AGENDA
PENINSULA CORRIDOR JOINT POWERS BOARD
Bacciocco Auditorium, 2nd Floor
1250 San Carlos Avenue, San Carlos CA 94070

October 4, 2012 – 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  MOTION
   Members of the public or Board may request that an item under the Consent Calendar be
   considered separately
   a) Approval of Minutes of September 6, 2012

5. Chairperson’s Report
   a) Recognition of Legislative Delegation for Support of Caltrain

6. Report of the Citizens Advisory Committee

7. Report of the Executive Director

8. Resolution of Appreciation for Rich Napier, Executive Director,
   City/County Association of Governments  RESOLUTION

9. Acceptance of Statement of Revenues and Expenses for August 2012  MOTION

10. Authorization to Execute Lease Addendum to Extend Lease of
    Warehouse at 4000 Campbell Avenue in Menlo Park for a Period of
    Three Years for a Total Cost of $660,252  MOTION

11. Legislative Update

12. Correspondence

13. Board Member Requests

14. General Counsel Report

15. Date/Time of Next Meeting: Thursday, November 1, 2012, 10 a.m. at
    San Mateo County Transit District Administrative Building, Bacciocco
    Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070

16. Adjourn
INFORMATION FOR THE PUBLIC

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

If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at www.caltrain.com.

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

Minutes
September 6, 2012

MEMBERS PRESENT: M. Cohen, J. Deal, L. Kniss, A. Lloyd, T. Nolan, A. Tissier, K. Yeager

MEMBERS ABSENT: J. Cisneros, A. Kalra


Chair Adrienne Tissier called the meeting to order at 10:02 a.m. and led the Pledge of Allegiance.

PUBLIC COMMENT
Jim Bigelow, Redwood City/San Mateo County Chamber of Commerce, commended everyone for accomplishing the Memorandum of Understanding (MOU) and the Metropolitan Transportation Commission (MTC) for taking the lead. Executive Officer, Caltrain Modernization Program, Marian Lee has a task of doing outreach the friendly Caltrain way and involving the cities along the corridor. He said the sooner the better now that the money has been lined up.

Roland LeBrun, San Jose, said Ms. Lee and her team are doing a great job reaching out to the stakeholders, but the Caltrain Modernization Program needs to have its own website.

Vaughn Wolfe, Pleasanton, asked if staff has considered leasing or borrowing electric multiple units (EMUs) to practice on the corridor. He asked if it is possible to procure the EMUs to run behind locomotives.

Jeff Carter, Millbrae, thanked the Board and staff for adding the additional trains in October. He looks forward to seeing more service and a budget solution for the coming years.

Director Malia Cohen arrived at 10:08 a.m.

Greg Conlon, Atherton, thanked Ms. Lee for speaking at the Atherton Rail Committee meeting and providing an update on the Simulation Study. He is still concerned that four trains per hour going into San Francisco will not be compatible with two tracks on the Peninsula. Mr. Conlon said he hopes with the increased revenue and ridership, stops in Atherton will be included in the new schedule.

CONSENT CALENDAR
a. Approval of Minutes of August 2, 2012
A motion (Nolan/Lloyd) to approve the consent calendar was approved unanimously.

CHAIRPERSON’S REPORT
No report.

REPORT OF THE CAC
CAC member Bruce Jenkins reported on the August 15 meeting:
- Kevin Gardiner was elected vice chair.
- Certificates of Appreciation were presented to outgoing members Gerald Graham and Scott Klemmer.
- A presentation was given on the Brown Act.
- The CAC is receiving a lot of positive comments on the new train crews.

Director Liz Kniss arrived at 10:12 a.m.

REPORT OF THE EXECUTIVE DIRECTOR
Proclamation Declaring September as “Railroad Safety Month”
Public Information Officer Christine Dunn said Caltrain addresses safety on three fronts:
1) engineering, 2) education, and 3) enforcement. 1) Over the last year Caltrain has continued work on the San Bruno Grade Separation Project, a $147 million project with elevated Caltrain tracks and station over three streets in the city of San Bruno. The reconstruction of the Santa Clara Station has been completed and includes a center-boarding platform and a pedestrian underpass. Ms. Dunn said 8,000 feet of fencing has been installed at a cost of $500,000. 2) Staff continues their efforts to educate the public about safe behavior around railroad tracks through Operation Lifesaver. Eight Caltrain employees have given presentations to 450 people so far this year. 3) Transit Police have issued 88 citations for safety violations that include trespassing on the right of way. The Transit Police are specially trained to identify people who may be a danger to themselves and remove them from harm and refer them to treatment. This year 13 people on the right of way have been taken into protective custody.

Ms. Dunn said for several years Caltrain has focused efforts on suicide prevention. Although there are no easy answers to this challenging and complex community mental health issue, it has been very rewarding to develop relationships with many organizations, locally as well as nationally, that are working to prevent suicide. This year, nine Caltrain employees participated in the Out of the Darkness Overnight walk in San Francisco. The Overnight is organized by the American Foundation for Suicide Prevention (AFSP), the leading national not-for-profit organization exclusively dedicated to understanding the preventing suicide through research and education. The Caltrain team raised nearly $12,500 for this important cause.

Ms. Dunn said staff is asking the Board to adopt the proclamation designating September as “Railroad Safety Month.”

A motion (Nolan/Yeager) to designate September as “Railroad Safety Month” was approved unanimously.

Chair Tissier presented the proclamation to Valerie Kovacovich, Area Director for the Greater
San Francisco Bay Area Chapter of the AFSP.

Ms. Kovacovich thanked Caltrain on behalf of the AFSP for raising awareness of suicide prevention. She said next week is National Suicide Prevention Week and this shows the community that suicide prevention is important to all of us.

Executive Director Michael Scanlon reported:

- Key Caltrain Performance Statistics
  - Monthly Performance Statistics – July 2012 compared to July 2011
    - Total Ridership was 1,305,970, an increase of 12 percent.
    - Average Weekday Ridership was 48,609, an increase of 10.2 percent.
    - Total Revenue was $5,836,357, an increase of 16.8 percent.
    - On-time Performance was 93.5 percent, an increase of 1.4 percent.
    - Caltrain Shuttle Ridership was 7,506, an increase of 20.5 percent.
  - Thanked the Board for passing the proclamation for “Railroad Safety Month.”
  - On August 24 a very serious incident occurred at the South San Francisco Caltrain Station. A southbound express train passed through the station while a northbound train was stopped at the station boarding passengers in violation of the hold-out rule. The investigation continues and the Transit America management team and staff are fully engaged and taking this incident very seriously.
  - Sixteen months ago this Board lost Director Omar Ahmad. Today’s Palo Alto Daily Post has an article on the publishing of a book he wrote just before his death. It is has been published as a non-profit by TED.com and is titled Citizen Advocate Getting Governments to Move Mountains and Change the World. It focuses on how you get local government to respond to you.
  - The Bicycle Advisory Committee will meet on September 20.
  - Staff is preparing for the service increase on October 1. The four shoulder trains eliminated last year will be restored, two afternoon peak trains will be added and stops will be added at either Sunnyvale or Palo Alto.
  - Special service:
    - Giants hosted 12 games in August and averaged about 7,200 additional riders for each game. Year-to-date Giants ridership is 466,000, about an 11 percent increase over the same number of games last year.
    - No additional service was added for the San Francisco 49er preseason games. After the first game there were an additional 375 passengers that boarded at Bayshore Station.
    - Service will be provided for Stanford Football on September 9 at 7:30 p.m. Trains will stop at Stanford Stadium before and after the games.
  - Construction is at the halfway point for the San Bruno Grade Separation Project.
  - The Narrowbanding Project was completed in July and testing was completed last month.
  - Staff from the State Legislative Analyst’s Office will be touring transit properties in the Bay Area, including a ride on Caltrain on September 11. Staff will be meeting them on the train to discuss our programs and projects.
  - The California Transportation Commission (CTC) will be holding its next meeting on September 27 in Burlingame. Along with the City/County Association of Governments, Caltrain is hosting a reception the evening of September 26 at the Burlingame Hilton. At the meeting on September 27 the CTC will be voting on two important funding issues,
$9 million for reconstruction of the San Mateo County rail bridges and $40 million for the Communications Based Overlay Signal System (CBOSS)/Positive Train Control (PTC) Advanced Signal System. In anticipation of a positive vote, staff will be holding a news conference on September 27 at 10 a.m.

