



BOARD OF DIRECTORS 2010

ROSE GUILBAULT, CHAIR  
KARYL MATSUMOTO, VICE CHAIR  
OMAR AHMAD  
MARK CHURCH  
JERRY DEAL  
SHIRLEY HARRIS  
ZOE KERSTEEN-TUCKER  
ARTHUR L. LLOYD  
ADRIENNE TISSIER

MICHAEL J. SCANLON  
GENERAL MANAGER/CEO

## A G E N D A

### **COMMUNITY RELATIONS COMMITTEE COMMITTEE OF THE WHOLE (Accessibility, Senior Services, and Community Issues)**

**San Mateo County Transit District Administrative Building  
Bacciocco Auditorium - Second Floor  
1250 San Carlos Ave., San Carlos, CA**

**WEDNESDAY, APRIL 14, 2010 – 2:00 p.m.**

1. Pledge of Allegiance

#### **ACTION**

2. Approval of Minutes of Community Relations Committee Meeting of March 9, 2010
3. Recommend Appointment of Citizens Advisory Committee Members:
  - a. Judy McKie Representing Bus Riders
  - b. Lisa Chow Representing Community Riders
  - c. Andy Chow Representing Multimodal Riders
  - d. Tom Collette Representing Multimodal Riders
  - e. Kim Nobles Representing Multimodal Riders

#### **INFORMATIONAL**

4. Accessibility Update – Bill Welch
5. Paratransit Coordinating Council (PCC) Update – Nancy Keegan
6. Citizens Advisory Committee Liaison Report – John Baker
7. Performance Report – ADA Paratransit Service
8. Multimodal Ridership Report – February 2010

Committee Members: Shirley Harris, Omar Ahmad, Jerry Deal

#### NOTE:

- This Committee meeting may be attended by Board Members who do not sit on this Committee. In the event that a quorum of the entire Board is present, this Committee shall act as a Committee of the Whole. In either case, any item acted upon by the Committee or the Committee of the Whole will require consideration and action by the full Board of Directors as a prerequisite to its legal enactment.
- All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.

**SAN MATEO COUNTY TRANSIT DISTRICT  
1250 SAN CARLOS AVENUE, SAN CARLOS, CALIFORNIA**

**MINUTES OF COMMUNITY RELATIONS COMMITTEE MEETING  
COMMITTEE OF THE WHOLE  
MARCH 9, 2010**

Committee Members Present: S. Harris (Committee Chair), O. Ahmad, J. Deal

Other Board Members Present: M. Church, R. Guilbault (Chair), Z. Kersteen-Tucker, A. Lloyd, K. Matsumoto, A. Tissier

Staff Present: J. Cassman, G. Harrington, C. Harvey, R. Haskin, R. Lake, M. Lee, M. Martinez, N. McKenna, D. Miller, M. Scanlon, M. Simon, B. Welch

Committee Chair Shirley Harris called the meeting to order at 2:05 p.m.

**Approval of Minutes of Community Relations Committee Meeting of February 10, 2010**  
The committee approved the minutes (Deal/Lloyd); Director Omar Ahmad abstained.

**Accessibility Update**

Accessible Transit Services Manager Bill Welch said the implementation of a change in Redi-Wheels policy from a one-hour to a two-hour cancellation period went very smoothly on February 22. Staff did not receive any complaints from customers on this change.

Director Mark Church arrived at 2:07 p.m.

**Paratransit Coordinating Council (PCC) Update**

No report

**Citizens Advisory Committee (CAC) Liaison Report**

CAC Chair John Baker reported on the March meeting:

- The CAC received a presentation from Government Affairs Manager Seamus Murphy.
- CAC members were thankful for the new automated messages informing passengers to turn down their radios and keep cell phone conversations down.
- There were concerns among the members about the new bus shelters lack of protection from the elements because of no front panel.

**Performance Report –Fixed-route Bus Service**

Deputy CEO Chuck Harvey provided the following information:

- Average weekday ridership is down, but still tracking above 2008 ridership.
- Token usage continues to be a popular fare media.
- There were two missed schedules in January.
- On-time performance remains above the 85 percent goal.
- Fleet reliability remains above the 19,000 mile goal.

- The Supervisor Academy has had more than 100 graduates. A new leadership program will start on March 21 for supervisors, including administrative employees.
- Staff is planning 26 training classes on the new buses for mechanics.
- All 91 of the new 40-foot buses have been received and 43 are in service; one 35-foot bus is in service; and the four 29-foot buses are in service for Route 17.
- Staff is in the process of procuring a new farebox revenue collection system and the Board is expected to award the contract today.
- The first meeting of the Sustainable Action Team was on February 18. The committee is working on policies and procedures. A comprehensive report will be forthcoming to the Planning, Development and Sustainability Committee.
- The new 29-foot buses went into service on Route 17 on February 17.
- Bus service contracts for the CUB service, coastside service Route 17 and SamCoast will be expiring this year.
- The buses previously used on Route 17 were rebranded and are now being used for the SamCoast service.
- Staff is monitoring the recent service changes for effectiveness and service quality.
- On-time performance for Route KX is 78 percent so the schedule will be fine-tuned with the new runbook on April 11.
- Route 359 ridership is tracking 91 to 114 trips per day with on-time performance of 85 percent.
- The February 1 fare increase went smoothly.
- Investment in employee, development, infrastructure, technology, rolling stock and sustainability must remain a top priority for the future of the District.

Director Zoe Kersteen-Tucker asked if there has been any vandalism on the new buses on Route 17. Mr. Harvey said there have been no issues.

Chair Rose Guilbault asked about the capacity, ridership, and fare amount of a SamCoast bus. Mr. Harvey said the service is a demand-response service. There are three vehicles and one spare. The service handles about 100-200 trips per month. The fare is very minimal and the non-profit collects and keeps the fare. SamTrans subsidizes the net cost to operate the service.

Committee Chair Harris commended staff for maintaining the commitment to the human capital.

### **Multimodal Ridership Report – January 2010**

Mr. Harvey said average weekday ridership for the month of January 2010 compared to January 2009 was as follows:

- Ridership for all modes was 88,748, a decrease of 6.8 percent.
- Bus ridership was 43,700, a decrease of 10.8 percent.
- Paratransit ridership was 1,032, a decrease of 6.3 percent.
- Caltrain ridership was 35,580, a decrease of 5.2 percent.
- Caltrain shuttle ridership was 6,551, an increase of 14.7 percent.
- BART shuttle ridership was 1,885, a decrease of 0.6 percent.

Director Karyl Matsumoto asked why Caltrain ridership is a negative and the Caltrain shuttle number is positive. Mr. Harvey said there is an issue with how the Stanford Marguerite shuttle and rider counts are being done and this is affecting the shuttle ridership number.

Adjourned: 2:37 p.m.

**CRC ITEM # 4  
APRIL 14, 2010**

**SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT**

**TO:** Community Relations Committee

**THROUGH:** Michael J. Scanlon  
General Manager/CEO

**FROM:** C. H. (Chuck) Harvey  
Deputy CEO

**SUBJECT: ACCESSIBILITY REPORT**

**ACTION**

This report is for information only. No policy action is required.

**SIGNIFICANCE**

Several groups advise SamTrans on accessible service issues. The Paratransit Coordinating Council (PCC) provides a forum for consumer input on paratransit issues. The Advocacy and Legislative Committee (AL-Com) is the advocacy arm of the PCC. The SamTrans Accessibility Advisory Committee (formerly the Americans with Disabilities Act Technical Advisory Committee or ATAC) is a SamTrans committee that advises on accessibility issues, particularly related to fixed-route service. Each group has requested that the Board be informed of the issues discussed at meetings.

The PCC meets monthly (except for August). The SamTrans Accessibility Advisory Committee (SAAC) meets every two months. The PCC Advocacy meetings are now being held on a quarterly basis.

The minutes from the February 9 PCC meeting are attached. The minutes from the November SAAC meeting are attached.

Prepared by: Tina Dubost, Accessibility Coordinator  
Project Manager: Bill Welch, Manager, Accessible Transit Services

650-508-6247  
650-508-6475

**SAN MATEO COUNTY  
PARATRANSIT COORDINATING COUNCIL  
February 9, 2010  
MEETING MINUTES**

**ATTENDANCE**

Members Present: Nancy Keegan, Vice Chair; Dale Edwards, AL-Com Chair; Barbara Kalt, Rosener House; Bill Welch, SamTrans; Mike Levinson, Consumer; Myria Barnes-Jackson, DOR; Stephanie Hill, Consumer; Dan Mensing, Consumer; Ben McMullan, CID; Diane Griffith, Consumer.

Absentees: Kent Mickelson, PCC Chair; Maureen Dunn, Senior Focus; Craig McCulloh, Aging & Adult Services; Dr. Aki Eejima, Consumer; Dr. Michal Settles, Coastside; May Nichols, COA; Joe Monsor, Caregiver; Sammi Riley, Consumer; Judy Garcia, Consumer.

Guests: John Murphy, MV Transportation; Linda Rhine, PCC Consultant, Nelson\Nygaard; Marshall Loring, MTC, EDAC; Pat Dixon, CAC, COD; Tina Dubost, SamTrans; Elly Colwell, SamTrans; Rose Berta, PCC Staff.

(Total Attendance: 17) Quorum--Yes

**WELCOME/INTRODUCTION**

In Kent Mickelson's absence, Nancy Keegan, Vice Chair, welcomed all to the February PCC meeting.

**APPROVAL OF OCTOBER PCC MINUTES**

Nancy asked for a vote of approval for the January minutes. Mike moved the minutes be approved and Diane seconded the motion. The minutes were approved by all with Barbara and Benjamin abstaining because of their absence from the January meeting.

**COMMITTEE REPORTS**

**A. AL-COM REPORT**

Dale Edwards, Chair, reported that the AL-Com meeting on January 5, 2010 went well and details can be found in the packet. The next meeting is scheduled for April 6, 2010.

**B. GRANT/BUDGET REVIEW**

Barbara shared that the 5310 application results have been postponed until mid February due to no Caltrans state vehicles contract. Linda mentioned that the score of 87 for SamTrans will likely get funding for two paratransit vehicles.

**C. EDUCATION COMMITTEE**

Nancy reported that the January 26<sup>th</sup> meeting had great attendance, and covered many items and accomplished a lot. Future newsletter articles were discussed. The PCC winter newsletter was distributed at today's meeting. A proposed schedule for due dates of articles and publication of the newsletter for 2010 was reviewed and is included in today's packet. Dates were selected so reminders could be made at the PCC meetings. The next Education Committee meeting will be Tuesday, March 23, 2010.

## **D. EXECUTIVE COMMITTEE**

### **1. EXE-Com**

Nancy announced that a meeting is scheduled for February 17<sup>th</sup> and a report will be made in March.

## **SAM TRANS/REDI-WHEELS REPORT**

### **A. Operational Report**

Bill attended the monthly meeting at MTC with regional paratransit managers and said there was nothing vital to report from the committee except that many agencies around the Bay Area are still cutting service, and may even be reducing paratransit service. This is primarily due to reduction of funds from the state. There are no anticipated cuts in Redi-Wheels service at this time.

Bill applauded John and MV Transit for their excellent work and for achieving 93% on-time performance. John's goal is to balance productivity and on-time performance and continue to work toward saving Redi-Wheels \$25,000 per month through higher productivity.

Upon learning recently of the high scoring on the 5310 grant application for two vehicles, Bill is optimistic SamTrans will get funded.

### **B. Performance Summary**

As a reminder, Tina announced that February 22, 2010 is the date for implementation of the two-hour late cancellation policy.

Tina reported that the number of total trips served in December 2009 is similar to December 2008. December of 2009 had slightly fewer same day cancels. Late cancels remain low, which is positive; total average weekday ridership is up slightly; inter-county trips are down; productivity is up, which very positive.

The telephone message about the new late cancel policy will be in effect on February 10<sup>th</sup>. Barbara and Nancy asked when and where we would look to find the improvement in the efficiency with the change in policy. Tina expects to see improvements in on-time performance and productivity in future months which will be presented in future performance summary reports included in the PCC packet.

### **C. Customer Comments**

Elly gave her report stating that overall comments have decreased from November to December by one-third. All categories have gone down; the average response time is up a bit but is still within the 7-day turnaround limit. Compliments have gone down. Comments by type have decreased in all categories with the exception of missed trips.

### **D. Safety Report**

John reported that Coastside had no ADA or 5311 accidents. Redi-Wheels had eight accidents; six were not chargeable. People ran into Redi-Wheels vehicles due to the rainy weather.

Tina described the changes slated in the *Rider's Guide*, which is scheduled to be reprinted in summer 2010. Changes include the new date on the cover; new fares as of July 2, 2010; no over-the-phone purchasing of coupon books; in-person receptionist only until 5:00 pm; exact wording

on page 5 to clarify pickup is being finalized; page 6 reflecting situation of new 2-hour cancellation policy. PCC members suggested that the phone numbers continue to be on the back page, but a note on the inside page be printed to alert riders of the phone numbers on the back page.

In response to Pat's concerns of visually impaired riders not being able to see the bus and miss their rides, Bill and John suggested that passengers call the dispatcher at pick-up time and ask the location of the bus. The dispatcher will notify the client of the expected arrival time. John emphasized that consumers will not get a "no show" if they call to say they are ready and waiting at the scheduled pickup time.

Dale asked if the Rider's Guide is available on computer disk or CD. **Tina will follow up with the eligibility office to check how this information is imparted.**

## **LIAISON REPORTS**

### **A. MTC REPORT**

Marshall reported that EDAC has one more meeting before it is disbanded. The 69 citizen advisors are being replaced by 27 for all Bay Area counties. Marshall challenges PCC members to watch the MTC agendas. The new council will be taking over in April. All members applauded Marshall, and Nancy thanked Marshall for doing a great job.

### **B. AGENCY**

Barbara said there has been no meeting. Bill and Tina are working to sort out the agency fares. Nancy is hoping to meet soon to also discuss other issues.

### **C. COASTSIDE TRANSPORTATION COMMITTEE (CTC)**

In Michal's absence, Dale suggested that PCC members refer to the newsletter for the Coastside Transportation Committee report.

### **D. EFFICIENCY REVIEW COMMITTEE (ERC)**

Mike reported that much of the committee report had already been discussed today including the Rider's Guide, change in the late cancel policy, and the schedule for the Interactive Voice Response (IVR) system.

Bill added that IVR procurement is moving along and is doing a query of the preferred vendor to determine what other capabilities their system can serve for other customer communications. Bill also shared that East Bay Paratransit is moving in the direction of "other policy initiatives" from 7 days advance reservation period to 3 days. Their advisory committee approved this initiative and is methodically going through the new process. SamTrans can learn a great deal from East Bay Paratransit's experiences.

### **E. COMMISSION ON AGING (COA) REPORT**

Marshall gave the report in May's absence. From the meeting yesterday, Marshall shared that the Kaiser representative talked about the new approach the medical profession has taken to help people prepare for death. He distributed information to assist in making the last few years of a person's life as enjoyable as possible.



## **COMMISSION ON DISABILITY (COD) REPORT**

Pat complimented Bill on a great job giving his presentation at the Commission on Disability meeting. Pat mentioned that changes in the procedures for obtaining the “disabled placard” are underway from the DMV.

Dale shared his “talking book player” that stores up to 29 hours on a single battery charge. The new format is great for people with visual impairment and other physical limitations. Dale’s source is the Sacramento Braille and Talking Book library.

### **OTHER BUSINESS**

- Nancy announced that SamTrans Board of Director’s Art Lloyd’s wife passed away and PCC sent a condolence card. We received a note acknowledging appreciation of our thoughts.
- Nancy announced that Paula Kathryn submitted her resignation from the PCC.
- Catholic Charity CYO is helping to promote 2010 Census—April 1 is US Census Day.
- Dale thanked John for an excellent Redi-Wheels service to and from the airport in his inter-state travel to Las Vegas. The service for four passengers was on time and excellent.
- Dale mentioned that he could not find signs at SFO for paratransit pick-up location. Assistance from the Escort Services for United is a good way to reach the pick-up site due to the distance from other locations at the airport. United Air Serve phone number is (650) 634-1410. John will get more information and phone numbers on assistance and include the information in the spring 2010 newsletter. Bill reminds folks that the airlines should be notified in advance of expected arrival time at SFO.
- Tina will coordinate with Diane in her request for a speaker on the Ambassador Program for the American Council for the Blind.

Nancy thanked everyone for a good meeting.

**MEETING ADJOURNED: 3:15 pm.**

## SAMTRANS ACCESSIBILITY ADVISORY COMMITTEE

### MEETING SUMMARY – November 19, 2009

SAMTRANS HEADQUARTERS BUILDING  
1250 SAN CARLOS AVENUE, SAN CARLOS  
GALLAGHER CONFERENCE ROOM, 3<sup>RD</sup> FLOOR  
11:00 AM – 12:30 PM

**PRESENT:** Pat Dixon, Doris Maez, Alice McGrath, Kent Mickelson, Jim Stinehoff

**ABSENT:** Alec Karp

**SAMTRANS STAFF:** Tina Dubost, Don Esse, Paul Lee, Richard Lesser, Bill Welch

#### I. Approval of Minutes

Approved.

#### II. Fixed Route Bus and Caltrain

##### A. Eligible Discount Monthly Pass Fare Increase Adjustment

Don Esse, SamTrans Operations Financial Analyst, explained that the eligible discount is supposed to be 50% of the full fare. The regular monthly pass increased to \$64, so \$32 was recommended for the monthly Eligible Discount Pass. This would be a \$10 increase over the current monthly pass price. After community discussion, the board reconsidered. It was found that the Eligible Discount Pass had historically often been at more than a 50% discount. Other Bay Area agencies average a 62% discount. It was decided to increase the Eligible Discount pass from \$22 to \$25, making it a 60% discount off the regular pass price. The Board made this decision because Eligible Discount pass users may have the most need for affordable bus service. The single ride Eligible Discount ticket remains at a 50% discount off the regular fare. The last increase for these fares was September 1<sup>st</sup>, 2005, so the current increase is not too high for a four year time period.

Responding to community concerns in this way earns some good will, which we may need next year when the public may face other budget measures.

Committee members remarked that it was good news to hear that the Eligible Discount fares would undergo only this modest increase.

##### B. 3-Wheel Scooter Safety

The dangers of riding a 3-wheel scooter on the bus were brought into focus because of an incident where a passenger on such a scooter tipped over and fell off as the bus rounded a curve. This is the first time that such an incident has happened on SamTrans. Fortunately the customer was not severely injured.

The passenger was seated on his secured scooter, though without the lap and shoulder belts. The bus made a 45 degree turn; its speed was not excessive.

The incident was recorded on camera, retrieved, and securement practices were reviewed.

Drivers are required to secure the mobility device in the best possible manner. If the customer were to refuse to allow securement, s/he would be asked to de-board. The lap and shoulder belts are optional.

Pat Dixon stated that the lap and shoulder belts should be mandatory, and Bill Welch explained that the ADA requires that they be optional on the grounds that it would be discriminatory to require wheelchair users to use seatbelts when the other passengers do not.

The current language in the Standard Operating Procedures is passive, stating that the driver *may* ask the passenger to transfer from their scooter to a seat. We are likely to change that to a more definitive instruction to always ask scooter passengers to transfer, specifying that a driver *must* ask the passenger to do so. We cannot force them to move, but we can appeal to their instinct for self-preservation. Generally, people who ride scooters are able to transfer.

SamTrans may purchase a “GoGo Ultra X” scooter, made by Pride, which is the model that tipped over in the incident. This would allow detailed experimentation on securement techniques to try to maximize stability and safety for this type of device, which is unstable, having a high center of gravity.

We will train drivers on how to communicate the hazards of riding these scooters on the bus in order to help us to make it safer.

On the system map, we will add a request that 3-wheel scooter passengers transfer to a seat for safety reasons.

We will place a decal on the bottom of the flip-up seats, at the wheelchair space, showing an illustration, so that a driver could point to the pictogram when describing the tipping dangers of riding on the scooter.

Pat Dixon suggested that an ADA representative should ride a 3-wheel scooter to see how unstable it is. Bill Welch said that there is a Region 9 ADA staff person, but they have no authority. Any review of ADA rules involves many boards.

Doris Maez points out that BART does not require securements, and wonders if they have any incidents. Bill Welch responded that the G-forces on BART and Caltrain are not nearly as great as on a bus. Paul Lee added that there is much more pitching on a bus.

Doris Maez asked about Muni’s experience. Richard Lesser recalls that Muni does not require its drivers to secure wheelchair passengers. They are left to secure themselves.

Pat Dixon asked if we could make scooter passengers sign a release. Doris Maez recalled that the San Diego zoo tried to make them sign a release, and when a lawsuit was brought, it was ruled

discriminatory. Bill Welch said that attorneys were consulted and were skeptical about the value of signing a release.

Doris Maez uses a 3-wheel scooter and is aware of the danger of tipping, but it is much more maneuverable than a 4-wheel scooter. She does not ride SamTrans on her scooter, which weighs only 90 pounds and has a high center of gravity. It does have anti-tipping wheels on the back.

#### C. Translink Testing

The RTC card comes with the RFD chip and the capacity to be activated and loaded for Translink, but this is not yet being promoted here, as Caltrain is in a “soft launch” phase.

The possibility of recruiting Translink testers from the disability community was discussed. Doris Maez said that 1101 National may have some candidates. Pat Dixon said she could bring it up at CID.

#### D. SAAC Member Recruitment

How do we recruit new members? The Manager of Accessible Services appoints new members, and the Chair approves them.

Bill Welch reminded the committee that official members must use public transit. Thus Pat Dixon cannot be a committee member, though her knowledge, regular participation and input are highly valuable and appreciated. (*Correction: the committee By-laws state that preference is given to persons who use public transit, when new members are selected.*)

Two members mentioned that CID is a good potential place to recruit for this committee.

#### E. Electronic Sign Demo

It was agreed that several members were interested in seeing the prototype demo for the electronic real-time bus arrival signs, to be scheduled for December 15<sup>th</sup>.

#### F. Other issues

Doris Maez circulated a petition for Community College to provide an adaptive P.E. Class geared to people with disabilities.

Pat Dixon thanked Bill Welch for getting the automatic door button fixed for disabled entry to the downstairs lobby.

### III. Paratransit Update

The time allotted for the meeting was over before reaching this item.

### IV. Commission on Disabilities Report

The time allotted for the meeting was over before reaching this item.

V. CAC Update

The time allotted for the meeting was over before reaching this item.

VI. TA Update

The time allotted for the meeting was over before reaching this item.

VII. Announcements and Other Business

The time allotted for the meeting was over before reaching this item.

VIII. Set Date for Next Meeting

The next meeting was scheduled for Thursday, January 21<sup>st</sup>. It was subsequently re-scheduled for Thursday, March 18<sup>th</sup> due to inclement weather.

**CRC ITEM # 7  
APRIL 14, 2010**

**SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT**

**TO:** Community Relations Committee

**THROUGH:** Michael J. Scanlon  
General Manager/CEO

**FROM:** C. H. (Chuck) Harvey  
Deputy CEO

**SUBJECT: SAMTRANS PERFORMANCE REPORT – ADA PARATRANSIT SERVICE**

**ACTION**

This report is for information only. No policy action is required.

**SIGNIFICANCE**

This presentation is part of this fiscal year's series of detailed performance reports presented to the Board. Each of the District's four transportation modes – SamTrans motor bus, ADA Paratransit, Caltrain and Shuttles – will be featured individually each month. This month features a report on the SamTrans ADA Paratransit service.

**BUDGET IMPACT**

There is no impact on the budget.

**BACKGROUND**

Staff will report on Redi-Wheels and RediCoast operating statistics.

This month's presentation will be presented via PowerPoint. A handout will be provided at the meeting.

Prepared by: Donald G. Esse, Senior Operations Financial Analyst

650-508-6329

**SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT**

TO: Community Relations Committee

THROUGH: Michael J. Scanlon  
General Manager/CEO

FROM: C.H. (Chuck) Harvey  
Deputy CEO

SUBJECT: **MULTIMODAL RIDERSHIP REPORT—FEBRUARY 2010**

**ACTION**

This report is for information only. No action is required.

**SIGNIFICANCE**

Table “A” summarizes the average weekday ridership (AWR) statistics for all modes of transportation for which SamTrans is responsible. Chart “A” compares AWR for Fiscal Year 2008, FY2009, FY2010 and year-to-date comparisons of FY2009 vs. FY2010.

Table “A” also provides the average weekday ridership of the BART SFO Extension as a separate line.

**MONTHLY RIDERSHIP HIGHLIGHTS—FEBRUARY 2010 COMPARED TO  
FEBRUARY 2009**

**All Modes** – AWR of 88,341, a decrease of 6.0 percent.

**Bus** – AWR of 45,090, a decrease of 8.1 percent. New fares took effect, February 1, impacting all fare categories. Paratransit and Lifeline fares will increase on July 1, 2010.

**Paratransit** - AWR of 1,097, a decrease of 1.6 percent.

**Caltrain** - AWR of 35,040, a decrease of 2.0 percent.

**Caltrain Shuttles** - AWR of 5,309, a decrease of 12.4 percent. Stanford Marguerite shuttles continue to experience reporting issues, as they transition back to fully automated counting and change management. All other shuttles rolled up into this category are down approximately 14 percent.

**BART Shuttles** - AWR of 1,805, a decrease of 9.6 percent.

## **SamTrans Activities and Promotions:**

The SamTrans Marketing Department continues to implement a number of programs and activities to attract customers. The activities for the month included:

- **Route 359 Promotion** – SamTrans instituted one of the biggest service changes in its history in December, resulting in the elimination of Route FX, the commute-time express service that operated between Foster City and San Francisco. As a way to lessen the impact to the customers served by Route FX, local Route 359 was introduced to operate between Foster City and the Millbrae Transit Center. To invite Foster City residents to try the service, a direct mail piece containing two free tickets was mailed to 8,468 households located within a quarter-mile of the route. In addition, ads were placed in the *Foster City Islander* weekly newspaper during the month of February and a news release was posted on the SamTrans Web site.

