AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

March 7, 2013 – Thursday

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 February 7, 2013

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 January 2013

9. Authorize Approval of New Agreement Between the Peninsula Corridor Joint Powers Board and California High Speed Rail Authority

10. Authorize Award of Contract to Balfour Beatty Rail, Inc. for the Signal System Rehabilitation Project in the Total Amount of $989,420

11. Adoption of Caltrain Transit Sustainability Project Strategic Plan

12. Legislative Update


10:00 a.m.
14. Correspondence

15. Board Member Requests

16. Date/Time of Next Meeting: Thursday, April 4, 2013, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070

17. General Counsel Report

18. 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.

MEMBERS ABSENT: J. Cisneros, A. Kalra


Chair Ken Yeager called the meeting to order at 10:03 a.m. and led the Pledge of Allegiance.

SWEARING IN OF PERRY WOODWARD REPRESENTING SANTA CLARA COUNTY
JPB Secretary Martha Martinez administered the Oath of Office to Perry Woodward.

PUBLIC COMMENT
Pat Giorni, Burlingame, said she has heard people are not always able to get a seat on the train. She asked if electrification service is capped at six trains per direction per hour, will future demand be met, and if this is something that should be looked at in the Environmental Impact Report (EIR).

Roland LeBrun, San Jose, said last month the California High Speed Rail Authority (CHRSA) and Amtrak issued a Request for Information (RFI) for High Speed Rail (HSR) rolling stock. He asked when Caltrain will be issuing a similar RFI for the new electric multiple units that will be able to share common track platform heights with HSR and Amtrak. The Metropolitan Transportation Commission (MTC) Programming and Allocations Committee is meeting next week and the Consent Calendar has an item for $10 million in project cost changes for both the Communications-based Overlay Signal System (CBOSS) and San Francisco Municipal Transportation Agency’s (SFMTA) Rail Replacement Part B. Mr. LeBrun said the CBOSS Project is already over budget and behind schedule even before the final design has been completed.

Doug DeLong, Mountain View, said the Santa Clara Valley Transportation Authority is undertaking a $1.3 million study of low income riders and asked whether there could be some type of discount program for Caltrain.

Shirley Johnson, San Francisco Bicycle Coalition, commended Caltrain for its outstanding bicycle program. Bumps are rising again, bike space is maxed out and most bumps are on Bombardier cars. She said the solution is to add a third bike car on Bombardier trains.
CONSENT CALENDAR
   a. Approval of Minutes of January 3, 2013

A motion (Nolan/Lloyd) to approve the consent calendar was approved unanimously.

CHAIRPERSON’S REPORT
Certificate of Appreciation to Outgoing Citizens Advisory Committee (CAC) Chair Paul Bendix
Chair Yeager said Mr. Bendix has been on the CAC since October 1999. He has a keen understanding of the service and the riders, and is an advocate for the future of Caltrain.

A motion (Tissier/Nolan) to present the Certificate of Appreciation to Mr. Bendix was unanimously approved.

Mr. Bendix thanked the Board for the recognition and said it has been a privilege to take part in a public process and to see Caltrain grow.

REPORT OF THE CAC
CAC Chair Kevin Gardiner thanked Mr. Bendix for his service. Mr. Gardiner said at its January 16 meeting, the CAC:
   • Held the 2013 elections. Representing San Francisco County, he was elected chair, and Adina Levin, representing San Mateo County, was elected vice chair.
   • Received a presentation on the Title VI requirements. There was an interest among the members to have more outreach to the North Fair Oaks area in Redwood City.
   • Staff provided an overview on the passenger counts currently being done on the trains.
   • There was interest in discussing airport connections and receiving a presentation on the passenger counts and customer satisfaction survey.

REPORT OF THE EXECUTIVE DIRECTOR
Executive Director Michael Scanlon reported:
   • Welcomed Director Woodward and thanked Mr. Bendix for his service as chair to the CAC.
   • Key Caltrain Performance Statistics
      o Monthly Performance Statistics – December 2012 compared to December 2011
         • Total Ridership was 1,126,167, an increase of 8.6 percent.
         • Average Weekday Ridership was 42,705, an increase of 11.2 percent.
         • Total Revenue was $4,835,232, an increase of 12.3 percent.
         • On-time Performance was 95.1 percent, a decrease of 2.5 percent.
         • Caltrain Shuttle Ridership was 6,165, an increase of 6.8 percent.
      o Year-to-date Performance Statistics – December 2012 compared to December 2011
• Total Ridership was 7,727,480, an increase of 12 percent.
• Average Weekday Ridership was 48,302, an increase of 12.3 percent.
• Total Revenue was $34,179,935, an increase of 17.8 percent.
• On-time Performance was 89.7 percent, a decrease of 3.7 percent.
• Caltrain Shuttle Ridership was 8,340, an increase of 22.4 percent.

• Ridership on the system remains incredibly high and it makes it extraordinarily difficult to recover from a slight problem. On February 6, southbound Train 314 experienced a mechanical problem and this caused overcrowding on Trains 220 and 322.
• Deputy CEO Gigi Harrington is starting to work on the Fiscal Year (FY) 2014 budgets and is in contact with the chief financial officers at the partner agencies.

Director Malia Cohen arrived at 10:22 a.m.

• Annual on-board passenger counts are underway. Staff will present the findings at a future meeting.
• The Bicycle Advisory Committee did not meet in January. The next meeting is scheduled for March 21.
• Special service:
  o Extra service was provided for the San Francisco 49ers playoff game on January 12 and carried an additional 1,400 riders.
  o The Martin Luther King, Jr. Association of Santa Clara Valley chartered two trains for their annual Freedom Train and carried more than 1,000 riders.
  o The San Jose Sharks are off to a good start and during the first week more than 1,500 riders were carried.
  o President’s Day is February 18 and a modified Saturday schedule will be operated with eight extra trains and one roundtrip to Gilroy.
  o Giants Fanfest is on February 9 at AT&T Park. Passengers can pre-purchase tickets by using the Fanfest button on the ticket vending machines.
• Congratulated staff on the excellent Comprehensive Annual Financial Report.
• The Reading File contains correspondence, the December Safety and Security Report, the President’s Day timetable, Take Ones on Title VI outreach and the Electrification Environmental Impact Report (EIR) public scoping meetings.

Caltrain Modernization Program
Executive Officer, Caltrain Modernization Program Marian Lee said staff issued the Caltrain Electrification EIR Notice of Preparation (NOP) on January 31. The Federal Transit Administration said the Finding of No Significant Impact (FONSI) issued in 2009 is sufficient and there is no need to go through a reevaluation of the Federal process, just for the State. She said staff will be following the California Environmental Quality Act (CEQA) law and supplementing that with additional outreach. Staff will be going through an 18-month process to prepare this document.

Ms. Lee said there are four scoping meetings on the NOP and the purpose of these meetings is to hear from the stakeholders and the public about the project. There will
be an open house on February 27 in this auditorium from 3:00 p.m. to 6:00 p.m. during which staff will answer questions from the public, and following that from 6:00 p.m. to 8:00 p.m. will be the official scoping meeting. The remaining three scoping meetings will be from 6:00 p.m. to 8:00 p.m. in Palo Alto City Hall, the VTA Auditorium in San Jose and the San Francisco Board of Supervisors Chambers. The dates and locations are all listed on the Caltrain website and were included in the NOP distribution, which went out to property owners within 300 feet of the right of way, libraries in the three counties, elected officials at the local State and Federal levels, all the transportation boards and agencies, key community groups, and city and county staff.

Ms. Lee said the city of San Mateo has been strongly advocating for a grade separation at 25th Avenue and the City is preparing a Capital Improvement Plan (CIP) for the entire Hillsdale Station area. The City hopes to prioritize a list of capital projects related to transportation infrastructure and develop a funding plan. The City has asked the JPB to be a partner in the development of the Plan. Ms. Lee said staff has been working with the cities of Burlingame, South San Francisco and Atherton to remove the hold-out rule at their stations. She said San Francisco is interested in redeveloping the Mission Bay area and San Francisco has asked the JPB to assess the feasibility of shrinking or removing the 4th and King rail yard. Staff will be embarking on a several-month analysis to see if the idea is feasible from an operations perspective and to understand the system-wide implications of the suggested change.

Public Comment
Roland LeBrun, San Jose, said this morning it took four minutes for a wheelchair to be lifted off the train. The issue is not with people with mobility issues but the method of getting them off and on the trains.

Doug DeLong, Mountain View, said it won’t be long until there are 50,000 average weekday riders. He said there are going to be angrier riders as ridership increases. Mr. Scanlon said the bottom line is money. With more money, Caltrain could have more staff and trains.

Chair Yeager asked if a report can be given on where Caltrain is headed and the options.

Director Adrienne Tissier said a year ago there was almost a 48-train schedule, but the Board decided to keep the 96-train schedule so Caltrain is doing a lot better than a year ago. People need to look back to last year and see what has been accomplished to get Caltrain where it is today.

Chair Yeager said riders need to understand that if the trains are crowded the system will be slower.

Adina Levin, Friends of Caltrain, said electrification is extremely popular and the more outreach than can be done would be appreciated. She is glad to see a solution is being reached on the rail yard in San Francisco. Ms. Levin said the issue of level boarding should be addressed in the EIR along with reliability and schedule issues. She
said bikes are a cost-effective way to address first and last mile and it would be helpful if bikes were allowed to board first in the bike car.

Pat Giorni, Burlingame, said there is $750 million slated for equipment replacement and a lot of the recent problems are due to equipment, and asked when this money will be programmed to start replacing equipment. Mr. Scanlon said the diesel equipment will not be replaced, but staff needs to increase the state of good repair.

Jeff Carter, Burlingame, said staff should not limit the cap to six trains per hour per direction in the Electrification EIR. The service is maxed out now and if there is no space for a person with a bike on the train it costs money for parking at the station or a place to park the bike.

**UPDATE ON NEW AGREEMENT BETWEEN THE PENINSULA CORRIDOR JOINT POWERS BOARD AND CALIFORNIA HIGH-SPEED RAIL AUTHORITY (CHSRA)**

Ms. Lee said there is a new draft JPB/CHSRA agreement. This draft agreement would replace the existing one that is outdated and reflects a partnership that was pursuing the larger four-track project. That is no longer the case. There is now a need to put a new agreement in place that is consistent with the approved nine-party Memorandum of Understanding (MOU) and provides the full funding for the Caltrain Modernization Program.

Ms. Lee said at the December meeting staff presented recommended key principles that would be included in the new agreement. Staff has also presented the principles to the Local Policymaker Group, the City/County Staff Coordination Group, and the Peninsula Corridor Working Group. She said staff has received comments from Friends of Caltrain, the Greater Eastside San Carlos group and letters from the city of San Mateo, the committee of the Peninsula Cities Consortium, elected officials and individuals. These comments were taken into consideration in drafting the agreement.

Ms. Lee said it is very clear the agreement is about a blended system and not a four-track system. There is affirmation the JPB continues to own the corridor and the HSR has committed Proposition 1A funding for the early investment program. The JPB and CHSRA have joint approval for building the blended system to ensure maximizing interoperability, to protect the local community interests and concerns along the corridor, and to ensure that local plans and projects are compatible with the blended system.

Ms. Lee said one recital in the agreement pertaining to who is to be the environmental “lead” clearing the blended system received the most comments. The agreement states the JPB will lead and clear the corridor electrification, and FTA will have oversight. She said passing tracks and storage maintenance yard elements needed for HSR trains and service will be cleared by CHSRA, and Federal Railroad Administration has jurisdiction. Ms. Lee said many of the stakeholders want the JPB to lead all aspects of environmentally clearing the blended system, but staff feels it is legally appropriate to divide the responsibility the way it is noted in the agreement.
She said the JPB does not give up local control as the JPB is the right of way owner, will exert its rights as the owner, and reserves the right to approve the project design and construction.

Ms. Lee said there were a few comments not addressed in the agreement. Staff was asked to commit that the project not have any local impact and the right venue for that is the environmental process, not the MOU. The project needs to go through an environmental process to identify what the impacts may be, figure out if they can be avoided, and if not, what the mitigations might be. Staff was asked to define future HSR and Caltrain service and include local projects that are not in the early investment program.

Ms. Lee said the stakeholders have a copy of the draft agreement and staff has asked for additional comments beyond the February 13 deadline. Staff hopes to bring back a final agreement for adoption in March. The CHSRA anticipates taking action in April on this agreement.

Chair Yeager reiterated that local control is still fully protected and the JPB will continue to exert its rights as the owner of the corridor, reserves the right to approve the blended system project design and construction program, and will continue to protect local interests and concerns.

Public Comment
Jim Bigelow, Redwood City/San Mateo County and Menlo Park Chambers of Commerce, said the draft agreement appears to be very protective of the Peninsula interests and puts to bed the idea that there will be a four-track system between San Francisco and San Jose. He said the sooner there is a revised agreement getting to the details of how to do the first part of the early investment the better. He said when he goes to MTC the Bay Area Rapid Transit trains are just as crowded. The peak hours are an issue for a lot of systems.

Paul Krupka, San Mateo, said the Agreement is well done and commended staff and legal counsel for their efforts.

Adina Levin, Friends of Caltrain, said she is glad to see the improvements in the MOU, including deleting all the obsolete documents and itemizing areas where Caltrain and CHSRA are going to need to work together. She said the nine-county funding MOU states working together to bring in funding for future components of the blended system but there isn’t anything along those lines in the bi-directional HSR/Caltrain MOU.

Jeff Carter, Burlingame, said no one knows what the future demand is going to be and shouldn’t be limited to two-tracks as part of the blended system. He said 94 percent of the right of way is 75 feet or wider and is plenty of room to expand to four tracks.

Pat Giorni, Burlingame, said there is a lot of talk from the governor on short-cutting CEQA requirements for major infrastructure projects. She asked if CEQA is short cut how it is going to affect the agreement for the State EIR. She asked if any of the Peninsula interests will be short changed by a change in CEQA requirements.
Legal Counsel David Miller said the contract language is going to protect the JPB. It states the ownership of the rail corridor and the absolute contractual right to improve any and all designs and specifically designed to protect the interests of the community.

**ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR DECEMBER 2012**

Ms. Harrington said through December farebox revenue is over budget by $4.9 million and expenses are under by $1.7 million. Last week fuel was $3.17 per gallon and year to date it is $3.17 per gallon. The JPB will be receiving $47,000 for January and year to date has received $329,000 from the fuel hedge.

A motion (Tissier/Lloyd) to accept the December 2012 statement was approved unanimously.

**AUTHORIZE AMENDING THE FISCAL YEAR 2013 OPERATING BUDGET FROM $111,368,706 TO $112,165,890**

Ms. Harrington said these are the mid-year budget adjustments. Fare revenue increases are offset by parking. The Pacifica Shuttle item is a pass through to the City of Pacifica and is neutral to the JPB. On the expense side there are increases in the security costs and this is most notable at the San Francisco and San Jose Caltrain stations where there is 24-hour security. She said she will be proposing to put the entire FY2013 surplus towards FY2014 budget.

A motion (Lloyd/Nolan) to amend the Fiscal Year 2012 Operating Budget was approved unanimously.

**AUTHORIZE AN INCREASE IN CHANGE ORDER AUTHORITY BY AN AMOUNT NOT TO EXCEED $6 MILLION FOR THE SAN BRUNO GRADE SEPARATION PROJECT**

Deputy CEO Chuck Harvey reported:

- The goal of the project is to improve safety by eliminating conflicts between trains and vehicular and pedestrian traffic at crossings between Interstate 380 and San Felipe Avenue in San Bruno.
- The box culvert construction was completed in October 2010 and the entire project will be completed by the end of this year.
- The project cost estimate is $147 million and the funding sources are the San Mateo County Transportation Authority Measure A, Proposition 1B, California Public Utilities Commission 190 funds, Statewide Transportation Improvement Program and FTA. There are no member agency dollars being used for this project.
- The project has been delayed approximately one year. There is an increase in contract amount because of the delays, including the finding of contaminated soil.

Director Jerry Deal asked what contaminated soil is. Mr. Harvey said there are a number of things in the soil along the corridor that reach a level that has to be removed and taken to a classified waste facility.
This change order is to allow work to continue and the projected completion. The $6 million is within the contract authority. Pictures of the project were shown.

Public Comment
Jeff Carter, Burlingame, asked how wide the grade separation will be and how many tracks the separation can accommodate. Mr. Harvey said the track structure is for two tracks and can accommodate four tracks.

Roland LeBrun, San Jose, asked if there is going to be two tracks or four tracks at San Bruno.

A motion (Nolan/Tissier) to authorize an increase in change order authority by an amount not to exceed $6 million for the San Bruno Grade Separation Project was approved unanimously.

**AUTHORIZE CONTRACT AMENDMENT FOR ADDITIONAL CONTRACT AUTHORITY IN AN AMOUNT NOT TO EXCEED $3.4 MILLION AND EXTEND THE AGREEMENT FOR AN ADDITIONAL THREE YEARS TO MAY 2016 FOR CONSTRUCTION MANAGEMENT SERVICES WITH URS CORPORATION**

Mr. Harvey said this is an amendment to extend contract authority for the existing Construction Management Contract. This amendment will cover the San Bruno Grade Separation and other projects currently underway. He said staff wants to maintain continuity with the project and will be bidding new construction management work for new projects such as the Quint Street Bridge.

Director Nolan left at 11:18 a.m.

A motion (Nolan/Tissier) to authorize contract amendment and extend the agreement with URS Corporation was approved unanimously.

Director Nolan returned at 11:22 a.m.

**PRELIMINARY METROPOLITAN TRANSPORTATION COMMISSION TRANSIT SUSTAINABILITY PROJECT (TSP)**

Manager, Programming and Monitoring Melanie Choy reported:
- The goal is to reduce financial shortfalls, improve transit performance and attract more customers.
- The focus is on the seven largest transit operators in the region.
- The requirements are to adopt a plan by March 2013 and by 2017 have a 5 percent reduction in either cost per service hour, cost per passenger or cost per passenger mile.
• After 2017, there is to be no increase beyond the Consumer Price Index.
• Starting in 2019, MTC will link funding to performance.
• Previous cost-reduction strategies include JPB’s fuel hedging program, administrative cost control measures, closure of staffed ticket offices, introduction of Baby Bullet in 2004, reinvention of service in 2005, weekend baby bullet service, reduced service in the off-peak, and bringing back the peak-hour service in response to ridership growth.
• Moving forward, sustainable strategies include implement State of Good Repair Projects, support of Transit-oriented Development (TOD), station access planning and implementation, continuation of the Fuel Hedging Program, real-time information for customers and Caltrain Modernization Program post 2019.
• Staff will present the TSP Strategic Plan for adoption at the March meeting.

Public Comment
Adina Levin, Friends of Caltrain, said members are adopting stations and this is a real opportunity for Caltrain. She said the GO Pass Program would be extremely effective for TODs because a monthly parking at Palo Alto is $45 and a two-zone ticket is $168.

UPDATE ON TITLE VI POLICIES
Director of Rail, Michelle Bouchard reported that under new Federal requirements, Title VI civil rights policies must be Board approved and submitted to FTA prior to the next equity analysis or program submission. These include adopting a policy on major service changes, disparate impact and disproportionate burden for specific populations and adoption of system-wide service standards.

• Major Service Change Policy
  o Determines when service change is significant enough to require a thorough analysis of potential effects on protected populations.
  o The proposed draft policy would require such an analysis when there is an increase or decrease of 25 percent or more in total revenue train miles per day and more than a 50 percent change in trains stopping at a single station per day.
• Disparate Impact Policy and Disproportionate Burden Policy
  o Staff is recommending an analysis be required when a threshold of 10 percent is achieved in the difference between the impact to minority versus non-minority communities.
• Service standards and policies
  o These are service standards and policies that staff has been using over the last nine years.
  o Service standards are looking at vehicle load, headway, on-time performance and service availability.
  o Service policies are looking at vehicle assignments and transit amenities.
• Proposed Title VI schedule:
  o Conduct public outreach on proposed policies between February and March.
  o Continue additional outreach to community based organizations in March.
Final adoption at the April Board meeting.
- Public meetings will be in Gilroy, San Carlos, San Francisco and Mountain View.
- Comments will be accepted through March 29.

