March 16-17, 2022 San Diego, California CHANGES TO CTC AGENDA

ITEMS WITHDRAWN FROM THE AGENDA

Tab #	Ref#	Item Description	
26	3.11	Transit and Intercity Rail Capital Program	Withdrawn prior to the CTC meeting
		(TIRCP) Semi-Annual Report	
59	2.6g.(2)	TIRCP Allocation Amendment	Withdrawn prior to the CTC meeting
60	2.6g.(6)	TIRCP Allocation Amendment	Withdrawn prior to the CTC meeting
84	2.6g.(5)	TIRCP (2018: 27) Southern California Optimized Rail Expansion (Simi Valley Track) project in Ventura County - \$4,211,000	Withdrawn prior to the CTC meeting
113	2.6g.(1)	TIRCP (2018: 27) Southern California Optimized Rail Expansion (SCORE) (Simi Valley Double Track) project in Ventura County - \$	Withdrawn prior to the CTC meeting \$2,616,000

CHANGES TO THE AGENDA

		OTATOLO TO TTL AGENDA
Tab#	Ref#	<u>Item Description</u>
		CHANGES TO POLCY MATTERS
15	4.1	 State and Federal Legislative Matters In the Book Item Attachment B: On page 5, under SB 1410 Caballero, revise the description as follows: "Requires the criteria for determining the significance of transportation impacts of projects within transit priority areas under CEQA to only promote the reduction of greenhouse gas emissions. Retains the metric for traffic
		levels of service for projects outside transit priority areas, and deletes the statutory requirement set by Senate Bill 743 (Steinberg, Chapter 386, Statutes of 2013) for the Office of Planning and Research to adopt guidelines establishing alternative metrics to the metrics used for traffic levels of service for transportation impacts outside transit priority areas."
18	4.12	Hearing on the 2023 Active Transportation Program Guidelines YELLOW REPLACEMENT ITEM
22	4.7	<u>Local Streets and Roads Funding Program</u> <u>FY 2020-21 Expenditure Report</u> (Attachment A only)
23	4.31	Presentation of the 2022 State Transportation Improvement Program YELLOW MEETING HANDOUT (Letters to the CTC)
24	4.32	Adoption of the 2022 State Transportation Improvement Program YELLOW REPLACEMENT ITEM
26	3.11	<u>Transit and Intercity Rail Capital Program</u> (TIRCP) Semi-Annual Report Withdrawn prior to the CTC meeting
		CHANGES TO INFORMATION CALENDAR
39	3.9	<u>Proposition 1B – Semi Annual Reports</u> In the Book Item Attachment:

On page 14, fourth row down, revise District 11 to 10

March 16-17, 2022 San Diego, California **CHANGES TO CTC AGENDA**

Tab #	Ref#	Item Description		
42	4.26	Update on the American River Bridge Deck Replacement Construction Manager/General Contractor		
		SHOPP project in Sacramento County		
		In the Book Item Memorandum:		
		 On page 2, under Early Work Package 2, revise the second line as follows: "the March 2022 		
		Commission meeting for \$13,610,000 \$10,950,000 to procure steel girders."		
		 On page 2, third paragraph, revise the sentence as follows: "The final Work Package is expected to be allocated at the March 2023 Commission meeting for \$74,290,000 \$76,950,000." 		
44	4.30	<u>Transit and Intercity Rail Capital Program – Program Update</u> YELLOW REPLACEMENT ITEM		
		In the Agenda: (Attachment B only)		
		 Revise the Related Items note as follows; "(Related Items under Ref. 2.6g.(1), 2.6g.(2), 2.6g.(4), 2.6g.(5) and 2.6g.(6)) 		
		CHANGES TO CONSENT CALENDAR		
45	2.2c.(9)			
		Jack Peters Creek Bridge Project – Mendocino County – PPNO 4682		
		In the Book Item Memorandum:		
		 On page 1, under "BACKGROUND", revise the bullet point as follows: "State Route (SR) 1 in Siskiyou <u>Mendocino</u> County. Widen bridge and replace rail on SR 1 in Mendocino County. (PPNO 4682)" 		
52	2.4b.	27 13 Resolutions of Necessity		