Prepared by: James De Hart, Senior Planner  
Patrick Boland, Manager, Marketing

650-508-6227  
650-508-6245



**Table A**  
**Average Weekday Ridership**

<b>February 2010</b>				<b><u>FY2009/FY2010</u></b>
<b><u>Mode</u></b>	<b><u>FY2008</u></b>	<b><u>FY2009</u></b>	<b><u>FY2010^</u></b>	<b><u>%Change</u></b>
Bus +	49,360	49,080	45,090	-8.1%
Paratransit	1,105	1,115	1,097	-1.6%
Caltrain # +	34,400	35,750	35,040	-2.0%
Caltrain Shuttle #	5,440	6,059	5,309	-12.4%
BART Shuttle	2,039	1,996	1,805	-9.6%
<b>Total</b>	<b>92,344</b>	<b>94,000</b>	<b>88,341</b>	<b>-6.0%</b>
BART (Extension Only)*	33,190	34,287	34,300	0.0%
<b>Grand Total</b>	<b>125,534</b>	<b>128,287</b>	<b>122,641</b>	<b>-4.4%</b>

<b>Year to Date</b>				<b><u>FY2009/FY2010</u></b>
<b><u>Mode</u></b>	<b><u>FY2008</u></b>	<b><u>FY2009</u></b>	<b><u>FY2010^</u></b>	<b><u>%Change</u></b>
Bus +	47,840	50,720	47,020	-7.3%
Paratransit	1,105	1,149	1,105	-3.8%
Caltrain # +	36,460	40,650	37,370	-8.1%
Caltrain Shuttle #	5,124	6,210	5,606	-9.7%
BART Shuttle	1,985	2,062	1,891	-8.3%
<b>Total</b>	<b>92,514</b>	<b>100,791</b>	<b>92,992</b>	<b>-7.7%</b>
BART (Extension Only)*	33,216	37,960	35,844	-5.6%
<b>Grand Total</b>	<b>125,730</b>	<b>138,751</b>	<b>128,836</b>	<b>-7.1%</b>

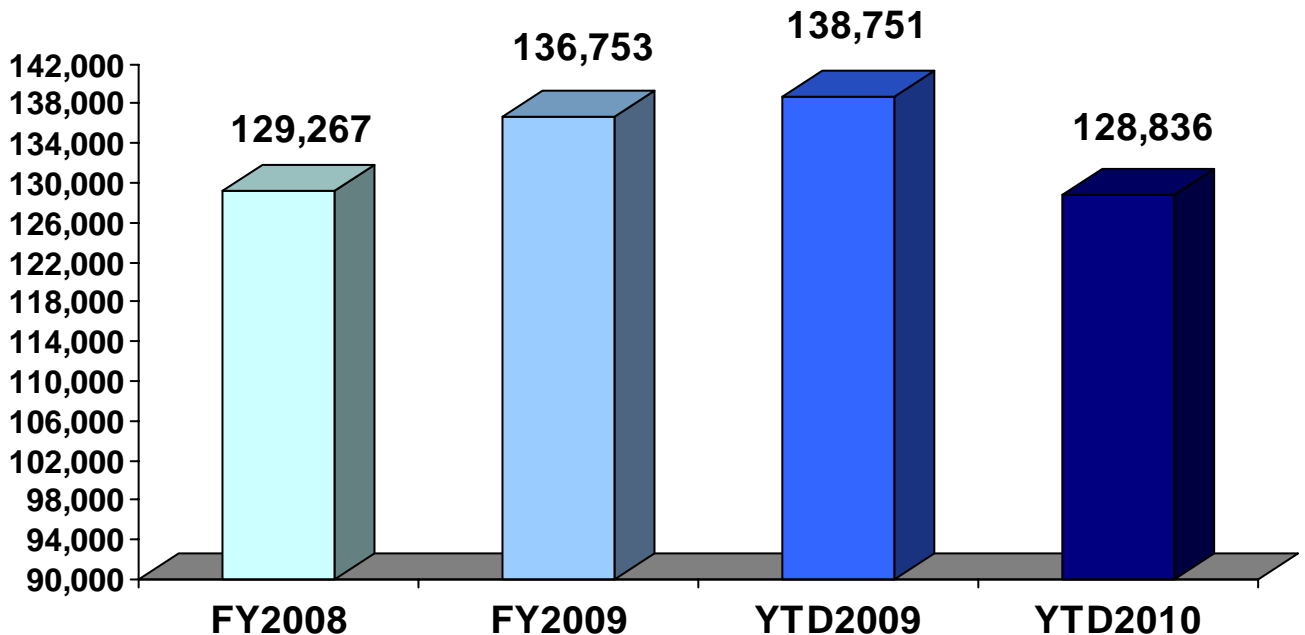
# System

\* Extension Only (No Daly City)

+ Rounded to nearest tens

^ Service cuts/reduced (12/09)

**Chart A**  
**Average Weekday Ridership**





BOARD OF DIRECTORS 2010

ROSE GUILBAULT, CHAIR  
KARYL MATSUMOTO, VICE CHAIR  
OMAR AHMAD  
MARK CHURCH  
JERRY DEAL  
SHIRLEY HARRIS  
ZOE KERSTEEN-TUCKER  
ARTHUR L. LLOYD  
ADRIENNE TISSIER

MICHAEL J. SCANLON  
GENERAL MANAGER/CEO

**A G E N D A**  
**FINANCE COMMITTEE**  
**COMMITTEE OF THE WHOLE**

**San Mateo County Transit District Administrative Building**  
**Bacciocco Auditorium - Second Floor**  
**1250 San Carlos Ave., San Carlos, CA**

**WEDNESDAY, APRIL 14, 2010 – 2:20 p.m.**  
or immediately following previous Committee meeting

**ACTION**

1. Approval of Minutes of Finance Committee Meeting of March 9, 2010
2. Approval of Revenues and Expenses for February 2010
3. Authorize Award of Contract to Orrick, Herrington and Sutcliffe, LLP to Serve as Special Counsel in Connection with the Fiscal Year 2011 Fuel Hedging Program
4. Authorize Amending the Fiscal Year 2010 Operating Budget by \$210,245 from \$134,273,623 to \$134,063,378
5. Authorize Amending the Fiscal Year 2010 Capital Budget by \$1,428,000 from \$18,731,316 to \$20,159,316 to Include Funding for San Bruno Grade Separation Real Estate Acquisition Activities and Clipper<sup>SM</sup> (Formerly TransLink<sup>®</sup>) Site Preparation Costs
6. Authorize Entering into a Memorandum of Understanding with the San Mateo City/County Association of Governments (C/CAG) for Performance of Phase I of the Economic and Housing Opportunity Assessment for the Grand Boulevard Initiative
7. Authorize Entering into a Funding Agreement with the City/County Association of Governments (C/CAG) for Performance of the Countywide Transportation Plan for Low-Income Populations and the South San Francisco/San Bruno Community Based Transportation Plan
8. Authorize Execution of a Cooperative Agreement with San Mateo City/County Association of Governments (C/CAG) in the Amount of \$536,000 for Fiscal Year 2011 Transportation Fund for Clean Air Funds for the SamTrans Shuttle Bus Program

**CONTRACT**

9. Authorize Award of Contracts to Fehr & Peers and HNTB Corporation to Provide On-call Transportation Planning and Program Support for up to \$4,000,000 for a Three-year Base Term

Committee Members: Mark Church, Shirley Harris, Art Lloyd

NOTE:

- This Committee meeting may be attended by Board Members who do not sit on this Committee. In the event that a quorum of the entire Board is present, this Committee shall act as a Committee of the Whole. In either case, any item acted upon by the Committee or the Committee of the Whole will require consideration and action by the full Board of Directors as a prerequisite to its legal enactment.
- All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.

**SAN MATEO COUNTY TRANSIT DISTRICT  
1250 SAN CARLOS AVENUE, SAN CARLOS, CALIFORNIA**

**MINUTES OF FINANCE COMMITTEE MEETING  
COMMITTEE OF THE WHOLE  
MARCH 9, 2010**

Committee Members Present: M. Church (Committee Chair), S. Harris, A. Lloyd

Other Board Members Present, Constituting Committee of the Whole: O. Ahmad, J. Deal, R. Guilbault, Z. Kersteen-Tucker, K. Matsumoto, A. Tissier

Staff Present: J. Cassman, C. Cavitt, A. Chan, G. Harrington, C. Harvey, R. Haskin, R. Lake, M. Lee, M. Martinez, N. McKenna, D. Miller, M. Scanlon, M. Simon

Committee Chair Mark Church called the meeting to order at 2:37 p.m.

**Approval of Minutes of Finance Committee Meeting of February 10, 2010**

The committee approved the minutes (Harris/Lloyd); Director Omar Ahmad abstained.

**Approval of Revenues and Expenses for January 2010**

Deputy CEO Gigi Harrington said revenues are under budget mostly in passenger fares and sales tax; expenses are under budget as a result of the fuel hedge program. Year-to-date fuel is \$2.03 per gallon and last week it was \$2.13 per gallon. Staff will be back next month to adjust the budget for the Transportation Development Act (TDA) line item.

The committee (Tissier/Lloyd) unanimously recommended Board acceptance of the report.

**Authorize Assignment of Contact to CSI Capital Management, Inc. to Provide Investment Management Services**

Ms. Harrington said staff is requesting the committee recommend the Board assign the contract for investment services from Tamalpais Wealth Management whose holding company is facing liquidity issues to CSI Capital Management. The fees will remain the same and the team will stay in place. The contract for these services expires in the fall of 2011 and at that time staff will competitively procure for these services.

The committee (Tissier/Lloyd) unanimously recommended Board acceptance of the motion.

**Annual Adoption of Investment Policies and Authorization to Invest Monies with the Local Agency Investment Fund**

Ms. Harrington said staff is requesting the committee recommend the Board adopt the annual investment policy. There are no changes in the policy.

The committee (Harris/Kersteen-Tucker) unanimously recommended Board acceptance of the motion.

### **Assessment of the Fiscal Year 2010 Fuel Hedge Program and Authorize Adoption of a Fuel Hedging Policy**

Ms. Harrington said staff is requesting the committee recommend the Board approve a policy for fuel hedging. Last summer half the fuel portfolio was hedged in conjunction with the Peninsula Corridor Joint Powers Board. The hedge tripped once in January 2010. Staff is proposing a policy consistent with the terms and conditions used for the transaction last summer with the exception that staff could increase the amount authorized to hedge up to 75 percent of the portfolio. Staff will be recommending a fuel hedge transaction this spring to bring some budget certainty for FY 2011.

Director Zoe Kersteen-Tucker asked about the 50-75 percent range for fuel hedging.

Ms. Harrington said staff will be recommending 50 percent, but is asking for 75 percent in the event the market is positive and it would be beneficial to the District due to budget uncertainty.

Director Omar Ahmad asked if SamTrans works in conjunction with Caltrain or is it two separate contracts. Ms. Harrington said they are separate transactions, but the two are put together for the purpose of making the volume of the transaction more appealing to the bidders. She said because staff requires a high credit level, there are not that many financial institutions that can actually participate in the transaction. Ms. Harrington said there would be two contracts with two separate sets of documents.

Director Ahmad said, for future discussion, he would like to hear how the California Low Carbon Fuel Standards may affect the ability to use futures for hedging.

The committee (Ahmad/Lloyd) unanimously recommended Board acceptance of the motion.

### **Authorize the Disposal of 137 Surplus Gillig Buses**

Ms. Harrington said staff is requesting the Committee recommend the Board authorize the disposal of 137 Gillig buses. These buses were encumbered in a transaction done in two tranches, with two separate closing dates. The first tranche expires on March 17 and the second in August 2010. As soon as the tranche expires staff will go through a process to return the ownership of the vehicles to SamTrans for disposal. It will take about a month from the time the transaction expires to go through the process. This was a financial transaction that was entered into in 2002 and at the time these were done quite frequently by transit properties as a source of income.

Director Ahmad asked who buys the buses. Ms. Harrington said the University of Santa Cruz is interested in purchasing them. Deputy CEO Chuck Harvey said there are companies with bus fleets who must comply with emission standards that are lining up to buy these vehicles since because their engines they have been upgraded to meet current carbon requirements.

Director Adrienne Tissier asked how much SamTrans will get for the buses. Mr. Harvey said the District can receive up to \$5,000 per vehicle and any amount over that limit goes back to the Federal Transit Administration.

The committee (Tissier/Ahmad) unanimously recommended Board acceptance of the motion.

**Authorize Filing an Application with Caltrans for a Community-Based Transportation Grant Application in the Amount of \$300,000 for the Economic and Housing Opportunity Assessment for the Grand Boulevard Initiative**

Director of Budgets and Grants April Chan said staff is proposing the committee recommend Board approval to authorize the General Manager to file an application for a \$300,000 planning grant with Caltrans. This is consistent with the Grand Boulevard Initiative. The total for the study is \$455,000. In addition to the \$300,000, the City/County Association of Governments of San Mateo County (C/CAG) is pledging \$75,000 for the grant and there is \$30,000 in-kind staff support. This is a discretionary grant and staff should hear by summer if SamTrans is successful in getting the grant.

The committee (Lloyd/Harris) unanimously recommended Board acceptance of the motion.

**Authorize Receiving an Allocation of \$196,867 of Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account Funds Through the Lifeline Transportation Program for the Improvement of Bus Stops in Lifeline Areas Within San Mateo County**

Ms. Chan said staff is proposing the committee recommend the Board authorize the General Manager or his designee to receive \$196,867 in Proposition 1B State funding for the grant received from C/CAG. This is a lifeline transportation program grant for bus stop improvements in areas with a high concentration of low income populations. The total cost of this project is just under \$250,000; the matching amount is \$49,217 and this will be included in the FY2011 and future year Capital Budget deliberations.

Director Ahmad asked what type of bus stop improvements will be done. Ms. Chan said the improvements are benches and lighting. She said it is generally things that are included in the maintenance part of the Operating Budget, but staff is able to work with C/CAG to receive the funding now on the capital side and offset some of the costs that would have been incurred as part of the maintenance budget.

Director Kersteen-Tucker said she was recently contacted by a customer who lives in the Belle Haven neighborhood. She asked how someone gets their neighborhood evaluated if it is an area outside of the communities of concern. Mr. Scanlon said SamTrans is very constrained in what can be done in they way of shelters. Staff offloaded a lot of the shelter maintenance to CBS Outdoor in the high traffic areas. Mr. Scanlon said CBS Outdoor installs and maintains the shelters and SamTrans even gets some revenue.

The committee (Tissier/Deal) unanimously recommended Board acceptance of the motion.

**Authorize Entering into Memoranda of Understandings (MOUs), File Applications and Pass Through Funds to Lifeline Transportation Project Sponsors in San Mateo County**

Ms. Chan said this relates to the last item as part of the C/CAG lifeline transportation program. She said three project sponsors applied: The City of Daly City, San Mateo County Human Services Agency and Family Services Agency of San Mateo County. All received funding for a total of a little more than \$400,000. Ms. Chan said because they are not eligible recipients SamTrans agreed to pass the money through to them. This item is requesting the Board

authorize the General Manager or his designee to execute MOUs to accept the funding and pass through to the three agencies.

The committee (Tissier/Lloyd) unanimously recommended Board acceptance of the motion.

**Authorize Award of Contract to GFI Genfare (GFI) to Provide Automatic Fare Collection System for a Total Cost of \$7,654,475**

Director of Contracts and Procurement Cheryl Cavitt said staff is proposing the committee recommend Board approval for a new automatic fare collection system. This was a very competitive process with four bids received and three firms going through the interview process. Ms. Cavitt said this bid did not allow for Disadvantaged Business Enterprise (DBE) bids, but the chosen contractor will be using DBE subcontractors.

Chair Rose Guilbault asked if there were any companies in California able to complete this type of work. Ms. Cavitt said all the big players in the industry were represented.

Director Tissier asked if there is any opportunity to bid this type of procurement with other bus companies. Ms. Cavitt said the rarity of this type of procurement makes it difficult. Mr. Harvey said staff allowed for piggy-backing options on the contract and there were two authorities that took the specifications verbatim and negotiated their own contracts.

Director Tissier asked if this fare collection system is compatible with the new TransLink/Clipper technology. Mr. Harvey said, in the initial installation, the Translink/Clipper technology will not be imbedded in the farebox, but it will be a separate stand alone item. He said the system has the ability and they are discussing the integration of the Translink/Clipper technology into the farebox with GFI.

Director Ahmad asked about the readers working with other transit properties. Mr. Harvey said the fare media needs to be carefully transitioned from the current fare media products to the new fare media. If the neighboring transit properties have GFI boxes then the magnetic card readers and printers are identical, but they are running different fare categories and media.

Director Ahmad requested a future discussion on the security of the magnetic strip media and scored media cards. He thinks this could leave us vulnerable as a point of attack for hackers.

The committee (Lloyd/Ahmad) unanimously recommended Board acceptance of the motion.

**Adjourned:** 3:02 p.m.

SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT

TO: Finance Committee

THROUGH: Michael J. Scanlon  
General Manager/CEO

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **STATEMENT OF REVENUES AND EXPENSES FOR THE PERIOD  
ENDING FEBRUARY 28, 2010 AND SUPPLEMENTAL INFORMATION**

**ACTION**

Staff proposes the Committee recommend that the Board accept and enter into the record the Statement of Revenues and Expenses for the month of February 2010 and supplemental information.

**SIGNIFICANCE**

**Revenues:** *Total Revenues* (page 1, line 12) are \$1,817,813 or 2.1 percent **worse** than revised budget. *Passenger Fares* (page 1, line 1) are **worse** than budget by \$795,697 or 6.6 percent. *Measure A contribution and AB434 funds* (page 1, line 5) are **worse** than budget by \$156,820 or 2.6 percent and *District ½ Cent Sales Tax* (page 1, line 8) are **worse** than budget by \$1,200,189 or 2.9 percent offset by *Investment Interest* (page 1, line 9) which is **better** than budget by \$189,815 or 4.9 percent and *Other Interest, Rent & Other Income* (page 1, line 10) which is **better** than budget by \$145,078 or 3.8 percent.

**Expenses:** *Total Expenses* (page 4, line 75) are \$4,723,766 or 5.3 percent **better** than budget. Within *Total Expenses*, *Total Motor Bus* (page 3, line 48) is **better** than budget by \$4,029,313 or 6.2 percent, *Total ADA Programs* (page 4, line 57) are **better** than budget by \$524,570 or 5.7 percent and *Total Multimodal* (page 4, line 73) is **better** than budget by \$169,883 or 1.2 percent.

**Budget Amendments:** There is no budget amendment this month. Staff will be proposing a budget amendment in April to revise Passenger Fares, TDA Funds, Sales Tax and Operating Grant projections.

Prepared by: Rima Lobo, Manager, Financial Services  
Jeannie Chen, Senior Accountant

650-508-6274  
650-508-6259

**SAN MATEO COUNTY TRANSIT DISTRICT  
SUMMARY OF REVENUES AND EXPENSES  
FISCAL YEAR 2010  
FEBRUARY 2010**

% OF YEAR ELAPSED: **66.7%**

	MONTH	YEAR-TO-DATE				ANNUAL		
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET	% REV BUDGET
<b>SOURCES OF FUNDS</b>								
<b>Operating Revenues</b>								
1 Passenger Fares	1,446,757	11,482,199	11,254,303	12,050,000	93.4	18,975,000	18,375,000	61.2
2 TDA and STA Funds	2,578,463	24,042,204	20,144,879	20,144,879	100.0	29,975,899	30,458,724	66.1
3 STA Pass through to Other Agencies	8,111	116,896	64,889	64,889	100.0	97,334	1,864,661	3.5
4 Operating Grants	0	1,151,792	318,598	318,598	100.0	4,429,071	4,429,071	7.2
5 Measure A Contribution and AB434 Funds	746,798	2,318,849	5,963,535	6,120,355	97.4	9,497,724	9,167,724	65.0
6 <b>Subtotal - Operating Revenues</b>	<b>4,780,129</b>	<b>39,111,940</b>	<b>37,746,204</b>	<b>38,698,721</b>	<b>97.5</b>	<b>62,975,028</b>	<b>64,295,180</b>	<b>58.7</b>
<b>Other Revenue Sources</b>								
7 District 1/2 Cent Sales Tax	4,711,713	43,351,162	39,670,144	40,870,333	97.1	62,216,300	62,216,300	63.8
9 Investment Interest	351,417	3,910,934	4,099,209	3,909,394	104.9	5,917,820	5,917,820	69.3
10 Other Interest, Rent & Other Income	576,397	3,912,800	3,943,331	3,798,253	103.8	5,105,649	5,832,029	67.6
11 <b>Subtotal - Other Revenues</b>	<b>5,639,527</b>	<b>51,174,896</b>	<b>47,712,684</b>	<b>48,577,980</b>	<b>98.2</b>	<b>73,239,769</b>	<b>73,966,149</b>	<b>64.5</b>
12 <b>Total Revenues</b>	<b>10,419,656</b>	<b>90,286,836</b>	<b>85,458,888</b>	<b>87,276,701</b>	<b>97.9</b>	<b>136,214,797</b>	<b>138,261,329</b>	<b>61.8</b>
13 <b>Capital Assistance</b>	<b>7,455,788</b>	<b>2,141,998</b>	<b>33,807,932</b>	<b>33,807,932</b>	<b>100.0</b>	<b>14,545,513</b>	<b>70,834,975 A</b>	<b>47.7</b>
14 <b>Reserves Programmed for Capital</b>	<b>188,422</b>	<b>2,541,345</b>	<b>4,368,445</b>	<b>4,368,445</b>	<b>100.0</b>	<b>0</b>	<b>18,516,050 A</b>	<b>23.6</b>
15 <b>Total Revenues - All Sources</b>	<b>18,063,866</b>	<b>94,970,179</b>	<b>123,635,265</b>	<b>125,453,078</b>	<b>98.6</b>	<b>150,760,310</b>	<b>227,612,354</b>	<b>54.3</b>
<b>USES OF FUNDS</b>								
<b>Operations</b>								
19 District Motor Bus	6,901,766	62,902,744	60,887,847	64,917,160	93.8	102,143,459	97,648,125	62.4
20 A. D. A. Programs	995,567	8,964,422	8,600,502	9,125,072	94.3	14,081,912	13,675,342	62.9
21 Caltrain	1,239,703	11,562,478	11,562,478	11,562,478	100.0	16,521,290	16,521,290	70.0
22 Other Multimodal Programs	290,181	2,682,798	2,686,317	2,856,200	94.1	3,681,080	4,564,205	58.9
23 <b>Subtotal - Operating Costs</b>	<b>9,427,217</b>	<b>86,112,442</b>	<b>83,737,144</b>	<b>88,460,910</b>	<b>94.7</b>	<b>136,427,741</b>	<b>132,408,962</b>	<b>63.2</b>
<b>Other Uses of Funds</b>								
25 STA Pass through to Other Agencies	8,111	116,896	64,889	64,889	100.0	97,334	1,864,661	3.5
26 Transfer Out to Debt Service	2,037,530	15,779,071	16,300,232	16,300,232	100.0	24,450,342	24,450,342	66.7
27 Fiscal Agent Fees	0	57,357	6,625	17,050	38.9	27,500	27,500	24.1
28 <b>Subtotal - Other Uses</b>	<b>2,045,641</b>	<b>15,953,324</b>	<b>16,371,746</b>	<b>16,382,171</b>	<b>99.9</b>	<b>24,575,176</b>	<b>26,342,503</b>	<b>62.1</b>
29 <b>Capital Programs</b>	<b>8,041,927</b>	<b>5,841,807</b>	<b>39,260,154</b>	<b>39,260,154</b>	<b>100.0</b>	<b>18,731,316</b>	<b>93,536,828 A</b>	<b>42.0</b>
30 <b>Total Uses of Funds</b>	<b>19,514,785</b>	<b>107,907,573</b>	<b>139,369,044</b>	<b>144,103,235</b>	<b>96.7</b>	<b>179,734,233</b>	<b>252,288,293</b>	<b>55.2</b>
31 <b>SURPLUS/(DEFICIT) FOR PERIOD</b>	<b>(1,450,919)</b>	<b>(12,937,394)</b>	<b>(15,733,779)</b>	<b>(18,650,157)</b>	<b>84.4</b>	<b>(28,973,923)</b>	<b>(24,675,939)</b>	<b>63.8</b>

% OF YEAR ELAPSED" provides a general measure for evaluating overall progress against the annual budget. When comparing it to the amounts shown in the "% REV BUDGET" column, please note that individual line items reflect variations due to seasonal activities during the year.

Note A - The Revised Budget includes the year end rollover of existing capital projects.



**SAN MATEO COUNTY TRANSIT DISTRICT  
STATEMENT OF REVENUES  
FISCAL YEAR 2010  
FEBRUARY 2010**

% OF YEAR ELAPSED: **66.7%**

	MONTH	YEAR-TO-DATE				ANNUAL		
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET	% REV BUDGET
<b>OPERATING REVENUES - MOTOR BUS</b>								
1 TOTAL MOTOR BUS FARES	1,394,916	11,082,574	10,804,626	11,570,667	93.4	18,256,000	17,656,000	61.2
<b>TRANSPORTATION DEVELOPMENT ACT FUND:</b>								
3 TDA Gen. Oper. Asst.	2,373,092	20,047,408	18,984,736	18,984,736	100.0	28,477,104	28,477,104	66.7
<b>STATE TRANSIT ASSISTANCE:</b>								
5 STA - Gen. Oper. Asst.	45,251	1,992,478	90,503	90,503	100.0	0	271,510	33.3
<b>OPERATING GRANTS</b>								
7 Planning Assistance Grant	0	1,047,041	281,369	281,369	100.0	3,376,430	3,117,885	9.0
<b>DISTRICT 1/2 CENT SALES TAX:</b>								
9 General Operating Asst.	2,490,148	24,749,009	26,994,202	30,732,389	87.8	47,141,215	43,139,816	62.6
10 Accessibility Fixed Route	79,286	654,197	651,365	655,028	99.4	985,992	979,092	66.5
11 TOTAL 1/2 CENT SALES TAX	2,569,434	25,403,206	27,645,567	31,387,417	88.1	48,127,207	44,118,908	62.7
<b>INVESTMENT INTEREST INCOME:</b>								
13 Investment Interest Income	52,281	536,898	305,324	57,968	526.7	140,670	140,670	217.0
<b>OTHER REVENUE SOURCES:</b>								
15 Overnight Deposits Interest Income	146	142,250	1,696	3,040	55.8	4,560	4,560	37.2
16 Rental Income	86,084	685,006	688,609	694,600	99.1	1,041,900	1,041,900	66.1
17 Advertising Income	116,667	898,643	1,008,100	933,340	108.0	1,350,000	1,450,000	69.5
18 Other Income	263,895	1,067,240	1,077,317	913,520	117.9	1,369,588	1,369,588	78.7
19 TOTAL OTHER REVENUES	466,792	2,793,139	2,775,722	2,544,500	109.1	3,766,048	3,866,048	71.8
21 TOTAL MOTOR BUS	6,901,766	62,902,744	60,887,847	64,917,160	93.8	102,143,459	97,648,125	62.4
<b>AMERICAN DISABILITIES ACT:</b>								
24 Passenger Fares Redi-Wheels	51,841	399,625	449,677	479,333	93.8	719,000	719,000	62.5
25 Local TDA 4.5 Redi-Wheels	124,900	1,513,691	999,200	999,200	100.0	1,498,795	1,498,795	66.7
26 Local STA - Paratransit	35,220	488,627	70,440	70,440	100.0	0	211,315	0.0
27 Operating Grants	0	0	0	0	0.0	1,052,641	1,052,641	0.0
28 Sales Tax - District ADA Programs	462,322	5,425,597	4,437,254	4,705,957	94.3	6,476,254	5,901,239	75.2
29 Sales Tax - Paratransit Suppl. Coastside	87,569	746,921	761,652	856,045	89.0	1,215,320	1,272,450	59.9
30 Interest Income - Paratransit Fund	29,607	25,727	264,188	354,167	74.6	531,250	531,250	49.7
31 Measure A Contribution - R/W	204,108	364,234	1,618,091	1,659,930	97.5	2,588,652	2,488,652	65.0
33 TOTAL ADA PROGRAMS	995,567	8,964,422	8,600,502	9,125,072	94.3	14,081,912	13,675,342	62.9
<b>MULTIMODAL TRANSIT PROGRAMS:</b>								
35 Sales Tax - Caltrain	831,489	10,719,811	8,326,297	8,242,618	101.0	11,343,986	11,543,986	72.1
36 Transfer from TA for Caltrain	408,214	842,667	3,236,181	3,319,860	97.5	5,177,304	4,977,304	65.0
37 TA Funded SM/Caltrain Shuttles	86,976	687,948	729,263	760,375	95.9	1,131,768	1,131,768	64.4
38 Employer Share SM/Caltrain Shuttles	25,075	323,173	247,565	303,818	81.5	325,237	586,217	42.2
39 AB434 Funds - SamTrans Shuttles	47,500	424,000	380,000	380,190	100.0	600,000	570,000	66.7
40 Employer Share SamTrans Shuttles	84,530	796,488	920,044	949,935	96.9	1,014,364	1,379,764	66.7
41 Sales Tax - SamTrans Shuttle Program	25,851	150,871	191,124	210,346	90.9	288,541	316,861	60.3
42 Operating Grants	0	104,751	37,229	37,229	100.0	0	258,545	0.0
43 Sales Tax - Gen. Operating Asst.	20,249	195,567	181,092	214,307	84.5	321,170	321,050	56.4
45 TOTAL MULTIMODAL	1,529,884	14,245,276	14,248,795	14,418,678	98.8	20,202,370	21,085,495	67.6
47 TOTAL REVENUES	9,427,217	86,112,442	83,737,144	88,460,910	94.7	136,427,741	132,408,962	63.2

"% OF YEAR ELAPSED" provides a general measure for evaluating overall progress against the annual budget. When comparing it to the amounts shown in the "% REV BUDGET" column, please note that individual line items reflect variations due to seasonal activities during the year.

