



# AGENDA

## PENINSULA CORRIDOR JOINT POWERS BOARD

Bacciocco Auditorium, 2<sup>nd</sup> Floor  
1250 San Carlos Avenue, San Carlos CA 94070

April 7, 2011 – Thursday

10:00 a.m.

1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Public Comment  
Public comment by each individual speaker shall be limited to two minutes

### 4. Consent Calendar

Members of the public or Board may request that an item under the Consent Calendar be considered separately

- a) Approval of Minutes of March 3, 2011
- b) Authorize Entering into an Agreement and Covenant Running with the Land (to Construct and Maintain Train Station Platform and Light Pole into Public Right of Way) with the City of Santa Clara
- c) Assessment of the Fiscal Year 2011 Fuel Hedging Program and Adoption of Revised Fuel Hedging Policy
- d) Authorize the Appointment of Orrick, Herrington and Sutcliffe LLP to Serve as Special Counsel in Connection with the Fiscal Year 2012 Fuel Hedging Program
- e) Rejection of Low Monetary Bid from GE Transportation Systems Global Signaling, LLC as Non-Responsive and Award of Contract to Invensys in the Total Amount of \$763,234 for Purchase and Delivery of Signal Equipment

### RESOLUTIONS

5. Chairperson’s Report
6. Report of the Citizens Advisory Committee
7. Report of the Executive Director
8. Acceptance of Statement of Revenues and Expenses for February 2011

### MOTION

9. Preliminary Fiscal Year 2012 Operating Budget

### INFORMATIONAL

Peninsula Corridor Joint Powers Board  
April 7, 2011 Agenda

- |   |               |
|---|---------------|
| 10. Authorize Service and Fare Changes to Balance the Fiscal Year 2012 Budget   | RESOLUTION    |
| 11. Legislative Update  | INFORMATIONAL |
| 12. Correspondence  |               |
| 13. Board Member Requests   |               |
| 14. General Counsel Report  |               |
| 15. Date/Time of Next Meeting: Thursday, May 5, 2011, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2 <sup>nd</sup> Floor, 1250 San Carlos Avenue, San Carlos, CA 94070 |               |
| 16. Adjourn   |               |

## **INFORMATION FOR THE PUBLIC**

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

If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at [www.caltrain.com](http://www.caltrain.com).

### **Location, Date and Time of Regular Meetings**

Regular meetings are held at the San Mateo County Transit District Administrative Building located at 1250 San Carlos Ave., San Carlos, which is located one block west of the San Carlos Caltrain Station on El Camino Real. The building is also accessible by SamTrans bus Routes: 260, 295, 390, 391, and KX.

The JPB meets regularly on the first Thursday of the month at 10 a.m. The JPB Citizens Advisory Committee meets regularly on the third Wednesday of the month at 5:40 p.m. at the same location. Date, time and place may change as necessary.

### **Public Comment**

If you wish to address the Board, please fill out a speaker's card located on the agenda table and hand it to the JPB Secretary. If you have anything that you wish distributed to the Board and included for the official record, please hand it to the JPB 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 two minutes and items raised that require a response will be deferred for staff reply.

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

Upon request, the JPB 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 JPB Secretary at Peninsula Corridor Joint Powers Board, 1250 San Carlos Avenue, San Carlos, CA 94070-1306; or emailed to [board@caltrain.com](mailto:board@caltrain.com); or by phone at 650.508.6242, or TDD 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.

**Peninsula Corridor Joint Powers Board (JPB)  
Board of Directors Meeting  
1250 San Carlos Avenue, San Carlos CA 94070**

Draft

**Minutes  
March 3, 2011**

**MEMBERS PRESENT:** O. Ahmad, S. Elsbernd (Chair), N. Ford, L. Kniss, A. Kalra,  
A. Lloyd, A. Tissier, K. Yeager

**MEMBERS ABSENT:** J. Cisneros

**STAFF PRESENT:** M. Bouchard, J. Cassman, G. Harrington, C. Harvey, R. Haskin,  
R. Lake, M. Lee, M. Martinez, N. McKenna, D. Miller, S. Murphy,  
M. Scanlon, M. Simon

Chair Sean Elsbernd called the meeting to order at 10:01 a.m. Director Art Lloyd led the Pledge of Allegiance.

**PUBLIC HEARING FOR CONSIDERATION OF SERVICE SUSPENSIONS, STATION CLOSURES AND FARE INCREASES FOR FISCAL YEAR 2012**

Chair Elsbernd said the purpose of the public hearing is for the Board and staff to hear public's concerns and comments on the proposals. He said the Board will not be taking any action today.

Director of Rail Transportation Michelle Bouchard reported:

- Caltrain has been running short of money for several years and every year staff has found a way to balance a budget, through, one-time funds from unanticipated sources, administrative efficiencies or service changes and fare increases.
- This instability has hit Caltrain and its three funding partners in a way that is unprecedented.
- Approximately \$40 million, or about 40 percent, of the Caltrain operating budget is covered by member agency contributions.
- This year the San Mateo County Transit District (SamTrans) is facing its own deficit, estimated at \$15 million and will not be able to contribute its full contribution to the Caltrain service. SamTrans will be reducing its contribution by \$10 million.
- It is assumed the partners will act in concert with SamTrans and reduce their contributions, resulting in a Caltrain deficit of \$30 million deficit for Fiscal Year (FY) 2012 given a status quo 86-train scenario.

Director Adrienne Tissier arrived at 10:07 a.m.

- Ridership has benefited from the reinvention of Caltrain service. Average weekday ridership has increased 44 percent since 2004.
- Caltrain has a high farebox recovery compared with other local transit agencies. Caltrain is covering 47.4 percent of its operating budget through the farebox.
- Caltrain administrative staff costs are extremely efficient at 5.9 percent of the budget.
- Caltrain shares its staff with SamTrans and the San Mateo County Transportation Authority (TA).

- Over the last few years, Caltrain has made an effort to control costs and increase revenue. Administrative staff salaries have been frozen since 2008; staff has been laid off; there have been mandatory furlough days; fares have been increased and trains reduced from 98 to 86.
- In FY2012, SamTrans' contribution will be reduced to \$4 million and if the partners follow, their total contribution will be \$11 million versus \$35 million from the previous year.
- Staff determined that the worst-case 48-train schedule is all that Caltrain could afford to operate, assuming the budget scenario unfolds as initially projected.
- A 48-train service scenario includes weekday only commute-hour service that minimizes ridership loss and maximizes revenue. Savings would come from reduced labor costs.
- This scenario would suspend up to seven stations, from a list of 10, between San Jose and San Francisco. Limited station stops are necessary to get from end-to-end more quickly and achieve necessary savings in staffing. Whatever recommendations are brought forward will have to pass Title VI Equity Review for impact to minority and disenfranchised communities.
- The 10 stations under considerations for closure are Bayshore, South San Francisco, San Bruno, Burlingame, Hayward Park, Belmont, San Antonio, Lawrence, Santa Clara and College Park. Up to seven of these 10 stations will be closed.
- Proposed service suspensions also include all weekend service, service south of San Jose Diridon, holiday service and special event service.
- Staff is looking at a base fare increase and increasing parking fees to increase revenue.
- Outreach was conducted over the last six weeks and more than 1,300 comments have been received.
- Immediate next steps include:
  - Review all public comments and develop a service proposal and fare increase for Board consideration at the April 7 meeting.
  - Work with regional and Caltrain partners to identify potential sources of one-time funding for the coming fiscal year.
  - Continue advocacy efforts to secure a dedicated and permanent funding source.
  - Continue efforts to advocate for capital projects that will increase operational efficiencies including electrification and modernization.

#### Public Comment

Josh Luther, Bellarmine student, said he is concerned about the closure of the College Park station. He said Caltrain is more than a convenient mode of transportation but a need for students.

Jack Morris, Bellarmine student, said he takes the train from Gilroy to College Park and depends on Caltrain since both his parents work. This is more efficient than a carpool traveling on Highway 101.

Julio Aragon, Bellarmine student, asked that stations south of San Jose Diridon and College Park not be closed.

Sean Monroe, Bellarmine student, said the closure of south county stations would negatively impact his life and the lives of many students.

Ryan Allen, Bellarmine student, said he travels from Blossom Hill and asked that College Park and all stations south of San Jose Diridon be saved. He said riding the train is his only option to get to school.

Robert Galliani, Bellarmine student, said he has developed a comfort level using Caltrain during his high school years.

Michael McGill, Bellarmine student, said he commutes from Gilroy to College Park everyday. If stations south of College Park are closed, it would hinder future students from attending Bellarmine.

Dalan Angelo, Bellarmine student, said since being introduced to Caltrain to get to school, he now uses Caltrain to events from the Peninsula to San Francisco.

Brian Adams, vice president of Bellarmine, suggested higher fares and possible corporate sponsors to fund some of this deficit. These cuts will have an impact to riders up and down the corridor. Mr. Adams said if the service is cut Caltrain will not get riders back.

Pete DeVasto, Belmont, said over the past few years Caltrain has been very responsive to people with disabilities. He travels between San Jose and San Francisco for work and occasionally has to work nights and weekends. This will be a problem if service is cut.

Chris Moylan, Sunnyvale City councilmember and Santa Clara Valley Transportation Authority (VTA) Board member, said only half of the deficit is real. He said half is previously budgeted money that is not there and the other half is proposed matching cuts. He said among the proposed station closures, 10 of them are in Santa Clara County and that is not where the financial problem lies. The solution is not currently matching the problem. Mr. Moylan said the service should be dropped in San Mateo County where the funding cannot be provided.

Angel Wiley, Area Board 5 on Developmental Disabilities, said her organization is a State-mandated organization that advocates on behalf of people with developmental disabilities so they can lead independent and productive lives. Ms. Wiley said the Horizon Apartments are located down the street from the Belmont station on Old County Road. She said this Housing and Urban Development is home to many people with developmental disabilities who rely on Caltrain to access their community. Ms. Wiley said the location of this building was chosen because of the proximity to Caltrain. She said if the Belmont station is closed the ability for many people with disabilities to access the community, their friends, family and jobs will be severely curtailed.

Kevin Mullin, mayor of South San Francisco and the new representative of the Cities of San Mateo County on the Metropolitan Transportation Commission (MTC), said the MTC has been seeking both short- and long-term fixes to Caltrain's fiscal situation. Mr. Mullin requested that the South San Francisco station be spared from closure. He said South San Francisco is one of the select cities along the Peninsula Caltrain corridor where jobs are being created and Caltrain is an essential component of the transit infrastructure serving the biotechnology industry of 70 companies. Mr. Mullin said a new office and research complex is being planned for the Oyster Point area and will bring an additional 6,000 employees to the area.

Yoriko Kishimoto, Friends of Caltrain, thanked the nearly 2,000 people who have sent e-mails expressing their concerns about potential cutbacks of Caltrain. She thanked the elected officials for working on this issue.

Tom Dana, San Mateo, said the Board needs to reconsider not cutting service during the day because many senior and disabled people depend on Caltrain to get through their daily lives.

Robert Riechel, San Bruno, said a new project has been started for the San Bruno station and it cannot be closed.

Ross Bruce, president of the Broadway Burlingame Merchants Association, asked that the Burlingame and Broadway stations remain open for the community and merchants.

Doug DeLong, Mountain View, said the real issue is the money to fund the service. He would not oppose a fare increase. Mr. DeLong said the Board and staff need to look for more diversity in scheduling so more stations are served during the peak-commute service.

Paul Tieck, San Francisco, said service cannot be cut and a fare increase is needed. He said fees from vehicle registrations should be collected from the Department of Motor Vehicles or from bridge tolls.

Bill Strahle, Belmont, said the way the Board is going about the cuts is not going to solve the financial problem. He said a railroad has a fixed cost no matter if one or 1,000 trains run. Mr. Strahle said by cutting the number of trains in half it will increase the cost to run the trains that are remaining.

Vaughn Wolfe, RailPac, said a short-term solution would be to add a surcharge to the San Mateo County BART stations. He said the BART stations are a major cause of the financial problems within San Mateo County. Mr. Wolfe said in the long-term there should be a regional gas tax for all nine counties that could be used for capital or operations.

June Moss, Palo Alto, said her daughter attends Saint Lawrence Academy and utilizes the Lawrence station to go to school. She asked that the station not be closed.

David Amos, San Jose, said he and his family bought their house across from the Tamien station so they could use Caltrain to commute. He said the parking lot is full every day and this is the only station that connects with VTA. Mr. Amos also asked that the Giants service not be eliminated.

George Burgess, Belmont Chamber of Commerce, urged the Board not to close the Belmont station. He said a bicycle bridge is being built over Highway 101 from the Belmont station to Redwood Shores.

Daria Walsh, Palo Alto, asked that College Park station be kept. She said this is a low-maintenance station with no parking lot or landscaping to be kept up. This station serves an important group of riders who are dependent on the train for transportation.

John Lee, San Mateo City councilmember, said the city recently approved a new housing development near the Hayward Park station. He said there needs to be a dedicated funding source for Caltrain instead of putting a Band-aid on the problem that won't fix the problem.

Karen Sparks, Burlingame, said the train is integrated in everyone's lives. Many schools along the Peninsula have vans pick children up and get them to school.

Tom Gorndt, Morgan Hill and controller at Bellarmine, said he is a daily rider from Morgan Hill. He said without dedicated funding nothing will resolve these issues.

Father Paul Sheridan, president of Bellarmine, said the impact to College Park and service south of San Jose Diridon would be tremendous. He said there needs to be a dedicated funding source to save the railroad and gain support of the public.

Don Rothblatt, Palo Alto, said by eliminating service to stations ridership will be lost.

April Vargas, Montara, said she lives on the coast and relies on SamTrans, but knows how important Caltrain is to the area. She said the big decisions are easier to be made when the public is behind the Board. Ms. Vargas said the Friends of Caltrain is here to help.

Katherine Forrest, Portola Valley, said Caltrain should be regarded as a long-term investment in the Peninsula. She said there are going to be more elderly people who will depend on Caltrain. Ms. Forrest said it is not only the young or old that use Caltrain, but also the disabled.

Jeff Becker, San Mateo, said he likes that he can bring his bike on the train. He said the bike/train combination is great but the variability of bike spaces and bumping is not acceptable.

Aaron Aknin, City of San Bruno, said after a decade partnership with Caltrain a Transit Oriented Development (TOD) and transit corridor was created with 1,600 homes around the station. He said the San Bruno station is near the Bayhill office complex and the airport, all of which employs many people.

Jerry Deal, Burlingame City Councilmember, said Burlingame is a historical station and needs to be saved. He said Caltrain put \$21 million into the station a few years ago and has a high ratio of employees to citizens in the city.

Larry Rosenberg, Mountain View, said he always takes Caltrain. He said a long-term dedicated funding source needs to be found. Mr. Rosenberg said there should be a dedicated gasoline tax that could fund transit systems.

Kanishk Desai, Santa Clara University, said he represents more than 6,000 students, faculty and staff from Santa Clara University and urges the Santa Clara station not be closed as this is the only station that serves the university.

Larry Patterson, San Mateo public works manager, asked that the Hayward Park station be saved because it is one of the key pieces to the city's Rail Corridor Plan. He said new housing projects are being developed around this station.

Kathy Ready, Los Altos, said she represents the parents of the 1,600 students at Bellarmine. She asked that the College Park station not be closed. Ms. Ready supports fare increases, premium pricing on special event trains, corporate sponsorships of trains, increased advertising on trains and city sponsorships of stations. She said Caltrain is a vital service that needs to be saved.

Christine Watson, Transportation Agency for Monterey County, said the area supports maintaining service to the Gilroy station.

Ken Ibarra, San Bruno City councilmember, said San Bruno and Caltrain have been partners for the past 10 years. He said he is looking forward to the revitalization of the new San Bruno station and it needs to be saved.

Irene O'Connell, San Bruno City Councilmember, said there is a historical issue with the San Bruno station and it needs to be kept. She said it is a vital piece of San Bruno.

Brian Brackney, San Francisco, said weekend service needs to be saved.

Margaret Okuzumi, Sierra Club, said the Sustainable Land Use Committee has been working very hard to support TOD by Caltrain stations and is very alarmed at the prospect of station closures.

Shirley Ingalls, Mountain View, said it is very hard to believe that a decision hasn't been made already by staff and the Board. She said the electrification money should be converted to operating money.

Terry Nagel, mayor of Burlingame and a member of the TA Board of Directors, asked that the Burlingame station be saved. The city of Burlingame was built around the station and a new plan was passed for the downtown area around the station.

Victoria Carmona, San Jose, said she lives near the Tamien station and service cannot be cut because you will not get the riders back. She is willing to pay higher fares, but there needs to be dedicated funding.

Dale Ferrel, President of Downtown Burlingame Improvement District, said he supports keeping the Burlingame station open. It is a historical station and it needs to be saved.