- Commuter Appreciation Day is on September 27. A team from Clear Channel will welcome Caltrain customers as they pass through the San Francisco Station and hand out goodie bags.
- In August, a customer proposed on Caltrain. The groom to-be worked with marketing staff to purchase group tickets for the event. A YouTube video of the proposal was shown.
- In the reading file is a Take One for the new service starting in October, the July Safety and Security Report, the MTC Getting There on Transit brochure and a correspondence packet.

Caltrain Modernization Program:
Ms. Lee said staff has been focused on working out the cash flow for securing funds for the next phase of the Advanced Signal System Project. She said there have been productive meetings with the Santa Clara Valley Transportation Authority, San Francisco Municipal Transportation Agency and the CTC to move the project from critical design to final design. Ms. Lee said staff’s goal is to have the system in place by 2015.

Ms. Lee said staff is working closely with the California High Speed Rail Authority (CHSRA) on the scope of the electrification infrastructure and the environmental document. Ms. Lee said in parallel of those discussions staff is working on setting up resources to process the environmental document. Staff is using existing on-call services and trying to set up a team to review and update the 35 percent design of the Electrification Project. Ms. Lee said staff needs to reconfirm or fine tune the operating assumptions as well as put in an expertise team to conduct the impact analysis to complement staff in-house as well as the existing on-calls to deliver the project. Ms. Lee said staff is already getting inquiries from various consultants and is being sensitive to laying out a level field and a transparent process for an ultimate procurement.

Ms. Lee said staff has talked about needing to do a better job at outreach with so many stakeholders in place and is holding a city partners meeting on September 18 at 2 p.m. It is a public meeting and will be chaired by Chair Tissier. This meeting was requested by some of the cities to get together and talk through how to structure themselves so they can assist the JPB in advancing the program. This will be the first of many meetings and it will be made up of elected officials representing the 17 cities and the three counties along the corridor. Ms. Lee said a second significant meeting that will take place in early October is a meeting with the eight MOU partners. They all have some funding or construction role in making the blended system happen. She said they will all have different levels of interest in how much they want to get involved. It will be very important that staff sets an equal and fair way to treat all the MOU partners to give them the right reports that will meet their requirements for assuring the monies are being used fairly.

Ms. Lee said the third aspect of outreach has to do with Friends of Caltrain, in partnership with TransForm. They have reached out to staff and want to help with the greater public outreach and staff is in discussions with them now to figure out the best venue.
Ms. Lee said staff continues to plan for the blended system and conduct various simulation runs to analyze different service plans. The reason for doing this is to ultimately develop a blended system service plan. Ms. Lee said staff finished all the model runs and it has been reviewed internally. She said the second planning effort has to do with gate down-time and local traffic analysis. The purpose of this is to inform decisions about how to upgrade the grade crossings. Staff will be meeting with city staff at the end of September. All the down time analysis has been completed and a sample traffic analysis data is being reviewed now. Ms. Lee said these reports are scheduled to be completed as a draft report in the fall of 2012.

Public Comment
Roland LeBrun, San Jose, said staff should look at how CBOSS/PTC was done in the United Kingdom.

Mr. Scanlon said last month the Board asked for an update on the timeline procurement for the on-call engineering services.

Director of Contracts and Procurement Cheryl Cavitt said staff has been very active in updating the scope of work for the Request for Proposal (RFP) for on-call engineering services. Staff has added two significant pieces of scope. The first is dealing with grade separation studies and that is going to require the on-call engineering firms to gather data on environmental and right of way impacts associated with various grade separation scenarios. The other significant piece of work added is studies on Caltrain hold-out rule stations. These studies are going to evaluate options and prepare recommendations requiring engineering design and cost estimates be developed for removing the remaining hold-out stations at Atherton, Broadway and South San Francisco Caltrain stations. Ms. Cavitt said staff is making sure the scope of work has been updated from all the functional groups, including Risk Management, Disadvantaged Business Enterprise (DBE) and Labor Compliance. She said all of these efforts will culminate in the issuance of a revised RFP on October 11. Ms. Cavitt said proposals will be due November 29 and staff will bring this item back to the Board for approval and award at the April 2013 meeting. She said this process from front to back will represent a nine-month effort dating from the August 2 Board meeting.

Public Comment
Adina Levin, Friends of Caltrain, said they are partnering with TransForm and leveraging local community knowledge and TransForm’s expertise to help Caltrain strengthen the outreach. She said this is a tremendous opportunity for the corridor. Ms. Levin said Caltrain can do a much better job at working with the public and reaching out to more people. She said Friends of Caltrain is launching an Adopt-a-Station campaign where they will be reaching out to members to adopt their own city and station area and pay close attention to what is going on with the Modernization Plan and associated station access and land use issues.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR JULY 2012
Deputy CEO Gigi Harrington said July had a strong performance with revenues almost $500,000 over budget and a favorable variance on the expense side. Last week fuel was $3.42 per gallon, year-to-date it is $3.03 per gallon. She said $64,000 will be received from the bank for August.
Ms. Harrington said the auditors will be here next week and staff will be back with year-end information in October or November.

Director Liz Kniss asked when the last time revenue was over budget. Ms. Harrington said revenues have been over budget for the last 20-22 months. She said staff will be back to recommend taking all the surplus in revenue and moving it to the Fiscal Year 2014 Operating Budget.

A motion (Nolan/Kniss) to accept the July 2012 statement was approved unanimously.

**DISADVANTAGED BUSINESS ENTERPRISE (DBE) STATUS REPORT**

DBE Officer Raymond Lee said as of June 30 the Federal Fiscal Year (FY) third quarter is exceeding the current DBE goal of 10.5 percent at 12.1 percent. Staff expects to end the year exceeding the goal. The goal setting for FY2013-2016 will take place next May. The JPB is one of 12 agencies in California that certifies DBE firms.

**AUTHORIZE AWARD OF CONTRACTS TO LTK ENGINEERING SERVICES FOR ON-CALL RAILROAD VEHICLE SUPPORT SERVICES FOR A TOTAL NOT-TO-EXCEED COST OF $5,000,000 FOR A THREE-YEAR TERM**

Ms. Cavitt said Staff Coordinating Council (SCC) is recommending the Board award a contract to LTK Engineering Services. The award of this contract will provide vehicle support services for activities related to configuration and maintenance of the existing fleet, fleet planning, state of good repair assessment, needs assessment, industry review, vehicle specification development and procurement support of the EMUs.

Chair Tissier asked what “no guarantee level of effort” means. Ms. Cavitt said staff is not required to award work directives to the consultants for the entire $5 million and is not obligated to give them any work at all.

**Public Comment**

Roland LeBrun, San Jose, said the process was flawed from the beginning. He said this contract should have been advertised in the trade magazines, not in an unnamed local newspaper. The document should have been made available on the Internet and not just to registered individuals who have access to the other side of the SamTrans firewall. Mr. LeBrun would like the selection committee to identify themselves, including which company they work for and explain why they gave more weight to the respective management teams than to qualification and experience. He asked why we need consultants to select the EMUs. Mr. LeBrun asked the Board to reject either both bids or reduce the scope of this contract to eliminate the EMU selection process.

A motion (Nolan/Yeager) to award contracts to LTK Engineering Services for on-call railroad vehicle support services for a total not-to-exceed cost of $5,000,000 for a three-year term was approved unanimously.
AUTHORIZE AWARD OF A CONTRACT TO TRANSIT CONSTRUCTORS LP FOR THE SIGNAL OPTIMIZATION PROJECT PHASE 2 FOR A TOTAL COST OF $549,000

Ms. Cavitt said SCC is recommending award of a contract to Transit Constructors, the lowest responsive responsible bidder. This contract is to replace a wireless component of the signal system that was not performing as it had been designed to and replace it with a more reliable hardwired solution.

