

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified Copy of Portion of Proceedings, Meeting of Tuesday, June 23, 1998

**SUBJECT: OFF-AGENDA ITEM - LETTER IN SUPPORT OF ASSEMBLY BILL 96
(STROM-MARTIN)--TRANSPORTATION FUNDING**

- ACTION:**
1. Found that the need to take action arose after the June 23, 1998, agenda was posted.
 2. Authorized the Chairman to sign a letter in support of Assembly Bill 96 for sending to State Senator Quentin Kopp with a copy to Mr. Dan Hauser, Executive Director of the North Coast Railroad Authority.

Adopted on motion by Supervisor Dixon, second by Supervisor Neely, and the following vote:

AYES: Supervisors Dixon, Rodoni, Woolley, Neely, and Kirk
NAYS: None
ABSENT: None
ABSTAIN: None

STATE OF CALIFORNIA)
County of Humboldt)


I, LORA CANZONERI, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

pc: Board Assistant
CAO

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Seal of said
Board of Supervisors.

LORA CANZONERI

Clerk of the Board of Supervisors of the
County of Humboldt, State of California


June 23, 1998

HUMBOLDT COUNTY BOARD OF SUPERVISORS
NONAGENDA ITEM REQUEST
(Please complete all blanks)

B-1

DATE: June 23, 1998

TO: CLERK OF THE BOARD OF SUPERVISORS

FROM: Supervisor Stan Dixon

1. It is requested that the following nonagenda matter be heard at the meeting of June 23, 1998
(enter date)

SUBJECT: Letter in Support of Assembly Bill 96.

2. This item requires immediate Board action because (check one, and explain below what circumstances occurred that require Board action after current agenda was posted and/or why an "emergency situation" exists):

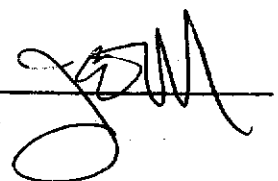
- An emergency situation exists as defined in Note 1(a) below.
- The need to take action arose after the current agenda was posted.
- The item was posted as described in Note 1(c) below.

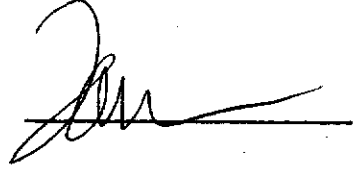
EXPLANATION: This bill will allow State or local governmentally owned freight rail projects to apply for capital improvement money as it becomes available. This legislation will be heard before the Senate Transportation Committee on June 30. The Board did not receive the request for a letter of support until 12:00 noon today.

RECOMMENDED BOARD ACTION: Direct Chairman to sign letter of support.

SUPERVISOR'S SIGNATURE: 

- NOTE:
1. The Board may not take action on nonagenda items unless the Board:
 - (a) Determines by a majority vote than an "emergency situation" exists (now defined by statute as a work stoppage or other activity which severely impairs public health, safety or both, or crippling disaster which severely impairs public health, safety or both); or
 - (b) Determines by a 4/5th vote, or a unanimous vote of those present, that the need to take action arose after the agenda was posted; or
 - (c) Determines that the item posted, as provided by law, for a prior meeting of the Board which occurred not more than five (5) calendar days before the date of the meeting at which action is to be taken, and at the prior meeting the item was continued to the meeting at which action is to be taken.
 2. Any Supervisor may request that consideration of a nonagenda item be deferred to a future regular agenda in the absence of a finding by the majority of Board members present that circumstances necessitate immediate action on the item. Any item so deferred must be described on the regular agenda for the future meeting to which the item is deferred and shall be posted as required by law.

Approval of CAO 

Approval of County Counsel 

4 West 2nd Street
Eureka, CA 95501-0246
707.441.8055
707.441.1324 fax

North Coast Railroad Authority

June 23, 1998

Board of Supervisors
825 Fifth Street
Eureka, CA 95501

Via Fax

Dear Supervisors:

The North Coast Railroad Authority (NCRA) needs your urgent assistance in supporting legislation to allow us to access capital improvement money. I apologize for making this request at such a late date, but the legislation just came into print. Up to this year, the railroad was able to access Transit Capital Improvement (TCI) money through the California Transportation Commission. The passage of SB45 eliminated the TCI program and replaced it with a program that eliminates all freight railroads. AB96, as attached, will amend SB45 to all funding for a state or local governmentally owned freight rail projects to apply for capital improvement money, as it becomes available. AB96 does not guarantee money for the NCRA. It would simply allow us to apply and compete for those funds. The legislation will be heard before Senator Kopp's Transportation Committee next Tuesday, June 30th. I hope you will be able to write a letter of support from yourself or your agency. Please fax the letter to Senator Kopp at (916) 445-2209, with a copy to me.