Jeff Carter, Burlingame, said the proposed service cuts could cause people to lose their jobs. He asked the Board to plead with the MTC to use capital funds to save the service.

James Engvall, Belmont, said he lives at Horizons Apartments near the Belmont station. If this station is closed it is going to hurt a lot of people with disabilities who live at Horizons who depend on the Belmont station in their daily lives.

Karen Vanderwoert, Belmont, said she lives at Horizons Apartments and if the Belmont station is taken away, it is going to be a huge impact to the lives of the disabled people who live in these apartments.

Fran Martin, Visitacion Valley Planning Alliance San Francisco, asked that the Bayshore station not be closed.

Jim Growden, Visitation Valley Planning Alliance San Francisco, asked that the Bayshore station not be closed as it is close to the Third Street Light Rail and the city of Brisbane.

Christine Wozniak, Belmont councilmember, asked that the Belmont station be saved. She said service needs to be saved for all stations otherwise there will be a loss in ridership.

Scott Klemmer, San Francisco, said Stanford University supports increased parking and fare increases, but eliminating off-peak service would be catastrophic.

Gladwyn d'Souza, Sierra Club, thanked Director Ken Yeager for his willingness to work with VTA to find a short-term funding solution. He asked the Board to consider those concerns raised by the residents of the Horizons Apartments and save the Belmont station.

Johnny Bryant, San Mateo, said he takes the trains to Giants games and asked that weekend service be maintained.

Sue Digre, Pacifica councilmember, said if there is not adequate service the disabled community will not be able to get out and about. She said for seniors and young people it is a quality of life issue if they don't have Caltrain.

Russ Cohen, Burlingame, asked that the Burlingame station be saved. He said the economics of stations need to be looked at before they are closed.

George Kranen, Belmont, said he is a casual rider, but the proposed service changes are intended to have minimum impact on the core riders. He said the service should remain at current levels until the money runs out and then shut the system down and let people see what life is like without Caltrain.

Susan Soheili, Sunnyvale, asked that the Santa Clara and Burlingame stations not be closed.

Jim Whittemore, San Mateo, said if the stations need to be closed then close them, but don't pit communities against each other. He said he is opposed to staff's recommended solutions.

Ed DeLanoy, San Carlos, said the Caltrain service model may be out of date.

Mercedes Reshke, Redwood City, said her son commutes from Redwood City to College Park and asked that the College Park station remain open. She said this station closure will affect a large number of people.

Pat Giorni, Burlingame, said this day should not be a surprise to anyone. She said over 20 years ago, \$40 million went out of SamTrans portfolio for the purchase of the right of way and has never has been paid back by San Francisco and Santa Clara counties. Ms. Giorni said San Francisco and Santa Clara should pay their share or close the 4<sup>th</sup> and King and San Jose Diridon stations.

Michael Brownrigg, Burlingame councilmember, said Caltrain needs to keep riders on the trains to support a tax increase.

Chuck Zanger, Gilroy, said he is opposed to any station closures. He said closing some of the stations doesn't do anything, just close the entire system down if it is not economically possible to run.

Daniel Barreiro, San Mateo, said he represents non-profit organizations that provide cultural and artistic services to youth to keep them off the streets. He depends on the evening service because he works many nights with the youth.

Pat Dixon, Redwood Shores, asked if there has been a count on the number of passengers that are not being allowed to board at the stations up for closure and is staff working to provide shuttle service from the closed stations.

Barbara Arietta, Pacifica, said she would like to see all the stations remain open, but especially San Bruno station. She asked if the Giants have been approached to help with a short-term solution.

Irvin Dawid, Palo Alto, said he took the Broadway/Millbrae Shuttle today and it is very well patronized. He asked how much money is saved by closing a station and the cost to implement a shuttle from the closed stations.

Grett Appleby, Belmont, lives at Horizon Apartments and asked that Belmont station be kept open.

Shirley Johnson, San Francisco Bicycle Coalition (SFBC), said everyone will suffer from service cuts. She is pleading with staff for 80 bike spaces because more bike capacity will increase operating income.

Greg Conlon, Atherton, said he questions the fairness of the SamTrans cuts and why Caltrain is the victim. He said the nation is hemorrhaging over pension costs and employee benefits and there has been no discussion on this issue.

Cindy May, San Carlos, asked if the Board could comment on what actions have been taken on advertising and sponsorships.

Jim Bigelow, Redwood City/San Mateo County Chamber of Commerce, said about 75 percent of passengers are commuting to work and no one wants them on Highway 101. He said the \$5.5 million Dumbarton Rail funds should be used for Caltrain operations. Mr. Bigelow said services can't be cut.

Paul Wendt, Belmont, said he bought his house many years ago in Belmont because of the proximity to the Belmont station. Please do not cut evening and weekend service.

Jennifer Pfaff, Burlingame, said everyone has valid reasons for not closing any stations. She said all cities exist along the Peninsula because of Caltrain. Ms. Pfaff suggests increasing ticket and parking fees.

Legal Counsel David Miller said the Board and the agency have given ample notice to the public to participate in this hearing and have satisfied all the legal requirements and may close the public hearing.

A motion (Ahmad/Tissier) to close the public hearing was approved.

Director Nat Ford left at 11:54 a.m.

**PUBLIC HEARING TO DECLARE A FISCAL EMERGENCY FOR THE PENINSULA CORRIDOR JOINT POWERS BOARD FOR FISCAL YEAR 2012**

Deputy CEO Gigi Harrington said this item is to take public testimony and consider a declaration of a fiscal emergency. She said the Board called for this hearing at the February 3 meeting. Ms. Harrington said the purpose of the fiscal emergency is to allow the Board to make service adjustments that would result in savings and is allowed under the environmental process.

Public Comment

Eric Craig Sapp, Redwood City, said he is a graduate student at Stanford University. He said there are no exemptions from the very real environmental emergencies faced by our world such as climate change. Mr. Sapp asked what the fundamental source of this fiscal emergency is.

Margaret Okuzumi, Sierra Club, said she hopes a deal is worked out in the short-term to keep trains running. She said the word needs to get out to the public that Caltrain needs to find a long-term funding solution.

Jeff Carter, Burlingame, said he urged the Board to beg, borrow or steal to close the short-term gap to continue the service through the fiscal year.

Shirley Johnson, SFBC, said the SFBC is concerned about Caltrain declaring a fiscal emergency for the third year in a row. Ms. Johnson said for the last 10 years Caltrain has either relied on one-time emergency funding or declared a fiscal emergency. Ms. Johnson said declaring a fiscal emergency year-after-year to avoid environmental regulations is wrong.

Pat Giorni, Burlingame, requests that VTA and San Francisco make their full contribution regardless of what SamTrans is able to do.

Irvin Dawid, Palo Alto, said VTA has indicated they owe SamTrans and if SamTrans does not accept the repayment they need to explain why not.

Chuck Zanger, Gilroy, hopes there isn't a fiscal emergency next year and the Board needs to make the hard decisions now and stop having these emergencies every year.

Barbara Arietta, Pacifica, said by cutting service it will put the equivalent of two and a half additional traffic lanes on the highways.

Mr. Miller said proper procedures were followed to allow the public an opportunity to comment and the record indicates there are no written comments received. Mr. Miller said the testimony received does not speak to whether or not a fiscal emergency actually exists. He said the Deputy CEO has laid out the formula for determining a fiscal emergency and now the Board has the discretion to make a judgment that a fiscal emergency exists and proceed with the next steps. Mr. Miller said it is quite clear in the record that a fiscal emergency is not being declared for purposes of avoiding the California Environmental Quality Act (CEQA). He said at this time it is appropriate to close the public hearing.

A motion (Tissier/Ahmad) to close the public hearing was approved.

A motion (Ahmad/Tissier) to declare a fiscal emergency was approved unanimously.

### **PUBLIC COMMENT**

Mark Gleason, Teamsters Local 665, said he is a shuttle driver and would like to see an improvement in wages and benefits for the shuttle drivers.

Michael Kraft, Teamsters Local 665, said he would like to see improvement in wages and keep their medical benefits.

Patricia Davis, Teamsters Local 665, said the shuttles are an incredible necessity for passengers and asked the Board to please consider their wages.

Barbara Kindle, Teamsters Local 665, said there needs to be an improvement in wages and keep their medical benefits.

Irwin Dawid, Belmont, said he is a shuttle passenger from Millbrae BART to the Broadway station. He said there is no way for people to know about this service because there is no signage at the Millbrae BART Station. Mr. Dawid said these shuttles need to be publicized and a schedule needs to be posted.

Vaughn Wolfe, Pleasanton, said there needs to be regional rail funding for Caltrain. He said BART is a problem for Caltrain. Mr. Wolfe asked that staff and the Board not give up the funds for electrification.

Jeff Carter, Burlingame, said 20 years ago people were told there would be 70,000 people taking BART from Millbrae and that is not true. He said staff and the Board need to look for innovative ways to market Caltrain.

Pat Giorni, Burlingame, said if midday schedules are cut many people will be affected.

Shirley Johnson, SFBC, said bicyclists are loyal customers and are being denied service because there is not enough bike capacity.

Brian Brackney, San Francisco, said he uses the library in Santa Clara and this station must be saved.

Chuck Zanger, Gilroy, thanked the Board and staff for their hard work.

### **CONSENT CALENDAR**

- a. Approval of Minutes of February 3, 2011
- b. Authorize the Filing of Applications for State Proposition 1B Transit Security Grant Program Funds

The Board approved the consent calendar (Lloyd/Tissier).

### **CHAIRPERSON'S REPORT**

No report

## **MTC LIAISON REPORT**

Director Adrienne Tissier said part of today's public hearings was for the Board to hear ideas the public had to fill the funding gap. She said this is a long-term issue and as chair of MTC she has been working very closely with the agencies looking at any and all ideas. Director Tissier said there is nothing that is off the table to bridge this funding for the next two years. She said this is not just a Caltrain issue, but an issue that affects those who drive, walk or bike.

## **REPORT OF THE CITIZENS ADVISORY COMMITTEE (CAC)**

CAC Chair Bruce Jenkins reported:

- Findings of the passenger survey and the proposed service changes were presented at the February 19 meeting.

### Public Comment

Pat Giorni, Burlingame, said at the CAC meeting a speaker said \$7.1 million is being offered by the VTA as part of the brokered settlement to repay SamTrans. She said it is highly presumptuous of VTA to tell SamTrans what to do with money that was lent.

## **REPORT OF THE EXECUTIVE DIRECTOR**

Mr. Scanlon reported:

- Thanked everyone for attending the public hearing, but people must get past the finger pointing and blaming.
- He has been working with Steve Heminger, Executive Director of MTC, Michael Burns, General Manager of VTA and Director Ford to find a short-term solution.
- This agency can't sustain itself without a dedicated funding source.
- The wages and benefits for the shuttle drivers from Parking Company of America (PCA) are not set by Caltrain; Caltrain contracts with PCA for service.
- Monthly Performance Statistics – January 2011 compared to January 2010
  - a. Total Ridership was 990,787, an increase of 7.7 percent.
  - b. Average Weekday Ridership was 37,380, an increase of 5 percent.
  - c. Total Revenue was \$3,898,342, an increase of 21.3 percent.
  - d. On-time Performance was 95.2 percent, an increase of 0.4 percent.
  - e. Caltrain Shuttle Ridership was 5,422, a decrease of 11.1 percent.
- Monthly passes and 8-ride tickets are now only available on Clipper.
- The Bicycle Advisory Committee (BAC) did not meet in February and will be meeting on March 17. At that meeting they will be given a presentation on two-bike cars on all Gallery sets. Staff has received official approval from the State to use Public Transportation Modernization Improvement and Service Enhancement funds in the amount of \$300,000 to do the project.
- Outreach continues in San Mateo County with the city managers on High Speed Rail (HSR).
- He was in Washington D.C. two weeks ago and met with seven members of the local congressional delegation to discuss HSR. Real progress was made at this meeting and we have just learned that HSR made an announcement that they will proceed with a phase development along this corridor.
- There have been four fatalities so far in 2011 and all appear to be intentional.

### Public Comment

Shirley Johnson, SFBC, said every month the public hears a ridership report, but the report doesn't include how many customers are being bumped. She would like to request a bicycle bump report be included in the monthly performance statistics.

Director Ash Kalra left at 12:35 p.m.

Mr. Scanlon said the Board receives a monthly bump report in their reading file that is compiled by Ms. Giorni. He said he will be coming forward with a recommendation to fold the BAC officially into the CAC.

Wolfe Vaughn, Pleasanton, asked what is available in local funds for electrification. Mr. Scanlon said each of the three partners has pledged \$60 million in local funds although none of them has it in the bank. Mr. Scanlon said everything is on the table to find a short-term solution.

### **ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR JANUARY 2011**

A motion (Tissier/Kniss) to accept the January 2011 statement was approved unanimously.

### **LEGISLATIVE UPDATE**

Government Affairs Manager Seamus Murphy said staff thinks there will be a State budget by March 10. He said the gas tax swap won't be considered in conference committee and this is good news.

A two-week extension was approved at the Federal level of existing spending levels through March 18. Mr. Murphy said the longer-term bill approved on the House side is not something that would benefit us and includes a number of cuts to key programs. He said Governor Rick Scott of Florida rejected about \$2.4 billion in funds for their HSR program and also rejected a number of proposals that would allow the State to keep those funds. Mr. Murphy said Transportation Secretary Ray LaHood has offered him an extension to consider additional proposals and there was actually a petition filed by members of the State Legislature to obligate the governor to keep those funds and spend them on the project. He said if those funds do go back to the Department of Transportation they would be allocated to other projects around the country. Mr. Murphy said the local delegation has written to the Transportation Secretary asking that a portion of those funds come to the Caltrain corridor for the Communications Based Overlay Signal System.

Director Liz Kniss left at 12:38 p.m.

### **QUARTERLY CAPITAL PROGRESS REPORT**

No discussion

### **CORRESPONDENCE**

In the reading file

### Public Comment

Shirley Johnson, BAC, said for two months in a row the BAC has submitted a resolution to the Board that is not in the packet.

### **BOARD MEMBER REQUESTS**

None

**GENERAL COUNSEL REPORT**

No report

**DATE/TIME/PLACE OF NEXT MEETING**

Thursday, April 7, 2011, 10 a.m. at San Mateo County Transit District Administrative Building,  
Bacciocco Auditorium, 2<sup>nd</sup> Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

**ADJOURNED**

Adjourned at 12:40 p.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STAFF REPORT**

**TO:** Joint Powers Board

**THROUGH:** Michael J. Scanlon  
Executive Director

**FROM:** Marian Lee  
Executive Officer, Planning and Development

**SUBJECT: AUTHORIZE ENTERING INTO AN AGREEMENT AND COVENANT  
RUNNING WITH THE LAND (TO CONSTRUCT AND MAINTAIN  
TRAIN STATION PLATFORM AND LIGHT POLE INTO PUBLIC  
RIGHT OF WAY)**

**ACTION**

Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director, or designee, to enter into an Agreement and Covenant Running with the Land with the City of Santa Clara to allow Peninsula Corridor Joint Powers Board to construct and maintain a 1,050 sq. ft. portion of southbound platform and a light pole within currently unused Benton Street.

**SIGNIFICANCE**

The agreement is necessary to allow JPB to extend the platform and install the lightpole as required for The Santa Clara Station Improvements Project. Construction is scheduled for May 2011.

In order to facilitate timely award of this contract, the JPB will be executing the City of Santa Clara's standard agreement for street encroachments, which encumbers the owner's contiguous property as a condition of using the City's street right-of-way. This encumbrance, which is to be recorded, requires formal Board approval.

**BUDGET IMPACT**

The cost of the said agreement is \$1,500.

**BACKGROUND**

The Santa Clara Station Improvements Project is located at the existing Santa Clara Caltrain Station at milepost 44.3. There will be track, civil, and signal construction. The track work will include shifting of MT 3, new construction of approximately 1500 feet of MT 2 through the station area, as well as a new turnout on MT 2 at the south end of the station. The civil work will include construction of a 700 foot long by 30 foot wide center platform, 150 foot extension to the

existing southbound platform, and construction of a pedestrian underpass between the two platforms. There will be minor signal work on this project.

JPB will need to obtain rights from the City of Santa Clara to allow construction of a portion of the southbound platform and one light pole which will be located within the street right-of-way at the end of Benton Street.