A motion (Nolan/Lloyd) to award a contract to Transit Constructors LP for the Signal Optimization Project Phase 2 for a total cost of $549,000 was approved unanimously.

LEGISLATIVE UPDATE
Oppose H.R. 5972 Provision Prohibiting Federal Investment in San Francisco’s Central Subway Project

Director, Government and Community Affairs Seamus Murphy said staff is recommending the Board authorize the Executive Director to take action to oppose provisions in H.R. 5972 that would prohibit San Francisco Central Subway Project from receiving Federal investment in the next fiscal year. He said this was an issue raised by Director Tom Nolan last month and staff has taken a close look at this issue and proposes the Board authorize action opposing the provision. Mr. Murphy said the Central Subway Project is an integral element of the Caltrain Modernization/HSR implementation in the Bay Area. Staff has been working collectively with the regional partners to support the projects receiving Proposition 1A Connectivity Funds and the Central Subway is one. Mr. Murphy said there is an expected benefit for Caltrain in terms of both ridership and connectivity associated with the Central Subway Project. Staff said the project is complementary to the Caltrain system and would allow our passengers to expand their destinations in San Francisco. Mr. Murphy said Congress has acted to approve a bill on the House side and it includes a provision that would prevent this project from receiving Federal funds. Just recently this project has received approval from the administration for New Starts funding, which covers about 60 percent of the $1.6 billion project costs. He said the bill is now awaiting action in the Senate and Congress. Mr. Murphy said there is significant threat to funding for this project and opposition action on the part of Caltrain makes sense.

Director Nolan said this is extremely important for San Francisco. He said if the House passes this it still has to go through the Senate and be signed by the president. Mr. Murphy said the Senate is likely to move forward with an extension of the existing appropriations levels, which means the House would pass a separate bill. It is always possible they could include a provision similar to this one in that extension, and in that case it would move over to the Senate for approval. The Senate would have the option to pass legislation that concurs with the House provision or remove the provision in the Senate package, in which case they would meet in conference to settle the differences.

A motion (Nolan/Yeager) to oppose the H.R. 5972 provision prohibiting Federal investment in San Francisco’s Central Subway Project was approved unanimously.

State Update
Mr. Murphy said the State Legislature session ended on Friday, August 31. He said Senate Bill (SB) 878 would establish the Transportation Inspector General to audit local and regional
agencies that receive State funds. Staff was successful in advocating for amendments that limit those audits to projects that receive over 25 percent State funding and it would not allow for duplicate audits.

Mr. Murphy said SB 1339 is the Commuter Benefit Policies Bill by Senator Leland Yee. This bill authorizes MTC and the Bay Area Air Quality Management District to require employers with 50 or more full-time employees to offer pre-tax transit, vanpool or bicycle commute benefits.

He said SB 1492 would authorize San Francisco to put a vehicle license fee increase on the ballot. This would have to be approved by two-thirds of the San Francisco Board of Supervisors and then passed by a majority vote of the voters. Mr. Murphy said staff has been watching this closely because it could be a tool that staff may want to consider as dedicated funding strategies are looked at for Caltrain.

Mr. Murphy said bills that didn’t pass and that staff will be working on next year include Assembly Bill (AB) 845 by Assemblywoman Fiona Ma. This bill would provide transit agencies with credits so any increase in electricity fees associated with the implementation of AB 32 would be offset by credits provided through the revenue of whatever cap and trade mechanism is eventually implemented at the State. He said this is going to become more important for Caltrain as we shift to a modernized electrified service. Mr. Murphy said SB 1455 is a bill that would extend a regional air quality improvement program called the Carl Moyer Program. He said this is important because Carl Moyer funding is identified as a funding source for Caltrain Modernization as part of the early investment in HSR.

QUARTERLY CAPITAL PROGRESS REPORT – FOURTH QUARTER FISCAL YEAR 2012
Executive Officer, Planning and Development April Chan said this report is for information only.

Public Comment
Roland LeBrun, San Jose, said the Electrification Project shows a red flag for schedule and a green flag for the cost. He said none of these bear any resemblance to reality. Mr. LeBrun said both the scope and HSR impact should be red flags and the schedule should get a green flag.

Adina Levin, Friends of Caltrain, said earlier in the year Friends of Caltrain sent a note out asking what passengers think about WiFi and since then that has been the most single most inquiry on the Friends of Caltrain website and a sign of customer demand.

CORRESPONDENCE
No discussion.

BOARD MEMBER REQUESTS
None
GENERAL COUNSEL REPORT
Legal Counsel David Miller said in terms of the environmental process for Caltrain Modernization, he and Mr. Scanlon will be meeting next week with the Executive Director and legal team from the CHSRA to develop, in harmony, the appropriate scope of the updated Caltrain Electrification Environmental Impact Report (EIR). He said it must address, at some level, the blended system, but at the same time it is essential we move forward to stay on schedule to clear Caltrain electrification.

Director Kniss confirmed there will be an updated EIR on the blended system. Mr. Miller said the issue is going to be the extent of the blended system. Staff is not looking to clear the blended system as the lead agency, but Caltrain electrification, like any EIR under the California Environmental Quality Act, must take into account cumulative impacts at some level. Mr. Miller said now staff knows it is not going to be a full-build HSR system as previously envisioned.

Director Kniss said, for clarification, staff is talking about a blended system that will run through the mid-Peninsula, in particular Palo Alto, and staff will update the EIR in such a way that the scoping will address that. Mr. Miller said yes.

Director Art Lloyd said Rail Passenger Association of California is holding its annual meeting on Saturday, September 15 at 1 p.m. in Sacramento at the Railroad Museum.

DATE/TIME/PLACE OF NEXT MEETING
The next meeting will be Thursday, October 4, 2012, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

Adjourned at 11:06 a.m.
TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: KEY CALTRAIN PERFORMANCE STATISTICS AUGUST 2012

Caltrain’s average weekday ridership (AWR) in August 2012 was 48,634, which is an increase of 3,430 or 7.6 percent over August 2011. Total Caltrain ridership in August 2012 was 1,350,537, which is 7.8 percent greater than August 2011. Caltrain has had 25 consecutive months of ridership growth. This is the highest AWR recorded for the month of August.

On-time performance (OTP) for August 2012 was 93.3 percent. This is an increase from August 2011 OTP of 92.1 percent. When measuring trains arriving within 10 minutes of the scheduled arrival time, OTP rises to 97.5 percent. In August, a broad mix of dwell times accounted for the OTP measurement including mechanical and signal issues, and police actions. Monthly mechanical delays were below average at 657 minutes for August 2012.

There were 15.1 complaints per 100,000 passengers. Conductor complaints were the top category, followed by late trains and maintenance and mechanical issues.

Average weekday shuttle ridership was 8,339, which is an increase of 1,586 or 23.5 percent over August 2011 AWR of 6,753. This high growth continues to be largely influenced by Stanford’s Marguerite shuttle, which constitutes about 50 percent of Caltrain shuttle ridership. Marguerite AWR is up 46.9 percent from a year ago and many of the employer shuttles also are up significantly. For the station shuttles, the Millbrae-Broadway shuttle averaged 195 daily riders. The Belmont-Hillsdale shuttle averaged 78 daily riders. The weekend Tamien-San Jose shuttle averaged 55 riders per day.
Caltrain Promotions – August 2012

San Jose Jazz Summer Fest – A lineup of known and up-and-coming artists converged on the South Bay to participate in the San Jose Jazz Summer Fest. Caltrain partnered with festival organizers to promote the train as a smooth way to get there, avoiding the commute blues. The festival posted an adcard on trains and produced a newspaper insert/general distribution flyer that provided information on Caltrain. The festival sent an e-blast to their subscriber list and also provided a link and Caltrain logo on its transportation web page. The festival provided Caltrain customers with a $20 discount on the purchase of a three-day festival pass. Caltrain got the word out about serving the festival through social media (Facebook, Google+ and Twitter), included the festival in its summer edition of Track the Fun, posted the discount information on its “Track the Savings” Web page and included information on its “Special Events” Web page.

