



# AGENDA

## PENINSULA CORRIDOR JOINT POWERS BOARD

Bacciocco Auditorium, 2<sup>nd</sup> Floor  
1250 San Carlos Avenue, San Carlos CA 94070

August 2, 2012 – Thursday

10:00 a.m.

1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Public Comment  
Public comment by each individual speaker shall be limited to two minutes
4. Consent Calendar MOTION  
Members of the public or Board may request that an item under the Consent Calendar be considered separately
  - a) Approval of Minutes of June 7, 2012
  - b) Information on Preliminary Statement of Revenues and Expenses for June 2012
5. Chairperson's Report
  - a) Recognition of State Legislative Delegation for Support of Caltrain Modernization
6. Report of the Citizens Advisory Committee
7. Report of the Executive Director
8. Acceptance of Statement of Revenues and Expenses for May 2012 MOTION
9. Update on the Execution of the Fiscal Year 2013 Fuel Hedge Program INFORMATIONAL
10. Authorize Approval and Ratification of the Fiscal Year 2013 Insurance Program for a Total Premium Cost Not-to-Exceed Amount of \$3,408,388 RESOLUTION
11. Authorize Rejection of All Proposals for Providing GEC Design Services and GEC Design-Review Services MOTION
12. Legislative Update INFORMATIONAL
13. Correspondence
14. Board Member Requests

15. Date/Time of Next Meeting: Thursday, September 6, 2012, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2<sup>nd</sup> Floor, 1250 San Carlos Avenue, San Carlos, CA 94070

16. General Counsel Report

- a) Closed Session: Conference with Legal Counsel – Existing  
Litigation Pursuant to Government Code Section 54956.9(a): Robert Lightfoot v. City and County of San Francisco, et al, San Francisco Superior Court Case No. CGC-08-483640
- b) Closed Session: Conference with Legal Counsel – Existing  
Litigation Pursuant to Government Code Section 54956.9(a): Drill Tech Drilling & Shoring, Inc. v. West Bay Builders, Inc. and Peninsula Corridor Joint Powers Board, San Mateo County Superior Court Case No. CIV514126
- c) Closed Session: Conference with Legal Counsel – Existing  
Litigation Pursuant to Government Code Section 54956.9(a): W.C. Maloney, Inc. and Professional Asbestos and Lead Services, Inc. v. Disney Construction, Inc. and Peninsula Corridor Joint Powers Board, San Mateo County Superior Court Case No. CIV514744
- d) Closed Session: Conference with Legal Counsel – Existing  
Litigation Pursuant to Government Code Section 54956.9(a): Hammer & Steal, Inc. v. CEM Builders, dba Tucker Engineering, Santa Clara County Superior Court Case No. 111-CV-213492 and S.J. Amoroso Construction Company, Inc. v. CEM Builders, dba Tucker Engineering, San Mateo County Superior Court Case No. CIV511216

17. 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](http://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](mailto:board@caltrain.com); or by phone at 650.508.6242, or TDD 650.508.6448.

### **Availability of Public Records**

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

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

Draft

**Minutes  
June 7, 2012**

**MEMBERS PRESENT:** M. Cohen, J. Deal, A. Kalra, L. Kniss, A. Lloyd, T. Nolan,  
A. Tissier, K. Yeager

**MEMBERS ABSENT:** J. Cisneros

**STAFF PRESENT:** J. Averill, J. Cassman, C. Cavitt, A. Chan, G. Harrington,  
C. Harvey, R. Haskin, M. Lee, M. Martinez, N. McKenna,  
D. Miller, S. Murphy, M. Scanlon, M. Simon

Chair Adrienne Tissier called the meeting to order at 10:06 a.m. and led the Pledge of Allegiance.

**PUBLIC COMMENT**

Vaughn Wolffe, Pleasanton, said last month his public comment referred to the BART measure in 2009 and not the High Speed Rail (HSR) measure. He said at the same meeting Executive Officer, Public Affairs Mark Simon spoke about a gas tax not polling well. He said if a gas tax was presented for the region and bridge tolls were removed more people would be involved and would see a benefit for the region.

Brian Wilfley, Los Altos, said Caltrain has never had it easy. Last year staff made a recommendation on cutting service and the Board told staff to work to keep the schedule. The Board and staff rebuilt the railroad with Baby Bullet service, increased bike capacity, convinced the Federal Railroad Administration (FRA) to allow mixed traffic on the corridor, handled repeated budget crises and achieved record ridership. He said it was an honor and pleasure to serve on the JPB Citizens Advisory Committee (CAC) for the last 10 years. Director Ken Yeager thanked Mr. Wilfley, on behalf of Santa Clara County, for his service on the CAC and said he will truly be missed.

Jeff Carter, Millbrae, said the Caltrain website stated Caltrain was not the best option for the Golden Gate Bridge Anniversary celebration and there would be no extra service. He said it is disheartening to hear Caltrain discourage people from using the service. He said the number one and two trains for the Bay to Breakers were on time, but the third and fourth trains were both late passing through Millbrae.

Roland LeBrun, San Jose, said he recently noticed a wheelchair passenger being denied boarding. He said the conductor allowed 20 bikes on the train and denied the wheelchair because Baby Bullet trains don't have power lifts.

Bruce Shelton, San Mateo, said he has been a conductor with Amtrak since 1997 and will be relocating to San Diego to work the Amtrak Pacific Surfliner between San Diego and Los Angeles. He wished the Board, staff, members of the public and TransitAmerica (TASI) best wishes and said he will miss working for Caltrain. Chair Tissier thanked Mr. Shelton for his many years of service and strong support of Caltrain.

Paul Jones, Atherton, said recently California High Speed Rail Authority (CHSRA) Chair Dan Richard stated to the Legislature they have never and will never mess with the California Environmental Quality Act (CEQA) requirements for the HSR project. Last week the CHSRA came back to the Legislature and asked for complete release of all CEQA requirements on the system they plan to build. This is the latest example of CHSRA's willingness to lie, cheat and steal to get what they want. Mr. Jones said last month this Board voted to sign a Memorandum of Understanding (MOU) to work with CHSRA on a blended approach and he can guarantee once construction begins it will eventually lead to a four-track elevated system.

Pat Giorni, Burlingame, said over the last few weeks Caltrain staff has been making presentations on the Caltrain Modernization Program. Mr. Simon gave a great presentation at the Burlingame City Council and when the question came up about the right of way he said we own the right of way. She wants to know what "we own" means. Ms. Giorni said Caltrain is bookended by two very strong transit agencies and this could be the detriment of one transportation agency, Caltrain. If political pressure comes to bear at San Francisco Municipal Transportation Agency (SFMTA) or Santa Clara Valley Transportation Authority (VTA) to go along with something the San Mateo County Transit District (District) doesn't want to go along with, who has the deciding voice.

Doug DeLong, Mountain View, thanked staff for their prompt action on his comments made last month on a safety issue at the Santa Clara station.

### **CONSENT CALENDAR**

- a. Approval of Minutes of May 3, 2012
- b. Authorize Execution of Contracts for Technology Related Products and Services to Vendors Under Cooperative Purchasing Programs for an Aggregate No-to-Exceed Amount of \$300,000 for Fiscal Year 2013
- c. Authorize Execution of Contracts of More than \$100,000 for Informational Technology License Renewals, Maintenance Services and Professional Services for an Aggregate Not-to-Exceed Amount of \$500,000 for Fiscal Year 2013

The Board approved the Consent Calendar (Nolan/Lloyd).

### **CHAIRPERSON'S REPORT**

#### **Appointment of CAC Members**

Director Tom Nolan said the San Francisco County Selection Committee is recommending Alexandra Sweet be appointed to a three-year term ending June 30, 2015. Director Nolan said Ms. Sweet is a transit planner, rides Caltrain four to five days a week and rides her bike to the station.

Director Jerry Deal said the San Mateo County Selection Committee received 11 applications and is recommending Dee Marie Lindsay to a term expiring June 30, 2015 and Adina Levin to complete a partial term expiring June 30, 2013.

Director Yeager said the Santa Clara County Selection Committee received eight applications and is recommending Yvonne Mills to a term expiring on June 30, 2015.

A motion (Kniss/Yeager) to appoint the recommended CAC members was approved unanimously.

### **REPORT OF THE CAC**

CAC Chair Paul Bendix reported on the May 16 meeting:

- Staff gave an update on the CHSRA MOU and blended system. The CAC is in full support of the MOU.
- Received the preliminary Fiscal Year 2013 Operating and Capital Budgets.
- A Certificate of Appreciation was presented to Mr. Wilfley. Mr. Bendix said Mr. Wilfley consistently focused on the big picture and was always full of praise for Caltrain and staff.

### **REPORT OF THE EXECUTIVE DIRECTOR**

Executive Director Michael Scanlon reported:

- Thanked Mr. Wilfley and Mr. Shelton for their many years of service and will truly be missed.
- Welcomed the new JPB CAC members.
- Introduced new Assistant District Secretary Josh Averill.

### **Dump the Pump Day**

Mr. Scanlon said this is the seventh year the American Public Transportation Association is proclaiming June 21, 2012, as “Dump the Pump Day” to create public awareness of the benefits of public transportation. Staff will be using Facebook, Twitter and issuing a news release to show the financial savings of using transit.

A motion (Lloyd/Kniss) to proclaim June 21, 2012 as Dump the Pump Day was approved unanimously.

The proclamation was presented to Irwin Dawid from the Loma Prieta Chapter of the Sierra Club.

Mr. Dawid thanked the Board for the proclamation. He said the Sierra Club Loma Prieta chapter Executive Committee met last night and approved a resolution in support of electrification.

Mr. Scanlon continued:

- Key Caltrain Performance Statistics
  - Monthly Performance Statistics – April 2012 compared to April 2011
    - Total Ridership was 1,206,519, an increase of 12.1 percent.
    - Average Weekday Ridership was 45,928, an increase of 12.7 percent.

- Total Revenue was \$5,173,588, an increase of 18.3 percent.
- On-time Performance was 93.7 percent, an increase of 3.9 percent.
- Caltrain Shuttle Ridership was 8,022, an increase of 15.5 percent.
- Year-to-Date Performance Statistics – April 2012 compared to April 2011
  - Total Ridership was 11,480,812, an increase of 11 percent.
  - Average Weekday Ridership was 43,114, an increase of 10 percent.
  - Total Revenue was \$48,416,420, an increase of 22.5 percent.
  - On-time Performance was 93.5 percent, no change.
  - Caltrain Shuttle Ridership was 7,117, an increase of 29.6 percent.
- There were three fatalities in May and one on June 6, for a total of nine for the year. It is troubling to Caltrain and a very serious problem.
- This coming Saturday, nine District employees will be participating in the Out of the Darkness Overnight Walk through San Francisco to raise awareness about mental health and suicide prevention. Each employee raised more than the \$1,000 goal. The San Francisco 4<sup>th</sup> and King Caltrain Station will be the mid-point.
- The rail operator transition occurred successfully on May 26. The majority of Amtrak employees elected to stay with TASI. Herzog Transportation Services Chief Executive Officer Bob Smith and local General Manager Gerald Francis were introduced. After a recent mechanical problem Mr. Smith asked for a debriefing to focus on service delays and how the recovery could be expedited.
- On July 1 there will be some modest changes to the Codified Tariff with a fare increase for passengers using paper tickets to encourage more people to use Clipper.
- The Bicycle Advisory Committee met on May 17 and they received a number of presentations, including a summary of the February 2012 Annual Passenger Counts. The next meeting is July 19.
- In the Fiscal Year (FY) 2013 Operating Budget is funding to restore service for four shoulder peak trains, two afternoon peak trains departing San Jose at 4:31 p.m. and San Francisco at 6:20 p.m. and adding a stop in Palo Alto or Sunnyvale on 12 trains to relieve some of the overcrowding. The proposed timetable has been posted. A public meeting was held here on May 30. To date, approximately 143 specific comments have been received: 84 percent are in support of adding service, 16 percent are against adding service, 74 percent are in support of adding stops and 26 percent are against adding stops.
- Altamont Commuter Express resumed service on May 14 and the Capital Corridor on May 21 at the Santa Clara Station.
- Special service:
  - The Roger Waters concert at AT&T Park on May 11 carried an additional 5,300 riders.
  - Four additional northbound trains were provided for the Bay to Breakers and carried just under 4,000 passengers, a 28 percent increase over last year. Santa Clara Station was the peak loading station this year. In the afternoon 2,000 additional passengers were carried on three express trains and this is a 13 percent increase in post-race ridership. Over 2,000 tickets were sold in advance.
  - Staff decided to run a Saturday instead of Sunday schedule for the Golden Gate Bridge Anniversary. An additional 7,400 passengers were carried.
  - For the month of May Giants ridership was just under 100,000, a 7 percent increase over last May, and year-to-date is 173,928.

- The Warped Tour will be at the AT&T parking lot on Saturday, June 23 and extra service will be provided.
- Earthquake Soccer will be at Stanford Stadium on June 30 and Caltrain will be making special stops at the stadium before and after the game.
- Extra service will be provided on July 4 for the fireworks along the Embarcadero and three extra trains will operate after the fireworks.
- The reading file contains the new timetable effective July 1, Take Ones on the fare changes and the 2012 Olympic Gymnastics Trials at HP Pavilion and the Safety & Security Report.

Deputy CEO Gigi Harrington provided an update on the Fuel Hedge Program. She said on May 22 there were four possible bidders and staff was able to hedge half of the fuel portfolio at \$2.80 per gallon for FY2013. She said the fuel was hedged at \$2.90 per gallon in FY2012.

Director Caltrain Modernization Marian Lee provided an update on the HSR MOU. She said to date seven of the nine agency representatives on the agreement have formally approved it. The Transbay Joint Powers Authority will be taking action on June 14 and the San Jose City Council on June 19.

Ms. Lee said in addition to advancing the Caltrain Modernization Program, staff is continuing to define the additional improvements beyond the signal and electrification projects that are needed to support HSR trains in the future. She said it is staff's intent to share some of the preliminary findings with the key stakeholders in a more public venue in the middle of summer.