27 13 Resolutions of Necessity

Resolutions C-22131, C-22132, C-22137 through C-22140, C-22142, C-22145 through C-22147, C-22151 through C-22153 through C-22157

- Resolution C-22133 (01-Hum-101-PM 78.0 Parcel 13285-1 EA 0G4209) Dennis Wayne Moore, Trustee of the Dennis Wayne Moore Revocable Trust of 2006. Withdrawn prior to the CTC Meeting
- Resolution C-22134 (01-Men-162-PM 8.20 Parcel 13155-1, 2, A EA 0A1319) Ken Kappler and Diane Kappler, Co-Trustees of the Ken Kappler aka Kenneth Kappler and Diane Kappler aka Judith Diane Kappler Family Trust dated March 3, 1999. Withdrawn prior to the CTC Meeting
- Resolution C-22135 (01-Men-162-PM 8.20 Parcel 13218-2, 3 EA 0A1319) Barbara J. Gallagher, Trustee of the Gallagher Family Trust, under declaration of trust dated August 4, 1989. Withdrawn prior to the CTC Meeting
- Resolution C-22136 (03-But-191-PM 8.52 Parcel 38361-1 EA 0J8709) Gary Lynn Dickinson and Elizabeth Jane Dickinson, husband and wife as joint tenants. Withdrawn prior to the CTC Meeting
- > Resolution C-22141 (06-Tul-190-PM 13.44 Parcels 88147-1, 2 EA 0Q4329) Abel Ojeda. Jr. and Sophia M. Ojeda, husband and wife as joint tenants. Withdrawn prior to the CTC Meeting
- Resolution C-22143 (08-Riv-79-PM 6.68 Parcel 25068-1, 2 EA 1G6709) KIUMARS BAKSHANDEH, Trustee of the Kiumars Bakshandeh REV and Revocable 1989 Inter Vivos Trust. Withdrawn prior to the CTC Meeting
- Resolution C-22144 (08-Riv-79-PM 6.36 Parcel 25072-1, 2 EA 1G6709) KIUMARS BAKSHANDEH, Trustee of The Kiumars Bakshandeh REV and Revocable 1989 Inter Vivos Trust. Withdrawn prior to the CTC Meeting
- Resolution C-22148 (10-Cal-26-PM 29.95 Parcel 17287-1A, 1B, 2 EA 10-0X7519) Ron Goldman and Carol D. Goldman, a married couple, as joint tenants. Withdrawn prior to the CTC Meeting
- Resolution C-22149 (12-Ora-133-PM 8.6 Parcel 104084-1 EA 0N8909) The City of Irvine, a California Municipal Corporation. Withdrawn prior to the CTC Meeting
- Resolution C-22150 (12-Ora-1-PM 18.17 Parcel 104088-1, 2 EA 0R4109) The Irvine Company LLC, a Delaware limited liability company. Withdrawn prior to the CTC Meeting

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- Resolution C-22154 (12-Ora-1-PM 19.25 Parcel 104092-1, 2 EA 0R4109) Dick's Dock, L.L.C., a California limited liability company. Withdrawn prior to the CTC Meeting
- ➤ Resolution C-22155 (12-Ora-1-PM 19.25 Parcel 104093-1 EA 0R4109) Pizza Nova PCH, LLC, a California limited liability company. Withdrawn prior to the CTC Meeting
- ➤ Resolution C-22156 (12-Ora-1-PM 21.06 Parcel 104100-1 EA 0R4109) 6308 NB, LLC a California Limited Liability Company. Withdrawn prior to the CTC Meeting
- ➤ Resolution C-22157 (12-Ora-1-PM 21.37 Parcel 301026-1, 2 EA 0R4109) National Cat Protection Society, Inc. Withdrawn prior to the CTC Meeting

In the Book Item Memorandum:

- On page 46, Resolution C-22152, revise the title from 2751 & 2801 PCH LLC, a Delaware limited liability company to Earl's Partners, LLC, a California limited liability company
- On page 47, replace the first paragraph "A staff appraisal that established just compensation was completed and approved by District Right of Way management on November 22, 2021. The first written offer was sent by e-mail and certified mail on December 16, 2021. The property owner's representative received the offer on December 21, 2021. The Department is in continued contact with the property owner's representative to attempt to negotiate a mutually agreeable settlement. Negotiations continue, but the Department and the owners are currently at impasse over the amount of compensation offered. Therefore, a request to adopt a resolution of necessity at the March 2022 Commission meeting is being requested." with the following: "A staff appraisal that established just compensation was completed and approved by District Right of Way management on November 22, 2021. The first written offer was sent by e-mail and certified mail on December 16, 2021 to the property owner listed on the County of Orange Assessor's rolls, PCH LLC, a Delaware limited liability company. However, according to the title company who later issued a litigation guarantee for this acquisition, the owner of record is Earl's Partners, LLC.

GC 7267.2 contains the following language: "Prior to adopting a resolution of necessity pursuant to Section 1245.230 of the Code of Civil Procedure and initiating negotiations for the acquisition of real property, the public entity shall establish an amount that it believes to be just compensation therefor, and shall make an offer to the owner or owners of record to acquire the property for the full amount so established, unless the owner cannot be located with reasonable diligence."

In this instance, District staff believe that 2751 & 2801 PCH LLC, a Delaware limited liability company (2751 & 2801 PCH LLC), is actually the true owner of record. 2751 & 2801 PCH LLC claims ownership of the subject property and is also listed as the owner of record in the County of Orange assessment rolls. However, the title company is of the opinion that Earl's Partners, LLC, based upon their title search, is the true owner of record. District Right of Way staff, as part of their duty to perform reasonable diligence, attempted to locate Earl's Partners, LLC by performing multiple internet investigations, researching the Secretary of State's information, consulting with a title company, travelling to the subject property and performing research at the tax assessor's office. All these efforts proved unsuccessful in locating the owners of Earl's Partner's, LLC. Therefore, the test of GC 7267.2 has been met by the District's performance of reasonable diligence described above, in attempting to reach the owner of record, as listed on the litigation guarantee provided by the title company.

March 16-17, 2022 San Diego, California CHANGES TO CTC AGENDA

The Department is in continued contact with the assessed property owner's representative to attempt to negotiate a mutually agreeable settlement. Negotiations continue, but the Department and the owners are currently at impasse over the amount of compensation offered. Court action will also determine ownership related to this acquisition. Therefore, a request to adopt a resolution of necessity at the March 2022 Commission meeting is being requested."

- On page 48, Resolution C-22153, revise the title from 2751 & 2801 PCH LLC, a Delaware limited liability company to Earl's Partners, LLC, a California limited liability company
- On page 49, replace the second paragraph "A staff appraisal that established just compensation was completed and approved by District Right of Way management on November 22, 2021. The first written offer was sent by e-mail and certified mail on December 16, 2021. The Department is in continued contact with the property owner's representative to attempt to negotiate a mutually agreeable settlement. Negotiations continue, but the Department and the owners are currently at impasse over the amount of compensation offered. Therefore, a request to adopt a resolution of necessity at the March 2022 Commission meeting is being requested." with the following: "A staff appraisal that established just compensation was completed and approved by District Right of Way management on November 22, 2021. The first written offer was sent by e-mail and certified mail on December 16, 2021 to the property owner listed on the County of Orange Assessor's rolls, PCH LLC, a Delaware limited liability company. However, according to the title company who later issued a litigation guarantee for this acquisition, the owner of record is Earl's Partners, LLC.

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The Department is in continued contact with the assessed property owner's representative to attempt to negotiate a mutually agreeable settlement. Negotiations continue, but the Department and the owners are currently at impasse over the amount of compensation

March 16-17, 2022 San Diego, California CHANGES TO CTC AGENDA

offered. Court action will also determine ownership related to this acquisition. Therefore, a request to adopt a resolution of necessity at the March 2022 Commission meeting is being requested."

