



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

September 6, 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 August 2, 2012
5. Chairperson’s Report
6. Report of the Citizens Advisory Committee
7. Report of the Executive Director PROCLAMATION
 - a) Proclamation Declaring September as “Railroad Safety Month”
8. Acceptance of Statement of Revenues and Expenses for July 2012 MOTION
9. Disadvantaged Business Enterprise (DBE) Status Report INFORMATION
10. Authorize Award of Contracts to LTK Engineering Services for On-call Railroad Vehicle Support Services for a Total Not-to-Exceed Cost of \$5,000,000 for a Three-year Term RESOLUTION
11. Authorize Award of a Contract to Transit Constructors LP for the Signal Optimization Project Phase 2 for a Total Cost of \$549,000 RESOLUTION
12. Legislative Update MOTION
 - a) Oppose H.R. 5972 Provision Prohibiting Federal Investment in San Francisco’s Central Subway Project
13. Quarterly Capital Progress Report – Fourth Quarter Fiscal Year 2012 INFORMATIONAL
14. Correspondence
15. Board Member Requests

16. General Counsel Report

17. Date/Time of Next Meeting: Thursday, October 4, 2012, 10 a.m. at
San Mateo County Transit District Administrative Building, Bacciocco
Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070

18. Adjourn

INFORMATION FOR THE PUBLIC

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

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

Location, Date and Time of Regular Meetings

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

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

Public Comment

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

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

Accessibility for Individuals with Disabilities

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

Availability of Public Records

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

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

Draft

**Minutes
August 2, 2012**

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

MEMBERS ABSENT: None

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

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

Director Liz Kniss arrived at 10:08 a.m.

PUBLIC COMMENT

George Chang, Tom's Metal Specialists, said six months ago their company successfully finished work on the Santa Clara and South Terminal Station Improvement Project. To-date they have not received their \$200,000 retention fees from S.J. Amoroso. Retention fees are required to be paid within 30 days and the Peninsula Corridor Joint Powers Board has not done anything to have this money paid back. He is asking the Board to intervene to get these fees paid back immediately.

Executive Director Michael Scanlon said staff will be discussing this issue and the matter of the prime contractor in closed session today.

Director Kniss left at 10:12 a.m.

Greg Conlon, Atherton, congratulated the Board and staff for receiving funds for electrification. He said a discussion needs to occur regarding the two-track and four-track issue to accommodate seven trains per hour to San Francisco.

Jim Maloney, Port of San Francisco, said he wanted to recognize the support the Port has received from Caltrain staff. The Port has regular freight rail cargo coming in and out of the Port that travels up and down the Caltrain line.

CONSENT CALENDAR

- a. Approval of Minutes of June 7, 2012
- b. Information on Preliminary Statement of Revenues and Expenses for June 2012

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

CHAIRPERSON'S REPORT

Recognition of State Legislature Delegation for Support of Caltrain Modernization

Chair Tissier said the signing of Senate Bill 1029 by Governor Brown on July 18, 2012 was a historic moment. The Board and staff want to recognize the legislators who represent us in casting votes to approve legislation that funds the Caltrain Modernization Program. This definitely sets us on a course for a high-speed rail (HSR) system that will transform California and points us clearly towards the future.

Chair Tissier said Caltrain riders and Bay Area residents will benefit from more train service, more stations, train service that will be cleaner, quieter, and will take more cars off the roads and highways. No such achievement would have occurred without the efforts of many.

Chair Tissier said some of the key partners were the Bay Area Council led by Jim Wunderman, the San Mateo County Economic Development Association led by Rosanne Foust who is represented today by Christine Madrigal, the Silicon Valley Leadership Group led by Carl Guardino and the Friends of Caltrain represented by Adina Levin. These organizations saw the value of a modernized Caltrain early on and have been committed to this system and its role in bringing HSR to the Bay Area.

Chair Tissier said as a San Mateo County Supervisor and as a member of regional transportation boards she understands elected office requires tough choices, choices that sometimes are met with concerted and vocal opposition. She said sometimes in the face of such opposition and with considerable political risk, you have to cast that vote for what you think is right, that serves the long-term best interests of all, even if it is momentarily unpopular.

Chair Tissier said our legislators cast such a vote and we want to take this moment to say we recognize the courage they showed, the vision they demonstrated, and to say thank you and well done, and to celebrate the bright future for Caltrain they have helped ensure. The following were recognized but could not be present:

- Assemblyman Tom Ammiano
- Assemblyman Jim Beal
- Assemblywoman Nora Campos
- Assemblyman Paul Fong
- Congresswoman Anna Eshoo
- Senator Mark Leno
- Senator Leland Yee

The following were in attendance:

- Assemblyman Rich Gordon, represented by Jeremy Dennis
- Assemblyman Jerry Hill
- Assemblywoman Fiona Ma, represented by Kelenia Olson
- Congresswoman Jackie Speier, represented by Brian Perkins
- Senator Elaine Alquist, represented by Sailaja Rajappan

Chair Tissier said we need to take note of the tremendous help received at the Federal level by Congresswomen Anna Eshoo and Jackie Speier who made sure the Federal funds would be

available for this project and stood in firm support of Caltrain modernization. Chair Tissier said we want to take special note of the work by Assemblymen Jerry Hill and Rich Gordon for their early and steadfast support of the modernization of Caltrain and their work on the legislation to make it better, address the concerns of their constituents and ensure the interests of Caltrain are in parallel with the interests of the people they serve.

Director Kniss returned 10:24 a.m.

Assemblyman Hill said he appreciated the sentiment and hard work the staff and Board have put into this project and the modernization plan. He said this decision was quite easy for him as someone who sat on this Board because of the value and real appreciation for rail on the Peninsula and the success of the system, the vibrancy of the system and what it does for public transportation.

Director Ash Kalra arrived at 10:26 a.m.

Director Kniss said it was a difficult vote that Assemblyman Hill took and it took courage and she admires his vote.

Director Ken Yeager recognized Chair Tissier as Chair of the JPB and the Metropolitan Transportation Commission (MTC) for her hard work. It was through her leadership and direction as Chair of MTC that led to a workable Memorandum of Understanding (MOU) bringing all the stakeholders together. The effort led to regional agreement on the important projects that can now be moved forward and, more significantly identify the local funds necessary to match the State contribution. He said none of the Caltrain partners individually could have come up with a funding strategy necessary to provide the local match and it was only with the creative leadership of MTC and the significant contributions by the partners that we were able to achieve this goal. Director Yeager said Chair Tissier has been tireless in advocating on behalf of both organizations, particularly Caltrain, and how she continues to be so polite and considerate to everybody is something all elected officials admire and is one reason why everyone has been able to come together on the funding needed to electrify Caltrain. On behalf of the Board, he presented Chair Tissier with a bouquet of flowers.

Director Malia Cohen arrived at 10:20 a.m.

Chair Tissier recognized lobbyists Mike Robson and Trent Smith from Edelstein, Gilbert, Robson and Smith, and Gus Khouri from Shaw, Yoder.

Director Tom Nolan said he was at the signing ceremony in San Francisco. He said it was great hearing Governor Brown talk about Caltrain in glowing terms and how important it is to the region.

Public Comment

Jeff Carter, Millbrae, thanked the Board and all the elected officials who had the courage to vote for the funds for Caltrain electrification. He said no one knows what the future holds so we shouldn't be limited to two tracks.

REPORT OF THE CAC

CAC member Bruce Jenkins reported on the July 18 meeting:

- Welcomed four new members.
- A presentation was given on the Caltrain Modernization Program.
- Staff provided an update on the new rail operator.

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Scanlon reported:

- Key Caltrain Performance Statistics
 - Monthly Performance Statistics – May 2012 compared to May 2011
 - Total Ridership was 1,333,901, an increase of 16.7 percent.
 - Average Weekday Ridership was 49,017, an increase of 15.3 percent.
 - Total Revenue was \$5,689,723, an increase of 23.4 percent.
 - On-time Performance was 90.9 percent, an increase of 0.8 percent.
 - Caltrain Shuttle Ridership was 7,643, an increase of 10.3 percent.
 - Monthly Performance Statistics – June 2012 compared to June 2011
 - Total Ridership was 1,319,404, an increase of 11 percent.
 - Average Weekday Ridership was 50,390, an increase of 13.4 percent.
 - Total Revenue was \$5,778,347, an increase of 18.1 percent.
 - On-time Performance was 90.5 percent, an increase of 2.5 percent.
 - Caltrain Shuttle Ridership was 7,521, an increase of 8.7 percent.
 - Year-to-Date Performance Statistics – June 2012 compared to June 2011
 - Total Ridership was 14,134,117, an increase of 11.5 percent.
 - Average Weekday Ridership was 44,212, an increase of 10.8 percent.
 - Total Revenue was \$59,884,490, an increase of 22.1 percent.
 - On-time Performance was 93 percent, an increase of 0.3 percent.
 - Caltrain Shuttle Ridership was 7,195, an increase of 25.6 percent.
- Increased ridership is indicative of job recovery in the area.
- July service changes include modifications to fares, primarily aimed to encourage people to use Clipper.
- The Bicycle Advisory Committee cancelled their July meeting and will meet on September 20.
- Staff is working to add the additional service in October, but it is contingent on finding the appropriate level of crew resources.
- Staff participated in the Out of Darkness Overnight Walk to raise awareness on suicide and exceeded their \$12,000 goal.
- Special service:
 - The Warped Tour event at AT&T Park carried an additional 6,700 riders.
 - The Earthquakes played at Stanford Stadium and with an additional 1,600 riders.
 - The Giants had 16 home games in June and averaged about 7,322 additional riders per game. Year-to-date an additional 365,000 riders have been carried, an 11 percent increase over the same number of games last year.
 - Extra service was provided on July 4 to accommodate the fireworks and carried an additional 3,000 passengers, an increase of 14 percent from last year.
- Extra service will not be provided for the America's Cup because of the extra service being provided for other events occurring at the same time. Staff will caution people that there could be overcrowding.