**SAN MATEO COUNTY TRANSIT DISTRICT  
OPERATING EXPENSES  
FISCAL YEAR 2010  
FEBRUARY 2010**

% OF YEAR ELAPSED: **66.7%**

EXPENSES	MONTH	YEAR-TO-DATE				ANNUAL		
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET	% REV BUDGET
<b>DISTRICT OPERATED BUSES</b>								
1 Wages & Benefits	3,841,256	34,382,335	34,856,641	35,713,327	97.6	56,034,282	53,543,216	65.1
2								
3 Services:								
4 Board of Directors	3,236	32,829	37,520	37,957	98.8	53,090	53,090	70.7
5 Contracted Vehicle Maintenance	37,312	350,308	255,317	442,160	57.7	512,910	662,910	38.5
6 Property Maintenance	106,683	691,380	658,044	953,000	69.0	1,434,000	1,434,000	45.9
7 Professional Services	222,176	1,866,366	1,297,863	1,942,088	66.8	2,980,663	2,920,415	44.4
8 Technical Services	221,369	2,110,832	2,375,014	2,516,280	94.4	3,676,639	3,772,539	63.0
9 Other Services	20,882	283,914	219,736	281,829	78.0	450,246	450,246	48.8
10								
11 Materials & Supply:								
12 Fuel & Lubricants	318,860	3,625,040	2,758,103	3,660,713	75.3	7,246,336	5,631,986	49.0
13 Bus Parts & Materials	149,622	1,370,945	1,305,098	1,330,670	98.1	2,054,913	1,995,008	65.4
14 Uniforms & Driver Expense	10,108	310,850	234,640	262,385	89.4	444,848	394,348	59.5
15 Timetables & Tickets	14,002	115,679	104,074	145,000	71.8	217,500	217,500	47.9
16 Office Supplies / Printing	18,108	205,629	128,301	209,412	61.3	333,055	340,055	37.7
17 Other Materials & Supply	14,599	117,606	89,601	116,000	77.2	183,750	183,750	48.8
18								
19 Utilities:								
20 Telephone	32,519	307,091	255,091	264,000	96.6	396,000	396,000	64.4
21 Other Utilities	79,454	652,191	647,396	664,000	97.5	996,000	996,000	65.0
22 Insurance Costs	187,090	2,139,349	1,497,326	1,527,976	98.0	2,292,000	2,292,000	65.3
23 Workers' Compensation	255,952	2,027,303	2,097,520	2,114,700	99.2	3,172,050	3,172,050	66.1
24 Taxes & License Fees	26,669	293,962	267,038	402,895	66.3	659,770	610,775	43.7
25 Fixed Route Accessibility	79,286	654,197	651,365	655,028	99.4	985,992	979,092	66.5
26 Leases & Rental	8,360	70,284	69,995	75,805	92.3	115,588	115,588	60.6
27 Promotional & Legal Advertising	9,493	136,010	133,557	227,333	58.7	340,000	340,000	39.3
28 Seminar & Training	7,437	134,196	55,740	116,293	47.9	150,460	165,460	33.7
29 Business Travel & Meeting	662	20,642	13,772	20,697	66.5	31,615	31,615	43.6
30 Dues & Membership	3,452	56,261	25,190	36,379	69.2	91,085	91,085	27.7
31 Postage & Other	4,052	40,584	32,692	59,323	55.1	85,680	96,180	34.0
32								
33 <b>Total District Operated Buses</b>	<b>5,672,639</b>	<b>51,995,783</b>	<b>50,066,634</b>	<b>53,775,250</b>	<b>93.1</b>	<b>84,938,472</b>	<b>80,884,908</b>	<b>61.9</b>
34								
35								
36 <b>CONTRACTED BUS SERVICES</b>								
37 Contracted Urban Bus Service	1,074,487	9,507,349	9,537,826	9,698,745	98.3	15,073,092	14,605,502	65.3
38 Other Related Costs	25,246	230,875	227,252	214,564	105.9	334,465	323,285	70.3
39 Insurance Costs	49,902	492,318	403,196	436,648	92.3	655,000	655,000	61.6
40 Coastside Services	47,629	395,585	393,054	422,393	93.1	633,590	633,590	62.0
41 Redi Coast Non-ADA	16,113	140,631	126,116	174,653	72.2	261,980	261,980	48.1
42 Other Related Costs	2,703	15,908	11,154	41,887	26.6	64,250	61,410	18.2
43 La Honda - Pescadero	4,000	32,813	34,463	35,000	98.5	52,500	52,500	65.6
44 SamCoast - Pescadero	8,404	87,769	85,345	108,780	78.5	116,170	156,170	54.6
45 Other Related Cost - SamCoast	643	3,713	2,807	9,240	30.4	13,940	13,780	20.4
46 <b>Total Contracted Bus Service</b>	<b>1,229,127</b>	<b>10,906,961</b>	<b>10,821,213</b>	<b>11,141,910</b>	<b>97.1</b>	<b>17,204,987</b>	<b>16,763,217</b>	<b>64.6</b>
47								
48 <b>TOTAL MOTOR BUS</b>	<b>6,901,766</b>	<b>62,902,744</b>	<b>60,887,847</b>	<b>64,917,160</b>	<b>93.8</b>	<b>102,143,459</b>	<b>97,648,125</b>	<b>62.4</b>

% OF YEAR ELAPSED" provides a general measure for evaluating overall progress against the annual budget. When comparing it to the amounts shown in the "% REV BUDGET" column, please note that individual line items reflect variations due to seasonal activities during the year

**SAN MATEO COUNTY TRANSIT DISTRICT  
OPERATING EXPENSES  
FISCAL YEAR 2010  
FEBRUARY 2010**

% OF YEAR ELAPSED: **66.7%**

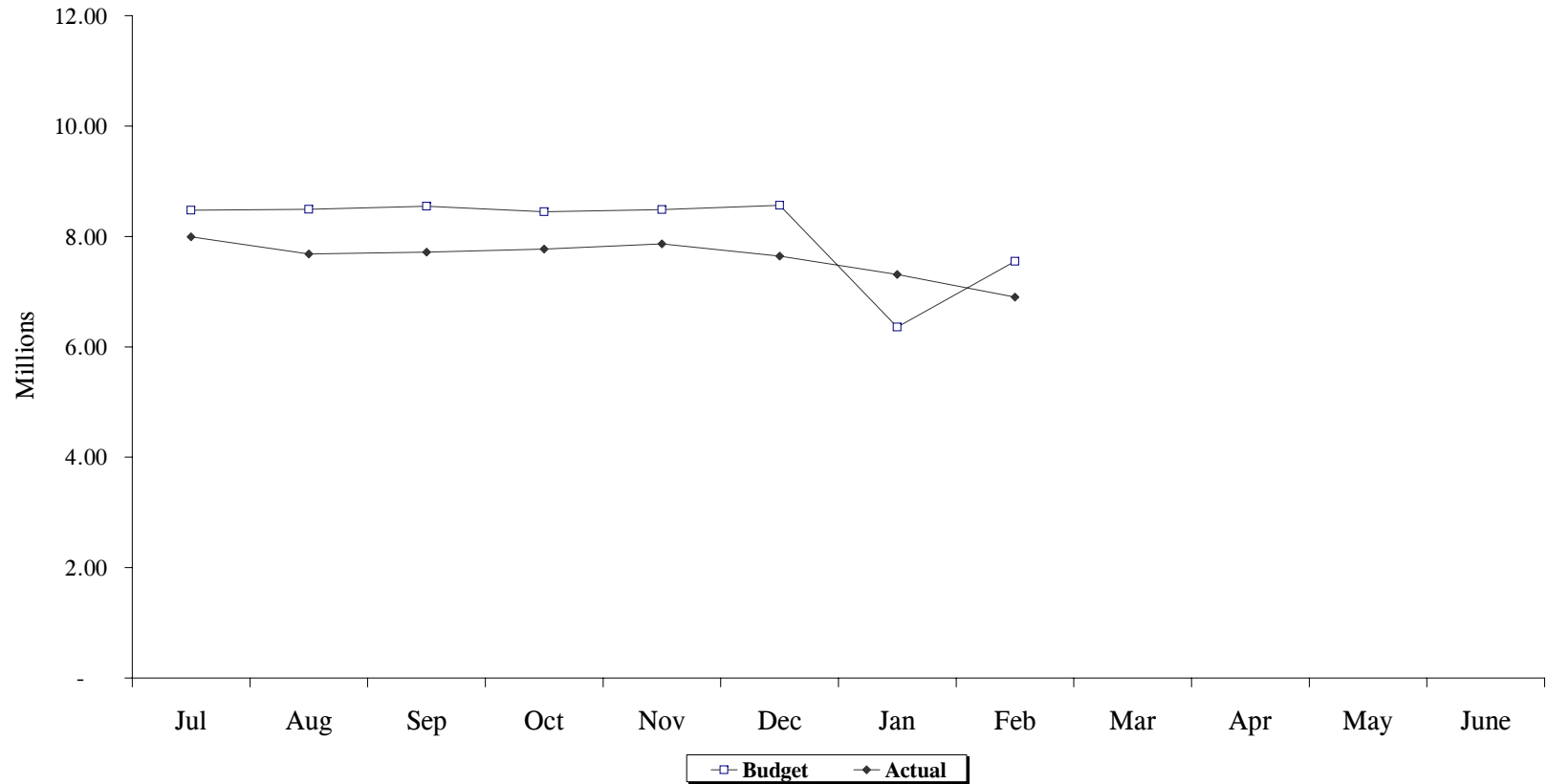
EXPENSES	MONTH	YEAR-TO-DATE				ANNUAL		
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET	% REV BUDGET
<b>AMERICAN DISABILITY ACT PROGRAMS</b>								
Elderly & Disabled/Redi-Wheels	438,198	4,008,038	3,772,686	3,798,319	99.3	6,638,319	5,771,819	65.4
Other Related Costs	144,039	1,550,988	1,471,564	1,716,476	85.7	2,586,793	2,557,633	57.5
ADA Sedan Service	231,121	1,686,593	1,764,846	1,888,359	93.5	2,338,640	2,778,640	63.5
ADA Accessibility Support	51,314	634,508	487,196	522,545	93.2	787,840	779,800	62.5
Coastside ADA Support	87,569	746,921	761,652	856,045	89.0	1,215,320	1,272,450	59.9
Insurance Costs	43,326	337,374	342,558	343,328	99.8	515,000	515,000	66.5
<b>TOTAL ADA PROGRAMS</b>	<b>995,567</b>	<b>8,964,422</b>	<b>8,600,502</b>	<b>9,125,072</b>	<b>94.3</b>	<b>14,081,912</b>	<b>13,675,342</b>	<b>62.9</b>
<b>MULTIMODAL TRANSIT PROGRAMS</b>								
<b>CALTRAIN SERVICE</b>								
Peninsula Rail Service	1,239,703	11,562,478	11,562,478	11,562,478	100.0	16,521,290	16,521,290	70.0
<b>Total Caltrain Service</b>	<b>1,239,703</b>	<b>11,562,478</b>	<b>11,562,478</b>	<b>11,562,478</b>	<b>100.0</b>	<b>16,521,290</b>	<b>16,521,290</b>	<b>70.0</b>
<b>OTHER SUPPORT</b>								
Dumbarton Express Service	10,635	103,206	84,174	84,240	99.9	126,070	125,950	66.8
SamTrans Shuttle Service	157,881	1,371,359	1,491,168	1,540,471	96.8	1,902,905	2,266,625	65.8
SM/Caltrain Shuttles	112,050	1,115,872	1,014,057	1,101,422	92.1	1,457,005	1,976,530	51.3
Maintenance Multimodal Facilities	9,615	92,361	96,918	130,067	74.5	195,100	195,100	49.7
<b>Total Other Support</b>	<b>290,181</b>	<b>2,682,798</b>	<b>2,686,317</b>	<b>2,856,200</b>	<b>94.1</b>	<b>3,681,080</b>	<b>4,564,205</b>	<b>58.9</b>
<b>TOTAL MULTI-MODAL PROGRAMS</b>	<b>1,529,884</b>	<b>14,245,276</b>	<b>14,248,795</b>	<b>14,418,678</b>	<b>98.8</b>	<b>20,202,370</b>	<b>21,085,495</b>	<b>67.6</b>
<b>TOTAL EXPENSES</b>	<b>9,427,217</b>	<b>86,112,442</b>	<b>83,737,144</b>	<b>88,460,910</b>	<b>94.7</b>	<b>136,427,741</b>	<b>132,408,962</b>	<b>63.2</b>

% OF YEAR ELAPSED" provides a general measure for evaluating overall progress against the annual budget. When comparing it to the amounts shown in the "% REV BUDGET" column, please note that individual line items reflect variations due to seasonal activities during the year

## SAN MATEO COUNTY TRANSIT DISTRICT

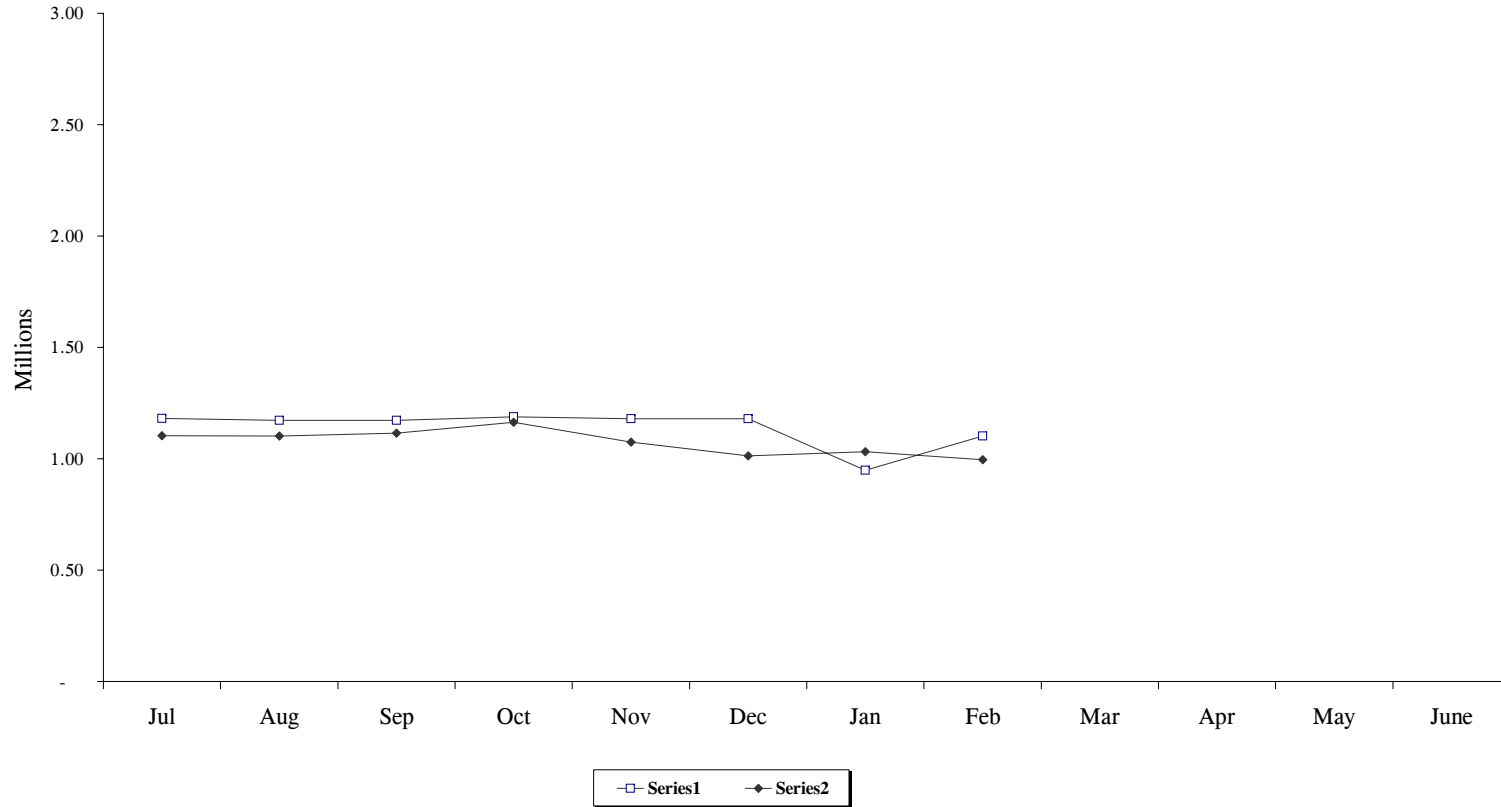
### MOTOR BUS MONTHLY EXPENSES - BUDGET VS ACTUAL

#### FISCAL YEAR 2010



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
<b>MONTHLY EXPENSES</b>												
Budget	8,473,981	8,493,157	8,547,372	8,448,278	8,483,268	8,564,955	6,359,492	7,546,657				
Actual	7,995,340	7,681,837	7,717,629	7,771,470	7,862,993	7,643,740	7,313,072	6,901,766				
<b>CUMULATIVE EXPENSES</b>												
Budget	8,473,981	16,967,138	25,514,510	33,962,788	42,446,056	51,011,011	57,370,503	64,917,160				
Actual	7,995,340	15,677,177	23,394,806	31,166,276	39,029,269	46,673,009	53,986,081	60,887,847				
Variance - F(U)	478,641	1,289,961	2,119,704	2,796,512	3,416,787	4,338,002	3,384,422	4,029,313				
Variance %	5.65%	7.60%	8.31%	8.23%	8.05%	8.50%	5.90%	6.21%				

**SAN MATEO COUNTY TRANSIT DISTRICT**  
**ADA PROGRAM MONTHLY EXPENSES - BUDGET VS ACTUAL**  
**FISCAL YEAR 2010**

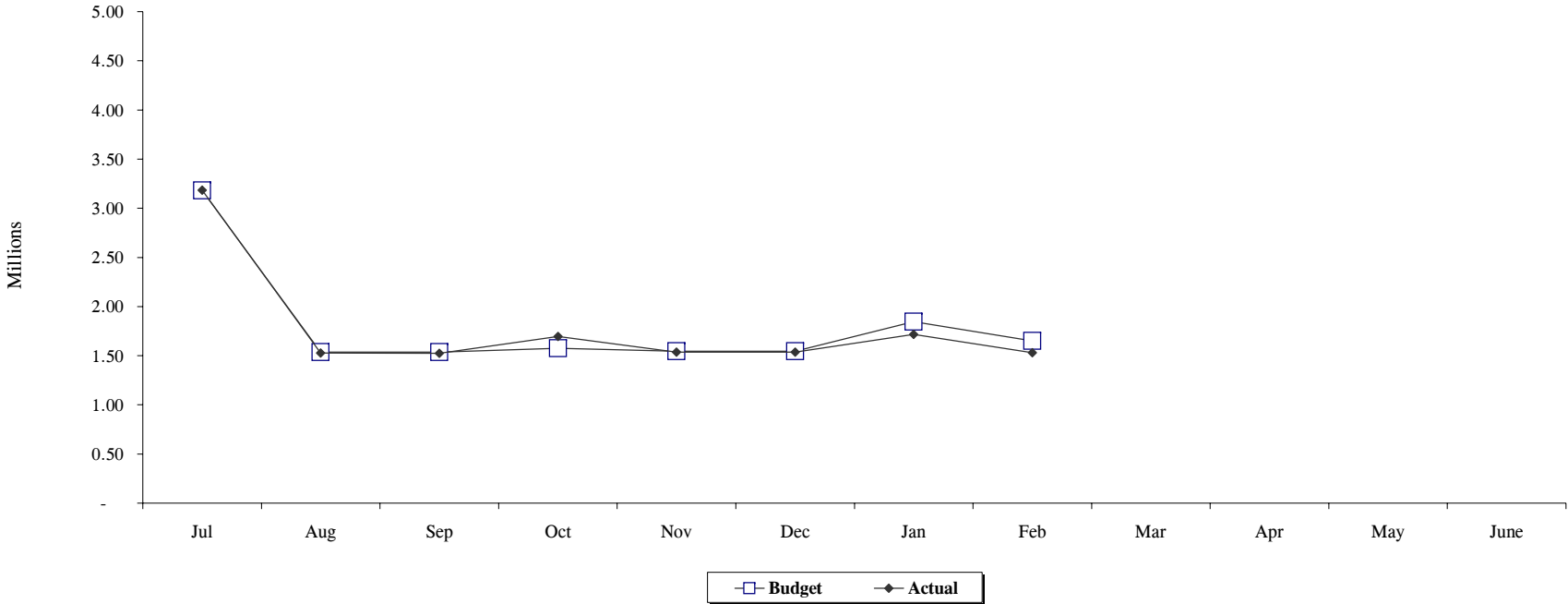


	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
<b>MONTHLY EXPENSES</b>												
Budget	1,181,355	1,172,595	1,172,596	1,188,757	1,180,069	1,179,272	948,817	1,101,611				
Actual	1,103,689	1,102,328	1,114,317	1,163,566	1,075,359	1,013,505	1,032,171	995,567				
<b>CUMULATIVE EXPENSES</b>												
Budget	1,181,355	2,353,950	3,526,546	4,715,303	5,895,372	7,074,644	8,023,461	9,125,072				
Actual	1,103,689	2,206,017	3,320,334	4,483,900	5,559,259	6,572,764	7,604,935	8,600,502				
Variance - F(U)	77,666	147,933	206,212	231,403	336,113	501,880	418,526	524,570				
Variance %	6.57%	6.28%	5.85%	4.91%	5.70%	7.09%	5.22%	5.75%				

## SAN MATEO COUNTY TRANSIT DISTRICT

### MULTIMODAL MONTHLY EXPENSES - BUDGET VS ACTUAL

### FISCAL YEAR 2010



	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
<b>MONTHLY EXPENSES</b>												
Budget	3,181,130	1,536,627	1,536,275	1,576,276	1,546,277	1,546,276	1,845,483	1,650,334				
Actual	3,183,019	1,526,868	1,524,459	1,695,052	1,536,284	1,537,516	1,715,713	1,529,884				
<b>CUMULATIVE EXPENSES</b>												
Budget	3,181,130	4,717,757	6,254,032	7,830,308	9,376,585	10,922,861	12,768,344	14,418,678				
Actual	3,183,019	4,709,887	6,234,346	7,929,398	9,465,682	11,003,198	12,718,911	14,248,795				
Variance - F(U)	(1,889)	7,870	19,686	(99,090)	(89,097)	(80,337)	49,433	169,883				
Variance %	-0.06%	0.17%	0.31%	-1.27%	-0.95%	-0.74%	0.39%	1.18%				

SAN MATEO COUNTY TRANSIT DISTRICT  
SUMMARY OF BUDGET ACTIVITY FOR FEBRUARY 2010

BUDGET AMENDMENT

	Amount	Line Item	Description
Feb-10			No Budget Amendment in February 2010.
	\$ -		\$ -

BUDGET REVISIONS

	Amount	Line Item	Description
Feb-10			No Budget Revision in February 2010.
	\$ -	Total	\$ -

SAN MATEO COUNTY TRANSIT DISTRICT  
1/2 CENT SALES TAX RECEIPTS AND PROJECTIONS  
FY2009 & FY2010  
FEBRUARY 2010

4/2/10 5:10 PM

Approved Budget		Receipts		Over/(Under) Budget/Projection	Current Projection																														
Date	Amount	Date	Amount																																
<b>FY2009:</b>																																			
1st Quarter	16,383,000	1st Quarter	17,259,319	876,319	17,259,319																														
2nd Quarter	17,387,000	2nd Quarter	15,980,382	(1,406,618)	15,980,382																														
3rd Quarter	15,217,000	3rd Quarter	12,936,160	(2,280,840)	12,936,160																														
4th Quarter	16,383,000	4th Quarter	13,839,594	(2,543,406)	13,839,594																														
<b>FY2009 Total</b>	<b>65,370,000</b>	<b>FY2009 Total</b>	<b>60,015,455</b>	<b>(5,354,545)</b>	<b>60,015,455</b>																														
<b>FY2010</b>																																			
Jul. 09	4,260,000	Sep. 09	4,205,800	(54,200)	4,205,800																														
Aug. 09	4,260,000	Oct. 09	4,342,900	82,900	4,342,900																														
Sep. 09	5,721,000	Nov. 09	4,673,100	(1,047,900)	4,673,100																														
1st Qtr. Adjustment	1,314,000	Dec. 09	1,332,895	18,895	1,332,895																														
3 Months Total	15,555,000		14,554,695	(1,000,305)	14,554,695																														
Oct. 09	4,560,000	Dec. 09	4,193,700	(366,300)	4,193,700																														
Nov. 09	4,560,000	Jan. 10	4,353,500	(206,500)	4,353,500																														
Dec. 09	5,967,000	Feb. 10	5,591,600	(375,400)	5,591,600																														
2nd Qtr. Adjustment	1,405,000	Mar. 10		148,222	1,553,222 (1)																														
6 Months Total	32,047,000		28,693,495	(1,800,283)	30,246,717																														
Jan. 10	3,970,000	Mar. 10		0	3,970,000 (1)																														
Feb. 10	3,970,000	Apr. 10		0	3,970,000 (1)																														
Mar. 10	5,207,000	May 10		0	5,207,000																														
3rd Qtr. Adjustment	1,325,000	Jun. 10		900,141	2,225,141 (1) Jan & Feb																														
9 Months Total	46,519,000		28,693,495	(900,142)	45,618,858 (1) Jan & Feb																														
Apr. 10	4,297,000	Jun. 10		0	4,297,000																														
May 10	4,297,000	Jul. 10		0	4,297,000																														
Jun. 10	5,650,000	Aug. 10		0	5,650,000																														
4th Qtr. Adjustment	1,453,300	Sep. 10		900,142	2,353,442																														
<b>FY2010 Total</b>	<b>62,216,300</b>	<b>FY2010 Total</b>	<b>28,693,495</b>	<b>0</b>	<b>62,216,300</b>																														
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;"></td> <td style="width: 15%;">14,554,695</td> <td style="width: 15%;">1st Quarter</td> <td colspan="3"></td> </tr> <tr> <td></td> <td>15,692,022</td> <td>2nd Quarter</td> <td colspan="3"></td> </tr> <tr> <td></td> <td>9,423,427</td> <td>3rd Quarter</td> <td colspan="3"></td> </tr> <tr> <td></td> <td></td> <td>4th Quarter</td> <td colspan="3"></td> </tr> <tr> <td></td> <td><u>39,670,144</u></td> <td>YTD Actual Per Statement of Revenues &amp; Expenses</td> <td colspan="3"></td> </tr> </table>							14,554,695	1st Quarter					15,692,022	2nd Quarter					9,423,427	3rd Quarter						4th Quarter					<u>39,670,144</u>	YTD Actual Per Statement of Revenues & Expenses			
	14,554,695	1st Quarter																																	
	15,692,022	2nd Quarter																																	
	9,423,427	3rd Quarter																																	
		4th Quarter																																	
	<u>39,670,144</u>	YTD Actual Per Statement of Revenues & Expenses																																	

(1) Accrued



**SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT**

**TO:** Finance Committee

**THROUGH:** Michael J. Scanlon  
General Manager/CEO

**FROM:** Gigi Harrington  
Deputy CEO

**SUBJECT: AUTHORIZATION OF AWARD OF CONTRACT TO ORRICK,  
HERRINGTON AND SUTCLIFFE TO SERVE AS SPECIAL COUNSEL  
IN CONNECTION WITH THE FISCAL YEAR 2011 FUEL HEDGING  
PROGRAM**

**ACTION**

Staff recommends that the Board authorize the General Manager/CEO to execute a contract with Orrick, Herrington & Sutcliffe, LLP, in an amount not to exceed \$125,000, to serve as special counsel to the District in connection with the FY2011 fuel hedging program.

