

C O N C I L   C O M M U N I C A T I O N

TO:        THE CITY COUNCIL  
FROM:      THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE:  
AUGUST 17, 1988

SUBJECT:   PROPOSITION 5 ELECTION

RECOMMENDED ACTION: That the City Council, by motion action, lend its support for an election to determine the views of the citizens of San Joaquin County on the issue of eligibility for obtaining the County's share of gas tax funds for Mass Transit Guideway purposes designating San Joaquin County as a Proposition 5 County, thereby being eligible to apply for Mass Transit Guideway projects for Amtrak rail service improvements.

In 1974, California voters approved Proposition 5, which allowed voters in any county to approve a ballot measure (by simple majority) under Article XIX, Section 4, to receive a proportionate share of state "guideway minimum" funds. Eleven urban counties have subsequently activated this provision, which by state law allows the use of state gas funds for "public mass transit guideway purposes".

Had San Joaquin County become a Proposition 5 county, prior to this fiscal year, its estimated eligible share could have been approximately \$1.2 million. Whenever a new county joins the other Proposition 5 counties, the amount available to each county diminishes. However, funds are only allocated based on submitted projects.

The San Joaquin County Board of Supervisors has committed support and endorsement to the priorities for rail service improvements of the Rail Steering Committee of the Caltrans Rail Task Force for the Amtraks "San Joaquin".

The priorities of the Rail Steering Committee focus on:

- \* Direct train service to Sacramento from Stockton
- \* Switching to Southern Pacific tracks north of Fresno
- \* Direct train service through the Altamont Pass to the Bay area
- \* Direct train service to Los Angeles

The first three priorities have direct and critical effects on San Joaquin County. These include track improvements, switching capabilities and multi-model stations. Article XIX monies could allow for the development of these types of projects.

Attached, marked Exhibit "A", is a copy of a letter and briefing paper/staff report concerning this matter which was received from Rail Steering Committee of Caltrans Rail Task Force Chairman, William Sousa.

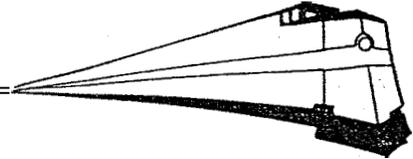
The letter advises that the Board of Supervisors needs to take action on this matter prior to August 12th. It is felt that although this information was not received in time to act on the matter earlier, it would be appropriate for the City Council, by motion action, to lend its support to this effort.

*Alice M. Reimche*  
Alice M. Reimche  
City Clerk

AMR:jj

COUNC023/TXTA.02D

STEERING COMMITTEE  
OF  
CALTRANS' RAIL TASK FORCE



MEMBERS  
REPRESENTING

ALAMEDA COUNTY  
CONTRA COSTA COUNTY  
FRESNO COUNTY  
KERN COUNTY  
KINGS COUNTY  
LOS ANGELES COUNTY  
MADERA COUNTY  
MERCED COUNTY  
SACRAMENTO COUNTY  
SAN JOAQUIN COUNTY  
STANISLAUS COUNTY  
TULARE COUNTY

July 22, 1988

Councilwoman Evelyn Olson  
COG Board Member  
1306 Burgundy Court  
Lodi, California 95242

SUBJECT: PROPOSITION 5 ELECTION

Dear Councilwoman Olson:

Attached for your council's consideration is a briefing paper which relates the background of the rationale for recommending that the San Joaquin County Board of Supervisors propose to the voters of San Joaquin County the issue of eligibility for Article XIX, Section 4 - Mass Transit Guideway Funds.

The issues can be summarized as follows:

- ° San Joaquin County has been and continues to be strongly supportive of the Amtrak-San Joaquin passenger rail service.
- ° State supported rail service has been added as an eligible item for mass transit guideway funds.
- ° Eligibility for pursuit of these funds is contingent upon a "simple majority" vote of the electorate, in any county.
- ° While these funds, technically do count against the "so-called" state highway county minimums, and could compete against state highway projects, as a practical matter, this in fact does not occur.
- ° If voters authorize San Joaquin County to pursue this source of funding, they would provide access to a new source of funds for rail guideway projects.

Transportation Steering Committee  
PROPOSITION 5 ELECTION

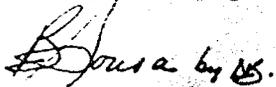
- Eligible projects under the guideway definition could include: track and signal improvements to allow higher speeds; automatic switching grade crossing improvements and track connections and station improvements, as well as multi-modal station projects. These improvements would have positive affects for all of the cities within San Joaquin County.

With the Board's knowledge of the Amtrak-San Joaquins, and the potential for a multitude of improvements to local train service these funds could provide, it is the Rail Steering Committee's recommendation that the Cities of San Joaquin County support and endorse the calling of an election to access this important new source of funds.

In order to assure placement on the November ballot, the Board of Supervisors will need to take action on this matter by August 12th.

Your support and endorsement of this proposal is invaluable to its success.

