



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

March 3, 2011 – Thursday

10:00 a.m.

1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Public Hearing for Consideration of Service Suspensions, Station Closures and Fare Increases for Fiscal Year 2012
4. Fiscal Emergency Declaration
 - a) Public Hearing to Declare a Fiscal Emergency for the Peninsula Corridor Joint Powers Board for Fiscal Year 2012
 - b) Declaration of Fiscal Emergency for Fiscal Year 2012 RESOLUTION
5. Public Comment
Public comment by each individual speaker shall be limited to two minutes
6. Consent Calendar RESOLUTION
Members of the public or Board may request that an item under the Consent Calendar be considered separately
 - a) Approval of Minutes of February 3, 2011
 - b) Authorize the Filing of Applications for State Proposition 1B Transit Security Grant Program Funds
7. Chairperson’s Report
8. MTC Liaison Report
9. Report of the Citizens Advisory Committee
10. Report of the Executive Director
11. Acceptance of Statement of Revenues and Expenses for January 2011 MOTION
12. Legislative Update INFORMATIONAL
13. Quarterly Capital Progress Report INFORMATIONAL

Peninsula Corridor Joint Powers Board
March 3, 2011 Agenda

14. Correspondence

15. Board Member Requests

16. General Counsel Report

17. Date/Time of Next Meeting: Thursday, April 7, 2011, 10 a.m. at
San Mateo County Transit District Administrative Building, Bacciocco
Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA
94070

18. 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
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

**SUBJECT: PUBLIC HEARING FOR PROPOSED ADJUSTMENTS TO CALTRAIN
SERVICE AND FARES EFFECTIVE JULY 2, 2011**

ACTION

There is no action required at this time.

SIGNIFICANCE

In Fiscal Year 2011, the San Mateo County Transit District (District) was unable to provide its full member agency contribution to support the Caltrain service. As a result, the FY2011 budget was balanced using a combination of service reductions, fare increases, staffed ticket office closures, administrative cost reductions and one-time funds. In FY2012, staff is recommending the District further decrease its contribution to Caltrain's operating subsidy. Assuming that the other member agencies (the Santa Clara Valley Transportation Authority and the City and County of San Francisco) follow suit, Caltrain is anticipating a \$30 million deficit entering FY2012.

In order to balance the budget, the Peninsula Corridor Joint Powers Board (JPB) must approve a viable operating scenario that is supported by available revenue sources, including member contributions, farebox revenue and other income.

On February 3, 2011, the Board called for a public hearing to be held at its March 3, 2011 meeting for the consideration of the following options to establish a service level that can be sustained by the projected revenue:

- Reduction of weekday trains from 86 to 48, operating during commute hours only, plus any necessary adjustment to shuttle bus services
- Suspension of service at up to 7 of the following stations: Bayshore, South San Francisco, San Bruno, Burlingame, Hayward Park, Belmont, San Antonio, Lawrence, Santa Clara and College Park

- Suspension of all service south of San Jose Diridon station (Tamien, Capitol, Blossom Hill, Morgan Hill, San Martin, Gilroy)
- Suspension of all weekend service, including the Tamien shuttle, and holiday service
- Suspension of special event service
- Increase the Full Fare One-way base fare by 25 cents

Any fare increase and/or service adjustments that may be approved by the Board are projected to be effective July 2, 2011.

BUDGET IMPACT

There is no significant budget impact associated with holding the public hearing.

The proposed changes, once implemented, will have a substantial impact on the FY2012 budget.

Below is a summary of the net cost impacts on the FY2012 budget.

48-Train Weekday Service

It has been estimated that the 48-train, weekday commute-hour service will result in net deficit of \$4.7 million for FY2012 when combined with a series of other administrative cuts and accounting for revised revenue estimates.

Fares and Parking Fees

Fare and parking fee increases are under consideration in order to bridge the remaining \$4.7 million budget gap.

A 25 cent increase on the Full Fare One-way base fare would also apply to 8-ride, monthly and eligible discount fares. This would constitute a 4.2 percent overall fare increase and is estimated to result in \$1.2 million in additional fare revenue.

In the past, ridership loss due to fare elasticity has not been a major factor in determining Caltrain fare increases. The Commuter Fare Comparison (attached) shows that the proposed fare increases will keep Caltrain near the top of its peer group in terms of maximum fare per mile.

The daily parking fee would increase from \$3 per day to \$4 per day and the monthly fee would increase from \$30 per month to \$40 per month. These changes do not require Board approval since the Executive Director is authorized to implement variable parking charges up to \$5 per day and \$50 per monthly pass. This change is expected to yield \$250,000 for FY2012.

BACKGROUND

Outreach efforts included four public meetings spread across the service area. These meetings were held at the San Jose City Council Chambers at City Hall on February 14, in the Atrium at the San Francisco Municipal Transportation Agency Headquarters in San Francisco on February

16 and on February 17 at Caltrain Headquarters in San Carlos and at the Gilroy Senior Center in Gilroy.

The public meetings and the public hearing were advertised in the *San Francisco Daily Journal*, *The Examiner* (San Mateo County edition), *San Jose Post Record*, *Gilroy Dispatch* and *El Observador*. Take One notices were placed on the trains, flyers were posted at the stations and news releases were issued to publicize the meetings and hearing. Additionally, notification of the proposed changes was posted on the Caltrain website and through the VMS system at Caltrain stations.

As of February 24, over 1000 emails have been received and over 200 comments offered at the four public meetings. The issues with the largest number of comments are 1) suspension of service to stations (519 comments); 2) suspension of off peak service (151 comments); 3) suspension of service south of San Jose Diridon station (131 comments); 4) suspension of weekend service (109 comments); and 5) fare increase (90 comments).

The attached "Comment Summary" shows the tally of most commented on topics.

Prepared by: Ted Yurek, Senior Planner

650.508.6471

Commuter Rail Fare Comparison

Agency	City	One-way Track Miles	Zones	Max. Fare Per Mile		One-way Cash Fare		Monthly Pass	
				Cash	Pass	Base	Max.	Base	Max.
Caltrain (current) w/ Gilroy ext.	San Francisco-SJ	46.9	4	\$0.181	\$0.109	\$2.50	\$8.50	\$66.25	\$225.25
		76.8	6	\$0.163	\$0.098	\$2.50	\$12.50	\$66.25	\$331.25
\$0.25 base increase w/ Gilroy ext.	San Francisco-SJ	46.9	4	\$0.187	\$0.112	\$2.75	\$8.75	\$73.00	\$232.00
		76.8	6	\$0.166	\$0.100	\$2.75	\$12.75	\$73.00	\$338.00
ACE (1-1-09)	Stockton-San Jose	85.0	5	\$0.138	\$0.080	\$3.50	\$11.75	\$72.75	\$300.00
BART (7-1-09)	Pittsburg-SFO	51.5	n/a	\$0.212	\$0.189	\$1.75	\$10.90	\$68.91	\$429.19
Coaster (1-20-11)	San Diego	42.0	4	\$0.131	\$0.089	\$4.00	\$5.50	\$120.00	\$165.00
MBTA (2-7-11)	Boston	49.5	9	\$0.167	\$0.122	\$1.70	\$8.25	\$59.00	\$265.00
Metra (2-1-10)	Chicago	63.1	12	\$0.135	\$0.078	\$2.25	\$8.50	\$58.05	\$217.35
Metrolink (7-1-10)	Los Angeles	83.0	n/a	\$0.175	\$0.117	\$5.00	\$14.50	\$106.75	\$426.75
Sounder (2-7-11)	Seattle	39.4	5	\$0.121	\$0.099	\$2.75	\$4.75	\$99.00	\$171.00
VRE (2-7-11)	Washington, D.C.	55.0	9	\$0.187	\$0.118	\$2.90	\$10.30	\$79.60	\$285.50
Average		58.6	7	\$0.158	\$0.110	\$2.98	\$9.31	\$83.01	\$282.47

Notes:

For comparative purposes, the Caltrain information is shown from San Francisco to San Jose and from San Francisco to Gilroy.
 BART fares are mileage based, not zone based. BART does not offer a monthly pass, it offers a 6.25% discount for high value tickets.
 Date of 2-7-11 indicates current fares of unknown effective date
 Sounder has a base fare of \$2.55 plus 5.5 cents/mile, minimum \$2.75.
 Max. Fare/Mile = maximum one-way cash fare or monthly pass / one-way track miles
 Metra fare increase 2-1-10 did not increase monthly pass prices
 Some system comparisons use sample lines, not max zone or entire system

Caltrain Public Comments Regarding FY2012 Fare Increases & Service Suspensions Option

Increase Fare and/or Fees								More	Agnst	Service Suspension										Will Stop Riding	
\$0.25 base		Inc	Parking		New Taxes		Rev	Bike		Off Peak		Special Service		Weekend		Gilroy		Sta Closure			TOD
For	Agnst	More	For	Agnst	For	Agnst	Idea	Spots		Prop.	For	Agnst	For	Agnst	For	Agnst	For	Agnst	For		
72	18	79	6	2	21	3	73	57	111	25	126	11	51	17	92	14	117	24	495	12	45

Note: Under Service Suspension if someone is for it, they are for suspending it
 Agnst = Against, Prop. = Service Proposal in general

Above tally includes emails received through February 16 and from the four public meetings.
 Comment period closes April 7, at 10 am.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: FISCAL EMERGENCY DECLARATION

ACTION

Staff Coordinating Council (SCC) recommends that the Board of Directors declare a fiscal emergency under the California Public Resources Code section 21080.32 and California Environmental Quality Act (CEQA) implementing guidelines, Title 14 of the California Code of Regulations section 15285 for Fiscal Year 2012, in light of the following considerations:

1. The JPB, as it has in the previous several fiscal years, utilized one-time sources of funds to balance the FY2011 budget. Staff has reviewed various options to balance the FY2012 budget, including scenarios to reduce service levels and increase fares.
2. When a transit agency's revenues are insufficient to fund operations and facilities, CEQA provides a statutory exemption from environmental review to any public service, program, project or activity for reducing or eliminating services and for initiating or increasing fees, rates or charges through declaration of a fiscal emergency.
3. The criterion for declaring a fiscal emergency is that the transit agency expects to have negative working capital within one year from the date of the declaration. The amount of unrestricted net assets is estimated to be a negative \$35.7 million at the end of FY2012 and is insufficient to support current service levels. This analysis is included in Attachment A.
4. At its February 3 meeting, the JPB called for a public hearing on the issue of a JPB fiscal emergency to be held on March 3.
5. The public notice was published in the Gilroy Dispatch on February 8 and 15, the San Jose Post-Record, The Examiner (San Mateo County) and SF Daily Journal on February 9 and February 14 and El Observador on February 11.
6. At JPB's March 3 Board of Directors meeting, the JPB will hold a public hearing and receive testimony regarding the intended declaration of a fiscal emergency.

7. Comments received during the public hearing, via e-mail, phone and US post will be considered today by the JPB Board along with staff's responses to these comments.
8. The JPB Board will respond to public comments, today, at the March 3 meeting. At the same meeting, staff will request the JPB Board to consider a declaration of fiscal emergency caused by a projected failure within one year of revenues to adequately fund programs and facilities for FY2012, which begins July 1, 2011, as defined in the California Public Resources Code section 21080.32.

SIGNIFICANCE

For the past several years, the JPB has balanced its budget using one-time funding sources that are now depleted making the funding of operations for fiscal year 2012 particularly challenging. In addition, the JPB partners continue to experience reductions in their traditional essential sources of revenues largely attributable to the ongoing global recession. The SCC has recommended that the JPB undertake the process outlined in the California Environmental Quality Act (CEQA) for declaring a fiscal emergency. If a fiscal emergency is declared, the JPB can pursue appropriate service scenarios for the FY2012 budget, including reductions in service and increases in fees, rates and charges in compliance with applicable laws and regulations.

According to CEQA, a reduction in transit service typically requires an evaluation of the potential environmental impact or an environmental review of the specified changes to public transit service. However, the agency is exempt from the requirement that it conduct an environmental review when a fiscal emergency has been declared. (California Public Resources Code section 21080.32; 14 Code of California Regulations section 15285).

Staff is completing a comprehensive review of both revenue and expense options and is developing a proposal to balance the FY2012 budget. The proposed balanced budget for FY2012 is anticipated to require both increases in revenues and reductions in service.

BUDGET IMPACT

There is minimal budget impact directly associated with the declaration of a fiscal emergency. Should the Board choose to declare a fiscal emergency after consideration of public comment and staff's responses, staff will present a revised proposed FY2012 budget incorporating the results of reduced service for consideration by the Board.

BACKGROUND

A fiscal emergency is deemed to exist if the transit agency is projected to have negative working capital within one year from the date the fiscal emergency is declared. To calculate available working capital, the transit agency adds together all unrestricted cash, unrestricted short-term investments and unrestricted short-term accounts receivable and then subtracts unrestricted accounts payable, where applicable. Excluded from the calculation of available working capital are employee retirement funds, including Internal Revenue Code Section 457 deferred compensation plans and Section 401(k) plans, health insurance reserves, bond payment reserves, workers' compensation reserves, and insurance reserves.

At the JPB's February 3 Board of Director's meeting, following a report on the agency's financial status, the Board concluded that there were significant financial issues regarding the

FY2012 budget and called for a public hearing to hear public testimony regarding the declaration of a fiscal emergency. The purpose of the hearing is to present detailed information that confirms that a fiscal emergency exists and to provide an opportunity for the public to comment on the proposed declaration of fiscal emergency.