Ms. Lee said she was getting input from stakeholders over the concern Caltrain was going to circumvent the environmental process. The governor has recently released a proposal related to HSR and CEQA so people need to review it thoroughly to understand what it means. Ms. Lee said it appears the intent of the proposal is not about short-cutting the CEQA process, but rather putting some parameters around the type of lawsuits that could halt HSR project activities. She said this is important to HSR because they have to get moving on building in the Central Valley and work within a timeframe that has been set by the FRA. Staff has scanned the document to see if there was anything in the proposal that would counter JPB's commitment on updating and recirculating the project environmental document that follows CEQA and National Environmental Policy Act (NEPA) regulations and did not find anything. She said as the lead on the project staff intends to environmentally clear the project exactly the way the commitment was outlined in the MOU and JPB resolution.

#### Public Comment

Pat Giorni, Burlingame, asked if the blended service will be added to the Environmental Impact Report and with the possible stipulation there is no four-track build-out. Legal Counsel David Miller said the Board has adopted a MOU that is clearly geared to the blended system. It is the expectation there will be nothing studied beyond that and the four-track system is not part of the document.



**ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR APRIL 2012**

Ms. Harrington said through April, operating revenue is \$4 million over budget and there is about \$6 million in savings on the expense side. She said staff is proposing to apply any savings from FY2012 to the FY2014 budget. In April funds were received back from the Lehman Brothers lost in the County Pool. These funds were written off so this is \$300,000 in unanticipated revenue. Last week fuel was \$2.89 per gallon and year-to-date is \$3.17 per gallon. A modest payment was received from the fuel hedge in May.

A motion (Nolan/Lloyd) to accept the April 2012 statement was approved unanimously.

**ADOPTION OF FISCAL YEAR 2013 OPERATING BUDGET IN THE AMOUNT OF \$111,368,706**

Ms. Harrington said there are no changes from the budget presentation last month.

Public Comment

Vaughn Wolffe, Pleasanton, said capital money is being sacrificed for operating money and money should be put back in the capital budget.

Jim Bigelow, Redwood City/San Mateo County Chamber of Commerce and Menlo Park Chamber of Commerce, said people rely on the trains to get to their place of employment. Adding the additional trains will be a welcome to help reduce crowds. He said the chambers support the adoption of the budgets.

Roland LeBrun, San Jose, said he supports the addition of trains, but believes the Board should be presented with accurate costs. The cost of six additional trains has been misreported at \$350,000 for crew, \$720,000 for fuel and an additional \$400,000 for operating and maintenance for a total of \$1.5 million. The cost could be even higher because fuel for the other 86 trains is \$200,000 per train per year so the total cost is \$2 million. He would appreciate staff providing him with a written justification for the record. Mr. LeBrun said administrative costs are stated as the lowest among the industry at 5.9 percent, but this is incorrect. The cost of \$13.9 million for administration out of a budget of \$111.4 million is 12.5 percent, which is more than double. He said it would be great if administrative costs could be lowered to 6 percent as advertised, because this would release \$7 million for additional capacity and trains, and unlike administration actually generates revenue.

Adina Levin, Friends of Caltrain, thanked the Board and staff for the proposal to increase service. She said with the October implementation of increased service she hopes there is a solution for the FY2014 Operating Budget by this time too. If it is looking promising then this is a good plan, but if not she would urge the Board to hold off increasing service because adding service with the prospect of immediately threatening to cut it would be very confusing and destructive to the public that wants to support the service and potentially vote for a tax measure.

Mr. Scanlon said staff is proposing to add service, not to reach out to get new customers, but to accommodate the customers we already have in a safe way. It is not safe to have people sitting in vestibules and standing for 28 mile trips on peak trains. He said staff has been completely upfront with the Board about the \$720,000 expected for increased fuel costs. It is incorrect to

extrapolate the number of trips or trains to the other number of trains because it won't be the same number of trips and it is not completely annualized. Mr. Scanlon said the \$5.9 million in administrative costs includes wage and salary and many other things rolled up including subsidizing bicycle and district facilities. He said, unless directed by the Board, he does not plan to give written justification to Mr. LeBrun.

A motion (Nolan/Yeager) to adopt the Fiscal Year 2013 Operating Budget in the amount of \$111,368,706 was approved unanimously.

**ADOPTION OF FISCAL YEAR 2013 CAPITAL BUDGET IN THE AMOUNT OF \$39,093,085**

Director of Budgets and Grants April Chan reported:

- At the May meeting staff presented a FY2013 Capital Budget of \$40.1 million with three-quarters of the budget focused on State of Good Repair. The Capital Budget does not yet include a funding request for the Communications Based Overlay Signal System/Positive Train Control Project (CBOSS/PTC).
- The preliminary budget included \$13 million of local funding or \$4.3 million from each of the partners.
- Since the May meeting staff has met with the partners and each can now contribute \$3.88 million.
- Capital Budget adjustments since the May meeting include securing some bridge toll money from the MTC in the amount of \$212,000. The San Francisco Bike Station Study Project has been added and also some immediate tenant improvements to be funded from San Francisco Proposition K money.
- The revised FY2013 Capital Budget is \$39.1 million.
- The partner contributions total 25 percent and the remaining 75 percent of funding will come from Federal, State and other regional funding.
- Impact of proposed changes between the preliminary budget and the proposed budget is postponing of train departure monitors at San Francisco and San Jose stations and the painting of the Bayshore Station.

Director Malia Cohen asked how long the painting of the Bayshore Station will be delayed. Ms. Chan said the project is being deferred, but staff will be looking at potential savings from other projects to do this project. Mr. Scanlon said staff's plan is to bring this project back in next year's Capital Budget if it is not completed this year.

Director Cohen asked how much it costs to paint the station. Deputy CEO Chuck Harvey said approximately \$600,000.

Public Comment

Roland LeBrun, San Jose, said the San Jose Diridon Station has the highest level of diesel particulates and asked if anything can be done to stop idling trains. He asked if staff looked at incorporating the new power sub-station with those needed for electrification, sought grants from the Bay Area Air Quality Management District (BAAQMD) or looked at partnerships with power-generating companies.

Pat Giorni, Burlingame, said she is glad to hear the three partners are paying their shares equally. She asked if negotiations have started among the partners about the formula fix as to where people sleep to be assured everyone is on the same page and paying their fair share.

Mr. Scanlon said part of the agreement for next year's budget was a discussion on the formula.

Mr. Harvey said there is stand-by short power and a shutdown policy at 4<sup>th</sup> and King and at San Jose and the infrastructure has been installed to support the added plug-in power. Staff is seeking Carl Moyer Funds through the BAAQMD to potentially offset funding costs for this project.

A motion (Nolan/Yeager) to adopt the Fiscal Year 2013 Capital Budget in the amount of \$39,093,085 was approved unanimously.

**AUTHORIZE EXTENSION AND FINANCIAL AGREEMENT BETWEEN THE SAN MATEO COUNTY TRANSIT DISTRICT AND THE PENINSULA CORRIDOR JOINT POWERS BOARD FOR SAN MATEO COUNTY SHERIFF'S SERVICES FOR A THREE-YEAR PERIOD**

Ms. Harrington said this is to recognize the arrangement between the District and the JPB for security services. She said about 78 percent of the calls for services are for the JPB. Staff is in the process of negotiating improved operational terms and conditions and once completed staff will bring a new contract for approval back to the Board.

Director Kniss left at 11:24 a.m.

A motion (Nolan/Lloyd) to authorize extension and financial agreement between the San Mateo County Transit District and the Peninsula Corridor Joint Powers Board for San Mateo County Sheriff's services for a three-year period was approved unanimously.

**AUTHORIZE AMENDMENT TO EXTEND THE CONTRACT WITH WELLS FARGO INSURANCE SERVICES, USA, INC. FOR INSURANCE BROKERS SERVICES ON A MONTH-TO-MONTH BASIS FOR UP TO ONE ADDITIONAL YEAR IN THE ESTIMATED AMOUNT OF \$100,000**

Ms. Harrington said staff is in the process of a new procurement and the Request for Proposal is on the street. Staff expects to come back to the Board in October to award a new contract.

Director Cohen said Wells Fargo has been the broker for a long time and asked if credit unions or small local banks have ever been considered. Ms. Harrington said staff is in a competitive procurement process and will evaluate any responses received.

Director Cohen asked if in the past any smaller banks participated. Ms. Harrington said this is the insurance arm of Wells Fargo Bank. Ms. Harrington said this insurance program will generally include a series of companies, many of which are in London or off-shore that specialize in this industry.

Director Kniss returned at 11:27 a.m.

A motion (Nolan/Yeager) to authorize amendment to extend the contract with Wells Fargo Insurance Services, USA, Inc. for insurance broker services on a month-to-month basis for up to one additional year in the estimated amount of \$100,000 was approved unanimously.

### **AUTHORIZE REJECTION OF ALL BIDS FOR PROVISION OF DIESEL FUEL**

Director of Contracts and Procurement Cheryl Cavitt said staff is requesting the Board reject all bids received for the provision of diesel fuel. Staff participated in the Regional Transit Coordinating Council (RTCC) joint procurement for fuel in the hope of saving some procurement time and also to enjoy the benefit of economy of scale. She said bids were poor in quality. Two of the bidders, Mansfield Oil Company and Hunt and Sons used the wrong Oil Price Information Service Index even though staff indicated in the bid which index should be used. Ms. Cavitt said Pinnacle Petroleum contained several math errors and Golden Gate Petroleum provided a responsive bid, but the price was undesirable and higher than the current contract.

#### Public Comment

Roland LeBrun, San Jose, said he supports the motion but the list of rejected proposals shows three provisionary contracts for \$44 million which is an average of \$14.5 million per year. The Board just approved the FY2013 Operating Budget with an annual fuel cost estimate of \$17.2 million. He said to a member of the public it looks like the fuel budget may be over budget by \$3 million a year.

Mr. Harvey said the RTCC bid had an estimated quantity of fuel and may have not have included the extra trains that were added to the budget. He said the fuel budget is based on an average cost of fuel of which half is set at a fixed-price through a hedge and the other half fluctuates.

Mr. Scanlon said 48 weeks-to-date our fuel price on 4 million gallons has ranged from a low of \$2.8885 to \$3.4781.

A motion (Kniss/Lloyd) to reject all bids for provision of diesel fuel was approved unanimously.

### **LEGISLATIVE UPDATE**

Director, Government and Community Affairs Seamus Murphy said HSR continues to be a major sticking point with the State budget. The Legislature and Administration are okay with the appropriation of Proposition 1A Connectivity Funds, but there is opposition to the appropriation for starting the HSR project in the Central Valley and the clarifying CEQA language. Legislative leadership, members of the CHSRA Board and the Administration are meeting to develop a set of appropriation conditions that would give lawmakers more comfort with moving forward with the project. There will likely be several conditions that apply specifically to the Peninsula and will be consistent with the MOU and the Business Plan language that limits the size and scope of the project on the Peninsula to the blended system approach. Mr. Murphy said staff expects to see that language very soon as the Assembly wants to vote by the State mandated deadline of June 15. The Senate has said they plan on voting before July 1, but have not given a specific timeframe.

Mr. Murphy said at the Federal level significant progress is being made on Surface Transportation Reauthorization and there might be an authorization bill that would be longer than the two-year bill the Senate has approved. The Senate bill pretty much maintains existing funding levels, but for a longer period of time and might have a better chance of passing a more comprehensive bill in the lame-duck session after the election occurs. Mr. Murphy said Senate members of the Conference Committee did submit a draft bill to the House. This was their best shot at a compromise and nothing encouraging has been heard. He said even without a reauthorization bill both chambers are moving ahead with FY2013 appropriations. The Senate bill is \$98 million over the current fiscal year and this is good news for transit. If New Starts funding is increased it preserves the TIGER Program, the Sustainable Communities Initiative and \$100 million for HSR.

Mr. Murphy said the House bill was released yesterday and is different from the Senate version. The main differences are in the discretionary accounts and doesn't include a TIGER Program, Sustainable Communities Initiative, funding for HSR and cuts New Starts funding by \$138 million.

#### **QUARTERLY CAPITAL PROGRESS REPORT**

No discussion.

#### Public Comment

Roland LeBrun, San Jose, said on page eight, second paragraph from the bottom under progress, Item Four states that on March 27, 2012 the JPB issued the Notice to Proceed for the communications fiber optic backbone option. He said the only thing the Board has approved is the base contract so how is this proceeding? Mr. LeBrun said on page 13 the chart for electrification shows \$24 million being spent. He would appreciate it if staff can provide a detailed report on what has been done. Mr. LeBrun said a traction power control system for 12 trains per hour at 220 miles per hour would need to generate three times as much power as 10 trains per hour running at 110 miles per hour.

Director Kniss said requesting a detailed report from staff is very inappropriate.

Ms. Harrington said when the Board approved the PTC contract it authorized the Executive Director to execute the amendment for the backbone. Staff analyzed and found it to be a significant benefit to both the project and the JPB and recommended the Executive Director execute the amendment.

#### **CORRESPONDENCE**

No discussion.

#### **BOARD MEMBER REQUESTS**

Director Tom Nolan said he read about the new South San Francisco ferry service and asked if the JPB is connected to it and are other ferry services planned in the county.

Mr. Harvey said many shuttle providers that the JPB partners with have been working with the City/County Association of Governments of San Mateo County and the Peninsula Traffic

Congestion Relief Alliance to provide connectivity from the ferry terminal to employment centers. There is also an additional service in the planning phase for Redwood City.

Mr. Scanlon said the San Mateo County Transportation Authority has funds from Measure A for both the South San Francisco and Redwood City ferry services.

**DATE/TIME/PLACE OF NEXT MEETING**

The next meeting will be Thursday, August 2, 2012, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2<sup>nd</sup> Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

**GENERAL COUNSEL REPORT**

Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(a): Robert Lightfoot v. Peninsula Corridor Joint Powers Board, City and County of San Francisco, et al.

Mr. Miller said there is no need for a closed session today and will have an update in August or September.

Adjourned at 11:43 a.m.