Very truly yours,



WILLIAM N. SOUSA  
Chairman, Rail Steering  
Committee of Caltrans Rail  
Task Force

WNS:DAB:ss  
A 8G218TCS1

Attachment

c: Henry M. Hirata, Director of Public Works



HENRY M. HIRATA  
DIRECTOR

COUNTY OF SAN JOAQUIN  
DEPARTMENT OF PUBLIC WORKS  
P. O. BOX 1810 - 1810 E. HAZELTON AVENUE  
STOCKTON, CALIFORNIA 95201  
(209) 468-3000

EUGENE DELUGCHI  
CHIEF DEPUTY DIRECTOR  
THOMAS R. FLINN  
DEPUTY DIRECTOR  
MANUEL LOPEZ  
DEPUTY DIRECTOR  
RICHARD C. PAYNE  
DEPUTY DIRECTOR

AB 1023 - PROPOSITION 5  
BRIEFING PAPER/STAFF REPORT  
July 20, 1988

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt the Resolution calling for an election to determine the views of the citizens of San Joaquin County on the issue of eligibility for obtaining the County's share of gas tax funds for Mass Transit Guideway purposes designating San Joaquin County as a Proposition 5 County, then eligible to apply for Article XIX funding for Mass Transit Guideway projects for Amtrak rail service improvements.

REASONS FOR RECOMMENDATION:

BACKGROUND:

As you are aware, the San Joaquin County Board of Supervisors have committed support and endorsement to the priorities for rail service improvements of the Rail Steering Committee of the Caltrans Rail Task Force for the Amtrak "San Joaquins" (per BO# 87-1047). At the May 1988 meeting, it was brought to that Committees' attention, by Assemblyman Jim Costa, that an opportunity for additional funding for Amtrak and mass transit guideway purposes had become available.

That source of funding is available under Article XIX, Section 4 of the State Constitution. The Committee voted to seek the ability from the voters to pursue these funds within their respective jurisdictions.

PROPOSITION 5 - THE MECHANICS OF ELIGIBILITY FOR ARTICLE XIX FUNDING:

In 1974, California voters approved Proposition 5, which allowed voters in any County to approve a ballot measure (by simple majority) under Article XIX, Section 4 to receive a proportionate share of State "guideway minimum" funds. Eleven urban Counties have subsequently activated this provision, which by State law allows the use of State gas tax funds for "public mass transit guideway purposes." Each year the Legislature and the California

THE REPRODUCTION OF THIS  
DOCUMENT CANNOT BE  
IMPROVED DUE TO THE  
CONDITION OF THE ORIGINAL

AB1023-PROPOSITION 5  
BRIEFING PAPER/STAFF REPORT  
July 20, 1988

Transportation Commission (CTC) allocate State funds to fund rail transit projects in the eleven Counties where this enabling proposition has been approved.

AB 1023:

In September of 1987, Governor Deukmejian signed into law Assembly Bill 1023, authored by Assemblyman Costa. AB 1023 primarily focused on improving public transportation to State prisons. However, it also expanded the definition of public mass transit guideway projects under Article XIX to include as eligible, rail lines. This provision allows rural counties served by the San Joaquin Amtrak line to become a "Guideway County" and be eligible to receive a proportionate share of State "guideway minimum" funds. This would include multi-modal station projects, as well as track and signal improvements to allow higher speeds. Also included as being eligible for this funding are grade crossing improvements, and track connections.

This expansion of the law is subject to existing law which requires voter approval of a proposition to establish eligibility to pursue this funding source.

THE FUNDING ISSUES:

Once a county qualifies by a vote of the electorate, it is eligible for a certain portion of the revenue dedicated to guideways. Fifty percent of the amount is distributed based on 1980 census population and is referred to as "guideway county minimums". The remainder is distributed by the California Transportation Commission on a discretionary basis.

Once eligible, should San Joaquin County desire to pursue the use of these funds, the following steps would then be necessary:

1. A project must be proposed and adopted. The county, a city or the transit district or any combination, thereof, could apply.
2. The Regional Transportation Planning Agency must approve the financial plan for the proposed project and submit it to the CTC and Caltrans.

THE REPRODUCTION OF THIS  
DOCUMENT CANNOT BE  
IMPROVED DUE TO THE  
CONDITION OF THE ORIGINAL

AB1023-PROPOSITION 5  
BRIEFING PAPER/STAFF REPORT  
July 20, 1988

3. The CTC determines that the plan meets necessary criteria.
4. The portion of projects funds allocated shall then be included in the STIP based upon the eligible county's percent of population.

If more than one project is submitted by county the California Transportation Commission (CTC) shall determine the priority of proposed projects based on regional transportation needs.

#### THE FUNDING QUESTIONS

The funds set aside, (pursuant to Section 199.(d) of the Street and Highway Code), from the State Highway Account shall be deemed expenditures on the highway system for purposes relating to the "north-south" formula and highway county minimums. They shall be identified separately in the budget report submitted to the Legislature. This last sentence is key to an understanding of "guideway county minimums".