**SIGNIFICANCE**

Per the fuel hedging policy adopted by the Board in March by Resolution No. 2010-21, staff will shortly begin the process of selecting a counterparty with a credit rating of AA/Aa by at least one national rating agency for the FY2011 fuel hedging program.

Staff recommends that the District enter into a contract with Orrick Herrington & Sutcliffe, LLP (Orrick) to serve as special counsel on this fuel hedging transaction. Orrick served as counsel on the fuel hedge transaction entered into for the current fiscal year as well as bond counsel on the District's 2005 and 2009 debt refinancings and brings a strong understanding of the District's history and requirements.

Staff expects to return to the Board in June 2010 to obtain approval on the award of a financial contract for fuel hedging services and in July 2010 to provide further details concerning the terms of the FY2011 fuel hedge.

**BUDGET IMPACT**

Orrick will be providing services jointly to both the District and the Peninsula Corridor Joint Powers Board (JPB). The total cost of Orrick's services will not exceed \$125,000, with the District responsible for 30 percent of the cost, based upon the District's proportional share of the total amount of the anticipated fuel hedge.

The District's FY2010 adjusted budget for fuel expenses adopted in January is \$5.6 million which incorporates an estimated savings from a diesel fuel price cap of \$1.0 million and service reductions of \$0.5 million compared with the FY2009 revised budget. Implementing a fuel hedging program going forward will enable the District to purchase half of its fuel within a pre-determined price range, thus giving the District a measure of budgetary certainty and allowing for more effective utilization of budget resources. With a fuel hedging constraint on fuel costs, staff believes the District will be able to hold the FY2011 budget to similar levels as the FY2010 budget if not better.

The results of the FY2011 fuel hedge will be incorporated into the District's FY2011 proposed budget for fuel expenses.

### **BACKGROUND**

The District currently purchases fuel from Pinnacle Petroleum based on the weekly spot price for diesel fuel, exposing the District to market price fluctuations. Over the past year, the price of diesel fuel has ranged from a high of \$2.22 per gallon in the first week of January 2010 to a low of \$1.14 in the third week of February 2009.

The District started a fuel hedging program in FY2010. The counterparty on the FY2010 transaction is Deutsche Bank AG. The District received its first payment from Deutsche Bank in February as the average price in January on the Gulf Coast USLD index was over the \$2.00 cap price. The District has also realized the primary purpose of the cap, which was to provide budget certainty.

Based on the success of this initial fuel hedging program and the approval of the fuel hedge policy by the Board in March by Resolution No. 2010-21, staff will implement the program for FY2011 utilizing the same strategy of purchasing a diesel fuel price cap which allows the District to limit its exposure when fuel prices rise, while continuing to receive the benefit when prices fall. No cap option transactions will be off shore transactions. Transactions would be based on the Gulf Coast ULSD index, which was highly correlated at a rate of 0.971 between 2001 and 2009 with the Oil Price Information Service (OPIS) index on which the price that the District pays for fuel is based, indicating a very close relationship between the two indices.

The primary goal of the program is to reduce volatility and uncertainty in the fuel budget. Staff intends on hedging 50 percent, or approximately 0.9 million gallons, of the District's projected diesel fuel usage for FY2011 using a price cap based on the Gulf Coast Ultra Low Sulfur Platt's U.S. index. The estimated budget savings from the diesel fuel price cap for the District is \$0.7 million compared to what the budget would need to be if the District did not hedge fuel and had to assume a cost of \$3.50 per gallon. In order to offer the quantity of gallons sufficient to undertake a hedging program, the District will again partner with the JPB, which also will hedge 50 percent of its annual consumption, or approximately 2.1 million gallons. The JPB approved this item at their April 1 board meeting.

Prepared by: Trish Reavey, Director of Finance

650-508-6434

**RESOLUTION NO. 2010-**

**SAN MATEO COUNTY TRANSIT DISTRICT  
STATE OF CALIFORNIA**

\* \* \*

**AUTHORIZING AWARD OF CONTRACT TO ORRICK, HERRINGTON AND  
SUTCLIFFE TO SERVE AS SPECIAL COUNSEL IN CONNECTION WITH THE  
FISCAL YEAR 2011 FUEL HEDGING PROGRAM**

**WHEREAS**, the San Mateo County Transit District (“District”) currently purchases approximately two million gallons of diesel fuel each year to conduct bus operations; and

**WHEREAS**, the Board adopted a fuel hedging policy in March by Resolution No. 2010-21 authorizing a fuel hedging program utilizing cap option methodology; and

**WHEREAS**, consistent with the fuel hedging policy, the District will shortly begin the process of selecting a counterparty with a credit rating of AA/Aa by at least one national rating agency for the FY2011 fuel hedging program; and

**WHEREAS**, the District requires the services of special counsel to assist it in the process of implementing a fuel hedge for the FY2011 fuel hedging program; and

**WHEREAS**, Orrick, Herrington & Sutcliffe, LLP, has served as the District’s special counsel in prior years, including advising on FY2010’s fuel hedging program, and has substantial experience with public transit financial transactions.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the San Mateo County Transit District hereby authorizes the General Manager/CEO to execute a

contract in an amount not to exceed \$125,000 with Orrick, Herrington & Sutcliffe, LLP, to serve as special counsel to the District in connection with the proposed fuel hedge for FY2011, with the understanding that the not to exceed amount includes services to be provided under a separate contract with the Peninsula Corridor Joint Powers Board, which is expected to pay 70 percent of the total cost of the special counsel services.

Regularly passed and adopted this 14<sup>th</sup> day of April, 2010 by the following vote:

AYES:

NOES:

ABSENT:

---

Chair, San Mateo County Transit District

ATTEST:

---

District Secretary

**SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT**

**TO:** Finance Committee

**THROUGH:** Michael J. Scanlon  
General Manager/CEO

**FROM:** Gigi Harrington  
Deputy CEO

**SUBJECT: AUTHORIZATION OF AMENDMENT OF FISCAL YEAR 2010  
OPERATING BUDGET**

**ACTION**

Staff proposes that the Finance Committee recommend that the Board adopt a resolution authorizing an amendment to decrease the Fiscal Year 2010 Operating Budget by \$210,245 for a new total of \$134,063,378 (See Attachment A). This amendment reflects various adjustments since the last revision, primarily due to reductions in District 1/2-Cent Sales Tax revenues and Transportation Development Act (TDA) Fund allocations from the Metropolitan Transportation Commission (MTC).

**Revenues/Sources of Funds:**

- Decrease of \$1,000,000 in Passenger Fares based on year-to-date actual receipts;
- Decrease of \$4,014,802 in Local TDA funds from the Metropolitan Transportation Commission (MTC) based on latest MTC fund estimates;
- Increase of \$75,000 in Passthrough to Other Agencies from Silicon Valley Community Foundation;
- Increase of \$2,238,192 in Operating Grants, including \$2,045,371 in Federal Transit Administration (FTA) formula funds for preventive maintenance;
- Decrease of \$265,956 from Measure A sales and use tax revenues;
- Decrease of \$2,216,300 in District 1/2-Cent Sales Tax revenues; and
- Increase of \$4,973,621 in Use of Reserves.

**Expenses/Uses of Funds:**

- Decrease of \$427,530 in District Motor Bus Expenses;
- Increase of \$75,000 in Passthrough to Other Agencies; and
- Increase of \$142,285 in Land Transfer Interest expenses.

## **SIGNIFICANCE**

### ***OPERATING REVENUES:***

#### **Passenger Fares: Decrease of \$1,000,000.**

The Passenger Fare line is projected to decrease by \$1,000,000 to reflect current economic trends. Ridership was down 6.6% during the first six months of the year. The District continues to see a drop in passenger fares due to the high unemployment rate in the region, currently at 8.9% in San Mateo County.

#### **Local TDA Transit Funds: Decrease of \$4,014,802.**

Since the adoption of the Fiscal Year 2010 Operating Budget, MTC has issued a revised FY2009-10 TDA fund estimate based on data received from the County Auditors. TDA fund allocations are expected to be lower than initially projected, with decreases of \$3,814,062 for Motor Bus and \$200,740 for the TDA 4.5 Redi-Wheels program.

#### **Passthrough to Other Agencies: Increase of \$75,000.**

The District was awarded a \$75,000 cash grant from the Silicon Valley Community Foundation (SVCF) to pass through to the City/County Association of Governments of San Mateo County (C/CAG) to conduct Phase 1 of the Grand Boulevard Initiative's Economic and Housing Opportunity Assessment (ECHO).

#### **Operating Grants: Increase of \$2,238,192.**

The District was awarded:

- \$2,045,371 in FTA formula funds for preventive maintenance. This is possible because an equivalent amount of funds was awarded from the American Recovery and Reinvestment Act (ARRA) for the replacement of up to 137 buses, thereby freeing up FTA formula funds for preventive maintenance expenses;
- \$63,096 in grant funds for the San Mateo County Community-Based Transportation Plan (CBTP);
- \$40,000 in funds through MTC for the South San Francisco and San Bruno Community-Based Transportation Plan (CBTP) to look at transportation needs of disadvantaged communities;
- \$19,725 in New Freedom Cycle 3 Funds for the Peninsula Rides Implementation; and
- \$70,000 in Homeland Security funds for the Security Plan and Threat Assessment program.

#### **Measure A: Decrease of \$265,956.**

The Measure A 1/2-cent sales tax estimate has been adjusted to reflect lower than budgeted total payments from the San Mateo County Transportation Authority (TA). Four percent of total sales tax revenues received from the Measure A program is designated for Paratransit and eight percent of sales tax revenues is designated for San Mateo County's share of the Peninsula Corridor Joint Powers Board (JPB) member agency contribution. The \$265,956 reduction reflects the TA's latest amended budget figures for funds designated for the District's paratransit and Caltrain programs.

**District 1/2-Cent Sales Tax: Decrease of \$2,216,300.**

The District's 1/2-Cent sales tax has been adjusted to reflect an estimated reduction in proceeds from the permanent 1/2-cent sales tax in the County.

**Reserves: Increase of \$4,973,621.**

The use of reserves is increased by \$4,973,621, from \$4,843,997 to \$9,817,618, primarily to offset the reduced sales tax contribution and TDA fund receipts.

***OPERATING EXPENSES:***

**District Motor Bus: Decrease of \$427,530.**

The budget decrease for District Motor Bus is comprised of changes in Professional Services, Fuel and Lubricants, Taxes and License Fees and Postage and Other as described below.

***Professional Services: Increase of \$298,971.***

The budget increase of \$250,000 in Legal Services is the result of on-going labor union negotiations for our Bus Supervisors, Bus Contract Inspectors, Dispatchers, Radio Controllers and Customer Service Representatives. Also included is consulting work associated with the South San Francisco and San Bruno CBTP at \$35,996 and the New Freedom Grant Cycle 3 grant at \$12,975.

***Fuel and Lubricants: Decrease of \$578,960.***

Diesel Fuel was budgeted at \$3.45 per gallon for Fiscal Year 2010; the average price per gallon through February, 2010 is \$2.03 per gallon. The fuel and lubricants line was decreased to reflect the savings from the fuel for the 1<sup>st</sup> eight months year to date.

***Taxes and License Fees: Decrease of \$152,085.***

A decrease of \$152,085 for fuel tax expenses is the result of lower budgeted fuel costs, as discussed above.

***Postage and Other: Increase of \$4,544.***

The Postage and Other line increase of \$4,544 is associated with work to be paid for by the New Freedom Cycle 3 grant.

**Pass Through To Other Agencies: Increase of \$75,000.**

This line reflects the \$75,000 grant from the SVCF and associated pass-through to C/CAG for Phase 1 of the Grand Boulevard Initiative's ECHO study.

**Land Transfer Interest Expense: Increase of \$142,285.**

On December 27, 2007, the District acquired from the TA four acres of property located in San Carlos along the Caltrain right of way for a promissory note of \$4,343,404. The agreement allows the District to pay for the purchase price over time, and before December 1, 2033, subject to the payment of interest at the current rate of return earned by the TA on its investment portfolio until the principal is paid in full. The amount of \$142,285 represents the District's payment to the TA for Fiscal Year 2010. This was not previously included in the budget report.

## **BUDGET IMPACT**

The overall impact to the FY2010 Operating Budget is a decrease in revenues and expenditures of \$210,245. The deficit of \$4,973,621 will be funded from the use of reserves.

## **BACKGROUND**

The District annually adopts an Operating Budget. On June 10, 2009 the Board adopted the FY2010 budget in the amount of \$136,525,075 as per Board Resolution No. 2009-32. On January 13, 2010 the board amended the budget in the amount of \$134,273,623 as per Board Resolution No. 2010-3. Staff is proposing to amend the budget for a new total of \$134,063,378.

Note that the format of the budget slightly differs from the monthly financial statement. **The transactions affected by changes are highlighted in blue font and the transactions that are revenue neutral are highlighted in green font as presented in Attachment A.**

Prepared by: Ladi Bhuller, Manager, Budgets

650-508-7755



**SAN MATEO COUNTY TRANSIT DISTRICT  
FY2010 REVISED OPERATING BUDGET**

Attachment A

	FY2008 ACTUAL A	FY2009 ADOPTED B	FY2009 REVISED C	FY2010 ADJUSTED D	FY2010 REVISED E	FY10 REVISED Compared to FY10 ADJUSTED Increase (Decrease) F= E-D	BUDGET PERCENT CHANGE G= F/D	
<b>SOURCES OF FUNDS:</b>								
<b>Operating Revenues</b>								
1 Passenger Fares	17,202,779	17,112,000	17,112,000	18,375,000	17,375,000	(1,000,000)	-5.4%	1
2 Local TDA and STA Funds	41,246,293	34,609,081	35,718,796	30,458,724	26,443,922	(4,014,802)	-13.2%	2
3 Passthrough to Other Agencies	3,123,301	175,365	175,365	1,864,661	1,939,661	75,000	4.0%	3
4 Operating Grants	1,735,053	2,045,723	7,925,717	4,429,071	6,667,263	2,238,192	50.5%	4
5 Measure A	3,680,746	6,611,824	6,611,824	8,597,724	8,331,768	(265,956)	-3.1%	5
6 AB434 Funds	576,000	576,000	576,000	570,000	570,000	0	0.0%	6
7 <b>Subtotal - Operating Revenues</b>	<b>67,564,172</b>	<b>61,129,993</b>	<b>68,119,702</b>	<b>64,295,180</b>	<b>61,327,614</b>	<b>(2,967,566)</b>	<b>-4.6%</b>	7
<b>Other Revenue Sources</b>								
9 District 1/2-Cent Sales Tax	68,666,621	65,370,000	65,370,000	62,216,300	60,000,000	(2,216,300)	-3.6%	9
10 Investment Interest	(203,669)	779,890	779,890	671,920	671,920	0	0.0%	10
11 Reserves		10,068,191	6,059,696	4,843,997	9,817,618	4,973,621	102.7%	11
12 Other Interest, Rent & Other Income	5,099,071	5,626,696	5,515,696	5,832,029	5,832,029	0	0.0%	12
13 <b>Subtotal - Other Revenues</b>	<b>73,562,022</b>	<b>81,844,777</b>	<b>77,725,282</b>	<b>73,564,246</b>	<b>76,321,567</b>	<b>2,757,321</b>	<b>3.7%</b>	13
14								14
15 <b>Total Sources of Funds</b>	<b>141,126,194</b>	<b>142,974,770</b>	<b>145,844,984</b>	<b>137,859,426</b>	<b>137,649,181</b>	<b>(210,245)</b>	<b>-0.2%</b>	15
16								16
<b>USES OF FUNDS:</b>								
18 District Motor Bus	92,027,057	96,351,608	99,145,988	97,648,125	97,220,595	(427,530)	-0.4%	18
19 ADA Programs	12,680,753	13,793,581	13,869,415	13,675,342	13,675,342	0	0.0%	19
20 Caltrain	16,040,087	16,521,290	16,521,290	16,521,290	16,521,290	0	0.0%	20
21 Other MultiModal Programs	3,710,514	4,602,175	4,602,175	4,564,205	4,564,205	0	0.0%	21
22 Passthrough to Other Agencies	3,123,301	175,365	175,365	1,864,661	1,939,661	75,000	4.0%	22
23 Land Transfer Interest Expense	174,127	0	0	0	142,285	142,285	#DIV/0!	23
24 Operating Contingency	0	500,000	500,000	0	0	0	#DIV/0!	24
25 <b>Subtotal - Operating Costs</b>	<b>127,755,839</b>	<b>131,944,019</b>	<b>134,814,233</b>	<b>134,273,623</b>	<b>134,063,378</b>	<b>(210,245)</b>	<b>-0.2%</b>	25
26								26
27 <b>Total Uses of Funds</b>	<b>127,755,839</b>	<b>131,944,019</b>	<b>134,814,233</b>	<b>134,273,623</b>	<b>134,063,378</b>	<b>(210,245)</b>	<b>-0.2%</b>	27
28								28
29 <b>TOTAL OPERATING SURPLUS/(DEFICIT)</b>	<b>13,370,355</b>	<b>11,030,751</b>	<b>11,030,751</b>	<b>3,585,803</b>	<b>3,585,803</b>	<b>0</b>	<b>0.0%</b>	29
30								30
31 <b>Sales Tax Allocation - Capital Programs</b>	<b>15,973,240</b>	<b>11,030,751</b>	<b>11,030,751</b>	<b>3,585,803</b>	<b>3,585,803</b>	<b>0</b>	<b>0.0%</b>	31
32								32
33 <b>TOTAL OPERATING CAPITAL-SURPLUS/(DEFICIT)</b>	<b>(2,602,885)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>#DIV/0!</b>	33
34								34
<b>DEBT SERVICE</b>								
<b>SOURCES OF FUNDS:</b>								
37 Bond Proceeds	16,580,173	17,567,460	17,567,460	19,231,942	19,231,942	0	0.0%	37
38 Investment Interest	6,865,454	6,147,680	6,147,680	5,245,900	5,245,900	0	0.0%	38
39 <b>Total Sources of Funds</b>	<b>23,445,627</b>	<b>23,715,140</b>	<b>23,715,140</b>	<b>24,477,842</b>	<b>24,477,842</b>	<b>0</b>	<b>0.0%</b>	39
40								40
<b>USES OF FUNDS:</b>								
42 Debt Service	23,337,279	23,603,880	23,603,880	24,450,342	24,450,342	0	0.0%	42
43 Fiscal Agent Fees	108,348	111,260	111,260	27,500	27,500	0	0.0%	43
44 <b>Total Uses of Funds</b>	<b>23,445,627</b>	<b>23,715,140</b>	<b>23,715,140</b>	<b>24,477,842</b>	<b>24,477,842</b>	<b>0</b>	<b>0.0%</b>	44
45								45
46 <b>DEBT SERVICE SURPLUS/(DEFICIT)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>	46
47								47
48 <b>Total Uses of Reserves &amp; Reimbursed Bond Proceeds</b>	<b>19,183,058</b>	<b>27,635,651</b>	<b>23,627,156</b>	<b>24,075,939</b>	<b>29,049,560</b>	<b>4,973,621</b>		48

**SAN MATEO COUNTY TRANSIT DISTRICT  
FY2010 REVISED OPERATING BUDGET**

	<u>FY2008 ACTUAL</u>	<u>FY2009 ADOPTED</u>	<u>FY2009 REVISED</u>	<u>FY2010 ADJUSTED</u>	<u>FY2010 REVISED</u>	<b>FY10 REVISED Compared to FY10 ADJUSTED</b> Increase (Decrease) F = E - D	<b>BUDGET PERCENT CHANGE</b> G = F / D		
	A	B	C	D	E	F = E - D	G = F / D		
<b>OPERATING REVENUES - MOTOR BUS:</b>									
1	<b>TOTAL MOTOR BUS FARES</b>	16,613,093	16,520,000	16,520,000	17,656,000	16,656,000	(1,000,000)	-5.7%	1
2									2
3	<b>LOCAL (TDA) TRANSIT FUND:</b>								
4	General Operating Assistance	30,073,075	30,071,123	30,071,123	28,477,104	24,663,042	(3,814,062)	-13.4%	4
5									5
6	<b>STATE TRANSIT ASSISTANCE:</b>								
7	STA Base	4,733,079	2,332,106	3,645,355	0	0	0	#DIV/0!	7
8	STA Repayment of ROW	4,422,174					0	#DIV/0!	8
9	STA Lifeline	0	0	0	5,000	5,000	0	0.0%	9
10	STA Augmentation (Prop 1B)	0	0	0	266,510	266,510	0	0.0%	10
11	<b>STA TOTAL</b>	<b>9,155,253</b>	<b>2,332,106</b>	<b>3,645,355</b>	<b>271,510</b>	<b>271,510</b>	<b>0</b>	<b>0.0%</b>	11
12	<b>OPERATING GRANTS:</b>								
13	Operating Grants	1,570,327	1,615,723	6,707,890	3,117,885	5,356,077	2,238,192	71.8%	13
14									14
15	<b>DISTRICT 1/2-CENT SALES TAX:</b>								
16	General Operating Assistance	29,322,182	40,247,635	36,747,602	43,139,816	45,288,156	2,148,340	5.0%	16
17	Accessibility Fixed Route	939,734	918,243	918,243	979,092	979,092	0	0.0%	17
18	<b>TOTAL 1/2-CENT SALES TAX</b>	<b>30,261,916</b>	<b>41,165,878</b>	<b>37,665,845</b>	<b>44,118,908</b>	<b>46,267,248</b>	<b>2,148,340</b>	<b>4.9%</b>	18
19									19
20	<b>INVESTMENT INTEREST INCOME</b>								
21	Investment Interest Income	(203,669)	779,890	779,890	140,670	140,670	0	0.0%	21
22									22
23	<b>OTHER REVENUE SOURCES:</b>								
24	Overnight Deposit Interest Income	61,023	84,430	84,430	4,560	4,560	0	0.0%	24
25	Rental Income	1,007,806	1,007,760	1,007,760	1,041,900	1,041,900	0	0.0%	25
26	Advertising Income	1,287,500	1,300,000	1,300,000	1,450,000	1,450,000	0	0.0%	26
27	Other Income	1,269,052	1,474,698	1,363,698	1,369,588	1,369,588	0	0.0%	27
28	<b>TOTAL OTHER REVENUES</b>	<b>3,625,382</b>	<b>3,866,888</b>	<b>3,755,888</b>	<b>3,866,048</b>	<b>3,866,048</b>	<b>0</b>	<b>0.0%</b>	28
29									29
30	<b>TOTAL MOTOR BUS</b>	<b>91,095,377</b>	<b>96,351,608</b>	<b>99,145,991</b>	<b>97,648,125</b>	<b>97,220,595</b>	<b>(427,530)</b>	<b>-0.4%</b>	30
31									31
32	<b>AMERICAN DISABILITIES ACT:</b>								
33	Passenger Fares-Redi-Wheels	589,686	592,000	592,000	719,000	719,000	0	0.0%	33
34	Local TDA 4.5 Redi-Wheels	1,634,981	1,513,691	1,513,691	1,498,795	1,298,055	(200,740)	-13.4%	34
35	Local STA - Paratransit	382,984	692,161	488,627	211,315	211,315	0	0.0%	35
36	Operating Grants	0	0	787,827	1,052,641	1,052,641	0	0.0%	36
37	Sales Tax - Paratransit District	6,225,876	6,890,781	6,382,321	5,901,239	6,190,631	289,392	4.9%	37
38	Sales Tax - Paratransit Suppl. Coastside	1,067,535	1,082,066	1,082,066	1,272,450	1,272,450	0	0.0%	38
39	Interest Income-Paratransit Fund	0	0	0	531,250	531,250	0	0.0%	39
40	Measure A Redi-Wheels	2,779,692	3,022,882	3,022,882	2,488,652	2,400,000	(88,652)	-3.6%	40
41	<b>TOTAL ADA PROGRAMS</b>	<b>12,680,754</b>	<b>13,793,581</b>	<b>13,869,414</b>	<b>13,675,342</b>	<b>13,675,342</b>	<b>0</b>	<b>0.0%</b>	41
42									42
43	<b>MULTIMODAL TRANSIT PROGRAMS:</b>								
44	Sales Tax - Caltrain	16,040,087	13,993,290	13,993,290	11,543,986	11,721,290	177,304	1.5%	44
45	Transfer from TA for Caltrain	0	2,528,000	2,528,000	4,977,304	4,800,000	(177,304)	-3.6%	45
46	TA Funded SM/Caltrain Shuttles	901,054	1,060,942	1,060,942	1,131,768	1,131,768	0	0.0%	46
47	Employer Share SM/Caltrain Shuttles	482,921	726,379	726,379	586,217	586,217	0	0.0%	47
48	AB434 Funds - SamTrans Shuttle	576,000	576,000	576,000	570,000	570,000	0	0.0%	48
49	Employer SamTrans Shuttle Funds	990,768	1,033,429	1,033,429	1,379,764	1,379,764	0	0.0%	49
50	Sales Tax - SamTrans Shuttle Program	295,960	373,816	373,816	316,861	316,861	0	0.0%	50
51	Operating Grants	164,726	430,000	430,000	258,545	258,545	0	0.0%	51
52	Sales Tax - Gen. Operating Asst.	299,086	901,608	901,608	321,050	321,050	0	0.0%	52
53	<b>TOTAL MULTIMODAL</b>	<b>19,750,601</b>	<b>21,623,464</b>	<b>21,623,464</b>	<b>21,085,495</b>	<b>21,085,495</b>	<b>0</b>	<b>0.0%</b>	53
54									54
55	<b>TOTAL REVENUES</b>	<b>123,526,732</b>	<b>131,768,653</b>	<b>134,638,869</b>	<b>132,408,962</b>	<b>131,981,432</b>	<b>(427,530)</b>	<b>-0.3%</b>	55