- Construction on the San Bruno Grade Separation Projection continues to go well. Over the past three weekends, crews have lifted six girders into place without any incident.
- The reading file contains a combined May/June Safety & Security Report, the latest *Track the Fun* brochure and a special Stanford football service schedule.

Executive Officer Caltrain Modernization Program Marian Lee said based on the recent actions and approvals, there are two key timeframes to keep in mind, 2019 and 2029. By 2019 staff is focused on delivering an electrified Caltrain system with the advanced signal system. The signal system would be done by the end of 2015. Funding is in place so the need now is to focus on a cash flow strategy to allow staff to deliver the project. Ms. Lee said by 2029 is when staff is expecting to receive the HSR trains from the Central Valley. In order to do this, staff needs to identify additional improvements beyond Caltrain electrification. For those additional improvements, staff needs to come up with additional monies and a funding plan.

Ms. Lee said there are some projects local stakeholders or project sponsors would like to achieve before 2029 such as the Downtown Extension Project and potential grade separations. While staff focuses on electrification delivery, they will be working in parallel with the stakeholders to try to advance some of these additional improvements needed.

Ms. Lee said associated with the 2019 timeframe, staff will need to do a couple of things in parallel. The Board has approved a team in place for the Advanced Signal System Project and will move this project from critical design to the final design phase. At the same time, staff will need to update and recirculate the Caltrain electrification environmental document and the goal is to complete it by the end of 2013. She said a team will need to be pulled together to explore different project delivery options for the electrification infrastructure as well as procuring the electric vehicles. This will be done with the mindset of trying to shorten the timeframe, but at the same time balancing a thoughtful process with the communities and think through the type of public/private partnership that is going to distribute the risks in the appropriate way. Ms. Lee said lastly, but very importantly, staff has to fine tune the communications structure with stakeholders. Last year when outreach was being done there were lots of venues and lots of meetings and she is not sure how efficient and effective that was. Specific to that, there are 17 cities in the electrified corridor and Caltrain staff has been asked to facilitate a meeting with these cities to figure out how they might have a stronger voice in moving forward. Ms. Lee said there has been some discussion of having some type of task force or advisory policy level committee. She said a venue needs to be created for the MOU partners. The Friends of Caltrain have reached out to staff that they would like to support and help in providing greater public outreach.

Ms. Lee said work continues on the blended system planning efforts with the local stakeholders to specifically determine additional improvements beyond Caltrain electrification, such as potential passing tracks and potential grade separations. The two planning efforts active right now are running what-if operation scenarios in the simulation model and looking at the grade crossings and the relationship with local traffic. Ms. Lee said staff's priority is delivery of the electrification project and determine what needs to be done in parallel or sequentially.

Director Kniss said she is getting her ticket checked all the time now, stations are being announced and conductors are asking people to not take up two seats.

Director Kniss left 10:55 a.m.

Public Comment

Jeff Carter, Millbrae, said he is glad to hear average weekday ridership is over 50,000. He said it would benefit everyone if there was a frequently asked question page on positive train control, what is envisioned for Caltrain and how it compares to the systems used in Europe.

Andy Chow, Bay Rail Alliance, congratulated Caltrain on the funding for electrification. Bay Rail Alliance would like to see electrification happen before 2019 and their organization is committed to work with staff to make sure the process for the environmental updates is done as smooth as possible. He congratulated the staff and Board for reaching the 50,000 ridership milestone. Once again, the public has been proven wrong, Caltrain is a valuable service.

Pat Giorni, Burlingame, said Ms. Lee has developed a great level of trust among the public. She asked if 2019 is full electrification or running mixed-use equipment. Mr. Scanlon said it will be mixed use with diesel still running to Gilroy.

Ed DeLanoy, San Carlos, said at the last meeting, Director Jerry Deal had many questions regarding the fuel hedging and his concern about hedging unless you have to is absolutely correct.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR MAY 2012

Deputy CEO Gigi Harrington said the May revenue is \$5 million over budget and there are about \$5 million in savings in expenses. Last week fuel was \$2.78 per gallon and year-to-date is \$2.79 per gallon. The new fuel hedge was tripped last month and \$14,000 was received from the bank. She said after the June books are closed staff will be back to recommend putting any surplus from Fiscal Year (FY) 2012 towards FY2014.

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

UPDATE ON THE EXECUTION OF THE FISCAL YEAR 2013 FUEL HEDGE PROGRAM

Ms. Harrington said 50 percent of the fuel portfolio was hedged in late May at \$2.80 per gallon. This year the counterparty is Barclays. Legal costs were significantly below budget because there was no need for legal opinions this year.

AUTHORIZE APPROVAL AND RATIFICATION OF THE FISCAL YEAR 2013 INSURANCE PROGRAM FOR A TOTAL PREMIUM COST NOT-TO-EXCEED AMOUNT OF \$3,408,388

Ms. Harrington said insurance was procured for the JPB on July 1, 2012. There is a \$2 million deductible on the liability insurance which is the biggest portion of the cost. Insurance is purchased from \$2 million to \$200 million and in the Transit America Services contract they agreed to pick up the layer from \$200 million to \$300 million. The total cost was \$3.4 million and is within budget, although higher than last year.

Director Nolan asked what the deductible is for liability. Ms. Harrington said \$2 million and sometimes attorney fees do not go against the deductible. She said when she brings the cases to

the Board in closed session she puts aside reserves and runs it through the income statement for any known or anticipated claims so the deductible is fully fundable when staff closes out a transaction.

A motion (Cisneros/Yeager) to approve and ratify the Fiscal Year 2013 Insurance Program for a total premium cost not-to-exceed amount of \$3,408,388 was approved unanimously.

AUTHORIZE REJECTION OF ALL PROPOSALS FOR PROVIDING GEC DESIGN SERVICES AND GEC DESIGN-REVIEW SERVICES

Ms. Harrington said staff went through a solicitation process for two design services contracts. A vendor identified some concerns over some potential irregularities. Deputy CEO Chuck Harvey investigated those and found no significant irregularities, but in an abundance of caution, staff is recommending rejecting the two proposals and resoliciting. There is cost capacity in the current GEC contracts and staff is asking to extend the term, which is within the Executive Director's authority. Ms. Harrington said staff is committed to begin a new procurement process to be completed in 12-14 months. Staff wants to take some time with the new information available on the Caltrain Modernization Program to relook at the scope of services before they reissue the solicitation for these services. Staff plans on following the Board approved Contracts and Procurement Process and have the Disadvantaged Business Enterprise office actively involved in this process and looking at the solicitation.

Director Yeager said Mr. Kal Krishnan contacted his office. Director Yeager asked when this procurement will be reissued. Ms. Harrington said staff will take about 90 days to relook at the scope because of the changes in the Caltrain Modernization Program and staff wants to make sure they are thoughtful on what services are included in this procurement and then it is a nine month process from start to finish.

Director Malia Cohen asked if there is a lot of work anticipated in rewriting the scope. Ms. Harrington said they are not sure. Staff wants to sit down and do some brainstorming and think about delivery methods and form a recommendation on the scope of services and it could be broader than the current solicitation.

Director Cohen asked if all parties are on board with the recommendation. She said her office also received some calls on this Request for Proposal (RFP). Ms. Harrington said she is not sure if there is full consensus.

Public Comment

Kal Krishnan, Kal Krishnan Consulting, said his company spent nine months tracking the proposal, putting a team together to submit a proposal, and now the proposals are rejected. He would like the contracts awarded to the two finalists and keep the current contractors, too. There are several highly skilled members of staff who can write the new scope of services within 24 hours and the rest of the RFP is boiler plate. Mr. Krishnan said it should not take 14-18 months to award a new contract. He would ask the Board to reconsider staff's request to reject all proposals.

Luay Aljamal, Kal Krishnan Consulting, said Mr. Scanlon and staff have done an excellent job. He would like to see the extension changed to December 31, 2012. He said the scope is well

written. Mr. Aljamal asked the Board to postpone this decision today until next month to give staff a chance to review and ensure this is the best approach. He said there is no need to reject all bids.

Lee Davis, Oakland, said he is a small business owner and this is an issue that impacts small and minority businesses. He said he is the former president of the Northern California Chapter of the Conference of Minority Transportation Officials. Mr. Davis said this kind of solicitation has significant dollar value and tremendous impact on the small business community. He encouraged staff to look at the duration of time they are estimating that it will take to get the RFP back out on the street and give the consideration it needs for the small, minority and women owned businesses in the community.