Prepared by: Ladi Bhuller, Manager, Budgets

650.508.7755

JPB Fiscal Emergency Worksheet

NET ASSETS VIEW		<i>* see footnote below</i>
<i>Calculated per annual audited financial statement principles</i>		
UNRESTRICTED NET ASSETS - June 30, 2010	\$	2,128,860
Reserves programmed in FY2011	\$	(7,487,000)
UNRESTRICTED NET ASSETS - June 30, 2011	\$	(5,358,140)
Farebox Revenue		46,144,719
Parking Revenue		2,271,159
Shuttles		1,550,745
Rental Income		1,713,162
Other Income		2,435,440
FY2012 Operating Revenue	\$	54,115,225
AB-434-Peninsula Feeder Shuttle		1,000,000
Operating Grants		4,500,000
JPB Member Agencies		11,451,867
Other Sources		1,500,000
FY2012 Contributions Revenue	\$	18,451,867
FY2012 Maintenance Funding	\$	-
TOTAL FY2012 SOURCES	\$	72,567,092
Contract Operating & Maintenance		58,750,000
Security Services		3,473,676
Operator Transition Costs		2,500,000
Shuttle Service		3,446,000
Fuel		13,856,193
Timetables & Tickets		190,500
Insurance		5,016,100
Facilities and Equipment Maintenance		1,352,390
Utilities		1,692,084
Services		1,160,408
FY2012 Operating Expense	\$	91,437,351
Wages & Benefits		6,521,825
Board Of Directors		12,300
Professional Services		2,224,049
Communications and Marketing		227,840
Other Office Expense and Services		1,365,539
FY2012 Administrative Expense	\$	10,351,553
FY2012 Debt Service	\$	1,102,875
TOTAL FY2012 USES	\$	102,891,779
FY2012 DEFICIT	\$	(30,324,687)
UNRESTRICTED NET ASSETS - June 30, 2012	\$	(35,682,827)

* Footnote: This presentation is consistent with the JPB's audited financial statements, which are based on generally accepted governmental accounting principles. An alternative view based on a statutory definition of working capital is available upon request. Both views demonstrate the existence of a fiscal emergency for JPB FY2012 operations.

RESOLUTION NO. 2011-

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

* * *

**DECLARING A FISCAL EMERGENCY UNDER THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT FOR FISCAL YEAR 2012**

WHEREAS, the Peninsula Corridor Joint Powers Board (“JPB”) faces a financial crisis of significant proportions in funding its rail operations in the coming fiscal year; and

WHEREAS, one of the consequences of the fiscal emergency faced by the JPB is the need to consider possible reductions in overall Caltrain service; and

WHEREAS, although a reduction in transit service normally requires an evaluation of the potential environmental impact of such reductions, the California Environmental Quality Act (“CEQA”) provides a statutory exemption for the reduction or elimination of existing transit service, facilities, programs or activities by a transit agency as a result of a declared fiscal emergency caused by failure of agency revenues to sufficiently fund programs and facilities; and

WHEREAS, a fiscal emergency exists when an agency is projected to have “negative working capital” within one year from the date the agency declares that a fiscal emergency exists; and

WHEREAS, based on current service levels, the JPB’s FY2012 budget projects an anticipated amount of unrestricted net assets is estimated to be a negative \$35.7 million at the end of FY2012 and is insufficient to support current service levels; and

WHEREAS, on February 3, 2011, the JPB was provided with a report of the agency’s financial status, and based thereon, the Board concluded there was justification to call for a public hearing regarding the possible declaration of a fiscal emergency; and

WHEREAS, on March 3, 2011, the JPB held a public hearing to present detailed information confirming the existence of a fiscal emergency and provide the public an opportunity to comment on the proposed declaration of fiscal emergency; and

WHEREAS, the JPB has considered all comments received at the public hearing and via e-mail, phone and US post, and has responded to those comments orally during the public hearing on March 3, 2011; and

WHEREAS, the JPB has received staff's analysis, reviewed public comments and staff responses to those comments, and has further considered the financial condition of the JPB.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board, in performing its responsibilities under CEQA, finds and declares that a "Fiscal Emergency" exists within the definition of section 21080.32 of the California Public Resources Code and the implementing regulations and guidelines promulgated there under, in that the JPB is predicted to have negative working capital within one year from the date of this Resolution; and

BE IT FUTHER RESOLVED that the Peninsula Corridor Joint Powers Board finds that the reduction or elimination of existing Caltrain service resulting from the aforementioned fiscal emergency is statutorily exempt from CEQA review and that the Executive Director is authorized to take any necessary steps, including filing of a Notice of Exemption, to further comply with CEQA relative to this action.

Regularly passed and adopted this 3rd day of March, 2011 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

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

Draft

**Minutes
February 3, 2011**

MEMBERS PRESENT: O. Ahmad, S. Elsbernd (Chair), N. Ford, L. Kniss, A. Kalra, A. Lloyd, A. Tissier, K. Yeager

MEMBERS ABSENT: J. Cisneros

MTC LIAISON: S. Lempert

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

Chair Sean Elsbernd called the meeting to order at 10:02 a.m. Director Adrienne Tissier led the Pledge of Allegiance.

SWEARING IN OF ADRIENNE TISSIER (REPRESENTING THE SAN MATEO COUNTY BOARD OF SUPERVISORS)

Director Tissier, representing the San Mateo County Board of Supervisors, was sworn in.

REPORT OF THE NOMINATING COMMITTEE – ELECTION OF 2011 OFFICERS

Director Art Lloyd said the nominating committee recommends Chair Elsbernd for chair and Director Omar Ahmad for vice chair for 2011.

A motion (Lloyd/Kniss) to re-elect Chair Elsbernd and elect Director Ahmad for vice chair for 2011 officers was approved unanimously.

PUBLIC COMMENT

Jim Bigelow, Redwood City/San Mateo County Chamber of Commerce, said he participated in both Caltrain summits. He wrote a letter to the Friends of Caltrain suggesting they approach the Metropolitan Transportation Commission (MTC) to possibly use the \$5.5 million per year in operating money allocated for Dumbarton Rail to help Caltrain's budget problem.

Director Ash Kalra arrived at 10:07 a.m.

Shirley Johnson, San Francisco Bicycle Coalition, said the Bikes Onboard team has signed on as a supporter of Friends of Caltrain. She said Caltrain can earn more than \$1 million in revenue every year by replacing empty seats with bike racks. Ms. Johnson said Caltrain has too many seats and not enough bike space. She said Caltrain needs consistent 80 bike spaces per train.

David Cade, Bicycle Advisory Committee (BAC), said on behalf of the BAC, he wants to register their support for increased bike capacity on Caltrain. The BAC will be submitting a resolution to the Board in the next few months in support of increasing bike capacity.

Jeff Carter, Burlingame, said bike capacity needs to be increased, especially on the Bombardier cars. He attended the Friends of Caltrain summit this past Saturday and staff should look to MTC to obtain Dumbarton funding.

Pat Giorni, Burlingame, welcomed Directors Tissier and Liz Kniss to the Board and thanked MTC Commissioner Sue Lempert for her service. She requested that if a speaker wants to speak on more than one item under the Executive Director's report they be allowed two minutes for each item.

Christine Wozniak, Belmont councilmember, said the city is completing a bike bridge connecting Belmont to Redwood Shores. She said there is a big problem with the east to west connection throughout San Mateo County and this is one effort to bring both sides together. Ms. Wozniak said the city is working at the grass roots level to make these connections and hopes Caltrain will support these projects.

Yoriko Kishimoto, Friends of Caltrain, said there was more than 200 people at the summit this past Saturday to help save Caltrain. On behalf of the steering committee, she thanked Congresswoman Jackie Speier, Michael Groom of the Sierra Club, Chair Elsbernd and Ms. Lempert for their participation at the summit. Ms. Kishimoto said the first follow-up action item from the summit was for people to send emails to the decision makers of all three counties and the MTC to work together to save Caltrain.

Director Kniss said the e-mails are great, but what helps the most is to hear ideas or thoughts.

CONSENT CALENDAR

- a. Approval of Minutes of January 6, 2011
- b. Authorize Execution of the Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) Certifications and Assurances

The Board approved the consent calendar (Ford/Tissier).

CHAIRPERSON'S REPORT

Chair Elsbernd thanked the Silicon Valley Leadership Group and Friends of Caltrain for putting on the recent summits and staff for their work.

Resolution of Appreciation to Outgoing MTC Liaison, Sue Lempert

Chair Elsbernd thanked Ms. Lempert for all she has done for the region and Caltrain and presented her with a resolution of appreciation and train plaque.

A motion (Kniss/Lloyd) to approve a Resolution of Appreciation to MTC Liaison Sue Lempert was approved unanimously by roll call.

MTC LIAISON REPORT

Ms. Lempert said she has seen many changes in the years she has been the MTC liaison for Caltrain. She said Caltrain has been revamped under the leadership of Executive Director Michael Scanlon. Ms. Lempert said she is fairly confident a short-term fix can be found so drastic cuts won't occur, but the long-term fix will require a reliable source of funding and that will be a challenge. She said she will be working with the Friends of Caltrain and the Silicon

Valley Leadership Group to help save Caltrain. Ms. Lempert said it has been a privilege to serve on this Board.

REPORT OF THE CITIZENS ADVISORY COMMITTEE (CAC)

CAC Chair Bruce Jenkins reported:

- Welcomed Director Tissier and thanked Ms. Lempert on behalf of the CAC.
- A resolution of appreciation to outgoing Peninsula Rail Program Director Bob Doty was presented at their January 19 meeting.

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Scanlon reported:

- Welcomed Director Tissier to the Board and thanked Ms. Lempert for her service.
- Thanked Chair Elsbernd for agreeing to serve another year as chair and congratulated Director Ahmad on being elected vice chair.
- Monthly Performance Statistics – December 2010 compared to December 2009
 - a. Total Ridership was 929,107, an increase of 4.5 percent.
 - b. Average Weekday Ridership was 34,856, an increase of 6.9 percent.
 - c. Total Revenue was \$3,387,026, an increase of 9.1 percent.
 - d. On-time Performance was 95.8 percent, an increase of 2.4 percent.
 - e. Caltrain Shuttle Ridership was 4,188, a decrease of 1.6 percent.
- Year-to-Date Performance Statistics –December 2010 compared to December 2009
 - f. Total Ridership was 6,318,810, an increase of 4 percent.
 - g. Average Weekday Ridership was 39,879, an increase of 4.5 percent.
 - h. Total Revenue was \$23,344,216, an increase of 9.1 percent.
 - i. On-time Performance was 93.8 percent, an increase of 0.2 percent.
 - j. Caltrain Shuttle Ridership was 5,269, a decrease of 1.6 percent.
- Caltrain has a very serious financial crisis looming for Fiscal Year 2012. Staff will be asking the Board today to call for two public hearings at the March 3 meeting concerning declaration of a fiscal emergency and the possible Draconian service cuts for FY2012.
- He is pleased and encouraged with the outpouring of interest from those who attended the Silicon Valley Leadership Group and Friends of Caltrain summits. There is genuine interest, concern and willingness among the politicians to help. Sessions have focused on problem solving. Congresswoman Jackie Speier said we owe it to our children to save Caltrain.
- In the short-term staff must take the required steps by law in the event a worst-case scenario is needed. Some of the Draconian cuts include 48 daily trains during peak hours only, no service south of San Jose and no weekend or special service. With these cuts there would still be a deficit.
- Roll-out of Clipper service continues. As of January 31, the last 8-ride ticket was sold and effective March 1, paper tickets will no longer be available.
- The BAC met on January 19 and received a presentation on the Brown Act by legal counsel. All committees within the agency follow the Brown Act. The BAC also adopted its charter. The chair of the committee was troubled that an item, bike capacity resolution, did not get on the agenda and staff apologized. A presentation was given on the Regional Bike Share Program and time ran out before the committee could receive a presentation on the San Mateo County Transportation Authority (TA) and City/County Association of Governments Bike and Pedestrian Call for Projects. Staff is attempting to schedule a special meeting on February 9 to discuss the bike capacity resolution and the bike and pedestrian call for projects item. The resolution being submitted by the BAC is not necessary since staff and the Board have made the commitment to expand bicycle capacity to two bicycle cars on the

Gallery trains. Capital funding has been identified to start the procurement for the additional bike racks.

- Special service:
 - Sharks ridership was up 6 percent for the seven home games in January.
 - Ridership was disappointing for the Kraft Hunger Bowl, down 63 percent.
 - Two trains were chartered for the annual Dr. Martin Luther King Jr. Freedom Train on January 17. Approximately 1,000 people participated, an increase of 19 percent over last year.
 - February 5 is the Giants annual Fan Fest. Amtrak will monitor arriving loads and deploy any extra trains as necessary.
 - A modified Saturday schedule will run on Presidents Day, February 21.
- Weekend Baby Bullet continues with four express trains. Passenger on and off counts, in just San Francisco, was about 5,900.

Peninsula Rail Program (PRP) Update

Mr. Scanlon said the California High Speed Rail Authority (CHSRA) is meeting today in Sacramento. He said CEO Roelof van Ark will be reporting that the bulk of work will be done in the Central Valley. This gives staff more time to work with the cities and stakeholders along the alignment. Staff has been advocating for a phased approach to the construction of the system, perhaps even being able to operate initial High Speed Rail (HSR) on the two tracks that are already out there for at least a little while, provided a beefed-up signal system is in place.

Executive Officer Planning and Development Marian Lee said while the new schedule for the corridor is to be determined, staff needs to focus on final completion of the Environmental Impact Report (EIR). Staff is focused on three key environmental planning topics: 1) understanding how the recent decision to start in the Central Valley impacts Caltrain service and modernization programs; 2) working with CHSRA to ensure the full range of HSR impacts are examined for all viable design alternatives and that there is the development of a comprehensive, unbiased database to inform the decision making; 3) ensuring there is sufficient station area and access planning for both HSR and Caltrain stations that best works for local plans and policies. In addition to these major topics, staff has been spending more time with local partners to engage the HSR team in a three-way dialogue. Staff has been working with the 11 San Mateo County city managers to improve communication and address concerns with HSR.

Ms. Lempert said MTC will provide the mobile Clipper stations for the Giants game and at Stanford for the football games.

