



BOARD OF DIRECTORS 2011
SEAN ELSBERND, CHAIR
ADRIENNE TISSIER, VICE CHAIR
JOSÉ CISNEROS
JERRY DEAL
ASH KALRA
LIZ KNISS
ARTHUR L. LLOYD
TOM NOLAN
KEN YEAGER

MICHAEL J. SCANLON
EXECUTIVE DIRECTOR

AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

December 1, 2011 – Thursday

10:00 a.m.

1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Public Comment
Public comment by each individual speaker shall be limited to two minutes
4. Consent Calendar MOTION
Members of the public or Board may request that an item under the Consent Calendar be considered separately
 - a) Approval of Minutes of November 3, 2011
5. Chairperson's Report
 - a) Appointment of Nominating Committee for 2011 Officers
 - b) Appointment of Representative to the Transbay Joint Powers Authority MOTION
6. Report of the Citizens Advisory Committee
7. Report of the Executive Director INFORMATIONAL
 - a) High Speed Rail Business Plan Presentation
8. Acceptance of Statement of Revenues and Expenses for October 2011 MOTION
9. Call for a Public Hearing on February 2, 2012 to Consider Changes to the Codified Tariff MOTION
10. Authorize Award of Contract to Field Paoli Architects to Provide Conceptual Design and Cost Feasibility for the San Bruno Archway for a Fixed Price of \$190,000 RESOLUTION
11. Authorize Award of Contract to Central Fence Company for the Provisioning of Fence Along the Caltrain Right of Way for a Total Estimated Cost of \$432,600 RESOLUTION
12. Authorize an Amendment to the Increase the Contract Amount with Garda CL West, Inc. by \$456,096 and Extend the Contract Term to a Month to Month Basis ending December 31, 2012 for Providing Armored Car Services RESOLUTION

- | | |
|--|---------------|
| 13. Legislative Update | INFORMATIONAL |
| 14. Quarterly Capital Progress Report – 1 st Quarter | INFORMATIONAL |
| 15. Correspondence | |
| 16. Board Member Requests | |
| 17. Date/Time of Next Meeting: Thursday, January 5, 2012, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2 nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070 | |
| 18. General Counsel Report Closed Session: Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code Section 54956.9(a): Robert Lightfoot v. City and County of San Francisco, et al. | |
| 19. Adjourn | |

INFORMATION FOR THE PUBLIC

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

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

Location, Date and Time of Regular Meetings

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

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

Public Comment

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

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

Accessibility for Individuals with Disabilities

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

Availability of Public Records

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

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

Draft

**Minutes
November 3, 2011**

MEMBERS PRESENT: J. Cisneros, S. Elsbernd (Chair), A. Kalra, L. Kniss,
A. Lloyd, T. Nolan, A. Tissier

MEMBERS ABSENT: J. Deal, K. Yeager

STAFF PRESENT: M. Bouchard, J. Cassman, C. Cavitt, G. Harrington, C. Harvey,
R. Haskin, A. Hughes, M. Lee, M. Martinez, N. McKenna,
D. Miller, M. Scanlon, M. Simon

Chair Sean Elsbernd called the meeting to order at 10:05 a.m. Director José Cisneros led the Pledge of Allegiance.

PUBLIC COMMENT

Jeff Carter, Burlingame, said the California High Speed Rail (CHSRA) Business Plan came out this week and shows they did their research and hopes it satisfies the critics. He said additional service is needed for Caltrain.

Shirley Johnson, San Francisco Bicycle Coalition (SFBC), said something needs to be done regarding the bike parking facility at the Fourth and King Caltrain Station. There is a crisis situation with a successful operator. Interim funds are needed now or the facility will close down. She asked the Board to work with staff to find funding for Warm Planet Bikes.

Pat Giorni, Burlingame, said last month there were more than 122 bicycle bumps and this month there is approximately 99 bumps. When equipment is changed there is more bumping. She is pushing for a third bike car on the Bombardier train sets.

Director Tom Nolan asked how much money is needed to keep Warm Planet Bikes open. Deputy CEO Chuck Harvey said over a five-year period Warm Planet Bikes is asking for more than \$800,000. Director Nolan said \$161,000 per year doesn't seem like a big problem.

Director Adrienne Tissier arrived at 10:14 a.m.

CONSENT CALENDAR

- a. Approval of Minutes of October 6, 2011
- b. Approval of 2012 Board of Directors Meeting Calendar
- c. Authorize Annual Adoption of Investment Policy and Authorization to Invest Monies with the Local Agency Investment Fund
- d. Authorize Execution of Easement Agreement with the City of Santa Clara to Install and Maintain Underground Electrical Facilities at the Santa Clara Caltrain Station

The Board approved the consent calendar (Kniss/Nolan).

CHAIRPERSON'S REPORT

Appointment of Director José Cisneros to the Transbay Joint Powers Authority

Chair Elsbernd said this item will be continued to the December meeting.

REPORT OF THE CITIZENS ADVISORY COMMITTEE

CAC Chair Bruce Jenkins said staff provided an update on the award of contract to Parsons Transportation Group for the Communications Based Overlay Signal System/Positive Train Control.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Michael Scanlon reported:

- Key Caltrain Performance Statistics
 - Monthly Performance Statistics – September 2011 compared to September 2010
 - Total Ridership was 1,190,227, an increase of 11 percent.
 - Average Weekday Ridership was 45,374, an increase of 9.8 percent.
 - Total Revenue was \$4,984,656, an increase of 24.6 percent.
 - On-time Performance was 93.6 percent, an increase of 0.2 percent.
 - Caltrain Shuttle Ridership was 6,799, an increase of 22.2 percent.
 - Year-to-Date Performance Statistics – September 2011 compared to September 2010
 - Total Ridership was 3,609,095, an increase of 10.7 percent.
 - Average Weekday Ridership was 44,901, an increase of 9.6 percent.
 - Total Revenue was \$15,305,664, an increase of 26.9 percent.
 - On-time Performance was 92.6 percent, a decrease of 0.7 percent.
 - Caltrain Shuttle Ridership was 6,768, an increase of 27.6 percent.
- Mr. Harvey presented Director Liz Kniss with a Caltrain hardhat for completing her first head-end ride in a Caltrain cab. She said people riding the bullets in the morning are young and work at jobs that are not banking or financial and understands why staff is hearing the request for Wi-Fi from riders.
- Rail operator transition is continuing with the issuance of a Notice to Proceed on October 1.
- Special service:
 - Sharks ridership carried an additional 500 riders.
 - Stanford football carried an extra 1,700 per game which is an 82 percent increase.
 - Berkeley played two games in October and carried an additional 6,638 riders.
 - An early train will run on Thanksgiving morning for service to the Turkey Trot in San Jose. The train will leave San Francisco at 6:07 a.m.
- A Sunday schedule will be operated on Thanksgiving Day and a Saturday schedule on the day after Thanksgiving.
- The Holiday Transit Toy Drive will consist of an event here at Central on November 28 and staff will host a booth and participate in the Redwood City Hometown Holidays event on December 3.
- The reading file contains the Bicycle Advisory Committee (BAC) recruitment Take One and the September Safety and Security Report.
- The BAC will meet on November 17.

Mr. Scanlon said he and Director of Caltrain Modernization Program Marian Lee were in Sacramento for the rollout of the CHSRA Business Plan.

Ms. Lee reported that staff has completed the outreach of the preliminary findings of the capacity study. There have been a lot of questions about the next steps. Staff will speak with stakeholders regarding next steps, timeframes in conducting the next steps and will be sharing the scope of work for additional analysis.

Staff has an understanding, at a conceptual level, of how the CHSRA Business Plan was approached and will be doing a thorough analysis of the Plan. Staff believes the very transparent process is good and a very different approach than previously discussed. The biggest change and approach from CHSRA is that they are looking at implementation as a program consisting of many projects, rather than just as one large project.

Update on Capacity Analysis:

- Staff has been asked to look at sharing the existing tracks with High Speed Rail (HSR) to minimize impacts that might happen if more tracks were added. This blended system will be smaller than a larger project that was previously discussed.
- Capacity analysis only looks at the operational feasibility of the blended system.
- Work was conducted by LTK Engineering Services.
- LTK built a simulation model from San Francisco to San Jose Diridon stations with the assumption it would connect to the rest of the HSR system going to Los Angeles. The model assumes a completely electrified system with CBOSS and electric multiple unit trains.
- The model was designed from San Francisco Fourth and King to San Jose Diridon and staff knows the blended system needs to go to the Transbay Terminal. The model assumes three HSR stations at Diridon, Millbrae and San Francisco. Staff did not assume any of the candidate stations that CHSRA is considering in the mid-Peninsula.

Chair Elsbernd asked why Transbay Terminal wasn't considered. Ms. Lee replied that the model looks at existing tracks.

- Passing tracks were tested so HSR can pass Caltrain. Some options offer better performance in terms of operations, but multiple options are being looked at.
- From an operational perspective only the analysis shows Caltrain can share the existing tracks with HSR and together on existing tracks plus some additional tracks can support up to 10 trains per hour per direction. Without the passing tracks the total capacity is eight trains.

Chair Elsbernd asked if Caltrain is being limited with the assumption of going from five to six trains. Ms. Lee said the next step in the Caltrain Modernization Program is to advance the electrification project and that project looked at increasing the service to the six trains per hour in the peak direction.

Chair Elsbernd asked if electrification can be achieved without HSR. Ms. Lee said the problem is how to fund the electrification project. If HSR were to disappear, the vision would not go away but we would have to find another funding strategy.

- Service characteristics that were tested included travel speeds, headways and station stops.

- There is a lot of effort focused on the work CHSRA is doing in the Central Valley so the work in the Caltrain corridor has stopped. What will restart the project is figuring out what to build in the Peninsula segment and what the blended system alternatives are, this will be the driving reason for CHSRA to start the work again.

Chair Elsbernd asked about revised ridership numbers with the CHSRA Business Plan and does staff think there will be a loss of ridership with HSR going from San Jose Diridon to San Francisco.