San Francisco Giants – As the Giants start moving into the homestretch of the season, fans continue to flock to Caltrain to get them to the ballpark to cheer on the black and orange. Caltrain gets information out about its service through a number of outlets, including its website (button on home page and dedicated page), a news release, social media (Facebook, Google+, Twitter and YouTube), station flyer and Track the Fun. In August, 86,131 fans rode Caltrain to the 12 home games. Ridership for the season is up 11 percent compared to same number of games last year.

Stanford Football – Cardinal football began at the end of the month and Caltrain was ready to serve fans heading to The Farm. The rail agency got the word out about the convenience of taking the service to the games with a news release, take one (produced by Stanford), social media (Facebook, Google+ and Twitter), Web button on Caltrain’s site and a dedicated service page. Service information also was included in Caltrain Connection and Track the Fun.

Partnerships – Caltrain partnered with the San Jose Pride Festival to promote riding Caltrain to the two-day event. The festival produced take ones that Caltrain placed on trains.

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

#### August 2012

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<td>On-time Performance</td>
<td>92.1%</td>
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<td>Average Caltrain Shuttle Ridership**</td>
<td>6,753</td>
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#### Year to Date

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<td>On-time Performance</td>
<td>91.9%</td>
<td>93.4%</td>
<td>1.5%*</td>
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<tr>
<td>Average Caltrain Shuttle Ridership**</td>
<td>6,491</td>
<td>7,923</td>
<td>22.1%</td>
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* numeric difference of the percentages
** Shuttles included have been adjusted for FY 12 & 13 to reflect only JPB funded shuttles

### Graph A

**Caltrain Average Weekday Ridership**

- **AWR**
- **13-Month rolling average**
Graph B

MONTHLY MECHANICAL DELAYS

Delay Minutes per Month

Graph C

CALTRAIN MONTHLY COMPLAINTS

Complaints per 100,000 Passengers

FY2013
FY2012
Resolution 2012-
Resolution of Appreciation
Presented to
RICH NAPIER

WHEREAS, RICH NAPIER, having served 17 years as the Executive Director of the City/County Association of Governments of San Mateo County, is retiring from this position at the end of 2012; and

WHEREAS, with the leadership of MR. NAPIER, C/CAG as the San Mateo County Congestion Agency, pursued a thoughtful and creative agenda to expand transit and transportation opportunities, resulting in several innovative programs that have eased congestion, encouraged residents to shift to alternative transportation modes, and improved the mobility and quality of life for the people of this community; and

WHEREAS, under MR. NAPIER’S leadership, C/CAG has advocated and programmed funds for a number of important Caltrain improvement projects, including the San Bruno Grade Separation Project, which will improve safety for pedestrians and train riders; and

WHEREAS, MR. NAPIER gave his wise council and support to the JPB’s effort to resolve Caltrain’s ongoing financial challenges; and

WHEREAS, with MR. NAPIER’S significant support and encouragement, 15 percent of all the funds collected under the reauthorized of Measure A, a half-cent county-wide sales tax for transportation projects and programs, are allocated for grade separations on the Caltrain right of way; and

WHEREAS, MR. NAPIER encouraged the effort to increase Caltrain ridership through his support of the Grand Boulevard Initiative, which encourages a lively mix of housing, shopping and businesses around transit centers and Caltrain stations on El Caminó Real; and

WHEREAS, during MR. NAPIER’S tenure at C/CAG, Caltrain ridership reached a historic high, with more than 50,000 riders taking the train every weekday during the month of June.

THEREFORE, BE IT RESOLVED that the Peninsula Corridor Joint Powers Board does thank and commend RICH NAPIER for his strong advocacy for San Mateo County to ensure that Caltrain’s interests were well represented and supported in the region.

UNANIMOUSLY ADOPTED by the Peninsula Corridor Joint Powers Board this 4th day of October 2012.

Chair, Peninsula Corridor Joint Powers Board
TO: Joint Powers Board

THROUGH: Michael J. Scanlon
            Executive Director

FROM: Virginia Harrington
        Deputy CEO

SUBJECT: STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD ENDING AUGUST 31, 2012 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 August, 2012 and supplemental information.

SIGNIFICANCE
Revenue: For August of Fiscal Year 2013, Total Operating Revenue (line 7) is $1,053,068 or 8.7 percent better than budget. Within total operating revenue, Farebox Revenue (line 1) is $1,160,816 or 10.9 percent better than budget. Compared to the prior year, Total Operating Revenue (line 7) is $1,412,571 or 12.0 percent higher.

Expense: Grand Total Expenses (line 47) show a favorable variance of $1,192,274 or 6.5 percent. Total Operating Expense (line 33) is $796,052 or 5.0 percent better than budget. Total Administrative Expense (line 43) is $396,222 or 17.0 percent better than budget.

Compared to prior year, Grand Total Expenses (line 47) are $711,142 or 4.3 percent higher. The increase in expense is mainly due to Contract Operating & Maintenance (line 22), and Facilities and Equipment Maint (line 29) which together are $1,203,996 or 12.8 percent higher.

Budget Revisions: There are no budget revisions for the month of August 2012.

Prepared by: Sheila Tioyao, Manager, General Ledger 650.508.7752
    Jeannie Chen, Senior Accountant 650.508.6417
**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STATEMENT OF REVENUE AND EXPENSE**  
**Fiscal Year 2013**  
**August 2012**

### Revenue

<table>
<thead>
<tr>
<th>MONTH</th>
<th>YEAR TO DATE</th>
<th>% OF YEAR ELAPSED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CURRENT</td>
<td>PRIOR</td>
</tr>
<tr>
<td></td>
<td>ACTUAL</td>
<td>ACTUAL</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Farebox Revenue</td>
<td>5,969,488</td>
</tr>
<tr>
<td>2</td>
<td>Parking Revenue</td>
<td>260,715</td>
</tr>
<tr>
<td>3</td>
<td>Shuttle Services</td>
<td>102,067</td>
</tr>
<tr>
<td>4</td>
<td>Rental Income</td>
<td>151,981</td>
</tr>
<tr>
<td>5</td>
<td>Other Income</td>
<td>208,583</td>
</tr>
<tr>
<td>6</td>
<td>TOTAL OPERATING EXPENSE</td>
<td>6,692,833</td>
</tr>
<tr>
<td></td>
<td>CONTRIBUTIONS</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>AB434 &amp; TA Shuttle Funding</td>
<td>82,778</td>
</tr>
<tr>
<td>8</td>
<td>TOTAL CONTRIBUTED REVENUE</td>
<td>2,874,444</td>
</tr>
</tbody>
</table>

### Grand Total Revenue

- **Farebox Revenue**: $6,692,833
- **Contributions**: $2,874,444
- **Total Contributed Revenue**: $9,567,278

### Grand Total Revenue

- **Total Contributed Revenue**: $9,567,278
- **Ferry Services Revenue**: $6,692,833
- **Other Operating Revenue**: $2,874,444

### Expenses

<table>
<thead>
<tr>
<th>MONTH</th>
<th>EXPENSE</th>
<th>YEAR TO DATE</th>
<th>% OF YEAR ELAPSED</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CURRENT</td>
<td>PRIOR</td>
<td>CURRENT</td>
</tr>
<tr>
<td></td>
<td>ACTUAL</td>
<td>ACTUAL</td>
<td>ACTUAL</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Operating Expense</td>
<td>5,280,415</td>
<td>9,358,939</td>
</tr>
<tr>
<td>2</td>
<td>Operator Contract Transition Costs</td>
<td>-</td>
<td>106,730</td>
</tr>
<tr>
<td>3</td>
<td>Rail Operator Service - Other</td>
<td>95,000</td>
<td>-</td>
</tr>
<tr>
<td>4</td>
<td>Shuttle Services (incl Peninsula Pass)</td>
<td>344,391</td>
<td>504,873</td>
</tr>
<tr>
<td>5</td>
<td>Fuel</td>
<td>1,216,773</td>
<td>3,119,478</td>
</tr>
<tr>
<td>6</td>
<td>Timetables and Tickets</td>
<td>11,800</td>
<td>-</td>
</tr>
<tr>
<td>7</td>
<td>Insurance</td>
<td>373,601</td>
<td>777,009</td>
</tr>
<tr>
<td>8</td>
<td>Timetables and Tickets</td>
<td>11,800</td>
<td>-</td>
</tr>
<tr>
<td>9</td>
<td>TOTAL OPERATING EXPENSE</td>
<td>7,176,423</td>
<td>14,312,819</td>
</tr>
</tbody>
</table>

