

State Legislative Initiative (Former Bill # AB2762)

Purpose

Establish the Tri-Valley-San Joaquin Valley Regional Rail Authority To:

- 1) Develop, finance, deliver, own and operate an inter-regional rail connection between BART, ACE and other San Joaquin County destinations and rail systems.
- 2) Create this independent authority so as to have and exercise powers of maximum flexibility and maximum control with which to pursue its purpose.
- 3) Permit the Authority to consider and select any feasible technology, any combination of technologies and any implementation sequence or phasing strategy that achieves the statutory purpose. All options are open.
- 4) Ensure that all options are available to the Authority as it defines and pursues implementation plan
- 5) Have the power to perform or assign ownership, operations and maintenance, financial obligation functions as the authority deems appropriate.
- 6) The Governing Board of the Authority shall consist of 12 elected officials with 9 having voting rights and 3 ex-officio members, 8 members from the Tri-Valley and 4 members from San Joaquin Valley (Chairman, Vice Chairman, Executive Committee)
- 7) Establish Administrative Support as follows:

Year 1: LAVTA provides all administrative support of the Board

Year 2-4: The Board will select either LAVTA, SJRRC or any other existing public rail transit agency

Year 5 – 9 and subsequent 5 year periods administrative support selected by the Board with options as in Year 2-4.

BART is required to enter into an agreement with the authority to:

- 1) Hold in trust all real and personal property
- 2) Transfer to the Authority other assets accumulated in the
 - Planning
 - Environmental Review
 - Design Documents
 - ROW Acquisition
 - Permitting
 - Construction

All unencumbered monies and assets dedicated for the completion of the project(s) shall be transferred to the Authority for the completion of the inter-regional connection.

The Authority shall pursue any and all sources of funding necessary to successfully execute its purpose with the constraint of a non-compete provision where no member of the Authority shall pursue funding available to other Authority member without consent of those members.

The Authority shall not be responsible for any core system upgrades on the BART system that pre-exist the Authority's creation.

Upon completion of any Tri-Valley Extension of BART, it shall operate, maintain and be responsible for setting fare policies and related financial obligations of the BART extension.

BART shall provide operating and maintenance technical assistance including design, standards and methods as needed by the Authority for any BART extension or integration of any other inter-regional rail system with BART.

The Authority shall retain ownership of the assets of any BART extension.

All procurements must be consistent with State and Federal laws and be based on price, best value, competitive negotiations or all of these as the authority deems appropriate.

The Authority shall be dissolved when it determines that existing rail service agencies are capable of successfully sustaining the system services.