Ms. Lee said as part of the analysis Caltrain will have to look at ridership numbers and when this is done staff will factor in HSR assumptions.

Mr. Scanlon said all the negotiations and the terms for which would use the right of way have yet to be discussed.

Director Art Lloyd said Caltrain could restrict express passengers and charge express fares.

Deputy CEO Gigi Harrington presented an update on Wi-Fi. She said there was a Wi-Fi experiment back in 2006 and at the time there was no business model that would make this type of technology work. Staff has been working with a vendor to put together a work directive proposal to put Wi-Fi on one train set for a 90-day trial to see how it works and what the performance level is. Staff has not started working on the business model. After the 90-day trial period staff will consider whether to include it into the Capital Budget process where it would compete with other capital projects for funding.

Director Ash Kalra asked if there will be a survey done for those passengers on the train during the trial period. Ms. Harrington said yes.

Director Kalra hoped there would be a way to provide service without charging. Ms. Harrington said all options will be explored, but need to make sure the train can accommodate what is needed to run the service.

Mr. Scanlon said if employers would recognize when their employees sign on and off on the Wi-Fi on the trains as part of their work day it would provide for a good quality of life for riders and they would consider the benefits of transit.

Mr. Harvey provided an update on current engineering capital projects. He said the Jerrold Avenue Bridge replacement in San Francisco is a \$13.6 million project that was completed in a tight timeframe. The South Terminal project has two new platforms and a new signal system, which will speed up the entry and exit into the station. The project is 95 percent completed. On October 28-29 service was shutdown at Santa Clara Station to integrate three new signal control points.

Director Kniss said she takes the train to get to the Board meetings but cannot take it back. At what point will midday expansion be looked at? Mr. Scanlon said the issue is money to bring back midday service.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR JUNE 2011 (UNAUDITED)

Ms. Harrington said this statement is for fiscal year-end. Staff was looking to have about \$9 million available to roll forward into the current fiscal year and this was achieved. The financial statements will be available in January.

Public Comment

Vaughn Wolfe, Pleasanton, asked why the insurance expense is so high. Ms. Harrington said there was a significant claim this year and insurance moves up and down with the marketplace.

A motion (Lloyd/Nolan) to accept the June 2011 (unaudited) statement was approved unanimously.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR SEPTEMBER 2011

Ms. Harrington said farebox revenue is over budget. Early numbers for October show this revenue trend continuing. Expenses are within budget. The fuel hedge has returned \$66,000 through the end of October. Last week fuel was \$3.23 per gallon and was hedged at \$2.90 per gallon.

A motion (Nolan/Lloyd) to accept the September 2011 statement was approved unanimously.

ACCEPTANCE OF QUARTERLY INVESTMENT REPORT AND FIXED INCOME MARKET REVIEW AND OUTLOOK FOR THE QUARTER ENDED SEPTEMBER 30, 2011

Bill Osher, from CSI Group, said the portfolio is a short-term, high-quality portfolio. In this type of market there is virtually no return on short-term safe portfolios and it does not look like this is going to change any time in the future. Mr. Osher said there were a lot of interesting things going on this past quarter including an announcement by the Federal Reserve Bank to keep interest rates low. Policymakers are trying to stimulate the economy by keeping interest rates as low as they possibly can. The portfolio is managed for safety to come first.

A motion (Kniss/Nolan) to accept the report was approved unanimously.

AUTHORIZE AWARD OF A REVENUE SHARING CONTRACT TO ALL VISION, LLC FOR BILLBOARD ADVERTISING OPTIMIZATION FOR A THREE-YEAR PERIOD

Director of Contracts and Procurement Cheryl Cavitt said Staff Coordinating Council (SCC) requests Board approval of a revenue sharing contract for billboard advertising optimization. Staff conducted the normal Request for Proposal (RFP) process and one proposal was received. The services are to assess the revenue potential of existing billboards, identify new billboard locations, work with the cities to determine the types of billboard facilities that would be appropriate and to negotiate with billboard companies.

Chair Elsbernd asked why there was only one respondent. Mr. Scanlon said this firm approached staff with this opportunity and to be transparent staff decided to do the contract through an RFP in case there were other interested parties.

A motion (Nolan/Kalra) to award a contract to All Vision LLC for billboard advertising optimization was approved unanimously by roll call.

AUTHORIZE AMENDMENT NO. 1 TO THE CLIPPER MEMORANDUM OF UNDERSTANDING (MOU)

Executive Officer, Customer Service and Marketing Rita Haskin said SCC recommends the Board authorize the Executive Director to enter into an amendment to the Clipper MOU regarding who is responsible for paying the one percent commission for products loaded for Caltrain by third-party transit benefit providers. This agreement would run through June 2013 and commence when all seven agencies have signed on.

Public Comment

Doug DeLong, Mountain View, said it is hard to use the words customer service and Clipper in the same sentence. It is inconvenient that media is not instantly loaded on Clipper card when purchased.

Pat Giorni, Burlingame, said she has not bought into to the Clipper system because of all the problems she is hearing.

Director Adrienne Tissier said there are a lot of problems with Clipper and the Metropolitan Transportation Commission (MTC) is looking at the technology.

A motion (Cisneros/Tissier) to authorize Amendment No. 1 to the Clipper MOU was approved unanimously by roll call.

LEGISLATIVE UPDATE

Executive Officer, Public Affairs Mark Simon reported:

State Update

The California Air Resources Board approved a cap and trade program to reduce emissions from the State's largest polluters in accordance with AB 32. The program covers 360 businesses and requires a reduction in emissions by 20 percent beginning next year or the purchase of emissions allowances at regularly scheduled auctions. There is no legislation yet that indicates how the money from the auctions will be allocated. The part of AB 32 implementation affecting public transit and transportation is embodied in SB 375, which requires organizations like MTC to adopt a Sustainable Community Strategy that focuses on concentrating housing near job centers and public transit to reduce vehicle miles traveled. Expanding transit service to accommodate these plans will require additional revenue with no funding source identified. Senator Darrell Steinberg has proposed legislation that would allow organizations, such as MTC, to place a gas tax before voters to help with implementation of this part of SB 375.

Federal Update

- On Tuesday, November 1, the Senate approved an appropriations minibus bill that is smaller than the omnibus, covering agriculture, commerce, justice, science and transportation and housing programs. The Senate bill maintains existing Federal investments to transportation programs. The House version would cut transportation programs by 30-40 percent. Now that both have passed bills, they can meet in conference and negotiate the final funding levels before the current extension expires on November 18.

- The Senate is expected to consider the second part of President Obama's jobs legislation now that the proposal has been divided into separate bills. The proposal they will consider this week calls for \$50 billion in transportation formula funding and \$10 billion for a National Infrastructure Bank. The Republicans have pledged to offer a counter proposal that would instead focus on the Senate's Transportation Reauthorization bill. Senator Barbara Boxer has proposed a two-year reauthorization measure that preserves existing transportation investments through a surtax on millionaires. Her bill is scheduled for markup on November 9.

CORRESPONDENCE

Mr. Scanlon said there are two students from Stanford who submitted late comment cards and he would like to offer them the opportunity at this time to speak. Nicholas Chen and Kristen Leach said they are interested in seeing Caltrain's funding improve and some ideas they had were putting local businesses on Caltrain platforms. They have spoken to passengers who liked the idea and wanted to get the Board's feedback.

Director Adrienne Tissier thinks it is a very interesting concept and has seen this concept in Washington D.C. It would be interesting to see if it would be possible to add in this area if the land and space is available.

Mr. Scanlon applauded the students and said they are onto something very important that could drive ridership because it makes it convenient for riders. The only problem with this idea is the safety issue. Platforms do not have capacity to accommodate this concept, but development at stations is possible.

Director Kniss said Palo Alto has a nice coffee shop and may be able to expand to other things.

Director Kalra said there are different models to look at around the world.

BOARD MEMBER REQUESTS

Director Nolan said a big change that has occurred on this Board since he was previously on it is the importance of bicycles to the system. He said this is an extremely important demographic and asked if there is a plan to make sure that Warm Planet Bikes stays. Mr. Harvey said when the bike station was originally built it was done with a grant and this Board set a policy that this business would ultimately operate without a subsidy. There was an initial operating grant that came from another source to get Warm Planet Bikes going and the operator had a retail business that was supposed to keep the business sustained. Staff does provide a subsidy by providing the building rent free. The current agreement is being managed on a month-to-month basis and staff has reached out to the vendor to find what adjustments need to be made to reestablish the retail business to reduce the need for a subsidy. Staff would like to have an ongoing dialogue instead of a response to a demand. One idea may be to fence the area to store additional bikes. The reason staff needs to go out and advertise the service and not just give it to the current operator is to find an operator who does not require a subsidy.

Director Nolan said he, Director Cisneros and Chair Elsbernd have been having discussions about possibly having an event in San Francisco in January to help the public understand and appreciate Caltrain, HSR and the Transbay Terminal and one of the most effective lobby groups in San Francisco is the bike coalition.

DATE/TIME/PLACE OF NEXT MEETING

The next meeting will be Thursday, December 1, 2011, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

GENERAL COUNSEL REPORT

Legal Counsel David Miller said the Board will convene in closed session to consider two matters. One is a matter of pending litigation of Antonio Santiago against the JPB, the San Mateo County Transit District (SamTrans) and the County of San Mateo and the other item will be a brief report on potential litigation.

Adjourned to closed session at 11:45 a.m.

Reconvened to open session at 11:55 a.m.

Mr. Miller said the Board met in closed session as permitted by the Brown Act on two matters. A report was presented by counsel on the pending case of Mr. Santiago. This was an informational item and no action is required at this time. The potential litigation item was also informational and no action is required at this time.

ADJOURNED

Adjourned at 12:00 p.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: KEY CALTRAIN PERFORMANCE STATISTICS OCTOBER 2011

October 2011 Caltrain average weekday ridership (AWR) was 42,618, which is an increase of 181 or 0.4 percent over October 2010 AWR of 42,437. AWR has trended upward compared to the previous year for 15 consecutive months. The total number of passengers for the month of October 2011 was 1,151,883, representing a 2.3 percent increase over the October 2010 total of 1,126,012. Ridership growth this October compared to October of last year was less robust than the trend of growth that has been evidenced in the past 15 months. Much of this can be attributed to the fact that there were 10 Giants games in October 2010 that generated more than 80,000 rides. There were no Giants games in October 2011. Year to year monthly AWR growth would be 9.1 percent if the extra Giants ridership is removed from the October 2010 ridership count.

