



KEN YEAGER, CHAIR
TOM NOLAN, VICE CHAIR
JOSE CISNEROS
MALIA COHEN
JERRY DEAL
ASH KALRA
ARTHUR L. LLOYD
ADRIENNE TISSIER
PERRY WOODWARD

MICHAEL J. SCANLON
EXECUTIVE DIRECTOR

AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

August 1, 2013 – Thursday

10:00 a.m.

1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Public Comment
Public comment by each individual speaker shall be limited to two minutes
4. Consent Calendar
Members of the public or Board may request that an item under the Consent Calendar be considered separately
 - a) Approval of Minutes of June 6, 2013
 - b) Authorize Award of Contract to Day Management Corporation for the North-South Radio Road Channel Project in the Total Amount of \$37,948
 - c) Information on Preliminary Statement of Revenues and Expenses for June 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 May 2013
9. Authorize Approval and Ratification of the Fiscal Year 2014 Insurance Program at a Total Premium Cost Not-to-Exceed \$4,148,697
10. Authorize Amendment to the Contract with Parsons Transportation Group to Restructure Option 2 to Create New Phases 3 and 4 and to Exercise Option 2, New Phase 3 for a Communications-Based Signal System/Positive Train Control (CBOSS/PTC) in the Estimated Amount of \$53.7 Million

RESOLUTION

MOTION

RESOLUTION

RESOLUTION

Peninsula Corridor Joint Powers Board
August 1, 2013 Agenda

- | | |
|---|---------------|
| 11. Authorize Amendment with URS Corporation for the CBOSS/PTC Construction Management Services Contract in an Amount Not-to-Exceed of \$2.5 Million | RESOLUTION |
| 12. Update on the Execution of the Fiscal Year 2014 Fuel Hedge Program | INFORMATIONAL |
| 13. Peninsula Corridor Electrification Project Delivery Method | INFORMATIONAL |
| 14. Legislative Update | INFORMATIONAL |
| 15. Correspondence | |
| 16. Board Member Requests | |
| 17. Date/Time of Next Meeting: Thursday, September 5, 2013, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2 nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070 | |
| 18. General Counsel Report | |
| a) Closed Session: Conference with Real Property Negotiators
Property: 4020 Campbell Avenue, Menlo Park, CA
Agency Negotiators: Gigi Harrington; Joan Cassman
Property Owner: Campbell Avenue Portfolio, LLC
Negotiations Scope: Price and Terms of Payment | |
| 19. Adjourn | |

INFORMATION FOR THE PUBLIC

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

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

Location, Date and Time of Regular Meetings

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

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

Public Comment

If you wish to address the Board, please fill out a speaker's card located on the agenda table and hand it to the JPB Secretary. If you have anything that you wish distributed to the Board and included for the official record, please hand it to the JPB Secretary, who will distribute the information to the Board members and staff.

Members of the public may address the Board on non-agendized items under the Public Comment item on the agenda. Public testimony by each individual speaker shall be limited to two minutes and items raised that require a response will be deferred for staff reply.

Accessibility for Individuals with Disabilities

Upon request, the JPB will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number and brief description of the requested materials and a preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be mailed to the JPB Secretary at Peninsula Corridor Joint Powers Board, 1250 San Carlos Avenue, San Carlos, CA 94070-1306; or emailed to board@caltrain.com; or by phone at 650.508.6242, or TDD 650.508.6448.

Availability of Public Records

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at 1250 San Carlos Avenue, San Carlos, CA 94070-1306, at the same time that the public records are distributed or made available to the legislative body.

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

Minutes
June 6, 2013

MEMBERS PRESENT: J. Cisneros, M. Cohen, J. Deal, A. Kalra, A. Lloyd, T. Nolan, A. Tissier, P. Woodward, K. Yeager

MEMBERS ABSENT: None

STAFF PRESENT: J. Averill, J. Cassman, A. Chan, E. Goode, G. Harrington, C. Harvey, R. Haskin, M. Lee, R. Lee, M. Martinez, N. McKenna, D. Miller, S. Murphy, M. Scanlon, M. Simon

Chair Ken Yeager called the meeting to order at 10:00 a.m. and led the Pledge of Allegiance.

PUBLIC COMMENT

Jeff Carter, Millbrae, said he has seen the Predictive Arrival/Departure System (PADS) testing. He is pleased to hear voice announcements.

John Murphy, Healdsburg, asked for a simple modification to increase service and reduce overcrowding. He said capacity could be added by turning underused local trains into bullet trains. This would reduce overcrowding and make for a nicer ride. He has a petition with more than 200 signatures supporting this idea.

Director José Cisneros arrived at 10:04 a.m.

Roland LeBrun, San Jose, said last month Amtrak invited the consulting arm of Network Rail to join the Northeast Corridor Partner Forum. This is significant because Network Rail is responsible for the entire United Kingdom rail infrastructure, which has been rated as the most improved rail network in Europe. Mr. LeBrun said Metrolink has just placed an order for 10 locomotives that can travel at 125 miles per hour.

Ammon Skidmore, San Bruno, said it would be great to have later southbound bullet trains in the morning.

CONSENT CALENDAR

- a. Approval of Minutes of May 2, 2013
- b. Authorize Approval of Clipper Memorandum of Understanding Amendment No. 2 with the Metropolitan Transportation Commission

A motion (Lloyd/Woodward) to approve the Consent Calendar was unanimous.

CHAIRPERSON'S REPORT

Appointment of Citizens Advisory Committee (CAC) Members

Director Tom Nolan said San Francisco County recommends the appointment of Jonathan Berk.

Director Jerry Deal said San Mateo County recommends the reappointment of Adina Levin.

Director Perry Woodward said Santa Clara County recommends the reappointment of Cat Tucker.

A motion (Cisneros/Deal) to approve the CAC appointments to expire June 30, 2016 was unanimous.

REPORT OF THE CAC

CAC Chair Kevin Gardiner said at its May 15 meeting, the CAC:

- Received an orientation on the relationship of the CAC to the Board and Staff Coordinating Council. Members want to set some goals on programs they would like to advocate for at the committee level.
- The CAC would like to review and comment on items before they go to the Board.
- Received an update on Caltrain Modernization Program (CalMod). The CAC is interested in how the Baby Bullet trains will be part of future operations or if there will be a change with electrification.

REPORT OF THE EXECUTIVE DIRECTOR

Proclamation Proclaiming June 20th as "Dump the Pump Day"

Michael Scanlon, Executive Director, said staff is asking the Board to adopt the proclamation proclaiming June 20th as "Dump the Pump Day." This will be the 8th Annual "Dump the Pump Day" sponsored by the American Public Transportation Association. Public Affairs staff is encouraging people to "break-up with the pump" and submit their best break-up lines via social media.

A motion (Lloyd/Cisneros) to proclaim June 20th as "Dump the Pump Day" was unanimous.

Mr. Scanlon reported:

- Key Caltrain Performance Statistics
 - Monthly Performance Statistics – April 2013 compared to April 2012
 - Total Ridership was 1,351,544, an increase of 12 percent.
 - Average Weekday Ridership was 50,678, an increase of 10.3 percent.
 - Total Revenue was \$5,944,476, an increase of 14.9 percent.
 - On-time Performance was 93.7 percent, same as last year.
 - Caltrain Shuttle Ridership was 6,758, a decrease of 15.8 percent.
 - Year-to-date Performance Statistics – April 2013 compared to April 2012
 - Total Ridership was 12,789,293, an increase of 11.4 percent.
 - Average Weekday Ridership was 48,235, an increase of 11.9 percent.

- Total Revenue was \$56,283,147, an increase of 16.2 percent.
- On-time Performance was 91.4 percent, a decrease of 2.1 percent.
- Caltrain Shuttle Ridership was 8,059, an increase of 11.7 percent.
- May on-time performance dipped below 90 percent due to fatalities, two abandoned cars on the tracks and a brush fire. On May 10 at 7:34 p.m. Train 314 struck a trespasser in Burlingame and on May 15 at 5:15 a.m. Train 102 struck a trespasser in South San Francisco. Both persons were killed and the incidents are under investigation.
- The annual On-board Passenger Counts full report has been posted to the website.
- The Bicycle Advisory Committee (BAC) met on May 16 and received a presentation on the annual passenger counts, an update on CalMod, and an update on the San Francisco Bicycle Facility. The next BAC meeting is July 18.
- Special service:
 - Bay to Breakers service carried almost 5,600 passengers to San Francisco in the morning and 1,700 extra passengers in the afternoon.
 - Through the first 18 home games, Giants ridership is at 110,000 extra rides or 6,400 per game.
 - San Jose Sharks had five playoff home games and an additional 1,100 riders were carried.
 - The San Jose Earthquakes will be hosting the Los Angeles Galaxy at Stanford Stadium on June 29 at 7:30 p.m. Caltrain will be making extra stops at the Stanford Station.

Director Malia Cohen arrived at 10:20 a.m.

- Gay Pride weekend is June 29-30 and extra capacity will be added for the weekend events.
- A Sunday schedule will operate on July 4. Extra service will be added for the evening fireworks in San Francisco.
- The Gilroy Garlic Train is coming back. Officials in Gilroy will be chartering a train the weekend of the Gilroy Garlic Festival, July 27 and 28. There will be one trip in each direction between San Jose and Gilroy and it will be timed to meet the regularly scheduled trains that arrive from San Francisco in the morning and depart San Jose in the afternoon.
- Over the Memorial Day weekend the cutover from the temporary shoofly at the San Bruno Grade Separation was completed.
- The PADS real-time information is on display at stations as testing continues. Information will eventually be put on the website.
- The annual customer satisfaction survey is currently being conducted and will help determine the payment of performance fees that may be due to the contract operator, Transit America Services, Inc.
- Public Affairs just launched "Peninsula Moves," a blog that covers all three business units. The blog is interactive and comments and questions can be submitted about transportation.
- The reading file contains the April Safety & Security Report.

CalMod

Marian Lee, Executive Officer, Caltrain Modernization, said the technical team is continuing to work on the environmental evaluation of the project. Work continues on scoping the necessary expertise to supplement the Caltrain team with people that will work with staff and represent the JPB for program integration and oversight. It is staff's estimate over the next several months there will be a roll-out of a series of procurements to acquire these services. These are not the people who are going to build the system; they are the supplemental expertise staff needs to start thinking about project delivery.

Ms. Lee said progress is being made on the due diligence to drive staff recommendations on the project delivery method. There has been good support from sister and brother agencies throughout the country that have been working on different alternative delivery methods.

Ms. Lee said two draft planning studies are posted on the website, one concerning the future of the 4th and King rail yard, the other a preliminary study of the blended system impact in gate downtime and community traffic. Staff is currently in the process of obtaining public comments. Comments are due June 14 for both reports and staff hopes to have them finalized by the end of June. Ms. Lee said the studies were presented to the Local Policy Maker Group (LPMG) in December 2012 and May 2013 in coordination with staff who serve on the City/County Staff Coordination Group, the Peninsula Corridor Working Group, and Friends of Caltrain.

Ms. Lee said the key findings from these studies should not be over applied. The inputs to the analysis is based on speculative and "what if" scenarios. Examples of those factors are prototypical schedules, and assumptions of passing track locations. Decisions have not been made on these elements.

Ms. Lee said at the May LPMG meeting there was a presentation on the scope of the 4th and King Study requested by the City and County of San Francisco. The city asked staff to look at potentially reducing or removing the 4th and King Station yard and to include this concept in the electrification environmental document. The city's overall purpose for this is to make space for development to support anticipated future growth. In response to this, staff embarked on a technical evaluation to assess if this is possible and, if so, to understand the magnitude of the operational implications to the system. The study is to be completed by August 2013. At that time, staff will need to discuss what the next steps are. The study is being fully funded by the City and County of San Francisco. This was presented to the LPMG and some of the Peninsula cities expressed concerns about where the 4th and King functions would be relocated and how that could impact their particular cities.

Ms. Lee said there also was a presentation on the blended system study. The group had a particular interest in the analysis of the changing gate downtimes associated with the future blended system and the locally interested topic was how that gate downtime impacted local traffic at the existing at-grade crossings.

Public Comment

Roland LeBrun, San Jose, said the current planning effort process was supposed to be completed last December. Six months later the process is barely halfway completed. This is a serious concern because the latest blended system capacity analysis contains a series of blunders including bullet trains that are no longer able to pass locals and rolling stock that cannot successfully blend. A "Plan B" needs to be devised because Caltrain cannot afford to wait for electrification that may not materialize in 2019. Mr. LeBrun said staff needs to decouple the electric multiple units (EMUs) procurement from electrification and accelerate the delivery of bi-mode EMUS capable of blending with High-speed Rail (HSR) if and when it gets here. A signaling system needs to be identified and procured that is capable of delivering 12 trains an hour on a primarily two-track blended system that would stop trains before they hit cars parked on the tracks. Mr. LeBrun said staff needs to follow Amtrak's example and retain the services of a world class team with a proven track record of delivering high-speed blended systems on-time and on budget.

Ed DeLanoy, San Carlos, said while he was on the CAC he was able to get some improvements made to evening Caltrain service.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR MARCH 2013

Gigi Harrington, Deputy CEO, said April revenue is over budget by \$3 million and there are \$2 million in savings on the expense side. The adopted budget is currently \$7 million over budget in fare revenue. Last week fuel was \$2.83 per gallon and year to date is \$3.14 per gallon. The fuel hedge provided the JPB \$469,000 through May.

Ms. Harrington said she executed a new fuel hedge on May 16 with Barclays. Half of the fuel portfolio was hedged at \$2.85 per gallon and the total premium cost was \$418,000, about \$200,000 less than last year. Ms. Harrington said she will provide the Board a formal report on the fuel hedge at the August meeting.

A motion (Tissier/Cisneros) to accept the April 2013 statement was approved unanimously.

AUTHORIZE ADOPTION OF FISCAL YEAR (FY) 2014 OPERATING BUDGET IN THE AMOUNT OF \$119,973,096

Ms. Harrington said the budget is unchanged from the preliminary budget presented at the May meeting.

Public Comment

Roland LeBrun, San Jose, said last month he expressed concern about the administration budget of \$16.5 million. This is an increase of 200 percent since 2008 and in that period farebox has only risen by 50 percent. He said there is \$7 million in administrative costs buried in the capital budget. An administration budget in excess of \$22 million is an opportunity to eliminate a need for stopgap funding in FY2015 by engaging the services of a firm with a proven track managing and expanding passenger rail operations while reducing administrative overheads. Mr. LeBrun would

ask the Board consider directing staff to issue a Request for Proposal (RFP) for Caltrain administration services at the earliest opportunity.

Jim Bigelow, Redwood City/San Mateo County/Menlo Park Chambers of Commerce, said the operating and capital budgets are great and show very clearly the implementation of the Communications-based Overlay Signal System (CBOSS) and electrification. Ms. Lee is doing an outstanding job in reaching out to the people along the line. He would urge the Board to approve both the operating and capital budgets.

Adina Levin, Friends of Caltrain, congratulated staff and the Board on adopting the FY2014 Operating Budget. She is glad to see the partners came up with their share to keep rolling stock maintenance in the FY2014 Capital Budget. She is glad to hear the Board wants to work on the FY2015 budget sooner rather than later. Ms. Levin said it would be good to do multiple year budgets.

Ed DeLanoy, San Carlos, said he has always been distressed with running five car trains whether they are needed or not.

Director Tom Nolan asked when the budget process begins for next year. Mr. Scanlon said it has already begun. This year, because of the extraordinary increase in ridership and revenue, staff was able to present a balanced budget. Staff has presented the Board a snapshot of what appears to be a \$16 million deficit for FY2015. There is a sub-committee of the Board that will be reconvened to discuss the budget. Mr. Scanlon said the lowest common denominator is the ability of the San Mateo County Transit District (District) to put up about \$5.5 million, which translates into about \$17 million in partner agency subsidies. He said next year could be trouble unless a new source of funds is found. Staff did opinion surveys two years ago and clearly the climate was not right to seek a revenue source at that time. Mr. Scanlon said the three counties have to figure out how to pay for regional rail service. He said the District is in no position to up its share unless it gets additional revenues.

Director Nolan said adopting the FY2014 budget doesn't preclude the Board from possibly increasing fares mid-year.

Director Adrienne Tissier said she will do all she can at the Metropolitan Transportation Commission to fight for dollars for Caltrain because a long-term sustainable system of money is needed. The county is also looking at potentially giving some money to the District because there is a nexus between who is served at the county and who SamTrans serves.

Director Ash Kalra said part of the problem is everything seems to be going well right now so the legislators and public don't see the urgency for next year. He said there are elected officials on the Board and there should be a lobbying message for all three counties to reach out to Federal and State representatives to obtain a dedicated funding source.

Chair Yeager said there needs to be more communication with corporate citizens in the three counties. If Caltrain service was drastically cut to Giants games, Google or Apple, it would be felt. These are businesses that have more dollars than Caltrain will ever see and yet they benefit from the service. He said staff needs to engage them to understand the benefit of Caltrain and the need for the service.

Mr. Scanlon said raising fares and reducing service is not going to get the results needed. He said he still doesn't know why Caltrain cannot get some portion of the costs underwritten by the community at-large. Last month Director Kalra pointed out that 1 million miles are being saved on highways every day, and yet Caltrain has a 60 percent farebox recovery, and the system is being penalized because there is no dedicated fund to operate it.

A motion (Nolan/Tissier) to adopt the FY2014 Operating Budget in the amount of \$119,973,096 was approved unanimously.

AUTHORIZE ADOPTION OF FISCAL YEAR 2014 CAPITAL BUDGET IN THE AMOUNT OF \$190,564,950

Eva Goode, Manager, Budgets reported:

- At the May Board meeting staff presented a preliminary budget of \$66.7 million. At that time the member contribution was set at \$14.3 million or \$4.8 million per member.
- Since May member agencies have worked together to come up with \$3.8 million per partner contribution. The contribution coming from San Francisco is from their Proposition K funds.
- Budget adjustments include:
 1. \$118 million was added for the next phase of the CBOSS/Positive Train Control (PTC) Project.
 2. \$10.7 million was added for electrification.
 3. Both of the projects added will be funded through the Early Investment Program out of the total \$1.45 billion.
 4. Funds for an emergency back-up generator at the Central Control Facility were cut.
 5. The rolling stock State of Good Repair budget was reduced.
- Proposed FY2014 Funding sources are Federal, State, regional, and other funds.

Public Comment

Roland LeBrun, San Jose, said in the FY2014 Capital Budget, line item 1.15, Jerrold Bridge North Span Removal, doesn't make any sense since this bridge was just replaced. He asked why \$500,000 is being spent removing something that was just built. Mr. LeBrun said the Quarterly Capital Projects Report shows the Jerrold Bridge being completed. He said Caltrain should refrain from any construction activities in the Quint Street and Jerrold Avenue area because the San Francisco County Transportation Authority is currently in the process of designing the Oakdale Station.

Director Malia Cohen said many departments within San Francisco, the community, organizers, and active transit users have all weighed in on this process about the Quint Street Bridge and she supports the project moving forward.

A motion (Tissier/Nolan) to adopt the FY2014 Capital Budget in the amount of \$190,564,950 was approved unanimously.

AUTHORIZE AWARD OF CONTRACT TO A. RUIZ CONSTRUCTION CO. & ASSOCIATES FOR THE SAN FRANCISCO YARD TRACK RECONFIGURATION PROJECT IN THE TOTAL AMOUNT OF \$737,728

Cheryl Cavitt, Director, Contracts and Procurement, said staff is requesting the Board award a contract to A. Ruiz Construction. The contract is for reconfiguration of tracks in the yard at the San Francisco Station near 7th and Townsend streets and removal of tracks from Townsend Street. Ms. Cavitt said these construction items are designed to ease maintenance going forward.

A motion (Lloyd/Deal) to award a contract to A. Ruiz Construction Co. & Associates for the San Francisco Yard Track Reconfiguration Project was approved unanimously.

AUTHORIZE AWARD OF CONTRACT TO THE RYAN COMPANY, INC. FOR THE WAYSIDE POWER AT DIRIDON STATION PROJECT IN THE TOTAL AMOUNT OF \$1,906,000

Ms. Cavitt said this contract to The Ryan Company is to replace a substation, wayside power cabinets, and related electrical equipment that were destroyed by a lightning strike in 2009. This work will allow the trains in the station to be on ground power and not idle.

Ms. Cavitt said staff is in receipt of a timely filed protest by Blocka Construction, the second lowest bidder. Blocka alleged Ryan had not filled out its lobbying certification correctly. Ms. Cavitt said as part of a Federal requirement bidders are asked to certify whether they have lobbied the Federal government. Ryan signed the certification, but did not include the words "none" or "n/a" on the document. Ms. Cavitt said staff believes this is an immaterial omission, but did speak to legal counsel at the regional office of the Federal Transit Administration, who concurred it was an immaterial and correctable omission. Ms. Cavitt said since that time Ryan has submitted a lobbying certification where they put "n/a" and submitted a letter that clearly stated they had not lobbied the Federal government. Staff reviewed the protest filed by Blocka and provided a response denying their protest.

Chair Yeager said no member from Blocka was present to speak.

Chair Yeager said he is very pleased with this award of contract. He said it will help with the quality of life for many residents who live near the Diridon Station.

A motion (Nolan/Tissier) to authorize award of contract to The Ryan Company, Inc. for the Wayside Power at Diridon Station Project was approved unanimously.

AUTHORIZE AWARD OF CONTRACT TO DUNBAR ARMORED, INC. FOR ARMORED CAR PICKUP AND DEPOSIT OF DAILY TRANSIT REVENUE FOR A TOTAL ESTIMATED COST OF \$1,259,415 FOR A THREE-YEAR BASE TERM

Ms. Cavitt said this contract to Dunbar Armored is for pick-up and deposits of the daily ticket vending machine revenues at all the stations.

A motion (Lloyd/Deal) to authorize award of contract to Dunbar Armored, Inc. for armored card pickup and deposit of daily revenue was approved unanimously.

UPDATE ON THE COMMUNICATIONS-BASED OVERLAY SIGNAL SYSTEM/POSITIVE TRAIN CONTROL PROJECT

Ms. Harrington reported:

- An RFP was issued August 2010; contract was awarded October 2011 to Parsons Transportation Group (PTG); and a Notice to Proceed was issued in January 2012.
- This project complies with the PTC requirements in the Rail Safety Act of 2008.
- This is a full cradle-to-grave, integrated solution to be delivered by PTG from design, installation, testing and training.
- The Board authorized execution of Option 1 this past winter. Staff will be back to the Board in August for consideration of Option 2, which is the remaining sub-systems and procurement, installation, and training.
- Accomplishments include the completion of preliminary planning, and submittal of required documents to the Federal Railroad Administration. A new backup control facility was secured on May 17. Staff is continuing to work with the Union Pacific and tenants on interoperability, and commenced system and sub-system final design.
- Milestones are pushing for a December 2015 completion to be compliant with the Rail Safety Act.
- Total project cost is \$231 million.

Public Comment

Roland LeBrun, San Jose, said constant warning time (CWT) is a piece of technology that makes it possible to maintain a constant warning time between gates coming down and the actual arrival of the train regardless of the train speed. The problem is CWT has to use small currents in the rails to determine the train position and speed. He said CWT, as it exists today, will no longer work once the tracks are electrified. He asked why there was no CWT functionality in the CBOSS presentation. Mr. LeBrun said he would like staff to provide him with a copy of the CBOSS RFP, including questions and answers from the qualified bidders, and preferably without having to go through a Public Records Request.

Jeff Carter, Millbrae, asked why CBOSS/PTC can't be a "one size fits all" and have more commonalities between all rail tenants operating on the Caltrain line.

LEGISLATIVE UPDATE

State Update

Seamus Murphy, Director, Government and Community Affairs, said last month the governor issued his May budget revise and there were no changes to any of the transportation proposals and the core funding is secure. Mr. Murphy said there was a \$500 million loan proposed in the January budget to the General Fund. In the May Revision it was noted this loan was of Cap and Trade revenue generated by the auctions and is to be repaid in FY2015. None of this funding is eligible for transportation projects and services. Mr. Murphy said the Cap and Trade revenue being generated now is being used to repay utility ratepayers for increased costs associated with Assembly Bill (AB) 32 implementation. When the emissions credits related to the fuel sector are sold those funds will be eligible for transportation projects and services. He said by FY2015 the region will have some Cap and Trade revenue to implement the Sustainable Communities Strategy required by Senate Bill 375 and AB32. Mr. Murphy said legislation is being proposed to authorize the expenditure of those funds and the draft Cap and Trade Revenue Expenditure Plan that the Air Resources Board released last month would allow for a broad range of investments, including transit operations.

Mr. Murphy said AB797 is the District/Santa Clara Valley Transportation Authority co-sponsored bill that would authorize Construction Manager/General Contractor project delivery to those agencies. He said San Francisco already has this authority and, by extension, Caltrain would be granted the authority. This is a project delivery approach that offers some benefits as far as streamlining, better cost predictions, and better constructability assurance. This bill passed out of the Assembly and will be heard in the Senate.

Mr. Murphy said there has been a dispute between the U.S. Department of Labor (DOL) and the governor over whether the governor's pension reform law that was passed last year interferes with Federal collective bargaining protections. As a result of this dispute, the DOL has not approved any Federal grants for California transit agencies this year. Mr. Murphy said AB160 has been introduced in the Legislature that would exempt all California transit employees from the State's Pension Reform Law.

Federal Update

Mr. Murphy said a number of congressional hearings have been held involving rail issues and the reauthorization of rail funding programs at the Federal level, which needs to occur before the existing authorization expires. Most of the conversation is about Amtrak funding, but has potential and will likely start to include issues like PTC mandate and HSR.

Legal Counsel David Miller said as 13c and pension legislation issues relate to this agency, the JPB will be taking a position that there are no adverse effects on collective bargaining and the JPB itself does not directly have a workforce it employs.

CAPITAL PROJECTS QUARTERLY STATUS REPORT – 3RD QUARTER FISCAL YEAR 2013

Ms. Harrington said this is an informational item. There were no questions.

CORRESPONDENCE

No discussion.

BOARD MEMBER REQUESTS

None

GENERAL COUNSEL REPORT

No report.

DATE/TIME/PLACE OF NEXT MEETING

The next meeting will be Thursday, August 1, 2013, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

Adjourned at 11:28 a.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

C.H. (Chuck) Harvey
Deputy CEO

SUBJECT: **AUTHORIZE AWARD OF A CONTRACT FOR THE NORTH-SOUTH RADIO ROAD
CHANNEL PROJECT**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract to the lowest, responsive and responsible bidder, Day Management Corporation (Day Management), in the total amount of \$37,948.
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 public works construction contract will provide material, equipment, and labor to set up a second Caltrain radio road channel. The work will include installation of a new base station and antenna, pre-testing, commissioning, integration into the existing radio system, and final acceptance testing. The second channel will ease congested radio traffic on the current single radio road channel and will double the capacity for Caltrain dispatchers to communicate with the field. It also will eliminate interference between North and South dispatchers when communicating with train engineers and railroad personnel in the field.

BUDGET IMPACT

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

BACKGROUND

Voice radio traffic on the Caltrain radio road channel has been increasing due to the increase in train service on the Caltrain right of way. The existing radio road channel is congested with voice traffic between the dispatchers and the field. A Caltrain Voice Radio System Assessment Report recommends Caltrain set up a new second radio road channel to ease the radio traffic congestion on the existing road channel.

Award of this contract will set up a second radio road channel and change the current Caltrain configuration from one to two voice radio road channels over the entire right of way.

Invitations for Bids 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:

	Company	Total Bid Amount
	<i>Engineer's Estimate</i>	<i>\$134,486</i>
1.	Day Management Corporation, Benicia, CA	\$37,948
2.	Petroleum Telecom, Inc., Oxnard, CA	\$69,606

Day Management was deemed to be the apparent low bidder with a bid that was 71.78 percent lower than the engineer's estimate. Staff attributes the favorable bids to the engineer's estimate being based on historical percentages for overhead and profit from bid results for previous signal projects at Caltrain that were not procured during an economic downturn.

Day Management, doing business as Day Wireless Systems, has satisfactory past performances on two previously awarded JPB contracts: 1) Narrowbanding of Voice Radio System and 2) Voice Road Channel Base Station Improvements for Narrowbanding.

Staff concludes Day Management is appropriately qualified and capable of meeting the requirements of the contract and is therefore the lowest, responsive and responsible bidder.

The DBE Program Officer reviewed Day Management's proposal and determined it meets the requirements of the JPB's DBE Program. Day Management intends to perform the contract entirely with its own labor force.

Contract Officer: Helen Hoang
Project Manager: Hubert Chan

650.508.7964
650.508.7786

RESOLUTION NO. 2013-

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

* * *

**AUTHORIZE AWARD OF CONTRACT TO DAY MANAGEMENT CORPORATION
AT A TOTAL COST OF \$37,948.42**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited bids for a project to set up a second radio road channel along the Caltrain right of way in order to ease voice-traffic congestion on the existing single-channel system between dispatchers and the field; and

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

WHEREAS, following review of the bids by staff and legal counsel, staff determined the firm of Day Management Corporation of Benicia, California, d.b.a. Day Wireless Systems (Day Management), is the lowest, responsive and responsible bidder; and

WHEREAS, the Executive Director recommends a contract be awarded to the lowest, responsive and responsible bidder, Day Management, whose bid meets the requirements of the contract documents.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Day Management for the North-South Radio Road Channel Project for a total cost of \$37,948.42; and

BE IT FURTHER RESOLVED the Executive Director, or his designee, is authorized to execute a contract with Day Management in full conformity with all the terms and conditions of the North-South Radio Road Channel solicitation.

Regularly passed and adopted this 1st day of August, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **INFORMATION ON STATEMENT OF REVENUES AND EXPENSES FOR THE PERIOD
ENDING JUNE 30, 2013**

The Finance Division engages in many activities following the end of the June 30 fiscal year both to close out the old fiscal year and set up the new fiscal year. The demands of these activities require a longer time to produce a complete Statement of Revenues and Expenses than allowed by the normal board meeting cycle. Consequently, staff will present a Statement of Revenues and Expenses for June at the November 7 meeting of the Board of Directors.

Prepared by: Sheila Tioyao, Manager, General Ledger

650.508.7752

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: **KEY CALTRAIN PERFORMANCE STATISTICS MAY AND JUNE 2013**

MAY 2013

The month of May brought Caltrain many ridership records. May 2013 Caltrain average weekday ridership (AWR) was 52,980, which is an increase of 3,963 or 8.1 percent over May 2012 AWR of 49,017. At the time, this was the highest AWR Caltrain ever recorded. The total number of passengers for May 2013 was 1,439,276. This is the highest total ridership that has ever been for any month. The total ridership for May 2013 is also 7.9 percent more than May 2012.

On-time performance (OTP) was 89.7 percent, which is below the 95 percent Caltrain standard. It is a decrease from May 2012 OTP of 90.9 percent. For trains arriving within 10 minutes the OTP was 94.3 percent. There were several external events that affected May's OTP: two trespasser fatalities, one non-fatal trespasser incident, a vehicle strike, and a tree that fell across the tracks. There were 1,212 delay minutes attributed to mechanical delays.

There were 13.1 complaints per 100,000 passengers. This is up from the average of 12 complaints per 100,000 passengers during the first 10 months of the fiscal year. There was a total of 25 compliments in May, more than double the average of 9.9 compliments per month during the first 10 months of the fiscal year.

Average weekday shuttle ridership was 6,794, which is a decrease of 849 trips or 11.1 percent compared to May 2012 AWR of 7,643. This drop was largely influenced by a drop in the Marguerite shuttle ridership numbers. Unfortunately, due to reporting errors and changes in counting procedures, it is difficult to tell if this is a true drop in ridership or due to the new method of counting. For the station shuttles, the Millbrae-Broadway shuttle averaged 189 daily riders. The Belmont-Hillsdale shuttle averaged 64 daily riders. The weekend Tamien-San Jose shuttle averaged 63 riders per day.

JUNE 2013

In June 2013, Caltrain's AWR was 53,041, which is an increase of 2,651 or 5.3 percent over June 2012 AWR of 50,390. This surpassed the previous record set just the month before in May 2013. The total number of passengers who rode Caltrain in June 2013 was 1,366,991, which is 3.6 percent more than June 2012.

OTP for June 2013 was 90.6 percent. This is essentially the same as June 2012's OTP of 90.5 percent. When trains arriving within 10 minutes of the scheduled arrival time are included, June 2013 OTP rises to 95.6 percent. Mechanical delays in June 2013 were 1,154, which is higher than the 607 minutes in June 2012.

Looking at customer service statistics, there were 12.7 complaints per 100,000 passengers. This is slightly below the average for the fiscal year.

Average weekday shuttle ridership was 7,323, which is a decrease of 198 or 2.6 percent below June 2012 AWR of 7,521. For the station shuttles, the Millbrae-Broadway shuttle averaged 154 daily riders. The Belmont-Hillsdale shuttle averaged 65 daily riders. The weekend Tamien-San Jose shuttle averaged 67 riders per day.

FISCAL YEAR 2013

Ridership has increased every month this fiscal year. In fact, there have been ridership increases for the past 35 continuous months. The last month-to-month ridership decline was from July 2010 to July 2011. The AWR for Fiscal Year (FY) 2013 was 49,031 which surpassed the previous high of 44,212 in FY2012. Total ridership for the fiscal year also set a record of 15,595,559, which surpassed the previous high of 14,134,118 by 10.3 percent set in FY2012.

While Caltrain set records in ridership for FY2013, the OTP did not fare as well. For FY2013 the OTP was 91.3 percent, which is down from 93 percent in FY2012.

For the fiscal year, complaints have averaged 13.7 per 100,000 passengers. While higher than the average in FY2012 of 10.2, it is well below the complaint metrics for FY2010 and FY2011, which were 24.5 and 16.9 respectively.

The shuttle AWR was 7,893 for FY2013, which is an increase of 619 or 8.5 percent over the 7,274 AWR in FY2012. Shuttle ridership continues to be largely influenced by Stanford's Marguerite shuttle, which constitutes approximately 50 percent of Caltrain shuttle ridership.

Caltrain Promotions – May and June 2013

See Something – Say Something – The *See Something – Say Something* customer safety and security awareness campaign issued its fifth and sixth messages as part of the year-long program. A new message is communicated each month via station electronic message signs, web posting (www.caltrain.com/seesomething), conductor announcements and social media, including Facebook, Google+ and Twitter. May's message was "When it comes to security, we can always use an extra pair of eyes. If something doesn't look quite right, report it to authorities." June's message was "Keep your belongings in sight and remember to take them with you."

San Jose Sharks – The San Jose Sharks played two rounds of playoff games during May in their quest for the Stanley Cup. Caltrain carried an extra 1,116 fans after the games. Caltrain communicated to fans about its convenient service to the playoffs through its website, news release and various social media channels.

Bay to Breakers – Caltrain's attraction to Bay to Breakers runners and spectators continues to increase. Staff promoted the special service to the race through radio ads, station flyer, *Caltrain Connection* newsletter, *Track the Fun* brochure, How to pre-buy ticket video, web button and dedicated landing page, onboard take one, station electronic sign, news release, social media, through the Bay to Breakers organization's website and e-newsletter, e-mail to Clipper customers, as well as mailings to colleges, and running stores and groups. Four pre-race trains carried 5,566 customers, a 47 percent increase over last year.

Giants – Baseball fans continue to ride Caltrain by the thousands to get to each Giants home game. Fans learn about the service through Caltrain brochures, newsletters, a news release, web page, social media and videos. In May, Caltrain carried 109,938 customers for the 18 baseball games. In June, the Giants spent a lot of time on the road. Close to 58,000 fans rode Caltrain to the nine home games.

Dump the Pump – Caltrain used social media and newspaper advertisements to encourage people to "dump the pump" and ride the bus. Public Affairs staff held an event at the Redwood City train station. Dump the Pump is an annual awareness program organized by the American Public Transportation Association and embraced by transit agencies throughout the country.

San Francisco Pride Weekend – The Supreme Court ruling regarding California's Proposition 8 and the Defense of Marriage Act may have helped generate higher demand for an easy way to get to San Francisco for Pride Weekend festivities. Caltrain promoted service for the annual celebration through social media and a news release. Many trains were reported as very popular.

San Jose Earthquakes – Caltrain has a proven record for playing a critical role in transporting people after an earthquake. It also played an important role in taking thousands of people to the San Jose Earthquakes as they took on the Los Angeles Galaxy during a soccer match at Stanford Stadium. Trains stopped at the Stanford Stadium station, which is a short walk from the pitch. The service was promoted via social media, a news release, web posting (on the Caltrain and Earthquakes sites).

More than 2,300 fans alighted and boarded at the station, a 42 percent increase over last year's game.

Partnership – In May, Caltrain partnered with the **Maker Faire** in San Mateo. The popular event promoted SamTrans as a way to get to the event center. In June, Caltrain collaborated with **Sunset Magazine** to promote taking transit to its annual Celebration Weekend in Menlo Park, which was served with a free shuttle from the train station. Events are generally promoted in the *Track the Fun* brochure, through social media and news releases. The promoters also include Caltrain in their promotional materials and often will offer a discount on the entry fee to Caltrain customers.

Prepared by: Rita P. Haskin, Executive Officer, Customer Service and Marketing 650.508.6248
Donald G. Esse, Senior Operations Financial Analyst 650.508.6329

Table A

May 2013

	FY2012	FY2013	% Change
Total Ridership	1,333,901	1,439,276	7.9%
Average Weekday Ridership	49,017	52,980	8.1%
Total Farebox Revenue	\$5,689,723	\$6,337,902	11.4%
On-time Performance	90.9%	89.7%	-1.2%*
Average Caltrain Shuttle Ridership	7,643	6,794	-11.1%

June 2013

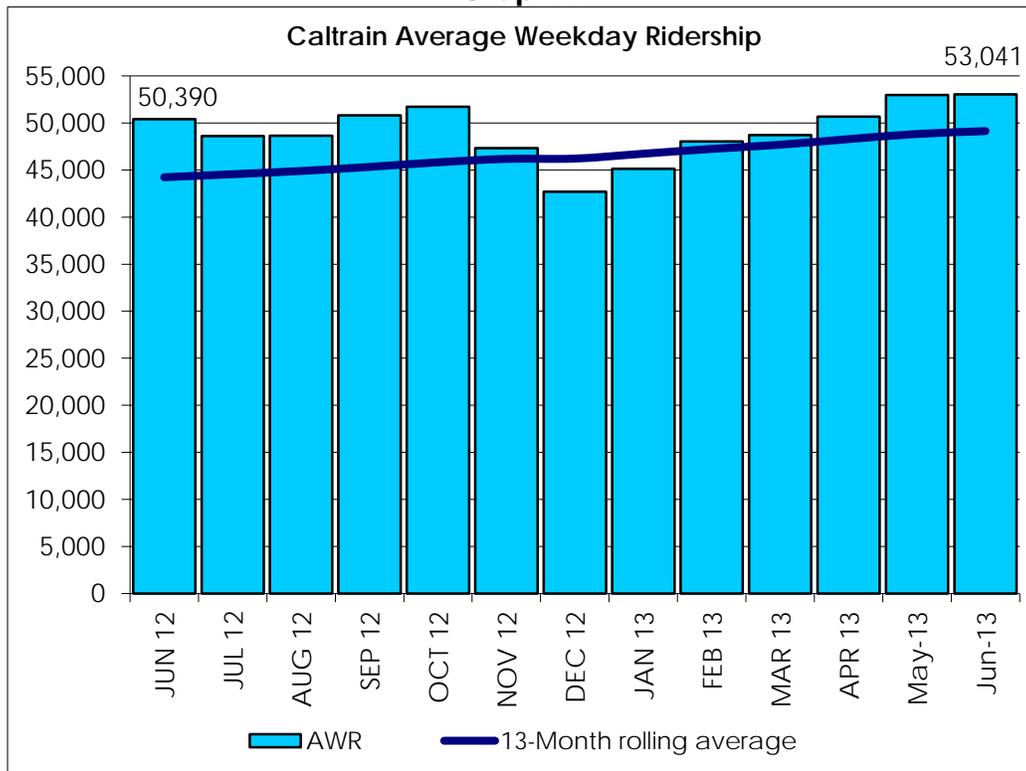
	FY2012	FY2013	% Change
Total Ridership	1,319,405	1,366,991	3.6%
Average Weekday Ridership	50,390	53,041	5.3%
Total Farebox Revenue	\$5,778,347	\$6,146,121	6.4%
On-time Performance	90.6%	91.4%	-1.2%*
Average Caltrain Shuttle Ridership	7,521	7,323	-2.6%

Year to Date

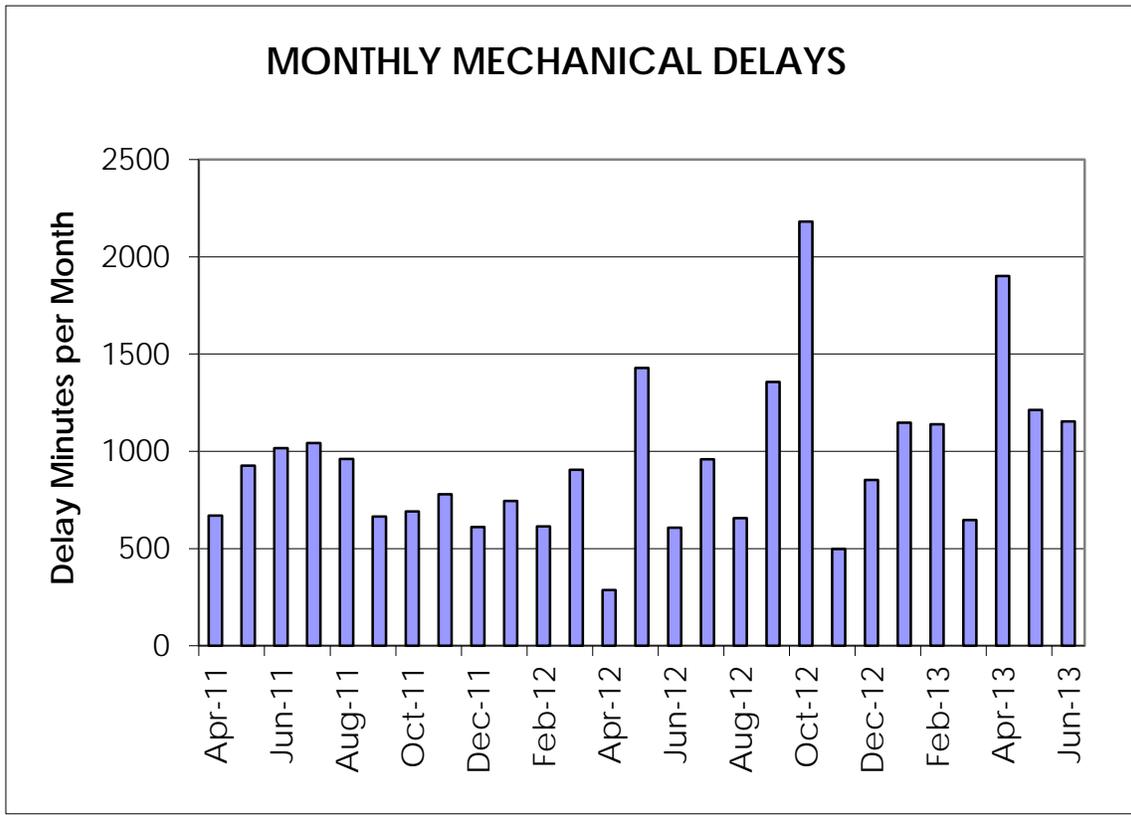
	FY2012	FY2013	% Change
Total Ridership	14,134,118	15,595,559	10.3%
Average Weekday Ridership	44,212	49,031	10.9%
Total Farebox Revenue	\$59,884,491	\$68,767,170	14.8%
On-time Performance	95.1%	91.3%	-2.1%*
Average Caltrain Shuttle Ridership	7,274	7,893	8.5%

* numeric difference of the percentages

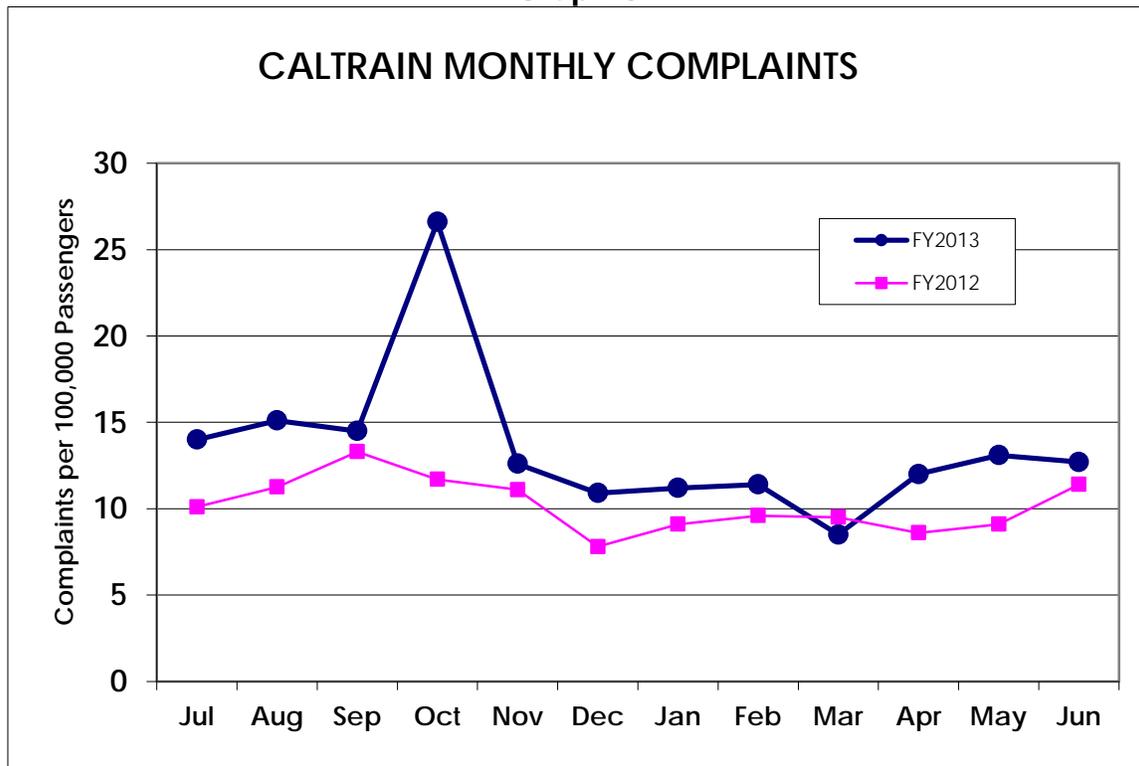
Graph A



Graph B



Graph C



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
MAY 31, 2013 AND SUPPLEMENTAL INFORMATION**

ACTION

Staff proposes the Board accept and enter into the record the Statement of Revenue and Expense for the month of May 2013 and supplemental information.

SIGNIFICANCE

Revenue: For May of Fiscal Year 2013, *Total Operating Revenue* (line 7) is \$4,263,908 or 6.4 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$3,527,950 or 6 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$9,039,747 or 14.5 percent **higher**.

Expense: *Grand Total Expenses* (line 47) show a favorable variance of \$3,438,055 or 3.4 percent. *Total Operating Expense* (line 33) is \$3,252,657 or 3.7 percent **better** than budget. *Total Administrative Expense* (line 43) is \$185,399 or 1.5 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 47) are \$4,344,163 or 4.6 percent **higher**. The increase in expense is mainly due to *Contract Operating & Maintenance* (line 22) which is \$3,973,669 or 7.3 percent **higher**.

BUDGET IMPACT

There are no budget revisions for the month of May 2013.

Prepared By: Jeannie Chen, Senior Accountant 650.508.6259
Sheila Tioyao, Manager, General Ledger 650.508.7752

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
Fiscal Year 2013
May 2013

	% OF YEAR ELAPSED 91.7%							
	MONTH	YEAR TO DATE				ANNUAL		
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET	% REV BUDGET
(AS PROJECTED)								
REVENUE								
OPERATIONS:								
1 Farebox Revenue	6,337,902	54,113,270	62,621,049	59,093,099	106.0%	60,293,443	64,783,776	96.7%
2 Parking Revenue	366,739	2,978,865	2,979,676	2,786,310	106.9%	3,299,590	3,001,698	99.3%
3 Shuttles	120,186	916,106	1,447,274	1,336,648	108.3%	1,384,230	1,537,279	94.1%
4 Rental Income	147,061	1,623,228	1,641,146	1,566,230	104.8%	1,868,760	1,868,760	87.8%
5 Other Income	236,873	2,723,594	2,705,666	2,348,617	115.2%	2,527,430	2,527,430	107.1%
6								
7 TOTAL OPERATING REVENUE	7,208,761	62,355,064	71,394,811	67,130,903	106.4%	69,373,453	73,718,942	96.8%
8								
9 CONTRIBUTIONS:								
10 AB434 & TA Shuttle Funding	169,748	906,756	1,820,143	1,738,739	104.7%	2,184,271	2,050,700	88.8%
11 Operating Grants	1,031,856	6,957,372	5,075,017	4,910,952	103.3%	6,310,982	5,310,982	95.6%
12 JPB Member Agencies	2,791,667	23,225,817	30,708,333	30,708,333	100.0%	33,500,000	33,500,000	91.7%
13								
14 TOTAL CONTRIBUTED REVENUE	3,993,271	31,089,945	37,603,493	37,358,024	100.7%	41,995,253	40,861,682	92.0%
15								
16 GRAND TOTAL REVENUE	11,202,032	93,445,008	108,998,305	104,488,928	104.3%	111,368,706	114,580,624	95.1%
17								
18								
19 EXPENSE								
20								
21 OPERATING EXPENSE:								
22 Contract Operating and Maintenance	4,518,761	54,199,380	58,173,049	59,607,593	97.6%	63,820,184	64,426,717	90.3%
23 Operator Contract Transition Costs	-	4,524,180	-	-	0.0%	-	-	0.0%
24 Rail Operator Service - Other	-	-	309,700	313,320	98.8%	1,150,000	1,150,000	26.9%
25 Shuttles (incl Peninsula Pass)	80,784	2,660,468	3,901,491	4,361,118	89.5%	4,410,504	4,445,700	87.8%
26 Fuel	1,306,325	14,206,798	14,208,629	15,265,312	93.1%	17,198,522	17,198,522	82.6%
27 Timetables and Tickets	18,000	129,867	125,695	129,017	97.4%	147,200	147,200	85.4%
28 Insurance	419,848	4,463,898	4,671,748	4,749,777	98.4%	5,100,500	5,100,500	91.6%
29 Facilities and Equipment Maint	110,371	1,395,403	1,423,626	1,518,333	93.8%	1,534,560	1,780,471	80.0%
30 Utilities	73,777	1,299,219	1,253,881	1,338,390	93.7%	1,696,870	1,696,870	73.9%
31 Maint & Services-Bldg & Other	146,634	990,847	1,092,873	1,130,488	96.7%	1,286,880	1,286,880	84.9%
32								
33 TOTAL OPERATING EXPENSE	6,674,499	83,870,060	85,160,691	88,413,348	96.3%	96,345,220	97,232,860	87.6%
34								
35 ADMINISTRATIVE EXPENSE								
36 Wages and Benefits	473,331	4,412,561	4,971,736	4,989,981	99.6%	5,623,527	5,404,812	92.0%
37 Managing Agency Admin OH Cost	424,347	831,324	3,604,989	3,731,793	96.6%	3,540,298	4,148,129	86.9%
38 Board of Directors	1,162	8,888	8,711	9,395	92.7%	12,800	12,800	68.1%
39 Professional Services	343,517	2,747,810	2,516,194	2,536,181	99.2%	2,673,479	2,769,238	90.9%
40 Communications and Marketing	13,801	46,163	121,953	126,500	96.4%	138,000	138,000	88.4%
41 Office Expense and Other	120,475	1,428,764	1,305,459	1,320,589	98.9%	1,932,507	1,357,176	96.2%
42								
43 TOTAL ADMINISTRATIVE EXPENSE	1,376,634	9,475,509	12,529,041	12,714,440	98.5%	13,920,611	13,830,155	90.6%
44								
45 Long Term Debt Expense	91,906	1,010,969	1,010,969	1,010,969	100.0%	1,102,875	1,102,875	91.7%
46								
47 GRAND TOTAL EXPENSE	8,143,039	94,356,538	98,700,701	102,138,756	96.6%	111,368,706	112,165,890	88.0%
48								
49 NET SURPLUS / (DEFICIT)	3,058,992	(911,530)	10,297,603	2,350,172	438.2%	-	2,414,734	426.4%

"% OF YEAR ELAPSED" provides a general measure for evaluating overall progress against the annual budget. When comparing it to the amounts shown in the "% REV BUDGET" column, please note that individual line items reflect variations due to seasonal activities during the year.



PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF MAY 31, 2013

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Restricted)	Liquid Cash	0.245%	\$ 2,000,000	\$ 2,000,000
Local Agency Investment Fund (Unrestricted)	Liquid Cash	0.245%	28,934,756	28,934,756
County Pool (Unrestricted)	* Liquid Cash	0.610%	20,199,707	20,199,707
Investment Portfolio (Unrestricted)	** Liquid Cash	0.000%	0	0
Other (Unrestricted)	Liquid Cash	0.000%	1,973,574	1,973,574
			\$ 53,108,037	\$ 53,108,037

Accrued Earnings for May, 2013 \$ 16,781.93

Cumulative Earnings FY2013 \$ 202,317.77

* County Pool average yield for the month ending May 31, 2013 was 0.610%. As of May, 2013 the amortized cost of the Total Pool was \$3,088,526,101.60 and the fair market value per San Mateo County Treasurer's Office was \$3,089,796,460.79.

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

The Joint Powers Board has the ability to meet its expenditure requirements for the next six months.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **APPROVAL AND RATIFICATION OF THE FISCAL YEAR 2014 INSURANCE PROGRAM**

ACTION

Staff Coordinating Council (SCC) recommends the Board approve and ratify the Caltrain Insurance Program (Program) for Fiscal Year 2014 at a total premium cost not to exceed \$4,148,697, inclusive of the following:

- \$1 million self-insured retention on the liability program.
- Purchase \$199 million of coverage for Railroad Liability, Commercial General Liability and Excess Automobile Liability, including terrorism coverage, at an annual premium of \$3,240,322.
- Purchase property insurance with limits of \$400 million at an annual premium of \$732,000 for real and personal property, to include Centralized Equipment Maintenance and Operations Facility (CEMOF), stations, tunnels, bridges, culverts, signals, railroad equipment, and rolling stock. This insurance also continues to provide coverage against terrorism, as well as boiler and machinery perils for real property and CEMOF sufficient to meet the State of California inspection requirements.
- Purchase a \$10 million Environmental/Pollution Liability insurance policy at an annual premium of \$55,106.
- Purchase a \$10 million Public Officials Liability policy at an annual premium of \$71,177.
- Purchase an annual Special Events and Emergency Drill Liability policy with a \$2 million limit for a premium of \$26,250.
- Purchase Railroad Protective Liability coverage at an annual premium of \$23,842.

SIGNIFICANCE

The railroad liability insurance market is continuing to harden this year. With Caltrain's dramatic increase in ridership and revenue over the past two years, coupled with industry-wide rail liability insurance losses affecting the entire marketplace, this year the Peninsula Corridor Joint Powers Board (JPB) experienced a notably increased premium

when compared to last year's \$2 million retention program. By restructuring the Program with an alternate approach, we were able to secure a program with a \$1 million retention for little additional premium. This Program greatly reduces out-of-pocket payments on large claims. The Program is competitive and staff is making the recommendation to reduce the JPB's and its member agencies' financial exposure on large claims by lowering the JPB's retention.

Property catastrophes in New York, the Midwest and around the world have hardened the property market for the catastrophic coverages of windstorm, earthquake and flood. Standard property and inland marine coverages in California, however, are still desired by insurers. Despite increases in JPB property values of 12 percent, which generated an increased premium, we saw only a slight increase in property rates, and locked in another two-year commitment from underwriters.

The environmental insurance market remains competitive with excess capacity and yielded very competitive premiums. As a result, we are recommending the JPB increase its limits from \$5 million to \$10 million on its Pollution Legal Liability policy. Limits on the JPB's Public Officials Liability Program remained the same at \$10 million and the premium increased slightly. The JPB was able to obtain annual Special Events coverage with a limit of \$2 million and only a \$25,000 retention to protect the JPB during what are sometimes higher hazard operations for its annual special train events and Emergency Training exercises.

Below is an overview of the JPB's FY2013 and FY2014 premiums:

<u>Premium Element</u>	<u>FY2013</u>	<u>FY2014</u>
Liability: Railroad, Commercial General, Excess Automobile	\$2,642,114	\$3,240,322
Liability: Environmental, Public Officials, Special Events & Railroad Protective Liability	\$ 119,898	\$ 176,375
Property	<u>\$ 646,376</u>	<u>\$ 732,000</u>
Total	\$3,408,388	\$4,148,697

BUDGET IMPACT

Estimated funds to underwrite the recommended program are included in the FY2014 Operating Budget. A mid-year budget adjustment may be necessary.

BACKGROUND

The JPB's liability limits remain at \$200 million with an additional \$100 million provided by Transit America Services, Inc. for a total of \$300 million in FY2014. This renewal gives the JPB the opportunity to lower its self-insured retention from \$2 million to \$1 million. Several new insurers entered the rail liability insurance market while other insurers are pulling back because of major losses in this sector, which have contributed to the tightening of this marketplace. Underwriters are focusing on risk selection, adjusting pricing to reflect increased exposures, and any claims. The major driver of the higher premium for the coming year is the sizeable increase in ridership over the past two years, which has exceeded the JPB's projections. Faced with this increase in ridership, the smaller incremental difference and unique opportunity to lower the JPB's retention to \$1 million offers a good value for the JPB to transfer significantly more risk to the insurance companies.

RESOLUTION NO. 2013-

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

* * *

**APPROVING AND RATIFYING THE INSURANCE PROGRAM FOR
FISCAL YEAR 2014**

WHEREAS, the Executive Director of the Peninsula Corridor Joint Powers Board (JPB) has approved an Insurance Program (Program) for Fiscal Year (FY) 2014 with premiums totaling \$4,148,697, which was presented to the Staff Coordinating Council (SCC) and the costs for which are included in the FY2014 Operating Budget; and

WHEREAS, in conjunction with the expiration of the JPB's existing Program on June 30, 2013, District staff renewed its Program for FY2014 based on the plan approved by the Executive Director, with the following significant elements:

1. A self-insured retention in the amount to \$1 million;
2. Authorize the purchase of a Railroad Liability, Commercial General Liability and Excess Automobile Liability policy, including Terrorism (TRIA) coverage, with a total limit of \$199 million, in excess of the \$1 million self-insured retention, at an annual premium of \$3,240,322;
3. Authorize the purchase of property insurance, including Special Risk property policies, at an annual premium of \$732,000 with limits of \$400 million to cover real and personal property, including stations, the Centralized Equipment Maintenance and Operations Facility, tunnels, bridges, culverts, signals, railroad equipment, and rolling stock, as well as Boiler and Machinery insurance sufficient to meet the State of California inspection requirements;
4. Authorize the purchase of Public Officials Liability coverage with \$10 million limits at an annual premium of \$71,177;

5. Authorize the purchase of a \$10 million limit for Environmental/Pollution Liability coverage at an annual premium of \$55,106;
6. Authorize the purchase of an annual Special Events and Emergency Drill liability with a \$2 million limit at a premium of \$26,250;
7. Authorize the purchase of Railroad Protective Liability coverage with an annual premium of \$23,842;

WHEREAS, SCC recommends the Board of Directors approve and ratify the renewal of the JPB's Program for FY2014, as delineated above.

NOW, THEREFORE, BE IT RESOLVED the Peninsula Corridor Joint Powers Board hereby approves and ratifies the renewal of the JPB's Insurance Program for FY2014, including the types of coverage, limits and premiums recited above.

Regularly passed and adopted this 1st day of August, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

C. H. (Chuck) Harvey
Deputy CEO

SUBJECT: **AUTHORIZE APPROVAL TO AMEND THE CONTRACT TO RESTRUCTURE OPTION 2 TO CREATE NEW PHASES 3 AND 4 AND TO EXERCISE OPTION 2, NEW PHASE 3 TO THE CONTRACT FOR A COMMUNICATIONS-BASED OVERLAY SIGNAL SYSTEM (CBOSS)/POSITIVE TRAIN CONTROL (PTC) FOR CALTRAIN**

ACTION

Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director or his designee to approve an amendment to the Agreement with Parsons Transportation Group (PTG) to restructure the existing Option 2 Phase 3 to split it into new Phases 3 and 4 and to exercise Option 2, new Phase 3 of the contract to provide for the completion of the Backup Central Control Facility (BCCF) and installation of the remaining subsystem in the amount of \$53,693,714.

SIGNIFICANCE

Currently Option 2, Phase 3 is the largest of the three phases of the CBOSS contract, which is now in its second year of performance. Phase 3 currently consists of 15 payment milestones related to the remaining CBOSS subsystem installations, subsystem and system testing, training, system safety certification, completion of the BCCF, commissioning, system acceptance and warranty.

Splitting Option 2, Phase 3 into two parts (new Phases 3 and 4) allows the Peninsula Corridor Joint Powers Board (JPB) project team and the contractor, PTG, to move ahead on the wayside installation and early commencement of the BCCF build-out to permit sufficient time for system testing and meeting Federal Railroad Administration (FRA) certification and revenue in-service date of October 2015. Initiation of Option 2, new Phase 4, which provides for system integration testing, safety certification, commissioning, final system acceptance and warranty, is planned for January 2014 and will be brought to the Board at that time.

Per Board Resolution No. 2011-43, the amount for Option 2, Phase 3 was identified as \$86,503,641. Splitting Option 2, Phase 3 into new phases 3 and 4 will not change the total Option value. The new Phase 3 will be valued at \$53,693,714 and the new Phase 4 will be valued at \$32,809,927. There is likewise no change to the total value of the contract.

The proposed changes to the contract structure described above are summarized in the tables below.

Current Contract Cost Structure		
Base Term	Phase 1	\$16,342,402
Option 1	Phase 2	\$35,289,630
Option 2	Phase 3	\$86,503,641
Total Contract Value		\$138,135,673

Option 2 New Phases	
Phase 3	\$53,693,714
Phase 4	\$32,809,927
Total Option 2	\$86,503,641

BUDGET IMPACT

Funding for the exercise of Option 2, Phase 3 has been included in the approved Fiscal Year 2014 Capital Budget.

BACKGROUND

In October 2008, Congress enacted the Rail Safety Improvement Act of 2008 (RSIA), which mandates the development and implementation of PTC systems on “Class I” and commuter railroads such as Caltrain by December 31, 2015.

The CBOSS/PTC system includes the four key requirements of the RSIA: a system that reliably and functionally prevents: (1) train-to-train collisions, (2) overspeed derailments, (3) unauthorized incursions into work zones and (4) routing over misaligned switches. The CBOSS/PTC will not only improve rail safety, but it will also provide enhanced operational benefits including improved schedule management, station stop enforcement, crossing safety improvements, and optimized operating performance. The CBOSS/PTC will be implemented on all main tracks between San Francisco and Control Point Lick in south San Jose and will be interoperable with its tenant and host railroads. The CBOSS/PTC will provide significant advances to the signaling system capabilities.

Pursuant to Resolution No. 2011-43, the JPB entered into an agreement with PTG to implement CBOSS/PTC on December 28, 2011. The CBOSS/PTC project consisted of three phases, described in the contract as a base term (Phase 1) for the critical design of PTC, with two subsequent contractual options for the continuing implementation and deployment of the PTC system. The options are to be executed if deemed to be in the best interest of the agency, and subject to Board approval.

Phase 1 of the CBOSS/PTC project, consisting of the completion of the Project Execution Plan, completion of the PTC Development Plan, and commencement of system and subsystem critical design, was concluded in March 2013.

In accordance with the terms of the agreement, Option 1, Phase 2 provides for a final design, integrated subsystem/system factory acceptance testing, and data communication subsystem installation. Option 1, Phase 2 was approved by the JPB on January 3, 2013.

The new Option 2, Phase 3 provides for the remaining subsystem installation, subsystem testing and completion of the BCCF. The new Option 2, Phase 4, is scheduled to be brought to the Board in January 2014, and provides for system integration testing, safety certification, commissioning, final system acceptance and warranty.

The JPB and PTG have completed or anticipate the completion of the following:

- Completed Project Execution Planning
- Completed Project Preliminary Design & Approval
- Submitted Project PTC Development Plan to FRA
- Completion of BCCF Real Estate Search and finalized the lease or buy agreement
- Developed Caltrain Interoperability Coordination Plan for FRA and other railroads review and comments. Met with Union Pacific Railroad and other tenant railroads for establishing interoperability coordination plan process and working groups
- Completed all required deliverable packages to CHSRA/FRA
- Completed system and subsystem critical design
- Completion of subsystem and system final design by September 2013
- Commence fiber optic backbone installation in September 2013

JPB staff feels it is critical to continue the work begun under Option 1, Phase 2 and initiate Option 2, Phase 3 of the CBOSS/PTC project. The total amount identified for Option 2, Phase 3 is \$53,693,714 and was included in the total estimated amount of \$138,135,673 awarded to PTG.

Sr. Contract Officer: Juanita Vigil
PMO Director: Karen Antion

650.508.7731
415.836.5605

RESOLUTION NO. 2013 -

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

* * *

**AUTHORIZE AMENDMENT OF THE CONTRACT FOR THE COMMUNICATIONS-BASED
OVERLAY SIGNAL SYSTEM (CBOSS)/POSITIVE TRAIN CONTROL (PTC) PROJECT TO
ESTRUCTURE OPTION 2 TO CREATE NEW PHASES 3 AND 4 AND TO EXERCISE OPTION 2,
NEW PHASE 3 OF THE CONTRACT IN THE ESTIMATED AMOUNT OF \$53.7 MILLION**

WHEREAS, on October 6, 2011, pursuant to Resolution No. 2011-43, the Peninsula Corridor Joint Powers Board (JPB) awarded a contract to Parsons Transportation Group (PTG) to implement CBOSS/PTC for Caltrain, which consists of three phases, described as a base contract, Phase 1, for the critical design, with two subsequent options, Option 1, Phase 2 and Option 2, Phase 3, for the continuing implementation and deployment of the PTC system; and

WHEREAS, in accordance with the contract, and subject to Board approval, the options are to be executed if deemed to be in the best interest of the JPB; and

WHEREAS, on January 3, 2013, pursuant to Resolution No. 2013-07, the JPB Board of Directors (Board) authorized the exercise of Option 1, Phase 2, to provide Caltrain with a final design, integrated subsystem/system factory acceptance testing and the installation of the data communication subsystem which includes a fiber optic backbone; and

WHEREAS, Option 1, Phase 2 tasks have been completed or are anticipated to be completed and the initiation of Option 2, Phase 3 is imminent; and

WHEREAS, staff deems it necessary to split the existing Option 2, Phase 3, into two parts (new Phases 3 and 4) to separate tasks and create a revised Phase 3 that allows the JPB project team and the contractor to move ahead on the wayside installation and early commencement of the Backup Central Control Facility (BCCF) build-out to permit sufficient time for system testing and Federal Railroad Administration certification prior to the scheduled revenue in-service date of October 2015; and

WHEREAS, initiation of Option 2, new Phase 4, is planned for January 2014 and will be brought to the Board at that time; and

WHEREAS, there is no change to the total value of Option 2, which remains \$86,503,641 -- new Phase 3 will cost \$53,693,714 and new Phase 4 will cost \$32,809,927; and

WHEREAS, staff now considers it appropriate to exercise Option 2, new Phase 3 to provide for the remaining subsystem installation, subsystem testing and completion of the BCCF; and

WHEREAS, funding for Option 2, new Phase 3, has been budgeted in the Caltrain Fiscal Year 2014 Capital Budget.

NOW, THEREFORE, BE IT RESOLVED the Board hereby authorizes the Executive Director or his designee to amend the Agreement with Parsons Transportation Group of Washington, D.C. to split Option 2, Phase 3, into two parts (new Phases 3 and 4), with no change to the total price of Option 2 or the contract price; and

BE IT FURTHER RESOLVED the Board hereby authorizes the Executive Director or his designee to exercise Option 2, new Phase 3, to the Agreement with Parsons Transportation Group of Washington, D.C. in the amount of \$53,693,714.

Regularly passed and adopted this 1st day of August 2013 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

and delivery of the CBOSS/PTC system. Since then PTG has completed the project execution planning effort and preliminary design and critical design phase.

Pursuant to Resolution No. 2013-07, Option 1, Phase 2 was approved by the Board on January 3, 2013 for final design of the CBOSS/PTC project, factory acceptance testing and installation of a data communication subsystem including a fiber optic network backbone. The fiber installation will commence in September 2013 and completion of Phase 2 is anticipated by October 2014.

At the August 2013 Board meeting, staff will request approval of a contract amendment for Option 2, Phase 3, which provides for the remaining subsystem installation, subsystem testing, training, and completion of the Backup Central Control Facility (BCCF).

The CM service is necessary to provide field quality assurance and field contract administration services for the CBOSS/PTC subsystem installation work, which includes data communications, wayside, onboard subsystem and BCCF performed by PTG and its subcontractors. The CBOSS project is commencing field installation in September 2013. That allows insufficient time to separately procure construction management services for the CBOSS/PTC subsystem installation and BCCF. As a result, the provision of additional contract authority in the not-to-exceed amount of \$2.5 million, which amount includes potential contingencies, for adding the CBOSS/PTC project to this CM Services contract is required for appropriate support of the project.

Prepared By: Helen Hoang, Contract Officer
Sherry Bullock, CBOSS PMO

650.508.7964
415.836.5610

RESOLUTION NO. 2013-

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

* * *

**AUTHORIZE AMENDING THE CONTRACT WITH URS CORPORATION FOR ADDITIONAL
CONTRACT AUTHORITY IN AN AMOUNT NOT TO EXCEED \$2.5 MILLION FOR
CONSTRUCTION MANAGEMENT SERVICES RELATED TO THE COMMUNICATIONS-BASED
OVERLAY SIGNAL SYSTEM/POSITIVE TRAIN CONTROL PROJECT**

WHEREAS, on May 6, 2010, pursuant to Resolution No. 2010-26, the Peninsula Corridor Joint Powers Board (JPB) awarded a contract to URS Corporation (URS) to provide Construction Management (CM) Services for the San Bruno Grade Separation, the South San Francisco Parking Lot, San Mateo Bridges Improvement Phase I, the Jerrold Street Bridge Replacement, the San Francisco Roadway Bridges Replacement, and the Quint Street Bridge Replacement projects in an amount not to exceed \$11,775,000; and

WHEREAS, on February 7, 2013, pursuant to Resolution No. 2013-11, the JPB authorized an amendment to the contract with URS to increase contract authority in an amount not to exceed \$3,400,000, to extend the term of the agreement for an additional three years to May 2016, and to remove the Quint Street Bridge Replacement Project from the scope of work; and

WHEREAS, on October 6, 2011, pursuant to Resolution No. 2011-43, the JPB awarded a contract to Parsons Transportation Group (PTG) for the Communications-based Overlay Signal System (CBOSS)/Positive Train Control (PTC) for Caltrain ; and

WHEREAS, beginning in September 2013, PTG's work on the CBOSS contract will include subsystem installation and testing, and construction work on the new Backup Central Control Facility (BCCF); and

WHEREAS, the JPB must provide CM Services for the upcoming work to be performed by PTG and its subcontractors; and

WHEREAS, Staff Coordinating Council recommends the contract with URS be amended to increase the contract authority in an amount not to exceed \$2.5 million, which amount includes potential contingencies, in order to provide the JPB with CM Services for the CBOSS PTC subsystem installation and the BCCF in a time and manner that will support adherence to the project's schedule.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Peninsula Corridor Joint Powers Board (Board) hereby authorizes an amendment to the contract with URS to increase the contract authority in an amount not to exceed \$2.5 million for construction management services related to the CBOSS PTC Project; and

BE IT FURTHER RESOLVED the Board authorizes the Executive Director or his designee to execute the amendment, in a form approved by legal counsel.

Regularly passed and adopted this 1st day of August, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **UPDATE ON THE EXECUTION OF THE FUEL HEDGING PROGRAM**

ACTION

This item is presented for informational purpose only.

SIGNIFICANCE

On May 2, 2013, the Peninsula Corridor Joint Powers Board approved the Request for Bids for the Fiscal Year (FY) 2014 Fuel Hedging Program (Program) and authorized the Executive Director or Deputy CEO, Finance and Administration, to execute those documents with the winning diesel fuel price cap provider.

On May 16, 2013, the JPB's financial advisors requested bids from four likely firms for the FY2014 Program: Deutsche Bank AG (DB), Barclays Bank PLC (Barclays), Canadian Imperial Bank of Commerce and Wells Fargo Bank, N.A., all of whom have previously bid and are required to adhere to Dodd-Frank (DF) Protocol and to bid based on the bid documents approved by, and on file with, the Board. This year, only DB and Barclays submitted competitive bids.

Based on the bid prices, the JPB selected Barclays as the winning bidder with a price cap of \$2.85 per gallon and a cost cap at \$0.1819 per gallon. The JPB hedged a total of 2.3 million gallons which represents approximately 50 percent of the JPB's expected fuel usage for FY2014. The final documents, on file for the Board on May 2, were executed subsequent to the bid. Staff was comfortable with the documents as executed and the price offered by Barclays.

Prior to requesting bids, staff worked together with the JPB's financial advisors and legal counsel to develop a Request for Commodity Price Caps and a bid package adhered to DF Protocol for interested diesel fuel price cap providers. Included in that package were an ISDA Master Agreement, a Schedule to the Master Agreement, and a Credit Support Annex. These documents had been reviewed by Orrick, Herrington & Sutcliffe, LLP, special counsel to the JPB. In addition to the aforementioned documents, a confirmation setting forth the pricing terms was executed.

The primary goal for the Program is to reduce volatility and uncertainty in the fuel budget for FY2014. Consistent with the Fuel Hedging Policy (Policy), the JPB has hedged 2.3 million gallons, approximately 50 percent of the JPB's expected annual fuel consumption. To maximize the Program's potential economic efficiency, the JPB partnered with the San Mateo County Transit District, which hedged 1.2 million gallons, approximately 65 percent of the District's expected annual fuel consumption.

Staff expects to return the Board next year with an assessment of the FY2014 Program.

BUDGET IMPACT

The JPB's FY2014 adopted budget for fuel expenses is \$17.8 million, an increase of \$629,575, or 3.7 percent over the revised FY2013 budget. This increase is mainly due to the addition of one car per train. The purchase of the price cap from Barclays at \$2.85 per gallon helps keep the increase in the fuel budget to a minimal level as the fuel prices rise. The Program also gives the JPB a measure of budgetary certainty and allows for more effective utilization of budget resources. The fees for the FY2014 Program include about \$25,000 for the financial advisor, \$80,500 for outside legal counsel and \$418,370 for the price cap premium.

BACKGROUND

The JPB currently purchases fuel from Pinnacle Petroleum based on the average weekly spot price of Oil Price Information Service (OPIS) index, exposing the JPB to market price fluctuation.

In order to meet the primary goal of the Program of reducing volatility and uncertainty in the fuel budget for FY2014, staff purchased a commodity price cap consistent with the Policy. Staff notes the price cap will not include taxes on the fuel price, however the price commonly reported to the Board includes taxes. A price cap allows the JPB to limit its exposure if fuel prices rise, while continuing to receive the benefit of lower costs if prices fall.

Prepared By: Aandy Ly, Senior Financial Analyst

650.508.6376

**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: **PENINSULA CORRIDOR ELECTRIFICATION PROJECT DELIVERY METHOD**

ACTION

This report is for information only. No Board action is required.

SIGNIFICANCE

The Peninsula Corridor Electrification Project (PCEP) is a key component of the Caltrain Modernization program.

The PCEP will electrify the Caltrain corridor from its San Francisco station to approximately the Tamien Caltrain Station, convert diesel-hauled to Electric Multiple Unit (EMU) trains, and increase service up to six Caltrain trains per peak hour per direction. Initially, service between San Jose and San Francisco will utilize a mixed fleet of EMUs and diesel trains.

The operating speed will be up to 79 miles per hour, which is what it is today. The target date for electrified Caltrain service is by 2019. In order to meet this goal, it is critical to identify the appropriate project delivery method at this time.

At the August Board meeting, staff will make a presentation on the project delivery options and assessment of which options best meet the program objectives. In September, staff will return with a staff recommendation for Board approval and action.

BUDGET IMPACT

There is no impact to the existing budget.

BACKGROUND

In 2012, the Metropolitan Transportation Commission (MTC), the California High-speed Rail Authority (CHSRA), Caltrain and six other San Francisco Bay Area funding partners established an agreement to support a Caltrain/High-speed Rail blended system in the Peninsula corridor and to invest early in the Caltrain Modernization Program.

This approximate \$1.5 billion Early Investment Program provides funding for the PCEP and the advanced signal system known as the Communications-based Overlay Signal System (CBOSS), which includes positive train control (PTC). The CBOSS project is already underway.

The early investment program will meet the PTC Federal mandate by 2015, provide electrified Caltrain service by 2019 and support blended operations with high-speed rail by 2026-2029.

Prepared By: Marian Lee
Executive Officer, Caltrain Modernization

650.622.7843

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Mark Simon
Executive Officer, Public Affairs

SUBJECT: **STATE AND FEDERAL LEGISLATIVE UPDATE**

ACTION

This report is for information only. No Board action is required.

SIGNIFICANCE

Staff will provide regular updates to the Board in accordance with the approved Legislative Program.

STATE ISSUES

Legislation

The Assembly returns from Summer recess on August 5 and the Senate returns on August 12.

Senate Bill (SB) 556 (Corbett) - This bill was amended to include language that would require public agencies to display disclaimers on vehicles and uniforms that identify when employees are contractors rather than government employees. If passed, disclaimers would pose significant costs to affected agencies and would substantially alter the external graphics on Caltrain vehicles. Staff is working with the California Transit Association to amend the bill so that it does not affect transit agencies.

SB 557 (Hill) - This bill would provide additional protection for state high-speed rail funding appropriated for early investment in the Caltrain Corridor. It would also ensure that the implementation of high-speed rail on the Peninsula will be limited to the blended system. The bill has passed the Assembly and the Senate Transportation and Housing Committee and will be heard by the Senate Appropriations Committee.

Assembly Bill 797 (Gordon) - This bill would provide the San Mateo County Transit District and the Santa Clara Valley Transportation Authority with authority to utilize a Construction Management General Contractor (CMGC) project delivery approach. The bill also effectively extends the authority to the Peninsula Corridor Joint Powers Board. The bill is currently awaiting a vote on the Senate floor.

FEDERAL ISSUES

Foxx Confirmed as Transportation Secretary

On June 27, the Senate unanimously confirmed Charlotte, North Carolina Mayor Anthony Foxx to serve as the next Secretary of Transportation. The Senate Commerce, Science, and Transportation Committee unanimously approved Foxx earlier in the month. He replaces outgoing Secretary Ray LaHood who announced his intention to step down earlier this year but agreed to remain in his post until a successor was confirmed.

Elected as mayor in 2009, Foxx's tenure as the city's top official has resulted in many transportation successes, including the expansion of Charlotte's streetcar system to University North Carolina-Charlotte, the formation of the Charlotte Regional Intermodal Facility that transfers cargo between trucks and trains, and the construction of a new runway at Charlotte's Douglas International Airport.

Buy America and Utility Relocation

A provision included in the current Federal transportation funding authorizing legislation, Moving Ahead for Progress in the 21st Century (MAP-21), broadens the applicability of Buy America to cover non-federally funded utility relocations. Since this work is performed by the utilities themselves, state and local transportation agencies have expressed concerns about whether this work can effectively be certified under Buy America. Without cooperation from private utilities, affected projects could experience significant delays.

The American Public Transportation Association (APTA) has coordinated a broad coalition of transportation and utility interests to encourage the U. S. Department of Transportation to clarify the new requirements, provide sufficient time to effectively implement them, and grant waivers where necessary to avoid significant project delays.

The California Department of Transportation has requested a waiver from the broadened Buy America provisions for a highway project in Solano County. Following this request, the Federal Highway Administration (FHWA) issued guidance that delays the application of this provision for non-federally funded utility relocation agreements until January 1, 2014. According to FHWA, this will provide utilities with sufficient time to establish supply chains and certifications that are consistent with Buy America requirements.

Patent Infringement

On July 17, APTA joined a coalition of entities pushing for reforms that would address the growing problem of frivolous patent infringement lawsuits. For several years, transit agencies have fallen victim to settlement demands from ArrivalStar, a company that claims to hold the right to real-time vehicle tracking technologies. At least 11 transit agencies have settled with ArrivalStar rather than incurring the cost of litigation.

On behalf of transit agencies across the country, APTA recently filed suit against ArrivalStar claiming that its patents are invalid and unenforceable.

Prepared By: Seamus Murphy, Director, Government and Community Affairs 650.508.6388

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 8 Perea D</p> <p>Alternative fuel and vehicle technologies: funding programs.</p>	<p>SENATE T. & H. 7/3/2013 - Referred to Coms. on T. & H. and E.Q.</p>	<p>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.</p> <p>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 2 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. Last Amended on 5/13/2013</p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 25 Campos D</p> <p>Employment: social media.</p>	<p>SENATE THIRD READING 6/25/2013 - Read second time. Ordered to third reading.</p>	<p>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.</p> <p>This bill would apply the provisions described above to public employers, as defined. The bill would state that its provisions address a matter of statewide interest and apply to public employers generally, including charter cities and counties. Last Amended on 5/1/2013</p>	
<p>AB 26 Bonilla D</p> <p>California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.</p>	<p>SENATE 2 YEAR 7/12/2013 - Failed Deadline pursuant to Rule 61(a)(10)(SEN). (Last location was L. & I.R. on 7/8/2013)</p>	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the 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. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund.</p> <p>This bill would specify that moneys from the Greenhouse Gas Reduction Fund are public funds, as defined. The bill would require that, if moneys from the Greenhouse Gas Reduction Fund are made available to the owner or operator of a refinery to perform work to reduce greenhouse gas emissions, then all work at the refinery related to reducing greenhouse gas emissions that is not performed by the owner's or operator's own employees and that falls within an apprenticeable occupation, as defined, shall be performed by skilled journeypersons, as defined, and registered apprentices, as defined. The bill would require that moneys from the Greenhouse Gas Reduction Fund only be made available for work at a refinery if the work is related to complying with a market-based compliance mechanism to reduce greenhouse gas emissions, as specified. This bill contains other related provisions. Last Amended on 6/25/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 153 Bonilla D</p> <p>California Global Warming Solutions Act of 2006: offsets.</p>	<p>ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2013)</p>	<p>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.</p> <p>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, 2015, 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. The bill would require the state board to adopt guidelines and incentives that prioritize the approval of specified offset protocols. The bill would require the state board to submit a specified annual report to the Legislature. Last Amended on 4/8/2013</p>	
<p>AB 160 Alejo D</p> <p>California Public Employees' Pension Reform Act of 2013: exceptions.</p>	<p>ASSEMBLY APPR. 5/29/2013 - Re-referred to Com. on APPR.</p>	<p>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.</p> <p>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 if a federal agency determines there is a conflict with federal law. This bill contains other related provisions and other existing laws. Last Amended on 5/28/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 179 Bocanegra D</p> <p>Public transit: electronic transit fare collection systems: disclosure of personal information.</p>	<p>SENATE APPR. 7/11/2013 - From committee: Be placed on second reading file pursuant to Senate Rule 28.8.</p> <p>8/12/2013 Anticipated Hearing SENATE APPR., Not in daily file.</p>	<p>Existing law prohibits a transportation agency from selling or providing personally identifiable information, as defined, 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 within 4 1/2 years, as specified. Existing law provides various remedies in that regard.</p> <p>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 with respect to personally identifiable information of a person who subscribes to an electronic fare collection system. This bill contains other related provisions and other existing laws. Last Amended on 6/19/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 229 John A. Pérez D</p> <p>Local government: infrastructure and revitalization financing districts.</p>	<p>SENATE THIRD READING 6/25/2013 - Read second time. Ordered to third reading.</p>	<p>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.</p> <p>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. Last Amended on 6/11/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 278 Gatto D</p> <p>California Global Warming Solutions Act of 2006: Low Carbon Fuel Standard.</p>	<p>SENATE APPR. 7/11/2013 - Read second time and amended. Re-referred to Com. on APPR.</p> <p>8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair</p>	<p>The California Global Warming Solutions Act of 2006, establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit, 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.</p> <p>This bill would require the state board, in promulgating regulations or other policies for purposes of the carbon intensity of fuels, to consider specified sustainability factors and the state of the fuel market and technologies. The bill would require the state board, no later than December 2014, to include mechanisms and policies that favor low-carbon fuels with the highest possible sustainability based on specified factors and to provide incentives for sustainable fuels produced without food stock or displacement of food crops. Last Amended on 7/11/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 410 Jones-Sawyer D</p> <p>Public employee health benefits: enrollment.</p>	<p>SENATE APPR. SUSPENSE FILE 6/24/2013 - In committee: Placed on APPR. suspense file.</p>	<p>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. Existing law defines annuitant for purposes of receiving postretirement health benefits pursuant to PEMHCA and generally requires that a person retire within 120 days of separation from public employment, with specified exceptions.</p> <p>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 for which he or she is eligible, as specified, as an annuitant of the employer from which he or she first retired, upon meeting certain conditions. In this regard, the bill would require that the person's subsequent retirement occur within 120 days after separation of employment, as specified, and that the person not be eligible for a postretirement health benefit contribution from the employer from which he or she subsequently retires or that the postretirement health benefit contribution payable by that employer be less than the contribution payable by that employer during his or her prior retirement. Last Amended on 6/4/2013</p>	
<p>AB 416 Gordon D</p> <p>State Air Resources Board: Local Emission Reduction Program.</p>	<p>ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2013)</p>	<p>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.</p> <p>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 and other financial assistance to develop and implement greenhouse gas emissions reduction projects in the state. The bill would require the state board, in coordination with the Strategic Growth Council, to administer the program, as specified. The bill would require the implementation of the program to be contingent on the appropriation of moneys by the Legislature, as specified. Last Amended on 4/4/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 417 Frazier D</p> <p>Environmental quality: California Environmental Quality Act: bicycle transportation plan.</p>	<p>SENATE APPR. 7/11/2013 - From committee: Be placed on second reading file pursuant to Senate Rule 28.8.</p> <p>8/12/2013 Anticipated Hearing SENATE APPR., Not in daily file.</p>	<p>The California Environmental Quality Act, known as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, known as an 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.</p> <p>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 the OPR and the county clerk. This bill contains other related provisions and other existing laws. Last Amended on 6/13/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 431 Mullin D</p> <p>Regional transportation plan: sustainable communities strategy: funding.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/16/2013)</p>	<p>Existing law requires certain transportation planning activities by designated transportation planning agencies, including development of a regional transportation plan. Certain of these agencies are designated by federal law as metropolitan planning organizations. Existing law requires metropolitan planning organizations to adopt, as part of the regional transportation plan in urban areas, a sustainable communities strategy, which is to be designed to achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region.</p> <p>This bill would authorize a transportation planning agency that is designated as a metropolitan planning organization to impose a transactions and use tax, as specified, at a rate of no more than 0.5% even if the combined rate of this tax and other specified taxes imposed in the county, exceeds, if certain requirements are met. The bill would require the ordinance to contain an expenditure plan, with not less than 25% of available net revenues to be spent on each of the 3 categories of transportation, affordable housing, and parks and open space, in conformity with the sustainable communities strategy, with the remaining net available revenues to be spent for purposes determined by the transportation planning agency to help attain the goals of the sustainable communities strategy. This bill contains other existing laws. Last Amended on 4/15/2013</p>	
<p>AB 441 Patterson R</p> <p>High-Speed Rail Authority: contracts.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 2/28/2013)</p>	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties, including the power to enter into contracts, as specified.</p> <p>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.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 453 Mullin D</p> <p>Sustainable communities.</p>	<p>SENATE APPR. 7/3/2013 - Read second time and amended. Re-referred to Com. on APPR.</p> <p>8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair</p>	<p>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.</p> <p>This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes. This bill contains other related provisions and other existing laws. Last Amended on 7/3/2013</p>	
<p>AB 463 Logue R</p> <p>High-Speed Rail Authority: contracts.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 2/28/2013)</p>	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties, including the power to enter into contracts, as specified.</p> <p>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.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
AB 466 Quirk-Silva D Federal transportation funds.	SENATE THIRD READING 7/2/2013 - Read second time. Ordered to third reading.	<p>Existing law provides for the allocation of certain federal transportation funds apportioned to the state between state purposes administered by the Department of Transportation and local and regional purposes administered by various regional agencies, including funds made available under the federal Congestion Mitigation and Air Quality Improvement Program, as specified.</p> <p>This bill would require the department to allocate federal funds to regional agencies under the federal Congestion Mitigation and Air Quality Improvement Program based on a weighted formula that considers population and pollution in a given area, as specified. Last Amended on 3/14/2013</p>	
AB 481 Lowenthal D High-speed rail.	ASSEMBLY ASSEMBLY 7/8/2013 - Read third time. Passed. Ordered to the Assembly.	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system, including the acquisition of rights-of-way through purchase and eminent domain. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion for high-speed train capital projects and other associated purposes.</p> <p>This bill would enact similar exceptions 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, sales, or other conveyances of property owned or controlled by the authority to be deposited in the High-Speed Rail Property Fund created by the bill, and would provide that the funds shall be available to the authority upon appropriation by the Legislature for specified purposes. This bill contains other existing laws. Last Amended on 6/12/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 515 Dickinson D</p> <p>Environmental quality: California Environmental Quality Act: judicial review.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 3/12/2013)</p>	<p>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.</p> <p>This bill would establish a CEQA compliance division of the superior court in a county in which the Attorney General maintains an office and would vest the division with original jurisdiction over actions of proceedings brought pursuant to CEQA and joined matters related to land use and environmental laws. The bill would require the Judicial Council to adopt rules for establishing, among other things, protocol to govern the administration and efficient operation of the division, so that those judges assigned to the division will be able to hear and quickly resolve those actions or proceedings. The bill would provide that decisions of the CEQA compliance division of the superior court may be reviewed by way of a petition for an extraordinary writ. The bill would require the CEQA compliance division to issue a preliminary decision before the opportunity for oral argument is granted. If the CEQA compliance division of the superior court finds that a determination of a public agency violated CEQA, the bill would require the court's order to specify what action taken by the public agency was in error and what specific action by the public agency is necessary to comply with CEQA. The bill would prohibit an action or proceeding pursuant to CEQA from being brought unless the alleged grounds of noncompliance were presented to the public agency with enough specificity that the public agency could reasonably respond to the alleged violation. The bill would prohibit a person from maintaining an action or proceeding pursuant to CEQA unless that person objected during the administrative process with specificity as to how the public agency's response to the alleged violation is inadequate. This bill contains other existing laws. Last Amended on 3/11/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 528 Lowenthal D</p> <p>State Rail Plan and High-Speed Rail Authority business plan.</p>	<p>SENATE THIRD READING 6/25/2013 - Read second time. Ordered to third reading.</p>	<p>Existing law requires the Department of Transportation to prepare a 10-year State Rail Plan biennially, and requires the department to submit the State Rail Plan to the California Transportation Commission for its advice and consent on or before October 1 of each odd-numbered year prior to submitting the State Rail Plan to the Legislature, the Governor, and other entities by the following March. Existing law requires the plan to consist 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. Existing law separately requires the High-Speed Rail Authority to prepare, publish, adopt, and submit to the Legislature, not later than January 1, 2012, and every 2 years thereafter, a business plan, that includes specified elements, and to publish, at least 60 days prior to the publication of the plan, a draft business plan for public review and comment, as specified.</p> <p>This bill would revise the items required to be included in the State Rail Plan and the business plan. The bill would require the State Rail Plan to be submitted to the commission for advice 6 months prior to submitting the final State Rail Plan to the Transportation Agency for approval, and, on or before March 1, 2017, would require the approved State Rail Plan to be submitted to the Legislature, the Governor, and other specified entities. The bill would require the state rail plan to be updated, at a minimum, every 5 years. The bill would change, from January 1 to May 1 of each even-numbered year, the date by which the High-Speed Rail Authority is required to prepare, publish, adopt, and submit the business plan to the Legislature. This bill contains other related provisions and other existing laws. Last Amended on 6/4/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 543 Campos D</p> <p>California Environmental Quality Act: translation.</p>	<p>SENATE 2 YEAR 7/12/2013 - Failed Deadline pursuant to Rule 61(a)(10)(SEN). (Last location was E.Q. on 6/13/2013)</p>	<p>Existing law, the California Environmental Quality Act, referred to as 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.</p> <p>This bill would require a lead agency to translate, as specified, certain notices required by the act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. By requiring a lead agency to translate these notices and documents, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 5/24/2013</p>	

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 7-22-13

Bill ID/Topic	Location	Summary	Position
<p>AB 574 Lowenthal D</p> <p>California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: sustainable communities strategies.</p>	<p>ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2013)</p>	<p>The California Global Warming Solutions Act of 2006, designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The 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. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund.</p> <p>This bill would require the state board, in consultation with the California Transportation Commission and the Strategic Growth Council, to establish standards for the use of moneys allocated from the Greenhouse Gas Reduction Fund for sustainable communities projects, as specified. The bill would require the state board, in consultation with the California Transportation Commission and the Strategic Growth Council, to establish the criteria for the development and implementation of regional grant programs, as specified. The bill would require the California Transportation Commission, in consultation with the state board, to designate the regional granting authority within each region of the state to administer the allocated moneys for regional grant programs, as specified. This bill contains other existing laws. Last Amended on 4/15/2013</p>	<p>Support</p>

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 7-22-13

Bill ID/Topic	Location	Summary	Position
<p>AB 616 Bocanegra D</p> <p>Local public employee organizations: dispute: factfinding panel.</p>	<p>SENATE APPR. 6/25/2013 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 3. Noes 2.) (June 24). Re-referred to Com. on APPR.</p> <p>8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair</p>	<p>Existing law requires the governing body of a local public agency, or those boards, commissions, administrative officers, or other representatives as may be properly designated by law or by a 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 authorizes an employee organization to request that the parties' differences be submitted to a fact-finding panel not sooner than 30 days or more than 45 days following the appointment or selection of a mediator pursuant to the parties' agreement to mediate or a mediation process required by a public agency's local rules. Existing law authorizes an employee organization, if the dispute was not submitted to a mediation, to request that the parties' differences be submitted to a fact-finding panel not later than 30 days following the date that either party provided the other with a written notice of a declaration of impasse.</p> <p>This bill would require that request to be in writing. The bill would provide that if either party disputes that a genuine impasse, as defined, has been reached, the issue of whether an impasse exists may be submitted to the Public Employment Relations Board for resolution before the dispute is submitted to a fact-finding panel, as specified. The bill would also authorize each party to select a person to serve as its member of the fact-finding panel. Last Amended on 6/17/2013</p>	
<p>AB 662 Atkins D</p> <p>Local government: infrastructure financing districts.</p>	<p>SENATE APPR. 7/3/2013 - Action: Set for hearing. Next hearing on 8/12/2013 in S. APPR..</p> <p>8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair</p>	<p>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.</p> <p>This bill would delete that prohibition. This bill contains other related provisions and other existing laws. Last Amended on 6/11/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 690 Campos D</p> <p>Jobs and infrastructure financing districts: voter approval.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 4/10/2013)</p>	<p>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.</p> <p>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) without voter approval, and would make various conforming changes. 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. Last Amended on 4/9/2013</p>	
<p>AB 749 Gorell R</p> <p>Public-private partnerships.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/24/2013)</p>	<p>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.</p> <p>This bill would extend the operation of the provisions governing public-private partnerships from January 1, 2017, to January 1, 2022. The bill would also state the intent of the Legislature for a project developed under these provisions to have specified characteristics. Last Amended on 4/11/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 756 Melendez R</p> <p>California Environmental Quality Act: judicial review: public works projects.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 4/15/2013)</p>	<p>The California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, referred to as an 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 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.</p> <p>This bill would also apply these provisions to a public works project, defined to mean an infrastructure project carried out by the city, county, special district, or state government or contracted out to a private entity by the special district or local or state government. By requiring a lead agency to use these alternative procedures in preparing and certifying the administrative record, this bill would impose a state-mandated local program. The bill would also authorize the Judicial Council to adopt Rules of Court to implement these provisions. This bill contains other related provisions and other existing laws. Last Amended on 4/11/2013</p>	
<p>AB 797 Gordon D</p> <p>Transit districts: contracts.</p>	<p>SENATE THIRD READING 6/25/2013 - Read second time. Ordered to third reading.</p>	<p>Existing law creates the Santa Clara County Valley Transportation Authority with various powers and duties relative to transportation projects and services in the County of Santa Clara. Existing law creates the San Mateo County Transit District with various powers and duties relative to transportation projects and services in the County of San Mateo. Existing law authorizes the authority and the district to enter into contracts, as specified.</p> <p>This bill would authorize the authority and the district to utilize the Construction Manager/General Contractor project delivery contract method for transit projects within their respective jurisdictions, subject to certain conditions and requirements. The bill would require the authority or district to reimburse the Department of Industrial Relations for certain costs of performing wage monitoring and enforcement on projects using this contracting method, and would require those funds to be used by the department for enforcement of prevailing wage requirements on those projects. Last Amended on 4/15/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 822 Hall D</p> <p>Local government retirement plans.</p>	<p>SENATE APPR. 7/10/2013 - Read second time and amended. Re-referred to Com. on APPR.</p> <p>8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair</p>	<p>Existing law requires local legislative bodies, before authorizing changes in public retirement plan benefits or other postemployment benefits, to secure the services of an actuary to provide a statement of the actuarial impact of the changes.</p> <p>This bill would require, whenever a local ordinance or measure qualifies for the ballot that proposes to alter, replace, or eliminate the retirement benefit plan of employees of a local government entity, whether by initiative or legislative action, the governing body of the local government entity to secure the services of an independent actuary to provide a statement, or a summary of the statement, not to exceed 500 words in length, of the actuarial impact of the proposed measure upon future annual costs of the retirement benefit plan, and to have this statement printed in the voter information portion of the sample ballot. The bill would require a specified notice regarding obtaining a copy of the measure to be printed in the voter information portion of the sample ballot, if the text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot. The requirements of the bill would apply to a city, including a charter city; a county, including a charter county; a city and county, including a charter city and county; a community college district; or a special district. This bill contains other related provisions and other existing laws. Last Amended on 7/10/2013</p>	
<p>AB 842 Donnelly R</p> <p>High-speed rail.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/8/2013)</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to the development and implementation of a high-speed train system. 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. Existing law appropriates certain amounts of federal funds and state bond funds to the authority for purposes of funding the construction of the initial segment of the high-speed rail project.</p> <p>This bill, notwithstanding any other law, would prohibit Federal or state funds, including state bond funds, from being expended by the authority or any other state agency on the construction of the high-speed rail project, except as necessary to meet contractual commitments entered into before January 1, 2014. The bill would also make a statement of legislative intent.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 863 Torres D</p> <p>Transit projects: environmental review process.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/4/2013)</p>	<p>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.</p> <p>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.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 909 Gray D</p> <p>Metal theft and related recycling crimes.</p>	<p>SENATE APPR. 7/2/2013 - Read second time and amended. Re-referred to Com. on APPR.</p> <p>8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair</p>	<p>Existing law provides that any person who feloniously steals, takes, or carries away the personal property of another, or who fraudulently appropriates property that has been entrusted to him or her, is guilty of theft. Existing law also provides that a person who, being a dealer in or collector of junk, metals, or secondhand materials, buys or receives any wire, cable, copper, lead, solder, mercury, iron, or brass that he or she knows or reasonably should know is ordinarily used by, or ordinarily belongs to, a railroad or other transportation, telephone, telegraph, gas, water, or electric light company or county, city, or city and county without using due diligence to ascertain that the person selling or delivering the same has a legal right to do so, is guilty of criminally receiving that property.</p> <p>This bill, on and after January 1, 2015, would require the Department of Justice to establish a Metal Theft Task Force Program to provide grants to applicant regional task forces for the purpose of providing local law enforcement and district attorneys with the tools necessary to successfully interdict the commission of metal theft and related metal recycling crimes. The bill, on and after January 1, 2015, would establish the Metal Theft Task Force Fund, to be administered by the department, and, upon appropriation by the Legislature, would make moneys in the fund available for the purposes of the program. This bill contains other related provisions and other existing laws. Last Amended on 7/2/2013</p>	
<p>AB 935 Frazier D</p> <p>San Francisco Bay Area Water Emergency Transportation Authority: terms of board members.</p>	<p>SENATE 2 YEAR 7/12/2013 - Failed Deadline pursuant to Rule 61(a)(10)(SEN). (Last location was T. & H. on 5/23/2013)</p>	<p>Existing law establishes the San Francisco Bay Area Water Emergency Transportation Authority with specified powers and duties, including, but not limited to, the authority to coordinate the emergency activities of all water transportation and related facilities within the bay area region, as defined.</p> <p>This bill would expand the number of members appointed by the Senate Committee on Rules and the Speaker of the Assembly to 2 members each. The bill would require that the initial terms of the additional members appointed by the Senate Committee on Rules and the Speaker of the Assembly pursuant to its provisions shall be 2 years and 6 years, respectively. The bill would require that one of the 3 members appointed by the Governor be a bona fide labor representative and that another member be a resident of the City and County of San Francisco selected from a list of 3 nominees provided by the San Francisco County Transportation Authority. This bill contains other related provisions and other existing laws. Last Amended on 4/25/2013</p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 953 Ammiano D</p> <p>California Environmental Quality Act.</p>	<p>ASSEMBLY 2 YEAR 5/31/2013 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/31/2013)</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA defines "environment" and "significant effect on the environment" for its purposes. CEQA requires the EIR to include a detailed statement setting forth specified facts.</p> <p>This bill would revise those definitions, as specified. This bill would additionally require the lead agency to include in the EIR a detailed statement on any significant effects that may result from locating the proposed project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions. Because the lead agency would be required to undertake this additional consideration, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 1002 Bloom D</p> <p>Vehicles: registration fee: sustainable communities strategies.</p>	<p>ASSEMBLY L. GOV. 4/30/2013 - In committee: Set, first hearing. Hearing canceled at the request of author.</p>	<p>Existing law imposes a registration fee to be paid to the Department of Motor Vehicles for the registration of every vehicle or trailer coach of a type subject to registration, except those vehicles that are expressly exempted from the payment of registration fees. Existing law, until January 1, 2016, imposes a \$3 increase on that fee, \$2 of which is to be deposited into the Alternative and Renewable Fuel and Vehicle Technology Fund and \$1 of which is to be deposited into the Enhanced Fleet Modernization Subaccount.</p> <p>This bill would, in addition to any other taxes and fees specified in the Vehicle Code and the Revenue and Taxation Code, impose a tax of \$6 to be paid at the time of registration or renewal of registration of every vehicle subject to registration under the Vehicle Code in a county that is in a metropolitan planning organization required to prepare a sustainable communities strategy as part of its regional transportation plan, except as specified. This bill would require the Department of Motor Vehicles, after deducting all reasonable administrative costs, to remit the money generated by the tax for deposit in the Sustainable Communities Strategy Subaccount, which the bill would establish in the Motor Vehicle Account. The bill would make funds in the subaccount available, upon appropriation by the Legislature, for specified purposes. This bill contains other existing laws. Last Amended on 4/23/2013</p>	<p>Support</p>
<p>AB 1051 Bocanegra D</p> <p>Housing.</p>	<p>ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/16/2013)</p>	<p>The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board to adopt a program pursuant to the act to cap greenhouse gas emissions and provide for market-based compliance mechanisms, including the auction of allowances (cap-and-trade program). 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.</p> <p>This bill would state findings and declarations of the Legislature relating to transportation and residential housing development, as specified. The bill would create the Sustainable Communities for All Program, which shall begin operations on January 1, 2015, to fund transit-related projects through competitive grants and loans, as specified. The Sustainable Communities for All Program would not be implemented until the Legislature appropriates funds for the program. This bill contains other related provisions and other existing laws. Last Amended on 4/8/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 1070 Frazier D</p> <p>California Transportation Financing Authority.</p>	<p>SENATE APPR. 7/3/2013 - From committee: Do pass and re-refer to Com. on APPR. with recommendation: to consent calendar. (Ayes 7. Noes 0.) (July 3). Re-referred to Com. on APPR.</p> <p>8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair</p>	<p>The California Transportation Financing Authority Act creates the California Transportation Financing Authority, with specified powers and duties relative to issuance of bonds to fund transportation projects to be backed, in whole or in part, by various revenue streams of transportation funds, and toll revenues under certain conditions, in order to increase the construction of new capacity or improvements for the state transportation system consistent with specified goals. Existing law, subject to certain conditions, authorizes the authority to grant a request that a project sponsor, rather than the authority, be the issuer of the bonds.</p> <p>This bill would revise the act to further define the roles of the authority and an issuer of bonds under the act if the project sponsor, rather than the authority, is the issuer of bonds, and would define "issuer" in that regard. The bill would make other related changes. Last Amended on 4/3/2013</p>	
<p>AB 1102 Grove R</p> <p>Air resources: greenhouse gas emissions.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 4/1/2013)</p>	<p>The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board, known as ARB, by regulation, to adopt a market-based compliance mechanism to further the achievement of the statewide greenhouse gas emissions limits.</p> <p>This bill would require the ARB, if the ARB adopts a market-based compliance mechanism that provides for the auctioning of greenhouse gas allowances, to auction program allowances consigned by an electrical corporation or a local publicly owned electric utility before auctioning any other allowances. Last Amended on 3/21/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 1181 Gray D</p> <p>Public employee organizations: members: paid leaves of absence.</p>	<p>SENATE THIRD READING 6/26/2013 - Read second time. Ordered to third reading.</p>	<p>The Meyers-Milias-Brown Act requires that local public agencies allow a reasonable number of local public agency employee representatives of recognized employee organizations reasonable time off without loss of compensation or other benefits when formally meeting and conferring with representatives of the public agency.</p> <p>This bill would additionally require the local public agency to give reasonable time off, without loss of compensation or other benefits, to public agency employee representatives when they are testifying or appearing as the designated representative, as defined, of the employee organization in proceedings before the Public Employment Relations Board in matters relating to a charge filed by the employee organization against the public agency or by the public agency against the employee organization , or when they are testifying or appearing as the designated representative, as defined, of the employee organization in matters before a personnel or merit commission . The bill would require the employee organization being represented to provide reasonable notification to the employer requesting a leave of absence without loss of compensation pursuant to these provisions. Last Amended on 5/16/2013</p>	
<p>AB 1290 John A. Pérez D</p> <p>Transportation planning.</p>	<p>SENATE APPR. 7/9/2013 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 3.) (July 9). Re-referred to Com. on APPR.</p> <p>8/12/2013 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, DE LEÓN, Chair</p>	<p>Existing law creates the California Transportation Commission, with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects, pursuant to the state transportation improvement program and various other transportation funding programs. Existing law provides that the commission consists of 13 members, including 11 voting members, of which 9 are appointed by the Governor subject to Senate confirmation and 2 are appointed by the Legislature. In addition, 2 members of the Legislature are appointed as ex officio members without vote.</p> <p>This bill would provide for 2 additional voting members of the commission to be appointed by the Legislature. The bill would also provide for the Secretary of the Transportation Agency, the Chairperson of the State Air Resources Board, and the Director of Housing and Community Development to serve as ex officio members without vote. This bill contains other related provisions and other existing laws. Last Amended on 7/2/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 1375 Chau D</p> <p>California Global Warming Solutions Act of 2006: market-based compliance mechanisms: Clean Technology Investment Account.</p>	<p>ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/8/2013)</p>	<p>The California Global Warming Solutions Act of 2006, hereafter the Global Warming Solutions Act, 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 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. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law permits moneys from the fund be allocated for the research, development, and deployment of innovative technologies, measures, and practices related to programs and projects funded under the Global Warming Solutions Act.</p> <p>This bill would create the Clean Technology Investment Account within the Greenhouse Gas Reduction Fund and would require the Legislature to annually appropriate moneys from the Greenhouse Gas Reduction Fund into the Clean Technology Investment Account. This bill would make those moneys available to the state board for the purposes of accelerating the development, demonstration, and deployment of clean technologies that will reduce greenhouse gas emissions and foster job creation in the state. The bill would require the implementation of these provisions be contingent on the appropriation of moneys by the Legislature for these purposes. Last Amended on 5/7/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 1380 Committee on Public Employees, Retirement and Social Security County employees' retirement.</p>	<p>ASSEMBLY CONCURRENCE 7/1/2013 - In Assembly. Concurrence in Senate amendments pending. May be considered on or after July 3 pursuant to Assembly Rule 77.</p>	<p>The California Public Employees' Pension Reform Act of 2013 (PEPRA) requires a public retirement system, as defined, to modify its pension plan or plans to comply with the act and, among other provisions, generally prohibits a public employer that offers a defined benefit plan from offering new employees defined benefit retirement formulas other than those established by the act, which, in comparison to existing formulas, generally provide reduced benefits and later ages for retirement. PEPRA prohibits the purchase of nonqualified service credit, as defined, unless the application to purchase the credit is received by the retirement system prior to January 1, 2013, and subsequently approved. PEPRA prohibits an employer from paying a new member's contribution for the normal cost of benefits in a defined plan and prohibits an enhancement of a public employee's retirement benefit adopted on or after January 1, 2013, from applying to service previously performed.</p> <p>This bill would amend various provisions of CERL to coordinate and subordinate that law with PEPRA. Generally, the bill would specify that certain provisions of CERL do not apply to members who are currently subject to PEPRA by virtue of being first employed on or after January 1, 2013. The bill would provide that provisions allowing a new formula for calculation of retirement benefits to be applied to service already performed are inoperative as of January 1, 2013, and would prohibit the purchase of nonqualified service credit, as specified. The bill would except retirement systems established under CERL from specified provisions of PEPRA concerning the calculation and adjustment of contribution rates. This bill contains other existing laws. Last Amended on 6/18/2013</p>	
<p>ACA 8 Blumenfield D Local government financing: voter approval.</p>	<p>SENATE G. & F. 7/10/2013 - In committee: Hearing postponed by committee.</p>	<p>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.</p> <p>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. This bill contains other related provisions and other existing laws. Last Amended on 4/4/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 1 Steinberg D</p> <p>Sustainable Communities Investment Authority.</p>	<p>ASSEMBLY L. GOV. 7/3/2013 - From committee: Do pass and re-refer to Com. on L. GOV. (Ayes 5. Noes 2.) (July 3). Re-referred to Com. on L. GOV.</p> <p>8/14/2013 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair</p>	<p>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.</p> <p>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. Last Amended on 5/2/2013</p>	<p>Support</p>
<p>SB 11 Pavley D</p> <p>Alternative fuel and vehicle technologies; funding programs.</p>	<p>ASSEMBLY NAT. RES. 7/2/2013 - From committee: Do pass and re-refer to Com. on NAT. RES. (Ayes 10. Noes 3.) (July 1). Re-referred to Com. on NAT. RES.</p> <p>8/12/2013 1:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, CHESBRO, Chair</p>	<p>Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development 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. Existing law also creates the Air Quality Improvement Program, administered by the State Air Resources Board, to fund air quality improvement projects related to fuel and vehicle technologies.</p> <p>This bill would provide that the 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</p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
		<p>construction or operation of any publicly available hydrogen fueling station. The bill would require the board to aggregate and make available to the public, no later than January 1, 2014, and every year thereafter, the number of hydrogen-fueled vehicles that automobile manufacturers project to be sold or leased over the next 3 years, as reported to the board, and the number of hydrogen-fueled vehicles registered with the Department of Motor Vehicles through April 30. The bill would require the commission to allocate \$20 million each fiscal year, as specified, until there are at least 100 publicly available hydrogen fueling stations in California. The bill, on or before December 31, 2015, and annually thereafter, would require the commission and the 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 board and air districts to jointly convene working groups to evaluate the specified policies and goals of specified programs. The bill would add intelligent transportation systems as a category of projects eligible for funding under the Alternative and Renewable Fuel and Vehicle Technology Program. The bill would require the commission and the board, in making awards under both the Alternative and Renewable Fuel and Vehicle Technology Program and the Air Quality Improvement Program, to provide a preference to projects with higher benefit-cost scores, as defined. The bill would prohibit any customer incentives for light-duty vehicles from being greater than compensations given to customers under the Enhanced Fleet Modernization Program for the retirement of certain high polluting vehicles. This bill contains other related provisions and other existing laws. Last Amended on 5/28/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 13 Beall D</p> <p>Public employees' retirement benefits.</p>	<p>ASSEMBLY APPR. 6/26/2013 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 0.) (June 26). Re-referred to Com. on APPR.</p>	<p>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.</p> <p>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 non-safety and safety members. The bill would clarify the application of PEPPRA 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 PEPPRA. This bill contains other related provisions and other existing laws. Last Amended on 2/6/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 33 Wolk D</p> <p>Infrastructure financing districts: voter approval: repeal.</p>	<p>ASSEMBLY APPR. 7/3/2013 - From committee: Do pass. (Ayes 11. Noes 5.) (July 3).</p>	<p>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.</p> <p>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. Last Amended on 3/6/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 54 Hancock D</p> <p>Retirement: county employees.</p>	<p>ASSEMBLY P.E.,R. & S.S. 4/10/2013 - Hearing postponed by committee. In P.E.,R. & S.S.</p>	<p>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.</p> <p>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. Last Amended on 2/13/2013</p>	
<p>SB 56 Roth D</p> <p>Local government finance: property tax revenue allocation: vehicle license fee adjustments.</p>	<p>SENATE APPR. 6/19/2013 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0. Page 1449.) (June 19). Re-referred to Com. on APPR.</p>	<p>Existing property tax law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally provides that each jurisdiction shall be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined.</p> <p>This bill would modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill would also modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount for certain cities incorporating after a specified date, as provided. This bill contains other related provisions and other existing laws. Last Amended on 6/11/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 110 DeSaulnier D</p> <p>East Span, San Francisco-Oakland Bay Bridge Safety Review Task Force.</p>	<p>ASSEMBLY APPR. 7/3/2013 - Read second time and amended. Re-referred to Com. on APPR.</p>	<p>Existing law identifies the San Francisco-Oakland Bay Bridge as a "toll bridge" and provides that the bridge and the approaches to it are a primary state highway. Existing law requires the Department of Transportation to permanently maintain and operate the San Francisco-Oakland Bay Bridge as a primary state highway in such a manner that the physical condition and operating efficiency thereof are of the highest character. Existing law establishes the Bay Area Toll Authority and assigns to it responsibility for the administration of all toll revenues from state-owned toll bridges. Existing law provides that the power or duty of the authority to fix the rates of toll for the San Francisco-Oakland Bay Bridge or the power and duty of the department to collect the tolls so fixed by the authority for the use of the bridge are not affected by any law providing that state highways are to be free highways.</p> <p>This bill would establish the East Span, San Francisco-Oakland Bay Bridge Safety Review Task Force in state government and require the Legislative Analyst to provide administrative support for the task force as necessary for the completion of its duties. The task force would consist of 7 members designated by the Legislative Analyst and would be deemed officers of the state. Each member of the task force would serve a term of one year and receive compensation, as specified, and reimbursement for reasonable expenses. The bill would appropriate \$149,000 from the State Highway Account in the State Transportation Fund to the Legislative Analyst for purposes of paying for the compensation and expense reimbursement of the task force members. The bill would require the Bay Area Toll Authority to reimburse the State Highway Account for all funds expended for purposes of the task force. The task force would be required to assess the anticipated seismic structural performance of the East Span, as defined, of the San Francisco-Oakland Bay Bridge by conducting a series of specified reviews. The task force would be required to submit a final written report to the Legislature and the Governor that includes the results of its assessment, as specified. This bill contains other related provisions. Last Amended on 7/3/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 142 DeSaulnier D</p> <p>Public transit.</p>	<p>ASSEMBLY L. GOV. 7/2/2013 - From committee: Do pass and re-refer to Com. on L. GOV. (Ayes 11. Noes 3.) (July 1). Re-referred to Com. on L. GOV.</p> <p>8/14/2013 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair</p>	<p>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.</p> <p>This bill would repeal all of these provisions. This bill contains other related provisions and other existing laws. Last Amended on 5/7/2013</p>	<p>Support</p>
<p>SB 230 Knight R</p> <p>Local transportation funds: performance audits.</p>	<p>SENATE 2 YEAR 5/10/2013 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was T. & H. on 3/21/2013)</p>	<p>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. Existing law excludes certain costs from this definition, including vehicle lease costs.</p> <p>This bill would also exclude principal and interest payments on all capital projects funded with certificates of participation. The bill would also correct an obsolete cross-reference in the definition of operating costs. Last Amended on 3/18/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
SB 232 Monning D Private employment: public transit employees.	ASSEMBLY APPR. 6/27/2013 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 2.) (June 26). Re-referred to Com. on APPR.	<p>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.</p> <p>This bill would expand these provisions to require a state agency to also give a 10% preference to any bidder under these provisions.</p>	
SB 408 De León D Transportation funds.	SENATE 2 YEAR 5/10/2013 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 2/28/2013)	<p>Existing law establishes a policy for expenditure of certain state and federal funds available to the state for transportation purposes. Under this policy, the Department of Transportation and the California Transportation Commission develop a fund estimate of available funds for purposes of adopting the state transportation improvement program, which is a listing of capital improvement projects. After deducting expenditures for administration, operation, maintenance, local assistance, safety, rehabilitation, and certain environmental enhancement and mitigation expenditures, the remaining funds are available for capital improvement projects.</p> <p>This bill would provide that the remaining funds are available for the study of, and development and implementation of, capital improvement projects.</p>	
SB 425 DeSaulnier D Public works: the Public Works Peer Review Act of 2013.	ASSEMBLY APPR. 7/3/2013 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (July 3). Re-referred to Com. on APPR.	<p>Existing law defines a public work as construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds; work done for irrigation, utility, reclamation, and improvement districts, and other districts of this type; 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, and public transportation demonstration projects, as specified.</p> <p>This bill would allow a public agency, principally tasked with administering, planning, developing, and operating a public works project, to establish a specified peer review group, as defined, and would require the administering agency, if a peer review group is established, to draft a charter, published on the agency's Internet Web site, related to the duties of the peer review group. Last Amended on 5/7/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 436 Jackson D</p> <p>California Environmental Quality Act: notice.</p>	<p>ASSEMBLY APPR. 7/3/2013 - From committee: Do pass. (Ayes 12. Noes 5.) (July 3).</p>	<p>The California Environmental Quality Act, commonly referred to as CEQA, requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, also known as an EIR, on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires the lead agency to call at least one scoping meeting for a project that may affect highways or other facilities under the jurisdiction of the Department of Transportation if the meeting is requested by the department, or for a project of statewide, regional, or area wide significance. CEQA requires the lead agency to provide to specified entities a notice of at least one scoping meeting.</p> <p>This bill would require a lead agency to conduct at least one public scoping meeting for the specified projects and to provide notice to the specified entities of at least one public scoping meeting. This bill contains other related provisions and other existing laws. Last Amended on 4/3/2013</p>	
<p>SB 525 Galgiani D</p> <p>California Environmental Quality Act: exemptions.</p>	<p>SENATE 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/11/2013)</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify 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. Existing law exempts certain activities from CEQA, including a project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities.</p> <p>This bill would provide that a project by the San Joaquin Regional Rail Commission and the High-Speed Rail Authority to improve the existing tracks, structure, bridges, signaling systems, and associated appurtenances located on the existing railroad right-of-way used by the Altamont Commuter Express service qualifies for this exemption from CEQA.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 556 Corbett D</p> <p>Agency: ostensible: nongovernmental entities.</p>	<p>ASSEMBLY THIRD READING 7/2/2013 - Read second time. Ordered to third reading.</p>	<p>Existing law specifies the authority of agents in dealing with 3rd persons. Existing law states when an agency is ostensible for purposes of determining the authority of an agent. Existing law prohibits unfair methods of competition and unfair or deceptive acts or practices undertaken by a person in a transaction intended to result or which results in the sale or lease of goods to any consumer.</p> <p>This bill would prohibit a person, firm, corporation, or association that is a non-governmental entity and contracts to perform labor or services for a public entity from displaying on a vehicle or uniform a seal, emblem, insignia, trade, brand name, or any other term, symbol, or content that reasonably could be interpreted as implying that the labor or services are being provided by employees of the public agency, unless the vehicle or uniform conspicuously displays a disclosure, as specified. Last Amended on 7/1/2013</p>	<p>Oppose</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
SB 557 Hill D High-speed rail.	ASSEMBLY APPR. 7/2/2013 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 13. Noes 2.) (July 1). Re-referred to Com. on APPR.	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable, High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes. Existing law appropriates specified funds from the High-Speed Passenger Train Bond Fund and from federal funds for high-speed rail and connecting rail projects.</p> <p>This bill would add detail to provisions governing the expenditure of certain of those appropriated funds. The bill would specify that of the \$1,100,000,000 appropriated for early high-speed rail improvement projects in the Budget Act of 2012, \$600,000,000 and \$500,000,000 shall be allocated solely for purposes of specified memoranda of understanding approved by the High-Speed Rail Authority for the Metropolitan Transportation Commission region and the southern California region, respectively. The bill would limit fund transfer authority between certain appropriations to temporary transfers for account management purposes. The bill would restrict use of certain appropriated funds, to the extent they are allocated to the San Francisco-San Jose segment of the high-speed rail system, to implement a rail system in that segment that primarily consists of a 2-track blended system to be used jointly by high-speed trains and Caltrain commuter trains, with the system to be contained substantially within the existing Caltrain right of way. These provisions would be effective until a specified time, and would be inoperative thereafter. This bill contains other related provisions. Last Amended on 5/2/2013</p>	Support

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 617 Evans D</p> <p>California Environmental Quality Act.</p>	<p>SENATE 2 YEAR 5/31/2013 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/30/2013)</p>	<p>The California Environmental Quality Act, referred to as CEQA requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, referred to as an EIR on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</p> <p>This bill would 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 the 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 period specified by CEQA does not commence until the notice is 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. This bill contains other related provisions and other existing laws. Last Amended on 5/28/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 628 Beall D</p> <p>Infrastructure financing: transit priority projects.</p>	<p>ASSEMBLY H. & C.D. 7/3/2013 - From committee: Do pass as amended. (Ayes 4. Noes 2.) (July 3).</p>	<p>Existing law establishes the Transit Priority Project Program, and authorizes a city or county to participate in the program by adopting an ordinance indicating its intent to participate in the program and by forming an infrastructure financing district. Existing law requires a city or county that elects to participate in the program to amend, if necessary, its general plan, and any related specific plan, to authorize participating developers to build at an increased height of a minimum of 3 stories within the newly created infrastructure financing district. Existing law exempts from these provisions a city or county that has adopted specified language in its charter, or by ordinance or resolution. Under existing law, a transit priority project that meets specified criteria is designated as a sustainable communities project, and is thus exempt from certain environmental review requirements.</p> <p>This bill would eliminate the requirement of voter approval for the creation of an infrastructure financing district, the issuance of bonds, and the establishment or change of the appropriations limit with respect to a transit priority project. The bill would require a city or county that uses infrastructure financing district bonds to finance its transit priority project to use at least 25% of the associated property tax increment revenues for the purposes of increasing, improving, and preserving the supply of lower and moderate-income housing available in the district and occupied by persons and families of moderate-, low-, very low, and extremely low income. The bill would require the district to implement these affordable housing provisions in accordance with specified provisions of the Community Redevelopment Law, to the extent not inconsistent with the provisions governing infrastructure financing districts. The bill would require the adoption of an ordinance that would require the replacement of designated low-income dwelling units, upon their removal from the district, within 2 years of their displacement. The bill would set forth the findings and declarations of the Legislature, and the intent of the Legislature that the development of transit priority projects be environmentally conscious and sustainable, and that related construction meet or exceed the requirements of the California Green Building Standards Code. Last Amended on 6/17/2013</p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
SB 633 Pavley D CEQA.	ASSEMBLY APPR. 7/1/2013 - Do pass as amended and be re-referred to the Committee on Appropriations.	<p>The California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify completion of, an environmental impact report, referred to as an 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 prescribes certain requirements for the review of draft EIRs, as specified. CEQA prohibits a lead agency or responsible agency from requiring a subsequent or supplemental EIR when an EIR has been prepared for a project pursuant to its provisions, unless one or more of specified events occurs, including, among other things, that new information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available. CEQA requires the Office of Planning and Research to prepare and develop, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA. CEQA requires the office to review the guidelines once every 2 years and recommend proposed changes or amendments to the guidelines to the secretary. CEQA requires the guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and to exempt those classes of projects from CEQA, referred to as categorical exemptions.</p> <p>This bill would specify that the new information that becomes available was not known and could not have been known by the lead agency or any responsible agency at the time the EIR was certified as complete. The bill would authorize the office, by July 1, 2015, to revise the guidelines to include as a categorical exemption projects involving minor temporary uses of land and public gatherings that have been determined not to have a significant effect on the environment. The bill would require the secretary, by January 1, 2016, to certify and adopt the proposed revisions to the guidelines. Because a lead agency would be required to determine whether a project would fall within this categorical exemption, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 5/6/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 648 Corbett D</p> <p>Electronic cigarettes: restriction of use and advertising.</p>	<p>ASSEMBLY G.O. 6/17/2013 - Referred to Com. on G.O.</p> <p>8/7/2013 1:30 p.m. - State Capitol, Room 4202 ASSEMBLY GOVERNMENTAL ORGANIZATION, HALL, Chair</p>	<p>Existing law defines an electronic cigarette as a device that can provide an inhalable dose of nicotine by delivering an inhalable solution. Existing law, to the extent not preempted by federal law, makes it unlawful for a person to sell or otherwise furnish an electronic cigarette to a person under 18 years of age.</p> <p>This bill would extend the above-referenced restrictions and prohibitions against the smoking of tobacco products to include electronic cigarettes. By including electronic cigarettes within the restricted and prohibited activity, this bill would change the definition of a crime with respect to certain facilities, thereby creating a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 5/7/2013</p>	<p>Support</p>
<p>SB 731 Steinberg D</p> <p>Environment: California Environmental Quality Act and sustainable communities strategy.</p>	<p>ASSEMBLY L. GOV. 7/1/2013 - Do pass as amended and be re-referred to the Committee on Local Government.</p>	<p>The California Environmental Quality Act, or CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, or 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 Office of Planning and Research to develop and prepare, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA by public agencies. 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. CEQA establishes time periods within which a person is required to bring a judicial action or proceeding to challenge a public agency's action taken pursuant to CEQA.</p> <p>This bill would provide that aesthetic impacts of a residential, mixed-use residential, or employment center project, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the office to prepare and propose, and the Secretary of the Natural Resources Agency to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise, and for the transportation and parking impacts of residential, mixed-use residential, or employment center projects within transit priority</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
		<p>areas. The bill would require the lead agency, in making specified findings, to make those findings available to the public at least 15 days prior to the approval of the proposed project and to provide specified notice of the availability of the findings for public review. Because the bill would require the lead agency to make the draft finding available for public review and to provide specified notices to the public, this bill would impose a state-mandated local program. The bill would require the lead agency, at the request of a project applicant for specified projects, 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. The bill would authorize the tolling of the time period in which a person is required to bring a judicial action or proceeding challenging a public agency's action taken pursuant to CEQA through a tolling agreement that does not exceed 4 years. The bill would authorize the extension of the tolling agreement. This bill contains other related provisions and other existing laws. Last Amended on 5/24/2013</p>	
<p><u>SB 751</u> <u>Yee D</u></p> <p>Meetings: publication of action taken.</p>	<p>ASSEMBLY CONSENT CALENDAR 7/3/2013 - From committee: Do pass. Ordered to consent calendar. (Ayes 17. Noes 0.) (July 3).</p>	<p>The Ralph M. Brown Act requires all meetings of the legislative body of a local agency, as defined, to be open and public and prohibits the legislative body from taking action by secret ballot, whether preliminary or final.</p> <p>This bill would additionally require the legislative body of a local agency to publicly report any action taken and the vote or abstention on that action of each member present for the action, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 6/17/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
SB 785 Wolk D Design-build.	SENATE 2 YEAR 5/31/2013 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/24/2013)	Existing law authorizes the Department of General Services, the Department of Corrections and Rehabilitation, and various local agencies to use the design-build procurement process for specified public works under different laws. This bill would repeal those authorizations, and enact provisions that would authorize the Department of General Services, the Department of Corrections and Rehabilitation, and those local agencies, as defined, to use the design-build procurement process for specified public works. The bill would require moneys that are collected under these provisions to be deposited into the State Public Works Enforcement Fund, subject to appropriation by the Legislature. The bill would require specified information to be verified under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 5/2/2013	Support

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 787 Berryhill R</p> <p>Environmental quality: the Sustainable Environmental Protection Act.</p>	<p>SENATE 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 5/1/2013)</p>	<p>The California Environmental Quality Act, or CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, or EIR, on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</p> <p>This bill would enact the Sustainable Environmental Protection Act and would specify the environmental review required pursuant to CEQA for projects related to specified environmental topical areas. For a judicial action or proceeding filed challenging an action taken by a lead agency on the ground of noncompliance with CEQA, the bill would prohibit a cause of action that (1) relates any topical area or criteria for which compliance obligations are identified or (2) challenges the environmental document if: (A) the environmental document discloses compliance with applicable environmental law, (B) the project conforms with the use designation, density, or building intensity in an applicable plan, as defined, and (C) the project approval incorporates applicable mitigation requirements into the environmental document. The bill would provide that the Sustainable Environmental Protection Act only applies if the lead agency or project applicant has agreed to provide to the public in a readily accessible electronic format an annual compliance report prepared pursuant to the mitigation monitoring and reporting program. This bill contains other related provisions and other existing laws. Last Amended on 4/18/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 788 Committee on Transportation and Housing Transportation.</p>	<p>ASSEMBLY NAT. RES. 6/18/2013 - From committee: Do pass and re-refer to Com. on NAT. RES. with recommendation: To consent calendar. (Ayes 15. Noes 0.) (June 17). Re-referred to Com. on NAT. RES.</p> <p>8/12/2013 1:30 p.m. - State Capitol, Room 447 ASSEMBLY NATURAL RESOURCES, CHESBRO, Chair</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify 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. Existing law exempts certain activities from CEQA, including a project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities.</p> <p>This bill would define the term "highway" for these purposes. This bill contains other related provisions and other existing laws. Last Amended on 6/10/2013</p>	
<p>SB 791 Wyland R Motor vehicle fuel tax: rate adjustment.</p>	<p>SENATE T. & H. 4/29/2013 - Set, first hearing. Hearing canceled at the request of author.</p>	<p>Existing law, as of July 1, 2010, exempts the sale of, and the storage, use, or other consumption of, motor vehicle fuel from specified sales and use taxes and increases the excise tax on motor vehicle fuel, as provided. Existing law requires the State Board of Equalization to annually adjust the excise tax rate for the state's next fiscal year so that the revenues from the sales and use tax exemption and motor vehicle fuel excise tax increase are revenue neutral.</p> <p>This bill would eliminate the requirement that the State Board of Equalization adjust the rate of the excise tax on motor vehicle fuel, and instead would require the Department of Finance to annually calculate that rate and report that calculated rate to the Joint Legislative Budget Committee. The rate for the state's next fiscal year would remain the same as the rate of the current fiscal year or would decrease, as provided. This bill would further state that the rate may increase upon a further act by the Legislature. This bill contains other related provisions. Last Amended on 4/4/2013</p>	Oppose

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 7-22-13

Bill ID/Topic	Location	Summary	Position
<p>SB 792 DeSaulnier D</p> <p>Regional entities: Bay Area.</p>	<p>SENATE 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/23/2013)</p>	<p>Existing law creates the Metropolitan Transportation Commission, the Bay Area Toll Authority, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission, with various powers and duties relative to all or a portion of the 9-county San Francisco Bay Area region with respect to transportation, air quality, and environmental planning, as specified. Another regional entity, the Association of Bay Area Governments, is created as a joint powers agency comprised of cities and counties under existing law with regional planning responsibilities. Existing law provides for a joint policy committee of certain member agencies in this 9-county area to collaborate on regional coordination. Existing law requires regional transportation planning agencies, as part of the regional transportation plan in urban areas, to develop a sustainable communities strategy pursuant to Senate Bill 375 of the 2007-08 Regular Session coordinating transportation, land use, and air quality planning, with specified objectives.</p> <p>This bill would require the Metropolitan Transportation Commission to report biannually to the Legislature and the public at large on the progress in implementing the policies and programs of the sustainable communities strategy. The bill would also require the joint policy committee to prepare a regional organization plan for the affected member agencies. The regional organization plan would include a plan for consolidating certain functions that are common to the member agencies. The regional organization plan would also include a statement relative to the expected reduction of overhead, operation, and management costs. The bill would require a member agency affected by the plan to submit a copy of the plan to its board on or before December 31, 2014, and would require the member agencies to report to the Senate Transportation and Housing Committee on the adoption and implementation of the plan on or before December 31, 2015. The bill would also require the joint policy committee to develop and adopt public and community outreach and inclusive public participation programs and to maintain an Internet Web site. The bill would also require the joint policy committee to appoint an advisory committee on economic competitiveness with specified members from the business community and other organizations to adopt goals and policies related to the inclusion of economic development opportunities in the plans of the member agencies. By imposing new duties on the joint policy committee, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 5/14/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 798 De León D</p> <p>California Green Infrastructure Bank Act.</p>	<p>SENATE 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was G. & F. on 3/11/2013)</p>	<p>The Bergeson-Peace Infrastructure and Economic Development Bank Act authorizes the California Infrastructure and Economic Development Bank, governed by a board of directors, to make loans and provide other assistance to public and private entities for various types of economic development projects, among other things. The activities of the bank under these provisions are funded from the California Infrastructure and Economic Development Bank Fund, which is continuously appropriated for these purposes.</p> <p>This bill would enact the California Green Infrastructure Bank Act (act). The bill would establish the California Green Infrastructure Bank (bank) as a public corporation and would make it responsible for administering the act. The bill would make the bank under the direction of an executive director to be appointed by the Governor subject to Senate confirmation. Under the bill, the bank would be governed and its corporate power exercised by a board of directors consisting of 5 members, including 3 members appointed by the Governor subject to Senate confirmation and the Senate Committee on Rules and the Speaker of the Assembly would each appoint one member. This bill contains other related provisions and other existing laws.</p>	
<p>SCA 4 Liu D</p> <p>Local government transportation projects: special taxes: voter approval.</p>	<p>SENATE T. & H. 7/9/2013 - Set, first hearing. Hearing canceled at the request of author.</p>	<p>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, if the proposition proposing the tax includes certain requirements.</p> <p>This measure would prohibit a local government from expending any revenues derived from a special transportation tax approved by 55% of the voters at any time prior to the completion of a statutorily identified capital project funded by revenues derived from another special tax of the same local government that was approved by a 2/3 vote. The measure would also make conforming and technical, non-substantive changes. Last Amended on 5/21/2013</p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 7-22-13**

Bill ID/Topic	Location	Summary	Position
<p>SCA 8 Corbett D</p> <p>Transportation projects: special taxes: voter approval.</p>	<p>SENATE T. & H. 7/9/2013 - Set, first hearing. Hearing canceled at the request of author.</p>	<p>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.</p> <p>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, if the proposition proposing the tax includes certain requirements. The measure would also make conforming and technical, non-substantive changes. Last Amended on 5/21/2013</p>	<p>Support</p>
<p>SCA 9 Corbett D</p> <p>Local government: economic development: special taxes: voter approval.</p>	<p>SENATE APPR. 6/27/2013 - Re-referred to Com. on APPR.</p>	<p>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.</p> <p>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, if the proposition proposing the tax contains specified requirements. The measure would also make conforming and technical, non-substantive changes. Last Amended on 5/21/2013</p>	
<p>SCA 11 Hancock D</p> <p>Local government: special taxes: voter approval.</p>	<p>SENATE APPR. 6/27/2013 - Re-referred to Com. on APPR.</p>	<p>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.</p> <p>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, if the proposition proposing the tax contains specified requirements. The measure would also make conforming and technical, non-substantive changes. Last Amended on 5/21/2013</p>	<p>Support</p>