



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Bacciocco Auditorium, 2nd Floor
1250 San Carlos Avenue, San Carlos CA 94070

May 5, 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 April 7, 2011
- b) Authorize Assignment of Contract from CSI Capital Management, Inc. to SunTrust Bank to Provide Investment Management Services
- c) Authorize the Executive Director to Execute an Easement Agreement with the Santa Clara Valley Water District for the Maintenance of Adobe Creek

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 March 2011

MOTION

9. Quarterly Investment Report and Fixed Income Market Review and Outlook for the Quarter Ended March 31, 2011

MOTION

10. Preliminary Fiscal Year 2012 Operating Budget

INFORMATIONAL

11. Preliminary Fiscal Year 2012 Capital Budget

INFORMATIONAL

RESOLUTIONS

- | | |
|---|---------------|
| 12. Authorize Amending and Increasing the Fiscal Year 2011 Caltrain Capital Budget in the Amount of \$2,750,000 for Bike Racks, Signal Optimization and Narrowbanding Radio Improvements for a Total Budget of \$39,375,669 | RESOLUTION |
| 13. Authorize Award of Contract for Public Liability Claims Administration, Investigation and Adjustment Services to Carl Warren & Company for an Estimated Cost of \$183,000 for a Five-year Term | RESOLUTION |
| 14. Authorize Amendment to Contract with Carter & Burgess, Inc. for a Not-to-Exceed Amount of \$3,441,000 to Provide On-call Program Management Oversight Services for a Total Five Year Not-to-Exceed Amount of \$13,441,000 | RESOLUTION |
| 15. Legislative Update | INFORMATIONAL |
| 16. Correspondence | |
| 17. Board Member Requests | |
| 18. General Counsel Report | |
| 19. Date/Time of Next Meeting: Thursday, June 2, 2011, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2 nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070 | |
| 20. 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.

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; 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
April 7, 2011**

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

MEMBERS ABSENT: None

STAFF PRESENT: 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 COMMENT

Alice Frayne, Palo Alto, said she has ridden the train for 70 years and over the past five years and a train wreck has been delivered.

Jeff Carter, Burlingame, said the current fare system has quite a disparity between distances. Staff should look at having shorter zones or point-to-point fares. Mr. Carter said in the past a chart was used to compare Caltrain to its peers and it is not accurate due to distances the systems travel.

Michael Frost, Menlo Park, said Caltrain is important to him and he purchased his home to be near the Menlo Park Caltrain Station. The decision to have mixed use of retail and housing at the Hayward Park Station was made based on the service offered by Caltrain.

Avonne McClure, San Carlos, said she is the chair of the Sustainable Land Use Committee for the Sierra Club and they are trying to get developments along the system. People need to get their needs met by the service. She said she is willing to pay more in property and gas taxes to fund the service.

Barbara Doheny, Sunnyvale, said she does not own a car and depends on Caltrain. She appreciates the work the Board and staff is doing to find a solution to the financial issue. The schedule published on Tuesday is good and she is glad Gilroy service was saved. Ms. Doheny said it is a big mistake to replace Amtrak engineers and conductors as they provide a very professional service with excellent quality.

CONSENT CALENDAR

- 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

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

CHAIRPERSON'S REPORT

Chair Elsbernd said recruitment began for the JPB Citizens Advisory Committee (CAC) and there are vacancies, one in each county.

REPORT OF THE CAC

Chair Bruce Jenkins reported:

- At the March 16 meeting, an ad hoc committee was formed to review the service changes.
- The CAC held a special meeting on April 5 to discuss the latest service changes and fare adjustments and endorsed the recommendations of staff.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Michael Scanlon reported:

- Staff continues to work diligently with officials at the California High Speed Rail Authority (CHSRA). Even though the initial construction will take place in the Central Valley, there is much urgent work to be done in this corridor. Staff was in Sacramento this week to meet with senior officials at CHSRA. On April 20 there will be a meeting with the Rail Corridor Partnership and CHSRA Chief Executive Officer Roelof van Ark. Outreach and genuine dialogue continues with stakeholders along the corridor.
- The Bicycle Advisory Committee (BAC) met on March 17 and they received an update to convert an additional 10 trailer cars to provide two gallery bike cars on all consists. Bicycle capacity has been increased by 50 percent over the last two years. Staff has also made a change to the bicycle policy as it pertains to youths at the recommendation of the BAC.
- The reading file contains the monthly Safety & Security Report.
- Mr. Scanlon said Deputy CEO Chuck Harvey will be presenting the annual ridership counts taken in February. This presentation will set the context for the presentation of what is going to be discussed later in this meeting.

Director Omar Ahmad said he received some correspondence on what powers the JPB has and doesn't have. Can the JPB put something on the ballot? Legal Counsel David Miller said the JPB does not have the power to put an item on the ballot, allowing the JPB to do so would require legislative action.

Director Ahmad asked about the decline in fare enforcement numbers in the February 2011 Safety and Security Report compared to February 2010. Mr. Scanlon said Clipper was introduced in February and conductors were more lenient on fare evasions.

Mr. Harvey made the following points on the annual ridership count:

- The purpose of the counts is to provide a measurement relative to previous years.
- The data is used for evaluating service changes, allocate resources, and is a comparison to revenue-based ridership estimates.
- Headcounts are taken on every weekday train averaged over five weekdays.
- There was record ridership in February 2011 at 41,442 riders.
- Ridership is the highest in the peak periods.
- In January, four mid-day trains were eliminated and ridership on the eliminated trains moved to adjacent trains.
- All stations had increases in ridership except for two, Capitol and San Martin.
- The top 10 stations represent 80 percent of Caltrain's ridership.
- Ridership grew in all three counties.
- The Gilroy extension saw a slight increase in ridership in 2011.
- A number of trains are at seated capacity and peak trains are full.
- Average trip length for 2011 has remained steady at 23 miles.
- Average weekday bicycle ridership was up 37.8 percent from 2010.
- Bicycle ridership is about 8.8 percent of total ridership.
- Total weekend ridership was up 21 percent from 2010.
- The first five weeks of the pilot weekend Baby Bullet service show a robust and growing demand.
- Ridership exceeds the previous high seen in 2009, even in the current economic climate and with the past service reduction.

Chair Elsbernd asked if the total passenger count includes bicycles. Mr. Harvey said yes and San Francisco is the highest boarding station with bikes.

Public Comment

John Murphy, San Francisco, said there is no outreach on the Clipper card and it is an embarrassment for the conductors to remind people to have money on their card. This is good technology but it is a system where a great percentage of riders feel they are being scammed and the staff is incompetent.

Pat Giorni, Burlingame, thanked staff and the Board for the expansion of on-board bicycle capacity.

Jeff Carter, Burlingame, said there are problems with the Clipper card, especially in setting the parameters for the monthly pass. He is glad work is being done and discussion occurring with HSR. Mr. Carter said tunneling or trenching HSR would be detrimental to itself and Caltrain. He thanked staff for the ridership count report and doesn't want any cuts made that would be detrimental to the ridership.

Andy Chow, Redwood City, said a tax requires legislation, but a united voice is needed to ask for the legislation. As a rider he said it is hard to locate the Clipper readers at various stations.

Jim Whittemore, San Mateo, said he would cut Hillsdale and keep Hayward Park since a Transit Oriented Development (TOD) is in the works at the Hayward Park Station.

**ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR
FEBRUARY 2011**

Deputy CEO Gigi Harrington said revenue is over budget by \$2.4 million and there are savings of \$5.3 million on the expense side.

A motion (Lloyd/Ford) to accept the February 2011 statement was approved unanimously.

PRELIMINARY FISCAL YEAR 2012 OPERATING BUDGET

Deputy CEO Gigi Harrington delivered the following report:

- In Fiscal Year (FY) 2011 SamTrans proposed to reduce its contribution by \$11.7 million over a two-year period, but did a one-time fund swap to keep its FY2011 contribution near FY2010 levels.
- The FY2011 budget was balanced using a combination of service reductions, fare increases, staffed ticket office closures and administrative cost reductions.
- In FY2012 SamTrans staff proposes to further decrease its contribution and started budget discussions with a \$30 million deficit.
- In March the Board received comments and held a public hearing for a 48-train service operating scenario; revenue for a 48-train schedule would be \$53.3 million with a \$4.7 million shortfall. The Board also declared a fiscal emergency.
- A 76-train service plan was developed for the preliminary operating budget for FY2012, including: increase the base fare by 25 cents, resulting in \$2 million in additional farebox revenue; an increase in daily and monthly parking to \$4 and \$40, resulting in \$500,000 in additional revenue; new preventative maintenance funding of \$1.5 million; an increase in member agency contribution, assuming SamTrans' share of \$10.6 million; other sources of \$7.5 million from FY2011 savings rolled forward; \$3.2 million for one-time Rail Operator Contractor Transition costs in FY2012; and shuttle program reduction of \$200,000.
- SamTrans' contribution of \$10.6 million is made up of \$4.9 million from the San Mateo County Transportation Authority (SMCTA); \$2 million in monies from repayment of the SamTrans' investment in the Caltrain right of way and \$3.7 million through a fund swap.
- With San Mateo contributing \$10.6 million San Francisco would contribute \$4.5 million and Santa Clara would contribute \$20.2 million for a total of \$25.3 million.
- Staff anticipates bringing back a preliminary FY2013 budget to the May meeting.

Chair Elsbernd asked if there is a correlation between the daily parking increase and riders and cars at stations. Ms. Harrington said a correlation is seen between riders and cars at stations.

Director Liz Kniss asked if there is any mechanism for increasing parking to \$4. Ms Harrington said the parking is monitored closely and the Board gave the Executive Director the authorization to go as high as \$5 per day. Some stations are at capacity now. Director Kniss asked if staff has received any complaints from surrounding neighborhoods.

Mr. Scanlon said there are 7,410 parking spaces available and in 3,844 spaces were used in February 2011.

Director Nat Ford asked about the actual transition costs for the rail operator contractor contract. Mr. Harvey said there are a number of transition costs in the event a new rail operator is selected.

Director Ken Yeager asked about member contributions and the right of way. Ms. Harrington said there are some funds to be used for the repayment of the right of way. She said staff doesn't have a solid balanced budget for FY2013 and will be bringing that back to the Board.

Director Yeager asked how the decision was made to use \$2 million this year and \$3 million next year and not the other way around. He said if \$3 million is put in this year it would put more money in the overall pot.

Public Comment

Jim Bigelow, Redwood City/San Mateo County Chamber of Commerce, said in prior years the Board has declared fiscal emergencies more than once and the wake-up call is now to get the train up and running for FY2012 and work very hard to get something done for FY2013 and beyond. He is pleased to see there is \$4.9 million from SMCTA and when the county renewed the 25-year Measure A it was done to allow for funding to Caltrain.

Irvin Dawid, Palo Alto, said to this is a very complicated dance between member agencies. For the benefit of the public they need to realize there is no Caltrain. Caltrain is run by member agencies that are clearly accountable to themselves. Mr. Dawid said staff and the Board needs to clarify and explain to the public that Caltrain is run by member agencies.

Roland Lebauu, San Jose, said he understands that parking will now be charged at the Tamien Station and asked if the Santa Clara Valley Transportation Authority (VTA) light rail users will be charged parking as well as that station.

Pat Giorni, Burlingame, said the morning boarding number is used for how member contributions are set. She said Santa Clara and San Mateo each put in \$10 million for member contributions and it doesn't seem like San Francisco's contribution has been raised to coincide with their increased boardings.

Jeff Carter, Burlingame, said during preliminary budget talks there was a discussion of using Dumbarton Rail funding and nothing has been discussed on this issue. Is this still being considered for this budget year? He said if Amtrak, the current operator, is selected again will there be transition savings. Mr. Scanlon said staff can't speculate on that yet. Mr. Carter said there are political pet projects that will move forward and it is unfortunate that BART to San Jose and Central Subway in San Francisco keep moving ahead while Caltrain has to suffer.

John Murphy, said for \$173 he can purchase a monthly pass from San Bruno to Palo Alto but for \$150 he can purchase a monthly pass from Millbrae to Palo Alto with free parking at Millbrae.

AUTHORIZE SERVICE AND FARE CHANGES TO BALANCE THE FISCAL YEAR 2012 BUDGET

Mr. Harvey made the following presentation:

- Since the public hearing there have been a serious of complex negotiations going on and staff had to work with what could be developed, including running test trains to see if a new schedule could be done.
- Staff had to balance competing objectives – budget cutbacks versus customer desires.
- Not all needs and wants can be met with available funding.

- Staff was able to develop a service proposal to provide 76-trains, and retain off-peak period service, Gilroy service, weekend service with a revised stopping pattern and some special service.
- The revised weekday proposal seeks to balance reduced running time and station frequency with a 70-minute end-to-end travel time.
- Service would be restored to all stations except for Bayshore, Hayward Park and Capitol.
- Weekend service would be restored to hourly frequency, but to achieve this requires weekend service suspended at 22nd Street, Bayshore, South San Francisco, Broadway, Hayward Park, Belmont, San Carlos, Atherton, California Avenue, San Antonio, Lawrence and the Tamien Shuttle.
- The weekend stops serve stations that provide 83 percent of the ridership.
- Baseball post-game specials will continue to be operated, but extra northbound pre-game trains will be discontinued.
- There will no longer be additional service for Sharks games, but the last train will still be held up to 15 minutes after the game.
- Stanford Stadium stop cannot be served on weekends due to scheduled crews and equipment turns.
- The revised service proposal reduces operating crews, associated maintenance staff and materials, station maintenance costs and fuel costs.
- The revised service proposal will have a net savings of \$3.3 million.
- Staff completed a Title VI analysis requirement and the draft reveals there are no unmitigated impacts to minority or low-income communities.
- The recommended service and fare recommendations will have a net budget impact of \$6 million.
- The delay in approving these recommendations for a July 1 effective date would be a \$500,000 per month deficit.

Director Art Lloyd asked why some rush hour service is being eliminated at South San Francisco and San Bruno stations. Mr. Harvey said staff looked at current ridership patterns when making the new schedule.

Public Comment

Jack Matthews, Mayor of San Mateo, said there are three stations in San Mateo and two of those stations comprise 25 percent of riders. Since 1998 over 600 acres of office and housing developments have been planned between Hayward Park and the Hillsdale Station and he asked that the Board consider not closing Hayward Park.

Larry Patterson, Director of Public Works for the City of San Mateo, said the possibility of closing Hayward Park is having a negative effect on investment in projects in the vicinity. He asked that the Board consider delaying action today and that any service plan adopted by the Board include a statement that any station closures are subject to an annual affirmative decision to keep the station closed.

Terry Nagel, Mayor of Burlingame and SMCTA Board member, thanked the Board for saving the Burlingame Station but doesn't like the idea of losing weekend service at the Broadway Station. She said speaking as a SMCTA Board member, people depend on this service for their daily lives. She said a comprehensive transportation plan needs to be done for the entire Peninsula that serves everyone.

Jim Bigelow, Redwood City/San Mateo County Chamber of Commerce, said employee shuttles may be an opportunity for the partner agencies to find money for reconfiguring the shuttle system. He would encourage staff to look at revenues and get feedback from the business community on how these changes are affecting them.

Bill Strahle, said the big problem of this railroad is not having dedicated funding. He said it is a shame this rail service depends on three transit agencies that have their own financial problems. Mr. Strahle said Hayward Park would be a good location for a bus feeder service location.

Alan Talansky, San Mateo, said the adopted San Mateo Transit Plan approved by the City of San Mateo represents 600 new homes and the creation of hundreds of jobs at or near Hayward Park. He supports Caltrain, but short-term fixes shouldn't put in jeopardy long-term projects.

Lisa Lewis, San Mateo, said her company develops TODs. Three years ago her company purchased three acres near Hayward Park for a new development. Employers want to be near transit for their employees, but need the commitment that the station will be there.

Mark Leach, representing construction workers in San Mateo County, said these are not easy times for trade workers. He said the train puts the "T" in TOD. Please keep all stations open.

Rich Hedges, San Mateo, said the Board shouldn't be held accountable for the meltdown of the economy. He said by closing the Hayward Park Station it will kill economic development.

Marshall Loring, San Mateo, said he worked hard to convince the city and developers to build at Hayward Park and now the station is being closed.

Paul Jones, Atherton, said the 76-train schedule appears to be a vast improvement from last month. He said a big mistake is being made with short-term adjustments with long-term impacts. Commuting and riding the train is a habit and once people get in their cars they won't be back on the train.

Nancy Thomas, San Jose, said she commutes between Santa Clara and California Avenue stations. She said in the morning Santa Clara will have less stops and in the evening California Avenue has less stops. She rode the train 48 times in February and only had her ticket checked eight times.

Brian Brackney, San Francisco, is not happy about cutting service at the numerous stations on the weekends. He said staff should consider staggering stations on weekends so more stations are served. Mr. Brackney also asked that onboard payment be reinstated.

Greg Conlon, Atherton, said that when he was president of the California Public Utilities Commission, the PUC learned it had to serve all customers and Caltrain needs to do the same.

Rosemary Maulbetsch, Atherton, said she lives in a TOD. She said it functioned well up until Atherton lost service five years ago. If the Board and staff want to encourage the public to use mass transit the trains have to be accessible.

Nellie Fitzgerald, San Carlos, said she takes the train daily and taking away weekend service is a big deal.

Susan Fitzgerald, San Carlos, said not everyone works Monday through Friday and not all problems can be solved by going to another train. The quality of life for the disabled people is going to be affected by these cuts and she hates to see service compromised for the most vulnerable. She asked that a decision not be made until the public can see and comment on the new schedule.

Jerry Carlson, Atherton, objected to the staff recommendation to completely cut service to Atherton and doesn't think the Board has addressed the long-term solutions. He said the odds of two-thirds of the voters passing legislation are poor.

Director Liz Kniss left at 11:50 a.m.

Chris Lepe, San Jose, asked staff to work with various agencies to come up with a new proposal. It is pretty clear the public supports Caltrain. The public needs more time to look at the proposal.

Jim Janz, Atherton, bought his home near the station and in the mid 2000s weekday service was eliminated and now weekend service is being considered for elimination. Atherton will be the only city on the Caltrain line with a station and no service.

Gladwyn d'Souza, Belmont, asked the Board and staff to use all assets when balancing the budget.

Steven Tsao, Millbrae, said the GO Pass is an employer-sponsored benefit for unlimited rides, which is about a 96 percent discount. There are not that many employers who are benefiting from the GO Pass. He said the GO Pass program should be restructured to allow small businesses to participate.