In October 2011, on-time performance was 94.9 percent, as compared to 93.0 percent in October 2010. This represents an increase of 1.9 percent and is just below the standard of 95 percent. This is first time in nine months that on-time performance has essentially been at the goal. If the definition of on-time is expanded to trains arriving within 10 minutes of the scheduled arrival time, on-time performance would be 98.1 percent.

For October 2011, mechanical delays totaled 691 minutes and there were 11.7 complaints per 100,000 passengers.

Average weekday shuttle ridership was 7,671, which is an increase of 1,857 or 31.9 percent over October 2010. This high growth is largely influenced by Stanford's Marguerite shuttle, which constitutes almost 50 percent of Caltrain shuttle ridership. Marguerite ridership counts are up over 50 percent and many of the employer shuttles are up over 20 percent. For the station shuttles, the Millbrae-Broadway shuttle averaged 131 daily riders. The Belmont-Hillsdale shuttle averaged 107 daily riders. The weekend Tamien-San Jose shuttle averaged 74 riders per day.

Caltrain Promotions – October 2011

Stanford Scavenger Hunt – Caltrain has become part of Stanford University’s annual freshman scavenger hunt. To make the trip easier for students, Caltrain staff worked with the university to pre-purchase tickets for the three-day adventure. More than 1,600 treasure-hunting students rode Caltrain.

Stanford Football – The popularity of taking Caltrain to see Stanford Cardinal football games is increasing. Caltrain promoted the service through its *Caltrain Connection* newsletter and *Track the Fun* brochure, as well as with radio spots on KNBR, web banner on sfgate.com, social media postings, prominent web button on Caltrain’s website and a dedicated service page. Three home games were played in October, with an average of 1,722 customers per game. Compared to the same number of games last year, ridership has increased 82 percent.

Cal Bears Football – Maybe it’s our name, but Cal fans have taken to riding Caltrain to San Francisco to watch Bears football. Fans were informed about the service through a radio campaign on KBAY, web banners on sfexaminer.com, social media postings, web button on the Caltrain home page and a dedicated service page. Two popular Caltrain publications – *Caltrain Connection* and *Track the Fun* – also included information on the service. The Bears played two games at AT&T Park in October, carrying 6,683 customers.

San Jose Sharks – Caltrain may become known as the sports train because more and more fans are riding the rails to see their favorite teams. San Jose Sharks fans are no exception. As the new season got underway, Caltrain got the word out about the convenience of taking the train to the Shark Tank, located across the street from the San Jose Diridon Caltrain Station. Promotional efforts included onboard adcards, pre-game radio spots on KFOX during Coach’s Corner, web button and page on Caltrain’s site, link on the Sharks’ site and social media postings. Shark service information also was included *Caltrain Connection* and *Track the Fun*. The Sharks “wrapped” one train car for a month. Caltrain carried 531 fans after the three October games. Year-to-date ridership is up 60 percent compared to last year.

Disney on Ice – Caltrain partnered with Disney on Ice to encourage kids of all ages heading to Disney on Ice at the HP Pavilion to use Caltrain as their magical carriage ride. Disney offered a discount to Caltrain customers, included Caltrain in its TV commercial and produced an adcard for the train. Caltrain’s *Track the Fun* brochure included information about the event.

Commuter Appreciation Day – Clear Channel radio partnered with Caltrain to hold a “Commuter Appreciation Day” at the San Francisco train station. Representatives handed out goodies and food samples during the morning commute.

Prepared by: Rita P. Haskin, Executive Officer, Customer Service and Marketing 650.508.6248
Ted Yurek, Senior Planner, Operations Planning 650.508.6471

Table A

October 2011

| | FY2011 | FY2012 | %Change |
|----------------------------|-------------|-------------|---------|
| Total Ridership | 1,126,012 | 1,151,883 | 2.3% |
| Average Weekday Ridership | 42,437 | 42,618 | 0.4% |
| Total Revenue | \$4,172,550 | \$4,809,157 | 15.3% |
| On-time Performance | 93.0% | 94.9% | 1.9%* |
| Caltrain Shuttle Ridership | 5,814 | 7,671 | 31.9% |

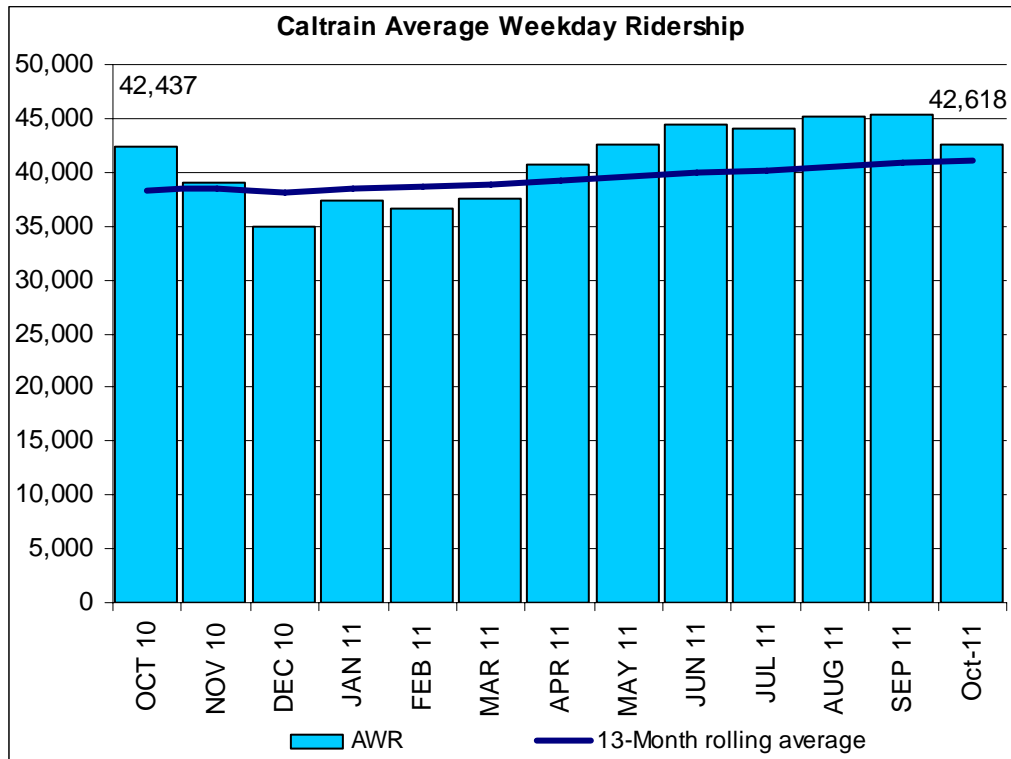
Year to Date

| | FY2011 | FY2012 | %Change |
|------------------------------------|--------------|--------------|---------|
| Total Ridership | 4,387,420 | 4,760,978 | 8.5% |
| Average Weekday Ridership | 41,346 | 44,330 | 7.2% |
| Total Revenue | \$16,234,093 | \$20,114,821 | 23.9% |
| On-time Performance | 93.2% | 93.2% | 0.0%* |
| Average Caltrain Shuttle Ridership | 5,401 | 6,959 | 28.8% |