### Administrative Expense

- **Wages and Benefits**: $369,253
- **Managing Agency Admin OH Cost**: $289,362
- **Board of Directors**: $981
- **Professional Services**: $205,564
- **Communications and Marketing**: $9,000
- **Office Expense and Other**: $156,422

### Total Administrative Expense

- **Total Administrative Expense**: $1,030,587

### Long Term Debt Expense

- **Long Term Debt Expense**: $91,906

### Grand Total Expense

- **Grand Total Expense**: $8,838,917

---

"% 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.
## PENNSULA CORRIDOR JOINT POWERS BOARD

### INVESTMENT PORTFOLIO

**AS OF AUGUST 31, 2012**

<table>
<thead>
<tr>
<th>TYPE OF SECURITY</th>
<th>MATURITY DATE</th>
<th>INTEREST RATE</th>
<th>PURCHASE PRICE</th>
<th>MARKET RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Agency Investment Fund (Restricted)</td>
<td>Liquid Cash</td>
<td>0.377%</td>
<td>$2,000,000</td>
<td>$2,000,000</td>
</tr>
<tr>
<td>Local Agency Investment Fund (Unrestricted)</td>
<td>Liquid Cash</td>
<td>0.377%</td>
<td>37,148,272</td>
<td>37,148,272</td>
</tr>
<tr>
<td>County Pool (Unrestricted)</td>
<td>Liquid Cash</td>
<td>0.750%</td>
<td>10,000,000</td>
<td>10,000,000</td>
</tr>
<tr>
<td>Investment Portfolio (Unrestricted)</td>
<td>Liquid Cash</td>
<td>0.000%</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other (Unrestricted)</td>
<td>Liquid Cash</td>
<td>0.010%</td>
<td>1,408,852</td>
<td>1,408,852</td>
</tr>
</tbody>
</table>

![Accrued Earnings for August, 2012 $15,663.12
Cumulative Earnings FY2013 $28,051.03](image)

* County Pool average yield for the month ending August 31, 2012 was 0.750%. As of August 2012, the amortized cost of the Total Pool was $2,522,355,384.59 and the fair market value per San Mateo County Treasurer's Office was $2,538,446,116.75.

** 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.
TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: April Chan
Executive Officer, Planning and Development

SUBJECT: AUTHORIZATION TO EXECUTE LEASE ADDENDUM TO EXTEND LEASE OF WAREHOUSE AT 4000 CAMPBELL AVENUE IN MENLO PARK FOR A PERIOD OF THREE YEARS

ACTION
Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director to execute an addendum to extend the lease for the Peninsula Corridor Joint Power Board’s rental of a 22,750 square-foot warehouse located at 4000 Campbell Avenue in Menlo Park from January 1, 2013 until December 31, 2015 for a total cost of $660,252.

SIGNIFICANCE
Staff has determined that approximately 20,000 square feet of warehouse space and 2,500 square feet of office space will continue to be necessary for the next three years. The warehouse is strategically located near the mid-point of the Caltrain right of way, directly off the Dumbarton line, making it the ideal location for housing construction management staff for current and future capital projects, as well as staff responsible for maintenance of the railroad. Additionally, certain materials and equipment that must be stored indoors has been consolidated from various locations into this warehouse.

BUDGET IMPACT
Last year the agency paid $16,063.50 per month to lease the property. Upon execution of the lease amendment, the lease rate will increase to the current market rate and thereafter will increase at 4 percent annually, with rates set as follows:

<table>
<thead>
<tr>
<th>Period</th>
<th>Monthly Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 1, 2013 to December 31, 2013:</td>
<td>$17,625</td>
</tr>
<tr>
<td>January 1, 2014 to December 31, 2014</td>
<td>$18,330</td>
</tr>
<tr>
<td>January 1, 2015 to December 31, 2015</td>
<td>$19,066</td>
</tr>
</tbody>
</table>
The total cost of the lease amendment will be $660,252. The lease cost beyond the current fiscal year will be funded through future capital and operating funds to be considered during the budget development process.

**BACKGROUND**
The Construction Management Plan to support the Caltrain Express “Baby Bullet” construction program had included a requirement for a centralized support facility. The facility at Menlo Park was leased for three years, commencing June 1, 2002. That lease expired May 31, 2005. Staff determined that the facility was required for an additional four years and seven months and an amendment was negotiated with the property owner. The amendment terminated December 31, 2009. Based on ongoing capital program support needs, a two-year amendment with a one-year option was negotiated with the property owner. The current amendment expires on December 31, 2012.

Staff conducted an internal study to assess future agency needs in both the short and long term. This study included the possibility of leasing alternate sites in lieu of extending the current lease. This internal study led to a determination that the current site is the best site to meet JPB’s near-term requirements. The three-year duration for the addendum will allow staff to analyze future warehouse needs for Caltrain’s ongoing capital construction program, as well as the needs for the Caltrain Modernization Program. As part of the current negotiation process, Real Estate staff worked closely with a commercial broker to conduct an in-depth review of the mid-Peninsula industrial warehouse market prior to starting negotiations with the property owner.

The proposed lease of 78 cents per square foot falls within fair market rent for warehouses on the mid-Peninsula and thereafter increases annually at a negotiated rate of 4 percent.

Prepared by:  
Gary Cardona, Senior Real Estate Officer  
Brian W. Fitzpatrick, Manager, Real Estate & Property Dev.

650.508.6353  
650.608.7781
RESOLUTION NO. 2012 -
BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA

* * *

AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE A LEASE ADDENDUM TO EXTEND LEASE OF A WAREHOUSE AT 4000 CAMPBELL AVENUE IN MENLO PARK FOR A PERIOD OF THREE YEARS

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) has leased for the past 10 years a 22,750 square feet warehouse located at 4000 Campbell Avenue in Menlo Park (the “Property”); and

WHEREAS, staff has recommended that the JPB enter into a written addendum to that lease for an additional three-year period, under which the JPB will initially pay approximately $17,625 in rent per month with an annual 4 percent rental increase;

WHEREAS, the JPB legal counsel has reviewed and approved the proposed addendum to the lease agreement; and

WHEREAS, the Staff Coordinating Council recommends that the Board of Directors authorize the Executive Director to execute an addendum to the lease for a three-year extension.

NOW, THEREFORE, BE IT RESOLVED that the Peninsula Corridor Joint Powers Board of Directors hereby authorizes the Executive Director to execute an addendum to the lease for the property located at 4000 Campbell Avenue in Menlo Park commencing on January 1, 2013, pursuant to the terms and conditions set forth above.

Regularly passed and adopted this 4th day of October, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ATTEST: Chair, Peninsula Corridor Joint Powers Board

____________________________
Board 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  
Cap and Trade  
The investment plan approved by the California Air Resources Board (CARB) includes public transportation as an eligible expense for revenues generated through implementation of the State’s market-based compliance emissions reduction program.  

As CARB works to craft a more detailed policy proposal, staff is participating, along with the California Transit Association, in an organized effort to develop a coalition called the Transportation Coalition for Livable Communities to advocate for an equitable share of revenues for public transportation.  

State Transit Assistance  
The State Transit Assistance program has exceeded the estimates in the Governor’s May Revise by $48 million thanks to higher than expected diesel fuel sales over the summer.  

FEDERAL ISSUES  
Appropriations  
On September 22, Congress passed a Continuing Resolution that essentially maintains existing funding levels for transportation programs through March 27, 2013. The bill includes the programmatic changes outlined in recently passed legislation that reauthorizes transportation programs through Fiscal Year 2014, but, as expected, it does not include the authorization bill’s inflationary adjustments, which would have increased overall funding by approximately
$1 billion per year.