**SAN MATEO COUNTY TRANSIT DISTRICT  
FY2010 REVISED OPERATING BUDGET**

	<u>FY2008 ACTUAL</u>	<u>FY2009 ADOPTED</u>	<u>FY2009 REVISED</u>	<u>FY2010 ADJUSTED</u>	<u>FY2010 REVISED</u>	<u>FY10 REVISED Compared to FY10 ADJUSTED Increase (Decrease) F = E-D</u>	<u>BUDGET PERCENT CHANGE G = F/D</u>	
	A	B	C	D	E			
<b>DISTRICT OPERATED BUSES</b>								
1 Wages and Benefits	50,884,518	52,045,447	52,045,447	53,545,216	53,545,216	0	0.0%	1
2 Services:								2
3 Board of Directors	45,590	53,000	53,000	53,090	53,090	0	0.0%	3
4 Contracted Vehicle Maintenance	444,212	659,420	1,786,647	662,910	662,910	0	0.0%	4
5 Property Maintenance	1,177,968	1,472,000	1,472,000	1,434,000	1,434,000	0	0.0%	5
6 Professional Services	2,085,973	2,847,466	2,994,666	2,867,915	<b>3,166,886</b>	<b>298,971</b>	10.4%	6
7 Technical Services	3,553,126	3,361,418	3,444,918	3,777,539	3,777,539	0	0.0%	7
8 Other Services	395,714	474,304	474,304	450,246	450,246	0	0.0%	8
9								9
10 Materials & Supply:								10
11 Fuel and Lubricants	5,657,823	6,340,082	7,374,022	5,701,986	<b>5,123,026</b>	<b>(578,960)</b>	-10.2%	11
12 Bus Parts and Materials	2,084,787	1,989,187	1,989,187	1,995,008	1,995,008	0	0.0%	12
13 Uniform and Drivers Expense	365,238	450,241	450,241	394,348	394,348	0	0.0%	13
14 Timetables and Tickets	256,224	225,300	225,300	217,500	217,500	0	0.0%	14
15 Office Supplies/Printing	272,804	370,763	370,763	340,055	340,055	0	0.0%	15
16 Other Materials and Supply	150,543	191,500	191,500	183,750	183,750	0	0.0%	16
17								17
18 Utilities:								18
19 Telecommunications	412,667	403,000	403,000	396,000	396,000	0	0.0%	19
20 Other Utilities	925,060	996,000	996,000	996,000	996,000	0	0.0%	20
21 Insurance Costs	2,488,266	2,293,500	2,293,500	2,292,000	2,292,000	0	0.0%	21
22 Workers' Compensation	2,848,721	3,042,050	3,042,050	3,172,050	3,172,050	0	0.0%	22
23 Taxes and License Fees	490,225	577,323	660,471	610,775	<b>458,690</b>	<b>(152,085)</b>	-24.9%	23
24 Fixed-route Accessibility	939,734	918,243	922,208	979,092	979,092	0	0.0%	24
25 Leases and Rentals	116,393	140,370	140,370	115,588	115,588	0	0.0%	25
26 Prmtnl and Legal Advertising	305,938	450,000	450,000	340,000	340,000	0	0.0%	26
27 Training & Business Travel	211,754	207,115	207,115	192,075	192,075	0	0.0%	27
28 Dues and Membership	86,834	101,525	101,525	91,085	91,085	0	0.0%	28
29 Postage and other	54,331	80,710	80,710	76,680	<b>81,224</b>	<b>4,544</b>	5.9%	29
30								30
<b>31 Total District Operated Buses</b>	<b>76,254,443</b>	<b>79,689,964</b>	<b>82,168,944</b>	<b>80,884,908</b>	<b>80,457,378</b>	<b>(427,530)</b>	<b>-0.5%</b>	31
32								32
<b>33 CONTRACTED BUS SERVICES</b>								33
34 Contracted Urban Bus Service	13,945,310	14,648,100	14,963,500	14,605,502	14,605,502	0	0.0%	34
35 Other Related Costs	403,557	312,156	312,156	323,285	323,285	0	0.0%	35
36 Insurance Costs	446,118	655,000	655,000	655,000	655,000	0	0.0%	36
37 Coastside Services	533,654	545,000	545,000	633,590	633,590	0	0.0%	37
38 RediCoast Non-ADA	235,650	270,000	270,000	261,980	261,980	0	0.0%	38
39 Other Related Costs	33,591	60,467	60,467	61,410	61,410	0	0.0%	39
40 La Honda Pescadero	52,500	52,500	52,500	52,500	52,500	0	0.0%	40
41 Southcoast - Pescadero	118,114	105,600	105,600	156,170	156,170	0	0.0%	41
42 Other Related Costs-SamCoast	4,119	12,821	12,821	13,780	13,780	0	0.0%	42
<b>43 Total Contracted Bus Service</b>	<b>15,772,613</b>	<b>16,661,644</b>	<b>16,977,044</b>	<b>16,763,217</b>	<b>16,763,217</b>	<b>0</b>	<b>0.0%</b>	43
44								44
<b>45 TOTAL MOTOR BUS</b>	<b>92,027,057</b>	<b>96,351,608</b>	<b>99,145,988</b>	<b>97,648,125</b>	<b>97,220,595</b>	<b>(427,530)</b>	<b>-0.4%</b>	45

**SAN MATEO COUNTY TRANSIT DISTRICT  
FY2010 REVISED OPERATING BUDGET**

	<u>FY2008 ACTUAL</u>	<u>FY2009 ADOPTED</u>	<u>FY2009 REVISED</u>	<u>FY2010 ADJUSTED</u>	<u>FY2010 REVISED</u>	<b>FY10 REVISED Compared to FY10 ADJUSTED</b> <u>Increase (Decrease)</u> F = E-D	<b>BUDGET PERCENT CHANGE</b> G = F/D		
	A	B	C	D	E				
<b>AMERICAN DISABILITY ACT PROGRAMS</b>									
46	Elderly & Disabled/Redi-Wheels	5,677,817	6,452,150	6,452,150	5,771,819	5,771,819	0	0.0%	46
47	Other Related Costs	2,188,752	2,482,673	2,558,507	2,557,633	2,557,633	0	0.0%	47
48	ADA Sedan Service	2,518,731	2,261,327	2,261,327	2,778,640	2,778,640	0	0.0%	48
49	ADA Accessibility Support	936,873	1,000,365	1,000,365	779,800	779,800	0	0.0%	49
50	Coastside Support	1,067,535	1,082,066	1,082,066	1,272,450	1,272,450	0	0.0%	50
51	Insurance Costs	291,046	515,000	515,000	515,000	515,000	0	0.0%	51
52	<b>TOTAL ADA PROGRAMS</b>	<b>12,680,753</b>	<b>13,793,581</b>	<b>13,869,415</b>	<b>13,675,342</b>	<b>13,675,342</b>	<b>0</b>	<b>0.0%</b>	52
<b>MULTIMODAL TRANSIT PROGRAMS</b>									
54	<b>CALTRAIN SERVICE</b>								54
55									55
56	Peninsula Rail Service	16,040,087	16,521,290	16,521,290	16,521,290	16,521,290	0	0.0%	57
58	<b>Total Caltrain Service</b>	<b>16,040,087</b>	<b>16,521,290</b>	<b>16,521,290</b>	<b>16,521,290</b>	<b>16,521,290</b>	<b>0</b>	<b>0.0%</b>	58
59	<b>OTHER SUPPORT</b>								59
60	Dumbarton Express Service	146,089	155,008	155,008	125,950	125,950	0	0.0%	61
62	SamTrans Shuttle	1,862,727	1,983,245	1,983,245	2,266,625	2,266,625	0	0.0%	62
63	SM/Caltrain Shuttle	1,548,701	2,217,322	2,217,322	1,976,530	1,976,530	0	0.0%	63
64	Maintenance Multimodal Fac	145,695	224,100	224,100	195,100	195,100	0	0.0%	64
65	<b>Total Other Support</b>	<b>3,703,212</b>	<b>4,579,675</b>	<b>4,579,675</b>	<b>4,564,205</b>	<b>4,564,205</b>	<b>0</b>	<b>0.0%</b>	65
66									66
67	MultiModal Promotion	7,302	22,500	22,500	0	0	0	#DIV/0!	67
68									68
69	<b>TOTAL MULTIMODAL PROGRAMS</b>	<b>19,750,601</b>	<b>21,123,465</b>	<b>21,123,465</b>	<b>21,085,495</b>	<b>21,085,495</b>	<b>0</b>	<b>0.0%</b>	69
70									70
71	<b>CONTINGENCY</b>								71
72	Operating Contingency		500,000	500,000	0	0	0	#DIV/0!	72
73									73
74	<b>TOTAL OPERATING EXPENSES</b>	<b>124,458,411</b>	<b>131,768,654</b>	<b>134,638,868</b>	<b>132,408,962</b>	<b>131,981,432</b>	<b>(427,530)</b>	<b>-0.3%</b>	74

**RESOLUTION NO. 2010-**

**BOARD OF DIRECTORS, SAN MATEO COUNTY TRANSIT DISTRICT  
STATE OF CALIFORNIA**

\* \* \*

**AUTHORIZATION OF AN AMENDMENT TO DECREASE THE  
FISCAL YEAR 2010 OPERATING BUDGET IN THE AMOUNT OF  
\$210,245 FOR A TOTAL BUDGET OF \$134,063,378**

**WHEREAS**, Section 103141(b) of the California Public Utilities Code requires the Board of Directors to adopt an annual budget for the San Mateo County Transit District (“District”); and

**WHEREAS**, on June 10, 2009 and pursuant to Resolution No. 2009-32, the Board of Directors of the District adopted the Fiscal Year 2010 Preliminary Operating Budget in the amount of \$136,525,075; and

**WHEREAS**, since the adoption of the Fiscal Year 2010 Preliminary Operating Budget in June of 2009, the District has recommended various budget reduction measures, including reductions in personnel and transportation services, as a means of addressing the District’s budget deficit to achieve strategic goals and attain long term financial stability; and

**WHEREAS**, on September 9, 2009 and pursuant to Resolution No. 2009-51, the Board of Directors of the District adopted a negative declaration and approved the implementation of SamTrans FY2010 Bus Service Reductions effective December 20, 2009; and

**WHEREAS**, on January 13, 2010 and pursuant to Resolution 2010-3, the Board of Directors of the District amended the Fiscal Year 2010 Operating Budget for a new total of \$134,273,623; and

**WHEREAS**, since the amendment of the Fiscal Year 2010 Operating Budget, a further reduction to the Operating Budget is needed to reflect decreases in expected revenues based on current economic trends and corresponding reductions in expenditures; and

**WHEREAS**, due to current economic trends, Passenger Fares revenues are expected to be \$1,000,000 lower than estimates made when the Board adopted the Fiscal Year 2010 Operating Budget; and

**WHEREAS**, since the amendment of the Fiscal Year 2010 Operating Budget, Transportation Development Act (TDA) funding available through the Metropolitan Transportation Commission and TDA 4.5 funding for paratransit have decreased by \$3,814,062 and \$200,740, respectively; and

**WHEREAS**, since the amendment of the Fiscal Year 2010 Operating Budget, an additional \$75,000 cash grant from the Silicon Valley Community Foundation (SVCF) was awarded to the District to pass through to the City/County Association of Governments of San Mateo County (C/CAG) to conduct Phase 1 of the Grand Boulevard Initiative's Economic and Housing Opportunity Assessment (ECHO); and

**WHEREAS**, since the amendment of the Fiscal Year 2010 Operating Budget, an additional \$2,238,192 in operating grants have been made available to the District; and

**WHEREAS**, since the amendment of the Fiscal Year 2010 Operating Budget, the District's expected revenue from the County's 1/2-Cent Sales Tax has decreased by \$2,216,300 based on the San Mateo County Transportation Authority's revised projections; and

**WHEREAS**, since the amendment of the Fiscal Year 2010 Operating Budget, the District's expenses have decreased an additional \$210,245, including increases of \$298,971 in Professional Services, \$75,000 in pass-throughs to other agencies and \$142,285 in Land Transfer

Interest expenses and \$4,544 in Postage and Other expenses, offset by decreases of \$578,960 in fuel costs and \$152,085 in Taxes and Licenses; and

**WHEREAS**, despite decreased anticipated expenditures, the potential impact of the aforementioned reduction in passenger fares, sales tax revenue and TDA grant funds will require a \$4,973,621 increase in the use of one-time funds to achieve a balanced budget; and

**WHEREAS**, the General Manager/CEO recommends that the Fiscal Year 2010 Preliminary Operating Budget be amended in the amount of \$210,245 for a total amended budget in the amount of \$134,063,378.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the San Mateo County Transit District hereby approves an amendment decreasing the Fiscal Year 2010 Operating Budget by \$210,245 for a total amended Operating Budget of \$134,063,378; and

**BE IT FURTHER RESOLVED** that the General Manager is directed to submit the amended budget to the Metropolitan Transportation Commission, together with a copy of this resolution at the earliest practicable date.

Regularly passed and adopted this 14th day of April, 2010 by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Chair, San Mateo County Transit District

ATTEST:

\_\_\_\_\_  
District Secretary

**SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT**

TO: Finance Committee

THROUGH: Michael J. Scanlon  
General Manager/CEO

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **AUTHORIZE AMENDMENT TO THE FY2010 DISTRICT CAPITAL BUDGET TO INCLUDE FUNDING FOR SAN BRUNO GRADE SEPARATION REAL ESTATE ACQUISITION ACTIVITIES AND CLIPPER<sup>SM</sup> (FORMERLY TRANSLINK<sup>®</sup>) SITE PREPARATION COSTS**

**ACTION**

Staff proposes that the Committee recommend Board approval to increase the Fiscal Year (FY) 2010 San Mateo County Transit District (District) Capital Budget by \$1,428,000, for a total FY2010 Capital Budget of \$20,159,316, to include budget authority for two projects:

1. \$1,200,000 for property acquisition activities associated with the Caltrain San Bruno Grade Separation projects; and
2. \$228,000 for Clipper<sup>SM</sup> site preparation work at the SamTrans bus facilities.

**SIGNIFICANCE**

The FY2010 District Capital Budget was previously approved by the Board on June 10, 2009 under Resolution No. 2009-33 in the amount of \$18,731,316. The proposed amendment would add two projects to the FY2010 Capital Budget as follows:

**Caltrain San Bruno Grade Separation**

The scope of the San Bruno Grade Separation project includes elimination of three street-level grade crossings by lowering San Bruno, San Mateo and Angus avenues, raising of the railroad tracks, and the construction of pedestrian underpasses at Euclid, San Bruno and Sylvan Avenues in the City of San Bruno on the Caltrain right-of-way. The Peninsula Corridor Joint Powers Board (JPB) is the project sponsor and is expecting to award a construction contract for the project by June 30, 2010. Right-of-way certification for this project must be in place prior to construction contract award. As JPB is not legally authorized to file condemnation actions, the District has been requested to exercise its condemnation powers on behalf of the JPB. Pursuant to SamTrans Resolution No. 2009-67, the District entered into a cooperative agreement with the JPB for the performance of such activities. Although the JPB is expected to reach a settlement with the property owners, the JPB must begin the condemnation process now in order to meet the required deadlines. Amending the District Capital Budget will allow the District to pay for such



transactions if they become necessary. The JPB will reimburse any expenses incurred by the District associated with such property transactions.

Clipper<sup>SM</sup> Site Preparation at SamTrans Facilities

Clipper<sup>SM</sup> is an automated fare payment system for intra- and inter-operator transit trips in the San Francisco Bay Area. The District is one of a number of participating transit operators in the Bay Area that will implement Clipper<sup>SM</sup>. In order to prepare for the implementation of this fare payment system, site preparation work at the SamTrans bus facilities is necessary, which will include installation of new electrical and communication circuits. The estimated cost of such work is \$228,000, and the Metropolitan Transportation Commission (MTC) will fully reimburse the District for completing this work. The source of the MTC funding is Federal formula funds; however, the contract vehicle the District will use to complete the project work is not eligible for Federal funding. Therefore the District is unable to use the Federal formula funds to pay for the site preparation work performed under the contract. As a result, the District proposes to cover the cost of the site preparation work with \$228,000 in District sales tax revenues and MTC will reimburse the District with \$228,000 in Federal formula funds that will defray the District's preventive maintenance expenses in FY2011.

**BUDGET IMPACT**

The proposed addition of \$1,200,000 for the Caltrain San Bruno Grade Separation project will be fully reimbursed by the JPB. No District local sales tax is required.

The \$228,000 for the Clipper<sup>SM</sup> site preparation work at the SamTrans bus facilities will come from District local sales tax, however, as discussed above, MTC will fully reimburse the District by providing an equal amount in Federal formula funds in FY2011.

**BACKGROUND**

The District annually adopts a Capital Budget to accompany the Operating Budget. The purpose of the Capital Budget is to implement a balanced program of projects that gives the District the ability to meet its goals and policies as set forth in the Ten-year Short Range Transit Plan.

Prepared by: April Chan, Director, Budgets and Grants

650-508-6228

**RESOLUTION NO. 2010 –**

**BOARD OF DIRECTORS, SAN MATEO COUNTY TRANSIT DISTRICT  
STATE OF CALIFORNIA**

**\* \* \***

**AUTHORIZING AMENDMENT TO THE FISCAL YEAR 2010 CAPITAL BUDGET  
IN THE AMOUNT OF \$1,428,000 FOR A TOTAL BUDGET OF \$20,159,316**

**WHEREAS**, pursuant to Resolution No. 2009-33, adopted on June 10, 2009, the San Mateo County Transit District (District) approved the Fiscal Year (FY) 2010 District Capital Budget in the total amount of \$18,731,316; and

**WHEREAS**, funding for two new capital projects, the San Bruno Grade Separation project and the Clipper<sup>SM</sup> site preparation project, is proposed to be included in an amended FY2010 Capital Budget, as further described below; and

**WHEREAS**, the scope of the San Bruno Grade Separation project includes elimination of three street-level grade crossings by lowering San Bruno, San Mateo and Angus Avenues, raising of the railroad tracks, and the construction of pedestrian underpasses at Euclid, San Bruno and Sylvan Avenues in the City of San Bruno on the Caltrain right-of-way; and

**WHEREAS**, the Peninsula Corridor Joint Powers Board (JPB) is the San Bruno Grade Separation project sponsor and is expecting to award a construction contract for the project by June 30, 2010, by which time right-of-way certification for this project must be in place; and

**WHEREAS**, since the JPB is not legally authorized to file condemnation actions, the District agreed to perform on behalf of the JPB the right-of-way certification and related services, including initiation of eminent domain proceedings, in connection with the San Bruno Grade Separation project pursuant to a cooperative agreement authorized by Resolution No. 2009-67; and

**WHEREAS**, the JPB will reimburse the District for all costs associated with the performance of right-of-way certification and related services for the San Bruno Grade Separation project, which costs are estimated to be \$1,200,000 and are now proposed for inclusion in the FY2010 Capital Budget; and

**WHEREAS**, the District is required to conduct site preparation work at the SamTrans bus facilities to prepare for the implementation of Clipper<sup>SM</sup>, an automated fare payment system for intra- and inter-operator transit trips in the San Francisco Bay Area; and

**WHEREAS**, the Metropolitan Transportation Commission (MTC) will use federal funds to fully reimburse the District for the costs of completing this work, which is estimated at \$228,000; and

**WHEREAS**, since the District plans to use an existing contract for the project work that is not eligible for Federal funding, the District proposes to cover the cost of the site preparation work with \$228,000 in District sales tax revenues and the MTC will reimburse the District with \$228,000 in Federal formula funds that will defray the District's preventive maintenance expenses in FY2011.

**NOW, THEREFORE, BE IT RESOLVED** that the San Mateo County Transit District Board approves an amendment to increase the FY2010 Capital Budget in the amount of \$1,428,000 for a total revised budget of \$20,159,316 for two projects as follows:

1. \$1,200,000 for property acquisition activities associated with the Caltrain San Bruno Grade Separation project and
2. \$228,000 for Clipper<sup>SM</sup> site preparation work at the SamTrans bus facilities,

with the understanding that the costs of these projects will be covered by the JPB and MTC, respectively, as recited above; and

**BE IT FURTHER RESOLVED** that the Board authorizes the Executive Director to take such additional actions as may be necessary to give effect to this Resolution.

Regularly passed and adopted this 14<sup>th</sup> day of April 2010, by the following vote:

AYES:

NOES:

ABSENT:

---

Chair, San Mateo County Transit District

ATTEST:

---

District Secretary

**SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT**

TO: Finance Committee

THROUGH: Michael J. Scanlon  
General Manager/CEO

FROM: Gigi Harrington                      Marian Lee  
Deputy CEO                                      Executive Officer, Planning & Development

SUBJECT: **AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS FOR PERFORMANCE OF PHASE I OF THE ECONOMIC AND HOUSING OPPORTUNITY ASSESSMENT FOR THE GRAND BOULEVARD INITIATIVE**

**ACTION**

Staff proposes that the Committee recommend the Board authorize the General Manager/CEO, or his designee, to enter into a Memorandum of Understanding with the City/County Association of Governments of San Mateo County (C/CAG) for performance of Phase I of the Grand Boulevard Initiative's Economic and Housing Opportunity Assessment (ECHO) to be managed by the District and funded by the District, C/CAG, the Silicon Valley Community Foundation and the Metropolitan Transportation Commission (MTC).

**SIGNIFICANCE**

As part of the Grand Boulevard Initiative (GBI), C/CAG is conducting the ECHO study to define the overall development potential for the Mission Street/El Camino Real Corridor from Daly City to San Jose and to make the case for why new development will benefit individual communities as well as the region.

C/CAG is contributing \$100,000 toward completion of Phase I of the ECHO study and has contracted with Strategic Economics for this work. The District will contribute \$30,000 in staff time to manage the study and will pass through to C/CAG a \$75,000 cash grant from the Silicon Valley Community Foundation (SVCF). In addition, the District has secured a \$50,000 FOCUS Technical Assistance Program in-kind grant from MTC, which will directly fund Strategic Economics' work on the project.

**BUDGET IMPACT**

\$30,000 in staff time has been included in the District's FY2010 Capital Budget. The \$75,000 cash grant from the Silicon Valley Community Foundation is included in the amendment to the District's FY2010 Operating Budget also before this Board as a separate agenda item today.

## **BACKGROUND**

The GBI is an inter-jurisdictional collaboration to bring about regional planning through a shared vision that links transportation and land use along the Mission Street/El Camino Corridor (State Highway 82) from Daly City to San Jose. The Grand Boulevard Task Force was convened in 2006 and includes 19 cities, San Mateo and Santa Clara counties, Caltrans, the District, C/CAG, the Santa Clara Valley Transportation Authority (VTA), Joint Venture: Silicon Valley Network, the San Mateo County Economic Development Association (SAMCEDA), regional agencies and other stakeholders united to improve the performance, safety and aesthetics of this State Highway. The goal of the GBI is to link the Corridor's robust transportation infrastructure with proposals that generate economic growth, develop housing and retail opportunities, and create an inviting pedestrian- and transit-oriented environment.

Project Manager: Corinne Goodrich, Manager, Strategic Development

650-508-6369

**RESOLUTION NO. 2010-**

**BOARD OF DIRECTORS, SAN MATEO COUNTY TRANSIT DISTRICT**

**STATE OF CALIFORNIA**

\*\*\*

**AUTHORIZATION TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY FOR PERFORMANCE OF PHASE I OF THE ECONOMIC AND HOUSING OPPORTUNITY ASSESSMENT FOR THE GRAND BOULEVARD INITIATIVE**

**WHEREAS**, in furtherance of the goals of the Grand Boulevard Initiative, Phase I of the Economic and Housing Opportunity Assessment (Assessment) will define the overall development potential for the Mission Street/El Camino Real Corridor from Daly City to San Jose and will make the case for why new development will benefit individual communities as well as the region; and

**WHEREAS**, the City/County Association of Governments of San Mateo County (C/CAG) and the San Mateo County Transit District (District) desire to enter into a Memorandum of Understanding to memorialize that the parties will work cooperatively to implement and fund the Assessment; and

**WHEREAS**, C/CAG has executed a contract with consultant Strategic Economics to conduct the Assessment; and

**WHEREAS**, C/CAG is responsible for paying \$100,000 towards the Assessment and the District is responsible for passing through a \$50,000 grant from the Metropolitan Transportation Commission FOCUS Technical Assistance Program and a \$75,000 cash grant from the Silicon Valley Community Foundation; and

**WHEREAS**, the District will also serve as Project Manager for implementation of the Assessment, which in-kind contribution of staff time is valued at \$30,000.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the San Mateo County Transit District hereby authorizes:

1. The General Manager/CEO, or his designee, to execute a Memorandum of Understanding with the City/County Association of Governments of San Mateo County for performance of Phase I of the Economic and Housing Opportunities

Assessment for the Grand Boulevard Initiative and to provide any documentation required for the receipt of \$75,000 in Silicon Valley Community Foundation grant funds and \$50,000 in Metropolitan Transportation Commission FOCUS Technical Assistance Program in-kind services for the Assessment; and

2. The General Manager/CEO, or his designee, to take such other actions as may be necessary to give effect to the Resolution.

Regularly passed and adopted this 14<sup>th</sup> day of April, 2010, by the following vote:

AYES:

NOES:

ABSENT:

---

Chair, San Mateo County Transit District

ATTEST:

---

District Secretary



**SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT**

TO: Finance Committee

THROUGH: Michael J. Scanlon  
General Manager/CEO

FROM: Gigi Harrington                      Marian Lee  
Deputy CEO    Executive Officer, Planning & Development

SUBJECT: **AUTHORIZATION TO ENTER INTO A FUNDING AGREEMENT  
WITH THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS FOR  
PERFORMANCE OF THE COUNTYWIDE TRANSPORTATION PLAN  
FOR LOW-INCOME POPULATIONS AND THE SOUTH SAN  
FRANCISCO/SAN BRUNO COMMUNITY BASED TRANSPORTATION  
PLAN**

**ACTION**

Staff proposes that the Committee recommend the Board authorize the General Manager/CEO, or his designee, to enter into a Funding Agreement with the City/County Association of Governments of San Mateo County (C/CAG) to receive a total of \$165,991 in funds, including Caltrans Transportation Planning Environment Justice grant funds, Metropolitan Transportation Commission (MTC) Community Based Transportation Planning grant funds, and C/CAG funds, to be supplemented by \$9,590 in San Mateo County Transit District (District) in-kind services to conduct two planning projects:

- Community-Based Transportation Plan for South San Francisco and San Bruno
- Countywide Transportation Plan for Low Income Populations

**SIGNIFICANCE**

*Community-Based Transportation Plan for South San Francisco and San Bruno*

C/CAG, as the congestion management agency (CMA) for San Mateo County, is charged with developing community-based transportation plans as part of MTC's Lifeline Transportation Program. These plans are based on a collaborative planning process that involves residents in low-income Bay Area communities, community- and faith-based organizations that serve them, transit operators, county CMAs and MTC. C/CAG has designated the District as the appropriate entity to conduct these plans in San Mateo County. To date, the District has completed two other CBTPs and another is underway.

MTC requires that, once a CBTP is finalized, the CMA report the project findings to MTC and forward the findings to applicable local or county-level policy boards. Recommended service

improvements are forwarded to transit policy boards for consideration and subsequent incorporation into Short Range Transit Plans (SRTPs) and/or other future service expansion plans, and to CMA policy boards for planning, funding and implementation discussions. The cost of the South San Francisco/San Bruno CBTP is \$81,195, to be comprised of MTC (\$60,000) and Caltrans (\$19,790) funds and District in-kind services (\$1,405).

*Countywide Transportation Plan for Low Income Populations*

Through the preparation of several community-based transportation plans, a need has been identified to develop a countywide assessment of transportation challenges for all low-income communities in our county. The plan will inform policy makers about the overall low-income population needs and serve as an “umbrella” document to guide investment decisions and coordinate neighborhood-specific strategies. The cost of this study is \$94,386, which will be comprised of Caltrans (\$76,717) and C/CAG (\$9,484) funds and District in-kind services (\$8,185).

**BUDGET IMPACT**

Staff anticipates \$35,996 of the combined \$175,581 for the two projects will be expended in FY2010. The \$35,996 is proposed to be added to the FY2010 operating budget through an amendment also before this Board as a separate agenda item today.

**BACKGROUND**

The District has completed Community Based Transportation Plans on behalf of C/CAG for the City of East Palo Alto and the Bayshore Neighborhood in Daly City. A CBTP is currently underway for the North Central Neighborhood in the City of San Mateo.

The San Mateo County Welfare-to-Work Study, completed by MTC in 2000, was the last planning study to focus on the transportation needs of low-income populations in the County.

Project Manager: Corinne Goodrich, Manager, Strategic Development 650-508-6369

**RESOLUTION NO. 2010-**

**BOARD OF DIRECTORS, SAN MATEO COUNTY TRANSIT DISTRICT  
STATE OF CALIFORNIA**

**\*\*\***

**AUTHORIZATION TO ENTER INTO A FUNDING AGREEMENT WITH THE  
CITY/COUNTY ASSOCIATION OF GOVERNMENTS OF SAN MATEO COUNTY  
FOR DEVELOPMENT OF A COUNTYWIDE TRANSPORTATION PLAN FOR LOW-  
INCOME POPULATIONS AND A COMMUNITY BASED TRANSPORTATION PLAN  
FOR THE CITIES OF SOUTH SAN FRANCISCO AND SAN BRUNO**

**WHEREAS**, the California Department of Transportation (Caltrans) has awarded the City/County Association of Governments of San Mateo County (C/CAG) with \$96,507 in Environmental Justice: Context Sensitive Design grant funds to develop a Countywide Transportation Plan for Low Income Communities and to augment a Community Based Transportation Plan for the cities of South San Francisco and San Bruno; and

**WHEREAS**, the San Mateo County Transit District is the sub-recipient of the Caltrans Environmental Justice planning grant; and

**WHEREAS**, the Metropolitan Transportation Commission (MTC) has established the Lifeline Transportation Planning Program, has designated the Congestion Management Agencies (CMA) in each county to conduct Community Based Transportation Plans (CBTP) based on collaborative planning that addresses the transportation needs of low-income communities, and has committed \$60,000 for the South San Francisco/San Bruno CBTP; and

**WHEREAS**, C/CAG, as San Mateo County's CMA, has designated the District as the most appropriate entity to conduct Community Based Transportation Plans in the County and has committed \$9,484 in local matching funds for the South San Francisco/San Bruno CBTP; and

**WHEREAS**, the District is prepared to perform the Countywide Transportation Plan and the South San Francisco/San Bruno CBTP, which services will equate to an additional \$9,590 in local matching funds; and

**WHEREAS**, staff recommends that the Board authorize the General Manager/CEO, or his designee, to execute a Funding Agreement with C/CAG for the Countywide Transportation Plan and South San Francisco/San Bruno CBTP, and to submit any other documentation required to receive the above-stated State and regional funds.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the San Mateo County Transit District hereby authorizes:

1. The General Manager/CEO, or his designee, to execute a funding agreement with C/CAG and provide any documentation required for the receipt of a combined \$165,991 in funds for the Countywide Transportation Plan for Low-Income Populations and the South San Francisco/San Bruno CBTP, including \$96,507 in Caltrans Environmental Justice: Context Sensitive Planning funds through C/CAG and \$60,000 in MTC Lifeline Transportation Planning Program funds; and \$9,484 of local matching funds from C/CAG, with the understanding that the District will contribute an additional local match of \$9,590 in in-kind services; and
2. The General Manager/CEO, or his designee, to take such other actions as may be necessary to give effect to the Resolution.