**AGENDA ITEM # 4 (b)**  
**AUGUST 2, 2012**

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **INFORMATION ON STATEMENT OF REVENUES AND EXPENSES**  
**FOR THE PERIOD ENDING JUNE 30, 2012**

The Finance Division engages in many activities following the end of the June 30 fiscal year both to close out the old fiscal year and set up the new fiscal year. The demands of these activities require a longer time to produce a complete Statement of Revenues and Expenses than allowed by the normal board meeting cycle. Consequently, staff will present a Statement of Revenues and Expenses for June at the November 1 meeting of the Board of Directors.

Prepared by: Rima Lobo, Director of Finance

650.508.6274

**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 MAY AND JUNE 2012**

**MAY 2012**

May 2012 Caltrain average weekday ridership (AWR) was 49,017, which is an increase of 6,509 or 15.3 percent over May 2011 AWR of 42,508. At the time, this was the highest AWR Caltrain ever recorded. The total number of passengers for May 2012 was 1,333,901, which is 16.7 percent more than May 2011. The total ridership was the highest it had ever been for any month.

On-time performance was 90.9 percent, which is below the 95 percent Caltrain standard. This is an increase from May 2011 on-time performance of 90.1 percent. When trains arriving within 10 minutes of the scheduled arrival time are included, on-time performance rises to 95.1 percent. There were four trespasser incidents in May, three of them fatal, which significantly impacted service. In addition, mechanical delays had increased significantly to 1428 minutes of delay. Over half of those delays occurred on May 29, when a locomotive broke down at the beginning of service and caused delays to most morning trains.

Looking at customer service statistics, there were 9.1 complaints per 100,000 passengers. While this is up since April 2012, it is below most other months. Conductor complaints were one of the top categories and likely related to increased efforts at fare enforcement.

Average weekday shuttle ridership was 7,643, which is an increase of 714 trips or 10.3 percent over May 2011 AWR of 6,929. As has been cited regularly for the past several months, this high growth continues to be largely influenced by Stanford's Marguerite Shuttle, which constitutes nearly 50 percent of Caltrain shuttle ridership. Marguerite AWR is up 14.2 percent from a year ago and many of the employer shuttles also are up significantly. For the station shuttles, the Millbrae-Broadway Shuttle averaged 153 daily riders. The Belmont-Hillsdale Shuttle averaged 75 daily riders. The weekend Tamien-San Jose Shuttle averaged 52 riders per day.



## **JUNE 2012 AND FISCAL YEAR 2012**

The month of June brought Caltrain many ridership records. In June 2012, Caltrain's AWR was 50,390, which is an increase of 5,937 or 13.4 percent over June 2011 AWR of 44,453. This surpassed the previous record set just a month before in May 2012. Not surprisingly, the total number of passengers who rode Caltrain in June 2012 was also the highest monthly ridership at 1,319,404, which is 11 percent more than June 2011. Of course, the month of June also brings us to the end of the fiscal year. With increases in ridership for 23 continuous months, the AWR for Fiscal Year (FY) 2012 was 44,212 which surpassed the previous high of 40,066 in FY2009. Total ridership for the fiscal year also set a record of 14,134,117 which surpassed the previous high of 12,691,612. Total ridership is up 11.5 percent from last fiscal year's total of 12,673,420.

On-time performance was 90.5 percent, which is below the 95 percent Caltrain standard. This is an increase from June 2011 on-time performance of 88 percent. When trains arriving within 10 minutes of the scheduled arrival time are included, on-time performance rises to 95.6 percent. There were two fatalities in June that contributed to delayed trains. Mechanical delays decreased significantly in June compared with the month before, with 607 minutes of delay. On-time performance for the fiscal year was 93, which is a slight increase from last year.

Looking at customer service statistics, there were 11.4 complaints per 100,000 passengers. This is higher than it has been the last few months, but lower than the 13.7 complaint rate reported in June 2011. Conductor complaints were one of the top categories. For the fiscal year, complaints have averaged 10.2 per 100,000 passengers which is significantly lower than the averages from the last two fiscal years of 16.9 in 2011 and 24.5 in 2010.

Average weekday shuttle ridership was 7,521, which is an increase of 604 or 8.7 percent over June 2011 AWR of 6,917. Shuttle ridership is largely influenced by Stanford's Marguerite Shuttle, which constitutes approximately 50 percent of Caltrain shuttle ridership. For the station shuttles, the Millbrae-Broadway Shuttle averaged 143 daily riders. The Belmont-Hillsdale Shuttle averaged 71 daily riders. The weekend Tamien-San Jose Shuttle averaged 57 riders per day.

## **Caltrain Promotions – May 2012**

**San Francisco Giants** – Caltrain continues to be a popular way to get to AT&T Park to watch the San Francisco Giants baseball. With a well-established service, our promotion moved from paid advertising to innovative. Staff produced the first of three videos and posted it to the Caltrain website and YouTube. The video entitled, “Our Fans are Giants Fans”, included testimonials from customers on why they take Caltrain to the game and was made with the cooperation of the ball club. The next video will be distributed in the weeks after the All-Star break. Baseball train service also was promoted via the Caltrain website (button on home page and dedicated page), through news release, social media (Facebook, Google+, Twitter), station flyer, station electronic message signs, conductor announcements, *Caltrain Connection* and *Track the Fun*. In May, 99,948 fans rode Caltrain to the 16 games. Ridership for the season is up 7 percent compared to same number of games last year, including pre-season games.

**Bay to Breakers** – Caltrain came out a winner for this year’s Bay to Breakers race. The focus of this year’s promotion to customers was safety and the need to pre-purchase tickets, which was the first time this option was available. Promotional elements included an ad in the Santa Clara University newspaper, radio spots, e-mails to running clubs, running stores, colleges and Clipper customers, station flyer, inclusion in *Track the Fun* and *Caltrain Connection*, web button and page, video showing how to purchase a ticket, social media (Facebook, Google+, Twitter and YouTube), station electronic sign, conductor announcements, onboard take ones, and information in the Bay to Breakers newsletter and on its website. The four pre-race trains carried 3,796 riders, a 28 percent increase compared to last year, and the three post-run specials carried 1,920 riders. More than 66 percent of tickets were purchased in advance of the race.

**Roger Waters Concert** – Music fans heading to AT&T Park to see Roger Waters, of Pink Floyd fame, avoided hitting the wall of traffic that seemed to stretch to the dark side of the moon by taking Caltrain. The service was promoted via social media (Facebook, Google+, Twitter), a news release and web posting. Regular commute-hour trains provided service to the event, and Caltrain ran two post-concert specials. Additional ridership for the concert was 5,341.

**Golden Gate Bridge Celebration** – To handle anticipated large crowds heading to the Golden Gate Bridge’s 75<sup>th</sup> anniversary festivities and fireworks Sunday, May 27, Caltrain operated a Saturday schedule. It also ran two extra northbound and southbound trains. An estimated 7,339 additional customers rode Caltrain for the festivities.

**Partnerships** – Caltrain Marketing staff works with a number of event organizers to co-promote events that generate train ridership and also provide added value for current Caltrain customers. The partnership in May included the Maker Faire in San Mateo. The ever-growing event promoted Caltrain and also ran free shuttles from the train station to the event center. Partnership events are generally promoted in the *Track the Fun* brochure, *Caltrain Connection* newsletter, through social media and news releases and Caltrain’s *Track the Savings* web page. The promoters also include Caltrain in their promotional materials and will often offer a discount on the entry fee to Caltrain customers.

## **Caltrain Promotions – June 2012**

**San Francisco Giants** – As the Giants head into the All-Star Break, fans continue to flock to Caltrain to get them to the game. Efforts to promote the service include posting to the Caltrain website (button on home page and dedicated page), through news release, social media (Facebook, Google+, Twitter), station flyer, station electronic message signs, conductor announcements, *Caltrain Connection* and *Track the Fun*. In June, 117,155 fans rode Caltrain to the 16 games. Ridership for the season is up 9 percent compared to same number of games last year, including pre-season games.

**Vans Warped Tour** – A day-long music festival in the parking lot of AT&T Park – dubbed the Vans Warped Tour – drew thousands of young people to The City. Caltrain used social media (Facebook, Google+ and Twitter) to get the word out about the ease of using Caltrain to get to the venue. The rail agency also issued a news release, posted information to its website and ran electronic station announcements. Caltrain carried an extra 6,691 customers, some who may have rode the train to get to Pride events.

**San Jose Earthquakes** – Caltrain is ready to play a key transportation role when “the big one” comes. However, it got to serve a positive shaker when the San Jose Earthquakes professional soccer team played at Stanford Stadium. Local trains stopped at the Stanford Stadium Caltrain Station, which is generally only used for Stanford football games. The service was promoted via social media (Facebook, Google+, Twitter), a news release, web posting (on the Caltrain and Earthquakes sites), Earthquakes outreach at the San Francisco and Palo Alto stations, and an Earthquakes e-mail blast to its season ticket holders. The Earthquakes website also includes a Caltrain locomotive as its banner. More than 1,600 customers used the special station stop. Caltrain advised Clipper customers to use the Palo Alto station because the Stanford Stadium station lacks Clipper card tag machines.

**Partnerships** – Caltrain partnered with two popular organizations to bring added value to train customers and to attract more riders to the service. The San Jose Earthquakes offered up to \$5 off on the admission to the game played at Stanford Stadium to Caltrain customers. Sunset’s annual Weekend Celebration offered \$1 off general admission to Caltrain customers. Sunset also promoted Caltrain as an option to its event in Menlo Park and ran complimentary shuttles from the train station to the venue. Partnership events are generally promoted in the *Track the Fun* brochure, *Caltrain Connection* newsletter, through social media and news releases and Caltrain’s *Track the Savings* web page. The promoters also include Caltrain in their promotional materials and will often offer a discount on the entry fee to Caltrain customers.

**Miscellaneous** – Caltrain staff hosted a booth at the San Mateo County Fair and provided visitors with transit information. Staff also promoted using Caltrain to get to the fair, which is located next to the Hillsdale station in San Mateo. Caltrain also used social media and newspaper advertisements to encourage people to “dump the pump” and ride the train. Caltrain provides the perfect gas relief.

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

### May 2012

|                                    | FY2011      | FY2012      | % Change |
|------------------------------------|-------------|-------------|----------|
| Total Ridership                    | 1,142,838   | 1,333,901   | 16.7%    |
| Average Weekday Ridership          | 42,508      | 49,017      | 15.3%    |
| Total Farebox Revenue              | \$4,609,509 | \$5,689,723 | 23.4%    |
| On-time Performance                | 90.1%       | 90.9%       | 0.8%*    |
| Average Caltrain Shuttle Ridership | 6,929       | 7,643       | 10.3%    |

### June 2012

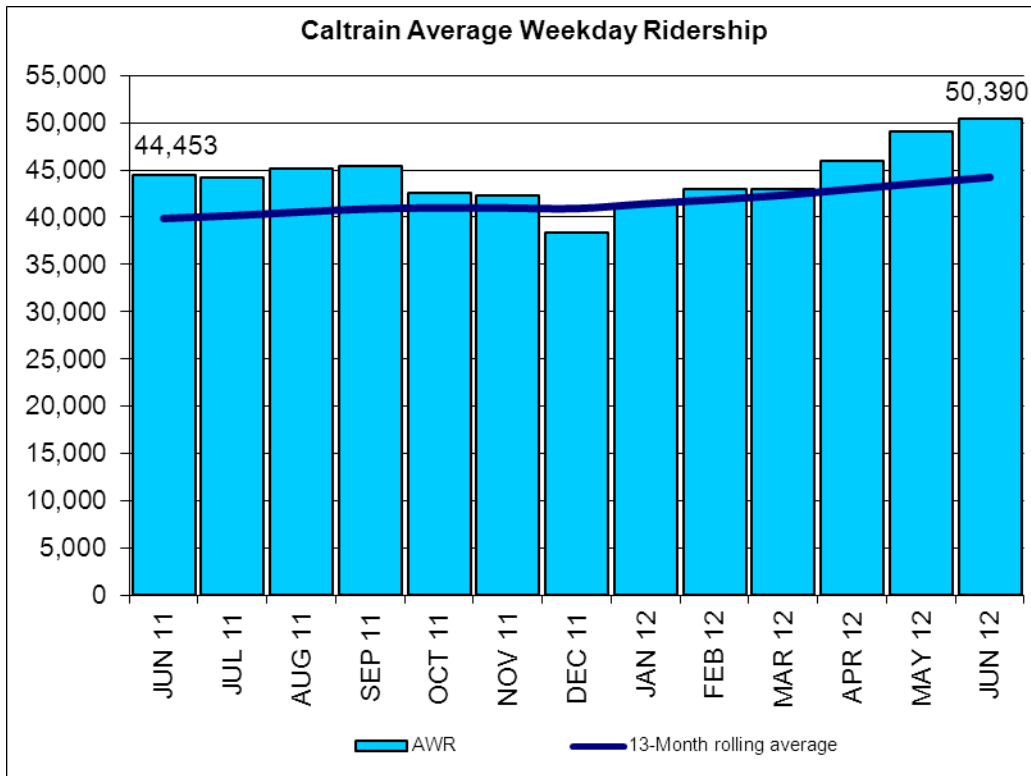
|                                    | FY2011      | FY2012      | % Change |
|------------------------------------|-------------|-------------|----------|
| Total Ridership                    | 1,189,173   | 1,319,404   | 11.0%    |
| Average Weekday Ridership          | 44,453      | 50,390      | 13.4%    |
| Total Farebox Revenue              | \$4,890,895 | \$5,778,347 | 18.1%    |
| On-time Performance                | 88.0%       | 90.5%       | 2.5%*    |
| Average Caltrain Shuttle Ridership | 6,917       | 7,521       | 8.7%     |