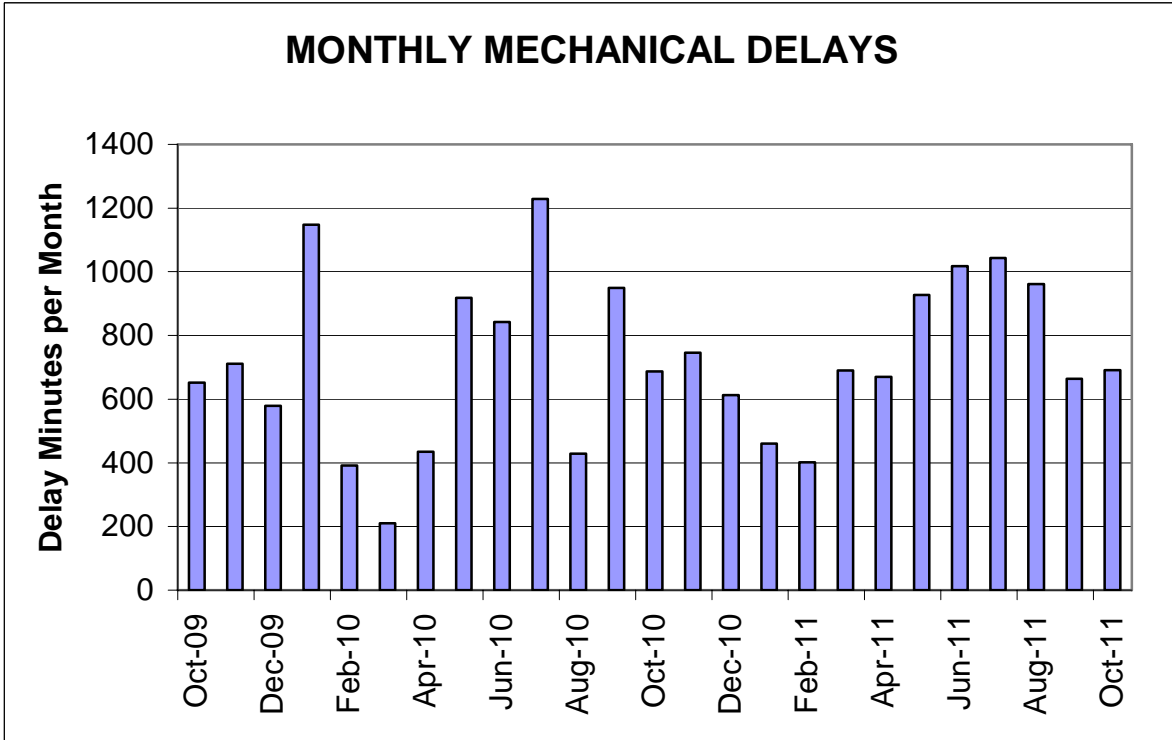
* numeric difference of the percentages

**FY10&12 shuttle ridership adjusted to remove North Burlingame shuttle that is not Caltrain funded

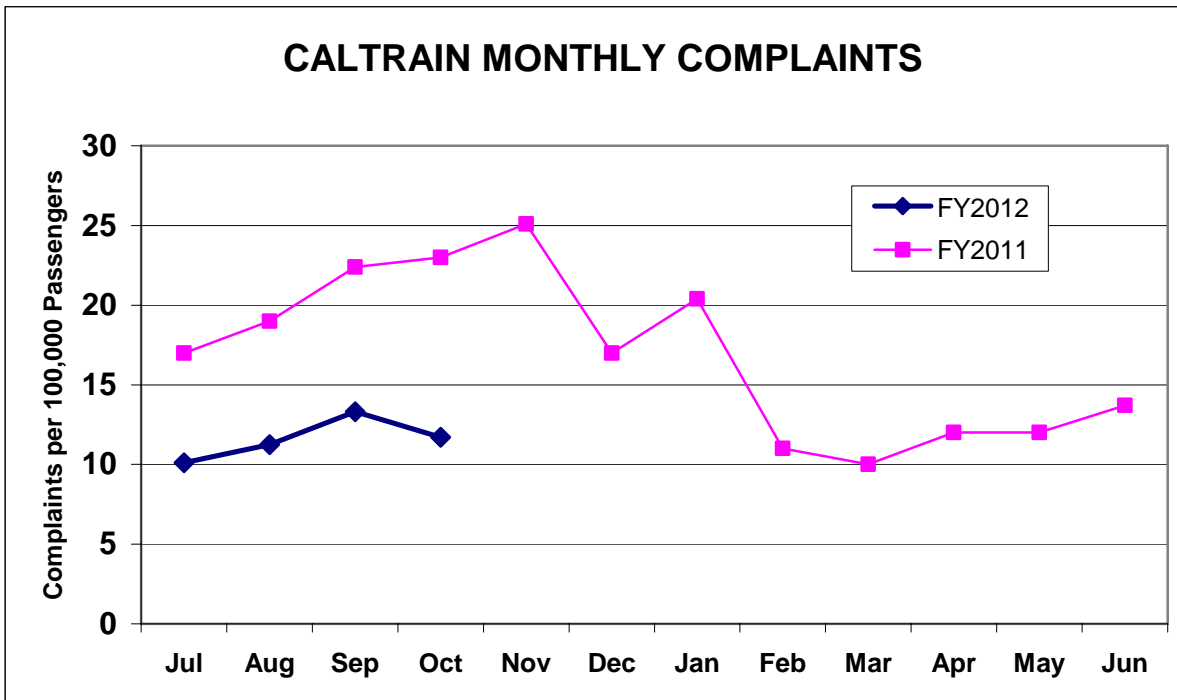
Graph A



Graph B



Graph C



PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD
ENDING OCTOBER 31, 2011 AND SUPPLEMENTAL INFORMATION**

ACTION

Staff proposes that the Board of Directors accept and enter into the record the Statement of Revenue and Expense for the month of October 2011 and supplemental information.

SIGNIFICANCE

Revenue: For October of Fiscal Year 2012, *Total Operating Revenue* (line 7) is \$3,079,284 or 15.2 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1), *Parking Revenue* (line 2) and *Other Income* (line 5) which together are \$3,066,486 or 15.9 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$4,604,583 or 24.5 percent **higher** driven by *Farebox Revenue* (line 1), *Parking Revenue* (line 2) and *Other Income* (line 5) which together are \$4,600,325 or 25.9 percent **higher**.

Expense: *Grand Total Expenses* (line 46) show a favorable variance of \$1,337,579 or 3.9 percent. *Total Operating Expense* (line 33) is \$934,242 or 3.1 percent **better** than budget. Within total operating expense, *Contract Operating & Maintenance* (line 23) and *Services* (line 31) together are \$678,465 or 3.3 percent **better** than budget. *Total Administrative Expense* (line 42) is \$403,337 or 10.0 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 46) are \$2,567,519 or 8.4 percent **higher**. The increase in expense is mainly due to *Contract Operating & Maintenance* (line 23), *Fuel* (line 26) and *Administrative Expense* (line 42) which together are \$3,308,802 or 13.0 percent **higher** and is offset by *Insurance* (line 28) which is \$1,049,585 or 40.2 percent **lower** than budget.

Budget Revisions: There are no budget revisions for the month of October 2011.

Prepared by: Sheila Tioyao, Manager, General Ledger
Jeannie Chen, Senior Accountant

650.508.7752
650.508.6259

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
Fiscal Year 2012
October 2011

% OF YEAR ELAPSED 33.3%

| | MONTH | YEAR TO DATE | | | | ANNUAL | | |
|---|------------------|-------------------|-------------------|-------------------|---------------|--------------------|--------------------|--------------|
| | CURRENT ACTUAL | PRIOR ACTUAL | CURRENT ACTUAL | REVISED BUDGET | % REV BUDGET | APPROVED BUDGET | REVISED BUDGET | % REV BUDGET |
| (AS PROJECTED) | | | | | | | | |
| REVENUE | | | | | | | | |
| OPERATIONS: | | | | | | | | |
| 1 Farebox Revenue | 4,808,507 | 16,234,092 | 20,114,171 | 17,436,297 | 115.4% | 50,644,719 | 50,644,719 | 39.7% |
| 2 Parking Revenue | 240,228 | 784,451 | 1,086,786 | 925,532 | 117.4% | 2,776,600 | 2,776,600 | 39.1% |
| 3 Shuttles | 96,804 | 392,601 | 385,786 | 382,848 | 100.8% | 1,148,579 | 1,148,579 | 33.6% |
| 4 Rental Income | 146,313 | 577,866 | 588,940 | 579,080 | 101.7% | 1,737,240 | 1,737,240 | 33.9% |
| 5 Other Income | 546,269 | 768,879 | 1,186,790 | 959,432 | 123.7% | 2,913,060 | 2,913,060 | 40.7% |
| 6 | | | | | | | | |
| 7 TOTAL OPERATING REVENUE | 5,838,121 | 18,757,890 | 23,362,473 | 20,283,189 | 115.2% | 59,220,198 | 59,220,198 | 39.5% |
| 8 | | | | | | | | |
| CONTRIBUTIONS: | | | | | | | | |
| 9 | | | | | | | | |
| 10 AB434 Peninsula Feeder Shuttle | 83,333 | 333,333 | 333,333 | 333,332 | 100.0% | 1,000,000 | 1,000,000 | 33.3% |
| 11 Operating Grants | - | 1,220,134 | - | 1,537,074 | 0.0% | 9,222,450 | 9,222,450 (1) | 0.0% |
| 12 JPB Member Agencies | 2,111,438 | 11,696,711 | 8,445,749 | 8,445,748 | 100.0% | 25,337,256 | 25,337,256 | 33.3% |
| 13 Other Sources | 633,488 | | 886,907 | 3,766,698 | 23.5% | 9,000,000 | 9,000,000 | 9.9% |
| 14 | | | | | | | | |
| 15 TOTAL CONTRIBUTED REVENUE | 2,828,260 | 13,250,178 | 9,665,989 | 14,082,852 | 68.6% | 44,559,706 | 44,559,706 | 21.7% |
| 16 | | | | | | | | |
| 17 GRAND TOTAL REVENUE | 8,666,381 | 32,008,068 | 33,028,462 | 34,366,041 | 96.1% | 103,779,904 | 103,779,904 | 31.8% |
| 18 | | | | | | | | |
| EXPENSE | | | | | | | | |
| 19 | | | | | | | | |
| OPERATING EXPENSE: | | | | | | | | |
| 20 | | | | | | | | |
| 21 | | | | | | | | |
| 22 | | | | | | | | |
| 23 Contract Operating and Maintenance | 5,530,350 | 18,431,481 | 19,570,465 (2) | 20,134,237 | 97.2% | 62,851,773 | 62,391,773 | 31.4% |
| 24 Operator Contract Transition Costs | 68,312 | - | 229,352 | 259,546 | 88.4% | 3,200,000 | 3,200,000 | 7.2% |
| 25 Shuttles (incl Peninsula Pass) | 256,133 | 997,550 | 1,019,029 | 1,013,712 | 100.5% | 2,984,550 | 2,984,550 | 34.1% |
| 26 Fuel | 1,284,443 | 4,061,966 | 5,593,346 | 5,643,394 | 99.1% | 14,660,380 | 14,660,380 | 38.2% |
| 27 Timetables and Tickets | 21,690 | 34,225 | 25,937 | 53,667 | 48.3% | 161,000 | 161,000 | 16.1% |
| 28 Insurance | 390,257 | 2,610,863 | 1,561,278 | 1,623,320 | 96.2% | 4,870,000 | 4,870,000 | 32.1% |
| 29 Facilities and Equipment Maint | 114,285 | 230,055 | 309,276 | 317,233 | 97.5% | 1,037,260 | 1,497,260 | 20.7% |
| 30 Utilities | 111,840 | 442,953 | 449,211 | 532,333 | 84.4% | 1,596,835 | 1,596,835 | 28.1% |
| 31 Services | 58,564 | 297,811 | 278,092 | 392,785 | 70.8% | 1,171,760 | 1,171,760 | 23.7% |
| 32 | | | | | | | | |
| 33 TOTAL OPERATING EXPENSE | 7,835,873 | 27,106,904 | 29,035,985 | 29,970,227 | 96.9% | 92,533,558 | 92,533,558 | 31.4% |
| 34 | | | | | | | | |
| ADMINISTRATIVE EXPENSE | | | | | | | | |
| 35 | | | | | | | | |
| 36 Wages and Benefits | 452,733 | 1,900,354 | 1,856,108 | 2,235,495 | 83.0% | 6,340,690 | 6,336,359 | 29.3% |
| 37 Board of Directors | 938 | 3,332 | 2,593 | 3,600 | 72.0% | 10,800 | 10,800 | 24.0% |
| 38 Professional Services | 177,063 | 584,784 | 1,062,831 | 1,063,000 | 100.0% | 2,143,542 | 2,143,542 | 49.6% |
| 39 Communications and Marketing | 2,251 | 26,981 | 26,394 | 56,993 | 46.3% | 171,000 | 171,000 | 15.4% |
| 40 Office Expense and Other | 108,380 | 470,963 | 676,926 | 669,101 | 101.2% | 1,477,439 | 1,481,770 | 45.7% |
| 41 | | | | | | | | |
| 42 TOTAL ADMINISTRATIVE EXPENSES | 741,365 | 2,986,414 | 3,624,852 | 4,028,189 | 90.0% | 10,143,471 | 10,143,471 | 35.7% |
| 43 | | | | | | | | |
| 44 Long Term Debt Expense | 91,906 | 367,625 | 367,625 | 367,625 | 100.0% | 1,102,875 | 1,102,875 | 33.3% |
| 45 | | | | | | | | |
| 46 GRAND TOTAL EXPENSE | 8,669,144 | 30,460,943 | 33,028,462 | 34,366,041 | 96.1% | 103,779,904 | 103,779,904 | 31.8% |

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

(1) Includes \$5M Preventive Maintenance funding from MTC.