Chair Tissier asked if there is something staff can do to attempt to shorten the timeframe. Mr. Scanlon said staff hopes to get it back on the street in 90 days, but the procurement process takes long. Ms. Harrington said she is reluctant to shorten the time until she is able to talk to staff, but would be happy to report back at the next meeting.

Director José Cisneros said he would like to approve this recommendation today and hear back from staff next month on a schedule, but take all the proper precautions and safeguards along the way so this doesn't happen again.

Director Cohen said she would like to table this until next month.

Chair Tissier said the Board is asking staff to look at the timeframe of awarding this contract.

Legal Counsel Joan Cassman said this recommendation is to bring closure to the current solicitation and allow staff to regroup and look at the scope. She said the two firms who were found to be in the competitive range and were being interviewed for the design review services were not finalists in that sense of the term. They were being reviewed to determine one awardee and the RFP was very clear that only one contract was going to be awarded per solicitation. Ms. Cassman said the best course of action is to close the solicitation and allow staff to move forward with all due deliberate speed to get the solicitation back out on the street. She said postponing the rejection of bids doesn't help, it keeps this chaos alive and staff would be back next month with the same recommendation.

Director Kalra supports moving forward with the recommendation, but would appreciate staff coming back next month to see if the timeframe can be tightened at all. He said part of the process is to renegotiate the current contracts to the end of next year and asked if staff waits to hear the new timeline before the end date is set on these contracts. Ms. Cassman said the flexibility staff desires would be made clear in the negotiations, and in any written addendum, staff has the right to terminate at any time.

Deputy CEO Chuck Harvey said he has spoken to the engineering and construction staff and has received assurances from them they will look very carefully at giving any additional work to the existing GECs and will only use them for current projects and only if absolutely necessary.

A motion (Nolan/Yeager) to reject all bids for GEC design services and GEC design-review services was approved unanimously.

LEGISLATIVE UPDATE

Director, Government and Community Affairs Seamus Murphy said the State funding for Caltrain Modernization is the big piece of legislative news. There has been some significant action at the Federal level on surface transportation reauthorization. After almost three years Congress finally passed a reauthorization bill, Moving Ahead for Progress in the 21st Century (MAP-21), and it essentially maintains the existing funding levels for formula transit programs for the next couple of years through FY2014. He said there are some significant structural and policy changes associated with the bill. It doesn't include any earmarks and will increase the percentage of formula funding coming to the region. It also guarantees states will receive 95 percent of the revenue gasoline purchasers give to the Federal government back for transportation projects in California.

Mr. Murphy said the loan program known as Transportation Infrastructure Finance and Innovation Act was expanded greatly from a \$120 million per year program to \$1.75 billion program over the next few years. The New Starts Program was expanded in terms of eligibility to allow for the renovation of transit systems to be funded through New Starts instead of just transit expansion projects and this can be a critical policy change for Caltrain moving forward. Mr. Murphy said the fact there is some Federal funding stability over the next two years is great news for the industry and Caltrain. He said there are still some elements that MAP-21 doesn't touch on that staff will need to work on over the next year or so. The first is it does not include a Rail Title. It included a Rail Title in the Senate, but was removed in Conference Committee which means the task of reauthorizing the HSR program, reauthorizing Amtrak, and dealing with the Positive Train Control Federal mandate still needs to be addressed. There was a proposal to extend that mandate through a series of one year extensions that agencies would need to apply for, but it was taken out of the bill and will need to be addressed in the reauthorization of the rail authorization measure in effect for another year. MAP-21 also doesn't address the issue of tax benefit parity between drivers and transit riders. This is a critical issue for many riders. Drivers are currently eligible for a \$240 a month benefit and transit riders saw that benefit reduced from a level that was on par with drivers to a \$125 per month. There is a proposal being marked up, as part of the tax extenders package, that the Finance Committee is considering which would bring the benefit for transit riders back to the same level drivers benefit from and staff will be supporting the bill aggressively.

Mr. Murphy said MAP-21 also reduces funding for some key multimodal discretionary programs. One key program is the Transit Enhancements Program. This program is for the bike and pedestrian projects and has been reduced by 34 percent and the MTC is working on some potential State legislation that could bring those discretionary program funding levels back up to where they were in the past, at least for the Bay Area region. Mr. Murphy said the overall transportation funding challenge continues. MAP-21 maintains existing funding levels because of \$19 billion in fund transfers from the Federal General Fund. The gas tax is not sufficient to fulfill the transportation funding needs we have nationally. In FY2014, Congress is going to need to make another transfer in order to maintain these levels or find some additional supplementary revenue source to complement the gas tax revenue generated every year. He said

it is great news for public transportation overall to have this kind of reliability for the next few years.

Director Nolan asked if staff is following Representative Tom McClintock's bill relating to the Central Subway in San Francisco. Mr. Murphy said he has been following it, but staff hasn't officially weighed in on it.

Director Nolan asked if this Board can take an opposition to Representative's McClintock's bill. Ms. Cassman said yes but it must be agendized. Director Nolan asked staff to place this item on the September agenda for discussion.

Public Comment

Adina Levin, Friends of Caltrain, said the July 6 vote was a real nail biter and everyone is very excited with electrification moving forward. She has seen some people put attention to some potential loopholes in the bill [1025] that could put the funding at risk.

Director Cohen left at 11:40 a.m.

CORRESPONDENCE

No discussion.

BOARD MEMBER REQUESTS

None

DATE/TIME/PLACE OF NEXT MEETING

The next meeting will be Thursday, September 6, 2012, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

GENERAL COUNSEL REPORT

- Closed Session: Conference with Legal Counsel – 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., San Francisco Superior Court Case No. CGC-08-483640
- Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(a): Drill Tech Drilling and Shoring, Inc. v. West Bay Builders, Inc. and Peninsula Corridor Joint Powers Board, San Mateo County Superior Court Case No. CIV514126
- 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

- 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

Ms. Cassman said the item concerning the Lightfoot case will be delayed until a later date. The other three items have existing formal litigation as well as claims and potential claims related to three construction projects the JPB is near closing.

Adjourned to closed session at 11:40 a.m.

Reconvened to open session at 12:00 p.m.

Ms. Cassman said the Board met in closed session, as permitted by the Brown Act, to discuss three matters of existing and potential litigation.

Ms. Cassman said there is an action the Board will need to take pertaining to the Drill Tech Drilling and Shoring, Inc. item. In order to facilitate a settlement on the San Mateo Bridges Construction Project, the Board will now authorize an increase in the Executive Director's authority to issue change orders under this contract up to a cumulative additional amount of \$130,000.

A motion (Kalra/Nolan) to increase the Executive Director's change order authority up to \$130,000 was approved unanimously.

Ms. Cassman said there are no reportable actions on the other two construction items listed on the agenda.

Adjourned at 12:05 p.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: KEY CALTRAIN PERFORMANCE STATISTICS JULY 2012

July 2012 Caltrain average weekday ridership (AWR) was 48,609, which is an increase of 4,482 or 10.2 percent over July 2011 AWR of 44,127. The total number of passengers for July 2012 was 1,305,970, which is 12 percent more than July 2011. While this is slightly lower than last month's all time ridership high, the AWR and total ridership was the highest Caltrain has recorded for any July.

On-time performance was 93.5 percent, which is below the 95 percent Caltrain standard. This is an increase from July 2011 on-time performance of 92.1 percent. When trains arriving within 10 minutes of the scheduled arrival time are included, on-time performance rises to 97.7 percent. There were no significant delay trends in July. However, minor mechanical and crossing gate issues slowed down trains, while heavy ridership for both regular service and special events increased the dwell times as more people choose Caltrain as they mode of transportation.

Looking at customer service statistics, there were 14 complaints per 100,000 passengers. This is higher than any month in Fiscal Year 2012 and closer to the long term average. Conductor complaints were the top category, followed by facilities and late trains.

Average weekday shuttle ridership was 7,506, which is an increase of 1,278 or 20.5 percent over July 2011 AWR of 6,228. 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 31.1 percent from a year ago and many of the employer shuttles also are up significantly. For the station shuttles, the Millbrae-Broadway shuttle averaged 176 daily riders. The Belmont-Hillsdale shuttle averaged 76 daily riders. The weekend Tamien-San Jose shuttle averaged 48 riders per day.

Caltrain Promotions – July 2012

San Francisco Giants – The season is half over and Caltrain is anything but the wildcard for getting to the ballpark. Caltrain continues to provide a plethora of information on riding the train to the game, including the Caltrain website (button on home page and dedicated page), through a news release, social media (Facebook, Google+, Twitter), station flyer, station electronic message signs, conductor announcements, *Caltrain Connection* and *Track the Fun*. This month, Caltrain produced a 90-second video that covers all the key things to know to take the train to the game. In July, 88,737 fans rode Caltrain to the 12 home games. Ridership for the season is up 11 percent compared to same number of games last year.

Fireworks Specials – As the country celebrated Independence Day, many South Bay and Peninsula residents also celebrated their independence from the automobile by riding Caltrain to festivities in San Francisco. To promote the extra post-fireworks specials, Caltrain issued a news release, included information in *Caltrain Connection* and *Track the Fun*, posted information at stations and used social media (Twitter, Facebook and Google+). The three post-event specials carried 2,780 customers, a 14.4 percent increase compared to last year.