### Fiscal Year 2012

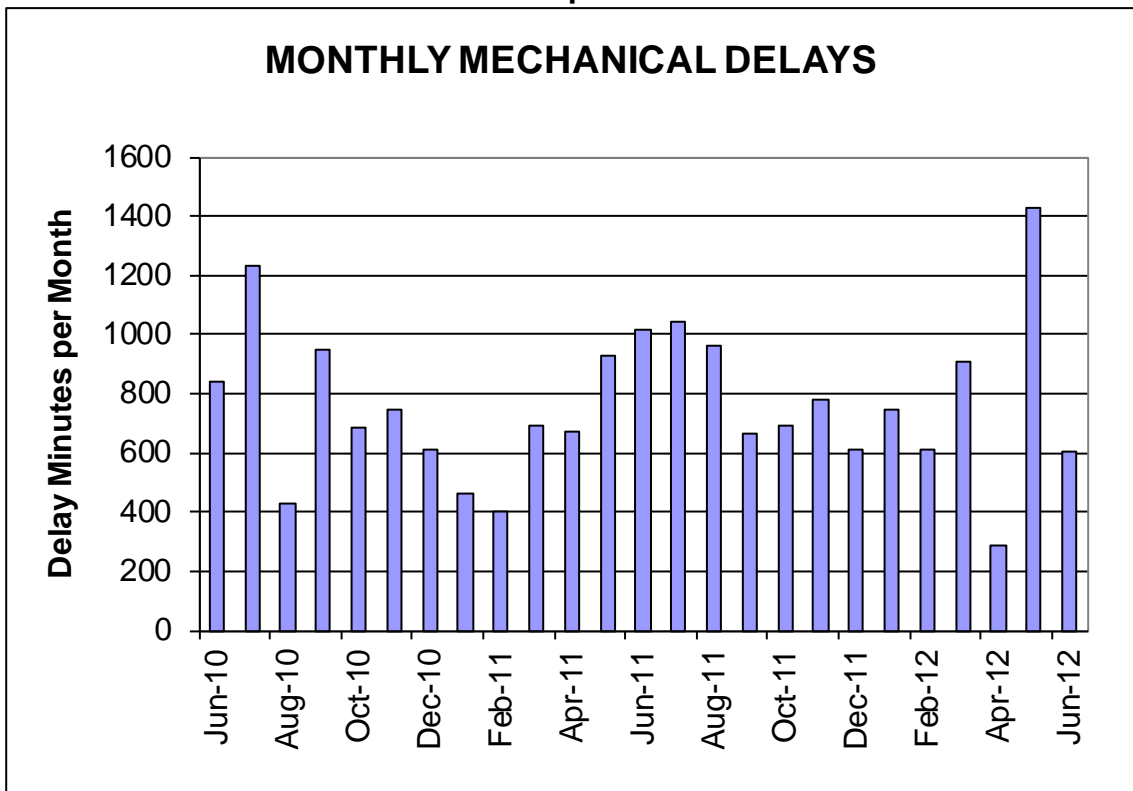
|                                    | FY2011       | FY2012       | % Change |
|------------------------------------|--------------|--------------|----------|
| Total Ridership                    | 12,673,420   | 14,134,117   | 11.5%    |
| Average Weekday Ridership          | 39,909       | 44,212       | 10.8%    |
| Total Farebox Revenue              | \$49,025,747 | \$59,884,490 | 22.1%    |
| On-time Performance                | 92.8%        | 93.0%        | 0.3%*    |
| Average Caltrain Shuttle Ridership | 5,729        | 7,195        | 25.6%    |

\* numeric difference of the percentages

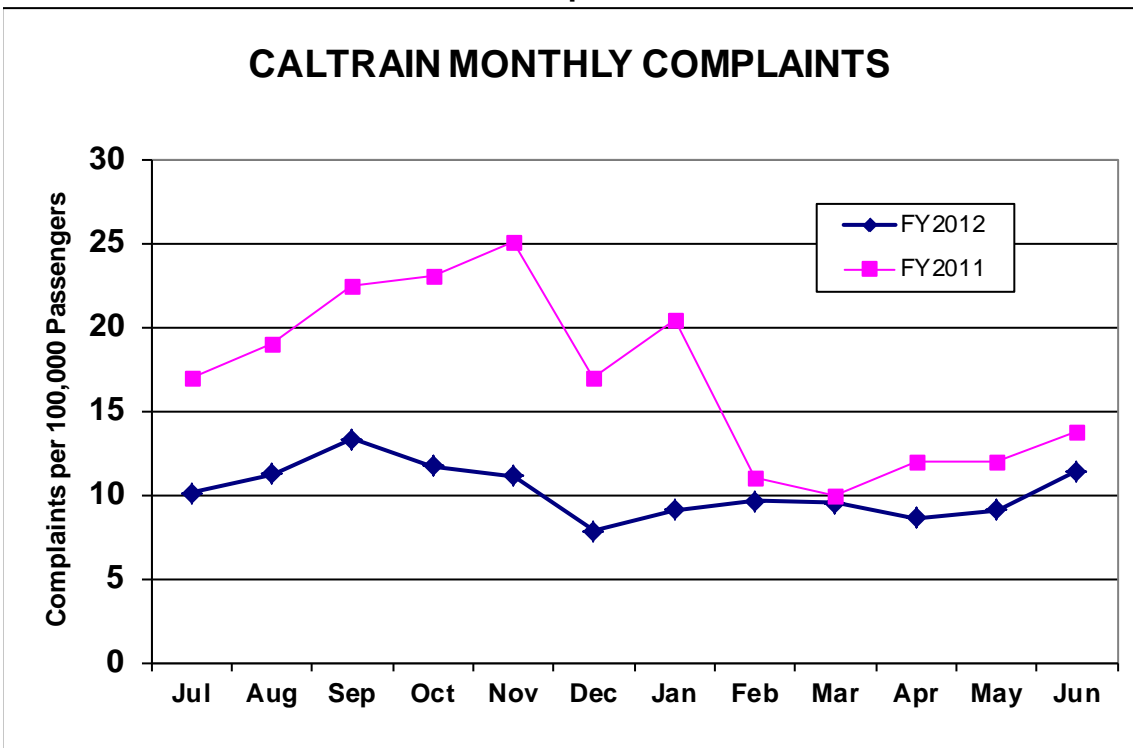
## Graph A



Graph B



Graph C



PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD  
ENDING MAY 31, 2012 AND SUPPLEMENTAL INFORMATION**

**ACTION**

Staff proposes the Board of Directors accept and enter into the record the Statement of Revenue and Expense for the month of May 2012 and supplemental information.

**SIGNIFICANCE**

**Revenue:** Year-to-date through May of Fiscal Year 2012, *Total Operating Revenue* (line 7) is \$5,038,715 or 8.8 percent **better** than revised budget. Within total operating revenue, *Farebox Revenue* (line 1), *Parking Revenue* (line 2), *Rental Income* (line 4) and *Other Income* (line 5) together are \$5,175,440 or 9.2 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$10,975,183 or 21.4 percent **higher** driven mainly by *Farebox Revenue* (line 1) which is \$9,978,419 or 22.6 percent **higher**.

**Expense:** *Grand Total Expense* (line 46) is \$4,783,359 or 4.8 percent **better** than budget. *Total Operating Expense* (line 33) is \$4,305,954 or 4.9 percent **better** than budget. Within total operating expense, *Contract Operating & Maintenance* (line 23) and *Services* (line 31) together are \$4,079,985 or 6.9 percent **better** than budget. *Total Administrative Expense* (line 42) is \$477,405 or 4.8 percent **better** than budget.

Compared to prior year, *Grand Total Expense* (line 46) are \$6,851,428 or 7.8 percent **higher**. The increase in expense is mainly due to *Fuel* (line 26) and *Administrative Expense* (line 42) which together are \$3,333,058 or 16.4 percent **higher** and is offset by *Insurance* (line 28) which is \$1,330,807 or 23 percent **lower** than budget.

**Budget Amendments:** There are no budget revisions for the month of May 2012.

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

650.508.7752  
650.508.6259

## PENINSULA CORRIDOR JOINT POWERS BOARD

### STATEMENT OF REVENUE AND EXPENSE

Fiscal Year 2012

May 2012

% OF YEAR ELAPSED

91.7%

|   | MONTH             | YEAR TO DATE      |                   |                   |               | ANNUAL             |                    |              |
|---|-------------------|-------------------|-------------------|-------------------|---------------|--------------------|--------------------|--------------|
|   | CURRENT ACTUAL    | PRIOR ACTUAL      | CURRENT ACTUAL    | REVISED BUDGET    | % REV BUDGET  | APPROVED BUDGET    | REVISED BUDGET     | % REV BUDGET |
| (AS PROJECTED)                          |                   |                   |                   |                   |               |                    |                    |              |
| <b>REVENUE</b>                          |                   |                   |                   |                   |               |                    |                    |              |
| OPERATIONS:                             |                   |                   |                   |                   |               |                    |                    |              |
| 1 Farebox Revenue                       | 5,689,723         | 44,134,851        | 54,113,270        | 49,280,906        | 109.8%        | 50,644,719         | 54,069,757         | 100.1%       |
| 2 Parking Revenue                       | 293,402           | 2,301,907         | 2,978,865         | 2,721,258         | 109.5%        | 2,776,600          | 2,987,854          | 99.7%        |
| 3 Shuttles                              | 57,037            | 993,159           | 916,106           | 1,052,832         | 87.0%         | 1,148,579          | 1,148,579          | 79.8%        |
| 4 Rental Income                         | 146,008           | 1,585,817         | 1,623,228         | 1,592,470         | 101.9%        | 1,737,240          | 1,737,240          | 93.4%        |
| 5 Other Income                          | 244,031           | 2,364,088         | 2,723,534         | 2,668,823         | 102.1%        | 2,913,060          | 2,913,060          | 93.5%        |
| 6                                       |                   |                   |                   |                   |               |                    |                    |              |
| 7 <b>TOTAL OPERATING REVENUE</b>        | <b>6,430,200</b>  | <b>51,379,821</b> | <b>62,355,004</b> | <b>57,316,289</b> | <b>108.8%</b> | <b>59,220,198</b>  | <b>62,856,490</b>  | <b>99.2%</b> |
| 8                                       |                   |                   |                   |                   |               |                    |                    |              |
| CONTRIBUTIONS:                          |                   |                   |                   |                   |               |                    |                    |              |
| 10 AB434 Peninsula Feeder Shuttle       | 82,778            | 916,667           | 906,756           | 909,531           | 99.7%         | 1,000,000          | 1,000,000          | 90.7%        |
| 11 Operating Grants                     | 2,210,858         | 6,371,585         | 6,951,567         | 8,712,325         | 79.8%         | 9,222,450          | 9,271,706          | 75.0%        |
| 12 JPB Member Agencies                  | 2,111,438         | 32,165,953        | 23,225,817        | 23,225,807        | 100.0%        | 25,337,256         | 25,337,256         | 91.7%        |
| 13 Other Sources                        | 941,449           | -                 | 941,449           | 9,000,000         | 10.5%         | 9,000,000          | 9,000,000          | 10.5%        |
| 14                                      |                   |                   |                   |                   |               |                    |                    |              |
| 15 <b>TOTAL CONTRIBUTED REVENUE</b>     | <b>5,346,523</b>  | <b>39,454,204</b> | <b>32,025,589</b> | <b>41,847,663</b> | <b>76.5%</b>  | <b>44,559,706</b>  | <b>44,608,962</b>  | <b>71.8%</b> |
| 16                                      |                   |                   |                   |                   |               |                    |                    |              |
| 17 <b>GRAND TOTAL REVENUE</b>           | <b>11,776,723</b> | <b>90,834,025</b> | <b>94,380,593</b> | <b>99,163,952</b> | <b>95.2%</b>  | <b>103,779,904</b> | <b>107,465,452</b> | <b>87.8%</b> |
| 18                                      |                   |                   |                   |                   |               |                    |                    |              |
| <b>EXPENSE</b>                          |                   |                   |                   |                   |               |                    |                    |              |
| OPERATING EXPENSE:                      |                   |                   |                   |                   |               |                    |                    |              |
| 23 Contract Operating and Maintenance   | 6,590,131         | 53,943,913        | 54,199,380        | 58,177,277        | 93.2%         | 62,851,773         | 62,423,008         | 86.8%        |
| 24 Operator Contract Transition Costs   | 2,233,345         | -                 | 4,524,180         | 4,523,497         | 100.0%        | 3,200,000          | 4,700,000          | 96.3%        |
| 25 Shuttles (incl Peninsula Pass)       | 262,407           | 2,660,381         | 2,660,468         | 2,754,693         | 96.6%         | 2,984,550          | 2,984,550          | 89.1%        |
| 26 Fuel                                 | 1,278,465         | 11,593,340        | 14,206,798        | 14,195,276        | 100.1%        | 14,660,380         | 15,160,380         | 93.7%        |
| 27 Timetables and Tickets               | 9,324             | 174,514           | 129,867           | 134,750           | 96.4%         | 161,000            | 161,000            | 80.7%        |
| 28 Insurance                            | 489,203           | 5,794,705         | 4,463,898         | 4,464,130         | 100.0%        | 4,870,000          | 4,870,000          | 91.7%        |
| 29 Facilities and Equipment Maint       | 161,494           | 1,103,488         | 1,395,403         | 1,369,539         | 101.9%        | 1,037,260          | 1,498,200          | 93.1%        |
| 30 Utilities                            | 117,032           | 1,482,314         | 1,299,219         | 1,463,917         | 88.7%         | 1,596,835          | 1,596,835          | 81.4%        |
| 31 Services                             | 144,606           | 985,576           | 990,847           | 1,092,935         | 90.7%         | 1,171,760          | 1,189,760          | 83.3%        |
| 32                                      |                   |                   |                   |                   |               |                    |                    |              |
| 33 <b>TOTAL OPERATING EXPENSE</b>       | <b>11,286,005</b> | <b>77,738,232</b> | <b>83,870,060</b> | <b>88,176,014</b> | <b>95.1%</b>  | <b>92,533,558</b>  | <b>94,583,733</b>  | <b>88.7%</b> |
| 34                                      |                   |                   |                   |                   |               |                    |                    |              |
| ADMINISTRATIVE EXPENSE                  |                   |                   |                   |                   |               |                    |                    |              |
| 36 Wages and Benefits                   | 560,679           | 5,447,913         | 5,243,885         | 5,823,634         | 90.0%         | 6,340,690          | 6,336,359          | 82.8%        |
| 37 Board of Directors                   | 1,030             | 11,638            | 8,888             | 9,900             | 89.8%         | 10,800             | 10,800             | 82.3%        |
| 38 Professional Services                | 376,979           | 2,035,324         | 2,747,810         | 2,228,569         | 123.3%        | 2,143,542          | 2,312,921          | 118.8%       |
| 39 Communications and Marketing         | 5,914             | 128,309           | 46,163            | 143,317           | 32.2%         | 171,000            | 171,000            | 27.0%        |
| 40 Office Expense and Other             | 136,410           | 1,156,781         | 1,452,818         | 1,771,550         | 82.0%         | 1,477,439          | 1,886,601          | 77.0%        |
| 41                                      |                   |                   |                   |                   |               |                    |                    |              |
| 42 <b>TOTAL ADMINISTRATIVE EXPENSES</b> | <b>1,081,012</b>  | <b>8,779,964</b>  | <b>9,499,564</b>  | <b>9,976,969</b>  | <b>95.2%</b>  | <b>10,143,471</b>  | <b>10,717,681</b>  | <b>88.6%</b> |
| 43                                      |                   |                   |                   |                   |               |                    |                    |              |
| 44 Long Term Debt Expense               | 91,906            | 1,010,969         | 1,010,969         | 1,010,969         | 100.0%        | 1,102,875          | 1,102,875          | 91.7%        |
| 45                                      |                   |                   |                   |                   |               |                    |                    |              |
| 46 <b>GRAND TOTAL EXPENSE</b>           | <b>12,458,924</b> | <b>87,529,165</b> | <b>94,380,593</b> | <b>99,163,952</b> | <b>95.2%</b>  | <b>103,779,904</b> | <b>106,404,289</b> | <b>88.7%</b> |