(2) The current actuals reflected on line 23 - Contract Operating and Maintenance are reasonable estimates due to invoicing issues with the operating contractor.



BOARD OF DIRECTORS 2011
 SEAN ELSBERND, CHAIR
 ADRIENNE TISSIER, VICE CHAIR
 JOSÉ CISNEROS
 JERRY DEAL
 ASH KALRA
 LIZ KNISS
 ARTHUR L. LLOYD
 TOM NOLAN
 KEN YEAGER

 MICHAEL J. SCANLON
 EXECUTIVE DIRECTOR

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF OCTOBER 31 2011

| TYPE OF SECURITY | MATURITY DATE | INTEREST RATE | PURCHASE PRICE | MARKET RATE |
|---|---------------|---------------|----------------|---------------|
| ----- | ----- | ----- | ----- | ----- |
| Local Agency Investment Fund (Restricted) | Liquid Cash | 0.385% | \$ 2,000,000 | \$ 2,000,000 |
| Local Agency Investment Fund (Unrestricted) | Liquid Cash | 0.385% | 27,533,632 | 27,533,632 |
| Investment Portfolio (Unrestricted) | Liquid Cash | 2.966% | 4,164,306 | 4,048,471 |
| Other (Unrestricted) | Liquid Cash | 0.010% | 545,743 | 545,743 |
| ----- | ----- | ----- | ----- | ----- |
| | | | \$ 34,243,682 | \$ 34,127,846 |
| Accrued Earnings for October 2011 | \$16,995.07 | | | |
| Cumulative Earnings FY2012 | \$69,996.02 | | | |

** The Portfolio and this Investment Report comply with the Investment Policy and the provisions of SB 564 (1995).
 The Joint Powers Board has the ability to meet its expenditure requirements for the next six months.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Board of Directors

THROUGH: Michael J. Scanlon
Executive Director

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

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

ACTION

Staff Coordinating Council (SCC) recommends that the Board schedule a public hearing at its February 2, 2012 Board meeting to consider changes to its Codified Tariff.

SIGNIFICANCE

Setting the public hearing will allow staff to schedule community meetings to solicit input from customers and the general public on proposed changes to the tariff. Proposed changes include (1) elimination of the 8-ride Ticket; (2) increasing the cost of paper One-way tickets, Day passes and Zone Upgrade tickets, which will result in a less expensive Clipper cost for these items; (3) increasing the Go Pass price; and (4) lengthening the sales period for monthly transportation passes and parking permits. Further details on the proposed changes will be provided in advance of three community meetings in January.

BUDGET IMPACT

Holding a public hearing will not impact the budget.

BACKGROUND

In response to customer fare media usage, and in the spirit of Metropolitan Transportation Commission Resolution 3866, staff will propose the changes described above.

Prepared By: Rita P. Haskin, Executive Officer, Customer Service and Marketing 650-508-6248

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

C.H. (Chuck) Harvey
Deputy CEO

SUBJECT: **AUTHORIZING AWARD OF CONTRACT FOR SAN BRUNO
ARCHWAY CONCEPTUAL DESIGN AND COST FEASIBILITY
REVIEW**

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Award a contract to Field Paoli Architects to provide conceptual design and cost feasibility review services for the San Bruno Archway for a grand total fixed-price of \$190,000, contingent upon concurrence of the City of San Bruno pursuant to the Memorandum of Understanding (MOU) between the City of San Bruno and the JPB regarding the Archway.
2. Authorize the Executive Director, or his designee, to execute a contract with Field Paoli Architects in full conformity with the terms and conditions of the solicitation documents and negotiated agreements.

SIGNIFICANCE

This recommended contract award will provide the JPB with the necessary consultant expertise to provide the conceptual designs and cost feasibility review for the proposed decorative archway at the new San Bruno Caltrain Station.

BUDGET IMPACT

Funding for the contract is included in the approved Fiscal Year 2012 Caltrain Capital Budget. No additional funding is required for this contract.

BACKGROUND

The City of San Bruno is seeking construction of a decorative archway at the new station to provide a signature, aesthetic “gateway” to the city. The JPB and the City of San Bruno entered into a MOU that said that the development of the statement of work and the selection of the

architectural consultant would be mutually approved by the City of San Bruno and the JPB and that the costs of consultant fees and related expenses would be shared by the parties.

A Request for Proposals (RFP) was issued and advertised in a local newspaper and on the Caltrain's procurement website. Solicitation notices also were sent to small and disadvantaged businesses (SBEs and DBEs) in the architecture industry. The JPB received four proposals. An Evaluation Committee (Committee) composed of qualified JPB and City of San Bruno staff, reviewed and scored the proposal in accordance with the following criteria:

- Approach 0 - 45 points
- Key Personnel and Professional Qualifications 0 – 30 points
- Relevant Experience and References 0 – 15 points
- Team Structure, Organization, etc. 0 – 10 points

After review, evaluation, and initial scoring of proposals, all firms were invited for interviews. Following interviews, the Committee completed the final evaluation and consensus ranking. The Committee determined that Field Paoli Architects, the highest-ranked firm, is qualified to be selected for contract award. The firms that participated in interviews are listed below in the order of their final ranking:

1. Field Paoli Architects, San Francisco
2. Architecture/VBN (SBE and former DBE participant), Oakland
3. SDG Architecture + Engineering (SBE), Brentwood
4. Kwan Henmi Architecture/Planning (SBE and former DBE participant), San Francisco

Negotiations were conducted successfully with Field Paoli Architects. The firm possesses the requisite depth of experience, has the required qualifications to successfully perform the scope of services defined in the solicitation documents, and is fully capable of providing the specified services at a fair and reasonable price. Therefore, staff recommends award of a contract to this firm, subject to receipt of concurrence from the City of San Bruno, pursuant to the MOU between the City and the JPB.

The DBE Office reviewed the RFP prior to release and encouraged proposers to provide subconsulting opportunities to small businesses, including DBEs. Proposers were required to ensure that their subcontracting process was carried out in a non-discriminatory manner. The DBE Office reviewed the proposal submitted by Field Paoli and determined that the firm was responsive to the RFP requirements for DBE purposes.

Contract Officer: Helen Hoang 650.508.7964
Project Manager: Wenlin Yang, Senior Engineer 650.622.7852

RESOLUTION NO. 2011-

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

* * *

**AUTHORIZING AWARD OF CONTRACT TO
FIELD PAOLI ARCHITECTS FOR A SAN BRUNO ARCHWAY CONCEPTUAL
DESIGN AND COST FEASIBILITY REVIEW FOR A
GRAND TOTAL FIXED PRICE OF \$190,000**

WHEREAS, the City of San Bruno is seeking construction of a decorative archway at the new station to provide a signature, aesthetic “gateway” to the city; and

WHEREAS, the JPB and the City of San Bruno entered into a Memorandum of Understanding agreeing to the desired scope of work, and agreeing to share in the costs and the selection of consultant services for the preparation of conceptual designs and cost feasibility review for the archway , and

WHEREAS, the JPB solicited proposals for consultant services for the preparation of conceptual designs and cost feasibility reviews for the archway; and

WHEREAS, in response to the JPB’s Request for Proposals (RFP), four firms submitted proposals; and

WHEREAS, an Evaluation Committee made up of both JPB and City of San Bruno staff has reviewed proposals and ranked all the proposals according to the evaluation criteria set forth in the RFP and determined that Field Paoli Architects of San Francisco, California, received the highest consensus ranking; and

WHEREAS, staff and Legal Counsel have reviewed the Field Paoli Architects’ proposal and determined that it complied with the requirements of the solicitation documents; and

WHEREAS, the Executive Director has recommended that a contract for the San Bruno Archway services be awarded to the highest-ranked firm, Field Paoli Architects; and

WHEREAS, pursuant to the MOU between the City of San Bruno and the JPB, City concurrence of the JPB's contact award is required.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract for consultant services for the preparation of conceptual designs and cost feasibility review for the San Bruno Archway to Field Paoli Architects of San Francisco, California, for a grand total fixed price of \$190,000 contingent upon concurrence by the City of San Bruno; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is authorized to execute a contract on behalf of the Peninsula Corridor Joint Powers Board with Field Paoli Architects, in full conformity with all the terms and conditions of the solicited documents and negotiated agreement.