In the Book Item Attachment:

- On page 158, Resolution C-22152:
 - On the sixth line, revise the "OWNER" from 2751 & 2801 PCH LLC, a Delaware limited liability company to Earl's Partners, LLC, a California limited liability company (Earl's Partners, LLC)
 - Remove the last paragraph, "The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record; and be it further" and replace with "The offer required by Section 7267.2 of the Government Code has not been made to the owner or owners of record because they could not be located with reasonable diligence; and be it further"
- On page 161, Resolution C-22153:
 - On the sixth line, revise the "OWNER" from 2751 & 2801 PCH LLC, a Delaware limited liability company to Earl's Partners, LLC, a California limited liability company
 - Remove the last paragraph, "The offer required by Section 7267.2 of the Government Code has been made to the owner or owners of record; and be it further" and replace with "The offer required by Section 7267.2 of the Government Code has not been made to the owner or owners of record because they could not be located with reasonable diligence; and be it further"

59	2.6g.(2)	TIRCP Allocation Amendment	Withdrawn prior to the CTC meeting
60	2.6g.(6)	TIRCP Allocation Amendment	Withdrawn prior to the CTC meeting

CHANGES TO POLICY MATTERS

68 2.1a.(1) SHOPP Amendments for Approval

In the Book Item Attachment 2.1a.(2e):

 Project 1 (PPNO 03-6402B/EA 03-3F072) – 03-Sac-51 – Sacramento County – revise the Const Cap and total amount as shown:

Const Cap:	\$13,560	\$10,900	<u>21-22</u>
Total	\$13,610	\$10,950	

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Tab #	Ref#	Item Description
69	4.25	Adoption of the 2022 State Highway Operation PINK REPLACEMENT ITEM
		and Protection Program (Book Item Memorandum and Attachments)
		YELLOW MEETING HANDOUT
		(Letters to the CTC)
		In the Book Item Attachment C Amendment No. 22H-000 (1a):
		 Project 8 (PPNO 05-4928R/EA 05-49286) – 05-SLO-1 – San Luis Obispo County – revise the second
		sentence under "Project Location and Description of Work" as follows: "Planting, wetland and
		California Red-Legged Frog mitigation at Toro Preserve for PPNO 05-4928A for parent project EA
		49280."
		In the Book Item Attachment C Amendment No. 22H-000 (1b):
		• Project 3 (PPPNO 04-1499J/EA 04-1K670) Withdrawn prior to the CTC meeting
		- 04-Ala-Var - Alameda County
		In the Book Item Attachment C Amendment No. 22H-000 (1d):
		Project 7 (PPNO 03-6402/EA 03-3F070) – 03-Sac-51 – Sacramento County – revise the Const Cap and total agreement as above.
		and total amount as shown: Const Cap: \$127,300 22-23 \$113,740 \$116,400 22-23
		<u>Const Cap: \$127,300</u> 22-23 \$113,740 \$116,400 22-23 Total \$169,974 22-23 \$156,364 \$159,024 22-23
		In the Book Item Attachment C Amendment No. 22H-000 (1e):
		Project 1 (PPNO 03-6402B/EA 03-3F072) – 03-Sac-51 – Sacramento County - revise the Const Cap
		and total amount as shown:
		Const Cap: \$13,560 \$10,900 21-22
		Total \$13,610 \$10,950
		CHANCES TO SUPPLEMENTAL FUNDS DEGLIEST
72	2 50 (1)	CHANGES TO SUPPLEMENTAL FUNDS REQUEST SHOPP Products Project \$600,000 PRIO 02 2642/EA 02 4H520
12	2.5e.(1)	SHOPP Roadway Rehabilitation Project - \$600,000 – PPNO 02-3643/EA 02-1H520 In the Book Item Memorandum:
		On page 2, second line, revise March 2022 to May 2022
		