Fare Change – Staff promoted switching to clipper as a way for customers to avoid the fare increase on tickets issued from the station ticket vending machines. Information was provided to customers via electronic station signs, station flyer, onboard take one, conductor announcements, article in *Caltrain Connection*, news release and social media (Twitter, Facebook and Google+).

Partnerships – Caltrain partnered with the United States Gymnastics Trials, which were held at the HP Pavilion. The trials determined who would represent the U.S. in men's and women's gymnastics. The event produced take-one notices for trains and also promoted Caltrain to its customers.

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

July 2012

	FY2012	FY2013	% Change
Total Ridership	1,166,044	1,305,970	12.0%
Average Weekday Ridership	44,127	48,609	10.2%
Total Farebox Revenue	\$4,996,833	\$5,836,357	16.8%
On-time Performance	92.1%	93.5%	1.4%*
Average Caltrain Shuttle Ridership**	6,228	7,506	20.5%

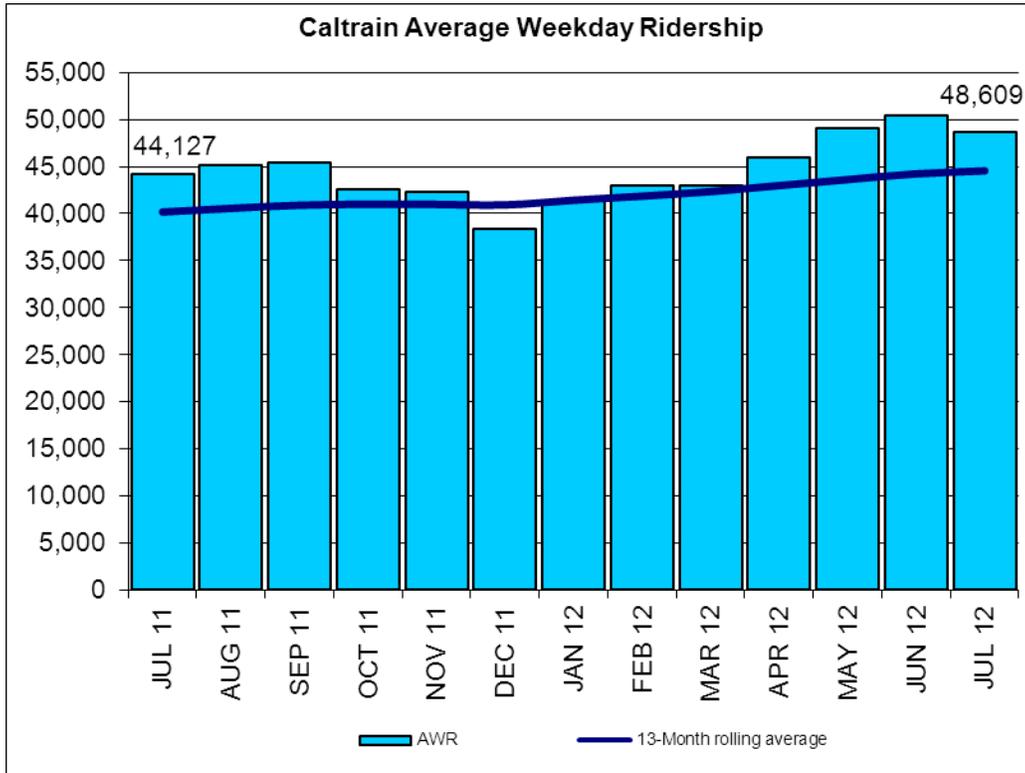
Year to Date

	FY2012	FY2013	% Change
Total Ridership	1,166,044	1,305,970	12.0%
Average Weekday Ridership	44,127	48,609	10.2%
Total Farebox Revenue	\$4,996,833	\$5,836,357	16.8%
On-time Performance	92.1%	93.5%	1.4%*
Average Caltrain Shuttle Ridership**	6,228	7,506	20.5%

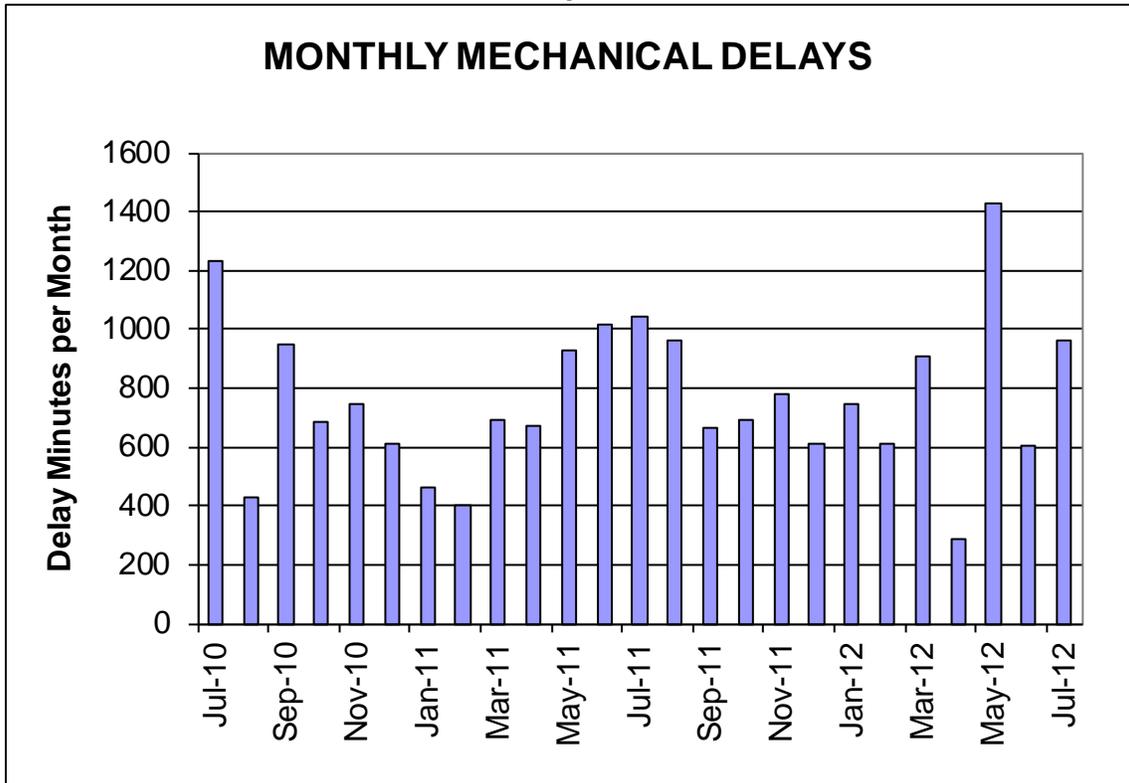
* numeric difference of the percentages

** Shuttles included have been adjusted for FY 12 & 13 to reflect only JPB funded shuttles

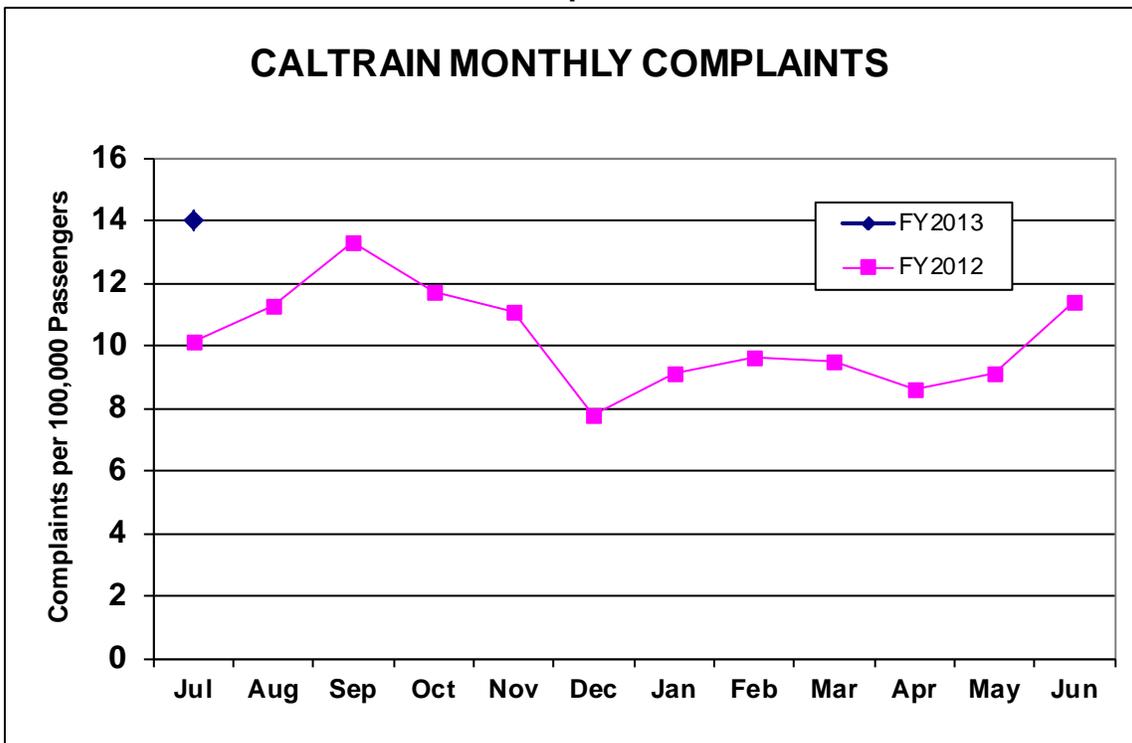
Graph A



Graph B



Graph C



**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Mark Simon
Executive Officer for Public Affairs

**SUBJECT: PROCLAMATION DECLARING SEPTEMBER RAILROAD SAFETY
MONTH**

ACTION

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

SIGNIFICANCE

The proclamation for “Railroad Safety Month” is a reaffirmation of the JPB’s commitment to provide safe and efficient train service between San Francisco and Gilroy. It also is an opportunity to highlight the promotion and advancement of safety on the right of way through enhanced safety measures and increased public awareness.