Prepared by: Gary Cardona, Senior Real Estate Officer 650.508.6353  
Brian Fitzpatrick, Manager, Real Estate & Property Development 650.508.7781

**RESOLUTION NO. 2011-**

**BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD**

**STATE OF CALIFORNIA**

\* \* \*

**AUTHORIZING EXECUTIVE DIRECTOR TO ENTER INTO AGREEMENT AND  
CONVENANT RUNNING WITH THE LAND (TO CONSTRUCT AND MAINTAIN  
TRAIN STATION PLATFORM AND LIGHT POLE INTO PUBLIC RIGHT OF WAY)**

**WHEREAS**, the Santa Clara Station Improvements Project requires property rights from the City of Santa Clara in order to construct a portion of the extended southbound platform within the right-of-way of Benton Street in Santa Clara, CA; and

**WHEREAS**, the City of Santa Clara has expressed a willingness to enter into an Agreement and Covenant Running with the Land (To Construct and Maintain Train Station Platform and Light Pole Into Public Right of Way) (Agreement) with Peninsula Corridor Joint Powers Board (JPB) for a one-time payment of \$1,500; and

**WHEREAS**, JPB Legal Counsel has reviewed and approved as to form the proposed Agreement; and

**WHEREAS**, staff recommends that the Board of Directors authorize the Executive Director to execute the Agreement with the City of Santa Clara for the Property.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board authorizes the Executive Director, or his designee, to execute the Agreement with the City of Santa Clara for the above-referenced Benton Street Property;

**BE IT FURTHER RESOLVED** that the Executive Director, or his designee, is authorized to take all other actions necessary to give effect to this resolution.

Regularly passed and adopted this 7<sup>th</sup> day of April, 2011 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **ASSESSMENT OF THE FISCAL YEAR 2011 FUEL HEDGING  
PROGRAM AND ADOPTION OF REVISED FUEL HEDGING POLICY**

**ACTION**

Staff Coordinating Council (SCC) recommends that the Board adopt the attached revised Fuel Hedging Policy.

**SIGNIFICANCE**

A fuel hedging program was instituted for Fiscal Year (FY) 2011 to cover 50 percent of the Peninsula Corridor Joint Powers Board's (JPB) projected diesel fuel usage, which was approximately 2.1 million gallons. The primary goal of the program was to reduce volatility and uncertainty in the fuel budget. Consistent with its Fuel Hedging Policy adopted on March 4, 2010 (Policy), the JPB purchased a price cap of \$2.25 per gallon based on the Gulf Coast Ultra Low Sulfur Diesel (ULSD) index. The estimated budget savings from the diesel fuel price cap was \$1.7 million over the fuel cost the JPB otherwise would have needed to assume for its fuel budget. The fuel hedging program allowed the JPB both to reduce uncertainty in the fuel budget for FY2011 and to take advantage of the relatively low market prices at the time it executed the fuel hedging transaction.

The counterparty on the FY2011 transaction was Barclays Bank PLC (Barclays). The JPB has received payments from Barclays for each month beginning October 2010, since the time the average price on the Gulf Coast ULSD index has exceeded the \$2.25 cap price. The JPB also realized the primary purpose of the cap, which was to provide budget certainty. The cost of the cap was \$383,040, which was paid by the JPB as an upfront premium. The following table summarizes the results of the FY 2011 Program to date.

<b>Gulf Coast</b>	<b>JPB</b>	<b>Variance of</b>	<b>Variance of</b>	<b>Payment</b>
-------------------	------------	--------------------	--------------------	----------------

	<b>ULSD Avg Price</b>	<b>Avg Price Before Fee*</b>	<b>ULSD Price &amp; JPB's</b>	<b>Cap Price</b>	<b>ULSD Price &amp; Cap Price</b>	<b>from Barclays</b>
July	2.0444	2.1524	(0.1080)	2.2500	(0.2056)	-
August	2.0984	2.2403	(0.1419)	2.2500	(0.1516)	-
September	2.1286	2.2426	(0.1140)	2.2500	(0.1214)	-
October	2.2502	2.383	(0.1328)	2.2500	0.0002	35.00
November	2.3211	2.3967	(0.0756)	2.2500	0.0711	12,442.50
December	2.4408	2.5102	(0.0694)	2.2500	0.1908	33,390.00
January	2.601	2.6488	(0.0478)	2.2500	0.3510	61,425.00
February	2.7932	2.9279	(0.1347)	2.2500	0.5432	95,060.00

\* A \$0.0074 ultra low sulfur diesel fee is added to the JPB price per gallon.

A recognized commodity hedge counterparty which met the rating criteria of the Policy showed interest in bidding on the FY2011 fuel hedging program. The JPB could not consider that counterparty because the Policy limits eligible counterparties to financial institutions. To provide additional flexibility in future solicitations and clear guidance to enable staff to execute fuel hedging transactions, staff recommends adopting the attached revised policy. The changes being recommended are to:

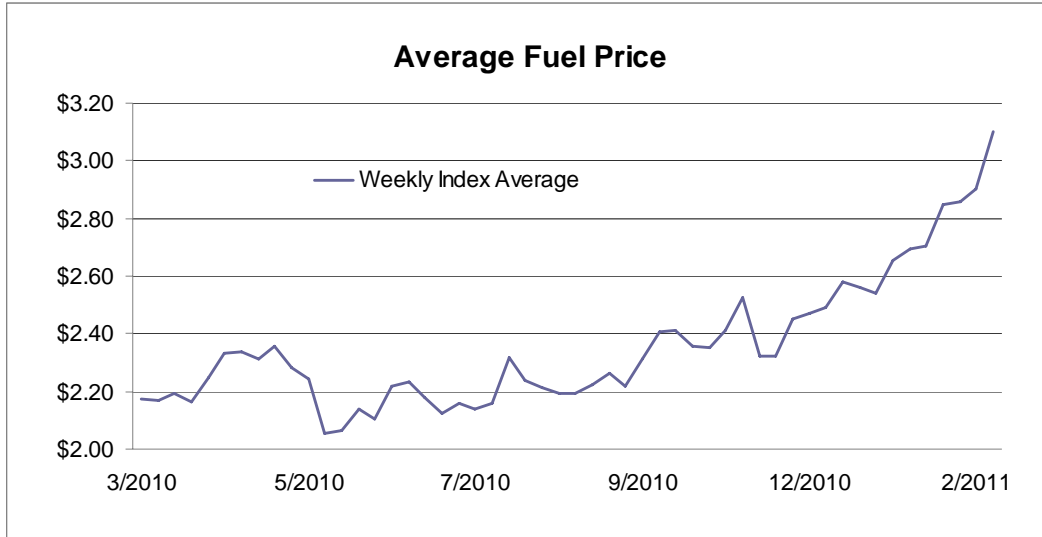
- (1) Refer to a counterparty rather than a financial institution;
- (2) Refer to the rating assigned to the counterparty or its guarantor rather than only the counterparty itself;
- (3) Update the correlation rate of the ULSD index to the OPIS index from 2006 through 2010.

### **BUDGET IMPACT**

There is no impact to the Budget.

### **BACKGROUND**

The JPB currently purchases fuel from Pinnacle Petroleum based on the weekly spot price for ultra-low sulfur diesel fuel (ULSD), exposing the JPB to market price fluctuation. During the past twelve month period from March 1, 2010 to February 28, 2011, the price of ULSD has ranged from a high of \$3.10 per gallon in the last week of February 2011 to a low of \$2.16 in the last week of March 2010.



The JPB originally adopted its hedging Policy in March 2010 by Resolution No. 2010-15. The Policy provides guidelines on the fuel hedging transactions, ensures budget reliability and allows the JPB to limit its exposure when fuel prices rise, while continuing to receive the benefit when prices fall.

Prepared by: Christina Tang, Senior Budget Analyst

650.508.6376

**Peninsula Corridor Joint Powers Board  
Fuel Hedging Policy**

*Revised: April 7, 2011*

**Goal:** The primary goal for the JPB's fuel hedging program is to reduce volatility in the fuel budget.

**Mechanism:** There are several mechanisms available to hedge fuel in the market today including ~~cap options~~ *commodity price caps*, futures contracts, commodity swaps and physical hedging. This policy authorizes ~~an on shore cap option mechanism~~ *a commodity price cap with a counterparty authorized to conduct business in the United States.*

**Index:** *The price that the JPB pays for fuel is based on the Oil Price Information Service (OPIS) index. With respect to the commodity price cap, the JPB will use an index that has a high historical positive correlation to the OPIS index. In addition, prior to entering into a transaction, staff will examine data from the prior five (5) years to measure the ongoing correlation. The index to be utilized in the commodity price cap ~~option~~ is the Platt's Gulf Coast Ultra Low Sulphur Diesel (ULSD) index ~~which was correlated at a rate of 0.971 between 2001 and 2009 with the Oil Price Information Service (OPIS) index. The price that the JPB pays for fuel is based on the OPIS index. Between 2006 and 2010, the ULSD index had a high correlation of 0.975 with the OPIS index.~~*

**Duration:** Each transaction will be implemented for no more than 12 months at a time and will not extend beyond one fiscal year.

**Transaction Amount:** Each transaction will be implemented for no more than 75 percent of JPB's projected fuel usage for a fiscal year.

**Counterparty Credit Criteria:** As a condition for bidding, a ~~financial institution~~ *counterparty or its guarantor* must be rated in the "Aa" or "AA" category by at least one ~~national rating agency~~ *nationally recognized statistical rating organization (each, a "Rating Agency")*. If the counterparty *or its guarantor, as applicable*, is downgraded to or below "A3" from Moody's or "A-" from S&P or Fitch, the counterparty must post collateral to secure its performance *in an amount and under terms and conditions acceptable to the JPB. In addition, the JPB retains the right to terminate the contract with the counterparty if ~~their~~ ratings or, as applicable, its guarantor's ratings are downgraded below "Baa1" in the case of Moody's or "BBB+" in the case of S&P or Fitch.*

**Guaranty Requirements:** *Any guaranty shall be irrevocable and unconditional and shall be in form and substance satisfactory to the JPB.*

**Monitoring:** Monthly monitoring of the Gulf Coast ULSD average price must be calculated *by, or under the direction of, JPB staff* to ensure payments are received from

the counterparty if and when due. Hedging practices should also be monitored *by JPB staff* to ensure this policy remains up to date with current best practices.

**Board Approval:** Staff shall return to the Board annually to obtain approval on the award of a financial contract for fuel hedging services and the authorization of the Executive Director or designee to execute such a contract for the current fiscal year.

**Reporting:** Annual reports will be presented to the Board in the form of an informational staff report, which will provide details concerning the terms of the fuel hedge and provide an assessment of the current year's program.

**Risks:** Some of the risks associated with a *commodity* price cap include:

**Counterparty Risk** – The risk that the counterparty fails to make required payments or otherwise comply with the terms of the agreement. This risk is mitigated by requiring the ~~financial institution~~*counterparty or its guarantor* to have a double-A category rating by at least one ~~of the national rating agencies~~*Rating Agency* as a condition for bidding.

**Termination Risk** – The risk that there will be a mandatory early termination of the transaction. This risk is mitigated *in part* by ~~the collateral posting provision,~~ requiring the posting of collateral *by the counterparty* should the counterparty's *or its guarantor's* credit rating fall *to or* below "A3" in the case of Moody's or "A-" in the case of S&P or Fitch *subsequent to the execution of the commodity price cap.*

**Basis Risk** – The risk that there is a mismatch between the *commodity price* cap ~~option~~-rate and the ~~cost~~*amount actually* paid for fuel. This risk is mitigated by selecting the Gulf Coast ULSD index which is highly correlated to the rates the JPB pays for fuel.

**RESOLUTION NO. 2011-**

**BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD  
STATE OF CALIFORNIA**

\* \* \*

**REVISING THE FUEL HEDGING POLICY**

**WHEREAS**, in March 2010, pursuant to Resolution No. 2010-15, the Peninsula Corridor Joint Powers Board (JPB) adopted a Fuel Hedging Policy (Policy) as an appropriate method of decreasing the volatility in the price to be paid for fuel in the future; and

**WHEREAS**, the Policy provides guidelines on the fuel hedging transactions, ensures budget reliability and allows the JPB to limit its exposure when fuel prices rise, while continuing to receive the benefit when prices fall; and

**WHEREAS**, in order to provide additional flexibility in future solicitations, as well as provide clear guidance to enable staff to execute fuel hedging transactions, staff recommends revising the Policy (i) to refer to a “counterparty” rather than a “financial institution,” (ii) to provide that the rating specified in the Policy apply to the counterparty or its guarantor rather than only the counterparty, (iii) to clarify language regarding counterparty credit criteria and risks; and (iv) to require annual updates to the relationship between the Gulf Coast Ultra Low Sulfur Diesel index used in hedging transactions and the Oil Price Information Service index used in the JPB’s procurement of diesel fuel.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby approves and adopts the attached revised Fuel Hedging Policy and authorizes the Executive Director or the Deputy CEO to negotiate with counterparties, as appropriate.

Regularly passed and adopted this 7<sup>th</sup> day of April, 2011 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **AUTHORIZE AWARD OF CONTRACT TO ORRICK, HERRINGTON  
AND SUTCLIFFE LLP TO SERVE AS SPECIAL COUNSEL IN  
CONNECTION WITH THE FISCAL YEAR 2012 FUEL HEDGING  
PROGRAM**

**ACTION**

Staff Coordinating Council (SCC) recommends that the Board authorize appointment of Orrick, Herrington & Sutcliffe LLP (Orrick) to serve as special counsel to the Peninsula Corridor Joint Powers Board (JPB) in connection with the Fiscal Year (FY) 2012 fuel hedging program, fees for special counsel not to exceed \$125,000.

**SIGNIFICANCE**

Per the fuel hedging policy adopted by the Board in March 2010 and revised in April 2011 (Policy), staff will shortly begin the process of selecting a counterparty meeting the requirements specified in the Policy for the FY2012 fuel hedging program.

Orrick served as counsel on the fuel hedge transaction entered into for the current and prior fiscal years as well as bond counsel on the JPB's 2007 financing for Bombardier rail cars and brings a strong understanding of the JPB's history and requirements.

Staff expects to return to the Board in June 2011 to obtain approval of documents for the FY2012 fuel hedging program and in July 2011 to provide further details concerning the terms of the FY2012 fuel hedge.

**BUDGET IMPACT**

Orrick will be providing services jointly to both the JPB and the San Mateo County Transit District. The total cost of Orrick's services will not exceed \$125,000, with the JPB responsible for 70 percent of the cost, based upon the JPB's proportional share of the total amount of the anticipated fuel hedge.

Additional detail concerning the fuel hedging program is provided in the staff report for Agenda Item # 4 (c).

Prepared by: Christina Tang, Senior Budget Analyst

650.508.6376

**RESOLUTION NO. 2011-**

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STATE OF CALIFORNIA**

\* \* \*

**AUTHORIZING AWARD OF CONTRACT TO ORRICK, HERRINGTON &  
SUTCLIFFE LLP TO SERVE AS SPECIAL COUNSEL IN CONNECTION WITH  
THE FISCAL YEAR 2012 FUEL HEDGING PROGRAM**

**WHEREAS**, the Peninsula Corridor Joint Powers Board (JPB) currently purchases approximately four million gallons of diesel fuel each year to conduct train operations; and

**WHEREAS**, consistent with the fuel hedging policy adopted by the Board in March 2010 and revised in April 2011 (the Policy), the JPB will shortly begin the process of selecting a counterparty meeting the requirements specified in the Policy for the FY2012 fuel hedging program; and

**WHEREAS**, the JPB requires the services of special counsel to assist it in the process of implementing a fuel hedge for the FY2012 fuel hedging program; and

**WHEREAS**, Orrick, Herrington & Sutcliffe, LLP, has served as the JPB's special counsel in prior years, including advising on FY2010's and FY2011'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 Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director to execute a contract in an amount not to exceed \$125,000 with Orrick, Herrington & Sutcliffe, LLP, to serve as special counsel to the JPB in connection with the proposed fuel hedge for FY2012, with the

understanding that the not to exceed amount includes services to be provided under a separate contract with the San Mateo County Transit District, which is expected to pay 30 percent of the total cost of the special counsel services.

Regularly passed and adopted this 7<sup>th</sup> day of April, 2011 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

**TO:** Joint Powers Board

**THROUGH:** Michael J. Scanlon  
Executive Director

**FROM:** Gigi Harrington  
Deputy CEO

C.H. (Chuck) Harvey  
Deputy CEO

**SUBJECT: REJECTION OF LOW MONETARY BID AS NON-RESPONSIVE AND  
AWARD OF CONTRACT FOR PURCHASE AND DELIVERY OF  
SIGNAL EQUIPMENT**

**ACTION**

Staff Coordinating Council (SCC) recommends the Board approve the following:

1. Reject the low monetary bid for purchase and delivery of signal equipment received from GE Transportation Systems Global Signaling, LLC (GETS) of Grain Valley, MO. This firm did not submit a bid security, as required; the bid also contained written exceptions, rendering it non-responsive and requiring its rejection.
2. Award a contract to the lowest responsive and responsible bidder, Invensys Rail Corporation (Invensys) of Louisville, KY, in the total amount of \$763,234.
3. Authorize the Executive Director, or his designee, to execute a contract with Invensys in full conformity with the terms and conditions of the solicitation documents.