APPROVAL OF 2013 LEGISLATIVE PROGRAM

Director of Government and Community Affairs Seamus Murphy said staff is recommending approval of the 2013 State and Federal Legislative Program. This program guides staff’s advocacy efforts in Sacramento and Washington D.C. The program is structured to focus on three primary objectives: maintaining and enhancing State and Federal funding opportunities that support Caltrain programs and services; seek a regulatory environment that streamlines project delivery and maximizes Caltrain’s ability to meet public transportation service demands; and reinforcing and expanding programs that build and incentivize public transportation ridership.

Mr. Murphy said with these three objectives there are several issues that are included in the program that staff expects to focus on in the coming year, both at the State and Federal levels.

Mr. Murphy said the program is structured to be broad enough to allow staff to take action quickly when unanticipated issues might come up. If there are issues outside of this program, staff would bring them to the Board’s attention and seek approval.

Public Comment

Vaughn Wolfe, Pleasanton, said he would suggest altering the laws so transit districts can participate and buy power, rather than exempting the agency from the costs. When there are exemptions the cost is being forced on the rest of the general public. If it is forced to a vote the rest of the general public will not look respectfully on transportation. Operating costs can be significantly reduced by capitalizing your own power system.

A motion (Nolan/Lloyd) to approve the 2013 Legislative Program was approved unanimously.

LEGISLATIVE UPDATE

State Update

Mr. Murphy said there is no deficit projected for next year in the governor’s budget. The State Transit Assistance Program projections are lower for this fiscal year and next fiscal year due to a lower level of diesel fuel sales. There is $480 million included for appropriation for transit in the Proposition 1B program. There is an appropriation of $55 million from the first Cap and Trade auction and it has not been specified how those funds will be directed. The governor’s office will be holding a series of outreach meetings and staff will encourage these funds be directed towards clean transportation projects.

Mr. Murphy introduced the new Government Affairs Officer Casey Fromson, who will be focusing on the Caltrain Modernization Program. She was a member of Congresswoman Anna Eshoo’s staff in Washington D.C. focusing on transportation.
No discussion.

**CORRESPONDENCE**
No discussion.

**BOARD MEMBER REQUESTS**
Director Nolan said Mayor Ed Lee in his State of the City Message announced a new initiative and task force that will look comprehensively at transportation in San Francisco and regionally. This is partially aimed at possibly some type of ballot measures for funding in 2014. Mr. Nolan said there is a very difficult advertising issue going through the SFMTA and their advertising policy is being severely challenged by some anti-Arab, anti-Islamic ads. He asked if there is any policy for the JPB. Mr. Miller said both the San Mateo County Transit District and the JPB have adopted policies that stem from this type of issue and the policy confines advertising to commercial speech. He said he would provide a copy of the policy to Director Nolan.

**DATE/TIME/PLACE OF NEXT MEETING**
The next meeting will be Thursday, March 7, 2013, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

**GENERAL COUNSEL REPORT**

a. Closed Session: Real Estate Negotiations – Pursuant to Government Code 54956.8:

   Agency Negotiators: David J. Miller and Brian Fitzpatrick
   Under Negotiation: Price and Terms of Purchase

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<thead>
<tr>
<th>Property/Negotiating Parties</th>
<th>Owner Address and APN</th>
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<tr>
<td>Hines, EBL &amp; S/Shea</td>
<td>Hayward Park Caltrain Station Site</td>
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<td></td>
<td>Concar Drive &amp; Pacific Boulevard</td>
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<td></td>
<td>San Mateo, CA</td>
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Mr. Miller said this matter can be handled in open session and involves a Transit Oriented Development Project at the Hayward Park Station. The reason the closed session is listed is it would be permissible, if the Board so chooses, to discuss financial issues involving the negotiations. Mr. Miller said today staff is requesting the Board, through an advisory committee of Chair Yeager and Directors Tissier and Nolan, adopt a resolution that would authorize entering into an exclusive negotiating agreement with the highest ranked proposer.

Mr. Miller said the JPB issued a request for Statement of Qualifications in February 2012. Two proposals were received and staff would like to proceed with negotiations with EBL&S/Shea. The developer’s site plan must include reservation of a 140-foot-wide strip for potential expansion for transportation. Mr. Miller said the developer would have 60-day period for exclusive negotiations. Staff would come back to the Board at the end of that time with a proposed term sheet. The developer is required to deposit
$60,000 for the privilege of continuing the negotiations and for covering the costs to the JPB associated with those negotiations. He said a long-term ground lease is envisioned. No JPB-owned property will be sold or conveyed and there will be no subordination of the JPB’s property interest to accommodate the financing.

Director Tissier said both proposers are very strong, but the one recommended is just a bit stronger.

A motion (Tissier/Nolan) to proceed with negotiations with EBL&S/Shea was approved unanimously.

Adjourned at 11:50 a.m.
TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: KEY CALTRAIN PERFORMANCE STATISTICS JANUARY 2013

Caltrain’s average weekday ridership (AWR) in January 2013 was 45,111, which is an increase of 3,742 or 9 percent over January 2012. Total Caltrain ridership in January 2013 was 1,232,312, which is 10.9 percent greater than January 2012.

On-time performance (OTP) for January 2013 was 94.2 percent. This was slightly higher than January 2012, which was 94 percent. While this is just shy of the 95 percent goal for trains arriving within five minutes of the scheduled arrival time, OTP has been improving over the last several months. In addition, when measuring trains arriving within 10 minutes of the scheduled arrival time, OTP rises to 97.6 percent. There were five weekend days and two weekdays with 100 percent of the trains on time and an additional 15 days with OTP at 95 percent or better.

There were 11.2 complaints per 100,000 passengers. This is the second lowest rate this fiscal year. Monthly mechanical delays were above average at 1,148 minutes for January 2013.

Average weekday shuttle ridership was 7,695, which is an increase of 255 or 3.4 percent above January 2012 AWR of 7,440. After a year of steady, significant growth, the Marguerite AWR has now tapered off to a rate that better matches ridership growth of the other Caltrain shuttles. For the station shuttles, the Millbrae-Broadway shuttle averaged 184 daily riders. The Belmont-Hillsdale shuttle averaged 60 daily riders. The weekend Tamien-San Jose shuttle averaged 54 riders per day.
Caltrain Promotions – January 2013

See Something – Say Something – When Caltrain underwent its American Public Transportation Association system safety audit, the auditors recommended that the rail system undertake a customer safety and security awareness campaign using its station visual message signs. From that recommendation, Caltrain’s See Something – Say Something campaign was developed and expanded to include a number of other communications channels to spread the messages. In addition to the station message board, a new message each month will be distributed via conductor announcements, social media and web posting (www.caltrain.com/seesomething). The inaugural message was “See Something – Say Something. We can all count on a safe ride if we look out for each other.”

Freedom Train – Caltrain continued its tradition of operating chartered trains for the Dr. Martin Luther King Jr. Association of Santa Clara Valley to commemorate the 1960s civil rights march from Selma to Montgomery, Alabama. Caltrain provided information about the charter through its website, social media and a news release. This year, Caltrain transported 1,046 customers, a 7 percent increase compared to last year.

San Jose Sharks – The National Hockey League’s lockout ended and fans headed to Caltrain to see the San Jose Sharks take to the ice. Caltrain carried an additional 1,517 fans for the five home games. The service was promoted through the rail agency’s website, social media channels and a news release. Caltrain also partnered with the Sharks flagship radio station, KFOX, in a game and train ticket giveaway, which provided complimentary media mentions for Caltrain.

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

#### January 2013

<table>
<thead>
<tr>
<th></th>
<th>FY2012</th>
<th>FY2013</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Ridership</td>
<td>1,111,421</td>
<td>1,232,312</td>
<td>10.9%</td>
</tr>
<tr>
<td>Average Weekday Ridership</td>
<td>41,369</td>
<td>45,111</td>
<td>9.0%</td>
</tr>
<tr>
<td>Total Farebox Revenue</td>
<td>$4,619,063</td>
<td>$5,247,032</td>
<td>13.6%</td>
</tr>
<tr>
<td>On-time Performance</td>
<td>94.0%</td>
<td>94.2%</td>
<td>0.2%*</td>
</tr>
<tr>
<td>Average Caltrain Shuttle Ridership**</td>
<td>7,440</td>
<td>7,695</td>
<td>3.4%</td>
</tr>
</tbody>
</table>

#### Year to Date

<table>
<thead>
<tr>
<th></th>
<th>FY2012</th>
<th>FY2013</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Ridership</td>
<td>8,009,740</td>
<td>8,959,793</td>
<td>11.9%</td>
</tr>
<tr>
<td>Average Weekday Ridership</td>
<td>42,763</td>
<td>47,846</td>
<td>11.9%</td>
</tr>
<tr>
<td>Total Farebox Revenue</td>
<td>$33,644,652</td>
<td>$39,426,967</td>
<td>17.2%</td>
</tr>
<tr>
<td>On-time Performance</td>
<td>93.5%</td>
<td>90.4%</td>
<td>-3.1%*</td>
</tr>
<tr>
<td>Average Caltrain Shuttle Ridership**</td>
<td>6,903</td>
<td>8,247</td>
<td>19.5%</td>
</tr>
</tbody>
</table>

* numeric difference of the percentages
** Shuttles included have been adjusted for FY12 to reflect only JPB funded shuttles

### Graph A

[Caltrain Average Weekday Ridership Graph]

- **AWR**
- 13-Month rolling average

Page 3 of 4
AGENDA ITEM #8  
MARCH 7, 2013

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 JANUARY 31, 2013 AND SUPPLEMENTAL INFORMATION  

ACTION
Staff Proposes the Board of Directors accept and enter into the record the Statement of Revenue and Expense for the month of January 2013 and supplemental information.

SIGNIFICANCE
Revenue: For January of Fiscal Year 2013, Total Operating Revenue (line 7) is $4,970,468 or 12.5 percent better than budget. Within total operating revenue, Farebox Revenue (line 1) is $5,088,748 or 14.8 percent better than budget. Compared to the prior year, Total Operating Revenue (line 7) is $5,803,209 or 15 percent higher.

Expense: Grand Total Expenses (line 47) show a favorable variance of $1,029,216 or 1.6 percent. Total Operating Expense (line 33) is $728,534 or 1.3 percent better than budget. Total Administrative Expense (line 43) is $300,682 or 3.7 percent better than budget.

Compared to prior year, Grand Total Expenses (line 47) are $5,667,041 or 9.8 percent higher. The increase in expense is mainly due to Contract Operating & Maintenance (line 22) which is $2,641,962 or 7.6 percent higher.

BUDGET IMPACT
There are no budget revisions for the month of January 2013.

Prepared By: Jeannie Chen, Senior Accountant  
Sheila Tioyao, Manager, General Ledger

650.508.6259  
650.508.7752
## PENINSULA CORRIDOR JOINT POWERS BOARD
### STATEMENT OF REVENUE AND EXPENSE
#### Fiscal Year 2013
##### January 2013

### Statement of Revenue and Expense

**Month**

<table>
<thead>
<tr>
<th>Month</th>
<th>Current Actual</th>
<th>Prior Actual</th>
<th>Current Actual</th>
<th>Revised Budget</th>
<th>% of Year Elapsed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>REVENUE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OPERATIONS:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Farebox Revenue</td>
<td>5,247,032</td>
<td>33,651,779</td>
<td>39,426,967</td>
<td>34,338,219</td>
<td>114.8%</td>
</tr>
<tr>
<td>Parking Revenue</td>
<td>235,639</td>
<td>1,866,165</td>
<td>1,758,562</td>
<td>1,924,761</td>
<td>91.4%</td>
</tr>
<tr>
<td>Shuttles</td>
<td>76,807</td>
<td>525,057</td>
<td>659,867</td>
<td>807,468</td>
<td>81.7%</td>
</tr>
<tr>
<td>Other Income</td>
<td>148,692</td>
<td>1,037,701</td>
<td>1,056,906</td>
<td>1,090,110</td>
<td>97.0%</td>
</tr>
<tr>
<td><strong>TOTAL OPERATING REVENUE</strong></td>
<td><strong>5,958,570</strong></td>
<td><strong>38,810,390</strong></td>
<td><strong>44,613,599</strong></td>
<td><strong>39,643,131</strong></td>
<td><strong>112.5%</strong></td>
</tr>
<tr>
<td>CONTRIBUTIONS:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>JPB Member Agencies</td>
<td>2,791,667</td>
<td>14,780,064</td>
<td>19,541,666</td>
<td>19,541,667</td>
<td>100.0%</td>
</tr>
<tr>
<td>Operating Grants</td>
<td>442,582</td>
<td>2,244,014</td>
<td>3,098,073</td>
<td>3,889,170</td>
<td>79.7%</td>
</tr>
<tr>
<td><strong>TOTAL CONTRIBUTED REVENUE</strong></td>
<td><strong>3,452,456</strong></td>
<td><strong>17,024,077</strong></td>
<td><strong>23,792,673</strong></td>
<td><strong>24,626,668</strong></td>
<td><strong>96.6%</strong></td>
</tr>
<tr>
<td><strong>TOTAL OPERATING REVENUE</strong></td>
<td><strong>9,411,025</strong></td>
<td><strong>56,410,393</strong></td>
<td><strong>68,406,272</strong></td>
<td><strong>64,269,799</strong></td>
<td><strong>106.4%</strong></td>
</tr>
<tr>
<td><strong>EXPENSE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>OPERATING EXPENSE:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contract Operating and Maintenance</td>
<td>5,526,080</td>
<td>34,548,152</td>
<td>37,190,114</td>
<td>37,410,401</td>
<td>99.4%</td>
</tr>
<tr>
<td>Operator Contract Transition Costs</td>
<td>-</td>
<td>1,074,840</td>
<td>-</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Rail Operator Service - Other</td>
<td>24,700</td>
<td>-</td>
<td>309,700</td>
<td>313,320</td>
<td>98.8%</td>
</tr>
<tr>
<td>Shuttles (incl Peninsula Pass)</td>
<td>379,848</td>
<td>1,651,025</td>
<td>2,261,286</td>
<td>2,272,792</td>
<td>99.5%</td>
</tr>
<tr>
<td>Fuel</td>
<td>1,364,814</td>
<td>8,953,411</td>
<td>9,278,409</td>
<td>9,532,471</td>
<td>97.3%</td>
</tr>
<tr>
<td>Timetables and Tickets</td>
<td>12,000</td>
<td>74,179,657</td>
<td>82,856</td>
<td>85,867</td>
<td>96.1%</td>
</tr>
<tr>
<td>Insurance</td>
<td>463,162</td>
<td>2,810,576</td>
<td>2,959,250</td>
<td>3,049,621</td>
<td>97.0%</td>
</tr>
<tr>
<td>Facilities and Equipment Maint</td>
<td>261,065</td>
<td>640,099</td>
<td>1,037,190</td>
<td>1,065,401</td>
<td>97.4%</td>
</tr>
<tr>
<td>Utilities</td>
<td>138,525</td>
<td>810,752</td>
<td>932,227</td>
<td>989,590</td>
<td>94.2%</td>
</tr>
<tr>
<td>Services</td>
<td>69,854</td>
<td>525,057</td>
<td>659,867</td>
<td>807,468</td>
<td>81.7%</td>
</tr>
<tr>
<td><strong>TOTAL OPERATING EXPENSE</strong></td>
<td><strong>8,240,050</strong></td>
<td><strong>51,132,695</strong></td>
<td><strong>54,745,472</strong></td>
<td><strong>55,474,006</strong></td>
<td><strong>98.7%</strong></td>
</tr>
<tr>
<td><strong>ADMINISTRATIVE EXPENSE</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wages and Benefits</td>
<td>622,498</td>
<td>2,657,659</td>
<td>3,143,190</td>
<td>3,175,901</td>
<td>99.0%</td>
</tr>
<tr>
<td>Managing Agency Admin OH Cost</td>
<td>320,571</td>
<td>483,786</td>
<td>2,168,802</td>
<td>2,399,086</td>
<td>90.4%</td>
</tr>
<tr>
<td>Board of Directors</td>
<td>826</td>
<td>5,374</td>
<td>4,987</td>
<td>6,050</td>
<td>82.4%</td>
</tr>
<tr>
<td>Professional Services</td>
<td>232,473</td>
<td>1,610,540</td>
<td>1,584,913</td>
<td>1,603,800</td>
<td>97.4%</td>
</tr>
<tr>
<td>Communications and Marketing</td>
<td>1,909</td>
<td>35,040</td>
<td>66,351</td>
<td>80,500</td>
<td>82.4%</td>
</tr>
<tr>
<td>Office Expense and Other</td>
<td>142,925</td>
<td>1,005,103</td>
<td>883,524</td>
<td>887,111</td>
<td>99.6%</td>
</tr>
<tr>
<td><strong>TOTAL ADMINISTRATIVE EXPENSE</strong></td>
<td><strong>1,321,202</strong></td>
<td><strong>5,797,503</strong></td>
<td><strong>7,851,767</strong></td>
<td><strong>8,152,449</strong></td>
<td><strong>96.3%</strong></td>
</tr>
<tr>
<td><strong>GRAND TOTAL EXPENSE</strong></td>
<td><strong>9,653,158</strong></td>
<td><strong>57,573,542</strong></td>
<td><strong>63,240,583</strong></td>
<td><strong>64,269,799</strong></td>
<td><strong>98.4%</strong></td>
</tr>
</tbody>
</table>

Notes:
- **% 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.

2/25/13 3:54 PM
**PENINSULA CORRIDOR JOINT POWERS BOARD**

**INVESTMENT PORTFOLIO**

**AS OF JANUARY 31, 2013**

<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>0.300%</td>
<td>$26,715,998</td>
<td>$26,715,998</td>
</tr>
<tr>
<td>Local Agency Investment Fund (Unrestricted)</td>
<td>Liquid Cash</td>
<td>0.300%</td>
<td>2,000,000</td>
<td>2,000,000</td>
</tr>
<tr>
<td>County Pool (Unrestricted)</td>
<td>Liquid Cash</td>
<td>0.630%</td>
<td>20,101,324</td>
<td>20,101,324</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>945,302</td>
<td>945,302</td>
</tr>
</tbody>
</table>

$49,762,624 $49,762,624

Accrued Earnings for January, 2013 $17,476.05
Cumulative Earnings FY2013 $136,862.46

* County Pool average yield for the month ending January 31, 2013 was 0.630%. As of January, 2013 the amortized cost of the Total Pool was $2,855,550,075.87 and the fair market value per San Mateo County Treasurer's Office was $2,863,573,139.63.

** The Portfolio and this Investment Report comply with the Investment Policy and the provisions of SB 564 (1995).

The Joint Powers Board has the ability to meet its expenditure requirements for the next six months.
AGENDA ITEM #9
MARCH 7, 2013

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Marian Lee
Executive Officer, Caltrain Modernization Program

SUBJECT: AUTHORIZE APPROVAL OF NEW AGREEMENT BETWEEN THE PENINSULA CORRIDOR JOINT POWERS BOARD AND CALIFORNIA HIGH SPEED RAIL AUTHORITY

ACTION
The Staff Coordinating Council (SCC) recommends the Board take the following actions:

- Approve the new agreement (attached) between the Peninsula Corridor Joint Powers Board (JPB) and California High Speed Rail Authority (CHSRA);
- Authorize the Chair of the Board to enter into the agreement on behalf of the JPB; and
- Authorize the Executive Director to take such other actions as to enter into related understandings to administrate the agreement.

SIGNIFICANCE
The JPB and the CHSRA currently are parties to agreements entered into in 2004 and 2009 that anticipate future shared use of the JPB’s peninsula rail corridor to accommodate commuter and high-speed rail services.

The 2004 Memorandum of Understanding (MOU) and 2009 Agreement between the two agencies are outdated as they were entered into at a time when CHSRA envisioned a four-track, grade separated high-speed rail service operating within the JPB-owned rail corridor. That earlier vision has been replaced with a new one; the JPB and its local and regional partners, as well as the CHSRA, have adopted policies and entered into a nine-party MOU that establishes a new approach known as the Blended System.