Regularly passed and adopted this 1st day of December, 2011 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

C.H. (Chuck) Harvey
Deputy CEO

**SUBJECT: AUTHORIZING AWARD OF A CONTRACT FOR THE RIGHT OF WAY
FENCING PROJECT**

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Award the subject contract to the lowest, responsive and responsible bidder, Central Fence Company in the amount of \$432,600.
2. Authorize the Executive Director, or his designee, to execute a contract in full conformity with the terms and conditions of the solicitation documents.
3. Authorize the Executive Director, or his designee, to exercise up to two option terms with values of \$725,150 and \$753,450, respectively, as funding becomes available and if deemed in the best interest of the JPB.
4. Authorize the Executive Director, or his designee(s), to approve the location, design and functionality of fences along the Caltrain Right of Way and of related improvements.
5. Direct the Executive Director, and his designee(s), to reasonably and appropriately balance considerations of safety and convenience for pedestrians, bicyclists and motorists, accessibility to transit facilities and rail operations, and cost effectiveness, and to balance all benefits, advantages, and potential risks involved in the exercise of authority for the approval of where fencing will be located and where it will not be placed, and the design and functionality of fencing and related improvements.

SIGNIFICANCE

The Right of Way Fencing project will provide for fencing at strategic locations along the rail line with the goal of reducing trespassing and improving public safety. This contract will consist of approximately 9,000 linear feet of fence (a combination of chain link, expanded metal and welded wire mesh fence) for the base term at a value of \$432,600. Options are included for additional work of approximately 16,500 linear feet of various fence materials installed in each of the option periods with values of \$725,150 for the first option and \$753,450 for the second option, to be authorized as funding allows. Delegation of approval of where fencing will be located and where it will not be placed, and the design and functionality of fencing and related

improvements, will allow the JPB to expeditiously and reasonably consider and respond to changing needs for fencing in various locations along the Caltrain Right of Way.

BUDGET IMPACT

Funding for the base term is fully budgeted in the approved Caltrain capital budgets. Funding for option terms will be considered as part of future year’s budget development process.

BACKGROUND

This contract is part of an ongoing security program that has installed more than 60,000 linear feet of fencing during the past five years, including a first phase of installation began by Amtrak in 2007 and a subsequent multi-year construction contract completed in June 2011.

Invitations for Bids (IFBs) were distributed throughout the construction industry. The solicitation was advertised in a newspaper of general circulation and on the JPB’s procurement website. Solicitation notices also were sent to small and disadvantaged business enterprises (SBEs and DBEs). Four bids were received as listed below:

| | Company | Total Bid Amount |
|----|--|-------------------------|
| | <i>Engineer’s Estimate</i> | <i>\$2,777,500</i> |
| 1. | Central Fence Company (former DBE), San Jose | \$1,911,200 |
| 2. | Crusader Fence Company, Inc. (SBE), Rancho Cordova | \$2,260,500 |
| 3. | All Commercial Fence Company (SBE), Waterford, CA | \$2,770,800 |
| 4. | Roebbelen Contracting, El Dorado Hills | \$2,913,739 |

Staff reviewed the bids and determined that Central’s bid was responsive to the solicitation requirements. Central Fence Company was deemed to be the apparent low bidder with a bid that was 31 percent lower than the engineer’s estimate.

Staff and legal counsel determined that Central Fence Company submitted a complete bid package and satisfied all of the applicable legal requirements. Staff evaluated Central Fence for responsibility, the ability to satisfactorily perform the work of the contract, and determined that they are responsible, having performed similar work for Amtrak, Caltrans, the JPB and many cities and counties in northern California. Therefore, staff concludes that Central Fence Company is appropriately qualified and capable of meeting the requirements of the contract and is the lowest responsive, responsible bidder.

The DBE Office reviewed the IFB prior to release and encouraged bidders to provide subcontracting opportunities to small businesses, including DBEs. Central Fence Company, a former participant in the DBE program, has complied with the DBE requirements and intends to perform this contract entirely with its own labor force.

Contract Officer: Patrick May
Project Manager: Ross Weir

650.508.7732
650.508.6410

RESOLUTION NO. 2011-

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

* * *

**AUTHORIZING AWARD OF CONTRACT TO CENTRAL FENCE COMPANY
FOR THE PROVISIONING OF FENCE ALONG THE CALTRAIN RIGHT OF WAY
AT A TOTAL ESTIMATED COST OF \$432,600, AND AUTHORIZING DELEGATION
FOR APPROVAL OF NEW FENCE DESIGN AND FENCE LOCATIONS TO
THE EXECUTIVE DIRECTOR**

WHEREAS, the Peninsula Corridor Joint Powers Board (“JPB”) solicited bids for the “Provisioning of Fencing Along the Caltrain Right of Way” Project; and

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

WHEREAS, staff and General Counsel have reviewed the bids; and

WHEREAS, the Executive Director has recommended that a contract be awarded to the lowest responsive, responsible bidder, Central Fence Company, whose bid meets the requirements of the contract documents.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Central Fence Company, of San Jose, California for the Provisioning of Fencing Along the Caltrain Right of Way Project for a total cost of \$432,600, inclusive of all taxes, other costs and expenses; and

BE IT FURTHER RESOLVED that the Executive Director or his designee is authorized to execute a contract on behalf of the Peninsula Corridor Joint Powers Board with Central Fence Company, Inc., in full conformity with all the terms and conditions of the contract documents; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is authorized to exercise up to two option terms with values of \$725,150 and \$753,450 respectively, as funding becomes available and if deemed in the best interest of the JPB;

BE IT FURTHER RESOLVED that the Executive Director or his designee(s), effective immediately and until terminated by action of the Board of Directors, is authorized to approve

where fencing will be located and where it will not be placed, and the design and functionality of fences along the Caltrain Right of Way and of related improvements; and

BE IT FURTHER RESOLVED that the Executive Director and his designee(s), in the exercise of authority for the approval of where fencing will be located and where it will not be placed, and design and functionality of fencing and related improvements, are directed to reasonably and appropriately balance considerations of safety and convenience for pedestrians, bicyclists and motorists, accessibility to transit facilities and rail operations, and cost effectiveness, and to balance all benefits, advantages, and potential risks involved; and

BE IT FURTHER RESOLVED that the authority for the approval of the locations, designs and functionality granted by this Resolution is not intended to alter the process by which funds may be budgeted or expended on fencing along the Caltrain Right of Way and related improvements.

Regularly passed and adopted this 1st day of December 2011 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

C.H. (Chuck) Harvey
Deputy CEO

SUBJECT: CONTRACT EXTENSION AMENDMENT FOR ARMORED CAR SERVICES

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Authorize the eighth amendment to the agreement with Garda CL West, Inc. (Garda) for furnishing armored car services to extend the contract term on a month-to-month basis from January 1, 2012 through December 31, 2012 for up to an additional \$456,096.
2. Authorize the Executive Director, or designee, to execute the eighth amendment to the agreement.

SIGNIFICANCE

Approval of the above actions will provide staff with more time to develop a Request for Proposals (RFP) for the provision of armored car services that will address the JPB's requirements, as well as those of the San Mateo County Transit District (District). While staff develops and issues the RFP, Garda will continue to provide the JPB with these services.

BUDGET IMPACT

This amendment for \$456,096 (\$38,008 per month) will increase the total contract amount from \$2,387,693 to \$2,843,789. The current approved contract amount is insufficient to provide armored car services during the one-year contract extension. Funds for this amendment will be available under the approved Fiscal Year 2012 operating budget.

BACKGROUND

Pursuant to Resolution 2006-16, the Board awarded a three-year contract with two one-year option terms to AT Systems West, Inc. (ATS) to provide armored car services to the JPB. The agreement provides for collection, transportation, counting, and deposit of cash receivers from the automated ticket vending machines. In 2008, Garda acquired ATS and the JPB consented to the transfer of the agreement from ATS to Garda.

The re-solicitation of armored car services for the JPB has been delayed to give staff time to develop a new scope of work for the RFP, which will solicit services that encompass the requirements of both the District and the JPB.

Garda and staff negotiated a 3 percent rate increase (the first rate increase in five years) to the current rate of \$36,901 per month. The new monthly rate will apply on a month-to-month basis until a new contract is in place. Staff anticipates issuing the RFP for armored car services for the JPB and the District in early 2012.

Contract Officer: Brian Geiger

650.508.7973

Project Manager: Dave Triolo, Chief of Protective Services

650.508.6237

RESOLUTION NO. 2011-

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

* * *

**AUTHORIZING THE EIGHTH AMENDMENT TO THE CONTRACT WITH GARDA
CL WEST, INC. (GARDA) TO PROVIDE ARMORED CAR SERVICES
TO EXTEND THE CONTRACT TERM AND INCREASE THE ESTIMATED
CONTRACT AMOUNT BY UP TO \$456,096**

WHEREAS, pursuant to Resolution 2006-16, the Board of Directors of the Peninsula Corridor Joint Powers Board (JPB) authorized the award of armored car services to AT Systems, Inc. (ATS) for providing collection, transport, counting, and deposit of cash receivers from automated ticket vending machines; and

WHEREAS, ATS was purchased by Garda CL West, Inc. (Garda) and the Agreement was transferred to Garda pursuant to a novation agreement; and

WHEREAS, staff proposes to extend the Agreement for an additional one-year term on a month-to-month basis to allow time for the JPB to develop and issue a Request for Proposals to provide armored car services for both the JPB and the San Mateo County Transit District (District); and

WHEREAS, the Executive Director recommends that the Board authorize an amendment to the Agreement (Eight Amendment) with Garda, which will extend the contract term on a month-to-month basis, from January 1, 2012 to December 31, 2012, and increase the estimated contract amount by up to \$456,096.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the JPB authorizes the Eighth Amendment to the Agreement with Garda CL West, Inc. of Pasadena, California to extend the contract term on a month-to-month basis, from January 1, 2012 through December 31, 2012, and to increase the estimated contract amount by up to \$456,096; and

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

Regularly passed and adopted this 1st day of December, 2011 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Mark Simon
Executive Officer, Public Affairs

SUBJECT: **STATE AND FEDERAL LEGISLATIVE UPDATE**

ACTION

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

SIGNIFICANCE

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

STATE ISSUES

State Transit Assistance

Transit agencies received their first State Transit Assistance quarterly allocations since the approval of a modified gas tax swap earlier this year. The new structure preserved funding for the program, but tied funding levels to actual revenues generated by the sales tax on diesel fuel.