Thank you for your anticipated support. If there are any questions, please do not hesitate to contact my office.

Sincerely,



Dan Hauser
Executive Director

BILL NUMBER: AB 96 AMENDED
BILL TEXT

AMENDED IN SENATE JUNE 15, 1998
AMENDED IN ASSEMBLY MAY 1, 1997
AMENDED IN ASSEMBLY APRIL 21, 1997
AMENDED IN ASSEMBLY MARCH 19, 1997

INTRODUCED BY Assembly Member Strom-Martin

JANUARY 6, 1997

~~An act to amend Sections 93010 and 93011 of the Government Code, relating to transportation. An act to amend Section 14526 of the Government Code, to amend Section 99315 of the Public Utilities Code, and to amend Section 164 of the Streets and Highways Code, relating to transportation.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 96, as amended, Strom-Martin. ~~Transportation. North Coast Railroad Authority~~ Transportation Funding

Existing law prescribes a process for estimating the amount of state and federal funds to be available for transportation projects in the state, and for appropriating and allocating the available funds to those projects. For this purpose, existing law specifies that projects include, among others, state highway, intercity passenger rail, mass transit guideway, or grade separation projects.

This bill would add state or local governmentally owned freight rail projects to these provisions, as specified.

~~Existing law establishes the North Coast Railroad Authority with a service area comprised of the Counties of Humboldt, Mendocino, Sonoma, and Trinity, to provide rail passenger and freight service within those counties. The County of Marin is authorized to elect to join the authority.~~

~~Existing law requires the authority to be governed by a board of directors, composed of, among others, 2 persons appointed by each of the Boards of Supervisors of the Counties of Humboldt and Mendocino.~~

~~This bill would authorize the Counties of Napa and Solano to join the authority, in addition to the counties specified above.~~

~~The bill would authorize the Boards of Supervisors of the Counties of Napa and Solano to appoint 2 persons to the authority's board of directors if those counties elect to join the authority.~~

Vote: majority. Appropriation: no. Fiscal committee: no- yes . State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

~~SECTION 1. Section 93010 of the Government Code~~
SECTION 1. Section 14526 of the Government Code is amended to read:

14526. (a) Not later than March 1, 1998, and December 15 of each odd-numbered year thereafter, and after consulting with the transportation planning agencies, county transportation commissions, and transportation authorities, the department shall submit to the

commission its interregional improvement program consisting of all of the following:

(1) Projects to improve state highways, pursuant to subdivision (b) of Section 164 of the Streets and Highways Code.

(2) Projects to improve the intercity passenger rail system and the state or local governmentally owned freight rail system

(3) Projects to improve interregional movement of people, vehicles, and goods.

(b) Projects may not be included in the interregional improvement program without a project study report or major investment study.

(c) Major projects shall include current costs updated as of November 1 of the year of submittal and escalated to the appropriate year, and shall be consistent with, and provide the information required in, subdivision (b) of Section 14529.

(d) Projects included in the interregional improvement program shall be consistent with the adopted regional transportation plan.

SEC. 2. Section 99315 of the Public Utilities Code is amended to read:

99315. Funds made available pursuant to subdivision (a) of Section 99312 shall be available for all of the following purposes:

(a) Bus and passenger rail services pursuant to Sections 14035, 14035.5, and 14038, and 93020 of the Government Code.

(b) Funding of public transit capital improvement projects in the state transportation improvement program, pursuant to Section 14529 of the Government Code.

(c) To the department for its planning activities not payable from the State Highway Account in the State Transportation Fund, its mass transportation responsibilities, and its assistance in regional transportation planning.