Marjorie Muench, Palo Alto, asked the Board to delay their decision today to seek community input and keep service cuts to a minimum. There needs to be a long-term dedicated source of funding. She is glad that midday service was saved.

Steve Emslie, Palo Alto, appreciates the work staff has done with the new schedule. He applauds the work of the Board and decisions that lay ahead. He asked the Board to delay a decision today to allow for input from the public on the impacts of reduced service on cities.

Michael Engemann, Redwood City, said he is pleased to see an increase in funding, but doesn't think it is enough. This service affects everyone in the Bay Area. He asked the Board to delay their decision today to see if more money could be found.

Irwin Dawid, Palo Alto, said he is thankful the midday service was maintained and the Board should adopt the budget as presented. He said people need to understand where the \$500,000 per month is going to come from if this decision is delayed. Mr. Dawid suggested adding an extra car on consists for special service.

Shirley Ingalls, Mountain View, asked that a decision not be made today. She said there are upcoming town hall meetings with Silicon Valley Leadership Group where more funding ideas will be discussed.

Jeff Carter, Burlingame, thanked staff for a better schedule than originally proposed. He hopes staff and the Board will look for money to restore or continue the 86-train schedule. It is unfortunate that the proposed schedule does not stop at 22nd Street during commute hours.

Laurie Simanson, Burlingame, said she is a cyclist and commuter to San Francisco and asked that no stations be closed.

Eileen Menter, Mountain View, said she is concerned about the money that is going to BART and spending the time to change rail operators. She said if she doesn't have her station on the weekend she won't ride the train.

Andy Chow, Redwood City, said there are 116 signatures on an online petition asking the Board to delay its decision today. He said getting rid of Baby Bullet service and this new schedule is terrible. This new schedule eliminates 800 bicycle spots.

Barbara Arietta, Pacifica, congratulated staff on the new schedule and asked the Board to accept the proposal today. She said these are short-term and painful solutions.

Paul Wendt, Belmont, said he bought his house to be within walking distance to the station. The weekend schedule will make it impossible to ride with no service at Belmont or San Carlos stations.

Karen Vanderwoert, Belmont, thanked the Board for listening to the people and saving weekday service at Belmont.

Director Kniss returned at 12:20 p.m.

Director Adrienne Tissier thanked staff and the executive directors of the member agencies for working on this new proposal. She said she is very frustrated. Ridership, on-time performance and farebox revenue are all up: the system is not broken, but this proposal would break it. This Board and staff need to remember that Caltrain is the model for the Bay Area. The Baby Bullet service is what made Caltrain successful. She is concerned about the closure of the Bayshore Station, which is geographically disconnected from Daly City. The Board will need to take the model we have today, with all the stations and the Baby Bullet service, and go out to the public in a year and say this is what we want to continue. She said staff needs to go back in the next two weeks and see if \$3.5 million can be found to bring the full service back, keep stations open and maintain Baby Bullet service. She said the public needs to be asked if they want the system and want to sustain it. Director Tissier said she does not support cutting the stations and Baby Bullet service. She said the Metropolitan Transportation Commission (MTC) can be the catalyst to keep Caltrain alive for one more year and craft the \$3.5 million needed within the next two years.

A motion (Tissier/Lloyd) directing staff to schedule a special Board meeting on April 21 and spend the intervening two weeks working with the executive directors of the different agencies to

craft together the \$3.5 million to put the Baby Bullet service back, not close any stations and keep the 86-train model was approved unanimously.

Director Ken Yeager said he is in agreement with keeping the 86-trains and believes money is still available to fill the gap. It was mentioned that \$2 million was being used from the \$7.1 million repayment from VTA this year and \$3 million would be used next year. He asked for an explanation of the original right of way purchase agreement and the funds owed by the partner agencies.

Mr. Miller said this is a very complicated transaction that was entered into in 1991 to acquire the right of way from Southern Pacific. The member agencies entered into an agreement and SamTrans took security in the transaction with the JPB that is recorded in the other two counties. It was done with the full understanding to use best efforts to repay the principal plus interest from sources other than local funds. The reimbursement amount was clearly a best faith effort. There was no expectation that once the money was repaid as to where it would be spent.

Director Yeager said VTA's offer was to give SamTrans \$7.1 million and then SamTrans would match that as part of their share. SamTrans is taking \$2.1 million for FY2012 and \$3 million for FY2013 and it still leaves \$2 million on the table. He asked about the \$1.5 million rolling stock dollars available through MTC. He said he spoke to MTC Executive Director Steve Heminger and there is \$70 million available nationwide and also there are the electrification and Dumbarton Rail funds. He said there is money available to keep the 86-trains and this schedule will be seen by voters as more favorable.

Director Omar Ahmad said he supports the continuation of this issue, but he will push back on language that VTA is giving money to SamTrans. This is a repayment of funds. He said there is pain with the 76-trains, but it does keep the commuters in whole. The challenge right now is a short-term problem; there needs to be a long-term solution. This is a not a sustainable budget. The 48-train schedule, based on additional funding from the member agencies, is a sustainable budget and what the Board is doing is restoring services from a 48-train schedule. He said he will have a hard time approving an 86- or 92-train schedule with one-time fund swaps and deals from found money. He would like to see a sustainable budget and what can be done with the funds that have been found to restore service.

Director Kniss said she seconds Director Tissier's motion that this is not a broken system. Riding transit is a habit and a good habit to have. Cutting back on the schedule does not encourage this good habit. She said she doesn't know any jurisdiction that isn't operating on one-time funds or a Band-Aid budget. A sustainable budget isn't available at this moment. The public has convinced this Board to keep the service that is so important to them. Director Kniss said the goal is to work toward sustainability.

Director Nat Ford said the work that has been done to get to this point has been good and all transit agencies around the Bay Area have the same issues. The member agencies are still looking for opportunities and he is proud of the involvement by everyone. He said one of the challenges in using stop gap measures is it creates a bigger problem for next year and a deeper hole in 2013. No one can count on a ballot measure that taxpayers will approve funding for Caltrain. He is supportive of a two-week extension, but cautions not getting into a bigger hole next year.

Director Ash Kalra thanked staff for the work that has been done in the past three weeks. He respects a sustainable budget and a 76-train schedule, but this Board needs to do everything possible to find all funding sources. Record ridership is being seen and now is not the time to cut service, but capture the riders as the economy turns around. If there is a way to maintain the 86-train schedule and the keep the stations open the Board should do all they can. There needs to be affirmative action each year as to why stations are being kept closed. There is a structural dilemma and more reason to do all possible to maintain a system running rather than break something that is working. This requires Board members and staff to lobby legislators to get a dedicated funding issue on the ballot.

Director Lloyd said he was prepared to move forward with this schedule, but does concur with Director Tissier to study and keep the 86-train schedule when it is such a success story.

Chair Elsbernd requested language regarding Hayward Park and Bayshore stations be added that these are not permanent closures, if they occur. Secondly, if there are going to be cuts they need to be sustainable. He said he does not want to find this Board two weeks from now doing what needs to be done now to get through the year and next year we are going off a cliff.

Chair Elsbernd said there will be a special Board meeting on April 21 at 10 a.m.

Director Ford left at 11:48 a.m.

LEGISLATIVE UPDATE

Government Affairs Manager Seamus Murphy said staff met with local legislators last week as part of the California Transit Association Lobby Day, and encouraged them to move forward and avoid any cuts to transit.

He said at the Federal level Congress has to pass another appropriations measure by April 8 to avoid a government shutdown. The White House has called for meetings on April 7 and 8 today and tomorrow with Congressional leaders to craft a compromise, but it's unclear, at this point, whether they'll avoid a shutdown.

Director Ahmad asked if there is shutdown how that affects transit. Mr. Murphy said local transit agencies would see no impact.

Director Yeager left at 12:51 p.m.

CORRESPONDENCE

In the reading file

BOARD MEMBER REQUESTS

Director Ahmad said he has had it with Clipper and is tired of the correspondence he is receiving. The software is substandard and the rollout is terrible. There has been discussion on point-to-point fares and it does make sense now with the Clipper card. He is requesting a feasibility study be done on this issue.

GENERAL COUNSEL REPORT

No report

DATE/TIME/PLACE OF NEXT MEETING

Thursday, April 21, 2011, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

ADJOURNED

The Board approved the motion by Director Lloyd adjourn the meeting in memory of Cameron Beach. Director Lloyd said this is a big loss to the transit industry.

Adjourned at 12:54 p.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **ASSIGNMENT OF CONTRACT TO SUNTRUST BANK TO PROVIDE
INVESTMENT MANAGEMENT SERVICES**

ACTION

Staff Coordinating Council (SCC) recommends Board approval of the assignment of the current investment management services agreement (Agreement) between the Peninsula Corridor Joint Powers Board (JPB) and CSI Capital Management, Inc. (CSI) from CSI to SunTrust Bank (STB) on the same terms and conditions contained in the current Agreement.

SIGNIFICANCE

Approval of the above action will provide the JPB with uninterrupted investment advisory services in accordance with the Agreement; with William Osher as the primary representative for the JPB and the same transparent reporting requirements, including a quarterly written report and an oral economic forecast presentation by Mr. Osher.

BUDGET IMPACT

The cost for this service is included in the approved Fiscal Year 2011 operating budget.

BACKGROUND

Pursuant to Resolution 2008-08, the Board authorized the execution of an Investment Management Services Agreement (Agreement) with Epic Wealth Management, subsequently renamed Tamalpais Wealth Advisors (TWA), for a three-year base term, with two one-year options, with the understanding that Mr. Osher would serve as the primary representative to undertake, render and oversee all contractual services. The Board authorized Resolution 2010-12, to assign the Agreement from TWA to CSI Capital Management, Inc. (CSI) on the same terms and conditions contained in the Agreement.

CSI has provided satisfactory investment management services and has approximately two and one-half years remaining of its contract term. The appointment as investment advisor to the JPB was fundamentally due to Mr. Osher consistently providing favorable portfolio performance results for the San Mateo County Transit District since 1987. The JPB's portfolio is held in the

Bank of New York, as the custodial bank, on behalf of the JPB. The JPB's funds are not held by CSI as it is solely a financial advisory firm and not an investment house.

CSI recently entered into an agreement to join the Wealth Management Group of Atlanta-based STB. The proposed transaction will establish CSI Group as a member of STB, which is a publicly traded company listed on the New York Stock Exchange (NYSE:STI) with total assets of more than \$170 billion. The company has more than 100 years of experience providing financial advice and has approximately 700 skilled investment professionals.

To ensure that the JPB continues to receive uninterrupted professional investment portfolio management services, CSI has consented to the assignment of the remaining term of the Agreement to STB. Subsequently, STB has agreed to continue providing all investment advisory services under the terms of the Agreement and has furnished the JPB with information demonstrating its qualifications to assume such investment management services. Mr. Osher, as a Managing Director of STB, will continue to be responsible for the daily management of the JPB's portfolio as well as the preparation of monthly reports and a quarterly economic forecast presentation to the Board.

Contract Officer: Adwoa Oni

650.508.6411

Project Manager: Lori Snow, Manager, Treasury

650.508.6425

RESOLUTION NO. 2011 -

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

* * *

**CONSENTING TO ASSIGNMENT OF
INVESTMENT MANAGEMENT SERVICES AGREEMENT
BY CSI CAPITAL MANAGEMENT, INC. TO SUNTRUST BANK**

WHEREAS, pursuant to Resolution 2008-08, the Peninsula Corridor Joint Powers Board (JPB) authorized the execution of an Investment Management Services Agreement (Agreement) with Epic Wealth Management, subsequently renamed Tamalpais Wealth Advisors (TWA), for a three-year base term, with two one-year options; and

WHEREAS, pursuant to Resolution 2010-12, the JPB approved the assignment of the Agreement from TWA to CSI Capital Management, Inc. (CSI) on the same terms and conditions contained in the Agreement; and

WHEREAS, CSI has entered into an agreement to join the Wealth Management Group of Atlanta-based SunTrust Bank (STB), establishing CSI Group as a member of STB, a publicly traded company listed on the New York Stock Exchange (NYSE:STI) with total assets of over \$170 billion and with more than 100 years of experience providing financial advice; and

WHEREAS, the Agreement permits the assignment of CSI's rights and the transfer of its obligations under the Agreement to another firm upon the prior written consent of the JPB; and

WHEREAS, STB has agreed to assume all of the duties and obligations and provide all investment management services under the terms of the Agreement and has furnished the JPB with information demonstrating its qualifications to assume such investment management services; and

WHEREAS, the Executive Director recommends that the Board of Directors consent to the assignment of the Investment Management Services Agreement from CSI Capital Management, Inc. to SunTrust Bank.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby consents to the assignment of the Investment Management Services Agreement from CSI Capital Management, Inc. to SunTrust Bank on the same terms and conditions set forth in the Agreement; and

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director or designee to execute appropriate documents as approved by legal counsel, to give effect to this assignment.

Regularly passed and adopted this 5th day of May, 2011, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Marian Lee
Executive Officer, Planning & Development

SUBJECT: **AUTHORIZATION FOR THE EXECUTIVE DIRECTOR TO
EXECUTE AN EASEMENT AGREEMENT WITH THE SANTA CLARA
VALLEY WATER DISTRICT FOR THE MAINTENANCE OF ADOBE
CREEK**

ACTION

Staff Coordinating Council (SCC) recommends that the Board authorize the Executive Director to execute an easement to extend the property covered by an existing easement allowing the Santa Clara Valley Water District (Water District) to maintain and repair an existing flood control channel that transverses under agency right of way on the south side of Alma Street in the City of Palo Alto.

SIGNIFICANCE

Proper repair and maintenance of the channel will help reduce and/or eliminate the risk of flooding on or around our operating right of way.

BUDGET IMPACT

The Water District has entered into a Service Agreement with the JPB in the amount of \$5,000 to cover the agency's costs of reviewing the easement. Because the new agreement simply expands an existing easement, the value of the new easement has been appraised as nominal (\$425.00).

BACKGROUND

By passage of Resolution 73-22 on March 23, 1973, Southern Pacific Transportation Company granted a 1,716 square foot easement to the Water District to allow them to own, construct, operate and maintain Adobe Creek for flood control purposes within the area where it crosses under the railroad right of way. In 1991, the JPB acquired the Caltrain right of way subject to this easement. The Water District now seeks to add 847 square feet to the original easement area, allowing for a more thorough and complete maintenance of the creek channel. The agreement contains JPB standard language which indemnifies JPB for any damages caused by the Water District's action and requires that if the facility needs to be relocated or modified to accommodate a JPB project, such work will be done at the expense of the Water District.

Prepared by: Lance Gilbert, Real Estate Officer 650.508.6306
Brian W. Fitzpatrick, Manager, Real Estate & Property Dev. 650.508.7781

RESOLUTION NO. 2011-
BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA

* * *

**AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE
AN EASEMENT AGREEMENT WITH THE SANTA CLARA VALLEY WATER
DISTRICT FOR THE MAINTENANCE OF ADOBE CREEK**

WHEREAS, the Santa Clara Valley Water District (“District”) owns an easement for flood control purposes that allows for the maintenance of Adobe Creek across a portion of the JPB’s right-of-way in the vicinity of Alma Street in the City of Palo Alto; and

WHEREAS, the District desires to expand the width of the easement to facilitate proper repair and maintenance of the flood control channel and has expressed a desire to enter into an Easement Agreement with Peninsula Corridor Joint Powers Board (“JPB”) for that purpose for a nominal one-time payment of \$425.00; and

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

WHEREAS, staff recommends that the Board of Directors authorize the Executive Director to execute the Easement Agreement with the District.

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 enter into an Easement Agreement with the Santa Clara Valley Water District, in a form acceptable to legal counsel and Real Estate Department staff;

BE IT FURTHER RESOLVED that the Board of Directors authorizes the Executive Director, or his designee, to take any other actions necessary to give effect to this resolution.

Regularly passed and adopted this 5th day of May 2011 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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 MARCH 2011**

For March 2011, Caltrain average weekday ridership (AWR) increased 4.0 percent over March 2010. AWR based on ticket sales was 37,503 for March 2011, an increase of 1,447 compared to March 2010. AWR has trended upward compared to last year for nine of the last ten months. The total number of passengers for the month of March 2011 was 1,048,134, representing a 4.9 percent increase from last year's March total of 999,004.

In March 2011, on-time performance was 93.6 percent, as compared to 96.7 percent in March 2010, a decrease of 3.1 percentage points and below the standard of 95 percent. Contributing factors included various mechanical and signal problems.

Average weekday shuttle ridership was estimated at 5,791. Overall shuttle ridership is up 6.0 percent from March 2010. For the station shuttles, the Broadway-Millbrae shuttle averaged 120 daily riders. The Belmont-Hillsdale shuttle averaged 72 daily riders. The weekend Tamien-San Jose shuttle averaged 37 riders per day.

Caltrain Promotions – March 2011

San Francisco Giants – The World Champion San Francisco Giants took to the field at AT&T Park for two pre-season games in March, and Caltrain was ready to get the fans there for the action. The service was promoted with brochures featuring the Giants World Champion logo, a web button and extensive information on the Caltrain website, a news release, flyers in station information boards, radio spots on the Giants flagship station, KNBR, and web banners on sfgate and San Jose Mercury News sites. Total additional ridership for the two games was 7,001.

Gas Pain Relief – As gasoline prices climbed higher and higher, Caltrain used the opportunity to advertise that it's a great antidote for gas relief. Newspaper ads directed readers to calculate the savings of commuting by train by using a Commute Calculator located on the Caltrain website.

San Francisco Garden Show – Those with a green thumb were encouraged to also be green in getting to the San Francisco Garden Show by riding Caltrain. As part of its partnership with Caltrain, the event offered a \$1 discount to customers who rode Caltrain. The event also produced onboard adcards and listed Caltrain information on its website. Caltrain included information on taking the train to the show in its *Track the Fun* brochure and also listed the discount offer on its *Track the Savings* webpage.

Cirque du Soleil and the Tech Museum (Body World Vital) Partnerships – Caltrain partnered with Cirque du Soleil and The Tech Museum to offer a discounts to customers who rode Caltrain. Cirque du Soleil offered a 25 percent discount on select performances, and Caltrain promoted the discount on its *Track the Savings* webpage. Train customers were offered \$5 off the entry into the Body World Vital exhibit, which was promoted through *Track the Savings*. The event also was included in the *Track the Fun* brochure.