The most recent quarterly payments reflect the degree to which the fluctuation in diesel fuel sales will affect State Transit Assistance funding. The Fiscal Year 2012 State Budget projected that diesel fuel sales would generate \$416 million for the State Transit Assistance program, but based on the most recent payment, the total amount could be closer to \$327 million.

FEDERAL ISSUES

Appropriations

On November 17 Congress approved the Fiscal Year 2012 Transportation, Housing and Urban Development appropriations bill (H.R. 2112) and the President signed the bill into law the following day. The bill also includes appropriations for Agriculture and Commerce, Justice and Science programs and extends current funding levels for other non-transportation programs through December 16.

The legislation was amended to remove \$100 million in High-Speed Intercity Passenger Rail program funding and \$25 million in Grants for Energy Efficiency and Greenhouse Gas Reductions that were included in the Senate version. The bill also reduces operations funding for Amtrak by \$96 million compared to Fiscal Year 2011.

The bill preserves funding for Federal Transit Administration programs and includes increased funding for the Formula and Bus Grant programs and New Starts Capital Investment Grant Program. It also includes \$500 million for the multimodal TIGER discretionary grant program, which received \$527 million in Fiscal Year 2011.

The bill also limits the federal share for New Starts projects to 60% and specifies that bus rapid transit projects will be funded under the Bus and Bus Facilities program rather than the New Starts program.

Authorization

On November 17, House majority leadership announced that they plan to introduce and consider the American Energy and Infrastructure Jobs Act before the end of the year. The bill would expand offshore oil and gas drilling to help fund the reauthorization of Federal investments in surface transportation programs for five years. No other details have been made available.

A competing Senate proposal passed the Senate Committee on Environment and Public Works with a unanimous, bipartisan vote. That bill would provide an additional \$12 billion to supplement the Highway Trust Fund and maintain federal transportation investments for two years. The bill will be heard before the full Senate once the Senate Committee on Finance identifies a source for the additional revenue and The Senate Committees on Commerce Science and Transportation; Banking; and Housing and Urban Affairs weigh in with additional details.

Prepared By: Seamus Murphy, Government Affairs Manager

650.508.6388

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 11-17-11**

| Bill ID/Topic | Location | Summary | Position |
|--|---|---|----------|
| AB 147 Dickinson D Subdivisions. | ASSEMBLY CHAPTERED 9/6/2011 - Chaptered by the Secretary of State, Chapter Number 228, Statutes of 2011 | <p>The Subdivision Map Act authorizes a local agency to require the payment of fees, to be used for various purposes, as a condition of approval of a final map or as a condition of issuing a building permit, including, among others, for purposes of defraying the actual or estimated cost of constructing bridges or major thoroughfares if specified conditions are met. The Mitigation Fee Act authorizes a local agency to charge a variety of fees, dedications, reservations, or other exactions in connection with the approval of a development project, as defined.</p> <p>This bill would authorize a local ordinance to require payment of a fee subject to the Mitigation Fee Act, as a condition of approval of a final map or as a condition of issuing a building permit for purposes of defraying the actual or estimated cost of constructing transportation facilities, as defined. Last Amended on 5/31/2011</p> | Support |
| AB 426 Lowenthal, Bonnie D Transit fare evasion. | ASSEMBLY CHAPTERED 7/25/2011 - Chaptered by the Secretary of State, Chapter Number 100, Statutes of 2011 | <p>Existing law authorizes certain transit operators to adopt and enforce an ordinance to impose and enforce civil administrative penalties for fare evasion or passenger misconduct, other than by minors, on or in a transit facility or vehicle in lieu of the criminal penalties otherwise applicable, with specified administrative adjudication procedures for the imposition and enforcement of the administrative penalties, including an initial review and opportunity for a subsequent administrative hearing.</p> <p>This bill would authorize the Southern California Regional Rail Authority and the North County Transit District to adopt and enforce such an ordinance. The bill would provide that a person cited under these ordinances adopted by transit operators shall be afforded an opportunity to complete the administrative process under the circumstances set forth in the ordinance. The bill would require an entity that adopts such an ordinance to submit a report to specified committees of the Legislature both 2 and 5 years after the adoption of the ordinance, as specified. Last Amended on 6/10/2011</p> | |
| AB 427 John A. Pérez D Transportation bond funds: transit system safety. | ASSEMBLY CHAPTERED 10/7/2011 - Chaptered by the Secretary of State, Chapter Number 527, Statutes of 2011 | <p>This bill would provide that commuter rail operators eligible to receive State Transit Assistance funds are also eligible to receive funds from the 60% share of Transit System Safety, Security, and Disaster Response Account funds. The bill would require funds that otherwise would be allocated based on operator revenue for the Southern California Regional Rail Authority (SCRRA) to be allocated to the applicable county transportation commission. The bill would authorize the applicable commission to allocate those funds to eligible purposes, including eligible projects of the SCRRA, or to suballocate those funds to the SCRRA. This bill would delete the provision making intercity and commuter rail entities receiving bond funds from the 15% share of funds ineligible for the 60% share of funds. Last Amended on 8/15/2011</p> | |

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 11-17-11**

| Bill ID/Topic | Location | Summary | Position |
|---|---|---|----------|
| <p>AB 516 V. Manuel Pérez D</p> <p>Safe routes to school.</p> | <p>ASSEMBLY CHAPTERED 9/7/2011 - Chaptered by the Secretary of State, Chapter Number 277, Statutes of 2011</p> | <p>Existing law requires the Department of Transportation, in consultation with the California Highway Patrol, to establish and administer a "Safe Routes to School" program for construction of bicycle and pedestrian safety and traffic calming projects, and to award grants to local agencies in that regard from available federal and state funds, based on the results of a statewide competition. Existing law requires the department to rate proposals submitted by applicants using specified factors. One of the factors relates to consultation and support for projects by school-based organizations, local traffic engineers, local elected officials, law enforcement agencies, school officials, and other relevant community stakeholders.</p> <p>This bill would delete that factor and instead substitute a factor relating to use of a specified public participation process, with involvement by the public, schools, parents, teachers, local agencies, the business community, key professionals, and others, which process identifies community priorities, ensures those priorities are reflected in the proposal, and secures support for the proposal by relevant community stakeholders. The bill would add another factor relating to benefit of a proposal to a low-income school, as defined, and would make other related changes. Last Amended on 7/14/2011</p> | |
| <p>AB 551 Campos D</p> <p>Public contracts: prevailing wage requirements: violations.</p> | <p>ASSEMBLY CHAPTERED 10/9/2011 - Chaptered by the Secretary of State, Chapter Number 677, Statutes of 2011</p> | <p>Existing law generally requires that not less than the general prevailing rate of per diem wages, as specified, be paid to workers employed on a public work, as defined. Existing law requires a contractor or subcontractor to submit, to the state or political subdivision on whose behalf a public work is being performed, a penalty of not more than \$50 per calendar day, and not less than \$10 per calendar day except in certain cases of a good faith mistake, as provided and determined by the Labor Commissioner, for violations of these prevailing wage provisions.</p> <p>This bill would increase that maximum penalty to \$200 for each calendar day and would increase the minimum penalty except in certain cases of a good faith mistake to no less than \$40 for each calendar day. The bill would also increase the penalty assessed to contractors and subcontractors with prior violations from \$20 to \$80, and from \$30 to \$120 for willful violations. Last Amended on 8/24/2011</p> | |
| <p>AB 615 Lowenthal, Bonnie D</p> <p>High-speed rail.</p> | <p>ASSEMBLY CHAPTERED 10/7/2011 - Chaptered by the Secretary of State, Chapter Number 530, Statutes of 2011</p> | <p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion for high-speed train capital projects and other associated purposes.</p> <p>This bill would supplement these Budget Act appropriations by appropriating \$4,000,000 from the High-Speed Passenger Train Bond Fund to the authority for the Los Angeles to San Diego segment, subject to similar conditions and provisions. This bill contains other existing laws. Last Amended on 9/2/2011</p> | |

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 11-17-11**

| Bill ID/Topic | Location | Summary | Position |
|--|---|---|----------------|
| <p>AB 650 Blumenfield D</p> <p>Blue Ribbon Task Force on Public Transportation for the 21st Century.</p> | <p>ASSEMBLY VETOED 9/26/2011 - Vetoed by the Governor</p> | <p>This bill would establish, until March 30, 2013, the Blue Ribbon Task Force on Public Transportation for the 21st Century. The bill would require the task force to be comprised of 12 members and would require the Senate Committee on Rules and the Speaker of the Assembly to each appoint 6 specified members, by January 31, 2012. The bill would require the task force to elect one of its nonlegislative members as chair. The bill would require the task force to issue a written report that contains specified findings and recommendations relating to, among other things, the current state of California's transit system, the estimated cost of creating the needed system over various terms, and potential sources of funding to sustain the transit system's needs, and to submit the report by September 30, 2012, to the Governor, the Legislature, the Joint Legislative Budget Committee, the Senate Committee on Rules, the Speaker of the Assembly, and the transportation committees of the Legislature. The bill would require the task force, for purposes of collecting information for the written report, to consult with appropriate state agencies and departments and would require the task force to contract with consultants for preparation of the report. The bill would require the Department of Transportation to provide administrative staffing to the task force. The bill would appropriate \$750,000 from the Public Transportation Account to the department, as specified, to accomplish the purposes of these provisions. Last Amended on 8/15/2011</p> | <p>Support</p> |
| <p>AB 892 Carter D</p> <p>Department of Transportation: environmental review process: federal pilot program.</p> | <p>ASSEMBLY CHAPTERED 10/6/2011 - Chaptered by the Secretary of State, Chapter Number 482, Statutes of 2011</p> | <p>Existing law gives the Department of Transportation full possession and control of the state highway system. Existing federal law requires the United States Secretary of Transportation to carry out a surface transportation project delivery pilot program, under which the participating states assume certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government. Existing law requires the department to submit a report to the Legislature regarding state and federal environmental review. Existing law requires the report to be submitted no later than January 1, 2009, and again, no later than January 1, 2011.</p> <p>This bill would, instead, require the report to be submitted no later than January 1, 2016. Last Amended on 7/13/2011</p> | <p>Support</p> |
| <p>AB 912 Gordon D</p> <p>Local government: organization.</p> | <p>ASSEMBLY CHAPTERED 7/25/2011 - Chaptered by the Secretary of State, Chapter Number 109, Statutes of 2011</p> | <p>The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires a local agency formation commission, where the commission is considering a change of organization that consists of a dissolution, disincorporation, incorporation, establishment of a subsidiary district, consolidation, or merger, to either order a change of organization subject to confirmation of the voters, as specified, or order the change of organization without an election if the change of organization meets certain requirements.</p> <p>This bill would authorize the commission, where the commission is considering a change of organization that consists of the dissolution of a district that is consistent with a prior action of the commission, to immediately order the dissolution if the dissolution was initiated by the district board, or if the dissolution was initiated by an affected local agency, by the commission, or by petition, hold at least one noticed public hearing on the proposal, and order the dissolution without an election, unless a majority protest exists, as specified. Last Amended on 5/27/2011</p> | |