Regularly passed and adopted this 14<sup>th</sup> day of April, 2010, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Chair, San Mateo County Transit District

ATTEST:

\_\_\_\_\_  
District Secretary

**SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT**

**TO:** Finance Committee

**THROUGH:** Michael J. Scanlon  
General Manager/CEO

**FROM:** Gigi Harrington  
Deputy CEO

**SUBJECT:** **EXECUTION OF A COOPERATIVE AGREEMENT WITH C/CAG FOR FISCAL YEAR 2011 TRANSPORTATION FUND FOR CLEAN AIR FUNDS FOR THE SAMTRANS SHUTTLE BUS PROGRAM**

**ACTION**

Staff proposes that the Committee recommend Board authorization for the General Manager/CEO to execute a cooperative agreement with the City/County Association of Governments (C/CAG) for Transportation Fund for Clean Air (TFCA) funds in an amount of \$536,000 to support the SamTrans Shuttle Bus Program in Fiscal Year 2011 (FY 2011).

**SIGNIFICANCE**

Execution of the proposed cooperative agreement with C/CAG will help underwrite the SamTrans Shuttle Bus Program, which links BART stations and key employment sites in the northern portion of the County.

The proposed SamTrans Shuttle Bus program for FY 2011 maintains ongoing operating support for nine shuttles approved by the Board last year. The following is a listing of these shuttles:

<u>Shuttle Name</u>	<u>Service Area</u>	<u>BART Station</u>
Bayhill	San Bruno	San Bruno
Crocker Park	Brisbane	Balboa Park
Gateway Express	South San Francisco	Glen Park
Gateway	South San Francisco	Millbrae
Oyster Point	South San Francisco	South San Francisco
Seton	Daly City	Daly City
Sierra Point	Brisbane	Balboa Park
Utah Grand	South San Francisco	South San Francisco
North Foster City	Foster City	Millbrae

The C/CAG Board has approved an allocation in the amount of \$536,000 for the SamTrans Shuttle Bus Program. Due to the success of the SamTrans Shuttle Bus Program in reducing vehicular emissions, the C/CAG Board provides an annual set-aside of TFCA funds to ensure its continuance.

## **BUDGET IMPACT**

The proposed budget for the SamTrans Shuttle Bus Program in FY 2011 is \$2,214,000. In addition to the \$536,000 in TFCA funds, which represent 24 percent of the program cost, local employers will contribute \$1,379,400, or 62 percent, toward program costs. Under this proposal, SamTrans would need to provide \$298,600, or 14 percent of the program cost, to fully fund the program. The SamTrans Shuttle Bus Program will be proposed for inclusion in the FY 2011 Operating Budget.

## **BACKGROUND**

The purpose of the TFCA Program is to fund cost-effective transportation projects and programs to reduce motor vehicle travel and vehicle emissions. TFCA projects are funded through a \$4 per vehicle surcharge on motor vehicles that are registered in the Bay Area. Sixty percent of the TFCA revenues are allocated by the Bay Area Air Quality Management District (BAAQMD) through a separate competitive grant process. The remaining 40 percent is distributed by BAAQMD to designated Program Managers throughout the Bay Area. C/CAG is the designated Program Manager for San Mateo County.

The C/CAG Board approved the FY2011 TFCA Program at its March 11, 2010 meeting. In addition to the provision of funding for the SamTrans Shuttle Bus Program, C/CAG's FY 2011 TFCA program provides a \$47,153 set-aside for C/CAG administration and \$421,000 for the Peninsula Traffic Congestion Relief Alliance Countywide Volunteer Trip Reduction Program.

Prepared by: Suna Mullins, Senior Grants Analyst 650-508-6490  
Project Manager: Richard Cook, Associate Operations Contract Administrator 650-508-7979

**RESOLUTION NO. 2010 -**

**BOARD OF DIRECTORS, SAN MATEO COUNTY TRANSIT DISTRICT  
STATE OF CALIFORNIA**

\* \* \*

**AUTHORIZING THE EXECUTION OF A COOPERATIVE AGREEMENT WITH THE  
CITY/COUNTY ASSOCIATION OF GOVERNMENTS TO RECEIVE  
TRANSPORTATION FUNDS FOR CLEAN AIR PROGRAM FUNDS IN THE AMOUNT  
OF \$536,000 FOR THE SAMTRANS SHUTTLE BUS PROGRAM  
FOR FISCAL YEAR 2011**

**WHEREAS**, pursuant to California Health and Safety Code Sections 44241 and 44242, the Bay Area Air Quality Management District (BAAQMD) administers the Transportation Funds for Clean Air (TFCA) Program, which provides funding to public agencies for the implementation of projects that reduce air pollution from motor vehicles; and

**WHEREAS**, BAAQMD is required to fund eligible projects from counties where a program manager has been designated and an acceptable work plan for the projects recommended by the program manager has been received; and

**WHEREAS**, the City/County Association of Governments (C/CAG) Board of Directors approved its Fiscal Year 2011 TFCA Program on March 11, 2010, including \$536,000 for the San Mateo County Transit District's (District) SamTrans Shuttle Bus Program; and

**WHEREAS**, the District desires to continue its current approved SamTrans Shuttle Bus Program; and

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the San Mateo County Transit District:

1. Authorizes the General Manager to execute a cooperative agreement with C/CAG and any other necessary documents to receive \$536,000 in TFCA funds.

2. Authorizes the General Manager, or his designee, to take further actions as may be necessary to give effect to this resolution, such as executing funding agreements for these TFCA funds, adding amendments to shuttle bus service administration agreements with existing employer participants, and entering into shuttle bus service administration agreements for new shuttle bus service.

Regularly passed and adopted this 14th day of April 2010, by the following vote:

AYES:

NOES:

ABSENT:

---

Chair, San Mateo County Transit District

ATTEST:

---

District Secretary



**SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT**

TO: Finance Committee

THROUGH: Michael J. Scanlon  
General Manager/CEO

FROM: Gigi Harrington  
Deputy CEO

Marian Lee  
Executive Officer  
Planning and Development

SUBJECT: **AUTHORIZING AWARDS OF CONTRACTS TO PROVIDE  
ON-CALL TRANSPORTATION PLANNING AND PROGRAM SUPPORT**

**ACTION**

Staff proposes that the Committee recommends that the Board:

1. Award contracts to Fehr & Peers of San Francisco, CA, and HNTB Corporation of Kansas City, MO, to provide on-call transportation planning and program support services with total maximum compensation in the amount of \$4,000,000 for a three-year base term to be shared in the aggregate with Wilbur Smith Associates, the other on-call consultant awarded a contract resulting from the same solicitation.
2. Authorize the General Manager/CEO or his designee to execute contracts with Fehr & Peers and HNTB Corporation in full conformity with the terms and conditions of the solicitation documents and negotiated agreements.
3. Authorize the General Manager/CEO or his designee to exercise up to two additional one-year option terms with the above two firms with total maximum compensation in the amount of \$1,000,000 for each option term, to be shared in the aggregate with Wilbur Smith Associates, if deemed in the best interest of the San Mateo County Transit District (District).

**SIGNIFICANCE**

Approval of the above actions will provide transportation planning and program support services for the District.

**BUDGET IMPACT**

Work Directives issued under these contracts will be funded by a mix of Federal, State, regional, and/or local revenues and grants on a project basis. Funds for Work Directives will come from approved District planning and capital project budgets.

**BACKGROUND**

A Request for Proposals (RFP) to provide on-call transportation planning and program support

services was issued as a joint procurement detailing the scope of services for the District, the Peninsula Corridor Joint Powers Board, and the San Mateo County Transportation Authority. The solicitation included two categories of services: Transportation Planning and Program Support and Environmental Planning. The Board approved rejection of all proposals for Environmental Planning at its December 2009 meeting. The Board approved a Transportation Planning and Program Support contract award to Wilbur Smith Associates under Resolution No. 2010-10 at its February 2010 meeting.

The solicitation information was advertised in a newspaper of general circulation and on the District's procurement Web site. Solicitation notices also were sent to interested firms, small business enterprises, and disadvantaged business enterprises (DBEs).

An Evaluation Committee (Committee) composed of qualified District staff reviewed and scored the proposals in accordance with the following weighted criteria:

- Team Organization and Staffing Approach 0-25 points
- Lead Firm Qualifications and Past Performance 0-25 points
- Contract Manager and Key Staff Qualifications and Experience 0-20 points
- Project Management Approach and Quality Control Assurance 0-15 points
- Understanding of Scope of Services 0-15 points

After review, evaluation, and initial scoring of proposals, firms were invited for interviews. Following interviews, the Committee completed the final evaluation and consensus ranking.

The Committee determined that Fehr & Peers, and HNTB Corporation, respectively the second and third highest-ranked firms, are qualified to be selected for contract awards. Both firms possess the requisite depth of experience, have the required qualifications to successfully perform the scope of services defined in the solicitation documents, and are fully capable of providing the specified services at a fair and reasonable price. Fehr & Peers included six subconsultants in its consulting team, including two DBE firms for market research and service planning. HNTB Corporation included five subconsultants, including one DBE firm for strategic planning and policy development.

The contracts will be for on-call services and as such, work will be authorized on a Work Directive-basis. There is no guarantee of any specific amount of on-call work to be authorized under the contracts. Before issuance of any Work Directive for which \$250,000 or more cumulatively in State or Federal funds will be used, the firms may be required to undergo a post-award audit, which will be performed by Caltrans or a designated outside auditor.

Transportation planning and program support services are currently being provided under the General Engineering Consulting (GECs) Agreements and the above-mentioned Wilbur Smith Associates agreement.

Contract Officer: Evelyn Marcal 650-508-7958  
Project Manager: Hilda Lafebre, Manager, Capital Projects & Environmental Planning 650-622-7842

**RESOLUTION NO. 2010 -**

**SAN MATEO COUNTY TRANSIT DISTRICT  
STATE OF CALIFORNIA**

**\* \* \***

**AUTHORIZING AWARD OF CONTRACTS  
TO FEHR & PEERS AND HNTB CORPORATION  
FOR ON-CALL TRANSPORTATION PLANNING AND PROGRAM SUPPORT  
SERVICES FOR A MAXIMUM AGGREGATE AMOUNT OF  
\$4,000,000 FOR A THREE-YEAR TERM**

**WHEREAS**, the San Mateo County Transit District (District), along with the San Mateo County Transportation Authority and the Peninsula Corridor Joint Powers Board, has issued a Request for Proposals (RFP) to provide on-call transportation planning and program support services for the three agencies; and

**WHEREAS**, in response to the RFP, proposals were received from six firms; and

**WHEREAS**, an Evaluation Committee has reviewed and evaluated proposals, conducted interviews with four firms, ranked the proposals according to the evaluation criteria set forth in the RFP and determined that Fehr & Peers of San Francisco, CA, and HNTB Corporation of Kansas City, MO, respectively, received the second and third highest consensus rankings; and

**WHEREAS**, staff and Legal Counsel have reviewed the Fehr & Peers and HNTB Corporation proposals and determined that both proposals complied with the requirements of the solicitation documents; and

**WHEREAS**, the General Manager/CEO recommends and the Finance Committee concurs that contracts for on-call transportation planning and program support services be awarded to Fehr & Peers and HNTB Corporation for three-year base terms with total maximum compensation in the amount of \$4,000,000 to be shared in the aggregate with Wilbur Smith Associates, the other firm awarded a contract with the District resulting from the same solicitation.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors (Board) of the District hereby awards contracts for on-call transportation planning and program support services to Fehr & Peers of San Francisco, CA, and HNTB Corporation of Kansas City, MO, for three-year base terms with total maximum compensation in the amount of \$4,000,000 to be shared in the aggregate with Wilbur Smith Associates; and

**BE IT FURTHER RESOLVED** that the General Manager/CEO, or his designee, is authorized to execute contracts on behalf of the District with Fehr & Peers and HNTB Corporation in full conformity with all of the terms and conditions of the contract documents and negotiated agreements; and

**BE IT FURTHER RESOLVED** that the Board authorizes the General Manager/CEO, or his designee, to exercise up to two additional, one-year option terms to the contracts with Fehr & Peers and HNTB Corporation with total maximum compensation in the amount of \$1,000,000 for each option year, to be shared in the aggregate with Wilbur Smith Associates, if in the best interest of the District.

Regularly passed and adopted this 14<sup>th</sup> day of April 2010 by the following vote:

AYES:

NOES:

ABSENT:

---

Chair, San Mateo County Transit District

ATTEST:

---

District Secretary



BOARD OF DIRECTORS 2010

ROSE GUILBAULT, CHAIR  
KARYL MATSUMOTO, VICE CHAIR  
OMAR AHMAD  
MARK CHURCH  
JERRY DEAL  
SHIRLEY HARRIS  
ZOE KERSTEEN-TUCKER  
ARTHUR L. LLOYD  
ADRIENNE TISSIER

MICHAEL J. SCANLON  
GENERAL MANAGER/GEO

**A G E N D A**  
**LEGISLATIVE COMMITTEE**  
**COMMITTEE OF THE WHOLE**

**San Mateo County Transit District Administrative Building**  
**Bacciocco Auditorium - Second Floor**  
**1250 San Carlos Ave., San Carlos, CA**

**WEDNESDAY, APRIL 14, 2010 – 2:40 p.m.**  
or immediately following previous Committee meeting

**ACTION**

1. Approval of Minutes of Legislative Committee Meeting of March 9, 2010

**INFORMATIONAL**

2. State and Federal Legislative Update

Committee Members: Zoe Kersteen-Tucker, Omar Ahmad, Adrienne Tissier

NOTE:

- This Committee meeting may be attended by Board Members who do not sit on this Committee. In the event that a quorum of the entire Board is present, this Committee shall act as a Committee of the Whole. In either case, any item acted upon by the Committee or the Committee of the Whole will require consideration and action by the full Board of Directors as a prerequisite to its legal enactment.
- All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.

Draft

**SAN MATEO COUNTY TRANSIT DISTRICT  
1250 SAN CARLOS AVENUE, SAN CARLOS, CALIFORNIA**

**MINUTES OF LEGISLATIVE COMMITTEE MEETING  
COMMITTEE OF THE WHOLE  
MARCH 9, 2010**

Committee Members Present: Z. Kersteen-Tucker (Committee Chair), O. Ahmad, A. Tissier

Other Board Members Present, Constituting Committee of the Whole: M. Church, J. Deal, R. Guilbault, S. Harris, A. Lloyd, K. Matsumoto

Staff Present: J. Cassman, G. Harrington, C. Harvey, R. Haskin, R. Lake, M. Lee, M. Martinez, N. McKenna, D. Miller, S. Murphy, M. Scanlon, M. Simon

Committee Chair Zoe Kersteen-Tucker called the meeting to order at 3:39 p.m.

**Approval of Minutes of Legislative Committee Meeting of February 10, 2010**

The committee approved the minutes (Tissier/Guilbault); Director Omar Ahmad abstained.

**Authorize Support of the Local Taxpayer, Public Safety and Transportation Protection Act for California's November 2010 Statewide Ballot**

Government Affairs Manager Seamus Murphy said staff recommends the committee propose the Board adopt a resolution in support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010. This is a statewide ballot measure sponsored by the California Transit Association (CTA), the League of California Cities and the California Alliance for Jobs. The measure was drafted and filed in response to a long history of cuts and diversions of local government funding. Since 2007, the State has diverted over \$2.8 billion in State Transit Assistance (STA) from transit agencies, including over \$37 million from Caltrain and over \$36 million from SamTrans. Last year the court ruled the diversion of gasoline sales tax spillover revenue is illegal and this measure would offer expanded protections to those funds and extend those protections to other traditional sources of STA funding. In the case of SamTrans, it would protect against the diversion of the quarter-cent sales tax provided through the Transportation Development Act (TDA) as well as local sales taxes enacted by Self-Help counties and Measure A. The measure would also protect the Highway Users Tax Account, which funds local streets and roads. Aside from the 100 percent diversion of transit funds last year, the State also borrowed over \$4 billion in property tax and redevelopment funds from cities and counties. This measure would make those diversions illegal by expanding the scope of protections offered under Proposition 1A and closing loopholes that allowed periodic borrowing of local revenue by the State.

The committee (Lloyd/Tissier) unanimously recommended Board acceptance of the motion.

**Update on the State Legislative Program**

Mr. Murphy said staff has been working with CTA to negotiate some base level of funding for transit following last year's 100 percent diversion of the STA program. Last year the Legislature approved an alternative to the governor's gas tax swap proposal. The governor's proposal would have completely eliminated both the sales tax on gasoline and diesel fuel and replace those with a concurrent and corresponding increase in the State excise tax on gasoline and diesel fuel. In addition, the Legislature will appropriate \$400 million to cover STA through the next fiscal year. Mr. Murphy said Caltrain and SamTrans shares of this appropriation would be over \$5 million each. The proposal would still eliminate the sales tax on gasoline and replace it with a 17.9-cent increase on the excise tax, however the Legislature retains the sales tax on diesel fuel at an increased rate of 6.75 percent and it reserves 75 percent of these revenues for the STA program beginning in 2012. As soon as the \$400 million appropriation expires for the next fiscal year the sales tax on diesel fuel for the STA program would kick in. This revenue source would provide a minimum of \$350 million in 2011-2012 and it would increase to over \$500 million by 2020. At the \$350 million level it means about \$4.5 million each for Caltrain and SamTrans. The proposal removes any possibility that transit agencies would benefit from gasoline spillover funds. In terms of real dollars this proposal provides an increase over the State's historic STA allocation, which has only exceeded \$230 million one time. The regional fee that was initially a part of the Legislature's proposal was removed from the legislation and the governor's office, in their negotiations with the Legislature, indicated some opposition to the proposal because of some efforts to repeal AB32.

Adjourned: 3:48 p.m.

**SAN MATEO COUNTY TRANSIT DISTRICT  
STAFF REPORT**

**TO:** San Mateo County Transit District

**THROUGH:** Michael J. Scanlon  
General Manager/CEO

**FROM:** Mark Simon  
Executive Officer, Public Affairs

**SUBJECT: STATE AND FEDERAL LEGISLATIVE UPDATE**

**ACTION**

This report is for information only. No Board action is required.

**SIGNIFICANCE**

Staff will provide regular updates to the Board consistent with the approved Legislative Program.

**STATE ISSUES**

Gas Tax Swap Package:

Last month, several Board members met with members of the District's State legislative delegation to encourage them to preserve some baseline transit funding as a part of the gas tax swap proposed by the governor.

Subsequently, the Legislature approved a revised version of the gas tax swap in the form of ABx8 6 and ABx8 9 and on March 22, Governor Schwarzenegger signed the legislation.

ABx8 6 is a revenue-neutral bill that eliminates the sales tax on gasoline in exchange for a 17.3 cents increase in the excise tax. The 17.3 cents excise tax increase will provide \$700 million annually for bond debt service and an allocation of \$650 million in revenues to be distributed pursuant to ABx8 9 as follows:

44 percent - State Transportation Improvement Program (STIP) for capital projects,  
44 percent - Local Streets and Roads  
12 percent - State Highway Operations and Protection Program (SHOPP) for maintenance of the state highway system.

ABx8 9 includes a \$400 million appropriation for transit operations through FY 09-11. The bill eliminates three of the four funding sources for state funding of public transportation (spillover, Proposition 42, and the sales tax on the Prop 111 gas tax). It preserves the sales tax on diesel



fuel and increases the diesel fuel sales tax rate, which provides local transit operators with nearly \$350 million beginning in FY 11-12, with gradual increases in subsequent years. SamTrans should receive \$5.2 million in STA funding by mid July for FY 09-11.

The governor also signed SB 70, which exempts specified consumers of diesel fuel, including transit operators, from a portion of the increase in the sales tax on diesel.

#### High-Speed Rail:

SB 965 (DeSaulnier) is the legislative vehicle for the high-speed rail component of the Jobs Agenda authored by Senate President Pro Tem Darrell Steinberg. The bill would provide the California High-Speed Rail Authority with guidance so that the expenditure of high-speed rail funding provided through the American Recovery and Reinvestment Act will expedite and maximize job creation in the State and meet strict Federal obligation deadlines.

AB 2121 (Harkey) would halt the sale of \$9.95 billion in general obligation bonds associated with Proposition 1A, the Safe Reliable High-Speed Passenger Train Bond Act approved by voters in 2008. SamTrans, the Peninsula Corridor Joint Powers Board and the San Mateo County Transportation Authority submitted a joint letter of opposition on this bill to Assembly Transportation Committee.

### **FEDERAL ISSUES**

#### FY 2011 Appropriations:

Members of Congress were required to submit their FY 2011 appropriations requests to the House Appropriations Committee last month. Rep. Eshoo will move forward with submitting a request for non-revenue vehicles for SamTrans.

The Senate Appropriations Committee has set deadlines for submission of FY 2011 requests by subcommittee over the next few weeks and staff from the offices of Senators Feinstein and Boxer is working to finalize their requests now. Staff met with both offices during the annual APTA legislative conference to discuss appropriations requests.

#### Jobs Legislation:

President Obama signed into law the Hiring Incentives to Restore Employment Act (HR 2847). The new law extends funding for Federal surface transportation programs through December 31, 2010, and transfers \$19.5 billion of general funds from the Treasury into the Highway Trust Fund (HTF), including \$4.8 billion into the Mass Transit Account. These funds are based on the restoration of interest payments on balances to the HTF and ensure the solvency of the Mass Transit Account through the end of FY 2011.

On March 10 the Senate also voted 62-36 to pass HR 4213, the \$140 billion tax extenders bill that includes an extension of the alternative fuels tax credit. The House is expected to either vote on the Senate bill as passed or to seek a conference on the bill. The House passed an earlier version that included the alternative fuel credit. If passed, the tax credit would be applied retroactively to January 1, 2010.

Prepared By: Seamus Murphy, Manager, Government Affairs

650.508.6388

**San Mateo County Transit District  
Bill Matrix as of March 16, 2010**

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 153</a> <a href="#">Ma</a></p> <p>High-Speed Rail Authority.</p>	<p>SENATE T. &amp; H. 7/2/2009 - In committee: Set, first hearing. Hearing canceled at the request of author.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law authorizes the authority to prepare a plan for the construction and operation of that system and to enter into contracts, acquire rights-of-way through purchase or eminent domain, and take other actions, subject to specified contingencies. Under existing law, a public entity may not commence an eminent domain proceeding until its governing body has adopted a resolution of necessity that meets certain requirements. Existing law generally prohibits a state agency from employing legal counsel other than the Attorney General unless there is a specific statute authorizing that employment.</p> <p>This bill would eliminate those contingencies to the exercise of the authority's authority and would specify that the authority constitutes a "governing body" for the purpose of adopting a resolution of necessity. The bill would authorize the authority to employ its own legal staff or contract with other state agencies for legal services, or both. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#">AB 231</a> <a href="#">Huffman</a></p> <p>California Global Warming Solutions Act of 2006: Climate Protection Trust Fund.</p>	<p>SENATE E.Q. 6/18/2009 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on EQ.</p>	<p>Requires that revenues collected pursuant to the California Global Warming Solutions Act of 2006 be deposited into a Climate Protection Trust Fund, and establishes parameters by which those funds can be distributed for the reduction of GHG and mitigation of climate change impacts.</p> <p><b>Last Amended on 6/26/2009</b></p>	
<p><a href="#">AB 266</a> <a href="#">Carter</a></p> <p>Transportation needs assessment.</p>	<p>SENATE RLS. 6/11/2009 - Referred to Com. on RLS.</p>	<p>Requires the California Transportation Commission (CTC) to, on an every-5-year basis, to develop an assessment of the unfunded costs of programmed state projects and federally earmarked projects in the state, as well as an assessment of available funding for transportation purposes and unmet transportation needs on a statewide basis. <b>Last Amended on 4/20/2009</b></p>	
<p><a href="#">AB 289</a> <a href="#">Galgiani</a></p> <p>High-speed rail.</p>	<p>SENATE T. &amp; H. 2/11/2010 - Re-referred to Com. on T. &amp; H.</p>	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. Existing law provides for appointment of an executive director by the authority, who is exempt from civil service and serves at the pleasure of the authority.</p> <p>This bill would authorize the Governor to appoint up to 5 deputy directors exempt from civil service who would serve at the pleasure of the executive director. This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 1/25/2010</b></p>	

**San Mateo County Transit District  
Bill Matrix as of March 16, 2010**

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 497 Block</u></a></p> <p>Vehicles: high-occupancy vehicle lanes: used by physicians.</p>	<p>SENATE T. &amp; H. 6/23/2009 - From T. &amp; H.: Failed passage Reconsideration granted.</p>	<p>Existing law authorizes a physician when traveling in response to an emergency call to be exempt from certain speed limit requirements, as specified if the vehicle being used by the physician displays an insigne approved by the Department of the California Highway Patrol indicating that the vehicle is owned by a licensed physician.</p> <p>This bill would authorize the Department of Transportation and local authorities to also permit exclusive or preferential use of high-occupancy vehicle lanes by a vehicle driven by a physician if the vehicle is driven by a physician in response to an emergency call and the vehicle displays the insignia approved by the Department of the California Highway Patrol. The exemption from certain speed limit requirements would not apply to the use of an HOV lane by a physician under this provision. This bill contains other related provisions and other existing laws. <b>Last Amended on 5/14/2009</b></p>	
<p><a href="#"><u>AB 569 Emmerson</u></a></p> <p>Meal periods: exemptions.</p>	<p>SENATE L. &amp; I.R. 2/4/2010 - Re-referred to Com. on L. &amp; I.R.</p>	<p>Existing law prohibits, subject to certain exceptions, an employer from requiring an employee to work more than 5 hours per day without providing a meal period and, notwithstanding that provision, authorizes the Industrial Welfare Commission to adopt a working condition order permitting a meal period to commence after 6 hours of work if the order is consistent with the health and welfare of affected employees.</p> <p>This bill would exempt from these provisions employees in a construction occupation, commercial drivers in the transportation industry, and employees in the security services industry employed as security officers if those employees are covered by a valid collective bargaining agreement containing specified terms, including meal period provisions. It would specify that its provisions do not affect the requirements for meal periods for certain other employees or employers. <b>Last Amended on 9/11/2009</b></p>	
<p><a href="#"><u>AB 619 Blumenfeld</u></a></p> <p>Transportation projects: federal funds: delays.</p>	<p>SENATE T. &amp; H. 6/17/2009 - In committee: Set, first hearing. Hearing canceled at the request of author.</p>	<p>Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law provides for allocation of federal transportation funds made available to the state.</p> <p>This bill would require the department to notify the Legislature within 30 days of making a determination that a project, including a project designated in the National Corridor Infrastructure Improvement Program, will be delayed beyond its scheduled completion date due to state cashflow or other funding issues, if the delay places at risk federal funds, including funds earmarked for the project.</p>	
<p><a href="#"><u>AB 726 Nielsen</u></a></p> <p>Transportation capital improvement projects.</p>	<p>SENATE T. &amp; H. 6/16/2009 - In committee: Set, first hearing. Hearing canceled at the request of author.</p>	<p>Existing law generally provides for allocation of transportation capital improvement funds pursuant to the State Transportation Improvement Program process. Existing law provides for 75% of funds available for transportation capital improvement projects to be made available for regional projects, and 25% for interregional projects. Existing law describes the types of projects that may be funded with the regional share of funds, and includes local road projects as a category of eligible projects. This bill would state that local road rehabilitation projects are eligible for these funds.</p>	