The Continuing Resolution adheres to cuts called for in the Budget Control Act of 2011, but transportation programs are largely unaffected. The Budget Control Act allowed for an increase in the Federal debt ceiling, but also mandated across-the-board cuts unless long-term deficit reduction measures were implemented.

Without a deal on deficit reduction, most Federal programs will be cut by about 8.2 percent starting on January 3, 2013. Federal highway programs would experience a small $56 million reduction out of a $40 billion budget. Transit formula programs are exempt from the cuts, but the Federal Transit Administration’s New Starts program would experience a reduction.

Prepared By: Seamus Murphy, Government and Community Affairs Director  650.508.6388
## Peninsula Corridor Joint Powers Board
### State Legislative Matrix as of 9-24-12

<table>
<thead>
<tr>
<th>Bill ID/Topic</th>
<th>Location</th>
<th>Summary</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 41</td>
<td>ASSEMBLY</td>
<td>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 levels of government to disclose specified financial interests by filing periodic statements of economic interests. Existing law further requires public officials who hold specified offices and who have a financial interest in a decision within the meaning of the Political Reform Act of 1974 to publicly identify the financial interest giving rise to the conflict of interest or potential conflict of interest, recuse themselves from discussing and voting on the matter, and leave the room until after the discussion, vote, and other disposition of the matter is concluded, except as specified. This bill would add members of the High-Speed Rail Authority to those specified officers who must publicly identify a financial interest giving rise to a conflict of interest or potential conflict of interest, and recuse themselves accordingly. <strong>Last amended on 8/16/2012</strong></td>
<td></td>
</tr>
<tr>
<td>Beall</td>
<td>CHAPTERED</td>
<td>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 one member appointed by the San Francisco Bay Conservation and Development Commission, and establishes a 4-year term of office for members of the commission. 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 prohibit more than 3 members of the commission from being residents of the same county, as specified. The bill would require the member from the San Francisco Bay Conservation and Development Commission to be a member of that commission, a resident of San Francisco, and to be approved by the Mayor of San Francisco. By imposing new requirements on a local agency, this bill would impose a state-mandated local program. <strong>Last amended on 6/20/2012</strong></td>
<td></td>
</tr>
<tr>
<td>AB 441</td>
<td>CHAPTERED</td>
<td>Existing law requires certain transportation planning activities by the Department of Transportation and by designated regional transportation planning agencies, including development of a regional transportation plan. Existing law authorizes the California Transportation Commission, in cooperation with regional agencies, to prescribe study areas for analysis and evaluation and guidelines for the preparation of a regional transportation plan. This bill would require the commission to attach a summary of the policies, practices, or projects that have been employed by metropolitan planning organizations that promote health and health equity to the commission's next revision of specified regional transportation planning guidelines. <strong>Last amended on 6/4/2012</strong></td>
<td></td>
</tr>
</tbody>
</table>