**SIGNIFICANCE**

Award of this contract will allow for the purchase and delivery of signal equipment and enable the Peninsula Corridor Joint Powers Board (JPB) to replace equipment that has reached the end of its useful life. The signal rehabilitation program is a key component of the JPB's goal to keep its railroad in a state of good repair.

**BUDGET IMPACT**

Funds to support the award of this contract are included in the adopted Fiscal Year 2011 and prior year JPB Capital budgets.

**BACKGROUND**

An Invitation for Bids was distributed among railroad signal equipment manufacturing and installation contractors. The solicitation was advertised in an industry journal and on the JPB's website. Solicitation notices also were sent to small and disadvantaged business enterprises.

Three potential bidders participated in a pre-bid telephone conference call. Two bids were received and opened publicly as listed below:

<b>Company</b>	<b>Grand Total Bid Price</b>
<i>JPB Estimate</i>	<i>\$704,466</i>
GE Transportation Systems Global Signaling, LLC	\$618,500
Invensys Rail Corporation	\$763,234

The apparent low bidder, GETS, submitted a bid containing a broad condition to negotiate all terms, conditions and requirements of the contract documents, contrary to the provisions of the solicitation and JPB procurement policy and procedures. Written exceptions submitted with bids are not allowed under sealed bid procedures. Further, GETS failed to submit a bid security, as required by the solicitation documents. These irregularities are material and may not be waived by the JPB. Staff therefore recommends that the bid tendered by GETS be rejected as non-responsive.

Staff and Legal Counsel reviewed the bid from Invensys and determined that it has complied with all the requirements of the solicitation and is responsive to the bid specifications. Staff contacted two national railroad companies for whom Invensys has provided similar services for references. Based on information obtained, staff believes that Invensys Rail Corporation is qualified to manufacture and deliver the signal equipment. Therefore, staff concludes that Invensys is capable of meeting the requirements of the contract and is the lowest responsive, responsible bidder. There is no Disadvantage Business Enterprise (DBE) participation in this procurement.

Contract Officer: Adwoa Oni  
Project Manager: Hubert Chan

650.508.6411  
650.508.7786

**RESOLUTION NO. 2011 -**

**BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD  
STATE OF CALIFORNIA**

\* \* \*

**REJECTING LOW MONETARY BID AS NON-RESPONSIVE AND  
AUTHORIZING AWARD OF CONTRACT TO INVENSYS RAIL  
CORPORATION FOR PURCHASE AND DELIVERY OF SIGNAL  
EQUIPMENT FOR THE TOTAL AMOUNT OF \$763,233.55**

**WHEREAS**, the Peninsula Corridor Joint Powers Board (JPB), solicited competitive bids for purchase and delivery of signal equipment; and

**WHEREAS**, in response to the JPB's invitation for bids, two firms, GE Transportation Systems Global Signaling, LLC (GETS), of Grain Valley, Missouri and Invensys Rail Corporation (Invensys) of Louisville, Kentucky, submitted bids; and

**WHEREAS**, staff and Legal Counsel reviewed the two bids received and determined that the apparent low bidder, GETS, failed to meet two material solicitation requirements and is therefore non-responsive and requires rejection; and

**WHEREAS**, staff and Legal Counsel have reviewed the bid submitted by Invensys and have determined it is the lowest responsive and responsible bid; and

**WHEREAS**, the Executive Director has recommended that the contract be awarded to Invensys Rail Corporation of Louisville, Kentucky, whose bid meets all the requirements of the solicitation.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board rejects the bid of GETS as non-responsive for the reason stated above; and

**BE IT FURTHER RESOLVED** that the Board of Directors of the Peninsula Corridor Joint Powers Board awards a contract to Invensys Rail Corporation for the purchase and delivery of signal equipment for a total amount of \$763,233.55; and

**BE IT FURTHER RESOLVED** that the Executive Director, or his designee, is authorized to execute a contract on behalf of the JPB with Invensys Rail Corporation in full conformity with all of the terms and conditions of the contract documents and in a form approved by Legal Counsel.

Regularly passed and adopted this 7<sup>th</sup> day of April 2011 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

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

SUBJECT: **KEY CALTRAIN PERFORMANCE STATISTICS FEBRUARY 2011**

For February 2011, Caltrain average weekday ridership (AWR) increased 4.7 percent over February 2010. AWR based on ticket sales was 36,682 for February 2011, an increase of 1,641 compared to February 2010. AWR has trended upward compared to last year for eight of the last nine months. The total number of passengers for the month of February 2011 was 898,062, representing a 3.8 percent increase from last year's February total of 865,569.

In February 2011, on-time performance was 93.9 percent, as compared to 95.9 percent in February 2010, a decrease of 2.0 percentage points and below the standard of 95 percent. Contributing factors included two trespasser fatalities and miscellaneous mechanical, switch and signal problems.

Average weekday shuttle ridership was estimated at 5,468. Overall shuttle ridership is up 0.2 percent from February 2010. For the station shuttles, the Millbrae-Broadway shuttle averaged 107 daily riders. The Belmont-Hillsdale shuttle averaged 76 daily riders. The weekend Tamien-San Jose shuttle averaged 37 riders per day.

## **Caltrain Promotions – February 2011**

**Disney on Ice** – Caltrain partnered with Disney on Ice to promote service to its “Let’s Celebrate” event, located at the HP Pavilion. Caltrain promoted the event with information in the winter issues of *Track the Fun* and *Caltrain Connection*, and a posting on its website. Disney on Ice, which offered a discount to Caltrain customers, promoted the event and partnership with onboard adcards and a television commercial.

**SAP Open** – Tennis fans were enticed to “love” Caltrain as the rail agency partnered with the SAP Open, which was held at the HP Pavilion. Caltrain issued a news release, and the Open produced an onboard adcard and take one promoting the service.

**Presidents Day** – Caltrain operated a modified Saturday schedule, including service to Gilroy, on Monday, Feb. 21. The service was promoted with a news release, station posting and special timetable.

**Sharks Hockey** – With a couple of months left in the hockey season, the Sharks are skating to win. And fans are winning by taking Caltrain to the Shark Tank. The service continued to be highlighted with customer take ones paid for by the Sharks, who also made announcements during the hockey matches. Caltrain promoted the ease of getting to the pavilion with onboard adcards, a Caltrain web button, radio reads before each game, and publications *Track the Fun* and *Caltrain Connection*. Nearly 1,000 hockey fans rode Caltrain to the three February games. Year-to-date ridership is 13 percent higher compared to last season.

**Clipper<sup>SM</sup>** – Caltrain continued to make customers aware of the imminent elimination of the paper Monthly Pass. It also reminded customers of the top tips for riding Caltrain with a Clipper card: maintain a minimum \$1.25 on the card; tag on and off each time for e-cash and 8-ride Ticket customers; and tag on and off the first ride of the month for Monthly Pass customers. Information was disseminated with staff visiting stations and onboard outreach, website posting, conductor announcements, station electronic message board notices, brochures, take ones, station flyers, and via ticket vending machines.

**State of the Valley** – Caltrain partnered with SamTrans to run an ad in the program for the State of the Valley, Silicon Valley’s annual meeting. The two transit agencies emphasized keeping the region on the move, with transit providing freedom and mobility. The meeting convenes various groups, including concerned citizens, opinion makers, journalists, elected representatives, educators, business executives and workforce leaders, to discuss the Valley’s challenges and opportunities.

**Weekend Baby Bullet** – Promotions for the pilot weekend express train service continued into February with Tweets (CTWkendBullets), Facebook posts (Caltrain Weekend Bullets) and media ads. Station electronic messages, as well as adcards on Caltrain, the Santa Clara Valley Transportation Authority and SamTrans continued to be used. For the month, 5,669 Weekend Baby Bullet customers went through the San Francisco station.

Prepared by: Rita P. Haskin, Executive Officer, Customer Service and Marketing 650.508.6248  
Ted Yurek, Senior Planner, Operations Planning 650.508.6471

### Table A

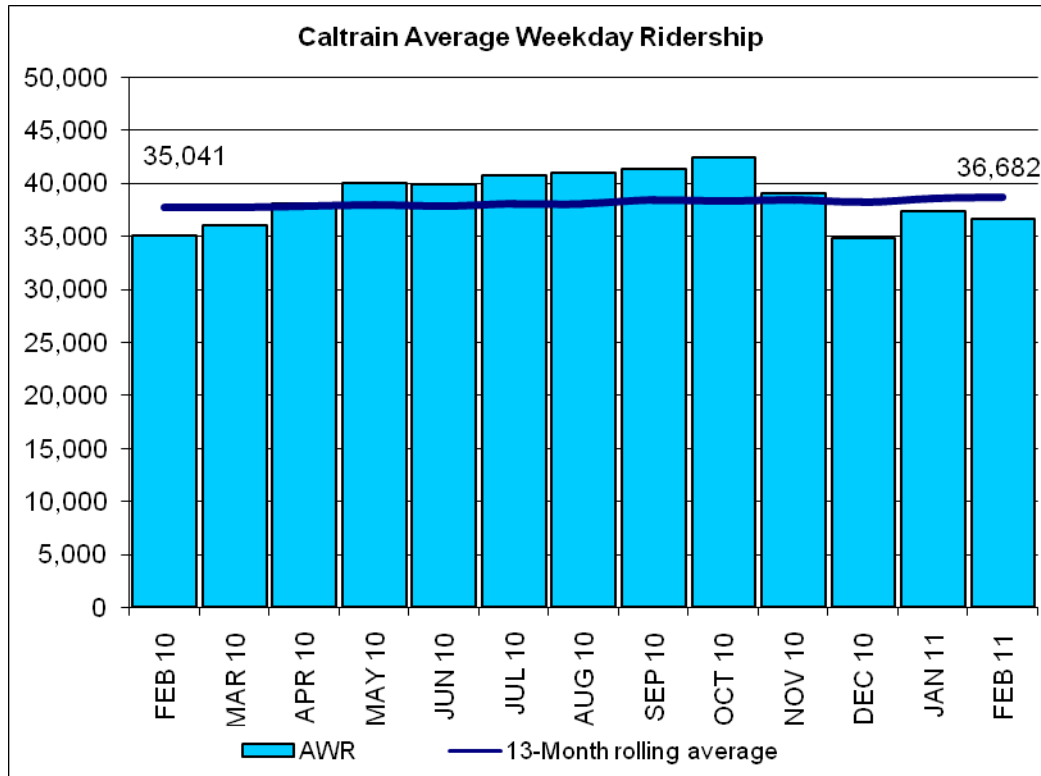
February 2011			
	FY2010	FY2011	% Change
Total Ridership	865,569	898,062	3.8%
Average Weekday Ridership	35,041	36,682	4.7%
Total Revenue	\$3,189,889	\$3,772,428	18.3%
On-time Performance	95.9%	93.9%	-2.0%*
Caltrain Shuttle Ridership	5,459**	5,468	0.2%

Year to Date			
	FY2010	FY2011	% Change
Total Ridership	7859052**	8,207,660	4.4%
Average Weekday Ridership	37448**	39,167	4.6%
Total Revenue	\$27,809,413	\$31,014,985	11.5%
On-time Performance	94.0%	94.0%	0%*
Average Caltrain Shuttle Ridership	5,459**	6,072	11.2%

\* numeric difference of the percentages

\*\*FY10 figures have been adjusted to reflect corrected number of days operated per month

### Graph A



PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD  
ENDING FEBRUARY 28, 2011 AND SUPPLEMENTAL INFORMATION**

**ACTION**

Staff proposes that the Board of Directors accept and enter into the record the Statement of Revenue and Expense for the month of February 2011 and supplemental information.

**SIGNIFICANCE**

**Revenue:** For February of Fiscal Year 2011, *Total Operating Revenue* (line 7) is \$2,409,433 or 7.1 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$2,495,691 or 8.8 percent **better** than budget offset by *Shuttles* (line 3) which are \$252,521 or 25.2 percent **worse** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$3,095,454 or 9.3 percent **higher**.

**Expense:** *Grand Total Expenses* (line 47) show a favorable variance of \$5,749,767 or 8.5 percent. *Total Operating Expense* (line 33) is \$5,295,134 or 8.8 percent **better** than budget. Within total operating expense, *Contract Operating & Maintenance* (line 23) and *Fuel* (line 26) together are \$4,515,875 or 9.0 percent **better** than budget. *Total Administrative Expense* (line 42) is \$454,633 or 6.5 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 47) are \$4,078,514 or 7.1 percent **higher**. The increase in expense is mainly due to *Fuel* (line 26) and *Insurance* (line 28) which together are \$2,509,034 or 25.9 percent **higher**.

**Budget Revisions:** There are no budget revisions for the month of February 2011.

Prepared by: Jeannie Chen, Senior Accountant  
David Ramires, Accountant

650.508.6259  
650.508.6417

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STATEMENT OF REVENUE AND EXPENSE**  
**Fiscal Year 2011**  
**February 2011**

	% OF YEAR ELAPSED <span style="float: right;">66.7%</span>							
	MONTH	YEAR TO DATE				ANNUAL		
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET *	REVISED BUDGET **	% REV BUDGET
(AS PROJECTED)								
<b>REVENUE</b>								
<b>OPERATIONS:</b>								
1 Farebox Revenue	3,772,428	27,809,412	31,014,984	28,519,293	108.8%	43,353,719	44,594,719	69.5%
2 Parking Revenue	275,522	1,524,938	1,604,130	1,514,104	105.9%	2,271,159	2,271,159	70.6%
3 Shuttles	88,401	737,724	751,190	1,003,711	74.8%	1,505,578	1,505,578	49.9%
4 Rental Income	147,635	1,141,813	1,159,035	1,132,360	102.4%	1,696,200	1,696,200	68.3%
5 Other Income	225,552	1,893,181	1,673,183	1,623,621	103.1%	2,435,440	2,435,440	68.7%
6								
7 <b>TOTAL OPERATING REVENUE</b>	<b>4,509,538</b>	<b>33,107,069</b>	<b>36,202,523</b>	<b>33,793,090</b>	<b>107.1%</b>	<b>51,262,096</b>	<b>52,503,096</b>	<b>69.0%</b>
8								
<b>CONTRIBUTIONS:</b>								
9								
10 AB434 Peninsula Feeder Shuttle	83,333	666,667	666,667	666,664	100.0%	1,000,000	1,000,000	66.7%
11 Operating Grants	-	1,109,654	5,064,447	5,076,759	99.8%	6,327,389	6,428,714	78.8%
12 JPB Member Agencies	2,924,177	26,277,725	23,393,421	23,393,408	100.0%	35,090,130	35,090,130	66.7%
13 Other Sources	-	-	-	4,656,710	0.0%	6,200,000	7,190,000	0.0%
14								
15 <b>TOTAL CONTRIBUTED REVENUE</b>	<b>3,007,511</b>	<b>28,054,046</b>	<b>29,124,534</b>	<b>33,793,541</b>	<b>86.2%</b>	<b>48,617,519</b>	<b>49,708,844</b>	<b>58.6%</b>
16								
17 <b>GRAND TOTAL REVENUE</b>	<b>7,517,048</b>	<b>61,161,115</b>	<b>65,327,057</b>	<b>67,586,631</b>	<b>96.7%</b>	<b>99,879,615</b>	<b>102,211,940</b>	<b>63.9%</b>
18								
19								
<b>EXPENSE</b>								
20								
<b>OPERATING EXPENSE:</b>								
21								
22								
23 Contract Operating and Maintenance	5,000,721	37,727,583	37,833,706	40,809,256	92.7%	62,285,336	61,418,015	61.6%
24 Operator Contract Transition Costs	-	-	-	333,333	0.0%	2,000,000	2,000,000	0.0%
25 Shuttles (incl Peninsula Pass)	236,767	1,938,288	1,952,967	2,230,421	87.6%	3,345,631	3,345,631	58.4%
26 Fuel	1,012,223	6,735,583	7,964,534	9,504,859	83.8%	14,146,389	13,963,956	57.0%
27 Timetables and Tickets	280	105,769	95,760	127,000	75.4%	190,500	190,500	50.3%
28 Insurance	401,965	2,952,696	4,232,779	4,236,645	99.9%	4,870,000	5,860,000	72.2%
29 Facilities and Equipment Maint	91,910	673,934	753,911	807,233	93.4%	1,213,000	1,213,000	62.2%
30 Utilities	65,351	721,673	1,016,121	1,095,307	92.8%	1,642,800	1,642,800	61.9%
31 Services	93,486	607,253	748,238	749,097	99.9%	1,126,610	1,125,610	66.5%
32								
33 <b>TOTAL OPERATING EXPENSE</b>	<b>6,902,703</b>	<b>51,462,779</b>	<b>54,598,017</b>	<b>59,893,151</b>	<b>91.2%</b>	<b>90,820,266</b>	<b>90,759,512</b>	<b>60.2%</b>
34								
<b>ADMINISTRATIVE EXPENSE</b>								
35								
36 Wages and Benefits	429,360	3,817,212	3,993,262	4,395,626	90.8%	6,521,825	6,521,825	61.2%
37 Board of Directors	1,329	7,549	7,961	8,200	97.1%	12,300	12,300	64.7%
38 Professional Services	170,999	822,727	1,436,377	1,471,290	97.6%	2,122,724	2,224,049	64.6%
39 Communications and Marketing	14,942	106,313	148,034	154,360	95.9%	227,840	227,840	65.0%
40 Office Expense and Other	98,383	806,521	917,964	928,753	98.8%	1,365,539	1,363,539	67.3%
41								
42 <b>TOTAL ADMINISTRATIVE EXPENSE</b>	<b>715,013</b>	<b>5,560,321</b>	<b>6,503,597</b>	<b>6,958,230</b>	<b>93.5%</b>	<b>10,250,228</b>	<b>10,349,553</b>	<b>62.8%</b>
43								
44 Long Term Debt Expense	91,906	735,250	735,250	735,250	100.0%	1,102,875	1,102,875	66.7%
45 Service Adjustment/Fare and Revenue Changes	-	-	-	-	0.0%	(2,293,754)	-	0.0%
46								
47 <b>GRAND TOTAL EXPENSE</b>	<b>7,709,623</b>	<b>57,758,350</b>	<b>61,836,864</b>	<b>67,586,631</b>	<b>91.5%</b>	<b>99,879,615</b>	<b>102,211,940</b>	<b>60.5%</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

\* The Approved Budget is the Board adopted budget effective July 1, 2010.