Director Kniss asked if there has been a study of what happens to the surrounding corridors if the service is diminished to 48 trains per day and, if so, is there anything in writing. Mr. Scanlon said there is a professor at the University of California Berkeley that said if Caltrain is discontinued it would require the equivalent of about two one-half lanes. He said there is widespread belief that highways are free, but the fact of the matter is that highways, through the gas tax, only pay about half of what it costs. When you take people out of public transit and put them on the highways more people will die. Statically it is much wiser to invest in transit.

Director Kniss said this is a terrific case that needs to be made by staff and this Board and not by an outside agency.

Public Comment

Andy Chow, Bay Rail Alliance, said he has been driving Highway 101 recently and no matter what time of day it is people can't drive at the speed limit. There will be a total loss of mobility for many people with the service cuts.

Shirley Johnson, BAC, thanked Mr. Scanlon for making a report on the BAC and is pleased that all trains will have two bike cars. She said even with two bike cars, the Bombardier cars only hold 48 bikes and the Gallery cars hold 80 bikes. Consistency is needed and the Bombardier cars need to have three bike cars. Ms. Johnson said legal counsel said the BAC isn't legally required to be under the Brown Act and it is a Caltrain policy. Ms. Johnson said BAC members and the public have requested the BAC make a report to this Board. She said right now the CAC makes a report to the Board and they request the same.

Mr. Scanlon said staff has gone as far as they can go in terms of recommendations. Staff will not recommend a third bike car on the Bombardier trains. Mr. Scanlon said in terms of reporting relationships, it would be his recommendation that the BAC report to the CAC. The bicycle community is a very important subsection of riders; the CAC represents all riders. Mr. Scanlon said this is the most robust and bike-friendly transit agency in the nation and staff has done all they can and the line needs to be drawn. He said staff has been abused and disabused and if this Board wants to go away from the Brown Act, it will send a very bad message throughout this organization and throughout the culture that we can't do the public's work in the public eye.

Pat Giorni, Burlingame, said she was glad to hear that money was being found for the bike cars. At the TA CAC meeting, she asked about the Measure A funding that Caltrain could apply for.

Ed DeLanoy, San Carlos, said diesel fuel will not be stuck at \$100 a barrel.

Jim Kelly, San Bruno, said Caltrain is a vital link toward the regional rail network, and is needed to keep commuters out of cars. Caltrain has not grown much over the last 150 years and still links communities together. Now is not the time to chop Caltrain, but save Caltrain for what it should be, part of a regional rail.

CALL FOR A PUBLIC HEARING AT THE MARCH 3, 2011 MEETING TO DECLARE A FISCAL EMERGENCY FOR THE PENINSULA CORRIDOR JOINT POWERS BOARD FOR FISCAL YEAR 2012

Deputy CEO Gigi Harrington said staff is requesting the Board call for a public hearing next month to take testimony on the declaratoin of a fiscal emergency. Ms. Harrington said the fiscal emergency enables the Board to reduce service under California State law without requiring extensive California Environmental Quality Act process.

Chair Elsbernd reminded the public that all that is in front of the Board is the action to the call a public hearing so comments should be confined to calling the hearing.

Public Comment

Jeff Carter, Burlingame, asked that all options are addressed before the public hearing such as borrowing capital funding to get through the crisis.

Margaret Okuzumi, Sunnyvale, said it is time to change the conversation about cutting the service so drastically. She said at the Friends of Caltrain summit a number of creative ideas were

suggested both short and long term, including the Giants and Sharks holding a benefit game for Caltrain and selling the scrap along the right of way. Ms. Okuzumi said she would like to see San Francisco and Santa Clara counties pitch in and help save Caltrain. She said years ago SamTrans pitched in and helped pay for the Caltrain right of way.

Jessica Zenk, SiliconValley Leadership Group, thanked everyone for their support with the recent summit. She said more than 80 ideas were generated at the summit for both short and long-term solutions.

Kathleen McLaughlin, Redwood City, encouraged representatives of San Mateo and Santa Clara counties to work with San Francisco County on congestion pricing. A lot of drivers are selfish in their thinking and people don't realize how it affects everyone in the region.

John Carpenter, Mountain View, said if people are serious there should be a 10 percent cut in labor costs.

Yoriko Kishimoto, Friends of Caltrain, welcomed Director Tissier and wished Ms. Lempert good luck. She said ideas to address the short-term shortfall that came out of the summit were the use of Regional Measure 2 money. There is \$5.5 million operating money allocated for Dumbarton Rail and there is very little money coming to benefit the Peninsula residences that pay into that fund. Ms. Kishimoto said the three counties need to speak as one voice and ask MTC to redirect these funds to Caltrain. She said San Francisco and Santa Clara counties should find ways to help SamTrans with its severe financial crisis, especially since SamTrans came through when the corridor was purchased.

Sepi Richardson, Brisbane councilmember, said she is fed up that Caltrain is faced with a fiscal emergency crisis every year. There needs to be a dedicated funding source for Caltrain.

Pat Giorni, Burlingame, said she attended the Friends of Caltrain summit. She said there needs to be more outreach to change people's behaviors to get out of their cars and onto public transportation. Ms. Giorni said staff should consider putting an ad in the California Automobile Association magazine, *Via*, to reach out to people about the savings of transit over driving.

Chris Lepe, TransForm, said it is important to look at why Caltrain arrived at this situation. The public would benefit from transparency and why one agency is not able to make its contribution this year.

Director Tissier said MTC is working closely with SamTrans and Caltrain and knows they need to be part of the solution.

Director Ken Yeager appreciated the comments of the last speaker and said there are many reasons why Caltrain is in this domino effect situation. He said it would help him to understand what other resources SamTrans can bring to their contribution. Director Yeager said many speakers spoke of the right of way and Santa Clara County is willing and ready to pay their share, but the money will go to capital and not operating.

Mr. Scanlon said SamTrans is in trouble. He said within the next three years the bus system could be cut in half. A good portion of SamTrans' problems stems from long-term debt and more than half of the long-term debt is for the BART extension into San Mateo County. He said

this is not a cash flow problem, but a structural deficit. Mr. Scanlon said more service is being provided and the San Mateo County Transit District is in more business units than it can afford. He said at the beginning of last year staff stated the SamTrans contribution would be cut to Caltrain by a certain amount and cut again this fiscal year. Mr. Scanlon said this has been well known for a number of years. Mr. Scanlon said if we are going to run a regional railroad it can't be with contributions that are leveraged the way they currently are. He said if there is interest, staff can bring the SamTrans financial model to the Board.

Director Yeager asked if there are funds earmarked for the ferry service that could be shifted over.

Mr. Scanlon said there are funds through the San Mateo County Transportation Authority, but they are already maxed out. The tax measure, Measure A, provides for 16 percent, in total, to go for Caltrain and of that 16 percent up to 8 percent can be used for operations and that level is maxed out. Mr. Scanlon said every rock has been looked under.

Legal Counsel David Miller said the only way the allocations can be changed is by a vote by the counties and residents.

Director Nat Ford asked how much SamTrans State Transit Assistance funding was lost over the past few years. Mr. Scanlon said enough that if the agency had received the STA funding it was supposed to receive, there wouldn't be this problem.

Director Lloyd said he has consistently heard SamTrans put the money up to purchase the right of way and SamTrans should ask for the money from Santa Clara and San Francisco counties. If the money was received would it go to capital or operating?

Mr. Scanlon said SamTrans was in a good financial position to advance the local shares to purchase the right of way. The counties and MTC came up with an agreement to pay back principle with very little interest, but the funds were predicated on spillover funds and that is gone now. The problem is if MTC could give the right of way money it is already accounted for within the SamTrans financial model. Mr. Scanlon said there needs to be a vision for a regional railroad and how it is funded.

Director Omar Ahmad said the final speaker made a comment about transparency and that is critical, but what is missing is history. There is a lot of history of how Caltrain got here. This is a complex situation of three counties coming together to run a railroad. Staff needs to recognize the history of how this system came about, and while it won't be simple, the public needs to understand how this was all put together and it is going to be critical for everybody to move forward.

A motion (Tissier/Ahmad) to call for a public hearing on March 3 to declare a fiscal emergency was approved unanimously.

CALL FOR A PUBLIC HEARING AT THE MARCH 3, 2011 MEETING FOR CONSIDERATION OF SERVICE SUSPENSIONS AND STATION CLOSURES FOR FISCAL YEAR 2012

Director of Rail Transportation Michelle Bouchard said staff is requesting the Board hold a public hearing at the March 3 meeting to receive comments on proposed service changes, station

closures and fare increases. The details of these proposals will be available February 9. The objective of the changes is to address the projected \$30 million funding gap in the operating budget for FY2012. Ms. Bouchard said in preparation for the hearing, staff will conduct public meetings in four cities in the Caltrain service area during the week of February 14. She said the proposals will be presented to the public and input will be sought at the meetings. Ms. Bouchard said the proposal also will be online and comments can be received through the website, regular mail or by phone.

JPB Secretary Martha Martinez said the notices will be publicized through published newspapers that have a large circulation.

Public Comment

Jeff Carter, Burlingame, said this is not good and people can lose their jobs because of no service in their cities or because of the reduced hours. He appreciates Mr. Scanlon's comments about SamTrans, but the BART debt is a significant part of the problem.

Cindy May, San Carlos, said she rides Caltrain on weekends and evenings and it is very popular among passengers. She asked that no stone be unturned and have a vision to keep the service running in the future.

Christine Wozniak, Belmont councilmember, said cutting off any city from Caltrain service is a bad thing and turns people off.

Jim Kelly, San Bruno, said he would like the Board to look at funding possibilities that might open up as lawmakers at the Federal level are very interested in expanding regional rail.

Margaret Okuzumi, Sunnyvale, said there is no mystery how we got to this point. Federal government is spending millions on war, the State is broke and it is time we invest in public transit. Ms. Okuzumi said all elected officials need to make the case to the public that we need to invest in transit.

Andy Chow, Bay Rail Alliance, said we need to not give people excuses why public transit doesn't work because it does.

John Carpenter, Mountain View, said it is important to look at labor costs. There have been no increases in cost of living and salaries should be cut before service is cut.

A motion (Ford/Ahmad) to call for a public hearing on March 3 to consider service suspensions, station closures and fare increases was approved unanimously.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR NOVEMBER 2010

Ms. Harrington said fare revenue is over budget and there is about \$5.2 million in savings in expenses. She said fuel prices have gone up and last week fuel was \$2.37 per gallon. Ms. Harrington said the fuel hedge was tripped and a check in the amount of \$16,000 will be received.

Director Kniss left at 11:56 a.m.

A motion (Lloyd/Ahmad) to accept the December 2010 statement was approved unanimously.

ACCEPTANCE OF QUARTERLY INVESTMENT REVIEW AND FIXED INCOME MARKET REVIEW AND OUTLOOK FOR THE QUARTER ENDED DECEMBER 31, 2010

A motion (Ahmad/Lloyd) to accept the Quarterly Investment Review and Fixed Income Market Review was approved unanimously.

FISCAL YEAR 2010 COMPREHENSIVE ANNUAL FINANCIAL REPORT

Ms. Harrington said this is the transmission of the annual financial report. There were no findings by the auditors.

CALTRAIN CUSTOMER SURVEY KEY FINDINGS

Executive Officer Customer Service and Marketing Rita Haskin made the following points:

- The objective of survey was to determine who our customers are and whether their needs are being met.
- This was an onboard survey conducted in October 2010 on every train; surveys were available in English and Spanish and there was an 83 percent response rate.
- The average Caltrain customer rides four or more days per week, takes a round trip and has been riding for more than two years.
- Most customers commute on Caltrain to work.
- The monthly pass is the most popular fare media.
- The main reasons for customers riding Caltrain are to avoid traffic and save money.
- A large number of commuters were introduced to Caltrain by taking it to a special event.
- Nearly as many customers walked to the station as drove.
- Overall, customers are satisfied.
- Nearly two-thirds of customers get their information from the Caltrain website.
- The typical customer is male, mid-30s, employed full-time, well-educated with a mean income of \$104,000.
- Staff will use this information for future planning, communicating with current customers and potential customers.

Public Comment

Jeff Carter, Burlingame, said the demographics of salary don't reflect reality. He said 52 percent of the people who ride Caltrain make under \$100,000. Mr. Carter said people like to use the high-income to justify higher fares. He said weekend riders make less and pay a higher fare.

Gladwyn d'Souza, Belmont, thanked staff for the survey. He said the data shows people are driving to the train and not taking the bus to the station and that is why Caltrain is in a fiscal situation. He said there needs to be a system that works for everyone.

LEGISLATIVE UPDATE

Government Affairs Manager Seamus Murphy said the legislative update was available to Board members in the reading file and that he would be happy to answer any questions.

CORRESPONDENCE

In the reading file

BOARD MEMBER REQUESTS

None

DATE/TIME/PLACE OF NEXT MEETING

Thursday, March 3, 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

Closed Session: Conference with Legal Counsel – Anticipated Litigation Pursuant to Government Code Section 54956.9(b)(1) (One Potential Case)

Mr. Miller said this is a matter of potential litigation that qualifies for closed session under the Brown Act.

Adjourned to closed session at 12:07 p.m.

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

Mr. Miller said the Board met in closed session to hear a report from counsel and chief financial officer regarding a matter of potential litigation and there is no action to be taken at this time.

ADJOURNED

Adjourned at 12:15 p.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **AUTHORIZE THE FILING OF APPLICATIONS FOR STATE
PROPOSITION 1B TRANSIT SECURITY GRANT PROGRAM FUNDS**

ACTION

Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director, or his designee, to submit grant applications, with concurrent Letters of No Prejudice (LONP), to the State of California Emergency Management Agency (CalEMA) and to file and execute certifications, assurances and other documentation as required to receive Fiscal Year 2010 and 2011 Proposition 1B California Transit Security Grant Program (CTSGP) funds from the State for transportation security projects.