Weekend Baby Bullet – Caltrain spread the word about the pilot Weekend Baby Bullet service by Tweeting and posting to Facebook. Trains, SamTrans and Santa Clara Valley Transportation Authority continued to carry onboard adcards promoting the service. Total boardings and alightings at San Francisco station was 4,626 riders, an average of 145 per train.

Sharks Hockey – As the Sharks continued to skate for a spot in the playoffs, Caltrain continued to promote its service to the games via onboard take ones funded by the Sharks, which also made announcements during the games. Caltrain used onboard adcards, brochures, a web button and pre-game radio spots to get word out. Ten games were played in March generating an additional 3,186 Caltrain customers. Ridership for the season is 19 percent higher than last year.

ClipperSM – March was the first month that all Monthly passes were available only on Clipper. Staff continued to ride trains and visit stations to assist customers. New elements used in March included banners at the terminal stations, buttons for conductors to wear, station shelter clings, new take ones and station flyers and an e-mail sent to 15,000-plus Caltrain clipper users.

Advertising on Caltrain – As a way to generate additional revenue for the rail agency, Caltrain redesigned the center button on its main web page to encourage companies to “Expand Your Reach with Caltrain Advertising”. The button linked to information about advertising opportunities via train wraps and station saturation. Photos depicted past advertisers, such as WebEx, Target, Jamba Juice, San Francisco Giants and the San Jose Sharks.

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

March 2011

	FY2010	FY2011	%Change
Total Ridership	999,004	1,048,134#	4.9%
Average Weekday Ridership	36,056	37,503#	4.0%
Total Revenue	\$3,501,706	\$4,135,784	18.1%
On-time Performance	96.7%	93.6%	-3.1%
Caltrain Shuttle Ridership	5,465	5,791	6.0%

#subject to adjustment due to possible anomalies with Clipper reporting data

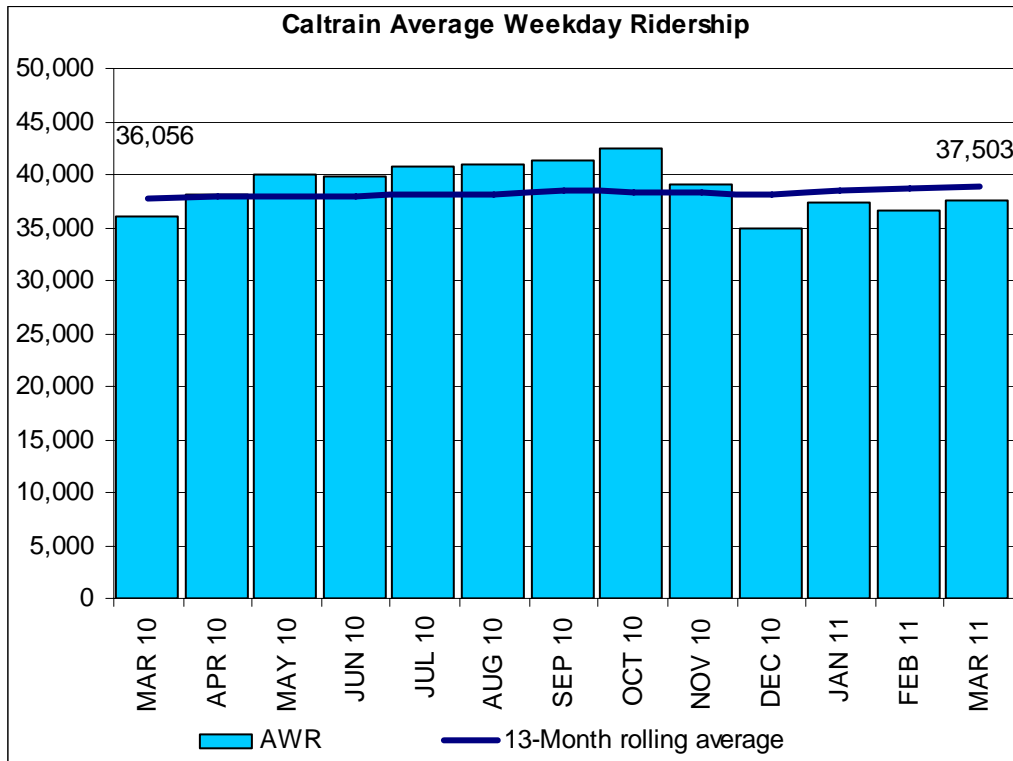
Year to Date

	FY2010	FY2011	%Change
Total Ridership	8,858,057**	9,255,793	4.5%
Average Weekday Ridership	37,293**	38,982	4.5%
Total Revenue	\$31,311,119	\$35,150,769	12.3%
On-time Performance	94.3%	93.9%	-0.4%*
Average Caltrain Shuttle Ridership	5,460**	5,366	-1.7%

* 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 MARCH 31, 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 March 2011 and supplemental information.

SIGNIFICANCE

Revenue: For March of Fiscal Year 2011, *Total Operating Revenue* (line 7) is \$2,809,275 or 7.4 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$2,918,147 or 9.1 percent **better** than budget offset by *Shuttles* (line 3) which are \$294,018 or 26.0 percent **worse** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$3,829,793 or 10.3 percent **higher**.

Expense: *Grand Total Expenses* (line 47) show a favorable variance of \$5,225,907 or 6.9 percent. *Total Operating Expense* (line 33) is \$4,701,016 or 7.0 percent **better** than budget. Within total operating expense, *Contract Operating & Maintenance* (line 23) and *Fuel* (line 26) together are \$4,476,216 or 7.9 percent **better** than budget. *Total Administrative Expense* (line 42) is \$524,892 or 6.7 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 47) are \$5,871,994 or 9.0 percent **higher**. The increase in expense is mainly due to *Fuel* (line 26) and *Insurance* (line 28) which together are \$3,010,128 or 27.5 percent **higher**.

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

Prepared by: Sheila Tioyao, Manager, General Ledger
David Ramires, Accountant

650.508.7752
650.508.6417

PENINSULA CORRIDOR JOINT POWERS BOARD

STATEMENT OF REVENUE AND EXPENSE

Fiscal Year 2011

March 2011

% OF YEAR ELAPSED **75.0%**

	MONTH	YEAR TO DATE				ANNUAL		
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET *	REVISED BUDGET **	% REV BUDGET
(AS PROJECTED)								
REVENUE								
OPERATIONS:								
1 Farebox Revenue	4,135,784	31,311,119	35,150,768	32,232,621	109.1%	43,353,719	44,594,719	78.8%
2 Parking Revenue	214,772	1,739,437	1,818,902	1,703,367	106.8%	2,271,159	2,271,159	80.1%
3 Shuttles	83,966	850,343	835,157	1,129,175	74.0%	1,505,578	1,505,578	55.5%
4 Rental Income	143,156	1,296,490	1,302,191	1,273,300	102.3%	1,696,200	1,696,200	76.8%
5 Other Income	194,111	1,947,130	1,867,294	1,826,574	102.2%	2,435,440	2,435,440	76.7%
6								
7 TOTAL OPERATING REVENUE	4,771,790	37,144,519	40,974,312	38,165,037	107.4%	51,262,096	52,503,096	78.0%
8								
CONTRIBUTIONS:								
10 AB434 Peninsula Feeder Shuttle	83,333	750,000	750,000	749,997	100.0%	1,000,000	1,000,000	75.0%
11 Operating Grants	1,289,875	1,112,135	6,354,321	6,366,633	99.8%	6,327,389	6,428,714	98.8%
12 JPB Member Agencies	2,924,177	29,562,440	26,317,598	26,317,584	100.0%	35,090,130	35,090,130	75.0%
13 Other Sources	-	-	-	4,552,402	0.0%	6,200,000	7,190,000	0.0%
14								
15 TOTAL CONTRIBUTED REVENUE	4,297,385	31,424,575	33,421,919	37,986,616	88.0%	48,617,519	49,708,844	67.2%
16								
17 GRAND TOTAL REVENUE	9,069,175	68,569,094	74,396,232	76,151,653	97.7%	99,879,615	102,211,940	72.8%
18								
19								
EXPENSE								
OPERATING EXPENSE:								
23 Contract Operating and Maintenance	5,390,752	42,471,008	43,224,458	46,286,887	93.4%	62,285,336	61,418,015	70.4%
24 Operator Contract Transition Costs	-	-	-	333,333	0.0%	2,000,000	2,000,000	0.0%
25 Shuttles (incl Peninsula Pass)	556,189	2,187,633	2,509,156	2,509,223	100.0%	3,345,631	3,345,631	75.0%
26 Fuel	1,241,318	7,645,336	9,205,852	10,619,639	86.7%	14,146,389	13,963,956	65.9%
27 Timetables and Tickets	46,929	135,364	142,689	142,875	99.9%	190,500	190,500	74.9%
28 Insurance	535,499	3,318,666	4,768,278	4,642,476	102.7%	4,870,000	5,860,000	81.4%
29 Facilities and Equipment Maint	139,361	751,837	893,272	909,891	98.2%	1,213,000	1,213,000	73.6%
30 Utilities	215,743	806,643	1,231,864	1,232,170	100.0%	1,642,800	1,642,800	75.0%
31 Services	94,195	680,941	842,434	842,524	100.0%	1,126,610	1,125,610	74.8%
32								
33 TOTAL OPERATING EXPENSE	8,219,986	57,997,429	62,818,003	67,519,019	93.0%	90,820,266	90,759,512	69.2%
34								
ADMINISTRATIVE EXPENSE								
36 Wages and Benefits	496,434	4,263,386	4,489,696	4,927,079	91.1%	6,521,825	6,521,825	68.8%
37 Board of Directors	827	8,257	8,787	9,225	95.3%	12,300	12,300	71.4%
38 Professional Services	191,179	922,321	1,627,556	1,659,307	98.1%	2,122,724	2,224,049	73.2%
39 Communications and Marketing	24,569	122,900	172,604	172,730	99.9%	227,840	227,840	75.8%
40 Office Expense and Other	63,980	912,304	981,944	1,037,137	94.7%	1,365,539	1,363,539	72.0%
41								
42 TOTAL ADMINISTRATIVE EXPENSE	776,989	6,229,167	7,280,586	7,805,478	93.3%	10,250,228	10,349,553	70.3%
43								
44 Long Term Debt Expense	91,906	827,156	827,156	827,156	100.0%	1,102,875	1,102,875	75.0%
45 Service Adjustment/Fare and Revenue Changes	-	-	-	-	0.0%	(2,293,754)	-	0.0%
46								
47 GRAND TOTAL EXPENSE	9,088,882	65,053,752	70,925,746	76,151,653	93.1%	99,879,615	102,211,940	69.4%

"% 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 MARCH 31, 2011

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Restricted)	Liquid Cash	0.500%	\$ 2,000,000	\$ 2,002,524
Local Agency Investment Fund (Unrestricted)	Liquid Cash	0.500%	10,825,386	10,839,050
Investment Portfolio (Unrestricted)	Liquid Cash	2.998%	6,717,071	6,609,476
Other (Unrestricted)	Liquid Cash	0.050%	6,595,103	6,595,103
			\$ 26,137,560	\$ 26,046,153

Accrued Earnings for March 2011	\$24,033.52	(1)
Cumulative Earnings FY2011	\$244,710.03	

(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 1.001262155 as reported by LAIF for quarter ending March 31, 2011.

** 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.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director / CEO

FROM: Gigi Harrington
Deputy CEO

**SUBJECT: QUARTERLY INVESTMENT REPORT AND
FIXED INCOME MARKET REVIEW AND OUTLOOK**

ACTION

Staff Coordinating Council (SCC) recommends that the Board accept and enter into the record the Quarterly Investment Report and Fixed Income Market Review and Outlook for the quarter ended March 31, 2011.

SIGNIFICANCE

The Joint Powers Board's (JPB) Investment Policy contains a requirement for a quarterly report to be transmitted to the Board within 30 days of the end of the quarter. This staff report was forwarded to the Board of Directors under separate cover on April 14, 2011 in order to meet the 30 day requirement.

BUDGET IMPACT

As this reports on the Quarterly Market Review and Outlook, there is no budget impact.

BACKGROUND

The JPB is required by state law to submit quarterly reports within 30 days of the end of the quarter covered by the report. The report is required to include the following information:

1. Type of investment, issuer, date of maturity, par and dollar amount invested in all securities, investments and money held by the local agency;
2. Description of any of the local agency's funds, investments or programs that are under the management of contracted parties, including lending programs;
3. For all securities held by the local agency or under management by any outside party that is not a local agency or the State of California Local Agency Investment Fund (LAIF), a current market value as of the date of the report and the source of this information;
4. Statement that the portfolio complies with the Investment Policy or the manner in which the portfolio is not in compliance; and,

5. Statement that the local agency has the ability to meet its pool's expenditure requirements (cash flow) for the next six months or provide an explanation as to why sufficient money shall or may not be available.

A schedule, which addresses the requirements of 1, 2, and 3 above, is included in this report on page 6. The schedule separates the investments into three groups: The Investment Portfolio which is managed by CSI Capital Management, Inc. ("CSI"); Liquidity funds which are managed by JPB staff; and Trust funds which are managed by a third party trustee. The Investment Policy governs the management and reporting of the Investment Portfolio and Liquidity funds while the bond covenants govern the management and reporting of the Trust funds.

CSI provides the JPB a current market valuation of all the assets under its management for each quarter. The valuation is provided by FT Interactive Data, the major operating division of Interactive Data Corporation, (IDC). IDC is a leading provider of global securities data. They offer one of the largest information databases with current and historical prices on securities traded in all major markets including daily evaluations for more than 2.5 million fixed income securities.

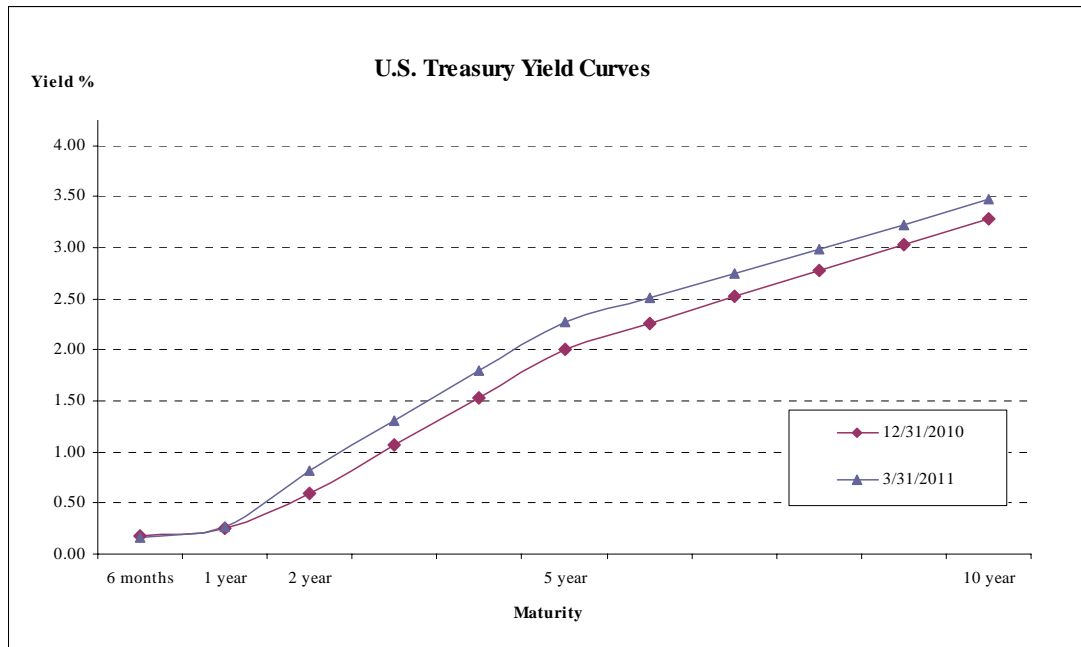
Due to the nature of securities which are bought and sold in a principal market, such as fixed income securities, multiple market values may exist for a given security at any given time. CSI has chosen IDC as an unbiased estimator of these prices based on their leading role as a provider of end of the day pricing, an evaluation of their methodology and the experience of their evaluation staff. Unfortunately, given the recent volatility in the markets not every security is currently supported or accurately reflected by IDC. Therefore at the end of the quarter, CSI surveyed a number of Wall Street firms to get an accurate market value of the securities held in JPB's portfolio. These surveys reflect the levels at which someone is actually willing to purchase the securities held by JPB. In the case of money market instruments, which are not supported by IDC, CSI uses adjusted cost.

The Liquidity funds managed by JPB staff are considered to be cash equivalents and therefore market value is considered to be equal to book value, (i.e. cost). The shares of beneficial interest generally establish a nominal value per share. Because the Net Asset Value is fixed at a nominal value per share, book and market value are equal and rate of income is recalculated on a daily basis.

The portfolio and this Quarterly Investment Report comply with the Investment Policy and the provisions of SB 564 (1995). The JPB has the ability to meet its expenditure requirements for the next six months.

DISCUSSION

Market Review and Outlook



Data Source: Bloomberg

The first quarter of 2011 was eventful, from the shootings in Arizona, to protests in Wisconsin, uprisings in the Middle East, rising food and oil prices, sovereign debt problems in Europe, and volatile equity markets here and abroad. Amidst all this turmoil, the U.S. economy managed to show resilience. Gains in employment, exceptionally strong economic activity survey results, healthy gains in income and robust consumer spending painted a picture of an economy ready to stand on its own two feet.

Global uncertainty and the strength in the economy taken together resulted in interest rates ending the quarter only marginally higher than where they began.

Longer-term, the economy will be the dominant force in driving interest rates. Economists now expect economic growth in 2011 to exceed 3.0 percent. Should business optimism continue to rise, employers will start to hire and banks will become more aggressive in lending. In such an environment economic growth could easily top 4.0 percent. Economic growth of this magnitude would likely be accompanied by meaningfully higher interest rates, particularly for longer-dated securities.

Given the only recently improved and still somewhat fragile state of our economic recovery, several important warning signs bear closer scrutiny as potentially disruptive forces on our path to economic improvement. They are

- Higher prices for food and energy. Rising oil prices in particular present a clear danger for the U.S. economy. Historically a harbinger of a recession, rising oil prices can sap economic growth, raise inflation, lower profit margins and worsen the trade deficit.