A new agreement between the JPB and CHSRA is needed to reflect and to be grounded in the Blended System as defined in the 2012 CHSRA Business Plan, the 2012 nine-party MOU and the JPB’s Resolution No. 2012-18 adopting the MOU.

At the December 2012 and February 2013 JPB meetings, staff provided information to the Board and solicited input from the public. Staff and attorneys for the JPB and CHSRA have considered all public comments and finalized the agreement for Board approval.
**BUDGET IMPACT**
There is no impact to the existing budget.

**BACKGROUND**
The fundamental purpose for entering into a new agreement with the CHSRA is to replace outdated agreements that envisioned a four-track, grade separated system with a commitment by the JPB and the CHSRA to advance a project focused exclusively upon and confined to a Blended System in the peninsula Corridor. The Blended System has been defined to consist of primarily a two-track system located substantially within the existing JPB-owned rail corridor to be shared by JPB and CHSRA trains, as well as other passenger and freight services.

The agreement also:
- Recognizes JPB’s ownership of the peninsula rail corridor
- Establishes a collaborative process to secure Proposition 1A funding for design and construction of the JPB early investment projects, consisting of corridor electrification and associated rolling stock, and construction of an advanced signal system known as Communications-based Overlay Signal System (CBOSS).
- Requires JPB approval as prerequisites for CHSRA future design and construction of the Blended System.
- Recognizes that the Blended System must be designed and constructed in a manner that gives consideration to local community interests and concerns.
- Contemplates implementation of other locally supported plans/projects that are compatible with the Blended System

The agreement also identifies the legally appropriate environmental lead agencies for advancing the blended system: the JPB for the early investment program and the CHSRA for additive improvements beyond the early investment program needed for high-speed rail service. It is important to note that this approach does not compromise local control. The JPB will continue to exert its rights as the owner of the Peninsula corridor, reserve the right to approve the Blended System project design and its construction program, and will continue to protect local interests and concerns.

Prepared By: Marian Lee, Executive Officer, Caltrain Modernization 650.622.7843
AGREEMENT

THIS AGREEMENT is entered into as of this _____ day of __________, 2013 by and between the California High Speed Rail Authority (hereinafter referred to as “CHSRA”) and the Peninsula Corridor Joint Powers Board (hereinafter referred to as “PCJPB”).

RECITALS

WHEREAS, in January, 2004, the CHSRA and the PCJPB entered into a Memorandum of Understanding (the "2004 MOU"), the purpose of which was to establish a framework for future cooperation between the two agencies relative to the proposed development of a high speed train system for California that would share the rail corridor between the City of San Jose and the City and County of San Francisco owned by the PCJPB ("Peninsula Rail Corridor"); and

WHEREAS, in April, 2009, the CHSRA and the PCJPB entered into a new agreement, the purpose of which was to establish an initial organizational framework whereby CHSRA and PCJPB would engage as partners in the planning, design and construction of improvements along the Peninsula Rail Corridor to accommodate and serve the respective interests of the two organizations ("the 2009 Agreement"); and
WHEREAS, in November 2009, the 2009 Agreement was amended which, among other things, established a 50-50 financial cost sharing arrangement between the parties to cover costs incurred in connection with carrying out the purposes of said Agreement; and

WHEREAS, in April, 2012, the CHSRA adopted a Revised Business Plan which enunciated a new approach to the future development of a high speed rail system along the Peninsula Rail Corridor; and

WHEREAS, more specifically, the Revised Business Plan establishes a policy to develop the high speed rail system utilizing a blended system approach that will coordinate the development and operation of high speed trains within the existing PCJPB commuter rail system, based on the premise that the blended system will remain substantially within the existing PCJPB right-of-way and will accommodate future high-speed rail and modernized PCJPB commuter rail service by primarily utilizing the existing track configuration in the Peninsula Rail Corridor (the “Blended System”); and

WHEREAS, the PCJPB is supportive of a program of investments in its Peninsula Rail Corridor that will serve to upgrade its existing commuter rail system while concurrently preparing for future high-speed trains provided it is limited to infrastructure necessary to support the Blended System consisting of primarily a two-track system substantially within the existing PCJPB right-of-way shared by both PCJPB commuter trains and CHSRA trains, as well as other passenger and freight services; and
WHEREAS, the PCJPB is committed to respecting the interests of the communities through which the Blended System will be constructed by encouraging design of the Blended System in a manner that will avoid adverse impacts wherever feasible, including those associated with aerial/underground options or options that involve construction of facilities substantially outside of the PCJPB existing right-of-way; and

WHEREAS, during the spring of 2012, the CHSRA and the PCJPB, together with the Metropolitan Transportation Commission, the San Francisco County Transportation Authority, the Santa Clara Valley Transportation Authority, the City of San Jose, the City and County of San Francisco, the San Mateo County Transportation Authority and the Transbay Joint Powers Authority entered into a Memorandum of Understanding that adopted an early investment strategy pertaining to the Blended System in the San Francisco to San Jose Segment of the Peninsula Rail Corridor (the "2012 Nine-Party MOU"), a copy of which is attached hereto as Exhibit A and incorporated herein by this reference; and

WHEREAS, the 2012 Nine-Party MOU identifies two principal inter-related projects as essential to the early investment strategy: (1) Corridor Electrification and associated rolling stock acquisition, and (2) construction of an advanced signal system, commonly known as the PCJPB’s "CBOSS" project and hereinafter referred to as CBOSS, which will incorporate federally mandated Positive Train Control (collectively, the "Early Investment Projects"); and

WHEREAS, as a result of and based upon the aforementioned series of actions that support implementation of future high speed rail service in the Peninsula Rail Corridor
predicated upon the Blended System, CHSRA and PCJPB have concluded that it is timely, and in the public's interest, to terminate the 2004 MOU and 2009 Agreement and to enter into a new agreement covering project planning and development focused exclusively upon and confined to the Blended System.

NOW, THEREFORE, in consideration of the foregoing the parties hereby agree as follows:

1. **TERMINATION OF THE 2004 MOU AND 2009 AGREEMENT**

The parties agree that the 2004 MOU and 2009 Agreement, as amended, hereby are terminated and the provisions contained therein are of no further force or effect.

2. **PURPOSE OF AGREEMENT**

The purpose of this agreement is to establish a new partnership between the parties for the planning, environmental review, design and ultimate construction of improvements in the Peninsula Rail Corridor that will accommodate and serve both PCJPB commuter rail service and CHSRA high speed rail service predicated upon the Blended System as defined in the CHSRA 2012 amended Business Plan and in the above referenced 2012 Nine-Party MOU.
3. **PARTNERSHIP PRINCIPLES**

   A. The following Partnership Principles that were fundamental to the understandings reached between the parties and embedded in the 2009 Agreement hereby are reiterated and reconfirmed in the context of the Blended System:

   1. It is recognized that development of the Blended System will have to take place while PCJPB commuter rail service remains in regular operation. The customers of the PCJPB must continue to be served throughout the Blended System construction program. It is further recognized that certain improvements in the Peninsula Rail Corridor, most notably the Early Investment Projects consisting of Corridor Electrification and construction of CBOSS, will be required first in order to facilitate construction of the Blended System and to minimize service disruptions in the operation of the PCJPB commuter rail service, the commuter rail services of ACE, the intercity rail services of Capitol Corridor and freight operations during the Blended System construction program.

   2. The Blended System must be designed, constructed and operated in a manner fully consistent with the operational requirements of the PCJPB commuter rail system and with consideration of the interests of the cities served by said system through which the high speed rail Blended System will be constructed and operated, as well as other community partners and stakeholders.

   3. The parties recognize the investments already made by the PCJPB, including the intrinsic value of the Peninsula Rail Corridor owned by the PCJPB and expenditures made to acquire and improve it, as well as those to be made in the future by the PCJPB in pursuit of Corridor Electrification, CBOSS and other rail improvement projects. The
parties further recognize that the existing right of way and existing improvements are owned solely by the PCJPB and that the Early Investment Project improvements will be owned by the PCJPB. Ownership of future improvements and associated additional right-of-way required to implement the Blended System will be the subject of a future agreement between the parties. It is understood that it will be necessary for the parties to negotiate one or more agreements at a future date to facilitate construction and shared use of the Peninsula Rail Corridor by CHSRA in order to implement and operate the Blended System.

B. In addition to the foregoing, the parties agree to the following new and additional Principles:

1. As stipulated in the 2012 Nine-Party MOU, the parties will jointly support and pursue the implementation of a statewide high-speed rail system predicated upon the Blended System, it being recognized that the Blended System will support and benefit operation of both PCJPB’s commuter rail system and CHSRA’s high-speed train service.

2. Implementation of Corridor Electrification together with associated rolling stock acquisition and construction of CBOSS constitute essential early investment projects in the Peninsula Rail Corridor that will have independent utility while at the same time will be of tangible benefit to future development and operation of the Blended System.

3. As stated in PCJPB Resolution No. 2012-018, adopted on May 3, 2012 which approved execution of the 2012 Nine-Party MOU and the Early Investment Projects strategy contained therein:
a The PCJPB, as the owner of the Peninsula Rail Corridor and operator of the commuter rail system thereon, will implement the Early Investment Projects; and

b The Early Investment Projects will be planned, designed and constructed in a way that respects community partners and stakeholders.

The foregoing Principles contained in Sections 3(A) and 3(B) shall govern the actions of the parties henceforth relative to the planning, design and construction of the Early Investment Projects and ultimately the Blended System.

4. **ACTION PLAN**

The initial series of actions to be pursued in concert by the parties will be to work toward the implementation of the Early Investment Projects strategy as previously agreed in the 2012 Nine-Party MOU. Toward that end, the parties agree to undertake the following specific actions:

A. CHSRA will reflect this Agreement and the 2012 Nine-Party MOU in its Business Plan at the earliest possible date;

B. The parties will work cooperatively and collaboratively to secure approval and release of $600 million of Proposition 1A funds and $106 million of Proposition 1A “connectivity” funds appropriated by the California Legislature pursuant to Chapter 152 of the Budget Act of 2012 (Senate bill No. 129) and consistent with the funding plan contained in the 2012 Nine-
Party MOU to enable the Corridor Electrification and CBOSS projects to proceed to their respective next stages of development;

C. Having already environmentally cleared and initiated construction of the CBOSS project, PCJPB shall continue to serve as lead agency responsible for final completion and delivery of that component of the early investment program;

D. PCJPB shall continue to serve as lead agency for all aspects of the Corridor Electrification project, including environmentally clearing the project and subsequently arranging for its design, construction and implementation. PCJPB intends to use its best efforts to ensure delivery of the Corridor Electrification and CBOSS projects on an expedited basis and with a target final completion date no later than 2019 and CHSRA will provide such assistance as may be reasonably necessary to facilitate funding, environmental certification and project delivery by that target date;

E. The parties will establish an organizational framework for the administration and management of their ongoing relationship to achieve the purposes of this Agreement. The organizational framework will incorporate protocols and procedures for approval by both parties of the Early Investment Projects and Blended System designs. In addition to identifying their respective project team members and roles, the organizational framework will formalize a detailed financial plan incorporating financial systems and procedures required to implement continued cost sharing arrangements applicable to administration and management of the early investment program;
F. The parties will develop construction and implementation plans designed to preserve freight service in the Peninsula Rail Corridor in a manner consistent with the existing Trackage Rights Agreements between PCJPB and Union Pacific Railroad;

G. The parties will work together to assure compliance with all applicable statutory and regulatory reporting requirements and deadlines established by funding agencies;

H. From a longer term perspective, CHSRA shall continue to serve as lead agency for environmental clearance of the high speed rail Blended System project, it being understood that PCJPB will continue to act independently to support the interests and concerns of the communities along the Peninsula Rail Corridor throughout the environmental, planning, design and construction phases with a specific focus on, among other things, the location of passing tracks and any storage or maintenance facility within or along the Peninsula Rail Corridor that may be determined to be necessary to support the Blended System, grade separations supported by cities in which they will be constructed, and station improvements and associated land use compatibility considerations. Additionally, the parties will address and mutually agree upon the most effective project design and construction mechanism to be deployed, including oversight responsibility; and

I. The parties recognize and acknowledge that over time it will be necessary to formalize supplements to this agreement to address a variety of issues pertinent to future shared use of the Peninsula Rail Corridor including, but not limited to, (1) construction windows and protocols intended to safely construct Blended System improvements while facilitating ongoing commuter rail, intercity rail and freight operations, and (2) maximization of system interoperability associated with rail system scheduling, dispatching, passenger boarding, and maintenance of facilities.
5. **EFFECT OF AGREEMENT ON OTHER PCJPB RAIL CORRIDOR-RELATED PROJECTS**

Nothing contained in this agreement is intended to preclude the advancement of locally-supported plans or project improvements along the PCJPB rail corridor that are consistent with the Early Investment Projects and the Blended System project.

6. **EFFECTIVE DATE AND TERMINATION**

This agreement shall be effective upon execution by both parties and shall continue in effect until and unless terminated by both parties through mutual agreement or upon 180 days’ written notice delivered by the party seeking to terminate the agreement to the other party.

IN WITNESS WHEREOF, CHSRA and PCJPB have executed this Agreement on the day and year first above written.

California High Speed Rail Authority

BY: ____________________________

Approved as to Form: ____________________________

Peninsula Corridor Joint Powers Board

BY: ____________________________

Approved as to Form: ____________________________
MEMORANDUM OF UNDERSTANDING
HIGH SPEED RAIL EARLY INVESTMENT STRATEGY FOR A BLENDED SYSTEM IN THE SAN FRANCISCO TO SAN JOSE SEGMENT KNOWN AS THE PENINSULA CORRIDOR OF THE STATEWIDE HIGH-SPEED RAIL SYSTEM

BY AND AMONG THE FOLLOWING PARTIES (PARTIES)

CALIFORNIA HIGH SPEED RAIL AUTHORITY (AUTHORITY)
METROPOLITAN TRANSPORTATION COMMISSION (MTC)
PENINSULA CORRIDOR JOINT POWERS BOARD (JPB)
SAN FRANCISCO COUNTY TRANSPORTATION AUTHORITY (SFCTA)
SAN MATEO COUNTY TRANSPORTATION AUTHORITY (SMCTA)
SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA)
CITY OF SAN JOSE
CITY AND COUNTY OF SAN FRANCISCO
TRANSBAY JOINT POWERS AUTHORITY (TJPA)

Recitals

Whereas, the California High-Speed Rail AUTHORITY (AUTHORITY) is responsible for planning, building and maintaining an 800-mile statewide high-speed rail system and improved mobility through the development of safe, clean, reliable rail technology; and

Whereas, the AUTHORITY, in partnership with the Federal Railroad Administration is advancing a California High-Speed Train (HST) network that links the major metropolitan areas of the State of California utilizing corridors into and through Southern, Central and Northern California; and

Whereas, the AUTHORITY has responsibility for planning, construction and operation of high-speed passenger train service in California and is exclusively charged with accepting grants, fees and allocations from the state, from political subdivisions of the state and from the federal government, foreign governments, and private sources; and

Whereas, the AUTHORITY’s 2012 Business Plan proposes to incrementally develop the HST system utilizing a blended system approach that will coordinate the development and operations of HST with existing passenger rail systems, improving, enhancing and expanding the integration of high-speed and regional/local passenger rail systems; and

Whereas, this blended approach requires a series of incremental investments in the Peninsula corridor to prepare for integrated service and operations and the AUTHORITY recognizes the need for a collaborative effort with regional and local agencies to identify early investment projects along existing rail corridors that improve service, safety and efficiency, and create linkages between HST and local passenger rail service; and
Whereas, a blended system will remain substantially within the existing Caltrain right-of-way and will accommodate future high-speed rail and modernized Caltrain service along the Peninsula corridor by primarily utilizing the existing track configuration on the Peninsula; and

Whereas, this MOU is specific to project investments that upgrade existing rail service and prepare for a future high-speed train project that is limited to infrastructure necessary to support a blended system, which will primarily be a two-track system shared by both Caltrain and high-speed rail and will be designed to continue to support existing passenger and freight rail tenants; and

Whereas, local transportation improvement projects are required to be included in a Regional Transportation Plan (Plan), and the Metropolitan Transportation Commission, working closely with local agencies is charged with developing the Plan every four years to provide guidance for transportation investments within the San Francisco Bay Area and with development of regional transportation strategies to address the needs of the Bay Area; and

Whereas, on December 19, 2001, MTC adopted the Regional Transit Expansion Program of Projects (Resolution 3434) which includes the Transbay Transit Center Phase 2 Downtown Extension and Caltrain Electrification projects as regional priorities for transit expansion; and

Whereas, the Sustainable Communities and Climate Protection Act of 2008 (SB 375, Steinberg, Statutes of 2008) requires the Plan to include a Sustainable Communities Strategy (SCS), showing evidence of integrated planning, goals that establish and strengthen the crucial linkages between the economy, land use development and the regional transportation system to improve access to jobs, education, healthcare, and other amenities in ways that improve the overall quality of life in the Bay Area, and the blended system on the Peninsula corridor in the California High-Speed Rail program is consistent with achieving SB 375 goals to reduce greenhouse gas emissions; and

Whereas, all PARTIES are involved in the planning, funding, construction and/or operation of heavy and light rail transit, buses, and/or commuter train services in the Peninsula corridor and are considering intermodal service integration, including linkages to the proposed HST service; and

Whereas, it is the intent and purpose of this MOU to strengthen the working relationship between the PARTIES to facilitate the development and implementation of projects that will improve local passenger rail service and operations while preparing designated HST corridors for eventual HST operation to achieve region-wide systems integration of rail service in Northern California; and

Whereas, local transportation improvement projects are required to be environmentally evaluated according to CEQA and NEPA regulations and where necessary, existing environmental approval covering incremental improvements to the Peninsula corridor will be updated to reflect evolving local and regional conditions and concerns; and

Whereas, incremental improvements and the blended system project will be planned, designed and constructed in a way that supports local land use and Transit Oriented Development policies along the Peninsula corridor; and
Now, THEREFORE, it is mutually understood and agreed to by the PARTIES as follows:

To jointly support and pursue the implementation of a statewide high-speed rail system that utilizes a blended system and operational model on the Peninsula corridor and that has its northern terminus at the Transbay Transit Center in San Francisco as specified in law, and its southern limit at Mile Post 51.4 at the Tamien Station in San Jose. The blended system will support and benefit operation of both Caltrain and future high-speed train service.

To jointly recognize a defined set of Inter-related Program of Projects that is consistent with the AUTHORITY’s phased implementation plan and with a blended system operation of the corridor and achieves objectives that include but are not limited to system capacity and connectivity for Caltrain, HST and freight; public safety; operational efficiency; effectiveness and connectivity.

To generally describe, identify and work to fully fund an Inter-related Program of Projects known as the Corridor Electrification Infrastructure Project, Advanced Signal System (also known as Positive Train Control), the Downtown Extension to the Transbay Transit Center, which is the Proposition 1A designated northern terminus of high-speed rail, new high-speed stations at San Jose Diridon Station and a Millbrae BART/Caltrain Station with a connection to San Francisco International Airport, and a Core Capacity project of needed upgrades to stations, tunnels, bridges, potential passing tracks and other track modifications and rail crossing improvements including improvements and selected grade separations required to accommodate the mixed traffic capacity requirements of high-speed rail service and commuter services.

To recognize that of the set of Inter-related Program of Projects, the most substantial and tangible early-investment benefits will be realized when two essential projects are identified for an Initial Investment Strategy to secure, at the earliest possible date, the benefits of the blended system for the traveling public and an Initial Investment Strategy is needed to provide the groundwork upon which future construction can more readily progress.

To recognize that the two Inter-related projects for Initial Investment Strategy are the Corridor Electrification Infrastructure Project that includes the needed rolling stock to operate revenue service; and the Advanced Signal System project and to adopt as part of this MOU, the funding plans needed to move as expeditiously as possible toward construction of these two essential projects.

To work toward the implementation of the Initial Investment Strategy to the maximum extent feasible and that the PARTIES shall endeavor to incorporate the Electrification Infrastructure and Advanced Signal System projects into their respective plans and that the AUTHORITY shall reflect this MOU in its Business Plan by December 31, 2012.