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

Over the past year, Caltrain has:

- Worked with local mental health agencies to reduce suicides by increasing public awareness about mental health issues.
- Sponsored a team of nine employees to walk in the “Out of the Darkness” suicide prevention and awareness walk, raising more than \$12,000 for the important cause.
- Completed the Santa Clara and South Terminal Station Improvement Project, which includes a new pedestrian underpass at the Santa Clara station that will connect the two platforms, improving safety for pedestrians at the station.
- Installed 11,000 feet of fencing in key areas along the rail corridor.
- Continued work on the San Bruno Grade Separation Project construction, which will elevate the Caltrain tracks above three existing at-grade street crossings.
- Presented the Operation Lifesaver rail safety presentation to more than 450 people.

Proclamation

IN HONOR OF SEPTEMBER AS RAILROAD SAFETY MONTH

WHEREAS, Caltrain operates 86 weekday trains between San Francisco and Gilroy, serving the Peninsula Rail Corridor, and the communities of San Francisco, San Mateo and Santa Clara counties; and

WHEREAS, safety on the Caltrain right of way remains a continuing priority along a rail system that traverses several communities and includes more than 55 at-grade rail crossings; and

WHEREAS, railroad operators, motor vehicle operators and pedestrians must work together to reduce the incidence of railroad-vehicle and railroad-pedestrian accidents, which occur every 120 minutes on rail systems throughout America; and

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

WHEREAS, a team of nine employees participated in the American Foundation for Suicide Prevention's "Out of the Darkness Overnight" suicide prevention and awareness walk, raising more than \$12,000 for this important cause; and

WHEREAS, for the past several years, Caltrain has worked with local mental health agencies to reduce suicides by increasing public awareness about mental health issues; and

WHEREAS, Caltrain completed the Santa Clara and South Terminal Station Improvement Project, which includes a new pedestrian underpass at the Santa Clara station that connects the two platforms, improving safety for pedestrians at the station; and

WHEREAS, 11,000 feet of fencing have been installed on the Caltrain corridor to prevent trespassing on the right of way; and

WHEREAS, Caltrain continues work on the San Bruno Grade Separation Project, which will elevate the train tracks above three at-grade crossings; and

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

THEREFORE, BE IT RESOLVED, that the Peninsula Corridor Joint Powers Board, in support of the statewide efforts, proclaims September as "Railroad Safety Month" and commends local, state, and federal officials, industry, and citizen efforts to improve railroad safety; and

BE IT FURTHER RESOLVED, on the 6th day of September, 2012 the Peninsula Corridor Joint Powers Board urges continued and expanded vigilance by the public at and around the rail system and reaffirms its continuing and vigorous commitment to rail safety.



Chair, Peninsula Corridor Joint Powers Board

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 JULY 31, 2012 AND SUPPLEMENTAL INFORMATION**

ACTION

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

SIGNIFICANCE

Revenue: For July of Fiscal Year 2013, *Total Operating Revenue* (line 7) is \$489,216 or 8.1 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$561,308 or 10.6 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$776,433 or 13.5 percent **higher**.

Expense: *Grand Total Expenses* (line 46) show a favorable variance of \$783,755 or 8.6 percent. *Total Operating Expense* (line 32) is \$513,470 or 6.5 percent **better** than budget. *Total Administrative Expense* (line 42) is \$270,284 or 23.1 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 46) are \$334,687 or 4.2 percent **higher**. The increase in expense is mainly due to *Contract Operating & Maintenance* (line 22), and *Services* (line 30) which together are \$524,481 or 11.1 percent **higher**.

Budget Revisions: There are no budget revisions for the month of July 2012.

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

650.508.7752
650.508.6417

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
Fiscal Year 2013
July 2012

% OF YEAR ELAPSED **8.3%**

	MONTH	YEAR TO DATE				ANNUAL		
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET	% REV BUDGET
(AS PROJECTED)								
REVENUE								
OPERATIONS:								
1 Farebox Revenue	5,836,357	4,996,833	5,836,357	5,275,049	110.6%	60,293,443	60,293,443	9.7%
2 Parking Revenue	254,666	295,237	254,666	274,966	92.6%	3,299,590	3,299,590	7.7%
3 Shuttles	74,852	77,901	74,852	115,353	64.9%	1,384,230	1,384,230	5.4%
4 Rental Income	147,649	146,197	147,649	155,730	94.8%	1,868,760	1,868,760	7.9%
5 Other Income	209,073	229,995	209,073	212,283	98.5%	2,527,430	2,527,430	8.3%
6								
7 TOTAL OPERATING REVENUE	6,522,597	5,746,164	6,522,597	6,033,381	108.1%	69,373,453	69,373,453	9.4%
8								
CONTRIBUTIONS:								
10 AB434 & TA Shuttle Funding	150,886	83,333	150,886	103,696	145.5%	2,184,271	2,184,271	6.9%
11 Operating Grants	-	-	-	198,241	0.0%	6,310,982	6,310,982	0.0%
12 JPB Member Agencies	2,791,666	2,111,433	2,791,666	2,791,667	100.0%	33,500,000	33,500,000	8.3%
13								
14 TOTAL CONTRIBUTED REVENUE	2,942,552	2,194,767	2,942,552	3,093,604	95.1%	41,995,253	41,995,253	7.0%
15								
16 GRAND TOTAL REVENUE	9,465,149	7,940,930	9,465,149	9,126,985	103.7%	111,368,706	111,368,706	8.5%
17								
EXPENSE								
OPERATING EXPENSE:								
22 Contract Operating and Maintenance	5,136,301	4,647,612	5,136,301	5,152,850	99.7%	63,820,184	63,820,184	8.0%
23 Rail Operator Service - Other	95,000	-	95,000	95,830	99.1%	1,150,000	1,150,000	8.3%
24 Shuttles (incl Peninsula Pass)	255,209	227,073	255,209	367,542	69.4%	4,410,504	4,410,504	5.8%
25 Fuel	1,115,953	1,771,816	1,115,953	1,433,210	77.9%	17,198,522	17,198,522	6.5%
26 Timetables and Tickets	11,800	-	11,800	12,267	96.2%	147,200	147,200	8.0%
27 Insurance	414,569	381,167	414,569	425,039	97.5%	5,100,500	5,100,500	8.1%
28 Facilities and Equipment Maint	94,160	33,297	94,160	127,211	74.0%	1,534,560	1,534,560	6.1%
29 Utilities	125,732	132,133	125,732	141,370	88.9%	1,696,870	1,696,870	7.4%
30 Services	100,888	65,096	100,888	107,763	93.6%	1,286,880	1,286,880	7.8%
31								
32 TOTAL OPERATING EXPENSE	7,349,612	7,258,194	7,349,612	7,863,082	93.5%	96,345,220	96,345,220	7.6%
33								
ADMINISTRATIVE EXPENSE								
35 Wages and Benefits	388,226	324,438	388,226	461,232	84.2%	5,623,527	5,605,027	6.9%
36 Managing Agency Admin OH Cost	198,772	64,543	198,772	295,025	67.4%	3,540,298	3,540,298	5.6%
37 Board of Directors	-	808	-	150	0.0%	12,800	12,800	0.0%
38 Professional Services	197,435	144,287	197,435	222,830	88.6%	2,673,479	2,673,479	7.4%
39 Communications and Marketing	11,500	8,996	11,500	11,500	100.0%	138,000	138,000	8.3%
40 Office Expense and Other	105,778	115,370	105,778	181,259	58.4%	1,932,507	1,951,007	5.4%
41								
42 TOTAL ADMINISTRATIVE EXPENSES	901,712	658,443	901,712	1,171,996	76.9%	13,920,611	13,920,611	6.5%
43								
44 Long Term Debt Expense	91,906	91,906	91,906	91,907	100.0%	1,102,875	1,102,875	8.3%
45								
46 GRAND TOTAL EXPENSE	8,343,230	8,008,543	8,343,230	9,126,985	91.4%	111,368,706	111,368,706	7.5%

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



PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF JULY 31, 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%	43,748,272	43,748,272
Investment Portfolio (Unrestricted)	Liquid Cash	0.000%	0	0
Other (Unrestricted)	Liquid Cash	0.010%	2,050,966	2,050,966
			\$ 47,799,239	\$ 47,799,239

Accrued Earnings for June, 2012	\$12,962.32
Cumulative Earnings FY2013	\$12,962.32

** 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: **DISADVANTAGED BUSINESS ENTERPRISE (DBE) STATUS REPORT**

ACTION

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

SIGNIFICANCE

The DBE status report is to update the Board on the JPB's progress towards achieving its annual DBE program goal. As of June 30, 2012, the JPB is exceeding its goal. The following is a summary of the JPB's DBE status as of the third quarter of the current Federal Fiscal Year (FY).