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



**PENINSULA CORRIDOR JOINT POWERS BOARD**

**INVESTMENT PORTFOLIO**

**AS OF MAY 31, 2012**

| TYPE OF SECURITY                            | MATURITY DATE | INTEREST RATE | PURCHASE PRICE | MARKET RATE   |
|---|---------------|---------------|----------------|---------------|
| Local Agency Investment Fund (Restricted)   | Liquid Cash   | 0.363%        | \$ 2,000,000   | \$ 2,000,000  |
| Local Agency Investment Fund (Unrestricted) | Liquid Cash   | 0.363%        | 28,021,396     | 28,021,396    |
| Investment Portfolio (Unrestricted)         | Liquid Cash   | 0.000%        | 0              | 0             |
| Other (Unrestricted)                        | Liquid Cash   | 0.010%        | 3,870,988      | 3,870,988     |
|   |               |               | \$ 33,892,384  | \$ 33,892,384 |

|                                |              |
|--------------------------------|--------------|
| Accrued Earnings for May, 2012 | \$9,468.53   |
| Cumulative Earnings FY2012     | \$157,640.38 |

\*\* 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: Gigi Harrington  
Deputy CEO

SUBJECT: **UPDATE ON THE EXECUTION OF THE FUEL HEDGING PROGRAM**

**ACTION**

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

**SIGNIFICANCE**

On May 3, 2012, the Board approved the Request for Bids for the Fiscal Year (FY) 2013 Fuel Hedging Program and authorized the Executive Director or Deputy CEO, Finance and Administration to execute those documents with the winning diesel fuel price cap provider. On May 22, the JPB's financial advisors requested bids from the four firms, Deutsche Bank AG, Barclays Bank PLC, Canadian Imperial Bank of Commerce and Wells Fargo Bank, N.A., with which we had developed mutually agreed upon bid documents for a diesel fuel price cap. Based on the bid prices, the JPB selected Barclays as the winning bidder, with a cap of \$2.80 per gallon and a cost of cap at \$0.271 per gallon. The JPB hedged a total of 2.25 million gallons which represents approximately 50 percent of the JPB's expected fuel usage for FY2013. The substantially final documents, on file for the Board on May 3, were executed subsequent to the bid. Staff was comfortable with the documents as executed and the price offered by Barclays.

Prior to requesting bids, staff worked together with the JPB's financial advisors and legal counsel to develop a Request for Commodity Price Caps and a bid package for diesel fuel price cap providers interested in bidding on the diesel fuel price cap. Included in that package were an International Swaps and Derivatives Association, Inc. Master Agreement, a Schedule to the Master Agreement and a Credit Support Annex. The documents had been reviewed by Orrick, Herrington & Sutcliffe, LLP, special counsel to the JPB. In addition to the documents listed above, a Confirmation setting forth the pricing terms was executed.

The primary goal for the Fuel Hedging Program is to reduce volatility and uncertainty in the fuel budget for FY2013. Consistent with the Fuel Hedging Policy, the JPB has hedged 2.25 million gallons, which represents approximately 50 percent of its expected annual fuel consumption. In order to maximize the Fuel Hedging Program's potential for economic efficiency, the JPB partnered with the San Mateo County Transit District, which hedged 1.2 million gallons, which represents approximately 65 percent of its expected annual fuel consumption.

Staff expects to return to the Board next year with an assessment of the FY2013 Fuel Hedging Program.

### **BUDGET IMPACT**

The JPB's FY2013 adopted budget for fuel expenses is \$17.2 million, an increase of \$2 million or 13 percent, over the revised FY2012 budget. This increase is mainly due to the addition of six trains in the fall/winter of 2012. The purchase of the price cap from Barclays, which caps the JPB's fuel price for half of its fuel at \$2.80 per gallon, helps to keep the increase in the fuel budget to a minimal level even as fuel prices rise. The Fuel Hedging Program also gives the JPB a measure of budgetary certainty and allows for more effective utilization of budget resources. The fees for the FY2013 Fuel Hedging Program include \$25,000 for financial advisor, \$40,600 for outside legal counsel and \$609,750 which is the premium for the price cap.

### **BACKGROUND**

The JPB currently purchases fuel from Pinnacle Petroleum based on the average weekly spot price for Oil Price Information Service (OPIS) index, exposing JPB to market price fluctuation. During the past 12-month period from July 7, 2011 to June 28, 2012, the price of OPIS has ranged from a high of \$3.45 per gallon in the first week of March 2012 to a low of \$2.61 in the last week of June 2012.

In order to meet the primary goal of the Fuel Hedging Program of reducing volatility and uncertainty in the fuel budget for FY2013, staff purchased a price cap consistent with the JPB's adopted Fuel Hedging Policy. This commodity price cap does not include taxes on the fuel price, however the price commonly reported to the Board of Directors includes taxes. A price cap allows the JPB to limit its exposure if fuel prices rise, while continuing to receive the benefit if prices fall.

Prepared by: Éva Goode, Manager, Budgets

650.508.7914

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **APPROVAL AND RATIFICATION OF THE FISCAL YEAR 2013  
INSURANCE PROGRAM**

**ACTION**

Staff Coordinating Council (SCC) recommends the Board approve and ratify the Peninsula Corridor Joint Powers Board (JPB) insurance program for Fiscal Year (FY) 2013 at a total premium cost not to exceed \$3,408,388, inclusive of the following:

- Continue the current \$2 million self-insured retention on the liability program.
- Purchase \$198 million of coverage for Railroad Liability, Commercial General Liability and Excess Automobile Liability, including terrorism coverage, at an annual premium of \$2,642,114.
- Purchase property insurance with limits of \$400 million at an annual premium of \$646,376 for real and personal property, to include Centralized Equipment Maintenance and Operations Facility (CEMOF), stations, tunnels, bridges, culverts, signals, railroad equipment, and rolling stock. This insurance also continues to provide coverage against terrorism, as well as boiler and machinery perils for real property and CEMOF sufficient to meet the State of California inspection requirements.
- Purchase a \$5 million Environmental/Pollution Liability insurance policy at an annual premium of \$44,288.
- Purchase a \$10 million Public Officials Liability policy at an annual premium of \$66,610.

**SIGNIFICANCE**

The liability insurance market is hardening this year, especially for railroad liability insurance. Much of the price increases have been due to overall rail liability insurance losses and poor financial results from depressed returns on investment income. The JPB has therefore experienced a premium increase in liability coverage due to this market hardening and increased exposures.

Property catastrophes in the Midwest and around the world have hardened the property market for the catastrophic coverages of windstorm, earthquake and flood. Standard property and inland

marine coverages in California, however, are still desired by insurers. Despite increases in JPB property values of 4.5 percent, we had locked in a two-year commitment from underwriters last year. As a result, the property insurance premium stayed the same this year.

Although the environmental insurance market produced very competitive premiums, the JPB benefited from additional coverage enhancements on its pollution liability policy. Limits on the JPB’s Public Officials liability program remained the same at \$10 million and the premium remained flat. The JPB continues to obtain Special Events coverage with a limit of \$2 million to cover its Emergency Training exercises.

Below is an overview of the JPB’s FY2012 and FY2013 premiums:

| <u>Premium Element</u>                                       | <u>FY2012</u>     | <u>FY2013</u>     |
|--|-------------------|-------------------|
| Liability: Railroad, Commercial General, Excess Automobile   | \$2,378,789       | \$2,642,114       |
| Liability: Environmental, Public Officials, & Special Events |                   |                   |
| Liability  | \$ 112,050        | \$ 119,898        |
| Property   | <u>\$ 646,376</u> | <u>\$ 646,376</u> |
| Total  | \$3,137,216       | \$3,408,388       |

**BUDGET IMPACT**

Estimated funds to underwrite the recommended program are included in the FY2013 Operating Budget.

**BACKGROUND**

The JPB’s liability limits remain at \$200 million with an additional \$100 million provided by TASI for a total of \$300 million FY2013. Several new insurers entered the rail liability insurance market while other insurers are pulling back because of major losses in this sector, e.g. MetroLink. These major losses have contributed to the tightening of the marketplace. Consequently, underwriters are focusing on risk selection, adjusting pricing to reflect increased exposures, and any claims. With the JPB’s excellent reputation in the marketplace, we have successfully attracted new insurers to the program to fill out capacity while holding down the premiums to the maximum degree possible.

Prepared by: David Triolo, Director, Risk Management

650.508.6237

**RESOLUTION NO. 2012 -**

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

\* \* \*

**APPROVING AND RATIFYING THE INSURANCE PROGRAM FOR  
FISCAL YEAR 2013**

**WHEREAS**, the Executive Director of the Peninsula Corridor Joint Powers Board (JPB) has approved an insurance program for Fiscal Year (FY) 2013 with premiums totaling \$3,408,388, which program was presented to the Staff Coordinating Council (SCC) and the costs for which are included in the FY2013 Operating Budget; and

**WHEREAS**, in conjunction with the expiration of the JPB's existing insurance program on June 30, 2012, District staff renewed its insurance program for FY2013 based on the plan approved by the Executive Director, with the following significant elements:

1. Maintain a self-insured retention for the JPB in the amount of \$2 million;
2. Authorize the purchase of a Railroad Liability, Commercial General Liability and Excess Automobile Liability policy, including Terrorism (TRIA) coverage, with a total limit of \$198 million, in excess of the \$2 million self-insured retention, at an annual premium of \$2,642,114;
3. Authorize the purchase of property insurance, including Special Risk property policies, at an annual premium of \$646,376 with limits of \$400 million to cover real and personal property, including stations, the Centralized Equipment Maintenance and Operations Facility, tunnels, bridges, culverts, signals, railroad equipment, and rolling stock, as well as Boiler and Machinery coverage sufficient to meet the State of California inspection requirements;
4. Authorize the purchase of Public Officials Liability coverage with a \$10 million limit at an annual premium of \$66,610;

5. Authorize the purchase of Environmental/Pollution Liability coverage with a \$5 million limit at an annual premium of \$44,288;
6. Authorize purchase of Special Events coverage with a \$2 million limits at a premium of \$9,000;

**WHEREAS**, Staff Coordinating Council requests the Board of Directors approve and ratify the renewal of the JPB's insurance program for FY2013, as delineated above.

**NOW, THEREFORE, BE IT RESOLVED** the Peninsula Corridor Joint Powers Board hereby approves and ratifies the renewal of the JPB's insurance program for Fiscal Year 2013, including the types of coverage, limits and premiums recited above.

Regularly passed and adopted this 2nd day of August, 2012 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

C. H. (Chuck) Harvey  
Deputy CEO

SUBJECT: **REJECTION OF ALL PROPOSALS FOR PROVIDING GEC DESIGN SERVICES AND GEC DESIGN-REVIEW SERVICES**

**ACTION**

Staff Coordinating Council (SCC) recommends the Board:

1. Reject all proposals submitted in response to the Peninsula Corridor Joint Powers Board's (JPB) solicitation 12-PCJPB-040, General Engineering Consultant (GEC) and Design Services (Design).
2. Reject all proposals submitted in response to the JPB's solicitation 12-PCJPB-P-041, GEC and Design-review Services (Design-review).
3. Authorize the JPB to re-solicit for both services.

**SIGNIFICANCE**

The solicitation for Design services had gone through the initial scoring and subsequent interview phases when staff was made aware of alleged irregularities in the solicitation process. While the staff investigation found no substantive issues, the agency's longstanding practice is to make certain that the procurement process avoids even the slightest appearance of any impropriety. For that reason and in an abundance of caution, JPB staff recommends the Board reject all proposals and authorize staff to begin a new solicitation for the Design contract.

Staff determined that Design and Design-review services could not be provided by the same contractor in order to avoid potential organizational conflicts of interest. Staff, therefore, advised firms they could propose but not be selected for both contracts. Because of this limitation and the desire to provide maximum opportunities for proposers to achieve their preferred contract award, staff determined that proposals for both solicitations should be rejected and be re-solicited at a future date.

In order to continue uninterrupted GEC services for the JPB during the re-solicitations, staff will negotiate with the current GEC firms to extend their contracts through December 31, 2013.

**BUDGET IMPACT**

The actions to reject all proposals and re-solicit for the subject services have no impact to the budget.

**BACKGROUND**

Existing on-call GEC services contracts were awarded at the October 2004 JPB meeting under Resolution 2004-35. The contracts, initially awarded for a base two-year term with three one-year options, have been extended and their aggregate amounts have been increased pursuant to subsequent Board action. The contracts will soon expire, but have budget capacity. In anticipation of the expiration of the existing contracts, staff had developed a comprehensive GEC services replacement strategy and a replacement contract was to have been in place at this time, but staff now recommends the Board reject all proposals and re-solicit both the GEC Design and Design-review services.