\*\* The Revised Budget is the adopted budget plus Board amendments plus budget transfers.



**PENINSULA CORRIDOR JOINT POWERS BOARD**

**INVESTMENT PORTFOLIO**

**AS OF FEBRUARY 28, 2011**

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Restricted)	Liquid Cash	0.512%	\$ 2,000,000	\$ 2,002,923
Local Agency Investment Fund (Unrestricted)	Liquid Cash	0.512%	20,425,386	20,455,234
Investment Portfolio (Unrestricted)	Liquid Cash	3.188%	6,182,740	6,083,837
Other (Unrestricted)	Liquid Cash	0.050%	(1,187,730)	(1,187,730)
			\$ 27,420,396	\$ 27,354,264
Accrued Earnings for February 2011	\$26,104.24	(1)		
Cumulative Earnings FY2011	\$220,676.51			

(1) Earnings do not include prior period adjustments

\* The market value of Local Agency Investment Fund (LAIF) was derived from the fair value factor of 1.001461323 as reported by LAIF for quarter ending December 31, 2010.

\*\* The Portfolio and this Investment Report comply with the Investment Policy and the provisions of SB 564 (1995). The Joint Powers Board has the ability to meet its expenditure requirements for the next six months.

**AGENDA ITEM # 9**  
**APRIL 7, 2011**

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **PRELIMINARY FISCAL YEAR 2012 CALTRAIN OPERATING BUDGET**

The Preliminary Fiscal Year 2012 Caltrain Operating Budget will be presented to the Board on April 7, 2011 as an informational item, and will be available for distribution at the meeting.

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

**TO:** Joint Powers Board

**THROUGH:** Michael J. Scanlon  
Executive Director

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

**SUBJECT: APPROVAL OF SERVICE AND FARE CHANGES TO BALANCE THE  
FY2012 BUDGET**

The staff recommendation for changes to service and fares for fiscal year 2012 will be presented at the Board meeting on April 7, 2011 and will be available for distribution at the meeting.

**BACKGROUND**

A public hearing was held at the March 3 board meeting to receive comment on a range of service suspensions and fare increases. This was the culmination of an outreach effort that included four drop-in Public Meetings on February 14, 16 and 17, 2011 and the ability for the public to submit comments via e-mail, phone and printed mail. In summary, more than 2,592 comments were received regarding the various proposals.

Additionally, staff has been meeting with the Metropolitan Transportation Commission and Caltrain's funding partners San Francisco Municipal Transportation Authority, San Mateo County Transit District and Santa Clara Valley Transportation Authority to identify funding that could be used to close the projected operating budget gap

Staff has developed an FY2012 service and fare plan consistent with the potential level of funding that it anticipates will be implemented July 1, 2011.

The proposed service reductions are exempt from review under the California Environmental Quality Act as a result of the JPB's March 3, 2011 declaration of a fiscal emergency. In addition, the fare changes are exempt from CEQA under Section 21080(b)(8) of the Public Resources Code as they are needed to meet the operating expenses of the agency. Finally, the potential impact of the recommended service changes upon minority and low-income populations as required by Title VI of the Civil Rights Act of 1964 is being analyzed and the results will be presented at the meeting.

Prepared by: Michelle Bouchard, Director, Rail Transportation 650.508.6420

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

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 in accordance with the approved Legislative Program.

**STATE ISSUES**

Budget

On March 16, both the Assembly and the Senate approved Assembly Bill 105, the budget trailer bill that would address potential conflicts between the gas tax swap and Proposition 26, preserving \$330 million in State Transit Assistance (STA) funding.

To take effect the bill will need to be signed by the governor as part of an overall budget package. The Legislature has not reached agreement yet on the governor's proposals to eliminate local redevelopment funds or to place measures before the voters extending certain tax rates.

Without approval of these additional budget components, the Legislature would need to make additional cuts to existing programs, potentially threatening STA funding.

**FEDERAL ISSUES**

Appropriations

On March 18, President Obama signed House Joint Resolution 48, extending funding for Federal operations for three weeks through April 8. This is the sixth short-term spending measure in the current fiscal year (FY).

Like the previous extension, the bill cuts \$2 billion in Federal funding per week, with most cuts coming from FY2010 earmarks and programs not included in the president's FY2010 budget request.

Among these cuts is the Federal Railway Administration's Rail Safety Technology Grant program, which was authorized to fund positive train control projects along the nation's passenger rail corridors. The program is authorized at \$50 million per year and was appropriated at that level for the last two years.

Congress will continue to negotiate a spending measure that will fund Federal programs through the remainder of FY 2011.

#### National Infrastructure Bank Legislation

On March 15, a bipartisan group of Senators announced legislation that would create a national infrastructure bank.

The Building and Upgrading Infrastructure for Long-Term Development (BUILD) Act, cosponsored by Senator John Kerry (D-Mass.) and Senator Kay Bailey-Hutchinson (R-Texas), would transfer \$10 billion in seed money from existing programs to support loans and loan guarantees for projects of national and regional significance.

The seed money is intended to leverage up to \$640 billion in private sector investment to support existing programs and spending.

The proposal is significantly less than the \$30 billion infrastructure bank included in the president's FY 2012 budget request and would be created as a separate agency rather than as a part of the U.S. Department of Transportation. In addition, the BUILD Act would be limited to loans, while the President's proposal would also include grant opportunities.

Prepared By: Seamus Murphy, Government Affairs Manager

650.508.6388

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 3-23-11**

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 16</u></a> <a href="#"><u>Perea D</u></a></p> <p>High-Speed Rail Authority.</p>	<p>ASSEMBLY TRANS. 1/24/2011 - 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. The federal American Recovery and Reinvestment Act of 2009 (ARRA) provides funding for allocation nationally to high-speed rail projects.</p> <p>This bill would require the authority to make every effort to purchase high-speed train rolling stock and related equipment that are manufactured in California, consistent with federal and state laws.</p>	
<p><a href="#"><u>AB 31</u></a> <a href="#"><u>Beall D</u></a></p> <p>Land use: high-speed rail: local master plan.</p>	<p>ASSEMBLY L. GOV. 2/15/2011 - Re-referred to Com. on L. GOV.</p>	<p>The California High-Speed Rail Act establishes the High-Speed Rail Authority to develop and implement an intercity high-speed rail system in the state, exclusively grants to the authority the responsibility for planning, construction, and operation of that system, and confers upon the authority specified powers and duties relating to that system.</p> <p>This bill would establish the High-Speed Rail Local Master Plan Pilot Program, applicable to specified cities and counties, and would authorize each of those jurisdictions to prepare and adopt, by ordinance, a master plan for development in the areas surrounding the high-speed rail system in each jurisdiction. The bill would authorize the high-speed rail master plan to include incentives for encouraging investment and coherent growth in the areas surrounding the high-speed rail system in each participating jurisdiction. The bill would also authorize the participating jurisdictions to collaborate with the State Air Resources Board to develop incentives to encourage development while concurrently reducing greenhouse gas emissions, consistent with or pursuant to the California Global Warming Solutions Act of 2006 or another specified provision of law requiring the board to provide greenhouse gas emission reduction targets for the preparation of regional sustainable communities strategies . The bill would authorize the master plan to exceed the requirements of the jurisdiction's general plan or the applicable regional sustainable communities strategy with respect to fostering sustainable communities around the high-speed rail system . This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 2/14/2011</b></p>	

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 3-23-11**

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 41</a> <a href="#">Hill D</a></p> <p>Conflicts of interest: disqualification.</p>	<p>ASSEMBLY APPR. 3/16/2011 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: to consent calendar. (Ayes 7. Noes 0.) (March 15). Re-referred to Com. on APPR.</p>	<p>Existing provisions of the Political Reform Act of 1974 prohibit a public official at any level of state or local government from making, participating in making, or attempting to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest, as defined. Existing law also requires specified elected and appointed officers at the state and local level of government to disclose specified financial interests by filing periodic statements of economic interests. Existing law further requires public officials who hold specified offices and who have a financial interest in a decision within the meaning of the Political Reform Act of 1974 to publicly identify the financial interest giving rise to the conflict of interest or potential conflict of interest, recuse themselves from discussing and voting on the matter, and leave the room until after the discussion, vote, and other disposition of the matter is concluded, except as specified. This bill would add members of the High-Speed Rail Authority to those specified offices who must publicly identify a financial interest giving rise to a conflict of interest or potential conflict of interest, and recuse themselves accordingly.</p> <p>This bill contains other related provisions and other existing laws.</p>	
<p><a href="#">AB 57</a> <a href="#">Beall D</a></p> <p>Metropolitan Transportation Commission.</p>	<p>ASSEMBLY L. GOV. 3/22/2011 - From committee: Do pass and re-refer to Com. on L. GOV. (Ayes 13. Noes 0.) (March 21). Re-referred to Com. on L. GOV.  4/6/2011 1:30 p.m. - State Capitol, Room 447 <b>ASSEMBLY LOCAL GOVERNMENT, SMYTH, Chair</b></p>	<p>The Metropolitan Transportation Commission Act creates the Metropolitan Transportation Commission as a regional agency in the 9-county San Francisco Bay Area with comprehensive regional transportation planning and other related responsibilities. Existing law requires the commission to consist of 19 members, including 2 members each from the Counties of Alameda and Santa Clara, and establishes a 4-year term of office for members of the commission.</p> <p>This bill would, instead, require the commission to consist of 21 members, including one member appointed by the Mayor of the City of Oakland and one member appointed by the Mayor of the City of San Jose. The bill would require the initial term of those 2 members to end in February 2015. The bill would, effective with the commission term commencing February 2015, prohibit more than 3 members of the commission from being residents of the same county, as specified. By imposing new requirements on a local agency, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 2/2/2011</b></p>	

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 3-23-11**

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 58</a> <a href="#">Galgiani D</a></p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 3/17/2011 - Re-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. 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, for purposes of managing and administering the ongoing work of the authority in implementing the high-speed train project, would authorize the Governor, upon the recommendation of the executive director, to appoint up to 6 additional authority officers, exempt from civil service, who would serve in specified positions at the pleasure of the executive director. The bill would require a salary survey to be conducted to determine the compensation for the executive director and additional exempt officers, and would require the salaries to be established by the authority and approved by the Department of Personnel Administration. This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 3/16/2011</b></p>	
<p><a href="#">AB 76</a> <a href="#">Harkey R</a></p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 1/27/2011 - 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, 2012.</p>	

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 3-23-11**

Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 105</u></a> <b>Committee on Budget</b>  Transportation.</p>	<p>ASSEMBLY ENROLLMENT 3/17/2011 - Enrolled text released</p>	<p>Existing law provides for payment of current general obligation bond debt service for specified voter-approved transportation bonds from gasoline excise tax revenue in the Highway Users Tax Account and revenue in the Public Transportation Account, and requires the Controller to make specified transfers of revenues in that regard to the Transportation Debt Service Fund. Existing law, pursuant to the Budget Act of 2010, provides for a loan of \$761,639,000 from gasoline excise tax revenue in the Highway Users Tax Account to the General Fund, to be repaid with interest by June 30, 2013.</p> <p>This bill, in fiscal years 2010-11 and 2011-12, would require the Controller to transfer specified amounts of revenues deposited in the State Highway Account from vehicle weight fees to the Transportation Debt Service Fund to be used for reimbursement of the General Fund for payment of current general obligation bond debt service for specified voter-approved transportation bonds, in lieu of the previously authorized gasoline excise tax revenues and Public Transportation Account revenues. In subsequent years, the bill would require all vehicle weight fee revenues to be transferred for this purpose. The bill would make appropriations in this regard. The bill would require the Department of Finance to notify the Controller of the amount of debt service relating to expenditures for eligible mass transit guideway projects that may be paid from revenues restricted by Article XIX of the California Constitution. This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 3/16/2011</b></p>	

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 3-23-11**

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 145</a> <a href="#">Galgiani D</a></p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 3/17/2011 - Re-referred to Com. on TRANS.</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 officers 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.</p> <p><b>Last Amended on 3/16/2011</b></p>	
<p><a href="#">AB 147</a> <a href="#">Dickinson D</a></p> <p>Subdivisions.</p>	<p>ASSEMBLY L. GOV. 2/3/2011 - Referred to Com. on L. GOV.</p> <p>4/6/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, SMYTH, Chair</p>	<p>The Subdivision Map Act authorizes a local agency to require the payment of a fee as a condition of approval of a final map or as a condition of issuing a building permit for purposes of defraying the actual or estimated cost of constructing bridges or major thoroughfares if specified conditions are met.</p> <p>This bill would authorize the fee to additionally be used for defraying the actual or estimated cost of other transportation facilities, as described.</p>	