SIGNIFICANCE

CalEMA requires eligible recipients of Proposition 1B CTSGP funds to submit resolutions approved by their governing bodies that authorize appointed agents to execute any action necessary for the processing of applications associated with current and prior year unobligated programmed funds. Approval of this item will meet CalEMA's CTSGP funding requirement.

Due to the State fiscal crisis, the State Controller has not been able to sell a sufficient amount of bonds to fully fund all Proposition 1B capital projects. Should funding not be available at the time the JPB files its funding applications, the LONPs would enable the JPB to proceed with work utilizing its own funds, and be reimbursed once bond proceeds become available.

BUDGET IMPACT

There is no budget impact related to this action. Projects that are included in the JPB's annual applications with CalEMA are approved by the Board as part of the adoption and/or amendments to the annual capital budgets.

BACKGROUND

The Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006, otherwise known as Proposition 1B, was approved by California voters on November 7, 2006. Proposition 1B includes a funding program specifically for transit safety and security projects, known as the CTSGP. The State Controller develops a list of eligible transit operators and the

amount of funds that each operator is eligible to receive on an annual basis. Funding allocations are contingent on bond sales, which have been delayed due to the State's current fiscal environment.

Historically, the JPB has adopted new project-specific resolutions providing this authority every year. CalEMA has informed the JPB that it only requires board authority to designate the appointed agent to execute any actions necessary for each application and, to allow greater flexibility, it does not require applicants to list each project on its governing body resolution. After adoption by the Board, the certified resolution will be filed with CalEMA.

Prepared by: Joel Slavit, Manager, Grants and Fund Programming

650.508.6476

RESOLUTION NO. 2011 -

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

* * *

**AUTHORIZE THE FILING OF APPLICATIONS FOR STATE PROPOSITION 1B
TRANSIT SECURITY GRANT PROGRAM FUNDS**

WHEREAS, the California Transit Security Grant Program (CTSGP) is a program for capital security and safety projects that is part of the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, otherwise known as Proposition 1B, which was approved by California voters on November 7, 2006: and

WHEREAS, the CTSGP is administered by the California Emergency Management Agency (CalEMA); and

WHEREAS, CalEMA requires all eligible recipients of CTSGP funds to submit resolutions approved by their governing bodies that authorize appointed agents to take any action necessary for the processing of applications associated with current and prior year unobligated programmed funds; and

WHEREAS, due to the lack of available bond funding for new projects, the State Controller's Office may be unable to allocate CTSGP funds in a timely manner; and

WHEREAS, AB672, signed by the Governor on October 11, 2009, authorizes approval of a Letter of No Prejudice (LONP), which allows an eligible applicant to expend its own funds to proceed with work on CTSGP-eligible projects and be reimbursed once CTSGP funds are available; and

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) is on a list of eligible applicants for CTSGP funds that has been developed by the State Controller's Office for Fiscal

Year (FY) 2010, per grant identification number 6261-0002, and FY2011, per grant identification number 6361-0002; and

WHEREAS, staff recommends that the Board provide the Executive Director, or his designee, the authorization to submit applications for FY2010 and FY2011 CTSGP funds, with concurrent LONPs, and to file and execute certifications and assurances and any other documentation required by CalEMA.

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

1. Authorizes the Executive Director, or his designee, to file applications and concurrent LONPs with CalEMA for FY 2010 Proposition 1B 6261-0002 and FY 11 Proposition 1B 6361-0002 CTSGP funds; and
2. Authorizes the Executive Director, or his designee, to take such actions as may be necessary to give effect to this resolution, including executing any agreements, certifications and assurances or other documentation required to receive the funds.

Regularly passed and adopted this 3rd day of March 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: C.H. (Chuck) Harvey
Deputy CEO

SUBJECT: KEY CALTRAIN PERFORMANCE STATISTICS JANUARY 2011

For January 2011, Caltrain average weekday ridership (AWR) increased 5.0 percent over January 2010. AWR based on ticket sales was 37,380 for January 2011, an increase of 1,796 compared to January 2010. AWR has trended upward compared to last year for seven of the last eight months. The total number of passengers for the month of January 2011 was 920,787, representing a 7.7 percent increase from last year's January total of 920,103.

In January 2011, on-time performance was 95.2 percent, as compared to 94.8 percent in January 2010, an increase of 0.4 percentage points and above the standard of 95 percent.

Average weekday shuttle ridership was estimated at 5,422. Overall shuttle ridership is down 11.1 percent from January 2010. For the station shuttles, the Millbrae-Broadway shuttle averaged 102 daily riders. The Belmont-Hillsdale shuttle averaged 84 daily riders. The weekend Tamien-San Jose shuttle averaged 34 riders per day.

Caltrain Promotions – January 2011

Weekend Baby Bullet – Caltrain embarked on a multifaceted informational and promotional campaign to let customers and Caltrain corridor residents know about the Weekend Baby Bullet pilot service. Elements included Facebook (Caltrain Weekend Bullets), Twitter (CTWkendBullets), newspaper ads, radio spots, a news release, station electronic messages, and adcards on Caltrain, the Santa Clara Valley Transportation Authority and SamTrans. In January, nearly 6,000 Weekend Baby Bullet customers went through the San Francisco station.

Fare and Service Change – In anticipation of the Jan. 1 fare increase and service change (four fewer weekday trains), staff notified customers through a variety of means, including a news release, onboard take one, conductor announcements, station information board flyers, station electronic messages, phone recording and website. Customers were well informed and made the adjustment with ease.

Kraft Fight Hunger Bowl – Football fans heading to the Kraft Fight Hunger Bowl (formerly known as the Emerald Bowl) hopped about Caltrain for a clear run to the gridiron at AT&T Park. Extra service was provided before and after the game and was publicized with a news release, via the Caltrain website, in the winter edition of *Track the Fun*, posting to Facebook and radio spots on KNBR. Caltrain carried 1,712 additional riders.

Sharks Hockey – The new year brought more hockey fans to Caltrain for a ride to the HP Pavilion to see the San Jose Sharks devour their competition. Nearly 2,000 fans rode Caltrain to the seven games in January. Service promotion included onboard take ones and announcements during the games, both paid for by the Sharks. Caltrain also promoted the service with onboard adcards, a Caltrain web button, radio reads before each game, and current editions of *Track the Fun* and *Caltrain Connection*.

ClipperSM – Staff continued to reach out to customers to educate them about transitioning to Clipper. The last paper 8-ride Ticket was sold Jan. 31. Information was disseminated with a news release, station visits, onboard outreach, station electronic message signs, ticket vending machine notices, website updates and *Caltrain Connection* newsletter.

Disney on Ice – Caltrain partnered with Disney on Ice to promote service to its “Let’s Celebrate” event, which offers a discount to Caltrain customers. Caltrain promoted the event with a mention in the winter issues of *Track the Fun* and *Caltrain Connection*, and a posting on the website. Disney on Ice promoted the event and partnership with onboard adcards and a television commercial.

Caltrain Connection – The winter edition of the newsletter was released onboard trains and via the Caltrain website. Top stories included budget issues, Weekend Baby Bullet, Clipper Frequently Asked Questions and revenue generated from train advertising.

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

January 2011

	FY2010	FY2011	%Change
Total Ridership	920,103	990,787	7.7%
Average Weekday Ridership	35,584	37,380	5.0%
Total Revenue	\$3,214,335	\$3,898,342	21.3%
On-time Performance	94.8%	95.2%	0.4%*
Caltrain Shuttle Ridership	6,098**	5,422	-11.1%

Year to Date

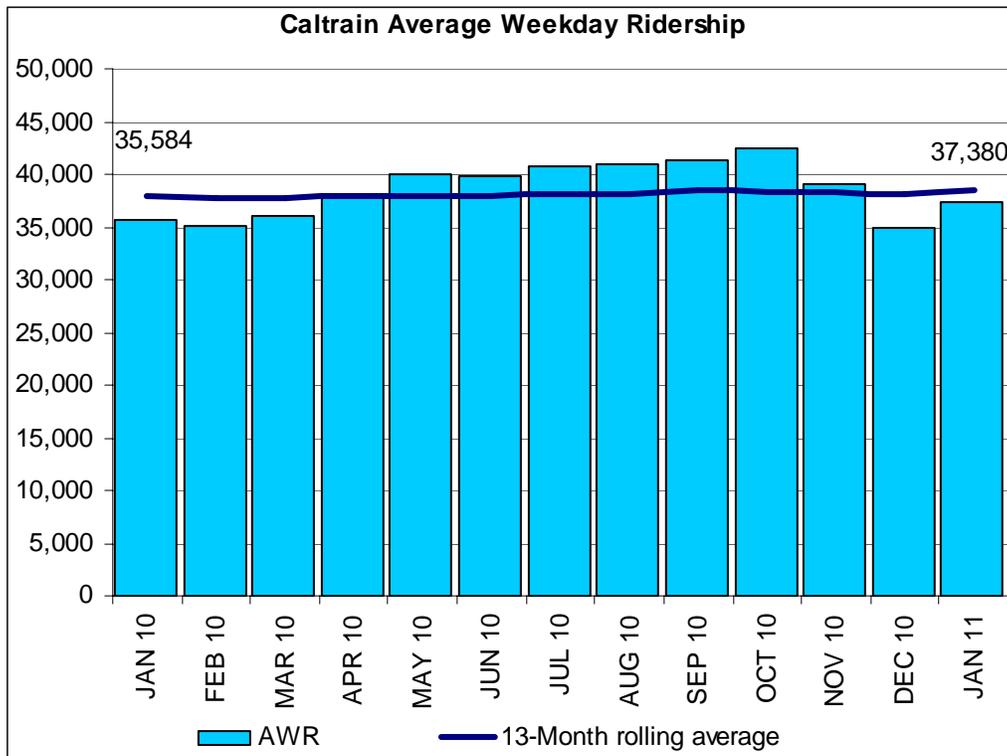
	FY2010	FY2011	%Change
Total Ridership	6,993,484	7,309,597	4.5%
Average Weekday Ridership	37,791	39,522	4.6%
Total Revenue	\$24,619,523	\$27,242,557	10.7%
On-time Performance	93.8%	94.0%	0.2%*
Average Caltrain Shuttle Ridership	5,459**	5,291	-3.1%

* numeric difference of the percentages

**FY10 figures have been adjusted to reflect corrected number of days operated per month

For this year, New Year's Holiday was observed in December

Graph A



PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD
ENDING JANUARY 31, 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 January 2011 and supplemental information.

SIGNIFICANCE

Revenue: For January of Fiscal Year 2011, *Total Operating Revenue* (line 7) is \$1,988,537 or 6.7 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$2,152,595 or 8.6 percent **better** than budget offset by *Shuttles* (line 3) which are \$215,457 or 24.5 percent **worse** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$2,534,570 or 8.7 percent **higher**.

Expense: *Grand Total Expenses* (line 47) show a favorable variance of \$5,550,619 or 9.3 percent. *Total Operating Expense* (line 33) is \$5,229,832 or 9.9 percent **better** than budget. Within total operating expense, *Contract Operating & Maintenance* (line 23) and *Fuel* (line 26) together are \$4,592,091 or 10.3 percent **better** than budget. *Total Administrative Expense* (line 42) is \$320,788 or 5.3 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 47) are \$3,979,055 or 7.9 percent **higher**. The increase in expense is mainly due to *Fuel* (line 26) and *Insurance* (line 28) which together are \$2,322,756 or 27.5 percent **higher**.

Budget Revisions: There are no budget revisions for the month of January 2010.

Prepared by: Jeannie Chen, Senior Accountant
David Ramires, Accountant

650.508.6259
650.508.6417

PENINSULA CORRIDOR JOINT POWERS BOARD

STATEMENT OF REVENUE AND EXPENSE

Fiscal Year 2011

January 2011

% OF YEAR ELAPSED

58.3%

	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	3,898,342	24,619,523	27,242,556	25,089,961	108.6%	43,353,719	44,594,719	61.1%
2 Parking Revenue	210,298	1,254,377	1,328,608	1,324,841	100.3%	2,271,159	2,271,159	58.5%
3 Shuttles	90,910	630,539	662,790	878,247	75.5%	1,505,578	1,505,578	44.0%
4 Rental Income	143,768	1,000,594	1,011,400	990,730	102.1%	1,696,200	1,696,200	59.6%
5 Other Income	199,348	1,653,382	1,447,631	1,420,669	101.9%	2,435,440	2,435,440	59.4%
6								
7 TOTAL OPERATING REVENUE	4,542,665	29,158,415	31,692,985	29,704,448	106.7%	51,262,096	52,503,096	60.4%
8								
CONTRIBUTIONS:								
10 AB434 Peninsula Feeder Shuttle	83,333	583,333	583,333	583,331	100.0%	1,000,000	1,000,000	58.3%
11 Operating Grants	1,281,206	1,102,477	5,064,447	5,064,072	100.0%	6,327,389	6,428,714	78.8%
12 JPB Member Agencies	2,924,177	22,993,010	20,469,243	20,469,232	100.0%	35,090,130	35,090,130	58.3%
13 Other Sources	-	-	-	3,856,779	0.0%	6,200,000	7,190,000	0.0%
14								
15 TOTAL CONTRIBUTED REVENUE	4,288,716	24,678,821	26,117,024	29,973,413	87.1%	48,617,519	49,708,844	52.5%
16								
17 GRAND TOTAL REVENUE	8,831,381	53,837,236	57,810,008	59,677,861	96.9%	99,879,615	102,211,940	56.6%
18								
19								
EXPENSE								
OPERATING EXPENSE:								
23 Contract Operating and Maintenance	4,993,060	32,643,014	32,832,985	35,987,308	91.2%	62,285,336	61,415,015	53.5%
24 Operator Contract Transition Costs	-	-	-	333,333	0.0%	2,000,000	2,000,000	0.0%
25 Shuttles (incl Peninsula Pass)	245,006	1,686,069	1,716,200	1,951,618	87.9%	3,345,631	3,345,631	51.3%
26 Fuel	929,898	5,880,905	6,952,311	8,390,079	82.9%	14,146,389	13,963,956	49.8%
27 Timetables and Tickets	47,017	94,252	95,480	111,125	85.9%	190,500	190,500	50.1%
28 Insurance	405,831	2,579,464	3,830,814	3,830,815	100.0%	4,870,000	5,860,000	65.4%
29 Facilities and Equipment Maint	69,412	583,803	662,001	706,754	93.7%	1,213,000	1,213,000	54.6%
30 Utilities	105,547	632,328	950,770	958,443	99.2%	1,642,800	1,642,800	57.9%
31 Services	94,452	507,554	654,753	655,670	99.9%	1,126,610	1,126,610	58.1%
32								
33 TOTAL OPERATING EXPENSE	6,890,222	44,607,390	47,695,314	52,925,146	90.1%	90,820,266	90,757,512	52.6%
34								
ADMINISTRATIVE EXPENSE								
36 Wages and Benefits	461,225	3,380,791	3,563,901	3,864,173	92.2%	6,521,825	6,521,825	54.6%
37 Board of Directors	1,181	6,602	6,631	7,175	92.4%	12,300	12,300	53.9%
38 Professional Services	61,825	698,165	1,265,378	1,282,274	98.7%	2,122,724	2,224,049	56.9%
39 Communications and Marketing	12,556	100,061	133,092	135,990	97.9%	227,840	227,840	58.4%
40 Office Expense and Other	119,978	711,834	819,581	819,760	100.0%	1,365,539	1,365,539	60.0%
41								
42 TOTAL ADMINISTRATIVE EXPENSE	656,765	4,897,454	5,788,584	6,109,372	94.7%	10,250,228	10,351,553	55.9%
43								
44 Long Term Debt Expense	91,906	643,344	643,344	643,344	100.0%	1,102,875	1,102,875	58.3%
45 Service Adjustment/Fare and Revenue Changes	-	-	-	-	0.0%	(2,293,754)	-	0.0%
46								
47 GRAND TOTAL EXPENSE	7,638,893	50,148,187	54,127,242	59,677,861	90.7%	99,879,615	102,211,940	53.0%