An extension of the current GEC contracts, through December 31, 2013, will allow the JPB to continue with uninterrupted design services for the Caltrain capital projects that are underway during re-solicitation of Design and Design-review services. Because the Executive Director is authorized to approve time-only extensions of these contracts, this background is provided to the Board as informational in nature.

Contract Officer: Patrick May  
Project Manager: Brian Kelleher

650.508.7732  
650.508.7952



**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**

Caltrain Modernization/High-speed Rail

The Caltrain Modernization Program has achieved several key milestones over the last two months:

- On June 19, approval of the Bay Area High Speed Rail (HSR) Memorandum of Understanding (MOU) that identifies full funding for Caltrain modernization was completed with approval from the San Jose City Council.
- On June 27, the California Transportation Commission (CTC) approved a project list that programs the remaining Proposition 1A connectivity funding, including \$105 million for Caltrain modernization as specified in the Bay Area HSR MOU.
- On July 6, following the Assembly's approval on the previous day, the State Senate approved SB 1029, which appropriates \$705 million in Proposition 1A funding for Caltrain modernization.
- On July 18, the Governor signed SB 1029, authorizing the State's full share of funding for Caltrain modernization identified in the Bay Area HSR MOU.

Several additional before the Caltrain Modernization Program can access these funds, including the sale of Proposition 1A bonds by the State Controller's Office, the allocation of revenues to the project and the allocation of Proposition 1A connectivity funds by the CTC.

## **FEDERAL ISSUES**

### Authorization

On June 29, after several extensions following the expiration of SAFETEA-LU in 2009, Congress approved House Resolution 4348 (Mica), Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21).

MAP-21 authorizes \$120 billion for surface transportation programs over the next 27 months, or through September 2014. The bill includes a slight 1.3% increase for public transportation programs, retains the historic 80/20 split between highway and transit funding and includes provisions that guarantees states will receive at least 95% of the gas tax funds they generate.

Generally, the bill shifts a greater share of funding into formula programs and away from discretionary programs. It also consolidates several programs and expands their eligibility to include a broader range of projects and transportation modes.

Notable changes include the expansion of the New Starts program to cover renovations of existing rail systems that increase capacity by at least 10 percent, and the expansion of the Transportation Infrastructure Finance and Innovation Act loan program from \$120 million to \$1.75 billion over the next 27 months.

The bill also expands the eligibility so that transit projects can benefit from a program that allows the California Environmental Quality Act to satisfy National Environmental Policy Act approval.

Under the bill, California and the Bay Area are expected to retain or slightly increase funding levels for the region's transit needs. However, the bill does not address several transportation priorities.

Reauthorization of passenger rail programs, including high-speed rail, was not included in the legislation and will need to be reauthorized before the expiration of the Passenger Rail Investment and Improvement Act in 2013.

Also not included were provisions that address the extension of the 2015 deadline for the installation of positive train control on passenger rail systems, or the restoration of pre-tax commute benefits for transit riders that are equal to the benefits that drivers receive.

The bill also does not address the overall solvency of the Highway Trust Fund. The bill transfers \$19 billion from the General Fund to fund authorized programs in Fiscal Year 2013, but in order for MAP-21 to be fully funded through September 2014, additional revenue will be necessary.

Prepared By: Seamus Murphy, Government and Community Affairs Director 650.508.6388

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 7-23-12**

| Bill ID/Topic   | Location  | Summary  | Position |
|---|---|--|----------|
| <p><a href="#">AB 41 Hill D</a><br/>High-Speed Rail Authority: conflicts of interest: disqualification.</p> | <p>SENATE THIRD READING<br/>5/1/2012 - Read second time.<br/>Ordered to third reading.</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 levels 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 officers who must publicly identify a financial interest giving rise to a conflict of interest or potential conflict of interest, and recuse themselves accordingly.<br/><b>Last Amended on 4/30/2012</b></p> |          |
| <p><a href="#">AB 441 Monning D</a><br/>Transportation planning.</p>  | <p>SENATE THIRD READING<br/>6/26/2012 - Read second time.<br/>Ordered to third reading.</p> | <p>Existing law requires certain transportation planning activities by the Department of Transportation and by designated regional transportation planning agencies, including development of a regional transportation plan. Existing law authorizes the California Transportation Commission, in cooperation with regional agencies, to prescribe study areas for analysis and evaluation and guidelines for the preparation of a regional transportation plan.</p> <p>This bill would require the commission to attach a summary of the policies, practices, or projects that have been employed by metropolitan planning organizations that promote health and health equity to the commission's next revision of specified regional transportation planning guidelines. <b>Last Amended on 6/4/2012</b></p>   |          |
| <p><a href="#">AB 1126 Calderon, Charles D</a><br/>Transaction and use tax: rate.</p>                       | <p>SENATE THIRD READING<br/>7/2/2012 - Read second time.<br/>Ordered to third reading.</p>  | <p>The Transaction and Use Tax Law authorizes a district to impose a transactions tax for the privilege of selling tangible personal property at retail upon every retailer in the district at a rate of 1/4 of 1%, or a multiple thereof, of the gross receipts of the retailer from the sale of all tangible personal property sold by that person at retail in the district. That law also requires that a use tax portion of a transaction and use tax ordinance be adopted to impose a complementary tax upon the storage, use, or other consumption in the district of tangible personal property purchased from any retailer for storage, use, or other consumption in the district at a rate of 1/4 of 1%, or a multiple thereof, of the sales price of the property whose storage, use, or other consumption is subject to the tax, as prescribed.</p> <p>This bill would decrease those rates to 1/8 of 1%. <b>Last Amended on 1/4/2012</b></p>  |          |

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 7-23-12**

| Bill ID/Topic  | Location   | Summary   | Position |
|--|--|---|----------|
| <p><a href="#"><u>AB 1532</u></a><br/><a href="#"><u>John A. Pérez D</u></a></p> <p>California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Account.</p> | <p>SENATE APPR. 7/2/2012 - Do pass as amended, and re-refer to the Committee on Appropriations</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 emissions reductions. The act authorizes the state board to include use of market-based compliance mechanisms. The act authorizes the state board to adopt a schedule of fees to be paid by the sources of greenhouse gas emissions regulated pursuant to the act, and requires the revenues collected pursuant to that fee schedule be deposited into the Air Pollution Control Fund and be available, upon appropriation by the Legislature, for the purposes of carrying out the act.</p> <p>This bill would create the Greenhouse Gas Reduction Account within the Air Pollution Control Fund. The bill would require moneys, as specified, collected pursuant to a market-based compliance mechanism to be deposited in this account. The bill also would require those moneys, upon appropriation by the Legislature, to be used for specified purposes. The bill would require administering agencies, including the state board and any other state agency identified by the Legislature, to allocate those moneys to measures and programs that meet specified criteria. The bill would require the state board to develop , as specified, three investment plans that identify the anticipated expenditures of moneys appropriated from the account , to submit each plan to the budget committees of each house of the Legislature, as specified , and to adopt each investment plan, as specified. The bill would require the Governor to submit a budget to the Legislature that includes specified appropriations consistent with each investment plan and would require the Legislature to consider these appropriations when adopting the Budget Act . The bill would require the state board to annually submit a report no later than December of each year to the appropriate committees of the Legislature on the status of projects and their outcomes and any changes the state board recommends need to be made to the investment plan. This bill contains other related provisions and other existing laws. <b>Last Amended on 6/18/2012</b></p> |          |
| <p><a href="#"><u>AB 1570</u></a><br/><a href="#"><u>Perea D</u></a></p> <p>Environmental quality: California Environmental Quality Act: record of proceedings.</p>        | <p>SENATE APPR. 7/2/2012 - Do pass as amended, and re-refer to the Committee on Approps.</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 establishes a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA.</p> <p>This bill would require, until January 1, 2016, the lead agency, at the request of a project applicant, to, among other things, prepare a record of proceedings concurrently with the preparation of negative declarations, mitigated negative declarations, EIRs, or other environmental documents for specified projects . Because the bill would require a lead agency to prepare the record of proceedings as provided, this bill would impose a state-mandated local program.</p> <p><b>Last Amended on 4/10/2012</b></p>   |          |

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 7-23-12**

| Bill ID/Topic   | Location  | Summary   | Position |
|---|---|---|----------|
| <p><a href="#"><u>AB 1572</u></a><br/><a href="#"><u>Fletcher I</u></a></p> <p>Service authorities for freeway emergencies: San Diego County.</p> | <p>SENATE APPR<br/>6/28/2012 - Read second time and amended. Re-referred to Com. on APPR.</p>   | <p>Existing law authorizes a service authority for freeway emergencies to be established in any county for the purpose of funding the installation of call boxes along freeways and expressways to enable motorists in need of aid to obtain assistance. Existing law provides that a service authority may impose an annual fee of \$1 on vehicles registered in the county for this and other related purposes, which fee is collected by the Department of Motor Vehicles (DMV).</p> <p>This bill, with respect to the service authority created in the County of San Diego, would provide for the authority to be dissolved on January 1, 2013, and for the San Diego Association of Governments (SANDAG) to become the successor authority and to assume the remaining responsibility for maintaining call boxes as of that date. The bill would require the authority to develop a plan, as specified, for transitioning its responsibilities to SANDAG in the transition period between the effective date of this bill and January 1, 2013, and would require SANDAG's approval for the authority to expend funds or enter into contracts during that transition period. The bill would limit the reserves that SANDAG, as the successor to the authority, may hold at the time this bill becomes effective to \$4,000,000, and would require SANDAG to distribute, by January 1, 2013, any reserves in excess of that amount to cities in the County of San Diego, and to the county with respect to the unincorporated area of the county, in proportion to fees paid for purposes of the service authority in the 2010-11 fiscal year by residents of each city and the unincorporated area. The bill would require the recipient jurisdictions to use these revenues for the purposes for which the fees were collected. The bill would also require SANDAG to post its detailed budget relative to the revenues from the collection of the fee, and the expenditure of these funds, on its Internet Web site, as specified. The bill would also authorize SANDAG, as the successor authority, to continue funding specified helicopter programs. This bill contains other related provisions and other existing laws. <b>Last Amended on 6/28/2012</b></p> |          |
| <p><a href="#"><u>AB 1606</u></a><br/><a href="#"><u>Perea D</u></a></p> <p>Local public employee organizations: impasse procedures.</p>          | <p>SENATE THIRD<br/>READING<br/>6/26/2012 - Read second time.<br/>Ordered to third reading.</p> | <p>The Meyers-Milias-Brown Act contains various provisions that govern collective bargaining of local represented employees, and delegates jurisdiction to the Public Employment Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency employers and employees. The act requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations.</p> <p>This bill would instead authorize the employee organization to request that the parties' differences be submitted to a fact-finding panel not sooner than 30 days or more than 45 days following the appointment or selection of a mediator pursuant to the parties' agreement to mediate or a mediation process required by a public agency's local rules. The bill would also authorize an employee organization, if the dispute was not submitted to mediation, to request that the parties' differences be submitted to a fact-finding panel not later than 30 days following the date that either party provided the other with a written notice of a declaration of impasse. The bill would specify that the procedural right of an employee organization to request a fact-finding panel cannot be expressly or voluntarily waived. The bill would also specify that its provisions are intended to be technical and clarifying of existing law. This bill contains other existing laws. <b>Last Amended on 5/17/2012</b></p>  |          |

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 7-23-12**

| Bill ID/Topic  | Location   | Summary   | Position |
|--|--|---|----------|
| <a href="#"><u>AB 1665</u></a><br><a href="#"><u>Galgiani D</u></a><br>California Environmental Quality Act: exemption: railroad crossings.                          | SENATE APPR. 7/2/2012 - Do pass as amended, and re-refer to the Committee on Approps   | <p>The California Environmental Quality Act (CEQA) requires a lead agency to prepare 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 exempt from CEQA the closure of a railroad grade crossing by order of the PUC under the above authority if the PUC finds the crossing to present a threat to public safety. <b>Last Amended on 4/18/2012</b></p> |          |
| <a href="#"><u>AB 1671</u></a><br><a href="#"><u>Huffman D</u></a><br>Department of Transportation: retention proceeds: State Contract Act: bids: bidder's security. | SENATE APPR. 7/6/2012 - Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on APPR.                  | <p>Existing law prohibits the Department of Transportation, until January 1, 2014, from withholding retention proceeds when making progress payments for work performed by a contractor.</p> <p>This bill would make these provisions operative until January 1, 2020. The bill would also make a statement of legislative findings. This bill contains other related provisions and other existing laws. <b>Last Amended on 7/6/2012</b></p>   |          |
| <a href="#"><u>AB 1770</u></a><br><a href="#"><u>Lowenthal,</u></a><br><a href="#"><u>Bonnie D</u></a><br>California Transportation Financing Authority.             | SENATE APPR. 7/5/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 5. Noes 3.) (July 3). Re-referred to Com. on APPR. | <p>Existing law creates the California Transportation Financing Authority, with specified powers and duties relative to issuance of bonds to fund transportation projects to be backed, in whole or in part, by various revenue streams of transportation funds, and toll revenues under certain conditions, in order to increase the construction of new capacity or improvements for the state transportation system consistent with specified goals. Existing law defines "project" for these purposes to include, among other things, a rail project.</p> <p>This bill would provide that a rail project may consist of, or include, rolling stock. This bill contains other related provisions and other existing laws.</p>  |          |

