AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

September 3, 2015 – Thursday

10:00 a.m.

1. Pledge of Allegiance

2. Call to Order/Roll Call

3. Public Comment
   Public comment by each individual speaker shall be limited to two minutes

4. Consent Calendar
   Members of the public or Board may request that an item under the Consent Calendar be considered separately
   a) Approval of Minutes of August 6, 2015
   b) Acceptance of Statement of Revenues and Expenses for July 2015
   c) Authorize Entering into a Funding Agreement with the Bay Area Air Quality Management District to Receive $20 Million in Grant Funds for the Peninsula Corridor Electrification Project
   d) Authorize Entering into a Memorandum of Understanding with Santa Clara Valley Transportation Authority for a Joint Disadvantaged Business Enterprise Availability and Utilization Study with a JPB Funding Commitment Not to Exceed $270,000
   e) Authorize Adoption of Amended and Restated Clipper Memorandum of Understanding
   f) Call for a Public Hearing on November 5 for Proposed Codified Tariff Changes

5. Chairperson’s Report

6. Report of the Citizens Advisory Committee

7. Report of the Executive Director
   a) Recognition of San Mateo County Transit Police Deputies Lance Whitted and Erik Rueppel
   b) Recognition of G4S Secure Solutions (USA) Inc. Security Officer Dell Thompson
   c) Proclamation Declaring September as Railroad Safety Month

RESOLUTIONS

INFORMATIONAL

MOTION

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

9. Authorize an Interim Financing in the Form of a Commercial Paper Program Secured by a Direct Pay Letter of Credit or a Revolving Line of Credit in an Amount Not-to-Exceed $125 Million for the Peninsula Corridor Electrification Project

10. Authorize Execution of a Six-Party Regional Funding Supplement to the 2012 Nine-Party Memorandum of Understanding for the Peninsula Corridor Electrification Project

11. Authorize Delegation of Authority to the Executive Director to Execute Comprehensive Agreements with the Cities and Counties Along the Caltrain Corridor for Implementation of the Peninsula Corridor Electrification Project

12. Authorize Execution of Real Estate Cooperative Agreements with the San Mateo County Transit District and Santa Clara Valley Transportation Authority to Undertake Eminent Domain Proceedings in Connection with the Peninsula Corridor Electrification Project

13. Update on Communications-Based Overlay Signal System/ Positive Train Control Project

14. Authorize Amendment to the Communications-Based Overlay Signal System/ Positive Train Control Contract with Parsons Transportation Group, Inc. in the Amount of $10 Million

15. Regional Transportation Plan Update and Call for Projects

16. Legislative Update


18. Correspondence

19. Board Member Requests

20. Date/Time of Next Regular Meeting: Thursday, October 1, 2015, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070
21. General Counsel Report
   a) Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):
      PCAM, LLC v. San Mateo County Transit District, Peninsula Traffic Congestion Relief Alliance, and Peninsula Corridor Joint Powers Board, Case No. CIV533496

22. Adjourn
INFORMATION FOR THE PUBLIC

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

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

Location, Date and Time of Regular Meetings
Regular meetings are held at the The San Mateo County Transit District Administrative Building located at 1250 San Carlos Avenue, San Carlos, one block west of the San Carlos Caltrain Station on El Camino Real, accessible by SamTrans bus Routes ECR, FLX, 260, 295 and 398. Additional transit information can be obtained by calling 1.800.660.4287 or 511.

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

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

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

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

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

MINUTES OF AUGUST 6, 2015

MEMBERS PRESENT: J. Gee, R. Guilbault, A. Kalra, A. Tissier (Chair), P. Woodward

MEMBERS ABSENT: J. Cisneros, M. Cohen, T. Nolan, K. Yeager

STAFF PRESENT: J. Averill, J. Cassman, G. Harrington, J. Hartnett, C. Harvey, R. Haskin, M. Lee, M. Martinez, N. McKenna, S. Murphy, S. Petty, M. Simon

Chair Adrienne Tissier called the meeting to order at 10:07 a.m. and led the Pledge of Allegiance.

PUBLIC COMMENT
Roland Lebrun, San Jose, commended the two Transit Police officers who saved a life on the tracks. He asked why both trains hit the car instead of stopping. The first train could have derailed in the path of the other train. The gate fault should have been triggered and stopped the trains on the tracks, and the track circuits should have detected the car and triggered a stop on the line. He recommended the Board direct staff to investigate a solution that would arm first responders with a device similar to what they use for traffic light preemption so they can manually shut down the line if there is a problem.

Jeff Carter, Millbrae, said he appreciates the Board requiring an 8:1 ratio of seats to bikes on the Electric Multiple Units (EMU), but bathrooms need to be on the trains. Many parking lots are at capacity and that could limit ridership, so Caltrain may need to start expanding parking to accommodate the increasing ridership. Bikes onboard allows for fewer car parking spaces.

Vaughn Wolffe, Pleasanton, said the board’s emphasis should be on ridership, not bicycles. Standing room does not indicate there is capacity for bicyclists. Everyone should have a seat and bicyclists take up more than one seat. The main reason people ride trains is so they can do work onboard, but they can’t work if they’re standing up.

CONSENT CALENDAR
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 (FY) 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
Public Comment
Roland Lebrun, San Jose, said there is no information on the Statement of Revenues and Expenses for June, just that the final audited statements won’t be available until December. The Santa Clara Valley Transportation Authority (VTA) will have theirs in October. He asked why the JPB is taking another two months. He said in June the Board approved $5.7 million worth of insurance, and asked what is happening to the $1.4 million.

Jerry Carlson, San Carlos, said a five-month delay in producing a year-end financial statement seems unprecedented. He asked if the Board has an audit committee with direct access to the outside auditors.

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

CHAIRPERSON’S REPORT
None.

REPORT OF THE CAC
Chris Cobey, Chair, CAC, said at its July 15 meeting, the CAC:
- Discussed bathrooms on EMUs and recommended one bathroom per consist.
- Received presentations on the Caltrain Modernization (CalMod) Program, homeless encampments, right of way maintenance, and customer information during service disruptions.
- Created a subcommittee on train identification and schedule communication to explore options on labeling trains, to better inform customers of schedule information, and adding schedule listings to the San Jose platform.
- The work plan includes consideration of customer attitudes on service levels and scheduling, fare increases and equity, quiet cars, customer survey results, and Wi-Fi.

REPORT OF THE EXECUTIVE DIRECTOR
Proclamation Recognizing the 25th Anniversary of the Americans with Disabilities Act
Chuck Harvey, Deputy CEO, said this is an opportunity to celebrate the legislation that ensures people with disabilities have the right to access, mobility and independence. Caltrain has been a leader in serving people with disabilities. Caltrain is accessible at almost every station, and travel training is available.

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

CalMod Update – Peninsula Corridor Electrification Project (PCEP) Funding Plan Update
Marian Lee, Executive Officer, CalMod Program, said:
- PCEP Milestones
  - Done
    - National Environmental Policy Act review complete – 2009
$1.2 billion nine-party funding Memorandum of Understanding (MOU) – 2012
- California Environmental Quality Act review complete – 2014
- Design-Build (DB) Request for Proposals (RFP) released – 2015

To do
- EMU RFP release – August
- DB award – November 2015
- EMU award – January 2016

Funding Need
- Gap of $431 million
  - $125 million is carryover from existing MOU
  - $306 million from the 2014 cost update
- Project cost subject to change

Funding Strategy
- Rely on grants
- No JPB financing/Transportation Infrastructure Finance and Innovation Act loan
- No fare surcharge

Grant Funding Sources
- Federal Transit Administration (FTA) core capacity - $220 million
- High-speed rail cap and trade - $113 million
- Caltrain cap and trade - $9 million
- Metropolitan Transportation Commission (MTC) Regional Measures 1 and 2 - $29 million
- Additional from local agencies - $60 million

Next Steps
- Fall 2015
  - MTC/local partner funding update
  - $600 million California High-Speed Rail Authority (CHSRA) funding agreement
- Winter 2016
  - Additional CHSRA agreements
  - Increase JPB cash flow capacity
  - FTA core capacity rating/letter of no prejudice
- Spring 2016
  - FTA core capacity full funding grant agreement
  - Assess JPB cash flow capacity

Public Comment
Roland Lebrun, San Jose, said the structural deficit problem is a San Mateo County Transit District problem, not a JPB problem. He said the $600 million from the CHSRA is blocked by the courts. He said electrification can be eliminated by procuring hybrid trains. This was rejected in the Environmental Impact Report (EIR) and is why Atherton is suing the JPB. Bi-modes are an alternative in the 2004 Transbay EIR because it is possible the downtown extension would be built before Caltrain will be electrified. By doing this, the JPB would get $220 million from the FTA and the JPB could replace the entire fleet and take Caltrain into the black.
Jim Hartnett, Executive Director, said
- Transit Police deputies Whitted and Rueppel were on the tracks in Sunnyvale during regular enforcement, heard a crash, and saw a car on the tracks. They acted quickly. One deputy ran down the tracks to slow the oncoming train. The other deputy risked his own life to remove the driver and pull him to a safe area. A video of the incident was shown.
- The average Caltrain ride is 20 miles, which equates to 1,284,040 road miles not driven by Caltrain riders in one day, or 360 million road miles not driven per year.
- There is tremendous regional support for Caltrain and the electrification program, including from the Caltrain Commuter Coalition, and State and Federal legislators. The JPB has received strong assistance in obtaining regional support for the full Core Capacity grant of $220 million. He thanked Chair Tissier for her support in her role on the MTC in encouraging regional backing for grants.

Public Comment
Roland Lebrun, San Jose, said the video shows the car has broken through the gate on one side of the tracks, but the gate is down on the opposite side of the tracks. The gate should not be down and he said there is something wrong with the system.

KEY CALTRAIN PERFORMANCE STATISTICS – JUNE 2015
Mr. Harvey said:
- Key Caltrain Performance Statistics June 2015 compared to June 2014
  - Monthly Performance Statistics:
    - Total Ridership was 1,709,178, an increase of 9.1 percent.
    - Average Weekday Ridership (AWR) was 64,202, an increase of 7.2 percent.
    - Total Farebox Revenue was $7,790,760, an increase of 11.1 percent
    - On-time Performance (OTP) was 85 percent, a decrease of 8.4 percent.
  - Year-to-Date Performance Statistics:
    - Total Ridership was 18,567,173, an increase of 9 percent.
    - AWR was 58,429, an increase of 9.3 percent.
    - Total Farebox Revenue was $83,871,689, an increase of 12.1 percent.
    - OTP was 90.2 percent, a decrease of 2.3 percent.
- Pre-game special trains will be run between regular trains as semi-expresses for the San Francisco 49ers service. All post-game trains are local.
- Staff is working with National Football League Host Committee and event planners and other transit agencies to plan transportation to support Super Bowl 50.
- The San Mateo Bridge Replacement Project retaining walls and steel fabrication have been completed for the Tilton Avenue Bridge.
- The San Francisco Highway Bridge Project has started and one roadway is closed while staff works through the replacement.
- Staff is working with VTA on a double tracking project in Mountain View to make room for a VTA capacity increase. There are some challenges in construction and timing.
UPDATE ON COMMUNICATIONS-BASED OVERLAY SIGNAL SYSTEM (CBOSS)/POSITIVE
TRAIN CONTROL (PTC) PROJECT

Gigi Harrington, Deputy CEO, presented:

- **Background**
  - Awarded prime contract – October 2011
  - Issued Notice to Proceed to Parsons Transportation Group – January 2012

- **CBOSS Project Requirements**
  - Complies with Rail Safety Act
  - Additional functionality
    - Crossing safety performance
    - Improved headways
    - Schedule management
    - Employee in charge to be able to control the railroad from the field

- **CBOSS Project Solution Overview**
  - Interoperable solution
  - Provides enforcement of signals and speed limits
  - Provides advanced start of crossings
  - Uses radio frequency data link to send wayside information to trains

- **Project Major Accomplishments**
  - Completed all work in phase 1
  - Received Federal Railroad Administration (FRA) conditional type approval
  - Fiber optic backhaul is nearing completion
  - Completed office subsystem
  - Wayside units and base stations are in
  - 95 percent installation onboard
  - Recalibrated milestones
  - Continue outreach to community

- **Project Key Milestones**
  - Revenue service demonstration – December 2015
  - Final system acceptance – June 2016

- **Project Total Installed Cost Update**
  - Project cost - $231 million
  - Contract cost - $139 million

- **FRA Safety Certification Process**
  - FRA was onsite to begin witnessing Segment #3 field testing
  - After FRA witnesses successful Segment #3 testing, Caltrain will submit an application for revenue service demonstration (RSD)
  - Caltrain will follow with a submittal of Segment #2 and Segment #1 test results
  - The FRA will approve RSD application
  - Caltrain will begin RSD

- **Activities from RSD to System Acceptance**
  - Six months of reliability testing
  - Implement long-term maintenance and support agreement
  - Safety plan will be submitted to FRA for approval in September

- **Challenges**
  - Onboard software is coming from General Electric and is behind schedule
  - Contractor execution of test plans
  - Interoperability
Joint Powers Board Meeting
Minutes of August 6, 2015

- No written FRA guidelines for RSD
- Long-term maintenance and support

**Next Steps**
- Get next software release
- Continue testing
- Complete subsystem testing
- Cutover mileposts
- Submit RSD application
- Complete onboard installation
- Complete Segment #2 and Segment #1 testing

Mr. Hartnett said this has been a tough project. There is tremendous effort being dedicated to it and every day there is activity related to this project. Meeting the December deadline is fragile. Federal legislation has been passed by the Senate but not by the House to extend the deadline.

**Public Comment**
Roland Lebrun, San Jose, said the I-ITCS software is a unique system in the United States. The lowest bid for software was from I-ETMS, which is what the rest of the United States is using and why Metrolink is ready to go. He said Volume 3 of the Electrification RFP does not include the software I-ITCS; instead it has I-ETMS. He said General Electric dumped their signaling division to Alstom, and Alstom has no interest in making this software work. A year ago, a top signal engineer was working on this project, but he disappeared and this project got moved to LTK Engineering. He said there is $231 million into a system that will never work and will put safety on the line.

**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**
Joan Cassman, Legal Counsel, said the Board is being asked to approve the current engineering and design standards that govern improvements and capital projects, and to delegate the authority to amend and update the standards as and when appropriate, and to approve all aspects of design and construction in the projects. This provides administrative efficiency to maintain standards as state of the art, the ability to be more responsive and flexible as design changes are needed, and legal predicate or foundation for the JPB to assert the defense of design immunity when appropriate in lawsuits in which plaintiffs allege they have suffered injuries or damages as a result of faulty design.

Chair Tissier asked if the Board will be informed when changes are made or standards are changed. Mr. Hartnett said staff would make sure significant changes are reported timely to the Board.

**Public Comment**
Roland Lebrun, San Jose, said the JPB has a severe governance issue and he urged the Board not to approve this action. He said it is entirely inappropriate for the same entity to be in charge of project design and design standards. This would make it possible for the same people to modify the design standards to comply with a deficient design.
which could result in injuries and fatalities. He said neither the chief executive nor his
staff is qualified to approve modifications to Caltrain design standards. He
recommended the Board start a search for a qualified chief engineer who is responsible
for maintaining the integrity of the standards.

Jerry Carlson, San Carlos, said this is broad in scope and there are no apparent limits as
to when the Board needs to be consulted. He asked if the process to decide the
configuration of the new rail cars is part of the reason for this change. Real life
examples would be helpful in knowing the limits when the Board needs to be involved.
When the Board is involved, the public gets a chance to be involved.

Ms. Cassman said when a project is brought to the Board for approval, the Board would
render this decision for a specific project, as staff has done in the past. Staff is asking
the Board to delegate this to the Executive Director, but staff will still be bringing to the
Board the approval of award of contracts, which would provide an opportunity for staff
to bring the Board up to date on any significant changes. What underlies this is staff’s
desire to take advantage of the defense of design immunity, if and when it is
appropriate. The EMU discussion was not the motivation for this matter.

Mr. Harvey said Mr. Hartnett and he do not approve design standards, they have
registered engineers on staff who do that. There has been a series of professionals in
the Caltrain Engineering and Construction department who are track, signal and
structures experts, and they are the ones who stamp drawings and approve designs.

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

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
Ms. Harrington said this is an award of contract to the second lowest bidder. The low
monetary bid from Con-Quest did not meet the Disadvantaged Business Enterprise
(DBE) goal. Con-Quest was allowed to have a hearing to demonstrate what they have
done in good faith to achieve the DBE goal, but staff did not find evidence that would
change the recommendation.

Public Comment
Roland Lebrun, San Jose, said this is not a bridge replacement, it is construction of a
road. A road is needed because engineers were not able to provide a cost-effective
solution to replace the bridge. That bridge was supposed to be the underpass for the
future Oakdale Caltrain Station, but that station is not going to happen, so the Board
has to start thinking of relocating farther north between Jerrold Avenue and
Cesar Chavez Street.

Motion/Second: Kalra/Woodward
Ayes: Gee, Guilbault, Kalra, Woodward, Tissier
Absent: Cisneros, Cohen, Nolan, Yeager
LEGISLATIVE UPDATE
Seamus Murphy, Director, Government and Community Affairs, provided the following update:

State
Two bills being considered would increase the amount of State Transit Assistance funding that flows through MTC and would increase the sales tax on diesel fuel by more than three times. Staff will be supportive of this legislation.

There are two bills that affect the Cap and Trade Program. There are two transit-specific programs: one for Capital, which is at 10 percent today and would be 20 percent for future years, and one for Transit Operations, which is at 5 percent and would be doubled to 10 percent.

Federal
There was a three-month extension of Surface Transportation authorization programs by the House and Senate. The Senate has taken action on a six-year transportation authorization bill, and the House will take it up before the extension expires. A continuing resolution is needed for the appropriations process. This bill includes an extension of the PTC deadline to 2018. Even though there is an extension, agencies would need to apply to FRA to be granted the authority to use the extension.

Staff spent time with the Bay Area Council meeting with officials from the Department of Transportation and FTA and the legislative delegation. Their focus was Core Capacity funding for the Caltrain electrification project. The delegation committed to advocate that this project be included in the president’s budget in February.

UPDATE ON THE MTC TRANSIT SUSTAINABILITY PROJECT (TSP)
Sebastian Petty, Senior Planner, presented:

- Goal
  - Reduce financial shortfalls
  - Improve transit performance
  - Attract more customers

- Framework
  - Performance measures
  - Targets linked to investment decisions

- MTC TSP Requirements
  - March 2013: Adopt strategy
  - 2017: 5 percent reduction in one of the following
    - Cost per service hour
    - Cost per passenger
    - Cost per passenger mile
  - Post 2017: No increase beyond consumer price index
  - 2019: MTC links funding to performance
  - Annual monitoring report to MTC

- Caltrain Performance
  - Cost per service hour
    - FY2013: $515.69
    - FY2014: $525.81
• Cost per passenger
  - FY2013: $5.90
  - FY2014: $5.70

• Cost per passenger mile
  - FY2013: $0.27
  - FY2014: $0.26

• Strategy Progress
  o Ongoing system reliability and efficiency programs
    - State of good repair
    - Reliability/enhancement
    - Fuel hedging
  o Specific ridership building initiatives
    - Added Bombardier cars
    - Bike access improvements
    - Real-time information
    - Off-peak marketing program and event promotion
    - CalMod

• Next Steps
  o Submit update to MTC
  o Continue implementation and monitoring

UPDATE ON THE EXECUTION OF THE FY2016 FUEL HEDGE PROGRAM
Ms. Harrington said half of the JPB fuel portfolio was hedged in June. Fuel cost is not in the range that funds will be returned to the agency. Barclay’s was the only vendor the JPB had to engage with this year. Since the transaction was closed, Barclay’s was downgraded. There is a provision in the agreement that if the fuel cost is below a threshold, the transaction can be collateralized, so staff is in process to put that collateralization in place to be in compliance. It will be difficult to do a transaction next year if Barclay’s is the only player. The total cost of the transaction was $385 million, which is included in fuel budget for FY2016 and is within the authorized amount.

Public Comment
Roland Lebrun, San Jose, said in June he had two issues with the estimated fuel costs. Staff inflated the actual consumption from $4.6 million to $5.5 million, and the estimated cost per gallon was $3.40, even though VTA estimated fuel at $2.75. Staff is now saying the cost per gallon is $1.75, which would make the annual fuel cost below $8 million. He said he started adding up all this extra money that was over-budgeted from the fuel and other budget items and came up with $30 million.

CORRESPONDENCE
No discussion.

BOARD MEMBER REQUESTS
None.

GENERAL COUNSEL REPORT
There was no report
DATE/TIME/PLACE OF NEXT MEETING
The next meeting will be 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.

Adjourned at 11:25 a.m.
AGENDA ITEM # 4 (b)
SEPTEMBER 3, 2015

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett
         Executive Director

FROM: Gigi Harrington
       Deputy CEO

SUBJECT: STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD ENDING
         JULY 31, 2015 AND SUPPLEMENTAL INFORMATION

ACTION
Staff proposes the Board of Directors accept and enter into the record the Statement
of Revenue and Expense for the month of July 2015 and supplemental information.

SIGNIFICANCE
Revenue: For July of Fiscal Year 2016, Total Operating Revenue (line 7) is $364,644 or
4.6 percent better than budget. Within total operating revenue, Farebox Revenue
(line 1) is $425,102 or 6 percent better than budget. Compared to the prior year, Total
Operating Revenue (line 7) is $327,281 or 4.1 percent higher.

Expense: Grand Total Expenses (line 50) show a favorable variance of $1,585,219 or
13.4 percent. The Rail Operator Service (line 23) is 132,382 or 2.1 percent better than
budget, and Total Operating Expense (line 36) is $1,094,634 or 11.3 percent better than
budget. Total Administrative Expense (line 46) is $490,586 or 24.1 percent better than
budget.

Compared to prior year, Grand Total Expenses (line 50) are $2,203,222 or 27.4 percent
lower.

BUDGET IMPACT
There are no budget revisions for the month of July 2015.

Prepared By: Jeannie Chen, Senior Accountant 650.508.6259
              Sheila Ti oyao, Manager, General Ledger 650.508.7752
### PENINSULA CORRIDOR JOINT POWERS BOARD
**STATEMENT OF REVENUE AND EXPENSE**
**Fiscal Year 2016**
**July 2015**

<table>
<thead>
<tr>
<th>MONTH</th>
<th>REVENUE OPERATIONS</th>
<th>CONTRIBUTIONS</th>
<th>EXPENSE</th>
<th>NET SURPLUS / (DEFICIT)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>CURRENT ACTUAL</td>
<td>PRIOR ACTUAL</td>
<td>CURRENT ACTUAL</td>
<td>REVISED BUDGET</td>
</tr>
<tr>
<td>1</td>
<td>7,564,426</td>
<td>7,241,932</td>
<td>7,564,426</td>
<td>7,109,324</td>
</tr>
<tr>
<td>2</td>
<td>395,486</td>
<td>386,042</td>
<td>395,486</td>
<td>369,717</td>
</tr>
<tr>
<td>3</td>
<td>140,153</td>
<td>138,224</td>
<td>140,153</td>
<td>212,392</td>
</tr>
<tr>
<td>4</td>
<td>151,794</td>
<td>146,030</td>
<td>151,794</td>
<td>148,466</td>
</tr>
<tr>
<td>5</td>
<td>36,163</td>
<td>48,512</td>
<td>36,163</td>
<td>53,478</td>
</tr>
<tr>
<td>6</td>
<td>8,288,021</td>
<td>7,960,749</td>
<td>8,288,021</td>
<td>7,923,377</td>
</tr>
<tr>
<td>7</td>
<td>1,254,174</td>
<td>1,218,729</td>
<td>1,254,174</td>
<td>1,139,384</td>
</tr>
<tr>
<td>8</td>
<td>336,008</td>
<td>333,670</td>
<td>336,008</td>
<td>331,357</td>
</tr>
<tr>
<td>9</td>
<td>1,543,774</td>
<td>1,524,174</td>
<td>1,543,774</td>
<td>2,034,360</td>
</tr>
<tr>
<td>10</td>
<td>3,090,873</td>
<td>3,286,910</td>
<td>3,090,873</td>
<td>3,133,053</td>
</tr>
</tbody>
</table>

**Statement of Revenue and Expense**

8/26/15 10:40 AM

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

**INVESTMENT PORTFOLIO**

**AS OF JULY 31, 2015**

<table>
<thead>
<tr>
<th>TYPE OF SECURITY</th>
<th>MATURITY DATE</th>
<th>INTEREST RATE</th>
<th>PURCHASE PRICE</th>
<th>MARKET RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Agency Investment Fund (Restricted) *</td>
<td>Liquid Cash</td>
<td>0.320%</td>
<td>$ 2,000,000</td>
<td>$ 2,000,000</td>
</tr>
<tr>
<td>Local Agency Investment Fund (Unrestricted) *</td>
<td>Liquid Cash</td>
<td>0.320%</td>
<td>19,247,988</td>
<td>19,247,988</td>
</tr>
<tr>
<td>County Pool (Unrestricted) **</td>
<td>Liquid Cash</td>
<td>0.605%</td>
<td>10,813,142</td>
<td>10,813,142</td>
</tr>
<tr>
<td>Other (Unrestricted) ***</td>
<td>Liquid Cash</td>
<td>0.000%</td>
<td>14,972,321</td>
<td>14,972,321</td>
</tr>
<tr>
<td>Other (Restricted) ***</td>
<td>Liquid Cash</td>
<td>0.200%</td>
<td>29,724,792</td>
<td>29,724,792</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>----------------</td>
<td>-------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>$ 76,758,243</td>
<td>$ 76,758,243</td>
</tr>
</tbody>
</table>

Accrued Earnings for July 2015 $ 14,731.23
Cumulative Earnings FY2016 $ 14,731.23

(1) Earnings do not include prior period adjustments

* The market value of Local Agency Investment Fund (LAIF) was derived from the fair value factor of 1.000375979 as reported by LAIF for quarter ending June 30, 2015.

** As of July 2015 the amortized cost of the Total County Pool was $4,045,420,049.05 and the fair market value per San Mateo County Treasurer’s Office was $4,053,961,240.25.

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

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

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

THROUGH: Jim Hartnett
Executive Director

FROM: April Chan
Executive Officer, Planning and Development

SUBJECT: AUTHORIZE EXECUTION OF A FUNDING AGREEMENT WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) FOR RECEIPT OF $20 MILLION IN GRANT FUNDS FOR THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP)

ACTION
Staff Coordinating Council recommends the Board authorize the Executive Director, or his designee, to enter into a funding agreement with the BAAQMD to receive $20 Million in Carl Moyer Program funding for the PCEP.

SIGNIFICANCE
In July 2015, the BAAQMD approved the allocation of $20 million in Carl Moyer Program revenues to help fund construction of the PCEP. A requirement of the funding is that existing diesel locomotives, being replaced by Electric Multiple Units, will need to be scrapped. A funding agreement and disbursement plan will be negotiated with the BAAQMD to identify the timing of the payments as well as the appropriate timing of disposal of the diesel locomotives. The $20 million in Carl Moyer Program funds is included in the 2012 Nine-Party Memorandum of Understanding, which establishes the regional funding plan for the PCEP.

BUDGET IMPACT
There is no budget impact associated with this action. Of the $20 million in Carl Moyer funds, $4 million is already included for the PCEP in the approved Fiscal Year 2016 Caltrain Capital Budget.

BACKGROUND
The Carl Moyer Program began in 1998 to provide grants to public and private entities to reduce emissions from existing heavy-duty engines by either replacing or retrofitting them. Eligible heavy-duty diesel engines include those used in on-road trucks and buses, off-road equipment, marine vessels, locomotives, and stationary agricultural pump engines. The Carl Moyer Program in the Bay Area is funded, in part, by a $2 per-vehicle motor vehicle registration surcharge on all vehicles registered in the nine-county Bay Area region.

Prepared by: Peter Skinner, Senior Grants Analyst 650.622.7818
RESOLUTION NO. 2015 –

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

* * *

AUTHORIZING THE EXECUTION OF A FUNDING AGREEMENT WITH THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) FOR RECEIPT OF A $20 MILLION GRANT FOR THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP)

WHEREAS, the BAAQMD has allocated $20 million in Carl Moyer Program grant funds to support the construction of the PCEP; and

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) desires to enter into a funding agreement with the BAAQMD for receipt of the Carl Moyer Program funds for use on the PCEP, which agreement will include a plan for disbursement of the subject funds and disposal of diesel locomotives being replaced by Electric Multiple Units as a condition of the grant; and

WHEREAS, the Staff Coordinating Council recommends that the JPB delegate authority to the Executive Director, or his designee, to negotiate and execute the funding agreement and any other documents (including agreement amendments) required for the JPB to receive the Carl Moyer grant funding.

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

1. Authorizes the Executive Director or his designee to negotiate and execute a funding agreement with the BAAQMD to receive $20 million in Carl Moyer Program funds; and
2. Authorizes the Executive Director, or his designee, to take such actions as may be necessary to give effect to this resolution, including filing of reports and applications, and executing any agreements, certifications and assurances, related amendments, or other documentation that may be required to receive the funds.

Regularly passed and adopted this 3rd day of September, 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: AUTHORIZE A MEMORANDUM OF UNDERSTANDING (MOU) FOR A JOINT
DISADVANTAGED BUSINESS ENTERPRISE (DBE) AVAILABILITY AND
UTILIZATION STUDY

ACTION
The Peninsula Corridor Joint Powers Board’s (JPB) DBE Review Committee recommends
the Board authorize the Executive Director or his designee to enter into an MOU with
Santa Clara Valley Transportation Authority (VTA) and San Mateo County Transit District
(District) to collaborate and jointly fund a DBE availability and utilization study, at a cost
to the JPB not to exceed $270,000.

SIGNIFICANCE
In 2007, the parties jointly conducted a DBE Availability and Utilization Study measuring
the availability and utilization of minority and women-owned business enterprises
relevant to public transportation contracting activity in the greater San Francisco
Bay Area. The parties recognize the need to update the 2007 DBE Availability and
Utilization Study to incorporate new census data and to take into account
amendments to the Federal regulations and requirements of the DBE Program, pursuant
to 49 CFR Part 26. The parties desire to commission a new availability and utilization
study of DBEs to ensure that their respective DBE Programs are narrowly tailored and in
compliance with applicable Federal regulations and relevant court rulings, as set forth
by the United States Court of Appeals for the Ninth Circuit in Western States Paving v.
Washington Department of Transportation, 407 F.3d 983 (9th Cir. 2005). The parties wish
to jointly seek a qualified consultant with the proven ability to conduct a new DBE
Availability and Utilization Study upon which each agency may base a legally-
defensible DBE Program to be administered in accordance with the requirements of

Board authority to enter into an MOU will allow the JPB to participate in a joint DBE
Availability and Utilization Study, and defray the cost of a full study by sharing the costs
with VTA and the District. The terms of the MOU have been finalized and the DBE
Review Committee is recommending Board approval to allow the Executive Director to
execute the agreement with a funding commitment for the JPB not to exceed
$270,000.
The desired release of a Request for Proposals is September 2015, with an anticipated completion date for the study in July 2016.

**BUDGET IMPACT**
Funding for the DBE Availability and Utilization Study is included in the approved Fiscal Year 2016 Capital Budget.

**BACKGROUND**
In January 2006, the United States Department of Transportation (USDOT) issued regulatory guidance instructing USDOT grantees in the Ninth Circuit of the U.S. Court of Appeals, which includes the JPB, to gather and analyze current evidence of discrimination or its effects to narrowly tailor existing DBE programs. USDOT further instructed each grantee to submit a statement describing its plans to conduct a study or other appropriate evidence-gathering process to determine the existence of current discrimination, if any, or its effect in the grantee’s transportation contracting market if a grantee determines there is inadequate evidence on-hand. The USDOT revised the DBE regulations effective November 3, 2014 to improve program implementation in several major areas. The regulations and relevant judicial decisions continue to require that in order to use race conscious means, such as contract goals, to achieve DBE participation, evidence of discrimination or its effects must be sufficiently documented. The development of a DBE availability and utilization study is an effective method to comply with this requirement.

Prepared by: Elke Campbell, DBE Officer  
Bill Carson, Director, Human Resources

650.508.7939  
650.508.6234
RESOLUTION NO. 2015 –

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

***

AUTHORIZED THE EXECUTIVE DIRECTOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) FOR A JOINT DISADVANTAGED BUSINESS ENTERPRISE (DBE) AVAILABILITY AND UTILIZATION STUDY

WHEREAS, effective July 16, 2003, the United States Department of Transportation (USDOT) issued amended regulations regarding the participation of Disadvantaged Business Enterprises (DBEs) in Federally assisted contracts (Regulations); and

WHEREAS, USDOT issued regulatory guidance in January 2006 instructing USDOT grantees in the Ninth Circuit of the U.S. Court of Appeals, which includes the Peninsula Corridor Joint Powers Board (JPB), to gather and analyze current evidence of discrimination or its effects to narrowly tailor its DBE Program; and

WHEREAS, USDOT further instructed each grantee to submit a statement describing its plans to conduct a study or other appropriate evidence-gathering process to determine the existence of current discrimination, if any, or its effect in the grantee’s transportation contracting market if a grantee determines that it does not have adequate evidence of discrimination to narrowly tailor its program; and

WHEREAS, in 2007, the Santa Clara Valley Transportation Authority (VTA), the JPB and the San Mateo County Transit District (District) jointly conducted a DBE availability and utilization Study; and

WHEREAS, the JPB desires to obtain current information about whether and to what extent discrimination exists in its transportation contracting market; and
WHEREAS, the JPB desires to collaborate and jointly fund a DBE Availability and Utilization Study with VTA and the District to analyze whether and to what extent discrimination or its lingering effects continue to exist in the JPB’s transportation contracting market; and

WHEREAS, staff and legal counsel have negotiated the terms and conditions of an MOU by and among VTA, JPB and the District for the joint solicitation of proposals for the development of a DBE Availability and Utilization Study, whereby VTA will assume the lead role in the procurement process, and the parties will coordinate the oversight and development of the Study; and

WHEREAS, the Staff Coordinating Council and Executive Director recommend the Executive Director be authorized to execute the negotiated MOU.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the JPB hereby authorizes the Executive Director to enter into a MOU with the VTA and District to collaborate and jointly fund a DBE Availability and Utilization Study, with a JPB funding commitment not to exceed $270,000.

Regularly passed and adopted this 3rd day of September, 2015 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary
AGENDA ITEM # 4 (e)
SEPTEMBER 3, 2015

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

FROM: Rita P. Haskin
Executive Officer, Customer Service and Marketing

SUBJECT: AUTHORIZE EXECUTION OF AMENDED AND RESTATED CLIPPER® MEMORANDUM OF UNDERSTANDING (MOU)

ACTION
The Staff Coordinating Council recommends the Board authorize the Executive Director, or his designee, to execute the Amended and Restated Clipper® Memorandum of Understanding (Amended MOU) with the Metropolitan Transportation Commission (MTC) and Bay Area transit operators.

SIGNIFICANCE
The Amended MOU was developed collaboratively by MTC and the participating transit agencies to restructure their respective roles and responsibilities. Specifically, the proposed MOU establishes and defines the roles for a Clipper Executive Board, a Clipper Executive Director, and a Contracting Agency, in addition to clarifying the roles of MTC and the participating transit agencies. The MOU also revises the Cost Allocation Formula and provides for review of the formula at least every two years to ensure successful operation and maintenance of Clipper. The Peninsula Corridor Joint Powers Board (JPB) Executive Director, or his designee, will serve on the Clipper Executive Board.

BUDGET IMPACT
The JPB will spend an estimated additional $400,000 annually over the approximately $623,000 it currently spends due to changes in the Cost Allocation Formula. If approved by the Board, these expenses will be included in the Fiscal Year 2017 and future operating budgets.

BACKGROUND
Clipper is the automated regional fare payment system used by 20 million customers a month on 20 transit systems. MTC and seven transit agencies entered into an MOU effective November 10, 2011 (2011 MOU) whereby MTC manages the Clipper electronic fare payment system. MTC contracted with Cubic Transportation Systems, Inc. to implement, operate and maintain the Clipper fare payment system through November 2, 2019. Since 2011, an additional 15 transit agencies have or will sign on to the 2011 MOU. The 2011 MOU has been amended twice.
The 2011 MOU specified MTC’s responsibilities, the transit agencies’ responsibilities, the consultation process for amending the Clipper Operating Rules, the method by which MTC and transit operators divide Clipper costs and revenues, and a dispute resolution process.

In September 2014, MTC received correspondence from transit agency general managers which outlined the transit agencies’ desire to have more input and control over the current Clipper system and plans for the next generation of the Clipper system. Over several months, the transit agency general managers and the MTC executive director met regularly to discuss how best to implement this greater degree of input and control for transit agencies. Ultimately, it was mutually agreed to amend and restate the 2011 Clipper MOU.

Summarized below are the key elements of the Amended MOU, which will replace the 2011 MOU. Provisions of the 2011 MOU are noted in italics.

1. Clipper Executive Board
   - Establishes a nine-member Executive Board, comprised of one representative from San Francisco Municipal Transportation Agency, Bay Area Rapid Transit, Caltrain/San Mateo County Transit District, Alameda-Contra Costa Transit District, Santa Clara Valley Transportation Authority, the Golden Gate Bridge, Highway and Transportation District, and MTC, and two representatives selected to represent all other participating agencies.
   - The Executive Board will be responsible for developing and evaluating performance goals, adopting a detailed biennial work plan and budget, designating the “Contracting Agency,” and approval of all business matters expected to have a substantial fiscal or operating impact.
   - Under the 2011 MOU, MTC maintains sole authority for these actions.

2. Contracting Agency
   - Establishes a Contracting Agency to procure, award and manage contracts, and carry out the duties and responsibilities necessary for the expansion, modification, modernization, operation, maintenance, marketing and customer service of the Clipper program.
   - The Contracting Agency will be responsible for holding and managing the Clipper bank accounts and act as an agency in trust for the funds deposited by the cardholders for the ultimate use with the Operators, and for the benefit of the Operators for funds due.
   - Provide staffing to support the Clipper program.
   - MTC currently fulfills the role of the Contracting Agency. MTC will continue as the initial Contracting Agency under the Amended MOU. The Executive Board may renew this designation every three years and assign this role to a participating transit agency, with the approval of the Contracting Agency and its proposed successor.
3. Clipper Executive Director
   • Establishes the position of the Clipper Executive Director, responsible for regional coordination of the program among the Agencies, oversight of consultants and contractors retained for the design, operation and maintenance of the program, and effectuation of the goals and work plan adopted by the Executive Board in accordance with the budget.
   • The Clipper Executive Director will be selected and appointed by the Contracting Agency following consultation with the Executive Board. The initial Clipper Executive Director will be Carol Kuester, an employee of MTC.
   • Currently, there is no Executive Director.

4. Cost and Revenue Allocation Formula
   • The current allocation of Clipper operating costs was developed prior to wide scale implementation of the program and is based on a formula of 2/3 transactions and 1/3 revenue.
   • Credit card fees for agencies operating ticket vending or add-value machines outside of the Clipper gateway are absorbed by those agencies and currently exceed $2 million per year.
   • Agencies have determined that the current allocation formula is not equitable and have developed a revised formula, outlined in Appendix B of the Amended MOU, that aligns actual cost drivers and usage of the system with the allocation amounts.
   • As the proposed change will result in increased costs to most agencies, it is proposed that the increases be phased in, with the addition of agency credit card fees effective July 1, 2016 and the implementation of the new model effective January 1, 2017.

5. Program Goals and Performance Measures
   • The Amended MOU includes Program Goals and Performance Measures intended to guide the development and ongoing operations of the Clipper program.
   • Goals include expanding electronic payment to all modes of transportation, enhanced access for customers to obtain and use Clipper, establishing consistent fare categories and discounts, and improving the operation, integration, flexibility, efficiency and reliability of the system.
   • The 2011 MOU does not contain performance standards.

6. Extend the Term
   • It is anticipated that the Amended MOU will take effect on or about November 2, 2015. The Amended MOU term will extend until June 30, 2025, unless otherwise terminated by the parties.
   • The 2011 MOU would otherwise terminate on November 2, 2019, but will be replaced by this Amended MOU.

Prepared By: Rita P. Haskin, Executive Officer, Customer Service and Marketing  650.508.6248
RESOLUTION NO. 2015 –

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

***

AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE
AMENDED AND RESTATED CLIPPER® MEMORANDUM OF UNDERSTANDING
WITH METROPOLITAN TRANSPORTATION COMMISSION (MTC)
AND BAY AREA TRANSIT OPERATORS, AND RELATED ACTIONS

WHEREAS, Clipper® is the automated fare payment system for intra- and inter-operator transit trips in the San Francisco Bay Area that has been implemented and is currently being operated on 20 transit systems; and

WHEREAS, the Metropolitan Transportation Commission (MTC) entered into a contract with Cubic Transportation Systems, Inc. to implement, operate and maintain the Clipper fare payment system through November 2, 2019; and

WHEREAS, in November 2011, a Memorandum of Understanding Regarding Operations and Maintenance of Clipper Fare Collection System (2011 MOU) was adopted by seven participating transit operators and MTC to delineate the respective responsibilities of MTC and the transit operators, the process for amending Clipper operating rules, a dispute resolution process, and the basis for allocation of operating costs and revenues; and

WHEREAS, since 2011, an additional 15 transit agencies have or will soon implement the Clipper system; and

WHEREAS, the transit agencies and MTC have examined the successes and challenges of the program to date and have identified certain areas in which existing arrangements should be modified or clarified to maximize the benefits of the continued expansion, modification, operations and maintenance of the Clipper program; and
WHEREAS, transit agencies and MTC negotiated the proposed Amended and Restated Memorandum of Understanding (Amended MOU) to replace the 2011 MOU; and

WHEREAS, the Amended MOU establishes a Clipper Executive Board made up of one representative from the San Francisco Municipal Transportation Agency, Bay Area Rapid Transit, Caltrain/San Mateo County Transit District, Alameda-Contra Costa Transit District, Santa Clara Valley Transportation Authority, the Golden Gate Bridge, Highway and Transportation District, and MTC, and two representatives selected to represent all other participating agencies to oversee the Clipper program, including establishing and evaluating performance goals, adopting a biennial work plan and budget and approving all significant business matters; and

WHEREAS, the Amended MOU establishes a Contracting Agency to procure, award and manage contracts, and carry out the duties and responsibilities necessary for the operation, maintenance and expansion of the Clipper program; and

WHEREAS, the Amended MOU establishes a position of Clipper Executive Director responsible for the regional coordination of the Clipper program, oversight of contractors, and implementing the goals and work plan as adopted by the Executive Board; and

WHEREAS, the Amended MOU provides for a revised cost allocation formula between operators that will more equitably distribute costs among the various operators based on actual usage, revenues and trip transactions; and

WHEREAS, the Amended MOU establishes program goals and performance measures to guide the ongoing development and operation of the Clipper program; and
WHEREAS, the Executive Director recommends, and the Staff Coordinating Council concurs, that the Board of Directors authorize the Executive Director, or his designee, to execute the Amended and Restated Clipper MOU, in a form approved by legal counsel, at an estimated additional cost to the JPB of $400,000 per year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board (JPB) hereby approves and authorizes the Executive Director, or his designee, to execute the Amended and Restated MOU with the MTC and Bay Area transit operators; and

BE IT FURTHER RESOLVED that the Executive Director is authorized to take all necessary actions to implement the terms and conditions of the Amended and Restated MOU, consistent with the role of the JPB as a participating transit operator.

Regularly passed and adopted this 3rd day of September, 2015 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary
AGENDA ITEM # 4 (f)
SEPTEMBER 3, 2015

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

FROM: Rita P. Haskin
Executive Officer, Customer Service and Marketing

SUBJECT: CALL FOR A PUBLIC HEARING FOR PROPOSED CODIFIED TARIFF CHANGES

ACTION
Staff Coordinating Council recommends the Board schedule a public hearing at its November 5, 2015 Board meeting to consider possible changes to its Codified Tariff. Proposed changes to be considered include:

- Increasing fares approximately 7 percent
- Increasing the daily and monthly parking fees
- Other non-substantive clarifications

SIGNIFICANCE
Setting the public hearing will allow staff to schedule community meetings in the three counties to solicit input from customers and the general public on the proposed changes.

BUDGET IMPACT
Holding a public hearing will not impact the budget.

BACKGROUND
Staff regularly evaluates the agency’s fare policies and prices to determine if they need to be adjusted to reflect market conditions.

Prepared By: Rita P. Haskin, Executive Officer, Customer Service and Marketing 650.508.6248
TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

FROM: Mark Simon
Executive Officer, Public Affairs

SUBJECT: PROCLAMATION DECLARING SEPTEMBER RAILROAD SAFETY MONTH

ACTION
Staff Coordinating Council recommends the Board adopt the proclamation designating September as “Railroad Safety Month.”

SIGNIFICANCE
The proclamation for “Railroad Safety Month” is a reaffirmation of the Peninsula Corridor Joint Powers Board’s (JPB) commitment to provide safe and efficient train service between San Francisco and Gilroy. It is an opportunity to highlight the promotion and advancement of safety on the right of way through enhanced safety measures and increased public awareness. This year’s rail safety activities will focus on a partnership between Caltrain and San Mateo County’s Safe Routes to Schools Program. Safe Routes to Schools teaches students the importance of safety when walking or biking to school. With the formation of this new partnership, students will also learn about the importance of rail safety, as many students cross railroad tracks in order to get to school each day.

Representatives from Caltrain and Safe Routes to Schools plan to co-present safety messages to students during Rail Safety Month and throughout the school year, in addition to pushing out rail safety messaging through social media using #CaltrainSafe.

BUDGET IMPACT
There is no impact on the budget.

BACKGROUND
Since September 2009, Caltrain has been participating in California Operation Lifesaver’s (CAOL) annual Rail Safety Month. CAOL is a nonprofit public safety organization committed to reducing the number of tragic incidents at highway-rail grade crossing intersections and trespassing at railroad rights of way.

As a member and community partner of CAOL, Caltrain staff makes year-round, free rail safety presentations to all age groups by educating the community on the three E’s of rail safety – Education, Engineering and Enforcement.

Prepared by: Tasha Bartholomew, Acting Public Information Officer 650.508.7927
Proclamation

IN HONOR OF RAILROAD SAFETY MONTH

WHEREAS, Caltrain operates 92 weekday trains between San Francisco and Gilroy, serving the Peninsula Rail Corridor, and the communities of San Francisco, San Mateo and Santa Clara counties; and

WHEREAS, safety on the Caltrain right of way has been and remains a continuing priority along a rail system that traverses several communities and includes more than 50 at-grade public vehicular and pedestrian crossings; and

WHEREAS, the Peninsula Corridor Joint Powers Board works continuously with essential partners, including the Federal Railroad Administration, California Department of Transportation, California Public Utilities Commission and California Operation Lifesaver to improve railroad safety, to prevent accidents and to educate the public about safety around railroad tracks; and

WHEREAS, each month, Caltrain operates more than 138,000 miles of trips up and down the Peninsula, carrying an ever-growing number of people to work, to play and to many other destinations; and

WHEREAS, trains have become a routine part of daily life for many in this region, but it only takes a split second for someone to drop their guard and tragedy can strike; ignoring basic safety rules near railroad tracks can be devastating; and

WHEREAS, a typical Caltrain train can take almost a mile to stop, even when emergency brakes are applied; and

WHEREAS, 95 percent of all rail-related deaths involve drivers trying to beat a train or people trespassing on railroad tracks; and

WHEREAS, there were 275 tragic rail incidents recorded statewide in 2014 and of these, 97 resulted in injury, 128 ended in death, and California leads the nation in annual rail fatalities; and

WHEREAS, as a member of the community, Caltrain is committed to partnering with San Mateo County's Safe Routes to School program to educate students about the importance of rail safety when walking or biking to school; and

WHEREAS, Caltrain will make rail safety presentations to students during Rail Safety Month and throughout the school year; and

WHEREAS, on June 2, 2009, Senate Concurrent Resolution 10 (Liu) was signed into law designating September as "Railroad Safety Month" in California.

THEREFORE, BE IT RESOLVED, that the Peninsula Corridor Joint Powers Board, in support of safety efforts locally, regionally and Statewide, joins in proclaiming September as "Railroad Safety Month" and commends local, State, and Federal officials, industry, and citizen efforts to improve railroad safety; and

BE IT FURTHER RESOLVED, that the Peninsula Corridor Joint Powers Board reaffirms its efforts as a community partner in the prevention of deaths by suicide as a critical component of “Railroad Safety Month” and urges continued and expanded collaboration to support access to effective mental health resources.

Regularly passed and adopted this 3rd day of September, 2015.

Chair, Peninsula Corridor Joint Powers Board
PENINSULA CORRIDOR JOINT POWERS BOARD

STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

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

SUBJECT: KEY CALTRAIN PERFORMANCE STATISTICS JULY 2015

In July 2015, Caltrain’s average weekday ridership (AWR) was 62,630, which is an increase of 4,032 or 6.9 percent over July 2014 AWR of 58,598. The total number of passengers who rode Caltrain in July 2015 was 1,729,241, which is 8.3 percent more than in July 2014. Farebox Revenue growth increased 4.5 percent over July 2014.

On-time performance (OTP) for July 2015 was 83.9 percent, which is lower than the 92.6 percent OTP for July 2014. When trains arriving within 10 minutes of the scheduled arrival time are included, July 2015 OTP rises to 93 percent. In fact, 57 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 July 2015, there were 1,323 mechanical minutes of delay compared with 495 mechanical minutes of delay in July 2014. There was one day that operated with 100 percent of the trains on time and one additional day with 95 percent or better OTP.

Three days that had significant train delays or long train delays included:

- On Wednesday July 1, one train was terminated and 18 other trains were delayed when Train 220 struck and killed a trespasser at the Belmont Station at approximately 8:20 a.m. Later that evening, Train 386 was terminated and three other trains were delayed due to a mechanical issue.
- On Tuesday July 14, in the morning one train was cancelled and another train was delayed due to a mechanical issue. Later in the afternoon, two trains were terminated, one train was annulled, and 15 other trains were delayed when Train 264 struck a crossing arm at Oak Grove Avenue at Milepost 28.8.
- On Friday July 31, four trains were terminated, four trains were cancelled, and 21 other trains were delayed when Train 360 struck and killed a trespasser at 22nd Street station at approximately 4:13 p.m.

Without these three days, OTP rises to 87 percent and 95.8 percent with trains arriving within 10 minutes of the schedule time. The percentage of delayed trains that are
between six and 10 minutes also rises 57 percent to 68 percent. Average delay time also drops from an average of 17 minutes per delay to 12 minutes.

There were two fatalities in July 2015 that occurred on Wednesday, July 1 and on Friday, July 31 as mentioned in the bullets above. In addition, Train 194 struck and injured a trespasser at the north end of the San Bruno station on Tuesday, July 28.

The low number of significant incidents combined with low OTP indicates the ridership challenges that we currently have. A vast majority of delays are due to increased ridership: large crowds for special events, crowded peak trains, more bicycles and PNAs. As a result, staff is analyzing the current schedule, dwell times, and OTP to determine how best to accommodate the record growth of the past few years. The goal is to create a revised schedule, with the current service patterns, to improve customer experience. This work is in preliminary development and more information should be available in a few months.

Looking at customer service statistics, there were 10.4 complaints per 100,000 passengers in July 2015. This is lower than the 10.6 complaints in July 2014, but higher than the 9.7 complaints from the previous month in June 2015.

Shuttle ridership for July 2015 is down 4 percent from July 2014. When comparing the same shuttle routes as last year and the Marguerite shuttles are removed, overall shuttle ridership decreased 13.9 percent over July 2014. For the station shuttles, the Millbrae-Broadway shuttle averaged 175 daily riders. The Belmont-Hillsdale shuttle averaged 56 daily riders. The weekend Tamien-San Jose shuttle averaged 58 riders per day. With the new shuttle vendor that started in July 2015, there were data collection inconsistencies and gaps in reporting. Thus shuttle ridership was calculated via sampled estimates.

**Caltrain Promotions – July 2015**

**Fireworks Special** – Caltrain was popular with Peninsula and South Bay residents who celebrated Independence Day in San Francisco. To accommodate the increased demand, Caltrain ran four post-fireworks trains. To promote the specials, Caltrain included information in its publications, posted information at stations and on its website, used social media and issued a news release. The post-event specials carried 4,054 customers.

**Giants** – The San Francisco Giants continued to thrill fans as they wrapped up the first half of the season and started strong on the second half. Their popularity helps Caltrain remain a top choice for fans heading to the ballpark. The service is promoted through a dedicated web page, home page web button, social media and a brochure that has pitcher Madison Bumgarner on it. Caltrain carried 91,289 additional customers for the 12 home games in July. Year-to-date ridership is up 5 percent compared to last season.
**Opera at the Ballpark** – San Francisco Opera presented a live simulcast of the *Marriage of Figaro* at AT&T Park. Caltrain promoted using the train to the performance via social media, its website and with a news release. The rail agency ran an extra train after the performance. Estimated additional riders into and out of San Francisco was 2,946.

**One Direction concert** – Levi’s® Stadium hosted the popular English-Irish pop boy band One Direction. Caltrain service was promoted to the Directioners through social media, messages on station electronic signs, Caltrain’s website and a news release. Caltrain carried an additional 538 customers for the concert.

**International Soccer** – Manchester United took on FC Barcelona at Levi’s® Stadium in a much-anticipated match. Caltrain promoted taking the train and Santa Clara Valley Transportation Authority light rail to the game through messages to customers, social media, web postings and a news release. The rail agency ran an extra post-game train. Total additional ridership through the Mountain View station was 2,810.

**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, played 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. The Dragons wrapped up their season with a home playoff game.

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

650.508.6248  650.508.6471
Table A

JULY 2015

<table>
<thead>
<tr>
<th></th>
<th>FY2015</th>
<th>FY2016</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Ridership</td>
<td>1,596,719</td>
<td>1,729,241</td>
<td>8.3%</td>
</tr>
<tr>
<td>Average Weekday Ridership</td>
<td>58,598</td>
<td>62,630</td>
<td>6.9%</td>
</tr>
<tr>
<td>Total Farebox Revenue</td>
<td>$7,241,932</td>
<td>$7,564,426</td>
<td>4.5%</td>
</tr>
<tr>
<td>On-time Performance</td>
<td>92.6%</td>
<td>83.9%</td>
<td>-9.4%</td>
</tr>
<tr>
<td>Average Caltrain Shuttle Ridership</td>
<td>9,060</td>
<td>8,697</td>
<td>-4.0%</td>
</tr>
</tbody>
</table>

Year to Date

<table>
<thead>
<tr>
<th></th>
<th>FY2015</th>
<th>FY2016</th>
<th>% Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Ridership</td>
<td>1,596,719</td>
<td>1,729,241</td>
<td>8.3%</td>
</tr>
<tr>
<td>Average Weekday Ridership</td>
<td>58,598</td>
<td>62,630</td>
<td>6.9%</td>
</tr>
<tr>
<td>Total Farebox Revenue</td>
<td>$7,241,932</td>
<td>$7,564,426</td>
<td>4.5%</td>
</tr>
<tr>
<td>On-time Performance</td>
<td>92.6%</td>
<td>83.9%</td>
<td>-9.4%</td>
</tr>
<tr>
<td>Average Caltrain Shuttle Ridership</td>
<td>9,060</td>
<td>8,697</td>
<td>-4.0%</td>
</tr>
</tbody>
</table>

Graph A

Caltrain Average Weekday Ridership
AGENDA ITEM # 9
SEPTEMBER 3, 2015

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: AUTHORIZATION TO PROCEED WITH INTERIM FINANCING

ACTION

Staff Coordinating Council recommends the Board:

1) Authorize staff to proceed with a solicitation process to select a firm to provide the Peninsula Corridor Joint Powers Board (JPB) with either a direct pay letter of credit to secure a commercial paper program or a revolving line of credit, in an amount not to exceed $125 million. This arrangement will provide interim financing to cover cash flow gaps that are projected to occur between the time payments are due for work performed on the Peninsula Corridor Electrification Project (PCEP) and the expected timing of receipts from various funding sources.

2) Authorize staff to proceed with the interim financing in the form of a commercial paper program secured by a direct pay letter of credit or a revolving line of credit.

3) Authorize the Executive Director or Deputy CEO Gigi Harrington to select a firm to act as provider of direct pay letter of credit to secure a commercial paper program or a revolving line of credit.

4) In the event interim financing in the form of a commercial paper program secured by a direct pay letter of credit is selected, authorize staff to proceed with a solicitation process to select providers of such other services as shall be required to implement a commercial paper program, including a commercial paper dealer and an issuing and paying agent, and authorize the Executive Director or Deputy CEO Gigi Harrington to select a firm to act as commercial paper dealer, a financial institution to act as issuing and paying agent and providers of such other services, if any, as shall be required to implement a commercial paper program.
5) Authorize the Executive Director or Deputy CEO Gigi Harrington to engage Orrick, Herrington & Sutcliffe, LLP, to serve as bond counsel to the JPB in connection with the interim financing.

**SIGNIFICANCE**
The PCEP (the "Project") is forecasted to experience funding gaps between the time payments are due for work performed and the timing of receipts from the funding sources associated such work. At its highest point, the funding gap is projected to be about $125 million according to latest projections.

The JPB is soliciting qualifications and expense proposals from interested firms to identify the firm that can provide the JPB with interim financing in the form of a direct pay letter of credit to secure a commercial paper program or a revolving line of credit to meet the Project’s interim financing needs.

To minimize interest costs, only those amounts needed to cover any funding gaps will be borrowed and paid back as funding is received from the Project's funding sources.

Board authorization is required to (i) authorize staff to solicit qualifications from firms willing and able to provide such interim financing, (ii) authorize staff to proceed with such interim financing; (iii) authorize the Executive Director or Deputy CEO Gigi Harrington to select a firm to act as provider of the interim financing, (iv) in the event interim financing in the form of a commercial paper program secured by a direct pay letter of credit is selected, authorize staff to proceed with a solicitation process from firms willing and able to provide commercial paper dealer services, issuing and paying agent services and such other services, if any, as may be required to implement a commercial paper program and authorize the Executive Director or Deputy CEO Gigi Harrington to select a commercial paper dealer, an issuing and paying agent and providers of such other services, if any, as may be required to implement a commercial paper program, and (v) authorize the Executive Director or Deputy CEO Gigi Harrington to engage the services of Orrick, Herrington & Sutcliffe, LLP to serve as bond counsel in connection with the interim financing.

**BUDGET IMPACT**
Interest costs and fees associated with the interim financing will result in an increase in costs for the Project. Such costs will be secured by and payable from farebox revenues as such term is defined in the JPB’s Trust Agreement. The interest costs and fees shall be determined as the proposals are received and reviewed.

**BACKGROUND**
The Caltrain Modernization Program will help prepare the corridor to eventually accommodate California’s Statewide high-speed rail service, which is planned for 2029. Caltrain and high-speed rail will primarily share Caltrain’s existing tracks, operating on a blended system.

Interim financing in the form of a commercial paper program secured by a direct pay letter of credit or a revolving line of credit is intended to fund cash flow gaps so that work on the Project may proceed uninterrupted.
Recommended Structure for the Interim Financing:
Staff recommends the interim financing be structured as either a commercial paper program secured by a direct pay letter of credit or a revolving line of credit. The JPB is soliciting interest rate and expense proposals and firm qualifications from interested firms to identify the firm that can provide for either a direct pay letter of credit to secure a commercial paper program or a revolving line of credit at the lowest borrowing cost and terms most favorable to the JPB.

Financial Advisory Services
The JPB is utilizing the services of a financial advisor to assist with the implementation of the interim financing. Staff has contracted with Public Financial Management, Inc. to serve as the JPB’s financial advisor for this transaction.

Bond Counsel Services
Bond Counsel is needed to prepare and review the relevant documents and provide the bond counsel opinion. Orrick served as the JPB’s bond counsel on its 1999, 2007, and 2015 bonds financings and would bring a strong understanding of the JPB’s financing history and requirements. In addition, Orrick is regarded as one of the premier bond counsel firms with substantial experience in public transit financings.

Public Hearings
Pursuant to California Government Code Section 6586.5, each of the three JPB member agencies, Santa Clara Valley Transportation Authority, city and county of San Francisco and San Mateo County Transit District, is required to conduct a public hearing and adopt a resolution approving the interim financing of the Project and making a finding of significant public benefit in accordance with the criteria specified in Section 6586.5. Staff is working with each of the three JPB member agencies with respect to these actions.

Staff expects to return to the Board to obtain approval of the interim financing documents at the March 2016 meeting.

Prepared By: Elias Sissamis, Acting Operating Budget Manager 650.508.6425
RESOLUTION NO. 2015 –

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

* * *

AUTHORIZING STAFF TO PROCEED WITH AN INTERIM FINANCING IN THE FORM OF A COMMERCIAL PAPER PROGRAM SECURED BY A DIRECT PAY LETTER OF CREDIT OR A REVOLVING LINE OF CREDIT FOR THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP), INCLUDING SOLICITATION AND SELECTION OF A FIRM TO PROVIDE A DIRECT PAY LETTER OF CREDIT FOR THE COMMERCIAL PAPER PROGRAM OR A REVOLVING LINE OF CREDIT, SOLICITATION AND SELECTION OF PROVIDERS OF OTHER SERVICES NECESSARY TO IMPLEMENT A COMMERCIAL PAPER PROGRAM AND ENGAGEMENT OF BOND COUNSEL

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) is proceeding with its plan to electrify and upgrade the performance, operating efficiency, capacity, safety and reliability of its Caltrain's commuter rail service, scheduled to be operational by 2020 (Project); and

WHEREAS, prospective financial projections reveal cash flow gaps between the timing of cash outlays for expenditures and the timing of related inflows from various funding sources as the Project’s work progresses; and

WHEREAS, a temporary and flexible financing mechanism is contemplated in the form of a commercial paper program secured by a direct pay letter of credit or a revolving line of credit (Interim Financing) to address any such funding gaps; and

WHEREAS, implementation of the Interim Financing requires the selection of a firm to provide either a direct pay letter of credit to secure a commercial paper program or a revolving line of credit in an amount not to exceed $125 million; and

WHEREAS, in the event Interim Financing in the form of a commercial paper program secured by a direct pay letter of credit is selected, implementation of a
commercial paper program requires the selection of providers of other services necessary to implement a commercial paper program; and

WHEREAS, the JPB requires the services of bond counsel to prepare and review the documents needed to implement the Interim Financing; and

WHEREAS, Orrick, Herrington & Sutcliffe, LLP, has served as the JPB’s bond counsel in prior years, including the 1999, 2007, and 2015 bond financings, and has substantial experience with public transit financial transactions.

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

1) Authorize staff to proceed with the Interim Financing, in an amount not to exceed $125 million, in the form of a commercial paper program secured by a direct pay letter of credit or a revolving line of credit.

2) Authorize staff to proceed with a solicitation process to select a firm to provide JPB with either a direct pay letter of credit to secure a commercial paper program or a revolving line of credit. The Interim Financing will provide funds to cover cash flows gaps that are projected to occur between the time payments are due for work performed on the Project and the expected timing of receipts from various funding sources.

3) Authorize the Executive Director or Deputy CEO Gigi Harrington to select a firm to act as provider of direct pay letter of credit to secure a commercial paper program or a revolving line of credit.

4) In the event Interim Financing in the form of a commercial paper program secured by a direct pay letter of credit is selected, authorize staff to proceed with a solicitation process to select providers of such other services as shall be
required to implement a commercial paper program, including a commercial paper dealer and an issuing and paying agent, and authorize the Executive Director or Deputy CEO Gigi Harrington to select a firm to act as commercial paper dealer, a financial institution to act as issuing and paying agent and providers of such other services, if any, as shall be required to implement a commercial paper program.

5) Authorize the Executive Director or Deputy CEO Gigi Harrington to engage Orrick, Herrington & Sutcliffe, LLP, to serve as bond counsel to the JPB in connection with the Interim Financing.

Regularly passed and adopted this 3rd day of September, 2015 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

__________________________

JPB Secretary
AGENDA ITEM # 10
SEPTEMBER 3, 2015

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

FROM: Marian Lee
Executive Officer, Caltrain Modernization Program

SUBJECT: AUTHORIZE EXECUTIVE DIRECTOR TO EXECUTE A SIX-PARTY REGIONAL FUNDING SUPPLEMENT TO THE 2012 NINE-PARTY MEMORANDUM OF UNDERSTANDING (MOU) FOR THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP)

ACTION
Staff Coordinating Council recommends the Board authorize the Executive Director to execute a six-party regional funding supplement to the 2012 Nine-Party MOU for the PCEP. This six-party MOU supplement (MOU Supplement) includes additional financial commitments to address a portion of the PCEP funding gap by the following parties:

- Metropolitan Transportation Commission (MTC)
- Peninsula Corridor Joint Powers Board (JPB)
- Santa Clara Valley Transportation Authority (VTA)
- San Mateo County Transportation Authority (SMCTA)
- San Francisco County Transportation Authority (SFCTA)
- City/County of San Francisco (CCSF)

The MOU Supplement will be consistent with the key principles outlined in the 2012 Nine-Party MOU (see attached). Staff will continue to work with the funding partners to finalize the MOU Supplement and seek approval from the appropriate agencies before executing the MOU Supplement.

SIGNIFICANCE
The 2012 Nine-Party MOU for the PCEP identifies funding commitments of approximately $1.2 billion. The project has an estimated funding gap of $431 million.

The $431 million includes a carry over $125 million funding gap from the 2012 Nine-Party MOU and an additional $306 million funding gap resulting from updating the project cost estimate from 2008 to 2014. The funding gap is based on 35 percent engineering design cost estimates. Certainty of the project cost estimate will be known when contracts for the Design Build PCEP and the Electric Multiple Unit Vehicles Procurement are awarded in late 2015/early 2016.
The parties to this MOU Supplement have committed to an additional $98 million to partially offset the funding gap as follows:

- $29 million from MTC
- $9 million from JPB (California's Low Carbon Transit Operations Program)
- $20 million from VTA
- $20 million from the SMCTA
- $20 million from SFCTA/CCSF

The remaining gap is to be closed by the Federal Transit Administration Core Capacity Grant for $220 million and the State/California High-Speed Rail Authority (CHSRA) for up to $113 million. Agreements to address these additional funding sources will be subject to separate JPB actions.

If contract awards reflect a financial commitment that is below the $1.531 billion estimate, funding commitments from all six parties to this MOU Supplement, in addition to CHSRA, will be reduced proportionally to their respective commitments.

**BUDGET IMPACT**

The authority to execute the MOU Supplement has no impact to the adopted Fiscal Year 2016 budgets. Staff will increase the annual Caltrain capital budgets as needed to provide sufficient budget authority for PCEP in subsequent budget years.

**BACKGROUND**

During the spring of 2012, the CHSRA and JPB, together with the MTC, SFCTA, VTA, city of San Jose, CCSF, SMCTA and the Transbay Joint Powers Authority, entered into a MOU that adopted an early investment strategy pertaining to the Blended System in the San Francisco to San Jose Segment of the Peninsula Rail Corridor referenced as the 2012 Nine-Party MOU.

The 2012 Nine-Party MOU identifies two principal inter-related projects as essential to the early investment strategy. They are the Corridor Electrification and associated rolling stock acquisition (PCEP) and construction of an advanced signal system, commonly known as the Communications-Based Overlay Signal System Positive Train Control Project.

The parties to the 2012 Nine-Party MOU agreed to work together to identify funding to implement the PCEP. The parties also agreed to coordinate efforts to obtain funding using a mutually agreed-upon strategy, and in the event that funding for the program is constrained by statute, rescission of existing law, change in funding requirements or eligibility, reduction in funding level or availability, the parties agreed to take steps to notify each other as needed in a timely manner.

Prepared by: Marian Lee, Executive Officer, CalMod Program 650.622.7843
MEMORANDUM OF UNDERSTANDING (MOU)

HIGH SPEED RAIL EARLY INVESTMENT STRATEGY FOR A BLENDED SYSTEM IN THE SAN FRANCISCO TO SAN JOSE SEGMENT KNOWN AS THE PENINSULA CORRIDOR OF THE STATEWIDE HIGH-SPEED RAIL SYSTEM

BY AND AMONG THE FOLLOWING PARTIES (PARTIES)

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

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

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

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

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

Whereas, this blended approach requires a series of incremental investments in the Peninsula corridor to prepare for integrated service and operations and the AUTHORITY recognizes the need for a collaborative effort with regional and local agencies to identify early investment projects along existing rail corridors that improves service, improves safety and efficiency, and creates linkages between HST and local passenger rail service; and

Whereas, a blended system will remain substantially within the existing Caltrain right-of-way and will accommodate future high-speed rail and modernized Caltrain service along the Peninsula corridor by primarily utilizing the existing track configuration on the Peninsula; and

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

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

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

Whereas, the Sustainable Communities and Climate Protection Act of 2008 (SB 375, Steinberg, Statutes of 2008) requires the Plan to include a Sustainable Communities Strategy (SCS), showing evidence of integrated planning, goals that establish and strengthen the crucial linkages between the economy, land use development and the regional transportation system to improve access to jobs, education, healthcare, and other amenities in ways that improve the overall quality of life in the Bay Area and the blended system on the Peninsula corridor in the California High-Speed Rail program are consistent with achieving SB 375 goals to reduce greenhouse gas emissions; and
Whereas, all Parties are involved in the planning, funding, construction and/or operation of heavy and light rail transit, buses, and/or commuter train services in the Peninsula corridor and are considering intermodal service integration, including linkages to the proposed HST service; and

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

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

Whereas, incremental improvements and the blended system project will be planned, designed and constructed in a way that supports local land use and Transit Oriented Development policies along the Peninsula corridor; and

Now, THEREFORE, it is mutually understood and agreed to by the PARTIES as follows:

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

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

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

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

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

Page 3 of 6
To work toward the implementation of the Initial Investment Strategy to the maximum extent feasible and that the PARTIES shall endeavor to incorporate the Electrification Infrastructure and Advanced Signal System projects into their respective plans and that the AUTHORITY shall reflect this MOU in its Business Plan by December 31, 2012.

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

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

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

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

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

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

<table>
<thead>
<tr>
<th>Program Costs (in $ millions, year of expenditure)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advance Signal System / Positive Train Control (PTC)</td>
</tr>
<tr>
<td>Electrification and Electric Multiple Units (EMUs)</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Program Funding (in $ millions)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Source</strong></td>
</tr>
<tr>
<td>JPB Contributions</td>
</tr>
<tr>
<td>JPB Local - Currently Available</td>
</tr>
<tr>
<td>Caltrain PTC</td>
</tr>
<tr>
<td><strong>Subtotal Local</strong></td>
</tr>
<tr>
<td>Prop 1A Connectivity</td>
</tr>
<tr>
<td>Prop 1A High Speed Rail Authority</td>
</tr>
<tr>
<td>Prop 1B Caltrain</td>
</tr>
<tr>
<td><strong>Subtotal State</strong></td>
</tr>
<tr>
<td>Federal RR Admin. for PTC</td>
</tr>
<tr>
<td>Federal Transit Admin prior/current obligations</td>
</tr>
<tr>
<td>Federal Transit Admin future obligations</td>
</tr>
<tr>
<td><strong>Subtotal Federal</strong></td>
</tr>
<tr>
<td>MTC Bridge Tolls</td>
</tr>
<tr>
<td>BAAQMD Carl Moyer</td>
</tr>
<tr>
<td><strong>Subtotal Regional</strong></td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>

Funding Plan Notes:

1. Caltrain Joint Powers Board (JPB) Local Contribution is $60 million from San Mateo sales tax, $60 million from VTA sales tax, and $60 million from San Francisco ($23 million from sales tax, $37 million from Regional Transportation Improvement Program (RTIP)/local/other). Each agency’s contribution, including Proposition 1A Connectivity funds as outlined in Note 2, is contingent upon the $60 million each from the other two JPB partners.
2. Prop 1A Connectivity is $42 million from Caltrain, $26 million from VTA, and $38 million from BART (2nd priority for BART after receipt of $150 million for railcars).
3. Prop 1B Caltrain is $20 million Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMISEA), $4 million State-Local Partnership Program (SLPP).
4. FTA Prior/Current Obligations is $16 million for electrification in prior years, $27 million for EMUs in FY12.
5. FTA Future Obligations is $315 million for electric multiple units (EMUs), $125 million from fixed guideway caps. Funds will be programmed in accordance with MTC Transit Capital Priorities process between approximately FY2012-2013 and FY2022-2023.
6. Bridge Tolls is from Regional Measure 1 (RMI) West Bay Rail Reserve.
7. Bay Area Air Quality Management District (BAAQMD) funds to be confirmed.
8. Assumes that all local sources, Prop 1B PTMISEA, all federal sources, and bridge tolls can be used as match to Prop 1A funds, totaling $726 million in matching funds for $706 million in Prop 1A funds.
9. Other potential future funding sources could be substituted if secured, including federal Transportation Investment Generating Economic Recovery (TIGER) funds (such as current Caltrain application for $44 million), State Interregional Transportation Improvement Program (ITIP) funds, and private financing.
IN WITNESS WHEREOF, this MOU has been executed by the PARTIES hereto as of the day and year indicated next to each signature, with the final signature date constituting the effective date.

<table>
<thead>
<tr>
<th>Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeff Morales, Chief Executive Officer California High Speed Rail Authority</td>
<td>9/18/2012</td>
</tr>
<tr>
<td>Steve Heminger, Executive Director Metropolitan Transportation Commission</td>
<td>9/18/2012</td>
</tr>
<tr>
<td>Michael J. Scanlon, Executive Director Peninsula Corridor Joint Powers Board and San Mateo County Transportation Authority</td>
<td>9/21/2012</td>
</tr>
<tr>
<td>Jose Luis Moscovich, Executive Director San Francisco County Transportation Authority</td>
<td>10/15/12</td>
</tr>
<tr>
<td>Michael Burns, General Manager Santa Clara Valley Transportation Authority</td>
<td>11/27/12</td>
</tr>
<tr>
<td>Debra Figone, City Manager City of San Jose</td>
<td>12/12/12</td>
</tr>
<tr>
<td>Edwin M. Lee, Mayor City and County of San Francisco</td>
<td>1/15/13</td>
</tr>
<tr>
<td>Maria Ayerdi-Kaplan, Executive Director Transbay Joint Powers Authority</td>
<td>1/25/13</td>
</tr>
</tbody>
</table>
RESOLUTION NO. 2015 –

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

* * *

AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE A SIX-PARTY REGIONAL FUNDING SUPPLEMENT TO THE 2012 NINE-PARTY MEMORANDUM OF UNDERSTANDING (MOU) FOR THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP)

WHEREAS, in spring of 2012, the California High-Speed Rail Authority (CHSRA) and the Peninsula Corridor Joint Powers Board (JPB), together with the Metropolitan Transportation Commission (MTC), the San Francisco County Transportation Authority (SFCTA), the Santa Clara Valley Transportation Authority (VTA), the city of San Jose (CSJ), the city and county of San Francisco (CCSF), the San Mateo County Transportation Authority (SMCTA) and the Transbay Joint Powers Authority (TJPA) entered into an MOU that adopted an early investment strategy pertaining to the Blended System in the San Francisco to San Jose Segment of the Peninsula Rail Corridor referred to as the “2012 Nine-Party MOU”; and

WHEREAS, the 2012 Nine-Party MOU identifies two principal inter-related projects as essential to the early investment strategy: (1) Corridor Electrification and associated rolling stock acquisition referred to as the “PCEP,” and (2) construction of an advanced signal system, commonly known as Communications-Based Overlay Signal System Positive Train Control or “CBOSS PTC”; and

WHEREAS, the 2012 Nine-Party MOU identifies approximately $1.2 billion of funding for the PCEP from multiple grant sources; and

WHEREAS, there is a funding gap for the PCEP of $431 million based on a carry over funding gap of $125 million from the 2012 Nine-Party MOU and a funding gap of $306 million resulting from updating the project cost from 2008 to 2014; and
WHEREAS, the cost estimate and funding gap are based on 35 percent engineering design; and

WHEREAS, six of the agencies to the 2012 Nine-Party MOU have agreed to make additional funding commitments to the PCEP to continue to advance the project through execution of a six-party supplement to that MOU.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the JPB hereby delegates authority to the Executive Director to execute a Six-Party Supplement to the 2012 Nine-Party Memorandum of Understanding that establishes the following additional funding commitments for the PCEP:

- MTC for $29 million from Regional Measures 1 and 2
- JPB for $9 million from State of California’s Low Carbon Transit Operations Program
- VTA for $20 million
- SMCTA for $20 million
- SFCTA/CCSF for $20 million

with the understanding that the following determinations and conditions shall apply:

1. The remainder of the funding gap is to be addressed by $220 million from the Federal Transit Administration’s Core Capacity Grant Program and up to $113 million from the State/CHSRA;

2. The Six-Party Supplement will be consistent with the key principles outlined in the 2012 Nine-Party MOU; and
3. If contract awards for the PECP reflect a financial commitment that is below the $1.531 billion cost estimate, funding commitments from all the parties to this Six-Party Supplement, in addition to CHSRA, will be reduced proportionally to their respective commitments.

Regularly passed and adopted this 3rd day of September, 2015 by the following vote:

AYES:

NOES:

ABSENT:

______________________________
Chair, Peninsula Corridor Joint Powers Board

ATTEST:

______________________________
JPB Secretary
AGENDA ITEM # 11  
SEPTEMBER 3, 2015

PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett  
Executive Director

FROM: Marian Lee  
Executive Officer, Caltrain Modernization Program

SUBJECT: AUTHORIZE DELEGATION OF AUTHORITY TO EXECUTIVE DIRECTOR TO EXECUTE COMPREHENSIVE AGREEMENTS FOR THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP)

ACTION  
Staff Coordinating Council recommends the Board approve the delegation of authority to the Executive Director to execute a comprehensive agreement for the PCEP with each of the 17 cities and three counties along the Caltrain right of way, within the PCEP limits.

SIGNIFICANCE  
The purpose of the comprehensive agreements is to memorialize the parties’ consultation and cooperation, designate their respective rights and obligations, and ensure cooperation between the Peninsula Corridor Joint Powers Board (JPB) and the cities and counties in connection with the design and construction of the PCEP. The comprehensive agreements propose to reimburse plan review and inspection costs that may be incurred by the cities and the counties in connection with city or county improvements affected by the PCEP implementation. The level of effort by jurisdiction has been estimated and falls into three categories: low, medium and high. The estimate is a not-to-exceed amount between approximately $20,000 and $40,000 per jurisdiction.

In order to provide greater administrative efficiency, responsiveness and flexibility, staff is seeking Board delegation of the authority to approve and execute the comprehensive agreements to the Executive Director or his designee(s).

BUDGET IMPACT  
The costs for design-review and associated permit costs incurred by the staffs at the cities and counties are included in the PCEP overall project cost estimate.
BACKGROUND
The PCEP is a key component of the Caltrain Modernization Program. The PCEP will electrify the Caltrain Corridor from San Francisco’s 4th and King Caltrain Station to approximately the Tamien Caltrain Station, convert diesel-hauled to Electric Multiple Unit trains, and increase service up to six Caltrain trains per peak hour per direction.

The JPB completed the PCEP Federal clearance in 2009 and State environmental clearance in January 2015. Subsequently, in February 2015, the JPB authorized the issuance of the PCEP Project Design-Build Request for Proposals to engage a Design-Build Contractor to construct the PCEP.

The comprehensive agreements will help enable the design and construction of the PCEP by defining the roles and responsibilities among the cities/counties, the JPB and the design-build contractor relative to implementation of the PCEP.

Prepared By: Stacy Cocke, Principal Planner 650.508.6207
RESOLUTION NO. 2015 –

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

***

AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE COMPREHENSIVE AGREEMENTS WITH THE CITIES AND COUNTIES ALONG THE CALTRAIN CORRIDOR FOR IMPLEMENTATION OF THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP)

WHEREAS, on January 8, 2015, pursuant to Resolution No. 2015-03, the Peninsula Corridor Joint Powers Board (JPB) certified the Final Environmental Impact Report (FEIR) for the Peninsula Corridor Electrification Project (PCEP) and pursuant to Resolution No. 2015-04, the JPB approved the PCEP and adopted California Environmental Quality Act findings of fact, a statement of overriding considerations, and a mitigation monitoring and reporting plan; and

WHEREAS, on February 5, 2015, pursuant to Resolution No. 2015-08, the JPB authorized the issuance of the PCEP Project Design-Build Request for Proposals to engage a Design-Build Contractor to construct the PCEP; and

WHEREAS, the JPB desires to work with the cities and counties along the Caltrain right of way to facilitate the design and construction of the PCEP and to memorialize in an agreement the interagency cooperation and ongoing consultation that will take place during implementation of the PCEP; and

WHEREAS, the JPB has developed a comprehensive agreement to develop procedures for the following: (1) to promote cooperation during the design and construction process; (2) to avoid all unnecessary delays to either the contracting, design or construction process; and (3) to facilitate plan reviews and inspection of the construction, relocation, and replacement, as necessary, of city or county improvements affected by the PCEP; and
WHEREAS, the Board desires to delegate authority to the Executive Director to execute the comprehensive agreements with the cities and counties.

NOW, THEREFORE, BE IT RESOLVED that the Peninsula Corridor Joint Powers Board authorizes the Executive Director to approve and execute comprehensive agreements with the 17 cities and the three counties along the Caltrain right of way to accomplish the purposes described in the recitals above.

Regularly passed and adopted this 3rd day of September, 2015 by the following vote:

AYES:

NOES:

ABSENT:

__________________________
Chair, Peninsula Corridor Joint Powers Board

ATTEST:

__________________________
JPB Secretary
AGENDA ITEM # 12
SEPTEMBER 3, 2015

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Jim Hartnett
Executive Director

FROM: Marian Lee
Executive Officer, CalMod Program

SUBJECT: AUTHORIZE EXECUTION OF COOPERATIVE AGREEMENTS WITH SAN MATEO COUNTY TRANSIT DISTRICT (DISTRICT) AND SANTA CLARA VALLEY TRANSPORTATION AUTHORITY (VTA) TO UNDERTAKE EMINENT DOMAIN PROCEEDINGS IN CONNECTION WITH THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP)

ACTION
Staff Coordinating Council recommends the Board authorize the Executive Director to execute Cooperative Agreements (Agreements) with the District and VTA to undertake eminent domain proceedings that may be necessary in connection with the PCEP.

SIGNIFICANCE
The PCEP will require real estate to implement the project. In San Mateo County, based on the Final Environmental Impact Report (FEIR), up to 102 parcels may be impacted. In Santa Clara County, up to 56 parcels may be impacted. All required land is slivers of parcels needed for placement of the poles or easements for the electric safety zone (ESZ) with the exception of sites needed for two traction power facilities located in Santa Clara County.

It is the Peninsula Corridor Joint Powers Board’s (JPB) intent to obtain property interests through voluntary transactions with the property owners. However, in instances in which voluntary transaction is not an option, this agreement provides for the District and the VTA to undertake eminent domain actions for the PCEP.

BUDGET IMPACT
The costs of acquiring real estate are reflected in the adopted budget for the PCEP.

BACKGROUND
The JPB does not have the power of eminent domain. As such, the JPB has requested the District and VTA to perform that function under their statutory authority, in the event the JPB determines that acquisition by condemnation is necessary and appropriate to implement the PCEP. The Cooperative Agreement sets forth the process by which the District or VTA will undertake the requisite property condemnations on behalf of and in coordination with the JPB, at the JPB’s sole expense.
This same Cooperative Agreement has been used successfully by the parties in connection with prior projects. About 10 years ago, the arrangement under this Cooperative Agreement effectively coordinated efforts between VTA and the JPB to acquire necessary property interests for the Centralized Equipment Maintenance and Operations Facility project through eminent domain. More recently, the JPB worked with the District under this Cooperative Agreement to acquire through condemnation certain property interests needed for the San Bruno Grade Separation Project.

Prepared by: Joan Cassman, Legal Counsel
RESOLUTION NO. 2015 –
BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA

***

AUTHORIZING EXECUTIVE DIRECTOR TO EXECUTE COOPERATIVE AGREEMENTS WITH
SAN MATEO COUNTY TRANSIT DISTRICT (DISTRICT) AND SANTA CLARA VALLEY
TRANSPORTATION AUTHORITY (VTA) TO UNDERTAKE EMINENT DOMAIN PROCEEDINGS IN
CONNECTION WITH THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP)

WHEREAS, on January 9, 2015, pursuant to Resolution Nos. 2015-03 and 2015-04,
the Peninsula Corridor Joint Powers Board (JPB) certified a Final Environmental Impact
Report (FEIR) for the PCEP and approved the PCEP; and

WHEREAS, the PCEP requires the acquisition of various real estate interests along
the 51-mile length of the Caltrain right of way for the placement of PCEP infrastructure; and

WHEREAS, the JPB intends to obtain the requisite property interests to implement
the PCEP through a process of appraisals, and notices to and discussions with the
property owners to reach voluntary acquisition transactions; and

WHEREAS, in the event the JPB is unable to achieve voluntary transactions for
required property interests and because the JPB does not have the legal power to
condemn real property interests, staff proposes that the District and VTA be requested
to undertake eminent domain actions that the JPB has deemed necessary and
appropriate to acquire property interests for the PCEP in San Mateo and Santa Clara
Counties, respectively, with all out-of-pocket costs and other expenses incurred in
connection with such actions, reimbursed by JPB from the project budget; and

WHEREAS, the Executive Director recommends that the Board authorize him to
execute Cooperative Agreements with the District and VTA to establish the process by
which the parties will pursue eminent domain proceedings should the JPB determine such actions are necessary to obtain required property interests for the PCEP.

**NOW, THEREFORE, BE IT RESOLVED** that the JPB authorizes the Executive Director to execute Cooperative Agreements with the District and VTA to undertake eminent domain proceedings as may be determined by the Board to be necessary and appropriate for the successful implementation of the PCEP.

Regularly passed and adopted this 3rd day of September, 2015 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary
PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: 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
ACTION
Staff Coordinating Council recommends the Board approve an increase of the Executive Director's contract authority by $10 million to a current total unutilized contract authority of $17,341,134 for the CBOSS PTC contract with PTG, so that the Executive Director, or his designee, can authorize contract amendments necessary to cover current and projected contract expenditures.

SIGNIFICANCE
Approval of the above action is necessary to fund the CBOSS PTC contract and the added work scope due to requests from the Peninsula Corridor Joint Powers Board (JPB), changes due to project needs, and unforeseen field conditions that exceed the current contract amount.

BUDGET IMPACT
The increased contract value is funded by the approved CBOSS PTC project budget of $231 million and is part of the approved Fiscal Year 2016 and prior adopted capital budgets.

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

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

Pursuant to Resolution No. 2011-43, the JPB awarded a contract for the Caltrain CBOSS PTC project. The contract is now in its fourth year of performance. The original contract award was in the amount of $138,135,673. The contract has been amended seven times since award such that the present contract amount is $144,608,108.

Staff has identified additional necessary contract changes. These identified changes include:
- PTC testing train build out
- PTC education video
- Backup Central Control Facility (BCCF) build-out
- Train Voice Dispatch System upgrade at the Central Control Facility and the BCCF
- Wayside control points fiber network upgrade
- Re-stationing of the railroad mile marker and speed signs
- Wayside field subsystem changes due to configuration management failures
- Additional hardware for the Rail Operations Control System Modification software
- Fiber cable connection to the San Carlos headquarter building
- Redesign due to Santa Clara Valley Transportation Authority Light Rail Transit Efficiency Project
- Fiber cable connection from the Dumbarton Spur to the BCCF

Additional contract capacity is required to implement the above changes to complete the implementation of the PTC system. Pursuant to JPB policy, the Executive Director's contract authority is for 10 percent of the original contract value, or $13,813,567, of which $7,341,134 remains after the above-mentioned seven amendments. This action will increase the Executive Director's unutilized contract authority by an additional $10 million to a total of $17,341,134. If the Executive Director, or his designee, were to issue amendments to the limits of his authority, the total contract amount would be $161,949,242.

Senior Contract Officer: Juanita Vigil 650.508.7731
PMO Director: Karen Antion 415.836.5605
RESOLUTION NO. 2015 –

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

***

AUTHORIZING AN INCREASE TO THE EXECUTIVE DIRECTOR’S AUTHORITY TO ISSUE AMENDMENTS TO THE CONTRACT WITH PARSONS TRANSPORTATION GROUP (PTG) RELATIVE TO THE CALTRAIN COMMUNICATIONS-BASED OVERLAY SIGNAL SYSTEM POSITIVE TRAIN CONTROL (CBOSS PTC) CONTRACT IN THE AMOUNT OF $10 MILLION

WHEREAS, pursuant to Resolution No. 2011-43, the Peninsula Corridor Joint Powers Board (JPB) awarded a contract for the design and installation of the Caltrain CBOSS PTC to PTG in the amount of $138,135,673; and

WHEREAS, under JPB Procurement Policies, the Executive Director has authority to issue contract amendments to cover unanticipated conditions and requirements that arise during contract performance in the amount of 10 percent or $100,000, whichever is greater; and

WHEREAS, the Executive Director has to date authorized seven amendments to the contract in the total amount of $6,474,433 consistent with his authority under JPB policies; and

WHEREAS, the contract is now in its fourth year of performance and staff has identified additional necessary contract amendments that will be necessary due to added work scope requested by the JPB, changes due to project needs, and unforeseen field conditions that exceed the current contract amount; and

WHEREAS, the additional necessary amendments will increase the total contract value in excess of the Executive Director’s total authority to amend the contract under JPB policies and staff therefore seeks an increase in such authority in the amount of
$10 million to ensure future contract capacity for the completion and implementation of the CBOSS PTC System.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the JPB increases the Executive Director’s total unutilized authority to amend the contract with PTG by $10 million to a total current amount of $17,341,134.

Regularly passed and adopted this 3rd day of September, 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: Marian Lee
Executive Officer, Caltrain Modernization Program

SUBJECT: REGIONAL TRANSPORTATION PLAN UPDATE AND CALL FOR PROJECTS

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

SIGNIFICANCE
The Metropolitan Transportation Commission (MTC) is in the process of preparing Plan Bay Area 2040, an update to the Bay Area’s nine-county Regional Transportation Plan (RTP) and Sustainable Communities Strategy. Plan Bay Area 2040 will be used to guide MTC’s allocation of Federal, State and regional funds to transportation projects.

MTC has requested that Bay Area congestion management agencies (CMAs) and multi-county project sponsors (including multi-county transit operators such as the Peninsula Corridor Joint Powers Board (JPB) submit project updates for inclusion in Plan Bay Area 2040. In response to the Call for Projects, the JPB will coordinate with its partner agencies to submit descriptions of the individual capital projects and programmatic categories identified in the JPB draft Capital Improvement Plan. Staff will make a brief PowerPoint presentation at the September meeting describing the JPB’s proposed project list.

Following the September Board meeting, staff will refine and submit a draft project list to MTC in coordination with CMAs in San Francisco, San Mateo and Santa Clara counties. Staff will return to the Board to request approval of the final RTP submission at the October 1, 2015 meeting.

BUDGET IMPACT
There is no impact on the budget.

BACKGROUND
Plan Bay Area 2040 is a State-mandated, integrated long-range transportation, land-use and housing plan intended to support the region’s economy, provide more housing and transportation choices and reduce transportation-related pollution in the nine-county San Francisco Bay Area. Plan Bay Area 2040 is the strategic update to Plan
Bay Area 2013. On July 18, 2013, the Plan Bay Area 2013 was jointly approved by the Association of Bay Area Governments (ABAG) Executive Board and the MTC. Plan Bay Area 2013 includes the region’s Sustainable Communities Strategy and the 2040 RTP.

MTC reviews transportation projects submitted by CMAs and multi-county project sponsors as part of the preparation of the RTP. Projects reviewed and approved by MTC are then included in the Regional Transportation Improvement Program (RTIP) and considered for inclusion in the State Transportation Improvement Program (STIP), making them eligible for Federal, State, and other key discretionary funding sources.

Prepared By:  Sebastian Petty, Senior Planner, Caltrain Modernization 650.622.7831 Program
PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

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
Staff continues to monitor and take positions on new Extraordinary Session 1 – Transportation Special Session bills including:

Senate Bill Extraordinary Session 1 (SBx1) 8 (Hill) and Assembly Bill Extraordinary Session 1 (ABx1) 7 (Nazarian) - Support
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, resulting in an additional $300 million a year to support public transit.

SBX1 7 (Allen) and ABX1 8 (Chiu and Bloom) - Support
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. The tax increase is expected to generate approximately $300 million to support capital maintenance and operational needs.

SBx1 2 (Huff), SBx1 3 (Vidak) and SBx1 6 (Runner) - Oppose
All three bills attempt to take funding appropriations away from High Speed Rail and divert them to other transportation areas such as streets and roads, and highways and freeways.

AB 464 (Mullin) – Governor Veto
This bill would have increased the local sales tax cap from 2 percent to 3 percent. This was a surprise veto since the governor has previously signed several county-specific increases.
Press Conference For Transit Funding
On August 25, Assembly Members David Chiu and Kevin Mullin held a press conference urging State leaders to support a package that includes funding for transit in addition to funding for local streets and roads. Governor Brown has identified a $59 billion funding shortage over the next 10 years for the basic maintenance of State highways and bridges, and local governments have estimated that a $78 billion need exists for local roads over the same time period. The State’s transit funding backlog in the decade ahead is similarly daunting: $72 billion in maintenance and expansion needs. A similar press conference was also held in Los Angeles.

FEDERAL ISSUES
Nothing to report.

Prepared By: Seamus Murphy, Director, Government and Community Affairs 650.508.6388
<table>
<thead>
<tr>
<th>Bill ID/Topic</th>
<th>Location</th>
<th>Summary</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AB 2</strong> Alejo D</td>
<td>S. APPR. SUSPENSE FILE 8/17/2015-In committee: Referred to APPR. suspense file. 8/27/2015 - Upon adjournment of Floor Session - John L. Burton Hearing Room (4203) - SENATE APPROPRIATIONS SUSPENSE, LARA, Chair</td>
<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>
<td></td>
</tr>
<tr>
<td><strong>AB 6</strong> Wilk R</td>
<td>A. TRANS. 4/21/2015-In committee: Set, second hearing. Failed passage. Reconsideration granted.</td>
<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>
<td></td>
</tr>
<tr>
<td><strong>AB 21</strong> Perea D</td>
<td>S. THIRD READING 6/30/2015-Read second time. Ordered to third reading. 8/27/2015 #87 SENATE ASSEMBLY BILLS-THIRD READING FILE</td>
<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>
<td></td>
</tr>
<tr>
<td><strong>AB 23</strong> Patterson R</td>
<td>A. NAT. RES. 3/23/2015-In committee: Set, first hearing. Failed passage. Reconsideration granted.</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. 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>
<td></td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td>AB 33 Quirk D</td>
<td>S. APPR. SUSPENSE FILE 8/24/2015-In committee: Referred to APPR. suspense file.</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 8/18/2015</td>
<td></td>
</tr>
<tr>
<td>AB 61 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>
<td></td>
</tr>
<tr>
<td>AB 156 Perea D</td>
<td>S. APPR. SUSPENSE FILE 8/24/2015-In committee: Referred to APPR. suspense file.</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. Last Amended on 8/18/2015</td>
<td></td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td><strong>AB 194</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frazier</td>
<td>D</td>
<td>S. APPR. SUSPENSE FILE 8/17/2015-In committee: Referred to APPR. suspense file. 8/27/2015 Upon adjournment of Floor Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, LARA, Chair. 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>
<td></td>
</tr>
<tr>
<td><strong>AB 227</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Alejo</td>
<td>D</td>
<td>A. 2 YEAR 5/1/2015-Failed Deadline pursuant to Rule 61(a)(2). (Last location was BUDGET. on 4/16/2015) 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. Last Amended on 4/15/2015</td>
<td></td>
</tr>
<tr>
<td><strong>AB 318</strong></td>
<td></td>
<td></td>
<td>Oppose</td>
</tr>
<tr>
<td>Chau</td>
<td>D</td>
<td>S. 2 YEAR 7/17/2015-Failed Deadline pursuant to Rule 61(a)(10). (Last location was JUD. on 6/11/2015) 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. Last Amended on 6/11/2015</td>
<td></td>
</tr>
<tr>
<td><strong>AB 326</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frazier</td>
<td>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) 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. Last Amended on 4/21/2015</td>
<td></td>
</tr>
<tr>
<td><strong>AB 378</strong></td>
<td></td>
<td></td>
<td>Support</td>
</tr>
<tr>
<td>Mullin</td>
<td>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) 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></td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td>AB 464 Mullin D</td>
<td>A. VETOED 8/17/2015-Vetoed by the Governor 8/27/2015 #15 ASSEMBLY UNFINISHED BUSINESS GOVERNOR’S VETOES</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%. <em>Last Amended on 6/17/2015</em></td>
<td>Support</td>
</tr>
<tr>
<td>AB 471 Harper R</td>
<td>A. 2 YEAR 5/15/2015-Failed Deadline pursuant to Rule 61 (a)(3). (Last location was PRINT on 2/23/2015)</td>
<td>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>
<td>Support</td>
</tr>
<tr>
<td>AB 516 Mullin D</td>
<td>S. APPR. SUSPENSE FILE 8/24/2015-In committee: Referred to APPR. suspense file. 8/27/2015 Upon adjournment of Floor Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, LARA, Chair</td>
<td>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. This bill contains other related provisions and other existing laws. <em>Last Amended on 7/16/2015</em></td>
<td>Support</td>
</tr>
<tr>
<td>AB 528 Baker R</td>
<td>A. 2 YEAR 5/15/2015-Failed Deadline pursuant to Rule 61 (a)(3). (Last location was P.E.,R. &amp; S.S. on 4/9/2015)</td>
<td>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.</td>
<td>Support</td>
</tr>
<tr>
<td>AB 828 Low D</td>
<td>S. E. U., &amp; C. 7/16/2015-Joint Rule 61 suspended. (Page 1988.) Re-referred to Com. on E., U., &amp; C.</td>
<td>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. <em>Last Amended on 7/14/2015</em></td>
<td>Support</td>
</tr>
</tbody>
</table>
### Peninsula Corridor Joint Powers Board
#### State Legislative Matrix as of 8/25/2015

<table>
<thead>
<tr>
<th>Bill ID/Topic</th>
<th>Location</th>
<th>Summary</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AB 857</strong> Perea  D  California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program</td>
<td>S. APPR. SUSPENSE FILE 8/24/2015-In committee: Referred to APPR. suspense file. 8/27/2015 Upon adjournment of Floor Session - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS SUSPENSE, LARA, Chair</td>
<td>Would, between January 2, 2018, and January 1, 2023, inclusive, annually 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. This bill contains other existing laws. <strong>Last Amended on 8/18/2015</strong></td>
<td></td>
</tr>
<tr>
<td><strong>AB 869</strong> Cooper  D  Public transportation agencies: fare evasion and prohibited conduct.</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. <strong>Last Amended on 6/18/2015</strong></td>
<td></td>
</tr>
<tr>
<td><strong>AB 877</strong> Chu  D  Transportation.</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. <strong>Last Amended on 3/26/2015</strong></td>
<td></td>
</tr>
<tr>
<td><strong>AB 1068</strong> Allen, Travis  R  California Environmental Quality Act: priority projects.</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>
<td></td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td>AB 1171 Linder R</td>
<td>A. ENROLLMENT 8/17/2015-Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 79. Noes 0.).</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. <strong>Last Amended on 6/19/2015</strong></td>
<td>Support</td>
</tr>
<tr>
<td>AB 1360 Ting D</td>
<td>S. 2 YEAR 7/17/2015-Failed Deadline pursuant to Rule 61(a)(10). (Last location was E. U., &amp; C. on 7/2/2015)</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. <strong>Last Amended on 7/2/2015</strong></td>
<td>Support</td>
</tr>
<tr>
<td>ABX1 7 Nazarian D</td>
<td>A. PRINT 7/17/2015-From printer.</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 instead continuously appropriate 20% of those annual proceeds to the Transit and Intercity Rail Capital Program, and 10% of those annual proceeds to the Low Carbon Transit Operations Program, thereby making an appropriation. This bill contains other current laws.</td>
<td>Support</td>
</tr>
<tr>
<td>ABX1 8 Chiu D</td>
<td>A. PRINT 7/17/2015-From printer.</td>
<td>Would, effective July 1, 2016, increase the additional sales and use tax rate on diesel fuel to 5.25%. By increasing the revenues deposited in a continuously appropriated fund, the bill would thereby make an appropriation. This bill contains other related provisions.</td>
<td>Support</td>
</tr>
<tr>
<td>ACA 4 Frazier D</td>
<td>A. APPR. SUSPENSE FILE 8/19/2015-In committee: Set, first hearing. Referred to suspense file. 8/27/2015 Upon Adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GOMEZ, Chair</td>
<td>Would provide that the imposition, extension, or increase of a sales and use tax imposed pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or a transactions and use tax imposed in accordance with the Transactions and Use Tax Law by a county, city, city and county, or special district for the purpose of providing funding for local transportation projects, as defined, requires the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, nonsubstantive changes. <strong>Last Amended on 8/17/2015</strong></td>
<td>Support</td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td><strong>SB 1</strong>&lt;br&gt;Gaines R&lt;br&gt;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>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.&lt;br&gt;&lt;br&gt;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>
<td></td>
</tr>
<tr>
<td><strong>SB 5</strong>&lt;br&gt;Vidak R&lt;br&gt;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>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.&lt;br&gt;&lt;br&gt;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>
<td></td>
</tr>
<tr>
<td><strong>SB 7</strong>&lt;br&gt;Beall D&lt;br&gt;Greenhouse Gas Reduction Fund: Transit and Intercity Rail Capital Program</td>
<td>A. THIRD READING 8/20/2015-Read second time. Ordered to third reading. 8/27/2015 #55 ASSEMBLY SENATE THIRD READING FILE</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, as defined, 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 8/17/2015</td>
<td></td>
</tr>
<tr>
<td><strong>SB 32</strong>&lt;br&gt;Pavley D&lt;br&gt;California Global Warming Solutions Act of 2006: emissions limit.</td>
<td>A. APPR. SUSPENSE FILE 8/19/2015-August 19 set for first hearing. Placed on APPR. suspense file. 8/27/2015 Upon Adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GOMEZ, Chair</td>
<td>Would require the State Air Resources Board to approve statewide greenhouse gas emissions limits that are the 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.&lt;br&gt;&lt;br&gt;The bill would authorize the state board to adopt an interim greenhouse gas emissions level target to be achieved by 2040.&lt;br&gt;&lt;br&gt;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.&lt;br&gt;&lt;br&gt;The bill would make conforming changes. Last Amended on 6/1/2015</td>
<td>Support</td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td><strong>SB 64</strong> Liu D</td>
<td>A. APPR. SUSPENSE FILE 7/8/2015 - July 8 set for first hearing. Placed on APPR. suspense file.</td>
<td>The California Transportation Commission is required to adopt and submit to the Legislature, by December 15 of each year, an annual report summarizing the commission’s prior-year decisions in allocating transportation capital outlay appropriations, and identifying timely and relevant transportation issues facing the state. This bill would require that the annual report also include specific, action-oriented, and pragmatic recommendations for legislation to improve the transportation system. <strong>Last Amended on 6/24/2015</strong></td>
<td></td>
</tr>
<tr>
<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>CEQA establishes a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency’s action on the grounds of noncompliance with CEQA. This bill would require the lead agency, at the request of a project applicant and consent of the lead agency, to prepare a record of proceedings concurrently with the preparation of a negative declaration, mitigated negative declaration, EIR, or other environmental document for projects. This bill contains other related provisions. <strong>Last Amended on 6/1/2015</strong></td>
<td></td>
</tr>
<tr>
<td><strong>SB 207</strong> Wieckowski D</td>
<td>A. 2 YEAR 7/17/2015-Failed Deadline pursuant to Rule 61(c)(10). (Last location was NAT. RES. on 5/14/2015)</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. This bill would require that record to be posted on the Internet Web sites of the state agency and the State Air Resources Board prior to the state agency expending those moneys. <strong>Last Amended on 3/24/2015</strong></td>
<td></td>
</tr>
<tr>
<td><strong>SB 231</strong> Gaines R</td>
<td>A. CONSENT CALENDAR 8/20/2015 - Read second time. Ordered to consent calendar. 8/27/2015 #94 ASSEMBLY CONSENT CALENDAR-SECOND LEGISLATIVE DAY SENATE MEASURES</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>
<td></td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td><strong>SB 321</strong> Beall D</td>
<td>A. APPR. 8/18/2015-Read second time and amended. Re-referred to Com. on APPR. 8/26/2015 9 a.m. - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS, GOMEZ, Chair</td>
<td>Would, for the 2016-17 fiscal year and each fiscal year thereafter, require the State Board of Equalization on March 1 of the fiscal year immediately preceding the applicable fiscal year, as specified, to adjust the rate 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 existing laws. <strong>Last Amended on 8/18/2015</strong></td>
<td></td>
</tr>
<tr>
<td><strong>SB 348</strong> Galgiani D</td>
<td>S. CHAPTERED 8/7/2015-Chaptered by Secretary of State - Chapter 143, Statutes of 2015.</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. <strong>Last Amended on 4/6/2015</strong></td>
<td></td>
</tr>
<tr>
<td><strong>SB 358</strong> Jackson D</td>
<td>A. THIRD READING 8/20/2015-Read second time. Ordered to third reading. 8/27/2015 #61 ASSEMBLY SENATE THIRD READING FILE</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>
<td></td>
</tr>
<tr>
<td><strong>SB 391</strong> Huff R</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>
<td></td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td>SB 400 Lara D</td>
<td>A. APPR. SUSPENSE FILE 8/19/2015-August 19 set for first hearing. Placed on APPR. suspense file. 8/27/2015 Upon Adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GOMEZ, Chair</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. The bill would expand the purposes of a continuous appropriation, thereby making an appropriation. Last Amended on 6/1/2015</td>
<td>Watch Closely</td>
</tr>
<tr>
<td>SB 413 Wieckowski D</td>
<td>A. THIRD READING 8/24/2015-From consent calendar on motion of Assembly Member Cristina Garcia. Ordered to third reading. 8/27/2015 #84 ASSEMBLY SENATE THIRD READING FILE</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. Last Amended on 7/1/2015</td>
<td>Support</td>
</tr>
<tr>
<td>SB 461 Hernandez D</td>
<td>A. APPR. SUSPENSE FILE 8/19/2015-August 19 set for first hearing. Placed on APPR. suspense file. 8/27/2015 Upon Adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GOMEZ, Chair</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. Last Amended on 7/8/2015</td>
<td>Support</td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td><strong>SB 491</strong> Committee on Transportation and Housing</td>
<td>A. CONSENT CALENDAR 8/20/2015-Read second time. Ordered to consent calendar.</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. <strong>Last Amended on 6/29/2015</strong></td>
<td></td>
</tr>
<tr>
<td><strong>SB 508 Beall D</strong> Transportation funds: transit operators: pedestrian safety.</td>
<td>A. THIRD READING 8/20/2015-Read third time and amended. Ordered to third reading. 8/27/2015 #39 ASSEMBLY SENATE THIRD 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. <strong>Last Amended on 8/20/2015</strong></td>
<td></td>
</tr>
<tr>
<td><strong>SB 529 Pan D</strong> Transportation funding: Downtown/Riverfront Streetcar Project.</td>
<td>S. T. &amp; H. 4/16/2015-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. <strong>Last Amended on 4/14/2015</strong></td>
<td></td>
</tr>
<tr>
<td><strong>SB 579 Jackson D</strong> Employees: time off.</td>
<td>A. THIRD READING 8/20/2015-Read second time. Ordered to third reading. 8/27/2015 #69 ASSEMBLY SENATE THIRD READING FILE</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 child day care facility to instead refer to a child care provider. <strong>Last Amended on 7/16/2015</strong></td>
<td></td>
</tr>
</tbody>
</table>
## Peninsula Corridor Joint Powers Board

### State Legislative Matrix as of 8/25/2015

<table>
<thead>
<tr>
<th>Bill ID/Topic</th>
<th>Location</th>
<th>Summary</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SB 599</strong></td>
<td>A. APPR. SUSPENSE FILE 7/8/2015-July 8 set for first hearing. Placed on APPR. suspense file. 8/27/2015 Upon Adjournment of Session - State Capitol, Room 4202 ASSEMBLY APPROPRIATIONS SUSPENSE, GOMEZ, Chair</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>
<td><strong>APPR. SUSPENSE FILE</strong></td>
</tr>
<tr>
<td><strong>SB 698</strong></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>
<td><strong>S. 2 YEAR</strong></td>
</tr>
<tr>
<td><strong>SB 767</strong></td>
<td>A. THIRD READING 8/20/2015-Read second time. Ordered to third reading. 8/27/2015 #76 ASSEMBLY SENATE THIRD READING FILE</td>
<td>Would authorize the MTA to impose an additional transportation transactions and use tax at a maximum rate of 0.5% as long as a specified existing 0.5% transactions and use tax is in effect, and at a maximum rate of 1% thereafter, as specified, for a period of time determined by the MTA, 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. <strong>Last Amended on 7/16/2015</strong></td>
<td><strong>A. THIRD READING</strong></td>
</tr>
<tr>
<td><strong>SBX1 2</strong></td>
<td>S. T. &amp; I.D. 7/1/2015-From printer.</td>
<td>Would provide that those annual proceeds shall be appropriated by the Legislature for transportation infrastructure, including public streets and highways, but excluding high-speed rail. This bill contains other existing laws.</td>
<td>Oppose</td>
</tr>
<tr>
<td><strong>SBX1 3</strong></td>
<td>S. T. &amp; I.D. 8/19/2015-August 19 set for first hearing. Failed passage in committee.</td>
<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 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. <strong>Last Amended on 8/17/2015</strong></td>
<td>Oppose</td>
</tr>
<tr>
<td>Bill ID/Topic</td>
<td>Location</td>
<td>Summary</td>
<td>Position</td>
</tr>
<tr>
<td>--------------</td>
<td>----------</td>
<td>---------</td>
<td>----------</td>
</tr>
<tr>
<td>SBX1 6</td>
<td>S. T. &amp; I.D. 7/14/2015-From printer.</td>
<td>Would delete the continuous appropriations from the Greenhouse Gas Reduction Fund for the high-speed rail project, and would prohibit any of the proceeds from the fund from being used for that project. The bill would continuously appropriate the remaining 65% of annual proceeds of the fund to the California Transportation Commission for allocation to high-priority transportation projects, as determined by the commission, with 40% of those moneys to be allocated to state highway projects, 40% to local street and road projects divided equally between cities and counties, and 20% to public transit projects.</td>
<td>Oppose</td>
</tr>
<tr>
<td>SBX1 7</td>
<td>S. PRINT 7/17/2015-From printer.</td>
<td>Would, as of July 1, 2016, increase the additional sales and use tax rate on diesel fuel to 5.25%. By increasing the revenues deposited in a continuously appropriated fund, the bill would thereby make an appropriation. This bill contains other related provisions.</td>
<td>Support</td>
</tr>
<tr>
<td>SBX1 8</td>
<td>S. PRINT 7/17/2015-From printer.</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 instead continuously appropriate 20% of those annual proceeds to the Transit and Intercity Rail Capital Program, and 10% of those annual proceeds to the Low Carbon Transit Operations Program, thereby making an appropriation. This bill contains other current laws.</td>
<td>Support</td>
</tr>
</tbody>
</table>
AGENDA ITEM # 17
SEPTEMBER 3, 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: CAPITAL PROJECTS QUARTERLY STATUS REPORT –
4th QUARTER FISCAL YEAR 2015

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

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

BUDGET IMPACT
There is no impact on the budget.

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

Prepared by: Kelvin Yu, Manager, Project Controls  650.622.7853