- Rising gas prices may be enough to stall corporate America's desire to increase employment.
- Sovereign debt default from one or more of the problem countries in Europe would be accompanied by fears of a decline in global growth and prevent the type of positive business sentiment described above. Under such a scenario, global economic growth and interest rates could remain low.
- Recent problems in Japan will add to the global pressures on food and energy prices.
- Lack of progress the United States has made in dealing with its budget problems. Last year's tax breaks and this year's potential for increased military spending, due to Libya have not improved our situation. Unless our policymakers resolve to deal with our deficit problem, we are likely to see a continued decline of the dollar and renewed pressure on interest rates to rise. If this is accompanied by rising oil prices, the one-two punch to the consumer may hamper whatever recovery we might otherwise have had and result in a bigger budget problem.

It is still too early to tell if the result of these current events will generate a meaningful change in investment strategy. Meanwhile, the exceptionally low level of interest rates continues to make the bond market vulnerable to a negative return if rates continue to rise. CSI's strategy has been to protect the portfolio from negative returns in an environment of modestly rising rates. For the time being, they continue to believe this is the prudent course of action.

Strategy

Over the foreseeable future CSI expect interest rates to move gradually higher. They continue to caution that the current low rates leave no room for a sudden rise in interest rates, which would result in negative returns. Given CSI's outlook and the current level of uncertainty in the markets, we are comfortable keeping the portfolio's exposure to a change in interest rates below that of the benchmark.

As of the end of the quarter, the JPB's portfolio consisted of 0 percent FDIC guaranteed Corporate Bonds, 100 percent Agency Securities and 0 percent US Treasury securities; see Exhibit 6. The current average interest rates on short term US Treasury securities are below the return provided by LAIF. FDIC guaranteed Corporate Bonds typically have a longer duration than one year and do not satisfy the JPB's liquidity needs. It is for these reasons the current portfolio mix is 100 percent invested in Agency Securities.

Budget Impact

The portfolio's performance is reported on a total economic return basis. This method includes the coupon interest, amortization of discounts and premiums, capital gains and losses and price changes (i.e., unrealized gains and losses). For the quarter ending March 31, the portfolio returned **0.21** percent. This compares to the benchmark return of **0.06** percent. The Performance graph in Exhibit 3 shows the relative performance of the JPB's portfolio since inception. The Growth of a Thousand Dollars graph in Exhibit 5 shows the cumulative performance over this same time frame for the portfolio.

The portfolio's yield to maturity, the return the portfolio will earn in the future if all securities are held to maturity is also reported. This calculation is based on the current market value of the

portfolio including unrealized gains and losses. For the quarter ending March 31, the portfolio's yield to maturity or call was **0.61** percent. The benchmark's yield to maturity was **0.44** percent.

Another method of measuring the portfolio's yield to maturity is the yield of the portfolio at cost. This calculation is based on the value of the portfolio at cost and does not include any unrealized gains or losses as part of its computation. As of the end of the quarter the portfolio's rate of return on investments, at cost, was **1.87** percent.

Prepared by: Lori Snow, Manager, Finance Treasury

650.508.6425

EXHIBIT 1

**PENINSULA CORRIDOR JOINT POWERS BOARD
REPORT OF INVESTMENTS
FOR QUARTER ENDED MARCH 31, 2011**

TYPE	DATE OF MATURITY	PAR VALUE	CARRYING AMOUNT	MARKET VALUE	ACCRUED INTEREST	MARKET VALUE +ACCR. INT.
<u>FUNDS MANAGED BY CSI CAPITAL MANAGEMENT, INC.:</u>						
<u>INVESTMENT PORTFOLIO:</u>						
GOVERNMENT BONDS						
FHLB	09-09-11	1,000,000	1,038,438	1,015,762	2,292	1,018,054
FNMA	11-15-11	2,000,000	2,131,250	2,063,164	40,611	2,103,775
FHLM	01-15-13	2,000,000	2,018,068	2,001,132	7,389	2,008,521
FHLM	10-21-13	1,000,000	1,002,080	995,768	4,813	1,000,581
FNMA Step Up	02-14-14	535,000	500,650	533,650	13	533,663
			6,609,486	6,609,476	55,117	6,664,593

**TOTAL FUNDS MANAGED BY
CSI CAPITAL MANAGEMENT, INC.**

LIQUIDITY FUNDS MANAGED BY DISTRICT STAFF:

BANK OF AMERICA CHECKING			6,595,296	6,595,296	0	6,595,296
LAIF			12,825,386	12,825,386	27,700	12,853,086
			19,420,682	19,420,682	27,700	19,448,382

TOTAL FUNDS MANAGED BY DISTRICT STAFF

TRUST FUNDS MANAGED BY THIRD PARTY TRUSTEE:

First American Treas. Oblig. Cl D Corp Tr			465,069	465,069	0	465,069
			465,069	465,069	0	465,069

**TOTAL FUNDS MANAGED BY
THIRD PARTY TRUSTEE**

TOTAL AS OF MARCH 31, 2011

6,535,000

26,576,237

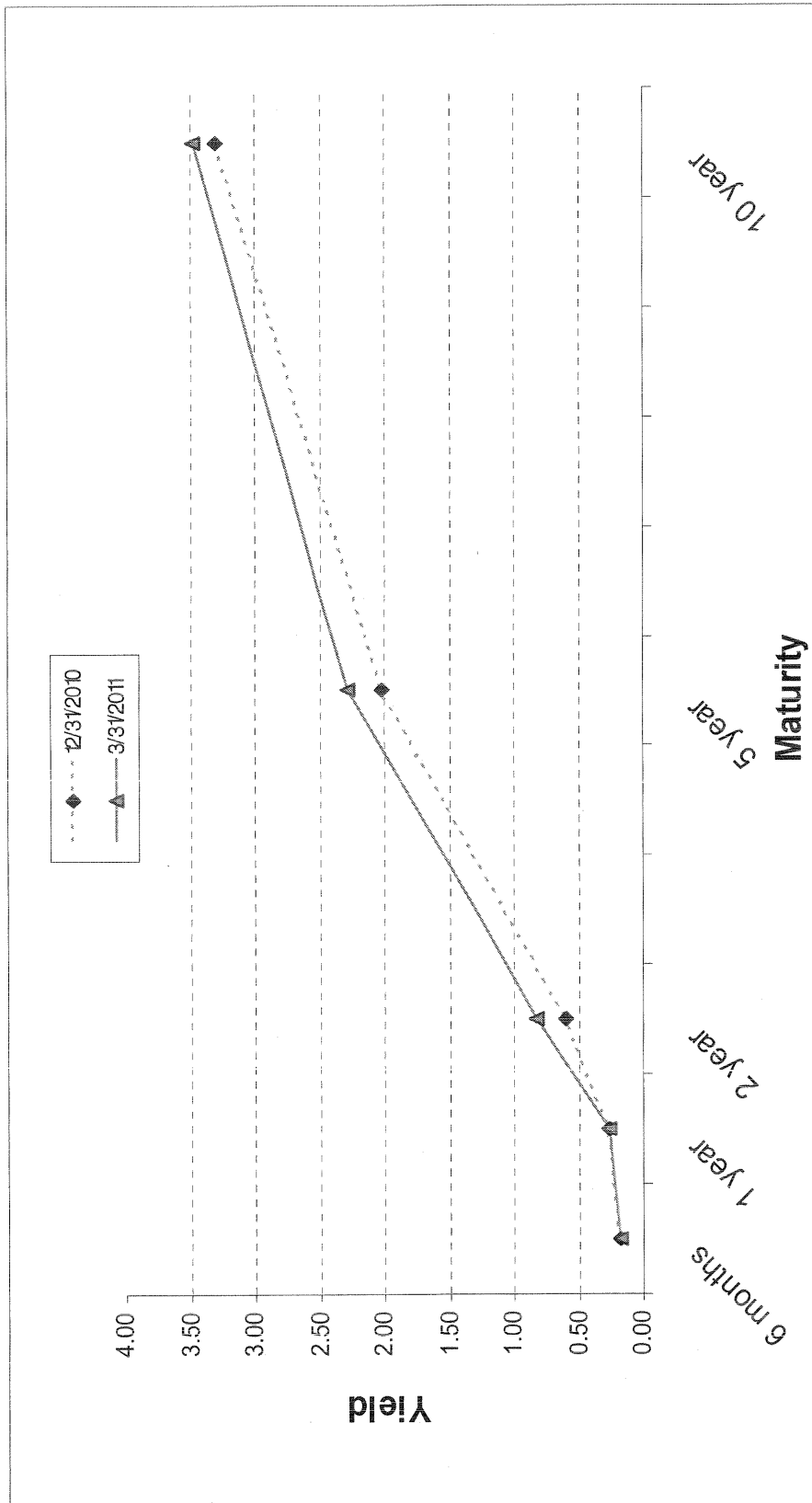
26,495,228

82,817

26,578,044

EXHIBIT 2

**Peninsula Corridor Joint Powers Board
Historical Yield Curve**

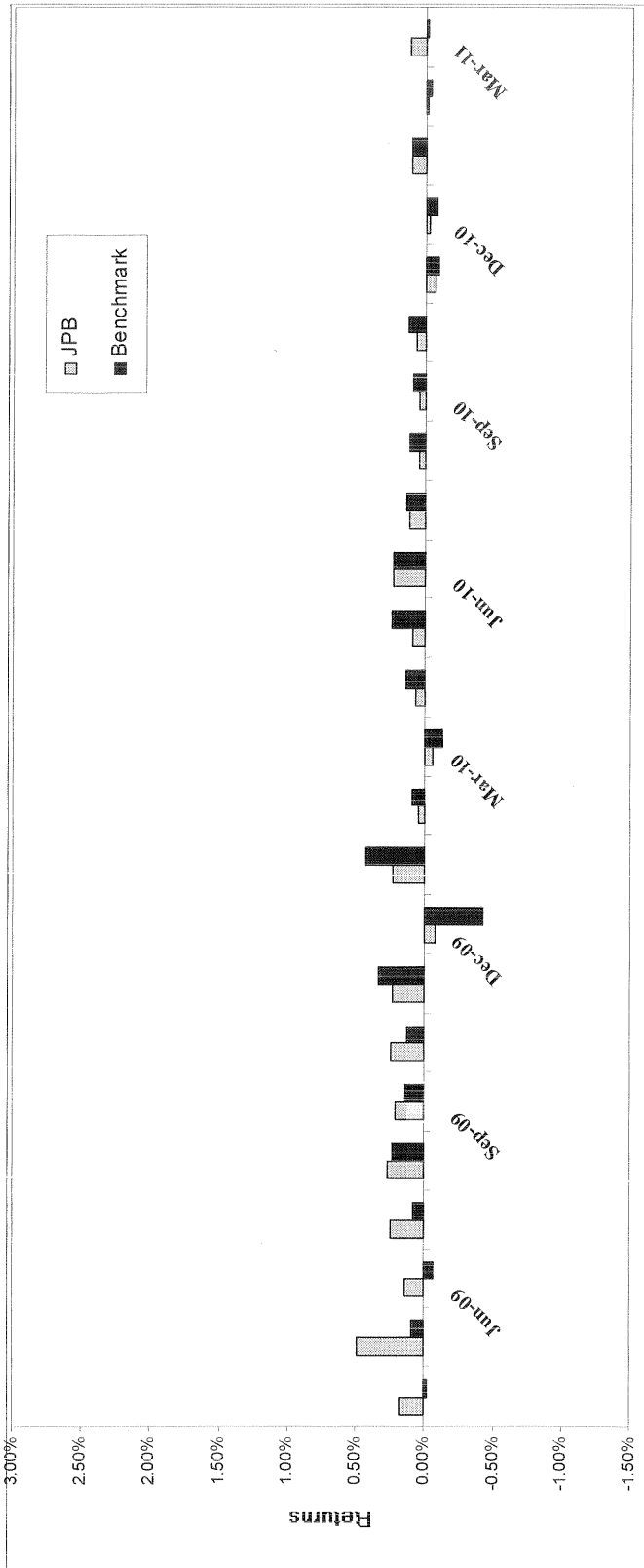


CSI Capital Management, Inc.

Data Source: Bloomberg

EXHIBIT 3

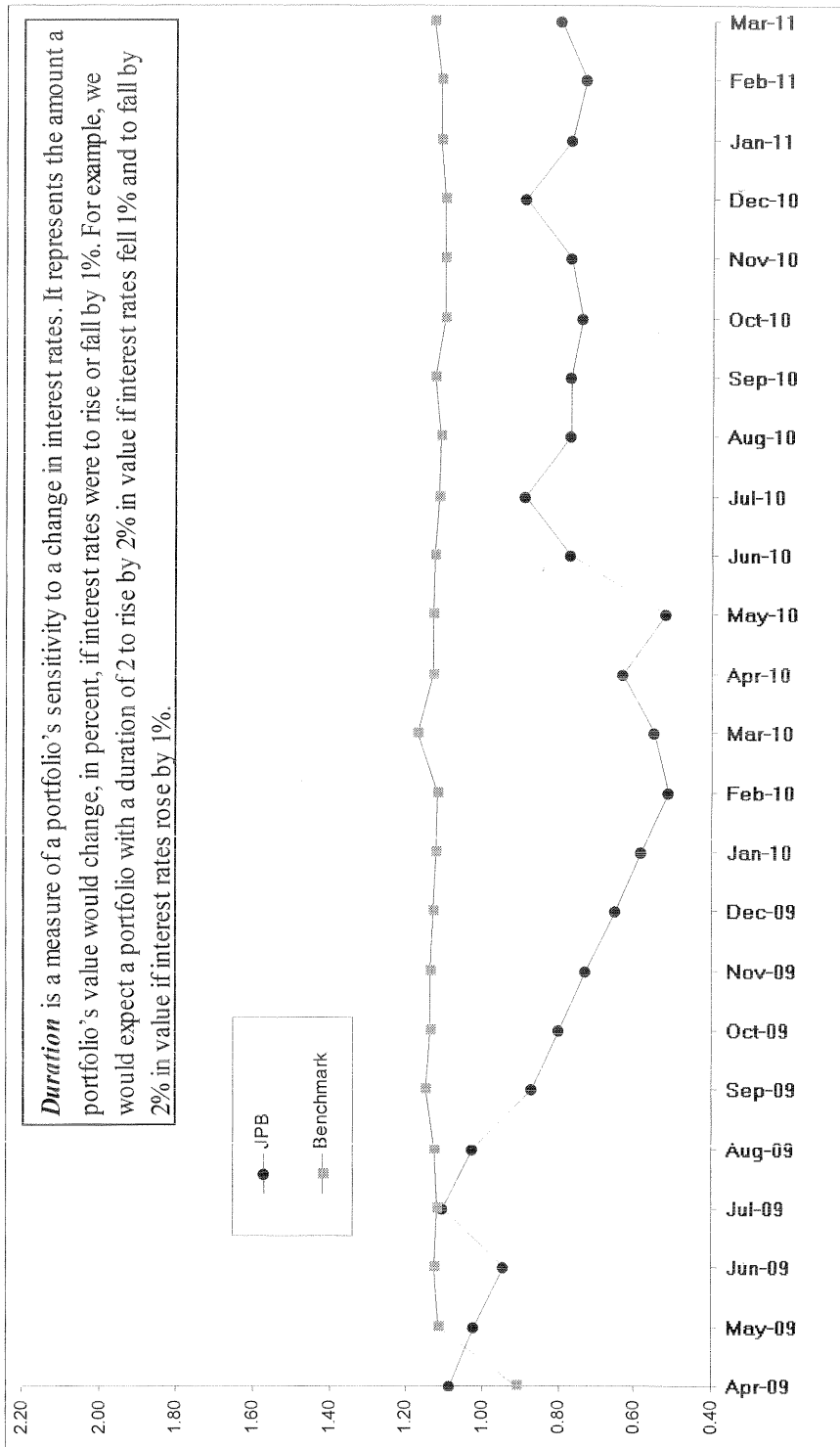
**Peninsula Corridor Joint Powers Board
Monthly Review – Account vs. Benchmark**
Rolling 24 Months



Trailing 12 Months	Apr-10	May-10	Jun-10	Jul-10	Aug-10	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11	Trailing 12
MONTHLY PERFORMANCE DATA													
JPB	0.07%	0.10%	0.24%	0.12%	0.05%	0.05%	0.07%	-0.07%	-0.02%	0.10%	-0.01%	0.12%	0.89%
Benchmark	0.14%	0.25%	0.24%	0.14%	0.12%	0.10%	0.13%	-0.09%	-0.08%	0.11%	-0.03%	-0.01%	1.02%

EXHIBIT 4

**Peninsula Corridor Joint Powers Board
Duration vs. Benchmark**



CSI Capital Management, Inc.

EXHIBIT 5

CSI Capital Management, Inc.