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 7-23-12**

| Bill ID/Topic  | Location  | Summary  | Position |
|--|---|--|----------|
| <p><a href="#">AB 1779</a><br/><a href="#">Galgiani D</a></p> <p>Intercity rail agreements.</p>                            | <p>SENATE APPR. 7/5/2012 - Do pass as amended, and re-refer to the Committee on Appropriations</p>  | <p>Existing law authorizes the Department of Transportation to contract with Amtrak for intercity rail passenger services and provides funding for these services from the Public Transportation Account. Existing law, until December 31, 1996, authorized the department, subject to approval of the Secretary of Business, Transportation and Housing, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in a particular corridor. Existing law, with respect to a transferred corridor, requires the board to demonstrate the ability to meet performance standards established by the secretary.</p> <p>This bill would authorize the department, with the approval of the secretary, to enter into an additional interagency transfer agreement with respect to the San Joaquin Corridor, as defined, if a joint powers authority and governing board are created and organized. In that regard, the bill would provide for the creation of the San Joaquin Corridor Joint Powers Authority, to be governed by a board of not more than 11 members. The bill would provide that the board shall be organized when at least 6 of the 11 agencies elect to appoint members. The bill would provide for the authority to be created when the member agencies enter into a joint powers agreement. The bill would provide for future appointments of additional members if the service boundaries of the San Joaquin Corridor are expanded. <b>Last Amended on 6/27/2012</b></p>   |          |
| <p><a href="#">AB 1780</a><br/><a href="#">Bonilla D</a></p> <p>Department of Transportation: project studies reports.</p> | <p>SENATE APPR. 7/5/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (July 3). Re-referred to Com. on APPR.</p> | <p>Existing law requires the Department of Transportation, in consultation with transportation planning agencies, county transportation commissions, counties, and cities, to carry out long-term state highway planning. Existing law authorizes the department, to the extent that it does not jeopardize the delivery of projects in the adopted state transportation improvement program, to prepare a project studies report for capacity-increasing state highway projects. Existing law requires the department to review and approve project studies reports performed by an entity other than the department. Existing law authorizes a local entity to request the department to prepare a project studies report for a capacity-increasing state highway project that is being proposed for inclusion in a future state transportation improvement program. If the department determines that it cannot complete the report in a timely fashion, existing law authorizes the requesting entity to prepare the report. Existing law makes specified guidelines adopted by the California Transportation Commission applicable to project studies reports commenced after October 1, 1991.</p> <p>This bill would revise these provisions to authorize the department to prepare project study reports or equivalent planning documents for any projects on the state highway system, limited by the resources available to the department. The bill would require the department to pay for the costs of its review and approval of project study reports or equivalent planning documents that are prepared by other entities for projects that are in an adopted regional transportation plan, a voter-approved county sales tax measure expenditure plan, or other voter-approved transportation program. In other cases, the bill would require the cost of the department's review and approval to be paid by the entity preparing the project study report or equivalent planning document. The bill would delete the provisions relating to the guidelines adopted by the California Transportation Commission and would instead require open and continuous communications between the parties during the development of project study reports or equivalent planning documents. The bill would make other related changes. <b>Last Amended on 3/29/2012</b></p> |          |

**Peninsula Corridor Joint Powers Board  
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| Bill ID/Topic   | Location  | Summary   | Position |
|---|---|---|----------|
| <p><a href="#"><u>AB 1915</u></a><br/><a href="#"><u>Alejo D</u></a></p> <p>Safe routes to school.</p>  | <p>SENATE APPR. 6/26/2012 - Read second time and amended. Re-referred to Com. on APPR.</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 sets forth various factors to be used to rate proposals submitted by applicants for these funds.</p> <p>This bill would provide that up to 10% of program funds may be used to assist eligible recipients in making infrastructure improvements, other than school bus shelters that create safe routes to school bus stops located outside of the vicinity of schools. <b>Last Amended on 6/26/2012</b></p>  |          |
| <p><a href="#"><u>AB 1960</u></a><br/><a href="#"><u>Dickinson D</u></a></p> <p>State contracts: reports: lesbian, gay, bisexual, and transgender businesses.</p> | <p>SENATE APPR. 6/26/2012 -</p>   | <p>Existing law requires the Department of General Services to make available a report on contracting activity containing specified information, including the level of participation of business enterprises, by race, ethnicity, and gender of owner, in specified contracts.</p> <p>This bill would require the Department of General Services to include in the report on contracting activity information regarding the level of participation of lesbian, gay, bisexual, or transgender owned businesses in specified contracts, as provided. <b>Last Amended on 3/27/2012</b></p>  |          |
| <p><a href="#"><u>AB 2200</u></a><br/><a href="#"><u>Ma D</u></a></p> <p>Vehicles: high-occupancy vehicle lanes.</p>  | <p>SENATE APPR. 7/5/2012 - Do pass as amended, and re-refer to the Committee on Approps</p> | <p>Existing law authorizes the Department of Transportation and local agencies, with respect to highways under their respective jurisdictions, to designate certain lanes for preferential or exclusive use by high-occupancy vehicles.</p> <p>This bill would, until January 1, 2020, consistent with the state implementation plan for the San Francisco Bay area adopted pursuant to the federal Clean Air Act and other federal requirements, suspend the hours of operation for highway lanes designated for high-occupancy vehicles, in the Interstate 80 corridor within the Metropolitan Transportation Commission's jurisdiction, in the reverse commute direction. Because the commission would be required to post signage of the above requirements along the Interstate 80 corridor, the bill would impose a state-mandated local program. <b>Last Amended on 5/1/2012</b></p> |          |



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| Bill ID/Topic  | Location   | Summary   | Position |
|--|--|---|----------|
| <p><a href="#">AB 2247</a><br/><a href="#">Lowenthal,</a><br/><a href="#">Bonnie D</a></p> <p>Public transportation: offenses.</p> | <p>SENATE THIRD READING<br/>7/3/2012 - Read second time.<br/>Ordered to third reading.</p>       | <p>Existing law provides that eating, drinking, or smoking in or on a system facility or vehicle in areas where those activities are prohibited, disturbing another person by loud or unreasonable noise, expectorating upon a system facility or vehicle, or skateboarding, roller skating, bicycle riding, roller blading, or operating a motorized scooter or other device in a system facility, vehicle, or parking structure is an infraction for the first or 2nd violation, punishable by a fine not to exceed \$250 and by community service for a total time not to exceed 48 hours over a period not to exceed 30 days, during a time other than during the violator's hours of school attendance or employment. Specified public transportation agencies, including, but not limited to, the City and County of San Francisco and the Los Angeles County Metropolitan Transportation Authority are authorized to enact and enforce ordinances providing that a person who is the subject of a citation for any of the acts described, such as fare evasion, on or in a facility or vehicle of the system for which the public transportation system has jurisdiction shall, under the circumstances set forth by the ordinance, be afforded an opportunity to complete an administrative process that imposes only an administrative penalty enforced in a civil proceeding.</p> <p>This bill would make the above penalties and administrative process applicable to the sale or peddling of any goods, merchandise, property, or services of any kind on the facilities, vehicles, or property of the public transportation system, if the public transportation system has prohibited those acts and neither the public transportation system or its duly authorized representative has granted written consent to engage in those acts. Because this bill would create a new crime, the bill would impose a state-mandated local program. <b>Last Amended on 6/26/2012</b></p> |          |
| <p><a href="#">AB 2298</a><br/><a href="#">Ma D</a></p> <p>Metal theft and related recycling crimes.</p>                           | <p>SENATE APPR.<br/>7/3/2012 - Do pass as amended, and re-refer to the Committee on Approps.</p> | <p>Existing law, commencing July 1, 2012, establishes the Board of State and Community Corrections as an entity independent of the Department of Corrections and Rehabilitation and commencing that date deems any reference to the "Board of Corrections" or the "Corrections Standards Authority" to refer, instead, to the Board of State and Community Corrections.</p> <p>This bill would require the Board of State and Community Corrections to establish a Metal Theft Task Force Program to provide grants to applicant regional task forces for the purposes of providing local law enforcement and district attorneys with the tools necessary to successfully interdict the commission of metal theft and related metal recycling crimes. <b>Last Amended on 6/25/2012</b></p>  |          |

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| Bill ID/Topic  | Location  | Summary   | Position |
|--|---|---|----------|
| <p><a href="#">AB 2382</a><br/><a href="#">Gordon D</a></p> <p>Department of Transportation: Innovative Delivery Team Demonstration Program.</p> | <p>SENATE APPR. 7/6/2012 - From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (July 3).</p> | <p>Existing law provides that the Department of Transportation has full possession and control of the state highway system. Existing law creates the Santa Clara Valley Transportation Authority with various transportation responsibilities in the County of Santa Clara.</p> <p>This bill would, by July 1, 2013, require the department, and the Santa Clara Valley Transportation Authority to enter into a memorandum of understanding to implement the Innovative Delivery Team Demonstration Program, which would, until January 1, 2020, provide a different business model for the application of advanced technologies with the goal of delivering transportation projects and services in the County of Santa Clara in a more responsive, cost-effective, and efficient manner. The bill would require the demonstration program to serve as a mechanism for testing innovative approaches for improving project delivery and local assistance. The bill would require the department to assign specified personnel to the demonstration program. The bill would also require the authority to provide space, equipment, and other resources, as specified, to the demonstration program. The bill would require the authority to carry out, for purposes of implementing the demonstration program, specified responsibilities for state highway projects in Santa Clara County. The bill would require the demonstration program to adhere to all applicable federal rules and regulations, as specified. The bill would require the authority, in consultation with the department, to evaluate the effectiveness of the demonstration program and to report to the Legislature by July 1, 2015, and by July 1, 2018, on specified matters. By requiring the authority to participate in this demonstration program, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. <b>Last Amended on 6/26/2012</b></p> |          |
| <p><a href="#">AB 2405</a><br/><a href="#">Blumenfield D</a></p> <p>Vehicles: high-occupancy toll lanes.</p>                                     | <p>SENATE THIRD READING 6/28/2012 - Read second time. Ordered to third reading.</p>   | <p>Existing law authorizes the Department of Transportation to designate certain lanes for the exclusive use of high-occupancy vehicles (HOV), which lanes may also be used, until January 1, 2015, by certain eligible low-emission and hybrid vehicles not carrying the requisite number of passengers otherwise required for the use of an HOV lanes if the vehicle displays a valid identifier issued by the Department of Motor Vehicles. Existing law provides that a vehicle, eligible under these provisions to use HOV lanes, that meets the California's enhanced advanced technology partial zero-emission vehicle (enhanced AT PZEV) standard is not exempt from toll charges imposed on single-occupant vehicles in lanes designated for tolls pursuant to a federally supported value-pricing and transit development program involving high-occupancy toll (HOT) lanes conducted by the Los Angeles County Metropolitan Transportation Authority.</p> <p>This bill would instead exempt, with specified exceptions applicable to passage on designated state highways, all of the low emission and hybrid vehicles eligible to use HOV lanes under these provisions, including vehicles that meet the enhanced AT PZEV standards, from toll charges imposed on HOT lanes unless prohibited by federal law. The bill would exclude a toll imposed for passage on a toll road or toll highway, that is not an HOT lane , a toll imposed for crossing a state-owned bridge, or, until March 1, 2014, a toll imposed for passage in HOT lanes designated for State Highway Route 10 or 110, from this exemption. The bill would provide that these changes shall be known as the Choose Clean Cars Act of 2012. <b>Last Amended on 6/27/2012</b></p>   |          |

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| Bill ID/Topic  | Location  | Summary   | Position |
|--|---|---|----------|
| <p><a href="#">AB 2498</a><br/><a href="#">Gordon D</a></p> <p>Department of Transportation: Construction Manager/General Contractor project method.</p> | <p>SENATE APPR.<br/>6/27/2012 - Re-referred to Com. on APPR.</p>                              | <p>Existing law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by state agencies for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement.</p> <p>This bill would authorize the Department of Transportation to engage in a Construction Manager/General Contractor project delivery method, as specified, for projects for the construction of a highway, bridge, or tunnel. This bill contains other related provisions and other existing laws. <b>Last Amended on 6/15/2012</b></p>   |          |
| <p><a href="#">AB 2679</a><br/><b>Committee on Transportation</b></p> <p>Transportation omnibus bill.</p>  | <p>SENATE APPR.<br/>7/6/2012 - Read second time and amended. Re-referred to Com. on APPR.</p> | <p>Existing law authorizes the Department of Transportation (department) to pay claims or damages up to a maximum of \$5,000 without the approval of the California Victim Compensation and Government Claims Board.</p> <p>This bill would adjust the claim limit that may be paid by the department under these provisions to equal the maximum amount of a claim that can be brought in small claims court. This bill contains other related provisions and other existing laws.<br/><b>Last Amended on 7/6/2012</b></p>   |          |
| <p><a href="#">ACA 23</a><br/><a href="#">Perea D</a></p> <p>Local government transportation projects: special taxes: voter approval.</p>                | <p>ASSEMBLY APPR.<br/>6/27/2012 - Re-referred to Com. on APPR.</p>                            | <p>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities.</p> <p>This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects requires the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, non-substantive changes.</p>  | Support  |
| <p><a href="#">SB 46</a><br/><a href="#">Correa D</a></p> <p>Public officials: compensation disclosure.</p>  | <p>ASSEMBLY DESK<br/>8/22/2011 - In Assembly. Read first time. Held at Desk.</p>              | <p>Existing provisions of the Political Reform Act of 1974 require certain persons employed by agencies to file annually a written statement of the economic interests they possess during specified periods. The act requires that state agencies promulgate a conflict of interest code that must contain, among other topics, provisions that require designated employees to file statements disclosing reportable investments, business positions, interests in real property, and income. The act requires that every report and statement filed pursuant to the act is a public record and is open to public inspection.</p> <p>This bill would, commencing on January 1, 2013, and continuing until January 1, 2019, require every designated employee and other person, except a candidate for public office, who is required to file a statement of economic interests to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year, as specified.<br/><b>Last Amended on 6/2/2011</b></p> |          |