<u>Status</u>	<u>Q3 FY12</u>
Amount of Contracts Awarded	\$14,762,434
Amount of Contracts Awarded to DBEs	\$1,785,250
Overall Annual DBE Goal in %	10.5%
% DBE Attainment	12.1%
% Over/(Under) Goal	1.6%

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

The JPB is required to implement a DBE program on federally-assisted contracts. The Board establishes and adopts an overall agency DBE goal on a triennial basis. The current goal of 10.5 percent was adopted by the Board in May 2010 for Federal FY2011 through 2013. The Board will be asked to establish and adopt a new goal in May 2013.

For reference, this report is regularly included in the JPB *Quarterly Capital Progress Report*.

Prepared by: Raymond Lee, DBE Officer 650.508.7939
Bill Carson, Manager, Employee Relations and Civil Rights 650.508.6234

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

C. H. (Chuck) Harvey
Deputy CEO

SUBJECT: **AUTHORIZING AWARD OF CONTRACTS FOR ON-CALL RAILROAD
VEHICLE SUPPORT SERVICES**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract to LTK Engineering Services to provide on-call, no guaranteed level-of-effort, railroad vehicle support services, for a three-year term, in the not-to-exceed amount of \$5,000,000.
2. Authorize the Executive Director, or his designee, to execute a contract with the above firm in full conformity with the terms and conditions of the solicitation documents and negotiated agreement.
3. Authorize the Executive Director, or his designee, to exercise up to two additional one-year option terms, in the not-to-exceed amount of \$2,000,000, for each year, if it is in the best interest of the JPB.

SIGNIFICANCE

Award of this contract will provide railroad vehicle support services for activities related to the configuration and maintenance of the existing fleet including state of good repair activities, as well the procurement of new components and rail vehicles on an on-call basis. These support services may include fleet planning, state of good repair assessment, needs assessment, industry review, vehicle specifications development and procurement support for Electric Multiple Units (EMUs), among other activities. Award of this contract will not obligate the JPB to purchase any specific level of services from the firm, as Work Directives will be issued on a project-by-project basis.

BUDGET IMPACT

Work Directives issued under this contract will contain a defined scope of services, and a separate schedule and budget. Funds will come from approved capital and/or operating budgets.

BACKGROUND

A Request for Proposals (RFP) for railroad vehicle support services was issued and advertised in a local newspaper and on the JPB's procurement website. Solicitation notices also were sent to small business enterprises (SBEs) and disadvantaged business enterprises (DBEs) in the railroad services fields. The JPB received two proposals. In accordance with State and Federal law governing contracting for engineering services, the proposals were evaluated based on qualifications of each firm and not on price, with price being negotiated only with the highest ranked firm. An Evaluation Committee (Committee) composed of qualified staff reviewed and scored the proposals in accordance with the following weighted criteria:

- Approach to Scope of Services 25%
- Administrative Systems 15%
- Key Personnel & Management Team 35%
- Qualifications & Experience of Firm 25%

Both proposals submitted were responsive to the RFP's requirements and each firm was invited to an interview. Upon completion of interviews, checking of references, financial review, and final scoring of proposals, the Committee came to a consensus scoring. The firms are listed below in order of their final consensus ranking:

1. LTK Engineering Services
2. CH2M Hill

Staff and the Committee determined that LTK Engineering Services possesses the requisite depth of experience and has the required qualifications to successfully perform the contract to provide the rail operations department with adequate support. Staff completed negotiations on contractual terms and conditions, as well as price with LTK Engineering Services.

In order for Federal funds to be used under this architecture and engineering contract, the proposal from LTK Engineering Services was required to undergo a pre-award audit by an outside audit firm. The pre-award audit performed by the outside audit firm confirmed that LTK Engineering Services successfully fulfilled all the requirements and is qualified to be selected for contract award.

The JPB's DBE Officer reviewed LTK Engineering Services' proposal and determined that it was responsive to the JPB's DBE requirements. LTK Engineering Services included three DBE firms in its team for railroad vehicle support services.

Contract Officer: Alicia Fraumeni 650.508.6442
Project Manager: Michelle Bouchard 650.508.6420

RESOLUTION NO. 2012 -

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

* * *

**AUTHORIZING AWARD OF ON-CALL CONTRACT FOR
RAILROAD VEHICLE SUPPORT SERVICES
FOR A THREE-YEAR BASE TERM IN A TOTAL
NOT-TO-EXCEED AMOUNT OF \$5,000,000**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) issued a Request for Proposals (RFP) to provide on-call railroad vehicle support services; and

WHEREAS, in response to the JPB's RFP, two firms submitted proposals; and

WHEREAS, an Evaluation Committee comprised of qualified JPB staff reviewed and scored proposals, conducted interviews with each firm, ranked the proposals in accordance with the criteria set forth in the RFP, and determined that LTK Engineering Services of Ambler, Pennsylvania is the highest-ranked proposer; and

WHEREAS, Staff conducted a cost analysis and determined that the negotiated cost proposal from LTK Engineering Services is fair and reasonable; and

WHEREAS, Staff and Legal Counsel have reviewed the LTK Engineering Services proposal and determined that it complies with the requirements of the solicitation documents; and

WHEREAS, the Executive Director recommends that a contract for on-call railroad vehicle support services be awarded to LTK Engineering Services of Ambler, PA, for a three-year base term in a not-to-exceed amount of \$5,000,000, with two one-year option terms, in a not-to-exceed amount of \$2,000,000 for each year, with the understanding that the award of this contract will not obligate the JPB to purchase any level of services from LTK Engineering Services, as Work Directives will be issued on a project-by-project basis.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the JPB hereby awards a contract to LTK Engineering Services for on-call railroad vehicle support services for a three-year base term in the not-to-exceed amount of \$5,000,000 and up to two additional, one-year option terms in the not-to-exceed amount of \$2,000,000 for each year, with the understanding that the JPB is under no obligation to purchase any level of services from LTK Engineering Services; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is authorized to execute a contract on behalf of the JPB with LTK Engineering Services, in full conformity with the terms and conditions of the solicited document and negotiated agreements and to exercise up to two one-year option terms if it is in the best interest of the JPB, subject to compensation limits set forth above.

Regularly passed and adopted this 6th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: **AUTHORIZING AWARD OF A CONTRACT FOR THE SIGNAL
OPTIMIZATION PROJECT PHASE TWO**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract to the lowest, responsive and responsible bidder, Transit Constructors LP, in the total amount of \$549,000.
2. Authorize the Executive Director or his designee to execute a contract in full conformity with the terms and conditions of the solicitation documents.

SIGNIFICANCE

Award of this construction contract will provide for commissioning new intermediate signals in Redwood City and San Mateo through installation of phase shift overlay (PSO) transmitters, receivers, crossing and wayside signal equipment upgrades/modifications, calibrations, and testing.

BUDGET IMPACT

Funding for this contract has been fully budgeted in the approved Caltrain Capital Budgets. No additional funding will be required.

BACKGROUND

This is the second phase of the Signal Optimization Project which will improve throughput for trains on the Caltrain mainline through installation of intermediate signals which will allow trains to run closer while maintaining safe braking distances. This project will replace a wireless component of the signal system, which did not work as well in the field as designed, with a more reliable hard-wired solution. The project is not part of the Communications-Based Overlay Signal System Positive Train Control (CBOSS PTC) project that was awarded in October 2011.

In addition, this contract will make railroad signal improvements at the Hayward Park Station pedestrian crossings, at 25th Avenue at-grade crossing in San Mateo, and at six at-grade crossings in the city of Redwood City.

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

	Company	Total Bid Amount
	<i>Engineer’s Estimate</i>	<i>\$1,098,918</i>
1.	Transit Constructors LP, Oakland	\$549,000
2.	Balfour Beatty Rail, Inc., So. San Francisco	\$624,563
3.	Herzog Contracting Corp., Saint Joseph, MO	\$1,378,550

Staff reviewed the bids and determined all of the bidders were responsive to the solicitation requirements. Transit Constructors LP was deemed to be the apparent low bidder with a bid that was 50.04% percent lower than the engineer’s estimate. Staff attributes the lower bids to the economic downturn which decreased the number of projects being bid and the engineer’s estimate included a higher percentage of overhead, profit, and market condition based upon bid results from previous signal projects at Caltrain.

Staff and Legal Counsel determined Transit Constructors LP submitted a complete bid package and satisfied all of the applicable legal requirements. Transit Constructors LP is a partnership between Shimmick Construction and B&C Transit.

The Disadvantaged Business Enterprise (DBE) Program Officer reviewed Transit Constructors LP’s proposal and determined it meets the requirements of the JPB’s DBE program. B&C Transit (a limited partner in Transit Constructors LP) is a DBE firm.

Contract Officer: Helen Hoang
 Project Manager: Hubert Chan

650.508.7964
 650.508.7786

RESOLUTION NO. 2012-

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

* * *

**AUTHORIZING AWARD OF CONTRACT TO TRANSIT CONSTRUCTORS LP
FOR THE SIGNAL OPTIMIZATION PROJECT PHASE 2
AT A TOTAL COST OF \$549,000**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited bids for the Signal Optimization Project Phase 2; and

WHEREAS, in response to the JPB's invitation for bids, three firms submitted bids; and

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

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Transit Constructors LP of Oakland, CA, for the Signal Optimization Project Phase 2 for a total cost of \$549,000; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is authorized to execute a contract on behalf of the Peninsula Corridor Joint Powers Board with Transit Constructors LP in full conformity with all the terms and conditions of the solicitation.