**San Mateo County Transit District  
Bill Matrix as of March 16, 2010**

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 732</u></a> <a href="#"><u>Jeffries</u></a></p> <p>Transportation projects: design-sequencing contracts.</p>	<p>SENATE APPR. SUSPENSE FILE 8/27/2009 - In committee: Held under submission.</p>	<p>Existing law authorizes the Department of Transportation, until January 1, 2010, to conduct phase 2 of a pilot project through the utilization of design-sequencing contracts, as defined, for the design and construction of not more than 12 transportation projects, which are selected by the Director of Transportation taking into consideration specified geographical considerations.</p> <p>This bill would extend the operative date of those provisions until July 1, 2010, thereby extending the authority of the department to conduct phase 2 of the pilot project. The bill would instead specify that the pilot project consist of not more than 9 transportation projects. <b>Last Amended on 6/16/2009</b></p>	
<p><a href="#"><u>AB 744</u></a> <a href="#"><u>Torrice</u></a></p> <p>Transportation: toll lanes: Express Lane Network.</p>	<p>SENATE APPR. SUSPENSE FILE 12/10/2009 - (Corrected December 10.) In committee: Held under submission.</p>	<p>Authorize development of a comprehensive network of high-occupancy toll — or HOT — lanes on Bay Area freeways, and allows solo drivers to pay a toll to use these lanes. <b>Last Amended on 7/15/2009</b></p>	
<p><a href="#"><u>AB 1375</u></a> <a href="#"><u>Galgiani</u></a></p> <p>High-speed rail.</p>	<p>SENATE T. &amp; H. 2/11/2010 - Referred to Coms. on T. &amp; H. and RLS.</p>	<p>Existing law, the California High-Speed Train Act, creates the High-Speed Rail Authority to develop and implement a high-speed train system in the state, with specified powers and duties. Existing law, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes.</p> <p>This bill would revise and recast these provisions by repealing and reenacting the California High-Speed Train Act. The bill would continue the High-Speed Rail Authority in existence to make policy decisions relative to implementation of high-speed rail consistent with Proposition 1A. The bill would create the Department of High-Speed Trains within the Business, Transportation and Housing Agency, which would implement those policies. The bill would transfer certain of the existing powers and responsibilities of the authority to the department and would specify additional powers and duties of the authority and department relative to implementation of the high-speed rail project, including the annual submission of a 6-year high-speed train capital improvement program and progress report to the Legislature. The director of the department would be appointed by the Governor, who would serve at the pleasure of the authority, and the Governor would be authorized to appoint up to 10 executive employees of the department who would be exempt from civil service and serve at the pleasure of the director. The bill would provide for acquisition and disposition by the department of rights-of-way for the high-speed rail project. The bill would enact other related provisions. <b>Last Amended on 1/15/2010</b></p>	

## San Mateo County Transit District Bill Matrix as of March 16, 2010

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 1409</u></a> <a href="#"><u>John A. Perez</u></a></p> <p>Public contracts: county highways: work authorizations.</p>	<p>SENATE T. &amp; H. 2/2/2010 - Joint Rule 62(a), file notice suspended. (Page 1756.) In committee: Hearing postponed by committee. (Refers to 7/16/2009 hearing)</p>	<p>Existing law sets forth procedures pursuant to which work being done by contract on county highways may be done. Existing law specifies that in any county that has appointed a road commissioner, or in any county that has abolished the office of road commissioner, as prescribed, the board of supervisors of the county may authorize the road commissioner, or a registered civil engineer under the direction of the county director of transportation, to have any work upon county highways done under his or her supervision and direction. In this connection, existing law provides that the work on those contracts may be done by: (1) letting a contract covering both work and material, as provided; (2) purchasing the material and letting a contract for the performance of the work, as provided; or (3) purchasing the material and having the work done by day labor, in which case advertising for bids is not required.</p> <p>This bill would revise that provision authorizing the work on those county highway contracts to be done by (1) purchasing the material and having the work done by day labor, as defined, only after advertising and requesting bids, as provided, and the board passing a resolution making a specified finding; or (2) purchasing the material and having the work done by specified employees, as defined. <b>Last Amended on 6/2/2009</b></p>	
<p><a href="#"><u>AB 1609</u></a> <a href="#"><u>Evans</u></a></p> <p>2010-11 Budget.</p>	<p>ASSEMBLY BUDGET 1/21/2010 - Referred to Com. on BUDGET.</p>	<p>This bill would make appropriations for support of state government for the 2010-11 fiscal year. This bill contains other related provisions.</p>	
<p><a href="#"><u>AB 1747</u></a> <a href="#"><u>Galgiani</u></a></p> <p>High-Speed Rail Authority.</p>	<p>ASSEMBLY TRANS. 2/18/2010 - Referred to Com. on TRANS.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes.</p> <p>This bill would authorize the authority to consider, to the extent permitted by federal and state law, the creation of jobs in California when awarding major contracts or purchasing high-speed trains, as specified.</p>	
<p><a href="#"><u>AB 1794</u></a> <a href="#"><u>Gilmore</u></a></p> <p>Emissions of greenhouse gases: California Global Warming Solutions Act of 2006.</p>	<p>ASSEMBLY PRINT 2/11/2010 - From printer. May be heard in committee March 13.</p>	<p>The California Global Warming Solutions Act of 2006, establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit, as defined, to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The act requires the state board, on or before January 1, 2011, to adopt greenhouse gas emission limits and emission reduction measures, as defined, by regulation to achieve the maximum technologically feasible and cost-effective reductions in emissions of greenhouse gases, in furtherance of achieving the statewide greenhouse gas emissions limit, with the regulations to become operative beginning January 1, 2012.</p> <p>This bill would make technical and nonsubstantive revisions to the above requirements.</p>	

**San Mateo County Transit District  
Bill Matrix as of March 16, 2010**

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 2098</u></a> <a href="#"><u>Miller</u></a></p> <p>Federal transportation economic stimulus funds: 2nd round.</p>	<p>ASSEMBLY TRANS. 3/11/2010 - Referred to Com. on TRANS.</p>	<p>Existing law generally provides for programming and allocation of state and federal transportation capital improvement program funds pursuant to the state transportation improvement program process administered by the California Transportation Commission.</p> <p>This bill would enact provisions to govern the expenditure of the 2nd round of federal transportation economic stimulus funds that may be awarded to the state in 2010 pursuant to an unspecified federal act, subject to appropriation by the Legislature. The bill would provide for an unspecified division of the available funds between state and regional agencies. The bill would restrict allocation of the state portion of funds to projects in areas defined as economically distressed under federal law. The bill would enact various other requirements applicable to expenditure of the federal funds. This bill contains other existing laws.</p>	
<p><a href="#"><u>AB 2121</u></a> <a href="#"><u>Harkey</u></a></p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 3/4/2010 - Referred to Com. on TRANS.</p>	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. Article XVI of the California Constitution authorizes the Legislature, at any time after the approval of a general obligation bond act by the people, to reduce the amount of the indebtedness authorized by the act to an amount not less than the amount contracted at the time of the reduction or to repeal the act if no debt has been contracted.</p> <p>This bill would reduce the amount of general obligation debt authorized pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the amount contracted as of January 1, 2011.</p>	
<p><a href="#"><u>AB 2324</u></a> <a href="#"><u>John A. Perez</u></a></p> <p>Transit: public transit vehicle stations.</p>	<p>ASSEMBLY PUB. S. 3/11/2010 - Referred to Com. on PUB. S.</p>	<p>Existing law prohibits a person from knowingly possessing specified weapons and other items within any sterile area, as defined, of an airport or passenger vessel terminal, except as specified.</p> <p>This bill would make it a misdemeanor, punishable as specified, for any person to knowingly possess at a public transit vehicle station, as defined, specified weapons. By creating a new crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#"><u>AB 2355</u></a> <a href="#"><u>Smyth</u></a></p> <p>Public works: design-build.</p>	<p>ASSEMBLY B. &amp; P. 3/11/2010 - Referred to Com. on B. &amp; P.</p>	<p>Existing law authorizes the Director of General Services, when authorized by the Legislature to use the design-build procurement process for a specific project, to contract and procure state office facilities, other buildings, structures, and related facilities, as provided.</p> <p>This bill would require the Department of General Services to submit to the Joint Legislative Budget Committee, by January 1, 2015, a report containing a description of each public works project procured through the design-build process that is completed after January 1, 2010, and before December 1, 2014. This bill contains other related provisions and other existing laws.</p>	

**San Mateo County Transit District  
Bill Matrix as of March 16, 2010**

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 2579</u></a> <a href="#"><u>Evans</u></a></p> <p>Master Plan for Infrastructure Financing and Development Commission.</p>	<p>ASSEMBLY PRINT 2/22/2010 - Read first time.</p>	<p>The California Constitution regulates the issuance of debt by the state and requires that debt in excess of \$300,000 for which the state will be generally obligated be submitted to, and approved by, the voters. This bill would create the Master Plan for Infrastructure Financing and Development Commission, the mission of which would be to develop and recommend a plan to be presented to the Governor and Legislature that provides for building and maintaining the infrastructure necessary to meet the needs of Californians from the present to the year 2050, and to establish a process for periodically adjusting and adapting the plan in coming years to meet changing circumstances.</p> <p>The bill would require that the commission consist of 11 members: the Treasurer or his or her designee, and members appointed by the Governor, the Speaker of the Assembly, and the Senate Committee on Rules. The bill would authorize the Governor to appoint the chair of the commission who would work full-time on commission business for an unspecified salary. The bill would authorize the chair, with the concurrence of the commission, to appoint an executive director, who would be exempt from civil service and be paid an unspecified salary. The bill would require that funding for the operating costs of the commission be available upon appropriation by the Legislature. The bill would require the chair of the commission to appoint the members of specified task force committees, to be composed of both members and nonmembers of the commission, and would require commission members to chair at least one task force committee in which they have expertise. The bill would provide that the subject matter responsibilities of these task force committees include, but not be limited to, planning and financing, transportation, housing, natural resources and conservation, and education. The commission would be required to establish a timeline for submission of periodic reports on their findings to the Governor and Legislature, provide opportunity for public comment and participation, and to incorporate the "Governor's Five Year Infrastructure Plan" and the "State Environmental Goals and Policy Report" into its long-term planning recommendations. The bill would require the commission to submit its final report to the Governor and Legislature no later than December 1, 2012, and to be dissolved 30 days after issuance of the final report.</p>	
<p><a href="#"><u>ABX2 4</u></a> <a href="#"><u>Niello</u></a></p> <p>Public contracts: design-build: public-private partnerships.</p>	<p>SENATE RLS. 2/14/2009 - In Senate. To Com. on RLS.</p>	<p>Existing law designates the Judicial Council as the entity having full responsibility, jurisdiction, control, and authority over trial court facilities for which title is held by the state, including the acquisition and development of facilities.</p> <p>This bill would also authorize the Director of General Services or the Secretary of the Department of Corrections and Rehabilitation, as appropriate, to use the design-build procurement process in contracting and procuring a state office facility or prison facility, and would authorize the Judicial Council to use that same process in contracting and procuring a court facility, but would limit this authorization to 5 total projects, to be approved by the Department of Finance, as specified. The bill would require the Department of General Services, the Department of Corrections and Rehabilitation, and the Judicial Council to submit to the Joint Legislative Budget Committee, before January 1, 2014, a report containing a description of each public works project procured through the design-build process, as specified. The bill would require a bidder participating in the process to provide written declarations, subject to misdemeanor penalties, and would thereby impose a state-mandated local program. This bill contains other related provisions and other existing laws. <b>Last Amended on 2/14/2009</b></p>	

## San Mateo County Transit District Bill Matrix as of March 16, 2010

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>ABX8 6</u></a> <a href="#"><u>Committee on Budget</u></a></p> <p>Sales and use taxes: motor vehicle fuel tax: diesel fuel tax.</p>	Signed	<p>Existing law requires the Director of Finance to make certain adjustments in one of the formulas used in computing the state's obligation under the California Constitution to provide funding for school districts and community college districts so as to ensure that the modifications in property tax revenue allocation requirements that were made by prior enactments do not have a net fiscal impact on school districts or community college districts, or upon the state's funding obligation to those districts.</p> <p>This bill would additionally specify adjustments on the calculation of the state's constitutional funding obligations that are related to the change in taxes made by this bill. This bill contains other related provisions and other existing laws. <b>Last Amended on 3/3/2010</b></p>	
<p><a href="#"><u>ABX8 9</u></a> <a href="#"><u>Committee on Budget</u></a></p> <p>Transportation finance.</p>	Signed	<p>The Motor Vehicle Fuel Tax Law and the Diesel Fuel Tax Law each impose a tax at the rate of \$0.18 per gallon on the removal, entry, sale, delivery, or specified use of motor vehicle fuel, commonly referred to as gasoline, and including aviation gasoline, and diesel fuel. Article XIX of the California Constitution requires state-imposed excise tax revenues from fuel used in motor vehicles upon public streets and highways to be used solely for highway and mass transit guideway purposes.</p> <p>This bill would require new revenues from an increase in those taxes to first be used to reimburse the General Fund for the amount needed for debt service on specified general obligation transportation bonds, with 44% of remaining revenues to be transferred to the State Highway Account to fund projects in the state transportation improvement program (STIP), 12% to be transferred to the State Highway Account for the State Highway Operation and Protection Program (SHOPP), and the remaining 44% to be apportioned to cities and counties for local street and road purposes pursuant to a specified formula, thereby resulting in an appropriation. However, in the 2010-11 fiscal year, after the reimbursement of the General Fund for debt service, approximately \$650,000,000 would be retained for future appropriation and 50% of the remaining revenues would be allocated to the STIP and 50% would be allocated to local streets and roads. This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 3/3/2010</b></p>	
<p><a href="#"><u>ACR 14</u></a> <a href="#"><u>Niello</u></a></p> <p>California Global Warming Solutions Act of 2006.</p>	ASSEMBLY NAT. RES. 4/27/2009 - In committee: Refused adoption.	<p>This measure would call upon the State Air Resources Board, prior to any regulatory action being taken consistent with the scoping plan for the implementation of the California Global Warming Solutions Act of 2006, to perform an economic analysis that will give the State of California a more complete and accurate picture of the costs and benefits of the act's implementation. The measure would also call upon the Governor to use the authority granted by the act to adjust any applicable deadlines for regulations. <b>Last Amended on 3/27/2009</b></p>	



**San Mateo County Transit District  
Bill Matrix as of March 16, 2010**

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>SB 70</u></a> <a href="#"><u>Committee on Budget and Fiscal Review.</u></a> Sales and use taxes: fuel taxes.</p>	<p>Enrolled to Governor</p>	<p>The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. AB 6 of the 2009-10 8th Extraordinary Session would, if enacted, impose an additional 1.75% tax on the sale of, and the storage, use, or other consumption in this state of, diesel fuel on or after July 1, 2011.</p> <p>This bill would exempt the sale of, and the storage, use, or other consumption of, specified diesel fuel from that tax that would be imposed by AB 6 of the 2009-10 8th Extraordinary Session. Assembly Bill 6 of the 2009-10 Eighth Extraordinary Session would both increase and decrease the rates of specified taxes and require adjustments to the rates on an annual basis to achieve revenue neutrality. Assembly Bill 6 would increase the rate of tax under the Motor Vehicle Fuel Tax Law on the removal, entry, sale, delivering or specified use of motor vehicle fuel, including aviation gasoline. This bill would clarify that the rate changes to achieve revenue neutrality would be effective for the next fiscal year. This bill would exclude aviation gasoline from the increase in the rate of motor vehicle fuel taxes. The Sales and Use Tax Law requires a collection of prepayment of retail sales tax at the time that motor vehicle fuel tax or diesel fuel tax is imposed, and on each subsequent sale other than the retail sale. This law requires the State Board of Equalization to establish the prepayment rate based on 80% of the combined state and local sales tax rate, as prescribed. This law authorizes the board to readjust the rate if the price of fuel decreases or increases and the established rate results in prepayments which consistently exceed or are significantly lower than the retailers' sales tax liability. This bill would also authorize the State Board of Equalization to readjust the rate if an exemption from sales tax for sales of fuel, as specified, is enacted and the established rate results in or could result in prepayments which consistently exceed or are significantly lower than the retailers' sales tax liability. This bill would become operative only if both this bill and AB 6 of the 2009-10 8th Extraordinary Session are chaptered and this bill is chaptered last. This bill would take effect immediately as a tax levy.</p>	
<p><a href="#"><u>SB 165</u></a> <a href="#"><u>Lowenthal</u></a> Vehicles: parking violation.</p>	<p>ASSEMBLY TRANS. 6/29/2009 - Set, first hearing. Hearing canceled at the request of author.</p>	<p>Existing law makes it a violation for a person to park or leave standing a vehicle in a stall or space designated for disabled persons and disabled veterans unless the vehicle displays a special identification license plate or a distinguishing placard.</p> <p>This bill would establish a schedule of penalties, which are collected as civil penalties, for the violation of the above provision. <b>Last Amended on 6/23/2009</b></p>	

**San Mateo County Transit District  
Bill Matrix as of March 16, 2010**

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>SB 409</u></a> <a href="#"><u>Ducheny</u></a></p> <p>Passenger rail programs: strategic planning.</p>	<p>ASSEMBLY TRANS. 2/11/2010 - To Com. on TRANS.</p>	<p>Existing law creates the Department of Transportation in the Business, Transportation and Housing Agency, with various powers and duties relative to the intercity passenger rail program, among other transportation programs. Existing law creates in state government the High-Speed Rail Authority, with various powers and duties relative to development and implementation of a high-speed passenger train system. The authority has 9 members, 5 appointed by the Governor and 4 appointed by the Legislature. Existing law also creates in state government the California Transportation Commission, with various powers and duties relative to programming of transportation capital projects and assisting the Secretary of Business, Transportation and Housing in formulating state transportation policies.</p> <p>This bill would place the High-Speed Rail Authority within the Business, Transportation and Housing Agency. The bill would require the 5 members of the authority appointed by the Governor to be appointed with the advice and consent of the Senate. The bill would require the authority to annually submit a funding plan to the California Transportation Commission for approval, identifying the need for investments during the fiscal year and the amount of bond sales necessary to accommodate those investments. This bill contains other related provisions. <b>Last Amended on 1/26/2010</b></p>	
<p><a href="#"><u>SB 454</u></a> <a href="#"><u>Lowenthal</u></a></p> <p>Land use: zoning regulations.</p>	<p>ASSEMBLY L. GOV. 2/25/2010 - To Coms. on L. GOV. and H. &amp; C.D.</p>	<p>The Planning and Zoning Law authorizes the legislative body of a city or county to adopt zoning ordinances regulating, among other things, the use of buildings, structures, and land as between industry, business, residences, open space, and other uses.</p> <p>This bill would delete the repeal of these provisions, thereby extending their operation indefinitely. This bill contains other existing laws. <b>Last Amended on 12/17/2009</b></p>	
<p><a href="#"><u>SB 686</u></a> <a href="#"><u>DeSaulnier</u></a></p> <p>Environment: CEQA exemption: addition and deletion.</p>	<p>ASSEMBLY NAT. RES. 5/11/2009 - To Com. on NAT. RES.</p>	<p>The California Environmental Quality Act requires the Office of Planning and Research to adopt guidelines that include criteria for public agencies to follow in determining whether or not a proposed project may have a significant effect on the environment and a list of classes of projects that are exempted from the act's requirements. The act establishes procedures for the certification and adoption of the guidelines. The act authorizes a public agency to request, in writing, the addition or deletion of a class of projects to the list. The office is required to review each request and, as soon as possible, submit its recommendation to the Secretary of Natural Resources Agency.</p> <p>This bill would make technical, nonsubstantive changes to the provision regarding the addition or deletion of a class of projects.</p>	
<p><a href="#"><u>SB 1006</u></a> <a href="#"><u>Pavley</u></a></p> <p>Natural resources: climate change.</p>	<p>SENATE N.R. &amp; W. 3/10/2010 - Set for hearing March 23.</p>	<p>Existing law declares that resource conservation is of fundamental importance to the prosperity and welfare of the people of the state. Existing law states that it is the policy of the state to adopt conservation practices to save the basic resources of soil, water, and air from unreasonable and economically preventable waste and destruction.</p> <p>This bill would require the Natural Resources Agency, in developing and implementing climate change adaptation strategies and activities, to fully consider and undertake, to the maximum extent practicable, initiatives that, among other things, protect or enhance natural ecosystem functions in relation to wetlands, beaches, flood plains, watersheds, and greenhouse gas emissions. This bill contains other existing laws.</p>	

**San Mateo County Transit District  
Bill Matrix as of March 16, 2010**

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>SB 1010</u></a> <a href="#"><u>Correa</u></a></p> <p>Environment: California Environmental Quality Act (CEQA).</p>	<p>SENATE PRINT 2/18/2010 - To Coms. on EQ. and JUD.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA provides for the judicial review of a lead agency's decision to certify an EIR.</p> <p>The bill would enact the CEQA Litigation Protection Pilot Program of 2010 and would require the Business, Transportation and Housing Agency to select projects that meet specified requirements from specified regions for each calendar year between 2010 and 2014. The bill would exempt from judicial review, pursuant to CEQA, a lead agency's decision to certify the EIR of, or to adopt a mitigated negative declaration based on an initial study for, the selected projects, a lead agency's and responsible agency's approval of the selected project, and the Business, Transportation and Housing Agency's selection of the projects. The bill would require the Business, Transportation and Housing Agency, by December 31 of each year, to submit an annual report to the Governor and to the Legislature summarizing the designation of projects, and the job creation and investment attributable to the designated projects. This bill contains other related provisions.</p>	
<p><a href="#"><u>SB 1012</u></a> <a href="#"><u>Runner</u></a></p> <p>Environmental quality: California Environmental Quality Act:(CEQA).</p>	<p>SENATE RLS. 2/18/2010 - To Com. on RLS.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. This bill would make technical, nonsubstantive changes to those provisions.</p>	
<p><a href="#"><u>SB 1245</u></a> <a href="#"><u>Simitian</u></a></p> <p>High-occupancy vehicle lanes.</p>	<p>SENATE T. &amp; H. 3/4/2010 - To Com. on T. &amp; H.</p>	<p>Existing law provides for the Department of Transportation and local authorities, with respect to highways under their respective jurisdictions, to authorize or permit exclusive or preferential use of highway lanes for high-occupancy vehicles (HOVs). Existing law authorizes the development and implementation of high-occupancy toll (HOT) lanes under limited circumstances, pursuant to which vehicles that do not meet the vehicle occupancy requirements for use of an HOV lane may use the lane upon payment of a toll.</p> <p>This bill would require an HOV lane, including, but not limited to, a HOT lane, on a highway or bridge that was free of tolls to HOVs as of January 1, 2010, to remain free of tolls with respect to HOVs.</p>	

**San Mateo County Transit District  
Bill Matrix as of March 16, 2010**

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>SB 1260</u></a> <a href="#"><u>Yee</u></a></p> <p>High-speed rail.</p>	<p>SENATE RLS. 3/4/2010 - To Com. on RLS.</p>	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes.</p> <p>This bill would state the intent of the Legislature to enact legislation to implement the bond act.</p>	
<p><a href="#"><u>SB 1263</u></a> <a href="#"><u>Wyland</u></a></p> <p>California Global Warming Solutions Act of 2006: inoperative.</p>	<p>SENATE E.Q. 3/4/2010 - To Com. on EQ.</p>	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions.</p> <p>This bill would make the provisions of the California Global Warming Solutions Act of 2006, and any regulation adopted pursuant to the act, inoperative.</p>	
<p><a href="#"><u>SB 1268</u></a> <a href="#"><u>Simitian</u></a></p> <p>Toll bridges and highways: electronic toll collection mechanisms: disclosure of personal information.</p>	<p>SENATE T. &amp; H. 3/4/2010 - To Coms. on T. &amp; H. and JUD.</p>	<p>Existing law authorizes development and implementation of various electronic bridge and highway toll collection mechanisms.</p> <p>This bill would prohibit a transportation agency, as defined, from selling or providing personally identifiable information of a subscriber obtained pursuant to the subscriber's participation in an electronic toll collection system, subject to specified exceptions. The bill would allow a transportation agency to store certain personally identifiable information of a subscriber and would require it to discard other information within a designated time period. The bill would authorize a subscriber whose personally identifiable information has been sold or provided in violation of the bill to bring specified actions for recovery of damages, costs, and attorney's fees. By imposing new duties on local transportation agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#"><u>SB 1299</u></a> <a href="#"><u>Lowenthal</u></a></p> <p>Vehicles: vehicle miles traveled fee (VMT).</p>	<p>SENATE T. &amp; H. 3/4/2010 - To Com. on T. &amp; H.</p>	<p>Existing law requires the Department of Motor Vehicles and the Department of the California Highway Patrol to each shall file, at least monthly with the Controller, a report of money received by the department covering all fees for applications accepted by the department and all other moneys received by the Department of Motor Vehicles under the Vehicle Code and, at the same time, to remit all money so reported to the Treasurer.</p> <p>This bill would require the Department of Motor Vehicles to develop and implement, by January 1, 2012, a pilot program designed to assess the following issues related to implementing a vehicle miles traveled (VMT) fee in California. The bill would also require the department to prepare and submit a specified report of its findings to the policy and fiscal committees of the Legislature no later than June 30, 2012. This bill contains other existing laws.</p>	

**San Mateo County Transit District  
Bill Matrix as of March 16, 2010**

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>SB 1371</u></a> <a href="#"><u>Lowenthal</u></a></p> <p>Federal transportation economic stimulus funds: 2nd round.</p>	<p>SENATE T. &amp; H. 3/4/2010 - To Com. on T. &amp; H.</p>	<p>Existing law generally provides for programming and allocation of state and federal transportation capital improvement program funds pursuant to the state transportation improvement program process administered by the California Transportation Commission. Under these provisions, 25% of available funds are available for interregional improvement projects nominated by the Department of Transportation, subject to a requirement that 60% of these funds be available for projects in nonurbanized areas on the interregional road system and for intercity rail projects. The remaining 75% of available funds are available for regional improvement projects nominated by regional agencies. All funds programmed through the state transportation improvement program process are subject to the north-south split, and the regional improvement funds are further subject to the county shares formula.</p> <p>This bill would require the Department of Transportation to work with local transportation agencies to develop a list of potential projects that may be awarded within a 90-day period of the award to the state of 2nd round federal transportation economic stimulus funds. The bill would require the department to submit a monthly status report to the Legislature, as specified, with respect to certain milestones for expenditure of these funds. The bill would make related legislative findings and declarations. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#"><u>SBX3 21</u></a> <a href="#"><u>Denham</u></a></p> <p>State budget.</p>	<p>SENATE RLS. 10/26/2009 - From committee without further action.</p>	<p>The Budget Act of 2008 appropriates \$136,000,000 for construction of the Condemned Inmate Complex at San Quentin State Prison. A prior appropriation in the Budget Act of 2003 appropriated \$220,000,000 for this construction and was reappropriated in the Budget Act of 2008.</p> <p>This bill would eliminate both appropriations and the reappropriations to the extent the appropriated funds have not been expended. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#"><u>SCA 3</u></a> <a href="#"><u>Wyland</u></a></p> <p>Transportation Investment Fund.</p>	<p>SENATE REV. &amp; TAX 4/23/2009 - Set, first hearing. Hearing canceled at the request of author.</p>	<p>Article XIX B of the California Constitution requires, commencing with the 2003-04 fiscal year, that sales taxes on motor vehicle fuel that are deposited into the General Fund be transferred to the Transportation Investment Fund (TIF) for allocation to various transportation purposes. Article XIX B authorizes this transfer to be suspended in whole or in part for a fiscal year during a fiscal emergency pursuant to a proclamation by the Governor and the enactment of a statute by a 2/3 vote in each house of the Legislature, subject to various restrictions.</p> <p>This measure would delete the provisions authorizing the transfer of revenues to the TIF to be suspended during a fiscal emergency. The measure would also prohibit a loan of TIF revenues under any circumstances, and would prohibit any statute that would reduce the extent to which these tax revenues are deposited into the General Fund for transfer to the TIF for transportation purposes.</p>	