"% 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

* The Approved Budget is the Board adopted budget effective July 1, 2010.

** The Revised Budget is the adopted budget plus Board amendments plus budget transfers.



PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF JANUARY 31, 2011

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Restricted)	Liquid Cash	0.538%	\$ 2,000,000	\$ 2,002,923
Local Agency Investment Fund (Unrestricted)	Liquid Cash	0.538%	20,725,386	20,755,673
Investment Portfolio (Unrestricted)	Liquid Cash	3.188%	6,182,740	6,100,462
Other (Unrestricted)	Liquid Cash	0.050%	807,625	807,625
			\$ 29,715,752	\$ 29,666,683

Accrued Earnings for January 2011	\$25,877.39	(1)
Cumulative Earnings FY2011	\$194,572.27	

(1) Earnings do not include prior period adjustments

* The market value of Local Agency Investment Fund (LAIF) was derived from the fair value factor of 1.001461323 as reported by LAIF for quarter ending December 31, 2010.

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

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Mark Simon
Executive Officer, Public Affairs

SUBJECT: STATE AND FEDERAL LEGISLATIVE UPDATE

ACTION

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

SIGNIFICANCE

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

STATE ISSUES

Legislation

Lawmakers introduced over 2,300 bills before the introduction deadline on February 18. The legislative matrix includes a number of transportation-related bills that staff will be reviewing and actively monitoring.

FEDERAL ISSUES

2011 Appropriations

On February 19 the House passed legislation that includes appropriations for the remainder of Fiscal Year (FY) 2011. The bill includes over \$60 billion in cuts to existing programs including an almost \$8 billion reduction in transportation funding and a rescission of \$3.75 billion in unobligated American Recovery and Reinvestment Act funding.

These cuts include the elimination of over \$6 billion in funding for the High Speed Intercity Passenger Rail Program (HSIPR) and \$50 million for the Federal Railroad Administration program that funds Positive Train Control projects.

Instead of approving a version of the House appropriations bill, Senate Majority Leader Harry Reid (D-Nev.) has announced that he will introduce a Continuing Resolution (CR) next week that will extend government funding at FY 2010 levels for 30 days to avoid a government shutdown after the current CR expires on March 4. House Speaker John Boehner has indicated that House Republicans will oppose any short term extension that does not include cuts that are consistent with the appropriations bill already passed by the House.

Even though final FY 2011 appropriations have not yet been determined, the Administration released its FY 2012 budget requests last week. The request would more than double investment in transportation programs compared to FY 2010 levels and includes:

- \$22.4 billion for FTA programs
- \$8 billion for HSIPR program
- \$2 billion for Transportation Investments Generating Economic Recovery (TIGER)
- \$5 billion for a National Infrastructure Bank

Surface Transportation Authorization

Embedded within its FY 2012 budget request was the Administration's blueprint for long term surface transportation authorization. The proposal includes:

- \$556 billion over six years, with \$119 billion for FTA programs
- \$53 billion for HSIPR programs
- \$30 billion for a National Infrastructure Bank

More details about this proposal are expected to be released soon by the Department of Transportation.

