements along the right of way between San Francisco and Tamien Station in San Jose and of a Farebox Capital Fund of \$1,128,000 to generate local match funding for capital grants submitted in FY 2001; and

WHEREAS, amendments to the Joint Powers Agreement are being discussed which could change methods of allocating operating and capital formulas among member agencies, and affect terms of the agreement as presently stipulated.

NOW, THEREFORE, BE IT RESOLVED that the Peninsula Corridor Joint Powers Board approves the Fiscal Year 2001 operating budget for the Peninsula Corridor Joint Powers Board in the amount of \$63,031,120, and approves member agency apportionments according to an interim formula predicated upon a continuation of a.m. boardings as a method of apportioning costs, supplemented by (a) use of a five-year statistical average; and (b) incorporation of Gilroy service into Mainline operating costs for subsidy allocation purposes; and

BE IT FURTHER RESOLVED that said action creates no precedent for subsequent calculation of operating or capital shares which may be recommended by the Peninsula

Corridor Joint Powers Board associated with administration or operation of Caltrain rail service.

BE IT FURTHER RESOLVED that the Peninsula Corridor Joint Powers Board approves a Capital Contingency Fund of \$960,000 and a Farebox Capital Fund of \$1,128,000.

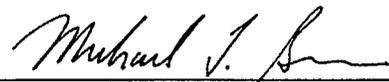
BE IT FURTHER RESOLVED that the Executive Director is requested to forward a copy of the Fiscal Year 2001 budget to member agencies of the Peninsula Corridor Joint Powers Board for approval at the earliest practicable date.

Regularly passed and adopted this 1<sup>st</sup> day of June 2000, by the following vote:

AYES: Ammiano, Lloyd, McLemore, Nevin, Powers, Schmidt, Burns

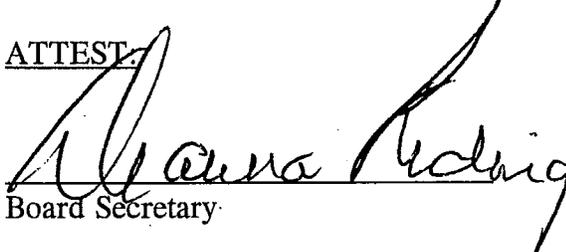
NOES:

ABSENT: Ayerdi, Valerio



Chair, Peninsula Corridor Joint Powers Board

ATTEST:



Board Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
BUDGET PROPOSAL  
FY2001**