## San Mateo County Transit District Bill Matrix as of March 16, 2010

Bill ID/Topic	Location	Summary	Position
<a href="#">SCA 5</a> <a href="#">Hancock</a>  State budget.	SENATE THIRD READING 9/1/2009 - Read second time. To third reading.	<p>The California Constitution requires the Governor to submit to the Legislature by January 10 of each year a budget for the ensuing fiscal year, accompanied by a Budget Bill itemizing recommended expenditures. The Constitution requires specified bills, including a bill making a change in state taxes for the purpose of raising revenue, a bill containing an urgency clause, and a bill, including the Budget Bill, that makes certain appropriations from the General Fund, to be passed in each house of the Legislature by a 2/3 vote.</p> <p>This measure would exempt General Fund appropriations in the Budget Bill from the 2/3 vote requirement. This bill contains other related provisions and other existing laws.</p>	
<a href="#">SCA 9</a> <a href="#">Ducheny</a>  Finance: state budget: taxes.	SENATE BUDGET & F.R. 2/5/2009 - To Coms. on B. & F.R. and E., R. & C.A.	<p>Existing constitutional provisions require each house of the Legislature to pass a bill appropriating money from the General Fund, except appropriations for the public schools, by a 2/3 vote. This measure would also exempt from this 2/3-vote requirement appropriations made in a Budget Bill, and appropriations made in a bill identified in the Budget Bill as containing only changes in law necessary to implement the Budget Bill.</p> <p>Instead, this measure would require that a Budget Bill, and any bill identified in the Budget Bill as containing only changes in law necessary to implement the Budget Bill, be passed by a 55% vote in each house. This bill contains other related provisions and other existing laws.</p>	
<a href="#">SCA 10</a> <a href="#">Ducheny</a>  Statewide initiative measures: legislative amendment.	SENATE THIRD READING 1/12/2010 - Read second time. To third reading.	<p>Existing provisions of the California Constitution provide that the initiative is the power of the electors to propose statutes and amendments to the Constitution and to adopt or reject those proposals. Those provisions require the Secretary of State to submit the measure at the next general election held at least 131 days after it qualifies or at any special statewide election held prior to that general election. The Governor may also call a special statewide election on the measure. This measure would require the Secretary of State to transmit a copy of an initiative measure certified for the ballot to each house of the Legislature no later than 176 days prior to the election at which the measure is to be voted upon. Within 30 days, the Legislature may propose an amended form of the initiative measure by adopting a concurrent resolution. If the Legislature proposes an amended form of the initiative measure, the measure would provide that if the proponent, or a majority of the proponents if there is more than one proponent, of the initiative measure accepts the proposed amendments, the Legislature's proposal would appear on the ballot in place of the certified initiative measure.</p> <p>The measure would require that, if the amended form proposed by the Legislature is not accepted, information regarding the proposed amended form be included in the ballot materials relating to the initiative measure, as prescribed by statute. This bill contains other existing laws. <b>Last Amended on 8/17/2009</b></p>	

**San Mateo County Transit District  
Bill Matrix as of March 16, 2010**

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SCA 14 Ducheny</a></p> <p>Initiative measures: funding source.</p>	<p>SENATE THIRD READING 1/12/2010 - Read second time. To third reading.</p>	<p>The California Constitution provides that the electors may propose statutes or amendments to the state constitution through the initiative process by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by a certain number of electors.</p> <p>This measure would prohibit an initiative measure that would result in a net increase in state or local government costs other than costs attributable to the issuance, sale, or repayment of bonds, from being submitted to the electors or having any effect unless and until the Legislative Analyst and the Director of Finance jointly determine that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs. <b>Last Amended on 8/17/2009</b></p>	
<p><a href="#">SCA 15 Calderon</a></p> <p>State budget.</p>	<p>SENATE BUDGET &amp; F.R. 4/13/2009 - From committee with author's amendments. Read second time. Amended. Re-referred to Com. on B. &amp; F.R.</p>	<p>The California Constitution requires the Governor to submit to the Legislature by January 10 of each year a budget for the ensuing fiscal year, accompanied by a Budget Bill itemizing recommended expenditures. The Constitution requires specified bills, including a bill making a change in state taxes for the purpose of raising revenue, a bill containing an urgency clause, and a bill, including the Budget Bill, that makes certain appropriations from the General Fund, to be passed in each house of the Legislature by a 2/3 vote.</p> <p>This measure would exempt General Fund appropriations in the Budget Bill for the ensuing fiscal year from the 2/3 -vote requirement if the total amount of General Fund revenues estimated by the Legislative Analyst, on or after May 15, for the current fiscal year is at least 5% below the estimate of General Fund revenues set forth in the Budget Bill enacted for the current fiscal year. This bill contains other related provisions and other existing laws. <b>Last Amended on 4/13/2009</b></p>	
<p><a href="#">SCA 16 DeSaulnier</a></p> <p>Initiatives: indirect initiatives.</p>	<p>SENATE THIRD READING 9/1/2009 - Read second time. To third reading.</p>	<p>The measure would alternatively authorize the electors to propose, and to adopt or reject, statutes and amendments to the Constitution pursuant to a process of initial review by the Legislature. The measure would require that the petition presented to the Secretary of State be certified as signed by electors equal in number to 3% in the case of a statute, or 6% in the case of an amendment to the Constitution, of the votes for all candidates for Governor at the last gubernatorial election. The measure would require the Secretary of State to transmit that petition to the Legislature within 10 days. This bill contains other existing laws.</p>	



ROSE GUILBAULT, CHAIR  
KARYL MATSUMOTO, VICE CHAIR  
OMAR AHMAD  
MARK CHURCH  
JERRY DEAL  
SHIRLEY HARRIS  
ZOE KERSTEEN-TUCKER  
ARTHUR L. LLOYD  
ADRIENNE TISSIER

MICHAEL J. SCANLON  
GENERAL MANAGER/CEO

## A G E N D A

### BOARD OF DIRECTORS

**San Mateo County Transit District Administrative Building  
Bacciocco Auditorium - Second Floor  
1250 San Carlos Ave., San Carlos, CA**

**WEDNESDAY, APRIL 14, 2010 – 3:00 p.m.**  
or immediately following Committee meetings

- 1. CALL TO ORDER/ROLL CALL**
- 2. CONSENT CALENDAR**  
MOTION
  - a. Approval of Minutes of Board of Directors Meeting of March 9, 2010
  - b. Acceptance of Statement of Revenues and Expenses for February 2010
- 3. PUBLIC COMMENT**  
Public comment by each individual speaker shall be limited to one minute
- 4. REPORT OF THE CHAIR**
- 5. REPORT OF THE GENERAL MANAGER/CEO**
- 6. COMMUNITY RELATIONS COMMITTEE**  
(*Accessibility, Senior Services, and Community Issues*)  
MOTION
  - a. Appointment of Citizen Advisory Committee Members
    - i) Judy McKie Representing Bus Riders
    - ii) Lisa Chow Representing Community Rider
    - iii) Andy Chow Representing Multimodal Riders
    - iv) Tom Collette Representing Multimodal riders
    - v) Kim Nobles Representing Multimodal Riders

#### SUBJECTS DISCUSSED

- b. Accessibility Update
- c. Paratransit Coordinating Council (PCC) Update
- d. Citizens Advisory Committee Liaison Report
- e. Performance Report – ADA Paratransit
- f. Multimodal Ridership Report – February 2010

Note: All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.



**7. FINANCE COMMITTEE**

**RESOLUTIONS**

- a. Authorize Award of Contract to Orrick, Herrington and Sutcliffe, LLP to Serve as Special Counsel in Connection with the Fiscal Year 2011 Fuel Hedging Program
- b. Authorize Amending the Fiscal year 2010 Operating Budget by \$210,245 from \$134,273,623 to \$134,063,378
- c. Authorize Amending the Fiscal Year 2010 Capital Budget by \$1,428,000 from \$18,731,316 to \$20,159,316 to Include Funding for San Bruno Grade Separation Real Estate Acquisition Activities and Clipper<sup>SM</sup> (Formerly TransLink<sup>®</sup>) Site Preparation Costs
- d. Authorize Entering into a Memorandum of Understanding with the San Mateo City/County Association of Governments (C/CAG) for Performance of Phase 1 of the Economic and Housing Opportunity Assessment for the Grand Boulevard Initiative
- e. Authorize Entering into a Funding Agreement with the City/County Association of Governments (C/CAG) for Performance of the Countywide Transportation Plan for Low-Income Populations and the South San Francisco/San Bruno Community Based Transportation Plan
- f. Authorize Execution of a Cooperative Agreement with San Mateo City/County Association of Governments (C/CAG) in the Amount of \$536,000 for Fiscal Year 2011 Transportation Fund for Clean Air Funds for the SamTrans Shuttle Bus Program
- g. Authorize Award of Contracts to Fehr & Peers and HNTB Corporation to Provide On-call Transportation Planning and Program Support for up to \$4,000,000 for a Three-year Base Term

**9. LEGISLATIVE COMMITTEE**

**SUBJECTS DISCUSSED**

- a. State and Federal Legislative Update

**10. WRITTEN COMMUNICATIONS TO THE BOARD OF DIRECTORS**

**11. BOARD MEMBER REQUESTS/COMMENTS**

**12. DATE, TIME AND PLACE OF NEXT MEETING** – May 12, 2010 at 2 p.m., San Mateo County Transit District, Administrative Building, Bacciocco Auditorium, 2<sup>nd</sup> Floor, 1250 Carlos Ave., San Carlos 94070

**13. GENERAL COUNSEL PROPOSAL**

- a. Closed Session: Conference with Labor Negotiator – Pursuant to Government Code Section 54957.6, Teamsters Union, Local 856 (Bus Transportation Supervisors, Dispatchers and Radio Controllers)
- b. Closed Session: Conference with Labor Negotiator – Pursuant to Government Code Section 54957.6, Amalgamated Transit Union, Local 1574 (Customer Service Center Employees)

- c. Closed Session: Real Estate Negotiations – Pursuant to Government Code 54956.8:  
Agency Negotiators: David J. Miller and Brian Fitzpatrick  
Under Negotiation: Price and Terms of Purchase  
Property and Negotiating Parties:

<u>Owner</u>	<u>Address/Location</u>	<u>APN</u>
Usman and Fatima Shaikh	111 San Bruno Avenue	020-121-360
Lester and Rhoda Kaplan	222 San Bruno Avenue	020-193-360
Paul and Rita Kaplan		
Artichoke Joes	659 Huntington Avenue	020-131-570
Artichoke Joes	205 Angus Avenue	020-131-410
City and County of San Francisco	Angus and Huntington Avenue	SBE 845-41-5
	San Mateo and Huntington Avenues	SBE 846-41-5

#### **14. ADJOURNMENT**

## **INFORMATION TO THE PUBLIC**

If you have questions on the agenda, please contact the District Secretary at 650-508-6242. Agendas are available on the SamTrans Website at [www.samtrans.com](http://www.samtrans.com).

The San Mateo County Transit District Board and Citizens Advisory Committee (CAC) meeting schedules are available on the Web site.

### **Date and Time of Board and Advisory Committee Meetings**

San Mateo County Transit District Committees and Board: Second Wednesday of the month, 2 p.m.; SamTrans Citizens Advisory Committee: First Wednesday of the month, 6:30 p.m. Date, time and location of meetings may be change as necessary.

### **Location of Meeting**

The San Mateo County Transit District Administrative Building is located at 1250 San Carlos Avenue, San Carlos, one block west of the San Carlos Caltrain Station on El Camino Real and accessible by SamTrans bus Routes 260, 295, 390, 391, KX. [Map link](#) Additional transit information can be obtained by calling 1-800-660-4287 or 511.

### **Public Comment**

- If you wish to address the Board, please fill out a speaker's card located on the agenda table. If you have anything that you wish distributed to the Board and included for the official record, please hand it to the District Secretary, who will distribute the information to the Board members and staff.
- Members of the public may address the Board on non-agendized items under the Public Comment item on the agenda. Public testimony by each individual speaker shall be limited to one minute and items raised that require a response will be deferred for staff reply.

### **Accessibility for Individuals with Disabilities**

Upon request, the Transit District will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number and brief description of the requested materials and a preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be mailed to the District Secretary at San Mateo County Transit District, 1250 San Carlos Avenue, San Carlos, CA 94070-1306; or emailed to [board@samtrans.com](mailto:board@samtrans.com); or by phone at 650-508-6242, or TTY 650-508-6448.

### **Availability of Public Records**

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at 1250 San Carlos Avenue, San Carlos, CA 94070-1306, at the same time that the public records are distributed or made available to the legislative body.

Note: All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.

**SAN MATEO COUNTY TRANSIT DISTRICT  
1250 SAN CARLOS AVENUE, SAN CARLOS, CALIFORNIA**

**MINUTES OF BOARD OF DIRECTORS MEETING  
MARCH 9, 2010**

Members Present: O. Ahmad, M. Church, J. Deal, R. Guilbault (Chair), S. Harris, Z. Kersteen-Tucker, A. Lloyd, K. Matsumoto, A. Tissier

Staff Present: J. Cassman, G. Harrington, C. Harvey, R. Haskin, R. Lake, M. Lee, M. Martinez, N. McKenna, D. Miller, M. Scanlon, M. Simon

Chair Rose Guilbault called the meeting to order at 3:02 p.m.

**GENERAL COUNSEL PROPOSAL**

General Counsel David Miller said there is no need for a closed session and the Board will move directly into the public hearing. The subject matter of these proceedings involves a project of the Peninsula Corridor Joint Powers Board (JPB), which operates Caltrain. The JPB is the project sponsor and will be constructing a significant grade separation project in the City of San Bruno. After considerable time, energy, efforts and collaborating with the City and on the design, this project is ready to proceed eminently with solicitation of construction bids. Thirty million dollars from the California Transportation Commission has been allocated to this project and the construction contract must be awarded by June 30, 2010. In order to advertise for construction bids it is necessary for the project sponsor to certify it has control over all real estate needed for the project. There are a number of parcels, most of them very small, that are outside the existing JPB owned and controlled rail corridor and it will be necessary to obtain either possessory rights or ownership rights. This agency has the powers of condemnation and eminent domain, which the JPB does not, and the JPB has asked for assistance with the real estate acquisition program if any circumstances in which negotiated agreements for possession or ownership could not be obtained within the designated timeframe.

Mr. Miller said legal counsel's recommendation is to proceed with four separate public hearings.

Mr. Miller said the parcels in question consist of temporary construction easements totaling of 143 square feet.

He said under the law, before an agency may exercise its power of eminent domain, the agency must make certain determinations: Public interest and necessity require that the particular project be undertaken; the project is planned and located in a manner that will be most compatible with the greatest public good and least private injury: the specific property in question is necessary for the project; an offer has been made to the owners.

Mr. Miller said with respect to the public interest and necessity, the project consists of three grade separated street crossings, three pedestrian undercrossings, a new San Bruno Caltrain Station parking lot and relocation of the station platform. This entire project is a significant safety enhancement. There have been extensive community meetings and discussions with the city and community groups.

a. Public Hearing/Consideration of Resolution of Necessity – Property Owner and Location/APN:

Usman and Fatima Shaikh, 111 San Bruno Avenue 020-121-360

Mr. Miller said, with regards to these two particular parcels, what is involved is the lowering of Huntington Avenue in order to meet the project requirements of grade separating San Bruno and San Mateo avenues. This easement is needed in order to construct an access staircase and reconstruct the sidewalk and pedestrian access.

Finally, an offer must be made to property owners before a resolution of necessity can be considered. An appraisal representing the fair market value must be undertaken and shared with the property owner before an offer is made. An offer based on that appraisal has been made and there have been meetings and discussions with the property owners.

Mr. Miller said notice has been given in writing of the time and place of this hearing. The record is now complete and his recommendation is to move forward with the resolution of necessity.

Director Adrienne Tissier asked Mr. Miller if the Board approves the resolution is there is still time for further negotiations even though an offer has been made and the owners have not settled on price. Mr. Miller said the intent of staff and counsel is to reach agreements on a negotiated basis and the action to file eminent domain proceedings is a protective measure to allow the project to proceed.

The motion (Tissier/Ahmad) to approve the resolution was approved unanimously by roll call.

b. Public Hearing/Consideration of Resolution of Necessity – Property Owner and Location/APN:

Lester and Rhoda Kaplan, Paul and Rita Kaplan, 222 San Bruno Avenue 020-193-360

Mr. Miller said this item involves property owned by Lester Kaplan and Rhoda S. Kaplan, as trustees of the Lester and Rhoda S. Kaplan family trust. There is a tenant occupying this property, Sonic Automotive, Inc. and Melody Toyota. The property interest that the District seeks to acquire from this particular owner includes a piece of both a 1,201-square-foot and a 111-square-foot temporary construction easement. Mr. Miller said for the record and in the interest of time he will incorporate into the hearing the written report that was presented and available to the public. The fundamental findings required for resolution of necessity are incorporated in this report.

He said with respect to the specific property in question, parcel 25A is needed in order to make a right-hand turn from proposed lower San Mateo Avenue to San Bruno Avenue. Parcel 25B is property needed to allow a right-hand turn from lower San Mateo Avenue to San Bruno Avenue. Parcel 25C is a temporary construction easement in order that the existing Melody Toyota driveway conforms to the elevation of the proposed lowered San Mateo Avenue. Parcel 26 is needed because after the alignment of San Mateo Avenue is lowered it will no longer be safe to allow First Avenue to connect to San Mateo Avenue due to sight distance restrictions at San Mateo Avenue. To accommodate this, First Avenue will be converted into a cul-de-sac. This

property, therefore, will provide sufficient space for delivery vehicles to turn around at the cul-de-sac and return south on First Avenue.

Mr. Miller said, as noted in the report, an offer has been made to the property owners and there have been extensive meetings with both the property owners and tenants. It is staff's understanding that the modifications of the property, as it relates to Melody Toyota, have been found to be acceptable to the tenant for purposes of continuing their use. The property owners are on record that they are not going to appear today to contest public use of necessity. They have a different view of the valuation of the property and, as was indicated earlier, staff will continue discussions with respect to property valuations. Staff is confident they will be able to reach a negotiated resolution. The fact that there are differences of opinion on value at this time should not impede the consideration of the Board to proceed with this resolution.

He said, for the record, he invites anyone to speak on behalf of the property owner or tenant. Hearing none, Mr. Miller recommended that the Board consider the resolution of necessity.

Director Tissier asked if there is an attempt in the negotiations to relocate businesses. Mr. Miller said it is not necessary and there will be no relocations of the residents or businesses.

The motion (Lloyd/Harris) to approve the resolution was approved unanimously by roll call.

b. Public Hearing/Consideration of Resolution of Necessity – Property Owner and Location/APN:

Artichoke Joe's, 659 Huntington Avenue 020-131-570  
Artichoke Joe's, 205 Angus Avenue 020-131-410

Mr. Miller said these parcels are needed for two temporary construction easements totaling 96 square feet. The specific reason for these parcel acquisitions is the requirement for a construction easement to reconstruct the pedestrian curb ramp and sidewalk at this location. In regards to parcel 69, the temporary construction easement is required to reconstruct the existing pedestrian curb ramp to conform to the proposed lowered Angus and Huntington avenues. As was the case in the two prior items, appraisals were obtained for these parcels, offers have been made based on those appraisals and there have been extensive discussions both as to these properties and as part of the next hearing. The record is complete to support a resolution of necessity and would invite any representative of Artichoke Joe's to address the Board at this time.

Alan Titus, attorney for Artichoke Joe's, said he previously received an offer for the whole package and received notice of this meeting. The offer made to Artichoke Joe's involves the whole package and has not been separated out into two. Mr. Titus would like to reserve his rights to contest the whole package.

Mr. Miller assured Mr. Titus that if there is an interest in negotiating separately for the temporary construction easement he will meet with him after this meeting.

The motion (Deal/Harris) to approve the resolution was approved unanimously by roll call.

- c. Public Hearing/Consideration of Resolution of Necessity – Property Owner and Location/APN: City and County of San Francisco, Angus and Huntington Avenue SBE 845-41-5, San Mateo and Huntington Avenues SBE 846-41-5

Mr. Miller said the final public hearing involves property owned by the City and County of San Francisco and is leased to Artichoke Joe's. The property includes a portion of Huntington Avenue as well as land leased to Artichoke Joe's as parking for casino patrons. The District seeks to acquire a fee simple interest in the property, which totals 22,446 square feet.

The reason for the acquisition of these particular parcels is as follows: Parcel 38 accommodates the goal of straightening Angus Avenue by connecting the western portion of Angus Avenue directly to the eastern portion of Angus Avenue, which requires realignment over the subject property. Parcel 41 is required in order to comply with certain Federal requirements, to expand, reconfigure and improve Posy Park and for construction of the entrance to the new elevated San Bruno Station.

Appraisals have been done and offers have been made to the City and County of San Francisco with respect to these particular parcels. A letter was received from the city attorney of the City and County of San Francisco. Staff has worked collaboratively with the City and County of San Francisco to protect the respective potential rights of each party in these proceedings. It should be noted the letter closely resembles, if not duplicates, a letter of similar nature that this Board filed with the City and County of San Francisco in connection with an unrelated proceeding involving a San Francisco Water Department acquisition with an easement in the Dumbarton Rail Line Corridor. This provides a measure of comfort that no significant issues are anticipated before the court on the issue of public convenience of necessity.

In respect to the testimony that the Board will be hearing, there have been extensive meetings and discussions with representatives of both the owner and the tenant regarding the parcels that are the subject of these proceedings as well as the adjacent parcels that cannot be incorporated in the action of eminent domain. Staff believes they need to proceed since an agreement has not been reached for a right of possession from either of the parties or a final agreement.

Mr. Titus said Artichoke Joe's has been in business since 1916 and is a family owned business with 325 employees now being run by the third generation. Parking is the lifeblood for this business and Artichoke Joe's has had this parking lot since the early 1970s. Customers want the parking lot close to the building for safety reasons.

In 1997, Artichoke Joe's entered into a 40-year lease with the City and County of San Francisco at a very substantial rent for empty, unused space. The north lot is being converted for use as a park located across the street is situated on a triangular tip of a triangular block. He said the park is lightly used and mostly by bums so the idea of building a park across the street doesn't serve a great public necessity. Mr. Titus said he has been in discussions with Caltrain but at this point this parcel is not necessary for the project and protests the taking of this parcel.

Mr. Miller said no one from the City and County of San Francisco was present.

Mr. Miller said there have been extensive discussions and the fee owner of this property is the City and County of San Francisco and is under lease to Artichoke Joe's. Whatever issues may be

raised in these proceedings that bear on the rights of Artichoke Joe's on the properties that are needed would ultimately be a matter of allocation between the owner and tenant. He has no reason to think that negotiations can continue and an offer has been made to the tenant, independently of the larger acquisition of the City and County of San Francisco, that would make amends for any loss of parking..

Chair Guilbault asked if there are alternatives to the parking identified. Real Estate and Property Development Manager Brian Fitzpatrick said the current property line will be moved back nine feet and this can potentially give more spots than currently available.

The motion (Lloyd/Kersteen-Tucker) to approve the resolution was approved unanimously by roll call.

Adjourned to committee meetings at 3:32 p.m.

The Board readjoined at 3:54 p.m.

### **CONSENT CALENDAR**

The Board unanimously approved the consent calendar (Matsumoto/Kersteen-Tucker); Director Ahmad abstained from item a.

- a. Approval of Minutes of Board of Directors Meeting of February 10, 2010
- b. Acceptance of Statement of Revenues and Expenses for January 2010

### **PUBLIC COMMENT**

None

### **REPORT OF CHAIR**

None

### **REPORT OF THE GENERAL MANAGER/CEO**

#### Annual Operations and Maintenance Base Safety Awards

The annual bus transportation award was presented to Superintendent Karambir Cheema of North Base and the annual bus maintenance award was presented to Superintendent Jerie Moeller of South Base.

#### Maintenance and Operator Employees of the Year Awards

Edward Suliguin was honored as maintenance employee of the year and Danilo Gemanil was honored as operator of the year.

Mr. Scanlon reported:

- In the reading file is the American Public Transportation Association's (APTA) *BOARDtalk* featuring an article on Director Zoe Kersteen-Tucker and an opinion piece by Chair Guilbault that appeared in the February 17 *Daily News*.
- Directors Kersteen-Tucker and Ahmad will be attending APTA's Legislative Conference in Washington, D.C.



- Tomorrow four Board members will be going to Sacramento to deliver a message to the legislators about the consequences of diverting transit funding and how this is affecting real lives and people.

Chair Guilbault said it is always a pleasure to honor the men and women of SamTrans for the work they do.

### **COMMUNITY RELATIONS COMMITTEE**

(Accessibility, Senior Services, and Community Issues)

#### **SUBJECTS DISCUSSED**

- a. Accessibility Update
- b. Citizens Advisory Committee Liaison Report
- c. Performance Report – Fixed-route Service
- d. Multimodal Ridership Report – January 2010

### **FINANCE COMMITTEE**

#### **RESOLUTIONS**

- a. Authorize Assignment of Contract to CSI Capital Management, Inc. to Provide Investment Management Services
- b. Annual Adoption of Investment Policies and Authorization to Invest Monies with the Local Agency Investment Fund
- c. Assessment of the Fiscal Year 2010 Fuel Hedge Program and Authorize Adoption of a Fuel Hedging Program
- d. Authorize the Disposal of 137 Surplus Gillig Buses
- e. Authorize Filing an Application with Caltrans for a Community-Based Transportation Grant Application in the Amount of \$300,000 for the Economic and Housing Assessment for the Grand Boulevard Initiative
- f. Authorize Receiving an Allocation of \$196,867 of Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account Funds Through the Lifeline Transportation Program for the Improvement of Bus Stops in Lifeline Areas Within San Mateo County
- g. Authorize Entering into Memoranda of Understandings, File Applications and Pass Through Funds to Lifeline Transportation Project Sponsors in San Mateo County
- h. Authorize Award of Contract to GFI Genfare (GFI) to Provide Automatic Fare Collection System for a Total Cost of \$7,654,475

The motion (Church/Tissier) to approve the resolutions was approved unanimously by roll call.

### **LEGISLATIVE COMMITTEE**

#### **RESOLUTION**

- a. Authorize Support of the Local Taxpayer, Public Safety and Transportation Act for California's November 2010 Statewide Ballot

The motion (Kersteen-Tucker/Lloyd) to approve the resolution was approved unanimously by roll call.

#### **SUBJECTS DISCUSSED**

- b. State and Federal Legislative Update

**PLANNING, DEVELOPMENT AND SUSTAINABILITY COMMITTEE  
PROCLAMATION**

- a. Support of the 2010 Census

The motion (Tissier/Matsumoto) to approve the proclamation was approved unanimously.

**WRITTEN COMMUNICATIONS**

In reading file.

**BOARD MEMBER COMMENTS**

None

**DATE AND TIME OF NEXT MEETING** – April 14, 2010, at 2 p.m., San Mateo County Transit District, Administrative Building, 1250 San Carlos Avenue, San Carlos, CA 94070.

**GENERAL COUNSEL PROPOSAL**

Mr. Miller said there is no report.

Adjourned at 4:22 p.m.