Regularly passed and adopted this 6th day of September, 2012 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Mark Simon
Executive Officer, Public Affairs

SUBJECT: STATE AND FEDERAL LEGISLATIVE UPDATE

ACTION

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

SIGNIFICANCE

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

STATE ISSUES

Legislation

AB 485 (Ma) – The California Global Warming Solutions Act of 2006 requires corporations to purchase allowances through a market-based compliance system if their greenhouse gas emissions exceed certain limits.

If the cost of procuring these allowances is passed on to certain consumers, they will be provided with credits through revenues generated from the market-based system. AB 485 would add public transportation agencies to the list of customers eligible for credits.

Other legislation has been introduced that would also make several private sector energy users eligible for credits, but legislative leadership has only expressed an interest in moving forward with credits for public entities.

The deadline to pass legislation is August 31. Staff is working with our statewide public transportation partners to support AB 845 and we will be tracking the broader legislation closely.

Funding

At its September 26 meeting, the California Transportation Commission (CTC) will consider allocating \$39.9 million in Proposition 1A “connectivity” funds to Caltrain to support the

advanced signal system component of the Caltrain Modernization Program. These funds are included in the regional funding plan approved as a part of the nine-party Bay Area High Speed Rail Early Investment Memorandum of Understanding.

The CTC will also consider allocating \$9 million in Proposition 1B Highway-Railroad Crossing Safety Account funds to support the replacement of several of the system's railroad bridges.

FEDERAL ISSUES

Unobligated Federal Funds

In August, the Obama Administration announced that all unobligated Federal transportation funds appropriated between Fiscal Year 2003 and Fiscal Year 2006 will be reallocated by States to projects that can spend the funds by the end of the year.

Nationwide, over \$473 million in unspent Federal earmarks would be reallocated including \$43 million in California. States are required to identify eligible projects by October 1. Highway, rail, transit, bike and pedestrian projects will all be eligible to receive reallocated funds.

Tax Extenders

On August 2, the Senate Finance Committee approved a tax extenders package that includes the restoration of parity between pre-tax transit and parking benefits. Transit benefits were increased through the American Recovery and Reinvestment Act of 2009, but the increase expired at the end of 2011. Today, drivers eligible for the program receive benefits of up to \$240 per month while transit users are only eligible for \$125 per month.

The tax extenders package also includes the extension of the alternative fuels tax credit, which benefits transit system that utilize compressed or liquefied natural gas.

Staff will be working with the American Public Transportation Association to support these provisions when they are considered by the full Senate in September.

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

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 8-22-12**

Bill ID/Topic	Location	Summary	Position
<p>AB 41 Hill D</p> <p>High-Speed Rail Authority: conflicts of interest: disqualification.</p>	<p>SENATE 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. This bill contains other related provisions and other existing laws. Last amended on 8/16/2012</p>	
<p>AB 441 Monning D</p> <p>Transportation planning.</p>	<p>ASSEMBLY CONCURRENCE</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.</p> <p>Last amended on 6/4/2012</p>	
<p>AB 492 Galgiani D</p> <p>Public transportation agencies: administrative penalties.</p>	<p>ASSEMBLY CONCURRENCE 8/20/2012 - In</p>	<p>Existing law authorizes certain transit operators to adopt and enforce an ordinance to impose and enforce civil administrative penalties for fare evasion or passenger misconduct, other than by minors, on or in a transit facility or vehicle in lieu of the criminal penalties otherwise applicable, with specified administrative adjudication procedures for the imposition and enforcement of the administrative penalties, including an initial review and opportunity for a subsequent administrative hearing.</p> <p>This bill would extend the application of these provisions to all public transportation agencies, as defined. The bill would require the penalties collected by a public transportation agency to be deposited in the general fund of the county in which the citation is administered. The bill would make conforming changes. Last amended on 8/13/2012</p>	

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<p>AB 1126 Calderon, Charles D</p> <p>Transaction and use tax: rate.</p>	<p>SENATE 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%.</p> <p>Last amended on 1/4/2012</p>	
<p>AB 1191 Huber D</p> <p>Local government finance.</p>	<p>SENATE APPR.</p>	<p>Existing law requires the county auditor, in each fiscal year, to allocate property tax revenue to local jurisdictions in accordance with specified formulas and procedures, and generally requires that each jurisdiction be allocated an amount equal to the total of the amount of revenue allocated to that jurisdiction in the prior fiscal year, subject to certain modifications, and that jurisdiction's portion of the annual tax increment, as defined. Existing property tax law also reduces the amounts of ad valorem property tax revenue that would otherwise be annually allocated to the county, cities, and special districts pursuant to these general allocation requirements by requiring, for purposes of determining property tax revenue allocations in each county for the 1992-93 and 1993-94 fiscal years, that the amounts of property tax revenue deemed allocated in the prior fiscal year to the county, cities, and special districts be reduced in accordance with certain formulas. Existing law requires that the revenues not allocated to the county, cities, and special districts as a result of these reductions be transferred to the Educational Revenue Augmentation Fund in that county for allocation to school districts, community college districts, and the county office of education.</p> <p>This bill would, for the 2012-13 fiscal year and for each fiscal year thereafter, if there is not enough ad valorem property tax revenue that is otherwise required to be allocated to a county Educational Revenue Augmentation Fund for the county auditor to complete the decreases required during the fiscal adjustment period, require the county auditor to calculate an amount, as specified, and to submit a claim to the Controller for that amount. This bill would require the Controller, upon appropriation by the Legislature, to deposit the amount of the claim into the Sales and Use Tax Compensation Fund, and would require the county auditor to allocate that amount among the county and to each city in the county. Last amended on 1/23/2012</p>	

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<p>AB 1532 John A. Pérez D</p> <p>California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.</p>	<p>SENATE THIRD READING</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. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.</p> <p>This bill would require the moneys in the Greenhouse Gas Reduction Fund 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 California Environmental Protection Agency to develop a methodology that identifies priority community areas for investment opportunities, as specified. The bill would require the state board to develop, as specified, 3 investment plans that include specified analysis and information, 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 submit a report no later than December 1 of each year to the appropriate committees of the Legislature containing specified information . Last amended on 8/21/2012</p>	
<p>AB 1549 Gatto D</p> <p>Development: expedited permit review.</p>	<p>ASSEMBLY APPR. SUSPENSE FILE</p>	<p>The Permit Streamlining Act requires each state agency and local agency to compile one or more lists that specify the information that will be required from any applicant for a development project, and requires a public agency that is the lead agency for a development project, or a public agency which is a responsible agency for a development project that has been approved by the lead agency, to approve or disapprove the project within applicable periods of time. The act also requires any state agency which is the lead agency for a development project to inform the applicant that the Office of Permit Assistance has been created to assist, and provide information to, developers relating to the permit approval process.</p> <p>This bill would require the office to provide information to developers explaining the permit approval process at the state and local levels, or assisting them in meeting statutory environmental quality requirements, as specified, and would prohibit the office or the state from incurring any liability as a result of the provision of this assistance. The bill would require the office to assist state and local agencies in streamlining the permit approval process, and an applicant in identifying any permit required by a state agency for the proposed project. The bill would authorize the office to call a conference of parties at the state level to resolve questions or mediate disputes arising from a permit application for a development project. The bill would require that the office be located exclusively in Sacramento, and to consist of no more than 4 personnel through 2013. Amended 3/26/2012</p>	

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<p>AB 1570 Perea D</p> <p>Environmental quality: California Environmental Quality Act: record of proceedings.</p>	<p>SENATE THIRD READING</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. This bill contains other related provisions and other existing laws. Last amended on 8/6/2012</p>	
<p>AB 1572 Fletcher I</p> <p>Service authorities for freeway emergencies: San Diego County.</p>	<p>SENATE CONSENT CALENDAR</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 callboxes 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 callboxes 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 March 31, 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. Last amended on 8/14/2012</p>	

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<p>AB 1606 Perea D</p> <p>Local public employee organizations: impasse procedures.</p>	<p>ASSEMBLY ENROLLED</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.</p> <p>Last amended on 5/17/2012</p>	
<p>AB 1665 Galgiani D</p> <p>California Environmental Quality Act: exemption: railroad crossings.</p>	<p>ASSEMBLY CONCURRENCE</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</p> <p>This bill would, until January 1, 2016, 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. Last amended on 8/6/2012</p>	
<p>AB 1671 Huffman D</p> <p>Department of Transportation: retention proceeds: State Contract Act: bids: bidder's security.</p>	<p>ASSEMBLY ENROLLED</p>	<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. Last amended on 7/6/2012</p>	