Peninsula Corridor Joint Powers Board
Growth of One Thousand Dollars
Rolling 24 months

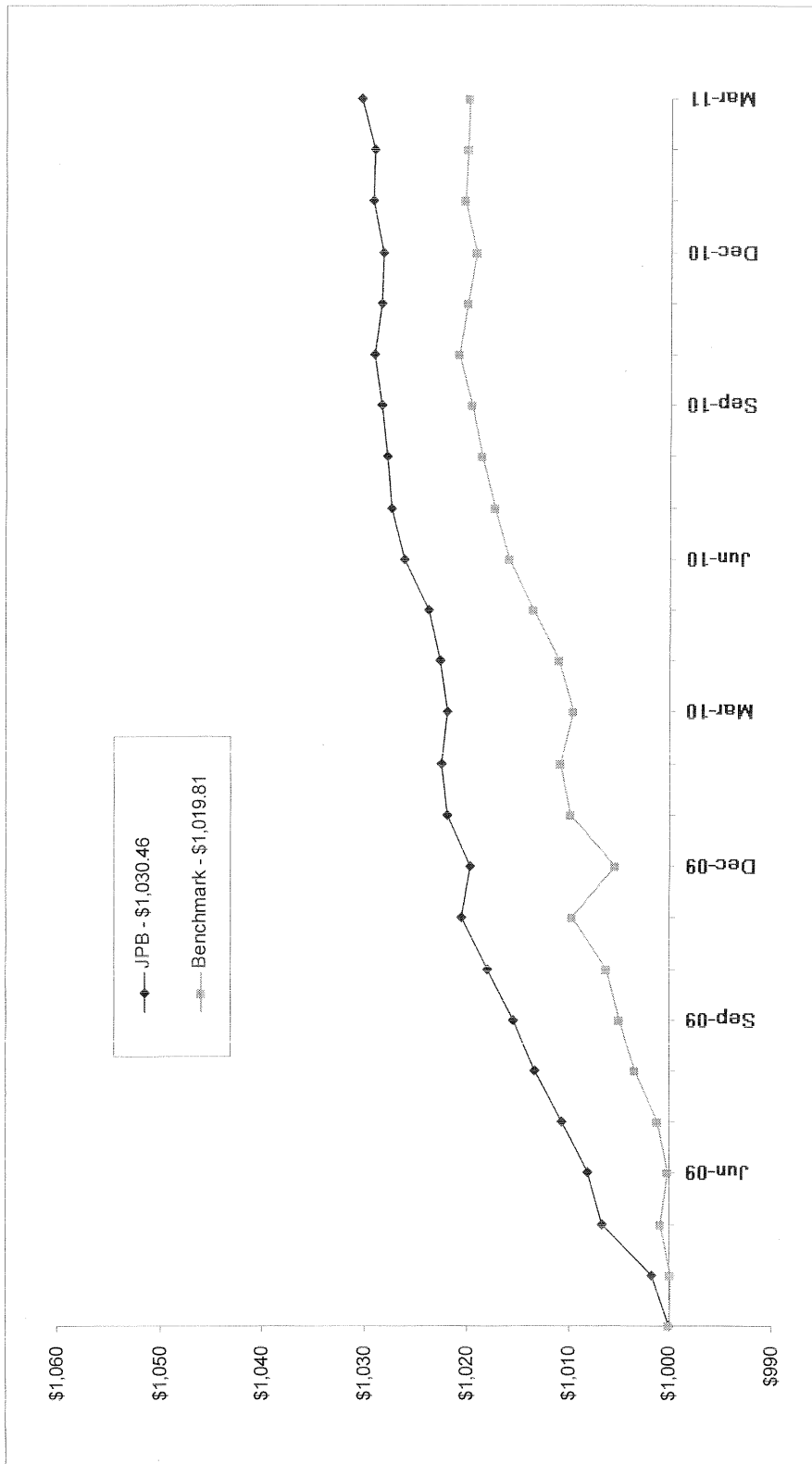
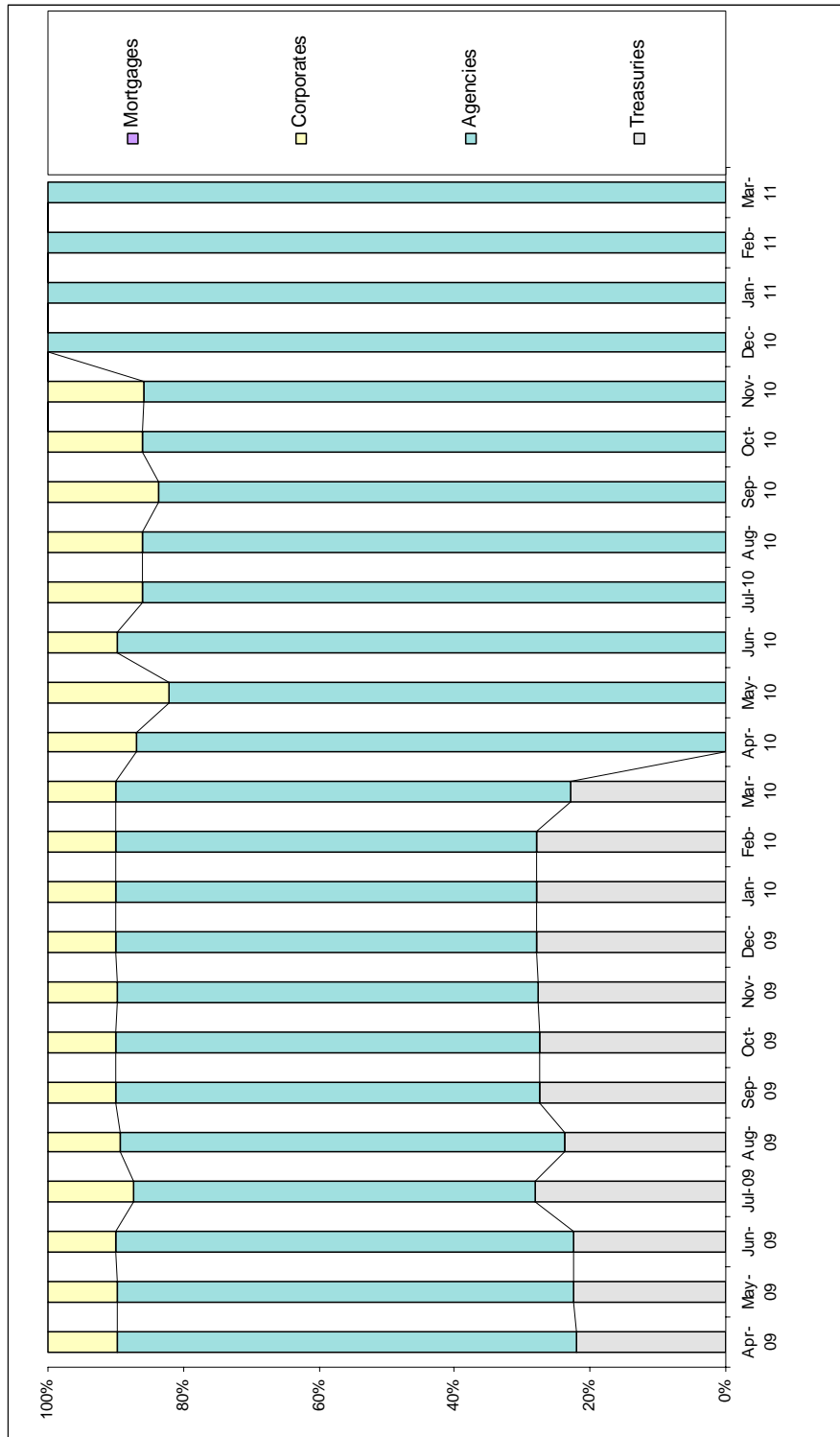


EXHIBIT 6

**Peninsula Corridor Joint Powers Board
Percent of Assets Held by Type**



CSI Capital Management, Inc.

**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 OPERATING BUDGET

ACTION

This report is submitted for informational purposes only. No policy action is requested at this time.

SIGNIFICANCE

At the April 21 Board meeting, staff presented a preliminary FY2012 Operating Budget, Attachment A, based on an 86 weekday schedule that contains projected revenues at \$99.3 million and total expenses at \$102.8 million, with an estimated deficit of \$3.5 million. Funds to close the \$3.5 million shortfall have been tentatively identified but are subject to positive ongoing discussions between the JPB partner agencies and the Metropolitan Transportation Commission (MTC).

The Board approved the following:

- A \$0.25 increase on the base fare effective July 1, 2011
- An increase in the daily parking rate from \$3 to \$4, and monthly parking from \$30 to \$40, effective July 1, 2011
- A conceptual operating budget-balancing plan to enable continued operation of the current 86 weekday Caltrain service level in FY2012 contingent upon favorable conclusion of discussions among MTC and the JPB partner agencies

FY2012 Revenues & Expenditures - Attachment B

Fiscal Year 2012 Revenue Projections

Total revenues for FY2012 are projected to be \$102.8 million. Revenues include the following significant components:

FY2012 Operating Revenue for Caltrain is projected to be \$58.2 million.

- Farebox Revenue is projected to be \$49.6 million, which reflects a \$0.25 base fare increase resulting in an additional \$2 million in projected farebox revenues.
- Parking Revenue is projected to be \$2.8 million, which reflects a daily and monthly parking increase resulting in an additional \$500,000 in revenues.
- Total Contributed Revenue is projected to be \$44.6 million which includes the following:
 - Operating Grants are projected to be \$9.2 million consisting of \$1.5 million in funds from MTC for preventative maintenance, \$4.2 million in State Transit Assistance formula funds, and \$3.5 million in tentatively identified and requested funds from the MTC.
 - JPB Member Agency contributions are projected to be \$25.3 million. The San Mateo County Transit District initiated a decrease in its contribution to the JPB prompting the other member agencies to decrease proportionately. The total projected contributions for each member agency are as follows:
 - San Mateo - \$10,620,000
 - Santa Clara - \$10,206,572
 - San Francisco - \$4,510,684
 - Other Sources is projected to be \$9 million which is comprised of \$7.5 million from FY11 savings and \$1.5 million from the Rail Operator Contract Transition roll forward.

Fiscal Year 2012 Expense Projections

Grand Total Expense for FY2012 is projected to be \$102.8 million and include the following significant components:

- Operating Expenses for Caltrain are projected at \$91.8 million.
 - Rail Operator Service is projected to be \$58.7 million. This amount is based on a preliminary projection until a new operating contract is finalized this Fall.
 - Operator Contract Transition Costs are estimated to be \$3.2 million. This projection is for mobilization costs that may result from the award of a new operating contract. \$1.5 million is being carried forward from FY2011.
 - Fuel costs are projected to be \$13.9 million in FY2012 based on a projected fuel price of \$3 per gallon. Staff will monitor the fuel price during year and may recommend an amendment to the budget based on year-to-date actuals. Staff has implemented a fuel hedging program as a means of reducing volatility and uncertainty in the fuel budget.
- Administrative expenses are projected to be 9.9 million of which \$6.1 million is for administrative wages or benefits which makes up 5.9% of the total operating budget.

The preliminary FY2012 operating budget is proposed to be balanced utilizing one-time sources. Going forward, Caltrain will continue discussions with MTC and the JPB partner agencies in an effort to identify funding sources to provide a balanced budget proposal for FY2013. This will be challenging. JPB's reserves are below reasonable levels and JPB partners continue to experience reductions in their own sources of revenues largely attributable to the ongoing global recession.

The lack of a dedicated source of funding for Caltrain requires a substantial percentage of operating costs to be funded out of general funds from each partner. Caltrain will continue to work with its partner agencies, MTC, as well as other stakeholders, including the Silicon Valley Leadership Group and Friends of Caltrain, in an attempt to identify and secure a permanent, dedicated funding source for future operations.

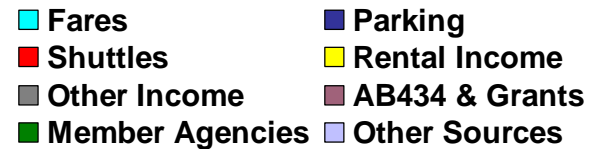
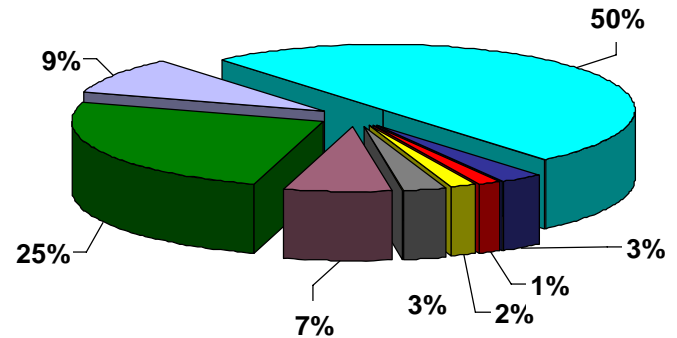
The JPB Budget Sub-committee will also continue its on-going efforts concerning funding for Caltrain as extraordinary financing problems are on the horizon for next fiscal year.

Prepared by: Ladi Bhuller, Manager, Budgets

650.508.7755

86 Train - Total Preliminary Revenues (in millions)

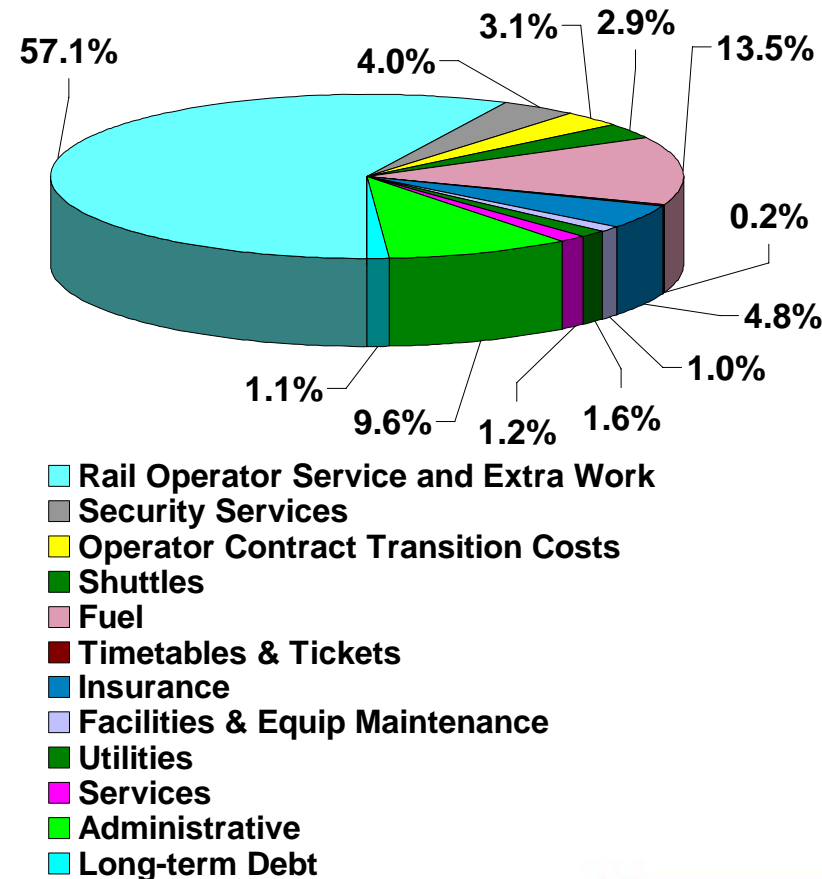
Fares	\$49.7
Parking	2.8
Shuttles	1.2
Rental Income	1.7
Other Income	2.9
AB434 & Grants	6.7
Member Agencies	25.3
Other Sources	<u>9.0</u>
Total Revenue	\$99.3



86 Trains - Total Preliminary

Expenses (in millions)

Rail Op Service and Extra Work	\$58.8
Security Services	4.1
Operator Contract Transition Costs	3.2
Shuttles	3.0
Fuel	13.9
Timetables & Tickets	0.1
Insurance	4.9
Facilities and Equip Maint.	1.0
Utilities	1.6
Services	1.2
Administrative	9.9
Long-term Debt	<u>1.1</u>
Total Expenses	\$102.8





86 Weekday Trains

FY2012 Preliminary Projection (in millions)

Beginning Deficit – 86 Trains	(\$30.2)
Fare Increase eff. July 1	2.0
Parking Increase eff. July 1 (\$3 to \$4/day)	0.5
Preventative Maintenance Funding	1.5
FY11 Savings and Operator Transition Costs Roll Forward	9.0
SamTrans Capital Funds	3.7
VTA	3.6
Muni	1.6
SamTrans Repayment of the ROW from VTA	2.0
VTA	1.9
Muni	<u>0.9</u>
Total	26.7
Surplus/(Deficit)	(3.5)
Requested funding from MTC	<u>3.5</u>
Net	0.0



86 Weekday Trains FY2012 Preliminary Projection

(in millions)

FY2012

Revenue	\$99.3
Expenses	<u>(102.8)</u>
Surplus/(Deficit)	(3.5)
Requested funding from MTC	<u>3.5</u>
Surplus/(Deficit)	0

Member Contributions

SamTrans has engaged in discussions with member agencies, funding partners and MTC on funding options. SamTrans' contribution of \$10.6 million is made up of:

- \$4.9 million from the SMCTA**
- \$2.0 million in funds received from repayment of the SamTrans investment in the Caltrain right of way**
- \$3.7 million through a swap of capital funds for operating funds**



Member Contributions

	<u>San Francisco</u>	<u>San Mateo</u>	<u>Santa Clara</u>	<u>Total</u>
48 Trains				
FY2012 projected				
Operating				
Contribution	\$ \$2,038,727	\$4,800,000*	\$4,613,140	\$11,451,867
76 Trains				
FY2012 preliminary				
Operating				
Contribution	\$ \$4,510,684	\$10,620,000**	\$10,206,572	\$25,337,256

*SMCTA contribution at \$4.8M (based on earlier sales tax projection of \$60M)

** SMCTA contribution projected at \$4.9M (based on latest sales tax projection of \$61.5M)

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
BUDGET PROPOSAL
FY2012

	FY2010 <u>ACTUAL</u> A	FY2011 <u>REVISED</u> B	FY2012 <u>PRELIMINARY</u> C	INC(DEC) FY11 REVISED to FY12 PRELIMINARY D = C-B	% INC(DEC) FY11 REVISED to FY12 PRELIMINARY E = D/C		
REVENUE							
OPERATIONS:							
1	Farebox Revenue	42,732,343	44,594,719	49,644,719	5,050,000	11.3%	1
2	Parking Revenue	2,407,234	2,271,159	2,776,600	505,441	22.3%	2
3	Shuttles	1,044,510	1,505,578	1,148,579	(356,999)	-23.7%	3
4	Rental Income	1,729,433	1,696,200	1,737,240	41,040	2.4%	4
5	Other Income	2,848,784	2,435,440	2,913,060	477,620	19.6%	5
6	TOTAL OPERATING REVENUE	<u>50,762,303</u>	<u>52,503,096</u>	<u>58,220,198</u>	<u>5,717,102</u>	<u>10.9%</u>	6
7							7
CONTRIBUTIONS:							
9	AB434 Peninsula Feeder Shuttle	1,000,000	1,000,000	1,000,000	0	0.0%	9
10	Operating Grants	1,139,617	6,428,714	9,222,450	(706,264)	-11.0%	10
11	JPB Member Agencies	39,416,585	35,090,130	25,337,256	(9,752,874)	-27.8%	11
12	Other Sources		7,190,000	9,000,000	1,810,000	25.2%	12
13	TOTAL CONTRIBUTED REVENUE	<u>41,556,202</u>	<u>49,708,844</u>	<u>44,559,706</u>	<u>(5,149,138)</u>	<u>-10.4%</u>	13
14							14
15	GRAND TOTAL REVENUE	<u>92,318,505</u>	<u>102,211,940</u>	<u>102,779,904</u>	<u>567,964</u>	<u>0.6%</u>	15
16							16
EXPENSE							
OPERATING EXPENSE:							
20	Rail Operator Service	54,218,789	57,791,339	58,661,660	870,321	1.5%	20
21	Security Services	3,589,865	3,473,676	4,060,113	586,437	16.9%	21
22	Rail Operator Extra Work	85,726	150,000	130,000	(20,000)	-13.3%	22
23	Contract Operating & Maintenance	57,894,380	61,415,015	62,851,773	1,436,758	2.3%	23
24	Operator Contract Transition Costs	0	2,000,000	3,200,000	1,200,000	60.0%	24
25	Shuttle Service	2,852,141	3,345,631	2,984,550	(361,081)	-10.8%	25
26	Fuel	10,307,029	13,963,956	13,918,194	(45,762)	-0.3%	26
27	Timetables and Tickets	173,346	190,500	161,000	(29,500)	-15.5%	27
28	Insurance	5,035,000	5,860,000	4,870,000	(990,000)	-16.9%	28
29	Facilities and Equipment Maint	1,150,064	1,213,000	1,037,260	(175,740)	-14.5%	29
30	Utilities	1,177,521	1,642,800	1,596,835	(45,965)	-2.8%	30
31	Services	1,084,316	1,126,610	1,171,760	45,150	4.0%	31
32	TOTAL OPERATING EXPENSE	<u>79,673,797</u>	<u>90,757,512</u>	<u>91,791,372</u>	<u>1,033,860</u>	<u>1.1%</u>	32
33							33
ADMINISTRATIVE EXPENSE							
35	Wages & Benefits	5,926,855	6,521,825	6,097,376	(424,449)	-6.5%	35
36	Board of Directors	12,148	12,300	10,800	(1,500)	-12.2%	36
37	Professional Services	1,612,035	2,224,049	2,143,542	(80,507)	-3.6%	37
38	Communications and Marketing	157,568	227,840	156,500	(71,340)	-31.3%	38
39	Other Expenses and Services	1,231,243	1,365,539	1,477,439	111,900	8.2%	39
40	TOTAL ADMINISTRATIVE EXPENSE	<u>8,939,849</u>	<u>10,351,553</u>	<u>9,885,657</u>	<u>(465,896)</u>	<u>-4.5%</u>	40
41							41
42	Long-term Debt Expense	1,102,875	1,102,875	1,102,875	0	0.0%	42
43							43
44	GRAND TOTAL EXPENSE	<u>89,716,521</u>	<u>102,211,940</u>	<u>102,779,904</u>	<u>567,964</u>	<u>0.6%</u>	44
45							45
46	REVENUE OVER/UNDER	2,601,984	0	0			46

