AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

August 6, 2015 – Thursday

1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Public Comment
   Public comment by each individual speaker shall be limited to two minutes
4. Consent Calendar
   Members of the public or Board may request that an item under the Consent Calendar be considered separately
   a) Approval of Minutes of July 2, 2015
   b) Information on Statement of Revenues and Expenses for June 2015
   c) Authorize Approval of Amended JPB Citizens Advisory Committee Bylaws
   d) Authorize Approval and Ratification of the Fiscal Year 2016 Insurance Program at a Total Premium Cost Not To Exceed $4,324,998
   e) Authorize Rejection of All Bids and Re-Solicitation for the Rail Grinding Project
   f) Authorize Award of Contract to Knox Kershaw, Inc. in the Total Amount of $586,294 for the Purchase and Delivery of One New Ballast Regulator
5. Chairperson’s Report
6. Report of the Citizens Advisory Committee
7. Report of the Executive Director
   a) Proclamation Recognizing the 25th Anniversary of the Americans with Disabilities Act
   b) Caltrain Modernization – Peninsula Corridor Electrification Project Funding Plan Update

Note: All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.
9. Update on Communications-Based Overlay Signal System/Positive Train Control Project  
   INFORMATIONAL

10. Authorize Delegation of Approval Authority for JPB Engineering and Design Standards and all Aspects of the Design and Construction of Projects that Modify or Otherwise Pertain to the Caltrain Right of Way, Stations, Property, Facilities, or that Affect Operations  
   RESOLUTION

11. Authorize Rejection of Low Monetary Bid from Con-Quest Contractors, Inc. and Award of Contract to Shimmick Construction Company, Inc. in the Total Amount of $4,450,000 for the Quint Street Bridge Replacement Project  
   RESOLUTION

12. Legislative Update  
   INFORMATIONAL

13. Update on the Metropolitan Transportation Commission Transit Sustainability Project  
   INFORMATIONAL

14. Update on the Execution of the Fiscal Year 2016 Fuel Hedge Program  
   INFORMATIONAL

15. Correspondence

16. Board Member Requests

17. Date/Time of Next Regular Meeting: Thursday, September 3, 2015, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070

18. General Counsel Report

19. Adjourn

Note: All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.
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.
Chair Adrienne Tissier called the meeting to order at 10:05 a.m. and led the Pledge of Allegiance.

PUBLIC COMMENT
Roland Lebrun, San Jose, said the Federal Railroad Administration (FRA) is going to start fining railroad companies that are not compliant with the Positive Train Control (PTC) mandate. The United Kingdom is electrifying 2,000 miles of track, but the project is over schedule and over budget. The chairman has been asked to resign and was replaced by the government. This does not affect the implementation of Electric Multiple Units (EMUs) because every EMU is bi-modal.

Shirley Johnson, San Francisco Bicycle Coalition (SFBC), said 199 bicyclists were bumped. Not all bumps are reported.

Pat Giorni, Burlingame, said Dump the Pump was a successful campaign and she would like it to be successful through the life of Caltrain. She said there will be significantly fewer bumps once the Bombardier trainsets get the third bike car added.

Jeff Carter, Millbrae, said the weekend of June 27 was very busy. On Sunday, all trains at Millbrae were jam-packed. It looked like Caltrain was able to handle everyone and he said he appreciated the extra service. The Millbrae parking lot had as many cars on Sunday as a regular weekday.

Doug Delong, Mountain View, said he was at Sunnyvale Caltrain Station this morning and he noticed that the platform surface concrete face next to the track is moving away from the rest of the platform structure. There are gaps about one-inch wide, enough so that luggage wheels, high heels, and bike tires can get caught. It will need a serious reconstruction project.

George Kranen, Belmont, said on July 1 a train struck a trespasser between Belmont and San Carlos. The radio station KQED referred to this as a train striking a pedestrian. He suggested the JPB conduct an education session for traffic reporters to inform them that anyone struck on the tracks is a trespasser and is likely deliberately trying to commit suicide. It would be helpful to public perception if they are reported as trespassers.
Andrew Boone, East Palo Alto, said he would like to use Caltrain more but the evening service is not available for visitors to San Jose. The last train leaves San Jose at 10:30 p.m. Monday through Saturday, and 9 p.m. on Sunday. He said the JPB should prioritize later service from San Jose Diridon. He said it would help the agency to video record the Board meetings.

CONSENT CALENDAR
- Approval of Minutes of May 20, 2015
- Approval of Minutes of June 4, 2015
- Acceptance of Statement of Revenues and Expenses for May 2015

Motion/Second: Nolan/Guilbault
Ayes: Cohen, Cisneros, Gee, Guilbault, Kalra, Nolan, Woodward, Yeager, Tissier

CHAIRPERSON’S REPORT
Appointment of Citizens Advisory Committee (CAC) Members
Director Tom Nolan said San Francisco received 12 applications and nominated Alex Sweet to be reappointed to a three-year term, ending June 30, 2018.
Motion/Second: Nolan/Kalra
Ayes: Cohen, Cisneros, Gee, Guilbault, Kalra, Nolan, Woodward, Yeager, Tissier

Chair Tissier said San Mateo County received 12 applications and nominated Chris Cobey to be reappointed to a three-year term, ending June 30, 2018.
Motion/Second: Guilbault/Gee
Ayes: Cohen, Cisneros, Gee, Guilbault, Kalra, Nolan, Woodward, Yeager, Tissier

Director Perry Woodward said Santa Clara County received 13 applications and nominated Yvonne Mills to be reappointed to a three-year term, ending June 30, 2018.
Motion/Second: Woodward/Yeager
Ayes: Cohen, Cisneros, Gee, Guilbault, Kalra, Nolan, Woodward, Yeager, Tissier

REPORT OF THE CAC
Chris Cobey, Chair, CAC, said at its June 17 meeting, the CAC:
- Received a presentation on the Santa Clara Valley Transportation Authority (VTA) schedule coordination.
- Received a presentation on the EMU configuration. The CAC passed a recommendation that EMUs have at least one bathroom per train set.
- Discussed the CAC Bylaws, which will be revised in July.

Public Comment
Roland Lebrun, San Jose, said there is too much emphasis on the bikes onboard coalition.

Pat Giorni, Burlingame, said there are a lot of citizens interested in how Caltrain works, which is evidence that the meetings should be video recorded.
REPORT OF THE EXECUTIVE DIRECTOR

Caltrain Modernization (CalMod) Update
Marian Lee, Executive Officer, CalMod Program, said:
  • No new complaints have been received since last month associated with the installation of the Communications-based Overlay Signal System (CBOSS)/PTC. Installation is almost done on the vehicles and the wayside, including fiber and conduit. Staff is preparing for system-wide testing.
  • This is a difficult and complicated process with the FRA, so staff will present the challenges of the process to the Board at an upcoming meeting.

Peninsula Corridor Electrification Project (PCEP) Quarterly Update
Dave Couch, Project Delivery Director, presented:
  • Electrification infrastructure
    o Procurement milestones
      ▪ Completed
        • Released Request for Proposals (RFP) on February 27 to prequalified proposers
        • Four amendments issued
      ▪ To be completed
        • Amendment number 5
        • Board award contract
    o Projected delivery efforts
      ▪ Completed
        • Tree inventory
        • Utility survey
      ▪ In progress
        • One traction power facility option selection remaining
        • Environmental permit submittal
        • Property owners contact started in Segment 4
        • City/county agreements
    • Electric Multiple Unit
      o Procurement Milestones
        ▪ Completed
          • Board workshop – May 20
          • Released Draft RFP part one – May 20
          • Released Draft RFP part two – June 6
        ▪ To be completed
          • Release RFP
          • Board award contract

Ms. Lee presented:
  • Funding Update
    o Updated cost/schedule
      ▪ PCEP estimates
        • 2008 - $1.225 billion
        • 2014 - $1.474 billion to $1.531 billion
      ▪ Working with funding partners to fill gap
      ▪ Need to update the 2012 nine-party Memorandum of Understanding (MOU), which commits $1.225 billion for PCEP
o Strategy for filling gap
  ▪ Potential sources
    • Federal Transit Administration (FTA) core capacity
    • Cap and trade
    • Metropolitan Transportation Commission (MTC) Regional Measures 1 and 2
    • Additional JPB member agencies
  ▪ JPB asked to consider
    ▪ Financing
    ▪ Fare surcharge

o Upcoming milestones
  ▪ July to September 2015
    • Fill funding gap
    • Confirm additional commitments with partners
  ▪ September to winter 2015/2016
    • Updated nine-party funding MOU
    • Execute agreements and commitment timed with contract awards

Public Comment
Pat Giorni, Burlingame, asked what happened with the movement of Senator Jerry Hill for a dedicated source of funding for Caltrain. Customers already pay a premium price for transportation and shouldn’t have ticket surcharges. Staff should talk to legislators to get dedicated financing.

Roland Lebrun, San Jose, said the JPB should consider how it is facing electrification. The JPB should start with rolling stock to run EMUs on diesel and worry about electrification later. Otherwise, trains will just be sitting there for three years. Even with electrification, the VTA light-rail went down in one place because of a power failure and in another place because of catenary failure, and those issues took 20 hours to resolve.

Adina Levin, Friends of Caltrain, said taking on a loan that would increase the operating subsidy for each of the partners would be done without a firm commitment to pay the loan. Caltrain needs a stable source of funding. Caltrain has a fare equity issue today. The average salary for a Caltrain rider is $130,000. She said that is not because lower-income people don’t want to ride Caltrain, but because the fare structure causes that to happen.

Jeff Carter, Millbrae, said there is never a shortage of funding for central subways, Bay Area Rapid Transit (BART) extensions, or freeway expansion. If Caltrain was aggressive it could get the funding it needs. Caltrain needs to find dedicated funding.

Director Nolan asked if there will be Cap and Trade awards for Caltrain. Seamus Murphy, Director, Government and Community Affairs, said the JPB did not compete for the initial round of rail funding. It was a small total amount statewide. Staff is working with the region to find the best funding sources for the CalMod Program. The region has identified a number of priorities for the Transit Intercity Rail Capital Program, and Caltrain is not one of them. There are other funding sources Caltrain will
be competing for in the next round of the Transit Intercity Rail Capital Program that will be more substantial. There will not be a call for projects until next year. There is a letter in the reading file from Senator Hill and other senators asking the Legislature and Administration to direct more funding from the Cap and Trade Program to the Transit Intercity Rail Capital Program.

Jim Hartnett, Executive Director, said
  • Special events service
    o There were 14 regular season San Francisco Giants home games in June
    o CBOSS/PTC tunnel work was conducted over a weekend. Service was stopped at the north end of the line and the bus bridge was very successful
    o June 27 and 28 included the gay pride activities, the San Jose Earthquakes at Stanford Stadium, and the Grateful Dead concert at Levi’s Stadium
    o Opera at the Ball Park will be on July 3
    o Independence Day fireworks activities
    o One Direction at Levi’s Stadium on July 11
  • The Quint Street bridge bids have been received. Work will start in the fall.
  • San Mateo bridges replacement construction work is in progress.
  • San Francisco highway bridges construction work is ongoing.

**AUTHORIZE APPROVAL OF THE EXECUTIVE DIRECTOR TO EXECUTE THE PROJECT LABOR AGREEMENT FOR THE PCEP AND AN MOU WITH THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW) UNION, LOCAL 1245**

Pat Glenn, Legal Counsel, said he has a tentative agreement with the local building trades councils. The agreement has been finalized locally and is now in Washington D.C. seeking approval of the international representatives. No one has any concern that there will be any material changes to the agreement. There is also an agreement with the IBEW, Local 1245, the union responsible for the overhead electrical systems work. Since the last meeting, legal counsel met with IBEW, Local 1245, and finalized an MOU for all the electrification systems work on the project. The benefits of the agreement are that this project will be staffed and will have an adequate supply of skilled crafts people, and that there is a guarantee that there will be no strikes, labor disputes, or anything from a labor/management point of view that will interfere with the completion or increase the cost of the project because of delays. There is also a jurisdictional dispute resolution process that has been worked out that guarantees that if there are any disputes between unions about who should perform what work, those disputes will be worked out prior to work being done and there will be no chance that the work will be delayed as a result. The IBEW and building trades will cooperate to help the JPB meet its goals for affirmative action, equal employer opportunity, disadvantaged businesses, source hiring and other concerns.

Director Malia Cohen asked for more information about the affirmative action and equal employment opportunity expansion efforts. Mr. Glenn said if the JPB determines it is not on track to meet its goals and the FTA goals, the JPB can go to the design-builders, contractors and unions to ask for their cooperation to come up with innovative ways to improve performance under that plan. If the contractors and unions cannot come up with a satisfactory plan, the JPB has the authority to require them to go into a
mediation process and have the mediator help bargain ways to help the JPB meet the goals.

Public Comment
Michael Theriault, San Francisco Building and Construction Trades Council, thanked the Board, staff and JPB legal counsel for their work on this agreement. He said every agreement has quirks, but it always goes more smoothly to approach them as a joint effort.

Motion/Second: Nolan/Gee
Ayes: Cohen, Cisneros, Gee, Guilbault, Kalra, Nolan, Woodward, Yeager, Tissier

AUTHORIZE ISSUANCE OF THE EMU RAILCAR VEHICLES RFP FOR THE PCEP
Ms. Lee presented:
• Agenda
  o Board action request
    ▪ Release EMU RFP
    ▪ Policy direction on car shell and space
    ▪ Staff direction on associated efforts
  o Approximately one-year process leading to today’s action
  o Board action needed to meet 2020 revenue service
• Background
  o Challenges for EMU procurement
    ▪ Will buy new electric trains
    ▪ Trains are over capacity
    ▪ People have long uncomfortable trips
    ▪ Bikes are being bumped
    ▪ Accommodating growing ridership
    ▪ Accommodating different needs of customers
    ▪ Accommodating future blended system
  o One-year process
    ▪ Request for information – summer 2014
    ▪ Public survey – fall 2014 and winter 2015
    ▪ Common boarding height assessment and industry discussions – winter/spring 2015
    ▪ Draft RFP (industry comments) – summer 2015
  o June JPB staff proposal
    ▪ Car shell
      • Bi-level EMU cars can be modified to not preclude shared level boarding with California High-speed Rail Authority (CHSRA) in the future
      • Modified cars would have lower and upper doors
      • To maximize seats, only low doors used and high doors sealed until activation is warranted
      • If both lower and upper doors activated, there will be loss of seats
      • If modified cars cost more, JPB will request that CHSRA fund
- Car space
  - Overriding consideration
    - Safety
    - Balance different customer needs
  - Increase and maximize seats/standees/bikes
    - Seats/bike ratio 9:1
    - $3 million commitment to wayside bike facilities
    - No bathroom onboard
    - Pursue station bathrooms with local partners

- Feedback Received (May/June)
  - Feedback sources
    - Elected Officials/Boards
      - JPB, Local Policy Maker Group, San Mateo County Transportation Authority (TA), San Francisco Land Use Committee, Transbay Joint Powers Authority, Diridon Station Joint Policy Advisory Committee
    - Advisory Committees/Groups
      - JPB CAC, JPB Bicycle Advisory Committee (BAC), Caltrain Accessibility Advisory Committee, San Mateo County TA CAC, San Francisco County TA CAC, City/County Staff Coordinating Group, San Francisco BAC
    - Public comments at meetings
    - Meetings with various advocacy groups
    - Email, website, social media
  - Stakeholder feedback – car shell
    - Most support modified cars that do not preclude future platforms with level boarding and that are shared with CHSRA
    - Some said modifications should be made to CHSRA cars or to station platforms
    - Most support sealing upper doors and maximizing seats until activation of the upper doors is warranted
    - Most support asking CHSRA for funding if modified Caltrain cars cost more
  - Stakeholder feedback – car space
    - Many comfortable with 9:1 seats/bike ratio onboard
    - Bike advocates not supportive of 9:1 ratio, asking for:
      - 6:1 or 5:1 ratio
      - System-wide bike access mode policy of 20 percent
    - Many support wayside bike improvements
    - Many support comfortable and safe standee space
    - Many said at least one bathroom onboard (especially for special events and unexpected incidents)
  - Draft RFP questions
    - Draft RFP issued to confirm initial information from car builders
    - Focus of questions
      - Confirm previously designed cars can be modified
      - Confirm 2020 revenue service target date can be met
      - Range of seats and bikes onboard when the 9:1 ratio is applied
• Feasibility of adding one bathroom per train
• Bike storage configuration assumptions, real-time bike storage availability, and concepts to move between middle and lower levels
  o Industry response
    ▪ Five car builders responded
    ▪ Key findings
      ▪ Two confirmed ability to meet 2020 revenue service
      ▪ Three said delivery of cars could take six months longer
      ▪ Three estimated additional cost for modified car of 3 to 5 percent
  ▪ Bike-related information
    ▪ Access between levels with ramp adjacent to stairs
    ▪ Real-time bike storage information research and development effort
  ▪ Additional information not known until design
    ▪ Number of seats and bikes onboard
    ▪ Bike area configuration
    ▪ Specifics about Americans with Disabilities Act (ADA) bathroom internal and external access
• Proposed Board Action
  o Updated staff recommendations
    ▪ Authorize issuance of RFP
    ▪ Approve the following policy direction:
      ▪ Obtain prices for two car options (original and modified)
      ▪ For modified car, keep upper doors sealed to maximize seats and activate when warranted and request funding from CHSRA if additional cost
      ▪ Design EMUs to enhance safety and comfort of standing passengers
      ▪ Maintain bike/seat ratio of 9:1
      ▪ Include one bathroom per train
    ▪ Direct staff to take the following associated actions
      ▪ Modernize wayside bicycle facilities
      ▪ Explore feasibility of station bathrooms

Ms. Lee said it is clear from the bike community that the 9:1 ratio is less than what they want. The $3 million commitment for modernizing wayside facilities is a meaningful amount of funding, but staff could not get commitments to fund $3 million since the last Board meeting, so the new commitment in the resolution is watered down to read “modernize wayside bicycle facilities.” The bike community would like the $3 million commitment. The bathroom recommendation went from zero to one. The CalMod delivery team would like to provide certainty to the car builders as soon as possible.

Chair Tissier asked what funding figure staff was able to come up with since they were unable to come up with $3 million. Ms. Lee said staff thinks they can come up with $3 million by looking at existing sources from counties and the project budget. She thinks it is a reasonable amount, but could not get a firm commitment.
Chair Tissier asked if the MTC could be a resource. She said she would like to keep in the goal of $3 million to help ensure a balance. She said it is easier to take seats out than to add seats back in, so even if the ratio stays at 9:1, the ratio can be changed at a later date if the need was there. Ms. Lee said that is what staff has been doing with the current system.

Director Woodward asked if the RFP could be sent out with bathrooms as an alternative to get the cost difference between having one bathroom per trainset and no bathrooms. Ms. Lee said yes, and that one bathroom for every six cars will not be a meaningful amount in terms of cost. It will cost more, but since the JPB is procuring 96 cars, the cost will not be significant. There are ADA access challenges, and the RFP responses could provide more specificity as to what those challenges are.

Director Nolan said he feels it would be better to not have bathrooms on the trains and instead to make a strong commitment to build wayside facilities at the busiest stations. ADA is a very important part of this decision. If someone in a wheelchair had to go through several train cars in order to get to the car with the bathroom that would not be equal access. These laws will be tightening up in the future. Many other trains in the region don’t have bathrooms onboard. These EMUs are not going to be here for three years, and in the meantime the current trains will still have bathrooms and that will give staff time to find money for wayside improvements. He said he would be willing to improve the ratio of bikes to seats.

Director Ash Kalra said the cost differential between the cars with more doors is 3 to 5 percent and the JPB could seek the difference in cost to be paid by the CHSRA. He asked what the likelihood is of CHSRA paying the difference. Ms. Lee said the two options will be in the RFP and when the JPB receives the bids, the two prices will be known. When the Board decides which option to go with, the Board will know the exact cost and whether CHSRA will pay for the difference.

Director Kalra said it takes one hour to go from San Jose to San Francisco and asked how long it will take in 2020 after electrification. Ms. Lee said that once Caltrain is fully converted to 100 percent electric cars, the trip could take 45 minutes if a Baby Bullet had the same station stops as today.

Director Kalra said common trips on BART are from Fremont to San Francisco, which takes 50 minutes, Pittsburg to San Francisco, which takes 50 minutes, and Dublin/Pleasanton to San Francisco, which takes 49 minutes. Some trips are longer. He said he hesitates to put bathrooms on the trains and would instead rather have long-term solutions such as wayside facilities. It is not uncommon for trains of this kind that provide relatively short regional trips not to have bathrooms because of the dramatic loss of seats, ADA issues, and the negative impact on the bike-to-seats ratio. The cost savings of not having bathrooms on the trains could potentially be used to create permanent restrooms at some of the stops. He said he would like to know the cost to get more bike storage at stations. He would like to meaningfully enhance bike storage capacity and the bike mode access policy, and staff should try everything possible to find funding and not rely only on the JPB partners because they may not have it. He would like to look at advanced technology to help determine available onboard bike capacity and potentially create more capacity without creating more space.
Director Cohen said she is interested in seeing the RFP with two options: one with and one without a bathroom per train. If there is a restroom on the train and there is a person in a wheelchair, that person’s ability to go through cars to get to the car with the bathroom is impaired, whereas if the bathrooms are at the stations, everyone has an equal opportunity to get to the bathroom. There should be a plan in place to keep station bathrooms clean, safe, and meet ADA requirements.

Director Ken Yeager said he prefers the RFP with the option to have a bathroom so the Board will know what the overall cost is. He would like to know which cities are hesitant to have restrooms at stations and what their concerns are. It is to the advantage of all cities to have restrooms at stations for residents or workers, so he would like to listen to the cities’ arguments. He would like to engage some of the big companies along the Caltrain right of way to help fund wayside facilities because of his concern with the JPB partners having to come up with the entire cost. Some of the companies are wealthy and benefit from Caltrain, so it would be nice to engage them on that issue. He asked what the current ratio of bikes to seats is. Ms. Lee said it is 1 to 10.

Director Yeager asked what effect is for 1 to 8 and how staff arrived at a 1 to 9 ratio. Ms. Lee said the 1 to 9 ratio reflects what the ratio will be when the Metrolink cars are converted to bike cars. She said with the range of 1 to 8, staff would not be comfortable saying that there would be an increase in seating capacity from today, so there is a meaningful difference between 1 to 9 and 1 to 8.

Director Yeager said seats could be removed in future if the demand for bicycles increases in the future. Ms. Lee said yes and the RFP could include that statement so the car builders would build the cars with that flexibility.

Director Rose Guilbault said she would like both options in the RFP. She would like to explore options for adding bike capacity by being able to take seats out if needed.

Director Jose Cisneros said he would like to be clearer on a target for wayside improvements for bikes. He supports keeping in a $3 million commitment in the resolution. If any dollar amount is left out it is confusing and uncertain to the community. It has been a missed opportunity that more has not been done on the wayside to support the riders. He supports including the flexibility in the RFP for being able to remove seats in the future to increase bike capacity or to increase standee space, which would increase general ridership capacity. The top priority is to maximize capacity. He supports having no bathrooms onboard because they reduce onboard capacity. There are alternatives, such as having bathrooms at more stations or temporary facilities at stations for events. He asked what the risks are by issuing an RFP with both options. Ms. Lee said it could delay the policy decision.

Public Comment
Roland Lebrun, San Jose, said his letter to the Board includes six configurations for the trains. He said the people in Silicon Valley work on Caltrain with laptops.

Jim Bigelow, Redwood City/San Mateo County and Menlo Park Chambers of Commerce, said the minimum recommendation on the bikes to seats ratio should be 1
to 9. If there will be no bathrooms on trains then there should be one at each station. Staff should look at the cost of having one at each station versus one on each trainset. It would be good to survey bike riders to find out how long people ride their bike to and from the Caltrain stations. He said $3 million is an absolute minimum for wayside facilities, but $5 million would be better.

Bob Mack, Cycle California! Magazine, said 9 to 1 is not going to meet the demand for 2020 and should be 5 or 6 to 1 with the ability to grow, including the option to add cars for longer trainsets.

Hans Nielsen, San Francisco, said bringing his bike on the train is important to him. Caltrain is reaching capacity. The 9 to 1 ratio is not a future proof ratio and 6 or 5 to 1 should be looked at.

Herb Borock, Palo Alto, said a way to maximize ridership is to motivate bike riders to use folding bikes that fit under their seats.

Jeff Carter, Millbrae, said he supports the option to remove seats to increase bike capacity and he supports improvements to wayside bike storage. He said there should be one or two bathrooms per train. Some people will relieve themselves on the train if there is not a bathroom.

Andy Chow, Redwood City, said he supports the staff recommendation on the high door designs. Once the price is known, both sides can figure out what choices they have. He said 9 to 1 is a good starting point. Wayside investments would be a cost effective way to increase bike capacity.

Elliot Lash, Redwood City, said it is important to realize 9 to 1 is not adequate for the current ridership and in the future the expectation is bike ridership will increase up to 20 percent. The JPB should commit to get cars off the road and reduce global warming emissions by increasing bike capacity.

Janice Li, SFBC, said she is disappointed that the RFP reflects no changes to today’s bike capacity, even though paying customers are routinely left behind. She urged the Board to revise the RFP and the estimate for wayside improvements.

Shirley Johnson, SFBC, said the successful future of Caltrain means more railcars. The EMU on a longer train has a 1.2 load factor and 16 percent of riders bringing a bike onboard, which is a 5 to 1 ratio.

Bianca Morales, Redwood City, said if she couldn’t bring her bike onboard, she would not be able to work at her current job. She consistently shifts her schedule to be able to ensure she does not get bumped. She hopes Caltrain continues to support daily commuters. She said the Board should determine what percentage of commuters would benefit from bike storage, because it only helps people who live and work within one to two miles of the Caltrain stations, which is a small percentage of bike commuters.
Peter Colijne, San Francisco, said the 9 to 1 ratio is insufficient because people are already being bumped. The proposal for wayside improvements is not fleshed out and it only helps people who do not need a bike on both ends of the commute. Bike share is not practical for that many people.

Christine Ryan, San Francisco, asked the Board to consider increasing bike capacity whenever and wherever possible.

Christine Windsor, San Francisco, said bike ridership is growing faster than non-bike ridership. It is prudent to plan for the increase in bike ridership. Wayside facilities are not practical for most bike riders.

Emma Shlaes, Silicon Valley Bicycle Coalition, asked for an increase in onboard bike capacity. She has collected 155 signatures supporting the recommendations in her letter to the Board. She asked the Board to commit to fully fund a robust bike parking program.

George Kranen, Belmont, said bathrooms should be in the access cars to alleviate ADA concerns. He said that BART and Caltrain station restrooms are pungent and that they are not maintained. He asked why the Board would recommend adding more toilets at more stations if the existing bathrooms are not maintained.

Adina Levin, Friends of Caltrain, said she urges the Board to keep one bathroom on each train. She asked what the cost to build and maintain bathrooms would be. She said that bathrooms on trains are needed for the old, young, special events, and emergencies. She said $3 million is not enough to accommodate the 20 percent of passengers who are bike riders. She supports getting a full estimate to accommodate the greater number of people who are using wayside facilities.

Pat Giorni, Burlingame, said Caltrain should get bathroom kiosks because they are self-maintained. She supports wayside facilities for bikes. She said the JPB should tell the Bay Area Air Quality Management District that Bike Share does not work along the Caltrain corridor, except in San Francisco and San Jose, and the money for that program should be used for electronic lockers.

Director Woodward left at 11:57 a.m.

Andrew Boone, East Palo Alto, said planning the future for the same amount of bike space as today does not make sense. There is not adequate bike parking and $3 million is not going to be enough for wayside improvements.

Greg Conlon, Atherton, said there are no cost determinations in these decisions. If the costs were known, it would be easier to make decisions. The private sector could come up with alternatives. The Board should concentrate on cost.

Mark Harnett, Belmont, said conductors should give out $100 gift certificates to any bicyclist who is bumped to subsidize the cost of a folding bike or free membership in Bike Share.
Chair Tissier said people are saying the current ratio is not enough. She asked if capacity will increase with electrification. Ms. Lee said the ratio today without the Metrolink bike cars is 10 to 1. With the Metrolink cars that will be converted to bike cars, the ratio will be 9 to 1. When the EMUs come in, if the ratio was 9 to 1, both the bike and seat capacity will increase per train because the hourly service will increase. If the ratio is 8 to 1, she has reservations about saying the seats per train will increase. The ratio of 9 to 1 versus 8 to 1 is the tipping point.

Chair Tissier said the Board needs to know the costs for bathrooms and the Board needs to commit a minimum $3 million for wayside improvements and figure out how to get the funding later, perhaps by bringing in the private sector or through advertising. If the capacity stays at 9 to 1 for now, Caltrain can get a better ratio in the future if the need is really there by removing seats, but the flexibility needs to be there. It would be better to build in flexibility than to lock the train into something that may result in bumping passengers because bike capacity is not actually needed. Wayside improvements would add to the balance of the system.

Director Jeff Gee said some decisions don’t have to be made today. The number one issue is making sure the RFP is very clear, straightforward and gives flexibility. He wants to make sure the opportunities for a bid protest are very small because a bid protest would push revenue service back to 2022 or 2025. The Board needs alternates and unit prices. He is supportive of the options without a restroom and the option with one restroom per train set, and he supports finding the unit price per car. By 2020, Caltrain might need a seven- or eight-car trainset to make things work and to address capacity. He is supportive of having one toilet per train set. He advocates giving staff and counsel the direction to provide for alternates, for unit prices, and to keep the procurement simple, so that the opportunity for bid protests is as remote as possible. That would allow for the highest degree of chance of meeting the 2020 revenue date. The JPB doesn’t know which train manufacturer it will be working with. For wayside improvements, the JPB will have to look to regional partners, cities, and public and private partners, because the JPB cannot afford the cost by itself.

Director Nolan said there’s no way around the ADA question if there is one bathroom on each train. He would like no bathrooms on the trains, but have wayside restrooms tied into the wayside improvements commitment, at least at some of the major stations. He said he would be okay with going with an 8 to 1 ratio on seats to bikes.

Chair Tissier said the Board needs to design EMUs to enhance the safety and comfort of standing passengers. She asked if the Board is okay with this item. The Board members did not object.

Chair Tissier said the items in the resolution will be taken one at a time. The first item in the resolution is that staff will obtain option prices for vehicles with two different door designs. She asked if the Board is okay with this item. The Board members did not object.

Chair Tissier said the second item is to design EMUs to enhance the safety and comfort of standing passengers. She asked if the Board is okay with this item. The Board members did not object.
Chair Tissier said the third item is the ratio of nine seats for every one bike space. Director Nolan said he would like that to be 8 to 1.

Director Guilbault asked if 8 to 1 is possible when staff recommended 9 to 1. Mr. Hartnett said yes it could possibly be done. The 9 to 1 ratio is a thoughtful recommendation based upon the existing capacity and the increased capacity when the additional Metrolink cars are converted to bike cars. It is the belief that if the ratio is changed to 8 to 1, the number of seats will probably not be increased. The goal was to increase seats, and the best staff can tell is if the ratio drops from 9 to 1 to 8 to 1, the amount of seats may not increase.

Chair Tissier said she wants to get to the lower ratios over time, but if the Board kept the 9 to 1 in the RFP and asked the manufacturers to build in flexibility to easily remove seats in the future if needed, she would be happy to keep the 9 to 1 ratio in the motion.

Ms. Lee said the 9 to 1 ratio assumes that bike storage will be configured the same way it is now. The car builders may be more or less efficient. The translation of bike space today might be different in the EMUs. She said when the upper doors are activated, seats will have to be removed and other things will have to change. The hardest thing to change would be the bathrooms if they are added to the trains. Seats and bikes and other components will have to be flexible.

Director Guilbault said she is concerned about making decisions without having all the information. She likes the concept of flexibility. She would like to know what all the costs are to make the decisions. The decisions today are just for the RFP, so she would second the motion to keep the 9 to 1 ratio with added flexibility in the RFP.

Director Kalra said he agrees that more information is needed, but he agrees with the commitment to move towards a better ratio for bike capacity. He said it is the Board’s goal to increase capacity all around, but he wants to make it clear that the Board commitment today is to increase bike capacity more than the staff recommendation of 9 to 1.

Director Yeager said the Board could wait until the JPB knows who will get the bid and see what the bike storage configuration might be. He said he agrees to make the commitment to keep ratio as good for bikes as possible. The Board does not have to decide today what the ratio is, but it is their commitment to keep it as low as possible. Ms. Lee said it would be helpful to provide a ratio as a starting point and general direction with the prerogative to change it later. She said that parameters on allocating the space have to be set.
Joint Powers Board Meeting
Minutes of July 2, 2015

Motion to keep the 9 to 1 ratio with flexibility in the RFP to make the ratio better in the future.
Motion/Second: Tissier/Guilbault
Ayes: Gee, Guilbault, Tissier
Noes: Cisneros, Cohen, Kalra, Nolan, Yeager
Absent: Woodward
The motion did not pass.

Motion to make the ratio 8 to 1.
Motion/Second: Nolan/Yeager
Ayes: Cisneros, Cohen, Gee, Guilbault, Kalra, Nolan, Yeager, Tissier
Absent: Woodward

Chair Tissier said the fourth item is the ADA bathrooms. Mr. Hartnett said the RFP can ask the car builders to plan the EMUs with no bathrooms or plan the EMUs with one bathroom per train set, with the alternative of no bathrooms to get a cost comparison. He said there would not be only a cost comparison; there are a lot of other dynamics to consider.

Motion to issue the RFP for the EMUs to have no bathrooms with the alternative option of one bathroom per train set and to look at ADA compliance issues, cost issues, and any implications on the seating and bicycle space issue.
Motion/Second: Kalra/Gee
Ayes: Cisneros, Cohen, Gee, Guilbault, Kalra, Nolan, Yeager, Tissier
Absent: Woodward

Chair Tissier said the other items discussed were the recommendation to set a minimum goal of $3 million for wayside improvements and the feasibility of station bathrooms. Ms. Lee said one is a policy decision associated with the EMU procurement. There is also staff direction related to associated effort and funding and resource needs outside of the $1.5 billion program.

Director Gee asked if the RFP is asking for unit prices for additional cars, because it should be in the RFP. He said six-car trains are probably not going to be enough.

Director Nolan said if the Board does not include something about wayside activities, the Board will not get any information and won’t know what to do. It is very important to get it all at once. Ms. Lee said staff will get that information, but there is no funding for wayside bathrooms in the program.

Director Nolan said it is his intent to include an aspirational commitment by the Board to make the wayside improvements happen because the wayside facilities should be in place before the EMUs arrive. Chair Tissier said staff will conduct research about the wayside improvements and will provide that information to the Board, but the dollars are not in the current budget. The action the Board wants is for the staff to find out the costs of wayside facilities, so that decisions can be made at the same time.
Joint Powers Board Meeting  
Minutes of July 2, 2015

Joan Cassman, Legal Counsel, asked if the Board wants a dollar amount to be added back into the resolution for wayside improvements. Chair Tissier said the Board would like to encourage staff to find the $3 million or more. The money still has to be found, but ought to be an aspiration.

Director Gee said a minimum of $3 million should be in the resolution.

Motion on resolution with all the amendments.  
Motion/Second: Nolan/Gee  
Ayes: Cisneros, Cohen, Gee, Guilbault, Kalra, Nolan, Yeager, Tissier  
Absent: Woodward

**AUTHORIZE ENTERING INTO AN AGREEMENT WITH THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY TO REIMBURSE UP TO $1 MILLION IN JPB COSTS FOR THE BLENDED SYSTEM STUDY WORK**

Chair Tissier said a member of the public would like to comment on this item.

**Public Comment**

Roland Lebrun, San Jose, said the issue is what to do with the $1 million. The EMU procurement was a mess, and the same people will be working on the blended system, and the result will be the same. He recommended the Board revisit the actions over the last year and find out how many millions of dollars were wasted on the EMU procurement with the CHSRA, then ask the CHSRA for a refund, and then start the discussion on the blended system or find a different team that knows how to implement a blended system.

Motion/Second: Yeager/Gee  
Ayes: Cisneros, Cohen, Gee, Guilbault, Kalra, Nola, Yeager, Tissier  
Absent: Woodward

Directors Yeager and Cohen left at 12:31 p.m.

**KEY CALTRAIN PERFORMANCE STATISTICS – MAY 2015**

Chuck Harvey, Deputy CEO, said:

- Key Caltrain Performance Statistics May 2015 compared to May 2014
  - Monthly Performance Statistics:
    - Total Ridership was up 4.6 percent.
    - Average Weekday Ridership was 61,054.
    - Total Revenue was $7.4 million, up 9.2 percent.
    - On-time Performance was 89.7 percent, but for trains arriving within 10 minutes of scheduled time was 96 percent, which is indicative of crowds and other issues.
  - Caltrain carried almost 12,000 additional riders for the gay pride events, and 14 extra trains were run on each day.
  - All Metrolink cars to make up the six-car consists are operating, so there are five Bombardier train sets that are running as six-car trains. The next focus is to convert the bike cars and lengthening some Gallery trains to six cars to add capacity.
Director Kalra left at 12:33 p.m.

Public Comment
Shirley Johnson, SFBC, requested the Key Performance Statistics report include the bump count since Caltrain has a bump form and produces bump counts. It is an important metric that will help decide the design of the future cars.

LEGISLATIVE UPDATE
No report.

CORRESPONDENCE
No discussion.

BOARD MEMBER REQUESTS
None

DATE/TIME/PLACE OF NEXT MEETING
The next meeting will be Thursday, August 6, 2015, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

GENERAL COUNSEL REPORT
Ms. Cassman said she will provide the Board a written report.

Adjourned at 12:35 p.m.
TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: INFORMATION ON STATEMENT OF REVENUES AND EXPENSES FOR THE PERIOD ENDING JUNE 30, 2015

The Finance Division engages in many activities following the end of the June 30 fiscal year both to close out the old fiscal year and set up the new fiscal year. The demands of these activities require a longer time to produce a complete Statement of Revenues and Expenses than allowed by the normal board meeting cycle. This year, our auditors, VTD, will finish the audit in late October. Consequently, staff will present a Statement of Revenues and Expenses for June at the November 5 meeting of the Board of Directors. We expect to have the Comprehensive Annual Financial Statement finalized by December.

Prepared by: Sheila Tioyao, Manager, General Ledger 650.508.7752
AGENDA ITEM # 4 (c)
AUGUST 6, 2015

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

FROM: Martha Martinez
JPB Secretary

SUBJECT: AMENDMENT OF CITIZENS ADVISORY COMMITTEE BYLAWS

ACTION
Staff Coordinating Council recommends the Board approve the following amendments to the Citizens Advisory Committee (CAC) Bylaws:

1. Article II – Officers, Section 1: chairperson responsibilities and authority;

2. Article III – Meetings, Section 1: meeting location; and

3. Article III – Meetings, Section 3: attendance.

The proposed amended sections of the Bylaws are attached.

SIGNIFICANCE
The CAC, at its July 15 meeting, approved the following changes to its Bylaws:

1. Article II – Officers, Section 1: The Chairperson is responsible for submission of the report of the most recent CAC meeting, in a manner the Chair deems suitable, for the monthly JPB meetings, and may delegate this responsibility to another CAC member. This change allows the Chair to submit a report in writing if he or she deems appropriate, and the Chair may assign this responsibility to another CAC member.

2. Article III – Meetings, Section 1: The requirement to hold one meeting per year in Santa Clara County and one in San Francisco has been removed. The CAC has not held meetings in those counties in a number of years, as public attendance/participation at such meetings did not increase by doing so. The CAC determined the effort was not necessary and that the central location of San Carlos worked best for most people.

3. Article III – Meetings, Section 3: The term “unexcused” has been removed from the types of absences, as there is no differentiation between excused and unexcused. The statement “in a calendar year” was added for clarity as the
attendance policy is regulated by calendar year and not a 12-month rolling calendar.

**BUDGET IMPACT**
There is no impact on the budget.

**BACKGROUND**
The CAC was established as a JPB advisory group by Resolution No. 1992-28, dated June 3, 1992. The CAC serves as a forum for conveying community information, ideas and comments to the Board. The Board adopted a set of Bylaws under Resolution No. 2002-13, dated May 2, 2002, to formalize the rules of procedure governing the manner in which the CAC functions.

Prepared by: Josh Averill, Assistant District Secretary  
650.508.6223
CITIZENS ADVISORY COMMITTEE

PENINSULA CORRIDOR JOINT POWERS BOARD

BYLAWS

ARTICLE I – MEMBERSHIP

Section 1. As prescribed by the Peninsula Corridor Joint Powers Board ("JPB" or "Board"), the Citizens Advisory Committee ("CAC" or "Committee") shall consist of nine (9) members, three appointed from each constituent county (San Francisco County, San Mateo County, Santa Clara County). Each county will select its county committee members and the JPB will affirm these appointments. CAC members should reflect the demographics of Caltrain riders. The Citizens Advisory Committee shall act in an advisory capacity to the JPB. Its activities shall include seeking the views of various groups of users and potential users of Caltrain and ancillary transit facilities, and to develop proposals and recommendations for meeting the needs of these various groups; reviewing and commenting on staff proposals and actions as requested by the JPB; and assisting the JPB in any matter which the Board may deem appropriate.

Section 2. CAC members shall serve three (3) year terms.

ARTICLE II – OFFICERS

Section 1. The Officers of the CAC shall be a Chairperson and a Vice-Chairperson. Their duties shall be as follows:

Chairperson: Presides over CAC meetings; develops the monthly meeting agenda; appoints subcommittees and subcommittee chairpersons; and represents the
Chairperson may call a special meeting of the Committee should the Chairperson deem it appropriate.

Vice-Chairperson: Presides over the CAC meetings in the absence of the Chairperson; conducts the other duties of the Chairperson in his/her absence.

Should neither the Chairperson nor Vice-Chairperson be able to perform the duties of the chair, the remaining members shall elect one of themselves to serve as temporary chair.

Section 2. Selection of Officers shall be made as follows:

Chairperson: The Chairperson shall be elected by a majority of the appointed members at the January meeting. The term of office shall be for one year. If the term of appointment of the member elected Chairperson expires before the year is out and that member does not either seek reappointment or the Board does not grant such reappointment, the Vice-Chairperson will serve as Chairperson until the following January.

Vice-Chairperson: This Officer shall be elected by a majority of the appointed members at the January meeting. The term of office shall be for one year. If the term of appointment of the member elected Vice-Chairperson expires before the year is out and that member does not either seek reappointment or the Board does not grant such reappointment, the Committee will hold an election for a Vice-Chairperson to serve out the remainder of the term.
Except in extenuating circumstances as determined by the Committee, at no time shall two officers be elected from the same county. The officers shall be elected in a rotation between counties on a yearly basis. If the majority of the Committee chooses, Officers may be retained for a period longer than one year.

Clerk of the Committee: The Clerk shall be appointed by the Executive Director of JPB who will serve as staff to the Committee. The duties of Clerk to the Committee shall be to prepare and post the agenda, as advised by the CAC officers. In addition, the Clerk shall attend all regularly scheduled and special meetings of the CAC and shall prepare monthly minutes for the CAC, staff reports and public hearing notices when appropriate.

Section 3. In the case of vacancy.

In the case of any vacancy in office, the vacancy shall be filled by an election at the first regular meeting after the occurrence of the vacancy.

ARTICLE III – MEETINGS

Section 1. The regular meetings of the CAC shall be held on the third Wednesday of each month at 5:40 p.m. The CAC can approve amending its regularly scheduled meeting time, and date and location without having to seek Board authorization. Ten (10) meetings per year will be held at 1250 San Carlos Avenue, San Carlos, California. One (1) meeting will be held in San Francisco County, and one (1) meeting will be held in Santa Clara County. The meeting venues will be determined by the committee prior to the meeting. Any meeting may be cancelled or postponed by
majority vote of those in attendance at any meeting prior to the meeting being cancelled or postponed.

Section 2. The CAC meetings are subject to the Ralph M. Brown Act, Government Code Section 54950, et seq.

Section 3. Attendance being of prime importance to maintain contact between constituents and Committee, attendance of members is required at all meetings. Should a member be unable to attend a meeting they should notify the Clerk to the Committee before the meeting. Should any member have more than two (2) unexcused absences in a calendar year, the Chair shall send the member a reminder of the attendance policy. Any member who is absent for four (4) regularly scheduled meetings during a calendar year shall automatically be terminated. Any resulting vacancy shall be filled for the duration of the departing member’s term.

Section 4. Any Committee member can have an item placed on the agenda by notifying the Clerk to the Committee seventy-two (72) hours prior to the meeting.

ARTICLE IV – SUBCOMMITTEES

Section 1. Subcommittees and Ad Hoc Committees may be established by the Chairperson as necessary.

Section 2. Each subcommittee shall consist of at least three (3) CAC members, one (1) delegate from each county, appointed by the CAC Chairperson.
RESOLUTION NO. 2015 –
BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA

***

AMENDING THE BYLAWS OF THE CITIZENS ADVISORY COMMITTEE

WHEREAS, pursuant to Resolution No. 1992-28, dated June 3, 1992, the Peninsula Corridor Joint Powers Board (JPB) Board of Directors (Board) established a Citizens Advisory Committee (CAC) to provide an organized forum for conveying community information, ideas and comments to the Board; and

WHEREAS, pursuant to Resolution No. 2002-13, dated May 2, 2002, the Board adopted Bylaws to govern CAC proceedings; and

WHEREAS, at its July 15, 2015, the CAC approved the following changes to its Bylaws:

1. Article II – Officers, Section 1: The Chairperson is responsible for submission of the report of the most recent CAC meeting, in a manner the Chair deems suitable, for the monthly JPB meetings, and may delegate this responsibility to another CAC member. This change allows the Chair to submit a report in writing if he or she deems appropriate, and the Chair may assign this responsibility to another CAC member.

2. Article III – Meetings, Section 1: The requirement to hold one meeting per year in Santa Clara County and one in San Francisco has been removed. The CAC has not held meetings in those counties in a number of years, as public attendance/participation at such meetings did not increase by doing so. The CAC determined the effort was not necessary and that the central location of San Carlos worked best for most people.

3. Article III – Meetings, Section 3: The term “unexcused” has been removed from the types of absences as there is no differentiation between excused and unexcused. The statement “in a calendar year” was added for clarity, as the attendance policy is regulated by calendar year and not a 12-month rolling calendar; and
WHEREAS, the CAC has requested that the Board amend the Bylaws as stated above and in the attachment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby amends the CAC Bylaws as stated above.

Regularly passed and adopted this 6th day of August, 2015 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

__________________________

JPB Secretary
AGENDA ITEM # 4 (d)
AUGUST 6, 2015

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: APPROVAL AND RATIFICATION OF THE FISCAL YEAR (FY) 2016 INSURANCE PROGRAM

ACTION
Staff Coordinating Council recommends the Board approve and ratify the Caltrain insurance program for FY2016 at a total premium cost not to exceed $4,324,998 inclusive of the following:

- Continue the current $1 million self-insured retention on the liability program;
- Purchase $199 million of coverage for Railroad Liability, Commercial General Liability and Excess Automobile Liability, including terrorism coverage, at an annual premium of $3,427,592;
- Purchase property insurance with limits of $400 million at an annual premium of $742,666 for real and personal property, to include Centralized Equipment Maintenance and Operations Facility (CEMOF), stations, tunnels, bridges, culverts, signals, railroad equipment, and rolling stock. This insurance also continues to provide coverage against terrorism, as well as boiler and machinery perils for real property and CEMOF sufficient to meet the State of California inspection requirements;
- Purchase a $10 million Public Officials Liability policy at an annual premium of $81,813;
- Purchase an annual Special Events and Emergency Drill Liability policy with a $2 million limit for a premium of $27,986; and
- Purchase Railroad Protective Liability coverage at an annual premium of $44,941.

SIGNIFICANCE
With increased ridership and revenues, combined with an industry-wide hardening of the liability market, the Peninsula Corridor Joint Powers Board’s (JPB) overall insurance program has increased 1.4 percent. The JPB was able to maintain a program with a $1 million self-insured retention, which greatly reduces out-of-pocket payments on large claims. The program is competitive and staff is making the recommendation to maintain the current program structure.
Property catastrophes nationwide were infrequent this past year, leading to a flat to softening property insurance market, particularly for good accounts such as the JPB. The JPB’s property values increased 10 percent, resulting in higher premiums. JPB property losses remained below 25 percent, resulting in a 5 percent reduction in the policy rate due to the terms of a two-year program obtained last year. The JPB added another year extension to its property insurance program and, as an incentive, underwriters agreed to reduce the rate by 5 percent next year, assuming losses stay below 25 percent.

Limits on the JPB’s Public Officials Liability Program remained the same at $10 million. Premiums increased just slightly. The JPB was able to renew an annual Special Events Liability policy with a limit of $2 million. This coverage includes a $25,000 self-insured retention and protects the JPB during what are sometimes higher hazard operations for its annual special train events and Emergency Training exercises. The JPB’s Pollution Liability is in the second year of a two-year program and the JPB paid those premiums in FY2015.

Below is an overview of the JPB’s FY2015 and FY2016 premiums:

<table>
<thead>
<tr>
<th>Premium Element</th>
<th>FY2015</th>
<th>FY2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liability: Railroad, Commercial General, Excess Automobile</td>
<td>$3,346,837</td>
<td>$3,427,592</td>
</tr>
<tr>
<td>Liability: Environmental, Public Officials, Special Events, Emergency Drill Liability, and Railroad Protective Liability</td>
<td>$207,046</td>
<td>$154,740</td>
</tr>
<tr>
<td>Property</td>
<td>$713,700</td>
<td>$742,666</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$4,267,583</strong></td>
<td><strong>$4,324,998</strong></td>
</tr>
</tbody>
</table>

**BUDGET IMPACT**

Estimated funds to underwrite most of the cost of the recommended program are included in the FY2016 Operating Budget. A mid-year budget adjustment may be needed to cover the remainder.

**BACKGROUND**

The JPB’s liability limits remain at $200 million with an additional $100 million provided by Transit America Services, Inc., for a total of $300 million in FY2016. This renewal program allows the JPB to maintain the $1 million self-insured retention. Underwriters are continuing to focus on risk selection, adjusting pricing to reflect increased exposures and filed claims. The major driver of the higher premium is the increase in ridership over the past three years.

Prepared by: Marshall Rush, Claims Administrator 650.508.7742
RESOLUTION NO. 2015 –

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

***

APPROVING AND RATIFYING THE INSURANCE PROGRAM FOR FISCAL YEAR (FY) 2016

WHEREAS, the Executive Director of the Peninsula Corridor Joint Powers Board (JPB) has approved an insurance program for FY2016 with premiums totaling $4,324,998, which program was presented to the Staff Coordinating Council (SCC); and

WHEREAS, in conjunction with the expiration of the JPB’s existing insurance program on June 30, 2015, JPB staff renewed its insurance program for FY2016 based on the plan approved by the Executive Director, with the following significant elements:

1. A self-insured retention in the amount to $1 million;

2. Railroad Liability, Commercial General Liability and Excess Automobile Liability policies, including Terrorism (TRIA) coverage, with a total limit of $199 million, in excess of the $1 million self-insured retention, at an annual premium of $3,427,592;

3. Property insurance, including Special Risk property policies, at an annual premium of $742,666 with limits of $400 million to cover real and personal property, including stations, the Centralized Equipment Maintenance and Operations Facility, tunnels, bridges, culverts, signals, railroad equipment, and rolling stock, as well as Boiler and Machinery insurance sufficient to meet the State of California inspection requirements;

4. Public Officials Liability coverage with $10 million limits at an annual premium of $81,813;
5. Annual Special Events and Emergency Drill liability with a $2 million limit at a
   premium of $27,986;

6. Railroad Protective Liability coverage with an annual premium of $44,941;

and

WHEREAS, SCC recommends that the Board of Directors approve and ratify the
renewal of the JPB’s insurance program for FY2016 as delineated above.

NOW, THEREFORE, BE IT RESOLVED that the JPB hereby approves and ratifies the
renewal of the JPB’s insurance program for FY2016, including the types of coverage,
limits and premiums recited above.

Regularly passed and adopted this 6th day of August, 2015 by the following vote:

AYES:

NOES:

ABSENT:

______________________________
Chair, Peninsula Corridor Joint Powers Board

ATTEST:

______________________________
JPB Secretary
TO: Joint Powers Board

THROUGH: Jim Hartnett  
Executive Director

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

SUBJECT: REJECTION OF ALL BIDS TO PROVIDE RAIL GRINDING SERVICES

ACTION  
Staff Coordinating Council recommends the Board reject the bids received from Orgo-Thermit, Inc. (Orgo-Thermit) and Loram Maintenance of Way, Inc. (Loram) as non-responsive and authorize staff to re-solicit for rail grinding services.

SIGNIFICANCE  
Approval of the above actions will allow rejection of both bids received and permit staff to re-solicit for these services.

BUDGET IMPACT  
Rejection of the bids will have no budget impact.

BACKGROUND  
The Peninsula Corridor Joint Powers Board (JPB) is committed to a comprehensive and robust maintenance regime that combines Federal Transit Authority, Federal Railroad Administration, and the best industry practices to keep the trackage in its system in a state of good repair.

Staff had previously issued this solicitation as a Request for Proposals but did not receive any proposals. After surveying a number of rail grinding firms, staff determined that issuing an Invitation for Bids (IFB) might produce more responses. The IFB was advertised in a newspaper of general circulation and on the JPB website; it was also distributed to rail grinding firms. Staff received two bids, which are listed below:

<table>
<thead>
<tr>
<th>Company</th>
<th>Total Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Orgo-Thermit, Inc.</td>
<td>$645,880</td>
</tr>
<tr>
<td>2. Loram Maintenance of Way, Inc.</td>
<td>$847,516</td>
</tr>
</tbody>
</table>

Orgo-Thermit submitted a bid for use of a rail grinder using a form and level of power that does not meet the solicitation documents’ 30-horsepower minimum requirement,
rendering Orgo-Thermit's bid non-responsive. Loram's bid included exceptions to the IFB terms and conditions, which are impermissible under sealed bid procedures. Consequently, both bids have been determined to be non-responsive, requiring rejection.

Neither State law nor the JPB's procurement policy and procedures prevent the JPB from rejecting all bids.

Upon Board authorization, staff will re-solicit the services.

Contract Officer:  Adwoa Oni  650.508.6411
Project Manager:  Jim Kellner  650.508.6333
AGENDA ITEM # 4 (f)  
AUGUST 6, 2015  

PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT  

TO: Joint Powers Board  

THROUGH: Jim Hartnett  
Executive Director  

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

SUBJECT: AUTHORIZE AWARD OF CONTRACT FOR THE PURCHASE AND DELIVERY OF ONE NEW BALLAST REGULATOR  

ACTION  
Staff Coordinating Council recommends that the Board:  

1. Award a contract to the lowest, responsive and responsible bidder obtained through a negotiated contract, Knox Kershaw, Inc., Montgomery, AL, for the purchase and delivery of one new ballast regulator for a grand total cost of $586,294.  

2. Authorize the Executive Director to execute a contract with Knox Kershaw, Inc. in full conformity with the terms and conditions of the bid specification document that was sent by the Peninsula Corridor Joint Powers Board (JPB) to qualified firms to initiate negotiations.  

SIGNIFICANCE  
Award of this contract will provide the JPB with a brand new ballast regulator to use along the Caltrain right of way. A ballast regulator is a piece of maintenance equipment specifically designed to shape and distribute the ballast that supports the rail ties under the tracks.  

BUDGET IMPACT  
Funding for the purchase will come from Federal Transit Administration Sections 5337 and 5309 Systemwide Track Rehabilitation grants along with local match from member agency funds from the Fiscal Year (FY) 2014 and FY2015 Capital budgets.
BACKGROUND
The JPB seeks to purchase a ballast regulator including an engine that can comply with the U.S. Environmental Protection Agency (EPA) and California Air Resources Board (CARB) Tier 4 final emission standards, which are more stringent than the prior Tier 3 standards. Non-grandfathered non-road diesel engines will soon be required to comply with Tier 4 final standards.

An Invitation for Bids (IFB) was issued on the JPB’s procurement website to obtain bids for the purchase and delivery of one such new ballast regulator. Staff advertised the IFB in a local newspaper of general circulation. Solicitation notifications also were sent to interested bidders. The JPB received one bid, from Plasser American Corp. (Plasser).

On May 7, 2015, the Board rejected Plasser’s bid because it was non-responsive. The Board authorized staff to solicit the open market to negotiate with qualified firms that manufacturer ballast regulators and can meet the JPB’s needs. Staff sent solicitations to initiate negotiations with three qualified firms that manufacturer ballast regulators and received two offers as listed below:

<table>
<thead>
<tr>
<th>Company</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Knox Kershaw, Inc., Montgomery, AL</td>
<td>$586,294</td>
</tr>
<tr>
<td>2. Plasser American Corp, Chesapeake, VA</td>
<td>$1,327,757</td>
</tr>
</tbody>
</table>

Knox Kershaw, Inc. met all of the qualifications and solicitation requirements, and was identified as the lowest, responsive and responsible offeror. The offer was for a ballast regulator meeting the Tier 4 final emission standards but not yet in normal production for Knox Kershaw, which will begin in December 2017.

Transit America Services, Inc. recommended the purchase of a new ballast regulator in the FY2014 Basic Service Plan. The current ballast regulator is more than 12 years old and has reached the end of its useful life. It requires frequent repairs and eventually will require a complete overhaul. A new ballast regulator will improve the efficiency of track maintenance and will comply with the latest Federal Railroad Administration maintenance machine regulations and the U.S. EPA and the CARB requirements.

Contract Officer: Brian Geiger 650.508.7973
Project Manager: Pedro Gutierrez, Manager, Maintenance of Way 650.508.7793
RESOLUTION NO. 2015 –

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

***

AUTHORIZING CONTRACT AWARD TO KNOX KERSHAW, INC. FOR THE PURCHASE AND DELIVERY OF ONE NEW BALLAST REGULATOR FOR A TOTAL COST OF $586,293.50

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited competitive bids for the purchase and delivery of one new ballast regulator and received one bid, which was found to be non-responsive; and

WHEREAS, at the regular Board of Directors (Board) meeting on May 7, 2015, the Board rejected the bid as non-responsive and authorized staff to negotiate contract pricing, terms, and conditions on the open market with qualified firms that could meet the JPB's needs; and

WHEREAS, staff sent a solicitation document to initiate negotiations with three qualified firms, two of which submitted offers in response; and

WHEREAS, staff and legal counsel have reviewed the lowest monetary offer submitted by Knox Kershaw, Inc. of Montgomery, Alabama and determined that it complies with the requirements of the solicitation documents; and

WHEREAS, the Executive Director recommends that the contract be awarded to the lowest, responsive and responsible bidder, Knox Kershaw, Inc., whose bid meets the requirements of the solicitation documents.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the JPB authorizes award of the contract to Knox Kershaw, Inc. for the purchase and delivery of one new ballast regulator for a total cost of $586,293.50, inclusive of all taxes, delivery and other costs; and
BE IT FURTHER RESOLVED that the Executive Director or his designee is authorized to execute a contract on behalf of the JPB with Know Kershaw, Inc. in full conformity with the terms and conditions of the solicitation documents.

Regularly passed and adopted this 6th day of August, 2015 by the following vote:

AYES:

NOES:

ABSENT:

______________________________
Chair, Peninsula Corridor Joint Powers Board

ATTEST:

______________________________
JPB Secretary
TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

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

SUBJECT: RECOGNITION OF 25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

ACTION
Staff Coordinating Council recommends the Board adopt the proclamation celebrating the 25th anniversary of the passage of the Americans with Disabilities Act (ADA).

SIGNIFICANCE
Recognition of the passage of the ADA is a reaffirmation of the Peninsula Corridor Joint Powers Board’s (JPB) commitment to provide quality transit service to citizens with disabilities in San Mateo, San Francisco and Santa Clara counties. It also is an opportunity to focus special attention on the daily challenges faced by persons with disabilities throughout the Caltrain service area, to reflect on measures that are being taken to increase accessibility, independence and mobility, and to increase public awareness of Caltrain services that meet their needs.

BUDGET IMPACT
There is no impact on the budget.

BACKGROUND
Over the past 25 years, the JPB has:

- Continually improved the accessibility features of Caltrain to make the service a first choice of transportation for persons with disabilities as intended by the ADA;
- Increased capacity on trains for people who use wheelchairs and other mobility devices;
- Improved accessibility of Caltrain stations to provide better access for everyone;
- Installed boarding assistance areas at Caltrain stations to provide better customer service for people needing assistance;
- Engaged the disability community in the planning and oversight of accessible services through the Caltrain Accessibility Advisory Committee.

Prepared By: Tina Dubost, Manager, Accessible Transit 650.508.6247
Proclamation

CELEBRATING THE 25TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

WHEREAS, on July 26, 1990, President George H. W. Bush signed into law the Americans with Disabilities Act (ADA) to ensure the civil rights of people with disabilities; and

WHEREAS, this legislation established a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities; and

WHEREAS, the ADA has expanded opportunities for Americans with disabilities by reducing barriers, changing perceptions and increasing full participation in community life; and

WHEREAS, the full promise of the ADA will only be reached if public entities remain committed in their efforts to fully implement the ADA.

NOW, THEREFORE BE IT RESOLVED that the Board of Directors and staff of the Peninsula Corridor Joint Powers Board celebrate and recognize the progress that has been made under the ADA by reaffirming the principles of equality and inclusion and recommitting our efforts to achieve the highest level of accessible service for our customers.

Regularly passed and adopted this 6th day of August, 2015.

Chair, Peninsula Corridor Joint Powers Board
In June 2015, Caltrain’s average weekday ridership (AWR) set an all-time record high of 64,202, which is an increase of 4,286 or 7.2 percent over June 2014 AWR of 59,916. The total number of passengers who rode Caltrain in June 2015 also set an all-time record high of 1,709,178, which is 9.1 percent more than in June 2014. Farebox Revenue growth remained strong and increased 11.1 percent over June 2014.

On-time performance (OTP) for June 2015 was 85 percent, which is lower than the 92.8 percent OTP for June 2014. When trains arriving within 10 minutes of the scheduled arrival time are included, June 2015 OTP rises to 94 percent. In fact, 60 percent of all delayed trains arrived at the final destination within 10 minutes of the scheduled time. Many of those delays can be attributed to large groups, special event ridership, and the dramatic increase in ridership over the last few years. Overall in June 2015, there were 1,110 mechanical minutes of delay compared with 430 mechanical minutes of delay in June 2014. There were no days that operated with 95 percent or better OTP.

There were two fatalities in June 2015. On Friday, June 5, Train 155 struck a trespasser at Watkins Avenue in Atherton at approximately 2:56 p.m. Thirty-seven trains were delayed as a result. On Saturday, June 20, Train 445 struck a trespasser just north of the Sunnyvale Caltrain Station at approximately 7:18 p.m. Five trains were delayed and two trains were terminated as a result.

Beginning on Monday, June 29, the last Bombardier train set was returned to service as a six-car consist. Now all five Bombardier train sets are in service with six cars. No adverse effects to the schedule have been reported at this time.

Looking at customer service statistics, there were 9.7 complaints per 100,000 passengers in June 2015. This is higher than both the 8.6 complaints in June 2014 and the 8.2 complaints from the previous month in May 2015.

Shuttle ridership for June 2015 is down 2 percent from June 2014. When comparing the same shuttle routes as last year and the Marguerite shuttles are removed, overall shuttle ridership decreased 6.7 percent over June 2014. For the station shuttles, the Millbrae-
Broadway shuttle averaged 246 daily riders. The Belmont-Hillsdale shuttle averaged 60 daily riders. The weekend Tamien-San Jose shuttle averaged 86 riders per day.

**FISCAL YEAR (FY) 2015**

Looking back over the fiscal year, month-to-month total ridership has increased every month. In fact, there have been ridership increases for the past 59 continuous months. The last month-to-month ridership decline was from July 2010 to July 2011. The AWR for FY2015 was 58,429 which surpassed the previous high of 53,466 in FY2014 by 9.3 percent. Total ridership for the fiscal year also set a record at 18,567,173, which surpassed the previous high of 17,029,447 set in FY2014, by 9 percent. Farebox Revenue for the fiscal year 2015 also set a record total at $83,871,689, which is 12.1 percent over fiscal year 2014.

OTP decreased over the past year. For FY2015 the OTP was 90.2 percent, which is down from 92.3 percent in FY2014. Many issues contributed to lower OTP including mechanical issues and an increase in trespasser fatalities January through March 2015. Increases in overall ridership, including bicycles and passengers needing assistance, and special events require longer dwell times and have contributed to the current OTP level. As a result, staff is beginning an analysis of the schedule to determine if and when a schedule adjustment could be made.

For the fiscal year, complaints have averaged 10.4 per 100,000 passengers. This is slightly higher than the number of complaints from FY2014, which averaged 9.9 complaints per 100,000 passengers.

The shuttle AWR was 8,565 for FY2015, which is an increase of 148 or 1.8 percent over the 8,417 AWR in FY2014. Shuttle ridership continues to be largely influenced by Stanford’s Marguerite shuttle, which constitutes approximately 67 percent of Caltrain shuttle ridership.

**Caltrain Promotions – June 2015**

**Giants** – Hot and cold is the best way to describe the Giants performance. However, Caltrain’s performance getting fans to AT&T Park is super hot. The service continues to be promoted through a dedicated web page, home web page button, social media and a brochure that has pitcher Madison Bumgarner on it. Caltrain carried 121,640 additional customers for the 14 home games in June. Year-to-date ridership is up 9 percent compared to last season.

**Pride Festivities** – Caltrain has become a key way for those participating in San Francisco’s Gay Pride weekend to get to the festivities. To accommodate the increased demand, Caltrain added extra trains on both Saturday and Sunday. Service to the city was publicized with information on Caltrain’s website, social media, Track the Fun brochure and a news release. Caltrain carried an additional 11,867 customers on the weekend compared to an average weekend.

**Grateful Dead concert** – Levi’s® Stadium hosted two Grateful Dead concerts as part of their farewell tour. Caltrain service was promoted to Deadheads through social media,
messages on station electronic signs, Caltrain’s website and a news release. Caltrain carried an additional 5,919 customers for the two concerts.

**Off-peak & Weekend Campaign** – With summer vacations getting into full swing, Caltrain ran a brief ridership promotion focused on off-peak and weekend trains. The campaign focused on places to shop, play and go via Caltrain. Pandora radio was used for the campaign.

**San Jose Earthquakes** – The San Jose Earthquakes played the LA Galaxy at Stanford Stadium, and Caltrain had a number of trains serve the Stanford Stadium station for the match. Service to the game was promoted with messages on station electronic signs, website, social media and a news release. Total customers using the Stanford stadium station for the game was 1,913.

**Burlingame Dragons FC** – Burlingame is home to a Premiere Development League soccer team, and Caltrain seized the opportunity to reach out to its fan base to promote its service. The Burlingame Dragons FC, an official affiliate of the San Jose Earthquakes, plays at Burlingame High School, located across from the train station. As an official sponsor, Caltrain’s logo and information was printed on all game tickets, included in the game programs and posted at the stadium.

**Track the Fun** – The summer edition of Track the Fun was released and stocked onboard trains and posted to the Caltrain website. The brochure features fun destinations to visit via Caltrain, including concerts, sporting events, festivals, museums and farmers markets.

**Partnership** – In June, Caltrain partnered with Sunset Magazine to promote taking transit to its annual Celebration Weekend in Menlo Park, which is served with a free Sunset-provided shuttle from the train station. Events are generally promoted in the Track the Fun brochure, Caltrain Connection newsletter, through social media and news releases. The promoters also include Caltrain in their promotional materials and often will offer a discount on the entry fee to Caltrain customers.

Prepared By:  
Rita P. Haskin, Executive Officer, Customer Service and Marketing  
Catherine David, Senior Planner  
650.508.6248  
650.508.6471
### Table A

**JUNE 2015**

<table>
<thead>
<tr>
<th></th>
<th>FY2014</th>
<th>FY2015</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Ridership</td>
<td>1,567,199</td>
<td>1,709,178</td>
<td>9.1%</td>
</tr>
<tr>
<td>Average Weekday Ridership</td>
<td>59,916</td>
<td>64,202</td>
<td>7.2%</td>
</tr>
<tr>
<td>Total Farebox Revenue</td>
<td>$7,009,592</td>
<td>$7,790,760</td>
<td>11.1%</td>
</tr>
<tr>
<td>On-time Performance</td>
<td>92.8%</td>
<td>85.0%</td>
<td>-8.4%</td>
</tr>
<tr>
<td>Average Caltrain Shuttle Ridership</td>
<td>9,307</td>
<td>9,118</td>
<td>-2.0%</td>
</tr>
</tbody>
</table>

### Year to Date

<table>
<thead>
<tr>
<th></th>
<th>FY2014</th>
<th>FY2015</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Ridership</td>
<td>17,029,447</td>
<td>18,567,173</td>
<td>9.0%</td>
</tr>
<tr>
<td>Average Weekday Ridership</td>
<td>53,466</td>
<td>58,429</td>
<td>9.3%</td>
</tr>
<tr>
<td>Total Farebox Revenue</td>
<td>$74,846,066</td>
<td>$83,871,689</td>
<td>12.1%</td>
</tr>
<tr>
<td>On-time Performance</td>
<td>92.3%</td>
<td>90.2%</td>
<td>-2.3%</td>
</tr>
<tr>
<td>Average Caltrain Shuttle Ridership</td>
<td>8,417</td>
<td>8,565</td>
<td>1.8%</td>
</tr>
</tbody>
</table>

### Graph A

**Caltrain Average Weekday Ridership**

- **FY2014**: 59,916
- **FY2015**: 64,202

- **June 2015** Year to Date
PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: COMMUNICATIONS-BASED OVERLAY SIGNAL SYSTEM POSITIVE TRAIN CONTROL PROJECT

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

SIGNIFICANCE
A presentation will be made to update the Board on the Communications-based Overlay Signal System Positive Train Control project.

Prepared by: Josh Averill, Assistant District Secretary 650.508.6223
TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

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

SUBJECT: DELEGATION OF AUTHORITY TO THE EXECUTIVE DIRECTOR FOR APPROVAL OF ENGINEERING AND DESIGN STANDARDS, AND FOR ALL ASPECTS OF IMPROVEMENT PROJECTS THAT MODIFY OR OTHERWISE PERTAIN TO THE CALTRAIN RIGHT OF WAY, STATIONS, PROPERTY OR FACILITIES, OR THAT AFFECT OPERATIONS

ACTION
Staff Coordinating Council recommends the Board delegate the authority to the Executive Director or his designee(s) to approve:

1. The Peninsula Corridor Joint Powers Board's (JPB) Engineering and Design Standards (Standards), to be effective until revoked by an action of the Board.

2. All aspects of the design and construction of all improvement projects (new construction, rehabilitation, and maintenance) within the JPB's right of way, stations, property, facilities, or infrastructure, or that otherwise affect Caltrain operations, also to be effective until revoked by an action of the Board.

SIGNIFICANCE
The Standards govern the design, construction, phasing, and schedule for its maintenance and/or construction projects.

The proposed delegation of authority will provide greater administrative efficiency, responsiveness and flexibility relative to the design and construction of all improvement projects (new construction, rehabilitation, and maintenance) within the JPB's right of way, stations, property, facilities, or infrastructure, or that otherwise affect Caltrain operations, while allowing the JPB to enjoy the benefits of design immunity under California law.

Specifically, California Government Code section 830.6 provides that a public entity is not liable for an injury caused by the reasonable plan or design of an improvement to public property where such plan or design has been approved in advance by the governing board of the public entity or by an employee exercising discretionary
authority to give such approval. Similarly, where such a plan or design is prepared in conformity with standards previously by the governing board or by an employee exercising discretionary authority to give such approval, the public entity also enjoys immunity for any injury caused by the plan or design.

Design standards change with some frequency and returning to the Board for approval of every such change diverts attention from more significant Board items. Also, when projects are underway, waiting for additional Board approvals on specific designs or design changes can insert unwanted delays into project delivery. This is especially true in the newer regime of design/build projects, during which designs are not finalized before construction but, rather, during construction.

Removing these potential distractions and delays will allow staff to tackle both amendments to the JPB's design standards, as well as changes and modifications to the design of specific projects, will increase staff and Board efficiency.

**BUDGET IMPACT**

There is no impact on the budget. It should be noted, however, that ensuring that the JPB enjoys design immunity for its standards and projects may result in the payment of fewer claims and damage payments during the life of an improvement. Moreover, the delegation of the approval authority may result in greater efficiency and fewer project delays, resulting in potential cost savings.

**BACKGROUND**

The JPB maintains Standards that govern the design, construction, phasing, and schedule for its improvement projects (new construction, rehabilitation, and/or maintenance). The current edition of the Standards, effective September 30, 2011, are kept in a booklet form, and also are available on the Caltrain website at www.caltrain.com/engineeringstandards. Certain changes to the Design Criteria contained in the Standards, effective January 31, 2013, are incorporated into the Standards and also are available at the same website address. The Standards are revised and/or updated, as necessary, to conform to the JPB's engineering and design criteria.

The JPB's Engineering and Construction Department provides direction on and oversight of all improvements (new construction, rehabilitation, and maintenance) within and related to the JPB's right of way, stations, property, or facilities, or that otherwise affect Caltrain operations. The JPB's Engineering and Construction Department also is responsible for maintenance of the infrastructure (signal, track, and bridges), related physical assets, as well as encroachment activities.

The JPB's Engineering and Construction Department and/or its Engineering Support Unit are the principal participants in the formal review of all project designs and at specific milestones during the design, construction and acceptance process, with the objective of verifying that the JPB's engineering and design requirements and standards are appropriately incorporated, understood, and utilized in a cost effective, safe, and consistent manner.
Authorizing the Executive Director, or his designee(s), to approve modifications to the JPB’s Design Standards, as well as to approve modification to the designs of specific JPB improvement projects, will streamline the design and approval process and help realize new efficiencies in the consistent and safe application of engineering standards, without continued need for Board consideration of changes in design standards, or of designs or delegations on a project-by-project basis, while allowing the JPB to enjoy the immunities available to it under California law.

Prepared By: Shayna van Hoftenn, Legal Counsel
RESOLUTION NO. 2015 –

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

* * *

DELEGATING AUTHORITY TO THE EXECUTIVE DIRECTOR TO APPROVE THE
PENINSULA CORRIDOR JOINT POWERS BOARD'S ENGINEERING AND DESIGN STANDARDS,
AND ALL ASPECTS OF THE DESIGN AND CONSTRUCTION OF PROJECTS
THAT MODIFY OR OTHERWISE PERTAIN TO THE CALTRAIN RIGHT OF WAY, STATIONS,
PROPERTY OR FACILITIES, OR THAT AFFECT OPERATIONS

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) maintains Engineering
and Design Standards (Standards) that govern the design, construction, phasing, and
schedule for improvements (new construction, rehabilitation, and maintenance) within
the JPB's right of way, stations, property, or facilities, or that otherwise impact Caltrain
operations; and

WHEREAS, the Standards are revised when necessary to conform to updated
local (including JPB-specific), State, and Federal engineering and design requirements
and standards; and

WHEREAS, the JPB's Engineering and Construction Department provides direction
and oversight of all improvements (new construction, rehabilitation, and maintenance)
within the JPB's right of way, stations, property, infrastructure, or facilities, or that
otherwise affect Caltrain operations; and

WHEREAS, the JPB's Engineering and Construction Department is also responsible
for maintenance of the infrastructure (signal, track, and bridges), related physical
assets, as well as encroachment activities; and
WHEREAS, the JPB's Engineering and Construction Department and/or its Engineering Support Unit are the principal participants in the formal review of all project designs and at specific milestones during the design, construction and acceptance process, with the objective of verifying that the JPB's engineering and design requirements and standards are appropriately incorporated, understood, and utilized in a cost effective, safe, and consistent manner; and

WHEREAS, given that design standards change with some frequency and the JPB's Board of Directors' docket is quite full, returning to the Board for approval of every such change diverts attention from more significant Board items; and

WHEREAS, when projects are underway, waiting for additional Board approvals on specific designs or design changes can insert unwanted delays, especially for design/build projects, during which designs are not finalized during construction; and

WHEREAS, removing potential distractions and delays during amendments to the JPB's design standards, as well as changes and modifications to the design of specific projects, will improve efficiency and allow the Board to focus on the many significant issues before it; and

WHEREAS, this delegation of approval authority also streamlines procedures required to support design immunity for the JPB's standards and projects, which may result in cost savings in terms of fewer claims and damage payments during the life of an improvement; and

WHEREAS, in order to provide greater administrative efficiency, responsiveness and flexibility, staff recommends that the Board of Directors delegate authority to the Executive Director or his designee(s) to: (1) approve the JPB's Standards; and (2) approve all aspects of the design and construction of all improvement projects (new
construction, rehabilitation, and maintenance) within the JPB’s right of way, stations, property, facilities, or infrastructure, or that otherwise affect Caltrain operations, to be effective until revoked by an action of the Board.

NOW, THEREFORE, BE IT RESOLVED that the Executive Director, or his designee(s), effective immediately and until terminated by action of the Board of Directors, is authorized to: (1) approve the JPB’s Engineering and Design Standards; and (2) approve all aspects of the design and construction of all improvement projects (new construction, rehabilitation, and maintenance) within or related to the JPB’s right of way, stations, property, facilities, or infrastructure, or that otherwise affect Caltrain operations; and

BE IT FURTHER RESOLVED that the Executive Director and his designee(s), in the exercise of authority for the approval of the JPB’s Engineering and Design Standards, and for the approval of all aspects of the design and construction of all improvement projects (new construction, rehabilitation, and maintenance) within or related to the JPB’s right of way, stations, property, facilities, or infrastructure, or that otherwise affect Caltrain operations, are directed to reasonably and appropriately balance considerations of safety and convenience for pedestrians, bicyclists and motorists, accessibility to transit facilities and rail operations, and cost effectiveness, and to balance all benefits, advantages, and potential risks involved; and

BE IT FURTHER RESOLVED that the authority for the approval of the JPB’s Standards, and for the approval of all aspects of the design and construction of all improvement projects (new construction, rehabilitation, and maintenance) within or related to the JPB’s right of way, stations, property, facilities, or infrastructure, or that otherwise affect Caltrain operations, granted by this resolution is not intended to alter the process by
which funds may be budgeted for or expended on JPB’s improvement projects (new construction, rehabilitation, and maintenance).

Regularly passed and adopted this 6th day of August, 2015 by the following vote:

AYES:

NOES:

ABSENT:

__________________________
Chair, Peninsula Corridor Joint Powers Board

ATTEST:

__________________________
JPB Secretary
AGENDA ITEM # 11
AUGUST 6, 2015

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

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

SUBJECT: REJECT LOW MONETARY BID AND AWARD CONTRACT FOR THE QUINT STREET BRIDGE REPLACEMENT PROJECT

ACTION
Staff Coordinating Council recommends the Board:

1. Reject the lowest monetary bid for the Quint Street Bridge Replacement Project from Con-Quest Contractors, Inc., of San Francisco, CA, in the total amount of $4,322,069, because the firm failed to reach the 13 percent Disadvantaged Business Enterprise (DBE) contract goal and did not demonstrate good faith efforts to meet the goal.

2. Award a contract to the second lowest, responsive and responsible bidder, Shimmick Construction Company, Inc. of Oakland, CA, in the total amount of $4,450,000.

3. Authorize the Executive Director or his designee to execute the contract in full conformity with the terms and conditions of the solicitation documents, and in a form approved by legal counsel.

SIGNIFICANCE
Award of this construction contract will remove the Quint Street Bridge, a railroad bridge over Quint Street in the city and county of San Francisco, and reconstruct an elevated soil berm. Work under the contract will also remove the northernmost span of the Jerrold Avenue Bridge in San Francisco, and replace it with an elevated soil berm.

The railroad bridges are being replaced due to their current state of disrepair.

BUDGET IMPACT
Funding for this contract has been fully budgeted in approved Caltrain capital budgets.
**FUNDING SOURCE(S)**

Funding for this contract will come from Federal Section 5337 and 5309 Systemwide Track Rehabilitation grants, along with local match from the Peninsula Corridor Joint Powers Board (JPB) member agencies fund.

**BACKGROUND**

The JPB owns a two-track railroad bridge over Quint Street in San Francisco. The bridge has been in service for more than 100 years and has reached the end of its service life as reflected in the structural deficiencies and functional obsolescence observed in the yearly inspections. The removal of the bridge, construction of an elevated berm and associated track work will address the structural deficiencies by replacing a complex steel structure with a simple soil structure. This project includes track, bridge, civil, and utility work.

The planning process for this project was executed in partnership with the San Francisco County Transportation Authority and extensive public outreach to complete the street vacation process for the Quint Street right of way below the current bridge structure.

The Jerrold Avenue Phase 2 Span Removal portion of the contract will complete the Jerrold Avenue Span Removal Project. Phase 2 will complete removal of span number 1, construction of a soil berm, and reconstruction of the track structure.

The solicitation was advertised in a newspaper of general circulation and on the Public Purchase website. Solicitation notification was posted for interested bidders including Small Business Enterprises and DBEs that were registered in the vendor database. Five bids were received as listed below:

<table>
<thead>
<tr>
<th>Company</th>
<th>Total Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Con-Quest Contractors, Inc., San Francisco, CA</td>
<td>$4,322,069</td>
</tr>
<tr>
<td>Shimmick Construction Company, Inc., Oakland, CA</td>
<td>$4,450,000</td>
</tr>
<tr>
<td>DMZ Builders, Concord, CA</td>
<td>$4,850,000</td>
</tr>
<tr>
<td>Gordon N. Ball, Inc., Alamo, CA</td>
<td>$5,385,000</td>
</tr>
<tr>
<td>Disney Construction, Inc., Burlingame, CA</td>
<td>$5,533,000</td>
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Con-Quest’s bid of $4,322,069 was the lowest monetary bid. However, Con-Quest failed to reach the 13 percent DBE contract goal and did not demonstrate good faith efforts to meet the goal. In accordance with the JPB’s DBE Program, staff conducted an administrative reconsideration of its determination that Con-Quest did not demonstrate good faith efforts to meet the 13 percent contract goal. After meeting with representatives from Con-Quest and giving due consideration to all information provided by Con-Quest in response to the determination, staff upheld its initial determination that Con-Quest did not demonstrate good faith efforts to meet the DBE goal. As a result, in accordance with Federal law, Con-Quest’s bid must be rejected on the basis of non-responsibility.
Shimmick Construction Company, Inc. submitted all required bid documentation. Staff has determined, and legal counsel has concurred, that the bid submitted by Shimmick is responsive. In addition, the DBE Program Officer reviewed Shimmick’s bid submission and determined that Shimmick has met the DBE contract goal of 13 percent.

The bid from Shimmick is 25.8 percent lower than the engineer’s estimate. Staff determined that the difference between Shimmick’s bid and the engineer’s estimate is likely due to Shimmick’s use of lower contingency and cost escalation factors than were used in the engineer’s estimate. Staff has concluded that Shimmick’s bid is fair and reasonable.

Shimmick is an established Bay Area contractor and background reference checks confirm that it is experienced and competent. Therefore, staff concludes that Shimmick is appropriately qualified and capable of meeting the contract requirements and, therefore, is the lowest, responsive and responsible bidder.

Contract Officer: Evelyn Marcal 650.508.7958
Project Manager: Patrick Kitto 650.508.7798
RESOLUTION NO. 2015 –

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

***

REJECTING LOW MONETARY BID AND AWARDING CONTRACT TO SHIMMICK
CONSTRUCTION COMPANY, INC. FOR THE QUINT STREET BRIDGE REPLACEMENT PROJECT
AT A TOTAL COST OF $4,450,000

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited bids for the Quint Street Bridge Replacement Project; and

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

WHEREAS, Con-Quest Contractor’s Inc. (Con-Quest) of San Francisco, CA submitted the lowest monetary bid of $4,322,069; however, it failed to reach the 13 percent Disadvantaged Business Enterprise (DBE) contract goal and did not demonstrate good faith efforts to meet the goal; and

WHEREAS, in accordance with the JPB’s DBE Program, staff conducted an administrative reconsideration of its determination that Con-Quest did not demonstrate good faith efforts to meet the 13 percent contract goal; and

WHEREAS, after meeting with representatives from Con-Quest and giving due consideration to all information provided by Con-Quest in response to the determination, staff upheld its initial determination that Con-Quest did not demonstrate good faith efforts to meet the DBE goal; and

WHEREAS, as a result of this determination, in accordance with Federal law, Con-Quest’s bid must be rejected on the basis of non-responsibility; and

WHEREAS, staff and legal counsel have reviewed the second lowest bid, submitted by Shimmick Construction Company, Inc. (Shimmick) of Oakland, California,
and have determined that Shimmick is the lowest, responsive and responsible bidder; and

**WHEREAS**, Staff Coordinating Council recommends, and the Executive Director concurs, that the Board reject the low monetary bid submitted by Con-Quest on the basis of non-responsibility, and award a contract to Shimmick, whose bid meets all of the requirements of the solicitation documents.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the JPB hereby rejects Con-Quest's bid on the basis of non-responsibility and awards a contract to Shimmick Construction Company, Inc. of Oakland, California for the Quint Street Bridge Replacement Project for a total cost of $4,450,000; and

**BE IT FURTHER RESOLVED** that the Executive Director, or his designee, is authorized to execute a contract on behalf of the JPB with Shimmick Construction Company, Inc. in full conformity with all the terms and conditions of the solicitation documents, and in a form approved by legal counsel.

Regularly passed and adopted this 6\textsuperscript{th} day of August, 2015 by the following vote:

AYES:

NOES:

ABSENT:

______________________________
Chair, Peninsula Corridor Joint Powers Board

ATTEST:

______________________________
JPB Secretary
TO: Joint Powers Board

THROUGH: Jim Hartnett
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
Extraordinary Session 1 - Transportation Special Session
The Legislature held the first two meetings of the transportation focused special session last month. In calling the special session the governor is asking the Legislature to develop a new funding source for road maintenance and repairs. Currently the State transit system’s face a $72 billion funding deficit over the next 10 years.

New bills coming out of the special session that are of interest include:

Senate Bill Extraordinary Session 1 (SBX1) 7 (Allen) and Assembly Bill Extraordinary Session 1 (ABX1) 7 (Nazarian)
These bills would increase the amount of funding in the Transit and Intercity Rail and Low-Carbon Transit Operation Programs receive from the cap and trade revenues.

SBX1 8 (Hill) and AB1X 8 (Chiu)
These bills increase the sales tax on diesel fuel, which in turn would increase revenues to the State Transit Assistance Fund to support capital needs and operating costs of local transit agencies.

FEDERAL ISSUES
Reauthorization
On July 15, the House of Representatives passed a short-term patch extending the authorization for the Highway Trust Fund programs from July 31 to December 18 at current levels. The additional revenue to fund the program through December ($8.07 billion) would be generated by tax compliance measures (roughly $5 billion) and
the extension of aviation security fees (roughly $3 billion).

On July 21, Senate Leadership introduced a six-year surface transportation authorization bill but total offsets are estimated to cover only the first three years of authorized spending. Negotiations are on-going and the Senate could vote to pass the bill in the coming week. The bill, as introduced, would:

- Increase the authorization for public transportation programs from $10.862 billion in the current year to $11.797 billion in Fiscal Year (FY) 2016, increasing to $13.26 billion in FY2021.

- Authorize $724.8 million for bus and bus facilities in 2016, up from $428 million, going to $815.5 million in 2021. The bus program would include $190 million annually in discretionary funding with the balance under the formula program.

- Authorize $2.328 billion for state of good repair (SOGR) grants, up from $2.166 billion, and reaching $2.62 billion in 2021.

- Modify the existing Federal Transit Administration (FTA) Buy America rules. It increases the domestic content requirements for rolling stock from the current 60 percent to 65 percent in Fiscal Years 2018 and 2019, and 70 percent in FY2020 and thereafter.

- Encourage the voluntary use of confidential close call reporting system programs, requires all passenger railroads to install inward- and outward-facing cameras in all controlling locomotive cabs and cab car operating compartments and authorizes the Secretary to require the installation of audio recording devices.

- Extends the deadline for Positive Train Control (PTC) implementation to December 31, 2018. Railroads would have to install all equipment and secure spectrum by this date, with testing and certification to follow. The legislation also increases the liability cap from its 1997 level from $200 to $295 million, adjusted every 10 years for inflation.

- The TIGER program is unauthorized, subject to annual appropriations as it currently operates.

Prepared By: Seamus Murphy, Director, Government and Community Affairs 650.508.6388
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<th>Bill ID/Topic</th>
<th>Location</th>
<th>Summary</th>
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<td>AB 2</td>
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<td>Would authorize certain local agencies to form a community revitalization authority (authority) within a community revitalization and investment area, as defined, to carry out provisions of the Community Redevelopment Law in that area for purposes related to, among other things, infrastructure, affordable housing, and economic revitalization. <strong>Last Amended on 7/7/2015</strong></td>
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<td>AB 6</td>
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<td>Would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase 1 blended system. The bill, subject to the above exception, would require redirection of the unspent proceeds received from outstanding bonds issued and sold for other high-speed rail purposes prior to the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds. These provisions would become effective only upon approval by the voters at the next statewide election.</td>
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<td>AB 21</td>
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<td>Would require the State Air Resources Board in preparing its scoping plan to consult with specified state agencies regarding matters involving energy efficiency and the facilitation of the electrification of the transportation sector. This bill contains other related provisions and other existing laws. <strong>Last Amended on 5/5/2015</strong></td>
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<td>AB 23</td>
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<td>The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board to include the use of market-based compliance mechanisms. Current state board regulations require specified entities to comply with a market-based compliance mechanism beginning January 1, 2013, and require additional specified entities to comply with that market-based compliance mechanism beginning January 1, 2015. This bill would instead exempt those categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013, from being subject to that market-based compliance mechanism through December 31, 2020.</td>
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<td><strong>AB 33</strong> Quirk D</td>
<td>S. APPR. 7/15/2015-SEN. E.Q. Vote - Do pass as amended, and re-refer to the Committee on Appropriations.</td>
<td>Would establish the Energy Sector Emissions Reduction Advisory Council in state government and would require the council to recommend strategies for the electricity sector for incorporation into the scoping plan prepared by the state board, based on conclusions of specified analyses, including, among others, an analysis of the various strategies that could be implemented to reduce emissions of greenhouse gases from the electricity sector and integrate increasing amounts of renewable energy into the electricity grid. Last Amended on 6/23/2015</td>
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<td><strong>AB 61</strong> Allen, Travis R</td>
<td>A. 2 YEAR 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was TRANS. on 4/21/2015)</td>
<td>Would allow local authorities to permit shuttle service vehicles, as defined, to stop for the loading or unloading of passengers alongside specified curb spaces upon agreement between a transit system operating buses engaged as common carriers in local transportation and a shuttle service provider, as defined. The bill would state that it is the intent of the Legislature to not replace public transit services. Last Amended on 4/20/2015</td>
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<td><strong>AB 156</strong> Perea D</td>
<td>S. APPR. 7/15/2015-SEN. E.Q. Vote - Do pass as amended, and re-refer to the Committee on Appropriations.</td>
<td>Current law requires the California Environmental Protection Agency to identify disadvantaged communities and requires the Department of Finance, in consultation with the State Air Resources 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. Current law requires the 3-year investment plan to allocate a minimum of 25% of the available moneys in the fund to projects that provide benefits to disadvantaged communities. This bill would require the state board to prepare and post on its Internet Web site a specified report on the projects funded to benefit disadvantaged communities. This bill contains other related provisions. Last Amended on 7/1/2015</td>
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<td><strong>AB 194</strong> Frazier D</td>
<td>S. APPR. 7/15/2015-From committee: Do pass and re-refer to Com. on APPR. (Ayes 10. Noes 0.) (July 14). Re-referred to Com. on APPR. 8/17/2015 10 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, LARA, Chair</td>
<td>Current law provides that the Department of Transportation has full possession and control of the state highway system. Current law authorizes the department to construct exclusive or preferential lanes for buses only or for buses and other high-occupancy vehicles. This bill would authorize a regional transportation agency, in cooperation with the department, to apply to the California Transportation Commission to develop other toll facilities, as specified. Last Amended on 7/2/2015</td>
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<td><strong>AB 227</strong></td>
<td>A. 2 YEAR 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was BUDGET, on 4/16/2015)</td>
<td>Current law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified. This bill, with respect to any loans made to the General Fund from specified transportation funds and accounts with a repayment date of January 1, 2019, or later, would require the loans to be repaid by December 31, 2018. This bill contains other related provisions and other current laws. <strong>Last Amended on 4/15/2015</strong></td>
<td>Oppose</td>
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<td><strong>AB 318</strong> Chau D</td>
<td>S. JUD. 7/6/2015-In committee: Hearing postponed by committee.</td>
<td>Would, until December 31, 2020, provide that if that lost property is found on a vehicle of public conveyance or on public transit property, that it instead be turned in to the public transit agency, and would provide 90 days for the owner to return and claim the property, as specified. The bill, until December 31, 2020, also would require the public transit agency to cause notice of the property to be published under specified circumstances. <strong>Last Amended on 6/11/2015</strong></td>
<td>Oppose</td>
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<tr>
<td><strong>AB 326</strong> Frazier D</td>
<td>A. 2 YEAR 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. &amp; E. on 4/22/2015)</td>
<td>Current law requires the Labor Commissioner to issue a civil wage and penalty assessment to a contractor or subcontractor, or both, if the Labor Commissioner determines, after investigation, that the contractor or subcontractor, or both, violated the laws regulating public works contracts, including the payment of prevailing wages. This bill would require the department to release the funds deposited in escrow plus interest earned to those persons and entities as expeditiously as possible following the conclusion of all administrative and judicial review. This bill contains other existing laws. <strong>Last Amended on 4/21/2015</strong></td>
<td>Support</td>
</tr>
<tr>
<td><strong>AB 378</strong> Mullin D</td>
<td>A. 2 YEAR 5/15/2015-Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/18/2015)</td>
<td>Current law provides that the Department of Transportation has full possession and control of the state highway system. Current law imposes various requirements for the development and implementation of transportation projects. This bill would declare the intent of the Legislature to enact legislation that will enable responsible local, regional, and state agencies to substantially improve mobility in the State Highway 101 corridor. The bill would make findings and declarations in that regard.</td>
<td>Support</td>
</tr>
<tr>
<td><strong>AB 464</strong> Mullin D</td>
<td>A. CONCURRENCE 7/13/2015-In Assembly. Concurrence in Senate amendments pending. May be considered on or after July 15 pursuant to Assembly Rule 77. 7/16/2015 #70 ASSEMBLY UNFINISHED BUSINESS CONCURRENCE IN SENATE AMENDMENTS</td>
<td>Current law authorizes cities and counties, and, if specifically authorized, other local governmental entities, subject to certain limitations and approval requirements, to levy a transactions and use tax for general purposes, in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law, including a requirement that the combined rate of all taxes imposed in accordance with that law in the county not exceed 2%. This bill would increase that maximum combined rate to 3%. <strong>Last Amended on 6/17/2015</strong></td>
<td>Support</td>
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<td><strong>AB 471</strong></td>
<td>Harper R</td>
<td>Employment. Current law prohibits, subject to certain exceptions, an employer from requiring an employee to work more than 5 hours per day without providing a meal period. This bill would make a nonsubstantive change to those provisions.</td>
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<td><strong>AB 516</strong></td>
<td>Mullin D</td>
<td>Vehicles: temporary license plates. Would require the DMV to develop an operational system, no later than January 1, 2018, that allows a dealer or lessor-retailer to electronically report the sale of a vehicle and provide a temporary license plate as specified. The bill would, commencing January 1, 2017, authorize the department to assess specified administrative fees on processing agencies to support the administration of this system. The bill would also, commencing January 1, 2018, increase the document processing charge, as specified, that a dealer may impose on the purchaser or lessee of a vehicle. This bill contains other related provisions and other existing laws. <strong>Last Amended on 6/30/2015</strong></td>
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<td><strong>AB 528</strong></td>
<td>Baker R</td>
<td>San Francisco Bay Area Rapid Transit District: strikes: prohibition. Would prohibit employees of the San Francisco Bay Area Rapid Transit District from engaging in a strike or work stoppage if the transit district board maintains the compensation and benefit provisions of an expired contract and an employee or employee organization has agreed to a provision prohibiting strikes in the expired or previous written labor contract. The bill would provide that an employee whom the transit district employer finds willfully engaged in a strike or work stoppage in violation of these provisions is subject to dismissal if that finding is sustained upon conclusion of the appropriate proceedings necessary for the imposition of a disciplinary action. <strong>Last Amended on 7/14/2015</strong></td>
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<td><strong>AB 828</strong></td>
<td>Low D</td>
<td>Vehicles: transportation services. Would require the Public Utilities Commission to conduct an investigation to consider whether existing statutes and regulations relating to transportation services serve the public interest, encourage innovation, and create a fair and competitive transportation market between companies that provide regulated transportation services. The bill would require the commission to complete the investigation and report its conclusions and recommendations to the Legislature on or before January 1, 2017. This bill contains other related provisions and other existing laws. <strong>Last Amended on 7/14/2015</strong></td>
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<td><strong>AB 857</strong></td>
<td>Perea D</td>
<td>California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program. Would annually, between January 2, 2018, and January 1, 2023, inclusive, require no less than 50% or $100,000,000, whichever is greater, of the moneys allocated for technology development, demonstration, pre-commercial pilots, and early commercial deployments of zero- and near-zero-emission medium- and heavy-duty truck technology be allocated and spent to support the commercial deployment of existing zero- and near-zero-emission heavy-duty truck technology that meets or exceeds a specified emission standard. <strong>Last Amended on 6/23/2015</strong></td>
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<td>AB 869 Cooper D</td>
<td>S. INACTIVE FILE 7/2/2015-Ordered to inactive file at the request of Senator Pan.</td>
<td>Current law authorizes a public transportation agency to adopt and enforce an ordinance to impose and enforce civil administrative penalties for fare evasion or other passenger misconduct, other than by minors, on or in a transit facility or vehicle in lieu of the criminal penalties otherwise applicable, with specified administrative procedures for the imposition and enforcement of the administrative penalties, including an initial review and opportunity for a subsequent administrative hearing. This bill would provide that a person who fails to pay the administrative penalty when due or successfully complete the administrative process to dismiss the notice of fare evasion or passenger conduct violation may be subject to those criminal penalties.</td>
<td>Last Amended on 6/18/2015</td>
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<td>AB 877 Chu D</td>
<td>A. 2 YEAR 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/6/2015)</td>
<td>Would expand the California Transportation Commission to 15 members, with one additional Member of the Assembly and one additional Member of the Senate as ex officio nonvoting members. This bill contains other related provisions and other existing laws.</td>
<td>Last Amended on 3/26/2015</td>
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<td>AB 1068 Allen, Travis R</td>
<td>A. 2 YEAR 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 3/19/2015)</td>
<td>Would authorize each Member of the Legislature to nominate one project within his or her respective district each year, and the Governor to designate those projects as priority projects if the projects meet specified requirements. The bill would require the Governor to provide a notice of the designation to the appropriate lead agency and to the Office of Planning and Research. The bill would require the lead agency to notify the public and interested stakeholders of the designation, as specified, thereby imposing a state-mandated local program.</td>
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<td>AB 1171 Under R</td>
<td>S. CONSENT CALENDAR 7/13/2015-Ordered to special consent calendar. 7/16/2015 #213 SENATE SPECIAL CONSENT CALENDAR #5</td>
<td>Would authorize regional transportation agencies, as defined, to use the Construction Manager/General Contractor project delivery method, as specified, to design and construct certain expressways that are not on the state highway system if: (1) the expressways are developed in accordance with an expenditure plan approved by voters, (2) there is an evaluation of the traditional design-bid-build method of construction and of the Construction Manager/General Contractor method, and (3) the board of the regional transportation agency adopts the method in a public meeting.</td>
<td>Last Amended on 6/19/2015</td>
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<td>AB 1360 Ting D</td>
<td>S. E. U., &amp; C. 7/13/2015-In committee: Hearing postponed by committee.</td>
<td>Would exempt from specified provisions relating to the Passenger Charter-Party Carriers’ Act a service operated by a transportation network company or a charter-party carrier of passengers that prearranges a ride among multiple passengers who share the ride in whole or in part, provided that the vehicle seats no more than 7 passengers, not including the driver, is operated by a participating driver, as defined, is not used to provide public transit services or carry passengers over a fixed route, is not used to provide pupil transportation services or public paratransit services, and the fare for each passenger is less than the fare that would be charged to a passenger traveling alone.</td>
<td>Support</td>
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<td><strong>ACA 4</strong></td>
<td>Frazier D</td>
<td>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, as defined, requires the approval of 55% of its voters voting on the proposition.</td>
<td>Support</td>
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<td>Local government transportation projects: special taxes: voter approval.</td>
<td>A. APPR. 7/14/2015-From committee: Be adopted, and re-refer to Com. on APPR. Re-referred. (Ayes 5, Noes 3) (July 13). Re-referred to Com. on APPR.</td>
<td>The measure would also make conforming and technical, nonsubstantive changes. This measure would also provide that it shall become effective immediately upon approval by the voters and shall apply to any local measure imposing, extending, or increasing a special tax for local transportation projects submitted at the same election.</td>
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<td><strong>SB 1</strong></td>
<td>Gaines R</td>
<td>The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board to include the use of market-based compliance mechanisms. Current state board regulations require specified entities to comply with a market-based compliance mechanism beginning January 1, 2013, and require additional specified entities to comply with that market-based compliance mechanism beginning January 1, 2015.</td>
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<td>California Global Warming Solutions Act of 2006: market-based compliance mechanisms: exemption.</td>
<td>S. E.Q. 4/7/2015-April 15 set for second hearing canceled at the request of author.</td>
<td>This bill instead would exempt categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013, from being subject to that market-based compliance mechanism.</td>
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<td><strong>SB 5</strong></td>
<td>Vidak R</td>
<td>Under the California Global Warming Solutions Act of 2006, current State Air Resources Board regulations require specified entities to comply with a market-based compliance mechanism beginning January 1, 2013, and require additional specified entities to comply with that market-based compliance mechanism beginning January 1, 2015.</td>
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<td>California Global Warming Solutions Act of 2006: market-based compliance mechanisms: exemption.</td>
<td>S. E.Q. 4/16/2015-April 15 set for second hearing. Failed passage in committee. (Ayes 2, Noes 5. Page 648.) Reconsideration granted.</td>
<td>This bill instead would exempt categories of persons or entities that did not have a compliance obligation, as defined, under a market-based compliance mechanism beginning January 1, 2013, from being subject to that market-based compliance mechanism through December 31, 2020.</td>
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<td><strong>SB 9</strong></td>
<td>Beall D</td>
<td>Would modify the purpose of the Transit and Intercity Rail Capital Program to delete references to operational investments and instead provide for the funding of transformative capital improvements that will modernize California's intercity, commuter, and urban rail systems and bus and ferry transit systems to achieve certain policy objectives, including reducing emissions of greenhouse gases, expanding and improving transit services to increase ridership, and improving transit safety. Last Amended on 7/7/2015</td>
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<td>Greenhouse Gas Reduction Fund: Transit and Intercity Rail Capital Program.</td>
<td>A. SECOND READING 7/15/2015-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 9, Noes 0.) (July 13). 7/16/2015 #14 ASSEMBLY SENATE SECOND READING FILE</td>
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<td><strong>SB 32</strong> Pavley D</td>
<td>A. APPR. 7/14/2015-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 3.) (July 13). Re-referred to Com. on APPR.</td>
<td>Would require the State Air Resources Board to approve statewide greenhouse gas emissions limits that are equivalent to 40% below the 1990 level to be achieved by 2030 and 80% below the 1990 level to be achieved by 2050, as specified.</td>
<td>Support</td>
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<td><strong>SB 64</strong> Liu D</td>
<td>A. APPR. SUSPENSE FILE 7/8/2015-July 8 set for first hearing. Placed on suspense file.</td>
<td>The bill would authorize the state board to adopt an interim greenhouse gas emissions level target to be achieved by 2040. The bill also would state the intent of the Legislature for the Legislature and appropriate agencies to adopt complementary policies that ensure the long-term emissions reductions advance specified criteria.</td>
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<td><strong>SB 122</strong> Jackson D</td>
<td>A. APPR. SUSPENSE FILE 7/15/2015-July 15 set for first hearing. Placed on APPR. suspense file.</td>
<td>The bill would make conforming changes.</td>
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<td><strong>SB 207</strong> Wieckowski D</td>
<td>A. NAT. RES. 5/14/2015-Referred to Com. on NAT. RES.</td>
<td>Current law requires a state agency expending moneys from the Greenhouse Gas Reduction Fund to create a record, prior to the expenditure, that includes, among other things, a description of the expenditure proposed to be made and a description of how the proposed expenditure will contribute to achieving and maintaining greenhouse gas emissions reductions, as specified.</td>
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<td>Bill ID/Topic</td>
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<td><strong>SB 231</strong></td>
<td>A. APPR.</td>
<td>Current law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism relative to reduction of greenhouse gas emissions, to be deposited in the Greenhouse Gas Reduction Fund. This bill would include water-borne transit as an eligible project that may be funded under these 2 programs. Because the bill would expand the allowable purposes for which the continuously appropriated funds allocated to the program may be expended, it would thereby make an appropriation. <strong>Last Amended on 6/2/2015</strong></td>
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<td>Gaines R</td>
<td>7/14/2015-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 9, Noes 0.) (July 13). Re-referred to Com. on APPR.</td>
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<td>Transportation programs.</td>
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<td><strong>SB 321</strong></td>
<td>A. REV. &amp; TAX SUSPENSE FILE</td>
<td>Would, for the 2015-16 fiscal year and each fiscal year thereafter, require the State Board of Equalization, on or before July 1, 2015, or March 1 of the fiscal year immediately preceding the applicable fiscal year, as specified, to adjust the excise tax rate on motor vehicle fuel in a manner as to generate an amount of revenue equal to the amount of revenue loss attributable to the exemption, based on estimates made by the board that reflect the combined average of the actual fuel price over the previous 4 fiscal years and the estimated fuel price for the current fiscal year, and continuing to take into account adjustments required by existing law to maintain revenue neutrality for each year. This bill contains other related provisions and other existing laws. <strong>Last Amended on 5/27/2015</strong></td>
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<td>Motor vehicle fuel taxes; rates: adjustments.</td>
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<td><strong>SB 348</strong></td>
<td>A. THIRD READING 7/9/2015-Read second time. Ordered to third reading. 7/16/2015 #107 ASSEMBLY SENATE THIRD READING FILE</td>
<td>CEQA exempts from its requirements railroad grade separation projects that eliminate existing grade crossings or that reconstruct existing grade separations. CEQA authorizes a lead agency, if it determines that a project is exempt from the requirements of CEQA, to file a notice of exemption with specific public entities. This bill would require a lead agency, if it determines that the above exemption applies to a project that the agency approves or determines to carry out, to file a notice of exemption with the Office of Planning and Research and, in the case of a local agency, with the county clerk in each affected county. This bill contains other related provisions and other existing laws. <strong>Last Amended on 4/6/2015</strong></td>
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<td>Galgiani D</td>
<td>7/9/2015-Read second time and amended. Re-referred to Com. on APPR.</td>
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<td><strong>SB 358</strong></td>
<td>A. APPR. 7/9/2015-Read second time and amended.</td>
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<td>Jackson D</td>
<td>Current law makes it a misdemeanor for an employer or other person acting either individually or as an officer, agent, or employee of another person to pay or cause to be paid to any employee a wage less than the rate paid to an employee of the opposite sex as required by specified provisions, or who reduces the wages of any employee in order to comply with these provisions. This bill would revise that prohibition to eliminate the requirement that the wage differential be within the same establishment, and instead would prohibit an employer from paying any of its employees at wage rates less than those paid to employees of the opposite sex for substantially similar work, when viewed as a composite of skill, effort, and responsibility, as specified. <strong>Last Amended on 7/9/2015</strong></td>
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<td>Conditions of employment: gender wage differential.</td>
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<td><strong>SB 391</strong></td>
<td>S. 2 YEAR 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was PUB. S. on 4/21/2015)</td>
<td>Would make an assault committed against a transit employee punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding $2,000, or by both that fine and imprisonment. By expanding the scope of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. <strong>Last Amended on 4/21/2015</strong></td>
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<td>Huff R</td>
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<td>Assault and battery: transit employees.</td>
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### Peninsula Corridor Joint Powers Board
### State Legislative Matrix as of 7/16/2015

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<tr>
<th>Bill ID/Topic</th>
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<th>Summary</th>
<th>Position</th>
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<td><strong>SB 400</strong> Lara D</td>
<td>A. APPR. 7/14/2015-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 2.) (July 13). Re-referred to Com. on APPR.</td>
<td>Would require the High-Speed Rail Authority to allocate not less than 25% of the moneys continuously appropriated to the authority from the Greenhouse Gas Reduction Fund to projects that either reduce or offset greenhouse gas emissions directly associated with the construction of the high-speed rail project and provide a co-benefit of improving air quality. The bill would require priority to be given within this expenditure category to measures and projects that are located in communities in areas designated as extreme nonattainment.</td>
<td>Watch Closely</td>
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<td><strong>SB 413</strong> Wieckowski D</td>
<td>A. APPR. 7/14/2015-From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0.) (July 14). Re-referred to Com. on APPR.</td>
<td>Current law makes it a crime, punishable as an infraction, for a person to commit certain acts on or in a facility or vehicle of a public transportation system, including disturbing another person by loud or unreasonable noise on the facilities, vehicles, or property of the public transportation system, in specified circumstances. This bill would revise the unreasonable noise provision so that it would apply to a person failing to comply with the warning of a transit official related to disturbing another person by loud and unreasonable noise, and also to a person playing unreasonably loud sound equipment on or in a public transportation system facility or vehicle.</td>
<td>Support</td>
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<td><strong>SB 461</strong> Hernandez D</td>
<td>A. APPR. 7/14/2015-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 16. Noes 0.) (July 13). Re-referred to Com. on APPR.</td>
<td>Current law describes the authorized routes in the state highway system and establishes a process for adoption of a highway on an authorized route by the California Transportation Commission. Current law authorizes the commission to relinquish certain state highway segments to local agencies. This bill would authorize the commission to relinquish specified portions of State Highway Route 164 to the County of Los Angeles and to the City of South El Monte, under specified conditions.</td>
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<td><strong>SB 491</strong> Committee on Transportation and Housing</td>
<td>A. APPR. 7/14/2015-From committee: Do pass and re-refer to Com. on APPR. with recommendation: To consent calendar. (Ayes 16. Noes 0.) (July 13). Re-referred to Com. on APPR.</td>
<td>Current law, in the area under the jurisdiction of the Bay Area Air Quality Management District, requires at least 40% of fee revenues to be proportionately allocated to each county within the district, and requires an entity receiving these revenues, at least once a year, to hold one or more public meetings for the purpose of adopting criteria for expenditure of the funds and to review those expenditures. This bill would instead, at least once a year, require one or more public meetings to adopt criteria for expenditure of funds, if the criteria have been modified from the previous year, and one or more public meetings to review those expenditures.</td>
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<td>SB 508</td>
<td>A. SECOND READING 7/15/2015-Read second time and amended. Ordered to second reading. 7/16/2015 #3 ASSEMBLY SENATE SECOND READING FILE</td>
<td>Would delete the requirement for transit operators to maintain higher fare-box requirements based on the 1978-79 fiscal year. The bill would exempt additional categories of expenditures from the definition of &quot;operating cost&quot; used to determine compliance with required fare-box ratios, including, among others, certain fuel, insurance, and claims settlement cost increases beyond the change in the Consumer Price Index. Last Amended on 7/15/2015</td>
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<td>SB 529</td>
<td>S. T. &amp; H. 4/16/2015-Re-referred to Com. on T. &amp; H.</td>
<td>Current law provides various sources of funding for transportation projects. This bill would appropriate $10 million from the General Fund to the Downtown/Riverfront Streetcar Project, connecting Sacramento to West Sacramento, for use in funding the development of the project. Last Amended on 4/14/2015</td>
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<td>SB 579</td>
<td>A. APPR. 6/25/2015-From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 1.) (June 24). Re-referred to Com. on APPR.</td>
<td>Current law prohibits an employer who employs 25 or more employees working at the same location from discharging or discriminating against an employee who is a parent, guardian, or grandparent having custody of a child in a licensed child day care facility or in kindergarten or grades 1 to 12, inclusive, for taking off up to 40 hours each year for the purpose of participating in school activities, subject to specified conditions. This bill would revise references to a day care facility to instead refer to a child care provider. Last Amended on 6/2/2015</td>
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<td>SB 599</td>
<td>A. APPR. SUSPENSE FILE 7/8/2015-July 8 set for first hearing. Placed on suspense file.</td>
<td>Current law requires a local government agency to give a 10% preference to any bidder on a service contract to provide public transit services who agrees to retain employees of the prior contractor or subcontractor for a period of not less than 90 days, as specified. This bill would expand these provisions to require a state agency to also give a 10% preference to any bidder under these provisions.</td>
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<td>SB 698</td>
<td>S. 2 YEAR 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/19/2015)</td>
<td>Would continuously appropriate an unspecified amount from the Greenhouse Gas Reduction Fund to the State Highway Account in the State Transportation Fund for purposes of funding school zone safety projects within the Active Transportation Program. This bill contains other existing laws.</td>
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<td>SB 767</td>
<td>A. SECOND READING 7/15/2015-From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 12, Noes 2.) (July 13). 7/16/2015 #47 ASSEMBLY SENATE SECOND READING FILE</td>
<td>Would authorize the Los Angeles County Metropolitan Transportation Authority (MTA) to impose an additional transportation transactions and use tax at a specified rate of up to 0.5% or 1.0% if certain conditions exist and subject to various requirements, including the adoption of an expenditure plan and voter approval, as specified. This bill contains other related provisions and other existing laws.</td>
<td>Last Amended on 7/8/2015</td>
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TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

FROM: Marian Lee
Executive Officer, Caltrain Modernization Program

SUBJECT: METROPOLITAN TRANSPORTATION COMMISSION (MTC) TRANSIT SUSTAINABILITY PROJECT (TSP) – PROGRESS UPDATE

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

SIGNIFICANCE
The Peninsula Corridor Joint Powers Board (JPB) is required to make annual reports of its progress towards performance targets identified in the MTC’s TSP and must update MTC on any new programs or strategies intended to help achieve further improvements.

It has now been three years since the program’s inception and the JPB is on track to meet its regional performance target.

This informational item describes the annual update to be submitted to MTC in August 2015. Staff will make a brief PowerPoint presentation at the August Board meeting.

BUDGET IMPACT
There is no impact on the budget.

BACKGROUND
The MTC launched the TSP in January 2010 to address operating and capital shortfalls experienced by transit operators in the nine-county San Francisco Bay Area. The purpose of the TSP is to help improve transit performance and to attract more customers to the transit systems. The TSP focused on financial, service performance and institutional frameworks of the transit agencies.

The MTC adopted the TSP final recommendations on May 23, 2012, establishing efficiency performance measures and targets for the seven large San Francisco Bay Area transit operators: San Mateo County Transit District, Alameda-Contra Costa Transit District, Bay Area Rapid Transit District, JPB, Golden Gate Bridge, Highway, and Transportation District, San Francisco Municipal Transportation Agency, and Santa Clara Valley Transportation Authority.
MTC requires each of the seven large operators to each achieve a 5 percent real reduction in at least one of the following performance measures by Fiscal Year (FY) 2017 and no growth beyond Consumer Price Index thereafter:

- cost per service hour
- cost per passenger
- cost per passenger mile

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

As required by the MTC, the JPB adopted the Caltrain TSP Strategic Plan, outlining the JPB’s intended approach to improving operating efficiency and achieving the targets identified in the TSP, on March 7, 2013.

Prepared by: Sebastian Petty, Senior Planner 650.622.7831
TO: Joint Powers Board

THROUGH: Jim Harnett
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: UPDATE ON THE EXECUTION OF THE FUEL HEDGING PROGRAM

ACTION
This item is presented for informational purpose only.

SIGNIFICANCE
On June 4, 2015, the Board approved the Term sheet for Commodity Price Cap for the Fiscal Year (FY) 2016 Fuel Hedging Program and authorized the Executive Director or Deputy CEO, Finance and Administration, to execute the documents required to complete the commodity price cap transaction with Barclays Bank PLC (Barclays), the counterparty selected through a negotiated process.

A pricing call was held on June 9, 2015 and pricing was agreed upon. Based upon the recommendation of the Peninsula Corridor Joint Powers Board’s (JPB) financial advisors, the JPB settled with Barclays at a strike price of $2 per gallon and a cap price of $0.12 per gallon. Based upon a market analysis of similar transactions, the JPB financial advisors provided a pricing opinion that the price paid for the commodity price cap was within the range deemed to be fair and reasonable for similar transactions. All documents required to be executed were reviewed and approved by Orrick, Herrington & Sutcliffe, LLP, special counsel to the JPB in connection with the fuel hedging program.

As a result of a ratings downgrade from "A" to "A-" by Standard & Poor's, Barclays is now required to post collateral at a zero threshold as required by the Board approved documents. Staff has initiated steps to require Barclays to collateralize in accordance with the provisions of the documents.

The primary goal for the Fuel Hedging Program is to reduce volatility and uncertainty in the fuel budget for FY2016. Consistent with the Fuel Hedging Policy, the JPB has hedged 2.3 million gallons, approximately 50 percent of the JPB’s expected annual fuel consumption. To maximize the Fuel Hedging Program’s potential economic efficiency, the JPB partnered with the San Mateo County Transit District (District), which hedged 1.2 million gallons, approximately 70 percent of the District’s expected annual fuel consumption.
Staff expects to return the Board next year with an assessment of the FY2016 Fuel Hedging Program.

**BUDGET IMPACT**
The JPB’s FY2016 adopted budget for fuel expenses is $18.5 million, which includes a new Green House Gas Tax. The purchase of the price cap from Barclays at $2 per gallon helps keep the increase in the fuel budget to a minimal level as the fuel prices rise. The Fuel Hedging Program also gives the JPB a measure of budgetary certainty and allows for more effective utilization of budget resources. The fees for the FY2016 Fuel Hedging Program include about $25,000 for the financial advisor, $105,000 for outside legal counsel and $276,000 for the price cap premium.

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

In order to meet the primary goal of the Fuel Hedging Program of reducing volatility and uncertainty in the fuel budget for FY2016, staff purchased a commodity price cap consistent with the Fuel Hedging Policy. Staff notes that the price cap will not include taxes on the fuel price, however the price commonly reported to the Board includes taxes. A price cap allows the JPB to limit its exposure if fuel prices rise, while continuing to receive the benefit of lower costs if prices fall.

Prepared By: Aandy Ly, Manager, Budgets 650.508.6376