75	2.5e.(5)	SHOPP Pavement Preservation Project - \$1,350,000 - YELLOW REPLACEMENT ITEM
		PPNO 04-1454G/EA 04-2K700 (Book Item Memorandum only)
84	2.6g.(5)	TIRCP (2018: 27) Southern California Optimized Rail Expansion Withdrawn prior to the CTC meeting
	-5 (-)	(Simi Valley Track) project in Ventura County - \$4,211,000
0.5	2.6~ (4)	TIDOD (2020:0) Building Un Control: LOSSAN Semiles Enhancement Browner (Sen Bierre Meintenance
85	2.6g.(4)	TIRCP (2020:8) Building Up Control: LOSSAN Service Enhancement Program (San Diego Maintenance
		<u>and Layover Facility) project in San Diego County</u> In the Agenda:
		 Revise as follows: Request for an additional \$1,502,000 (58.9 200.8 percent increase) for the
		PA&ED phase of the TIRCP (2020:8) Building Up Control: LOSSAN Service Enhancement Program
		(San Diego Maintenance and Layover Facility) project in San Diego County. (PPNO CP066)

2.1s.(2) TCEP Project Amendment

89

In the Book Item Memorandum:

CHANGES TO PROGRAM UPDATES

 On page 2, revise project 2 as follows: "BNSF Junction Control Point funded with TIRCP funds (PPNO 11-CP031) project parameter 2.5 miles, MP 265.2 to 267.7, total project cost \$5,000,000 \$5,282,000

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Tab #	Ref#	<u>Item Description</u>
		CHANGES TO ALLOCATIONS
96	2.5b.(1)	SHOPP Allocations In the Agenda:
		 Revise the agenda as follows: Request \$137,161,000 \$134,501,000 for 18 SHOPP projects. In the Book Item Memorandum, update the following:
		 Under "ISSUE", "RECOMMENDATION" and "BACKGROUND" revise the amount of \$137,161,000 to \$134,501,000
		 Under the "FINANCIAL RESOLUTION", first sentence, revise as follows, "Resolved that \$110,537,000 \$107,877,000 be allocated from the Budget Act of 2020 and 2021, Budget Act
		In the Book Item Attachment:
		 Project 6 (PPNO 03-6402B/EA 03-3F072) – 03-Sac-51 revise the following:
		 CONST 302-3290 RMRA Amount from \$1,556,000 to \$1,250,000
		 CONST 302-0890 FTF Amount from \$12,004,000 to \$9,650,000
00	2 50 (1)	 Total Allocation Amount from \$13,610,000 to \$10,950,000 STIP Allocation Sente Borbero County PRNO 05 7404X/EA 05 0NZA4
98	2.5c.(1)	STIP Allocation – Santa Barbara County – PPNO 05-7101Y/EA 05-0N7A1 In the Book Item Attachment:
		 Revise the "parent project" note as follows: "This is a grandchild of parent project 05-0N700
		05-0N70A (PPNO 7101) (PPNO 7101A) and child of parent 05-0N70A 05-0N701 (PPNO 7101A)
		(PPNO 7101C)"
109	2.6s.(2)	Advance - TCEP Rail Allocation - San Diego County - PPNO T0016
		In the Book Item Attachment:
		 In the vote box, under "Outputs" revise the Total Mile(s) of rehabilitated track from 1.1 to 1
113	2.6g.(1)	TIRCP (2018: 27) Southern California Optimized Rail Expansion Withdrawn prior to the CTC meeting
		(SCORE) (Simi Valley Double Track) project in Ventura County - \$2,616,000
		CHANGES TO TIME EXTENSIONS
115	2.8b.(1)	Contract Award Time Extension – 13 12 SHOPP Projects
	. ,	In the Agenda:
		 Revise as follows: "Request to extend the period of contract award for 13 12 SHOPP projects, per

 Revise as follows: "Request to extend the period of contract award for 13 12 SHOPP projects, per SHOPP Guidelines."

In the Book Item Memorandum:

- Under "ISSUE", second line, revise the number of projects from 13 to 12
- Under "RECOMMENDATION", second line, revise the number of projects from 13 to 12
- Under "BACKGROUND", revise the first sentence as follows: "In August 2021, the Commission allocated \$359,578,000 \$327,192,000 in construction capital for 13 12 SHOPP projects.