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Page 1 of 11
<table>
<thead>
<tr>
<th>Bill ID/Topic</th>
<th>Location</th>
<th>Summary</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 492</td>
<td>CHAPTERED</td>
<td>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. This bill would extend the application of these provisions to all public transportation agencies, as defined. The bill would require the penalties collected by a public transportation agency to be deposited in the general fund of the county in which the citation is administered. Last amended on 8/13/2012</td>
<td></td>
</tr>
<tr>
<td>AB 1126</td>
<td>ENROLLED</td>
<td>The Transaction and Use Tax Law authorizes a district to impose a transactions tax for the privilege of selling tangible personal property at retail upon every retailer in the district at a rate of 1/4 of 1%, or a multiple thereof, of the gross receipts of the retailer from the sale of all tangible personal property sold by that person at retail in the district. That law also requires that a use tax portion of a transaction and use tax ordinance be adopted to impose a complementary tax upon the storage, use, or other consumption in the district of tangible personal property purchased from any retailer for storage, use, or other consumption in the district at a rate of 1/4 of 1%, or a multiple thereof, of the sales price of the property whose storage, use, or other consumption is subject to the tax, as prescribed. This bill would decrease those rates to 1/8 of 1%. Last amended on 1/4/2012</td>
<td></td>
</tr>
<tr>
<td>AB 1532</td>
<td>ENROLLED</td>
<td>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 emissions reductions. The act authorizes the state board to include use of market-based compliance mechanisms. This bill would prohibit the Governor's written findings on the proposed link from being subject to judicial review. Last amended on 8/31/2012</td>
<td></td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
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<td>--------------</td>
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</tr>
<tr>
<td><strong>AB 1572</strong>&lt;br&gt;Fletcher I</td>
<td>CHAPTERED</td>
<td>Existing law authorizes a service authority for freeway emergencies to be established in any county for the purpose of funding the installation of callboxes along freeways and expressways to enable motorists in need of aid to obtain assistance. Existing law provides that a service authority may impose an annual fee of $1 on vehicles registered in the county for this and other related purposes, which fee is collected by the Department of Motor Vehicles (DMV). This bill, with respect to the service authority created in the County of San Diego, would provide for the authority to be dissolved on January 1, 2013, and for the San Diego Association of Governments (SANDAG) to become the successor authority and to assume the remaining responsibility for maintaining callboxes as of that date. The bill would require the authority to develop a plan, as specified, for transitioning its responsibilities to SANDAG in the transition period between the effective date of this bill and January 1, 2013, and would require SANDAG's approval for the authority to expend funds or enter into contracts during that transition period. The bill would limit the reserves that SANDAG, as the successor to the authority, may hold at the time this bill becomes effective to $4,000,000, and would require SANDAG to distribute, by March 31, 2013, any reserves in excess of that amount to cities in the County of San Diego, and to the county with respect to the unincorporated area of the county, in proportion to fees paid for purposes of the service authority in the 2010-11 fiscal year by residents of each city and the unincorporated area. The bill would require the recipient jurisdictions to use these revenues for the purposes for which the fees were collected. The bill would also require SANDAG to post its detailed budget relative to the revenues from the collection of the fee, and the expenditure of these funds, on its Internet Web site, as specified. The bill would also authorize SANDAG, as the successor authority, to continue funding specified helicopter programs. <strong>Last amended on 8/14/2012</strong></td>
<td></td>
</tr>
<tr>
<td><strong>AB 1606</strong>&lt;br&gt;Perea D</td>
<td>CHAPTERED</td>
<td>The Meyers-Milian-Brown Act contains various provisions that govern collective bargaining of local represented employees, and delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. The act requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. This bill would instead authorize the employee organization to request that the parties' differences be submitted to a fact finding panel not sooner than 30 days or more than 45 days following the appointment or selection of a mediator pursuant to the parties' agreement to mediate or a mediation process required by a public agency's local rules. The bill would also authorize an employee organization, if the dispute was not submitted to mediation, to request that the parties' differences be submitted to a fact finding panel not later than 30 days following the date that either party provided the other with a written notice of a declaration of impasse. The bill would specify that the procedural right of an employee organization to request a fact finding panel cannot be expressly or voluntarily waived. The bill would also specify that its provisions are intended to be technical and clarifying of existing law. <strong>Last amended on 5/17/2012</strong></td>
<td></td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
<tr>
<td>--------------</td>
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<tr>
<td><strong>AB 1665</strong> Galgiani D</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>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. This bill would, until January 1, 2016, exempt from CEQA the closure of a railroad grade crossing by order of the PUC under the above authority if the PUC finds the crossing to present a threat to public safety. <strong>Last amended on 8/6/2012</strong></td>
<td></td>
</tr>
<tr>
<td><strong>AB 1671</strong> Huffman D</td>
<td>CHAPTERED</td>
<td>Existing law prohibits the Department of Transportation, until January 1, 2014, from withholding retention proceeds when making progress payments for work performed by a contractor. This bill would make these provisions operative until January 1, 2020. The bill would also make a statement of legislative findings. <strong>Last amended on 7/6/2012</strong></td>
<td></td>
</tr>
<tr>
<td><strong>AB 1770</strong> Lowenthal, Bonnie D</td>
<td>CHAPTERED</td>
<td>Existing law creates the California Transportation Financing Authority, with specified powers and duties relative to 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 under certain conditions, in order to increase the construction of new capacity or improvements for the state transportation system consistent with specified goals. Existing law defines &quot;project&quot; for these purposes to include, among other things, a rail project. This bill would provide that a rail project may consist of, or include, rolling stock.</td>
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<td><strong>AB 1779</strong> Galgiani D</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law authorizes the Department of Transportation to contract with Amtrak for intercity rail passenger services and provides funding for these services from the Public Transportation Account. Existing law, until December 31, 1996, authorized the department, subject to approval of the Secretary of Business, Transportation and Housing, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in a particular corridor. Existing law, with respect to a transferred corridor, requires the board to demonstrate the ability to meet performance standards established by the secretary. This bill would authorize the department, with approval of the secretary, to enter into interagency transfer agreements for additional intercity rail corridors, to be entered into between June 30, 2014, and June 30, 2015. The bill would require the agreements to cover the initial 3-year period after the transfer, and would authorize subsequent extensions by mutual agreement. If agreements are not entered into by that the expiration of that period, the bill would require the secretary to report to the Governor and the Legislature by June 30, 2016, as specified. <strong>Last amended on 8/24/2012</strong></td>
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<td>AB 1915 &lt;br&gt;Alejo D</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law requires the Department of Transportation, in consultation with the Department of 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 sets forth various factors to be used to rate proposals submitted by applicants for these funds.&lt;br&gt;This bill would provide that up to 10% of program funds may be used to assist eligible recipients in making infrastructure improvements, other than school bus shelters, that create safe routes to school bus stops located outside of the vicinity of schools. <strong>Last amended on 6/26/2012</strong></td>
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<td>AB 1960 &lt;br&gt;Dickinson D</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law requires the Department of General Services to make available a report on contracting activity containing specified information, including the level of participation of business enterprises, by race, ethnicity, and gender of owner, in specified contracts.&lt;br&gt;This bill would require the Department of General Services to include in the report on contracting activity information regarding the level of participation of lesbian, gay, bisexual, or transgender owned businesses in specified contracts, as provided. <strong>Last amended on 8/6/2012</strong></td>
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<td>AB 2200 &lt;br&gt;Ma D</td>
<td>VETOED</td>
<td>Existing law authorizes the Department of Transportation and local agencies, with respect to highways under their respective jurisdictions, to designate certain lanes for preferential or exclusive use by high-occupancy vehicles.&lt;br&gt;This bill, until January 1, 2020, or until the Director of Transportation determines otherwise, as provided under the bill, and files that determination with the Secretary of State, would suspend, consistent with the state implementation plan for the San Francisco Bay area adopted pursuant to the federal Clean Air Act and other federal requirements, the hours of operation for highway lanes designated for high-occupancy vehicles, in the Interstate 80 corridor within the Metropolitan Transportation Commission's jurisdiction, in the morning reverse commute direction, as defined. Because the commission would be required to post signage of the above requirements along the Interstate 80 corridor, the bill would impose a state-mandated local program. <strong>Last amended on 8/23/2012</strong></td>
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<td><strong>AB 2247</strong> Lowenthal, Bonnie D</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law provides that eating, drinking, or smoking in or on a system facility or vehicle in areas where those activities are prohibited, disturbing another person by loud or unreasonable noise, expectorating upon a system facility or vehicle, or skateboarding, roller skating, bicycle riding, roller blading, or operating a motorized scooter or other device in a system facility, vehicle, or parking structure is an infraction for the first or 2nd violation, punishable by a fine not to exceed $250 and by community service for a total time not to exceed 48 hours over a period not to exceed 30 days, during a time other than during the violator's hours of school attendance or employment. Specified public transportation agencies, including, but not limited to, the City and County of San Francisco and the Los Angeles County Metropolitan Transportation Authority are authorized to enact and enforce ordinances providing that a person who is the subject of a citation for any of the acts described, such as fare evasion, on or in a facility or vehicle of the system for which the public transportation system has jurisdiction shall, under the circumstances set forth by the ordinance, be afforded an opportunity to complete an administrative process that imposes only an administrative penalty enforced in a civil proceeding. This bill would make the above penalties and administrative process applicable to the sale or peddling of any goods, merchandise, property, or services of any kind on the facilities, vehicles, or property of the public transportation system, if the public transportation system has prohibited those acts and neither the public transportation system nor its duly authorized representative has granted written consent to engage in those acts. Because this bill would create a new crime, the bill would impose a state-mandated local program. <strong>Last amended on 8/6/2012</strong></td>
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<td><strong>AB 2298</strong> Solorio D</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law provides that no insurer shall, in issuing or renewing a private automobile insurance policy to a peace officer, member of the Department of the California Highway Patrol, or firefighter, with respect to his or her operation of a private motor vehicle, increase the premium on that policy for the reason that the insured or applicant for insurance has been involved in an accident while operating an authorized emergency vehicle, as defined, in the performance of his or her duty during the hours of his or her employment. This bill would also provide that no insurer shall, in issuing or renewing a private automobile insurance policy to a peace officer, member of the Department of the California Highway Patrol, or firefighter, with respect to his or her operation of a private passenger motor vehicle, increase the premium on that policy for the reason that the insured or applicant for insurance has been involved in an accident while operating his or her private passenger motor vehicle in the performance of his or her duty at the request or direction of the employer. <strong>Last amended on 8/24/2012</strong></td>
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<td>AB 2405 Blumenfield D</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles (HOV), which lanes may also be used, until January 1, 2015, by certain eligible low-emission and hybrid vehicles not carrying the requisite number of passengers otherwise required for the use of HOV lanes if the vehicle displays a valid identifier issued by the Department of Motor Vehicles. Existing law provides that a vehicle, eligible under these provisions to use HOV lanes, that meets the California's enhanced advanced technology partial zero-emission vehicle (enhanced AT PZEV) standard is not exempt from toll charges imposed on single-occupant vehicles in lanes designated for tolls pursuant to a federally supported value-pricing and transit development program involving high-occupancy toll (HOT) lanes conducted by the Los Angeles County Metropolitan Transportation Authority. This bill would instead exempt, with specified exceptions applicable to passage on designated state highways, all of the low-emission and hybrid vehicles eligible to use HOV lanes under these provisions, including vehicles that meet the enhanced AT PZEV standards, from toll charges imposed on HOT lanes unless prohibited by federal law. The bill would exclude a toll imposed for passage on a toll road or toll highway, that is not an HOT lane, a toll imposed for crossing a state-owned bridge, or, until March 1, 2014, a toll imposed for passage in HOT lanes designated for State Highway Route 10 or 110, from this exemption. The bill would provide that these changes shall be known as the Choose Clean Cars Act of 2012.</td>
<td>Last amended on 6/27/2012</td>
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<td>AB 2498 Gordon D</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by state agencies for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. This bill would authorize the Department of Transportation to engage in a Construction Manager/General Contractor project delivery method, as specified, for projects for the construction of a highway, bridge, or tunnel.</td>
<td>Last amended on 8/31/2012</td>
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<td>AB 2679 Committee on Transportation</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law authorizes the Department of Transportation (department) to pay claims or damages up to a maximum of $5,000 without the approval of the California Victim Compensation and Government Claims Board. This bill would adjust the claim limit that may be paid by the department under these provisions to equal the maximum amount of a claim that can be brought in small claims court.</td>
<td>Last amended on 8/23/2012</td>
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### Peninsula Corridor Joint Powers Board
#### State Legislative Matrix as of 9-24-12