That the aforementioned projects will need to be environmentally analyzed and cleared according to CEQA and NEPA guidelines as appropriate, including updating and recirculation of the Caltrain Electrification EA/FEIR completed in 2009.

That the AUTHORITY will endeavor in good faith to secure approval and release of $600 million of Proposition 1A funds and $106 million of Proposition 1A “connectivity” funds
consistent with the funding plans contained in this MOU as required to complete at the earliest possible date, the Corridor Electrification Infrastructure and Advanced Signal System projects.

That the AUTHORITY will endeavor in good faith to secure approval of Proposition 1A “connectivity” funds for Bay Area project sponsors consistent with and in accordance with the schedule and project expenditure plan approved and as amended by the California Transportation Commission.

That the AUTHORITY will work with funding partners to assist in seeking and releasing the funds necessary to implement the Electrification Infrastructure Project and Advanced Signal System project. Local agencies may provide local funds, real property, or in-kind resources as matching funds where matching funds are required to qualify for grant funds. PARTIES agree to work together to identify the appropriate amounts and types of local resources that may be used to support the completion of the Electrification Infrastructure Project and the Advanced Signal System Project.

That the AUTHORITY and appropriate PARTIES will coordinate to obtain funding using a mutually agreed-upon strategy. In the event that funding for the program is constrained by statute, recession of existing law, change in funding requirements or eligibility, reduction in funding level or availability, the AUTHORITY and the PARTIES shall take steps to notify each other as needed in a timely manner.
FUNDING PLAN

Program Costs and Proposed Funding for
Peninsula Corridor Projects:
Electrification and Advance Signal System

### Program Costs
(in $ millions, year of expenditure)

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advance Signal System / Positive Train Control (PTC)</td>
<td>$231</td>
</tr>
<tr>
<td>Electrification and Electric Multiple Units (EMUs)</td>
<td>$1,225</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,456</strong></td>
</tr>
</tbody>
</table>

### Program Funding
(in $ millions)

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>JPB Contributions</td>
<td>$180</td>
</tr>
<tr>
<td>JPB Local - Currently Available</td>
<td>$11</td>
</tr>
<tr>
<td>Caltrain PTC</td>
<td>$4</td>
</tr>
<tr>
<td><strong>Subtotal Local</strong></td>
<td><strong>$195</strong></td>
</tr>
<tr>
<td>Prop 1A Connectivity</td>
<td>$106</td>
</tr>
<tr>
<td>Prop 1A High Speed Rail Authority</td>
<td>$600</td>
</tr>
<tr>
<td>Prop 1B Caltrain</td>
<td>$24</td>
</tr>
<tr>
<td><strong>Subtotal State</strong></td>
<td><strong>$730</strong></td>
</tr>
<tr>
<td>Federal RR Admin. for PTC</td>
<td>$17</td>
</tr>
<tr>
<td>Federal Transit Admin prior/current obligations</td>
<td>$43</td>
</tr>
<tr>
<td>Federal Transit Admin future obligations</td>
<td>$440</td>
</tr>
<tr>
<td><strong>Subtotal Federal</strong></td>
<td><strong>$500</strong></td>
</tr>
<tr>
<td>MTC Bridge Tolls</td>
<td>$11</td>
</tr>
<tr>
<td>BAAQMD Carl Moyer</td>
<td>$20</td>
</tr>
<tr>
<td><strong>Subtotal Regional</strong></td>
<td><strong>$31</strong></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$1,456</strong></td>
</tr>
</tbody>
</table>

See Next Page for Notes.
Funding Plan Notes:

1. Caltrain Joint Powers Board (JPB) Local Contribution is $60 million from San Mateo sales tax, $60 million from VTA sales tax, and $60 million from San Francisco ($23 million from sales tax, $37 million from Regional Transportation Improvement Program (RTIP)/local/other). Each agency’s contribution, including Proposition 1A Connectivity funds as outlined in Note 2, is contingent upon the $60 million each from the other two JPB partners.

2. Prop 1A Connectivity is $42 million from Caltrain, $26 million from VTA, and $38 million from BART (2nd priority for BART after receipt of $150 million for railcars).

3. Prop 1B Caltrain is $20 million Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA), $4 million State-Local Partnership Program (SLPP).

4. FTA Prior/Current Obligations is $16 million for electrification in prior years, $27 million for EMUs in FY12.

5. FTA Future Obligations is $315 million for electric multiple units (EMUs), $125 million from fixed guideway caps. Funds will be programmed in accordance with MTC Transit Capital Priorities process between approximately FY2012-2013 and FY2022-2023.

6. Bridge Tolls is from Regional Measure 1 (RM1) West Bay Rail Reserve.

7. Bay Area Air Quality Management District (BAAQMD) funds to be confirmed.

8. Assumes that all local sources, Prop 1B PTMISEA, all federal sources, and bridge tolls can be used as match to Prop 1A funds, totaling $726 million in matching funds for $706 million in Prop 1A funds.

9. Other potential future funding sources could be substituted if secured, including federal Transportation Investment Generating Economic Recovery (TIGER) funds (such as current Caltrain application for $44 million), State Interregional Transportation Improvement Program (ITIP) funds, and private financing.
RESOLUTION NO. 2013-
BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA

***

AUTHORIZING APPROVAL OF NEW AGREEMENT BETWEEN
THE PENINSULA CORRIDOR JOINT POWERS BOARD AND
THE CALIFORNIA HIGH SPEED RAIL AUTHORITY

WHEREAS, in January 2004, the California High Speed Rail Authority (CHSRA) and the Peninsula Corridor Joint Powers Board (JPB) entered into a Memorandum of Understanding (the 2004 MOU), the purpose of which was to establish a framework for future cooperation between the two agencies relative to the proposed development of a high-speed train system for California that would share the rail corridor between the City of San Jose and the City and County of San Francisco owned by the JPB (Peninsula Rail Corridor); and

WHEREAS, in April 2009, the CHSRA and the JPB entered into a new agreement, the purpose of which was to establish an initial organizational framework whereby CHSRA and JPB would engage as partners in the planning, design and construction of improvements along the Peninsula Rail Corridor to accommodate and serve the respective interests of the two organizations (the 2009 Agreement); and

WHEREAS, in November 2009, the 2009 Agreement was amended so that, among other things, it established a 50-50 financial cost-sharing arrangement between the parties to cover costs incurred in connection with carrying out the purposes of said Agreement; and
WHEREAS, in April 2012, the CHSRA adopted a Revised Business Plan which enunciated a new approach to the future development of a high speed-rail system along the Peninsula Rail Corridor; and

WHEREAS, more specifically, the Revised Business Plan establishes a policy to develop the high-speed rail system utilizing a blended system approach that will coordinate the development and operation of high-speed trains with the existing JPB commuter rail system, based on the premise that the blended system will remain substantially within the existing JPB right of way and will accommodate future high-speed rail and modernized JPB commuter rail service by primarily utilizing the existing track configuration in the Peninsula Rail Corridor (the “Blended System”); and

WHEREAS, the JPB is supportive of a program of investments in its Peninsula Rail Corridor that will serve to upgrade its existing commuter rail system while concurrently preparing for a future high-speed trains provided it is limited to infrastructure necessary to support the Blended System, consisting of primarily a two-track system substantially within the existing JPB right of way shared by both JPB commuter trains and CHSRA trains, as well as other passenger and freight services; and

WHEREAS, the JPB is also committed to respecting the interests of the communities through which the Blended System will be constructed by encouraging design of the Blended System in a manner that will avoid adverse impacts wherever feasible, including those associated with aerial/underground options or options that involve construction of facilities substantially outside of the JPB right of way; and

WHEREAS, during the spring of 2012, the CHSRA and the JPB, together with the Metropolitan Transportation Commission, the San Francisco County Transportation Authority, the Santa Clara Valley Transportation Authority, the City of San Jose, the City
and County of San Francisco, the San Mateo County Transportation Authority and the Transbay Joint Powers Authority entered into a Memorandum of Understanding that adopted an early investment strategy pertaining to the Blended System in the San Francisco to San Jose Segment of the Peninsula Rail Corridor (the 2012 nine-party MOU), which was authorized by the Board pursuant to Resolution 2012-18; and

WHEREAS, the 2012 nine-party MOU identifies two principal inter-related projects as essential to the early investment strategy: (1) Corridor electrification and associated rolling stock acquisition, and (2) construction of an advanced signal system, commonly known as the JPB's "CBOSS" project, which will incorporate Federally mandated Positive Train Control (collectively, the Early Investment Projects); and

WHEREAS, as a result of and based upon the aforementioned series of actions that support coordinated planning and implementation of future high speed rail service in the Peninsula Rail Corridor predicated upon the Blended System, CHSRA and JPB have concluded that it is timely, and in the public's interest, to terminate the 2004 MOU and 2009 Agreement and to enter into a new agreement covering project planning and development focused exclusively upon and confined to the Blended System (New Agreement); and

WHEREAS, at the December 2012 and February 2013 Board meetings, staff provided information and solicited input from the public regarding the New Agreement; and

WHEREAS, one of the topics addressed during the public comment period relates to the allocation of lead agency responsibility between JPB and CHSRA for the environmental assessment of the Corridor Electrification Project and the Blended
System under the California Environmental Quality Act (CEQA) (California Public Resources Code §21067)

WHEREAS, CEQA defines the lead agency for purposes of implementing CEQA as "the public agency which has the principal responsibility for carrying out or approving a project" and CEQA Guidelines Section 15051 (14 Cal. Code of Regs. §15051) implements this provision; and

WHEREAS, based upon said definition, the Board of Directors finds and determines that the New Agreement duly and appropriately provides that JPB will serve as the lead agency for the Corridor Electrification Project and that CHSRA will serve as lead agency for the implementation of high speed rail improvements necessary to implement the Blended System.

WHEREAS, the Staff Coordinating Council has recommended approval of the New Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the JPB approves the New Agreement with the California High Speed Rail Authority and authorizes the Chair of the Board, or his designee, to execute it in the form approved by the General Counsel and to enter into related understandings to administer the agreement; and

BE IT FURTHER RESOLVED that the Board, in compliance with Section 21067 of CEQA and CEQA Guidelines Section 15051, hereby finds and determines that, as the owner of the Peninsula rail corridor right of way and operator of the Caltrain system, as well as the agency "approving and carrying out" the Corridor Electrification Project, the JPB should serve as the Lead Agency for that Project for purposes of the compliance with CEQA and that CHSRA should serve as the Lead Agency for the Blended System Project, with the understanding that both of these projects will be planned, designed...
and constructed in a manner that respects community partners and stakeholders and actively seeks participation by affected parties and interests.

Regularly passed and adopted this 7th day of March, 2013 by the following vote:

AYES:

NOES:

ABSENT:

______________________________
Chair, Peninsula Corridor Joint Powers Board

ATTEST:

______________________________
JPB Secretary
AGENDA ITEM # 10
MARCH 7, 2013

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: AUTHORIZATION OF AWARD OF A CONTRACT FOR THE SIGNAL SYSTEM REHABILITATION PROJECT

ACTION
Staff Coordinating Council (SCC) recommends that the Board:
1. Award a contract to the lowest, responsive and responsible bidder, Balfour Beatty Rail, Inc., in the total amount of $989,420.
2. Authorize the Executive Director or his designee to execute a contract in full conformity with the terms and conditions of the solicitation documents.

SIGNIFICANCE
Award of this construction contract will provide for the replacement of railroad signal houses, the upgrade of power switch machines, and the retrofit of railroad signals at Caltrain Control Point (CP) Army in San Francisco, at CP Sierra in South San Francisco, and at the Virginia Street crossing in San Jose.

BUDGET IMPACT
Funding for this contract has been fully budgeted in the approved Caltrain capital budgets. No additional funding will be required.

BACKGROUND
This construction is a part of Caltrain’s ongoing effort to maintain its railroad signal system in a state of good repair. Signal houses and equipment which are beyond their useful lives will be replaced at CP Army, CP Sierra, and the Virginia Street crossing.

Invitations for Bids (IFBs) were distributed throughout the construction industry. The solicitation was advertised in a newspaper of general circulation and on the JPB’s procurement website. Solicitation notices were also sent to potential bidders and disadvantaged business enterprises (DBEs). Two bids were received as listed below:
<table>
<thead>
<tr>
<th>Company</th>
<th>Total Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balfour Beatty Rail, Inc., So. San Francisco, CA</td>
<td>$989,420</td>
</tr>
<tr>
<td>Transit Constructors LP, Oakland, CA</td>
<td>$1,044,500</td>
</tr>
</tbody>
</table>

Balfour Beatty Rail, Inc. (Balfour Beatty) was deemed to be the apparent low bidder with a bid that was 37.5 percent lower than the engineer’s estimate. Staff attributes the favorable bids to: 1) the economic downturn, which has decreased the number of projects being bid, and 2) the engineer’s estimate being based on a normal percentage of overhead, profit, and market conditions that relied on bid results from previous signal projects at Caltrain, which were not procured during an economic downturn.

During the course of the bid evaluation process, correspondence was received from attorneys for Transit Constructors LP, questioning the responsiveness of Balfour Beatty's bid, which was related to the proper way to acknowledge issued addenda on the bid form. That letter was forwarded to Balfour Beatty, and its attorneys in turn sent a letter to the JPB responding to the alleged irregularity. Staff and legal counsel carefully reviewed and evaluated both bidders' correspondence and determined that the bid from Balfour Beatty did not contain an irregularity and was therefore responsive to the solicitation requirements. Even if the Balfour Beatty's addenda acknowledgment constituted a technical irregularity, it would have been deemed to be minor in nature and therefore waivable. Both bidders have been informed of the conclusion reached by staff and legal counsel.

Balfour Beatty Rail is an established Bay Area contractor and company reference checks confirmed that Balfour Beatty is experienced and competent. Therefore, staff concludes that Balfour Beatty is appropriately qualified and capable of meeting the requirements of the contract and is therefore the lowest responsive, responsible bidder.

The DBE Program Officer reviewed Balfour Beatty's proposal and determined that it meets the requirements of the JPB's DBE program. Although there is no DBE participation, Balfour Beatty intends to engage with seven subcontractors and material suppliers, several of whom are small businesses, including a women's business enterprise.

Contract Officer: Helen Hoang 650.508.7964
Project Manager: Hubert Chan 650.508.7786
RESOLUTION NO. 2013-

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

* * *

AUTHORIZING AWARD OF CONTRACT TO BALFOUR BEATTY RAIL, INC.
ATA TOTAL COST OF $989,420

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited bids for the Signal System Rehabilitation Project; and

WHEREAS, in response to the JPB’s invitation for bids, two firms submitted bids; and

WHEREAS, staff and Legal Counsel have reviewed the bids and determined that Balfour Beatty Rail, Inc. of San Francisco, California is the lowest responsive and responsible bidder; and

WHEREAS, the Executive Director recommends that a contract be awarded to Balfour Beatty Rail, Inc., whose bid meets all of the requirements of the solicitation documents.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Balfour Beatty Rail, Inc. of San Francisco, California (Balfour Beatty), for the Signal System Rehabilitation Project for a total cost of $989,420; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is authorized to execute a contract on behalf of the Peninsula Corridor Joint Powers Board with Balfour Beatty in full conformity with all the terms and conditions of the solicitation documents.

Regularly passed and adopted this 7th day of March, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

J PB Secretary
TO: Joint Powers Board  
THROUGH: Michael J. Scanlon  
Executive Director  
FROM: Marian Lee  
Executive Officer, Caltrain Modernization Program  
SUBJECT: ADOPTION OF CALTRAIN TRANSIT SUSTAINABILITY PROJECT (TSP) STRATEGIC PLAN  

ACTION  
Staff Coordinating Council (SCC) recommends the Board adopt the Caltrain Transit Sustainability Project (TSP) Strategic Plan (attached) for submittal to the Metropolitan Transportation Commission (MTC).

SIGNIFICANCE  
The MTC created the TSP in January 2010 to address operating and capital shortfalls experienced by various transit operators in the nine-county San Francisco Bay Area. The primary purpose of the project is to maximize transit system cost efficiencies. Efficient transit systems are essential to sustaining and improving the region’s transportation network.

As required by the TSP, staff has prepared the Draft Caltrain TSP Strategic Plan. The Plan needs to be adopted by the JPB and submitted to the MTC.

The key elements of the Caltrain TSP Strategic Plan are:

- Cost cutting and ridership growth accomplishments from previous years;
- Caltrain’s base line and forecasted performance on TSP targets established by the MTC;
- New and continued cost cutting and ridership growth strategies moving forward; and
- Monitoring program providing annual reports for MTC submittal.

At the February 7, 2013 JPB meeting, staff presented an overview of the key elements included in the Caltrain TSP Strategic Plan.

BUDGET IMPACT  
Adoption of the Caltrain TSP Strategic Plan has no impact to the budget.
BACKGROUND
The MTC adopted the TSP final recommendations on May 23, 2012, which established TSP performance measures and targets for the seven large San Francisco Bay Area transit operators.

The seven large operators are:
- Peninsula Corridor Joint Powers Board
- San Mateo County Transit District
- Alameda-Contra Costa Transit District
- Bay Area Rapid Transit District
- Golden Gate Bridge, Highway, & Transportation District
- San Francisco Municipal Transportation Agency
- Santa Clara Valley Transportation Authority

MTC requires the seven large operators to each achieve a 5 percent real reduction in at least one of the following performance measures by Fiscal Year (FY) 2017 and no growth beyond Consumer Price Index (CPI) thereafter:
- cost per service hour
- cost per passenger
- cost per passenger mile

The 5 percent real reduction is measured against the highest reported costs between FY2008 and FY2011 for one of the three performance measures listed above.

The seven operators are required to adopt strategic plans by March 31, 2013, that will establish strategies and will include a program that will monitor progress on how to achieve the 5 percent real reduction. On an annual basis, the agencies are to submit data to MTC on the progress of achieving their reduction targets. MTC will analyze the agencies’ progress in meeting these targets in FY2018. By FY2019, MTC will link existing and new operating and capital funds administered by MTC to the progress that operators have made towards achieving the targets in their strategic plans.

Prepared by: Melanie Choy, Manager Planning, 650.508.6382
Caltrain Modernization Program
DRAFT

MTC Transit Sustainability Project

Caltrain Strategic Plan
March 2013
Context

Caltrain is a 77-mile commuter rail system located in three counties in the San Francisco Bay Area – San Francisco, San Mateo and Santa Clara. Caltrain serves 32 stations from San Francisco to Gilroy. The average weekday ridership is approximately 48,000. On special event days, ridership has been as high as 80,000. Annual ridership exceeds 14 million.

Caltrain is owned and operated by a tri-county joint powers authority: the Peninsula Corridor Joint Powers Board. The JPB consists of three member agencies – City and County of San Francisco, San Mateo County Transit District and Santa Clara Valley Transportation Authority.

The Metropolitan Transportation Commission (MTC) created the Transit Sustainability Project (TSP) in January 2010 to address operating and capital shortfalls experienced by various transit operators in the nine-county San Francisco Bay Area. The primary purpose of the TSP is to maximize transit system cost-efficiencies. Efficient transit systems are essential to sustaining and improving the region’s transportation network.

In May 2012, MTC adopted the final TSP recommendations, which established performance measures and targets. As part of the final TSP recommendations, MTC required the seven large operators to each achieve a 5 percent real reduction in at least one of three specified performance measures (cost per service hour, cost per passenger cost per, passenger mile by Fiscal Year (FY) 2017, with no growth beyond Consumer Price Index (CPI) thereafter. Caltrain is one of the seven large San Francisco Bay Area transit operators affected by the TSP.

The seven operators are required to adopt strategic plans by March 31, 2013 to establish strategies and a monitoring program on how to achieve the 5 percent real reduction. On an annual basis, the agencies are to submit data on the progress of achieving their targets. MTC will analyze the agencies’ progress in meeting these targets in FY2018. By FY2019, MTC will link existing and new operating and capital funds administered by MTC to the progress that operators have made towards achieving the targets in their strategic plans.
The following sections include information required by the TSP:

1. Caltrain’s reduction targets for each metric
2. Cost-efficiency strategies for achieving reduction targets
3. Monitoring procedure
Performance Targets

The TSP requires Caltrain to establish a 5 percent reduction target in at least one of the following performance measures by FY2017:

a) cost per service hour
b) cost per passenger
c) cost per passenger mile

The target is established by applying a 5 percent reduction to the highest reported costs between FY2008 and FY2011. The highest cost (referenced as “Caltrain Baseline”) is noted in the chart below. Caltrain needs to achieve the reduction in one of the three performance targets by 2017. Beyond 2017, Caltrain needs to sustain the reduction with no growth beyond Consumer Price Index (CPI).