Prepared By: Seamus Murphy, Government Affairs Manager

650.508.6388

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

Bill ID/Topic	Location	Summary	Position
<p><u>AB 16</u> <u>Perea D</u></p> <p>High-Speed Rail Authority.</p>	<p>ASSEMBLY TRANS. 1/24/2011 - Referred to Com. on TRANS.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes. The federal American Recovery and Reinvestment Act of 2009 (ARRA) provides funding for allocation nationally to high-speed rail projects.</p> <p>This bill would require the authority to make every effort to purchase high-speed train rolling stock and related equipment that are manufactured in California, consistent with federal and state laws.</p>	
<p><u>AB 31</u> <u>Beall D</u></p> <p>Land use: high-speed rail: local master plan.</p>	<p>ASSEMBLY L. GOV. 2/15/2011 - Re-referred to Com. on L. GOV.</p>	<p>The California High-Speed Rail Act establishes the High-Speed Rail Authority to develop and implement an intercity high-speed rail system in the state, exclusively grants to the authority the responsibility for planning, construction, and operation of that system, and confers upon the authority specified powers and duties relating to that system.</p> <p>This bill would establish the High-Speed Rail Local Master Plan Pilot Program, applicable to specified cities and counties, and would authorize each of those jurisdictions to prepare and adopt, by ordinance, a master plan for development in the areas surrounding the high-speed rail system in each jurisdiction. The bill would authorize the high-speed rail master plan to include incentives for encouraging investment and coherent growth in the areas surrounding the high-speed rail system in each participating jurisdiction. The bill would also authorize the participating jurisdictions to collaborate with the State Air Resources Board to develop incentives to encourage development while concurrently reducing greenhouse gas emissions, consistent with or pursuant to the California Global Warming Solutions Act of 2006 or another specified provision of law requiring the board to provide greenhouse gas emission reduction targets for the preparation of regional sustainable communities strategies. The bill would authorize the master plan to exceed the requirements of the jurisdiction's general plan or the applicable regional sustainable communities strategy with respect to fostering sustainable communities around the high-speed rail system. This bill contains other related provisions and other existing laws. Last Amended on 2/14/2011</p>	
<p><u>AB 41</u> <u>Hill D</u></p> <p>Conflicts of interest: disqualification.</p>	<p>ASSEMBLY E. & R. 1/24/2011 - Referred to Com. on E. & R.</p>	<p>Existing provisions of the Political Reform Act of 1974 prohibit a public official at any level of state or local government from making, participating in making, or attempting to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest, as defined. Existing law also requires specified elected and appointed officers at the state and local level of government to disclose specified financial interests by filing periodic statements of economic interests. Existing law further requires public officials who hold specified offices and who have a financial interest in a decision within the meaning of the Political Reform Act of 1974 to publicly identify the financial interest giving rise to the conflict of interest or potential conflict of interest, recuse themselves from discussing and voting on the matter, and leave the room until after the discussion, vote, and other disposition of the matter is concluded, except as specified.</p> <p>This bill would add members of the High-Speed Rail Authority to those specified offices who must publicly identify a financial interest giving rise to a conflict of interest or potential conflict of interest, and recuse themselves accordingly. This bill contains other related provisions and other existing laws.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 57</u> Beall D</p> <p>Metropolitan Transportation Commission.</p>	<p>ASSEMBLY TRANS. 2/3/2011 - Re-referred to Com. on TRANS.</p>	<p>The Metropolitan Transportation Commission Act creates the Metropolitan Transportation Commission as a regional agency in the 9-county San Francisco Bay Area with comprehensive regional transportation planning and other related responsibilities. Existing law requires the commission to consist of 19 members, including 2 members each from the Counties of Alameda and Santa Clara, and establishes a 4-year term of office for members of the commission.</p> <p>This bill would, instead, require the commission to consist of 21 members, including one member appointed by the Mayor of the City of Oakland and one member appointed by the Mayor of the City of San Jose. The bill would require the initial term of those 2 members to end in February 2015. The bill would, effective with the commission term commencing February 2015, prohibit more than 3 members of the commission from being residents of the same county, as specified. By imposing new requirements on a local agency, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 2/2/2011</p>	
<p><u>AB 58</u> Galgiani D</p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 1/27/2011 - Referred to Com. on TRANS.</p>	<p>Existing law, 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, 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 in general obligation bonds for high-speed rail and related purposes. Existing law provides for appointment of an executive director by the authority, who is exempt from civil service and serves at the pleasure of the authority.</p> <p>This bill would authorize the Governor to appoint up to 5 deputy directors exempt from civil service who would serve at the pleasure of the executive director. This bill contains other related provisions and other existing laws.</p>	
<p><u>AB 76</u> Harkey R</p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 1/27/2011 - Referred to Com. on TRANS.</p>	<p>Existing law, 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, 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 in general obligation bonds for high-speed rail and related purposes. Article XVI of the California Constitution authorizes the Legislature, at any time after the approval of a general obligation bond act by the people, to reduce the amount of the indebtedness authorized by the act to an amount not less than the amount contracted at the time of the reduction or to repeal the act if no debt has been contracted.</p> <p>This bill would reduce the amount of general obligation debt authorized pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the amount contracted as of January 1, 2012.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 145</u> <u>Galgiani</u> D</p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 2/3/2011 - Referred to Com. on TRANS.</p>	<p>Existing law, the California High-Speed Train 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, 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 in general obligation bonds for high-speed rail and related purposes.</p> <p>This bill would revise and recast these provisions by repealing and reenacting the California High-Speed Train Act. The bill would continue the High-Speed Rail Authority in existence to make policy decisions relative to implementation of high-speed rail consistent with Proposition 1A. The bill would create the Department of High-Speed Trains within the Business, Transportation and Housing Agency, which would implement those policies. The bill would transfer certain of the existing powers and responsibilities of the authority to the department and would specify additional powers and duties of the authority and department relative to implementation of the high-speed rail project, including the annual submission of a 6-year high-speed train capital improvement program and progress report to the Legislature. The director of the department would be appointed by the Governor, who would serve at the pleasure of the authority, and the Governor would be authorized to appoint up to 10 officers of the department who would be exempt from civil service and serve at the pleasure of the director. The bill would provide for acquisition and disposition by the department of rights-of-way for the high-speed rail project. The bill would enact other related provisions.</p>	
<p><u>AB 147</u> <u>Dickinson</u> D</p> <p>Subdivisions.</p>	<p>ASSEMBLY L. GOV. 2/3/2011 - Referred to Com. on L. GOV.</p>	<p>The Subdivision Map Act authorizes a local agency to require the payment of a fee 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 bridges or major thoroughfares if specified conditions are met.</p> <p>This bill would authorize the fee to additionally be used for defraying the actual or estimated cost of other transportation facilities, as described.</p>	
<p><u>AB 277</u> <u>Galgiani</u> D</p> <p>Public Utilities Commission: high-speed rail: power supply.</p>	<p>ASSEMBLY U. & C. 2/18/2011 - Referred to Com. on U. & C.</p>	<p>Under existing law, the Public Utilities Commission has regulatory authority over public utilities, including electrical corporations, as defined. The Public Utilities Act authorizes the commission to ascertain and fix just and reasonable standards, classifications, regulations, practices, measurements, or service to be furnished, imposed, observed, and followed by specified public utilities, including all electrical corporations.</p> <p>This bill would require the commission to coordinate with the High-Speed Rail Authority to determine the power supply system requirements for high-speed rail operations. This bill contains other existing laws.</p>	
<p><u>AB 296</u> <u>Skinner</u> D</p> <p>Global warming: urban heat island effects pavement.</p>	<p>ASSEMBLY PRINT 2/10/2011 - From printer. May be heard in committee March 12.</p>	<p>The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to address global warming caused by the emission of greenhouse gases by reducing the emission of those gases to certain specified levels.</p> <p>This bill would state the intent of the Legislature to enact legislation that would regulate the reflectivity (albedo) of pavement to reduce the urban heat island effect.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 333</u> Grove R</p> <p>California Global Warming Solutions Act of 2006: unemployment.</p>	<p>ASSEMBLY PRINT 2/11/2011 - From printer. May be heard in committee March 13.</p>	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions.</p> <p>This bill would require the state board to exempt from an emission reduction requirement adopted pursuant to the act an emissions source located within a county that on January 1, 2012, has an unemployment rate of 7% or greater, until that county's unemployment rate drops below 7% for 6 consecutive months.</p>	
<p><u>AB 381</u> Alejo D</p> <p>Department of Transportation.</p>	<p>ASSEMBLY PRINT 2/15/2011 - From printer. May be heard in committee March 17.</p>	<p>Existing law creates the Department of Transportation, within the Business, Transportation and Housing Agency, under the administration of the Director of Transportation, who is required to organize the department, as specified, with the approval of the Governor and the Secretary of the Business, Transportation and Housing Agency.</p> <p>This bill would make a non-substantive, grammatical change to that provision.</p>	
<p><u>AB 385</u> Harkey R</p> <p>High-speed rail.</p>	<p>ASSEMBLY PRINT 2/15/2011 - From printer. May be heard in committee March 17.</p>	<p>Existing law creates the High-Speed Rail Authority, with various powers and duties relative to development and implementation of high-speed train service.</p> <p>This bill would state the intent of the Legislature to enact legislation relative to the implementation of high-speed rail.</p>	
<p><u>AB 426</u> Lowenthal, Bonnie D</p> <p>Transit fare evasion.</p>	<p>ASSEMBLY PRINT 2/15/2011 - From printer. May be heard in committee March 17.</p>	<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 provide that a person cited under the ordinance shall be afforded an opportunity to complete the administrative process under the circumstances set forth in the ordinance. This bill contains other related provisions and other existing laws.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 427</u> <u>John A. Pérez D</u></p> <p>Transportation bond funds: transit system safety.</p>	<p>ASSEMBLY PRINT 2/15/2011 - From printer. May be heard in committee March 17.</p>	<p>Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of \$19.925 billion of general obligation bonds for specified purposes. Existing law requires the deposit of \$1 billion of the bond proceeds in the Transit System Safety, Security, and Disaster Response Account to be used, upon appropriation, for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems that can move people, goods, and emergency personnel and equipment in the aftermath of a disaster impairing that movement. Existing law requires the allocation of 25% of these funds for capital expenditures to regional public waterborne transit agencies authorized to operate a regional public water transit system, as specified, and requires the California Emergency Management Agency to administer a grant application and award program.</p> <p>This bill would make non-substantive changes to these provisions.</p>	
<p><u>AB 471</u> <u>Lowenthal, Bonnie D</u></p> <p>High-speed rail: Inspector General.</p>	<p>ASSEMBLY PRINT 2/16/2011 - From printer. May be heard in committee March 18.</p>	<p>Existing law, 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, 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 in general obligation bonds for high-speed rail and related purposes.</p> <p>This bill would provide for an Office of the Inspector General and would require the authority to appoint an inspector general, who would serve at the pleasure of the authority, and would prepare specified reports and audits relating to high-speed rail.</p>	
<p><u>AB 485</u> <u>Ma D</u></p> <p>Local planning: transit village development districts.</p>	<p>ASSEMBLY PRINT 2/16/2011 - From printer. May be heard in committee March 18.</p>	<p>The Transit Village Development Planning Act of 1994 authorizes a city or county to create a transit village plan for a transit village development district that addresses specified characteristics. Existing law authorizes the legislative body of the city or county to adopt an infrastructure financing plan, create an infrastructure financing district, and issue bonds for which only the district is liable, to finance specified public facilities, upon voter approval.</p> <p>This bill would eliminate the requirement of voter approval for the adoption of an infrastructure financing plan, the creation of an infrastructure financing district, and the issuance of bonds with respect to a transit village development district. The bill would require a city or county that uses infrastructure financing district bonds to finance its transit village development district to use at least 20% of the revenue from those bonds for the purposes of increasing, improving, and preserving the supply of lower and moderate-income housing; to require that those housing units remain available and occupied by moderate-, low-, very low, and extremely low income households for at least 55 years for rental units and 45 years for owner-occupied units; and to rehabilitate, develop, or construct for rental or sale to persons and families of low or moderate income an equal number of replacement dwellings to those removed or destroyed from the low- and moderate-income segment of the housing market as a result of the development of the district, as specified. The bill would set forth the findings and declarations of the Legislature, and the intent of the Legislature that the development of transit village development districts be environmentally conscious and sustainable, and that related construction meet or exceed the requirements of the California Green Building Standards Code.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 492</u> <u>Galgiani D</u></p> <p>High-Speed Rail Authority.</p>	<p>ASSEMBLY PRINT 2/16/2011 - From printer. May be heard in committee March 18.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes.</p> <p>This bill would authorize the authority to consider, to the extent permitted by federal and state law, the creation of jobs in California when awarding major contracts or purchasing high-speed trains, as specified.</p>	
<p><u>AB 508</u> <u>Swanson D</u></p> <p>Displaced public transit, solid waste handling, and recycling services employees.</p>	<p>ASSEMBLY PRINT 2/16/2011 - From printer. May be heard in committee March 18.</p>	<p>Existing law requires a local government agency letting a public transit service contract out to bid to give a bidding preference for contractors and subcontractors who agree to retain, for a period of at least 90 days, certain employees who were employed to perform essentially the same services by the previous contractor or subcontractor. Under this law, contractors or subcontractors who agree to retain employees must offer employment to those employees except for reasonable and substantiated cause. Additionally, the law provides that if a successor contractor or subcontractor determines that fewer employees are needed than under the prior contract, qualified employees must be retained by seniority within the job classification. Further, the existing contractor, when required by the awarding authority, must provide employment information relating to wage rates, benefits, dates of hire, and job classifications of employees under the existing service contract to the awarding authority or a successor contractor.</p> <p>This bill would add employees of solid waste handling and recycling contractors and subcontractors to those provisions. By requiring local agencies to give a bidding preference to such contractors and subcontractors, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<p><u>AB 516</u> <u>V. Manuel Pérez D</u></p> <p>Safe routes to school.</p>	<p>ASSEMBLY PRINT 2/16/2011 - From printer. May be heard in committee March 18.</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 of 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 and 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 disadvantaged community, as defined.</p>	
<p><u>AB 522</u> <u>Bonilla D</u></p> <p>Vacation of public streets, highways, and public service easements.</p>	<p>ASSEMBLY PRINT 2/16/2011 - From printer. May be heard in committee March 18.</p>	<p>Existing law establishes the processes and procedures necessary for vacation of public streets, highways, and public service easements, and defines "vacation" for these purposes to mean the complete or partial abandonment or termination of the public right to use a public street, highway, or public service easement. Under these provisions, proof of publication of a required notice is made by affidavit.</p> <p>This bill would make a non-substantive change to these provisions.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 535</u> Morrell R</p> <p>Regulations: 5-year review and report.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</p>	<p>The Administrative Procedure Act generally sets forth the requirements for the adoption, publication, review, and implementation of regulations by state agencies. This bill would additionally require a state agency to review and report on regulations that it adopts or amends on and after January 1, 2012, 5 years after adoption, as specified.</p> <p>The bill would require that the review and report include 10 specified factors, including a summary of the written criticisms of the regulation received by the agency within the immediately preceding 5 years and the estimated economic, small business, and consumer impact of the regulation. The bill would require the Office of Administrative Law to make the review and report available on the office's Internet Web site.</p>	
<p><u>AB 551</u> Campos D</p> <p>Public contracts: prevailing wage requirements: violations.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</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, 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 \$100 for each calendar day and would increase the minimum penalty 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. This bill contains other related provisions and other existing laws.</p>	
<p><u>AB 567</u> Valadao R</p> <p>Transportation funds: capital improvement projects.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</p>	<p>Existing law requires specified funds made available for transportation capital improvement projects to be programmed and expended for interregional and regional improvements, as specified.</p> <p>This bill would make non-substantive changes to these provisions.</p>	
<p><u>AB 570</u> Smyth R</p> <p>Emissions of greenhouse gases: California Global Warming Solutions Act of 2006.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</p>	<p>The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The act requires the state board, on or before January 1, 2011, to adopt greenhouse gas emission limits and emission reduction measures by regulation to achieve the maximum technologically feasible and cost-effective reductions in emissions of greenhouse gases, in furtherance of achieving the statewide greenhouse gas emissions limit, with the regulations to become operative beginning January 1, 2012.</p> <p>This bill would make technical and non-substantive changes to the above requirements.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 598</u> <u>Grove R</u></p> <p>Environmental quality: environmental impact report.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</p>	<p>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 (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</p> <p>This bill would make technical, non-substantive changes to these provisions.</p>	