**AGENDA ITEM # 11
MAY 5, 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 CAPITAL BUDGET

The Preliminary Fiscal Year 2012 Caltrain Capital Budget will be presented to the Board on May 5, 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: Gigi Harrington
Deputy CEO

SUBJECT: **AUTHORIZE AMENDING AND INCREASING THE FISCAL YEAR 2011
CALTRAIN CAPITAL BUDGET IN THE AMOUNT OF \$2,750,000
FOR BIKE RACKS, SIGNAL OPTIMIZATION AND NARROWBANDING
RADIO IMPROVEMENTS FOR A TOTAL BUDGET OF \$39,375,669**

ACTION

Staff Coordinating Council (SCC) recommends that the Board amend the Fiscal Year (FY) 2011 Capital Budget, included as Attachment A, as follows:

- 1) Include \$300,000 for the Gallery Car Bike Rack Installation project; and
- 2) Include \$2,000,000 for the Signal Optimization project; and
- 3) Increase the budget for the Narrowbanding project by \$450,000.

SIGNIFICANCE

The FY2011 Caltrain Capital Budget is proposed to be amended to include an additional \$2,750,000 for the above-mentioned projects, and as further discussed below.

The Gallery Car Bike Rack Installation project will convert ten standard Gallery cars into bike cars. This will allow each train-set to include two bike cars, enabling consistent train configuration and increasing bike capacity on train-sets that currently include only one bike car.

The Signal Optimization project was approved in prior year capital budgets for a total of \$6.47 million for design and installation of intermediate signals at specific locations to allow for optimal headways. During construction, it was determined that site-specific conditions degraded the performance of the wireless components of the signal system at Redwood City and San Mateo. The additional funds will be used to replace the wireless components of the crossing signal system at these locations.

The Narrowbanding project was approved in prior year capital budgets for a total of \$2.2 million to convert the channels in the radio system from 25 kHz to 12.5 kHz by January 1, 2013 in accordance with a Federal Communications Commission (FCC) mandate. During the design phase, it was determined that improvements will also need to be made to the existing voice radio base stations in order to ensure optimal performance once narrowbanding is in place. Improvements will also be made to bring the voice radio system into a state of good repair. The additional \$450,000 will provide for those improvements, replacing antennas at Caltrain's four base radio stations.

BUDGET IMPACT

No JPB member contributions are required for the proposed Capital Budget amendment. The funds for the three projects will come from a combination of State Proposition 1B and Federal Transit Administration (FTA) funds resulting from savings from existing projects, mainly the South Terminal Project for which the budget was reduced based on favorable construction bids.

BACKGROUND

The Joint Powers Board approved, and subsequently amended, the FY2011 Capital Budget on July 1, 2010, September 2, 2010 and November 4, 2010, respectively, for a total amount of \$36,625,669. The proposed amendment as discussed above would increase the Capital Budget to an authorized total of \$39,375,669.

The JPB annually adopts a Capital Budget to accompany the Operating Budget. The purpose of the Capital Budget is to implement a balanced program of projects that gives the JPB the ability to meet its goals and objectives as set forth in the Short Range Transit Plan and the related Rapid Rail Plan.

Prepared by: Éva Goode, Manager, Budgets

650.508.7914

FY2011 JPB CAPITAL BUDGET AMENDMENT 3

ATTACHMENT A

PROJECT TITLE/DESCRIPTION	FY2011 PROJECT PHASE	EST. TOTAL COST	PREVIOUSLY BUDGETED	FY2011 CAPITAL BUDGET REQUEST	FUTURE BUDGET REQUEST
---------------------------	----------------------	-----------------	---------------------	-------------------------------	-----------------------

Proposed Funding Plan								
Federal		State		Other		JPB		
Amount	Source	Amount	Source	Amount	Source	Amount	Source	FY2011 TOTAL

I. State of Good Repair

I.1	Stations	Systemwide Station Improvements - SOGR	Design / Constr	9,430,000	4,093,000	500,000	4,837,000						500,000	Members	500,000	
I.2	ROW/Signals	Los Gatos Creek Bridge Replacement	Design	12,423,000	3,893,154	1,400,000	7,129,846	1,120,000	FTA				280,000	Members	1,400,000	
I.3	ROW/Signals	FY11 System Track Rehab	Constr	7,000,000	-	7,000,000	-	5,897,664	ARRA/FTA		450,000	\$350K AB664 \$100K Sale of Assets	652,336	Members	7,000,000	
I.4	ROW/Signals	Signal System Rehab	Constr	12,000,000	5,200,000	900,000	5,900,000						900,000	Members	900,000	
I.5	ROW/Signals	Rail Operations Control System	Constr	10,215,000	7,700,000	2,515,000	-	2,012,000	FTA		503,000	TBD			2,515,000	
I.7	ROW/Signals	CEMOF Pipe Repair	Constr	96,000	-	96,000	-				96,000	Vendor			96,000	
I.8	ROW/Signals	Santa Clara Traffic Preemption Improvements	Des/Constr	2,749,767	-	2,749,767	-	2,749,767	FHWA						2,749,767	
I.9	ROW/Signals	San Mateo Traffic Preemption Improvements	Des/Constr	387,816	-	387,816	-	387,816	FHWA						387,816	
I.10	ROW/Signals	Signal Optimization	Constr	8,471,545	6,471,545	2,000,000	-	1,600,000	FTA	400,000	Prop 1B				2,000,000	
I.6	Rolling Stock	Rolling Stock Equipment, including but not limited to: Gallery Car SOGR, F40 SEP-HEP Overhaul/Replacement, F40 Locomotive Overhaul	Procurement	29,438,361	5,771,859	7,619,945	15,746,557	2,019,945						5,600,000	Members	7,619,945
I.11	Rolling Stock	Gallery Car Bike Rack Installation	Procurement	300,000	-	300,000	-			300,000	Prop 1B				300,000	
								15,787,192		700,000		1,049,000		7,932,336	25,468,528	

II. Legal Mandates and Required Infrastructure Enhancements

II.1		Narrow Banding Project ^{NOTE 1}	Final Design / Constr	2,620,141	1,564,000	1,056,141	-	217,000	FTA	209,000	Prop 1B	24,000	AB664	606,141	Members	1,056,141
II.2		Caltrain Safety Fencing Program	Constr	8,988,019	4,519,128	1,000,000	3,468,891			1,000,000	Prop 1B					1,000,000
II.3		Payment Card Industry Data Security Standard	Procurement	291,000	-	291,000	-							291,000	Members	291,000
II.4		Update of Suicide Prevention Signs	Constr	110,000	-	110,000	-							110,000	Members	110,000
								217,000		1,209,000				1,007,141	2,457,141	

III. Peninsula Rail Program

III.1		PRP - Program Implementation & Management	Support		10,858,600	5,610,000	TBD			2,805,000	CHSRA			2,805,000	Members	5,610,000
III.2		Communications Based Overly Signal System	Final Design / Construction	231,000,000	3,075,000	3,850,000	224,075,000	1,250,000	FRA	2,600,000	PTMISEA					3,850,000
								1,250,000		5,405,000				2,805,000	9,460,000	

IV. Caltrain Support Program and Capital Contingency

IV.1		Capital Program Management	Support			434,050								434,050	Members	434,050
IV.2		Capital Project Development	Support			565,950								565,950	Members	565,950
IV.3		Capital Contingency - Engineering	Support			330,000								330,000	Members	330,000
IV.4		Capital Contingency - Rail Services	Support			660,000								660,000	Members	660,000
														1,990,000	1,990,000	

Total Budget Request 39,375,669

17,254,192 7,314,000 1,049,000 13,734,477

4,578,159 FY2011 Per Member Requirement

NOTE #1: Narrow Banding is currently approved for \$606,141. This amendment of \$450,000 increases FY11 budget authority to \$1,056,141

RESOLUTION NO. 2011 –
PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA

* * *

**AUTHORIZING AMENDMENT TO THE FISCAL YEAR 2011 CAPITAL BUDGET
IN THE AMOUNT OF \$2,750,000 FOR BIKE RACKS, SIGNAL OPTIMIZATION AND
NARROWBANDING RADIO IMPROVEMENTS FOR A TOTAL BUDGET OF
\$39,375,669**

WHEREAS, pursuant to Resolution Nos. 2010-39, 2010-44 and 2010-54 adopted on July 1, 2010, September 2, 2010 and November 4, 2010 respectively, the Peninsula Corridor Joint Powers Board (JPB) adopted and subsequently amended the Fiscal Year (FY) 2011 Capital Budget for a total authorized budget of \$36,625,669; and

WHEREAS, additional State and Federal funds available to support capital projects from savings on existing projects have been identified to support new and existing projects in need of supplemental funding, including the Gallery Car Bike Rack Installation project for \$300,000, the Signal Optimization project for \$2,000,000 and the Narrowbanding project for \$450,000; and

WHEREAS, the Gallery Car Bike Rack Installation project will convert ten standard Gallery cars into bike cars, providing for each train-set to include two bike cars; and

WHEREAS, the Signal Optimization project is an ongoing project to install intermediate signals throughout the right-of-way, and is in need of additional funds to replace the wireless components of the crossing signal system; and

WHEREAS, the Narrowbanding project is an ongoing project to convert the channels in the radio system from 25kHz to 12.5 kHz by January 1, 2013 in accordance with a Federal Communications Commission (FCC) mandate and is in need of additional funds to make

improvements to the existing voice radio base stations to ensure optimal performance once narrowbanding is in place; and

WHEREAS, the Staff Coordinating Council recommends that the JPB approve the amendment to the FY2011 Capital Budget as described above.

NOW, THEREFORE, BE IT RESOLVED that the Peninsula Corridor Joint Powers Board approves an amendment to the FY2011 Capital Budget to include the Gallery Car Bike Rack Installation project, the Signal Optimization project and the Narrowbanding project for a total authorized capital budget increase for FY2011 of \$2,750,000, from \$36,625,669 to \$39,375,669.

Regularly passed and adopted this 5th day of May 2011, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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: **AWARD OF CONTRACT FOR PUBLIC LIABILITY CLAIMS
ADMINISTRATION, INVESTIGATION AND ADJUSTMENT SERVICES**

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Award a contract for public liability claims administration, investigation and adjustment services to Carl Warren & Company (Carl Warren) for an estimated cost of \$183,000 for a five-year term, including assumption fees for approximately 50 open claims and reimbursement for allocated costs estimated at \$3,000 per year.
2. Authorize the Executive Director to execute a contract with Carl Warren in full conformity with the terms and conditions of the solicitation and negotiated agreements.

SIGNIFICANCE

Award of this contract will provide the JPB with an experienced Third Party Administrator to support the JPB's public liability claims administration program for claims that fall within established self-insured retentions and insurance deductibles. In the first year of this contract the JPB will receive the benefit of a 14 percent reduction in per-claim fees as compared to the current contract.

BUDGET IMPACT

These services will be performed for per-claim fees of \$550 for the first two years, \$565 for the third and fourth years and \$580 for the fifth year, plus fees of \$250 per claim for assumption of open claims and estimated allocated costs of \$15,000 for the five-year term. Allocated costs, such as expert witness fees, photographic expenses, medical reports, and other such reimbursable, out-of-pocket expenses will be reimbursed by the JPB at cost to Carl Warren. Defense counsel services will be paid at hourly rates of \$180 to \$195, as needed. In addition, for subrogation services rendered, Carl Warren will receive:

- 20 percent on amounts collected up to \$50,000
- 15 percent on collections of \$50,000 or more

Funding for these services will be available under future fiscal years' operating budgets.

BACKGROUND

A Request for Proposals (RFP) to provide public liability claims administration, investigation and adjustment services was issued detailing the scope of services for the San Mateo County Transit District and the JPB. The solicitation was advertised in a newspaper of general circulation and on the JPB’s website. Solicitation notices also were sent to interested firms, small business enterprises and disadvantaged business enterprises (DBEs). Staff received proposals from seven firms (one of which is a DBE).

An Evaluation Committee (Committee), comprised of staff with expertise in various disciplines, reviewed and ranked proposals according to the following weighted criteria set forth in the RFP:

- Qualifications and Experience of Firm and Key Personnel 50 points
- Approach to Scope of Services 25 points
- Cost Proposal 25 points

After review, evaluation, and initial scoring of proposals, the Committee invited three firms in the competitive range for interviews. Following interviews, the Committee completed the final evaluation and consensus ranking. The three highest-ranked firms are listed below in order of their consensus rankings.

- Carl Warren & Company, Walnut Creek, CA
- John Glenn Adjusters & Administrators, Inc., San Ramon, CA
- Crawford & Company, Atlanta, GA

The Committee determined that Carl Warren, the highest consensus ranked proposer, is qualified to be selected for contract award. Carl Warren has more than 27 years of transit public liability claims administration experience and is currently providing public liability claims administration services for eleven transit clients, including VTA and Long Beach Transit Authority. This background demonstrates that the firm possesses the depth of experience and required qualifications to successfully perform the scope of services defined in the solicitation documents.

In addition, the firm intends to engage one DBE firm as a subcontractor for ancillary and administrative support services.

The firm currently providing public liability claims administration services is John Glenn Adjusters and Administrators, Inc. at a per claim rate of \$636.47 and an estimated cost of \$136,000 for a three-year term.

Contract Officer: Adwoa Oni
650.508.6411

Project Manager: Dave Triolo, Acting Director, Risk Management 650.508.6237

RESOLUTION NO. 2011 -

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

* * *

**AUTHORIZING AWARD OF A CONTRACT TO
CARL WARREN & COMPANY FOR PUBLIC LIABILITY CLAIMS
ADMINISTRATION, INVESTIGATION AND ADJUSTMENT SERVICES FOR
A FIVE-YEAR TERM AT AN ESTIMATED COST OF \$183,000**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) has solicited competitive proposals for the provision of public liability claims administration, investigation and adjustment services; and

WHEREAS, in response to the JPB's advertisement, seven proposals were received; and

WHEREAS, an Evaluation Committee reviewed and ranked the proposals according to the evaluation criteria set forth in the Request for Proposals and conducted interviews with the three highest-ranked firms; and

WHEREAS, upon completion of the evaluation and selection process, Carl Warren & Company (Carl Warren) received the highest consensus ranking; and

WHEREAS, legal counsel has reviewed the Carl Warren proposal and has determined that it complies with the requirements of the solicitation documents; and

WHEREAS, Staff Coordinating Council recommends that the contract be awarded to Carl Warren for a five-year term at an estimated cost of \$183,000 inclusive of per claim fees, existing claim assumption fees, and allocated costs, but exclusive of costs for retention of defense counsel and cost recovery from subrogation services, for which Carl Warren will be paid a percentage of the subrogation amounts collected.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board awards a contract to Carl Warren & Company of Walnut Creek, California, for the provision of public liability claims administration, investigation and adjustment services for a five-year term at an estimated cost of \$183,000, including: assumption fees for approximately 50 open claims; allocated costs of an estimated average of \$3,000 per year; per claim fees of \$550 for the first and second contract years, \$565 for the third and fourth contract years and \$580 for the fifth contract year; and fees for subrogation services rendered as follows: 20 percent on all collections recovered on behalf of the JPB up to \$50,000, and 15 percent on collections of \$50,000 or more. Defense counsel fees shall be paid at hourly rates between \$180 and \$195 during the five-year term.

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director or his designee to execute a contract on behalf of the JPB with Carl Warren in full conformity with all the terms and conditions of the solicitation documents.

Regularly passed and adopted this 5th day of May, 2011, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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: **AUTHORIZE INCREASE ON CONTRACT WITH CARTER &
BURGESS, INC. TO PROVIDE ON-CALL PROGRAM MANAGEMENT
OVERSIGHT SERVICES BY A NOT-TO-EXCEED AMOUNT OF
\$3,441,000**

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Authorize the Executive Director or his designee to increase the not-to-exceed contract amount for the three-year base term with Carter & Burgess, Inc. by \$1,177,000.
2. Authorize the Executive Director or his designee to increase the not-to-exceed contract amount for each of the two additional one-year option terms with Carter & Burgess, Inc., by \$1,132,000 if in the best interest of the Peninsula Corridor Joint Powers Board (JPB) to do so.