(d) To the director for allocation to the Institute of Transportation Studies of the University of California for training and research in public transportation systems engineering and management and coordination with other transportation modes.

(e) To the commission for its activities not payable from the State Highway Account.

(f) To the Public Utilities Commission for its passenger rail safety responsibilities specified in statute on commuter rail, intercity rail, and urban rail transit lines.

(g) Planning of local governmentally owned freight rail services pursuant to Section 93020 of the Government Code.

SEC. 3. Section 164 of the Streets and Highways Code is amended to read:

164. (a) Funds made available for transportation capital improvement projects under subdivision (e) of Section 163 shall be programmed and expended for the following program categories:

(1) Twenty-five percent for interregional improvements.

(2) Seventy-five percent for regional improvements.

(b) Sixty percent of the funds available for interregional improvements under paragraph (1) of subdivision (a) shall be programmed and expended for improvements to state highways that are specified in Sections 164.10 to 164.20, inclusive, and that are outside the boundaries of an urbanized area with a population of more than 50,000, and for intercity rail improvements.

(c) Not less than 15 percent of the amount of funds programmed under subdivision (b) shall be programmed for intercity rail improvement projects, including separation of grade projects.

(d) Funds made available under paragraph (1) of subdivision (a) shall be used for transportation improvement projects that are needed

to facilitate interregional movement of people and goods. The projects may include state highway, intercity passenger rail, state or local governmentally owned freight rail, mass transit guideway, or grade separation projects.

(e) Funds made available under paragraph (2) of subdivision (a) shall be used for transportation improvement projects that are needed to improve transportation within the region. The projects may include, but shall not be limited to, improving state highways, local roads, public transit, intercity rail, state or local governmentally owned freight rail, pedestrian, and bicycle facilities, and grade separation, transportation system management, transportation demand management, soundwall projects, intermodal facilities, and safety. ~~is amended to read:~~

~~93610. (a) The authority is hereby created, having a service area comprised of the Counties of Humboldt, Mendocino, Sonoma, and Trinity, to provide rail passenger and freight service within those counties.~~

~~(b) The County of Marin, the County of Napa, and the County of Solano may elect to join the authority and, if that election is made, the authority is expanded to include that county or counties.~~

~~SEC. 2. Section 41011 of the Government Code is amended to read:~~

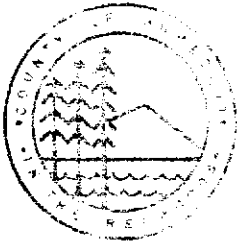
~~93611. The authority shall be governed by a board of directors, composed as follows:~~

~~(a) Two persons appointed by each of the Boards of Supervisors of the Counties of Humboldt and Mendocino. If the County of Marin, the County of Napa, the County of Solano, or the County of Sonoma elects to join the authority, the board of supervisors of the county so joining shall appoint two persons to the board of directors.~~

~~(b) A city representative, selected by the cities served by the rail line.~~

~~(c) A Board member of the Golden Gate Bridge, Highway and Transportation District, who shall serve as a nonvoting, ex officio director of the authority.~~

~~All directors, except the ex officio director, shall serve for terms of two years and until their successors have qualified.~~



BOARD OF SUPERVISORS
COUNTY OF HUMBOLDT
825 5TH STREET
EUREKA, CALIFORNIA 95501-1153 PHONE [707] 445-7509 FAX [707] 445-7299

June 23, 1998

Honorable Quentin L. Kopp
Chairman
Senate Transportation Committee
State Capitol
Sacramento, CA 95814

FAX (916) 445-2209

SUBJECT: AB 96 (Strom-Martin)

Dear Senator Kopp:

The passage of SB 45 eliminated all freight railroads access to Transit Capital Improvement monies. Our Board supports AB 96 which will amend this law to allow funding for a State or local governmentally owned freight railroad.

The Humboldt County Board of Supervisors would appreciate your support of this issue.

Sincerely,

PAUL KIRK, Chairman
Board of Supervisors

PK/bb

cc: Assemblywoman Virginia Strom-Martin
Senator Mike Thompson
Mr. Donald F. Peterson, Legislative Advocate
Mr. Dan Hauser, Executive Director, North Coast Railroad Authority

F:ab96