<p><u>AB 605</u> <u>Dickinson D</u></p> <p>Environmental quality: California Environmental Quality Act: transportation impacts.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</p>	<p>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 (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</p> <p>This bill would require the Office of Planning and Research, in consultation with specified entities, to prepare and adopt guidelines that would, among other things, establish the percentage reduction in the projected trip generation and vehicle miles traveled for a project as compared to the average for trip generation and vehicle miles traveled for that project type that would assist a region in meeting the greenhouse gas emission reduction targets established by the State Air Resources Board for the automobile and light truck sector for that region, and develop a list of mitigation measures that a project may incorporate to reduce the project's projected trip generation and vehicle miles traveled. The bill would provide that a project meeting or exceeding the percentage reduction in trip generation and vehicle miles traveled or a project that incorporates the listed mitigation measures sufficient to allow the project to meet the percentage reduction would not need to consider the transportation-related impact of the project in environmental documents prepared pursuant to CEQA. Because a lead agency would be required to determine whether a project would meet the percentage reduction established by the guidelines, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<p><u>AB 615</u> <u>Lowenthal, Bonnie D</u></p> <p>High-speed rail.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</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, including the acquisition of rights-of-way through purchase and eminent domain. 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 enact similar exceptions, authorizations, and exemptions relative to real property obtained for high-speed rail purposes by the High-Speed Rail Authority. The bill would make various additional conforming changes. The bill would also enact new provisions governing acquisition or disposal of right-of-way property by the authority. This bill contains other related provisions and other existing laws.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 650</u> <u>Blumenfield D</u></p> <p>Blue Ribbon Task Force on Public Transportation for the 21st Century.</p>	<p>ASSEMBLY PRINT 2/17/2011 - From printer. May be heard in committee March 19.</p>	<p>Existing law establishes various boards and commissions within state government. Existing law establishes various transit districts and other local entities for development of public transit on a regional basis and makes various state revenues available to those entities for those purposes. Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of statewide concern. The Institute of Transportation Studies of the University of California studies all aspects of transportation, including technological advances to social and environmental consequences. The Public Transportation Account is designated as a trust fund and funds in the account shall be available only for specified transportation planning and mass transportation purposes.</p> <p>This bill would establish the Blue Ribbon Task Force on Public Transportation for the 21st Century. The bill would require the task force to be comprised of 12 specified members and would require the Senate Committee on Rules and the Speaker of the Assembly to jointly appoint these members, including a chair, by March 31, 2012. The bill would require the task force to prepare 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 March 31, 2013, 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, in preparing its written report, to consult with appropriate state agencies and departments and would require the Institute of Transportation Studies of the University of California, subject to their agreement, to provide staffing to the task force. The bill would appropriate \$750,000 from the Public Transportation Account to the Department of Transportation, as specified, to accomplish the purposes of these provisions.</p>	
<p><u>AB 676</u> <u>Torres D</u></p> <p>Transportation funds.</p>	<p>ASSEMBLY PRINT 2/18/2011 - From printer. May be heard in committee March 20.</p>	<p>Existing law establishes a policy for expenditure of certain state and federal funds available to the state for transportation purposes. Under this policy, the Department of Transportation and the California Transportation Commission develop a fund estimate of available funds for purposes of adopting the state transportation improvement program, which is a listing of capital improvement projects. After deducting expenditures for administration, operation, maintenance, local assistance, safety, rehabilitation, and certain environmental enhancement and mitigation expenditures, the remaining funds are available for capital improvement projects.</p> <p>This bill would provide that the remaining funds are available for the study of, and development and implementation of, capital improvement projects.</p>	
<p><u>AB 710</u> <u>Skinner D</u></p> <p>Local planning: infill and transit-oriented development.</p>	<p>ASSEMBLY PRINT 2/18/2011 - From printer. May be heard in committee March 20.</p>	<p>The Planning and Zoning Law requires specified regional transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, and requires the regional transportation plan to include, among other things, a sustainable communities strategy, for the purpose of using local planning to reduce greenhouse gas emissions.</p> <p>This bill would state the findings and declarations of the Legislature with respect to parking requirements and infill and transit-oriented development, and would state the intent of the Legislature to reduce unnecessary government regulation and to reduce the cost of development by eliminating excessive minimum parking requirements for infill and transit-oriented development. This bill contains other related provisions and other existing laws.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 845</u> <u>Ma D</u></p> <p>Transportation: bond funds.</p>	<p>ASSEMBLY PRINT 2/18/2011 - From printer. May be heard in committee March 20.</p>	<p>Existing law, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes, including \$950 million to be allocated by the California Transportation Commission to eligible recipients for capital improvements to intercity and commuter rail lines and urban rail transit systems in connection with or otherwise related to the high-speed train system. Of this amount, 80% is to be allocated to eligible commuter and urban rail recipients based on track miles, vehicle miles, and passenger trips pursuant to guidelines to be adopted by the commission. A dollar-for-dollar match is to be provided by a commuter and urban rail recipient for bond funds received.</p> <p>This bill would require the guidelines adopted by the commission to determine the funding share for each eligible commuter and urban rail recipient to use the distribution factors gathered from the most current available data in the National Transit Database of the Federal Transit Administration. The bill would require the commission to accept from each eligible recipient a priority list of projects up to the target amount expected to be available for the recipient and would require matching funds provided by the recipient to be from non-state funds. The bill would define "non-state matching funds" for purposes of these bond fund allocations to mean local, federal, and private funds, as well as state funds available to an eligible recipient that are not subject to allocation by the commission.</p>	
<p><u>AB 892</u> <u>Carter D</u></p> <p>Department of Transportation: environmental review process: federal pilot program.</p>	<p>ASSEMBLY PRINT 2/18/2011 - From printer. May be heard in committee March 20.</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, until January 1, 2012, provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of the responsibilities it assumed as a participant in the pilot program.</p> <p>This bill would delete this repeal date, thereby extending the operation of these provisions indefinitely.</p>	
<p><u>AB 912</u> <u>Gordon D</u></p> <p>Local government: organization.</p>	<p>ASSEMBLY PRINT 2/18/2011 - From printer. May be heard in committee March 20.</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 with zero sphere of influence, to immediately order the dissolution if the dissolution was initiated by the district board, or to, within 30 days following the approval of the application by the commission, hold at least one noticed public hearing on the proposal, and order the dissolution without an election, unless a majority protest exists, as specified.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 952</u> Jones R</p> <p>High-speed rail.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</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 or employee of the authority from being the recipient of any gift, as defined, for purposes of the Political Reform 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 or employee of the authority, or to any member of their immediate families. The bill would allow the authority itself to receive gifts, subject to approval of the Senate. The bill would also allow the authority to transfer the gifts it receives to any person only with the approval of the Senate. This bill contains other related provisions.</p>	
<p><u>AB 953</u> Jones R</p> <p>High-speed rail.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law, 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, 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 in general obligation bonds for high-speed rail and related purposes. Under federal law, funding is made available for allocation nationally to high-speed rail and other related projects.</p> <p>This bill would provide that no funds from Proposition 1A shall be available to the High-Speed Rail Authority for construction of the high-speed train system until adequate environmental studies are completed based on a new ridership study that uses an acceptable ridership evaluation methodology. The bill would require the authority to contract with the Institute of Transportation Studies at the University of California at Berkeley to complete a revised ridership study, using the ridership methodology of the institute. The bill would require the authority to use that ridership study as the basis for subsequent environmental studies. The bill would also require the authority to reconsider its adoption of the optimal high-speed rail route based both on the new ridership study and the ridership methodology.</p>	
<p><u>AB 957</u> Committee on Transportation</p> <p>Transportation omnibus bill.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law authorizes the impoundment of a vehicle operating as a taxicab or other passenger vehicle for hire in violation of licensing requirements adopted by a local authority for a period of 30 days or less. Existing law requires an impoundment agency to release to the registered owner or his or her agency a vehicle so impounded prior to the expiration of the impoundment period under specified circumstances.</p> <p>This bill would additionally require the release of an impounded vehicle operating as a taxicab or other passenger vehicle for hire in violation of the licensing requirements if the vehicle is a rental car. Because a violation of this provision is a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 988</u> <u>Grove R</u></p> <p>Prevailing wages.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers' compensation for public works projects. Existing law further requires that, except as specified, not less than the general prevailing rate of per diem wages, determined by the Director of Industrial Relations as specified, be paid to workers employed on public works projects, and imposes misdemeanor penalties for certain violations of this requirement.</p> <p>This bill would revise the manner in which the director determines the rate of general prevailing wages, including deleting the requirement that he or she consider the applicable wage rates established by collective bargaining agreements and the rates that may have been predetermined for federal public works, and deleting the requirement that the director consider further data from labor organizations and employers or employer associations and concerns where the rates do not constitute the rates actually paid in the locality. The bill would also revise the methodology that the director is required to use in determining the general prevailing rate of per diem wages in the locality in which the public work is to be performed, including deleting certain requirement, and requiring the director to conduct a survey of the wages paid for work performed in each locality in which the public work is to be performed. This bill contains other related provisions and other existing laws.</p>	
<p><u>AB 1092</u> <u>Lowenthal, Bonnie D</u></p> <p>High-speed rail.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law, 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, 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 in general obligation bonds for high-speed rail and related purposes.</p> <p>This bill would require the authority to report biannually to the Legislature beginning March 1, 2012, on the status of the project, including overall progress, the project budget, expenditures to date, a comparison of the current and project work schedule and the baseline schedule contained in the 2009 business plan, project milestones, and other related issues.</p>	
<p><u>AB 1097</u> <u>Skinner D</u></p> <p>Transit projects: domestic content.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law creates the Business, Transportation and Housing Agency with various departments of state government that report to the agency secretary. Existing law provides various sources of funding for transit projects.</p> <p>This bill would require the Secretary of Business, Transportation and Housing to adopt, by regulation, a policy that specifically authorizes providing a preference on a transit project receiving funding from the Federal Transit Administration to a bidder that uses, for the project, a higher percentage of domestic contents in the materials, supplies, and equipment than otherwise required by federal law. The bill would require the secretary to consult with affected local and regional transportation agencies in that regard.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 1126</u> Calderon, Charles D Sales and use taxes.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>The Sales and Use Tax Law imposes a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state, or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The State Board of Equalization administers the collection of taxes as imposed under those laws. Existing law requires every seller, certain retailers, and every person storing, using, or otherwise consuming in this state tangible personal property purchased from a retailer to keep any records, receipts, invoices, and other pertinent papers in any form as the board may require.</p> <p>This bill would make various technical, non-substantive changes to this requirement.</p>	
<p><u>AB 1134</u> Bonilla D Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006: allocation of funds.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law, implementing the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, requires specified entities receiving an allocation of the proceeds of bonds issued under the act to expend those funds within 3 fiscal years of the fiscal year in which the funds were allocated.</p> <p>This bill would specify that for an allocation of the funds made prior to June 30, 2011, the entity receiving the allocation would be required to expend them within 4 fiscal years of the fiscal year in which the funds were allocated. This bill contains other related provisions.</p>	
<p><u>AB 1164</u> Gordon D High-Speed Rail Authority: appointees: Senate confirmation.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law creates the High-Speed Rail Authority within the state government with various powers and duties relative to development and implementation of a high-speed passenger train system. Existing law provides that 5 of the 9 members comprising the authority shall be appointed by the Governor.</p> <p>This bill would require that those gubernatorial appointments be made with the advice and consent of the Senate.</p>	
<p><u>AB 1206</u> Galgiani D High-speed rail: contracts: small businesses.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law, 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, 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 in general obligation bonds for high-speed rail and related purposes. Under federal law, funding is made available for allocation nationally to high-speed rail and other related projects.</p> <p>This bill would require the authority to identify essential components of, and adopt, a small emerging business enterprise program as part of contracts to be awarded by the authority relative to development and construction of the high-speed rail system. The bill would require the authority to provide certain bidding preferences and to establish a goal methodology to determine the appropriate level of involvement of small emerging business enterprises in authority contracts. The bill would require at least one public hearing by the authority before the program is adopted and would require the authority to include a plan for outreach to small emerging business enterprises. The bill would require the authority to report annually to the Legislature in that regard. This bill contains other related provisions and other existing laws.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>AB 1229</u> <u>Feuer D</u></p> <p>California Transportation Financing Authority Fund: subsidies: local agency revenue bonds.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>The California Transportation Financing Authority Act sets forth the duties of the California Transportation Financing Authority in issuing certain transportation financing instruments, or approving their issuance by various local or regional agencies. The authority is authorized to expend moneys in the continuously appropriated California Transportation Financing Authority Fund to secure the issuance of bonds issued by the authority and cover various related costs, among other things.</p> <p>This bill would authorize the authority to direct the Treasurer to utilize unrestricted moneys in the fund to subsidize the payment of interest by those local or regional agencies on revenue bonds issued by those agencies pursuant to these provisions.</p>	
<p><u>AB 1287</u> <u>Buchanan D</u></p> <p>Local government: audits.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law requires school districts to comply with General Accounting Office standards for financial and compliance audits, as specified, and prohibits an independent auditor from engaging in financial compliance audits unless, within 3 years of commencing the first of the audits, and every 3 years thereafter, the auditor completes a quality control review in accordance with General Accounting Office standards.</p> <p>This bill would require local agencies, defined to include cities, counties, a city and county, special districts, authorities, or public agencies, to comply with General Accounting Office standards for financial and compliance audits and would prohibit an independent auditor from engaging in financial compliance audits unless, within 3 years of commencing the first of the audits, and every 3 years thereafter, the auditor completes a quality control review in accordance with General Accounting Office standards.</p>	
<p><u>AB 1308</u> <u>Miller R</u></p> <p>Highway Users Tax Account: appropriation of funds.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Article XIX of the California Constitution requires revenues from state excise taxes on motor vehicle fuels for use in motor vehicles upon public streets and highways, over and above the cost of collection and any refunds authorized by law, to be used for various street and highway purposes and for certain mass transit guideway purposes. Existing law requires state excise fuel tax revenues to be deposited in various accounts and to be allocated, in part, for various purposes, including the cost of collection and authorized refunds. Existing law requires the balance of these funds remaining after authorized deductions to be transferred to and deposited monthly in the Highway Users Tax Account in the Transportation Tax Fund. Existing law provides for formula apportionment of specified revenues in the Highway Users Tax Account to cities and counties for the transportation purposes authorized by Article XIX of the California Constitution, and requires other portions of those revenues to be transferred to and deposited in the State Highway Account in the State Transportation Fund. Existing law provides that the money in the Highway Users Tax Account is appropriated for the above-described transportation purposes, but also generally provides that the money in the State Highway Account may not be expended until appropriated by the Legislature.</p> <p>This bill, in any year in which the Budget Act has not been enacted by July 1, would provide that all moneys in the Highway Users Tax Account in the Transportation Tax Fund, except as specified, are continuously appropriated and may be encumbered for certain purposes until the Budget Act is enacted. The bill would thereby make an appropriation. The bill would authorize the Controller to make estimates in order to implement these provisions.</p>	