Each year the Department of Transportation recommends in the Preliminary State Budget a portion of the State Highway Account funds, which it deems necessary to meet the needs of guideway projects for the coming year. The Governor, the Legislature, the CTC and finally, the Governor, again, in his final budget, determine that amount. As of this writing, the Governor has narrowed the Legislatively proposed \$75 million to \$64 million for 1988-89.

Had San Joaquin County become a Proposition 5 county prior to this fiscal year, our estimated eligible share could have been approximately \$1.2 million. Whenever a new county joins the other Proposition 5 counties, the amount available to each county diminishes. However, funds are only allocated based on submitted projects. This year, for example, several counties have no projects. This, in effect, means that the funds available to each county may be greater than their population allocation would dictate. While it is technically true, that the allocation to each county is part of the total 88-89 San Joaquin County Highway STIP minimum amount of \$49 million, guideway projects do not as a practical matter compete against highway projects. Guideway projects are developed and identified separately from highway projects. Both appear, separately, before the CTC for approval. It would require an integrating of project lists to competitively prioritize them. This does not, in practice, occur.

The expanded definition of "guideways" as identified by Caltrans,

THE REPRODUCTION OF THIS  
DOCUMENT CANNOT BE  
IMPROVED DUE TO THE  
CONDITION OF THE ORIGINAL

AB1023-PROPOSITION 5  
BRIEFING PAPER/STAFF REPORT  
July 20, 1983

includes railways, overhead electrified catenary/trolley systems and cable/gondola systems, essentially only those modes in which motion is controlled by a track.

POTENTIAL PROJECTS:

The priorities of the Rail Steering Committee focus on:

- ° Direct train service to Sacramento from Stockton.
- ° Switching to Southern Pacific tracks north of Fresno.
- ° Direct train service through the Altamont Pass to the Bay area.
- ° Direct train service to Los Angeles.

The first three priorities listed have direct and critical affects on San Joaquin County. These include track improvements, switching capabilities and multi-modal stations. Article XIX monies could allow for the development of these types of projects.

THE NEXT STEP:

In order for San Joaquin County to become a "Prop 5" County, eligible to pursue this new funding source, the Board of Supervisors must approve proposing this question to the voters. August 12 is the final date in order to be assured of placement on the November ballot.

FISCAL IMPACT:

1. Total Cost:

This report outlines a method by which, through a vote of the people, San Joaquin County will be eligible to pursue a new revenue source.

2. Net County Cost:

One Time Only:

A one time only, net county cost, for the cost of including this ballot measure on the general election ballot in November, estimated to be approximately \$20,000.

THE REPRODUCTION OF THIS  
DOCUMENT CANNOT BE  
IMPROVED DUE TO THE  
CONDITION OF THE ORIGINAL

AB1023-PROPOSITION 5  
BRIEFING PAPER/STAFF REPORT  
July 20, 1988

ACTION FOLLOWING APPROVAL:

If the Board authorizes the calling of an election to determine voter approval of pursuing Mass Transit Guideway funds, the following action bill be necessary:

The elections division will be directed to provide all the necessary services to consolidate the conducting of this election, with the general election to be held in November, 1988.

DLB :bab  
A 8E297TCC6 7 8

THE REPRODUCTION OF THIS  
DOCUMENT CANNOT BE  
IMPROVED DUE TO THE  
CONDITION OF THE ORIGINAL

CITY COUNCIL

JAMES W PINKERTON Jr., Mayor  
JOHN R (Randy) SNIDER  
Mayor Pro Tempore  
DAVID M HINCHMAN  
EVELYN M OLSON  
FRED M REID

# CITY OF LODI

CITY HALL 221 WEST PINE STREET  
C ALL BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 334-5634  
TELECOPIER (209) 333 6795

THOMAS A PETERSON  
City Manager  
ALICE M REIMCHE  
City Clerk  
BOB McNATT  
City Attorney

August 22, 1988

Supervisor William N. Sousa  
Chairman  
Rail Steering Committee  
County Courthouse  
222 East Weber Avenue  
Stockton, CA 95202

Subject: Proposition 5 Election

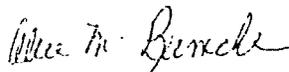
Dear Supervisor Sousa:

This letter will confirm action taken by the Lodi City Council at its regular meeting of August 17, 1988 whereby, following receipt of your July 22, 1988 letter, the City Council by motion action lent its support for an election to determine the view of the citizens of San Joaquin County on the issue *of* eligibility for obtaining the County's share of gas tax funds for Mass Transit Guideway purposes designating San Joaquin County as a Proposition 5 County, thereby being eligible to apply for Mass Transit Guideway projects for Amtrak rail service improvements.

The City Council was not able to act on this, prior to August 12, 1988, because August 17, 1988 was the first meeting since your letter was received.

Should you have any questions regarding this matter, please **do** not hesitate to call this office.

Very truly yours,

  
Alice M. Reimche  
City Clerk

AMR:jj