SIGNIFICANCE

The above actions will provide additional funding capacity for on-call program management oversight services to support the agency's anticipated capital project needs inclusive of the Peninsula Rail Program (PRP) requirements.

BUDGET IMPACT

Work directives issued under this on-call contract will be funded by a mix of Federal, State, regional, and/or local revenues and grants on a project basis. Funds for work directives will come from approved capital project budgets.

BACKGROUND

Pursuant to Resolution 2008-22 the Board authorized the Executive Director to execute a program management oversight contract with Carter & Burgess, Inc. for a three-year base term and to exercise options for up to two additional one-year terms. The three-year base term will expire on August 31, 2011. The on-call contract services include: program and project management; project controls; capital project delivery management; document control systems for projects, invoice tracking for capital programs, project budget and grant funds tracking;

training and support to staff; development of recommended policies and procedures; and provision of project management support to the PRP.

The complexity and increased number of critical projects during the base term, particularly the addition of the PRP that was not contemplated in the original contract, required additional staff to be assigned to the contract to provide appropriate project management and project controls. The original not-to-exceed amount for the contract term is insufficient to fully cover all of the contemplated project and program services. Analysis of the staffing requirements for the project controls function for all projects including the PRP resulted in this request for additional contract authority as follows:

Contract Term	Original Board Approved Not-to-Exceed Amount	Requested Increase Not-to-Exceed Amount	New Grand Total Not-to-Exceed Amount
Base Three-Year Term	\$ 6,000,000	\$ 1,177,000	\$ 7,177,000
Option Year One	\$ 2,000,000	\$ 1,132,000	\$ 3,132,000
Option Year Two	\$ 2,000,000	\$ 1,132,000	\$ 3,132,000
Total for Five Years	\$ 10,000,000	\$ 3,441,000	\$ 13,441,000

Contract Officer: Evelyn Marcal

650.508.7958

Contract Manager: Kelvin Yu, Manager, Project Controls

650.622.7853

RESOLUTION NO. 2011-

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

* * *

**AUTHORIZING AN INCREASE TO THE ON-CALL PROGRAM MANAGEMENT
OVERSIGHT SERVICES CONTRACT WITH CARTER & BURGESS, INC.
FOR A NOT-TO-EXCEED AMOUNT OF \$3,441,000**

WHEREAS, pursuant to Resolution 2008-22, the Peninsula Corridor Joint Powers Board (JPB) awarded a contract to Carter & Burgess, Inc. for a three-year base term and two one-year option terms for on-call program management oversight (PMO) services; and

WHEREAS, the JPB's business needs have exceeded those initially planned for the contract base term and two one-year options, which leaves the contract capacity insufficient to fully cover the contemplated services for the projects and programs for engineering, construction, project controls, and the Peninsula Rail Program; and

WHEREAS, JPS's staff analysis of consultant staffing requirements indicate that an increase of \$3,441,000 in contract authority over the remainder of the contract term will be sufficient to support increased project needs; and

WHEREAS, Staff Coordinating Council recommends that the Board approve an increase in contract authority for PMO services in the not-to-exceed amount of \$1,177,000 for the remainder of the three-year base term and \$1,132,000 for each of the two one-year options, if exercised.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board hereby authorizes additional contract authority for on-call program management oversight services for a not-to-exceed amount of \$1,177,000 for the

three-year base term and \$1,132,000, for each of the two additional, one-year option terms, if exercised; and

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director or designee to execute a contract amendment with Carter & Burgess, Inc. on behalf of the Peninsula Corridor Joint Powers Board, in a form approved by legal counsel, to give effect to this resolution.

Regularly passed and adopted this 5th day of May, 2011 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**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

Legislation

As budget talks continue, the Legislature is proceeding with committee hearings to consider other legislation. Staff and Caltrain's legislative advocates have taken steps to support several bills at the committee level including:

AB 147 (Dickenson) – This bill would authorize cities and counties to utilize developer impact fees for transit, bicycle and pedestrian improvements.

AB 485 (Ma) – This bill would authorize cities and counties to create Infrastructure Financing Districts (IFDs) to encourage transit-oriented development.

AB 650 (Blumenfield) – This bill would establish a task force to study the State's transit needs, evaluate funding solutions and issue a report with recommendations to the Governor and the Legislature.

AB 892 (Lowenthal) – This bill provides for the extension of Caltrans' National Environmental Policy Act (NEPA) delegation authority by extending a waiver of sovereign immunity as required by the pilot program authorizing states to assume federal responsibility for all NEPA actions.

AB 1105 (Gordon) – This bill would allow a future high-occupancy toll (HOT) lane implemented through authorization granted to the Santa Clara Valley Transportation Authority

to extend into the portion of State Route 101 covered by the existing high-occupancy vehicle lane in San Mateo County.

AB 1308 (Miller) – This bill would allow funds from the Highway Users Tax Account to be continuously appropriated to cities and counties when a Budget Act has not been approved by the Legislature and signed by the Governor by July 1 of any year.

SB 582 (Emmerson) – This bill would authorize a metropolitan planning organizations and an air quality management district to jointly adopt an ordinance requiring employers to participate in federal pre-tax transit commuter benefits programs.

SB 867 (Padilla) – This bill authorizes the California Transportation Financing Authority to issue up to \$5 billion in Build California Bonds to fund transportation and transit infrastructure improvements throughout the State.

FEDERAL ISSUES

Nothing to report.

Prepared By: Seamus Murphy, Government Affairs Manager

650.508.6388

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 4-26-11

Bill ID/Topic	Location	Summary	Position
<p>AB 16 Perea D</p> <p>High-Speed Rail Authority.</p>	<p>ASSEMBLY APPR. 4/25/2011 - Action From TRANS.: Do pass.To APPR..</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>AB 31 Beall D</p> <p>Land use: high-speed rail: local master plan.</p>	<p>ASSEMBLY L. GOV. 3/25/2011 - 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. Last Amended on 3/24/2011</p>	
<p>AB 41 Hill D</p> <p>Conflicts of interest: disqualification.</p>	<p>SENATE RLS. 4/14/2011 - In Senate. Read first time. To Com. on RLS. for assignment.</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>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 4-26-11**

Bill ID/Topic	Location	Summary	Position
<p>AB 57 Beall D</p> <p>Metropolitan Transportation Commission.</p>	<p>ASSEMBLY APPR. 4/7/2011 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 0.) (April 6). Re-referred to Com. on APPR.</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>Last Amended on 2/2/2011</p>	
<p>AB 58 Galgiani D</p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 3/17/2011 - Re-referred to Com. on TRANS.</p> <p>5/2/2011 2 p.m. - State Capitol, Room 4202 ASSEMBLY TRANS PORTATION, LOW ENTHAL, Chair</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>Last Amended on 3/16/2011</p>	
<p>AB 76 Harvey R</p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 4/11/2011 - Action From TRANS.: Failed passage.</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 4-26-11**

Bill ID/Topic	Location	Summary	Position
<p>AB 105 Committee on Budget</p> <p>Transportation.</p>	<p>ASSEMBLY CHAPTERED 3/24/2011 - Chaptered by the Secretary of State, Chapter Number 6, Statutes of 2011</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.</p> <p>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. Last Amended on 3/16/2011</p>	
<p>AB 145 Galgiani D</p> <p>High-speed rail.</p>	<p>ASSEMBLY APPR. 4/25/2011 - Action From TRANS.: Do pass.To APPR..</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. Last Amended on 3/16/2011</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 4-26-11**

Bill ID/Topic	Location	Summary	Position
<p>AB 147 Dickinson D</p> <p>Subdivisions.</p>	<p>ASSEMBLY THIRD READING 4/25/2011 - Read second time. Ordered to third reading.</p> <p>4/28/2011 #79 ASSEMBLY ASSEM BLY THIRD READING FILE</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. The Mitigation Fee Act authorizes a local agency to charge a variety of fees, dedications, reservations, or other exactions in connection with the approval of a development project, as defined.</p> <p>This bill would authorize a local ordinance to require payment of a fee subject to the Mitigation Fee Act, 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 transportation facilities, as defined. Last Amended on 4/4/2011</p>	<p>Support</p>
<p>AB 277 Galgiani D</p> <p>High-speed rail: power supply.</p>	<p>ASSEMBLY APPR. 4/25/2011 - Do pass and be re-referred to the Committee on Appropriations.</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.</p> <p>This bill contains other related provisions. Last Amended on 4/7/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p><u>AB 296</u> <u>Skinner D</u></p> <p>Building standards: cool pavement.</p>	<p>ASSEMBLY NAT. RES. 4/25/2011 - From committee chair, with author's amendments: Amend, and re-refer to Com. on NAT. RES. Read second time and amended.</p> <p>5/2/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, CHESBRO, Chair</p>	<p>Existing law requires the Department of Transportation to adopt a balanced, multimodal research and development program, including the research and development of new technologies.</p> <p>This bill would establish the Cool Pavements Research and Implementation Act and would require the department, in consultation with specified state agencies, to implement the act. The bill would require the department to adopt a strategy, through a public process, to implement the act and, by January 1, 2015, to adopt by regulation a Cool Pavements Handbook to detail testing protocols, standards, and best practices. This bill contains other related provisions and other existing laws. Last Amended on 4/25/2011</p>	
<p><u>AB 333</u> <u>Grove R</u></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>5/2/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, CHESBRO, Chair</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><u>AB 381</u> <u>Alejo D</u></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>	

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Bill ID/Topic	Location	Summary	Position
<p><u>AB 385</u> <u>Harkey R</u></p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS.</p> <p>4/25/2011 - From committee chair, with author's amendments: Amend, and re-refer to Com. on TRANS. Read second time and amended.</p> <p>5/2/2011 2 p.m. - State Capitol, Room 4202</p> <p>ASSEMBLY TRANS PORTATION, LOW ENTHAL, Chair</p>	<p>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. 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 requires the authority to approve and submit to the Director of Finance, a specified peer review group, the transportation policy committees and fiscal committees of the Legislature, a detailed funding plan for that corridor or a usable segment thereof of the high-speed train system. Existing law requires the funding plan to include certain information and meet specified requirements.</p> <p>This bill would require the authority to approve an investment grade analysis, to be prepared by the State Auditor, and to submit that investment grade analysis to those same entities. The bill would require that investment grade analysis to include certain information and meet specified requirements.</p> <p>Last Amended on 4/25/2011</p>	
<p><u>AB 426</u> <u>Lowenthal,</u> <u>Bonnie D</u></p> <p>Transit fare evasion.</p>	<p>SENATE T. & H.</p> <p>4/25/2011 - Referred to Com. on T. & H.</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 authorize the Southern California Regional Rail Authority to adopt and enforce such an ordinance. The bill would provide that a person cited under these ordinances adopted by transit operators 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> <p>Last Amended on 3/31/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 427 John A. Pérez D</p> <p>Transportation bond funds: transit system safety.</p>	<p>ASSEMBLY APPR. 4/25/2011 - Action From TRANS.: Do pass.To APPR..</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 designates the California Emergency Management Agency as the administrative agency for this account and requires the allocation of 60% of the funds in the account for capital expenditures to transportation planning agencies, county transportation commissions, and certain other transit-related agencies, as specified, and 15% of the funds for capital expenditures to specified intercity passenger rail systems and commuter rail systems. Existing law provides that operators that receive those funds for intercity passenger rail systems and commuter rail systems are not eligible for those funds designated for capital expenditures of transportation planning agencies, county transportation commissions, and other specified transit-related agencies.</p> <p>This bill would instead authorize operators that receive funds from the account for intercity passenger rail systems and commuter rail systems to also be eligible for funds designated for capital expenditures of transportation planning agencies, county transportation commissions, and other specified transit-related agencies. The bill would require an entity eligible to receive allocations of any of those funds to submit a document within a specified time to the California Emergency Management Agency that indicates the intent to use the funds and would, if the document is not submitted, authorize the California Emergency Management Agency to reallocate the funds. The bill would require the California Emergency Management Agency to notify a transportation planning agency if funds allocated to an entity within the region of the transportation planning agency are being reallocated and, if the transportation planning agency provides a document to the California Emergency Management Agency indicating its intent to distribute the funds to transit operators or rail operators, would require the funds to be allocated to the transportation planning agency. The bill would authorize the California Emergency Management Agency to allocate the funds on a competitive basis to an eligible entity in a different region of the state if the transportation planning agency does not receive an allocation to distribute funds to transit operators and rail operators, as specified. This bill contains other related provisions.</p> <p>Last Amended on 3/29/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 471 Lowenthal, Bonnie D</p> <p>High-speed rail: inspector general.</p>	<p>ASSEMBLY TRANS. 4/25/2011 - From committee chair, with author's amendments: Amend, and re-refer to Com. on TRANS. Read second time and amended.</p> <p>5/2/2011 2 p.m. - State Capitol, Room 4202 ASSEMBLY TRANS PORTATION, LOW ENTHAL, Chair</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 create an independent inspector general to oversee the activities of the authority, and conduct investigations and audits in that regard. The inspector general would be appointed for a 6-year term by the Governor, subject to confirmation by the Senate. The bill would require the inspector general to report quarterly to the authority and annually to the Governor and the Legislature.</p> <p>Last Amended on 4/25/2011</p>	
<p>AB 485 Ma D</p> <p>Local planning: transit village development districts.</p>	<p>ASSEMBLY THIRD READING 4/11/2011 - Read second time. Ordered to third reading.</p> <p>4/28/2011 #48 ASSEMBLY ASSEMBLY THIRD READING FILE</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>	Support
<p>AB 492 Galgiani D</p> <p>High-Speed Rail Authority.</p>	<p>ASSEMBLY APPR. 4/25/2011 - Action From TRANS.: Do pass.To APPR..</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>AB 508 Swanson D</p> <p>Displaced public transit, solid waste handling, and recycling services employees.</p>	<p>ASSEMBLY APPR. 4/14/2011 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 1.) (April 13). Re-referred to Com. on APPR.</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>AB 516 V. Manuel Pérez D</p> <p>Safe routes to school.</p>	<p>ASSEMBLY APPR. 4/14/2011 - Re-referred to Com. on APPR.</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 low-income school, as defined, and would make other related changes.</p> <p>Last Amended on 4/13/2011</p>	
<p>AB 522 Bonilla D</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 non-substantive change to these provisions.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><u>AB 535</u> <u>Morrell R</u></p> <p>Regulations: 5-year review and report.</p>	<p>ASSEMBLY B.,P. & C.P. 3/31/2011 - Referred to Com. on B., P. & C.P.</p> <p>5/3/2011 9 a.m. - State Capitol, Room 447 ASSEMBLY BUSINESS, PROFESSIONS AND CONSUMER PROTECTION, HAYASHI, chair</p>	<p>The Administrative Procedure Act generally sets forth the requirements for the adoption, publication, review, and implementation of regulations by state agencies. 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.</p> <p>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><u>AB 551</u> <u>Campos D</u></p> <p>Public contracts: prevailing wage requirements: violations.</p>	<p>ASSEMBLY JUD. 4/14/2011 - From committee: Do pass and re-refer to Com. on JUD. (Ayes 5. Noes 1.) (April 13). Re-referred to Com. on JUD.</p> <p>4/26/2011 9 a.m. - State Capitol, Room 4202 ASSEMBLY JUDICIARY, FEUER, Chair</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><u>AB 567</u> <u>Valadao R</u></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 non-substantive changes to these provisions.</p>	

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Bill ID/Topic	Location	Summary	Position
AB 570 Smyth R Emissions of greenhouse gases: California Global Warming Solutions Act of 2006.	ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.	<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 non-substantive changes to the above requirements.</p>	
AB 598 Grove R Environmental quality: CEQA: standing.	ASSEMBLY NAT. RES. 4/4/2011 - Re-referred to Com. on NAT. RES.	<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 limit the standing to file and maintain the above action or proceeding to the Attorney General. This bill contains other existing laws.</p> <p>Last Amended on 3/31/2011</p>	
AB 605 Dickinson D Environmental quality: California Environmental Quality Act: transportation impacts.	ASSEMBLY NAT. RES. 3/3/2011 - Referred to Com. on NAT. RES.	<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>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 615 Lowenthal, Bonnie D</p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 4/25/2011 - From committee chair, with author's amendments: Amend, and re-refer to Com. on TRANS. Read second time and amended. Re-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. The bill would require payments for leases or other conveyances of property controlled by the authority to be deposited with the authority for use in development, improvement, and maintenance of the high-speed rail system. This bill contains other related provisions and other existing laws. Last Amended on 4/25/2011</p>	
<p>AB 650 Blumenfield D</p> <p>Blue Ribbon Task Force on Public Transportation for the 21st Century.</p>	<p>ASSEMBLY APPR. 4/12/2011 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 9. Noes 1.) (April 11). Re-referred to Com. on APPR.</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 Public Transportation Account is designated as a trust fund and funds in the account shall be available to the Department of Transportation 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 issue 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 , for purposes of collecting information for the written report, to consult with appropriate state agencies and departments and would require the task force to contract with consultants for preparation of the report. The bill would require the department to provide administrative staffing to the task force. The bill would appropriate \$750,000 from the Public Transportation Account to the department, as specified, to accomplish the purposes of these provisions. Last Amended on 3/31/2011</p>	Support

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Bill ID/Topic	Location	Summary	Position
<p><u>AB 676</u> <u>Torres D</u></p> <p>Transportation funds.</p>	<p>ASSEMBLY TRANS. 4/4/2011 - In committee: Set, first hearing. Hearing canceled at the request of author.</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>	
<p><u>AB 710</u> <u>Skinner D</u></p> <p>Local planning: infill and transit-oriented development.</p>	<p>ASSEMBLY H. & C.D. 4/25/2011 - Re-referred to Com. on H. & C.D. From committee chair, with author's amendments: Amend, and re-refer to Com. on H. & C.D. Read second time and amended. Re-referred to Com. on H. & C.D.</p> <p>4/27/2011 9 a.m. - State Capitol, Room 126 ASSEMBLY HOUSING AND COMMUNITY DEVELOPMENT, TORRES, Chair</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>Last Amended on 4/25/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p><u>AB 845</u> <u>Ma D</u></p> <p>Transportation: bond funds.</p>	<p>ASSEMBLY TRANS. 4/11/2011 - In committee: Set, first hearing. Hearing canceled at the request of author.</p> <p>5/2/2011 2 p.m. - State Capitol, Room 4202 ASSEMBLY TRANS PORTATION, LOW ENTHAL, Chair</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>	
<p><u>AB 892</u> <u>Carter D</u></p> <p>Department of Transportation: environmental review process: federal pilot program.</p>	<p>ASSEMBLY APPR. 4/25/2011 - Action From TRANS.: Do pass as amended.To APPR..</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 and extend the operation of these provisions until January 1, 2019, or until the termination of a certain memorandum of understanding between the department and the Federal Highway Administration, as specified. Last Amended on 4/6/2011</p>	Support
<p><u>AB 912</u> <u>Gordon D</u></p> <p>Local government: organization.</p>	<p>ASSEMBLY L. GOV. 3/14/2011 - Referred to Com. on L. GOV. 5/11/2011 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, SM YTH, Chair</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>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 4-26-11**