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 3-23-11**

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 277</a> <a href="#">Galgiani D</a></p> <p>High-speed rail: power supply.</p>	<p>ASSEMBLY U. &amp; C. 3/21/2011 - In committee: Set, first hearing. Hearing canceled at the request of author.</p>	<p>Existing law 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. Various federal laws provide funding for allocation nationally to high-speed rail and other related projects.</p> <p>This bill would require the California Research Bureau, by May 1, 2012, to develop an energy consumption profile that includes a forecast of the power needs of the high-speed rail system and an analysis of any recommendations for identifying a carbon-free baseline power supply for the system. The bureau's work would be done in consultation with the High-Speed Rail Authority, the Federal Railroad Administration, the Public Utilities Commission, the State Energy Resources Conservation and Development Commission, the United States Department of Energy, and the Legislative Analyst's Office. The bill would require the bureau to submit its report to the authority, the authority's independent peer review group, and specified committees of the Legislature. This bill contains other related provisions.</p> <p><b>Last Amended on 3/14/2011</b></p>	
<p><a href="#">AB 296</a> <a href="#">Skinner D</a></p> <p>Global warming: urban heat island effects pavement.</p>	<p>ASSEMBLY PRINT 2/10/2011 - From printer. May be heard in committee March 12.</p>	<p>The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to address global warming caused by the emission of greenhouse gases by reducing the emission of those gases to certain specified levels.</p> <p>This bill would state the intent of the Legislature to enact legislation that would regulate the reflectivity (albedo) of pavement to reduce the urban heat island effect.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 333</a> <a href="#">Grove R</a></p> <p>California Global Warming Solutions Act of 2006: unemployment.</p>	<p>ASSEMBLY NAT. RES. 2/24/2011 - Referred to Com. on NAT. RES.</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 require the state board to exempt from an emission reduction requirement adopted pursuant to the act an emissions source located within a county that on January 1, 2012, has an unemployment rate of 7% or greater, until that county's unemployment rate drops below 7% for 6 consecutive months.</p>	
<p><a href="#">AB 381</a> <a href="#">Alejo D</a></p> <p>Department of Transportation.</p>	<p>ASSEMBLY PRINT 2/15/2011 - From printer. May be heard in committee March 17.</p>	<p>Existing law creates the Department of Transportation, within the Business, Transportation and Housing Agency, under the administration of the Director of Transportation, who is required to organize the department, as specified, with the approval of the Governor and the Secretary of the Business, Transportation and Housing Agency.</p> <p>This bill would make a nonsubstantive, grammatical change to that provision.</p>	
<p><a href="#">AB 385</a> <a href="#">Harkey R</a></p> <p>High-speed rail.</p>	<p>ASSEMBLY PRINT 2/15/2011 - From printer. May be heard in committee March 17.</p>	<p>Existing law creates the High-Speed Rail Authority, with various powers and duties relative to development and implementation of high-speed train service.</p> <p>This bill would state the intent of the Legislature to enact legislation relative to the implementation of high-speed rail.</p>	
<p><a href="#">AB 426</a> <a href="#">Lowenthal,</a> <a href="#">Bonnie D</a></p> <p>Transit fare evasion.</p>	<p>ASSEMBLY PUB. S. 3/7/2011 - Referred to Com. on PUB. S.</p> <p>4/5/2011 10 a.m. - State Capitol, Room 126 <b>ASSEMBLY PUBLIC SAFETY, AMMIANO, Chair</b></p>	<p>Existing law authorizes certain transit operators to adopt and enforce an ordinance to impose and enforce civil administrative penalties for fare evasion or passenger misconduct, other than by minors, on or in a transit facility or vehicle in lieu of the criminal penalties otherwise applicable, with specified administrative adjudication procedures for the imposition and enforcement of the administrative penalties, including an initial review and opportunity for a subsequent administrative hearing.</p> <p>This bill would provide that a person cited under the ordinance shall be afforded an opportunity to complete the administrative process under the circumstances set forth in the ordinance. This bill contains other related provisions and other existing laws.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 427</u></a> <a href="#"><u>John A. Pérez</u></a> <b>D</b></p> <p>Transportation bond funds: transit system safety.</p>	<p>ASSEMBLY PRINT 2/15/2011 - From printer. May be heard in committee March 17.</p>	<p>Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of \$19.925 billion of general obligation bonds for specified purposes. Existing law requires the deposit of \$1 billion of the bond proceeds in the Transit System Safety, Security, and Disaster Response Account to be used, upon appropriation, for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems that can move people, goods, and emergency personnel and equipment in the aftermath of a disaster impairing that movement. Existing law requires the allocation of 25% of these funds for capital expenditures to regional public waterborne transit agencies authorized to operate a regional public water transit system, as specified, and requires the California Emergency Management Agency to administer a grant application and award program.</p> <p>This bill would make nonsubstantive changes to these provisions.</p>	
<p><a href="#"><u>AB 471</u></a> <a href="#"><u>Lowenthal, Bonnie</u></a> <b>D</b></p> <p>High-speed rail: Inspector General.</p>	<p>ASSEMBLY TRANS. 3/3/2011 - 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 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 provide for an Office of the Inspector General and would require the authority to appoint an inspector general, who would serve at the pleasure of the authority, and would prepare specified reports and audits relating to high-speed rail.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 485</a> <a href="#">Ma D</a></p> <p>Local planning: transit village development districts.</p>	<p>ASSEMBLY L. GOV. 3/3/2011 - Referred to Com. on L. GOV.</p> <p>4/6/2011 1:30 p.m. - State Capitol, Room 447 <b>ASSEMBLY LOCAL GOVERNMENT, SMYTH, Chair</b></p>	<p>The Transit Village Development Planning Act of 1994 authorizes a city or county to create a transit village plan for a transit village development district that addresses specified characteristics. Existing law authorizes the legislative body of the city or county to adopt an infrastructure financing plan, create an infrastructure financing district, and issue bonds for which only the district is liable, to finance specified public facilities, upon voter approval.</p> <p>This bill would eliminate the requirement of voter approval for the adoption of an infrastructure financing plan, the creation of an infrastructure financing district, and the issuance of bonds with respect to a transit village development district. The bill would require a city or county that uses infrastructure financing district bonds to finance its transit village development district to use at least 20% of the revenue from those bonds for the purposes of increasing, improving, and preserving the supply of lower and moderate-income housing; to require that those housing units remain available and occupied by moderate-, low-, very low, and extremely low income households for at least 55 years for rental units and 45 years for owner-occupied units; and to rehabilitate, develop, or construct for rental or sale to persons and families of low or moderate income an equal number of replacement dwellings to those removed or destroyed from the low- and moderate-income segment of the housing market as a result of the development of the district, as specified. The bill would set forth the findings and declarations of the Legislature, and the intent of the Legislature that the development of transit village development districts be environmentally conscious and sustainable, and that related construction meet or exceed the requirements of the California Green Building Standards Code.</p>	
<p><a href="#">AB 492</a> <a href="#">Galgiani D</a></p> <p>High-Speed Rail Authority.</p>	<p>ASSEMBLY TRANS. 3/3/2011 - 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>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 508</u></a> <a href="#"><u>Swanson D</u></a></p> <p>Displaced public transit, solid waste handling, and recycling services employees.</p>	<p>ASSEMBLY L. &amp; E. 3/3/2011 - Referred to Com. on L. &amp; E.</p> <p>4/13/2011 1:30 p.m. - State Capitol, Room 447 <b>ASSEMBLY LABOR AND EMPLOYMENT, SWANSON, Chair</b></p>	<p>Existing law requires a local government agency letting a public transit service contract out to bid to give a bidding preference for contractors and subcontractors who agree to retain, for a period of at least 90 days, certain employees who were employed to perform essentially the same services by the previous contractor or subcontractor. Under this law, contractors or subcontractors who agree to retain employees must offer employment to those employees except for reasonable and substantiated cause. Additionally, the law provides that if a successor contractor or subcontractor determines that fewer employees are needed than under the prior contract, qualified employees must be retained by seniority within the job classification. Further, the existing contractor, when required by the awarding authority, must provide employment information relating to wage rates, benefits, dates of hire, and job classifications of employees under the existing service contract to the awarding authority or a successor contractor.</p> <p>This bill would add employees of solid waste handling and recycling contractors and subcontractors to those provisions. By requiring local agencies to give a bidding preference to such contractors and subcontractors, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#"><u>AB 516</u></a> <a href="#"><u>V. Manuel</u></a> <a href="#"><u>Pérez D</u></a></p> <p>Safe routes to school.</p>	<p>ASSEMBLY TRANS. 3/21/2011 - Set, first hearing. Hearing cancelled at the request of author. (Refers to 3/11/2011 hearing)</p>	<p>Existing law requires the Department of Transportation, in consultation with the California Highway Patrol, to establish and administer a "Safe Routes to School" program for construction of bicycle and pedestrian safety and traffic calming projects, and to award grants to local agencies in that regard from available federal and state funds, based on the results of a statewide competition. Existing law requires the department to rate proposals submitted by applicants using specified factors. One of the factors relates to consultation of and support for projects by school-based organizations, local traffic engineers, local elected officials, law enforcement agencies, school officials, and other relevant community stakeholders.</p> <p>This bill would delete that factor and instead substitute a factor relating to use of a specified public participation process, with involvement by the public, schools, parents, teachers, local agencies, the business community, key professionals, and others, which process identifies community priorities and ensures those priorities are reflected in the proposal, and secures support for the proposal by relevant community stakeholders. The bill would add another factor relating to benefit of a proposal to a disadvantaged community, as defined.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 522</a> <a href="#">Bonilla D</a></p> <p>Vacation of public streets, highways, and public service easements.</p>	<p>ASSEMBLY PRINT 2/16/2011 - From printer. May be heard in committee March 18.</p>	<p>Existing law establishes the processes and procedures necessary for vacation of public streets, highways, and public service easements, and defines "vacation" for these purposes to mean the complete or partial abandonment or termination of the public right to use a public street, highway, or public service easement. Under these provisions, proof of publication of a required notice is made by affidavit.</p> <p>This bill would make a nonsubstantive change to these provisions.</p>	
<p><a href="#">AB 535</a> <a href="#">Morrell R</a></p> <p>Regulations: 5-year review and report.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</p>	<p>The Administrative Procedure Act generally sets forth the requirements for the adoption, publication, review, and implementation of regulations by state agencies.</p> <p>This bill would additionally require a state agency to review and report on regulations that it adopts or amends on and after January 1, 2012, 5 years after adoption, as specified. The bill would require that the review and report include 10 specified factors, including a summary of the written criticisms of the regulation received by the agency within the immediately preceding 5 years and the estimated economic, small business, and consumer impact of the regulation. The bill would require the Office of Administrative Law to make the review and report available on the office's Internet Web site.</p>	
<p><a href="#">AB 551</a> <a href="#">Campos D</a></p> <p>Public contracts: prevailing wage requirements: violations.</p>	<p>ASSEMBLY L. &amp; E. 3/3/2011 - Referred to Coms. on L. &amp; E. and JUD.</p> <p>4/13/2011 1:30 p.m. - State Capitol, Room 447 <b>ASSEMBLY LABOR AND EMPLOYMENT, SWANSON, Chair</b></p>	<p>Existing law generally requires that not less than the general prevailing rate of per diem wages, as specified, be paid to workers employed on a public work, as defined. Existing law requires a contractor or subcontractor to submit, to the state or political subdivision on whose behalf a public work is being performed, a penalty of not more than \$50 per calendar day, and not less than \$10 per calendar day, as provided and determined by the Labor Commissioner, for violations of these prevailing wage provisions.</p> <p>This bill would increase that maximum penalty to \$100 for each calendar day and would increase the minimum penalty to no less than \$40 for each calendar day. The bill would also increase the penalty assessed to contractors and subcontractors with prior violations from \$20 to \$80, and from \$30 to \$120 for willful violations. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#">AB 567</a> <a href="#">Valadao R</a></p> <p>Transportation funds: capital improvement projects.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</p>	<p>Existing law requires specified funds made available for transportation capital improvement projects to be programmed and expended for interregional and regional improvements, as specified.</p> <p>This bill would make nonsubstantive changes to these provisions.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 570</u></a> <a href="#"><u>Smyth R</u></a></p> <p>Emissions of greenhouse gases: California Global Warming Solutions Act of 2006.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</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 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 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 changes to the above requirements.</p>	
<p><a href="#"><u>AB 598</u></a> <a href="#"><u>Grove R</u></a></p> <p>Environmental quality: environmental impact report.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</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.</p> <p>This bill would make technical, nonsubstantive changes to these provisions.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 605</a> <a href="#">Dickinson D</a></p> <p>Environmental quality: California Environmental Quality Act: transportation impacts.</p>	<p>ASSEMBLY NAT. RES. 3/3/2011 - Referred to Com. on NAT. RES.</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.</p> <p>This bill would require the Office of Planning and Research, in consultation with specified entities, to prepare and adopt guidelines that would, among other things, establish the percentage reduction in the projected trip generation and vehicle miles traveled for a project as compared to the average for trip generation and vehicle miles traveled for that project type that would assist a region in meeting the greenhouse gas emission reduction targets established by the State Air Resources Board for the automobile and light truck sector for that region, and develop a list of mitigation measures that a project may incorporate to reduce the project's projected trip generation and vehicle miles traveled. The bill would provide that a project meeting or exceeding the percentage reduction in trip generation and vehicle miles traveled or a project that incorporates the listed mitigation measures sufficient to allow the project to meet the percentage reduction would not need to consider the transportation-related impact of the project in environmental documents prepared pursuant to CEQA. Because a lead agency would be required to determine whether a project would meet the percentage reduction established by the guidelines, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#">AB 615</a> <a href="#">Lowenthal,</a> <a href="#">Bonnie D</a></p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 3/3/2011 - Referred to Com. on TRANS.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system, including the acquisition of rights-of-way through purchase and eminent domain. 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 for high-speed train capital projects and other associated purposes.</p> <p>This bill would enact similar exceptions, authorizations, and exemptions relative to real property obtained for high-speed rail purposes by the High-Speed Rail Authority. The bill would make various additional conforming changes. The bill would also enact new provisions governing acquisition or disposal of right-of-way property by the authority. This bill contains other related provisions and other existing laws.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 650</a> <a href="#">Blumenfield D</a></p> <p>Blue Ribbon Task Force on Public Transportation for the 21st Century.</p>	<p>ASSEMBLY TRANS. 3/7/2011 - Referred to Com. on TRANS.</p>	<p>Existing law establishes various boards and commissions within state government. Existing law establishes various transit districts and other local entities for development of public transit on a regional basis and makes various state revenues available to those entities for those purposes. Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of statewide concern. The Institute of Transportation Studies of the University of California studies all aspects of transportation, including technological advances to social and environmental consequences. The Public Transportation Account is designated as a trust fund and funds in the account shall be available only for specified transportation planning and mass transportation purposes.</p> <p>This bill would establish the Blue Ribbon Task Force on Public Transportation for the 21st Century. The bill would require the task force to be comprised of 12 specified members and would require the Senate Committee on Rules and the Speaker of the Assembly to jointly appoint these members, including a chair, by March 31, 2012. The bill would require the task force to prepare a written report that contains specified findings and recommendations relating to, among other things, the current state of California's transit system, the estimated cost of creating the needed system over various terms, and potential sources of funding to sustain the transit system's needs, and to submit the report by March 31, 2013, to the Governor, the Legislature, the Joint Legislative Budget Committee, the Senate Committee on Rules, the Speaker of the Assembly, and the transportation committees of the Legislature. The bill would require the task force, in preparing its written report, to consult with appropriate state agencies and departments and would require the Institute of Transportation Studies of the University of California, subject to their agreement, to provide staffing to the task force. The bill would appropriate \$750,000 from the Public Transportation Account to the Department of Transportation, as specified, to accomplish the purposes of these provisions.</p>	
<p><a href="#">AB 676</a> <a href="#">Torres D</a></p> <p>Transportation funds.</p>	<p>ASSEMBLY TRANS. 3/3/2011 - Referred to Com. on TRANS.</p> <p>4/4/2011 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, LOWENTHAL, Chair</p>	<p>Existing law establishes a policy for expenditure of certain state and federal funds available to the state for transportation purposes. Under this policy, the Department of Transportation and the California Transportation Commission develop a fund estimate of available funds for purposes of adopting the state transportation improvement program, which is a listing of capital improvement projects. After deducting expenditures for administration, operation, maintenance, local assistance, safety, rehabilitation, and certain environmental enhancement and mitigation expenditures, the remaining funds are available for capital improvement projects.</p> <p>This bill would provide that the remaining funds are available for the study of, and development and implementation of, capital improvement projects.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 710</a> <a href="#">Skinner D</a></p> <p>Local planning: infill and transit-oriented development.</p>	<p>ASSEMBLY H. &amp; C.D. 3/14/2011 - Referred to Coms. on H. &amp; C.D. and L. GOV.</p> <p>4/6/2011 9 a.m. - State Capitol, Room 126 <b>ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, TORRES, Chair</b></p>	<p>The Planning and Zoning Law requires specified regional transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, and requires the regional transportation plan to include, among other things, a sustainable communities strategy, for the purpose of using local planning to reduce greenhouse gas emissions.</p> <p>This bill would state the findings and declarations of the Legislature with respect to parking requirements and infill and transit-oriented development, and would state the intent of the Legislature to reduce unnecessary government regulation and to reduce the cost of development by eliminating excessive minimum parking requirements for infill and transit-oriented development. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#">AB 845</a> <a href="#">Ma D</a></p> <p>Transportation: bond funds.</p>	<p>ASSEMBLY TRANS. 3/10/2011 - Referred to Com. on TRANS.</p>	<p>Existing law, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes, including \$950 million to be allocated by the California Transportation Commission to eligible recipients for capital improvements to intercity and commuter rail lines and urban rail transit systems in connection with or otherwise related to the high-speed train system. Of this amount, 80% is to be allocated to eligible commuter and urban rail recipients based on track miles, vehicle miles, and passenger trips pursuant to guidelines to be adopted by the commission. A dollar-for-dollar match is to be provided by a commuter and urban rail recipient for bond funds received.</p> <p>This bill would require the guidelines adopted by the commission to determine the funding share for each eligible commuter and urban rail recipient to use the distribution factors gathered from the most current available data in the National Transit Database of the Federal Transit Administration. The bill would require the commission to accept from each eligible recipient a priority list of projects up to the target amount expected to be available for the recipient and would require matching funds provided by the recipient to be from nonstate funds. The bill would define "nonstate matching funds" for purposes of these bond fund allocations to mean local, federal, and private funds, as well as state funds available to an eligible recipient that are not subject to allocation by the commission.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 892</u></a> <a href="#"><u>Carter D</u></a></p> <p>Department of Transportation: environmental review process: federal pilot program.</p>	<p>ASSEMBLY TRANS. 3/14/2011 - Referred to Com. on TRANS.</p> <p>4/4/2011 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, LOWENTHAL, Chair</p>	<p>Existing law gives the Department of Transportation full possession and control of the state highway system. Existing federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Existing law, until January 1, 2012, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the pilot program.</p> <p>This bill would delete this repeal date, thereby extending the operation of these provisions indefinitely.</p>	
<p><a href="#"><u>AB 912</u></a> <a href="#"><u>Gordon D</u></a></p> <p>Local government: organization.</p>	<p>ASSEMBLY L. GOV. 3/14/2011 - Referred to Com. on L. GOV.</p>	<p>The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires a local agency formation commission, where the commission is considering a change of organization that consists of a dissolution, disincorporation, incorporation, establishment of a subsidiary district, consolidation, or merger, to either order a change of organization subject to confirmation of the voters, as specified, or order the change of organization without an election if the change of organization meets certain requirements.</p> <p>This bill would authorize the commission, where the commission is considering a change of organization that consists of the dissolution of a district with zero sphere of influence, to immediately order the dissolution if the dissolution was initiated by the district board, or to, within 30 days following the approval of the application by the commission, hold at least one noticed public hearing on the proposal, and order the dissolution without an election, unless a majority protest exists, as specified.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 952</u></a> <a href="#"><u>Jones R</u></a></p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 3/10/2011 - Referred to Coms. on TRANS. and E. &amp; R.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 9 members, including 5 members appointed by the Governor. Members of the authority are subject to the Political Reform Act of 1974.</p> <p>This bill would prohibit a member or employee of the authority from being the recipient of any gift, as defined, for purposes of the Political Reform Act. The bill would prohibit a construction company, engineering firm, consultant, legal firm, or any other company, vendor, or business entity with a contract or seeking a contract with the authority, or subcontractor of any of the foregoing, or owner, employee, or any member of their immediate families of any of these companies, firms, vendors, entities, or subcontractors, from making any gift to a member or employee of the authority, or to any member of their immediate families. The bill would allow the authority itself to receive gifts, subject to approval of the Senate. The bill would also allow the authority to transfer the gifts it receives to any person only with the approval of the Senate. This bill contains other related provisions.</p>	
<p><a href="#"><u>AB 953</u></a> <a href="#"><u>Jones R</u></a></p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 3/10/2011 - 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. Under federal law, funding is made available for allocation nationally to high-speed rail and other related projects.</p> <p>This bill would provide that no funds from Proposition 1A shall be available to the High-Speed Rail Authority for construction of the high-speed train system until adequate environmental studies are completed based on a new ridership study that uses an acceptable ridership evaluation methodology. The bill would require the authority to contract with the Institute of Transportation Studies at the University of California at Berkeley to complete a revised ridership study, using the ridership methodology of the institute. The bill would require the authority to use that ridership study as the basis for subsequent environmental studies. The bill would also require the authority to reconsider its adoption of the optimal high-speed rail route based both on the new ridership study and the ridership methodology.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 957</u></a> <b>Committee on Transportation</b></p> <p>Transportation omnibus bill.</p>	<p>ASSEMBLY TRANS. 3/10/2011 - Referred to Com. on TRANS.</p> <p>4/4/2011 1:30 p.m. - State Capitol, Room 4202 <b>ASSEMBLY TRANSPORTATION, LOWENTHAL, Chair</b></p>	<p>Existing law authorizes the impoundment of a vehicle operating as a taxicab or other passenger vehicle for hire in violation of licensing requirements adopted by a local authority for a period of 30 days or less. Existing law requires an impoundment agency to release to the registered owner or his or her agency a vehicle so impounded prior to the expiration of the impoundment period under specified circumstances.</p> <p>This bill would additionally require the release of an impounded vehicle operating as a taxicab or other passenger vehicle for hire in violation of the licensing requirements if the vehicle is a rental car. Because a violation of this provision is a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#"><u>AB 988</u></a> <b>Grove R</b></p> <p>Prevailing wages.</p>	<p>ASSEMBLY L. &amp; E. 3/10/2011 - Referred to Coms. on L. &amp; E. and JUD.</p> <p>4/13/2011 1:30 p.m. - State Capitol, Room 447 <b>ASSEMBLY LABOR AND EMPLOYMENT, SWANSON, Chair</b></p>	<p>Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers' compensation for public works projects. Existing law further requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations as specified, be paid to workers employed on public works projects, and imposes misdemeanor penalties for certain violations of this requirement.</p> <p>This bill would revise the manner in which the director determines the rate of general prevailing wages, including deleting the requirement that he or she consider the applicable wage rates established by collective bargaining agreements and the rates that may have been predetermined for federal public works, and deleting the requirement that the director consider further data from labor organizations and employers or employer associations and concerns where the rates do not constitute the rates actually paid in the locality. The bill would also revise the methodology that the director is required to use in determining the general prevailing rate of per diem wages in the locality in which the public work is to be performed, including deleting certain requirement, and requiring the director to conduct a survey of the wages paid for work performed in each locality in which the public work is to be performed. This bill contains other related provisions and other existing laws.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 1092</u></a> <a href="#"><u>Lowenthal,</u></a> <a href="#"><u>Bonnie D</u></a></p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 3/14/2011 - 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.</p> <p>This bill would require the authority to report bianually to the Legislature beginning March 1, 2012, on the status of the project, including overall progress, the project budget, expenditures to date, a comparison of the current and project work schedule and the baseline schedule contained in the 2009 business plan, project milestones, and other related issues.</p>	
<p><a href="#"><u>AB 1097</u></a> <a href="#"><u>Skinner D</u></a></p> <p>Transit projects: domestic content.</p>	<p>ASSEMBLY TRANS. 3/14/2011 - Referred to Com. on TRANS.</p>	<p>Existing law creates the Business, Transportation and Housing Agency with various departments of state government that report to the agency secretary. Existing law provides various sources of funding for transit projects.</p> <p>This bill would require the Secretary of Business, Transportation and Housing to adopt, by regulation, a policy that specifically authorizes providing a preference on a transit project receiving funding from the Federal Transit Administration to a bidder that uses, for the project, a higher percentage of domestic contents in the materials, supplies, and equipment than otherwise required by federal law. The bill would require the secretary to consult with affected local and regional transportation agencies in that regard.</p>	
<p><a href="#"><u>AB 1105</u></a> <a href="#"><u>Gordon D</u></a></p> <p>High- occupancy toll lanes.</p>	<p>ASSEMBLY TRANS. 3/17/2011 - Referred to Com. on TRANS.</p>	<p>Existing law authorizes the Santa Clara Valley Transportation Authority (VTA) to conduct, administer, and operate a value pricing high-occupancy toll (HOT) lane program on 2 corridors included in the high-occupancy vehicle lane system in Santa Clara County.</p> <p>This bill would provide that one or both of the corridors selected may be a corridor that extends into an adjacent county, subject to agreement of the congestion management agency or countywide agency responsible for preparation of the county transportation plan in that county. This bill contains other related provisions and other existing laws.</p>	