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| Bill ID/Topic  | Location  | Summary   | Position |
|--|---|---|----------|
| <p><a href="#">SB 878</a><br/><a href="#">DeSaulnier D</a></p> <p>California Transportation Commission.</p>      | <p>ASSEMBLY APPR.<br/>7/5/2012 - From committee: Do pass as amended and re-refer to Com. on APPR. (Ayes 9. Noes 3.) (July 3).</p> | <p>Existing law creates the California Transportation Commission and imposes various duties on the commission, including, but not limited to, assisting the Legislature in formulating and evaluating state policies and plans for transportation programs in the state. Under existing law, there is also a Department of Transportation and its duties include, among others, supporting the commission in coordinating and developing, in cooperation with local and regional entities, comprehensive balanced transportation planning and policy for the movement of people and goods within this state. Existing law requires the state transportation improvement program to include a listing of all capital improvement projects that are expected to receive a specified allocation of state transportation funds from the commission. Under existing law, the commission is required to biennially adopt and submit a state transportation improvement program to the Governor and the Legislature.</p> <p>This bill would require the commission to undertake a study to assess the appropriateness of establishing an office of inspector general to ensure that the department and transportation agencies with projects funded completely or in part from funds in the state transportation improvement program are operating efficiently, effectively, and in compliance with the state and federal laws governing the performance of transportation agencies. The bill would require the commission to consult with specified federal and state agencies in this regard and would require the commission to prepare a written report regarding the advisability of creating an office of inspector general and to submit it to the Governor and the Legislature by January 31, 2014. <b>Last Amended on 6/25/2012</b></p> |          |
| <p><a href="#">SB 1102</a><br/><a href="#">DeSaulnier D</a></p> <p>State transportation improvement program.</p> | <p>ASSEMBLY APPR.<br/>6/12/2012 - Re-referred to Com. on APPR.</p>  | <p>Existing law establishes the state transportation improvement program process, pursuant to which the California Transportation Commission generally programs and allocates available funds for transportation capital improvement projects over a multiyear period. Existing law provides that the Department of Transportation is responsible for the state highway system. Existing law requires the department to annually prepare a project delivery report that identifies milestone dates for state highway projects costing \$1,000,000 or more for which the department is the responsible agency for project development work.</p> <p>This bill would require the department, beginning not later than November 15, 2014 , as part of the annual project delivery report, to report on the difference between the original allocation made by the commission and the actual construction capital and support costs at project close for all state transportation improvement program projects completed during the previous fiscal year. This bill contains other related provisions and other existing laws. <b>Last Amended on 5/31/2012</b></p>  |          |

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| Bill ID/Topic  | Location  | Summary  | Position |
|--|---|--|----------|
| <p><a href="#"><u>SB 1117</u></a><br/><a href="#"><u>DeSaulnier D</u></a></p> <p>Passenger rail: planning.</p>           | <p>ASSEMBLY APPR.<br/>7/5/2012 - Read second time and amended. Re-referred to Com. on APPR.<br/>(Corrected July 6.)</p> | <p>Existing law creates the California Transportation Commission, with various powers and duties relating to the programming and allocation of certain funds available for transportation capital improvement projects and various other transportation policy matters, and authorizes the commission to develop guidelines for preparation of regional transportation plans. Existing law creates the Department of Transportation with various powers and duties relating to the state highway system and other transportation modes, including the authority to contract for conventional rail passenger service. Existing law requires the department to prepare a 10-year State Rail Plan on a biennial basis, with both passenger and freight rail elements. Existing law creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties, including preparation of a business plan on a biennial basis. 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 require the California Transportation Commission to include in its guidelines for regional transportation plans policy direction regarding the integration of all passenger rail services into a coordinated system with emphasis on intermodal facilities and cost-effective rail services, as specified. The bill would revise the requirements for the 10-year state rail plan prepared by the department to require the plan to be consistent with the federal Passenger Rail Investment and Improvement Act of 2008 and to contain various passenger rail elements, including, among other things, plans for a comprehensive and integrated statewide rail system, a statement of the state's passenger rail service objectives, and identification of improvements that have utility both for freight and passenger rail services. The bill would delete the requirement for the state rail plan to have a freight rail element and would delete the requirement that it be prepared on a biennial basis . The bill would require the department to submit a draft plan under these new requirements for review and comment to the commission and authority by December 1, 2015, and would require public hearings on the plan . The bill would require the final plan to be approved by the Secretary of Business, Transportation and Housing by March 1, 2016, and then to be submitted to the Legislature, Governor, and various state agencies. The bill would require the plan to be updated at least every 5 years.</p> <p><b>Last Amended on 7/5/2012</b></p> |          |
| <p><a href="#"><u>SB 1160</u></a><br/><a href="#"><u>Padilla D</u></a></p> <p>Communications: service interruptions.</p> | <p>ASSEMBLY SECOND READING<br/>7/5/2012 - Read second time and amended.<br/>Ordered to second reading.</p>              | <p>Existing law provides that an agent, operator, or employee of a telegraph or telephone office who willfully refuses or neglects to send a message received by the office is guilty of a misdemeanor. Existing law provides that these requirements are not applicable when charges for transmittal or delivery of the message have not been paid or tendered, for messages counseling, aiding, abetting, or encouraging treason or resistance to lawful authority, to a message calculated to further any fraudulent plan or purpose, to a message instigating or encouraging the perpetration of any unlawful act, or to a message facilitating the escape of any criminal or person accused of crime.</p> <p>This bill would retain the provision that the above-described requirements are not applicable when payment for charges for transmittal or delivery of the message has not been paid or tendered, but would delete the other enumerated exceptions. This bill contains other related provisions and other existing laws. <b>Last Amended on 7/5/2012</b></p>  |          |

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| Bill ID/Topic   | Location  | Summary  | Position |
|---|---|--|----------|
| <p><a href="#"><u>SB 1225</u></a><br/><a href="#"><u>Padilla D</u></a></p> <p>Intercity rail agreements.</p>  | <p>ASSEMBLY APPR.<br/>7/3/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 8. Noes 0.) (July 2). Re-referred to Com. on APPR.</p> | <p>Existing law authorizes the Department of Transportation to contract with Amtrak for intercity passenger rail services and provides funding for these services from the Public Transportation Account. Existing law, until December 31, 1996, authorized the department, subject to approval of the Secretary of the Business, Transportation and Housing Agency, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in a particular corridor. Existing law, with respect to a transferred corridor, requires the board to demonstrate the ability to meet performance standards established by the secretary.</p> <p>This bill would authorize the department, with the approval of the secretary, to enter into an additional interagency transfer agreement with respect to the LOSSAN Corridor, defined to mean the intercity passenger rail corridor between San Diego, Los Angeles, and San Luis Obispo, if the LOSSAN Agency, an existing joint powers agency, is reconstituted through an amended joint powers agreement approved by the governing boards of its members to enable that agency to enter into an interagency transfer agreement with the secretary relative to the LOSSAN Corridor. This bill contains other related provisions and other existing laws. <b>Last Amended on 6/27/2012</b></p> |          |
| <p><a href="#"><u>SB 1339</u></a><br/><a href="#"><u>Yee D</u></a></p> <p>Commute benefit policies.</p>   | <p>SENATE ENROLLMENT<br/>6/25/2012 - In Senate. Ordered to engrossing and enrolling.</p>  | <p>Existing law creates the Metropolitan Transportation Commission, with various transportation planning and programming responsibilities in the 9-county San Francisco Bay Area. Existing law creates the Bay Area Air Quality Management District, with various responsibilities relative to the reduction of air pollution in the area of its jurisdiction, which incorporates a specified portion of the jurisdiction of the Metropolitan Transportation Commission.</p> <p>This bill would authorize the Metropolitan Transportation Commission and the Bay Area Air Quality Management District to jointly adopt a commute benefit ordinance that requires covered employers operating within the common area of the 2 agencies with a specified number of covered employees to offer those employees certain commute benefits. The bill would require that the ordinance specify certain matters, including any consequences for noncompliance, and would impose a specified reporting requirement. The bill would make its provisions inoperative on January 1, 2017.</p>  |          |
| <p><a href="#"><u>SB 1380</u></a><br/><a href="#"><u>Rubio D</u></a></p> <p>Environmental quality: California Environmental Quality Act: bicycle transportation plan.</p> | <p>ASSEMBLY NAT. RES.<br/>7/2/2012 - Do pass as amended and be re-referred to the Committee on Appropriations.</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 requires the lead agencies to make specified findings in an EIR.</p> <p>This bill, until January 1, 2018, would exempt from CEQA a bicycle transportation plan for an urbanized area, as specified and would also require a local agency or person who determines that the bicycle transportation plan is exempt under this provision and approves or determines to carry out that project, to file notice of the determination with the OPR.<br/><b>Last Amended on 5/3/2012</b></p>  |          |

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|---|---|---|---------------|
| <p><a href="#">SB 1396</a><br/><a href="#">Dutton R</a></p> <p>Sales and use taxes: excise taxes: fuel.</p>                       | <p>SENATE<br/>T. &amp; H.<br/>5/3/2012 - Set, first hearing.<br/>Hearing canceled at the request of author.</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 a tax, measured by the sales price, on the storage, use, or other consumption of tangible personal property in this state." That law defines the terms "gross receipts" and "sales price."</p> <p>This bill would exclude from the terms "gross receipts" and "sales price" the amount charged at retail for gasoline and diesel fuels in excess of \$3.88 or \$3.52 per gallon, respectively, as provided. This bill contains other related provisions and other existing laws. <b>Last Amended on 4/11/2012</b></p>   | <p>Oppose</p> |
| <p><a href="#">SB 1533</a><br/><a href="#">Padilla D</a></p> <p>Electricity: energy crisis litigation.</p>                        | <p>ASSEMBLY<br/>APPR.<br/>6/27/2012 Re-referred to Com. on APPR.</p>  | <p>Existing law, until January 1, 2013, requires the Attorney General to represent the Department of Finance and to succeed to all rights, claims, powers, and entitlements of the Electricity Oversight Board in any litigation or settlement to obtain ratepayer recovery for the effects of the 2000-02 energy crisis. Existing law additionally prohibits the Attorney General from expending the proceeds of any settlements of those claims, except as specified.</p> <p>This bill would repeal the above-described requirements on January 1, 2016. <b>Last Amended on 5/1/2012</b></p>  |               |
| <p><a href="#">SB 1545</a><br/><a href="#">DeSaulnier D</a></p> <p>Bay Area toll bridges.</p>                                     | <p>SENATE<br/>T. &amp; H.<br/>7/2/2012 - Set, second hearing.<br/>Failed passage in committee.</p>              | <p>Existing law designates the Metropolitan Transportation Commission as the regional transportation planning agency for the 9-county San Francisco Bay Area. Existing law creates the Bay Area Toll Authority with specified powers and duties relative to administration of certain toll revenues from state-owned toll bridges within the geographic jurisdiction of the Metropolitan Transportation Commission. Existing law establishes procedures for a public agency to bring an action in superior court for the judicial validation of specified matters.</p> <p>This bill would provide that, unless the State Auditor finds that the Metropolitan Transportation Commission and the Bay Area Toll Authority, acting through the Bay Area Headquarters Authority, a joint powers agency, clearly had the authority to purchase an office building at 390 Main Street, San Francisco, and clearly had the authority to use toll revenues for that purchase, the Metropolitan Transportation Commission and the Bay Area Toll Authority, acting through the Bay Area Headquarters Authority, are required to bring an action to determine the validity of those matters, subject to specified procedures. The bill would prohibit toll moneys from being used for the validation action and would prohibit additional contracts from being entered into with respect to the office building until the validation action is complete. The bill would thereby impose a state-mandated local program. <b>Last Amended on 6/26/2012</b></p> |               |
| <p><a href="#">SB 1549</a><br/><a href="#">Vargas D</a></p> <p>Transportation projects: alternative project delivery methods.</p> | <p>ASSEMBLY<br/>APPR.<br/>7/5/2012 - Read second time and amended. Re-referred to Com. on APPR.</p>             | <p>Existing law sets forth the requirements for the solicitation and evaluation of bids and the awarding of contracts by state agencies for projects, as specified, and for local agencies for public works contracts, as specified.</p> <p>This bill would allow the San Diego Association of Governments to utilize alternative project delivery methods, as defined, for public transit projects within its jurisdiction. The bill would also, upon completion of a project, require a progress report to be submitted by the San Diego Association of Governments to its governing board and would require the report to be made available on its Internet Web site. This bill would require specified information to be verified under oath, thus imposing a state-mandated local program by expanding the scope of an existing crime. The bill would provide that its provisions are severable. <b>Last Amended on 7/5/2012</b></p>   |               |

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 7-23-12**

| Bill ID/Topic  | Location  | Summary  | Position |
|--|---|--|----------|
| <p><a href="#"><u>SB 1572</u></a><br/><a href="#"><u>Pavley D</u></a></p> <p>California Global Warming Solutions Act of 2006: AB 32 Investment Fund.</p> | <p>ASSEMBLY APPR.<br/>7/3/2012 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 6. Noes 3.) (July 2).<br/>Re-referred to Com. on APPR.</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 act requires the state board 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. The act authorizes the state board to include use of market-based compliance mechanisms. The state board has adopted by regulation a program pursuant to the act to cap greenhouse gas emissions and provide for market-based compliance mechanisms, including the auction of allowances (cap-and-trade program). The act authorizes the state board to adopt a schedule of fees to be paid by the sources of greenhouse gas emissions regulated pursuant to the act, and requires the revenues collected pursuant to that fee schedule be deposited into the Air Pollution Control Fund and be available, upon appropriation by the Legislature, for the purposes of carrying out the act.</p> <p>This bill, with certain exceptions, would require revenues collected by the state board and derived from the auction or sale of allowances to be deposited in the Greenhouse Gas Reduction Account which the bill would establish. Under the bill, a specified portion of the money in the fund would be available, subject to appropriation by the Legislature, to administering agencies to fund prescribed projects that meet certain goals relating to greenhouse gas emissions reductions. The bill would require administering agencies to prepare and submit to the Legislature quarterly reports on funded projects and activities. The bill would require the state board to publish information on projects on its Internet Web site. <b>Last Amended on 6/25/2012</b></p> |          |
| <p><a href="#"><u>SCA 7</u></a><br/><a href="#"><u>Yee D</u></a></p> <p>Public bodies: meetings.</p>   | <p>ASSEMBLY APPR.<br/>SUSPENSE FILE<br/>8/25/2011 - Set, second hearing.<br/>Held in committee and under submission.</p>                                | <p>The California Constitution requires meetings of public bodies to be open to public scrutiny.</p> <p>This measure would also include in the California Constitution the requirement that each public body provide public notice of its meetings and disclose any action taken. <b>Last Amended on 4/13/2011</b></p>   |          |