Bill ID/Topic	Location	Summary	Position
<p>AB 952 Jones R</p> <p>High-speed rail.</p>	<p>ASSEMBLY E. & R. 4/25/2011 - Read second time and amended. Re-referred to Com. on E. & R.</p> <p>5/3/2011 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ELECTIONS AND REDISTRICTING, FONG, Chair</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, employee, or consultant of the authority from being the recipient of any gift, as defined, in a specified provision of the 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, employee, or consultant of the authority, or to any member of their immediate families. This bill contains other related provisions.</p> <p>Last Amended on 4/25/2011</p>	
<p>AB 953 Jones R</p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 4/25/2011 - Action From TRANS.: Reconsideration granted.</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>	
<p>AB 957 Committee on Transportation</p> <p>Transportation omnibus bill.</p>	<p>ASSEMBLY APPR. 4/25/2011 - Action From TRANS.: Do pass. To APPR..</p>	<p>Existing law, the Sacramento Regional Transit District Act, creates the Sacramento Regional Transit District, with specified powers and duties relative to providing transit services in the Sacramento region. Existing law provides that the district is comprised of specified cities and unincorporated territories in the Counties of Sacramento and Yolo. Existing law sets forth provisions for transition from the Sacramento Transit Authority to the district and also sets forth provisions applicable to the establishment of the first board of the district.</p> <p>This bill would provide that the district includes the Cities of Citrus Heights, Elk Grove, Rancho Cordova, and West Sacramento. The bill would delete obsolete provisions relating to the transition from the authority to the district and establishment of the district's first board. This bill contains other related provisions and other existing laws. Last Amended on 4/13/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 988 Grove R</p> <p>Prevailing wages.</p>	<p>ASSEMBLY L. & E. 3/10/2011 - Referred to Coms. on L. & E. and JUD.</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>	
<p>AB 1092 Lowenthal, Bonnie D</p> <p>High-speed rail.</p>	<p>ASSEMBLY APPR. 4/25/2011 - Action From TRANS.: Do pass.To APPR..</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>AB 1097 Skinner D</p> <p>Transit projects: domestic content.</p>	<p>ASSEMBLY TRANS. 4/25/2011 - From committee chair, with author's amendments: Amend, and re-refer to Com. on TRANS. Read second time and amended. 5/2/2011 2 p.m. - State Capitol, Room 4202 ASSEMBLY TRANS PORTATION, LOW ENTHAL, Chair</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 specifically authorize a state or local agency receiving federal funds for transit purposes to provide a bidding preference to a bidder if the bidder meets or exceeds Buy America requirements applicable to federally funded transit projects. Last Amended on 4/25/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 1105 Gordon D</p> <p>High-occupancy toll lanes: roadway markings.</p>	<p>ASSEMBLY APPR. 4/14/2011 - Re-referred to Com. on APPR.</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 such a HOT lane established on State Highway Route 101 may extend into San Mateo County as far as the high-occupancy vehicle lane in that county existed as of January 1, 2011, subject to agreement of the City/County Association of Governments of San Mateo County This bill contains other related provisions and other existing laws. Last Amended on 4/13/2011</p>	<p>Support</p>
<p>AB 1126 Calderon, Charles D</p> <p>Sales and use taxes.</p>	<p>ASSEMBLY PRINT 2/20/2011 - From printer. May be heard in committee March 22.</p>	<p>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>This bill would make various technical, nonsubstantive changes to this requirement.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><u>AB 1134</u> <u>Bonilla D</u></p> <p>Department of Transportation: project study reports.</p>	<p>ASSEMBLY APPR. 4/12/2011 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 14. Noes 0.) (April 11). Re-referred to Com. on APPR.</p>	<p>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>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>Last Amended on 3/21/2011</p>	
<p><u>AB 1164</u> <u>Gordon D</u></p> <p>High-Speed Rail Authority: Senate confirmation.</p>	<p>ASSEMBLY TRANS. 4/25/2011 - Action From TRANS.: Do pass.</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. Last Amended on 4/7/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p><u>AB 1206</u> <u>Galgiani D</u></p> <p>High-speed rail: contracts: small businesses.</p>	<p>ASSEMBLY B.,P. & C.P. 4/12/2011 - From committee: Do pass and re-refer to Com. on B., P. & C.P. (Ayes 12. Noes 1.) (April 11). Re-referred to Com. on B., P. & C.P.</p> <p>4/26/2011 9 a.m. - State Capitol, Room 447 ASSEMBLY BUSINESS, PROFESSIONS AND CONSUMER PROTECTION, HAYASHI, Chair</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 business enterprise program as part of contracts to be awarded by the authority relative to development and construction of the high-speed rail system and to adopt an oversight and accountability program for the small business enterprise program . The bill would require the authority to report annually to the Department of General Services and Legislature in that regard and post the report on its Internet Web site.</p> <p>Last Amended on 3/30/2011</p>	
<p><u>AB 1229</u> <u>Feuer D</u></p> <p>Transportation: financing: federal highway grant anticipation notes.</p>	<p>ASSEMBLY TRANS. 4/12/2011 - Re-referred to Com. on TRANS.</p> <p>5/2/2011 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY TRANSPORTATION, LOWENTHAL, Chair</p>	<p>Existing law continuously appropriates the amounts specified in the annual Budget Act as having been deposited in the State Highway Account from federal transportation funds, and pledged by the California Transportation Commission, to the Treasurer for the purposes of issuing federal highway grant anticipation notes, commonly known as GARVEE bonds, to fund transportation projects selected by the commission. Existing law prohibits the Treasurer from authorizing the issuance of the notes if the annual repayment obligations of all outstanding notes in any fiscal year would exceed 15% of the total amount of federal transportation funds deposited in the account for any consecutive 12-month period within the preceding 24 months.</p> <p>This bill would increase the 15% limitation to 25%, thereby making an appropriation. This bill, with respect to the amount represented by the 25% limitation, would reserve 40% of that amount to fund projects proposed by transportation planning agencies. The notes for those projects would be secured by all federal transportation funds deposited in the State Highway Account, but would be repaid from specified federal funds designated for allocation to and expenditure by the transportation planning agencies. The bill would provide that a transportation planning agency may not commit more than 50% of its share of apportionments of the designated federal funds to annual debt service on the notes, as specified. The bill would require the commission to approve these project proposals upon receiving a communication from the Director of Transportation that the associated debt service for the transportation planning agency's region will not exceed the 50% limitation and a communication from the Treasurer that the total debt service on federal grant anticipation notes authorized will not exceed the overall 25% limitation. Last Amended on 4/11/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 1287 Buchanan D</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>AB 1308 Miller R</p> <p>Highway Users Tax Account: appropriation of funds.</p>	<p>ASSEMBLY APPR. 4/12/2011 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: to consent calendar. (Ayes 12. Noes 0.) (April 11). Re-referred to Com. on APPR.</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>	
<p>AB 1332 Donnelly R</p> <p>State Air Resources Board: abolishment.</p>	<p>ASSEMBLY NAT. RES. 4/25/2011 - Action From NAT. RES.: Failed passage.</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>	

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Bill ID/Topic	Location	Summary	Position
AB 1335 Lara D Local government: officials: salary increases.	ASSEMBLY PRINT 2/22/2011 - From printer. May be heard in committee March 22.	<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, non-substantive changes to these findings and declarations.</p>	
AB 1388 Wieckowski D Earnings withholding orders.	ASSEMBLY SECOND READING 4/25/2011 - From committee: Do pass as amended. (Ayes 7. Noes 2.) (April 12). 4/28/2011 #12 ASSEMBLY ASSEMBLY SECOND READING FILE	<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. Last Amended on 3/14/2011</p>	
ABX1 8 Ma D Transportation bond funds.	ASSEMBLY PRINT 12/7/2010 - From printer.	<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>	

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Bill ID/Topic	Location	Summary	Position
<p>AJR 5 Lowenthal, Bonnie D</p> <p>Transportation revenues.</p>	<p>SENATE T. & H. 4/14/2011 - Re-referred to Com. on T. & H.</p> <p>5/10/2011 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chairman</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. Last Amended on 3/29/2011</p>	
<p>SB 22 La Malfa R</p> <p>High-speed rail.</p>	<p>SENATE T. & H. 4/4/2011 - Set for hearing April 26.</p> <p>4/26/2011 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chairman</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. 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. Last Amended on 3/24/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p><u>SB 46</u> <u>Correa D</u></p> <p>Public officials: compensation disclosure.</p>	<p>SENATE G. & F. 4/6/2011 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.</p> <p>4/27/2011 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair</p>	<p>Existing provisions of the Political Reform Act of 1974 require certain persons employed by agencies to file annually a written statement of the economic interests they possess during specified periods. The act requires that state agencies promulgate a conflict of interest code that must contain, among other topics, provisions that require designated employees to file statements disclosing reportable investments, business positions, interests in real property, and income. The act requires that every report and statement filed pursuant to the act is a public record and is open to public inspection.</p> <p>This bill would, until January 1, 2019, require every person , except a candidate for public office, who is required to file a statement of economic interests to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. This bill would, until January 1, 2019, require each designated employee who is required to file statements under a conflict of interest code to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year. This bill contains other related provisions and other existing laws.</p> <p>Last Amended on 4/6/2011</p>	
<p><u>SB 50</u> <u>Correa D</u></p> <p>Conflicts of interest: disqualification.</p>	<p>SENATE APPR. 4/13/2011 - Set for hearing May 2.</p> <p>5/2/2011 11 a.m. - John L. Burton Hearing Room 4203 SENATE APPROPRIATIONS, KEHOE, Chair</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><u>SB 126</u> Steinberg D</p> <p>California Transportation Commission: guidelines.</p>	<p>SENATE APPR. 4/14/2011 - Set for hearing May 2.</p> <p>5/2/2011 11 a.m. - John L. Burton Hearing Room 4203 SENATE APPROPRI ATIONS, KEHOE, Chair</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><u>SB 241</u> Cannella R</p> <p>Environment: California Environmental Quality Act (CEQA).</p>	<p>SENATE E.Q. 4/14/2011 - Set for hearing May 2.</p> <p>5/2/2011 1:30 p.m. - Room 112 SENATE ENVIRON MENTAL QUALITY, SIMITIA N, Chairman</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>	

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Bill ID/Topic	Location	Summary	Position
<p><u>SB 310</u> <u>Hancock D</u></p> <p>Local development.</p>	<p>SENATE G. & F. 4/25/2011 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.</p> <p>4/27/2011 9:30 a.m. - Room 112 SENATE GOVERNANCE AND FINANCE, WOLK, Chair</p>	<p>Existing law authorizes the legislative body of a city or county to adopt an infrastructure financing plan, which is required to contain specified information, for the purpose of financing certain infrastructure facilities, if specified procedural requirements are met, and requires the legislative body, if it adopts the plan, to submit the proposal to the voters. Existing law authorizes the legislative body to create an infrastructure financing district, by ordinance, if 2/3 of the qualified electors of the proposed district vote in favor of adoption of the plan, and also authorizes the legislative body to initiate proceedings to issue bonds to finance the infrastructure facilities if 2/3 of those electors vote in favor of the issuance. Existing law authorizes infrastructure finance districts to finance specified projects, including financing certain infrastructure facilities.</p> <p>This bill would eliminate the requirement of voter approval and authorize the legislative body to create the district, adopt the plan, and issue the bonds by resolutions. This bill contains other related provisions and other existing laws. Last Amended on 4/25/2011</p>	
<p><u>SB 316</u> <u>Emmerson R</u></p> <p>Meal periods: exemption: transportation industry.</p>	<p>SENATE L. & I.R. 4/13/2011 - Set for hearing April 27.</p> <p>4/27/2011 9:30 a.m. - Rose Ann Vuich Hearing Room (2040) SENATE LABOR AND INDUSTRIAL RELATIONS, LIEU, Chair</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><u>SB 392</u> <u>Gaines R</u></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 non-substantive change to these provisions.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 468 Kehoe D</p> <p>Department of Transportation: capacity-increasing state highway projects: coastal zone.</p>	<p>SENATE T. & H. 4/14/2011 - Set for hearing May 3.</p> <p>5/3/2011 1:30 p.m. - John L. Burton Hearing Room (4203)</p> <p>SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chairman</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, including requiring the department to collaborate with local agencies, the California Coastal Commission, and countywide or regional transportation planning agencies to develop traffic congestion reduction goals. The bill would, for these projects, require the department to suspend a notice of determination relating to environmental impact, issued between January 1, 2011, and January 1, 2012, until it is determined that environmental documents for the projects satisfy the requirements of the bill . The bill would also make legislative findings and declarations. Last Amended on 3/29/2011</p>	
<p>SB 475 Wright D</p> <p>Infrastructure financing.</p>	<p>SENATE G. & F. 4/12/2011 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on GOV. & F.</p> <p>4/27/2011 9:30 a.m. - Room 112</p> <p>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. Last Amended on 4/12/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p><u>SB 517</u> <u>Lowenthal D</u></p> <p>High-Speed Rail Authority.</p>	<p>SENATE T. & H. 4/25/2011 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on T. & H.</p> <p>4/26/2011 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chairman</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. F Existing law creates the Business, Transportation and Housing Agency, which consists of various state agencies, including the Department of Transportation.</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. Last Amended on 4/25/2011</p>	
<p><u>SB 522</u> <u>Walters R</u></p> <p>Public employees' retirement: additional service credit.</p>	<p>SENATE P.E. & R. 4/12/2011 - Set for hearing May 2.</p> <p>5/2/2011 1 p.m. or upon adjournment of session SENATE PUBLIC EMPLOYMENT AND RETIREMENT, NETTE MCLEOD, Chair</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. Last Amended on 3/22/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 523 Walters R</p> <p>Public employees' retirement: elected local officials.</p>	<p>SENATE P.E. & R. 4/12/2011 - Set for hearing May 2.</p> <p>5/2/2011 1 p.m. or upon adjournment of session SENATE PUBLIC EMPLOYMENT AND RETIREMENT, NEGRETE MCLEOD, Chair</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. Last Amended on 3/22/2011</p>	
<p>SB 524 Walters R</p> <p>Public employees' retirement: retroactive benefits.</p>	<p>SENATE P.E. & R. 4/12/2011 - Set for hearing May 2.</p> <p>5/2/2011 1 p.m. or upon adjournment of session SENATE PUBLIC EMPLOYMENT AND RETIREMENT, NEGRETE MCLEOD, Chair</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. Last Amended on 3/22/2011</p>	
<p>SB 545 Anderson R</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>	

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Bill ID/Topic	Location	Summary	Position
<p><u>SB 582</u> <u>Emmerson R</u></p> <p>Commute benefit policies.</p>	<p>SENATE T. & H. 4/25/2011 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on T. & H.</p> <p>4/26/2011 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chairman</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 jointly with the local air quality management district to adopt a commute benefit ordinance that requires covered employers operating within the common area of the organization and district with a specified number of covered employees to offer those employees certain commute benefits. The bill would require that the ordinance specify certain matters, including any consequences for noncompliance, and would impose a specified reporting requirement. The bill would provide for the ordinance to be adopted by the county transportation commission rather than the metropolitan planning organization in those counties where the Southern California Association of Governments is the designated metropolitan planning organization. The bill would make its provisions inoperative on January 1, 2017. Last Amended on 4/25/2011</p>	<p>Support</p>
<p><u>SB 624</u> <u>Harman R</u></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, non-substantive changes to the above requirements.</p>	

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Bill ID/Topic	Location	Summary	Position
<p><u>SB 683</u> <u>Correa D</u></p> <p>Environment: California Environmental Quality Act: noncompliance allegations: public comment.</p>	<p>SENATE E.Q. 4/4/2011 - Set, first hearing. Hearing canceled at the request of author.</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><u>SB 693</u> <u>Dutton R</u></p> <p>Public contracts: local agencies.</p>	<p>SENATE T. & H. 4/13/2011 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on T. & H.</p> <p>5/3/2011 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPOR TATION AND HOUSING, DESAUL NIER, Chairman</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. Last Amended on 4/13/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<p><u>SB 733</u> <u>Price D</u></p> <p>High-speed rail: business plan: contracts: small business participation.</p>	<p>SENATE T. & H. 4/25/2011 - Set, first hearing. Hearing canceled at the request of author. 5/3/2011 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chairman</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, in awarding contracts for the construction of the high-speed rail system with state or federal funds, to develop a strategy in conjunction with the Employment Development Department to ensure that at least 25% of the project workforce used at each authority worksite is from the local workforce, and to report on that strategy 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. This bill contains other related provisions. Last Amended on 4/14/2011</p>	
<p><u>SB 749</u> <u>Steinberg D</u></p> <p>High-speed rail.</p>	<p>SENATE T. & H. 4/14/2011 - Set for hearing May 3. 5/3/2011 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPOR TATION AND HOUSING, DESAULNIER, Chairman</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>	
<p><u>SB 867</u> <u>Padilla (D)</u></p> <p>Build California Bonds</p>	<p>Senate T & H, 4/26/11</p>	<p>Existing law creates the California Transportation Financing Authority with specified powers and duties relative to the issuance of bonds to fund transportation projects to be backed, in whole or in part, by various revenue streams of transportation funds and toll revenues in order to increase the construction of new capacity or improvements for the state transportation system.</p> <p>This bill would, in addition, provide for the authority to issue Build California Bonds, the proceeds of which would be used for specified transportation capital improvements. Bondholders would be entitled to nonrefundable tax credits against their personal income tax or corporate tax liability. The bonds would not be a debt or liability of the state or a political subdivision of the state, except for the authority. The bill would provide for the authority to enter into financing agreements with participating local transportation authorities for the purpose of financing or refinancing transportation projects. Each series of bonds issued by the authority would be secured by a financing agreement between the authority and the local transportation authority. The bill would limit the principal amount of bonds to be issued by the authority under these provisions to \$5 billion over a 5-year period commencing January 1, 2012.</p>	<p>Support</p>