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Bill ID/Topic	Location	Summary	Position
<p data-bbox="88 269 212 362"><a href="#">AB 1126</a> <a href="#">Calderon,</a> <a href="#">Charles D</a></p> <p data-bbox="88 391 239 448">Sales and use taxes.</p>	<p data-bbox="275 269 852 358">ASSEMBLY PRINT 2/20/2011 - From printer. May be heard in committee March 22.</p>	<p data-bbox="926 269 1906 513">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. The State Board of Equalization administers the collection of taxes as imposed under those laws. Existing law requires every seller, certain retailers, and every person storing, using, or otherwise consuming in this state tangible personal property purchased from a retailer to keep any records, receipts, invoices, and other pertinent papers in any form as the board may require.</p> <p data-bbox="926 545 1822 570">This bill would make various technical, nonsubstantive changes to this requirement.</p>	

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Bill ID/Topic	Location	Summary	Position
<p data-bbox="88 269 260 326"><a href="#">AB 1134</a> <a href="#">Bonilla D</a></p> <p data-bbox="88 363 260 480">Department of Transportation: project study reports.</p>	<p data-bbox="275 269 758 326">ASSEMBLY TRANS. 3/22/2011 - Re-referred to Com. on TRANS.</p>	<p data-bbox="926 269 1906 667">Existing law requires the Department of Transportation, in consultation with transportation planning agencies, county transportation commissions, counties, and cities, to carry out long-term state highway planning. Existing law authorizes the department, to the extent that it does not jeopardize the delivery of projects in the adopted state transportation improvement program, to prepare a project studies report for capacity-increasing state highway projects. Existing law requires the department to review project studies reports performed by an entity other than the department. Existing law authorizes a local entity to request the department to prepare a project studies report for a capacity-increasing state highway project that is being proposed for inclusion in a future state transportation improvement program. If the department determines that it cannot complete the report in a timely fashion, existing law authorizes the requesting entity to prepare the report. Existing law makes specified guidelines adopted by the California Transportation Commission applicable to project studies reports commenced after October 1, 1991.</p> <p data-bbox="926 699 1906 1398">This bill would instead authorize the department to prepare project study reports for any project on the state highway system. The bill would require project study reports to include specified project-related factors, including, among other things, cost estimates, schedule, and other information deemed necessary to form a sound basis for commitment of future state funding and project delivery. The bill would require an entity performing a project study report to reimburse the department for the cost of reviewing and approving a report for projects that are not in an adopted regional transportation plan, a voter-approved county sales tax measure expenditure plan, or another voter-approved transportation program. The bill would authorize a local entity to request the department to prepare a project study report for a state highway project that is being proposed for inclusion in a future state transportation improvement program or for funding from a regional or local funding source and would authorize the local entity to prepare the report at its own expense if the department determines that it cannot complete the report. The bill would require open and continuous communication between the department, a local entity requesting a project study report, and the regional transportation planning agency or county transportation commission. The bill would require the department, in consultation with representatives of cities, counties, regional transportation planning agencies, and county congestion management agencies, to prepare draft revised guidelines for the preparation of project study reports, as specified, and would require the department to submit the draft revised guidelines to the California Transportation Commission by July 1, 2012. The bill would require the California Transportation Commission to adopt final guidelines by October 1, 2012, and would make the guidelines applicable to project study reports upon adoption of the guidelines.</p> <p data-bbox="926 1430 1241 1455"><b>Last Amended on 3/21/2011</b></p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>AB 1164</u></a> <a href="#"><u>Gordon D</u></a></p> <p>High-Speed Rail Authority: appointees: Senate confirmation.</p>	<p>ASSEMBLY TRANS. 3/17/2011 - Referred to Com. on TRANS.</p>	<p>Existing law creates the High-Speed Rail Authority within the state government with various powers and duties relative to development and implementation of a high-speed passenger train system. Existing law provides that 5 of the 9 members comprising the authority shall be appointed by the Governor.</p> <p>This bill would require that those gubernatorial appointments be made with the advice and consent of the Senate.</p>	
<p><a href="#"><u>AB 1206</u></a> <a href="#"><u>Galgiani D</u></a></p> <p>High-speed rail: contracts: small businesses.</p>	<p>ASSEMBLY TRANS. 3/21/2011 - Referred to Coms. on TRANS. and B., P. &amp; C.P.</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. Under federal law, funding is made available for allocation nationally to high-speed rail and other related projects.</p> <p>This bill would require the authority to identify essential components of, and adopt, a small emerging business enterprise program as part of contracts to be awarded by the authority relative to development and construction of the high-speed rail system. The bill would require the authority to provide certain bidding preferences and to establish a goal methodology to determine the appropriate level of involvement of small emerging business enterprises in authority contracts. The bill would require at least one public hearing by the authority before the program is adopted and would require the authority to include a plan for outreach to small emerging business enterprises. The bill would require the authority to report annually to the Legislature in that regard. This bill contains other related provisions and other existing laws.</p>	
<p><a href="#"><u>AB 1229</u></a> <a href="#"><u>Feuer D</u></a></p> <p>California Transportation Financing Authority Fund: subsidies: local agency revenue bonds.</p>	<p>ASSEMBLY TRANS. 3/21/2011 - Referred to Com. on TRANS.</p>	<p>The California Transportation Financing Authority Act sets forth the duties of the California Transportation Financing Authority in issuing certain transportation financing instruments, or approving their issuance by various local or regional agencies. The authority is authorized to expend moneys in the continuously appropriated California Transportation Financing Authority Fund to secure the issuance of bonds issued by the authority and cover various related costs, among other things.</p> <p>This bill would authorize the authority to direct the Treasurer to utilize unrestricted moneys in the fund to subsidize the payment of interest by those local or regional agencies on revenue bonds issued by those agencies pursuant to these provisions.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 1287</a> <a href="#">Buchanan D</a></p> <p>Local government: audits.</p>	<p>ASSEMBLY L. GOV. 3/21/2011 - Referred to Com. on L. GOV.</p>	<p>Existing law requires school districts to comply with General Accounting Office standards for financial and compliance audits, as specified, and prohibits an independent auditor from engaging in financial compliance audits unless, within 3 years of commencing the first of the audits, and every 3 years thereafter, the auditor completes a quality control review in accordance with General Accounting Office standards.</p> <p>This bill would require local agencies, defined to include cities, counties, a city and county, special districts, authorities, or public agencies, to comply with General Accounting Office standards for financial and compliance audits and would prohibit an independent auditor from engaging in financial compliance audits unless, within 3 years of commencing the first of the audits, and every 3 years thereafter, the auditor completes a quality control review in accordance with General Accounting Office standards.</p>	
<p><a href="#">AB 1308</a> <a href="#">Miller R</a></p> <p>Highway Users Tax Account: appropriation of funds.</p>	<p>ASSEMBLY TRANS. 3/21/2011 - Referred to Com. on TRANS.</p>	<p>Article XIX of the California Constitution requires revenues from state excise taxes on motor vehicle fuels for use in motor vehicles upon public streets and highways, over and above the cost of collection and any refunds authorized by law, to be used for various street and highway purposes and for certain mass transit guideway purposes. Existing law requires state excise fuel tax revenues to be deposited in various accounts and to be allocated, in part, for various purposes, including the cost of collection and authorized refunds. Existing law requires the balance of these funds remaining after authorized deductions to be transferred to and deposited monthly in the Highway Users Tax Account in the Transportation Tax Fund. Existing law provides for formula apportionment of specified revenues in the Highway Users Tax Account to cities and counties for the transportation purposes authorized by Article XIX of the California Constitution, and requires other portions of those revenues to be transferred to and deposited in the State Highway Account in the State Transportation Fund. Existing law provides that the money in the Highway Users Tax Account is appropriated for the above-described transportation purposes, but also generally provides that the money in the State Highway Account may not be expended until appropriated by the Legislature.</p> <p>This bill, in any year in which the Budget Act has not been enacted by July 1, would provide that all moneys in the Highway Users Tax Account in the Transportation Tax Fund, except as specified, are continuously appropriated and may be encumbered for certain purposes until the Budget Act is enacted. The bill would thereby make an appropriation. The bill would authorize the Controller to make estimates in order to implement these provisions.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 1332</a> <a href="#">Donnelly R</a></p> <p>State Air Resources Board: abolishment.</p>	<p>ASSEMBLY NAT. RES. 3/21/2011 - Referred to Com. on NAT. RES.</p>	<p>Existing law establishes the State Air Resources Board as the state agency with primary jurisdiction over the regulation of air pollution, including greenhouse gas emissions. Existing law creates the state board within the California Environmental Protection Agency with prescribed membership.</p> <p>This bill would abolish the State Air Resources Board and transfer its authority, duties, powers, purposes, responsibilities, and jurisdiction to the California Environmental Protection Agency.</p>	
<p><a href="#">AB 1335</a> <a href="#">Lara D</a></p> <p>Local government: officials: salary increases.</p>	<p>ASSEMBLY PRINT 2/22/2011 - From printer. May be heard in committee March 22.</p>	<p>Existing law makes certain findings and declarations relating to the prohibition against the availability of state surplus or state loan funds, in the 1978-79 fiscal year, to any local public agency that provides an increase in salary in that fiscal year to any elected or appointed official, and cost-of-living increase for other individuals.</p> <p>This bill would make technical, nonsubstantive changes to these findings and declarations.</p>	
<p><a href="#">AB 1388</a> <a href="#">Wieckowski D</a></p> <p>Earnings withholding orders.</p>	<p>ASSEMBLY JUD. 3/15/2011 - Re-referred to Com. on JUD.</p> <p>4/5/2011 9 a.m. - State Capitol, Room 4202 ASSEMBLY JUDICIARY, FEUER, Chair</p>	<p>Existing law requires an employer to withhold the amounts required by an earnings withholding order from all earnings of the employee payable for any pay period of the employee that ends during the withholding period. Under existing law, the portion of the judgment debtor's earnings that the judgment debtor proves is necessary for the support of the judgment debtor or the judgment debtor's family supported in whole or in part by the judgment debtor is exempt from the levy of an earnings withholding order. This exemption is not available if the debt was incurred for the common necessities of life furnished to the judgment debtor or the family of the judgment debtor.</p> <p>This bill would delete that restriction on the exemption from the levy of an earnings withholding order.</p> <p><b>Last Amended on 3/14/2011</b></p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">ABX18</a> <a href="#">Ma D</a></p> <p>Transportation bond funds.</p>	<p>ASSEMBLY PRINT 12/7/2010 - From printer.</p>	<p>Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of general obligation bonds for various transportation purposes. Existing law requires that \$1,000,000,000 of those funds be deposited in the Transit System Safety, Security, and Disaster Response Account, administered by the California Emergency Management Agency (Cal EMA), for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems, as specified. Existing law requires 25% of the available funds to be allocated to certain regional public waterborne transit agencies. Existing law requires entities receiving funds from the account to expend those funds within 3 fiscal years of the fiscal year in which the funds were allocated and requires that funds remaining unexpended after those 3 years revert to Cal EMA for reallocation in subsequent fiscal years.</p> <p>This bill would declare that it is to take effect immediately as an urgency statute. This bill contains other existing laws.</p>	
<p><a href="#">AJR 5</a> <a href="#">Lowenthal,</a> <a href="#">Bonnie D</a></p> <p>Transportation revenues.</p>	<p>ASSEMBLY THIRD READING 3/22/2011 - From committee: Be adopted. (Ayes 9. Noes 2.) (March 21).</p> <p>3/23/2011 #17 ASSEMBLY ASSEMBLY THIRD READING FILE</p>	<p>This measure would request the President and the Congress of the United States to consider and enact legislation to conduct a study regarding the feasibility of the collection process for a transportation revenue source based on vehicle miles traveled, in order to facilitate the creation of a reliable and steady transportation funding mechanism for the maintenance and improvement of surface transportation infrastructure.</p>	
<p><a href="#">SB 22</a> <a href="#">La Malfa R</a></p> <p>High-speed rail.</p>	<p>SENATE RLS. 1/20/2011 - Referred 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, 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 reexamine the bond funding mechanism of the authority relative to the authority' s high-speed rail project.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 46</a> <a href="#">Correa D</a></p> <p>Local government: compensation disclosure.</p>	<p>SENATE G. &amp; F. 3/17/2011 - Set for hearing April 6.</p> <p>4/6/2011 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair</p>	<p>Existing law provides for the compensation of local government officers and employees, as specified.</p> <p>This bill would, until January 1, 2019, require each public official, defined to mean a public official required to file a statement of economic interest pursuant to the Political Reform Act of 1974, to annually file a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. The bill would specify that compensation disclosure forms are open to public inspection, as specified. This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 3/7/2011</b></p>	
<p><a href="#">SB 50</a> <a href="#">Correa D</a></p> <p>Conflicts of interest: disqualification.</p>	<p>SENATE E. &amp; C.A. 1/20/2011 - Referred to Com. on E. &amp; C.A.</p>	<p>Existing provisions of the Political Reform Act of 1974 prohibit a public official at any level of state or local government from making, participating in making, or attempting to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest, as defined. Existing law also requires specified elected and appointed officers at the state and local level of government to disclose specified financial interests by filing periodic statements of economic interests. Existing law further requires public officials who hold specified offices and who have a financial interest in a decision within the meaning of the Political Reform Act of 1974 to publicly identify the financial interest giving rise to the conflict of interest or potential conflict of interest, recuse themselves from discussing and voting on the matter, and leave the room until after the discussion, vote, and other disposition of the matter is concluded, except as specified.</p> <p>This bill would add members of the High-Speed Rail Authority to those specified offices who must publicly identify a financial interest giving rise to a conflict of interest or potential conflict of interest, and recuse themselves accordingly. This bill contains other related provisions and other existing laws.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 126</a> <a href="#">Steinberg D</a></p> <p>California Transportation Commission: guidelines.</p>	<p>SENATE T. &amp; H. 3/10/2011 - Set, first hearing. Hearing canceled at the request of author.</p>	<p>Existing law generally provides for programming and allocation of state and federal funds available for transportation capital improvement projects by the California Transportation Commission, pursuant to various requirements. Existing law authorizes the commission, in certain cases, to adopt guidelines relative to its programming and allocation policies and procedures.</p> <p>This bill would establish specified procedures that the commission would be required to utilize when it adopts guidelines, except as specified, and would exempt the adoption of those guidelines from the requirements of the Administrative Procedure Act. This bill contains other existing laws.</p>	