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<td><strong>SB 829</strong></td>
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<td><strong>Rubio</strong> D</td>
<td>CHAPTERED</td>
<td>Existing law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities and authorizes a public entity to use, enter into, or require contractors to enter into, a project labor agreement for a construction project if the agreement includes specified taxpayer protection provisions. Existing law also provides that if a charter provision, initiative, or ordinance of a charter city prohibits the governing board's consideration of a project labor agreement for a project to be awarded by the city, or prohibits the governing board from considering whether to allocate funds to a city-funded project covered by such an agreement, state funding or financial assistance may not be used to support that project, as specified.</td>
<td>Last amended on 4/9/2012</td>
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<td>Public contracts: public entities: project labor agreements.</td>
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| **SB 878** |
| **DeSaulnier** D | ENROLLED TO THE GOVERNOR | Existing law creates various state transportation agencies, including the Department of Transportation and the High-Speed Rail Authority, with specified powers and duties. Existing law provides for the allocation of state transportation funds, including fuel tax revenues allocated from the Highway Users Tax Account, to various transportation purposes. Existing law provides funding for transportation capital improvement projects undertaken by the department or regional or local transportation agencies. This bill would create the Office of the Transportation Inspector General in state government as an independent office that would not be a subdivision of any other government entity, to ensure that all state, regional, and local agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws. The bill would provide for the Governor to appoint the Inspector General for a 6-year term, subject to confirmation by the Senate, and would provide that the Transportation Inspector General may not be removed from office during the term except for good cause. The bill would specify certain duties and responsibilities of the Transportation Inspector General, would require an annual report to the Legislature and Governor, and would provide for funding the office, to the extent possible, from federal transportation funds, with other necessary funding to be made available in proportion to the activities of the office from the Highway Users Tax Account and an account from which high-speed rail activities may be funded. | Last amended on 8/22/2012 |
| Office of the Transportation Inspector General. | | |

| **SB 1002** |
| **Yee** D | ENROLLED TO THE GOVERNOR | The California Public Records Act requires state and local agencies to make their records available for public inspection and, upon request of a person, to provide a copy of a public record unless the record is exempt from disclosure. The act requires an agency that has information that constitutes an identifiable public record not otherwise exempt from disclosure that is in an electronic format to make that information available in an electronic format when requested by a person. The act requires the agency to make the information available in an electronic format in which it holds the information. This bill would make technical, non-substantive changes to these provisions. | Last amended on 8/20/2012 |
| Public records: electronic format. | | |
### Peninsula Corridor Joint Powers Board
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<td>SB 1102</td>
<td>CHAPTERED</td>
<td>Existing law establishes the state transportation improvement program process, pursuant to which the California Transportation Commission generally programs and allocates available funds for transportation capital improvement projects over a multiyear period. Existing law provides that the Department of Transportation is responsible for the state highway system. Existing law requires the department to annually prepare a project delivery report that identifies milestone dates for state highway projects costing $1,000,000 or more for which the department is the responsible agency for project development work. This bill would require the department, beginning not later than November 15, 2014, as part of the annual project delivery report, to report on the difference between the original allocation made by the commission and the actual construction capital and support costs at project close for all state transportation improvement program projects completed during the previous fiscal year. Last amended on 5/31/2012</td>
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<td>SB 1117</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law creates the California Transportation Commission, with various powers and duties relating to the programming and allocation of certain funds available for transportation capital improvement projects and various other transportation policy matters, and authorizes the commission to develop guidelines for preparation of regional transportation plans. Existing law creates the Department of Transportation with various powers and duties relating to the state highway system and other transportation modes, including the authority to contract for conventional rail passenger service. Existing law requires the department to prepare a 10-year State Rail Plan on a biennial basis, with both passenger and freight rail elements. 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, including preparation of a business plan on a biennial basis. 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. This bill would require the California Transportation Commission to include in its guidelines for regional transportation plans policy direction regarding the integration of all passenger rail services into a coordinated system with emphasis on intermodal facilities and cost-effective rail services, as specified. The bill would revise the requirements for the 10-year state rail plan prepared by the department to require the plan to be consistent with the federal Passenger Rail Investment and Improvement Act of 2008 and to contain various passenger and freight rail elements, including, among other things, plans for a comprehensive and integrated statewide rail system, a statement of the state's passenger rail service objectives, and identification of improvements that have utility both for freight and passenger rail services. The bill would delete the requirement that the state rail plan be prepared on a biennial basis. The bill would require the department to submit a draft plan under these new requirements for review and comment to the commission and authority by December 1, 2015, and would require public hearings on the plan. The bill would require the final plan to be approved by the Secretary of Business, Transportation and Housing by March 1, 2016, and then to be submitted to the Legislature, Governor, and various state agencies. The bill would require the plan to be updated at least every 5 years. Last amended on 8/20/2012</td>
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<td>SB 1160</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law provides that an agent, operator, or employee of a telegraph or telephone office who willfully refuses or neglects to send a message received by the office is guilty of a misdemeanor. Existing law provides that these requirements are not applicable when charges for transmittal or delivery of the message have not been paid or tendered, for messages counseling, aiding, abetting, or encouraging treason or resistance to lawful authority, to a message calculated to further any fraudulent plan or purpose, to a message instigating or encouraging the perpetration of any unlawful act, or to a message facilitating the escape of any criminal or person accused of crime. This bill would retain the provision that the above-described requirements are not applicable when payment for charges for transmittal or delivery of the message has not been paid or tendered, but would delete the other enumerated exceptions. <strong>Last amended on 8/24/2012</strong></td>
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<td>SB 1225</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law authorizes the Department of Transportation to contract with Amtrak for intercity rail passenger services and provides funding for these services from the Public Transportation Account. Existing law, until December 31, 1996, authorized the department, subject to approval of the Secretary of Business, Transportation and Housing, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in a particular corridor. Existing law, with respect to a transferred corridor, requires the board to demonstrate the ability to meet performance standards established by the secretary. This bill would authorize the department, with approval of the secretary, to enter into interagency transfer agreements for additional intercity rail corridors, to be entered into between June 30, 2014, and June 30, 2015. The bill would require the agreements to cover the initial 3-year period after the transfer, and would authorize subsequent extensions by mutual agreement. If agreements are not entered into by the expiration of that period, the bill would require the secretary to report to the Governor and the Legislature by June 30, 2016, as specified. <strong>Last amended on 8/30/2012</strong></td>
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<td>SB 1339</td>
<td>ENROLLED TO THE GOVERNOR</td>
<td>Existing law creates the Metropolitan Transportation Commission, with various transportation planning and programming responsibilities in the 9-county San Francisco Bay Area. Existing law creates the Bay Area Air Quality Management District, with various responsibilities relative to the reduction of air pollution in the area of its jurisdiction, which incorporates a specified portion of the jurisdiction of the Metropolitan Transportation Commission. This bill would authorize the Metropolitan Transportation Commission and the Bay Area Air Quality Management District to jointly adopt a commute benefit ordinance that requires covered employers operating within the common area of the 2 agencies 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. <strong>Last amended on 8/30/2012</strong></td>
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<td>SB 1533</td>
<td>CHAPTERED</td>
<td>Existing law, until January 1, 2013, requires the Attorney General to represent the Department of Finance and to succeed to all rights, claims, powers, and entitlements of the Electricity Oversight Board in any litigation or settlement to obtain ratepayer recovery for the effects of the 2000-02 energy crisis. Existing law additionally prohibits the Attorney General from expending the proceeds of any settlements of those claims, except as specified. This bill would instead repeal the above-described requirements on January 1, 2016. <strong>Last amended on 5/1/2012</strong></td>
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<td>SB 1549 Vargas D</td>
<td>ENROLLED TO HE GOVERNOR</td>
<td>Existing law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by state agencies for projects, as specified, and for local agencies for public works contracts, as specified. This bill would allow the San Diego Association of Governments to utilize alternative project delivery methods, as defined, for public transit projects within its jurisdiction. The bill would, upon completion of a project, require a progress report to be submitted by the San Diego Association of Governments to its governing board and would require the report to be made available on its Internet Web site. The bill would also, except as provided, require the San Diego Association of Governments to pay fees related to these projects into the State Public Works Enforcement Fund, a continuously appropriated fund, thereby making an appropriation. Because this bill would subject these projects to certain prevailing wage enforcement requirements, the violation of which is a crime, it would impose a state-mandated local program by expanding the scope of an existing crime. The bill would provide that its provisions are severable.</td>
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Last amended on 8/13/2012