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 2-22-11

<p><u>AB 1332</u> <u>Donnelly R</u></p> <p>State Air Resources Board: abolishment.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law establishes the State Air Resources Board as the state agency with primary jurisdiction over the regulation of air pollution, including greenhouse gas emissions. Existing law creates the state board within the California Environmental Protection Agency with prescribed membership.</p> <p>This bill would abolish the State Air Resources Board and transfer its authority, duties, powers, purposes, responsibilities, and jurisdiction to the California Environmental Protection Agency.</p>	
<p><u>AB 1335</u> <u>Lara D</u></p> <p>Local government: officials: salary increases.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law makes certain findings and declarations relating to the prohibition against the availability of state surplus or state loan funds, in the 1978-79 fiscal year, to any local public agency that provides an increase in salary in that fiscal year to any elected or appointed official, and cost-of-living increase for other individuals.</p> <p>This bill would make technical, non-substantive changes to these findings and declarations.</p>	
<p><u>AB 1388</u> <u>Wieckowski D</u></p> <p>California Alternative Energy and Advanced Transportation Financing Authority Act.</p>	<p>ASSEMBLY PRINT 2/18/2011 - Read first time. To print.</p>	<p>Existing law establishes the California Alternative Energy and Advanced Transportation Financing Authority Act, which is intended to provide industry within this state with an alternative method of financing alternative methods and sources of energy in this state. The act includes various legislative findings and declarations relating to the need to develop renewable energy sources and promote energy sources that reduce the degradation of the environment and protect the health, welfare, and safety of the public.</p> <p>This bill would make a technical, clarifying change in those legislative findings and declarations.</p>	
<p><u>ABX1 8</u> <u>Ma D</u></p> <p>Transportation bond funds.</p>	<p>ASSEMBLY PRINT 12/7/2010 - From printer.</p>	<p>Existing law, the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, authorizes the issuance of general obligation bonds for various transportation purposes. Existing law requires that \$1,000,000,000 of those funds be deposited in the Transit System Safety, Security, and Disaster Response Account, administered by the California Emergency Management Agency (Cal EMA), for capital projects that provide increased protection against a security and safety threat, and for capital expenditures to increase the capacity of transit operators to develop disaster response transportation systems, as specified. Existing law requires 25% of the available funds to be allocated to certain regional public waterborne transit agencies. Existing law requires entities receiving funds from the account to expend those funds within 3 fiscal years of the fiscal year in which the funds were allocated and requires that funds remaining unexpended after those 3 years revert to Cal EMA for reallocation in subsequent fiscal years.</p> <p>This bill would declare that it is to take effect immediately as an urgency statute. This bill contains other existing laws.</p>	
<p><u>AJR 5</u> <u>Lowenthal, Bonnie D</u></p> <p>Transportation revenues.</p>	<p>ASSEMBLY PRINT 2/11/2011 - From printer.</p>	<p>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.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>SB 22</u> <u>La Malfa R</u></p> <p>High-speed rail.</p>	<p>SENATE RLS. 1/20/2011 - Referred to Com. on RLS.</p>	<p>Existing law, 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, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes.</p> <p>This bill would state the intent of the Legislature to reexamine the bond funding mechanism of the authority relative to the authority's high-speed rail project.</p>	
<p><u>SB 46</u> <u>Correa D</u></p> <p>Local government: compensation disclosure.</p>	<p>SENATE G. & F. 1/20/2011 - Referred to Com. on Gov. & F.</p> <p>3/16/2011 9:30 a.m. - John L. Burton Hearing Room (4203) SENATE GOVERNANCE AND FINANCE, WOLK, Chair</p>	<p>Existing law provides for the compensation of local government officers and employees, as specified. This bill would require filers, as defined, to annually file a compensation disclosure form, as specified.</p> <p>This bill would require the Secretary of State to develop the form, which would provide for the disclosure of, among other things, salaries and stipends, automobile and equipment allowances, and incentive and bonus payments. This bill would also require a county, city, city and county, school district, special district, or joint powers agency that maintains an Internet Web site to post the information contained on the filed form on that Internet Web site, as specified. The bill would authorize a district attorney or any interested person to commence an action by mandamus to enforce the provisions of the bill, as specified. The duties imposed on local departmental agencies by the bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	
<p><u>SB 50</u> <u>Correa D</u></p> <p>Conflicts of interest: disqualification.</p>	<p>SENATE PRINT 1/20/2011 - Referred to Com. on E. & C.A.</p>	<p>Existing provisions of the Political Reform Act of 1974 prohibit a public official at any level of state or local government from making, participating in making, or attempting to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest, as defined. Existing law also requires specified elected and appointed officers at the state and local level of government to disclose specified financial interests by filing periodic statements of economic interests. Existing law further requires public officials who hold specified offices and who have a financial interest in a decision within the meaning of the Political Reform Act of 1974 to publicly identify the financial interest giving rise to the conflict of interest or potential conflict of interest, recuse themselves from discussing and voting on the matter, and leave the room until after the discussion, vote, and other disposition of the matter is concluded, except as specified.</p> <p>This bill would add members of the High-Speed Rail Authority to those specified offices who must publicly identify a financial interest giving rise to a conflict of interest or potential conflict of interest, and recuse themselves accordingly. This bill contains other related provisions and other existing laws.</p>	
<p><u>SB 126</u> <u>Steinberg D</u></p> <p>California Transportation Commission: guidelines.</p>	<p>SENATE T. & H. 2/10/2011 - Referred to Com. on T. & H.</p>	<p>Existing law generally provides for programming and allocation of state and federal funds available for transportation capital improvement projects by the California Transportation Commission, pursuant to various requirements. Existing law authorizes the commission, in certain cases, to adopt guidelines relative to its programming and allocation policies and procedures.</p> <p>This bill would establish specified procedures that the commission would be required to utilize when it adopts guidelines, except as specified, and would exempt the adoption of those guidelines from the requirements of the Administrative Procedure Act. This bill contains other existing laws.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>SB 241</u> <u>Cannella</u> R</p> <p>Environment: California Environmental Quality Act (CEQA).</p>	<p>SENATE E.Q. 2/17/2011 - Referred to Coms. on E.Q. and JUD.</p>	<p>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 (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA provides for the judicial review of a lead agency's decision to certify an EIR.</p> <p>The bill would enact the CEQA Litigation Protection Pilot Program of 2011 and would require the Business, Transportation and Housing Agency to select projects that meet specified requirements from specified regions for each calendar year between 2012 and 2016. The bill would exempt from judicial review, pursuant to CEQA, a lead agency's decision to certify the EIR of, or to adopt a mitigated negative declaration based on an initial study for, the selected projects, a lead agency's and responsible agency's approval of the selected project, and the Business, Transportation and Housing Agency's selection of the projects. The bill would require the Business, Transportation and Housing Agency, by December 31 of each year, to submit an annual report to the Governor and to the Legislature summarizing the designation of projects, and the job creation and investment attributable to the designated projects. This bill contains other related provisions.</p>	
<p><u>SB 310</u> <u>Hancock</u> D</p> <p>Transit villages.</p>	<p>SENATE PRINT 2/15/2011 - From printer. May be acted upon on or after March 17.</p>	<p>Existing law requires cities and counties to implement certain planning and zoning plans for the orderly development of communities.</p> <p>This bill would express the intent of the Legislature to enact legislation that would require cities and counties to adopt permitting procedures for transit village green pathways developments, as specified.</p>	
<p><u>SB 316</u> <u>Emmerson</u> R</p> <p>Meal periods: exemption: transportation industry.</p>	<p>SENATE PRINT 2/15/2011 - From printer. May be acted upon on or after March 17.</p>	<p>Existing law prohibits, subject to certain exceptions, an employer from requiring an employee to work more than 5 hours per day without providing a meal period and, notwithstanding that provision, authorizes the Industrial Welfare Commission to adopt a working condition order permitting a meal period to commence after 6 hours of work if the order is consistent with the health and welfare of affected employees.</p> <p>This bill would add employees employed in the transportation industry, as defined, to the list of employees exempt from the above provisions. This bill contains other existing laws.</p>	
<p><u>SB 392</u> <u>Gaines</u> R</p> <p>Transportation: California Transportation Commission.</p>	<p>SENATE PRINT 2/16/2011 - From printer. May be acted upon on or after March 18.</p>	<p>Existing law establishes the California Transportation Commission and authorizes the commission to alter or change the location of any state highway if, in the opinion of the commission, the alteration is for the best interest of the state.</p> <p>This bill would make a non-substantive change to these provisions.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>SB 475</u> <u>Wright</u> D</p> <p>Infrastructure financing.</p>	<p>SENATE PRINT 2/18/2011 - From printer. May be acted upon on or after March 20.</p>	<p>Existing law authorizes a governmental agency, as defined, to solicit proposals and enter into agreements with private entities for the design, construction, or reconstruction by, and lease to, private entities, for specified types of fee-producing infrastructure projects. Existing law permits these agreements to provide for infrastructure facilities owned by a governmental entity, but constructed by a private entity, to be leased to or owned by that private entity for a period of up to 35 years.</p> <p>This bill would authorize a local governmental agency to enter into an agreement with a private entity for financing for specified types of revenue-generating infrastructure projects. The bill would require an agreement entered into under these provisions to include adequate financial resources to perform the agreement, and would permit the agreements to lease or license to, or provide other permitted uses by, the private entity for a term of up to 50 years, after which time the project would revert to the governmental agency. This bill would also require an unspecified entity to advise and educate local agencies and other interested stakeholders about the role that public-private partnerships can undertake in planning, studying, designing, financing, constructing, operating, maintaining, or managing local infrastructure projects.</p>	
<p><u>SB 517</u> <u>Lowenthal</u> D</p> <p>High-Speed Rail Authority.</p>	<p>SENATE PRINT 2/18/2011 - From printer. May be acted upon on or after March 20.</p>	<p>Existing law creates the High-Speed Rail Authority in state government 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.</p> <p>This bill would place the High-Speed Rail Authority within the Business, Transportation and Housing Agency. The bill would provide for the Secretary of Business, Transportation and Housing to serve on the authority as a nonvoting, ex officio member. The bill would require the secretary to propose an annual budget for the authority upon consultation with the authority. The bill would require the members of the authority appointed by the Governor to be appointed with the advice and consent of the Senate. The bill would provide for the members that are appointed to have specified background or experience, as specified. This bill contains other related provisions and other existing laws.</p>	
<p><u>SB 522</u> <u>Walters</u> R</p> <p>Public employees' retirement: additional service credit.</p>	<p>SENATE PRINT 2/18/2011 - From printer. May be acted upon on or after March 20.</p>	<p>The Public Employees' Retirement Law calculates service retirement allowances, in part, based on years of credited service. Members of the Public Employees' Retirement System may receive service credit for public service not otherwise subject to credit, upon payment of specified additional contributions. Existing law authorizes specified members of that system, including employees or officers of the state, the university, a school employer, or a contracting agency and certain legislative employees, to elect to make additional contributions and receive up to 5 years of additional retirement service credit, as defined, subject to specified limitations.</p> <p>This bill would repeal that provision.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>SB 523</u> <u>Walters</u> R</p> <p>Public employees' retirement: elected local officials.</p>	<p>SENATE PRINT 2/18/2011 - From printer. May be acted upon on or after March 20.</p>	<p>Existing law authorizes the creation of retirement systems for public employees by counties, cities, and districts. Existing law creates the Public Employees' Retirement System and the State Teachers' Retirement System, which provide a defined benefit to their members based on age at retirement, service credit, and final compensation. Existing law establishes the criteria for membership in the various public employee retirement systems and may exclude certain employment classifications from membership. The California Constitution provides for the division of the state into counties and requires that a county have an elected sheriff, elected district attorney, elected assessor, and elected governing body. Existing law provides for the incorporation of cities in various forms and requires that certain city offices be filled pursuant to elections, as prescribed. Existing law provides for the creation of districts, the governing bodies of which may be elected.</p> <p>This bill would prohibit a person who is publicly elected to a local office of any kind, on and after January 1, 2012, from becoming a member of a retirement system by virtue of that service or from acquiring any retirement right or benefit for serving in that elective local office. The bill would also apply these prohibitions to a person who is appointed to fill the term of a person so elected, but would not apply them to a person who obtained membership by virtue of holding an elective local office prior to January 1, 2012, for so long as he or she holds that office or is reelected to that office.</p>	
<p><u>SB 524</u> <u>Walters</u> R</p> <p>Public employees' retirement: reinstatement.</p>	<p>SENATE PRINT 2/18/2011 - From printer. May be acted upon on or after March 20.</p>	<p>The Public Employees' Retirement Law (PERL) provides a comprehensive set of rights and benefits based upon age, service credit, and final compensation to members of the Public Employees' Retirement System. Any person who has been retired under the system is generally prohibited from being employed in any capacity unless he or she is first reinstated from retirement, except as authorized. PERL authorizes a person who has been reinstated to thereafter be employed by the state or by a contracting agency in accordance with the laws governing that service, in the same manner as a person who has not been so retired.</p> <p>This bill would prohibit a state member who retires on or after January 1, 2012, from serving without reinstatement or being hired as a contracted employee for the state until the person has been retired for at least 12 months.</p>	
<p><u>SB 545</u> <u>Anderson</u> R</p> <p>Transportation.</p>	<p>SENATE PRINT 2/18/2011 - From printer. May be acted upon on or after March 20.</p>	<p>Existing law creates various transportation programs to develop and implement improvements to transportation systems.</p> <p>This bill would state the intent of the Legislature to enact legislation enabling the state to examine efficiency in administering solutions to California's transportation needs.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>SB 582</u> Emmerson R</p> <p>Commute benefit policies.</p>	<p>SENATE PRINT 2/18/2011 - From printer. May be acted upon on or after March 20.</p>	<p>Existing law requires transportation planning agencies to undertake various transportation planning activities, including preparation of a regional transportation plan. Existing law requires transportation planning agencies that are designated under federal law as metropolitan planning organizations to include a sustainable communities strategy as part of the regional transportation plan for their region. Existing law creates air quality management districts with various responsibilities relative to reduction of air pollution.</p> <p>This bill, beginning on January 1, 2013, would authorize a metropolitan planning organization, in partnership with the local air quality management district, to adopt a commute benefit ordinance that requires covered employers operating within the common jurisdiction of the organization and district with 20 or more covered employees to offer those employees certain commute benefits. The bill would require that the ordinance specify certain matters, including any consequences for noncompliance.</p>	
<p><u>SB 624</u> Harman R</p> <p>Emissions of greenhouse gases: California Global Warming Solutions Act of 2006.</p>	<p>SENATE PRINT 2/18/2011 - Introduced. Read first time. To Com. on RLS. for assignment. To print.</p>	<p>The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The act requires the state board, on or before January 1, 2011, to adopt greenhouse gas emission limits and emission reduction measures by regulation to achieve the maximum technologically feasible and cost-effective reductions in emissions of greenhouse gases, in furtherance of achieving the statewide greenhouse gas emissions limit, with the regulations to become operative beginning January 1, 2012.</p> <p>This bill would make technical, non-substantive changes to the above requirements.</p>	
<p><u>SB 659</u> Hernandez D</p> <p>Toll bridges.</p>	<p>SENATE PRINT 2/18/2011 - Introduced. Read first time. To Com. on RLS. for assignment. To print.</p>	<p>Existing law authorizes the Transportation Commission to direct the Department of Transportation to build or acquire toll bridges and other transportation facilities related to toll bridges, as specified.</p> <p>This bill would make a non-substantive, grammatical change to those provisions.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>SB 683</u> Correa D</p> <p>Environment: California Environmental Quality Act: noncompliance allegations: public comment.</p>	<p>SENATE PRINT 2/18/2011 - Introduced. Read first time. To Com. on RLS. for assignment. To print.</p>	<p>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 (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA provides for a public review period for the public to review a draft EIR, proposed negative declaration, or proposed mitigated negative declaration. CEQA requires a lead agency to evaluate and respond to comments on a draft EIR, proposed negative declaration, or proposed mitigated negative declaration made during the public review period and authorizes a lead agency to evaluate and respond to comments made on a draft EIR when the comments are submitted after the public review period. CEQA requires an action or proceeding alleging noncompliance with its requirements to be based on grounds that were presented to the public agency orally or in writing by any person unless the person objected to the approval of the project orally or in writing, during the public comment period provided under CEQA or prior to the close of the public hearing on the project before the issuance of the notice of determination.</p> <p>This bill instead would prohibit these actions or proceedings unless the oral or written presentation or objection occurs during the public comment period provided under CEQA or prior to the close of the public hearing on the project before the filing, rather than issuance, of the notice of determination.</p>	
<p><u>SB 693</u> Dutton R</p> <p>Public contracts: local agencies.</p>	<p>SENATE PRINT 2/18/2011 - Introduced. Read first time. To Com. on RLS. for assignment. To print.</p>	<p>Existing law sets forth requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. Existing law also authorizes specified state agencies, cities, and counties to implement alternative procedures for the awarding of contracts on a design-build basis. Existing law authorizes the Department of Transportation and regional transportation agencies to enter into public-private partnerships for transportation projects under certain conditions. Existing law authorizes the department to delegate to any city or county any part of its powers and jurisdiction, except the power of approval, with respect to any portion of any state highway within the city or county, and to withdraw the delegation.</p> <p>This bill would specify that the delegation authority includes the authority to utilize private-public partnership agreements for transportation projects. The bill would also make findings and declarations related to local agency contracting.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 2-22-11**

<p><u>SB 733</u> Price D</p> <p>High-speed rail: business plan: contracts: small business participation.</p>	<p>SENATE PRINT 2/18/2011 - Introduced. Read first time. To Com. on RLS. for assignment. To print.</p>	<p>Existing law, 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, 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 in general obligation bonds for high-speed rail and related purposes. Under federal law, funding is made available for allocation nationally to high-speed rail and other related projects. Existing law requires the authority to prepare, publish, adopt, and submit to the Legislature a business plan containing specified elements beginning January 1, 2012, and every 2 years thereafter.</p> <p>This bill would require the authority to include in the business plan to be submitted on January 1, 2012, or as an addendum to that plan to be submitted as soon as possible after that date, a strategy for ensuring the participation of small business enterprises in contracts awarded by the authority with state or federal funds during all phases of the project.</p>	
<p><u>SB 749</u> Steinberg D</p> <p>High-speed rail.</p>	<p>SENATE PRINT 2/18/2011 - Introduced. Read first time. To Com. on RLS. for assignment. To print.</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.</p> <p>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.</p>	

**AGENDA ITEM # 13
MARCH 3, 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 –
2ND QUARTER FISCAL YEAR 2011**

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.

Prepared by: Kelvin Yu, Manager, Project Controls

650.622.7853

The report can be viewed at the following link:

http://www.caltrain.com/Assets/_Finance/Quarterly+Capital+Program+Status+Report/Quarter+2+of+FY+2011.pdf