<p><a href="#">SB 241</a> <a href="#">Cannella R</a></p> <p>Environment: California Environmental Quality Act (CEQA).</p>	<p>SENATE E.Q. 3/22/2011 - Set for hearing April 4.</p> <p>4/4/2011 1:30 p.m. - Room 112 <b>SENATE ENVIRONMENTAL QUALITY, SIMITIAN, Chairman</b></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 2011 and would require the Business, Transportation and Housing Agency to select projects that meet specified requirements from specified regions for each calendar year between 2012 and 2016. 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="#">SB 310</a> <a href="#">Hancock D</a></p> <p>Transit villages.</p>	<p>SENATE RLS. 2/24/2011 - Referred to Com. on RLS.</p>	<p>Existing law requires cities and counties to implement certain planning and zoning plans for the orderly development of communities.</p> <p>This bill would express the intent of the Legislature to enact legislation that would require cities and counties to adopt permitting procedures for transit village green pathways developments, as specified.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 316</a> <a href="#">Emmerson R</a></p> <p>Meal periods: exemption: transportation industry.</p>	<p>SENATE L. &amp; I.R. 2/24/2011 - 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 add employees employed in the transportation industry, as defined, to the list of employees exempt from the above provisions. This bill contains other existing laws.</p>	
<p><a href="#">SB 392</a> <a href="#">Gaines R</a></p> <p>Transportation: California Transportation Commission.</p>	<p>SENATE RLS. 2/24/2011 - Referred to Com. on RLS.</p>	<p>Existing law establishes the California Transportation Commission and authorizes the commission to alter or change the location of any state highway if, in the opinion of the commission, the alteration is for the best interest of the state.</p> <p>This bill would make a nonsubstantive change to these provisions.</p>	
<p><a href="#">SB 468</a> <a href="#">Kehoe D</a></p> <p>Department of Transportation: capacity- increasing state highway projects: coastal zone.</p>	<p>SENATE T. &amp; H. 3/15/2011 - Set for hearing April 5.</p> <p>4/5/2011 1:30 p.m. - John L. Burton Hearing Room (4203) <b>SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chairman</b></p>	<p>Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law imposes various requirements for the development and implementation of transportation projects.</p> <p>This bill would impose additional requirements on the department with respect to proposed capacity-increasing state highway projects in the coastal zone. The bill would also make legislative findings and declarations.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>SB 475</u></a> <a href="#"><u>Wright D</u></a></p> <p>Infrastructure financing.</p>	<p>SENATE G. &amp; F. 3/21/2011 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on Gov. &amp; F.</p> <p>4/6/2011 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair</p>	<p>Existing law authorizes a governmental agency, as defined, to solicit proposals and enter into agreements with private entities for the design, construction, or reconstruction by, and lease to, private entities, for specified types of fee-producing infrastructure projects. Existing law permits these agreements to provide for infrastructure facilities owned by a governmental entity, but constructed by a private entity, to be leased to or owned by that private entity for a period of up to 35 years.</p> <p>This bill would authorize a local governmental agency to enter into an agreement with a private entity for financing for specified types of revenue-generating infrastructure projects. The bill would require an agreement entered into under these provisions to include adequate financial resources to perform the agreement, and would permit the agreements to lease or license to, or provide other permitted uses by, the private entity for a term of up to 50 years, after which time the project would revert to the governmental agency.</p> <p><b>Last Amended on 3/21/2011</b></p>	
<p><a href="#"><u>SB 517</u></a> <a href="#"><u>Lowenthal D</u></a></p> <p>High-Speed Rail Authority.</p>	<p>SENATE T. &amp; H. 3/3/2011 - Referred to Com. on T. &amp; H.</p>	<p>Existing law creates the High-Speed Rail Authority in state government with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 9 members, including 5 members appointed by the Governor.</p> <p>This bill would place the High-Speed Rail Authority within the Business, Transportation and Housing Agency. The bill would provide for the Secretary of Business, Transportation and Housing to serve on the authority as a nonvoting, ex officio member. The bill would require the secretary to propose an annual budget for the authority upon consultation with the authority. The bill would require the members of the authority appointed by the Governor to be appointed with the advice and consent of the Senate. The bill would provide for the members that are appointed to have specified background or experience, as specified. This bill contains other related provisions and other existing laws.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 522</a> <a href="#">Walters R</a></p> <p>Public employees' retirement: additional service credit.</p>	<p>SENATE P.E. &amp; R. 3/22/2011 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on P.E. &amp; R.</p>	<p>Existing law authorizes certain members of the Public Employees' Retirement System, the State Teachers' Retirement System, and county, city, and district retirement systems that have adopted specified provisions, to make additional contributions to the retirement system and receive up to 5 years of additional retirement service credit for time that does not qualify for public service, as specified.</p> <p>The bill would repeal the provisions that authorize these additional contributions and service credit, and would make related technical changes.</p> <p><b>Last Amended on 3/22/2011</b></p>	
<p><a href="#">SB 523</a> <a href="#">Walters R</a></p> <p>Public employees' retirement: elected local officials.</p>	<p>SENATE P.E. &amp; R. 3/22/2011 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on P.E. &amp; R.</p>	<p>Existing law authorizes the creation of retirement systems for public employees by counties, cities, and districts. Existing law creates the Public Employees' Retirement System and the State Teachers' Retirement System, which provide a defined benefit to their members based on age at retirement, service credit, and final compensation. Existing law establishes the criteria for membership in the various public employee retirement systems and may exclude certain employment classifications from membership. The California Constitution provides for the division of the state into counties and requires that a county have an elected sheriff, elected district attorney, elected assessor, and elected governing body. Existing law provides for the incorporation of cities in various forms and requires that certain city offices be filled pursuant to elections, as prescribed. Existing law provides for the creation of districts, the governing bodies of which may be elected.</p> <p>This bill would prohibit a person who is publicly elected to a local office of any kind, on and after January 1, 2012, from becoming a member of a retirement system by virtue of that service or from acquiring any retirement right or benefit for serving in that elective local office. The bill would also apply these prohibitions to a person who is appointed to fill the term of a person so elected, but would not apply them to a person who obtained membership by virtue of holding an elective local office prior to January 1, 2012, for so long as he or she holds that office or is reelected to that office.</p> <p><b>Last Amended on 3/22/2011</b></p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 524</a> <a href="#">Walters R</a></p> <p>Public employees' retirement: retroactive benefits.</p>	<p>SENATE P.E. &amp; R. 3/22/2011 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on P.E. &amp; R.</p>	<p>The Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions commonly referred to as the Educational Employment Relations Act, the Higher Education Employer-Employee Relations Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act each provide for the representation of state or local public employees by recognized employee organizations, and provide that the scope of this representation includes negotiations concerning wages, hours, and other terms and conditions of employment between the state or local public employer and representatives of those employee organizations.</p> <p>This bill would exclude matters relating to the retroactive effect of pension benefit increases from the scope of representation of public employees by recognized employee organizations, and would thereby prohibit these employee organizations from negotiating for a retroactive effect of pension benefit increases with public employers. This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 3/22/2011</b></p>	
<p><a href="#">SB 545</a> <a href="#">Anderson R</a></p> <p>Transportation.</p>	<p>SENATE RLS. 3/3/2011 - Referred to Com. on RLS.</p>	<p>Existing law creates various transportation programs to develop and implement improvements to transportation systems.</p> <p>This bill would state the intent of the Legislature to enact legislation enabling the state to examine efficiency in administering solutions to California's transportation needs.</p>	
<p><a href="#">SB 582</a> <a href="#">Emmerson R</a></p> <p>Commute benefit policies.</p>	<p>SENATE T. &amp; H. 3/9/2011 - Set for hearing April 5.</p> <p>4/5/2011 1:30 p.m. - <a href="#">John L. Burton Hearing Room (4203)</a> <b>SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chairman</b></p>	<p>Existing law requires transportation planning agencies to undertake various transportation planning activities, including preparation of a regional transportation plan. Existing law requires transportation planning agencies that are designated under federal law as metropolitan planning organizations to include a sustainable communities strategy as part of the regional transportation plan for their region. Existing law creates air quality management districts with various responsibilities relative to reduction of air pollution.</p> <p>This bill, beginning on January 1, 2013, would authorize a metropolitan planning organization, in partnership with the local air quality management district, to adopt a commute benefit ordinance that requires covered employers operating within the common jurisdiction of the organization and district with 20 or more covered employees to offer those employees certain commute benefits. The bill would require that the ordinance specify certain matters, including any consequences for noncompliance.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#"><u>SB 624</u></a> <a href="#"><u>Harman R</u></a></p> <p>Emissions of greenhouse gases: California Global Warming Solutions Act of 2006.</p>	<p>SENATE RLS. 3/3/2011 - Referred to Com. on RLS.</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 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 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, nonsubstantive changes to the above requirements.</p>	
<p><a href="#"><u>SB 659</u></a> <a href="#"><u>Hernandez D</u></a></p> <p>Toll bridges.</p>	<p>SENATE RLS. 3/3/2011 - Referred to Com. on RLS.</p>	<p>Existing law authorizes the Transportation Commission to direct the Department of Transportation to build or acquire toll bridges and other transportation facilities related to toll bridges, as specified.</p> <p>This bill would make a nonsubstantive, grammatical change to those provisions.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 683</a> <a href="#">Correa D</a></p> <p>Environment: California Environmental Quality Act: noncompliance allegations: public comment.</p>	<p>SENATE E.Q. 3/22/2011 - Set for hearing April 4.</p> <p>4/4/2011 1:30 p.m. - Room 112 <b>SENATE ENVIRONMENTAL QUALITY, SIMITIAN, Chairman</b></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 a public review period for the public to review a draft EIR, proposed negative declaration, or proposed mitigated negative declaration. CEQA requires a lead agency to evaluate and respond to comments on a draft EIR, proposed negative declaration, or proposed mitigated negative declaration made during the public review period and authorizes a lead agency to evaluate and respond to comments made on a draft EIR when the comments are submitted after the public review period. CEQA requires an action or proceeding alleging noncompliance with its requirements to be based on grounds that were presented to the public agency orally or in writing by any person unless the person objected to the approval of the project orally or in writing, during the public comment period provided under CEQA or prior to the close of the public hearing on the project before the issuance of the notice of determination.</p> <p>This bill instead would prohibit these actions or proceedings unless the oral or written presentation or objection occurs during the public comment period provided under CEQA or prior to the close of the public hearing on the project before the filing, rather than issuance, of the notice of determination.</p>	
<p><a href="#">SB 693</a> <a href="#">Dutton R</a></p> <p>Public contracts: local agencies.</p>	<p>SENATE T. &amp; H. 3/10/2011 - Set for hearing April 12.</p> <p>4/12/2011 1:30 p.m. - John L. Burton Hearing Room <b>(4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chairman</b></p>	<p>Existing law sets forth requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. Existing law also authorizes specified state agencies, cities, and counties to implement alternative procedures for the awarding of contracts on a design-build basis. Existing law authorizes the Department of Transportation and regional transportation agencies to enter into public-private partnerships for transportation projects under certain conditions. Existing law authorizes the department to delegate to any city or county any part of its powers and jurisdiction, except the power of approval, with respect to any portion of any state highway within the city or county, and to withdraw the delegation.</p> <p>This bill would specify that the delegation authority includes the authority to utilize private-public partnership agreements for transportation projects. The bill would also make findings and declarations related to local agency contracting.</p>	

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<p><a href="#"><u>SB 733</u></a> <a href="#"><u>Price D</u></a></p> <p>High-speed rail: business plan: contracts: small business participation.</p>	<p>SENATE T. &amp; H. 3/3/2011 - 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. Under federal law, funding is made available for allocation nationally to high-speed rail and other related projects. Existing law requires the authority to prepare, publish, adopt, and submit to the Legislature a business plan containing specified elements beginning January 1, 2012, and every 2 years thereafter.</p> <p>This bill would require the authority to include in the business plan to be submitted on January 1, 2012, or as an addendum to that plan to be submitted as soon as possible after that date, a strategy for ensuring the participation of small business enterprises in contracts awarded by the authority with state or federal funds during all phases of the project.</p>	
<p><a href="#"><u>SB 749</u></a> <a href="#"><u>Steinberg D</u></a></p> <p>High-speed rail.</p>	<p>SENATE T. &amp; H. 3/3/2011 - Referred to Coms. on T. &amp; H. and RLS.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 9 members, including 5 members appointed by the Governor.</p> <p>This bill would provide that the members of the authority appointed by the Governor are subject to appointment with the advice and consent of the Senate.</p>	