In the Book Item Attachment:

> Project 8 (PPNO 07-5013/EA 07-32340) – Los Angeles County Awarded prior to the CTC meeting

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Tab #	Ref#	Item Description
116	2.8b.(2)	Contract Award Time Extension – One STIP Project – PPNO 06-6489/EA 06-34235 In the Book Item Attachment: Remove "Multi-Funded" from the project header
117	2.8b.(3)	 Contract Award Time Extension – Multi-funded STIP/SCCP project – PPNO 04-0361M/EA 04-26472 In the Book Item Attachment: Project 2 (PPNO 04-0361M/EA 04-26472) – Revise the 5th paragraph as follows, "In addition, based on the project cost and location, the Department is anticipating potential delays due to bid protests, disqualifications, and possibly a funding shortfall requiring a supplemental fund allocation to award and/or re-advertise."
118	2.8b.(4)	Contract Award Time Extensions – Three Two ATP projects In the Agenda: • Revise as follows: "Request to extend the period of contract award for three two ATP projects, per ATP Guidelines." In the Book Item Memorandum: • Under "ISSUE", second line, revise the number of projects from three to two • Under "RECOMMENDATION", second line, revise the number of projects from three to two • Under "BACKGROUND", first line revise \$10,528,000 for three ATP projects to \$5,462,000 for two ATP projects In the Book Item Attachment: ➤ Project 2 (PPNO 07-5119) – Los Angeles County Withdrawn prior to the CTC meeting
119	2.8b.(5)	Contract Award Time Extensions – Three LPP (Competitive) projects In the Book Item Attachment: ■ Project 3 (PPNO 03-1333) – San Diego County – revise the last paragraph as follows: "Therefore the City is requesting a 12-month time extension to complete award CON by February 28, 2023."
123	2.8c.(1)	Project Completion Time Extensions – Eight Seven SHOPP projects In the Agenda: ■ Revise as follows: "Request to extend the period of project completion for eight seven SHOPP projects, per SHOPP Guidelines." In the Book Item Memorandum:

- Under "ISSUE", second line, revise the number of projects from eight to seven
- Under "RECOMMENDATION", second line, revise the number of projects from eight to seven
- Under "BACKGROUND", first line, revise the allocated amount from \$249,690,000 to \$222,945,000 and on the second line revise the number of projects from eight to seven

In the Book Item Attachment:

> Project 3 (PPNO 08-0056H/EA 08-0N670) — Construction completed prior to the CTC meeting Riverside County

March 16-17, 2022 San Diego, California CHANGES TO CTC AGENDA

<u>Tab #</u>	Ref#	Item Description
127	2.8d.(1)	Project Development Expenditure Time Extensions – 11 Nine SHOPP projects
	. ,	In the Agenda:
		 Revise as follows: "Request to extend the period of project development expenditure for 41 <u>nine</u>

Revise as follows: "Request to extend the period of project development expenditure for 11 <u>nine</u>
 SHOPP projects, per SHOPP Guidelines."

In the Book Item Memorandum:

- Under "ISSUE", revise the paragraph as follows, "Should the California Transportation Commission (Commission) approve project development expenditure time extensions for the phases eleven <u>nine</u> State Highway Operation and Protection Program (SHOPP) projects, for the time periods described in the attachment?"
- Under "RECOMMENDATION", second line, revise as follows, "approve project development expenditure time extensions, por the eleven for nine SHOPP projects, for.."
- Under "BACKGROUND", revise the first line as follows, "In 2019, the Commission allocated \$10,413,000 \$9,548,000 in support for the attached eleven nine SHOPP..."

In the Book Item Attachment:

- Project 1 (PPNO 01-4578/EA 01-0C550) Mendocino County
- Project 2 (PPNO 01-4616/EA 01-0E940) Mendocino County

Withdrawn prior to the CTC meeting

Withdrawn prior to the CTC meeting