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 11-17-11**

| Bill ID/Topic | Location | Summary | Position |
|--|---|--|----------------|
| <p>AB 952 Jones R</p> <p>High-speed rail.</p> | <p>ASSEMBLY VETOED 10/2/2011 - Vetoed by the Governor</p> | <p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 9 members, including 5 members appointed by the Governor. Members of the authority are subject to the Political Reform Act of 1974.</p> <p>This bill would prohibit a member, employee, or consultant of the authority from being the recipient of any gift, as defined, in a specified provision of the act. The bill would prohibit a construction company, engineering firm, consultant, legal firm, or any other company, vendor, or business entity with a contract or seeking a contract with the authority, or subcontractor of any of the foregoing, or owner, employee, or any member of their immediate families of any of these companies, firms, vendors, entities, or subcontractors, from making any gift to a member, employee, or consultant of the authority, or to any member of their immediate families. The bill would authorize the authority itself to receive gifts, and to transfer those gifts as specified, with the written approval of the Department of Finance. Last Amended on 8/16/2011</p> | |
| <p>AB 957 Committee on Transportation</p> <p>Transportation omnibus bill.</p> | <p>ASSEMBLY CHAPTERED 10/7/2011 - Chaptered by the Secretary of State, Chapter Number 536, Statutes of 2011</p> | <p>Existing law, the Sacramento Regional Transit District Act, creates the Sacramento Regional Transit District, with specified powers and duties relative to providing transit services in the Sacramento region. Existing law provides that the district is comprised of specified cities and unincorporated territories in the Counties of Sacramento and Yolo. Existing law sets forth provisions for transition from the Sacramento Transit Authority to the district and also sets forth provisions applicable to the establishment of the first board of the district.</p> <p>This bill would provide that the district includes the Cities of Citrus Heights, Elk Grove, Rancho Cordova, and West Sacramento. The bill would delete obsolete provisions relating to the transition from the authority to the district and establishment of the district's first board. Last Amended on 8/31/2011</p> | |
| <p>AB 1097 Skinner D</p> <p>Transit projects: domestic content.</p> | <p>ASSEMBLY CHAPTERED 10/2/2011 - Chaptered by the Secretary of State, Chapter Number 405, Statutes of 2011</p> | <p>Existing law provides various sources of funding for transit projects.</p> <p>This bill would specifically authorize the state or a local agency, relative to the use of federal funds for transit purposes, to provide a bidding preference to a bidder if the bidder exceeds Buy America requirements applicable to federally funded transit projects, as specified. Last Amended on 8/29/2011</p> | <p>Support</p> |

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 11-17-11**

| Bill ID/Topic | Location | Summary | Position |
|---|---|--|----------------|
| <p>AB 1105 Gordon D</p> <p>High-occupancy toll lanes: roadway markings.</p> | <p>ASSEMBLY CHAPTERED 7/25/2011 - Chaptered by the Secretary of State, Chapter Number 114, Statutes of 2011</p> | <p>Existing law authorizes the Santa Clara Valley Transportation Authority (VTA) to conduct, administer, and operate a value pricing high-occupancy toll (HOT) lane program on 2 corridors included in the high-occupancy vehicle lane system in Santa Clara County.</p> <p>This bill would provide that such a HOT lane established on State Highway Route 101 may extend into San Mateo County as far as the high-occupancy vehicle lane in that county existed as of January 1, 2011, subject to agreement of the City/County Association of Governments of San Mateo County. This bill contains other related provisions and other existing laws. Last Amended on 4/13/2011</p> | <p>Support</p> |
| <p>AB 1164 Gordon D</p> <p>Federal transportation funds.</p> | <p>ASSEMBLY CHAPTERED 10/2/2011 - Chaptered by the Secretary of State, Chapter Number 406, Statutes of 2011</p> | <p>Existing law generally provides for programming and allocation of state and federal transportation capital improvement program funds pursuant to the state transportation improvement program process administered by the California Transportation Commission.</p> <p>This bill would enact similar provisions authorizing the department, until September 30, 2015, to make loans from the State Highway Account of other specified federal transportation funds to fund bond-funded projects pursuant to the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, if the department has determined the loans will not impact the funding of other programs or projects, as specified, and only under circumstances in which federal funds might otherwise be lost, as specified. The bill would appropriate those federal transportation funds in the State Highway Account for these purposes and would require those funds to be obligated to fund the bond-funded projects, as specified. The bill would require the loans to be repaid to the State Highway Account within 3 years from the proceeds of bonds sold pursuant to the bond act and would provide for the appropriation of those repaid funds to the department for use on projects in the state highway operation and protection program or the local assistance program, as specified. The bill would require the department to report to the Joint Legislative Budget Committee each year that federal transportation funds are loaned pursuant to these provisions. Last Amended on 9/1/2011</p> | |
| <p>AB 1388 Wieckowski D</p> <p>Earnings withholding orders.</p> | <p>ASSEMBLY CHAPTERED 10/9/2011 - Chaptered by the Secretary of State, Chapter Number 694, Statutes of 2011</p> | <p>Existing law requires an employer to withhold the amounts required by an earnings withholding order from all earnings of the employee payable for any pay period of the employee that ends during the withholding period. Under existing law, the portion of the judgment debtor's earnings that the judgment debtor proves is necessary for the support of the judgment debtor or the judgment debtor's family supported in whole or in part by the judgment debtor is exempt from the levy of an earnings withholding order. This exemption is not available if the debt was incurred for the common necessities of life furnished to the judgment debtor or the family of the judgment debtor.</p> <p>This bill would delete that exception for the common necessities of life. This bill would, instead, provide an exception for a debt incurred pursuant to an order or award for the payment of attorney's fees in connection with certain family law proceedings. Last Amended on 6/10/2011</p> | |

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 11-17-11**

| Bill ID/Topic | Location | Summary | Position |
|--|--|---|----------|
| <u>AJR 5</u> <u>Lowenthal, Bonnie D</u> Transportation revenues. | ASSEMBLY CHAPTERED 6/8/2011 - Chaptered by the Secretary of State, Chapter Number 29, Statutes of 2011 | This measure would request the President and the Congress of the United States to consider and enact legislation to conduct a study regarding the feasibility of the collection process for a transportation revenue source based on vehicle miles traveled, in order to facilitate the creation of a reliable and steady transportation funding mechanism for the maintenance and improvement of surface transportation infrastructure. Last Amended on 3/29/2011 | |
| <u>SB 310</u> <u>Hancock D</u> Local development. | SENATE CHAPTERED 10/3/2011 - Chaptered by the Secretary of State, Chapter Number 446, Statutes of 2011 | <p>Existing law authorizes the legislative body of a city or county to adopt an infrastructure financing plan, which is required to contain specified information, for the purpose of financing certain infrastructure facilities, if specified procedural requirements are met, and requires the legislative body, if it adopts the plan, to submit the proposal to the voters. Existing law authorizes the legislative body to create an infrastructure financing district, by ordinance, if 2/3 of the qualified electors of the proposed district vote in favor of adoption of the plan, and also authorizes the legislative body to initiate proceedings to issue bonds to finance the infrastructure facilities if 2/3 of those electors vote in favor of the issuance. Existing law authorizes infrastructure finance districts to finance specified projects, including financing certain infrastructure facilities.</p> <p>This bill would authorize a district to reimburse a developer that meets specified requirements for permit expenses or expenses related to the construction of affordable housing units pursuant to the Transit Priority Project Program described below. This bill would also require that an infrastructure financing plan also include a plan to finance any potential costs for reimbursing a developer that meets specified requirements for permit and affordable housing expenses related to a project of the Transit Priority Project Program. Last Amended on 8/29/2011</p> | |
| <u>SB 582</u> <u>Yee D</u> Commute benefit policies. | SENATE VETOED 8/1/2011 - Vetoed by the Governor | This bill, beginning on January 1, 2013, subject to certain exceptions, would authorize a metropolitan planning organization jointly with the local air quality management district or air pollution control district to adopt a commute benefit ordinance that requires covered employers operating within the common area of the organization and district with a specified number of covered employees to offer those employees certain commute benefits. The bill would require that the ordinance specify certain matters, including any consequences for noncompliance, and would impose a specified reporting requirement. The bill would provide for the 8 metropolitan planning organizations within the region served by a specified air district to adopt the ordinance only after the district first acts to adopt the ordinance. The bill would exclude from its provisions an air district with a trip reduction regulation initially adopted prior to the federal Clean Air Act Amendments of 1990 as long as it continues to have a regulation that allows trip reduction as a method of compliance. The bill would make its provisions inoperative on January 1, 2017. Last Amended on 7/7/2011 | |

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: **CAPITAL PROJECTS QUARTERLY STATUS REPORT –
1st QUARTER FISCAL YEAR 2012**

ACTION

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

SIGNIFICANCE

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

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

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

The report can be viewed at the following link:

http://www.caltrain.com/Assets/_Finance/Quarterly+Capital+Program+Status+Report/Quarter+1+of+FY+2012.pdf