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<p><u>AB 1770</u> <u>Lowenthal,</u> <u>Bonnie D</u></p> <p>California Transportation Financing Authority.</p>	<p>ASSEMBLY ENROLLMENT</p>	<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>	
<p><u>AB 1779</u> <u>Galgiani D</u></p> <p>Intercity rail agreements.</p>	<p>SENATE THIRD READING</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, on or before December 31, 2014, 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, as specified. The bill would provide for future appointments of additional members if the service boundaries of the San Joaquin Corridor are expanded. Last amended on 8/21/2012</p>	
<p><u>AB 1915</u> <u>Alejo D</u></p> <p>Safe routes to school.</p>	<p>SENATE THIRD READING</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. Last amended on 6/26/2012</p>	

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<p>AB 1960 Dickinson D</p> <p>State contracts: reports: lesbian, gay, bisexual, and transgender businesses.</p>	<p>ASSEMBLY CONCURRENCE</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. Last amended on 8/6/2012</p>	
<p>AB 2200 Ma D</p> <p>Vehicles: high-occupancy vehicle lanes.</p>	<p>SENATE THIRD READING</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 morning reverse commute direction, as defined. 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. Last amended on 8/6/2012</p>	
<p>AB 2247 Lowenthal, Bonnie D</p> <p>Public transportation: offenses.</p>	<p>ASSEMBLY ENROLLED</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 nor 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. This bill contains other related provisions and other existing laws. Last amended on 8/6/2012</p>	

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<p>AB 2298 Ma D</p> <p>Metal theft and related recycling crimes.</p>	<p>SENATE THIRD READING</p>	<p>Existing law establishes the Board of State and Community Corrections to, among other things, promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system.</p> <p>This bill, on and after January 1, 2015, would require the board 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. Last amended on 8/6/2012</p>	
<p>AB 2405 Blumenfield D</p> <p>Vehicles: high-occupancy toll lanes.</p>	<p>SENATE 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. Last amended on 6/27/2012</p>	
<p>AB 2498 Gordon D</p> <p>Department of Transportation: Construction Manager/General Contractor project method.</p>	<p>SENATE CONSENT CALENDAR</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. Last amended on 8/14/2012</p>	

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<p><u>AB 2679</u> Committee on Transportation</p> <p>Transportation: omnibus bill.</p>	<p>SENATE THIRD READING</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. Last amended on 8/21/2012</p>	
<p><u>ACA 23</u> Perea D</p> <p>Local government transportation projects: special taxes: voter approval.</p>	<p>ASSEMBLY INACTIVE FILE</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, as defined, requires the approval of 55% of its voters voting on the proposition. The measure would also make conforming and technical, non-substantive changes. This measure would also provide that it shall become effective immediately upon approval by the voters and shall apply to any local measure imposing, extending, or increasing a special tax for local transportation projects submitted at the same election. Last amended on 8/20/2012</p>	<p>Support</p>
<p><u>SB 46</u> Correa D</p> <p>Public officials: compensation disclosure.</p>	<p>ASSEMBLY 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. Last amended on 6/2/2011</p>	

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<p><u>SB 878</u> <u>DeSaulnier D</u></p> <p>Office of the Transportation Inspector General.</p>	<p>ASSEMBLY THIRD READING</p>	<p>Existing law creates various state transportation agencies, including the Department of Transportation and the High-Speed Rail Authority, with specified powers and duties. Existing law provides for the allocation of state transportation funds, including fuel tax revenues allocated from the Highway Users Tax Account, to various transportation purposes. Existing law provides funding for transportation capital improvement projects undertaken by the department or regional or local transportation agencies.</p> <p>This bill would create the Office of the Transportation Inspector General in state government as an independent office that would not be a subdivision of any other government entity, to ensure that all state, regional, and local agencies expending state transportation funds are operating efficiently, effectively, and in compliance with federal and state laws. The bill would provide for the Governor to appoint the Inspector General for a 6-year term, subject to confirmation by the Senate, and would provide that the Inspector General may not be removed from office during the term except for good cause. The bill would specify certain duties and responsibilities of the Inspector General, would require an annual report to the Legislature and Governor, and would provide for funding the office, to the extent possible, from federal transportation funds, with other necessary funding to be made available in proportion to the activities of the office from the Highway Users' Tax Account and an account from which high-speed rail activities may be funded. Last amended on 8/9/2012</p>	
<p><u>SB 1002</u> <u>Yee D</u></p> <p>Public records: electronic format.</p>	<p>ASSEMBLY THIRD READING</p>	<p>The California Public Records Act requires state and local agencies to make their records available for public inspection and, upon request of a person, to provide a copy of a public record unless the record is exempt from disclosure. The act requires an agency that has information that constitutes an identifiable public record not otherwise exempt from disclosure that is in an electronic format to make that information available in an electronic format when requested by a person. The act requires the agency to make the information available in an electronic format in which it holds the information.</p> <p>This bill would make technical, non-substantive changes to these provisions. Last amended on 8/20/2012</p>	
<p><u>SB 1102</u> <u>DeSaulnier D</u></p> <p>State transportation improvement program.</p>	<p>SENATE ENROLLMENT</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. Last amended on 5/31/2012</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 8-22-12**

Bill ID/Topic	Location	Summary	Position
<p>SB 1117 DeSaulnier D</p> <p>Passenger rail: planning.</p>	<p>ASSEMBLY THIRD READING</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 and freight 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 that the state rail plan 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>Last amended on 8/20/2012</p>	
<p>SB 1160 Padilla D</p> <p>Communications: service interruptions.</p>	<p>SENATE ENROLLED</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. Last amended on 7/5/2012</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 8-22-12**

Bill ID/Topic	Location	Summary	Position
<p>SB 1225 Padilla D</p> <p>Intercity rail agreements.</p>	<p>ASSEMBLY THIRD READING</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. Last amended on 8/20/2012</p>	
<p>SB 1339 Yee D</p> <p>Commute benefit policies.</p>	<p>SENATE ENROLLMENT</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>SB 1380 Rubio D</p> <p>Environmental quality: California Environmental Quality Act: bicycle transportation plan.</p>	<p>ASSEMBLY THIRD READING</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 that 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 OPR and the county clerk. This bill would require OPR to post specified information on its Internet Web site, as prescribed. Last amended on 8/21/2012</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 8-22-12**

Bill ID/Topic	Location	Summary	Position
<p>SB 1396 Dutton R</p> <p>Sales and use taxes: excise taxes: fuel.</p>	<p>SENATE T. & H.</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. Last amended on 4/11/2012</p>	<p>Oppose</p>
<p>SB 1545 DeSaulnier D</p> <p>Bay Area toll bridges.</p>	<p>SENATE T. & H.</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. This bill contains other related provisions and other existing laws. Last amended on 6/26/2012</p>	
<p>SB 1549 Vargas D</p> <p>Transportation projects: alternative project delivery methods.</p>	<p>SENATE ENROLLMENT</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, 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. The bill would also, except as provided, require the San Diego Association of Governments to pay fees related to these projects into the State Public Works Enforcement Fund, a continuously appropriated fund, thereby making an appropriation. Because this bill would subject these projects to certain prevailing wage enforcement requirements, the violation of which is a crime, it would impose a state-mandated local program by expanding the scope of an existing crime. The bill would provide that its provisions are severable. Last amended on 8/13/2012</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 8-22-12**

Bill ID/Topic	Location	Summary	Position
<p><u>SB 1572</u> <u>Pavley D</u></p> <p>California Global Warming Solutions Act of 2006: AB 32 Investment Fund.</p>	<p>ASSEMBLY SECOND READING</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.</p> <p>Last amended on 6/25/2012</p>	
<p><u>SCA 7</u> <u>Yee D</u></p> <p>Public bodies: meetings.</p>	<p>ASSEMBLY APPR. SUSPENSE FILE</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. Last amended on 4/13/2011</p>	

**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: OPPOSE H.R. 5972 PROVISION PROHIBITING FEDERAL
INVESTMENT IN SAN FRANCISCO'S CENTRAL SUBWAY PROJECT**

ACTION

Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director to take action opposing provisions included in H.R. 5972 that would prohibit the San Francisco Central Subway project from receiving any Federal investment in Fiscal Year 2013.

SIGNIFICANCE

The San Francisco Central Subway Project will extend San Francisco Municipal Transportation Agency's light rail service from the 4th and King Caltrain Station to Chinatown. The project will enhance connectivity to San Francisco's SOMA, Union Square and Chinatown neighborhoods for Caltrain passengers. Enhanced connectivity and improved transit options in these densely populated areas is anticipated to have a positive impact on Caltrain ridership.

BACKGROUND

The Central Subway project is currently awaiting approval of a full funding grant agreement from the Federal Transit Administration. The agreement will cover \$942 million of the project's \$1.6 billion total cost. The remaining investment is provided through a combination of Federal, State and local sources.

In February, Representative Tom McClintock (R-CA) introduced an amendment to a surface transportation reauthorization proposal (H.R. 7) that would have prevented the Central Subway project from receiving any Federal investment authorized by Congress as a part of that bill. Ultimately, H.R. 7 was not considered by the House of Representatives.

In July, a similar amendment introduced by Representative McClintock was adopted by a 235-186 vote as part of the Transportation, Housing and Urban Development and Related Agencies Appropriation Act, 2013 (H.AMDT.1354 to H.R. 5972). H.R. 5972 was subsequently passed by the House on a 261-163 vote and is awaiting action in the Senate.

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

The report can be viewed at the following link:

http://www.caltrain.com/Assets/_Finance/Quarterly+Capital+Program+Status+Report/JPB+FY12+Q4+Quarterly+Report.pdf