Table 1 identifies Caltrain’s Baseline and the 5 percent reduction target for each of the performance metrics.

**Table 1: Caltrain TSP Performance Targets**

<table>
<thead>
<tr>
<th>Metric</th>
<th>Caltrain Baseline*</th>
<th>5% Reduction Target/ Goal</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost / Service Hour</td>
<td>$ 319.12</td>
<td>$ 303.16</td>
</tr>
<tr>
<td>Cost / Passenger</td>
<td>$ 7.60</td>
<td>$ 7.22</td>
</tr>
<tr>
<td>Cost / Passenger Mile</td>
<td>$ 0.33</td>
<td>$ 0.31</td>
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* In 2011 dollars
Cost-Efficiency Strategies

Caltrain is one of the most cost-efficient transit systems in the region. Caltrain’s farebox recovery is 58%. Below describes the accomplishments that have resulted in today’s efficient system and strategies that will be implemented to further maximize system efficiencies and meet the reduction targets established by the TSP.

ACCOMPLISHMENTS

- **Implement State of Good Repair and Reliability Projects**
  Caltrain’s highest priority is keeping the system in a state of good repair and operating a safe and efficient system. Every year, Caltrain focuses on replacement and rehabilitation of infrastructure, communication and control systems, and rolling stock, to continue to provide safe, quality service to its customers and support continued ridership growth.

- **Administer Fuel Hedging Program**
  Since 2009, Caltrain has been participating in a program designed to reduce volatility and uncertainty in the budget for fuel expenses. The fuel hedging program gives protection against price increases and allows Caltrain to benefit from price decreases. In FY2010, the fuel budget was reduced by $2.5 million due to the positive results of the hedging program.

- **Administer Cost Control Measures**
  Caltrain has reduced administrative costs with hiring freezes, layoffs, furloughs, and administrative staff salary freezes. Additionally, Caltrain closed the San Francisco and San Jose staffed ticket offices in 2010.
• **Make Service Improvements**

In 2004, service was expanded by adding 10 express trains to the existing service. The service was a success and ridership has nearly doubled since the initial introduction of express service. The following year, further service improvements, capitalizing on the mixture of bullet, limited-stop and local service, were made to maximize operating efficiencies.

In 2009, service was reduced in the off-peak. Caltrain reduced the midday service (between the hours of 9:30 a.m. and 2:30 p.m.) from every half hour to every hour to reduce operating costs.

In 2011, weekend Baby Bullet express service was introduced in response to public request. After a trial period, the two round trips each Saturday and Sunday were added to the regular weekend timetable. The weekend express service has attracted additional riders, increasing the utilization of off-peak trains where there is capacity.

In 2012, service was added in the shoulder peak-hours in response to ridership growth. The new schedule includes an additional six trains on the edges of the regular morning and afternoon commutes and also added a Palo Alto or Sunnyvale stop to 12 limited-stop trains.

• **Support Transit-oriented Development**

Caltrain has been partnering with local government and developers to encourage Transit-oriented Development (TOD). TOD has been constructed in Colma and there are current efforts at Daly City, Brisbane, Hayward Park and Hillsdale in addition to smaller infill developments along the Caltrain corridor. TOD builds ridership and maximizes alternative access modes to the stations.
STRATEGIES MOVING FORWARD

Caltrain will continue to assess and implement the strategies noted above when there are opportunities and the need is timely. Additionally, Caltrain will develop the following strategies moving forward to further maximize system efficiencies.

- **Develop Station Access Program and Implement Key Projects**
  Building on Caltrain’s existing Access Policy and Bike Plan, a comprehensive access program needs to be developed. Specific projects with funding plans will need to be identified for implementation. Improved access to and from the Caltrain system is necessary to support ridership growth. Investment decisions will focus on maximizing ridership with cost-effective access improvements strategies.

- **Provide Real-time Information**
  Caltrain will provide customers with real-time information regarding train arrival/departure times, as well as service alerts. Real-time information supports ridership by providing reliable access to transit information and making transit more user-friendly.

- **Explore Strategies for Increasing Off-peak Ridership**
  Caltrain trains are full during the peak hours. During the off-peak, utilization is lower. Caltrain will explore Transportation Demand Management (TDM) strategies for increasing train utilization during non-peak hours.

- **Operate Electrified Caltrain Service**
  Caltrain has a goal of operating electrified commuter service by 2019. Caltrain is currently in the process of delivering a $1.456 billion modernization program that will improve service, increase service and ridership and decrease operating costs by replacing diesel fuel with electricity. This effort will significantly improve the cost-efficiency of the commuter system.
Monitoring Plan

On an annual basis, Caltrain will submit data on the progress of achieving the performance measures, utilizing the annual submittal of operating data to the National Transit Database (NTD). The annual NTD submittal takes place each fall, as a result, the submittal to MTC will occur shortly after that.

Caltrain will provide, on an annual basis, information on passenger trips, vehicle revenue hours, vehicle revenue miles, and operating expenses. The rail agency will track progress in meeting its selected performance measure, identifying areas for improvement with corresponding actions. This assessment will inform updates of this Strategic Plan.
RESOLUTION NO. 2013 -  
BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD  
STATE OF CALIFORNIA  
***  

AUTHORIZING ADOPTION OF THE CALTRAIN TRANSIT SUSTAINABILITY PROJECT STRATEGIC PLAN  

WHEREAS, the Metropolitan Transportation Commission (MTC) created the Transit Sustainability Project (TSP) in January 2010 to address operating and capital shortfalls experienced by various transit operators in the nine-county San Francisco Bay Area; and  

WHEREAS, the purpose of the TSP is to help improve transit performance and to attract more customers to the San Francisco Bay Area’s transit systems; and  

WHEREAS, the MTC adopted final TSP recommendations on May 23, 2012, which established TSP performance measures and targets for the seven large San Francisco Bay Area transit operators, including the Peninsula Corridor Joint Powers Board (JPB); and  

WHEREAS, as part of the TSP final recommendations, MTC requires the seven large transit operators to each achieve a 5 percent real reduction in at least one of the following performance measures by Fiscal Year (FY) 2017 and no growth beyond Consumer Price Index (CPI) thereafter: a) cost per service hour; b) cost per passenger; or c) cost per passenger mile; and  

WHEREAS, the five percent real reduction is measured against the highest reported costs between FY2008 and FY2011 for one of the three performance measures listed above; and
WHEREAS, the seven operators are required to adopt strategic plans by March 31, 2013, that will establish strategies on how to achieve the 5 percent real reduction and will include a program that will monitor progress; and

WHEREAS, on an annual basis, the seven operators are to submit data to the MTC on the progress of achieving their reduction targets; and

WHEREAS, MTC will analyze the agencies’ progress in meeting these targets in FY2018, and by FY2019, MTC will link existing and new operating and capital funds administered by the MTC to the progress that operators have made towards achieving the targets in their strategic plans; and

WHEREAS, staff has developed a Caltrain TSP Strategic Plan, the key elements of which were presented to the Board by staff on February 7, 2013; and

WHEREAS, staff recommends Board adopt the final TSP Strategic Plan and the authority to submit it to the MTC by March 31, 2013.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Joint Powers Board hereby adopts the Caltrain TSP Strategic Plan for submittal to the MTC by March 31, 2013.

Regularly passed and adopted this 7th day of March 2013, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

____________________________
J PB Secretary
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
State Senator Michael Rubio announced his resignation on February 22, which lowers the Democratic majority in the Senate below the 27 members needed to achieve a two-thirds supermajority. There are now three vacant seats in the Senate that will be filled by special election this Spring. Voter registration in all three Districts leans Democratic.

Legislation
February 22 was the deadline to introduce legislation. Staff is currently reviewing all transportation-related bills and will take positions that are consistent with the Board’s approved 2013 State and Federal Legislative Program. To date, action has been taken on the following bills:

- AB 8 and SB 11 - Would reauthorize state and regional air quality improvement programs and associated revenues including programs identified as part of the Bay Area High Speed Rail Early Investment funding plan
- SCA 4 and SCA 8 - Would reduce the voter threshold requirement for local transportation projects from two-thirds to 55 percent
- SB 557 - Would specify that $705 million in appropriated Proposition 1A funds will be directed toward electrification and modernization along the Caltrain corridor and cannot be transferred to other sections of the State’s high-speed rail
project. Specifies that no improvements beyond the Blended System will be considered without approval from all nine parties to the Bay Area High Speed Rail Early Investment Memorandum of Understanding.

**FEDERAL ISSUES**
Nothing to report.

Prepared By:  Seamus Murphy, Government and Community Affairs Director  
650.508.6388
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<th>Bill ID/Topic</th>
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<tr>
<td>AB 8 Perea D</td>
<td>ASSEMBLY TRANS. 1/14/2013 - Referred to Coms. on TRANS. and NAT. RES.</td>
<td>Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission (commission), to provide to specified entities, upon appropriation by the Legislature, grants, loans, loan guarantees, revolving loans, or other appropriate measures, for the development and deployment of innovative technologies that would transform California’s fuel and vehicle types to help attain the state’s climate change goals. Existing law specifies that only certain projects or programs are eligible for funding, including block grants administered by public entities or not-for-profit technology entities for multiple projects, education and program promotion within California, and development of alternative and renewable fuel and vehicle technology centers. Existing law requires the commission to develop and adopt an investment plan to determine priorities and opportunities for the program.</td>
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This bill would provide that the State Air Resources Board (state board), until January 1, 2024, has no authority to enforce any element of its existing clean fuels outlet regulation or other regulation that requires or has the effect of requiring any person to construct, operate, or provide funding for the construction or operation of any publicly available hydrogen fueling station. The bill would require the state board to aggregate and make available to the public, no later than January 1, 2014, and every two years thereafter, the number of vehicles that automobile manufacturers project to be sold or leased, as reported to the state board. The bill would require the commission to allocate $20 million each fiscal year, as specified, and up to $20 million each fiscal year thereafter, as specified, for purposes of achieving a hydrogen fueling network sufficient to provide convenient fueling to vehicle owners, and expand that network as necessary to support a growing market for vehicles requiring hydrogen fuel, until there are at least 100 publicly available hydrogen fueling stations. The bill, on or before December 31, 2015, and annually thereafter, would require the commission and the state board to jointly review and report on the progress toward establishing a hydrogen fueling network that provides the coverage and capacity to fuel vehicles requiring hydrogen fuel that are being placed into operation in the state, as specified. The bill would authorize the commission to design grants, loan incentive programs, revolving loan programs, and other forms of financial assistance, as specified, for purposes of assisting in the implementation of these provisions. The bill, no later than July 1, 2013, would require the state board and air districts to jointly convene working groups to evaluate the specified policies and goals of specified programs. This bill contains other related provisions and other existing laws. | |
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| **AB 12** Cooley D  
State government: Administrative Procedure Act: standardized regulatory impact analyses. | ASSEMBLY A. & A.R. 1/24/2013 - Referred to Com. on A. & A.R. | The Administrative Procedure Act governs the procedures for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by the Office of Administrative Law. Existing law requires each state agency to prepare a standardized regulatory impact analysis with respect to the adoption, amendment, or repeal of a major regulation, as defined, that is proposed on or after November 1, 2013. Existing law requires the Department of Finance and the office, from time to time, to review the standardized regulatory impact analyses for adherence to regulations adopted by the department. This bill would instead require the Department of Finance and the office to annually review the standardized regulatory impact analyses for adherence to the regulations adopted by the department. This bill contains other related provisions and other existing laws. | |
| **AB 18** Pan D  
Individual health care coverage. | ASSEMBLY PRINT 12/4/2012 - From printer. May be heard in committee January 3. | The Federal Patient Protection and Affordable Care Act (PPACA) enacts various health care coverage market reforms that take effect January 1, 2014. PPACA requires each health insurance issuer that offers health insurance coverage in the individual or group market in a state to accept every employer and individual in the state that applies for that coverage and to renew that coverage at the option of the plan sponsor or the individual. PPACA prohibits a group health plan and a health insurance issuer offering group or individual health insurance coverage from imposing any preexisting condition exclusion with respect to that plan or coverage. PPACA allows the premium rate charge by a health insurance issuer offering small group or individual coverage to vary only by family composition, rating area, age, and tobacco use, as specified, and prohibits discrimination against individuals based on health status. This bill would state the intent of the Legislature to enact legislation that would reform the individual health care coverage market consistent with the PPACA. | |
### AB 25

**Campos**

**D**

**Location**

ASSEMBLY JUD.  
1/24/2013 - Referred to Coms. on JUD. and P.E.,R. & S.S.

**Summary**

Existing law prohibits a private employer from requiring or requesting an employee or applicant for employment to disclose a username or password for the purpose of accessing personal social media, to access personal social media in the presence of the employer, or to divulge any personal social media. Existing law prohibits a private employer from discharging, disciplining, threatening to discharge or discipline, or otherwise retaliating against an employee or applicant for not complying with a request or demand that violates these provisions.

This bill would apply the provisions described above to public employers. The bill would state that its provisions address a matter of statewide interest and apply to public employers generally, including charter cities and counties.

### AB 26

**Bonilla**

**D**

**Location**

ASSEMBLY PRINT  
12/4/2012 - From printer. May be heard in committee January 3.

**Summary**

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 act authorizes the state board to include use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

This bill would make a technical, non-substantive change to this provision.
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<tr>
<td><strong>AB 37</strong> Perea D</td>
<td>ASSEMBLY NAT. RES. 1/14/2013 - Referred to Com. on NAT. RES.</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. CEQA establishes a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA. This bill would require, until January 1, 2017, the lead agency, at the request of a project applicant, to, among other things, prepare a record of proceedings concurrently with the preparation of negative declarations, mitigated negative declarations, EIRs, or other environmental documents for specified projects. Because the bill would require a lead agency to prepare the record of proceedings as provided, this bill would impose a state-mandated local program.</td>
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<td><strong>AB 44</strong> Buchanan D</td>
<td>ASSEMBLY B.P. &amp; C.P. 1/31/2013 - Referred to Com. On B.P. &amp; C.P.</td>
<td>The Subletting and Subcontracting Fair Practices Act requires the entity taking bids for the construction of any public work or improvement to specify that any person making a bid or offer to perform the work shall, in his or her bid or offer, include specified information, including the name and location of the place of business of each subcontractor who will perform work or labor or render service to the prime contractor in or about the work or improvement. This bill would remove the requirement that the location of each subcontractor's business be included in the bid or offer and instead require that the California contractor license number of each subcontractor be provided.</td>
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<td><strong>AB 114</strong></td>
<td>ASSEMBLY PRINT 1/15/2013 - From printer. May be heard in committee February 14.</td>
<td>The California Clean Energy Jobs Act, an initiative approved by the voters at the November 6, 2012, statewide general election as Proposition 39, made changes to corporate income taxes and, except as specified, provides for the transfer of $550,000,000 annually from the General Fund to the Clean Energy Job Creation Fund for 5 fiscal years beginning with the 2013-14 fiscal year. Moneys in the Clean Energy Job Creation Fund are available, upon appropriation by the Legislature, for purposes of funding eligible projects that create jobs in California, improving energy efficiency and expanding clean energy generation. Existing law, among other things, provides for allocation of available funds to job training and workforce development. This bill would require the Employment Development Department, using funds made available from the Clean Energy Job Creation Fund for job training and workforce development purposes, to administer grants, no-interest loans, or other financial assistance for allocation to existing workforce development programs for the purposes of creating green energy jobs in California. The bill would require the California Conservation Corps, certified community conservation corps, YouthBuild, and other existing workforce development programs to give higher priority to disadvantaged youth and veterans who reside in an economically disadvantaged community or in a community with a higher unemployment rate than the statewide unemployment rate.</td>
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<td>Bill ID/Topic</td>
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| AB 116  
Bocanegra  
D  
Land use: subdivision maps: expiration dates. | ASSEMBLY L. GOV. 1/18/2013 - Referred to Coms. on L. GOV. and H. & C.D. | The Subdivision Map Act vests the authority to regulate and control the design and improvement of subdivisions in the legislative body of a local agency, and sets forth procedures governing the local agency's processing, approval, conditional approval or disapproval, and filing of tentative, final, and parcel maps, and the modification thereof. The act generally requires a subdivider to file a tentative map or vesting tentative map with the local agency, as specified, and the local agency, in turn, to approve, conditionally approve, or disapprove the map within a specified time period. The act requires an approved tentative map or vesting tentative map to expire 24 months after its approval, or after an additional period of time prescribed by local ordinance, not to exceed 12 months. However, the act extends the expiration date of certain approved tentative maps and vesting tentative maps, as specified. This bill would extend by 24 months the expiration date of any approved tentative map or vesting tentative map that has not expired as of the effective date of this act and will expire prior to January 1, 2016. By adding to the procedures that local agency officials must follow, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. |          |
| AB 153  
Bonilla  
D  
California Global Warming Solutions Act of 2006: offsets. | ASSEMBLY NAT. RES. 1/31/2013 - Referred to Com. on NAT. RES. | The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to require the reporting and verification of emissions of greenhouse gases and to monitor and enforce compliance with the reporting and verification program, and requires the state board to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020. The act requires the state board to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. The act authorizes the state board to include the use of market-based compliance mechanisms. This bill, if the state board uses its authority to include the use of market-based compliance mechanisms, would require the State Board, on or before January 1, 2014, to adopt a specified process for the review and consideration of new offset protocols and, commencing in 2014 and continuing annually thereafter, use that process to review and consider new offset protocols. |          |
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<th>Bill ID/Topic</th>
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<tr>
<td>AB 160</td>
<td>ASSEMBLY P.E., R. &amp; S.S. 1/31/2013 - Referred to Com. on P.E., R. &amp; S.S.</td>
<td>The California Public Employees' Pension Reform Act of 2013 (PEPRA), on and after January 1, 2013, requires a public retirement system, as defined, to modify its plan or plans to comply with the act, as specified. Among other things, PEPRA prohibits a public employer from offering a defined benefit pension plan exceeding specified retirement formulas, requires new members of public retirement systems to contribute at least a specified amount of the normal cost, as defined, for their defined benefit plans, and prohibits an enhancement of a public employee's retirement formula or benefit adopted after January 1, 2013, from applying to service performed prior to the operative date of the enhancement. This bill would except from PEPRA, by excepting from the definition of public retirement system, certain multiemployer plans authorized under federal law and retirement plans for public employees whose collective bargaining rights are protected by a specified provision of federal law.</td>
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<td>AB 162</td>
<td>ASSEMBLY PRINT May be heard in committee February 23.</td>
<td>The Planning and Zoning Law requires a city or county to adopt a comprehensive, long-term general plan that includes various mandatory elements, including a housing element. That law requires the housing element to contain, among other things, an assessment of housing needs and an inventory of resources and constraints relevant to meeting those needs. That law further requires the Department of Housing and Community Development to determine the existing and projected need for housing for each region, as specified. This bill would make technical, non-substantive changes to that law.</td>
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<td>AB 164</td>
<td>ASSEMBLY L. GOV. 1/31/2013 - Referred to Com. on L. GOV.</td>
<td>Existing law permits a governmental agency to solicit proposals and enter into agreements with private entities for the design, construction, or reconstruction by, and may lease to, private entities, for specified types of fee-producing infrastructure projects. Existing law requires certain provisions to be included in the lease agreement between a governmental agency undertaking an infrastructure project and a private entity, as specified. This bill would require a lease agreement between a governmental agency undertaking an infrastructure project and a private entity to include performance bonds as security to ensure the completion of the construction of the facility and payment bonds to secure the payment of claims of laborers, mechanics, and material men employed on the work under contract.</td>
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Page 7 of 46
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<td><strong>AB 168</strong></td>
<td>ASSEMBLY PRINT 1/25/2013 - May be heard in committee February 24.</td>
<td>The Vehicle License Fee Law establishes, in lieu of any ad valorem property tax upon vehicles, an annual license fee for any vehicle subject to registration in this state. Under existing law, the Controller is required to allocate vehicle license fee revenues in the Motor Vehicle License Fee Account according to a specified order, with moneys allocated on or after July 1, 2004, but before July 1, 2011, first to the County of Orange, next to each city and county meeting specified criteria, and on or after July 1, 2011, to the Local Law Enforcement Services Account in the Local Revenue Fund, for allocation to cities, counties, and cities and counties. This bill would make technical, non-substantive changes to these provisions.</td>
<td><strong>Wilk</strong> R</td>
</tr>
<tr>
<td><strong>AB 179</strong></td>
<td>ASSEMBLY TRANS. 1/31/2013 - Referred to Com. on TRANS.</td>
<td>Existing law prohibits a transportation agency from selling or providing personally identifiable information of a person obtained through the person's participation in an electronic toll collection system or use of a toll facility that uses an electronic toll collection system. Existing law, with certain exceptions, requires a transportation agency to discard personally identifiable information after 4 1/2 years, as specified. Existing law provides various remedies in that regard. This bill would make these and other related provisions applicable to a transportation agency that employs an electronic transit fare collection system for payment of transit fares. The bill would require transportation agencies that obtain personally identifiable information of a person from electronic toll collection or electronic transit fare collection systems to discard that information after 6 months, as specified. This bill contains other related provisions and other existing laws.</td>
<td><strong>Bocanegra</strong> D</td>
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<td><strong>AB 185</strong></td>
<td>ASSEMBLY L. GOV. 2/7/2013 - Referred to L. GOV.</td>
<td>The Ralph M. Brown Act requires that an audio or video recording of an open and public meeting made at the direction of a local agency is subject to inspection pursuant to the California Public Records Act and may be erased or destroyed 30 days after the recording. Existing law requires that any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency. The bill would provide that an audio or video recording of an open and public meeting made at the direction of a local agency may be erased or destroyed 2 years after the recording.</td>
<td><strong>Hernández, Roger</strong> D</td>
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<td><strong>AB 204</strong></td>
<td>ASSEMBLY PRINT May be heard March 2.</td>
<td>Existing law establishes the Department of Motor Vehicles. Existing law provides for the registration of vehicles by the Department of Motor Vehicles, including the imposition of various fees and requirements in connection with registration. This bill would express the intent of the Legislature to enact legislation to impose a fee in conjunction with registration on green vehicles to address the costs of those vehicles using public roads and highways.</td>
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<tr>
<td>Wilk R</td>
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<tr>
<td>Vehicles: green vehicles: fees.</td>
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<td><strong>AB 205</strong></td>
<td>ASSEMBLY P.E.,R. &amp; S.S. 2/7/2013 - Referred to Com. on P.E.,R. &amp; S.S.</td>
<td>The County Employees Retirement Law of 1937 authorizes counties to establish retirement systems, as specified, in order to provide pension benefits to county, city, and district employees. The California Constitution confers upon the retirement boards of public retirement systems plenary authority and fiduciary responsibility for the investment of moneys of those systems. Existing law authorizes the Board of Administration of the Public Employees' Retirement System and the Teachers' Retirement Board of the State Teachers' Retirement System, consistent with their fiduciary duties and the standard for prudent investment, to prioritize investment in an in-state infrastructure project over a comparable out-of-state infrastructure project. This bill would extend the authorization to prioritize investment in an in-state infrastructure project, as described above, to the board of retirement or the board of investments of a retirement system established pursuant to the County Employees Retirement Law of 1937.</td>
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<td><strong>AB 206</strong></td>
<td><strong>Dickinson D</strong></td>
<td><strong>Vehicles: length limitations: buses: bicycle transportation devices.</strong></td>
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<td>ASSEMBLY TRANS.</td>
<td>Existing law imposes a 40-foot limitation on the length of vehicles that may be operated on the highways, with specified exemptions. Existing law exempts from this limitation an articulated bus or trolley and a bus, except a school bus, that is operated by a public agency or passenger stage corporation that is used in a transit system if it is equipped with a folding device attached to the front of the vehicle that is designed and used exclusively for transporting bicycles, does not materially affect efficiency or visibility of vehicle safety equipment, and does not extend more than 36 inches from the front of the body of the bus or trolley when fully deployed. In addition, existing law prohibits a bicycle that is transported on the above-described device from having the bicycle handlebars extend more than 42 inches from the front of the vehicle. This bill would authorize the Sacramento Regional Transit District to install folding devices attached to the front of its buses that are designed and used exclusively for transporting bicycles if the use of the device meets certain requirements, including, but not limited to, that the device does not extend more than 40 inches from the front of the bus when fully deployed, and that the handlebars of the bicycles being transported do not extend more than 46 inches from the front of the bus. The bill would require the district to submit a report, containing specified requirements, to the Assembly Committee on Transportation and the Senate Committee on Transportation and Housing on or before December 31, 2018.</td>
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<td><strong>AB 210</strong></td>
<td><strong>Wieckowski D</strong></td>
<td><strong>Transactions and use taxes: County of Alameda.</strong></td>
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<td>ASSEMBLY L. GOV.</td>
<td>Existing law authorizes the County of Alameda to impose a transactions and use tax for the support of countywide transportation programs at a rate of no more than 0.5% that, in combination with other specified taxes, exceeds the combined rate of all these taxes that may be imposed, if certain requirements are met, including a requirement that the ordinance proposing the transactions and use tax be submitted to, and approved by, the voters on a certain date. Existing law repeals this authority on January 1, 2014, if the ordinance is not approved by the voters on that date. This bill would extend the authority of the County of Alameda to impose the transactions and use tax for countywide transportation programs until January 1, 2017 conditioned, upon prior voter approval.</td>
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<td>AB 220</td>
<td>ASSEMBLY PRINT 2/5/2013</td>
<td>Existing law requires the Department of Motor Vehicles to make available for issuance, for a specified fee, distinctive decals, labels, and other identifiers that clearly distinguish specified vehicles from other vehicles, including, but not limited to, a vehicle that meets California’s super ultra-low emission vehicle (SULEV) standard for exhaust emissions and the federal inherently low-emission vehicle (ILEV) evaporative emission standard, as defined. This bill would state the intent of the Legislature to enact legislation to develop and implement a policy consisting of financial incentives to promote the purchase of certain low-emission vehicles.</td>
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<td>AB 229 John A. Pérez D</td>
<td>ASSEMBLY L. GOV. 2/15/2013 - Referred to Com. on L. GOV.</td>
<td>Existing law authorizes the creation of infrastructure financing districts, as defined, for the sole purpose of financing public facilities, subject to adoption of a resolution by the legislative body and affected taxing entities proposed to be subject to division of taxes and 2/3 voter approval. Existing law authorizes the legislative body to, by majority vote, initiate proceedings to issue bonds for the financing of district projects by adopting a resolution, subject to specified procedures and 2/3 voter approval. Existing law requires an infrastructure financing plan to include the date on which an infrastructure financing district will cease to exist, which may not be more than 30 years from the date on which the ordinance forming the district is adopted. Existing law prohibits a district from including any portion of a redevelopment project area. Existing law, the Polanco Redevelopment Act, authorizes a redevelopment agency to take any action that the agency determines is necessary and consistent with state and federal laws to remedy or remove a release of hazardous substances on, under, or from property within a project area, whether the agency owns that property or not, subject to specified conditions. Existing law also declares the intent of the Legislature that the areas of the district created be substantially undeveloped, and that the establishment of a district should not ordinarily lead to the removal of dwelling units. This bill would authorize the creation of an infrastructure and revitalization financing district, as defined, and the issuance of debt with 2/3 voter approval. The bill would authorize the creation of a district for up to 40 years and the issuance of debt with a final maturity date of up to 30 years, as specified. The bill would authorize a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases. The bill would authorize the legislative body of a city to dedicate any portion of its funds received from the Redevelopment Property Tax Trust Fund to the district, if specified criteria are met. The bill would authorize a city to form a district to finance a project or projects on a former military base, if specified conditions are met. This bill contains other related provisions.</td>
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<td><strong>AB 266</strong> Blumenfield D</td>
<td>ASSEMBLY TRANS. 2/21/2013 - Referred to Com. on TRANS.</td>
<td>Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles (HOVs), which lanes may also be used, until January 1, 2015, or until the Secretary of State receives a specified notice, by certain low-emission, hybrid, or alternative fuel vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane, if the vehicle displays a valid identifier issued by the Department of Motor Vehicles. A violation of provisions relating to HOV lane use by vehicles with those identifiers is a crime. This bill would extend the operation of those provisions to January 1, 2025, or until the Secretary of State receives that specified notice. This bill contains other related provisions and other existing laws.</td>
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<td><strong>AB 278</strong> Gatto D</td>
<td>ASSEMBLY NAT. RES. 2/21/2013 - Referred to Com. on NAT. RES.</td>
<td>The California Global Warming Solutions Act of 2006 (the act), establishes the State Air Resources Board (state 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, as defined, to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The state board is additionally required to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. Pursuant to the act, the state board has adopted the Low Carbon Fuel Standard regulations. This bill would require the state board, in determining the carbon intensity of fuels under the Low Carbon Fuel Standard regulations or another scoring system, to consider specified matters.</td>
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<td><strong>AB 284 Quirk D</strong></td>
<td>ASSEMBLY</td>
<td>Existing law establishes the State Energy Resources Conservation and Development Commission and vests the commission with various authorities and duties regarding energy-related issues. This bill would require the commission to convene the Road to 2050 Board consisting of representatives from specified entities. The bill would require the board to undertake specified studies regarding the achievement of a goal of reducing greenhouse gas emissions by 80% of the 1990 emissions level by 2050. The bill would require the board to conduct a review and provide a full public accounting of energy efficiency programs, alternative energy programs, and alternative fuel programs administered by the members of the board. The bill would require the board to make the accounting available on a publicly available Internet Web site and would require the board to submit to the Legislature the accounting, and a report on the findings of the studies.</td>
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<td><strong>AB 294 Holden D</strong></td>
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<td>Existing law authorizes a legislative body, as defined, to create an infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, to finance specified public facilities, upon voter approval. Existing law authorizes an infrastructure financing district to fund infrastructure projects through tax increment financing, pursuant to the infrastructure financing plan and agreement of affected taxing entities, as defined. This bill would authorize an infrastructure financing district to utilize the Educational Revenue Augmentation Fund (ERAF) portion of incremental tax revenue. The bill would require an infrastructure financing district that proposes to utilize the ERAF portion of incremental tax revenue to include that intention in the financing plan, and prior to adopting a resolution authorizing the first debt issuance utilizing the ERAF share, obtain and submit an economic analysis to the California Infrastructure and Economic Development Bank for review and approval, as specified.</td>
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<td><strong>AB 313</strong></td>
<td>ASSEMBLY PRINT 2/13/2013</td>
<td>Under existing law, a person is prohibited from driving a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication, unless the person is using an electronic wireless communications device that is specifically designed and configured to allow voice-operated and hands-free operation to dictate, send, or listen to a text-based communication, and it is used in that manner while driving. A violation of this provision is an infraction.</td>
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<td><strong>Frazier D</strong></td>
<td>From printer. May be heard in committee March 15.</td>
<td>This bill would delete the exception to that prohibition for the use, while driving, of an electronic wireless communications device that is specifically designed and configured to allow voice-operated and hands-free operation to dictate, send, or listen to a text-based communication. The bill would make a related statement of legislative intent regarding distracted driving. By expanding the scope of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</td>
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<td><strong>AB 317</strong></td>
<td>ASSEMBLY PRINT 2/13/2013</td>
<td>Existing law requires the California Transportation Commission to program interregional and regional transportation capital improvement projects through the State Transportation Improvement Program process, consistent with estimated available funding. Existing law sets forth specified program categories for which funds made available for transportation capital improvement projects may be programmed and expended.</td>
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<td><strong>Hall D</strong></td>
<td>From printer. May be heard in committee March 15.</td>
<td>This bill would make a non-substantive change to these provisions.</td>
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<td>AB 380</td>
<td>ASSEMBLY PRINT 2/15/2013</td>
<td>The California Environmental Quality Act (CEQA) requires a lead agency 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 additionally require the above mentioned notices to be filed with both the Office of Planning and Research and the county clerk and be posted by county clerk for public review. The bill would require the county clerk to post the notices within one business day, as defined, of receipt and stamp on the notice the date on which the notices were actually posted. By expanding the services provided by the lead agency and the county clerk, this bill would impose a state-mandated local program. The bill would require the county clerk to post the notices for at least 30 days. The bill would require the Office of Planning and Research to post the notices on a publicly available online database established and maintained by the office. The bill would require the office to stamp the notices with the date on which the notices were actually posted for online review and would require the notices to be posted for at least 30 days. The bill would authorize the office to charge an administrative fee not to exceed $10 per notice filed. The bill would specify that a time period or limitation periods specified by CEQA does not commence until the notices are actually posted for public review by the county clerk or is available in the online database, whichever is later. The bill would require the notice of determination to be filed solely by the lead agency.</td>
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| **AB 410** Jones-Sawyer  D  
Public employee health benefits: enrollment. | ASSEMBLY PRINT 2/19/2013 - From printer. May be heard in committee March 21. | Existing law requires the Board of Administration of the Public Employees' Retirement System (PERS) to administer the Public Employees' Medical and Hospital Care Act (PEMHCA). PEMHCA further grants the board the power to approve health benefit plans and contract with carriers offering health benefit plans. Under PEMHCA, an employee or annuitant may enroll in a health benefit plan approved or maintained by the board either as an individual or for self and family. 
This bill would permit an annuitant who reinstates from retirement under PERS for employment by the state or a contracting agency and who subsequently retires again on or after January 1, 2014, to enroll in a health benefit plan under PEMHCA as an annuitant of the employer from which he or she first retired, upon meeting specified conditions, including that the person's subsequent retirement occurs within 120 days after separation of employment or the person is subject to disability retirement, as specified, the person had at least 5 years of credited service for the employer from which he or she first retired or qualifies for a contribution payable by an employer under disability retirement, and that the person is not eligible for a postretirement health benefit contribution from the employer from which he or she subsequently retires. | |
| **AB 416** Gordon  D  
California Air Resources Board: Local Emission Reduction Program. | ASSEMBLY PRINT 2/19/2013 - From printer. May be heard in committee March 21. | Existing law designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. 
This bill would create the Local Emission Reduction Program and would require money to be available from the general fund, upon appropriation by the Legislature, for purposes of providing grants to develop and implement greenhouse gas emission reduction projects in the state. The bill would require the state board to award moneys under the program to eligible recipients, as specified, and would permit the state board to give consideration to the ability of a project to, among other things, create local job training and job creation benefits and provide opportunities to achieve greenhouse gas emission reduction in ways that increase localized energy resources. | |
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<td>AB 417</td>
<td>ASSEMBLY PRINT 2/19/2013 - From printer. May be heard in committee March 21.</td>
<td>The California Environmental Quality Act (CEQA) requires a lead agency 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 requires the lead agencies to make specified findings in an EIR. This bill, until January 1, 2018, would exempt from CEQA a bicycle transportation plan for an urbanized area, as specified, and would also require a local agency that determines that the bicycle transportation plan is exempt under this provision and approves or determines to carry out that project, to file notice of the determination with OPR and the county clerk. This bill would require OPR to post specified information on its Internet Web site.</td>
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<td>AB 441</td>
<td>ASSEMBLY PRINT 2/20/2013 - From printer. May be heard in committee March 22.</td>
<td>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, including the power to enter into contracts, as specified. This bill would require the authority to provide, to the appropriate policy and fiscal committees of the Legislature, a copy of each contract entered into by the authority if the dollar value of the goods or services to be provided or performed under the contract is $25,000 or more, as well as a copy of each contract amendment and contract change order agreed to by the authority for $25,000 or more.</td>
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| **AB 453** Mullin D  
Sustainable communities. | ASSEMBLY PRINT 2/20/2013 - From printer. May be heard in committee March 22. | The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative measure approved by the voters at the November 7, 2006, statewide general election, makes about $5,400,000,000 in bond funds available for safe drinking water, water quality and supply, flood control, natural resource protection, and park improvements. Existing law establishes the Strategic Growth Council and appropriated $500,000 from the funding provided by the initiative to the Natural Resources Agency to support the council and its activities. The council is required to manage and award grants and loans to a council of governments, metropolitan planning organization, regional transportation planning agency, city, county, or joint powers authority for the purpose of developing, adopting, and implementing a regional plan or other planning instrument to support the planning and development of sustainable communities. This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes. | |
| **AB 463** Logue R  
High-Speed Rail Authority: contracts. | ASSEMBLY PRINT 2/20/2013 - From printer. May be heard in committee March 22. | 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, including the power to enter into contracts, as specified. This bill would require the authority to provide, to the appropriate policy and fiscal committees of the Legislature, a copy of each contract entered into by the authority if the dollar value of the goods or services to be provided or performed under the contract is $25,000 or more, as well as a copy of each contract amendment and contract change order agreed to by the authority for $25,000 or more. The bill would also require each contractor and subcontractor, as specified, to provide this information. | |
| **AB 466** Quirk-Silva D  
Public transportation: local transportation fund. | ASSEMBLY PRINT 2/20/2013 - May be heard in committee March 22. | Existing law provides for the allocation by the designated transportation planning agency of funds in a county's local transportation fund derived from 1/4% of the sales tax to transit operators for public transportation purposes and, in certain cases, to cities and counties for street and road purposes. Existing law defines "transportation planning agency" for these purposes. This bill would make a non-substantive change to this definitional provision. | |
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<td>AB 481</td>
<td>ASSEMBLY PRINT 2/20/2013 - From printer. May be heard in committee March 22.</td>
<td>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. This bill would enact similar exceptions and authorizations 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.</td>
<td>D Lowenthal</td>
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<td>AB 493</td>
<td>ASSEMBLY PRINT 2/21/2013 - From printer. May be heard in committee March 23.</td>
<td>Existing law requires the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and all known entities planning to implement a toll facility, to develop and adopt functional specifications and standards for an automatic vehicle identification system, as specified, and generally requires any automatic vehicle identification system purchased or installed after January 1, 1991, to comply with those specifications and standards. Existing federal law, pursuant to the Moving Ahead for Progress in the 21st Century Act (MAP-21), requires all toll facilities on federal-aid highways to implement technologies or business practices that provide for the interoperability of electronic toll collection programs no later than July 6, 2016. This bill would authorize operators of toll facilities on federal-aid highways to fully implement technologies or business practices that provide for the interoperability of electronic toll collection programs on and after July 6, 2016.</td>
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<td>AB 515</td>
<td>ASSEMBLY PRINT 2/21/2013 - From printer. May be heard in committee March 23.</td>
<td>The California Constitution vests the judicial power of the state in the Supreme Court, the courts of appeal, and the superior courts. Existing law establishes a superior court of one or more judges in each county and provides that the superior courts have original jurisdiction, except as provided in the Constitution. Existing law requires the presiding judge of each superior court to distribute the business of the court among the judges, and to prescribe the order of business, subject to the rules of the Judicial Council. This bill would provide for at least 2 CEQA compliance court districts within the state, with the appropriate boundaries for the districts and locations for seating CEQA compliance courts to be determined by rule of court. The bill would establish a CEQA compliance court in every district, consisting of at least 3 judges. The bill would require the Governor to appoint judges to the CEQA compliance court based upon their expertise in CEQA and related land use and environmental laws, so that those judges will be able to hear and quickly resolve those actions or proceedings. The bill would require the Chief Justice of California to designate one of the judges of each CEQA compliance court district as the presiding judge of that district. The bill would give the CEQA compliance court jurisdiction over actions or proceedings involving CEQA, as well as joined matters involving related land use and environmental laws. The bill would provide that decisions of the CEQA compliance court may be appealed only to the Supreme Court. The bill would require the CEQA compliance court to issue a preliminary decision before the opportunity for oral argument is granted. If the CEQA compliance court finds that a determination of a public agency violated CEQA, the bill would require that the court order specify what action taken by the public agency was in error.</td>
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<td>AB 519</td>
<td>ASSEMBLY PRINT 2/21/2013 - May be heard in committee March 23.</td>
<td>Existing law, subject to certain exceptions, prohibits 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 commission determines the order is consistent with the health and welfare of affected employees. Existing law exempts employees in certain occupations from these provisions. This bill would make technical, non-substantive changes to the above provisions.</td>
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<td>AB 528</td>
<td>ASSEMBLY PRINT 2/21/2013 - From printer. May be heard in committee March 23.</td>
<td>Existing law requires the Department of Transportation to prepare a 10-year State Rail Plan biennially for submission to the Legislature, Governor, and specified entities. The plan consists of 2 elements, a passenger rail element and a freight rail element, and sets forth various items that are required to be included in each element. This bill would make a non-substantive change to these provisions.</td>
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<td>AB 529</td>
<td>ASSEMBLY PRINT 2/21/2013 - From printer. May be heard in committee March 23.</td>
<td>Existing law establishes the Biennial Inspection of Terminals Program to ensure the safe operation of certain vehicles by a motor carrier through the inspection of these vehicles at the motor carrier's terminal by the Department of the California Highway Patrol. Existing law imposes certain fees on a motor carrier of property, and requires that the Department of the California Highway Patrol recommend that the Department of Motor Vehicles suspend or revoke a motor carrier's permit if it determines that the motor carrier failed to pay specified fees. This bill would declare the intent of the Legislature to enact legislation to streamline the commercial truck inspection system and to transfer duties relating to the accounting of motor carrier fees to the Department of Motor Vehicles.</td>
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<td>AB 541</td>
<td>ASSEMBLY PRINT 2/21/2013 - From printer. May be heard in committee March 23.</td>
<td>Existing law authorizes a bus operated by a publicly owned transit system on regularly scheduled service to be equipped with illuminated signs that display information directly related to public service and include, among other things, destination signs, route-number signs, run-number signs, public service announcement signs, or a combination of those signs, visible from any direction of the vehicle, that emit any light color, other than the color red emitted from forward-facing signs, pursuant to specified conditions. This bill would authorize, until January 1, 2019, the University of California, Irvine (university) to operate a pilot program similar to the one operated by the City of Santa Monica. The bill would request that the university submit a report by July 1, 2018, on the viability of advertisement sales relating to illuminated signs on public buses to the Legislature. This bill contains other related provisions and other existing laws.</td>
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<td>AB 543 Campos D</td>
<td>ASSEMBLY PRINT 2/21/2013</td>
<td>Existing law, 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 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 require a lead agency to translate any notice, document, or executive summary required by the act when the impacted community has a substantial number of non-English-speaking people, as specified. By requiring a lead agency to translate these writings, this bill would impose a state-mandated local program.</td>
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<td>AB 572 Atkins D</td>
<td>ASSEMBLY PRINT 2/21/2013</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. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. This bill, for purposes of determining the viability of incentivizing greenhouse gas emissions reductions through increased energy efficiency, would require the state board, in consultation with the State Energy Resources Conservation and Development Commission, to identify and evaluate the energy efficiency investments of at least one large-scale building development project that the state board determines will likely provide a significant low-cost opportunity for greenhouse gas emissions reductions through investment in energy efficient measures that are more stringent than applicable building code standards.</td>
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<td>AB 574</td>
<td>ASSEMBLY</td>
<td>Existing law gives the Department of Transportation full possession and control of all state highways. Existing law describes the authorized routes in the state highway system and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Existing law also provides for the commission to relinquish state highway segments to local agencies that have been deleted from the state highway system by legislative enactment, and in certain other cases.</td>
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<td>Lowenthal D</td>
<td>PRINT</td>
<td>This bill would generally authorize the California Transportation Commission to relinquish any portion of a state highway or related facility within a county or city to that county or city, subject to an agreement between the department and the local agency, without requiring a legislative enactment deleting the state highway segment from the state highway system. The bill would also require the department to expeditiously consider and respond to each request it receives from a city or county relative to an agreement relating to the proposed relinquishment of a state highway segment within the jurisdiction of the entity making the request, and would require the department, from time to time, to recommend to the Legislature any revisions to the statutory descriptions of state highway routes occasioned by relinquishments approved by the commission. The bill would make other related changes.</td>
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<td>AB 600</td>
<td>ASSEMBLY</td>
<td>Existing law requires the State Air Resources Board to adopt regulations requiring owners or operators of heavy-duty diesel motor vehicles to perform regular inspections of their vehicles for excessive emissions of smoke.</td>
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<td>Bonta D</td>
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<td>This bill would make a technical, non-substantive change to this provision.</td>
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<td>AB 603</td>
<td>ASSEMBLY PRINT 2/21/2013 - From printer. May be heard in committee March 23.</td>
<td>Existing law provides for a Design-Build Demonstration Program that allows for a local transportation entity to utilize the design-build method of procurement for a specified amount of projects for local and state projects. Existing law defines &quot;local transportation entity&quot; as a designated transportation authority, a consolidated agency, the Santa Clara Valley Transportation Authority, any other local or regional transportation entity that is designated as a regional transportation agency. Existing law subjects both local and state projects to specified procedural requirements to qualify as a design-build project. Existing law repeals these provisions on January 1, 2014. This bill would include in the definition of a local transportation entity a city, county, city and county, and a joint powers authority. This bill would only apply the specified procedural requirements to the state design-build projects. This bill would delete the repeal date. This bill would also authorize the Capital Southeast Connector Joint Powers Authority to use design-build procurement, as specified. This bill makes findings regarding the need for special legislation.</td>
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<td>AB 616</td>
<td>ASSEMBLY PRINT 2/21/2013 - From printer. May be heard in committee March 23.</td>
<td>Existing law requires the governing body of a public agency, or such boards, commissions, administrative officers, or other representatives as may be properly designated by law or by such governing body, to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Existing law provides that an employee organization may request that the parties' differences be submitted to a fact-finding panel, as specified. This bill would make non-substantive changes to that provision.</td>
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<td>AB 662</td>
<td>ASSEMBLY PRINT 2/22/2013 - From printer. May be heard in committee March 24.</td>
<td>Existing law authorizes the creation of infrastructure financing districts, as defined, for the sole purpose of financing public facilities, subject to adoption of a resolution by the legislative body and affected taxing entities proposed to be subject to the division of taxes and voter approval requirements. Existing law prohibits an infrastructure financing district from including any portion of a redevelopment project area. Existing law, effective February 1, 2012, dissolved all redevelopment agencies and community development agencies and provides for the designation of successor agencies, as specified. This bill would delete the prohibition on infrastructure financing district including any portion of a redevelopment project area.</td>
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<td>AB 664 Williams D Gold Coast Transit District.</td>
<td>ASSEMBLY PRINT 2/22/2013 - From printer. May be heard in committee March 24.</td>
<td>Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit services. This bill would create the Gold Coast Transit District in the County of Ventura. The bill would provide that the jurisdiction of the district would initially include the Cities of Oxnard, Ventura, Port Hueneme, and Ojai and the unincorporated areas of the County of Ventura. The bill would authorize other cities in the County of Ventura to subsequently join the district. The bill would dissolve the existing joint powers agency known as Gold Coast Transit, and would create the district, on July 1, 2014. The bill would provide for the transfer of assets from Gold Coast Transit to the district, and would provide for the member agencies of the district to claim transit funds under the Transportation Development Act on behalf of the district. The bill would provide for a governing board and would specify voting procedures for the taking of certain actions by the board. The bill would specify the powers and duties of the district to operate transit services, and would authorize the district to seek voter approval of tax measures and to issue revenue bonds. The bill would enact other related provisions. By imposing requirements on the district and affected local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</td>
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<td>AB 667 Hernández, Roger D Land use: development project review.</td>
<td>ASSEMBLY PRINT 2/22/2013 - From printer. May be heard in committee March 24.</td>
<td>The Permit Streamlining Act within the Planning and Zoning Law requires the lead agency that has the principal responsibility for approving a development project, as defined, to approve or disapprove the project within a specified number of days from the date of certification of an environmental impact report, the date of the adoption of a negative declaration, or the determination by the lead agency that the project is exempt from the California Environmental Quality Act. This bill would make technical, non-substantive changes to those provisions.</td>
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<td>AB 680 Salas D</td>
<td>ASSEMBLY PRINT 2/22/2013</td>
<td>Existing law requires funds in the State Highway Account to be programmed, budgeted, and expended to maximize the use of federal funds and according to a specified sequence of priorities. Existing law requires the Department of Transportation to provide certain information to the Legislature to substantiate the department's proposed capital outlay support budget. This bill would make non-substantive changes to these provisions.</td>
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<td>AB 690 Campos D</td>
<td>ASSEMBLY PRINT 2/22/2013</td>
<td>Existing law authorizes a legislative body, as defined, to create an infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, to finance specified public facilities, upon approval by 2/3 of the voters. Existing law authorizes an infrastructure financing district to fund infrastructure projects through tax increment financing, pursuant to the infrastructure financing plan and agreement of affected taxing entities, as defined. This bill would revise and recast the provisions governing infrastructure financing districts and instead provide for the creation of jobs and infrastructure financing districts (JIDs) with 55% voter approval. The bill would authorize a public financing authority to enter into joint powers agreements with affected taxing entities with regard to non-taxing authority or powers only. The bill would authorize a district to implement hazardous cleanup pursuant to the Polanco Redevelopment Act, as specified. This bill contains other existing laws.</td>
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<td>AB 695 Mansoor R</td>
<td>ASSEMBLY PRINT 2/22/2013</td>
<td>The Public Employees' Medical and Hospital Care Act (PEMHCA), which is administered by the Board of Administration of the Public Employees' Retirement System (PERS), authorizes the board to contract for health benefit plans for employees and annuitants, as defined. PEMHCA requires the state and each employee or annuitant to contribute a portion of the cost of providing the benefit coverage afforded under the approved health benefit plan in which the employee or annuitant is enrolled. Contributions and premiums paid under PEMHCA are deposited in the Public Employees' Health Care Fund and the Public Employees' Contingency Reserve Fund, which are continuously appropriated funds. This bill would make technical, non-substantive changes to a provision of the Public Employees' Medical and Hospital Care Act.</td>
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<td><strong>AB 696</strong>&lt;br&gt;Mansoor R &lt;br&gt;Public employment: pensions.</td>
<td>ASSEMBLY PRINT 2/22/2013 - From printer. May be heard in committee March 24.</td>
<td>The California Public Employees' Pension Reform Act of 2013 (PEPRA), on and after January 1, 2013, requires a public retirement system, as defined, to modify its plan or plans to comply with the act and, among other provisions, establishes new retirement formulas that may not be exceeded by a public employer offering a defined benefit pension plan, setting the maximum benefit allowable for employees first hired on or after January 1, 2013, as a formula commonly known as 2.5% at age 67 for non-safety members, one of 3 formulas for safety members, 2% at age 57, 2.5% at age 57, or 2.7% at age 57, and 1.25% at age 67 for new state miscellaneous or industrial members who elect to be in Tier 2. Under PEPRA, the Judges' Retirement System I and the Judges' Retirement System II are not required to adopt the defined benefit formula contained in certain other provisions. This bill would make technical, non-substantive changes to this provision.</td>
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<td><strong>AB 730</strong>&lt;br&gt;Alejo D &lt;br&gt;Monterey-Salinas Transit District.</td>
<td>ASSEMBLY PRINT 2/22/2013 - From printer. May be heard in committee March 24.</td>
<td>Existing law creates the Monterey-Salinas Transit District to include all of the County of Monterey, with specified powers and duties relative to provision of public transit service. Existing law authorizes the district to issue bonds under the Revenue Bond Law of 1941, payable from revenues of any facility or enterprise to be acquired or constructed by the district. Under that law, issuance of revenue bonds generally requires voter approval, unless an exemption is provided. This bill would revise these provisions. The bill would exempt the district from the requirement to seek voter approval prior to issuing revenue bonds, and would instead authorize those bonds to be issued by a 2/3 vote of the district's board. The bill would authorize the district to pledge revenues or other moneys available to the district from any source, including a transactions and use tax, to payment of those bonds. The bill would impose a maximum amount of $50,000,000 on revenue bonds that may be issued by the district. The bill would limit use of revenue bonds to a project or projects not located on or adjacent to the former Fort Ord. The bill would make other related changes.</td>
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### Summary

Existing property tax law requires the auditor of each county with qualifying cities, as defined, to make certain property tax revenue allocations to those cities in accordance with a specified Tax Equity Allocation (TEA) formula established in a specified statute and to make corresponding reductions in the amount of property tax revenue that is allocated to the county.

This bill would, commencing with the 2012-13 fiscal year and each fiscal year thereafter, increase the allocation of property tax revenues under a new TEA formula, as specified, for qualifying cities, as defined. This bill contains other related provisions and other existing laws.
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<td>AB 749 Gorell R</td>
<td>ASSEMBLY PRINT 2/22/2013 - From printer. May be heard in committee March 24.</td>
<td>Existing law, until January 1, 2017, authorizes the Department of Transportation and regional transportation agencies, as defined, to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. These arrangements are commonly known as public-private partnerships. Existing law provides for the Public Infrastructure Advisory Commission, an organization established by the Business, Transportation and Housing Agency, to perform various functions relative to projects identified as suitable for development and delivery under these provisions, including the review of a proposed agreement submitted to it by the department or a regional transportation agency, and to charge a fee for certain of those functions. This bill would delete the reference to the Public Infrastructure Advisory Commission established by the Business, Transportation and Housing Agency. The bill would instead create a new Public Infrastructure Advisory Commission, with 12 members, of which 5 would be appointed by the Governor, 3 by the Senate Committee on Rules, and 2 by the Speaker of the Assembly. In addition, the Treasurer and the Director of General Services, or their representatives, would serve on the commission. The bill would assign additional duties to the commission, including a requirement for the commission to make a determination for each agreement submitted to it relative to whether the public-private partnership procurement method is suitable for the project, or whether another procurement method should be used, as specified. This determination would be binding on the department or regional transportation agency. The bill would require the commission to establish best practices for public-private partnerships, and to identify other state departments that would benefit from similar contracting authority. The bill would authorize the commission to charge a fee for certain of these new duties. The bill would also extend the operation of the provisions governing public-private partnerships from January 1, 2017, to January 1, 2019.</td>
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| AB 863 Torres D | ASSEMBLY PRINT 2/22/2013 - From printer. May be heard in committee March 24. | Existing federal law authorizes the United States Secretary of Transportation to enter into an agreement with a state under which the state assumes the responsibilities of the secretary with respect to federal environmental review and clearance under the National Environmental Policy Act of 1969 (NEPA) with respect to one or more transportation projects, as specified. Existing law, until January 1, 2017, authorizes the Department of Transportation, for transportation projects under its jurisdiction, to assume those responsibilities for federally funded surface transportation projects subject to NEPA. Existing law provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of those responsibilities, and further provides that the department may not assert immunity from suit under the 11th Amendment to the United States Constitution with regard to actions brought relative to those responsibilities under federal law.

This bill would authorize the department to assume similar responsibilities for federal review and clearance under NEPA for a transit project, as defined, that is subject to NEPA. The bill would provide that the State of California consents to the jurisdiction of the federal courts in that regard, and further provides that the department may not assert immunity from suit under the 11th Amendment to the United States Constitution with regard to actions brought relative to those responsibilities under federal law. |          |
| ACA 6 Gatto D | ASSEMBLY PRINT 2/12/2013 - May be heard in committee March 14. | Existing provisions of the California Constitution provide for the electors to propose amendments to the Constitution by initiative and to adopt or reject them. Any proposed initiative measure submitted to the voters becomes effective if it is approved by a majority of votes cast.

This measure would increase the vote requirement from a majority to 55% of the votes cast for the electors to amend the Constitution by an initiative measure, except that this measure would permit the electors to repeal a previously adopted initiative or legislative amendment to the Constitution, including certain subsequent amendments to that constitutional amendment, by an initiative measure passed by a majority vote. |          |
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<td><strong>ACA 8</strong> Blumenfield D</td>
<td>ASSEMBLY PRINT 2/14/2013 - From printer. May be heard in committee March 16.</td>
<td>The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district, as defined, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable.</td>
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<td><strong>SB 1</strong> Steinberg D</td>
<td>SENATE G &amp; F. 1/10/2013 - Referred to Coms. on GOV. &amp; F. and T. &amp; H.</td>
<td>The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies. This bill would authorize certain public entities of a Sustainable Communities Investment Area, as described, to form a Sustainable Communities Investment Authority (authority) to carry out the Community Redevelopment Law in a specified manner. The bill would require the authority to adopt a Sustainable Communities Investment Plan for a Sustainable Communities Investment Area and authorize the authority to include in that plan a provision for the receipt of tax increment funds provided that certain economic development and planning requirements are met. The bill would authorize the legislative body of a city or county forming an authority to dedicate any portion of its net available revenue, as defined, to the authority through its Sustainable Communities Investment Plan. The bill would require the authority to contract for an independent financial and performance audit every 5 years. This bill contains other related provisions and other existing laws.</td>
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<td>SB 7</td>
<td>SENATE L. &amp; I.R. 2/19/2013 - From committee with author's amendments. Read second time and amended. Re-referred to Com. on L. &amp; I.R.</td>
<td>Existing law requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations, be paid to workers employed on public works projects. Existing law defines &quot;public works&quot; to include, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds, and street, sewer, or other improvement work done under the direction and supervision or by the authority of any officer or public body of the state, or of any political subdivision or district thereof, whether the political subdivision or district operates under a freeholder's charter or not. This bill would prohibit a charter city from receiving or using state funding or financial assistance for a construction project if the city has a charter provision or ordinance that authorizes a contractor to not comply with prevailing wage provisions on any public works contract. The bill would, except as specified, prohibit a charter city from receiving or using state funding or financial assistance for a construction project for up to 2 calendar years if the city has, after January 1, 2014, awarded a public works contract without requiring the contractor to comply with prevailing wage provisions. This bill would authorize charter cities to receive or use state funding or financial assistance if the city has adopted a local prevailing wage ordinance that includes requirements that are equal to or greater than the state's prevailing wage requirements, as specified. This bill would exclude contracts for projects of $25,000 or less for construction work, or projects of $15,000 or less for alteration, demolition, repair, or maintenance work. This bill would require the Director of Industrial Relations to maintain a list of charter cities that may receive and use state funding and financial assistance for their construction projects.</td>
<td><strong>Last Amended on 2/19/2013</strong></td>
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<td>SB 11 Pavley D</td>
<td>SENATE T. &amp; H. 2/21/2013 - Set for hearing April 2.</td>
<td>Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission (commission), to provide to specified entities, upon appropriation by the Legislature, grants, loans, loan guarantees, revolving loans, or other appropriate measures, for the development and deployment of innovative technologies that would transform California’s fuel and vehicle types to help attain the state’s climate change goals. Existing law specifies that only certain projects or programs are eligible for funding, including block grants administered by public entities or not-for-profit technology entities for multiple projects, education, and program promotion within California, and development of alternative and renewable fuel and vehicle technology centers. Existing law requires the commission to develop and adopt an investment plan to determine priorities and opportunities for the program.</td>
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This bill would provide that the State Air Resources Board (state board), until January 1, 2024, has no authority to enforce any element of its existing clean fuels outlet regulation or other regulation that requires or has the effect of requiring any person to construct, operate, or provide funding for the construction or operation of any publicly available hydrogen fueling station. The bill would require the state board to aggregate and make available to the public, no later than January 1, 2014, and every two years thereafter, the number of vehicles that automobile manufacturers project to be sold or leased, as reported to the state board. The bill would require the commission to allocate $20 million each fiscal year, as specified, and up to $20 million each fiscal year thereafter, as specified, for purposes of achieving a hydrogen fueling network sufficient to provide convenient fueling to vehicle owners, and expand that network as necessary to support a growing market for vehicles requiring hydrogen fuel, until there are at least 100 publicly available hydrogen fueling stations. The bill, on or before December 31, 2015, and annually thereafter, would require the commission and the state board to jointly review and report on the progress toward establishing a hydrogen fueling network that provides the coverage and capacity to fuel vehicles requiring hydrogen fuel that are being placed into operation in the state, as specified. The bill would authorize the commission to design grants, loan incentive programs, revolving loan programs, and other forms of financial assistance, as specified, for purposes of assisting in the implementation of these provisions. The bill, no later than July 1, 2013, would require the state board and air districts to jointly convene working groups to evaluate the specified policies and goals of specified programs. This bill contains other related provisions and other existing laws. |
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<td>SB 13</td>
<td>SENATE A PPR. 2/12/2013 - From committee : Do pass and re-refer to Com. on APPR.</td>
<td>The Public Employees' Retirement Law (PERL) establishes the Public Employees' Retirement System (PERS) and the Teachers' Retirement Law establishes the State Teachers' Retirement System for the purpose of providing pension benefits to specified public employees. Existing law also establishes the Judges' Retirement System II which provides pension benefits to elected judges and the Legislators' Retirement System which provides pension benefits to elective officers of the state other than judges and to legislative statutory officers. The County Employees Retirement Law of 1937 authorizes counties to establish retirement systems pursuant to its provisions in order to provide pension benefits to county, city, and district employees. This bill would correct an erroneous cross-reference in the above provision and would instead specify that the Judges' Retirement System I and the Judges' Retirement System II are not required to adopt the defined benefit formula contained in other provisions for nonsafety and safety members. The bill would clarify the application of PEPRA to employees who were employed prior to January 1, 2013, who have service credit in a different retirement system. The bill would authorize a public retirement system to adopt regulations and resolutions in order to modify its retirement plan or plans to conform with PEPRA. Last Amended on 2/6/2013</td>
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<td>SB 18</td>
<td>SENATE RL S. 1/10/2013 - Referred to Com. on RLS.</td>
<td>Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA) enacts various health care coverage market reforms that take effect January 1, 2014. Among other things, PPACA requires each health insurance issuer that offers health insurance coverage in the individual or group market in a state to accept every employer and individual in the state that applies for that coverage and to renew that coverage at the option of the plan sponsor or the individual. PPACA prohibits a group health plan and a health insurance issuer offering group or individual health insurance coverage from imposing any preexisting condition exclusion with respect to that plan or coverage. PPACA allows the premium rate charge by a health insurance issuer offering small group or individual coverage to vary only by family composition, rating area, age, and tobacco use, as specified, and prohibits discrimination against individuals based on health status. This bill would state the intent of the Legislature to enact legislation that would reform the individual health care coverage market consistent with the PPACA. This bill contains other related provisions and other existing laws.</td>
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<td>SB 24</td>
<td>SENATE  P. E. &amp; R. 1/10/2013 - Referred to Com. on P.E. &amp; R.</td>
<td>Existing law regulates state and local public retirement systems and generally requires public employees who are new members, as defined, of those systems, on and after January 1, 2013, to participate in specified benefit plans. Existing law permits a public employer that, before January 1, 2013, offers a defined benefit pension plan that provides a defined benefit formula with a lower benefit factor at normal retirement age, and results in a lower normal cost, than the defined benefit formula required for new employees on and after January 1, 2012, to continue to offer that defined benefit formula and excepts the employer from specified requirements regarding pensionable compensation. Existing law requires, in the case of these plans, if a new defined benefit formula is adopted on or after January 1, 2013, that the formula meet certain requirements and, among other things, be approved by the Legislature. Existing law prescribes the same requirements for a retirement benefit plan that consists solely of a defined contribution plan if the employer, on or after January 1, 2013, adopts a new defined benefit pension plan or defined benefit formula, as specified. This bill would eliminate the requirement that the Legislature approve the changes in the instances described above. This bill would also authorize a local agency public employer or public retirement system that offers a defined benefit pension plan to offer a benefit formula with a lower benefit factor at normal retirement age and that result in a lower normal cost than the benefit formulas that are currently required, for purposes of addressing a fiscal necessity.</td>
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<td>SB 33 Wolk D</td>
<td>SENATE G &amp; F. 1/10/2013 - Referred to Com. on GOV. &amp; F.</td>
<td>Existing law authorizes a legislative body, as defined, to create an infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, to finance specified public facilities, upon voter approval. Existing law authorizes an infrastructure financing district to fund infrastructure projects through tax increment financing, pursuant to the infrastructure financing plan and agreement of affected taxing entities, as defined. This bill would revise and recast the provisions governing infrastructure financing districts. The bill would eliminate the requirement of voter approval for creation of the district and for bond issuance, and would authorize the legislative body to create the district subject to specified procedures. The bill would instead authorize a newly created public financing authority, consisting of 5 members, 3 of whom are members of the city council or board of supervisors that established the district, and 2 of whom are members of the public, to adopt the infrastructure financing plan, subject to approval by the legislative body, and issue bonds by majority vote of the authority by resolution. The bill would authorize a public financing authority to enter into joint powers agreements with affected taxing entities with regard to non-taxing authority or powers only. The bill would authorize a district to finance specified actions and projects, and prohibit the district from providing financial assistance to a vehicle dealer or big box retailer, as defined. The bill would create a public accountability committee, as specified, to review the actions of the public financing authority. This bill contains other related provisions and other existing laws.</td>
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<td>SB 34 Rubio D</td>
<td>SENATE E. Q. 2/15/2013 - From committee with author's amendments. Referred to Com. on E.Q.</td>
<td>Existing law requires the Division of Oil, Gas, and Geothermal Resources of the Department of Conservation to regulate the construction and operation of oil, gas, and geothermal wells. Pursuant to existing federal law, the federal Underground Injection Control (UIC) program, the United States Environmental Protection Agency delegated responsibility to the division to regulate class II wells, which are wells that use injections for, among other things, enhanced recovery of oil or natural gas. The federal UIC program implements regulations that apply to class VI wells, which include wells used for geologic sequestration of carbon dioxide under specific circumstances. This bill, upon the adoption by the State Air Resources Board of a final methodology for carbon capture and storage projects seeking to demonstrate geologic sequestration of greenhouse gases, specifically would require the division to regulate carbon dioxide enhanced oil recovery projects that seek to demonstrate carbon sequestration under various laws providing for the reduction of greenhouse gas emissions. This bill contains other related provisions and other existing laws. <strong>Last Amended on 2/15/2013</strong></td>
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<td>SB 39 De León D</td>
<td>SENATE E.D. 1/10/2013 - Referred to Coms. on ED. and E., U., &amp; C.</td>
<td>The California Clean Energy Jobs Act, an initiative measure enacted by voters at the November 6, 2012, statewide general election, establishes the Clean Energy Job Creation Fund and requires moneys in the fund to be available for appropriation during specified fiscal years for, among other things, the purposes of funding energy efficiency projects in school facilities. This bill would enact the Clean Energy Employment and Student Advancement Act of 2013 and would require the Office of Public School Construction to establish a school district assistance program to distribute grants, on a competitive basis, for energy efficiency upgrade projects pursuant to the California Clean Energy Jobs Act. The bill would require the office, upon the approval of the State Allocation Board, to award a school district grants for energy efficiency upgrade projects meeting specified criteria. The bill would require the office to give priority applications meeting specified criteria. This bill contains other related provisions.</td>
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### Peninsula Corridor Joint Powers Board
#### State Legislative Matrix as of 2-25-13

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<th>Bill ID/Topic</th>
<th>Location</th>
<th>Summary</th>
<th>Position</th>
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<tr>
<td><strong>SB 54</strong></td>
<td>ASSEMBLY DESK 2/15/2013 - In Assembly. Read first time. Held at Desk.</td>
<td>The California Public Employees' Pension Reform Act of 2013 requires each county retirement system created pursuant to the County Employees Retirement Law of 1937 to use a retirement formula commonly known as 2.5% at 67 years of age for non-safety members first hired on or after January 1, 2013, except that a lower retirement formula may be used as specified. The County Employees Retirement Law of 1937 authorizes the Alameda County Board of Supervisors to provide service retirement allowances for general members based on one of 2 formulas commonly known as the 2% at 57 years of age formula or the 1.64% at 57 years of age formula. This bill would authorize the Alameda County Board of Supervisors to adopt a resolution that would provide service retirement allowances based on a formula commonly known as the 2% at 65 years of age formula for general members hired after approval of the resolution, as specified. This bill contains other related provisions. <strong>Last Amended on 2/13/2013</strong></td>
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<td><strong>SB 56</strong></td>
<td>SENATE RL 1/17/2013 - Referred to Com. on RLS.</td>
<td>Existing law required, on and after July 1 2004, and before July 1, 2011, that a specified portion of the motor vehicle license fee revenues deposited to the credit of the Motor Vehicle License Fee Account in the Transportation Tax Fund be allocated first to the County of Orange and next to each city and county meeting specified criteria, including each city that was incorporated from unincorporated territory after August 5, 2004. Existing law requires, on or after July 1, 2011, that the same portion of revenues be deposited into the Local Law Enforcement Services Account in the Local Revenue Fund 2011 for allocation to cities, counties, and cities and counties. This bill would state the Legislature's intent to enact legislation that would restore funding to cities that either were incorporated or annexed territory after 2004.</td>
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<td>SB 64</td>
<td>SENATE RL S. 1/24/2013 - Referred to Com. on RLS.</td>
<td>The California Clean Energy Jobs Act, an initiative approved by the voters at the November 6, 2012, statewide general election as Proposition 39, made changes to corporate income taxes and, except as specified, provides for the transfer of $550,000,000 annually from the General Fund to the Clean Energy Job Creation Fund for 5 fiscal years beginning with the 2013-14 fiscal year. Moneys in the Clean Energy Job Creation Fund are available, upon appropriation by the Legislature, for purposes of funding eligible projects that create jobs in California improving energy efficiency and expanding clean energy generation. Existing law provides for the allocation of these funds for eligible projects at public school facilities, university and college facilities, and other public buildings and facilities, as well as job training and workforce development, and public-private partnerships, as specified. This bill would state the intent of the Legislature to install clean energy at public schools, universities, and colleges, and at other public buildings and facilities consistent with the California Clean Energy Jobs Act.</td>
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<td>SB 110</td>
<td>SENATE T. &amp; H. 1/24/2013 - Referred to Com. on T. &amp; H.</td>
<td>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. 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.</td>
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<td><strong>SB 123</strong></td>
<td>SENATE J UD. 1/31/2013 - Referred to Com. on J UD.</td>
<td>Existing law establishes a statewide system of courts with a superior court of one or more judges in each county. Existing law requires the presiding judge of each superior court to distribute the business of the court among the judges, and to prescribe the order of business, subject to the rules of the Judicial Council. This bill would require the presiding judge of each superior court to establish an environmental and land-use division within the court to process civil proceedings brought pursuant to the California Environmental Quality Act or in specified subject areas, including air quality, biological resources, climate change, hazards and hazardous materials, land use planning, and water quality. The bill would require the Judicial Council, by rule of court, to identify statutes in those specified areas that would be within the jurisdiction of the environmental and land-use court division. The bill would require the Judicial Council, by rule of court, to establish appropriate standards and protocols for the environmental and land-use court division to accomplish the objectives of consistency, expediency, and expertise, including educational requirements and other qualifications for specialized judges assigned to the division.</td>
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<td><strong>SB 124</strong></td>
<td>SENATE E. U., &amp; C. 1/31/2013 - Referred to Coms. on E., U., &amp; C. and G.O.</td>
<td>Existing law imposes various requirements with respect to contracting by state agencies and the Trustees of the California State University. Existing law requires state agencies and to the Trustees of the California State University to use a competitive bidding process when contracting for goods and services. However, existing law allows a public agency to award an energy service contract if the governing body determines it is in the best interest of the agency and costs will be reduced, as specified. This bill would require state agencies and the Trustees of the California State University that accept bids or proposals for a contract for the purchase or installation of a clean energy device, technology, or system, as defined, to provide a 5% preference to a bidder that certifies that all of the parts of the clean energy device, technology, or system to be installed have been manufactured or assembled in the state, in accordance with specified criteria. This bill would authorize a public agency, including, but not limited to, the Trustees of the California State University, to award a contract based on the fact that a clean energy device, technology, or system was manufactured or assembled in the state if the contract is an energy service contract determined to be in the best interest of the public agency.</td>
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<td>SB 142 DeSaulnier D</td>
<td>SENATE G &amp; F. 2/7/2013 - Referred to Com. on GOV. &amp; F.</td>
<td>Existing law provides for creation of one or more special benefit districts within a transit district or rapid transit district relative to the issuance of bonds to be repaid through special assessments levied on property within the special benefit district, or certain zones within the special benefit district, with the proceeds of the bonds to be used for specified transit improvements. Existing law enacts similar provisions applicable to a municipal transit system owned by a city or city and county. This bill would repeal all of these provisions.</td>
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<td>SB 165 Walters R</td>
<td>SENATE RL S. 2/14/2013 - Referred to Com. on RLS.</td>
<td>The Public Employees' Retirement Law (PERL) creates the Public Employees' Retirement System (PERS), which provides a defined benefit to its members based on age at retirement, service credit, and final compensation. Existing law defines &quot;member&quot; for purposes of PERL and excludes certain people from membership in PERS. This bill would make technical, non-substantive changes to these provisions.</td>
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<td>SB 167 Gaines R</td>
<td>SENATE RL S. 2/14/2013 - Referred to Com. on RLS.</td>
<td>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, 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. This bill would make technical, non-substantive changes to those provisions.</td>
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<td>SB 203</td>
<td>SENATE T. &amp; H. 2/21/2013 - Referred to Com. on T. &amp; H.</td>
<td>Existing law requires that 1/4% of the local sales and use tax be transferred to the local transportation fund of each county for allocation, as directed by the transportation planning agency, for various transportation purposes. Existing law specifies the allowable uses for local transportation funds, and generally requires these funds to be used for transit purposes in urban counties, while in counties with a population under 500,000 as of the 1970 census and certain other counties, these funds may also be used for local streets and roads, if the transportation planning agency finds that there are no unmet transit needs or no unmet transit needs that are reasonable to meet, and for other specified purposes. This bill would repeal the provisions specifically relating to Ventura County and the expenditure of local transportation funds there. This bill contains other existing laws.</td>
<td>SB 203 Pavley D Local transportation funds: Ventura County.</td>
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<td>SB 230</td>
<td>SENATE RLS. 2/21/2013 - Referred to Com. on RLS.</td>
<td>Existing law provides various sources of funding to public transit operators. Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, revenues from a 1/4% sales tax in each county are available, among other things, for allocation by the transportation planning agency to transit operators, subject to certain requirements for the operator to maintain a specified farebox ratio of fare revenues to operating costs. The act requires the transportation planning agency to designate entities other than itself, a county transportation commission, a transit development board, or an operator to make a performance audit of its activities and the activities of each operator to whom it allocates funds. The act requires the transportation planning agency to consult with the entity to be audited prior to designating the entity to make the performance audit and defines “operating cost” for this purpose. This bill would correct an obsolete cross-reference in this definition of operating costs.</td>
<td>SB 230 Knight R Local transportation funds: performance audits.</td>
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<td>SB 232</td>
<td>SENATE L. &amp; I.R. 2/21/2013 - Referred to Com. on L. &amp; I.R.</td>
<td>Existing law requires a local government agency to give a 10% preference to any bidder on a service contract to provide public transit services who agrees to retain employees of the prior contractor or subcontractor for a period of not less than 90 days, as specified. This bill would expand these provisions to require a state agency to also give a 10% preference to any bidder under these provisions.</td>
<td>SB 232 Monning D Private employment: public transit employees.</td>
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<td>SB 286</td>
<td>SENATE P</td>
<td>Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles (HOVs), which lanes may also be used, until January 1, 2015, or until the Secretary of State receives a specified notice, by certain low-emission, hybrid, or alternative fuel vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lane, if the vehicle displays a valid identifier issued by the Department of Motor Vehicles. A violation of provisions relating to HOV lane use by vehicles with those identifiers is a crime. This bill would extend the operation of those provisions to January 1, 2018, or until the Secretary of State receives that specified notice. By extending a crime that otherwise would be repealed, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</td>
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<td>Yee D</td>
<td>2/15/2013</td>
<td>From printer. May be acted upon on or after March 17.</td>
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<td>SB 469</td>
<td>SENATE P</td>
<td>Existing law establishes various bidding requirements for local agencies entering into construction contracts. This bill would require a local authority awarding a procurement contract for the purchase of a public transit vehicle to give a 10 percent preference to any bidder that agrees that all vehicles to be purchased under the contract are to be manufactured within the State of California. This bill would also state that this is an issue of statewide concern.</td>
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<td>Corbett D</td>
<td>2/22/2013</td>
<td>May be acted upon on March 24.</td>
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<td>SCA 3</td>
<td>SENATE G</td>
<td>The California Constitution generally conditions the imposition of a special tax by a city, county, or special district, including a school district, upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax. This measure would alternatively condition the imposition, extension, or increase of a parcel tax, as defined, by a school district, community college district, or county office of education upon the approval of 55% of its voters voting on the proposition, if the proposition meets specified requirements. This measure would also make conforming changes to related provisions.</td>
<td>G &amp; F.</td>
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<td>Leno D</td>
<td>2/7/2013</td>
<td>Referred to Coms. on GOV. &amp; F. and E. &amp; C.A.</td>
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<td><strong>SCA 4</strong>&lt;br&gt; Liu D&lt;br&gt;Local government transportation projects: special taxes: voter approval.</td>
<td>SENATE G &amp; F. 2/14/2013 - Referred to Coms. on GOV. &amp; F. and RLS.</td>
<td>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities. This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects requires the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, non-substantive changes.</td>
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<td><strong>SCA 6</strong>&lt;br&gt; DeSaulnier D&lt;br&gt;Initiative measures: funding source.</td>
<td>SENATE E &amp; C.A. 2/7/2013 - Referred to Com. on E &amp; C.A.</td>
<td>The California Constitution provides that the electors may propose statutes or amendments to the state Constitution through the initiative process by presenting to the Secretary of State a petition that sets forth the text of the proposed statute or amendment to the Constitution and is certified to have been signed by a certain number of electors. This measure would prohibit an initiative measure that would result in a net increase in state or local government costs, other than costs attributable to the issuance, sale, or repayment of bonds, from being submitted to the electors or having any effect unless and until the Legislative Analyst and the Director of Finance jointly determine that the initiative measure provides for additional revenues in an amount that meets or exceeds the net increase in costs.</td>
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<td><strong>SCA 8</strong>&lt;br&gt; Corbett D&lt;br&gt;Transportation projects: special taxes: voter approval.</td>
<td>SENATE G &amp; F. Referred to Coms. on GOV. &amp; F. and RLS.</td>
<td>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities. This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation projects requires the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, non-substantive changes.</td>
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<td>SCA 9</td>
<td>SENATE G &amp; F.</td>
<td>2/7/2013 - Referred to Coms. on GOV. &amp; F. and E. &amp; C.A.   The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities.  This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for community and economic development projects, as specified, requires the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, non-substantive changes.</td>
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<td>SCA 11</td>
<td>SENATE G &amp; F.</td>
<td>Referred to Coms. on GOV. &amp; F. and E. &amp; C.A.   The California Constitution conditions the imposition of a special tax by a local government upon the approval of 2/3 of the voters of the local government voting on that tax, and prohibits a local government from imposing an ad valorem tax on real property or a transactions tax or sales tax on the sale of real property.  This measure would instead condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition. The measure would also make conforming and technical, non-substantive changes.</td>
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Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-25-13
AGENDA ITEM # 13
MARCH 7, 2013

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: CAPITAL PROJECTS QUARTERLY STATUS REPORT - 2nd QUARTER FISCAL YEAR 2013

ACTION
No action required. The attached Capital Projects Quarterly Status Report is submitted to the Board for information only.

SIGNIFICANCE
The Capital Projects Quarterly Status Report is submitted to keep the Board advised as to the scope, budget and progress of current ongoing capital projects.

BUDGET IMPACT
There is no impact on the budget.

BACKGROUND
Staff prepares the Capital Projects Quarterly Status Report for the Board on a quarterly basis. The report is a summary of the scope, budget and progress of capital projects. It is being presented to the Board for informational purposes and is intended to better inform the Board of the capital project status.

Prepared by: Kelvin Yu, Manager, Project Controls  650.622.7853
The 2nd Quarter Fiscal Year 2013 Capital Projects Quarterly Status Report can be viewed at the following link: