AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Work Program – Legislative – Planning (WPLP)
Committee Meeting

Committee Members: Charles Stone (Chair), Cindy Chavez, Monique Zmuda

Due to COVID-19, this meeting will be conducted via teleconference only (no physical location) pursuant to the Governor’s Executive Orders N-25-20 and N-29-20. Directors, staff and the public may participate remotely via Zoom at https://zoom.us/j/99768901849?pwd=VmVSSEJFZHyNzhlR212RURzODNndz09 or by entering Webinar ID: 997 6890 1849, Passcode: 609602, in the Zoom app for audio/visual capability or by calling 1-669-900-6833 (enter webinar ID and press # when prompted for participant ID) for audio only. The video live stream will be available after the meeting at http://www.caltrain.com/about/bod/video.html

Public Comments: Members of the public are encouraged to participate remotely. Public comments may be submitted to publiccomment@caltrain.com prior to the meeting’s call to order so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board’s weekly correspondence and posted online at http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html.

Oral public comments will also be accepted during the meeting through *Zoom or via the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Use the Raise Hand feature to request to speak. For public participants calling in, dial *67 if you do not want your telephone number to appear on the live broadcast. Callers may dial *9 to use the Raise the Hand feature for public comment and press *6 to accept being unmuted when recognized to speak for two minutes or less. Each commenter will be automatically notified when they are unmuted to speak for two minutes or less. The Board Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.
October 28, 2020 – Wednesday

1. Call to Order
2. Roll Call
3. Public Comment on Items not on the Agenda
   Comments by each individual speaker shall be limited to two (2) minutes. Items raised that require
   a response will be deferred for staff reply.
4. Approve Meeting Minutes of August 26, 2020
5. Approve 2021 WPLP Committee Calendar
6. Atherton Station Closure (reports to be posted online)
7. Resolution Supporting an Alternative to Plan Bay Area (PBA) 2050
   Strategy EN7: “Institute Telecommuting Mandates for Major Office-Based Employers”
8. Receive State and Federal Legislative Update
9. COVID Recovery Planning Update - Service Planning
10. Committee Member Requests
11. Date/Time of Next Regular WPLP Committee Meeting: Wednesday,
    November 25, 2020 at 3:00 pm via Zoom
12. 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. Communications to the Board of Directors can be e-mailed to board@caltrain.com.

Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电1.800.660.4287

Date and Time of Board and Committee Meetings
JPB Board: First Thursday of the month, 9:00 am; JPB Finance Committee: Fourth Monday of the month, 1:30 pm. Date, time and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

Location of Meeting
Due to COVID-19, the meeting will only be via teleconference as per the information provided at the top of the agenda. The Public may not attend this meeting in person.

*Should Zoom not be operational, please check online at http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html for any updates or further instruction.

Public Comment*
Members of the public are encouraged to participate remotely. Public comments may be submitted to publiccomment@caltrain.com prior to the meeting’s call to order so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board’s weekly correspondence and posted online at http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html. Oral public comments will also be accepted during the meeting through Zoom or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM and each commenter will be automatically notified when they are unmuted to speak for two minutes or less. The Board Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

Accessible Public Meetings/Translation
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 and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least at least 72 hours in advance of the meeting or hearing. Please direct requests for disability-related modification and/or interpreter services to the Title VI Administrator at San Mateo County Transit District, 1250 San Carlos Avenue, San Carlos, CA 94070-1306; or email titlevi@samtrans.com; or request by phone at 650-622-7864 or TTY 650-508-6448.

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

MEMBERS ABSENT: None.

STAFF PRESENT: J. Hartnett, J. Cassman, S. van Hoften, S. Petty, M. Bouchard, D. Hansel, D. Seamans, S. Wong

1. CALL TO ORDER
Chair Charles Stone called the subcommittee meeting to order at 3:02 p.m.

2. ROLL CALL
District Secretary Dora Seamans called the roll and confirmed all members were present.

3. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA
Chair Stone extended public comments to three minutes per speaker.

4. APPROVE MEETING MINUTES OF JULY 22, 2020
Motion/Second: Zmuda/Chavez moved approval of the July 22, 2020 minutes
Ayes: Chavez, Zmuda, Stone
Noes: None
Absent: None

5. RESOLUTION ENDORSING THE RIDING TOGETHER: BAY AREA HEALTHY TRANSIT PLAN
Seamus Murphy, Chief Communications Officer, introduced the plan that was coordinated by the Bar Area’s transit systems and transit agencies to provide a collective set of measures to ensure the health and safety of riders on their systems. He provided the presentation, which included collaborative plans, key components for public confidence, common commitments (on hygiene, communication, and reporting), and plan implementation (for reporting and maintaining the plan as a living document).

Director Cindy Chavez inquired about the jointly funded communication campaign everyone is investing in. Mr. Murphy replied that there is a communication effort that agencies will be responsible for associated with this plan and it is being developed and funded by the Metropolitan Transportation Commission’s (MTC) CARES Act fund.

Director Chavez commented about MTC using one voice to converse with public health officers about the guidelines used. Mr. Murphy concurred and noted that there was a central website (www.healthytransitplan.com) for enhanced consistency.
Director Chavez suggested each of the Board of Supervisors adopt the resolution so the nine Bay Area counties reflect a central document.

Public comment
Roland Lebrun, San Jose, referenced page 2 of the July meeting minutes and noted that it should state running double length trains, not double line trains. He also commented on the healthy transit plan agreement regarding the three foot distancing and safety, getting all 26 agencies to reflect the same transit environment, and MTC's financial leverage outweighing their legislative leverage.

Aleta Dupree, Oakland, expressed support for the healthy transit plan and for touchless payment. She stated that Caltrain staff was responsive to public questions.

Adrian Brandt, San Mateo County, spoke in favor of focusing on airborne transmission rather than surface transmission, and focusing on masking and good air filtration. He encouraged Caltrain to put up graphics that demonstrated the frequency of their air filtration.

Motion/Second: Chavez/Zmuda moved approval of the staff recommendation
Ayes: Chavez, Zmuda, Stone
Noes: None
Absent: None

6. RECEIVE STATE AND FEDERAL LEGISLATIVE UPDATE
Casey Fromson, Director of Government and Community Affairs, said that at the state level they have until August 31st to wrap up their session, unfortunately a transportation supplement is not likely to happen this session. She stated that on the Federal level, the Department of Transportation (DOT) released a $50 million grant to improve grade crossings but there are no updates on the big funding package, though there is a possibility that could occur in September.

Director Monique Zmuda stated that unless there was a significant CARES package in the fall, Caltrain would have significant problems balancing the budget.

Public comment
Roland Lebrun, San Jose, commented on Senate Bill 288 and issues regarding existing alignment of the Transbay Tube.

Adrian Brandt, San Mateo County, commented on using the $50 million grade crossing grant on visual markers to prevent grade crossing issues and photo enforcement for cars stopping on the tracks.

7. COMMITTEE MEMBER REQUESTS
There were none.

8. DATE/TIME OF NEXT REGULAR WPLP COMMITTEE MEETING: WEDNESDAY, SEPTEMBER 23, 2020 AT 3:00 PM VIA ZOOM

9. ADJOURN
The meeting adjourned at 3:35 p.m.
TO: JPB Work Program – Legislative – Planning (WPLP) Committee Meeting

THROUGH: Jim Hartnett
          Executive Director

FROM: Dora Seamans
       Executive Officer,
       District Secretary/Executive Administration

SUBJECT: 2021 WPLP COMMITTEE MEETING CALENDAR

ACTION
Staff Coordinating Council recommends the WPLP Committee approve the attached meeting calendar for 2021.

SIGNIFICANCE
The WPLP Committee’s regular monthly meetings are scheduled for the fourth Wednesday of each month at 3:00 pm.

BUDGET IMPACT
There is no impact on the budget.
JPB Work Program-Legislative-Planning (WPLP) Meeting Calendar – 2021

Fourth Wednesdays – 3:00 PM

- Wednesday, January 27
- Wednesday, February 24
- Wednesday, March 24
- Wednesday, April 28
- Wednesday, May 26
- Wednesday, June 23
- Wednesday, July 28
- Wednesday, August 25
- Wednesday, September 22
- Wednesday, October 27
  - **Wednesday, November 24, 2021**
    - **Note – Thanksgiving is Thursday, Nov. 25, 2020** – to be determined/confirmed
- Wednesday, December 22, 2020
  - **Note – Christmas, observed, is Friday, December 24, 2020** – to be determined/confirmed

Board Committee Members: Charles Stone (Chair), Cindy Chavez, Monique Zmuda.
Primary Staff Liaison: Michelle Bouchard, Sebastian Petty

Regular meetings scheduled monthly on the 4th Wednesday at 3:00 p.m., unless otherwise noted.

All meetings are held via Zoom or at 1250 San Carlos Avenue, San Carlos, CA, unless scheduled and stated otherwise at https://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html
AGENDA ITEM #6  
OCTOBER 28, 2020  

PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT  

TO: JPB Work Program – Legislative – Planning (WPLP) Committee Meeting  

SUBJECT: ATHERTON STATION CLOSURE  

ACTION  

Will be available under “Documents” at  
https://www.caltrain.com/about/bod/board_of_directors_meeting_calendar.html
TO: JPB Work Program – Legislative – Planning (WPLP) Committee Meeting

THROUGH: Jim Hartnett
Executive Director

FROM: Seamus Murphy
Chief Communications Officer

SUBJECT: RESOLUTION SUPPORTING AN ALTERNATIVE TO PLAN BAY AREA (PBA) 2050 STRATEGY EN7: “INSTITUTE TELECOMMUTING MANDATES FOR MAJOR OFFICE-BASED EMPLOYERS”

ACTION
Staff Coordinating Council (SCC) recommends the Board:

1. Adopt a Resolution supporting a broadened Plan Bay Area 2050 Strategy EN7 to achieve greenhouse gas reduction requirements through a reduction of emissions-producing vehicle trips through a combination of strategies that include transit, active transportation, van/carpooling in addition to telecommuting.

2. Advocate that the Metropolitan Transportation Commission (MTC) pursue the crediting of zero emission vehicle strategies to regional greenhouse gas emission reduction goals.

SIGNIFICANCE
On September 23, 2020, MTC voted to adopt MTC Resolution No.4437 and Association of Bay Area Governments (ABAG) Resolution No.16-20 Plan Bay Area 2050: Final Blueprint. The Final Blueprint, which is considered the “first draft” of Plan Bay Area 2050, lays out the transportation, housing, economic and environmental strategies that will be adopted as part of the overall Plan Bay Area 2050 later this year.

The Final Blueprint, as adopted, includes Strategy EN7: Institute Telecommuting Mandates for Major Office-Based Employers, which proposes to build upon the significant shift to work-from-home practices that have taken place during COVID-19 and would mandate that at least 60 percent of employees from large employers telecommute.

The telework strategy does not account for workers that utilize transit or active transportation options for their commutes.
The strategy aims to allow Plan Bay Area to meet specified greenhouse gas emissions reduction targets.

Implementation of the strategy would require passage of authorizing legislation.

In response to opposition to a blanket 60 percent telework requirement, MTC staff committed to work to revise the proposal before the final Plan is considered.

**BACKGROUND**
The Peninsula Corridor Joint Powers Board (JPB) remains in support of Plan Bay Area 2050’s Guiding Principles to ensure a more affordable, connected, diverse, healthy and vibrant Bay Area. In addition, the JPB strongly embraces and shares the traffic congestion and greenhouse gas reduction goals that this strategy is meant to achieve.

However, the strategy as included in the Final Blueprint does not provide flexibility for impacted employers and their employees to choose transit or active transportation as an alternative to telecommuting.

The resolution urges MTC to work with regional transit operators to explore strategies that achieve the same outcomes, but leave flexibility for employees to choose transit and active transportation as an alternative.

Congestion relief has been a remarkable side effect of a pandemic that has otherwise wreaked havoc on the region’s economy, public health, social services, and overall quality of life. These impacts have been borne most heavily by the region’s transit dependent populations and communities of color. As we prepare for eventual restoration of transit ridership in 2021, the strategies that will be most effective in preserving this benefit will be those that incentivize, encourage, and mandate a combination of new commute alternatives that include both telework and focused attention on public transportation mode share.

Unfortunately, the strategy as adopted by MTC does not acknowledge the critical role that public transit must play in the new reality that the region is currently experiencing and the key part it will have in our full economic recovery.

Prepared By: Amy C. Linehan, Public Affairs Specialist 650-418-0095
RESOLUTION NO. 2020-

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

* * *

PENINSULA CORRIDOR JOINT POWERS BOARD (JPB) SUPPORTS AN ALTERNATIVE TO PLAN BAY AREA (PBA) 2050 STRATEGY EN7: “INSTITUTE TELECOMMUTING MANDATES FOR MAJOR OFFICE-BASED EMPLOYERS”

WHEREAS, the Metropolitan Transportation Commission (MTC), as the federally-designated Metropolitan Planning Organization for the nine-county Bay Area (the Region), is required to develop, in conjunction with the Association of Bay Area Governments (ABAG), a regional plan every four years in order to satisfy federal and state planning requirements; and

WHEREAS, MTC and ABAG are currently undertaking the process to develop and adopt the 2021 update to the plan, entitled Plan Bay Area 2050; and

WHEREAS, MTC is required by state law to include in this regional plan achievable strategies and investments to meet the Region’s greenhouse gas (GHG) emissions targets; and

WHEREAS, the JPB and the Bay Area transit operators strongly believe that MTC (and the Region) should continue to strive towards achieving our share of the state’s GHG emission reduction targets; and

WHEREAS, on September 23, 2020, MTC voted to adopt MTC Resolution No.4437 and ABAG Resolution No.16-20 Plan Bay Area (PBA) 2050: Final Blueprint; and

WHEREAS, the Plan Bay Area 2050 Final Blueprint includes Strategy EN7: Institute Telecommuting Mandates for Major Office-Based Employers, which proposes to
mandate that large employers have at least 60 percent of their employees telecommute on any given workday; and

WHEREAS, the Final Blueprint indicates that the inclusion of Strategy EN7 is necessary to achieve the required GHG emission targets, and Strategy EN7 includes as a primary objective the reduction of GHG emissions; and

WHEREAS, Strategy EN7 does not differentiate between the types of trips the strategy aims to reduce as a result of its proposed telecommute mandate, resulting in the suppression of both trips that contribute to regional GHG emissions, such as drive-alone, and trips that would be taken by zero-emission or low-emission modes, such as walking, cycling, and transit; and

WHEREAS, though the COVID-19 pandemic and subsequent Shelter-in-Place orders necessitated that employers and employees quickly transition to telecommuting where possible, the economic, equity, social, and health impacts of large amounts of telecommuting have yet to be fully understood; and

WHEREAS, congestion relief has been a remarkable side effect of a pandemic that has otherwise wreaked havoc on the region’s economy, public health, social services, and overall quality of life. These impacts have been borne most heavily by the region’s transit dependent populations and communities of color; and

WHEREAS, a higher number of front-line workers are minorities and the pandemic has further revealed the economic disparity in this county, and many low-income households do not have the facilities to enable them to conveniently work from home, or the employees are required to be on-site; and
WHEREAS, sustainable reduction in GHG emissions in the Region requires fidelity to Plan Bay Area’s goals to direct growth in population and employment to areas served by fast, frequent, and reliable transit; and

WHEREAS, the shift to telecommuting as a result of the COVID-19 pandemic response has resulted in significant ridership declines and budget shortfalls at all transit operators in the Region, necessitating the reduction of service frequency, capacity, hours, and coverage; and

WHEREAS, the JPB relies heavily on farebox revenue to fund its operations.

THEREFORE, BE IT RESOLVED, that the Board of Directors of the Peninsula Corridor Joint Powers Board (Board) hereby supports a broadened Plan Bay Area 2050 Strategy EN7 to achieve greenhouse gas reduction requirements through a reduction of emissions-producing vehicle trips through a combination of strategies that include transit, active transportation, van/carpooling in addition to telecommuting. The Board also advocates that MTC pursue the crediting of zero emission vehicle strategies to regional greenhouse gas emission reduction goals; and

BE IT FURTHER RESOLVED, that the Board reiterates its support for the Plan Bay Area 2050 Guiding Principles to ensure a more affordable, connected, diverse, healthy, and vibrant Bay Area, including the importance of strategies and investments designed to meet the Region’s GHG reduction targets.

Regularly passed and adopted this 5th day of November, 2020 by the following vote:

AYES:
NOES:
ABSENT:
Chair, Peninsula Corridor Joint Powers Board

ATTEST:

______________________________
JPB Secretary
TO: JPB Work Program – Legislative – Planning (WPLP) Committee Meeting

THROUGH: Jim Hartnett
Executive Director

FROM: Seamus Murphy
Chief Communications Officer

SUBJECT: STATE AND FEDERAL LEGISLATIVE UPDATE

ACTION
Staff Coordinating Council recommends the Board receives the attached memos. Staff will provide regular updates to the Board in accordance with Legislative Program.

SIGNIFICANCE
The 2020 Legislative Program establishes the principles that will guide the legislative and regulatory advocacy efforts. Based on those principles, staff coordinates closely with our Federal and State advocates on a wide variety of issues that are considered in Congress and the State legislature. The attached reports highlight the recent issues and actions that are relevant to the Board.

Prepared By: Casey Fromson, Government and Community Affairs Director 650-508-6493
October 9, 2020

TO: Peninsula Corridor Joint Powers Board Members

FROM: Mike Robson and Trent Smith, Edelstein Gilbert Robson & Smith, LLC
Joshua W. Shaw and Matt Robinson, Shaw / Yoder / Antwih, Inc.

RE: STATE LEGISLATIVE UPDATE – October 2020

General Update

On Monday August 31, the Legislature adjourned for final recess, marking the end of the 2019-2020 legislative session. The Governor has since wrapped up the bill signing period, where he had one month to consider approximately 400 bills that were passed out of the Legislature and sent to his desk. Compared to recent years, this is less than half of the normal bill load that is considered by the Governor. This significant reduction in bill volume was directly related to the COVID-19 pandemic, as legislators were repeatedly sent home from the Capitol due to workplace exposure to the virus.

Legislators are now working from their districts and will remain there until early January when the 2021-2022 Legislative Session convenes. It remains to be seen what next legislative session will look like in terms of remote voting and in-person activity in the Capitol given COVID-19.

Legislation of Interest

SB 288 (Wiener) – CEQA Exemptions for Transportation. This bill would provide additional CEQA exemptions for certain projects, including rail projects. Specifically, the bill provides an exemption for projects that increase passenger or commuter service on rail rights-of-way already in use, including modernization of existing stations and parking facilities. The Caltrain Board supported this bill in August 2020.

This bill was signed by the Governor on September 28.

SB 757 (Allen) – CEQA Judicial Streamlining for Rail Projects. This bill, which would put a “shot clock” on the courts for dispensing with CEQA litigation for certain types of mass transit projects, passed the Legislature overwhelmingly, with bi-partisan support.

However, because this bill was joined to SB 995 (Atkins), which failed to pass out of the Legislature before midnight on the last night of session, it cannot be implemented.
Governor Newsom vetoed the bill because of this. In his veto message, the Governor did note that he supports efforts to accelerate transit projects that reduce emissions and vehicle miles travelled, which lends to the expectation that a similar bill will be reintroduced next session.

**SB 1351 (Beall) – Transportation Improvement Fee (TIF).** This bill creates the Transportation Improvement Fee Finance Committee that would authorize revenue bonds to be issued to Caltrans to expedite transportation projects. Transit agencies raised concerns with this bill due to its potential to adversely impact transit operators within the Local Partnership Program.

Governor Newsom vetoed this bill noting that “bonding against these future revenues runs counter to the pay-as-you-go principle established by Senate Bill 1 and risks locking California into long-term debt obligations to finance maintenance repairs. Caltrans will need these revenues in the future to keep our roads and bridges safe.”

**SB 1159 (Hill) – Workers’ Compensation.** This bill establishes a rebuttable presumption that illness or death related to COVID-19 is an occupational injury and therefore eligible for workers’ compensation benefits. It contains provisions that create presumptions for frontline workers as well as a presumption for outbreaks that occur at worksites.

As discussed in previous updates, this bill was a priority issue in the Legislature this year and sought to close the gap after the Governor’s Executive Order on workers’ compensation expired on July 5, 2020.

The bill was signed by the Governor on September 17 and took effect immediately as an urgency bill.

**AB 1867 (Committee on Budget) – COVID-19 Supplemental Paid Sick Leave.** This proposal was amended into a budget bill vehicle just days before the end of session, narrowly making the previously discussed 72-hour rule. The bill is similar to the Governor’s earlier Executive Order that provided two additional weeks of supplemental sick leave for food sector workers, but this time expands this leave to all workers who work for employers with over 500 or more employees.

Like SB 1159, the bill was an urgency measure. It was signed by the Governor on September 9 and took effect immediately.

**AB 107 (Committee on Budget) – Transit Funding Flexibility in the SB 1 SOGR Program (Section 20).** This budget trailer bill contains numerous items related to state governance, including the funding flexibility sought by the California Transit Association within the $100 million SB 1 Transit State of Good Repair Program.

This bill was signed by the Governor on September 29.
Election Update
With the November election quickly approaching, below is an update on some legislative races of interest on the Peninsula.

SD 15 Dave Cortese (D) vs. Ann Ravel (D) – This race in San Jose/Silicon Valley is between two Democrats. Ann Ravel is an attorney and former election compliance official in the Obama Administration while Dave Cortese has been a locally elected county supervisor, city council member and rancher. Cortese has the support of traditional Democratic allies in organized labor and public employee unions who spent heavily in the March primary. Ravel is supported by a broader base of business, community groups and enjoys editorial support for her election. While Cortese significantly outpolled Ravel in the primary, with only the two Democrats on the ballot it becomes a matter of whether Ravel can pick up the voters who voted for the Republican and NPP candidates in the primary.

SD 9 Senator Scott Wiener (D) vs. Jackie Fielder (D) – Only in San Francisco can one of the most progressive and liberal legislators in the Capitol be considered a moderate. That is the situation facing incumbent Senator Scott Wiener who is facing a challenge from the left by community activist Jackie Fielder. As a challenger to an incumbent, Fielder is getting a surprising amount of fundraising and community support. We believe Senator Wiener will prevail on election day. But, the dynamics of the race and its implications on intra party politics make it a race worth watching.

SD 13 Josh Becker (D) vs. Alexander Glew (R) – This race to replace termed-out Senator Jerry Hill for the peninsula state Senate seat was essentially decided in the March primary when Josh Becker prevailed over a number of other Democrats to face Republican candidate Alexander Glew. This seat is overwhelmingly Democrat and voters are expected to send Josh Becker to the Capitol on election day.

SD 17 John Laird (D) vs. Vicki Nohrden (R) -- This race involving Monterey, Santa Cruz, and Santa Clara counties pits former Assemblyman John Laird against Vicki Nohrden. Laird is an accomplished fundraiser and candidate. He will return to Sacramento and will be part of the Caltrain legislative delegation.

AD 25 Alex Lee (D) vs. Bob Brunton (R) -- Alex Lee is a 25-year old former legislative staffer who outpolled seven other Democrats in the March primary to make the general election race against the Republican Bob Brunton. This is an overwhelmingly Democratic seat comprising parts of Alameda and Santa Clara Counties.

Statewide Competitive Grant Programs
Below is a list of major competitive grant programs administered by the State from which transit and rail projects are eligible/can be funded.
Transit and Intercity Rail Capital Program (TIRCP)
The TIRCP was created to fund capital improvements to modernize California’s intercity rail, bus, ferry, and rail transit systems to reduce emissions, expand and improve transit service and ridership, integrate rail services and improve transit safety. Funds available are estimated at $450-500 million for Cycle 4 but could change on auction proceeds and changing cash flow requirements of already awarded projects.

Important Dates:
January 2020 – Applications Due
April 2020 – CalSTA Award Announcement

Solutions for Congested Corridors Program (SCCP)
The SCCP provides funding to achieve a balanced set of transportation, environmental, and community access improvements to reduce congestion throughout the state. The program makes $250 million available annually (programmed in 2-year increments) for projects that implement specific transportation performance improvements.

Important Dates:
October 2019 – Guidelines Adopted
January 2020 – Applications Due
June 2020 – Program Adoption

Local Partnership Program (LPP)
The LPP is intended to provide local and regional transportation agencies that have passed sales tax measures, developer fees, or other imposed transportation fees with a continuous appropriation of $200 million annually from the Road Maintenance and Rehabilitation Account to fund road maintenance and rehabilitation, sound walls, and other transportation improvement projects. The Competitive program is funded at $100 million annually.

Important Dates:
October 2019 – Guidelines Adopted
January 2020 – Applications Due
June 2020 – Program Adoption

Trade Corridor Enhancement Program (TCEP)
The TCEP provides funding for infrastructure improvements on federally designated Trade Corridors of National and Regional Significance, on the Primary Freight Network as identified in California Freight Mobility Plan, and along other corridors that have a high volume of freight movement. There is approximately $300 million provided per year (programmed in 2-year increments) for the competitive program.

Important Dates:
January 2020 – Guidelines Adopted
March 2020 – Applications Due
June 2020 – Program Adoption
Grade Separation Funding
Below is a list of the funding sources that we are aware of and/or that have been used to fund grade separations in the recent years. The funding sources below are managed across various state agencies and departments, including the Public Utilities Commission (PUC), the California State Transportation Agency (CalSTA), the California Transportation Commission (CTC), and Caltrans.

PUC Section 190 Grade Separation Program – The Program is a state funding program to grade separate crossings between roadways and railroad tracks and provides approximately $15 million annually, transferred from Caltrans. Agencies apply to the PUC for project funding.

State Transportation Improvement Program – The STIP, managed by Caltrans and programmed by the CTC, is primarily used to fund highway expansion projects throughout the state, but also supports grade separations. The STIP is programmed every two years (currently the 2018 STIP added $2.2 billion in new funding). Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

Transit and Intercity Rail Capital Program – The TIRCP is managed by CalSTA and is available to fund rail and transit projects that reduce greenhouse gas emissions. The program receives funding from Cap and Trade and the recently created Transportation Improvement Fee to the tune of approximately $500 million per year. The TIRCP is programmed over 5 years, with the most recent cycle beginning in May 2018. Caltrain received $160 million for the CalMod project.

Proposition 1A – This $9.9 billion Bond Act is the primary funding source for the high-speed rail project and has been used to fund a very limited number of grade separation projects in the past, including in the City of San Mateo.
## Caltrain

### State Legislative Matrix 10/8/2020

<table>
<thead>
<tr>
<th>Bill Number (Author)</th>
<th>Summary</th>
<th>Location</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AB 1867</strong> (Committee on Budget)</td>
<td>Small employer family leave mediation: handwashing: supplemental paid sick leave.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Existing law, the California Fair Employment and Housing Act (FEHA), establishes the Department of Fair Employment and Housing (DFEH) within the Business, Consumer Services, and Housing Agency to enforce civil rights laws with respect to housing and employment and to protect and safeguard the right of all persons to obtain and hold employment without discrimination based on specified characteristics or status. Under FEHA, the DFEH has specified powers, including the power to receive, investigate, conciliate, mediate, and prosecute certain complaints. The Moore-Brown-Roberti Family Rights Act, commonly known as the California Family Rights Act, which is a part of FEHA, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period for family care and medical leave, as specified. This bill would, upon specified circumstances, require the DFEH to create a small employer family leave mediation pilot program, as prescribed. The pilot program would authorize a small employer or the employee to request all parties to participate in mediation through the DFEH’s dispute resolution division within a specified timeframe, after notice. The bill would prohibit an employee from pursuing civil action until the mediation is complete if an employer or employee requests mediation, as prescribed. The bill would toll the statute of limitations for the employee, including for additional related claims, from receipt of a request to participate in the program until the mediation is complete. These provisions of the bill would be repealed on January 1, 2024. This bill contains other related provisions and other existing laws. Chaptered: 9/10/2020</td>
<td>Signed by Governor - Chaptered</td>
<td>Watch</td>
</tr>
<tr>
<td><strong>SB 146</strong> (Beall D)</td>
<td>Regional transportation plans: sustainable communities strategies: procedural requirements.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Existing law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. As part of a regional transportation plan, existing law requires a metropolitan planning organization to adopt a sustainable communities strategy or alternative planning strategy, which is designed to achieve certain targets for 2020 and 2035 established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. Before the adoption of a sustainable communities strategy or an alternative planning strategy, existing law requires a metropolitan planning organization to complete certain procedural requirements, including a requirement to conduct informational meetings, as specified, and a requirement to adopt a public participation plan that includes, among other things, workshops throughout the region and public hearings on the draft sustainable communities strategy or alternative planning strategy, as specified. This bill, until January 1, 2023, would recharacterize the workshops as public engagement gatherings and would authorize these informational meetings, public engagement gatherings, and public hearings to be conducted by electronic means if a call-in telephonic option is also provided and the meeting is not required to be conducted pursuant to the Ralph M. Brown Act. The bill, until January 1, 2023, would make other related changes. This bill contains other existing laws. Chaptered: 9/25/2020</td>
<td>Signed by Governor – Chaptered</td>
<td>Watch</td>
</tr>
</tbody>
</table>
### Active Bills

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Title</th>
<th>Description</th>
<th>Status</th>
<th>Support Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>SB 288</td>
<td>(Wiener D) California Environmental Quality Act: exemptions: transportation-related projects.</td>
<td>(1)The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would further exempt from the requirements of CEQA certain projects, including projects for the institution or increase of new bus rapid transit, bus, or light rail services on public rail or highway rights-of-way, as specified, whether or not the right-of-way is in use for public mass transit, as specified, and projects for the designation and conversion of general purpose lanes, high-occupancy toll lanes, high-occupancy vehicle lanes, or highway shoulders, as specified. The bill would additionally exempt transit prioritization projects, projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians, projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission transit buses, projects carried out by a city or county to reduce minimum parking requirements, and projects for pedestrian and bicycle facilities. The bill would, except as provided, require those exempt projects to meet additional specified criteria, including that a public agency is carrying out the project and is the lead agency for the project. The bill would, except as provided, require the lead agency to certify that those projects will be carried out by a skilled and trained workforce, except as provided. For those exempted projects exceeding $100,000,000 in 2020 United States dollars, the bill, except as provided, would require the lead agency to complete and consider the results of a project business case and a racial equity analysis, as prescribed, would require the lead agency, before exempting a project from CEQA, to hold at least 3 noticed public meetings in the project area to hear and respond to public comments, would require the lead agency, in at least one of those public meetings, to review the project business case and the racial equity analysis, and would require the lead agency to conduct at least 2 noticed public meetings annually during project construction for the public to provide comments. If the lead agency determines to carry out a project exempt under the above provisions, the bill would require the lead agency to file a notice of exemption with the Office of Planning and Research and the county clerk of the county in which the project is located. The bill would repeal the above-described exemptions on January 1, 2023. This bill contains other related provisions and other existing laws.</td>
<td>Signed by Governor – Chaptered</td>
<td>Supported August 2020</td>
</tr>
</tbody>
</table>

Chaptered: 9/28/2020
### Active Bills

<table>
<thead>
<tr>
<th>Bill</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>**Existing law establishes a workers’ compensation system, administered by the Administrative Director of the Division of Workers’ Compensation, to compensate an employee, as defined, for injuries sustained in the course of employment. Existing law creates a disputable presumption that specified injuries sustained in the course of employment of a specified member of law enforcement or a specified first responder arose out of and in the course of the employment. Existing law governs the procedures for filing a claim for workers’ compensation, including filing a claim form, and provides that an injury is presumed compensable if liability is not rejected within 90 days after the claim form is filed, as specified. Existing case law provides for how certain presumptions may be rebutted.**This bill would define “injury” for an employee to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, until January 1, 2023. The bill would create a disputable presumption, as specified, that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. The bill would limit the applicability of the presumption under certain circumstances. The bill would require an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits or, for police officers, firefighters, and other specified employees, a leave of absence. The bill would also make a claim relating to a COVID-19 illness presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days. Until January 1, 2023, the bill would allow for a presumption of injury for all employees whose fellow employees at their place of employment experience specified levels of positive testing, and whose employer has 5 or more employees. This bill contains other related provisions. <strong>Chaptered: 9/17/2020</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Inactive Bills

<table>
<thead>
<tr>
<th>Bill</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 90  (Committee on Budget)</td>
<td>Transportation. (1)Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, revenues from a 1 / 4 % sales tax in each county are transferred to the county’s local transportation fund and available, among other things, for allocation by a transportation planning agency to transit operators, subject to certain financial requirements for an operator to meet in order to be eligible to receive funds. Existing law sets forth alternative ways for an operator to qualify for funding, including a standard under which the allocated funds do not exceed 50% of the operator’s total operating costs, as specified, or the maintenance by the operator of a specified ratio of fare revenues to operating cost. If an operator was allocated funds from a local transportation fund during a fiscal year in which it did not maintain the required ratio of fare revenues to operating cost, existing law requires the operator’s eligibility to receive these moneys and specified allocations under the State Transit Assistance Program to be reduced during a subsequent penalty year by the amount of the difference between the required fare revenues and the actual fare revenues collected for the fiscal year that the required ratio was not maintained. This bill would prohibit the imposition of this penalty on an operator that does not maintain the required ratio of fare revenues to operating cost during the 2019–20 or 2020–21 fiscal year. This bill contains other related provisions and other existing laws. <strong>Chaptered: 6/29/2020</strong></td>
</tr>
</tbody>
</table>
| Bill Number | Author | Description | Status | Watch
|-------------|--------|-------------|--------|--------
| AB 145      | Frazier D | High-Speed Rail Authority: Senate confirmation. | Failed passage in the Senate Transportation Committee. | Watch
<p>| AB 1112     | Friedman D | Micromobility devices: relocation. | Failed passage in the Senate Transportation Committee. | Watch |</p>
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Sponsor</th>
<th>Bill Title</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 1991</td>
<td>Friedman D</td>
<td>Transit and Intercity Rail Capital Program: passenger tramways.</td>
<td>Existing law establishes the Transit and Intercity Rail Capital Program, which is funded in part by a continuously appropriated allocation of 10% of the annual proceeds of the Greenhouse Gas Reduction Fund, to fund transformative capital improvements that will modernize California’s intercity, commuter, and urban rail systems and bus and ferry transit systems to achieve certain policy objectives. Existing law requires the Transportation Agency to evaluate applications for funding under the program and to approve a multiyear program of projects, as specified, and requires the California Transportation Commission to allocate funding to applicants pursuant to the program of projects approved by the agency. This bill would expand the purpose of the program to authorize funding for passenger tramway transit systems. By expanding the purposes for which continuously appropriated moneys may be used, the bill would make an appropriation.</td>
</tr>
<tr>
<td>AB 1992</td>
<td>Friedman D</td>
<td>Transportation: transportation infrastructure: climate change.</td>
<td>Existing law vests the Department of Transportation with full possession and control of the state highway system. Existing law requires the department, in consultation with the California Transportation Commission, to prepare a robust asset management plan that assesses the health and condition of the state highway system and with which the department is able to determine the most effective way to apply the state’s limited resources. This bill would state the intent of the Legislature to enact legislation that would establish a new program to fund climate change adaptation planning for transportation impacts, data collection, modeling, and training. The bill would require the department, in consultation with the commission, to update the asset management plan on or before December 31, 2022, and every 4 years thereafter, and for the updates to take into account the forecasted impacts of climate change on transportation infrastructure. The bill would require the updates to the California Transportation Plan and the Strategic Growth Council’s report to include a forecast of the impacts of climate change on transportation infrastructure and measures to address those impacts. The bill would require the commission’s revisions to the guidelines for the preparation of regional transportation plans to include a requirement that designated transportation planning agencies take into account the forecasted transportation infrastructure impacts of climate change. By requiring regional transportation plans to take into account this additional factor, the bill would impose a state-mandated local program. This bill contains other existing laws.</td>
</tr>
<tr>
<td>AB 2012</td>
<td>Chu D</td>
<td>Free senior transit passes: eligibility for state funding.</td>
<td>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. This bill would require transit agencies to offer free senior transit passes to persons over 65 years of age in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, and the Low Carbon Transit Operations Program. The bill would require those free senior transit passes to count as full price fares for purposes of calculating the ratio of fare revenues to operating costs.</td>
</tr>
</tbody>
</table>

Introduced: 1/27/2020
Failed passage in the Assembly Transportation Committee*
| AB 2057  (Chiu D) | Failed passage in the Assembly Transportation Committee* | Watch |
| San Francisco Bay area: public transportation. | | |

(1)Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relative to providing public transit services. Existing law establishes the Transportation Agency consisting of various state agencies under the supervision of an executive officer known as the Secretary of Transportation, who is required to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, and coordinated planning and policy formulation in the matters of public interest related to the agency. This bill would declare the intent of the Legislature to enact subsequent legislation that would create a transportation network manager for the 9-county San Francisco Bay area to, among other things, integrate all aspects of public transit within the 9-county San Francisco Bay area and provide leadership and accountability in planning, coordinating, and financing the transportation network. The bill would establish a 19-member Bay Area Seamless Transit Task Force to recommend to the Legislature the structure, governance, and funding of the transportation network manager and the organizational structure, governance, and funding for San Francisco Bay area transportation agencies, and other reforms to the San Francisco Bay area’s local, regional, and state public agencies, that should be enacted in future legislation to maximize the effectiveness of the public transit system in the San Francisco Bay area. The bill would require the Secretary of Transportation to convene the task force by April 1, 2021. The bill would require the Metropolitan Transportation Commission to provide staffing to the task force to aid it in the performance of its duties, and would require the Legislative Analyst’s Office to advise the task force in the performance of its duties. The bill would require the task force to submit a report to the Legislature on or before January 1, 2023, of its findings and recommendations and a summary of its activities. The bill would repeal these provisions on January 1, 2027. This bill would require the commission, in consultation with transit agencies, on or before January 1, 2022, (A) to create standardized discount categories and eligibility requirements for fare discount programs for seniors, students, youth, and other rider categories, and (B) to create a multimodal, multiagency pilot program to implement an accumulator pass that may be used with one regional rail agency and at least one transit agency. The bill would require the regional rail agency and the transit agency or agencies selected to participate in the pilot program to offer the accumulator pass to the public on or before July 1, 2022. The bill would require the commission to prepare a plan, on or before July 1, 2023, to deploy the Clipper card payment system on passenger trains operated on the Capitol Corridor and on passenger trains operated by the Altamont Corridor Express. The bill would require the commission, in the next upgrade to the Clipper card payment system, to enable customers to pay for paratransit, parking at transit stations, and employer and educational institution transit discount programs. This bill contains other related provisions and other existing laws.

Amended: 5/4/2020
### Inactive Bills

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Sponsor</th>
<th>Bill Title</th>
<th>Summary</th>
<th>Status</th>
<th>Watch</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 2176</td>
<td>Holden D</td>
<td>Free student transit passes: eligibility for state funding.</td>
<td>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. This bill would require transit agencies to offer free student transit passes to persons attending the California Community Colleges, the California State University, or the University of California in order to be eligible for state funding under the Mills-Alquist-Deddeh Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program. The bill would also require a free student transit pass to count as a full price fare for purposes of calculating the ratio of fare revenues to operating costs. This bill contains other related provisions and other existing laws.</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td>Watch</td>
</tr>
<tr>
<td>AB 2237</td>
<td>Berman D</td>
<td>San Francisco Bay area county transportation authorities: contracting.</td>
<td>The Bay Area County Traffic and Transportation Funding Act authorizes each of the 9 counties in the San Francisco Bay area to impose a 1/2 of 1% or 1% sales tax for transportation purposes, subject to voter approval. Existing law provides for the establishment of a county transportation authority in each county imposing a sales tax under these provisions, requires the development of a county transportation expenditure plan, and specifies the powers and duties of a county board of supervisors and the county transportation authority in this regard. Existing law requires each county transportation authority to award contracts for the purchase of supplies, equipment, and materials in excess of $75,000 to the lowest responsible bidder after competitive bidding, except in an emergency declared by the vote of 2/3 of the voting membership of the county transportation authority. This bill would require each county transportation authority to award contracts for the purchase of supplies, equipment, and materials in excess of $150,000, rather than $75,000, either to the lowest responsible bidder or to the responsible bidder whose proposal provides the best value, as defined, on the basis of the factors identified in the solicitation, except in a declared emergency, as specified. The bill would specify that the requirement does not apply to construction contracts.</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td>Watch</td>
</tr>
<tr>
<td>AB 2249</td>
<td>Mathis R</td>
<td>High-speed rail: legislative oversight.</td>
<td>The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law requires the authority, on or before March 1, 2017, and every 2 years thereafter, to provide a project update report, approved by the Secretary of Transportation as consistent with specified criteria, to the budget committees and the appropriate policy committees of both houses of the Legislature, on the development and implementation of intercity high-speed train service, as provided. This bill would create the Joint Legislative Committee on High-Speed Rail Oversight consisting of 3 Members of the Senate and 3 Members of the Assembly and would require the committee to ascertain facts, review documents, and take action thereon, and make recommendations to the Legislature concerning the state’s programs, policies, and investments related to high-speed rail, as specified. The bill would require the authority and any entity contracting with the authority to give and furnish to the committee upon request information, records, and documents as the committee deems necessary and proper to achieve its purposes. The bill would require the authority to submit to the committee on a monthly basis certain information relating to the authority’s ongoing operations in the development and implementation of intercity high-speed train service, as provided. This bill contains other related provisions and other existing laws.</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td>Watch</td>
</tr>
</tbody>
</table>

Introduced: 2/11/2020

Amended: 5/4/2020

Introduction: 2/13/2020
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Sponsor</th>
<th>Description</th>
<th>Status</th>
<th>Committee</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 2943</td>
<td>Ting D</td>
<td>Surplus property: disposal.</td>
<td>This bill would provide that the provisions regulating the disposal of surplus land shall not be construed to require a local agency to dispose of land that is determined to be surplus.</td>
<td>Failed passage in the Assembly Local Government Committee*</td>
<td>Watch</td>
</tr>
<tr>
<td>AB 2987</td>
<td>Flora R</td>
<td>Local agency public contracts: bidding procedures.</td>
<td>The Uniform Public Construction Cost Accounting Act authorizes a public agency to elect to become subject to uniform construction cost accounting procedures. The act authorizes bidding procedures for public projects, as specified. Those bidding procedures include procedures for the publication or posting and electronic transmission of notice inviting formal bids. This bill would authorize a public agency, as an alternative to the publication or posting requirement, to meet the notice inviting formal bids requirement by transmitting notice electronically, as specified, and publishing the notice electronically in a prescribed manner on the public agency’s internet website at least 14 calendar days before the date of opening the bids. This bill contains other related provisions and other existing laws.</td>
<td>Failed passage in the Assembly Local Government Committee*</td>
<td>Watch</td>
</tr>
<tr>
<td>AB 3116</td>
<td>Irwin D</td>
<td>Mobility devices: personal information.</td>
<td>Existing law, the California Consumer Privacy Act of 2018, grants a consumer various rights with respect to personal information, as defined, that is collected or sold by a business, as defined, including the right to opt out of the sale of a consumer’s personal information. This bill would authorize a public agency, defined as a state or local public entity that issues a permit to an operator for mobility services or that otherwise regulates an operator, to require an operator to periodically submit to the public agency anonymized trip data and the operator’s mobility devices operating in the geographic area under the public agency’s jurisdiction and provide specified notice of that requirement to the operator. The bill would authorize a public agency to share anonymized trip data with a contractor, agent, or other public agency only if specified conditions are met, including that the purpose of the sharing is to assist the public agency in the promotion and protection of transportation planning, integration of mobility options, and road safety. The bill would prohibit a public agency from sharing trip data with a contractor or agent. This bill contains other existing laws.</td>
<td>Assembly Dead – Held in Appropriations Committee</td>
<td>Watch</td>
</tr>
<tr>
<td>AB 3128</td>
<td>Burke D</td>
<td>Electricity: deenergization events: fuel cells.</td>
<td>Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law requires each electrical corporation to annually prepare a wildfire mitigation plan and to submit its plan to the commission for review and approval, as specified. Existing law requires the wildfire mitigation plan to include, among other things, protocols for disabling reclosers and deenergizing portions of the electrical distribution system, also known as public safety power shutoffs, that consider the associated impacts on public safety. This bill would provide that it is the intent of the Legislature to enact legislation that would incentivize the use of fuel cells to address reliability issues associated with public safety power shutoffs.</td>
<td>Failed passage in the Assembly Natural Resources Committee*</td>
<td>Watch</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Committee References</td>
<td>Description</td>
<td>Status</td>
<td>Watch</td>
<td></td>
</tr>
<tr>
<td>--------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
<td>---------</td>
<td></td>
</tr>
<tr>
<td>AB 3213</td>
<td>Assembly Dead – Failed Fiscal Committee Deadline</td>
<td>Existing law establishes the High-Speed Rail Authority within the state government with various powers and duties related to developing and implementing high-speed passenger rail service. Existing law requires the authority to direct the development and implementation of intercity high-speed rail service that is fully integrated with specified forms of transit. This bill would require the authority, in directing the development and implementation of intercity high-speed rail service, to prioritize projects based on specified criteria.</td>
<td>Assembly Dead – Failed Fiscal Committee Deadline</td>
<td>Watch</td>
<td></td>
</tr>
<tr>
<td>ACA 1</td>
<td>Dead</td>
<td>(1)The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws.</td>
<td>Dead</td>
<td>Watch</td>
<td></td>
</tr>
<tr>
<td>HR 97</td>
<td>Assembly Adopted</td>
<td>The High-Speed Rail Authority is hereby directed to not proceed with the execution of track and systems or train set procurements, or with the acquisition of the right-of-way along the City of Merced and the City of Bakersfield extensions, until the Assembly has considered and approved the High-Speed Rail Authority’s funding request for appropriation of the remaining bond funds.</td>
<td>Assembly Adopted</td>
<td>Watch</td>
<td></td>
</tr>
<tr>
<td>SB 43</td>
<td>Failed passage in the Assembly Revenue and Taxation Committee*</td>
<td>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. This bill would require the state board, no later than January 1, 2022, to submit a report to the Legislature on the findings from a study, as specified, to determine the feasibility and practicality of assessing the carbon intensity of all retail products subject to the tax imposed pursuant to the Sales and Use Tax Law, so that the total carbon equivalent emissions associated with such retail products can be quantified. This bill contains other existing laws.</td>
<td>Failed passage in the Assembly Revenue and Taxation Committee*</td>
<td>Watch</td>
<td></td>
</tr>
<tr>
<td>SB 147</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td>The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed train system in the state, with specified powers and duties. Existing law authorizes the authority, among other things, to keep the public informed of its activities. This bill would revise that provision to instead authorize the authority to keep the public informed through activities, including, but not limited to, community outreach events, public information workshops, and newsletters posted on the authority’s internet website.</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td>Watch</td>
<td></td>
</tr>
<tr>
<td>SB 278  (Beall D)</td>
<td>The Metropolitan Transportation Commission Act creates the Metropolitan Transportation Commission as a local area planning agency to provide comprehensive regional transportation planning for the region comprised of the 9 San Francisco Bay area counties. The act requires the commission to continue to actively, on behalf of the entire region, seek to assist in the development of adequate funding sources to develop, construct, and support transportation projects that it determines are essential. This bill would also require the commission to determine that those transportation projects are a priority for the region. This bill contains other related provisions and other existing laws. Amended: 3/28/2019</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td>Watch</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SB 902  (Wiener D)</td>
<td>The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Existing law requires an attached housing development to be a permitted use, not subject to a conditional use permit, on any parcel zoned for multifamily housing if at least certain percentages of the units are available at affordable housing costs to very low income, lower income, and moderate-income households for at least 30 years and if the project meets specified conditions relating to location and being subject to a discretionary decision other than a conditional use permit. Existing law provides for various incentives intended to facilitate and expedite the construction of affordable housing. This bill would authorize a local government to pass an ordinance, notwithstanding any local restrictions on adopting zoning ordinances, to zone any parcel for up to 10 units of residential density per parcel, at a height specified by the local government in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2022, based on specified criteria. The bill would specify that an ordinance adopted under these provisions is not a project for purposes of the California Environmental Quality Act. This bill contains other related provisions. Amended: 5/21/2020</td>
<td>Held in the Assembly Appropriations Committee</td>
<td>Watch</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*This bill is not moving forward due to limitations in place on bills under consideration due to COVID-19.
Congressional Calendar

The House departed for recess on October 2, and is scheduled to be out until after the election, but could be called back for a vote with 24 hours’ notice. The Senate is out until October 19.

The chart below outlines key dates, fiscal policy deadlines, and program expirations.

<table>
<thead>
<tr>
<th>Key Dates &amp; Deadlines</th>
</tr>
</thead>
</table>
| October 12 | Senate Judiciary Committee hearing on the nomination of Judge Amy Coney Barrett to be an Associate Justice of the United States Supreme Court  
Opening Statements - Judge Barrett and Senators. |
| October 13 | Deadline for Coronavirus Relief Fund (CRF) recipients to submit detailed quarterly report (for period July 1-Sept. 30, 2020). |
| October 13-14 | Senate Judiciary Committee hearing on the nomination of Judge Amy Coney Barrett to be an Associate Justice of the United States Supreme Court.  
Senators Q/A with Judge Barrett. |
| October 15 | Senate Judiciary Committee hearing on the nomination of Judge Amy Coney Barrett to be an Associate Justice of the United States Supreme Court.  
Testimony and Q/A with outside witnesses. |
| October 15 | CANCELLED: Second Presidential Debate. |
| October 22 | Senate Judiciary Committee reports out the nominee. |
| October 22 | Third Presidential Debate. |
| October 23 | Senate Majority Leader Mitch McConnell could file cloture as early as Friday, October 23, and if so, the Senate would likely vote on Tuesday, October 27.  
McConnell has not said to date whether he will hold a final vote before or after the election. |
| October 31 | Census enumeration completion date; last day for households to self-respond online, by phone or by mail. |
| November 3 | Election Day |
| November 4 - December 14 | [Electoral College] Counting the popular vote and filing Certificates of Ascertainment. |
| November 20 | Congress adjourns for Thanksgiving holiday. |
| December 8 | [Electoral College] Safe Harbor deadline. |
December 11
Temporary Assistance for Needy Families (TANF(FY) ) and Child Care Entitlement to States programs expire.

December 11
CR for Fiscal Year (FY) 2020 funding expires.

December 11
Health extender programs expire.

December 14
Electoral College delegations meet and vote.

December 31
Tax extenders and several coronavirus programs expire, including:
• Student loan repayment and interest accrual suspension
• Emergency sick, family leave, and other pandemic unemployment assistance programs
• Federal payroll tax payment deferral for employees

December 31
Pandemic Unemployment Assistance Program expires
(Some UI recipients may exhaust all UI benefits before deadline)

January 6, 2021
Joint Session of Congress to count electoral votes and declare official election results.

January 20, 2021
Inauguration Day

April 2021
Census Bureau to deliver apportionment counts to the President and Congress as required by law.

July 31, 2021
Census Bureau delivers count to states for legislative restricting.

**Status of COVID-19 Relief Package**

On October 9, President Donald Trump proposed a $1.8 trillion coronavirus relief package, a higher amount than the $1.6 trillion previously offered by the White House and rejected by House Democrats. “Covid Relief Negotiations are moving along. Go Big!” President Trump tweeted, a striking reversal from his position on October 6, when he said he would walk away from negotiations with Democrats on a comprehensive relief bill.

Top negotiators have been in talks but remain far apart on key issues, such as aid to state and local governments. Before President Trump called off negotiations, renewed talks had moved the dial somewhat on several items, including a new round $1,200 direct payments to individuals as well as $75 billion for coronavirus testing and tracing. Additional sticking points are the level of enhanced unemployment benefits and a child tax credit.

Senate Majority Leader Mitch McConnell (R-Ky.) said on October 9 that there is likely not enough time before the election to bridge the "vast" differences on a new virus relief package. Further, McConnell has said that the upper chamber's first priority is the confirmation of Judge Amy Coney Barrett to the Supreme Court "even if an agreement" on a relief deal is reached.

On October 13, Leader McConnell told reporters that when the Senate returns the week of October 19 they will focus on more targeted covid relief, and vote on new funding for the Payment Protection Program (PPP). Senate Democrats are unlikely to support the measure, and Speaker Pelosi has been on record saying she will not support standalone legislation. Additionally, on October 12, House Majority Leader Steny Hoyer (D-Md.) sent out a notice to lawmakers saying “that due to the Trump Administration’s failure to reach an agreement on coronavirus relief, no votes are expected in the House this week.” The House is in recess until after the election but they remain on 24-hour standby should an agreement be reached.
President Trump Signs Stopgap Funding Bill, Averts Government Shutdown

On October 1, President Donald Trump signed into law a continuing resolution (CR) to continue to provide funding for the federal agencies as Congress has not passed the FY 2021 appropriations bills. The CR, H.R. 8337, will keep the government operating through December 11 at current spending levels. The House passed the bill on September 22 by a vote of 359 to 57, and the Senate passed the bill on September 30 by a vote of 84 to 10.

House Speaker Nancy Pelosi (D-Calif.) and Secretary Mnuchin agreed in September to keep the discussion of a coronavirus economic relief package separate from the stopgap bill. With the temporary spending bill finished, lawmakers will try to complete work on the 12 annual appropriations bills for FY 2021 in the post-election lame-duck session in November and December. However, if Democrats take control of the Senate, Congress could pass another CR in the lame duck and consider the FY 2021 appropriations bills next year in the new Congress.

Surface Transportation Bill Extension

The stopgap funding bill includes an extension of the FAST Act for one year--all FAST Act FY 2020 funding levels will continue until September 30, 2021. The extension also includes:

- **Sec. 1102.** An increase of the five-year, $500 million aggregate limitation on non-highway freight projects funded by the INFRA grant program under the FAST Act to a six-year, $600 million aggregate limitation.
- **Sec. 1106.** Suspends the application of the “Rostenkowski Test” for Highway Trust Fund Mass Transit Account self-sufficiency for FY 2021.
- **Sec. 1205.** Transfers $14.0 billion from the general fund of the Treasury to the Airport and Airway Trust Fund.

Biden Planning to Move Fast on Infrastructure

House Transportation and Infrastructure (T&I) Committee Chairman Peter DeFazio (D-OR) reported that the Biden Administration is planning to release an infrastructure package quickly if elected. Chairman DeFazio said the Biden campaign team has expressed interest in the $494 billion dollar surface transportation deal the House passed, the INVEST Act, earlier this year. Their goal would be to release a package as early as February 2021 to include coronavirus relief, new federal grant programs, and infrastructure reforms with a focus on combating climate change.

Vice President Biden’s campaign platform includes a plan to link infrastructure climate change and clean energy. He has a $1.3 trillion infrastructure proposal that aims to reduce carbon emissions, create jobs and identify “new revenue” for the Highway Trust Fund.

U.S. Department of Transportation (USDOT) Announces $1 Billion in BUILD Awards

On September 16, USDOT announced $1 billion in grants through the Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants program.
The funding has been awarded to 70 projects in 44 states – a list of the selected projects can be found here. The split among the modes for the selected projects are:

<table>
<thead>
<tr>
<th>Mode</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aviation</td>
<td>$21,000,000</td>
<td>2.1%</td>
</tr>
<tr>
<td>Maritime</td>
<td>$77,268,125</td>
<td>7.9%</td>
</tr>
<tr>
<td>Rail</td>
<td>$20,000,000</td>
<td>2%</td>
</tr>
<tr>
<td>Road</td>
<td>$743,468,529</td>
<td>75.9%</td>
</tr>
<tr>
<td>Transit</td>
<td>$117,986,627</td>
<td>12%</td>
</tr>
</tbody>
</table>

The states of Texas ($50 million) and Florida ($49 million) received the most funding. There were two awards in California: $16 million for the SR 99 / Commercial Ave. Interchange Project in Tulare and $20 million for the Diamond Grade Separation project in Stockton.

**Update of Transit Agencies Spending of CARES Act Funding in August**

By the end of August, transit providers have spent $10.2 billion (41%) of the $25 billion CARES Act funding.

The 35 transit agencies, that received $100 million or more in CARES Act grants, received $15.2 billion, and as of August 31, had spent $8.4 billion (55%). The other transit agencies received $9.7 billion from the CARES Act, and have spent 19 percent of this funding as of August 31.

**Grant Opportunities**

- **Pilot Program for Transit-Oriented Development (TOD) Planning**: $6.2 million available to support comprehensive planning associated with new fixed guideway and core capacity improvement projects. Applications are due by October 26.

- **Commuter Authority Rail Safety Improvement (CARSI) Grants**: $50 million available to improve safety at public railway-highway crossings. Eligibility is limited to the following applicants: an applicant must be a “commuter authority”. An eligible commuter authority must have experienced at least one accident investigated by the National Transportation Safety Board (NTSB) between January 1, 2008, and December 31, 2018, and for which the NTSB issued an accident report. The applicant must be either: (1) a commuter authority that meets the eligibility requirements listed above; or (2) a public or non-profit entity partnering with an eligible commuter authority. Applications are due by October 26.

- **The Public Transportation COVID-19 Research Demonstration Grant Program**: $10 million available to provide research funding for innovative solutions that support the phased reopening of local economies through access to safe public transportation. Applications due by November 2.

- **Expedited Project Delivery Pilot Program**: $100 million available aimed at expediting delivery of new fixed guideway capital projects, small starts projects, or core capacity improvement projects. Applications will be accepted on a rolling basis until up to eight grants are awarded, subject to funding availability.
TO: JPB Work Program – Legislative – Planning (WPLP) Committee Meeting

THROUGH: Jim Hartnett
Executive Director

FROM: Seamus Murphy
Chief Communications Officer

SUBJECT: STATE AND FEDERAL LEGISLATIVE UPDATE

ACTION
Staff Coordinating Council recommends the Board receives the attached memos. Staff will provide regular updates to the Board in accordance with Legislative Program.

SIGNIFICANCE
The 2020 Legislative Program establishes the principles that will guide the legislative and regulatory advocacy efforts. Based on those principles, staff coordinates closely with our Federal and State advocates on a wide variety of issues that are considered in Congress and the State legislature. The attached reports highlight the recent issues and actions that are relevant to the Board.

Prepared By: Casey Fromson, Government and Community Affairs Director 650-508-6493
October 9, 2020

TO: Peninsula Corridor Joint Powers Board Members

FROM: Mike Robson and Trent Smith, Edelstein Gilbert Robson & Smith, LLC
Joshua W. Shaw and Matt Robinson, Shaw / Yoder / Antwih, Inc.

RE: STATE LEGISLATIVE UPDATE – October 2020

General Update

On Monday August 31, the Legislature adjourned for final recess, marking the end of the 2019-2020 legislative session. The Governor has since wrapped up the bill signing period, where he had one month to consider approximately 400 bills that were passed out of the Legislature and sent to his desk. Compared to recent years, this is less than half of the normal bill load that is considered by the Governor. This significant reduction in bill volume was directly related to the COVID-19 pandemic, as legislators were repeatedly sent home from the Capitol due to workplace exposure to the virus.

Legislators are now working from their districts and will remain there until early January when the 2021-2022 Legislative Session convenes. It remains to be seen what next legislative session will look like in terms of remote voting and in-person activity in the Capitol given COVID-19.

Legislation of Interest

SB 288 (Wiener) – CEQA Exemptions for Transportation. This bill would provide additional CEQA exemptions for certain projects, including rail projects. Specifically, the bill provides an exemption for projects that increase passenger or commuter service on rail rights-of-way already in use, including modernization of existing stations and parking facilities. The Caltrain Board supported this bill in August 2020.

This bill was signed by the Governor on September 28.

SB 757 (Allen) – CEQA Judicial Streamlining for Rail Projects. This bill, which would put a “shot clock” on the courts for dispensing with CEQA litigation for certain types of mass transit projects, passed the Legislature overwhelmingly, with bi-partisan support.

However, because this bill was joined to SB 995 (Atkins), which failed to pass out of the Legislature before midnight on the last night of session, it cannot be implemented.
Governor Newsom vetoed the bill because of this. In his veto message, the Governor did note that he supports efforts to accelerate transit projects that reduce emissions and vehicle miles travelled, which lends to the expectation that a similar bill will be reintroduced next session.

**SB 1351 (Beall) – Transportation Improvement Fee (TIF).** This bill creates the Transportation Improvement Fee Finance Committee that would authorize revenue bonds to be issued to Caltrans to expedite transportation projects. Transit agencies raised concerns with this bill due to its potential to adversely impact transit operators within the Local Partnership Program.

Governor Newsom vetoed this bill noting that “bonding against these future revenues runs counter to the pay-as-you-go principle established by Senate Bill 1 and risks locking California into long-term debt obligations to finance maintenance repairs. Caltrans will need these revenues in the future to keep our roads and bridges safe.”

**SB 1159 (Hill) – Workers’ Compensation.** This bill establishes a rebuttable presumption that illness or death related to COVID-19 is an occupational injury and therefore eligible for workers’ compensation benefits. It contains provisions that create presumptions for frontline workers as well as a presumption for outbreaks that occur at worksites.

As discussed in previous updates, this bill was a priority issue in the Legislature this year and sought to close the gap after the Governor’s Executive Order on workers’ compensation expired on July 5, 2020.

The bill was signed by the Governor on September 17 and took effect immediately as an urgency bill.

**AB 1867 (Committee on Budget) – COVID-19 Supplemental Paid Sick Leave.** This proposal was amended into a budget bill vehicle just days before the end of session, narrowly making the previously discussed 72-hour rule. The bill is similar to the Governor’s earlier Executive Order that provided two additional weeks of supplemental sick leave for food sector workers, but this time expands this leave to all workers who work for employers with over 500 or more employees.

Like SB 1159, the bill was an urgency measure. It was signed by the Governor on September 9 and took effect immediately.

**AB 107 (Committee on Budget) – Transit Funding Flexibility in the SB 1 SOGR Program (Section 20).** This budget trailer bill contains numerous items related to state governance, including the funding flexibility sought by the California Transit Association within the $100 million SB 1 Transit State of Good Repair Program.

This bill was signed by the Governor on September 29.
Election Update
With the November election quickly approaching, below is an update on some legislative races of interest on the Peninsula.

SD 15 Dave Cortese (D) vs. Ann Ravel (D) – This race in San Jose/Silicon Valley is between two Democrats. Ann Ravel is an attorney and former election compliance official in the Obama Administration while Dave Cortese has been a locally elected county supervisor, city council member and rancher. Cortese has the support of traditional Democratic allies in organized labor and public employee unions who spent heavily in the March primary. Ravel is supported by a broader base of business, community groups and enjoys editorial support for her election. While Cortese significantly outpolled Ravel in the primary, with only the two Democrats on the ballot it becomes a matter of whether Ravel can pick up the voters who voted for the Republican and NPP candidates in the primary.

SD 9 Senator Scott Wiener (D) vs. Jackie Fielder (D) – Only in San Francisco can one of the most progressive and liberal legislators in the Capitol be considered a moderate. That is the situation facing incumbent Senator Scott Wiener who is facing a challenge from the left by community activist Jackie Fielder. As a challenger to an incumbent, Fielder is getting a surprising amount of fundraising and community support. We believe Senator Wiener will prevail on election day. But, the dynamics of the race and its implications on intra party politics make it a race worth watching.

SD 13 Josh Becker (D) vs. Alexander Glew (R) --This race to replace termed-out Senator Jerry Hill for the peninsula state Senate seat was essentially decided in the March primary when Josh Becker prevailed over a number of other Democrats to face Republican candidate Alexander Glew. This seat is overwhelmingly Democrat and voters are expected to send Josh Becker to the Capitol on election day.

SD 17 John Laird (D) vs. Vicki Nohrden (R) -- This race involving Monterey, Santa Cruz, and Santa Clara counties pits former Assemblyman John Laird against Vicki Nohrden. Laird is an accomplished fundraiser and candidate. He will return to Sacramento and will be part of the Caltrain legislative delegation.

AD 25 Alex Lee (D) vs. Bob Brunton (R) -- Alex Lee is a 25-year old former legislative staffer who outpolled seven other Democrats in the March primary to make the general election race against the Republican Bob Brunton. This is an overwhelmingly Democratic seat comprising parts of Alameda and Santa Clara Counties.

Statewide Competitive Grant Programs
Below is a list of major competitive grant programs administered by the State from which transit and rail projects are eligible/can be funded.
Transit and Intercity Rail Capital Program (TIRCP)
The TIRCP was created to fund capital improvements to modernize California’s intercity rail, bus, ferry, and rail transit systems to reduce emissions, expand and improve transit service and ridership, integrate rail services and improve transit safety. Funds available are estimated at $450-500 million for Cycle 4 but could change on auction proceeds and changing cash flow requirements of already awarded projects.

Important Dates:
January 2020 – Applications Due
April 2020 – CalSTA Award Announcement

Solutions for Congested Corridors Program (SCCP)
The SCCP provides funding to achieve a balanced set of transportation, environmental, and community access improvements to reduce congestion throughout the state. The program makes $250 million available annually (programmed in 2-year increments) for projects that implement specific transportation performance improvements.

Important Dates:
October 2019 – Guidelines Adopted
January 2020 – Applications Due
June 2020 – Program Adoption

Local Partnership Program (LPP)
The LPP is intended to provide local and regional transportation agencies that have passed sales tax measures, developer fees, or other imposed transportation fees with a continuous appropriation of $200 million annually from the Road Maintenance and Rehabilitation Account to fund road maintenance and rehabilitation, sound walls, and other transportation improvement projects. The Competitive program is funded at $100 million annually.

Important Dates:
October 2019 – Guidelines Adopted
January 2020 – Applications Due
June 2020 – Program Adoption

Trade Corridor Enhancement Program (TCEP)
The TCEP provides funding for infrastructure improvements on federally designated Trade Corridors of National and Regional Significance, on the Primary Freight Network as identified in California Freight Mobility Plan, and along other corridors that have a high volume of freight movement. There is approximately $300 million provided per year (programmed in 2-year increments) for the competitive program.

Important Dates:
January 2020 – Guidelines Adopted
March 2020 – Applications Due
June 2020 – Program Adoption
Grade Separation Funding
Below is a list of the funding sources that we are aware of and/or that have been used to fund grade separations in the recent years. The funding sources below are managed across various state agencies and departments, including the Public Utilities Commission (PUC), the California State Transportation Agency (CalSTA), the California Transportation Commission (CTC), and Caltrans.

PUC Section 190 Grade Separation Program – The Program is a state funding program to grade separate crossings between roadways and railroad tracks and provides approximately $15 million annually, transferred from Caltrans. Agencies apply to the PUC for project funding.

State Transportation Improvement Program – The STIP, managed by Caltrans and programmed by the CTC, is primarily used to fund highway expansion projects throughout the state, but also supports grade separations. The STIP is programmed every two years (currently the 2018 STIP added $2.2 billion in new funding). Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

Transit and Intercity Rail Capital Program – The TIRCP is managed by CalSTA and is available to fund rail and transit projects that reduce greenhouse gas emissions. The program receives funding from Cap and Trade and the recently created Transportation Improvement Fee to the tune of approximately $500 million per year. The TIRCP is programmed over 5 years, with the most recent cycle beginning in May 2018. Caltrain received $160 million for the CalMod project.

Proposition 1A – This $9.9 billion Bond Act is the primary funding source for the high-speed rail project and has been used to fund a very limited number of grade separation projects in the past, including in the City of San Mateo.
## Caltrain

### State Legislative Matrix 10/8/2020

<table>
<thead>
<tr>
<th>Bill Number (Author)</th>
<th>Summary</th>
<th>Location</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AB 1867</strong> (Committee on Budget)</td>
<td>Small employer family leave mediation: handwashing: supplemental paid sick leave.</td>
<td>Signed by Governor - Chaptered</td>
<td>Watch</td>
</tr>
<tr>
<td></td>
<td>Existing law, the California Fair Employment and Housing Act (FEHA), establishes the Department of Fair Employment and Housing (DFEH) within the Business, Consumer Services, and Housing Agency to enforce civil rights laws with respect to housing and employment and to protect and safeguard the right of all persons to obtain and hold employment without discrimination based on specified characteristics or status. Under FEHA, the DFEH has specified powers, including the power to receive, investigate, conciliate, mediate, and prosecute certain complaints. The Moore-Brown-Roberti Family Rights Act, commonly known as the California Family Rights Act, which is a part of FEHA, makes it an unlawful employment practice for an employer, as defined, to refuse to grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period for family care and medical leave, as specified. This bill would, upon specified circumstances, require the DFEH to create a small employer family leave mediation pilot program, as prescribed. The pilot program would authorize a small employer or the employee to request all parties to participate in mediation through the DFEH’s dispute resolution division within a specified timeframe, after notice. The bill would prohibit an employee from pursuing civil action until the mediation is complete if an employer or employee requests mediation, as prescribed. The bill would toll the statute of limitations for the employee, including for additional related claims, from receipt of a request to participate in the program until the mediation is complete. These provisions of the bill would be repealed on January 1, 2024. This bill contains other related provisions and other existing laws. Chaptered: 9/10/2020</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>SB 146</strong> (Beall D)</td>
<td>Regional transportation plans: sustainable communities strategies: procedural requirements.</td>
<td>Signed by Governor – Chaptered</td>
<td>Watch</td>
</tr>
<tr>
<td></td>
<td>Existing law requires certain transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system. Certain of these agencies are designated under federal law as metropolitan planning organizations. As part of a regional transportation plan, existing law requires a metropolitan planning organization to adopt a sustainable communities strategy or alternative planning strategy, which is designed to achieve certain targets for 2020 and 2035 established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. Before the adoption of a sustainable communities strategy or an alternative planning strategy, existing law requires a metropolitan planning organization to complete certain procedural requirements, including a requirement to conduct informational meetings, as specified, and a requirement to adopt a public participation plan that includes, among other things, workshops throughout the region and public hearings on the draft sustainable communities strategy or alternative planning strategy, as specified. This bill, until January 1, 2023, would recharacterize the workshops as public engagement gatherings and would authorize these informational meetings, public engagement gatherings, and public hearings to be conducted by electronic means if a call-in telephonic option is also provided and the meeting is not required to be conducted pursuant to the Ralph M. Brown Act. The bill, until January 1, 2023, would make other related changes. This bill contains other existing laws. Chaptered: 9/25/2020</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
(1) The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would further exempt from the requirements of CEQA certain projects, including projects for the institution or increase of new bus rapid transit, bus, or light rail services on public rail or highway rights-of-way, as specified, whether or not the right-of-way is in use for public mass transit, as specified, and projects for the designation and conversion of general purpose lanes, high-occupancy toll lanes, high-occupancy vehicle lanes, or highway shoulders, as specified. The bill would additionally exempt transit prioritization projects, projects that improve customer information and wayfinding for transit riders, bicyclists, or pedestrians, projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission transit buses, projects carried out by a city or county to reduce minimum parking requirements, and projects for pedestrian and bicycle facilities. The bill would, except as provided, require those exempt projects to meet additional specified criteria, including that a public agency is carrying out the project and is the lead agency for the project. The bill would, except as provided, require the lead agency to certify that those projects will be carried out by a skilled and trained workforce, except as provided. For those exempted projects exceeding $100,000,000 in 2020 United States dollars, the bill, except as provided, would require the lead agency to complete and consider the results of a project business case and a racial equity analysis, as prescribed, would require the lead agency, before exempting a project from CEQA, to hold at least 3 noticed public meetings in the project area to hear and respond to public comments, would require the lead agency, in at least one of those public meetings, to review the project business case and the racial equity analysis, and would require the lead agency to conduct at least 2 noticed public meetings annually during project construction for the public to provide comments. If the lead agency determines to carry out a project exempt under the above provisions, the bill would require the lead agency to file a notice of exemption with the Office of Planning and Research and the county clerk of the county in which the project is located. The bill would repeal the above-described exemptions on January 1, 2023. This bill contains other related provisions and other existing laws.
### Active Bills

**SB 1159  (Hill D)**  
Existing law establishes a workers’ compensation system, administered by the Administrative Director of the Division of Workers’ Compensation, to compensate an employee, as defined, for injuries sustained in the course of employment. Existing law creates a disputable presumption that specified injuries sustained in the course of employment of a specified member of law enforcement or a specified first responder arose out of and in the course of the employment. Existing law governs the procedures for filing a claim for workers’ compensation, including filing a claim form, and provides that an injury is presumed compensable if liability is not rejected within 90 days after the claim form is filed, as specified. Existing case law provides for how certain presumptions may be rebutted. This bill would define “injury” for an employee to include illness or death resulting from the 2019 novel coronavirus disease (COVID-19) under specified circumstances, until January 1, 2023. The bill would create a disputable presumption, as specified, that the injury arose out of and in the course of the employment and is compensable, for specified dates of injury. The bill would limit the applicability of the presumption under certain circumstances. The bill would require an employee to exhaust their paid sick leave benefits and meet specified certification requirements before receiving any temporary disability benefits or, for police officers, firefighters, and other specified employees, a leave of absence. The bill would also make a claim relating to a COVID-19 illness presumptively compensable, as described above, after 30 days or 45 days, rather than 90 days. Until January 1, 2023, the bill would allow for a presumption of injury for all employees whose fellow employees at their place of employment experience specified levels of positive testing, and whose employer has 5 or more employees. This bill contains other related provisions.  
Chapered: 9/17/2020  
Signed by Governor – Chaptered

### Inactive Bills

**AB 90  (Committee on Budget)**  
Transportation.  
(1) Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, revenues from a 1/4% sales tax in each county are transferred to the county’s local transportation fund and available, among other things, for allocation by a transportation planning agency to transit operators, subject to certain financial requirements for an operator to meet in order to be eligible to receive funds. Existing law sets forth alternative ways for an operator to qualify for funding, including a standard under which the allocated funds do not exceed 50% of the operator’s total operating costs, as specified, or the maintenance by the operator of a specified ratio of fare revenues to operating cost. If an operator was allocated funds from a local transportation fund during a fiscal year in which it did not maintain the required ratio of fare revenues to operating cost, existing law requires the operator’s eligibility to receive these moneys and specified allocations under the State Transit Assistance Program to be reduced during a subsequent penalty year by the amount of the difference between the required fare revenues and the actual fare revenues collected for the fiscal year that the required ratio was not maintained. This bill would prohibit the imposition of this penalty on an operator that does not maintain the required ratio of fare revenues to operating cost during the 2019–20 or 2020–21 fiscal year. This bill contains other related provisions and other existing laws.  
Chapered: 6/29/2020  
Signed by Governor – Chaptered

Watch
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Sponsor</th>
<th>Bill Title</th>
<th>Legislative History</th>
<th>Status</th>
<th>Watch</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 145</td>
<td>Frazier D</td>
<td>High-Speed Rail Authority: Senate confirmation.</td>
<td>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 11 members, including 5 voting members appointed by the Governor, 4 voting members appointed by the Legislature, and 2 nonvoting legislative members. This bill would provide that the members of the authority appointed by the Governor are subject to appointment with the advice and consent of the Senate.</td>
<td>Introduced: 12/13/2018</td>
<td>Failed passage in the Senate Transportation Committee.</td>
</tr>
<tr>
<td>AB 196</td>
<td>Gonzalez D</td>
<td>Workers’ compensation: COVID-19: essential occupations and industries.</td>
<td>Existing law establishes a workers’ compensation system, administered by the Administrative Director of the Division of Workers’ Compensation, to compensate an employee for injuries sustained in the course of employment. Existing law creates a disputable presumption that specified injuries sustained in the course of employment of a specified member of law enforcement or a specified first responder arose out of and in the course of employment. Existing law establishes procedures for filing a workers’ compensation claim, including a 90-day investigatory period prior to acceptance or denial. Existing law presumes a claim is accepted if it is not denied within the first 90 days after filing. This bill would define “injury,” for certain employees who are employed in an occupation or industry deemed essential in the Governor’s Executive Order of March 19, 2020 (Executive Order N-33-20), except as specified, or who are subsequently deemed essential, to include coronavirus disease 2019 (COVID-19) that develops or manifests itself during a period of employment of those persons in the essential occupation or industry. The bill would apply to injuries occurring on or after March 1, 2020, would create a disputable presumption, as specified, that the injury arose out of and in the course of the employment, and would extend that presumption following termination of service for a period of 90 days, commencing with the last date actually worked. The bill would shorten the investigatory timeframe for denial or presumed acceptance of a claim to 30 days, rather than 90 days.</td>
<td>Amended: 8/25/2020</td>
<td>Failed passage on the Senate Floor.</td>
</tr>
<tr>
<td>AB 1112</td>
<td>Friedman D</td>
<td>Micromobility devices: relocation.</td>
<td>Existing law authorizes a peace officer to order the removal and storage of a vehicle under various circumstances, including when the vehicle is parked in a manner obstructing traffic or blocking access to a fire hydrant. Existing law generally regulates the operation of bicycles, electric bicycles, and motorized scooters. Under existing law, a violation of the Vehicle Code is a crime. This bill would prohibit an unauthorized person from removing an unattended micromobility device from a highway to a storage facility, garage, or other place. The bill would authorize a person to relocate an illegally parked micromobility device a short distance in order to clear a highway, sidewalk, doorway, or public bicycle path or trail for vehicle or pedestrian traffic. The bill would allow a peace officer to relocate an illegally parked micromobility device to a properly parked location. If relocation is impracticable, the bill would allow a peace officer to remove a micromobility device in the same manner as a vehicle. Because a violation of these provisions would be a crime, this bill would impose a state-mandated local program. This bill contains other existing laws.</td>
<td>Amended: 7/22/2020</td>
<td>Failed passage in the Senate Transportation Committee.</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Sponsor</td>
<td>Title</td>
<td>Details</td>
<td>Status</td>
<td>Watch</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>AB 1991</td>
<td>Friedman D</td>
<td>Transit and Intercity Rail Capital Program: passenger tramways.</td>
<td>Existing law establishes the Transit and Intercity Rail Capital Program, which is funded in part by a continuously appropriated allocation of 10% of the annual proceeds of the Greenhouse Gas Reduction Fund, to fund transformative capital improvements that will modernize California’s intercity, commuter, and urban rail systems and bus and ferry transit systems to achieve certain policy objectives. Existing law requires the Transportation Agency to evaluate applications for funding under the program and to approve a multiyear program of projects, as specified, and requires the California Transportation Commission to allocate funding to applicants pursuant to the program of projects approved by the agency. This bill would expand the purpose of the program to authorize funding for passenger tramway transit systems. By expanding the purposes for which continuously appropriated moneys may be used, the bill would make an appropriation.</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td>Watch</td>
</tr>
<tr>
<td>AB 1992</td>
<td>Friedman D</td>
<td>Transportation: transportation infrastructure: climate change.</td>
<td>Existing law vests the Department of Transportation with full possession and control of the state highway system. Existing law requires the department, in consultation with the California Transportation Commission, to prepare a robust asset management plan that assesses the health and condition of the state highway system and with which the department is able to determine the most effective way to apply the state’s limited resources. This bill would state the intent of the Legislature to enact legislation that would establish a new program to fund climate change adaptation planning for transportation impacts, data collection, modeling, and training. The bill would require the department, in consultation with the commission, to update the asset management plan on or before December 31, 2022, and every 4 years thereafter, and for the updates to take into account the forecasted impacts of climate change on transportation infrastructure. The bill would require the updates to the California Transportation Plan and the Strategic Growth Council’s report to include a forecast of the impacts of climate change on transportation infrastructure and measures to address those impacts. The bill would require the commission’s revisions to the guidelines for the preparation of regional transportation plans to include a requirement that designated transportation planning agencies take into account the forecasted transportation infrastructure impacts of climate change. By requiring regional transportation plans to take into account this additional factor, the bill would impose a state-mandated local program. This bill contains other existing laws.</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td>Watch</td>
</tr>
<tr>
<td>AB 2012</td>
<td>Chu D</td>
<td>Free senior transit passes: eligibility for state funding.</td>
<td>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. This bill would require transit agencies to offer free senior transit passes to persons over 65 years of age in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, and the Low Carbon Transit Operations Program. The bill would require those free senior transit passes to count as full price fares for purposes of calculating the ratio of fare revenues to operating costs.</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td>Watch</td>
</tr>
</tbody>
</table>

Introduced: 1/27/2020
Amended: 3/11/2020
Introduced: 1/28/2020
<table>
<thead>
<tr>
<th>AB 2057  (Chiu D)</th>
<th>San Francisco Bay area: public transportation.</th>
<th>Amended: 5/4/2020</th>
<th>Failed passage in the Assembly Transportation Committee*</th>
<th>Watch</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relative to providing public transit services. Existing law establishes the Transportation Agency consisting of various state agencies under the supervision of an executive officer known as the Secretary of Transportation, who is required to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, and coordinated planning and policy formulation in the matters of public interest related to the agency. This bill would declare the intent of the Legislature to enact subsequent legislation that would create a transportation network manager for the 9-county San Francisco Bay area to, among other things, integrate all aspects of public transit within the 9-county San Francisco Bay area and provide leadership and accountability in planning, coordinating, and financing the transportation network. The bill would establish a 19-member Bay Area Seamless Transit Task Force to recommend to the Legislature the structure, governance, and funding of the transportation network manager and the organizational structure, governance, and funding for San Francisco Bay area transportation agencies, and other reforms to the San Francisco Bay area’s local, regional, and state public agencies, that should be enacted in future legislation to maximize the effectiveness of the public transit system in the San Francisco Bay area. The bill would require the Secretary of Transportation to convene the task force by April 1, 2021. The bill would require the Metropolitan Transportation Commission to provide staffing to the task force to aid it in the performance of its duties, and would require the Legislative Analyst’s Office to advise the task force in the performance of its duties. The bill would require the task force to submit a report to the Legislature or before January 1, 2023, of its findings and recommendations and a summary of its activities. The bill would repeal these provisions on January 1, 2027. This bill would require the commission, in consultation with transit agencies, on or before January 1, 2022, (A) to create standardized discount categories and eligibility requirements for fare discount programs for seniors, students, youth, and other rider categories, and (B) to create a multimodal, multiagency pilot program to implement an accumulator pass that may be used with one regional rail agency and at least one transit agency. The bill would require the regional rail agency and the transit agency or agencies selected to participate in the pilot program to offer the accumulator pass to the public on or before July 1, 2022. The bill would require the commission to prepare a plan, on or before July 1, 2023, to deploy the Clipper card payment system on passenger trains operated on the Capitol Corridor and on passenger trains operated by the Altamont Corridor Express. The bill would require the commission, in the next upgrade to the Clipper card payment system, to enable customers to pay for paratransit, parking at transit stations, and employer and educational institution transit discount programs. This bill contains other related provisions and other existing laws.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Inactive Bills</strong></td>
<td><strong>Bill</strong></td>
<td><strong>Description</strong></td>
<td><strong>Status</strong></td>
<td></td>
</tr>
<tr>
<td>-------------------</td>
<td>----------</td>
<td>-----------------</td>
<td>------------</td>
<td></td>
</tr>
<tr>
<td><strong>AB 2176</strong> <em>(Holden D)</em></td>
<td>Free student transit passes: eligibility for state funding.</td>
<td>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. This bill would require transit agencies to offer free student transit passes to persons attending the California Community Colleges, the California State University, or the University of California in order to be eligible for state funding under the Mills-Alquist-Deddeh Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program. The bill would also require a free student transit pass to count as a full price fare for purposes of calculating the ratio of fare revenues to operating costs. This bill contains other related provisions and other existing laws.</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td></td>
</tr>
<tr>
<td><strong>AB 2237</strong> <em>(Berman D)</em></td>
<td>San Francisco Bay area county transportation authorities: contracting.</td>
<td>The Bay Area County Traffic and Transportation Funding Act authorizes each of the 9 counties in the San Francisco Bay area to impose a 1/2 of 1% or 1% sales tax for transportation purposes, subject to voter approval. Existing law provides for the establishment of a county transportation authority in each county imposing a sales tax under these provisions, requires the development of a county transportation expenditure plan, and specifies the powers and duties of a county board of supervisors and the county transportation authority in this regard. Existing law requires each county transportation authority to award contracts for the purchase of supplies, equipment, and materials in excess of $75,000 to the lowest responsible bidder after competitive bidding, except in an emergency declared by the vote of 2/3 of the voting membership of the county transportation authority. This bill would require each county transportation authority to award contracts for the purchase of supplies, equipment, and materials in excess of $150,000, rather than $75,000, to the lowest responsible bidder or to the responsible bidder whose proposal provides the best value, as defined, on the basis of the factors identified in the solicitation, except in a declared emergency, as specified. The bill would specify that the requirement does not apply to construction contracts.</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td></td>
</tr>
<tr>
<td><strong>AB 2249</strong> <em>(Mathis R)</em></td>
<td>High-speed rail: legislative oversight.</td>
<td>The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law requires the authority, on or before March 1, 2017, and every 2 years thereafter, to provide a project update report, approved by the Secretary of Transportation as consistent with specified criteria, to the budget committees and the appropriate policy committees of both houses of the Legislature, on the development and implementation of intercity high-speed train service, as provided. This bill would create the Joint Legislative Committee on High-Speed Rail Oversight consisting of 3 Members of the Senate and 3 Members of the Assembly and would require the committee to ascertain facts, review documents, and take action thereon, and make recommendations to the Legislature concerning the state’s programs, policies, and investments related to high-speed rail, as specified. The bill would require the authority and any entity contracting with the authority to give and furnish to the committee upon request information, records, and documents as the committee deems necessary and proper to achieve its purposes. The bill would require the authority to submit to the committee on a monthly basis certain information relating to the authority’s ongoing operations in the development and implementation of intercity high-speed train service, as provided. This bill contains other related provisions and other existing laws.</td>
<td>Failed passage in the Assembly Transportation Committee*</td>
<td></td>
</tr>
</tbody>
</table>
## Inactive Bills

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Sponsor</th>
<th>Title</th>
<th>Description</th>
<th>Status</th>
<th>Committee</th>
<th>Watch</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 2943</td>
<td>Ting D</td>
<td>Surplus property: disposal.</td>
<td>Existing law prescribes requirements for the disposal of surplus land, as defined, by a local agency, as defined. Existing law requires land to be declared surplus land or exempt surplus land, as supported by written findings, before a local agency takes any action to dispose of it consistent with the agency’s policies or procedures. This bill would provide that the provisions regulating the disposal of surplus land shall not be construed to require a local agency to dispose of land that is determined to be surplus.</td>
<td>Failed passage in the Assembly Local Government Committee*</td>
<td>Watch</td>
<td></td>
</tr>
<tr>
<td>AB 2987</td>
<td>Flora R</td>
<td>Local agency public contracts: bidding procedures.</td>
<td>The Uniform Public Construction Cost Accounting Act authorizes a public agency to elect to become subject to uniform construction cost accounting procedures. The act authorizes bidding procedures for public projects, as specified. Those bidding procedures include procedures for the publication or posting and electronic transmission of notice inviting formal bids. This bill would authorize a public agency, as an alternative to the publication or posting requirement, to meet the notice inviting formal bids requirement by transmitting notice electronically, as specified, and publishing the notice electronically in a prescribed manner on the public agency’s internet website at least 14 calendar days before the date of opening the bids. This bill contains other related provisions and other existing laws.</td>
<td>Failed passage in the Assembly Local Government Committee*</td>
<td>Watch</td>
<td></td>
</tr>
<tr>
<td>AB 3116</td>
<td>Irwin D</td>
<td>Mobility devices: personal information.</td>
<td>Existing law, the California Consumer Privacy Act of 2018, grants a consumer various rights with respect to personal information, as defined, that is collected or sold by a business, as defined, including the right to opt out of the sale of a consumer’s personal information. This bill would authorize a public agency, defined as a state or local public entity that issues a permit to an operator for mobility services or that otherwise regulates an operator, to require an operator to periodically submit to the public agency anonymized trip data and the operator’s mobility devices operating in the geographic area under the public agency’s jurisdiction and provide specified notice of that requirement to the operator. The bill would authorize a public agency to share anonymized trip data with a contractor, agent, or other public agency only if specified conditions are met, including that the purpose of the sharing is to assist the public agency in the promotion and protection of transportation planning, integration of mobility options, and road safety. The bill would prohibit a public agency from sharing trip data with a contractor or agent. This bill contains other existing laws.</td>
<td>Assembly Dead – Held in Appropriations Committee</td>
<td>Watch</td>
<td></td>
</tr>
<tr>
<td>AB 3128</td>
<td>Burke D</td>
<td>Electricity: deenergization events: fuel cells.</td>
<td>Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations. Existing law requires each electrical corporation to annually prepare a wildfire mitigation plan and to submit its plan to the commission for review and approval, as specified. Existing law requires the wildfire mitigation plan to include, among other things, protocols for disabling reclosers and deenergizing portions of the electrical distribution system, also known as public safety power shutoffs, that consider the associated impacts on public safety. This bill would provide that it is the intent of the Legislature to enact legislation that would incentivize the use of fuel cells to address reliability issues associated with public safety power shutoffs.</td>
<td>Failed passage in the Assembly Natural Resources Committee*</td>
<td>Watch</td>
<td></td>
</tr>
</tbody>
</table>

*Watch links are provided for more information on the status of these bills.*
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AB 3213</strong> (Rivas, Luz D)</td>
<td><strong>High-Speed Rail Authority:</strong> high-speed rail service: priorities.</td>
<td>Existing law establishes the High-Speed Rail Authority within the state government with various powers and duties related to developing and implementing high-speed passenger rail service. Existing law requires the authority to direct the development and implementation of intercity high-speed rail service that is fully integrated with specified forms of transit. This bill would require the authority, in directing the development and implementation of intercity high-speed rail service, to prioritize projects based on specified criteria. Introduced: 2/21/2020</td>
</tr>
<tr>
<td><strong>ACA 1</strong> (Aguiar-Curry D)</td>
<td><strong>Local government financing:</strong> affordable housing and public infrastructure: voter approval.</td>
<td>(1) The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws. Amended: 3/18/2019</td>
</tr>
<tr>
<td><strong>HR 97</strong> (Frazier D)</td>
<td><strong>Relative to high-speed rail.</strong></td>
<td>The High-Speed Rail Authority is hereby directed to not proceed with the execution of track and systems or train set procurements, or with the acquisition of the right-of-way along the City of Merced and the City of Bakersfield extensions, until the Assembly has considered and approved the High-Speed Rail Authority’s funding request for appropriation of the remaining bond funds. Chaptered: 6/11/2020</td>
</tr>
<tr>
<td><strong>SB 43</strong> (Allen D)</td>
<td><strong>Carbon intensity and pricing: retail products.</strong></td>
<td>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to approve a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020 and to ensure that statewide greenhouse gas emissions are reduced to at least 40% below the 1990 level by 2030. This bill would require the state board, no later than January 1, 2022, to submit a report to the Legislature on the findings from a study, as specified, to determine the feasibility and practicality of assessing the carbon intensity of all retail products subject to the tax imposed pursuant to the Sales and Use Tax Law, so that the total carbon equivalent emissions associated with such retail products can be quantified. This bill contains other existing laws. Amended: 7/1/2019</td>
</tr>
<tr>
<td><strong>SB 147</strong> (Beall D)</td>
<td><strong>High-Speed Rail Authority.</strong></td>
<td>The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed train system in the state, with specified powers and duties. Existing law authorizes the authority, among other things, to keep the public informed of its activities. This bill would revise that provision to instead authorize the authority to keep the public informed through activities, including, but not limited to, community outreach events, public information workshops, and newsletters posted on the authority’s internet website. Introduced: 1/18/2019</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Bill Title</td>
<td>Text</td>
</tr>
<tr>
<td>-------------</td>
<td>------------</td>
<td>------</td>
</tr>
<tr>
<td>SB 278</td>
<td>SB 278</td>
<td>The Metropolitan Transportation Commission Act creates the Metropolitan Transportation Commission as a local area planning agency to provide comprehensive regional transportation planning for the region comprised of the 9 San Francisco Bay area counties. The act requires the commission to continue to actively, on behalf of the entire region, seek to assist in the development of adequate funding sources to develop, construct, and support transportation projects that it determines are essential. This bill would also require the commission to determine that those transportation projects are a priority for the region. This bill contains other related provisions and other existing laws. Amended: 3/28/2019</td>
</tr>
<tr>
<td>SB 902</td>
<td>SB 902</td>
<td>The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries that includes, among other things, a housing element. Existing law requires an attached housing development to be a permitted use, not subject to a conditional use permit, on any parcel zoned for multifamily housing if at least certain percentages of the units are available at affordable housing costs to very low income, lower income, and moderate-income households for at least 30 years and if the project meets specified conditions relating to location and being subject to a discretionary decision other than a conditional use permit. Existing law provides for various incentives intended to facilitate and expedite the construction of affordable housing. This bill would authorize a local government to pass an ordinance, notwithstanding any local restrictions on adopting zoning ordinances, to zone any parcel for up to 10 units of residential density per parcel, at a height specified by the local government in the ordinance, if the parcel is located in a transit-rich area, a jobs-rich area, or an urban infill site, as those terms are defined. In this regard, the bill would require the Department of Housing and Community Development, in consultation with the Office of Planning and Research, to determine jobs-rich areas and publish a map of those areas every 5 years, commencing January 1, 2022, based on specified criteria. The bill would specify that an ordinance adopted under these provisions is not a project for purposes of the California Environmental Quality Act. This bill contains other related provisions. Amended: 5/21/2020</td>
</tr>
</tbody>
</table>

*This bill is not moving forward due to limitations in place on bills under consideration due to COVID-19.
### Congressional Calendar

The House departed for recess on October 2, and is scheduled to be out until after the election, but could be called back for a vote with 24 hours’ notice. The Senate is out until October 19.

The chart below outlines key dates, fiscal policy deadlines, and program expirations.

<table>
<thead>
<tr>
<th>Key Dates &amp; Deadlines</th>
</tr>
</thead>
</table>
| **October 12** | Senate Judiciary Committee hearing on the nomination of Judge Amy Coney Barrett to be an Associate Justice of the United States Supreme Court  
Opening Statements - Judge Barrett and Senators. |
| October 13 | Deadline for Coronavirus Relief Fund (CRF) recipients to submit detailed quarterly report (for period July 1-Sept. 30, 2020). |
| October 13-14 | Senate Judiciary Committee hearing on the nomination of Judge Amy Coney Barrett to be an Associate Justice of the United States Supreme Court.  
Senators Q/A with Judge Barrett. |
| October 15 | Senate Judiciary Committee hearing on the nomination of Judge Amy Coney Barrett to be an Associate Justice of the United States Supreme Court.  
Testimony and Q/A with outside witnesses. |
| October 15 | CANCELLED: Second Presidential Debate. |
| October 22 | Senate Judiciary Committee reports out the nominee. |
| October 22 | Third Presidential Debate. |
| October 23 | Senate Majority Leader Mitch McConnell could file cloture as early as Friday, October 23, and if so, the Senate would likely vote on Tuesday, October 27.  
McConnell has not said to date whether he will hold a final vote before or after the election. |
<p>| October 31 | Census enumeration completion date; last day for households to self-respond online, by phone or by mail. |
| November 3 | Election Day |
| November 4 - December 14 | [Electoral College] Counting the popular vote and filing Certificates of Ascertainment. |
| November 20 | Congress adjourns for Thanksgiving holiday. |
| December 8 | [Electoral College] Safe Harbor deadline. |</p>
<table>
<thead>
<tr>
<th>Date</th>
<th>Event Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>December 11</td>
<td>Temporary Assistance for Needy Families (TANF(FY)) and Child Care Entitlement to States programs expire.</td>
</tr>
<tr>
<td>December 11</td>
<td>CR for Fiscal Year (FY) 2020 funding expires.</td>
</tr>
<tr>
<td>December 11</td>
<td>Health extender programs expire.</td>
</tr>
<tr>
<td>December 14</td>
<td>Electoral College delegations meet and vote.</td>
</tr>
<tr>
<td>December 31</td>
<td>Tax extenders and several coronavirus programs expire, including:</td>
</tr>
<tr>
<td></td>
<td>- Student loan repayment and interest accrual suspension</td>
</tr>
<tr>
<td></td>
<td>- Emergency sick, family leave, and other pandemic unemployment assistance programs</td>
</tr>
<tr>
<td></td>
<td>- Federal payroll tax payment deferral for employees</td>
</tr>
<tr>
<td>December 31</td>
<td>Pandemic Unemployment Assistance Program expires</td>
</tr>
<tr>
<td></td>
<td>(Some UI recipients may exhaust all UI benefits before deadline)</td>
</tr>
<tr>
<td>January 6, 2021</td>
<td>Joint Session of Congress to count electoral votes and declare official election results.</td>
</tr>
<tr>
<td>January 20, 2021</td>
<td>Inauguration Day</td>
</tr>
<tr>
<td>April 2021</td>
<td>Census Bureau to deliver apportionment counts to the President and Congress as required by law.</td>
</tr>
<tr>
<td>July 31, 2021</td>
<td>Census Bureau delivers count to states for legislative restricting.</td>
</tr>
</tbody>
</table>

**Status of COVID-19 Relief Package**

On October 9, President Donald Trump proposed a $1.8 trillion coronavirus relief package, a higher amount than the $1.6 trillion previously offered by the White House and rejected by House Democrats. “Covid Relief Negotiations are moving along. Go Big!” President Trump tweeted, a striking reversal from his position on October 6, when he said he would walk away from negotiations with Democrats on a comprehensive relief bill.

Top negotiators have been in talks but remain far apart on key issues, such as aid to state and local governments. Before President Trump called off negotiations, renewed talks had moved the dial somewhat on several items, including a new round $1,200 direct payments to individuals as well as $75 billion for coronavirus testing and tracing. Additional sticking points are the level of enhanced unemployment benefits and a child tax credit.

Senate Majority Leader Mitch McConnell (R-Ky.) said on October 9 that there is likely not enough time before the election to bridge the "vast" differences on a new virus relief package. Further, McConnell has said that the upper chamber's first priority is the confirmation of Judge Amy Coney Barrett to the Supreme Court "even if an agreement" on a relief deal is reached.

On October 13, Leader McConnell told reporters that when the Senate returns the week of October 19 they will focus on more targeted covid relief, and vote on new funding for the Payment Protection Program (PPP). Senate Democrats are unlikely to support the measure, and Speaker Pelosi has been on record saying she will not support standalone legislation. Additionally, on October 12, House Majority Leader Steny Hoyer (D-Md.) sent out a notice to lawmakers saying “that due to the Trump Administration’s failure to reach an agreement on coronavirus relief, no votes are expected in the House this week.” The House is in recess until after the election but they remain on 24-hour standby should an agreement be reached.
President Trump Signs Stopgap Funding Bill, Averts Government Shutdown

On October 1, President Donald Trump signed into law a continuing resolution (CR) to continue to provide funding for the federal agencies as Congress has not passed the FY 2021 appropriations bills. The CR, H.R. 8337, will keep the government operating through December 11 at current spending levels. The House passed the bill on September 22 by a vote of 359 to 57, and the Senate passed the bill on September 30 by a vote of 84 to 10.

House Speaker Nancy Pelosi (D-Calif.) and Secretary Mnuchin agreed in September to keep the discussion of a coronavirus economic relief package separate from the stopgap bill. With the temporary spending bill finished, lawmakers will try to complete work on the 12 annual appropriations bills for FY 2021 in the post-election lame-duck session in November and December. However, if Democrats take control of the Senate, Congress could pass another CR in the lame duck and consider the FY 2021 appropriations bills next year in the new Congress.

Surface Transportation Bill Extension

The stopgap funding bill includes an extension of the FAST Act for one year--all FAST Act FY 2020 funding levels will continue until September 30, 2021. The extension also includes:

- **Sec. 1102.** An increase of the five-year, $500 million aggregate limitation on non-highway freight projects funded by the INFRA grant program under the FAST Act to a six-year, $600 million aggregate limitation.
- **Sec. 1106.** Suspends the application of the “Rostenkowski Test” for Highway Trust Fund Mass Transit Account self-sufficiency for FY 2021.
- **Sec. 1205.** Transfers $14.0 billion from the general fund of the Treasury to the Airport and Airway Trust Fund.

Biden Planning to Move Fast on Infrastructure

House Transportation and Infrastructure (T&I) Committee Chairman Peter DeFazio (D-OR) reported that the Biden Administration is planning to release an infrastructure package quickly if elected. Chairman DeFazio said the Biden campaign team has expressed interest in the $494 billion dollar surface transportation deal the House passed, the INVEST Act, earlier this year. Their goal would be to release a package as early as February 2021 to include coronavirus relief, new federal grant programs, and infrastructure reforms with a focus on combating climate change.

Vice President Biden’s campaign platform includes a plan to link infrastructure climate change and clean energy. He has a $1.3 trillion infrastructure proposal that aims to reduce carbon emissions, create jobs and identify “new revenue” for the Highway Trust Fund.

U.S. Department of Transportation (USDOT) Announces $1 Billion in BUILD Awards

On September 16, USDOT announced $1 billion in grants through the Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grants program.
The funding has been awarded to 70 projects in 44 states – a list of the selected projects can be found here. The split among the modes for the selected projects are:

<table>
<thead>
<tr>
<th>Mode</th>
<th>Amount</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aviation</td>
<td>$21,000,000</td>
<td>2.1%</td>
</tr>
<tr>
<td>Maritime</td>
<td>$77,268,125</td>
<td>7.9%</td>
</tr>
<tr>
<td>Rail</td>
<td>$20,000,000</td>
<td>2%</td>
</tr>
<tr>
<td>Road</td>
<td>$743,468,529</td>
<td>75.9%</td>
</tr>
<tr>
<td>Transit</td>
<td>$117,986,627</td>
<td>12%</td>
</tr>
</tbody>
</table>

The states of Texas ($50 million) and Florida ($49 million) received the most funding. There were two awards in California: $16 million for the SR 99/Commercial Ave. Interchange Project in Tulare and $20 million for the Diamond Grade Separation project in Stockton.

**Update of Transit Agencies Spending of CARES Act Funding in August**

By the end of August, transit providers have spent $10.2 billion (41%) of the $25 billion CARES Act funding.

The 35 transit agencies, that received $100 million or more in CARES Act grants, received $15.2 billion, and as of August 31, had spent $8.4 billion (55%). The other transit agencies received $9.7 billion from the CARES Act, and have spent 19 percent of this funding as of August 31.

**Grant Opportunities**

- **Pilot Program for Transit-Oriented Development (TOD) Planning**: $6.2 million available to support comprehensive planning associated with new fixed guideway and core capacity improvement projects. Applications are due by October 26.

- **Commuter Authority Rail Safety Improvement (CARSI) Grants**: $50 million available to improve safety at public railway-highway crossings. Eligibility is limited to the following applicants: an applicant must be a “commuter authority”. An eligible commuter authority must have experienced at least one accident investigated by the National Transportation Safety Board (NTSB) between January 1, 2008, and December 31, 2018, and for which the NTSB issued an accident report. The applicant must be either: (1) a commuter authority that meets the eligibility requirements listed above; or (2) a public or non-profit entity partnering with an eligible commuter authority. Applications are due by October 26.

- **The Public Transportation COVID-19 Research Demonstration Grant Program**: $10 million available to provide research funding for innovative solutions that support the phased reopening of local economies through access to safe public transportation. Applications due by November 2.

- **Expedited Project Delivery Pilot Program**: $100 million available aimed at expediting delivery of new fixed guideway capital projects, small starts projects, or core capacity improvement projects. Applications will be accepted on a rolling basis until up to eight grants are awarded, subject to funding availability.
TO: JPB Work Program – Legislative – Planning (WPLP) Committee Meeting

THROUGH: Jim Hartnett
Executive Director

FROM: Michelle Bouchard
Chief Operating Officer, Caltrain

SUBJECT: COVID RECOVERY PLANNING UPDATE

ACTION
Staff Coordinating Council recommends the Board of Directors (Board) receive an update on COVID recovery planning activities including an informational ppt focused on a proposed end of year service change.

SIGNIFICANCE
At the June 2020 Board Meeting, Peninsula Corridor Joint Powers Board (JPB) staff announced that activity on the Caltrain Business Plan would pause and pivot toward COVID Recovery Planning efforts. At the September 2020 Board Meeting the Board adopted the Equity, Connectivity, Recovery & Growth Framework (the Framework) – a significant policy document that outlines Caltrain’s approach to recovering from the COVID-19 Pandemic and growing the system in a manner consistent with the larger Business Plan process. The framework includes specific policies and actions that describe how Caltrain can recover in a way that emphasizes improving equity outcomes on the system and enhancing connectivity to the region’s transit network.

Following the adoption of the Framework, Caltrain staff has continued work on recovery planning. The update presentation this month focuses on ongoing, near-term service planning work, building toward a proposed service change in December of this year.

Potential service changes are a near-term opportunity to implement significant equity related initiatives and to align Caltrain’s service offering with observed changes in market demand and with the agency’s available financial resources. Staff is presenting initial analysis and recommendations to the Board and will then work to solicit stakeholder feedback and refine the proposed approach throughout the month of November.

BUDGET IMPACT
There is no budget impact associated with receiving this informational update.
BACKGROUND
In 2017, the JPB secured full funding for the Peninsula Corridor Electrification Project and issued notices to proceed to its contractors for corridor electrification and purchase of Electric Multiple Unit railcars.

Now that construction on this long-awaited project is underway, the agency has the opportunity to articulate a long-term business strategy for the future of the system. The initial concept for a Caltrain “Business Plan” was brought to the Board in April of 2017. The Board reviewed a draft scope of work for the Business Plan in December of 2017 and adopted a final Business Strategy and Scope of Work in February of 2018. Technical work on the Plan commenced in the summer of 2018. The Business Plan has been scoped to include long-range demand modeling, and service and infrastructure planning, as well as organizational analysis and an assessment of Caltrain’s interface with the communities it traverses. In October of 2019, the JPB marked a major milestone in the Business Plan process with its adoption of a “2040 Service Vision” for the Caltrain system. This action set long-range policy guidance for the future of the Caltrain service and allowed staff to advance toward the completion of the overall plan by summer of 2020.

Starting in March of 2020, however, the emergence of the COVID-19 Pandemic resulted in a rapid and severe crisis for the railroad, with ridership plummeting by as much as 98% and the implementation of significant service cuts. Based on this unprecedented circumstance, staff informed the Board of their decision to temporarily pivot Business Plan efforts toward recovery planning in June of 2020.

Prepared by: Sebastian Petty, Deputy Chief, Caltrain Planning  650.622.7831