Line	Expanded Level of Service (78 trains) No Fare Increase	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	Line
		FY1999 YEAR ACTUAL	FY2000 BUDGET	PROJECTED FY2000 ACTUAL	% INC (DEC) PROJ FY2000 to BUDGET (C-B) / B	FY2001 REQUESTED BUDGET	INC (DEC) REQUESTED to FY2000 BUD E - B	% INC (DEC) BUDGET to BUDGET F / B	% INC (DEC) BUDGET to PROJ FY2000 (E-C) / C	
<b>REVENUE</b>										
<b>OPERATIONS:</b>										
1	FAREBOX REVENUE (Net)	17,967,581	18,701,874	21,000,000	12.3%	23,006,700	4,304,826	23.0%	9.6%	1
2	PARKING REVENUE	965,024	906,000	900,000	(0.7%)	906,000	0	0.0%	0.7%	2
3	SHUTTLES (Including Peninsula Pass)	1,586,297	1,485,110	1,350,000	(9.1%)	1,485,100	(10)	(0.0%)	10.0%	3
4	RENTAL INCOME	802,677	792,000	900,000	13.6%	950,000	158,000	19.9%	5.6%	4
5	OTHER INCOME	1,009,461	720,400	2,698,000	274.5%	2,786,000	2,065,600	286.7%	3.3%	5
7	<b>TOTAL REVENUE FROM OPERATIONS</b>	<b>22,331,040</b>	<b>22,605,384</b>	<b>26,848,000</b>	<b>18.8%</b>	<b>29,133,800</b>	<b>6,528,416</b>	<b>28.9%</b>	<b>8.5%</b>	7
<b>CONTRIBUTIONS:</b>										
10	AB434 - PENINSULA FEEDER SHUTTLE	583,861	786,010	786,010	0.0%	815,000	28,990	3.7%	3.7%	10
11	FTA SECTION 8 PLANNING GRANT	69,475	41,500	41,500	0.0%	41,200	(300)	(0.7%)	(0.7%)	11
12	MEMBER AGENCY CONTRIBUTION	24,995,212	31,036,706	25,406,069	(18.1%)	32,781,920	1,745,214	5.6%	29.0%	12
13	PAC BELL PARK - MEMBER SUBSIDY	0	734,000	734,000	0.0%	259,200	(474,800)	(64.7%)	(64.7%)	13
15	<b>TOTAL CONTRIBUTIONS &amp; GRANTS</b>	<b>25,648,548</b>	<b>32,598,216</b>	<b>26,967,579</b>	<b>(17.3%)</b>	<b>33,897,320</b>	<b>1,299,104</b>	<b>4.0%</b>	<b>25.7%</b>	15
18	<b>TOTAL REVENUE</b>	<b>47,979,588</b>	<b>55,203,600</b>	<b>53,815,579</b>	<b>(2.5%)</b>	<b>63,031,120</b>	<b>7,827,520</b>	<b>14.2%</b>	<b>17.1%</b>	18
<b>EXPENSE</b>										
<b>OPERATING EXPENSE</b>										
23	OPERATING AGREEMENT	30,654,902	36,093,600	35,305,000	(2.2%)	40,749,000	4,655,400	12.9%	15.4%	23
24	SHUTTLE SERVICE	4,316,945	4,590,900	4,633,500	0.9%	4,925,600	334,700	7.3%	6.3%	24
25	FUEL	2,398,172	3,036,700	3,455,000	13.8%	4,094,300	1,057,600	34.8%	18.5%	25
26	TIMETABLES & TICKETS	361,731	397,500	380,000	(4.4%)	455,000	57,500	14.5%	19.7%	26
27	INSURANCE	3,934,439	3,037,400	2,736,000	(9.9%)	3,408,000	370,600	12.2%	24.6%	27
28	JPB FACILITIES & EQUIPMENT MAINT.	254,245	1,302,300	909,600	(30.2%)	1,648,400	346,100	26.6%	81.2%	28
29	UTILITIES	528,005	616,300	557,400	(9.6%)	607,100	(9,200)	(1.5%)	8.9%	29
31	<b>TOTAL OPERATING EXPENSE</b>	<b>42,448,439</b>	<b>49,074,700</b>	<b>47,976,500</b>	<b>(2.2%)</b>	<b>55,887,400</b>	<b>6,812,700</b>	<b>13.9%</b>	<b>16.5%</b>	31
<b>ADMINISTRATIVE EXPENSE</b>										
34	WAGES & BENEFITS	2,027,455	2,133,900	2,138,929	0.2%	2,536,157	402,257	18.9%	18.6%	34
35	CONTRACTED OVERSIGHT SERVICE	68,992	60,000	57,161	(4.7%)	60,000	0	0.0%	5.0%	35
36	BOARD OF DIRECTORS	9,185	12,400	18,000	45.2%	35,000	22,600	182.3%	94.4%	36
37	PROFESSIONAL SERVICES	947,115	1,001,000	1,147,700	14.7%	1,389,000	388,000	38.8%	21.0%	37
38	OTHER EXPENSE & SERVICES	1,127,609	1,213,100	831,787	(31.4%)	1,386,150	173,050	14.3%	66.6%	38
39	MARKETING	340,793	428,500	365,502	(14.7%)	360,000	(68,500)	(16.0%)	(1.5%)	39
41	<b>TOTAL ADMINISTRATIVE EXPENSE</b>	<b>4,521,149</b>	<b>4,848,900</b>	<b>4,559,079</b>	<b>(6.0%)</b>	<b>5,766,307</b>	<b>917,407</b>	<b>18.9%</b>	<b>26.5%</b>	41
44	<b>TOTAL OPERATING &amp; ADMINISTRATIVE</b>	<b>46,969,588</b>	<b>53,923,600</b>	<b>52,535,579</b>	<b>(2.6%)</b>	<b>61,653,707</b>	<b>7,730,107</b>	<b>14.3%</b>	<b>17.4%</b>	44
46	HEP DEBT SERVICE	0	270,000	270,000	0.0%	367,413	97,413	36.1%	36.1%	46
48	<b>TOTAL EXPENSES</b>	<b>46,969,588</b>	<b>54,193,600</b>	<b>52,805,579</b>	<b>(2.6%)</b>	<b>62,021,120</b>	<b>7,827,520</b>	<b>14.4%</b>	<b>17.5%</b>	48
50	MAINLINE CCF	960,000	960,000	960,000	0.0%	960,000	0	0.0%	0.0%	50
51	GILROY CCF	50,000	50,000	50,000	0.0%	50,000	0	0.0%	0.0%	51
53		1,010,000	1,010,000	1,010,000	0.0%	1,010,000	0	0.0%	0.0%	53
55	<b>GRAND TOTAL</b>	<b>47,979,588</b>	<b>55,203,600</b>	<b>53,815,579</b>	<b>(2.5%)</b>	<b>63,031,120</b>	<b>7,827,520</b>	<b>14.2%</b>	<b>17.1%</b>	55

**PENINSULA CORRIDOR JOINT POWERS BOARD  
MEMBER AGENCY OPERATING AND CAPITAL CONTINGENCY FUND SHARES  
5 YEAR ROLLING AVERAGE AND GILROY IN THE MAINLINE  
FY2001**

	<u>SAN MATEO</u>	<u>SANTA CLARA</u>	<u>SAN FRANCISCO</u>	<u>TOTAL</u>
FY2000 Budget	12,659,331	12,130,510	5,236,865	30,026,706
Pacific Bell Park Service	244,667	244,667	244,666	734,000
Current FY2000 Share	<u>12,903,998</u>	<u>12,375,177</u>	<u>5,481,531</u>	<u>30,760,706</u>
FY2001 5 Year Average	43.20%	41.66%	15.14%	100.00%
FY2001 Budget Increase	753,933	727,056	264,225	1,745,214
Pacific Bell Park Increase	(158,267)	(158,267)	(158,266)	(474,800)
FY2001 Proposed Shares	<u>13,499,664</u>	<u>12,943,966</u>	<u>5,587,490</u>	<u>32,031,120</u>
Mainline Total	13,413,264	12,857,566	5,501,090	31,771,920
Pacific Bell Park Total	86,400	86,400	86,400	259,200
	<u>13,499,664</u>	<u>12,943,966</u>	<u>5,587,490</u>	<u>32,031,120</u>
Capital Contingency Fund	320,000	370,000	320,000	1,010,000
FY2001 Total	<u>13,819,664</u>	<u>13,313,966</u>	<u>5,907,490</u>	<u>33,041,120</u>
FY2000 Total	<u>13,223,998</u>	<u>12,745,177</u>	<u>5,801,531</u>	<u>31,770,706</u>
Percent Increase	4.50%	4.46%	1.83%	4.00%

President, District 3  
BOARD of SUPERVISORS



City Hall  
1 Dr. Carlton B. Goodlett Place, Room 244  
San Francisco 94102-4689  
Tel. No. 554-7450  
Fax No. 554-7454  
TDD/TTY No. 544-5227

DAVID CHIU  
邱信福  
市參事會主席

PRESIDENTIAL ACTION

Date: 11/25/2014

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,

Pursuant to Board Rules, I am hereby:

- Waiving 30-Day Rule (Board Rule No. 3.23)

File No. 141187 Cohen  
(Primary Sponsor)

Title. Peninsula Corridor Joint Powers Bond Sale

- Transferring (Board Rule No. 3.3)

File No. \_\_\_\_\_  
(Primary Sponsor)

Title. \_\_\_\_\_

From: \_\_\_\_\_ Committee

To: \_\_\_\_\_ Committee

- Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor \_\_\_\_\_

Replacing Supervisor \_\_\_\_\_

For: \_\_\_\_\_ Meeting  
(Date) (Committee)

David Chiu  
David Chiu, President  
Board of Supervisors

## Wong, Linda (BOS)

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**From:** Mark.Blake@sfgov.org  
**Sent:** Thursday, December 04, 2014 12:00 PM  
**To:** Wong, Linda (BOS)  
**Subject:** Re: File No. 141187 - Sale of Farebox Revenue Bonds

Linda,

The text of the Resolution simply requires the Board to cause a public hearing to be held, which was done by the Office of Public Finance. The Office of Public Finance caused notice to be published in accordance with govt. code 6586.5 prior to the public hearing.

I believe we have satisfied the requirements of the Government Code, and the noticing. I do not believe that we have to have the Board direct the Office of Public Finance to have the hearing and come back once we have had the meeting. We also proceed in this manner for TEFRA hearings conducted for purposes of section 147(f) of the Internal Revenue Code.

Mark D. Blake  
Deputy City Attorney  
Office of the City Attorney  
City Hall, Room 234  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4682  
Direct: (415) 554-4738  
Fax: (415) 554-4755  
e-mail: [mark.blake@sfgov.org](mailto:mark.blake@sfgov.org)

From: "Wong, Linda (BOS)" <[linda.wong@sfgov.org](mailto:linda.wong@sfgov.org)>  
To: "Blake, Mark (CAT)" <[mark.blake@sfgov.org](mailto:mark.blake@sfgov.org)>,  
Date: 12/02/2014 02:59 PM  
Subject: File No. 141187 - Sale of Farebox Revenue Bonds

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Hi Mark,

Attached, please see a proposed resolution regarding the subject matter referenced above.

Page 2, line 15 states that the Board shall satisfy the requirements set forth in Section 6586.5 of the Gov't Code. Could you please confirm whether or not this matter needs to be published in the newspapers 5 days prior to a committee meeting?

If a 5-day notice is required, we would need to submit an ad to the Chronicle tomorrow morning. Therefore, please respond to this message at your earliest convenience or before the end of today.

Thank you kindly.

Linda Wong  
Board of Supervisors  
1 Dr. Carlton B. Goodlett Place, City Hall, Room 244

Print Form

# Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [ ] inquires"
- 5. City Attorney request.
- 6. Call File No. [ ] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. [141187]
- 9. Reactivate File No. [ ]
- 10. Question(s) submitted for Mayoral Appearance before the BOS on [ ]

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission       Youth Commission       Ethics Commission
- Planning Commission       Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.**

**Sponsor(s):**

Cohen

**Subject:**

Authorizing the Issuance and Sale of Farebox Revenue Bonds by the Peninsula Corridor Joint Powers Board - Not to Exceed \$11,000,000

**The text is listed below or attached:**

Attached

Signature of Sponsoring Supervisor: Mali Cer

For Clerk's Use Only:

