



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

MICHAEL J. SCANLON
EXECUTIVE DIRECTOR

AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

March 6, 2014 – 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 February 6, 2014 MOTION
5. Chairperson’s Report
6. Report of the Citizens Advisory Committee
7. Report of the Executive Director
8. Acceptance of Statement of Revenues and Expenses for January 2014 MOTION
9. Peninsula Corridor Electrification Project Draft Environmental Impact Report Release Update INFORMATIONAL
10. Authorize Entering into a Lease Agreement with PTC-220, LLC for Radio Spectrum for the Communications-based Overlay Signal System Operations in an Estimated Amount of \$150,000 for Five Years RESOLUTION
11. Authorize Award of an Independent Contractor Agreement to DConsult, LLC for Director, Project Delivery Services for the Caltrain Modernization Program in the Amount of \$4.3 Million for a Six-Year Term and Amend the Contract for Executive Recruitment with Boyden Global Executive Search RESOLUTION
12. Authorize Award of Contract to B&G Transportation Group to Provide Systems Safety Work for the Caltrain Modernization Program and Other Caltrain Safety Projects in the Amount of \$1,724,400 for a Three-Year Term RESOLUTION

Peninsula Corridor Joint Powers Board
March 6, 2014 Agenda

- | | |
|---|---------------|
| 13. Authorize Award of an On-Call Contract to LTK Engineering Services, Inc. for On-Call Electric Multiple Unit Rail Vehicle Support Services for the Caltrain Modernization Program for a Not-to-Exceed Amount of \$24,240,000 for a Six-Year Term | RESOLUTION |
| 14. Authorize Award of Contract to TranSystems Corporation for On-Call General Engineering Consultant Design-Review Services for a Not-to-Exceed Amount of \$1.4 Million for a Three-Year Term | RESOLUTION |
| 15. Authorize Award of Contract to Shaw/Yoder/Antwih, Inc. and Edelstein Gilbert Robson & Smith, LLC to Provide State Legislative Advocacy Services for a Firm-Fixed Price of \$402,974 for a Five-Year Term | RESOLUTION |
| 16. Authorize an Amendment to Increase the Executive Director's Change Order Authority for Additional Work Needed for the San Mateo Bridges Project – Advanced Site Preparation Contract With Community Tree Service, Inc. in the Amount of \$196,000 | RESOLUTION |
| 17. Authorize Submitting an Application for Transit Performance Incentive Funding to the Metropolitan Transportation Commission for \$1,419,776 to Help Fund the Installation of a New Control Point on the Caltrain Mainline in San Carlos | RESOLUTION |
| 18. Authorize Submitting an Application and Executing a Funding Agreement with the San Mateo County Transportation Authority and/or the San Mateo City/County Association of Governments for San Mateo County Shuttle Program Funds for Approximately \$2.5 Million | RESOLUTION |
| 19. Legislative Update | INFORMATIONAL |
| 20. Capital Projects Quarterly Status Report – 2 nd Quarter Fiscal Year 2014 | INFORMATIONAL |
| 21. Correspondence | |
| 22. Board Member Requests | |
| 23. General Counsel Report | |
| 24. Date/Time of Next Meeting: Thursday, April 3, 2014, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2 nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070 | |
| 25. 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 The San Mateo County Transit District Administrative Building located at 1250 San Carlos Avenue, San Carlos, one block west of the San Carlos Caltrain Station on El Camino Real, accessible by SamTrans bus Routes ECR, FLX, 260, 295 and 398. Additional transit information can be obtained by calling 1.800.660.4287 or 511.

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
February 6, 2014

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

MEMBERS ABSENT: M. Cohen, K. Yeager

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

Chair Tom Nolan called the meeting to order at 10:12 a.m. and led the Pledge of Allegiance.

PUBLIC COMMENT

Pat Giorni, Burlingame, said that bike bumps are not smoothing out and there is no bike capacity consistency. She said with six cars on all trains there will be one Bombardier replacing one Gallery train, which means there will be a net loss of bike space, depending on how the consists run during the commute hour. Since last month there were 104 bike bumps.

Doug DeLong, Mountain View, said he submitted an e-mail to the Citizens Advisory Committee (CAC) and Board a few months ago on conditions he encountered on the train. Since his email there has been a tremendous improvement in the cleanliness of the trains. He said making some of the trains six cars in length is not the best use of the new cars and will dilute the percentage of bike capacity on those trains.

Director Adrienne Tissier arrived at 10:16 a.m.

Jeff Carter, Millbrae, said the Caltrain 150th event was a very nice, low-key event. The 2016 Super Bowl will be held at Levi Stadium in Santa Clara and he hopes there is good transit planning between Amtrak, the Santa Clara Valley Transportation Authority (VTA) and Caltrain.

Greg Conlon, Atherton, said the Atherton Rail Committee received a copy of a Footprint Study of six intersections in Menlo Park and Atherton, and they will be reviewing it over the next few months.

Roland Lebrun, San Jose, said when members of the public request an audio copy of a meeting it should be a CD and not a cassette tape. He said there has been an improvement in Transit America Services services, including maintenance and on-time performance. Mr. Lebrun said he doesn't understand why people are refusing to have Bombardier and Gallery cars in the same train set. The bike cars could be Gallery cars

and the rest of the train set could be Bombardiers.

Director Ash Kalra arrived at 10:21 a.m.

Andrew Ness, San Francisco, said he brings his bike on Caltrain, but has been bumped numerous times over the past four years. He is glad to see the increased capacity over the last few years, but is shocked that bicycle capacity is going to be reduced by replacing the Gallery cars with the new Bombardier cars.

Shirley Johnson, San Francisco Bicycle Coalition (SFBC), said all walk-ons are allowed on trains, but bicyclists are always bumped. Caltrain is buying additional cars and there will be empty seats, but bicyclists will continue to be bumped. To make up for loss of bike capacity, the SFBC recommends the new Bombardier cars be bike cars on the six-car trains.

CONSENT CALENDAR

- a. Approval of Minutes of January 9, 2014

Public Comment

Roland Lebrun, San Jose, said on page 10 of the minutes it states " Director Kalra said the third track is important for the south county cities beyond Diridon." He said this is inaccurate and not what Director Kalra actually said. Mr. Lebrun said what Director Kalra said "is the third track is critical to the 600,000 people who live south of Diridon. That is half of the city of San Jose and the south county cities."

A motion (Tissier/Deal) to approve the minutes was passed unanimously.

CHAIRPERSON'S REPORT

Certificate of Appreciation to Outgoing Citizens Advisory Committee (CAC)

Chair Kevin Gardiner

Chair Nolan said under Mr. Gardiner's leadership, a subcommittee was formed to review items of interest to the CAC. A list was narrowed to a work plan that the CAC used over the last year. The work plan helps set the agenda and focus the CAC for future meetings.

Mr. Gardiner thanked the Board for the certificate and said it was a privilege to serve as chair.

Appointment of Citizens Advisory Committee Member Chris Cobey Representing San Mateo County

Director Tissier said there were two applicants on file from the last recruitment. The committee interviewed the two candidates and is recommending Mr. Cobey to a partial term that will expire June 30, 2015.

A motion (Deal/Woodward) to approve the appointment of Mr. Cobey to the CAC was passed unanimously.

REPORT OF THE CAC

Cat Tucker, CAC Chair, said at its January 15 meeting she was elected chair. She said she commutes daily from Gilroy to Santa Clara. At the meeting, the CAC:

- o Re-elected Adina Levin as vice chair.
- o Received an updated presentation from staff on Caltrain capacity. There was a lengthy discussion among the CAC about capacity, overcrowding, and bike bump issues. This is a major concern of all CAC members.
- o A CAC member asked for an update at a future meeting on wheelchair access at 22nd Street.

Director Perry Woodward said the CAC is lucky to have Ms. Tucker as the chair. He said she has been his colleague on the Gilroy City Council for the last seven years.

Public Comment

Shirley Johnson, SFBC, said she attended the last CAC meeting and commended the CAC on their robust discussions on bike capacity and bumps. Someone on the CAC suggested that white lines be painted in the aisle, assuring the aisle clearance will be maintained, but allowing more bikes on each rack.

Pat Giorni, Burlingame, said the average length of the CAC meeting is only an hour because members start leaving to catch the train and the quorum is lost. She suggested asking members if they can stay past 7 p.m. during the next recruitment process, so the meetings don't have to stop early.

Roland Lebrun, San Jose, said the issue for those attending the CAC meetings is that there are no trains south of Tamien for two hours. He said if the 8:13 p.m. train went to the Tamien Station it would be very helpful.

REPORT OF THE EXECUTIVE DIRECTOR

Michael Scanlon, Executive Director reported:

- Thanked Mr. Gardiner for his work last year as CAC chair and congratulated Ms. Tucker on her election to chair.
- Welcomed and congratulated Mr. Cobey on his appointment to the CAC.
- Key Caltrain Performance Statistics December 2013 compared to December 2012:
 - o Monthly Performance Statistics
 - Total Ridership was 1,312,085, an increase of 16.5 percent.
 - Average Weekday Ridership was 48,630, an increase of 13.9 percent.
 - Total Revenue was \$5,463,137, an increase of 13 percent.
 - On-time Performance was 96.3 percent, an increase of 5.2 percent.
 - Caltrain Shuttle Ridership was 7,145, an increase of 14.2 percent.
 - o Year-to-date Performance Statistics
 - Total Ridership was 8,427,499, an increase of 9.1 percent.
 - Average Weekday Ridership was 52,583, an increase of 8.9 percent.
 - Total Revenue was \$36,901,989, an increase of 8 percent.
 - On-time Performance was 92.3 percent, an increase of 2.9 percent.
 - Caltrain Shuttle Ridership was 7,406, a decrease of 12.3 percent.

- Staff has made no operational plans on how the new cars will be deployed. Bike space will not be diminished, but there is a lot of work to be done. Staff is still in negotiations with MetroLink for these cars. They have verbally agreed to the terms, but are trying to unwind their current lease-in/lease-out arrangement, which is very complicated.
- In 2013 there were 13 fatalities. Seven were declared suicides, one was declared an accident and five are pending investigation. In January, one occurred at 5:30 p.m. at the Santa Clara Station and preliminary investigation reveals that one individual was trying to help another individual who was on the tracks. The Good Samaritan who was trying to help was killed. On Friday, January 31, at 6:15 a.m. at the Redwood City Station, someone put herself in the path of the train. It was a gruesome scene with extensive cleanup. These events affect everyone from customers to the person's family.
- The Bicycle Advisory Committee met on January 16 and received presentations on bike thefts and the Caltrain Strategic Plan. The next meeting is March 20.
- Special service:
 - San Jose Sharks had seven home games in January and ridership was up 7 percent. This number was compared to the 2011 and 2012 seasons because of the shortened season last year.
 - The Freedom Train, chartered by the Dr. Martin Luther King, Jr. Association of Santa Clara Valley, operated on Monday, January 20. This year's ridership was 945 passengers.
 - San Francisco Giants FanFest was on February 1. Extra service carried an additional 4,000 passengers.
- A modified Saturday schedule with eight additional trains will operate on President's Day, February 17.
- The San Bruno Grade Separation Project is close to completion and staff should be announcing an opening date soon.
- Caltrain 150th Anniversary Event was held on Saturday, January 18 at the Santa Clara Station. The majority of the costs were covered by sponsors. The event gave people a chance to look into what the next 150 years will look like. The event started in San Francisco with a dedication of a plaque by the Native Sons of the Golden West. A special train departed San Francisco and made stops at the historic stations where plaques were presented to local officials. More than 1,000 people attended the event. All the Board members who attended were thanked and Directors Kalra and Tissier were thanked for speaking at the event. A video was shown from the 150th celebration on the Caltrain Modernization Program. Jayme Ackemann, Communications Manager, was recognized for her efforts in planning the event.
- The Reading File contains the December Safety & Security Report.

Chair Nolan thanked staff for a great 150th Anniversary event.

Caltrain Modernization Update

Marian Lee, Executive Officer, Caltrain Modernization (CalMod) Program said work on the Communications-based Overlay Signal System/Positive Train Control (CBOSS/PTC) continues. Installation has reached Redwood City, and work continues there, as well as

in Menlo Park, Palo Alto, Mountain View, Santa Clara, and Sunnyvale. Staff is working with city officials in areas where there have been modifications to the construction schedule. After five months of installation, the first complaint was received from a neighborhood association in Menlo Park regarding noise. Public Affairs staff will be meeting with the association members to address their concerns.

Ms. Lee said staff is still on track to release the Draft Environmental Impact Report (DEIR) by the end of February. The public meetings on the DEIR will be in March and April. The environmental team will be providing an update on the effort and outreach plan at the March Board meeting.

Ms. Lee said last week the Local Policy Makers Group (LPMG) met. There was good turnout and there are some new members because of the recent elections. She said at the meeting they discussed the LPMG structure. It was a one-year reflection of how the group is functioning and its effectiveness. She said staff was asked to put this on the agenda by the city of Palo Alto and town of Atherton. They were concerned about how effective the group was in influencing the policy deliberations of the JPB. Ms. Lee said at the meeting, staff made clarifications about the scope of the LPMG. The group was specifically set up for the CalMod Program, and is a subset of a larger range of issues the JPB deals with. She said they discussed Ms. Lee's role reporting to the JPB monthly on the LPMG matters and Director Tissier's role being a JPB Board member serving as the chair of the LPMG, which staff has found to be very beneficial. Ms. Lee said it was decided to keep things the way they are, but to keep monitoring and make sure the group is functioning in a way that is helpful to the JPB.

Ms. Lee said a draft of the Strategic Plan was presented to the LPMG for comment and input. This is a not a specific CalMod item, but it was presented because much of the Strategic Plan will need to be anchored to the commitments of the CalMod Program. The Strategic Plan will be coming back to the JPB Board in a few months.

Ms. Lee gave an update on San Francisco's interest in development at the Caltrain 4th and King terminus yard. At the end of last year, at the request of the city, Caltrain conducted a limited, technical study that looked at the feasibility of reducing or removing the 4th and King yard to support San Francisco development. From the analysis, staff identified two development scenarios that required further study. Ms. Lee said the city just issued a Request for Proposals to conduct a Rail Yard Alternatives and Interstate 280 Boulevard Feasibility Study. This study is much broader in scope, but includes looking at development options at 4th and King. Ms. Lee said for the portion of the Feasibility Study that involves the Caltrain system, the technical team will continue to work with city staff and provide the technical support.

Ms. Lee said the Transbay Joint Powers Authority (TJPA) is responsible for building the Transbay Transit Center in San Francisco that Caltrain and high-speed rail (HSR) will travel to, as well as the Downtown Extension (DTX) Project from the existing 4th and King terminus to the new downtown station. The TJPA has been working on strategies to advance the rail extension portion of the program. This has been difficult for them because they don't have the funding yet. At the last TJPA Board meeting, staff

presented a recommendation to conduct a feasibility study of a Private Public Partnership (PPP) to build the DTX. Ms. Lee said the DTX is not a stand-alone system and when built will be part of the Caltrain system. She said at the staff level they have begun a series of meetings with the TJPA to understand the roles and responsibilities of the JPB as the Caltrain operator, along with the California High-speed Rail Authority (CHSRA), which will provide HSR service to downtown San Francisco, and the TJPA. Ms. Lee said it needs to be discussed how a PPP may be structured if it is found to be feasible. She said it is important to note that Caltrain and the TJPA have an understanding: However a PPP may be structured, it will not compromise JPB's commitment to the blended system with HSR and electrified service by 2019. Ms. Lee said there will be an update on the CalMod Program to the TJPA Board at their February 13 meeting.

David Miller, Legal Counsel, said last month there was a brief discussion on the status of the litigation that affects the HSR program. Last month he reported the CHSRA was deliberating what course of actions was available to deal with adverse rulings that came down in two cases a few months ago. One of the cases concerns the bond validation proceeding, and the other deals with a lawsuit filed by residents in the Central Valley challenging the adequacy of the Finance Plan of the CHSRA under Proposition 1A. Mr. Miller said at the end of January the CHSRA Board made a decision to challenge the lower court rulings by filing a petition to ask the California Supreme Court to hear the matter and to overturn the decisions. Mr. Miller said this is an extraordinary action and not one an agency would have the right to do or expect the court to necessarily grant. He said it is not an appeal from a final judgment, but the Appellate Court has the discretion to hear matters when there is great urgency and matters of great legal importance.

Mr. Miller said last week the California Supreme Court issued a short ruling that the petition for the writ of mandate filed by the CHSRA was transferred to the Court of Appeal for the Third Appellate District. In issuing this ruling, the court directed the Appellate Court to expedite its consideration of this matter. Mr. Miller said opponents of the CHSRA were directed to file any preliminary opposition papers to the Court of Appeal hearing the matter and potentially overturning the case by February 3. The CHSRA was directed it had until February 10 to respond preliminarily. Mr. Miller said in conjunction and consultation with staff, an action has been initiated to file a very short amicus letter in the interest of the CalMod Program, and keeping with the Board's previously adopted policy to do everything it can to assure that funding is available for CalMod. Mr. Miller said the rulings have placed the electrification corridor project and the rail car acquisition in potential jeopardy. Mr. Miller said he has reached out to the member agencies of the JPB and the Metropolitan Transportation Commission (MTC) and put together a two-page letter to file on February 10, urging the court to hear the case. He said the main interest is assuring there are no delays in coming up with a final judicial decision.

Chair Nolan said San Francisco is very concerned about safety. Last year 900 people were injured on the streets of San Francisco and 21 were fatal, including four bicycle deaths.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR DECEMBER 2013

Gigi Harrington, Deputy CEO, said December revenues are over budget by \$4.3 million and on the expense side there is \$3 million in savings. These numbers don't reflect budget changes made last month. Ms. Harrington said fuel was \$3.02 per gallon last week and year-to-date is \$3.08 per gallon. The JPB received \$10,000 in January from the hedge and year-to-date the JPB has received \$138,000.

A motion (Tissier/Deal) to accept the December 2013 statement was approved.

FISCAL YEAR 2013 COMPREHENSIVE FINANCIAL REPORT (CAFR) FOR JUNE 30, 2013

Ms. Harrington said a clean bill of health was received from the auditors. As requested by the press, a supplemental review was done and that came back clean as well.

Director Ash Kalra said between 2011 and 2013 there appears to be an increase of \$20 million in passenger fares and this makes a statement to our State and Federal delegations that the JPB is doing their part to cover costs through farebox revenue, but still need as much assistance as possible in funding.

Director Tissier complimented Ms. Harrington and her staff on their work on the CAFR and the completeness of the report.

DEBT ISSUANCE TO COVER REHABILITATION COSTS FOR THE RAIL CAR CAPACITY EXPANSION PROJECT

Ms. Harrington said some rehabilitation needs to be done with the rail cars, and staff estimates the cost to be about \$5 million. Staff is proposing to do short-term financing for the funds that would be wrapped into a larger transaction once the needs for the CalMod Program are known. She said this item has to be approved by the boards of all three partner agencies. In the short term, the costs are estimated to be about \$120,000 in interest. Ms. Harrington said she will be back at a later date for approval of the transaction.

Public Comment

Roland Lebrun, San Jose, said on page 4 of the January 9 minutes, it states "the JPB rail car consultant LTK Engineering has been at MetroLink for several months looking at the maintenance records, inspecting the cars and checking the level of rehabilitation that is necessary. The rehabilitation work will require approximately \$4 million plus or minus 10 percent." He said today staff is saying it is \$5 million and the final costs will be unknown until the cars are procured and evaluated. He asked what LTK Engineering was looking at all those months. Mr. Lebrun said now staff is looking at a farebox trust agreement in an amount not-to-exceed \$7.5 million. Now the costs have gone from \$8 million to \$11.5 million in a month. He asked why staff is going after debt when there is approximately \$50 million in cash earning a half of a percent.

Vaughn Wolffe, Pleasanton, asked if these bonds are going to be the same as Municipal bonds, where there will be a prepayment penalty. He said the numbers didn't add up in his mind. If the cars were already bought for \$5 million on revenue and

planning on \$5 million to \$7 million for rehabilitation, the current projected revenue is already ahead, and projections for the remaining of the year would cover the stated repair costs.

Shirley Johnson, SFBC, said she supports the purchase of the new cars but would like to see a plan that doesn't reduce bike capacity.

Mr. Scanlon said LTK didn't spend months, but enough time to give staff an estimated cost of around \$4 million in real costs. Staff will know the real costs when the specifications are prepared, and from there will go to the marketplace to find out exactly what people will bid on the document. So the number of \$5 million is a simple rounding up of the number, but hopefully staff will be able to bring it in under budget. Mr. Scanlon said in terms of the financing, there was not accounting presented to the Board today, but an informational item to say that staff will be back with a recommendation not-to-exceed \$7.5 million in debt, and that will be coupled later in 2017 or 2018 when staff knows how much money will be needed to round out the full funding of the electrification program. Mr. Scanlon said funding debt at this particular moment of time is very consistent with the way the private sector does business, how they spend their capital, and how the JPB spends their capital. He said this item gives the Board an order of magnitude of costs, and exact numbers will be known only when specifications are put on the street for bids.

AUTHORIZE ADOPTING THE MITIGATED NEGATIVE DECLARATION AND APPROVING THE LOS GATOS CREEK BRIDGE REPLACEMENT PROJECT

Chuck Harvey, Deputy CEO, said Staff Coordinating Council is recommending the Board adopt the Mitigated Negative Declaration (MND) Environmental Document for the Los Gatos Creek Bridge Project. By doing this, the documents can be filed for the formal and final National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) clearance process, allowing for the next phase of the project, which would be the design of the actual structure.

- This project is to replace a bridge south of Diridon Station. It currently does not meet existing State and Federal safety and seismic standards. The bridge was built in 1935 and has exceeded its 75-year life span.
- This bridge is used every day by many Caltrain runs that extend service to Tamien as well as to Gilroy.
- This is a two-track structure and one track is owned by Union Pacific Railroad (UPRR).
- The project location is 2,000 feet south of the Diridon Station along the Caltrain right of way.
- Project scope:
 - Replace existing bridge with a new, wider bridge that will meet current safety and seismic codes.
 - Construct a shoofly (third track) to maintain the two tracks in operations throughout the project. The shoofly will be retained as a permanent tail track.
 - The combined project cost range is \$40 million to \$45 million.
- An eastside alignment might have fewer environmental impacts, but it can't be

- done because there is not enough physical space.
- There are significant issues with an eastside alignment:
 - It cannot be built within the next five to 10 years.
 - There are a number of other structures and things in the way.
 - There is a street overpass and the pilings are right where the shoofly would be.
 - There is a Pacific Gas and Electric 115 kilovolt tower and transmission line.
 - To clear environmentally, the West San Carlos Street overpass would have to be replaced and that would require at least three years of environmental work, not including the design and construction phases. Currently the city does not have the funding and is not a priority, nor do they have any intention of replacing this overpass over the next five or 10 years.
 - There are land acquisitions involved and the tracks would have to be reconfigured.
 - Environmental review process:
 - The Board received the MND Environmental Document.
 - This was a very thorough analysis. Under NEPA, staff is doing a documented categorical exclusion, and under CEQA an Initial Study (IS)/MND with a Litigation and Monitoring Plan.
 - Determining appropriate environmental document:
 - An initial study was conducted to determine if there are significant impacts that will be created by the project.
 - If significant impacts can be avoided, minimized, or mitigated to less-than-significant, then a MND is prepared.
 - If not, an Environmental Impact Report has to be prepared.
 - As the lead agency, staff found as a record of the whole, there is no substantial evidence that the project will have a significant impact on the environment as the MND and Monitoring Plan is followed.
 - CEQA compliance tasks:
 - The Draft IS was published.
 - Comments were addressed and re-circulated the Draft.
 - Compiled and addressed comments of a second comment period.
 - Comprehensive public outreach and coordination with elected officials and the city of San Jose.
 - Potential impacts:
 - There will be noise and vibration. A bridge structure will be replaced. Old piles and structures will be removed that are not seismically safe. Pile driving will occur to create the new structure.
 - Construction activities could potentially impact the creek and habitat. Design and construction will be staged to minimize impacts.
 - Staff will be working with a number of regulatory agencies, including the Water Quality Control Board and Department of Fish and Game. Nothing will happen in the creek bed until the appropriate permits are received.
 - Findings of the Los Gatos Creek Bridge Project:
 - With the implementation of mitigation measures, this project will not:
 - Significantly impact the environment.

- Achieve the short-term environmental goals to the disadvantage of long-term environmental goals.
 - Based on these findings the consultants and staff feel that the MND is appropriate for CEQA clearance.
- Mitigation commitments:
 - Need to create appropriate construction work windows for protection of special species.
 - Restoration plan.
 - Need to monitor the creek for many years.
 - Construction noise and vibration monitoring.
 - Best management practices.
 - As this project goes through the environmental clearance phase the next phase of the project will be to do the formal design of the project and work with the regulatory agencies to make sure that all the concerns are addressed, mitigated, and permits are issued.
- There is limited access for activities that would impact the creek bed because of the species when the water flows. This work will require two full years or seasons to complete. If the shoofly is not built, and a track is removed to preserve the commerce of the UPPR, then the track that is removed is the JPB's while the shoofly is built. This would mean no Caltrain service south of Diridon for two years.
- Outreach efforts:
 - Publication of CEQA in local newspapers
 - Publication of Draft IS/MND Environmental Document with the State clearinghouse
 - Two public comment periods on the documents
 - Two public meetings in San Jose
 - Communications and meeting with residents near the project
 - Outreach to relevant community organizations
- Coordination with the city of San Jose
 - Coordination efforts have been ongoing with the city of San Jose Traffic and Parking Enforcement and Parks, Recreation and Neighborhood Services departments.
 - There is a trail project planned in this creek area. With the current bridge, the trail cannot be built, as the city would like to design it. In order for them to build the trail today they would have to deviate the trail down into the creek bed, which is something they have not cleared environmentally.
 - By building the new bridge, Caltrain would enable the trail to be constructed.
 - Staff has committed to the city of San Jose to work closely with them and design the bridge in a way that the trail is compatible and can be constructed.
- Tasks accomplished:
 - Completed preliminary engineering design.
 - Initiated NEPA and CEQA review processes.
 - Coordinating with the city on the trail project. Staff will begin to meet

with regulatory agencies with a different framework beyond the environmental document, to discuss what are the design criteria and constructability issues to be addressed to alleviate concerns to obtain permits for the project.

- Next steps:
 - Request Board approval of the Los Gatos Creek Bridge Replacement Project and adoption of the final MND document.
 - Complete the NEPA review process.
 - Work with the regulatory agencies for permitting because the project is funded through final design.
 - Obtain environmental permits.
 - Coordinate the trail project.
 - Provide numerous public and city coordinate updates.

Mr. Harvey said as this is being done, staff is getting the project shovel-ready. Money still needs to be found to begin the construction. It is important to do this safety project now. Moving this project to the next phase still allows for significant modification in how the project will be built.

Director Kalra thanked staff and the city of San Jose for their work. He and Director Ken Yeager took a trip to the site on Monday. The trail advocates and the city are very interested in what is going to happen at the site, because the West San Carlos Bridge replacement is part of a long-range plan for the city to connect downtown to West San Jose. There are many moving parts for this location and lots of interest in this project. He said as a city, they want to ensure the trail system gets built out. The city is committed to working with Caltrain to see if the trail can be accomplished along with Caltrain meeting its goals as well. Director Kalra said he wants to ensure there is continued Caltrain service south of Diridon and it is not interrupted. He said after looking at the site he agrees with staff that this cannot be built on the east side. This project is an opportunity to enhance the corridor, the area, and create a healthier environment in the creek ways and vegetation.

Director Tissier said staff has done a very thorough job on this project and she likes how all of the agencies are working together to complete this project.

Mr. Harvey said he just signed a third-party right of entry permit for surveyors from the city and parks department to come in and begin to lay out the trail alignment.

Public Comment

Roland Lebrun, San Jose, said the bridge needs to be replaced. He said there are 39 trains that cross the bridge, not 34. He said that it is false when staff says you have to acquire land at the site. The Caltrain map is wrong because the map shows 55 feet, which is three tracks, and the county assessor map shows 67.5 feet. He said there are six common letters in response to the MND saying it is wrong. Mr. Lebrun said the VTA is doing an incredible job working with UPRR on grade separations and his suggestion is for the VTA assume the lead for this project.

Mr. Scanlon objected strenuously to Mr. Lebrun's disparagement of JPB staff.

A motion (Tissier/Deal) to adopt the MND and approve the Los Gatos Creek Bridge Replacement Project was approved unanimously by a roll call vote.

AUTHORIZE AN AMENDMENT TO THE ON-CALL PROGRAM MANAGEMENT OVERSIGHT SERVICES CONTRACT WITH JACOBS ENGINEERING GROUP INC. FOR A NOT-TO-EXCEED AMOUNT OF \$650,000 AND EXTENSION OF THE CONTRACT TO JUNE 30, 2014

Cheryl Cavitt, Director, Contracts and Procurement, said this item will increase the contract capacity and extend the length of the contract. A succeeding contract has been awarded for these services, but since Federal highway funds are being used, the California Department of Transportation (Caltrans), under their new rules for local assistance, requires an audit of the proposal and the contemplated contract.

Ms. Cavitt said staff is waiting for Caltrans to complete their audit before the contract can be awarded and executed.

A motion (Tissier/Deal) to authorize an amendment to the on-call program management oversight services contract with Jacobs Engineering Group, Inc. for a not-to-exceed amount of \$650,000 and extension of the contract to June 30, 2014 was approved unanimously by roll call.

APPROVAL OF 2014 LEGISLATIVE PROGRAM

Seamus Murphy, Director, Government and Community Affairs, said every year the Board adopts a legislative program to help guide advocacy efforts. The program is developed with input from various internal departments and legislative advocates. Once approved, it will be shared with the regional partners and legislative delegations to provide them with an understanding of the JPB's priorities. Mr. Murphy said as bills are introduced and policies and regulations are proposed, staff will use the program to help guide actions and advocacy efforts.

Mr. Murphy said the program has been structured to be specific enough to capture the issues that will be faced in 2014, but also broad enough to allow staff to respond to unforeseen challenges that might arise. He said every issue has been updated to reflect the progress that has been made in 2013 and a lot of the program has been carried over, including the core objectives. The core objectives are maintaining and enhancing funding opportunities, seeking a beneficial regulatory environment and incentivizing transit ridership. These objectives are applied to broad categories of State, regional, and Federal issues.

Mr. Murphy said the State budget category has been updated to include a section on Cap and Trade Revenues. This is going to be a major issue this year as the State budget is debated. A section has been added that covers other local financing options. This was prompted because the Legislature is increasingly looking at creative ways to allow local government to enact financing tools to broaden the options that are available to local government. Mr. Murphy said in the Project Delivery Section, additional CEQA language was added to streamline the CEQA process in certain ways, without weakening or jeopardizing the effectiveness of CEQA as an environmental protection.

He said in project delivery an issue that specifically needs to be dealt with this year is enacting an extension for design-build authority for transit agencies, which is needed for the Caltrain Electrification Project. He said staff is seeking to amend Caltrain's Construction Management/General Contractor (CM/GC) Project Delivery authority to include some wage monitoring and general labor compliance processes.

Mr. Murphy said the Federal program specifically calls out the need to restore and make permanent the parity between pre-tax transit commute benefits and the benefit drivers receive. This is an issue that is dealt with every year, but the last two years there has been a lapse between the two benefits. The program also discusses some of the advocacy tactics that will be employed in 2014, including broader array of media and outreach. He said staff has highlighted the need to create opportunities for staff and Board members to participate in coalition-based advocacy.

A motion (Cisneros/Woodward) to adopt the 2014 Legislative Program was approved unanimously.

LEGISLATIVE UPATE

Mr. Murphy said the deadline for introducing legislation is February 21. Staff will be a co-sponsor of the design-build extension carried by Senator Jerry Hill (D-San Mateo) and the CM/GC amendments will be carried by Assemblyman Rich Gordon (D-Menlo Park). He said there is an Infrastructure Financing District (IFD) proposal that was included in the governor's budget. This extends the scope of projects that can be funded through an IFD to include transit projects and is something that legislators from the Bay Area have been seeking. It also reduces the voter threshold to establish an IFD from two-thirds to 55 percent. There was a piece of legislation last year from Senator Jim Beall (D-Santa Clara) that would have allowed this without any voter approval.

DEVELOPMENT OF NEXT GENERATION OF CLIPPER FARE PAYMENT SYSTEM

Rita Haskin, Executive Officer, Customer Service and Marketing, said:

- MTC developed the Clipper program in 1999.
- Caltrain went live in 2010 and discontinued paper passes in 2011.
- Current system is provided by Cubic Transportation Systems and their contract expires in 2019.
- Average weekday usage for the region on Caltrain is 700,000.
- What has been learned:
 - Must have good customer experience and meet customer expectations.
 - Need to have flexible design
 - Access to more venues for getting and loading card
 - Require faster loading for online and phone
 - Realize that card isn't answer for all
 - Must be cost-effective system
- Foundation for the future
 - Collaborative relationship between transit agencies and MTC
 - Three committees focused on future system
 - Executive
 - Steering

- Long-range planning
 - Established a vision and mission
- Vision: Clipper is a customer-focused, cost-effective fare payment system that supports seamless transit travel in the San Francisco Bay Area.
- Mission: In partnership, provide a convenient, flexible and efficient regional fare payment system.
- Path forward:
 - Peer agency reviews
 - Fare coordination efforts
 - Define system performance
 - Governance recommendations

Public Comment

Jeff Carter, Millbrae, said he has never been a big fan of Clipper. A regional paper pass might be more cost effective. He likes the idea of having more venues to buy a pass and faster loading. He said there always has to be \$1.25 on the card to be valid. The old 8-ride ticket was good for four people travelling together and Clipper doesn't account for this.

Doug DeLong, Mountain View, said it should be a design requirement that there is no delay in the money being loaded and available on the card, or have an application on the smart phones.

CORRESPONDENCE

No discussion.

BOARD MEMBER REQUESTS

None

DATE/TIME/PLACE OF NEXT MEETING

The next meeting will be Thursday, March 6, 2014, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

LEGAL COUNSEL REPORT

Mr. Miller said the Board will meet in closed session to discuss existing litigation listed on the agenda as Mark Morgan versus the JPB.

Adjourned to closed session at 11:57 a.m.

Reconvened to open session at 12:10 p.m.

Mr. Miller said the Board convened in closed session to discuss a matter of pending litigation, Mark Morgan vs. the JPB and other parties, including the City and County of San Francisco. He reported that a settlement was reached in the litigation during a settlement conference held on February 2, 2014 and that the Board approved

settlement of the case in the total amount of \$595,000 with the understanding that the City and County of San Francisco will be contributing \$238,000 toward the settlement.

Adjourned at 12:12 p.m.

**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 JANUARY 2014**

In January 2014, Caltrain's average weekday ridership (AWR) was 49,399, which is an increase of 4,288 or 9.5 percent over January 2013 AWR of 45,111. The total number of passengers who rode Caltrain in January 2014 was 1,349,941, which is 9.5 percent more than in January 2013.

On-time performance (OTP) for January 2014 was 92.7 percent, which is below the 94.2 percent OTP for January 2013. When trains arriving within 10 minutes of the scheduled arrival time are included, January 2014 OTP rises to 95.9 percent. There were two days when 100 percent of the trains were on time, one weekday and one weekend. An additional 15 days operated with 95 percent or better OTP. Mechanical delays in January 2014 were 1,687 minutes, compared with 1,148 minutes in January 2013. Staff continues to meet with Transit America Services management regarding mechanical performance.

There were two fatalities in January 2014. On Monday, January 20, at approximately 5:30 p.m. two trespassers were struck by northbound Train 375 at the Santa Clara Station. One man was seriously injured while the other man was killed. Twenty-one trains were delayed or cancelled as a result. On Friday, January 31, at approximately 6:15 a.m. a female trespasser was struck by northbound Train 305 at the Redwood City Station. Thirty-six trains were delayed or cancelled as a result of this incident.

Looking at customer service statistics, there were nine complaints per 100,000 passengers in January 2014. This is lower than the 11.2 complaints in January 2013.

Shuttle ridership is up 16.8 percent from last year. When the Marguerite shuttles are removed, overall shuttle ridership decreased 6.1 percent over January 2013. The Marguerite shuttles have improved the accuracy of their ridership reporting, which accounts for much of the ridership increase. Where ridership for some shuttles was not available, an average estimate of the past three months was used. For the station shuttles, the Millbrae-Broadway shuttle averaged 213 daily riders. The Belmont-Hillsdale shuttle averaged 83 daily riders. The weekend Tamien-San Jose shuttle averaged 76 riders per day.

Caltrain Promotions – January 2014

Freedom Train – Caltrain operated the annual Freedom Train on the Dr. Martin Luther King Jr. holiday. A chartered 10-car train traveled non-stop from San Jose to San Francisco, which is about the same distance as the historic civil rights walk between Selma and Montgomery, Alabama. While the ticket sales for the chartered train are handled by the Dr. Martin Luther King Jr. Association of Santa Clara Valley, Caltrain promoted the event through information on its website, a news release and social media. Total ridership was 945 people.

San Jose Sharks – It seems that interest in ice hockey increases as we near the winter Olympics. That interest results in more fans riding Caltrain to see the San Jose Sharks compete at the SAP Center, located across the street from the San Jose Diridon Station. Caltrain staff works with the Sharks to promote the train to fans through onboard take ones and adcards. The marketing efforts also included running banner ads and radio spots on Pandora, posting information through social media and including information in *Track the Fun*. Caltrain carried an extra 2,662 customers for the seven January home games.

Partnership – Market Research & Development staff works with a number of event organizers to co-promote events that will generate off-peak train ridership and also provide added value to current Caltrain customers. In January, Caltrain partnered with the Bay Area Travel & Adventure Show, which provided \$5 off general admission for Caltrain customers.

Track the Fun – The seasonal edition of Track the Fun was released and stocked onboard trains and posted to the Caltrain website. Cover art celebrated the 150th anniversary of rail along the Peninsula corridor. The brochure features fun destinations to visit via Caltrain, including concerts, sporting events, festivals, museums and farmers' markets.

Prepared by: Rita P. Haskin, Executive Officer, Customer Service and Marketing 650.508.6248
Catherine David, Senior Planner 650.508.6471

Table A

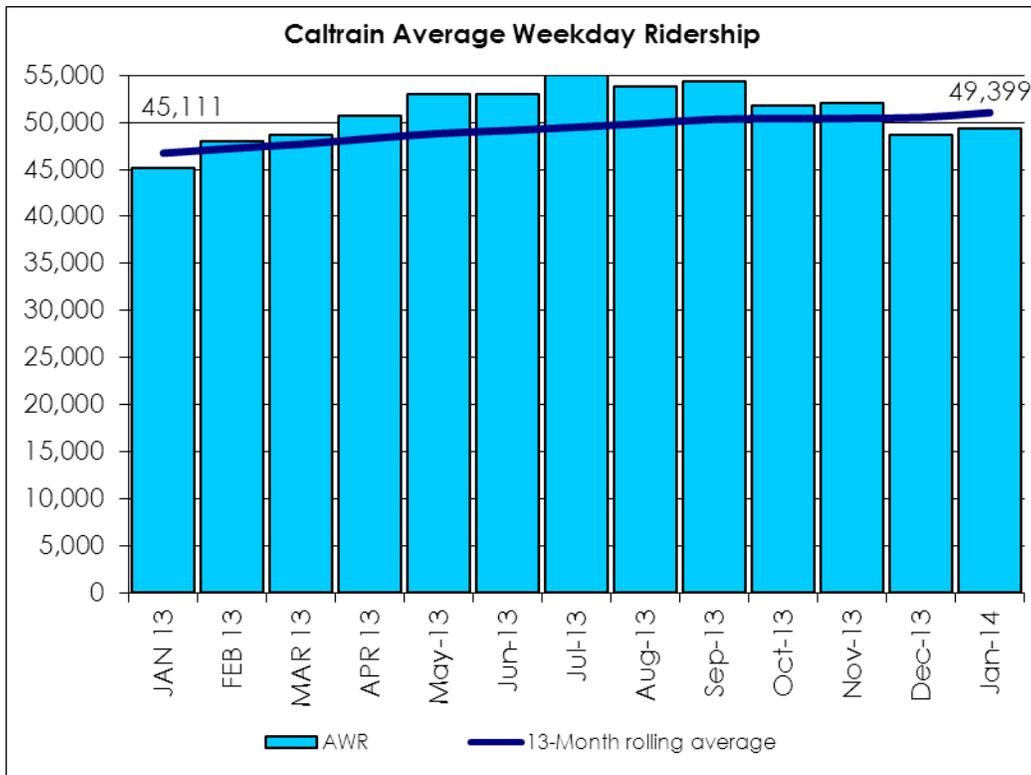
January 2014

	FY2013	FY2014	% Change
Total Ridership	1,232,312	1,349,941	9.5%
Average Weekday Ridership	45,111	49,399	9.5%
Total Farebox Revenue	\$5,247,032	\$ 5,786,992	10.3%
On-time Performance	94.2%	92.7%	-1.6%
Average Caltrain Shuttle Ridership	7,785	9,093	16.8%

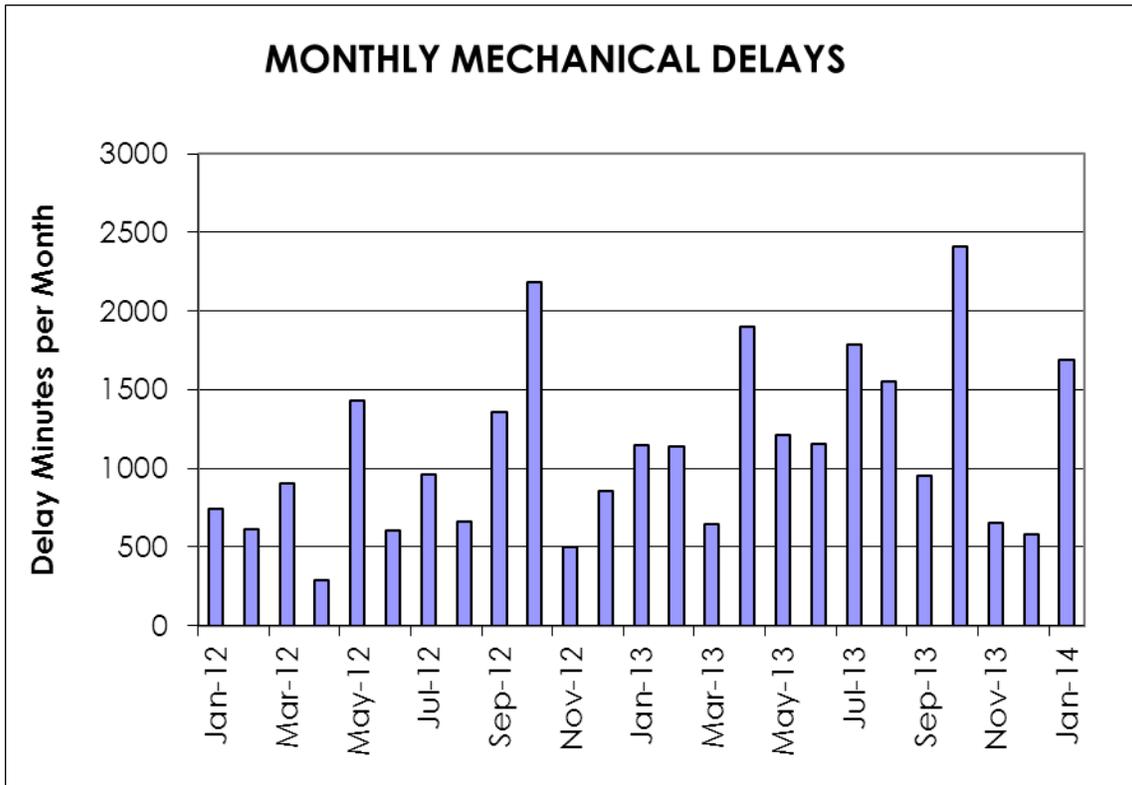
Year to Date

	FY2013	FY2014	% Change
Total Ridership	8,959,793	9,777,440	9.1%
Average Weekday Ridership	47,846	52,128	8.9%
Total Farebox Revenue	\$39,426,967	\$42,688,981	8.3%
On-time Performance	90.4%	92.4%	2.2%
Average Caltrain Shuttle Ridership	8,453	7,687	-9.1%

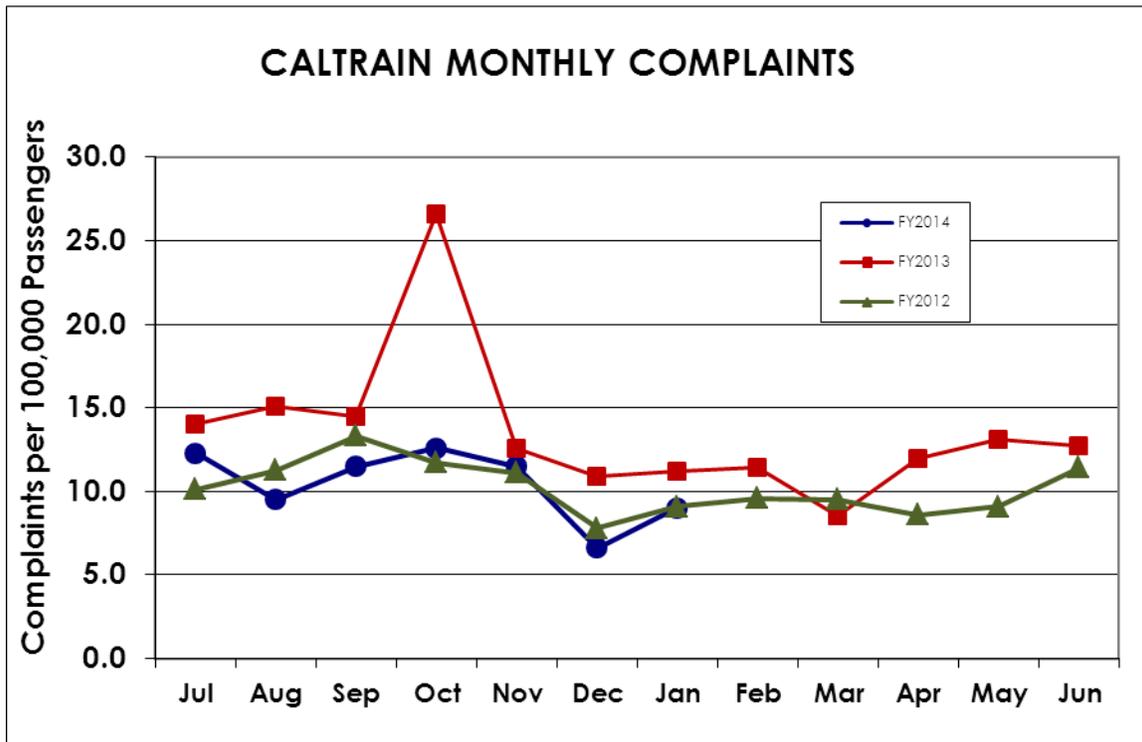
Graph A



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
JANUARY 31, 2014 AND SUPPLEMENTAL INFORMATION**

ACTION

Staff proposes the Board of Directors accept and enter into the record the Statement of Revenue and Expense for the month of January 2014 and supplemental information.

SIGNIFICANCE

Revenue: For January of Fiscal Year 2014, *Total Operating Revenue* (line 7) is \$4,166,717 or 9.4 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$3,963,213 or 10.2 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$4,088,688 or 9.2 percent **higher**.

Expense: *Grand Total Expenses* (line 50) show a favorable variance of \$2,783,161 or 4 percent. *Total Operating Expense* (line 36) is \$1,735,538 or 2.9 percent **better** than budget. *Total Administrative Expense* (line 46) is \$1,047,608 or 10.7 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 50) are \$4,661,738 or 7.4 percent **higher**.

BUDGET IMPACT

Budget amendment adopted at the February 6, 2014 Board meeting are reflected in the Revised Budget. The amendment primarily accounts for an increase in the year to date farebox revenue.

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



PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF JANUARY 31, 2014

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Restricted)	*	Liquid Cash	0.244%	\$ 2,000,000	\$ 2,000,000
Local Agency Investment Fund (Unrestricted)	*	Liquid Cash	0.244%	31,989,661	31,989,661
County Pool (Unrestricted)	**	Liquid Cash	0.630%	10,657,888	10,657,888
Other (Unrestricted)		Liquid Cash	0.000%	3,916,034	3,916,034
Other (Restricted)	***	Liquid Cash	0.200%	10,506,478	10,506,478
				\$ 59,070,060	\$ 59,070,060

Accrued Earnings for January, 2014 \$ 14,529.59
 Cumulative Earnings FY2014 \$ 121,415.21

* The market value of Local Agency Investment Fund (LAIF) is calculated annually and is derived from the fair value factor as reported by LAIF for quarter ending June 30 each fiscal year.

** As of January 2014 the amortized cost of the Total County Pool was \$3,307,226,541.94 and the fair market value per San Mateo County Treasurer's Office was \$3,309,762,654.63.

*** Prepaid Grant funds for Homeland Security and PTMISEA projects, and funds reserved for debt repayment.

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: Marian Lee
Executive Officer, Caltrain Modernization Program

SUBJECT: **PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP) DRAFT
ENVIROMENTAL IMPACT REPORT (DEIR) RELEASE**

ACTION

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

SIGNIFICANCE

Consistent with the 2013 Joint Powers Board/California High-speed Rail Authority Agreement and the 2012 nine-party Memorandum of Understanding (MOU) High-speed Rail Early Investment Strategy for a Blended System in the Peninsula Corridor, Caltrain staff has been advancing the PCEP.

For the PCEP, the State environmental clearance process was initiated on January 31, 2013. The DEIR was prepared over the last several months and released on February 28, 2014 for a 60-day review and public comment period.

Four public meetings will be held during March and April to solicit input on the draft impacts of the proposed project. The dates and locations of the public meetings are as follows:

- San Carlos - Caltrain Offices, March 18, 2014, 6:00 – 8:00 p.m.
1250 San Carlos Avenue., San Carlos, CA 94070
- Redwood City Library, April 2, 2014, 6:00 – 8:00 p.m.
1044 Middlefield Road, Redwood City, CA 94063
- San Jose Main Library, April 7, 2014, 6:00 – 8:00 p.m.
150 E San Fernando St, San Jose, CA, 95112
- San Francisco UCSF Mission Bay, April 9, 2014, 6:00 – 8:00 p.m.
600 16th Street, San Francisco, 94158

Rich Walter, consultant with ICF International, will provide an overview of the scope, key impact areas, and venues for public input on the DEIR.

The next steps for the environmental process after the DEIR comment period is to consider the comments received, prepare written responses to substantive comments on the environmental evaluation in the DEIR, and prepare any necessary revisions to the DEIR.

The Final Environmental Impact Report (FEIR) will be brought to the Board for certification scheduled for late 2014. After certification of the FEIR, the Board will consider approval of the project.

BUDGET IMPACT

There is no impact to the existing budget.

BACKGROUND

Caltrain completed an Environmental Assessment (EA)/FEIR in 2009 for the Caltrain Electrification Project. The EA is an Environmental Assessment following the Federal environmental regulations and the FEIR is the Final Environmental Impact Report following the State environmental regulations. Federal Transit Administration (FTA) issued a Finding of No Significant Impact (FONSI), which completed the Federal environmental clearance. However, the JPB chose not to certify the report due to uncertainties associated with the high-speed rail (HSR) project which is one step short of completing the State environmental clearance.

With the concept of a Caltrain and HSR blended system in the peninsula corridor captured in funding and new agreements, Caltrain committed to preparing a new environmental document in order to implement the Corridor Electrification Project. Given that the 2009 FONSI is in place, it was decided that the new environmental document would be prepared for State clearance only.

In accordance with the California Environmental Quality Act (CEQA), a scoping period was held in February and March of 2013 to receive public and agency comment on the scope of the EIR. The results of scoping are memorialized in the Scoping Report posted on the Caltrain website.

Scoping comments were reviewed to identify topics of analysis for the EIR. The investigation for the DEIR included field surveys for noise, trees and other biological resources, visual aesthetics, and traffic conditions. Data was collected from a variety of sources to support the environmental impact evaluation. All resource areas required under CEQA were evaluated including direct, indirect and cumulative impacts. Impacts were compared to significance thresholds to identify whether impacts would or would not be significant. Where significant impacts were identified, feasible mitigation is proposed, if available. Alternatives suggested in scoping were reviewed; only alternatives determined to be feasible, to meet most of the project's purpose and need and to lower one or more significant impact of the proposed project were analyzed in detail.

Prepared By: Stacy Cocke, Senior Planner

650.508.6207

**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: **AUTHORIZING A LEASE OF RADIO SPECTRUM FOR THE COMMUNICATIONS-BASED OVERLAY SIGNAL SYSTEM (CBOSS) FROM PTC-220 IN THE ESTIMATED AMOUNT OF \$150,000 FOR FIVE YEARS**

ACTION

Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director or his designee to enter into a lease agreement with PTC-220, LLC for Radio Spectrum necessary for CBOSS operations in the estimated amount of \$150,000.

SIGNIFICANCE

In order to support the implementation of the CBOSS/Positive Train Control (PTC) System in accordance with PTC Contract No. 10-PCJPB-T-021, the JPB must procure radio spectrum on which the radios associated with CBOSS will operate. Provision of spectrum is outside the scope of the PTC contractor's duties, and is the JPB's responsibility.

BUDGET IMPACT

There is no budget impact. The cost of the five-year lease is part of CBOSS/PTC project budget.

BACKGROUND

PTC systems like CBOSS require dedicated radio spectrum. Nationwide industry standards for PTC set by the Interoperable Train Control Committee require such spectrum to be in the 220 megahertz (MHz) range (defined as 217.6 MHz – 222 MHz). Indeed, the other railroads with which CBOSS must be interoperable are using spectrum in that range on their PTC systems. It is therefore necessary for the JPB to obtain enough suitable spectrum in the 220 MHz band in order to implement an interoperable PTC system as required by Federal law.

PTC-220, LLC, whose members include the Class-1 freight railroads (Union Pacific, Burlington Northern Santa Fe, Norfolk Southern Railway and CSX Transportation), own spectrum suitable for the JPB's use. The JPB's CBOSS contractor has conducted an availability analysis and has determined that the only source of sufficient spectrum, with immediate availability to prevent a schedule impact, and with the required bandwidth

is from PTC-220, LLC. There are no other available sources of spectrum that can meet the JPB's needs in the immediate timeframe.

With assistance of legal counsel, staff has entered into discussions with PTC-220 regarding a potential lease. PTC-220 has agreed to lease spectrum to the JPB subject to availability and compliance with the terms and conditions of its spectrum lease agreement. PTC-220's spectrum lease agreement include the following terms:

- Five-year term with automatic renewals unless terminated.
- Annual cost estimated at \$30,000 per year.
- Usage rights suitable for CBOSS but subject to PTC-220 technical oversight and determination of availability.
- Risk allocated entirely to JPB. Staff has conducted a risk analysis and finds the assumption of risk appropriate under the circumstances and given the nature of the agreement.

Staff has addressed the applicable Federal rules and policies, including conducting a price analysis of the lease costs and determined them to be fair and reasonable and continually investigating the market for other viable sources. Staff feels it is critical to lease spectrum from PTC-220, LLC in order to support the CBOSS/PTC system.

JPB staff believes it is critical to execute the lease agreement in order to commence PTC 220 testing once Segment 3 base stations are installed this spring. The CBOSS/PTC contractor expects to complete the installation, integration and testing of the Segment 3, Pilot Section, of the JPB railroad CBOSS PTC scope by late November 2014 in order to be ready for the Federal Railroad Administration (FRA)-mandated pilot testing and certification. In order to meet this date, the contractor needs to procure PTC radios and begin using them on this spectrum starting in March 2014. The FRA-witnessed pilot testing and certification is a key activity necessary to meet the JPB's goal of operating the CBOSS/PTC system in revenue service starting in 2015, per the Federal mandate.

Deputy CEO: Gigi Harrington
Project Manager: Karen Antion

650.508.7950
415.836.5605

RESOLUTION NO. 2014 -

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

* * *

**AUTHORIZING A LEASE FROM PTC-220, LLC OF RADIO SPECTRUM FOR THE
COMMUNICATION-BASED OVERLAY SIGNAL SYSTEM/POSITIVE TRAIN CONTROL SYSTEM
(CBOSS/PTC) IN THE ESTIMATED AMOUNT OF \$150,000 FOR A FIVE YEAR TERM**

WHEREAS, in order to support the implementation of an interoperable CBOSS/PTC system, the Peninsula Corridor Joint Powers Board (JPB) must procure radio spectrum on which the radios associated with CBOSS/PTC will operate; and

WHEREAS, the necessary radio spectrum must be in the particular 220 megahertz bandwidth specified by the Interoperable Train Control Committee, the entity responsible for establishing nationwide industry standards for positive train control; and

WHEREAS, the JPB's CBOSS contractor has conducted an availability analysis and has determined that the only source of sufficient spectrum in the required bandwidth, with immediate availability to prevent impacts to the CBOSS/PTC schedule, is PTC-220, LLC, an entity whose members include the Class-1 freight railroads (Union Pacific, Burlington Northern Santa Fe, Norfolk Southern Railway, and CSX Transportation); and

WHEREAS, the JPB has entered into discussions with PTC-220, LLC regarding a radio spectrum lease and has agreed upon terms for such a lease; and

WHEREAS, staff has analyzed the price of the lease and determined it to be fair and reasonable based on what other commuter railroads are paying for similar radio spectrum; and

WHEREAS, funding for the five-year lease of radio spectrum is included in the CBOSS/PTC project budget; and

WHEREAS, the Executive Director recommends and Staff Coordinating Council concurs that the JPB lease spectrum from PTC-220, LLC for the purpose set forth in this resolution.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director or his designee to enter into a lease with PTC-220, LLC for radio spectrum for CBOSS/PTC in the estimated amount of \$150,000 over a five year term and in a form approved by Legal Counsel.

Regularly passed and adopted this 6th day of March, 2014 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Marian Lee
Caltrain Modernization Program,
Executive Officer

Gigi Harrington
Deputy CEO

SUBJECT: **AWARD OF AN INDEPENDENT CONTRACTOR AGREEMENT FOR DIRECTOR,
PROJECT DELIVERY SERVICES FOR THE CALTRAIN MODERNIZATION
PROGRAM AND AMENDMENT OF CONTRACT FOR EXECUTIVE RECRUITMENT
WITH BOYDEN GLOBAL EXECUTIVE SEARCH**

ACTION

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

1. Award an independent contractor agreement (Agreement) to DConsult, LLC (DConsult) of Conroe, Texas for the services of Director, Project Delivery for the Caltrain Modernization (CalMod) Program in the amount of \$4.3 million for a term commencing April 1, 2014 and expiring in six years, or 12 months after electrified revenue service begins, whichever is longer.
2. Authorize the Executive Director, or his designee, to execute the Agreement with DConsult in a form approved by legal counsel.
3. Approve an amendment to the contract with Boyden Global Executive Search (Recruitment Contract) for the Director, Project Delivery recruitment services, to revise the total compensation amount from \$75,000 to \$113,553.

SIGNIFICANCE

Approval of the above actions will enable staff to ensure these vital services are in place to provide for system integration and interoperability of CalMod program elements for an initial period of 72 months.

BUDGET IMPACT

Funding for this Agreement is included in current and future years' Capital and Operating Budgets.

BACKGROUND

Under the leadership of the CalMod Executive Officer, this key position will be responsible for managing and providing leadership and direction to staff and

consultants assigned to the CalMod Program in the area of project delivery, including, but not limited to providing the necessary skills for system integration and interoperability of CalMod program elements, and ensuring that all required tasks are performed on time and within the budget. Among other services, DConsult will provide support to the JPB Board, other governing bodies, and others as necessary; and interact with the Executive Officer regarding team members, the assignment of tasks, and performance of team members. DConsult will also assure prompt reporting to the JPB Board, stakeholders and partner agencies, represent the JPB in various capacities and perform other related services, as requested by the JPB.

Filling this position at this time is critical to the JPB's ability to meet the 2019 Caltrain electrified service commitment.

There has been a diligent and prolonged effort to fill this crucial position, including the commencement of a Request for Proposals (RFP) process to obtain these consultant services. While a small number of proposals were received in response to the RFP, it was ultimately determined that none of the proposals was acceptable. At the same time as the RFP process was pursued, a staff position was posted and advertised. A few candidates were interviewed, but after a careful evaluation, none of the candidates was determined to be qualified.

As a result of these failed approaches, an executive recruiter was selected to assist in this recruitment. The selected recruitment firm was Boyden Global Executive Search. It provided several qualified candidates for consideration. During the performance of the Recruitment Contract, additional services were required, bringing the total contract cost to \$113,553.

All of the recommended candidates were interviewed by staff and key members of the CalMod Program. Following this interview process, there was unanimous agreement that David Couch Sr. of DConsult was the most qualified candidate and was the most suitable fit for the CalMod Program and the JPB. Mr. Couch has more than 35 years of experience in rail transportation, and brings large capital project delivery experience with specialized expertise in electrified rail systems. He also has the appropriate temperament and experience to manage design-build contracts and deliver a complex design and construction program. He successfully led major capital programs at the Metropolitan Transit Authority of Harris County in Houston, Texas and at the Washington Metropolitan Area Transit District (WMATA) in Washington DC.

The Agreement's negotiated hourly rate reflects the market availability for this level of expertise in delivering a project of this magnitude and complexity. Finally, the Agreement stipulates that the JPB may terminate it at any time for cause.

Prepared by: Marian Lee, CalMod Executive Officer

650.622.7843

RESOLUTION NO. 2014 -

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

* * *

AUTHORIZING AWARD OF INDEPENDENT CONTRACTOR AGREEMENT FOR DIRECTOR, PROJECT DELIVERY SERVICES FOR THE CALTRAIN MODERNIZATION (CALMOD) PROGRAM IN THE AMOUNT OF \$4,300,000 FOR AN ESTIMATED TERM OF SIX YEARS AND AMENDMENT OF CONTRACT FOR EXECUTIVE RECRUITMENT WITH BOYDEN GLOBAL EXECUTIVE SEARCH

WHEREAS, Peninsula Corridor Joint Powers Board (JPB) staff has engaged in a diligent and prolonged effort to fill the crucial position of Director, Project Delivery for the CalMod Program, which effort included the unsuccessful commencement of a Request for Proposals (RFP) process and posting of a staff position; and

WHEREAS, following these unsuccessful efforts, the JPB engaged the services of an executive recruiter, Boyden Global Executive Search (Boyden), to assist in this recruitment; and

WHEREAS, during Boyden's performance of the contract, additional services were required, bringing the total contract cost to \$113,553; and

WHEREAS, Boyden provided several qualified candidates for consideration and all of the candidates recommended by Boyden were interviewed by staff and key members of the CalMod Program, resulting in unanimous agreement that David Couch Sr. of DConsult, LLC (DConsult) of Conroe, Texas was the most qualified candidate and was the most suitable fit for the role of Director, Project Delivery for the JPB's CalMod Program; and

WHEREAS, under the leadership of the CalMod Executive Officer, this key position will be responsible for managing and providing leadership and direction to staff and consultants assigned to the CalMod Program in the area of project delivery, including, but not limited to providing the necessary skills for system integration and interoperability of CalMod program elements, and ensuring that all required tasks are performed on time and within the budget; and

WHEREAS, Mr. Couch has more than 35 years of experience in rail transportation, brings large capital project delivery experience with specialized expertise in electrified

rail systems, and has the appropriate temperament and experience to manage design-build contracts and deliver a complex design and construction program; and

WHEREAS, for the foregoing reasons, staff has determined that DConsult is qualified to be selected for contract award and the JPB has successfully completed negotiations on contractual terms and conditions with DConsult; and

WHEREAS, the negotiated hourly rate reflects the market availability for this level of expertise in delivering a project of this magnitude and complexity; and

WHEREAS, Staff Coordinating Council (SCC) recommends that an independent contractor agreement (Agreement) be awarded to DConsult for the services of Director, Project Delivery for the CalMod Program in the amount of \$4,300,000 for a term commencing April 1, 2014 and expiring in six years, or 12 months after electrified revenue service begins, whichever is longer.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the JPB hereby:

1. Awards an Agreement to DConsult, LLC of Conroe, Texas for the services of Director, Project Delivery for the CalMod Program in the amount of \$4,300,000 for a term commencing April 1, 2014 and expiring in six years, or 12 months after electrified revenue service begins, whichever is longer.
2. Authorizes the Executive Director, or his designee, to execute the Agreement with DConsult in a form approved by Legal Counsel.
3. Approves an amendment to the Recruitment Contract with Boyden Global Executive Search, to revise the total compensation amount from \$75,000 to \$113,553.

Regularly passed and adopted this 6th day of March, 2014 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **AWARD OF CONTRACT TO B&G TRANSPORTATION GROUP TO PROVIDE SYSTEMS SAFETY WORK FOR THE CALTRAIN MODERNIZATION PROGRAM AND OTHER CALTRAIN SAFETY PROJECTS**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract to B&G Transportation Group (B&G) to provide systems safety services for the Caltrain Modernization (CalMod) Program and other Caltrain safety work in the amount of \$1,724,400 for a three-year term.
2. Authorize the Executive Director, or his designee, to execute a contract with B&G in a form approved by legal counsel.
3. Authorize the Executive Director, or his designee, to exercise up to two additional two-year option terms, with an aggregate not-to-exceed amount of \$2,299,200, if it is in the best interest of the Peninsula Corridor Joint Powers Board (JPB).

SIGNIFICANCE

Approval of the above actions will enable staff to ensure these vital services are in place to deliver the required system safety services for the CalMod Program and other projects requiring specialized safety expertise.

BUDGET IMPACT

Funding for this contract is included in current and future years' capital and operating budgets.

BACKGROUND

Previously, a Request for Proposals (RFP) was issued to identify a firm with the qualifications and experience to provide the services of a Systems Safety Specialist for the CalMod Program for a three-year base term, with two 2-year option terms. Despite publication and advertisement of the RFP and comprehensive outreach to potential firms, only one response to the RFP was received. After careful evaluation of the

proposal, and staff's determination that the proposer did not possess key required qualifications, staff recommended, and the Board approved rejection of that proposal at its January 2014 Board meeting. At that time staff advised that efforts would be made to secure these services through alternative means.

On February 12, 2014 staff received an unsolicited proposal from B&G to provide system safety services and also, if needed to provide other critical safety services to the JPB, which could include developing a hazard management system, and updating and supporting the system-wide implementation of the Caltrain System Safety Program Plan, both of which will require increased focus due to the new Federal Transportation Administration (FTA) Moving Ahead for Progress in the 21st Century (Map-21) and pending Federal Railroad Administration (FRA) safety regulations.

B&G includes consultants who have previously performed safety work for the JPB on various Caltrain projects. The proposed key personnel of B&G have the demonstrated ability and the desired professional qualifications, proven experience and safety expertise in successfully developing and implementing project safety and security certification, hazard analysis, and system safety programs on behalf of the owner on projects of similar complexity to the CalMod Program. B&G's proposed project team also has extensive safety experience on large, complex, and highly integrated rail system projects involving electrified vehicles, overhead catenary systems, traction power substations, signals and communications in the United States and has the proven ability to work with regulatory agencies such as the FRA, FTA and California Public Utilities Commission, all of which are critical to the success of the CalMod Program. The two key personnel that are proposed to be assigned to this project possess over 65 years of industry experience and have the specialized knowledge to effectively address the safety critical tasks required within the CalMod Program project scope. This project team will also be a valuable resource in supporting the JPB's continuous commitment to improve Caltrain's system safety program.

Staff conducted a thorough review of the technical proposal submitted and found that it satisfied the requirements of the initial RFP regarding provision of the system safety services. Staff also conducted a cost and price analysis and determined that the costs proposed by B&G are fair, reasonable and consistent with prices for similar services under other Caltrain contracts and contracts for similar services at other transportation agencies.

Project Manager: Gigi Harrington, Deputy CEO

650.508.7950

RESOLUTION NO. 2014 -

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

* * *

**AUTHORIZING AWARD OF CONTRACT TO
B&G TRANSPORTATION GROUP TO PROVIDE SYSTEMS SAFETY WORK FOR
CALTRAIN MODERNIZATION (CALMOD) PROGRAM
FOR A NOT-TO-EXCEED AMOUNT OF \$1,724,400 FOR A THREE-YEAR BASE TERM**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) issued a Request for Proposals (RFP) to provide the services of a Systems Safety Specialist for the CalMod Program; and

WHEREAS, in response to the JPB's RFP, only one response was received, which was deemed inadequate and was rejected by the Board of Directors at its January 2014 Board meeting, with the understanding that staff would pursue securing these vital services through alternate means; and

WHEREAS, on February 12, 2014, staff received an unsolicited proposal from B&G Transportation Group (B&G) to provide system safety services and also, if needed, to provide other critical safety services to the JPB; and

WHEREAS, B&G includes consultants who have previously performed safety work for the JPB on various Caltrain projects and the proposed key personnel of B&G have the demonstrated ability and the desired professional qualifications, proven experience and safety expertise in successfully developing and implementing project safety and security certification, hazard analysis, and system safety programs on behalf of the owner on projects of similar complexity to the CalMod Program; and

WHEREAS, B&G's proposed project team also has extensive safety experience on large, complex, and highly integrated rail system projects involving electrified vehicles,

overhead catenary systems, traction power substations, signals and communications in the United States and has the proven ability to work with regulatory agencies such as the Federal Railroad Administration, Federal Transit Administration (FTA) , and California Public Utilities Commission, all of which are critical to the success of the CalMod Program; and

WHEREAS, the two key personnel that are proposed to be assigned to this project possess over 65 years of industry experience and have the specialized knowledge to effectively address the safety critical tasks required within the CalMod Program Project scope and will also be a valuable resource in supporting the JPB's continuous commitment to improve Caltrain's system safety program; and

WHEREAS, for the foregoing reasons, staff has determined that B&G is qualified to be selected for contract award and the JPB has successfully completed negotiations on contractual terms and conditions, as well as on price, with B&G; and

WHEREAS, in accordance with FTA requirements, staff has performed a cost and price analysis and determined that the negotiated costs are fair, reasonable and consistent with prices for similar services under other Caltrain contracts and contracts for similar services at other transportation agencies; and

WHEREAS, Staff Coordinating Council (SCC) recommends that a contract for system safety services for the CalMod Program be awarded to B&G, for a three-year base term for a not-to-exceed amount of \$1,724,400 with up to two 2-year option terms for a total aggregate not-to-exceed amount of \$2,299,200.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the JPB hereby awards a contract for system safety services for the CalMod Program be awarded to B&G Transportation Group, for a three-year base term for a not-to-exceed amount of \$1,724,400; and

BE IT FURTHER RESOLVED the Board of Directors authorizes the Executive Director, or his designee, to exercise up to two 2-year option terms to the contract with B&G, in a total aggregate not-to-exceed amount of \$2,299,200 if it is in the best interest of the JPB; and

BE IT FURTHER RESOLVED the Executive Director, or his designee, is authorized to execute a contract on behalf of the JPB with B&G, in full conformity with the terms and conditions of the negotiated agreement.

Regularly passed and adopted this 6th day of March, 2014 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

Marian Lee
Executive Officer
Caltrain Modernization

SUBJECT: **AUTHORIZE AWARD OF CONTRACT FOR ELECTRIC MULTIPLE UNIT (EMU) RAIL
VEHICLE SUPPORT SERVICES FOR CALTRAIN MODERNIZATION (CALMOD)
PROGRAM**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract for on-call, no guaranteed level-of-services, Electric Multiple Unit (EMU) rail vehicle support services for the Caltrain Modernization (CalMod) Program for a not-to-exceed amount of \$24,240,000 for a six-year base term to LTK Engineering Services, Inc. (LTK).
2. Authorize the Executive Director, or his designee, to execute a contract with LTK in full conformity with the terms and conditions of the solicitation documents and negotiated agreement.
3. Authorize the Executive Director, or his designee, to exercise up to two 2-year option terms for an aggregate not-to-exceed amount of \$8,969,000, if it is in the best interest of the Peninsula Corridor Joint Powers Board (JPB).
4. Authorize the Executive Director, or his designee, to exercise an option for LTK to study and design the Centralized Equipment Maintenance and Operations Facility (CEMOF) and other operations and maintenance facility modifications necessary to support EMU vehicles, and to provide preliminary design for electrification of the maintenance yard, for a not-to-exceed amount of \$3,636,000, if it is in the best interest of the JPB.
5. Authorize the Executive Director aggregate change order authority of up to 15 percent of the total Board authorized contract amount.

SIGNIFICANCE

Approval of the above actions will benefit the JPB by making available the most qualified firm to provide EMU rail vehicle support services to the JPB for the CalMod Program on an on-call basis. Award of this contract will not obligate the JPB to purchase any specific level of service from LTK, as work directives will be issued on a task-by-task, as-needed basis.

BUDGET IMPACT

Work directives issued under this contract will contain a defined scope of services, a separate schedule and an approved budget. Funding for the work directives will come from prior and future years' approved capital budgets.

BACKGROUND

The CalMod Program is the JPB's approximately \$1.5 billion Early Investment Program in the Peninsula Rail Corridor consisting of (1) installation of an advanced signal system (Communications-based Overlay Signal System (CBOSS)/Positive Train Control (PTC)), (2) electrified Caltrain service by 2019 and (3) procurement of electric multiple unit (EMU) rail vehicles. The early investment program also will be designed to support the Blended System with the California High-speed Rail Authority (CHSRA) in the future.

The JPB intends to use its best efforts to ensure delivery of the corridor electrification and the EMU projects on an expedited basis and with a target completion date no later than 2019.

The JPB requires a firm with specialized expertise to provide technical oversight, design reviews and EMU procurement planning services for the JPB's procurement and maintenance of EMU vehicles for the CalMod Early Investment Program. The firm will function as the JPB's project manager and technical expert on all EMU vehicle procurement, design, manufacturing, delivery, testing, commissioning, safety, warranty and related systems integration matters. The firm will be required to seamlessly and effectively perform its scope of services with all members of the CalMod owner's representative team, with all stakeholders, and with all contractors who are awarded contracts to perform work related to corridor electrification, EMU vehicles, CBOSS/PTC, Capital Improvement Projects and State of Good Repair corridor improvements. The EMU rail vehicle team will support delivery and execution for the CalMod Program. The firm will become integral members of the CalMod owner's representative team, working closely with the JPB personnel and other JPB consultants that make up the team.

A Request for Proposals was issued to identify firms to provide the services of EMU rail vehicle support services for the CalMod Program for a six-year base term, with two 2-year option terms. Staff advertised the requirements on the JPB's procurement website and in a newspaper of general circulation. Notifications went out to interested vendors that were registered in the procurement database and Disadvantaged Business Enterprises (DBEs) in the engineering and transportation consulting industries. The JPB received a single proposal.

In accordance with State and Federal law governing the procurement of engineering contracts, first the technical proposal was evaluated to determine if the proposer was qualified, after which price and terms and conditions were negotiated. An Evaluation Committee (Committee) composed of qualified staff reviewed and scored the proposal in accordance with the following weighted criteria:

- Firm Qualifications and Experience 20%
- Organization Chart 10%
- Key Personnel, Qualifications and Experience 40%
- Approach to Services 30%

The proposer was determined to be qualified and was invited for an interview. Upon completion of the interview, checking of references, financial review, and final scoring of the proposal, the Committee came to a consensus scoring.

Staff determined that LTK is qualified to be selected for contract award as it possesses the requisite depth of experience and has the required qualifications and expertise to successfully perform EMU rail vehicle support services for the CalMod Program.

The JPB has completed negotiations with LTK on contractual terms and conditions, as well as price. Pursuant to a cost analysis, in compliance with Federal Transit Administration requirements, staff concludes that LTK's negotiated costs are fair and reasonable.

Authorization of the Executive Director to exercise the option for the study and design of the CEMOF and other operations and maintenance facility modifications for EMU serviceability and for the preliminary design for electrification of the maintenance yard will allow the flexibility to support these design efforts under the EMU services contract.

The 15 percent change order authority for the Executive Director is requested to allow the flexibility to address any scope changes that may arise during the implementation of this complex and large scale EMU rail vehicle support services contract for the CalMod Program.

The JPB's DBE Officer reviewed LTK's proposal and determined that it was responsive to the JPB's DBE requirements. LTK intends to perform this contract with a team of five subconsultants (two of which are DBEs) and it has made a commitment to ensure meaningful DBE participation throughout the life of this contract.

Sr. Contract Officer: Alicia Fraumeni 650.508.6442
Project Manager: Marian Lee, Executive Officer, CalMod 650.622.6843

RESOLUTION NO. 2014 -

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

* * *

AUTHORIZING AWARD OF ON-CALL CONTRACT TO
LTK ENGINEERING SERVICES, INC.
FOR ELECTRIC MULTIPLE UNIT (EMU) RAIL VEHICLE SUPPORT SERVICES FOR
CALTRAIN MODERNIZATION (CALMOD) PROGRAM
FOR A NOT-TO-EXCEED AMOUNT OF \$24,240,000 FOR A SIX-YEAR BASE TERM

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) issued a Request for Proposals (RFP) to provide on-call EMU rail vehicle support services for the CalMod Program; and

WHEREAS, in response to the JPB's RFP, one firm, LTK Engineering Services, Inc. (LTK) of Ambler, PA submitted a proposal; and

WHEREAS, an Evaluation Committee (Committee) composed of qualified JPB staff reviewed and scored the proposal against the criteria set forth in the RFP and conducted interviews with the firm; and

WHEREAS, staff and legal counsel have reviewed the LTK proposal and determined that it complies with the requirements of the solicitation documents; and

WHEREAS, staff determined that LTK is qualified to be selected for contract award, as it possesses the requisite depth of experience and has the required qualifications and expertise to successfully perform EMU rail vehicle support services for the CalMod Program; and

WHEREAS, the JPB has successfully completed negotiations on contractual terms and conditions with LTK; and

WHEREAS, in accordance with Federal Transit Administration requirements, staff has performed a cost analysis and determined that the negotiated costs proposed are fair and reasonable; and

WHEREAS, Staff Coordinating Council (SCC) recommends a contract for on-call EMU rail vehicle support services for the CalMod Program be awarded to LTK, for a six-year base term for a not-to-exceed amount of \$24,240,000 with up to two 2-year option terms for a total aggregate not-to-exceed amount of \$8,969,000; and

WHEREAS, SCC recommends the Executive Director be authorized to exercise an option for the study and design of the Centralized Equipment Maintenance and Operations Facility and other operations and maintenance facility modifications necessary to support the new EMU vehicles, and to provide preliminary design for electrification of the maintenance yard, for a not-to-exceed amount of \$3,636,000 to allow the flexibility to support these design efforts under the EMU services contract; and

WHEREAS, SCC also recommends the Executive Director be authorized with change order authority of up to 15 percent of the total authorized contract amount to allow the flexibility to address any scope changes that may arise during the development of this complex and large scale EMU rail vehicle support services contract.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors (Board) of the JPB hereby awards a contract for on-call EMU rail vehicle support services for the CalMod Program to LTK for a six-year base term for the not-to-exceed amount of \$24,240,000 with the understanding that the JPB is under no obligation to purchase any specific level of service from LTK and that individual work directives will be issued on a task-by-task basis, taking into account factors such as work priorities, specialized expertise, cost and availability of funding; and

BE IT FURTHER RESOLVED the Board authorizes the Executive Director, or his designee, to exercise up to two 2-year option terms to the contract with LTK, in a total aggregate not-to-exceed amount of \$8,969,000 if it is in the best interest of the JPB; and

BE IT FURTHER RESOLVED the Board authorizes the Executive Director, or his designee, to exercise the option to the contract with LTK for additional study and design services, as recited above, in a total not-to-exceed amount of \$3,636,000, if it is in the best interest of the JPB; and

BE IT FURTHER RESOLVED the Executive Director, or his designee, is authorized to execute a contract on behalf of the JPB with LTK, in full conformity with the terms and conditions of the solicitation documents and negotiated agreement; and

BE IT FURTHER RESOLVED the Board authorizes the Executive Director, or his designee, to authorize amendments to the contract with LTK in the aggregate amount up to 15 percent of the total Board authorized contract amount.

Regularly passed and adopted this 6th day of March, 2014 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: **AUTHORIZING AWARD OF CONTRACT FOR ON-CALL GENERAL
ENGINEERING CONSULTANT DESIGN-REVIEW SERVICES**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract for on-call General Engineering Consultant (GEC) design-review services for a not-to-exceed amount of \$1,500,000 for a three-year base term to TranSystems Corporation.
2. Authorize the Executive Director, or his designee, to execute a contract with the firm above in full conformity with the terms and conditions of the solicitation documents and negotiated agreement.
3. Authorize the Executive Director, or his designee, to exercise up to two additional one-year option terms, with an aggregate not-to-exceed amount of \$1,000,000, if it is in the best interest of the Peninsula Corridor Joint Powers Board (JPB).

SIGNIFICANCE

Approval of the above actions will provide the JPB with a ready mechanism to deliver multi-discipline engineering design-review services for the JPB Capital Program. These on-call services will be conducted on an as-needed basis. Award of this contract will not obligate the JPB to purchase any specific level of service.

BUDGET IMPACT

Work directives issued authorizing tasks under this contract will contain a defined scope of services, with a discrete schedule and budget. Funds assigned to those work directives will come from approved capital and/or operating budgets. A variety of funding mechanisms and sources are used for each project and may include Federal, State, and local sources.

BACKGROUND

At the August 2, 2012 JPB meeting, the Board approved the SCC's recommendation to

reject all proposals submitted in response to its Request for Proposals (RFP) for GEC design services and for GEC design-review services. The SCC made this recommendation because it had been made aware of alleged irregularities in the solicitation process and desired to make certain that the process avoided even the appearance of any impropriety and provided maximum opportunities for proposers to participate in the competition for award of either contract. The Board authorized staff to resolicit proposals for both services. At its April 4, 2013 meeting, the Board approved two contracts for design services. Recommendation for award of the GEC design-review services contract is the subject of this report.

A solicitation for GEC design-review services was issued and advertised in a newspaper of general circulation and on the JPB's procurement website. Solicitation notices also were sent to Small and Disadvantaged Business Enterprises (SBEs/DBEs) in the relevant fields. The JPB received five proposals. An Evaluation Committee (Committee) composed of qualified staff and a participant from Bay Area Rapid Transit (BART) reviewed and scored the proposals in accordance with the following weighted criteria:

- Subconsultant Management Plan 10%
- Administration Systems 15%
- Quality Control Plan 15%
- Qualifications and Experience of Key Personnel 25%
- Qualifications and Experience of Firm 35%

All proposals received were responsive to the RFP and the two highest-ranked firms were invited for an interview. Upon completion of the interviews, checking of references, financial reviews, and the final scoring of proposals, the Committee came to a consensus scoring. The firms are listed below in the order of their respective rankings:

1. TranSystems Corp.
2. Hatch, Mott, MacDonald
3. Burns Engineering, Inc.
4. Anil Verma Associates, Inc.
5. Bureau Veritas North America, Inc.

The JPB has completed negotiations with TranSystems Corp. of Oakland, California. TranSystems Corp. has the requisite depth of experience and required qualifications to successfully perform the proposed contract.

The DBE officer reviewed all of the proposals and determined that all proposers met the requirements of the JPB's DBE Program. TranSystems Corp. intends to perform its contract with a team of five subconsultants, including three DBE firms. The overall level of DBE participation in this contract is expected to be meaningful and will assist the JPB in meeting its DBE program objectives.

Contract Officer: Patrick May
Project Manager: Bernard Susanto

650.508.7732
650.508.6435

RESOLUTION NO. 2014 -

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

* * *

**AUTHORIZING AWARD OF CONTRACT TO
TRANSYSTEMS CORPORATION FOR ON-CALL
DESIGN-REVIEW SERVICES FOR UP TO
\$1,500,000 FOR A THREE-YEAR TERM**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) issued a Request for Proposals (RFP) to provide on-call General Engineering Consultant (GEC) design-review services; and

WHEREAS, in response to the RFP, proposals were received from five firms; and

WHEREAS, an Evaluation Committee has reviewed and initially scored proposals, conducted interviews with the two firms in the competitive range, and ranked the proposals according to the evaluation criteria set forth in the RFP, and determined that TranSystems Corporation of Oakland, CA received the highest consensus ranking; and

WHEREAS, staff and Legal Counsel have reviewed the TranSystems Corp. proposal and determined that it complied with the requirements of the solicitation documents; and

WHEREAS, Staff Coordinating Council recommends that a contract for on-call GEC design-review services be awarded to TranSystems Corporation for a three-year base term for up to \$1,500,000, with the understanding that there is no guaranteed level of effort or amount of compensation due to TranSystems Corporation under the contract.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors (Board) of the JPB hereby awards a contract for on-call, no guaranteed level of effort GEC design-review

services to TranSystems Corporation of Oakland, CA for a three-year base term for up to \$1,500,000; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is authorized to execute a contract on behalf of the JPB with TranSystems Corporation, in full conformity with the terms and conditions of the solicitation documents and negotiated agreement; and

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director, or his designee, to exercise up to two additional, one-year option terms to the contract with TranSystems Corporation, in an aggregate amount of up to \$1,000,000, if in the best interest of the JPB.

Regularly passed and adopted this 6th day of March, 2014 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

interested firms, Small Business Enterprises (SBEs) and Disadvantaged Business Enterprises (DBEs). Staff received proposals from two firms, neither of which are SBEs or DBEs.

An Evaluation Committee (Committee) composed of qualified staff and outside experts with experience in community and legislative advocacy for public transit agencies reviewed and ranked proposals according to the following weighted criteria set forth in the RFP:

- Approach to Scope of Services 15 points
- Qualifications and Experience of Firm 35 points
- Qualifications and Experience of Management Team and Key Personnel 30 points
- Cost Proposal 20 points

After the initial evaluation and scoring, the Committee performed due diligence by conducting reference checks. Following reference checks, the Committee completed the final evaluation and consensus ranking. The final consensus ranking result is summarized below:

1. Shaw/Yoder/Antwih, Inc., and Edelstein Gilbert Robson & Smith, LLC
2. Khouri Consulting

Both Shaw/Yoder/Antwih, Inc. and Edelstein Gilbert Robson & Smith, LLC have developed State legislative advocacy practices that are complementary and therefore would allow their combined expertise and resources to be leveraged on multiple fronts on behalf of the JPB and its advocacy interests in Sacramento. They have built their reputation on offering their public transit clients salient and tailored representation that advances the clients' State legislative advocacy priorities. The overall team configuration and resource allocation strategy presented in the team's proposal would ensure more efficient and proactive response to the JPB's State legislative advocacy needs in ways that are more likely to achieve successful outcomes. Key personnel assigned to the JPB's account have unparalleled track record of delivering policy and funding success for the JPB and the District.

This background demonstrates that the combined team has the requisite depth of knowledge and experience in State policy and legislative advocacy services for the successful advocacy of the JPB's State transportation priorities. Shaw/Yoder/Antwih and Edelstein Gilbert Robson & Smith will provide all of the required services with its own staff and will not engage any subconsultants.

Edelstein & Gilbert/ Shaw/Yoder, joint venture currently provides State legislative advocacy services to the JPB. The value of the JPB's current contract is \$332,650 for a five-year agreement.

Contract Officer: Adwoa Oni 650-508-6411
Project Manager: Seamus Murphy, Director, Government and 650-508-6388
Community Affairs

RESOLUTION NO. 2014-

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

* * *

AUTHORIZING AWARD OF CONTRACT
TO SHAW/YODER/ANTWIH, INC. AND EDELSTEIN GILBERT ROBSON & SMITH, LLC FOR STATE
LEGISLATIVE ADVOCACY SERVICES
FOR A FIRM-FIXED PRICE OF \$402,974 FOR A FIVE-YEAR TERM

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) jointly with the San Mateo County Transit District and the San Mateo County Transportation Authority solicited competitive proposals to provide State legislative advocacy services; and

WHEREAS, in response to the joint Request for Proposals (RFP) two firms submitted proposals; and

WHEREAS, an Evaluation Committee (Committee) composed of qualified staff and outside experts reviewed the proposals, ranked the proposers according to the evaluation criteria set forth in the RFP, and found Shaw/Yoder/Antwih, Inc., and Edelstein Gilbert Robson & Smith, LLC (Shaw) of Sacramento, CA to be the highest consensus-ranked proposer; and

WHEREAS, the Committee determined that Shaw possesses in-depth knowledge of the subject matter and broad legislative networks, and would therefore provide the best legislative advocacy services to the JPB; and

WHEREAS, legal counsel has reviewed Shaw's proposal and determined that it complies with the requirements of the solicitation documents; and

WHEREAS, Staff Coordinating Council (SCC) recommends and the Executive Director concurs that a five-year contract for State legislative advocacy services be awarded to Shaw for a total firm-fixed price of \$402,974.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors (Board) of the JPB hereby awards a contract for State legislative advocacy services to Shaw for a five-year term for a firm-fixed price of \$402,974; and

BE IT FURTHER RESOLVED the Board authorizes the Executive Director or designee to execute a contract on behalf of the JPB with Shaw in full conformity with all of the terms and conditions of the contract documents, and in a form approved by legal counsel.

Regularly passed and adopted this 6th day of March, 2014 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: **AUTHORIZE A NOT-TO-EXCEED \$196,000 INCREASE IN THE EXECUTIVE DIRECTOR'S CHANGE ORDER AUTHORITY FOR ADDITIONAL WORK NEEDED FOR THE SAN MATEO BRIDGES – ADVANCED SITE PREPARATION (13-PCJPB-C-046).**

ACTION

Staff Coordinating Council (SCC) recommends the Board approve an increase of \$196,000 in the Executive Director's change order authority for the contract for San Mateo Bridges – Advanced Site Preparation with Community Tree Service (CTS) Inc.

SIGNIFICANCE

The purpose of this public works contract is to complete the tree removal within project limits to allow the San Mateo Bridges Replacement Project to go forward. Approval of this increase in the Executive Director's change order authority will allow issuance of change orders that enable this contract to effectively and efficiently complete the higher volume of tree removal work that has been identified as necessary under the contract.

BUDGET IMPACT

There is no impact to the capital budget resulting from this action. Funding has been approved for the Project in prior year capital budgets. There is remaining budget authority in the project to fund all anticipated contract change orders.

BACKGROUND

The construction contractor on the San Mateo Bridges – Advanced Site Preparation Project is CTS. The scope of the Project is to remove all trees through the project limits in advance of the future bridge replacement project.

The original value of the contract is \$375,000. The original change order authority of the Executive Director for the project was 10 percent of the total contract amount, or \$37,500. A total of \$26,880 in change orders has been executed to date. The project manager estimates additional change orders in the approximate amount of \$206,200, which consist of changes due to differing site conditions such as dense vegetation which, when cleared, revealed additional trees that needed to be cut. The combined total for executed and

additional change orders exceeds the Executive Director's change order authority by \$196,000. An increase of \$196,000 in the Executive Director's change order authority will enable execution of essential change orders without delay to achieve the completion of the construction contract.

The total amount forecasted for change orders on the San Mateo Bridges – Advanced Site Preparation Project is expected to exceed the Executive Director's contract authority primarily due to two factors:

1. Additional removal of trees from the project area not identified during the design phase. Due to significant overgrowth of vegetation, and strong community concern regarding the work, the design team was unable to clear enough vegetation to accurately identify the number of trees present. Furthermore, some additional trees need to be removed that were not previously identified as they are growing just off JPB property, but the canopy will be in conflict with the planned future work. Agreements have been reached with the owners of the trees that are off JPB property that will allow them to be cut.
2. There is an abandoned Southern Pacific aerial communication cable through the project limits. The cable, originally considered unaffected by the tree removal work, has been determined to hinder the tree removal process and needs to be removed.

Project Manager: Patrick Kitto, Engineer

650.393.9202

RESOLUTION NO. 2014-

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

* * *

**AUTHORIZE A NOT-TO-EXCEED \$196,000 INCREASE IN THE EXECUTIVE DIRECTOR'S
CHANGE ORDER AUTHORITY FOR ADDITIONAL WORK NEEDED FOR THE SAN MATEO
BRIDGES PROJECT - ADVANCED SITE PREPARATION CONTRACT WITH
COMMUNITY TREE SERVICE, INC.**

WHEREAS, on October 3, 2013, pursuant to Resolution No. 2013-44, the Peninsula Corridor Joint Powers Board (JPB) awarded a contract to Community Tree Services of Watsonville, California, for the San Mateo Bridges Project – Advanced Site Preparation for a total cost of \$375,000; and

WHEREAS, the original change order authority of the Executive Director for the Project was 10 percent of the total contract amount, or \$37,500; and

WHEREAS, a total of \$26,880 in Project change orders has been executed to date; and

WHEREAS, staff encountered unanticipated site conditions and estimates approximately \$206,200 in additional change orders will be required to remove additional trees and an abandoned aerial communications cable that will now hinder the tree removal process; and

WHEREAS, the combined total for executed and anticipated change orders to complete this project exceeds the Executive Director's change order authority by \$196,000; and

WHEREAS, the Staff Coordinating Council recommends the Executive Director's change order authority be increased in an amount not-to-exceed \$196,000 to enable the execution of projected essential change orders without delay to the completion of the Project.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the JPB hereby authorizes an increase in the Executive Director's change order authority for the San Mateo Bridges Project – Advance Site Preparation Contract in an amount not-to-exceed \$196,000.

Regularly passed and adopted this 6th day of March, 2014 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: April Chan
Executive Officer, Planning and Development

SUBJECT: **AUTHORIZATION TO APPLY FOR TRANSIT PERFORMANCE INITIATIVE
INCENTIVE PROGRAM FUNDS**

ACTION

The Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director, or his designee:

1. Submit an application for Transit Performance Incentive (TPI) funding to the Metropolitan Transportation Commission (MTC) for \$1,419,776 million to help fund the installation of a new control point on the Caltrain mainline in San Carlos and the roll-out of an off-peak marketing campaign; and
2. Execute a subsequent funding agreement with MTC and provide any other documentation required to receive the Federal funds; and
3. Take such other actions as may be necessary, including executing any agreements, certifications and assurances or other documentation required in order to receive the TPI funds.

SIGNIFICANCE

The Peninsula Corridor Joint Powers Board (JPB) is slated to receive \$1,419,776 in formula funds from the MTC TPI Program. The funds are proposed to be used for two projects: the installation of a new control point along the Caltrain mainline in San Carlos and the roll-out of a Caltrain off-peak marketing campaign. The new control point, once installed, will provide greater operational flexibility in a critical stretch of track, allowing Caltrain to respond to unplanned outages and reducing delays experienced by customers. The flexibility provided by this project will also support the efficient delivery of construction projects along the right of way.

The off-peak marketing campaign will seek to increase off-peak ridership by targeting potential riders through a variety of media channels, such as radio, targeted print ads, social media and possibly television.

The proposed projects are consistent with the intent of the MTC TPI Program since they will help to increase Caltrain's overall reliability and support ridership growth.

BUDGET IMPACT

The total cost of the control point project is \$5 million and \$1.36 million in TPI funds will support the initial engineering design and procurement phases of the project. The marketing campaign is estimated at \$50,000. Both of these will be included in the Fiscal Year (FY) 2015 budgets.

The TPI requires a total local match of 11.47 percent (\$183,947). The match is anticipated to be comprised of JPB member agency funds, which will be considered as part of the budget development process.

BACKGROUND

The TPI, administered by the MTC, provides financial rewards to the region's large transit operators based on demonstrated improvements in ridership and/or productivity. Funds in the TPI Program are distributed through a formula based on annual increases in ridership and increases in passengers per revenue hour. The JPB's formula share of TPI funds for FY2013 and FY2014 is \$1,419,776.

In order to distribute the funds to the JPB, the MTC requires the Board of Directors to adopt a resolution, in a form approved by the MTC, authorizing the filing of an application for TPI funds, committing any necessary matching funds and stating the assurance to complete the project.

Prepared by: Peter Skinner, Senior Grants Analyst

650.622.7818

RESOLUTION NO. 2014-

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

* * *

AUTHORIZING THE FILING OF AN APPLICATION FOR TRANSIT PERFORMANCE INCENTIVE FUNDS ASSIGNED TO MTC AND COMMITTING ANY NECESSARY MATCHING FUNDS AND STATING THE ASSURANCE TO COMPLETE THE PROJECT

WHEREAS, the Peninsula Corridor Joint Powers Board (herein referred to as Applicant) is submitting an application to the Metropolitan Transportation Commission (MTC) for \$1,419,776 in funding assigned MTC for programming discretion, including but not limited to Federal funding administered by the Federal Highway Administration (FHWA) such as Surface Transportation Program (STP) funding, Congestion Mitigation and Air Quality Improvement (CMAQ) funding and/or Transportation Alternatives (TA) funding (herein collectively referred to as Regional Discretionary Funding) for the Financial Support for Implementation of the Caltrain rail crossover project and the off-peak marketing campaign (herein referred to as Project) for the MTC Transit Performance Initiative (herein referred to as Program); and

WHEREAS, the Moving Ahead for Progress in the 21st Century Act (MAP-21) (Public Law 112-141, July 6, 2012) and any extensions or successor legislation for continued funding (collectively, MAP-21) authorize various Federal funding programs including, but not limited to the Surface Transportation Program (STP) (23 U.S.C. § 133), the Congestion Mitigation and Air Quality Improvement Program (CMAQ) (23 U.S.C. § 149) and the Transportation Alternatives Program (TA) (23 U.S.C. § 213); and

WHEREAS, State statutes, including California Streets and Highways Code 182.6 and 182.7 provide various funding programs for the programming discretion of the Metropolitan Planning Organization (MPO) and the Regional Transportation Planning Agency (RTPA); and

WHEREAS, pursuant to MAP-21, and any regulations promulgated thereunder, eligible project sponsors wishing to receive Federal funds for a project shall submit an application first with the appropriate MPO for review and inclusion in the MPO's Transportation Improvement Program (TIP); and

WHEREAS, MTC is the MPO and RTPA for the nine counties of the San Francisco Bay region; and

WHEREAS, MTC has adopted a Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) that sets out procedures governing the application and use of Federal funds; and

WHEREAS, Applicant is an eligible sponsor for Regional Discretionary Funding; and

WHEREAS, as part of the application for Regional Discretionary Funding, MTC requires a resolution adopted by the responsible implementing agency stating the following:

1. The commitment of any required matching funds of at least 11.47 percent; and
2. That the sponsor understands that the Regional Discretionary Funding is fixed at the programmed amount, and therefore any cost increase cannot be expected to be funded with additional Regional Discretionary Funding; and
3. That the project will comply with the procedures, delivery milestones and funding deadlines specified in the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised); and
4. The assurance of the sponsor to complete the project as described in the application, and if approved, as included in MTC's federal Transportation Improvement Program (TIP); and
5. That the project will comply with all project-specific requirements as set forth in the Program; and
6. That the project (transit only) will comply with MTC Resolution No. 3866, revised, which sets forth the requirements of MTC's Transit Coordination Implementation Plan to more efficiently deliver transit projects in the region.

NOW, THEREFORE, BE IT RESOLVED that the Applicant is authorized to execute and file an application for funding for the Project for Regional Discretionary Funding under MAP-21 for continued funding; and

BE IT FURTHER RESOLVED that the Applicant by adopting this resolution does hereby state that:

1. Applicant will provide \$183,947 in matching funds; and

2. Applicant understands that the Regional Discretionary Funding for the project is fixed at the MTC approved programmed amount, and that any cost increases must be funded by the Applicant from other funds, and that Applicant does not expect any cost increases to be funded with additional Regional Discretionary Funding; and

3. Applicant understands the funding deadlines associated with these funds and will comply with the provisions and requirements of the Regional Project Funding Delivery Policy (MTC Resolution No. 3606, revised) and Applicant has, and will retain the expertise, knowledge and resources necessary to deliver Federally-funded transportation projects, and has assigned, and will maintain a single point of contact for all FHWA-funded transportation projects to coordinate within the agency and with the respective Congestion Management Agency (CMA), MTC, Caltrans and FHWA on all communications, inquires or issues that may arise during the Federal programming and delivery process for all FHWA-funded transportation projects implemented by Applicant; and

4. Project will be implemented as described in the complete application and in this resolution and, if approved, for the amount approved by MTC and programmed in the Federal TIP; and

5. Applicant and the Project will comply with the requirements as set forth in MTC programming guidelines and project selection procedures for the Program; and

6. Applicant (for a transit project only) agrees to comply with the requirements of MTC's Transit Coordination Implementation Plan as set forth in MTC Resolution 3866, revised; and

BE IT FURTHER RESOLVED Applicant is an eligible sponsor of Regional Discretionary Funding funded projects; and

BE IT FURTHER RESOLVED Applicant is authorized to submit an application for Regional Discretionary Funding for the Project; and

BE IT FURTHER RESOLVED that there is no legal impediment to Applicant making applications for the funds; and

BE IT FURTHER RESOLVED there is no pending or threatened litigation that might in any way adversely affect the proposed Project, or the ability of Applicant to deliver such Project; and

BE IT FURTHER RESOLVED Applicant authorizes its Executive Director, or designee to execute and file an application with MTC for Regional Discretionary Funding for the Project as referenced in this resolution; and

BE IT FURTHER RESOLVED a copy of this resolution will be transmitted to the MTC in conjunction with the filing of the application; and

BE IT FURTHER RESOLVED the MTC is requested to support the application for the Project described in the resolution and to include the Project, if approved, in MTC's Federal TIP.

Regularly passed and adopted this 6th day of March, 2014 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: April Chan
Executive Officer, Planning and Development

SUBJECT: **AUTHORIZE THE APPLICATION AND EXECUTION OF A FUNDING
AGREEMENT FOR SAN MATEO COUNTY SHUTTLE PROGRAM FUNDS**

ACTION

Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director, or his designee, to submit a grant application and execute a funding agreement with the San Mateo County Transportation Authority (TA) and/or the San Mateo City/County Association of Governments (C/CAG) for San Mateo County Shuttle Program funds.

SIGNIFICANCE

Every two years, the Peninsula Corridor Joint Powers Board (JPB) applies for financial assistance from the TA and C/CAG, through the San Mateo County Shuttle Grant Program, to help support Caltrain shuttle operations. Approval of this item will authorize the Executive Director, or his designee, to apply for and enter into a two-year funding agreement with the TA and/or C/CAG to receive a total of approximately \$2.5 million in funding for Fiscal Year (FY) 2015 and FY2016. A local match of 25 percent is required.

In addition to the TA/C/CAG funds, Caltrain shuttle operations have been supported by funding from the Bay Area Air Quality Management District's Transportation Fund for Clean Air, employers and JPB local funds.

BUDGET IMPACT

There is no budget impact from this action at this time. The Shuttle Program funds, along with the required local match, if approved, will be included in the annual adoption of the JPB's operating budget in FY2015 and FY2016.

BACKGROUND

Caltrain operates 34 shuttle routes linking Caltrain stations to key employment sites in San Mateo, Santa Clara and San Francisco counties. Out of these 34 routes, 15 of them are located in San Mateo County and have been funded through the San Mateo County Shuttle Program. Attachment A lists these shuttle routes.

The San Mateo County Shuttle Program is funded through Measure A, a half-cent sales tax in San Mateo County, and the C/CAG Local Transportation Services Program under the Countywide Congestion Relief Plan.

Prepared by: Peter Skinner, Senior Grants Analyst

650.622.7818

Attachment A

Number	Shuttle Name	Caltrain Station Served	Notable Employers Served
1.	Bayshore/Brisbane	Bayshore	Bebe, Monster Cable, Aircraft Technical Publishers
2.	Belmont/Hillsdale	Belmont & Hillsdale	Connects the Belmont and Hillsdale stations during times of express service when stops at Belmont are skipped
3.	Bridge Park	San Carlos	Sofitel, Twin Dolphin, Electronic Arts
4.	Broadway/Millbrae	Broadway & Millbrae Transit Center	Connects the Broadway and Millbrae stations when stops at Broadway are skipped
5.	Burlingame Bayside	Millbrae Transit Center	Hilton, Hyatt, Marriott
6.	Campus (Hillsdale)	Hillsdale	Peninsula Office Park
7.	Clipper	San Carlos	Sofitel, Twin Dolphin, Electronic Arts, Nikon
8.	Electronic Arts	Hillsdale & San Carlos	Electronic Arts
9.	Genentech/Gateway/Main	Millbrae Transit Center	Genentech
10.	Lincoln Centre	Hillsdale	Sheraton, EFI, Life Science
11.	Mariners Island	Hillsdale	Franklin Templeton, Tower Lane Business Park
12.	Norfolk	Hayward Park	Bayshore Corporation, Atrium Business Park, Waters Business Park
13.	Oracle	Hillsdale & San Carlos	Oracle
14.	Pacific Shores	Redwood City	Dreamworks, Serena Software, Zazzle, Abbot
15.	Sierra Point	Millbrae Transit Center	Hitachi

RESOLUTION NO. 2014-

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

* * *

**AUTHORIZING THE APPLICATION AND EXECUTION OF A FUNDING AGREEMENT
FOR SAN MATEO COUNTY SHUTTLE PROGRAM FUNDS**

WHEREAS, on November 2, 2004, the voters of San Mateo County approved the continuation of the collection and distribution by the San Mateo County Transportation Authority (TA) of a half-cent transactions and use tax for 25 years to implement the 2004 Transportation Expenditure Plan beginning January 1, 2009 (Measure A); and

WHEREAS, the Board of Directors of the City/County Association of Governments (C/CAG) of San Mateo County at its February 14, 2002 meeting approved the Congestion Relief Plan and subsequently reauthorized the Congestion Relief Plan in 2007 and 2010; and

WHEREAS, a component of the C/CAG Congestion Relief Plan and the TA Measure A Expenditure Plan is to support local and employer based shuttle programs through the San Mateo County Shuttle Grant Program; and

WHEREAS, the TA and C/CAG require agencies seeking funds from the San Mateo County Shuttle Program to provide a governing board resolution in support of the project; and

WHEREAS, the Caltrain Shuttle Program serves San Mateo County commuters by providing a last-mile transit connection between Caltrain stations and major employment centers; and

WHEREAS, to support the Caltrain Shuttle Program, the Peninsula Corridor Joint Powers Board (JPB) seeks to apply for \$2,509,400 in San Mateo County Shuttle Program funds.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) hereby authorizes the Executive Director, or his designee to file an application and execute and a funding agreement with the TA and the C/CAG for San Mateo County Shuttle Program funds.

BE IT FURTHER RESOLVED the Board commits \$2,130,400 in matching funds from employer contributions, JPB local funds and Bay Area Air Quality Management District

Transportation Fund for Clean Air grant monies through the annual Caltrain operating budget toward the Caltrain Shuttle Program.

BE IT FURTHER RESOLVED the Board authorizes the Executive Director, or his designee, to file any other required documentation and to take any other actions necessary for the purpose of obtaining grant funding through the TA and/or C/CAG for San Mateo County Shuttle Program funds.

Regularly passed and adopted this 6th day of March, 2014 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Mark Simon
Executive Officer, Public Affairs

SUBJECT: **STATE AND FEDERAL LEGISLATIVE UPDATE**

ACTION

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

SIGNIFICANCE

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

STATE ISSUES

Legislation

Friday, February 21 was the deadline for the introduction of State legislation. Several transportation-related bills were introduced including:

Carbon Tax

Senate President Pro Tem Darrell Steinberg introduced Senate Bill (SB) 1156 - Carbon Tax Law of 2014, which would impose a tax on fossil fuels paid by the producers of fuels, including gasoline, propane, natural gas, and ethanol. The money collected from the new tax is proposed to be spent on a State Earned Income Tax Credit for low-income families (approximately two-thirds), as well as a "21st century mass transportation system." The amount of the tax would increase over time, initially starting out at \$15 per ton in 2015.

Many details about the bill are still unknown. While the bill would create a dedicated revenue stream for public transit, concerns have been raised over the fact that the bill would remove oil producers from the provisions of the state's cap-and-trade program.

Design-Build Extension

Senator Jerry Hill introduced SB1433, which extends design-build procurement authorization to any local or regional agency responsible for the construction of transit projects. The bill also removes the requirement that the project costs exceed \$25 million for rail projects and \$2.5 million for non-rail projects. Finally, the bill removes the sunset date of January 1, 2015 allowing design-build procurement authorization indefinitely.

Design-Build Authority

Senator Lois Wolk amended SB785 in an attempt to consolidate existing local and State design-build statutes and eliminate inconsistencies in statutory language by creating a uniform design-build contracting statute. The bill will apply to public works projects managed by State agencies, counties, cities, water municipalities, and transit operators.

Construction Manager/General Contractor

Assembly Member Rich Gordon introduced a clean-up legislation to Assembly Bill (AB) 797, which was signed by the governor last September. AB797 left out a provision allowing the San Mateo County Transit District, and by extension, Caltrain, to continue to operate its existing labor compliance practices. The clean-up legislation will add that provision back in.

FEDERAL ISSUES

Authorization

On February 26, President Obama announced his goal to pass a \$302 billion, four-year transportation bill. The program is financed partly through a \$150 billion corporate tax reform proposal, but the White House has indicated that other revenue solutions would be viable. Current funding authorization expires on September 30 and current gas tax revenues are not sufficient to maintain existing transportation funding levels.

Grants

The U.S. Department of Transportation (USDOT) announced that \$600 million will be available under the Transportation Investment Generating Economic Recovery (TIGER) competitive grant program. Applications are due on April 28. USDOT is offering a series of webinars to guide applicants through the process.

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

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 2-24-14

Bill ID/Topic	Location	Summary	Position
<p>AB 25 Campos D</p> <p>Employment: social media.</p>	<p>SENATE 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was DESK. on 9/12/2013) (Correction)</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.</p> <p>Last Amended on 6/25/2013</p>	

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 2-24-14

Bill ID/Topic	Location	Summary	Position
<p>AB 229 John A. Pérez D</p> <p>Local government: infrastructure and revitalization financing districts.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2013)</p>	<p>Existing law authorizes the creation by a city, county, or city and county of an infrastructure financing district, 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 by a city, county, city and county, or joint powers authority 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 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 the formation of a district to finance a project or projects on a former military base, if specified conditions are met.</p> <p>This bill contains other related provisions. Last Amended on 8/12/2013</p>	
<p>AB 278 Gatto D</p> <p>California Global Warming Solutions Act of 2006: Low Carbon Fuel Standard.</p>	<p>SENATE 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/4/2013)</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 encourage incentives for sustainable fuels produced without food stock or displacement of food crops. Last Amended on 9/3/2013</p>	

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 2-24-14

Bill ID/Topic	Location	Summary	Position
AB 453 Mullin D Sustainable communities.	SENATE 2 YEAR 8/30/2013 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/12/2013)	<p>(1) 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>	
AB 515 Dickinson D Environmental quality: California Environmental Quality Act: writ of mandate.	SENATE E.Q. 2/6/2014 - Referred to Coms. on E.Q. and JUD.	<p>The California Environmental Quality Act requires the court, if the court finds that a public agency has violated the requirements of the act, to issue an order, in the form of a peremptory writ of mandate, specifying what actions by the public agency are necessary to comply with the requirements of the act.</p> <p>This bill would require the writ to specify the time by which the public agency is to make an initial return of the writ containing specified information. Because a public agency would be required to file an initial return of a writ, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 1/6/2014</p>	
AB 543 Campos D California Environmental Quality Act: translation.	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>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 2-24-14

Bill ID/Topic	Location	Summary	Position
<p>AB 616 Bocanegra D</p> <p>Local public employee organizations: dispute: factfinding panel.</p>	<p>SENATE 2 YEAR 8/30/2013 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/13/2013)</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 factfinding 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 factfinding 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 factfinding panel, as specified. The bill would also authorize each party to select a person to serve as its member of the factfinding panel. Last Amended on 6/17/2013</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. 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.</p> <p>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>	Support
<p>AB 1102 Allen R</p> <p>Beach burning: coastal development permit: South Coast Air Quality Management District.</p>	<p>SENATE E.Q. 2/6/2014 - Referred to Coms. on E.Q. and N.R. & W.</p>	<p>Existing law establishes the South Coast Air Quality Management District, vested with the authority to regulate air emissions from statutory sources located in the South Coast Air Basin, and establishes a district board to govern the district.</p> <p>This bill, retroactive to March 1, 2014, would make inoperative an open burning rule that restricts the use or location of a beach fire ring adopted by the south coast district until a public agency with jurisdiction over the area obtains and implements an approved coastal development permit, as specified. The bill would require the public agency to take all necessary steps to ensure that a coastal development permit is obtained and require the coastal development permit be obtained and implemented no more than 2 years after the enactment of the open burning rule. This bill contains other related provisions and other existing laws. Last Amended on 1/17/2014</p>	

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 2-24-14

Bill ID/Topic	Location	Summary	Position
AB 1501 Patterson R High-speed rail.	ASSEMBLY TRANS. 1/23/2014 - Referred to Com. on TRANS.	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes. The federal American Recovery and Reinvestment Act of 2009 (ARRA) and other federal acts provide funding for allocation nationally to high-speed rail projects. The Budget Act of 2012 appropriates federal funds, and state funds in the High-Speed Passenger Train Bond Fund, to the authority for various purposes related to the high-speed rail project, including right-of-way acquisition and construction.</p> <p>This bill would prohibit the authority from expending the federal funds appropriated to the authority pursuant to the Budget Act of 2012 unless state funds appropriated from the High-Speed Passenger Train Bond Fund or from another state funding source are immediately available to the authority for the purpose of providing matching state funds for the federal funds. This requirement would apply regardless of whether the federal government has authorized the expenditure of the federal funds without the immediate availability of the nonfederal match that is a condition for the award of the federal funds. The bill would also make legislative findings and declarations.</p>	Pending
ACA 8 Blumenfield D Local government financing: voter approval.	SENATE G. & F. 7/10/2013 - In committee: Hearing postponed by committee.	<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. 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.</p> <p>This bill contains other related provisions and other existing laws. Last Amended on 4/4/2013</p>	
SB 1 Steinberg D Sustainable Communities Investment Authority.	SENATE 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/12/2013)	<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.</p> <p>Last Amended on 9/3/2013</p>	Support

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 2-24-14

Bill ID/Topic	Location	Summary	Position
<p>SB 11 Pavley D</p> <p>Alternative fuel and vehicle technologies: funding programs.</p>	<p>ASSEMBLY TRANS. 9/11/2013 - Set, first hearing. Hearing canceled at the request of author.</p>	<p>(1) Existing law creates the enhanced fleet modernization program, administered by the Bureau of Automotive Repair in the Department of Consumer Affairs, to provide compensation for the retirement of passenger vehicles, and light-duty and medium-duty trucks that are high polluters. Existing law provides that under this program compensation for retired vehicles for a low-income motor vehicle owner, as defined, is \$1,500, and for all other motor vehicle owners, it is \$1,000. Existing law authorizes this compensation to be increased by the department based on various factors, including the emissions benefits of the vehicle's retirement.</p> <p>This bill would require the state board, in consultation with the bureau and no later than June 30, 2015, to update the guidelines for the enhanced fleet modernization program to include specified elements and to study and consider specified elements. The bill, in addition, would establish compensation for replacement vehicles for low-income vehicle owners at not less than \$2,500 and would make this compensation available to an owner in addition to the compensation for a retired vehicle. The bill also would instead authorize an increase in the compensation under these programs for either retired or replacement vehicles only for low-income motor vehicle owners as necessary to balance maximizing air quality benefits of the program while ensuring participation by low-income motor vehicle owners, as specified. This bill contains other related provisions and other existing laws.</p> <p>Last Amended on 9/6/2013</p>	<p>Support</p>
<p>SB 33 Wolk D</p> <p>Infrastructure financing districts: voter approval: repeal.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2013)</p>	<p>(1) 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 nontaxing 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 prohibit a district from financing any project or portion of a project within the boundaries of a former redevelopment agency until the successor agency to the former redevelopment agency has received a finding of completion. The bill would create a public accountability committee, as specified, to review the actions of the public financing authority.</p> <p>This bill contains other related provisions and other existing laws. Last Amended on 8/26/2013</p>	

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 2-24-14

Bill ID/Topic	Location	Summary	Position
<p>SB 556 Corbett D</p> <p>Agency: ostensible: nongovernmental entities.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2013)</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 nongovernmental entity and contracts to perform labor or services relating to public health or safety for a public entity from displaying on a vehicle or uniform a logo, as defined, 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 9/4/2013</p>	<p>Oppose</p>
<p>SB 628 Beall D</p> <p>Infrastructure financing: transit priority projects.</p>	<p>SENATE 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was DESK. on 8/19/2013) (Correction)</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 8/5/2013</p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-24-14**

Bill ID/Topic	Location	Summary	Position
SB 633 Pavley D CEQA.	ASSEMBLY 2 YEAR 8/30/2013 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 8/6/2013)	<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. These are referred to as categorical exemptions.</p> <p>This bill would, for purposes of the new information exception to the prohibition on requiring a subsequent or supplemental EIR, specify that the exception applies if 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 draft and transmit to the secretary revisions to 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, if the Office of Planning and Research transmits the revisions to the secretary, to certify and adopt the proposed revisions to the guidelines by January 1, 2016. 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 8/6/2013</p>	
SB 648 Corbett D Electronic cigarettes: restriction of use and advertising.	ASSEMBLY 2 YEAR 8/16/2013 - Failed Deadline pursuant to Rule 61(a)(10)(ASM). (Last location was G.O. on 8/5/2013)	<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 8/5/2013</p>	Support

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-24-14**

Bill ID/Topic	Location	Summary	Position
<p>SB 731 Steinberg D</p> <p>Environment: California Environmental Quality Act.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was L. GOV. on 9/11/2013)</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. 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 and parking impacts of a residential, mixed-use residential, or employment center project, as defined, on an infill site, 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 submit to the Secretary of the Natural Resources Agency, and the secretary to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise and transportation impacts of projects within transit priority areas. The bill would require the office, on or before July 1, 2015, to prepare, develop, and transmit to the secretary recommended proposed changes or amendments to the guidelines establishing criteria for a lead agency to assess the need for translating specified notices into non-English languages and requirements for the posting of those notices in non-English languages. Because the bill would require the development of guidelines that would require a lead agency to translate notices into non-English languages and to post those translated notices, this bill would impose a state-mandated local program. The bill would require the office to produce a report on economic displacement and would require the office to publicly circulate a draft of the report. The bill would require the lead agency, in making specified findings, to make those findings available to the public at least 10 days prior to the adoption of the findings 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 9/9/2013</p>	<p>Watch Closely</p>

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 2-24-14

Bill ID/Topic	Location	Summary	Position
SB 785 Wolk D Design-build.	ASSEMBLY DESK 1/27/2014 - In Assembly. Read first time. Held at Desk.	<p>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.</p> <p>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 authorize the Marin Healthcare District to use the design-build process when contracting for the construction of a building and improvements directly related to a hospital or health facility building at the Marin General Hospital. 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 1/14/2014</p>	Support
SB 792 DeSaulnier D Regional entities: San Francisco Bay Area.	ASSEMBLY DESK 1/28/2014 - In Assembly. Read first time. Held at Desk.	<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 under existing law as a joint powers agency comprised of cities and counties 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, coordinating transportation, land use, and air quality planning, with specified objectives.</p> <p>This bill would require the member agencies of the joint policy committee to prepare a plan for consolidating certain functions that are common to the member agencies. The bill would require the plan to 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, 2015, and would require the member agencies to report to the Senate Committee on Transportation and Housing on the adoption and implementation of the plan on or before December 31, 2016. The bill would also require the joint policy committee to maintain an Internet Web site containing information relevant to the committee's activities and 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 sustainable communities strategy. This bill contains other related provisions and other existing laws. Last Amended on 1/27/2014</p>	

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 2-24-14

Bill ID/Topic	Location	Summary	Position
SB 901 Vidak R High-speed rail: funding.	SENATE T. & H. 2/6/2014 - Referred to Coms. on T. & H. and GOV. & F.	<p>Article XVI of the California Constitution requires a general obligation bond act to specify the single object or work to be funded by the bonds, and further requires a bond act to be approved by a 2/3 vote of each house of the Legislature and by a majority of the voters. Article XVI authorizes the Legislature, at any time after the approval of a general obligation bond act by the voters, to reduce the amount of the indebtedness authorized by the act to an amount not less than the amount contracted at the time of the reduction. Existing law, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, statewide general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related rail purposes.</p> <p>This bill, subject to voter approval, would amend the bond act to provide that no further bonds shall be sold for high-speed rail and related rail purposes, and would also explicitly authorize the net proceeds received from outstanding bonds issued and sold prior to the effective date of these provisions, upon appropriation, to be redirected from those high-speed rail purposes to retiring the debt incurred from the issuance and sale of those outstanding bonds. The bill would direct the Secretary of State to submit these provisions to the voters on the ballot of the November 4, 2014, statewide general election. This bill contains other related provisions.</p>	Pending
SB 902 Vidak R High-speed rail: eminent domain.	SENATE T. & H. 2/6/2014 - Referred to Coms. on T. & H. and JUD.	<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 train system. Existing law authorizes the authority to acquire rights-of-way through purchase or eminent domain. Existing law sets forth the process for acquisition of property by eminent domain, including a requirement for adoption of a resolution of necessity. Before adopting a resolution of necessity, existing law requires a public entity to determine the fair market value of the property to be acquired and to offer that amount to the owner of the property.</p> <p>This bill would prohibit the authority, or the State Public Works Board acting on behalf of the authority, from adopting a resolution of necessity to commence an eminent domain proceeding to acquire a parcel of real property for the high-speed train system unless the resolution identifies the sources of all funds to be invested in the property, and the anticipated time of receipt of those funds, and declares that the authority, or the board, has offered to purchase the property at not less than the fair market value or the amount necessary to discharge the liens against the property, as described, whichever is greater. The bill would require the authority or the board to be responsible for compliance with any environmental protection laws or regulations that are applicable to the property it acquires pursuant to eminent domain. This bill contains other related provisions.</p>	Pending

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 2-24-14

Bill ID/Topic	Location	Summary	Position
SB 903 Vidak R High-speed rail: property tax revenues.	SENATE T. & H. 2/6/2014 - Referred to Com. on T. & H.	<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 train system, including the power to acquire rights-of-way through purchase or eminent domain. Existing law, 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 purposes, creates the High-Speed Passenger Train Bond Fund, and requires that moneys in the fund be made available to the authority for expenditures, among other things, related to the acquisition of interests in real property and rights-of-way and the development and construction of the high-speed rail system.</p> <p>This bill would require the authority, with respect to real property acquired by it and from moneys available for expenditure by it from the fund, to annually pay to the county in which the real property is located an amount equal to the property tax equivalent, as defined. This bill contains other related provisions.</p>	Pending
SB 904 Vidak R High-speed rail: private property: owner consent.	SENATE T. & H. 2/6/2014 - Referred to Coms. on T. & H. and JUD.	<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 train system. Existing law, for any project along the high-speed rail network, authorizes the authority to contract with the Department of Transportation to perform specified project design services, including construction inspection services.</p> <p>This bill would require the authority to require any employee of the authority, or any employee working for a public or private entity that has contracted with the authority, prior to entering onto any privately-owned property, to identify himself or herself to the property owner and obtain the consent of the property owner, as specified. This bill contains other related provisions.</p>	Pending
SCA 4 Liu D Local government transportation projects: special taxes: voter approval.	SENATE APPR. 8/29/2013 - Re-referred to Com. on APPR.	<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 local transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax includes certain requirements. 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, nonsubstantive changes. Last Amended on 8/28/2013</p>	Support

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 2-24-14

Bill ID/Topic	Location	Summary	Position
SCA 8 Corbett D Transportation projects: special taxes: voter approval.	SENATE APPR. 8/29/2013 - Re-referred to Com. on APPR.	<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, nonsubstantive changes. Last Amended on 5/21/2013</p>	Support
SCA 9 Corbett D Local government: economic development: special taxes: voter approval.	SENATE APPR. 6/27/2013 - Re-referred to Com. on APPR.	<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, nonsubstantive changes. Last Amended on 5/21/2013</p>	
SCA 11 Hancock D Local government: special taxes: voter approval.	SENATE APPR. 6/27/2013 - Re-referred to Com. on APPR.	<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, nonsubstantive changes. Last Amended on 5/21/2013</p>	Support

Total Measures: 30

Total Tracking Forms: 30

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: **CAPITAL PROJECTS QUARTERLY STATUS REPORT –
2nd QUARTER FISCAL YEAR 2014**

ACTION

No action required. The [Capital Projects Quarterly Status Report](#) is submitted to the Board for information only.

SIGNIFICANCE

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

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

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

Prepared by: Kelvin Yu, Manager, Project Controls

650.622.7853