



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

October 3, 2013 – 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
Members of the public or Board may request that an item under the Consent Calendar be considered separately
 - a) Approval of Minutes of September 5, 2013 RESOLUTION
 - b) Authorize Entering into a Funding Agreement with the California Department of Transportation for a Transportation Planning Grant in the Amount of \$49,951 for Caltrain Modernization Program Planning Internships
5. Chairperson’s Report
6. Report of the Citizens Advisory Committee
7. Report of the Executive Director
 - a) Level Boarding Update INFORMATIONAL
8. Acceptance of Statement of Revenues and Expenses for August 2013 MOTION
9. Authorize Award of Contract to Van Wagner Communications, LLC for Train and Station Advertising for a Five-Year Base Term RESOLUTION
10. Authorize Award of Contract to Community Tree Service, Inc. for the San Mateo Bridges Project Advanced Site Preparation in the Total Amount of \$375,000 RESOLUTION
11. Authorize Award of Contracts to ICF Jones & Stokes, Inc. and The Louis Berger Group, Inc. to Provide On-Call Environmental Planning, Permitting and Support Services for an Estimated Aggregate Not-to-Exceed Amount of \$4 Million for a Three-Year Term RESOLUTION

Peninsula Corridor Joint Powers Board
October 3, 2013 Agenda

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| 12. Authorize Award of Contracts to CDM Smith, Inc., Fehr & Peers, Inc., HNTB Corporation and STANTEC Consulting Services, Inc. to Provide On-Call Transportation Planning and Support Services in an Estimated Aggregate Not-to-Exceed Amount of \$4 Million for a Three-Year Term | RESOLUTION |
| 13. Update on Caltrain Strategic Plan | INFORMATIONAL |
| 14. Legislative Update | INFORMATIONAL |
| 15. Correspondence | |
| 16. Board Member Requests | |
| 17. General Counsel Report | |
| 18. Date/Time of Next Meeting: Thursday, November 7, 2013, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2 nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070 | |
| 19. Adjourn | |

INFORMATION FOR THE PUBLIC

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

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

Location, Date and Time of Regular Meetings

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

Minutes
September 5, 2013

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

MEMBERS ABSENT: P. Woodward

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

Vice Chair Tom Nolan called the meeting to order at 10:03 a.m. and led the Pledge of Allegiance.

PUBLIC COMMENT

Doug DeLong, Mountain View, said he saw the new bike share facility at the Mountain View Caltrain Station and he likes the decal on the bikes informing riders to yield to pedestrians, walk bikes on sidewalks, ride with traffic, and obey all traffic laws.

Brian Skinner, San Mateo, said he is worried about the timeline of the San Mateo Bridge Replacement Project. He is concerned there has not been adequate discussion on this project and the number of trees being cut down before the current round of questions have been answered by staff or further discussion with the public has been done on this issue. Mr. Skinner requests the Board hold off on a site-clearing contract until the JPB Citizens Advisory Committee (CAC) has had time to make their recommendation to the Board.

Chair Ken Yeager arrived at 10:06 a.m.

Michael Scanlon, Executive Director, said the earliest it will be presented to the Board for contract approval is October.

CONSENT CALENDAR

- a. Approval of Minutes of August 1, 2013
- b. Authorize Executing an Agreement to Receive an Operation Lifesaver Grant in a Total Amount of \$18,875 and Increasing the Fiscal Year (FY) 2014 Operating Budget by \$18,875 to \$119,991,971 in Revenue

A motion (Nolan/Lloyd) to approve the Consent Calendar was passed unanimously.

CHAIRPERSON'S REPORT

No report

REPORT OF THE CAC

No report

REPORT OF THE EXECUTIVE DIRECTOR

Proclamation Declaring September as Rail Safety Month

Mr. Scanlon said Caltrain has partnered with Operation Lifesaver (OL) for more than 20 years in continuing efforts to educate the community on how to be safe when walking, biking, living or being near the railroad tracks. Each year "Rail Safety Month" is observed with an activity, milestone or event. This year staff received a grant from the Federal Transit Administration (FTA), through OL, to engage in a community activity. Staff is working with Fresh Takes, a digital arts program for young filmmakers, to develop a series of safety vignettes aimed at safety around the tracks.

Director Ash Kalra arrived at 10:12 a.m.

Chair Yeager thanked staff for all their efforts in working with the youth from Fresh Takes. He presented proclamations to Pete Aadland from OL and Pete Liebengood, Executive Director, Fresh Takes.

Mr. Liebengood said the youths worked on the project in August and created 10 vignettes.

Mr. Aadland thanked everyone for their rail safety efforts. He said last year there were 112 fatalities in California, the most in the nation.

A motion (Nolan/Lloyd) to proclaim September as "Rail Safety Month" was approved unanimously.

Mr. Scanlon, Executive Director reported:

- There was a fatality in Palo Alto the morning of August 29.
- A Caltrain safety vignette by Fresh Takes was shown to the Board. They will premiere on September 26 at the Redwood City Century Theater.
- Key Caltrain Performance Statistics
 - Monthly Performance Statistics – July 2013 compared to July 2012
 - Total Ridership was 1,491,886 an increase of 14.2 percent.
 - Average Weekday Ridership was 54,989, an increase of 13.1 percent.
 - Total Revenue was \$6,653,515, an increase of 14 percent.
 - On-time Performance was 90.4 percent, a decrease of 3.3 percent.
 - Caltrain Shuttle Ridership was 6,642, a decrease of 10.9 percent.
- The Bicycle Advisory Committee (BAC) did not meet in August. The next BAC meeting will be September 19.
- The Bike Sharing Program was officially launched on August 29. It is a regional pilot project with 700 bikes at 70 kiosks, including kiosks at 4th and King, Redwood City, Palo Alto, Mountain View, San Antonio, and San Jose Caltrain stations.
- Giants baseball ridership is down about 6 percent for the year. There were 14 home games in August and 93,000 people were carried.

- Stanford football begins on September 7 and trains will stop at Stanford Stadium.
- Staff is planning two celebrations for the 150th Anniversary of Caltrain: October 19 at the Menlo Park Caltrain Station and January 18, 2014 at the Santa Clara Caltrain Station.
- The Reading File contains a Take One for the 150th Anniversary celebration and the July Safety & Security Report.

4th and King Station/Yard Reduction/Removal Feasibility Assessment Update

Marian Lee, Executive Officer, Caltrain Modernization, said:

- The study was requested and funded by San Francisco.
- The purpose was to look at the feasibility of reducing or removing the existing 4th and King terminus yard area in San Francisco.
- After the technical portion of the study is complete, staff will consider the next steps to continue to work with San Francisco on this effort. One of the questions San Francisco asked was if there were any viable options to consider including it in the electrification environmental document.
- Criteria for consideration of the reduction of removal of the rail yard includes whether:
 - Inclusion would cause minor delays in the Electrification Environmental Impact Report (EIR) schedule.
 - It would trigger modest changes to the project description.
 - It would require relocation of functions at the existing facility within the Caltrain right of way.
 - It would create substantial additional cost.
 - It would trigger unmanageable public/environmental issues.
- Michelle Bouchard, Director, Rail Operations, is the project manager. Ms. Bouchard worked with staff from planning and funding departments in San Francisco, as well as the mayor's office, Caltrain staff, and LTK Engineering.
- Key tasks of the technical evaluation are objectives and evaluation criteria, service plans and facility needs, scenario development, and scenario analysis.
- Needed functions of the rail yard are:
 - Support a mixed-fleet service that will convert to an electric fleet, increase peak-hour service, storage of 10 to 11 trains, and ability to provide service for special events
 - Inspection/light maintenance facilities
 - Crew and staff facilities
 - Bike facility
- Scenario Development
 - San Francisco has an interest in combining street-level development along the edges of the property in addition to podium-style development over the yard.
 - Staff looked at multiple configurations and decided to look at only three options, two of which would reduce the facility and one calling for total removal. The removal option is a very complex analysis and much larger than the scope of this study and if that option were to continue to be pursued it would need to be studied separately.

- Option A:
 - Street-level development along Townsend and 4th with podium development over the yard.
 - Potential to support needed functions without offsite location.
 - Capital, operating, and maintenance costs to be determined.
- Option B:
 - Street-level development along Townsend and King with podium development over the yard and street level along 4th Street with station integrated.
 - An off-site location would need to be identified and acquired to support needed functions.
 - Capital, operating, and maintenance costs to be determined with additional costs for either the purchase, acquisition or lease of an off-site facility.
- With the possible need for an off-site yard, staff looked at the total corridor within the right of way and some potential sites outside but adjacent to the corridor. Location considerations included: proximity to the 4th and King terminus where trains need to be deployed, access to the mainline to reduce deadhead time, size and shape of the site, and ownership. Potential locations must be within the city and county of San Francisco to be close to the terminus area. The purpose would be to provide storage and light maintenance functions, and other staff and crew facilities.
- Next steps
 - Complete cost analysis.
 - After the technical evaluation, staff will screen them through the EIR inclusion criteria.
 - Next month staff will present recommendations for the next steps in working with San Francisco in supporting development and the electrification project.

Public Comment

Jeff Carter, Millbrae, said he urges caution in giving away valuable resources that Caltrain may need for future expansion. He asked what podium-style development means.

Vaughn Wolfe, Pleasanton, said storage of 10 to 11 trains seems like a significant limitation because no one knows what will be needed in 100 years.

Roland Lebrun, San Jose, said the focus is the Transbay Terminal and the only reason electrification is needed is to get to the Transbay Terminal. To get to the Transbay Terminal, the Downtown Extension alignment needs to be fixed. Staff needs to identify the location of the future Mission Bay Station. Once these two things are in place everyone's objectives will be achieved and the 4th and King Station can be shut down.

Communications-Based Signal System Overlay/Positive Train Control (CBOSS/PTC) Project Update

Chuck Harvey, Deputy CEO, reported:

- This project is designed to meet all Federal requirements, improve performance and is being done in partnership with the Federal Railroad Administration (FRA), Union Pacific, and California High-Speed Rail Authority.
- CBOSS/PTC requirements are that it must prevent train-to-train collisions and over-speed derailments and is interoperable with the other rail systems that will use the right of way.
- Total project cost is \$231 million.
- Project has been split into three segments. Segment 3 is eight miles long and is in San Jose, Segment 2 is 36 miles long and runs between Santa Clara and South San Francisco, and Segment 1 is eight miles long and runs between South San Francisco and San Francisco.
- The project was split into three segments because of the complexity that occurs in the north and south segments. The south segment has all the tenant railroads and the north segment has hills, tunnels and geographic issues that make the communication system more challenging.
- Data communications and subsystem installation is beginning now and will provide the data system to manage PTC. The wayside interface units will show where the train is. Both of these installations will have impact to the local community.
- The FRA will be on site as the system is being tested.
- Photos of fiber installation and base station installation were shown.
- There are 14 base stations within the Caltrain right of way and many are near Caltrain stations. There will be five stations in San Francisco, two in San Mateo and one in Brisbane, Burlingame, unincorporated San Mateo County, Palo Alto, Sunnyvale, Santa Clara and San Jose. It will take approximately two weeks to install each base station.
- Outreach
 - Continue working with the communities.
 - Fact sheets have been created for each city.
 - Project information distribution includes website with fact sheets, presentations, dedicated project hotline and email, weekly updates on website, social media, construction e-notice, and direct mailers to residents on both sides of the tracks.
- Next steps include permits and installation coordination, continued outreach and briefing interested groups, as requested.

Chair Yeager appreciated the outreach and keeping the noise level down as much as possible. He would ask that individual Board members be notified when construction begins in their area.

Public Comment

Roland Lebrun, San Jose, said he submitted a letter to the Board on this project. He said Phase 1, specifically task 2, the PTC Development Plan, is not complete and was to be approved last year and was just submitted to the FRA at the end of May. He said the

Executive Director should not have issued the Notice to Proceed for Phase 2, let alone Phase 3 because it would be unwise to start designing something the FRA might not approve. Mr. Lebrun said Senate Bill (SB) 1462 was introduced and this bill would extend the PTC implementation deadline to 2020. He finds it surprising that this bill is missing from staff's legislative matrix.

Jeff Carter, Millbrae, said he sees a lot of disparaging comments on blogs on CBOSS/PTC. He asked what the longevity of CBOSS/PTC will be for Caltrain. He said staff should not be limited to six trains per hour because we don't know what the future holds. There is a lot of demand for service and the ability to accommodate the current and future ridership.

Greg Conlon, Atherton, said the application by Burlingame to do a grade crossing brings the opportunity or possibility of doing trenching through Palo Alto, Menlo Park, and Atherton. This will alleviate a lot of congestion through these communities. There has been a report issued by an engineering firm of doing a covered trench to mitigate safety and sound and he will forward to Mr. Scanlon and Mark Simon, Executive Officer, Public Affairs.

AUTHORIZE USE OF DESIGN-BUILD CONTRACTING APPROACH FOR THE ELECTRIFICATION COMPONENT OF THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP) PURSUANT TO PUBLIC CONTRACT CODE SECTION 20209.5 ET SEQ.

Ms. Lee said this item was presented to the Board in August as an informational item. As requested by the Board, staff did some additional due diligence with local project sponsors.

- PCEP is electrification of 51 miles of the Caltrain rail system from San Francisco to Tamien Station, including electrified service with electric multiple units, operating six trains per hour per direction, and a transitional period of time in which there will be mixed fleet operating.
- The PCEP must be coordinated with Caltrain's State of Good Repair Program, CBOSS/PTC, the Downtown Extension Project (DTX), and must connect to the new Transbay Terminal and support high-speed rail (HSR) service.
- Program objectives:
 - Ensure system safety
 - Complete program within a \$1.2 billion budget
 - Electrified service by 2019
 - Build a quality system
 - Minimize impacts to rail service and customers during construction
 - Minimize impacts to environment
 - Support future HSR trains
 - Sustain effective partnership with stakeholders

- Recommended Design-Build delivery method:
 - Best match with program objectives
 - Contract scope will be design-build
 - Procurement method will be best value
 - Staff will issue two procurement packages, one for electrification, and one for vehicles
- Key benefits of Design-Build:
 - Good for large complicated projects
 - Good for systems projects
 - Transfer design risk to contractor
 - Improve project with innovative solutions
 - Get best value and maximize price competition
 - Select best qualified team
- Staff assessment/inputs in assessing Design-Build:
 - Project delivery workshops
 - System integration workshop
 - Agency participation from San Francisco Municipal Transportation Agency, Santa Clara Valley Transportation Authority (VTA), city of San Jose, San Mateo County, Regional Transportation District-Denver, Dallas Area Rapid Transit and Utah Transit Authority
- JPB responsibilities and key risk areas in Design-Build:
 - Board leadership
 - Right project team
 - Procurement process
 - Systems integration
 - Contract management/oversight
 - Agency coordination
 - Stakeholder coordination
 - Utilities/right of way
- Next steps:
 - Build project team
 - Prepare contract packages
 - Issue Request for Proposals in fall 2014

Ms. Lee said this presentation was given to the CAC and Caltrain Modernization Local Policy Makers Group and there was general support of the staff recommendation. She said there is a revised resolution with an additional recital added that highlights local planning efforts with all three counties.

Chair Yeager said he feels very comfortable with staff's recommendation based largely on his experience at VTA with the Bay Area Rapid Transit Project. He said he chairs the subcommittee that is overseeing that project and everything said in the report reflects his experiences at VTA. Chair Yeager said with these type of large projects Design-Build gives the flexibility that you can't have any other way.

Director Cohen asked if there is a cost for going forward. Ms. Lee said the electrification and vehicle procurement for about 75 percent of the fleet is \$1.2 billion, \$700 million plus is for the electrification portion and about \$400 million plus is for the vehicles.

Director Cohen asked if these are rough estimates and when updated numbers will be presented. Ms. Lee said in 2009 staff had completed 35 percent drawings on the electrification project and also estimated the cost of the vehicles. At that time staff had assumed revenue service of 2015. Ms. Lee said staff hopes to have most of the JPB team in place in early 2014 and have final numbers in the environmental document.

Director Ash Kalra said this project will be done while Caltrain is still operating. For transit systems, Design-Build is the way to go.

Public Comment

Roland Lebrun, San Jose, said he wrote a letter to the Board on rolling stock with private financing, including links to sample contracts. This approach would make it possible to replace the entire rolling stock at a capital savings in excess of \$400 million. Mr. Lebrun said it is customary to issue two separate RFPs, one for the poles and wires and one for the traction power supply. This approach eliminates the need to get into long-term relationships because traction power should take less than three years to design, manufacture and install and can be installed in parallel with the poles and take less than two years. Mr. Lebrun said the real issue to be considered by the Board is why we should consider electrifying a right of way that is systematically being destroyed one quarter of a mile at a time by the state of good repair process. He would recommend the Board consider delaying electrification until the DTX tunnels are built and continue using diesels. The only thing that should be allowed to proceed at this time is the environmental clearance effort.

Andy Chow, Bay Rail Alliance, urged the Board to approve the Design-Build option.

A motion (Kalra/Tissier) to use Design-Build contracting approach for the electrification component of the PCEP was approved unanimously.

Director Cohen and Directors Tissier left at 11:24 a.m.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR JULY 2013

Gigi Harrington, Deputy CEO, said July revenues are over budget by \$900,000 and there is \$1 million in savings on the expense side. Last week fuel was \$3.20 per gallon and year-to-date is \$3.11 per gallon. The JPB received \$37,000 from the fuel hedge in August.

Ms. Harrington said in October she will bring a chart showing yearly fare revenue and unaudited fare revenue for FY2013 which will be over \$68 million.

A motion (Nolan/Lloyd) to accept the July 2013 statement was approved unanimously.

AUTHORIZE AWARD OF CONTRACT TO JACOBS ENGINEERING GROUP, INC. TO PROVIDE ON-CALL PROGRAM MANAGEMENT SERVICES FOR A TOTAL NOT-TO-EXCEED COST OF \$10,500,000 FOR A THREE-YEAR PERIOD

Cheryl Cavitt, Director, Contracts and Procurement, said this contract will provide invoice tracking, earn value calculations, training, document control and a number of other services. Jacobs is the incumbent.

A motion (Nolan/Lloyd) to award a contract to Jacobs Engineering Group, Inc. to provide on-call program management services for a total not-to-exceed cost of \$10,500,000 for a three-year period was approved unanimously.

LEGISLATIVE UPDATE

State Update

Seamus Murphy, Director, Government and Community Affairs, said the end of the year for the Legislature is September 13. Staff's two priority bills have made it through the process and are waiting the governor's signature. One bill would grant construction management/general contractor project delivery authority to the JPB. The other bill is the Peninsula Protections Act, which secures the Bay Area's share of the State funding that is identified in the HSR Memorandum of Understanding. This bill clarifies \$600 million will come to the Peninsula for early investment in the Caltrain corridor. That bill passed, but there was some late opposition from the Department of Finance. The governor's office has remained neutral and staff has been in contact with his office.

Director Tissier returned at 11:29 a.m.

Mr. Murphy said Senate Bill 556 would require a disclosure on the side of transit vehicles that are operated by service contractors has been amended and doesn't apply to transit agencies any more from a service perspective. It would apply to private security and health contractors. Transit agencies that have private security contracts would be affected.

Mr. Murphy said there are two bills to reduce the voter threshold to 55 percent for sales tax measures on behalf of transit and transportation. One was amended to state that half of the funds generated would need to go to Sustainable Communities Strategies Projects and this is potentially problematic. The Cap and Trade money is potentially limited to Sustainability Communities Strategies Projects. Senate Bill 1, which would authorize the replacement for redevelopment agencies, limits some of the funding to Sustainable Communities Strategies Projects. The other bill has not been amended. Both are two-year bills that will be addressed when the Legislature reconvenes for 2014.

Federal Update

Mr. Murphy said the JPB's application for the TIGER V grant was not successful for CBOSS. Staff is disappointed, but not surprised. There were \$9 billion in applications for \$474 million in funding. Staff will seek a debriefing from the U.S. Department of Transportation to understand what the potential shortfalls were in the application.

Mr. Murphy said a bill was introduced that would grant a blanket extension for the PTC deadline. The FRA's position is there shouldn't be a blanket extension, but year-to-year extensions granted when projects apply for them and only if they meet certain milestones. Staff doesn't think there will be any resolution on this issue this year. None of these efforts to extend the deadline apply to JPB's projects.

Chair Yeager asked if anything needs to be done regarding the bill for the 55 percent threshold for transportation. Mr. Murphy said there is a need to advocate for a bill that is going to maintain as much flexibility as possible. Senate Constitutional Amendment (SCA) 8 does that and SCA4 was amended to narrow the scope of projects.

CAPITAL PROJECTS QUARTERLY STATUS REPORT – 4TH QUARTER FISCAL YEAR 2013

Ms. Harrington said this report is for information only.

CORRESPONDENCE

No discussion.

BOARD MEMBER REQUESTS

None

DATE/TIME/PLACE OF NEXT MEETING

The next meeting will be Thursday, October 3, 2013, 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

- a. Closed Session: Conference with Real Property Negotiators
Property: 4020 Campbell Avenue, Menlo Park, CA
Agency Negotiators: Gigi Harrington; David Miller
Property Owner: Campbell Avenue Portfolio, LLC
Negotiations Scope: Price and Terms of Payment

David Miller, Legal Counsel, said the Board will meet in closed session to receive a report on real property negotiations for 4020 Campbell Avenue in Menlo Park.

Adjourned into closed session at 11:35 a.m.

Reconvened at 11:40 a.m.

Mr. Miller said the Board met in closed session as permitted by the Brown Act to discuss negotiations taking place with property at 4020 Campbell Avenue in Menlo Park. Instructions have been provided to the Executive Director and there is no official action to be taken at this time.

Adjourned at 11:41 a.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: April Chan
Executive Officer, Planning and Development

SUBJECT: **AUTHORIZATION TO ENTER INTO A FUNDING AGREEMENT WITH CALTRANS
FOR A TRANSPORTATION PLANNING GRANT FOR CALTRAIN
MODERNIZATION PROGRAM PLANNING INTERNSHIPS**

ACTION

Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director, or his designee, to enter into a funding agreement with the California Department of Transportation (Caltrans) for a \$49,951 grant to fund transportation planning internships for the Caltrain Modernization (CalMod) Program.

SIGNIFICANCE

In April 2013, staff applied for a Caltrans transportation planning grant to fund an internship program for the CalMod Program. This grant will fund two or more current undergraduate or graduate students in the field of transportation planning and provide them with real-world experience working on studies related to the CalMod Program. As a condition of the grant award, the Board must adopt a resolution identifying the individual that has authority to enter into a funding agreement with Caltrans.

BUDGET IMPACT

The total cost of the internship program is \$56,423. The Caltrans grant will provide \$49,951 for intern salaries and the remaining \$6,472 will be in-kind staff support for the hiring and management of the interns. The operating budget will be amended later this year to include the grant funds.

BACKGROUND

Caltrans administers the state-wide transportation planning grant program and awards discretionary grants to innovative planning efforts that promote livable communities and sustainable transportation systems. Staff applied for and received just under the maximum grant award of \$50,000 for the internship grant program.

Prepared by: Peter Skinner, Senior Grants Analyst

650.622.7818

RESOLUTION NO. 2013-

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

* * *

**AUTHORIZING ENTERING INTO A FUNDING AGREEMENT WITH CALTRANS FOR AN
TRANSPORTATION PLANNING GRANT TO FUND THE CALTRAIN MODERNIZATION PROGRAM
PLANNING INTERNSHIPS**

WHEREAS, the California Department of Transportation (Caltrans) awards State funding under the discretionary Transportation Planning Grant Program to fund transportation planning efforts that promote livable communities and sustainable transportation systems; and

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) has been awarded a \$49,951 grant to fund an internship program for the Caltrain Modernization (CalMod) Program; and

WHEREAS, the proposed \$49,951 grant will be used to hire two or more current undergraduate and/or graduate students over a two year period to work on studies related to the CalMod Program and will be supplemented by \$6,472 local funding in the form of in-kind staff support to hire and manage the interns.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby:

1. Authorizes the Executive Director, or his designee to execute and file a funding agreement with Caltrans for the CalMod Program planning internship program; and
2. Authorizes the Executive Director, or his designee, to file any other required documentation and to take any other actions necessary for the purpose of obtaining grant funding through Caltrans for the CalMod Program planning internship program.

Regularly passed and adopted this 3rd day of October 2013, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: **KEY CALTRAIN PERFORMANCE STATISTICS AUGUST 2013**

In August 2013, Caltrain's average weekday ridership (AWR) was 53,840, which is an increase of 5,206 or 10.7 percent over August 2012 AWR of 48,634. August was the 36th consecutive month to show AWR growth. The total number of passengers who rode Caltrain in August 2013 was 1,466,168, which is 8.6 percent more than in August 2012.

On-time performance (OTP) for August 2013 was 91.1 percent, which is below the 93.3 percent OTP for August 2012. When trains arriving within 10 minutes of the scheduled arrival time are included, August 2013 OTP rises to 95.2 percent. Mechanical delays in August 2013 were 1,534 minutes, which is significantly higher than the 657 minutes in August 2012, and the fifth consecutive month over 1,000 minutes. Nearly 75 percent of those minutes (1126) can be attributed to incidents that occurred in five days of the month.

- On August 5, Train 215 was terminated as the result of problems with the Head End Power System, which provides power to the train's electrical systems.
- On August 7, Train 211 experienced problems with the locomotive and was terminated as a result.
- On August 17, Train 425 encountered a significant issue with the braking system and was terminated.
- On August 23, Train 264 was terminated as the result of mechanical issues and caused significant domino effect to evening peak period trains that needed to be single tracked around Train 264.
- On August 28, Train 385 was experiencing mechanical problems and was terminated. Many peak period trains experienced delays single tracking around Train 385.

There was one fatality on August 29, when Train 313 struck a trespasser at 7:35 a.m. at Charleston Road in Palo Alto, which also impacted a significant number of peak period trains.

Looking at customer service statistics, there were 9.5 complaints per 100,000 passengers. This is significantly lower than August 2012, which was 15.1 complaints per 100,000.

Changes to the calculation of shuttle ridership have occurred this fiscal year. As noted last month, there was a change in which agency the Genentech shuttle ridership is reported to. Effective this month, shuttle ridership will only compare those routes that remain within the Caltrain business unit with their ridership last year. Shuttle ridership is down 18.5 percent compared with the same shuttles last year. However, when the Marguerite shuttles are removed, overall shuttle ridership has actually grown 0.9 percent over August 2012. The Marguerite shuttles have had difficulty providing accurate ridership numbers, which accounts for much of the decrease in ridership. For the station shuttles, the Millbrae-Broadway shuttle averaged 163 daily riders. The Belmont-Hillsdale shuttle averaged 74 daily riders. The weekend Tamien-San Jose shuttle averaged 62 riders per day.

Caltrain Promotions – August 2013

See Something – Say Something – The *See Something – Say Something* customer safety and security awareness campaign issued its eighth message as part of the year-long program: *Be aware of your surroundings. Know the location of onboard emergency exits. Be safe.* A new message is communicated each month via station electronic message signs, conductor announcements, web posting (www.caltrain.com/seesomething) and social media, including Facebook, Google+ and Twitter.

America's Cup – For the super-peak America's Cup racing weekend in mid-August, thousands of enthusiasts took the rails to the sails. Caltrain ran a couple of extra trains to accommodate the increased demand, and carried 3,527 extra customers compared to base annual February counts. Information about taking Caltrain to the sailing regatta was disseminated via social media, on the Caltrain website and through a news release.

Giants – Diehard Giants fans still head to AT&T Park to watch interesting baseball and continue to ride Caltrain to get there. In August, Caltrain transported 93,102 fans to the 14 home games. Year-to-day ridership has decreased 6 percent compared to last year. Staff continues to promote the service through a Caltrain/Giants brochure, newsletters, web page and social media.

Partnership: San Jose Jazz Summer Fest – A lineup of known and up-and-coming artists converged on the South Bay to participate in the San Jose Jazz Summer Fest. Caltrain partnered with festival organizers to promote the train as a smooth way to get there, avoiding the commute blues. The festival created one afternoon event with four high school musicians who performed at Mountain View and Palo Alto stations. Postcards with "Take Caltrain" message were distributed during the performance. The festival sent an e-blast to their subscriber list and also provided a link and Caltrain logo on its transportation web page. The festival provided Caltrain customers with a \$25 discount on the purchase of a three-day festival pass. Caltrain got the word out about serving the festival through social media, included the festival in its summer edition of *Track the Fun* and *Caltrain Connection brochures*, and posted the discount information on its "Track the Savings" webpage.

Prepared by: Rita P. Haskin, Executive Officer, Customer Service and Marketing 650.508.6248
Donald G. Esse, Senior Operations Financial Analyst 650.508.6329

Table A

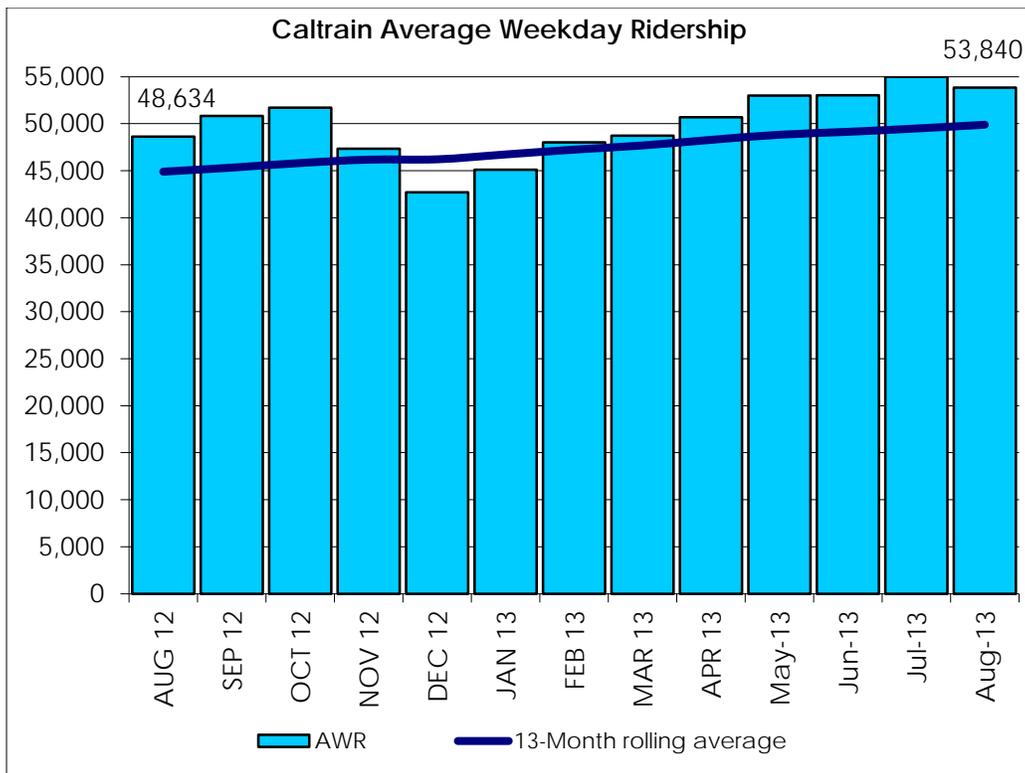
August 2013

	FY2013	FY2014	% Change
Total Ridership	1,350,537	1,466,168	8.6%
Average Weekday Ridership	48,634	53,840	10.7%
Total Farebox Revenue	\$5,969,488	\$6,505,552	9.0%
On-time Performance	93.3%	91.1%	-2.4%
Average Caltrain Shuttle Ridership	8,376	6,962	-16.9%

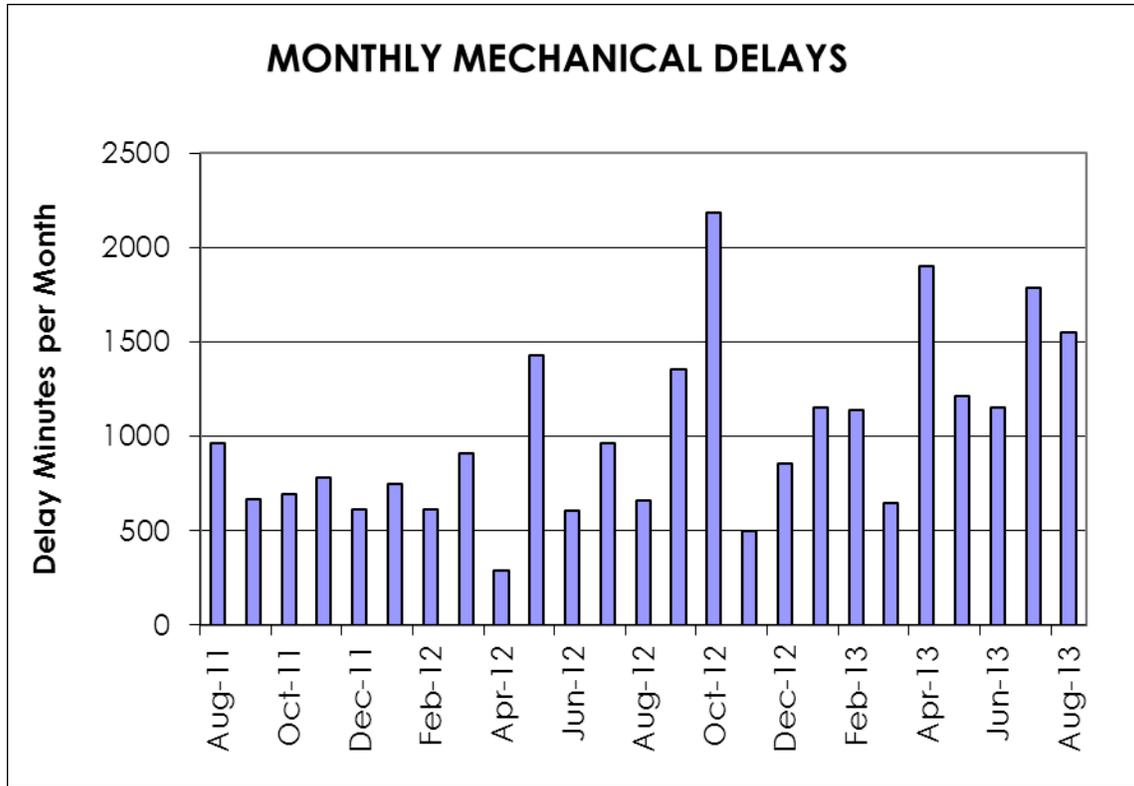
Year to Date

	FY2013	FY2014	% Change
Total Ridership	2,656,507	2,958,054	11.4%
Average Weekday Ridership	48,621	54,414	11.9%
Total Farebox Revenue	\$11,805,845	\$13,159,067	11.5%
On-time Performance	93.4%	90.7%	-2.9%
Average Caltrain Shuttle Ridership	7,974	6,495	-18.5%

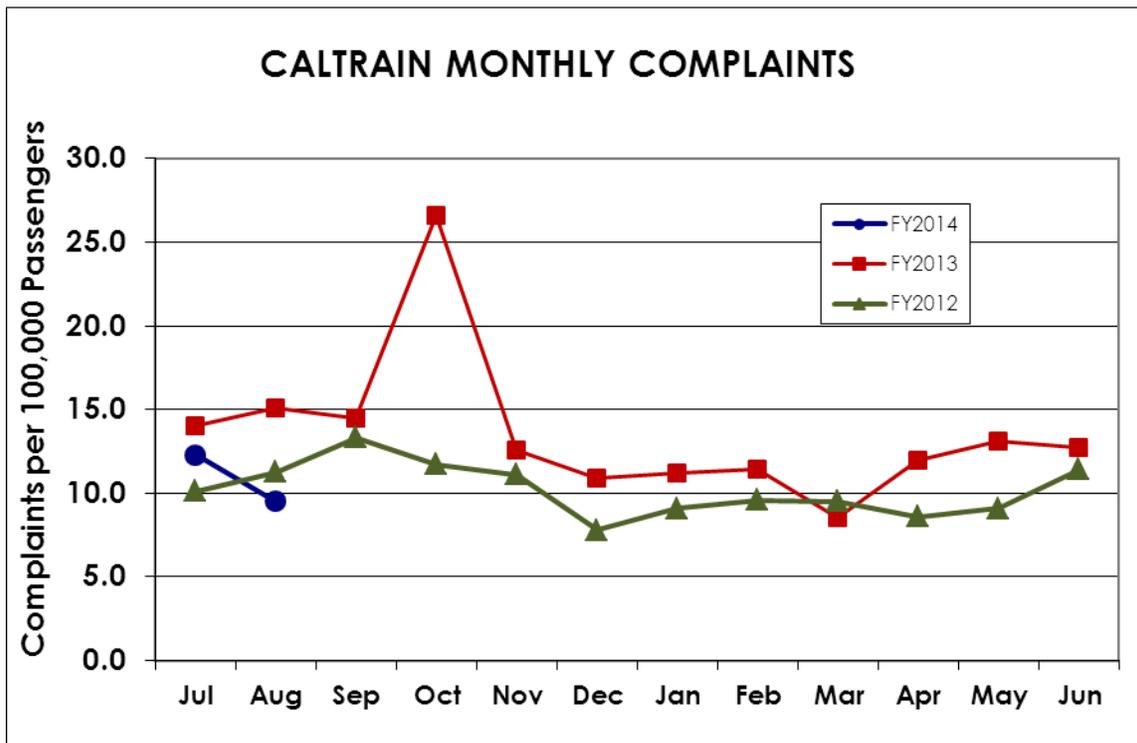
Graph A



Graph B



Graph C



PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD ENDING
AUGUST 31, 2013 AND SUPPLEMENTAL INFORMATION**

ACTION

Staff proposes the Board of Directors accept and enter into the record the Statement of Revenue and Expense for the month of August 2013 and supplemental information.

SIGNIFICANCE

Revenue: For August of Fiscal Year (FY) 2014, *Total Operating Revenue* (line 7) is \$1,840,876 or 13.9 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$1,612,922 or 14 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$1,833,954 or 13.9 percent **higher**.

Included is Attachment A which represents the unaudited FY2013 year-end historical actuals for Farebox Revenue.

Expense: *Grand Total Expenses* (line 52) show a favorable variance of \$1,305,116 or 6.4 percent. *Total Operating Expense* (line 36) is \$977,428 or 5.7 percent **better** than budget. *Total Administrative Expense* (line 46) is \$327,688 or 10.7 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 52) are \$1,895,620 or 11 percent **higher**.

BUDGET IMPACT

There are no budget revisions for the month of August 2013.

Prepared By: Jeannie Chen, Senior Accountant 650.508.6259
Sheila Tioyao, Manager, General Ledger 650.508.7752

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
Fiscal Year 2014
August 2013

	% OF YEAR ELAPSED							
						16.7%		
	MONTH	YEAR TO DATE				ANNUAL		
	CURRENT	PRIOR	CURRENT	REVISED	% REV	APPROVED	REVISED	% REV
	ACTUAL	ACTUAL	ACTUAL	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET
(AS PROJECTED)								
REVENUE								
OPERATIONS:								
1 Farebox Revenue	6,505,552	11,805,845	13,159,067	11,546,145	114.0%	66,070,569	66,070,569	19.9%
2 Parking Revenue	287,672	515,381	602,884	619,307	97.3%	3,652,330	3,652,330	16.5%
3 Shuttles	120,165	194,175	240,351	309,396	77.7%	1,722,636	1,722,636	14.0%
4 Rental Income	143,699	299,630	296,153	301,900	98.1%	1,816,920	1,816,920	16.3%
5 Other Income	542,976	417,655	768,186	449,017	171.1%	2,691,230	2,691,230	28.5%
6								
7 TOTAL OPERATING REVENUE	7,600,064	13,232,686	15,066,640	13,225,764	113.9%	75,953,685	75,953,685	19.8%
8								
CONTRIBUTIONS:								
9								
10 AB434 Peninsula & TA Shuttle Funding	161,345	233,664	322,690	351,656	91.8%	2,109,948	2,109,948	15.3%
11 Operating Grants	523,993	-	1,047,986	1,881,319	55.7%	11,287,914	11,287,914	9.3%
12 JPB Member Agencies	1,435,963	5,583,333	2,871,927	2,871,925	100.0%	17,231,549	17,231,549	16.7%
13 Other Sources				2,110,238	0.0%	13,390,000	13,390,000	0.0%
14								
15 TOTAL CONTRIBUTED REVENUE	2,121,301	5,816,996	4,242,602	7,215,138	58.8%	44,019,411	44,019,411	9.6%
16								
17 GRAND TOTAL REVENUE	9,721,365	19,049,682	19,309,242	20,440,902	94.5%	119,973,096	119,973,096	16.1%
18								
EXPENSE								
19								
20								
OPERATING EXPENSE:								
21								
22								
23 Rail Operator Service	5,000,000	9,884,692	10,369,246	10,750,000	96.5%	64,500,000	64,500,000	16.1%
24 Rail Operator Service - Other	-	190,000	-	-	0.0%	-	-	0.0%
25 Security Services	358,135	515,624	691,935	713,324	97.0%	4,519,944	4,519,944	15.3%
26 Rail Operator Extra Work	-	16,400	-	25,920	0.0%	155,500	155,500	0.0%
27 Contract Operating & Maintenance	5,358,135	10,606,717	11,061,180	11,489,244	96.3%	69,175,444	69,175,444	16.0%
28 Shuttles (incl Peninsula Pass)	348,106	599,600	690,463	795,682	86.8%	4,774,107	4,774,107	14.5%
29 Fuel	1,312,445	2,332,728	2,647,370	2,971,350	89.1%	17,828,097	17,828,097	14.8%
30 Timetables and Tickets	12,503	23,600	24,503	25,833	94.8%	155,000	155,000	15.8%
31 Insurance	439,350	797,189	1,027,327	1,046,663	98.2%	5,470,000	5,470,000	18.8%
32 Facilities and Equipment Maint	100,433	271,959	255,796	301,184	84.9%	1,814,975	1,822,975	14.0%
33 Utilities	165,916	290,456	291,222	304,357	95.7%	1,826,540	1,826,540	15.9%
34 Maint & Services-Bldg & Other	146,897	199,890	233,470	274,447	85.1%	1,323,880	1,323,880	17.6%
35								
36 TOTAL OPERATING EXPENSE	7,883,784	15,122,138	16,231,331	17,208,759	94.3%	102,368,043	102,376,043	15.9%
37								
ADMINISTRATIVE EXPENSE								
38								
39 Wages and Benefits	475,472	757,637	1,213,111	1,351,440	89.8%	6,811,835	6,649,316	18.2%
40 Managing Agency Admin OH Cost	365,807	489,899	719,153	836,331	86.0%	5,017,987	5,017,987	14.3%
41 Board of Directors	880	981	880	1,200	73.3%	11,700	11,700	7.5%
42 Professional Services	340,399	402,999	487,236	491,129	99.2%	2,764,323	2,903,015	16.8%
43 Communications and Marketing	833	20,500	2,131	10,208	20.9%	122,500	122,500	1.7%
44 Office Expense and Other	195,506	262,200	298,131	358,023	83.3%	1,773,833	1,789,660	16.7%
45								
46 TOTAL ADMINISTRATIVE EXPENSE	1,378,898	1,934,215	2,720,643	3,048,331	89.3%	16,502,178	16,494,178	16.5%
47								
48 Long Term Debt Expense	91,906	183,813	183,813	183,813	100.0%	1,102,875	1,102,875	16.7%
49								
50 GRAND TOTAL EXPENSE	9,354,588	17,240,166	19,135,786	20,440,902	93.6%	119,973,096	119,973,096	16.0%
51								
52 NET SURPLUS / (DEFICIT)	366,777	1,809,516	173,457	-	0.0%	-	-	0.0%
53								
54								

"% 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.



Board of Directors 2013

Ken Yeager, Chair
 Tom Nolan, Vice Chair
 José Cisneros
 Malia Cohen
 Jerry Deal
 Ash Kalra
 Arthur L. Lloyd
 Adrienne Tissier
 Perry Woodward

Michael J. Scanlon
 Executive Director

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF AUGUST 31, 2013

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Restricted)	Liquid Cash	0.271%	\$ 2,000,000	\$ 2,000,000
Local Agency Investment Fund (Unrestricted)	Liquid Cash	0.271%	30,951,257	30,951,257
County Pool (Unrestricted)	* Liquid Cash	0.630%	20,557,629	20,557,629
Other (Unrestricted)	Liquid Cash	0.000%	3,188,474	3,188,474
			\$ 56,697,361	\$ 56,697,361

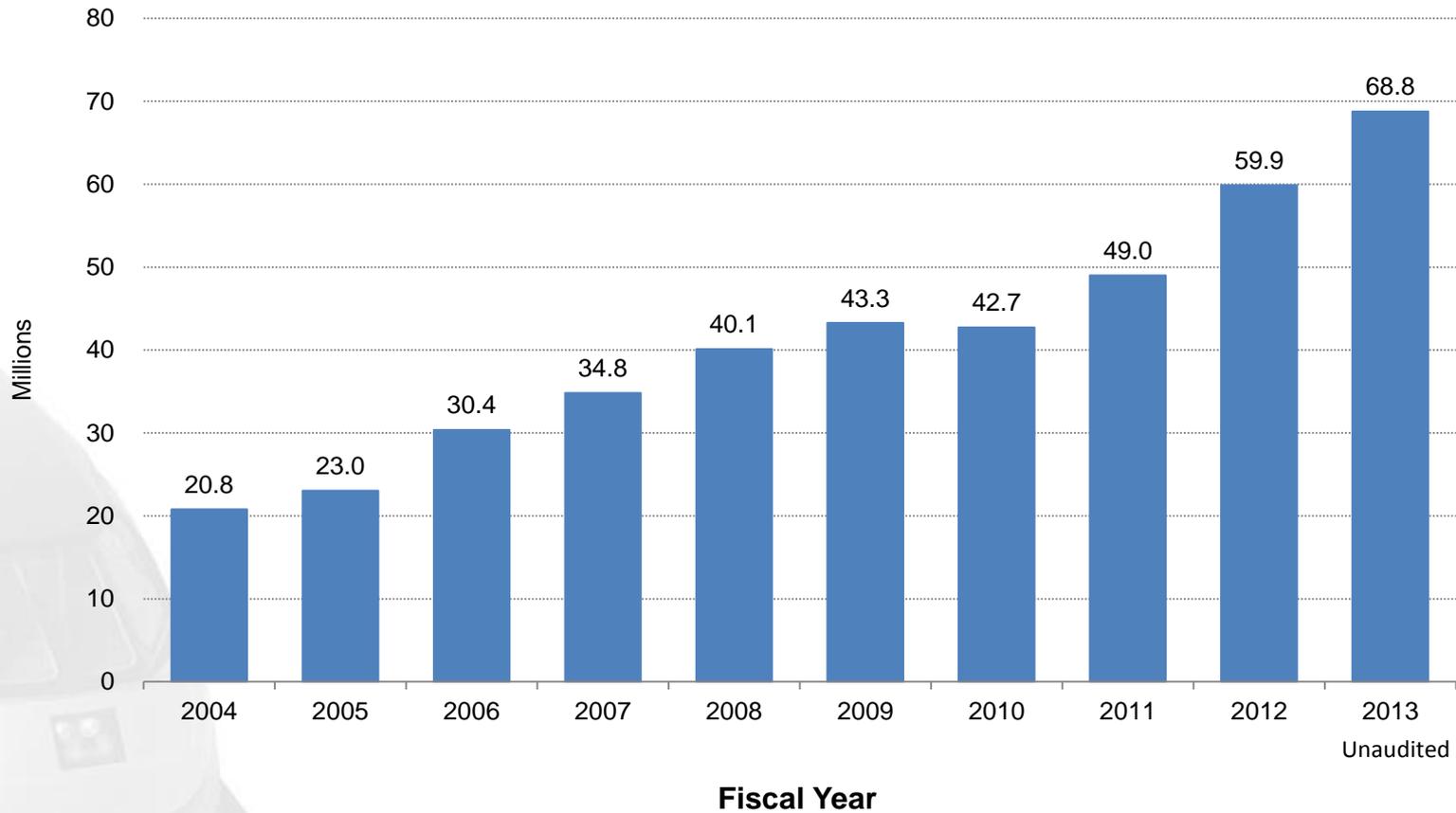
Accrued Earnings for July, 2013 \$ 35,203.35
 Cumulative Earnings FY2014 \$ 35,203.35

* County Pool average yield for the month ending August 31, 2013 was 0.630%. As of August, 2013 the amortized cost of the Total Pool was \$2,895,569,158.96 and the fair market value per San Mateo County Treasurer's Office was \$2,888,259,750.30.

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.

Attachment A: Farebox Revenues



**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

Rita Haskin
Executive Officer,
Customer Service and Marketing

SUBJECT: **AUTHORIZE AWARD OF CONTRACT FOR TRAIN AND STATION ADVERTISING SERVICES**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract to Van Wagner Communications, LLC (Van Wagner) of New York, New York for train and station advertising services for a five-year base term with the provision for up to five additional one-year option terms.
2. Authorize the Executive Director or designee to execute a contract with Van Wagner in full conformity with the terms and conditions set forth in the solicitation documents and negotiated Agreement.
3. Authorize the Executive Director or designee to exercise up to five additional one-year option terms with Van Wagner, if in the best interest of the Peninsula Corridor Joint Powers Board (JPB).

SIGNIFICANCE

Award of a contract to Van Wagner will provide the JPB with an advertising contractor that will continue to support the JPB's train and station advertising program for up to 10 years with a guaranteed minimum of \$90,000 in revenue to the JPB per year.

Award of this new contract to provide exterior train and station advertising will assure an uninterrupted stream of advertising revenue based on recent advertising sales. Currently, only the San Francisco station has been selected for an advertising program; other stations along the rail corridor may be selected as future sites. The contract also will provide innovative, revenue-producing advertising opportunities for Caltrain's consideration. Van Wagner's compensation structure will exceed the level of revenue currently generated by the existing contractor.

BUDGET IMPACT

The JPB's current contract with CBS Outdoor provides for a 53 percent share of net advertising revenue or an annual guaranteed revenue amount of \$60,000, whichever amount is greater. Under the new contract with Van Wagner, the JPB will receive a 60

percent share of net advertising revenue or an annual guaranteed revenue amount of \$90,000, whichever amount is greater. The net advertising revenue or the guaranteed minimum payment will be paid to the JPB in monthly installments. A 3 percent annual increase to the annual guarantee is also included in the compensation structure.

BACKGROUND

The JPB awarded a contract to CBS in July 2008 for a three-year base term with two one-year option terms for train and station advertising. The program has proved to be very successful.

The exterior train advertising program provides for advertising displays that are limited to the exterior, vertical side panels (known as a “wrap”) of the passenger cars only of up to four complete train sets. Advertising material application, management, and removal on the train sets will be the sole responsibility of the contractor and will in no way interfere with the normal operation of Caltrain service. The advertising displays will comply with the JPB’s Advertising Policy, as well as all pertinent laws and regulations for advertising content, copyrights and/or trademarks.

The San Francisco station advertising program provides for advertising displays that are limited to banner displays from station superstructure, interior floor graphics at doorways, exterior “flag” displays on existing structures, and exterior and interior pole wraps on Caltrain building supports.

A Request for Proposals (RFP) was issued detailing the JPB’s scope of services to firms interested in providing train and station advertising services. Ten firms downloaded the RFP from the JPB’s procurement website and the solicitation information was advertised in a local newspaper. Solicitation notices also were sent to interested proposers and Disadvantaged Business Enterprises (DBEs). Five firms attended a pre-proposal meeting held at the Centralized Equipment Maintenance and Operations Facility. The JPB received three proposals, submitted by Lamar Advertising, CBS Outdoor, and Van Wagner.

An Evaluation Committee comprised of JPB and Santa Clara Valley Transportation Authority staff evaluated the proposals according to the following weighted criteria:

- Approach to Scope of Services 20%
- Qualifications and Experience of Firm 25%
- Qualifications and Experience of Account Manager and Key Personnel 20%
- Compensation Structure 35%

Upon completion of interviews and final scoring, Van Wagner received the highest consensus ranking and its proposal was determined to be responsive to the RFP requirements. Staff and legal counsel have successfully negotiated the agreement terms. Reference checks confirmed that Van Wagner is an experienced advertising firm appropriately qualified and capable of successfully executing the contract.

Contract Officer:	Alan Chan	650.508.6256
Project Manager:	Rita Haskin, Executive Officer, Customer Service and Marketing	650.508.6248

RESOLUTION NO. 2013 –

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

* * *

**AUTHORIZING AWARD OF REVENUE GENERATING CONTRACT TO
VAN WAGNER COMMUNICATION, LLC FOR TRAIN AND STATION
ADVERTISING SERVICES FOR A FIVE-YEAR BASE TERM**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) has solicited competitive proposals from qualified firms to provide train and station advertising; and

WHEREAS, in response to the JPB's Request for Proposals (RFP), three firms submitted a proposal; and

WHEREAS, an Evaluation Committee reviewed and evaluated the proposals in accordance with the criteria set forth in the RFP, conducted interviews, and determined that Van Wagner Communication, LLC (Van Wagner) submitted the highest ranked proposal; and

WHEREAS, the proposal submitted by Van Wagner to provide train and station advertising services provides to the JPB a 60 percent share of net advertising revenue or an annual guaranteed revenue amount of \$90,000, whichever amount is greater, with a 3 percent annual increase during the term of the contract; and

WHEREAS, staff and legal counsel have reviewed the Van Wagner proposal, determined the proposal complied with all of the requirements of the solicitation documents, and successfully negotiated the terms of the Agreement; and

WHEREAS, the Executive Director has recommended the award of a contract to the highest-ranked proposer, Van Wagner Communications, LLC, for a five-year base term with five additional one-year option terms.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board awards a contract to Van Wagner Communications, LLC of New York, New York, for the provision of train and station advertising services for a five-year base term that provides the JPB with the greater of a 60 percent share of net advertising revenue or an annual guaranteed revenue amount of \$90,000 with a 3 percent annual increase during the term of the contract; and

BE IT FURTHER RESOLVED the Board authorizes the Executive Director or his designee to execute a contract on behalf of the JPB in full conformity with all of the terms and conditions of the solicitation documents and negotiated Agreement; and

BE IT FURTHER RESOLVED the Executive Director or his designee is authorized to exercise up to five additional one-year option terms with Van Wagner, at the same compensation structure provided under the base five-year contract term, if deemed in the best interest of the JPB to do so.

Regularly passed and adopted this 3rd day of October, 2013 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: **AUTHORIZATION OF AWARD OF A CONTRACT FOR THE SAN MATEO BRIDGES
PROJECT – ADVANCED SITE PREPARATION**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract to the lowest, responsive and responsible bidder, Community Tree Service, Inc. in the total amount of \$375,000.
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

This construction contract involves the removal and disposal of 111 trees and shrubs in the city of San Mateo within the Caltrain right of way along the Caltrain tracks from approximately East Bellevue Avenue to the San Mateo Caltrain Station.

BUDGET IMPACT

Funding for this contract has been included in the approved Fiscal Year 2014 Caltrain Capital Budget. No additional funding will be required.

BACKGROUND

This construction contract will prepare the site for the San Mateo Bridges Replacement Project, which is scheduled to be awarded in April 2014. The work associated with this contract must be completed prior to beginning work on the San Mateo Bridges Replacement Project.

Staff has facilitated extensive public engagement and outreach activities to inform and respond to feedback from surrounding communities and other interested stakeholders. To date, activities have included direct mail, door-to-door communications, social media, creation of a dedicated website, creation of an online discussion forum, community meetings and a presentation to the San Mateo Public Works Commission. Through these activities, staff received a considerable amount of feedback and as a result, the project team was able to provide information and make commitments that

directly address community issues and concerns. Additional public engagement efforts and opportunities for community dialogue will continue to be coordinated throughout project implementation.

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). One bid was received as listed below:

	Company	Total Bid Amount
	<i>Engineer's Estimate</i>	\$450,000
1.	<i>Community Tree Service, Inc., (a DBE firm) Watsonville, CA</i>	\$375,000

Staff conducted surveys with prospective bidders that downloaded the solicitation from the procurement website and attended the pre-bid meeting but did not submit a bid. The survey confirmed the following from the bidders: 1) they are currently engaged in several large removal projects at the present time and did not want to over extend their field staff beyond their limits; 2) the work site is too restrictive; 3) given the requirements in regards to training, submittals, and reporting, they prefer work that is recurring along the right of way for a longer term rather than bidding on a short-term project. Staff and legal counsel reviewed the single bid from Community Tree Service and determined the bid was responsive to the solicitation requirements.

The bid from Community Tree Service was 16.7 percent lower than the engineer's estimate. Staff attributes the lower-than-expected bid amount to specialized equipment owned by Community Tree Service, which will make accessing the site easier than assumed in the engineer's estimate, and the fact that Community Tree Service will be self-performing all the work. Taking these factors into consideration to justify the differential with the Engineer's estimate, staff determined that the bid price from Community Tree Service is fair and reasonable.

Community Tree Service is an established Bay Area contractor and company reference checks confirmed that Community Tree Service is experienced and competent. Therefore, staff concludes Community Tree Service is appropriately qualified and capable of meeting the requirements of the contract and is therefore the lowest responsive and responsible bidder.

The Disadvantaged Business Enterprise (DBE) Program Officer reviewed Community Tree Service's proposal and determined it meets the solicitation requirements. Community Tree Service is a certified DBE firm and it intends to perform this contract with its own labor force. Their performance on this contract will support the JPB's overall DBE goal.

Contract Officer: Alicia Fraumeni
Project Manager: Rafael Bolon

650.508.6442
650.622.7805

RESOLUTION NO. 2013-

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

* * *

**AUTHORIZING AWARD OF CONTRACT TO COMMUNITY TREE SERVICE, INC.
AT A TOTAL COST OF \$375,000**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited bids for the San Mateo Bridges Project – Advanced Site Preparation; and

WHEREAS, in response to the JPB’s invitation for bids, one firm submitted a bid;
and

WHEREAS, staff and Legal Counsel have reviewed the bid and determined that Community Tree Service, Inc. of Watsonville, California is the lowest responsive and responsible bidder; and

WHEREAS, staff further evaluated the bid price from Community Tree Service against the Engineer's estimate and determined the bid price is fair and reasonable;
and

WHEREAS, the Executive Director recommends a contract be awarded to Community Tree Services, whose bid meets all of the requirements of the solicitation documents.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Community Tree Services of Watsonville, California, for the San Mateo Bridges Project – Advanced Site Preparation for a total cost of \$375,000; and

BE IT FURTHER RESOLVED the Executive Director, or his designee, is authorized to execute a contract on behalf of the Peninsula Corridor Joint Powers Board with Community Tree Service for the San Mateo Bridges Project – Advanced Site Preparation in full conformity with all the terms and conditions of the solicitation documents.

Regularly passed and adopted this 3rd day of October, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

April Chan
Executive Officer
Planning & Development

SUBJECT: **AWARD OF CONTRACTS TO PROVIDE ON-CALL ENVIRONMENTAL
PLANNING, PERMITTING AND SUPPORT SERVICES**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award contracts for provision of on-call environmental planning, permitting and support services (Services) in the estimated aggregate not-to-exceed amount of \$4 million for a three-year term to the following firms:
 - ICF Jones & Stokes, Inc.
 - The Louis Berger Group, Inc.
2. Authorize the Executive Director or designee to execute contracts with the above firms in full conformity with the terms and conditions set forth in the solicitation documents and negotiated agreements.
3. Authorize the Executive Director or designee to exercise up to two additional one-year option terms with the above two firms for up to \$1 million for each option term, to be shared in the aggregate between the two firms, if it is deemed in the best interest of the Peninsula Corridor Joint Powers Board (JPB).

SIGNIFICANCE

Approval of the above actions will benefit the JPB by having multiple qualified firms provide the services required by upcoming planning and capital projects of the JPB. It will also address the JPB's need for a larger pool of qualified firms to select from in order to meet the volume of services and expanded services which are anticipated. The increase in contract capacity, as compared to the current contract, is due to the anticipated environmental planning, permitting and support service needs for the Caltrain Modernization Program.

The firms will be engaged on a project-by-project and as-needed basis. Award of this contract will not obligate the JPB to purchase any specific level of service.

BUDGET IMPACT

The Services to be provided pursuant to the contracts will be performed under Work Directives (WDs) issued to each firm on an on-call and project basis. The WDs will be funded with a mix of Federal, State, regional, and/or local revenues and grants from approved JPB planning and capital project budgets.

BACKGROUND

The JPB has an on-going business need for qualified consulting firms to provide environmental planning, permitting and support services.

A Request for Proposals was issued May 20, 2013 to provide on-call environmental planning, permitting, and support services to the San Mateo County Transit District, the Peninsula Corridor Joint Powers Board (JPB), and the San Mateo County Transportation Authority. However, the contract amount proposed above is for services to the JPB only. The solicitation information was advertised in a newspaper of general circulation and on the JPB’s procurement website. Solicitation notices also were sent to Small and Disadvantaged Business Enterprises (SBE/DBEs) in the environmental planning industry. Two firms submitted proposals. Neither of the proposals is from a SBE/DBE firm. However, each of the proposers has included SBE/DBEs as part of their proposed team.

An Evaluation Committee (Committee) composed of qualified JPB staff reviewed, evaluated and scored the proposals in accordance with the following weighted criteria:

- Team Organization and Qualifications 0-30 Points
- Contract Management Qualifications and Experience 0-40 Points
- Understanding of Scope of Services and Proposed Project Management Approach 0-20 Points
- Cost Proposal (Labor Rates) 0-10 Points

After review, evaluation, and initial scoring of proposals, the firms were asked to submit revised proposals and updated labor rate information to address the Committee’s questions regarding proposed staff and subconsultants’ direct hourly rates, overhead rates and fees. The Committee determined it was not necessary to interview the firms as both firms submitted responsive proposals and both are incumbents in good standing with the JPB. The Committee conducted a second and final evaluation, reached a consensus ranking, and requested Best and Final Offers from both firms. Staff reviewed and evaluated the updated proposed direct hourly and overhead rates and determined them to be reasonable and in line with prices currently paid by the JPB for similar services. The Committee has concluded both firms are qualified to be selected for contract award and are listed below in order of their consensus ranking:

- The Louis Berger Group, Inc., Sacramento, CA
- ICF Jones & Stokes, Inc., San Francisco, CA

The Committee has determined these firms and their subconsultants possess the necessary qualifications and requisite depth of experience to successfully perform the services at fair and reasonable prices.

The services are presently being provided to the JPB by ICF Jones & Stokes, Inc. and the Louis Berger Group, Inc. under respective on-call contracts were awarded for an aggregate not-to-exceed amount of \$3,750,000. Award of the new contracts will ensure uninterrupted provision to the JPB of environmental planning, permitting and support services.

Contract Officer: Luis F. Velásquez	650.622.8099
Project Manager: Hilda Lafebre, Manager, Capital Projects and Environmental Planning	650.622.7842

RESOLUTION NO. 2013-

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

* * *

AUTHORIZING AWARD OF CONTRACTS
TO PROVIDE ON-CALL ENVIRONMENTAL PLANNING, PERMITTING AND SUPPORT SERVICES
FOR AN ESTIMATED AGGREGATE NOT-TO-EXCEED AMOUNT OF
\$4 MILLION FOR THREE YEARS

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited competitive proposals to provide on-call environmental planning, permitting and support services; and

WHEREAS, in response to the JPB's Request for Proposal (RFP), two firms submitted proposals: ICF Jones & Stokes, Inc. of San Francisco, CA and The Louis Berger Group, Inc. of Sacramento, CA (collectively Consultants); and

WHEREAS, an Evaluation Committee (Committee) reviewed and evaluated the Consultant's proposals; ranked the proposals according to the evaluation criteria set forth in the RFP; requested revised proposals from each proposer; performed a second evaluation and requested Best and Final Offers from each proposer; and

WHEREAS, the Committee determined all of the Consultants possess the necessary qualifications and requisite experience to provide on-call environmental planning, permitting and support services to the JPB and will perform such services at fair and reasonable prices; and

WHEREAS, it was further determined it is in the best interest of the JPB to award contracts to both firms in order to provide a robust pool of skilled consultants to provide such services on an as-needed basis; and

WHEREAS, staff and legal counsel have reviewed the proposals and have determined the proposals received from the Consultants comply with the requirements of the solicitation documents; and

WHEREAS, the Executive Director recommends an award of three-year contracts for on-call environmental planning, permitting and support services to the Consultants for an aggregate not-to-exceed amount of \$4 million, with two one-year option terms in an aggregate, not-to-exceed amount of \$1 million for each option year, which amounts will be shared as a pool for authorized tasks assigned to each of the two firms, with the understanding that there is no guaranteed level of effort or amount of compensation due to any of the Consultants under the contracts.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Peninsula Joint Powers Board (Board) hereby awards on-call, no guaranteed level of effort contracts for environmental planning, permitting and support services to ICF Jones & Stokes, Inc. and The Louis Berger Group, Inc. for a three-year base term at an estimated aggregate not-to-exceed amount of \$4 million in full conformity with all the terms and conditions of the RFP and negotiated agreements; and

BE IT FURTHER RESOLVED the Board authorizes the Executive Director or designee to execute contracts on behalf of the JPB with ICF Jones & Stokes, Inc. and The Louis Berger Group, Inc. in full conformity with all of the terms and conditions of the contract documents and negotiated agreements, and in a form approved by legal counsel; and

BE IT FURTHER RESOLVED the Board authorizes the Executive Director or his designee to exercise up to two additional, one-year option terms to the contracts with ICF Jones & Stokes, Inc. and The Louis Berger Group, Inc. in an aggregate not-to-exceed amount of \$1 million for each option year, if it is deemed to be in the best interests of the JPB to exercise said options.

Regularly passed and adopted this 3rd day of October, 2013 by the following vote:

AYES:

NOES:

ABSENT

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

April Chan
Executive Officer
Planning & Development

SUBJECT: **AWARD OF CONTRACTS TO PROVIDE ON-CALL TRANSPORTATION
PLANNING AND SUPPORT SERVICES**

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Award contracts for provision of on-call transportation planning and support services in the estimated aggregate not-to-exceed amount of \$4 million for a three-year term to:
 - CDM Smith, Inc.
 - Fehr & Peers, Inc.
 - HNTB Corporation
 - STANTEC Consulting Services, Inc.
2. Authorize the Executive Director or designee to execute contracts with the above firms in full conformity with the terms and conditions set forth in the solicitation documents and negotiated agreements.
3. Authorize the Executive Director or designee to exercise up to two additional one-year option terms with the above four firms for up to \$1 million for each option term, to be shared in the aggregate among the four firms, if it is deemed in the best interest the Peninsula Corridor Joint Powers Board (JPB).

SIGNIFICANCE

Approval of the above actions will benefit the JPB by having multiple, qualified firms provide on-call transportation planning and support services required by upcoming planning and capital projects of the JPB. It will also address the JPB's need for a larger pool of qualified firms to select from in order to meet the volume of service and expanded services which are anticipated. The increase in contract capacity, as compared to the current contract, is due to the anticipated transportation planning and support service needs for the Caltrain Modernization Program.

The firms will be engaged on a project-by-project and as-needed basis. Award of this contract will not obligate the JPB to purchase any specific level of service from the consultants.

BUDGET IMPACT

The services to be provided pursuant to the contracts will be performed under Work Directives (WDs) issued to each firm on an on-call and project basis. The WDs will be funded with a mix of Federal, State, regional, and/or local revenues and grants from approved JPB planning and capital project budgets.

BACKGROUND

The JPB has an on-going business need for qualified consulting firms to provide transportation planning and support services.

A Request for Proposals was issued on May 20, 2013 to provide on-call transportation planning and support services to the JPB, San Mateo County Transportation District, and the San Mateo County Transportation Authority. However, the contract amount proposed above is for services to the JPB only. The solicitation information was advertised in a newspaper of general circulation and on the JPB’s procurement website. Solicitation notices also were sent to Small and Disadvantaged Business Enterprises (SBE/DBEs) in the transportation planning industry. Four firms submitted proposals. None of the proposals are from SBE/DBE firms. However, each of the proposers has included SBE/DBEs as part of their proposed team.

An Evaluation Committee (Committee) composed of qualified JPB staff reviewed, evaluated and scored the proposals in accordance with the following weighted criteria:

- Team Organization and Qualifications 0-30 Points
- Contract Management Qualifications and Experience 0-40 Points
- Understanding of Scope of Services and Proposed Project Management Approach 0-20 Points
- Cost Proposal (Labor Rates) 0-10 Points

After review, evaluation, and initial scoring of proposals, all four firms were asked to submit revised proposals and updated labor rate information to address the Committee’s questions regarding proposed staff and subconsultants’ basic hourly rates, overhead rates and fees. The Committee determined it was not necessary to interview the firms as three of them are incumbents, and the fourth, STANTEC Consulting Services, submitted a responsive proposal and is a known vendor in good standing with the JPB. The Committee conducted a second and final evaluation and consensus ranking and requested Best and Final Offers from all four firms. Staff evaluated updated proposed direct hourly and overhead rates and determined them to be reasonable and in line with prices currently paid by the JPB for similar services. The Committee has concluded the four firms are qualified to be selected for contract award and are listed below in order of their consensus ranking:

- CDM Smith, Inc., San Francisco, CA
- Fehr & Peers, Inc., San Jose, CA
- HNTB Corporation, Oakland, CA
- STANTEC Consulting Services, Inc., San Francisco, CA

These four firms will provide the JPB with a robust pool of skilled consultants to select from as these firms and their subconsultants possess the necessary qualifications and requisite depth of experience to successfully perform the services at a fair and reasonable price.

The services are presently being provided to the JPB by CDM Smith, Inc. and Fehr & Peers, Inc. for an awarded aggregate not-to-exceed amount of \$3,750,000. Award of the new contracts will ensure uninterrupted provision to the JPB of transportation planning and project support services.

Contract Officer: Luis F. Velásquez	650.622.8099
Project Manager: Hilda Lafebre, Manager, Capital Projects and Environmental Planning	650.622.7842

RESOLUTION NO. 2013-

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

* * *

AUTHORIZING AWARD OF CONTRACTS
TO PROVIDE ON-CALL TRANSPORTATION PLANNING AND SUPPORT SERVICES
FOR AN ESTIMATED AGGREGATE NOT-TO-EXCEED AMOUNT OF
\$4 MILLION FOR THREE YEARS

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited competitive proposals to provide on-call transportation planning and support services; and

WHEREAS, in response to the JPB's Request for Proposal (RFP), four firms submitted proposals: CDM Smith, Inc. of San Francisco; Fehr & Peers, Inc. of San Francisco; HNTB Corporation of Oakland; and STANTEC Consulting Services, Inc. of San Francisco (collectively, Consultants); and

WHEREAS, an Evaluation Committee (Committee) reviewed and evaluated the Consultants' proposals; ranked the proposals according to the criteria set forth in the RFP; requested revised proposals; performed a second evaluation; and requested Best and Final Offers; and

WHEREAS, the Committee determined all four of the Consultant firms submitting proposals possess the necessary qualifications and requisite experience to successfully provide on-call transportation planning and support services to the JPB and will perform such services at fair and reasonable prices; and

WHEREAS, it was further determined it is in the best interest of the JPB to award contracts to all four firms in order to provide a robust pool of skilled consultants; and

WHEREAS, staff and legal counsel have reviewed the proposals and have determined the proposals comply with the requirements of the solicitation documents; and

WHEREAS, the Executive Director recommends that three-year contracts for on-call transportation planning and support services be awarded to the above-referenced Consultants for an estimated, aggregate not-to-exceed amount of \$4 million, which will be shared as a pool for authorized tasks assigned to the four firms, with the understanding that there is no guaranteed level of effort or amount of compensation due to any of the Consultants under the contracts.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Peninsula Joint Powers Board (Board) hereby awards contracts for on-call transportation planning and support services to CDM Smith, Inc., Fehr & Peers, Inc., HNTB Corporation, and STANTEC Consulting Services, Inc. for a three-year base term at an estimated aggregate not-to-exceed amount of \$4 million; and

BE IT FURTHER RESOLVED the Board authorizes the Executive Director or designee to execute contracts on behalf of the JPB with CDM Smith, Inc., Fehr & Peers, Inc., HNTB Corporation, and STANTEC Consulting Services, Inc. in full conformity with all of the terms and conditions of the contract documents and negotiated agreements, and in a form approved by legal counsel; and

BE IT FURTHER RESOLVED the Board authorizes the Executive Director or his designee to exercise up to two additional, one-year option terms to the contracts with CDM Smith, Inc., Fehr & Peers, Inc., HNTB Corporation, and STANTEC Consulting Services, Inc. in an aggregate not-to-exceed amount of \$1 million for each option year, if it is deemed to be in the best interest of the JPB to exercise said options.

Regularly passed and adopted this 3rd day of October, 2013 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: Marian Lee
Executive Officer, Caltrain Modernization Program

SUBJECT: **CALTRAIN STRATEGIC PLAN UPDATE**

ACTION

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

SIGNIFICANCE

Caltrain's Strategic Plan was adopted by the Peninsula Corridor Joint Powers Board in 2004. Since that time, Caltrain's customers, services, policies and future plans have evolved. It is timely for Caltrain to update the Strategic Plan to look ahead and develop appropriate policies to guide decision-making.

A PowerPoint presentation will be made on the proposed process, scope and schedule for updating the Caltrain Strategic Plan.

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

When the Board adopted Caltrain's Strategic Plan in 2004, Caltrain had approximately 28,000 riders per weekday and had just introduced Baby Bullet service. Caltrain's efforts to electrify were progressing but funding was insufficient and the high-speed rail (HSR) system had not yet been approved by the voters.

Today, the environment is significantly different. Caltrain's daily ridership has grown dramatically and is now close to 50,000 per weekday. HSR has been approved by the voters and with HSR's contribution, Caltrain modernization, including implementation of the Communications-based Overlay Signal System/Positive Train Control Project, corridor electrification and rolling stock replacement, has a \$1.5 billion funding plan.

While the modernization program is moving forward, Caltrain must continue to address the challenges of keeping the system safe, reliable and in a state of good repair. The modernization program will replace vehicles but other elements of the existing system infrastructure will continue to be utilized.

Financially, Caltrain continues to struggle with its annual budgets. Lack of a dedicated funding source beyond fare-box revenues, combined with the fact that member agencies are unable to make up the revenue gap through additional financial contributions, results in an on-going structural deficit. This situation delays state of good repair and reliability projects, threatening Caltrain's ability to maintain the system and sustain levels of service that meet the needs of the region.

The Strategic Plan will focus on addressing these challenges and identifying opportunities for success.

Prepared by: Sebastian Petty, Senior Planner
Caltrain Modernization Program

650.622.7831

**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

The Assembly and Senate adjourned for the rest of the calendar year on September 12.

Senate Bill (SB) 557 (Hill) – The bill, which was signed into law by the governor, ensures \$600 million in Proposition 1A high-speed rail funds will be allocated to the Caltrain Modernization Program.

SB 556 (Corbett) – The bill was amended to exempt transit contract operations, but retained language that would apply disclosure requirements to health and safety services, which could potentially cover private security services retained by transit agencies. The bill was not considered before the end of the Legislative session on September 13.

Assembly Bill (AB) 797 (Gordon) – The bill, which was signed into law by the governor, allows the Santa Clara Valley Transportation Authority, the San Mateo County Transit District and, by extension, the Peninsula Corridor Joint Powers Board to utilize a Construction Management General Contractor (CMCG) project delivery approach for transit projects.

AB 1222 (Bloom) – The bill, which is awaiting the governor's signature, temporarily exempts transit employees from the State's recent pension reform law. This exemption allows the United States Department of Labor (DOL) to release Federal transit funding that has been held up since the pension reforms became effective on January 1, 2013. The bill also allows for the allocation of Federal funding to continue while the State and USDOL pursue legal remedy to the perceived conflict between the State's pension reform law and Federal collective bargaining protections.

FEDERAL ISSUES

Positive Train Control Mandate

The Government Accountability Office (GAO) released a report that supports Federal Railroad Administration (FRA) recommendations that Congress amend the Rail Safety Improvement Act of 2008 (RSIA). Specifically, the report identifies implementation risks associated with maintaining the existing 2015 Positive Train Control (PTC) implementation deadline and supports recommendations that RSIA be amended to grant FRA authority to:

- Extend the deadline on individual rail lines when the need to do so can be demonstrated by the railroad and verified by FRA to grant railroads incremental deadlines based on a case-by-case basis;
- Grant provisional certification of PTC systems under controlled conditions before final system completion; and
- Approve the use of alternative safety technologies in lieu of PTC to allow railroads to improve safety and meet many of the functions of PTC through other means.

Appropriations

Congress was unable to approve Fiscal Year (FY) 2014 appropriations before adjourning for Summer recess, leaving just nine days on the legislative calendar to pass a continuing resolution (CR) that would continue funding for government programs beyond September 30.

On September 20, the House passed a CR that would extend funding through December 15, but the legislation also eliminates FY2014 funding for the Affordable Care Act (ACA). The Senate is expected to amend the House bill to restore ACA funding. The House would need to ratify these amendments prior to September 30 to avoid a government shutdown.

The annual debate over Federal spending is complicated by the looming issue of raising the debt ceiling, which must occur by October 17. It is not known at this time how the result of the CR process will affect the debt ceiling debate.

Prepared By: Seamus Murphy, Government and Community
Affairs Director

650.508.6388

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 8 Perea D</p> <p>Alternative fuel and vehicle technologies: funding programs.</p>	<p>ASSEMBLY ENROLLMENT 9/11/2013 - In Assembly. Concurrence in Senate amendments pending. May be considered on or after September 13 pursuant to Assembly Rule 77. Assembly Rule 77 suspended. Urgency clause adopted. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 54. Noes 19.).</p>	<p>Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission, to provide to specified entities, upon appropriation by the Legislature, grants, loans, loan guarantees, revolving loans, or other appropriate measures, for the development and deployment of innovative technologies that would transform California's fuel and vehicle types to help attain the state's climate change goals. Existing law specifies that only certain projects or programs are eligible for funding, including block grants administered by public entities or not-for-profit technology entities for multiple projects, education and program promotion within California, and development of alternative and renewable fuel and vehicle technology centers. Existing law requires the commission to develop and adopt an investment plan to determine priorities and opportunities for the program. Existing law also creates the Air Quality Improvement Program, administered by the State Air Resources Board, to fund air quality improvement projects related to fuel and vehicle technologies.</p> <p>This bill would provide that the state board has no authority to enforce any element of its existing clean fuels outlet regulation or other regulation that requires or has the effect of requiring any supplier, as defined, to construct, operate, or provide funding for the construction or operation of any publicly available hydrogen-fueling station. The bill would require the state board to aggregate and make available to the public, no later than June 30, 2014, and every year thereafter, the number of hydrogen-fueled vehicles that motor vehicle manufacturers project to be sold or leased over the next 3 years, as reported to the state board, and the number of hydrogen-fueled vehicles registered with the Department of Motor Vehicles through April 30. The bill would require the commission to allocate \$20 million annually, as specified, until there are at least 100 publicly available hydrogen-fueling stations in California. The bill, on or before December 31, 2015, and annually thereafter, would require the commission and the state board to jointly review and report on the progress toward establishing a hydrogen-fueling network that provides the coverage and capacity to fuel vehicles requiring hydrogen fuel that are being placed into operation in the state, as specified.</p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
		<p>The bill would authorize the commission to design grants, loan incentive programs, revolving loan programs, and other forms of financial assistance, as specified, for purposes of assisting in the implementation of these provisions. The bill would repeal the above provisions on January 1, 2024. The bill, no later than July 1, 2014, would require the state board, in consultation with air pollution control and air quality management districts, to convene working groups to evaluate the specified policies and goals of specified programs. The bill would add intelligent transportation systems as a category of projects eligible for funding under the Alternative and Renewable Fuel and Vehicle Technology Program. The bill would require the commission and the state board, in making awards under both the Alternative and Renewable Fuel and Vehicle Technology Program and the Air Quality Improvement Program, to provide a preference to projects with higher benefit-cost scores, as defined. This bill contains other related provisions and other existing laws. Last Amended on 9/6/2013</p>	
<p>AB 25 Campos D</p> <p>Employment: social media.</p>	<p>SENATE DESK 9/13/2013 - In Senate. Held at Desk.</p>	<p>Existing law prohibits a private employer from requiring or requesting an employee or applicant for employment to disclose a username or password for the purpose of accessing personal social media, to access personal social media in the presence of the employer, or to divulge any personal social media. Existing law prohibits a private employer from discharging, disciplining, threatening to discharge or discipline, or otherwise retaliating against an employee or applicant for not complying with a request or demand that violates these provisions.</p> <p>This bill would apply the provisions described above to public employers, as defined. The bill would state that its provisions address a matter of statewide interest and apply to public employers generally, including charter cities and counties. Last Amended on 5/1/2013</p>	

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 9-23-13

Bill ID/Topic	Location	Summary	Position
<p>AB 26 Bonilla D</p> <p>California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.</p>	<p>SENATE 2 YEAR 7/12/2013 - Failed Deadline pursuant to Rule 61(a)(10)(SEN). (Last location was L. & I.R. on 7/8/2013)</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 authorizes the state board to include the 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. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund.</p> <p>This bill would specify that moneys from the Greenhouse Gas Reduction Fund are public funds, as defined. The bill would require that, if moneys from the Greenhouse Gas Reduction Fund are made available to the owner or operator of a refinery to perform work to reduce greenhouse gas emissions, then all work at the refinery related to reducing greenhouse gas emissions that is not performed by the owner's or operator's own employees and that falls within an apprenticeable occupation, as defined, shall be performed by skilled journeymen, as defined, and registered apprentices, as defined. The bill would require that moneys from the Greenhouse Gas Reduction Fund only be made available for work at a refinery if the work is related to complying with a market-based compliance mechanism to reduce greenhouse gas emissions, as specified. This bill contains other related provisions. Last Amended on 6/25/2013</p>	

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 9-23-13

Bill ID/Topic	Location	Summary	Position
<p>AB 153 Bonilla D</p> <p>California Global Warming Solutions Act of 2006: offsets.</p>	<p>ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2013)</p>	<p>The California Global Warming Solutions Act of 2006 requires the State Air Resources Board to adopt regulations to require the reporting and verification of emissions of greenhouse gases and to monitor and enforce compliance with the reporting and verification program, and 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. The act requires the state board 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 the use of market-based compliance mechanisms.</p> <p>This bill, if the state board uses its authority to include the use of market-based compliance mechanisms, would require the state board, on or before January 1, 2015, to adopt a specified process for the review and consideration of new offset protocols and, commencing in 2014 and continuing annually thereafter, use that process to review and consider new offset protocols. The bill would require the state board to adopt guidelines and incentives that prioritize the approval of specified offset protocols. The bill would require the state board to submit a specified annual report to the Legislature. Last Amended on 4/8/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 160 Alejo D</p> <p>California Public Employees' Pension Reform Act of 2013: exceptions.</p>	<p>ASSEMBLY APPR. 5/29/2013 - Re-referred to Com. on APPR.</p>	<p>The California Public Employees' Pension Reform Act of 2013 (PEPRA), on and after January 1, 2013, requires a public retirement system, as defined, to modify its plan or plans to comply with the act, as specified. Among other things, PEPRA prohibits a public employer from offering a defined benefit pension plan exceeding specified retirement formulas, requires new members of public retirement systems to contribute at least a specified amount of the normal cost, as defined, for their defined benefit plans, and prohibits an enhancement of a public employee's retirement formula or benefit adopted after January 1, 2013, from applying to service performed prior to the operative date of the enhancement.</p> <p>This bill would except from PEPRA, by excepting from the definition of public retirement system, certain multiemployer plans authorized under federal law and retirement plans for public employees whose collective bargaining rights are protected by a specified provision of federal law if a federal agency determines there is a conflict with federal law. This bill contains other related provisions and other existing laws. Last Amended on 5/28/2013</p>	<p>Pending</p>
<p>AB 179 Bocanegra D</p> <p>Public transit: electronic transit fare collection systems: disclosure of personal information.</p>	<p>ASSEMBLY ENROLLED 9/19/2013 - Enrolled and presented to the Governor at 3 p.m.</p>	<p>Existing law prohibits a transportation agency from selling or providing personally identifiable information, as defined, of a person obtained through the person's participation in an electronic toll collection system or use of a toll facility that uses an electronic toll collection system. Existing law, with certain exceptions, requires a transportation agency to discard personally identifiable information within 4 1/2 years, as specified. Existing law provides various remedies in that regard.</p> <p>This bill would make these and other related provisions applicable to a transportation agency that employs an electronic transit fare collection system for payment of transit fares with respect to personally identifiable information of a person who subscribes to an electronic fare collection system. This bill contains other related provisions and other existing laws. Last Amended on 9/4/2013</p>	<p>Watch Closely</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 229 John A. Pérez D</p> <p>Local government: infrastructure and revitalization financing districts.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2013)</p>	<p>Existing law authorizes the creation by a city, county, or city and county of an infrastructure financing district, as defined, for the sole purpose of financing public facilities, subject to adoption of a resolution by the legislative body and affected taxing entities proposed to be subject to division of taxes and 2/3 voter approval. Existing law authorizes the legislative body to, by majority vote, initiate proceedings to issue bonds for the financing of district projects by adopting a resolution, subject to specified procedures and 2/3 voter approval. Existing law requires an infrastructure financing plan to include the date on which an infrastructure financing district will cease to exist, which may not be more than 30 years from the date on which the ordinance forming the district is adopted. Existing law prohibits a district from including any portion of a redevelopment project area. Existing law, the Polanco Redevelopment Act, authorizes a redevelopment agency to take any action that the agency determines is necessary and consistent with state and federal laws to remedy or remove a release of hazardous substances on, under, or from property within a project area, whether the agency owns that property or not, subject to specified conditions. Existing law also declares the intent of the Legislature that the areas of the district created be substantially undeveloped, and that the establishment of a district should not ordinarily lead to the removal of dwelling units.</p> <p>This bill would authorize the creation by a city, county, city and county, or joint powers authority of an infrastructure and revitalization financing district, as defined, and the issuance of debt with 2/3 voter approval. The bill would authorize the creation of a district for up to 40 years and the issuance of debt with a final maturity date of up to 30 years, as specified. The bill would authorize a district to finance projects in redevelopment project areas and former redevelopment project areas and former military bases. The bill would authorize the legislative body to dedicate any portion of its funds received from the Redevelopment Property Tax Trust Fund to the district, if specified criteria are met. The bill would authorize the formation of a district to finance a project or projects on a former military base, if specified conditions are met. This bill contains other related provisions. Last Amended on 8/12/2013</p>	

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 9-23-13

Bill ID/Topic	Location	Summary	Position
<p>AB 278 Gatto D</p> <p>California Global Warming Solutions Act of 2006: Low Carbon Fuel Standard.</p>	<p>SENATE 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/4/2013)</p>	<p>The California Global Warming Solutions Act of 2006, establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit, as defined, to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The state board is additionally required to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. Pursuant to the act, the state board has adopted the Low Carbon Fuel Standard regulations.</p> <p>This bill would require the state board, in promulgating regulations or other policies for purposes of the carbon intensity of fuels, to consider specified sustainability factors and the state of the fuel market and technologies. The bill would require the state board, no later than December 2014, to include mechanisms and policies that favor low-carbon fuels with the highest possible sustainability based on specified factors and to encourage incentives for sustainable fuels produced without food stock or displacement of food crops. Last Amended on 9/3/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 410 Jones-Sawyer D</p> <p>Public employee health benefits: enrollment.</p>	<p>ASSEMBLY ENROLLED 9/19/2013 - Enrolled and presented to the Governor at 3 p.m.</p>	<p>Existing law requires the Board of Administration of the Public Employees' Retirement System (PERS) to administer the Public Employees' Medical and Hospital Care Act (PEMHCA). PEMHCA further grants the board the power to approve health benefit plans and contract with carriers offering health benefit plans. Under PEMHCA, an employee or annuitant may enroll in a health benefit plan approved or maintained by the board either as an individual or for self and family. Existing law defines annuitant for purposes of receiving postretirement health benefits pursuant to PEMHCA and generally requires that a person retire within 120 days of separation from public employment, with specified exceptions.</p> <p>This bill would permit an annuitant who reinstates from retirement under PERS for employment by the state or a contracting agency and who subsequently retires again on or after January 1, 2014, to enroll in a health benefit plan under PEMHCA for which he or she is eligible, as specified, as an annuitant of the employer from which he or she first retired, upon meeting certain conditions. In this regard, the bill would require that the person's subsequent retirement occur within 120 days after separation of employment, as specified, and that the person not be eligible for a postretirement health benefit contribution from the employer from which he or she subsequently retires or that the postretirement health benefit contribution payable by that employer be less than the contribution payable by that employer during his or her prior retirement. Last Amended on 6/4/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 416 Gordon D</p> <p>State Air Resources Board: Local Emission Reduction Program.</p>	<p>ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2013)</p>	<p>Existing law designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources.</p> <p>This bill would create the Local Emission Reduction Program and would require money to be available from the General Fund, upon appropriation by the Legislature, for purposes of providing grants and other financial assistance to develop and implement greenhouse gas emissions reduction projects in the state. The bill would require the state board, in coordination with the Strategic Growth Council, to administer the program, as specified. The bill would require the implementation of the program to be contingent on the appropriation of moneys by the Legislature, as specified. Last Amended on 4/4/2013</p>	
<p>AB 417 Frazier D</p> <p>Environmental quality: California Environmental Quality Act: bicycle transportation plan.</p>	<p>ASSEMBLY ENROLLMENT 9/12/2013 - Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 72. Noes 3.).</p>	<p>The California Environmental Quality Act, known as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, known as an 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 the OPR and the county clerk. This bill contains other related provisions and other existing laws. Last Amended on 6/13/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 441 Patterson R</p> <p>High-Speed Rail Authority: contracts.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 2/28/2013)</p>	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties, including the power to enter into contracts, as specified.</p> <p>This bill would require the authority to provide, to the appropriate policy and fiscal committees of the Legislature, a copy of each contract entered into by the authority if the dollar value of the goods or services to be provided or performed under the contract is \$25,000 or more, as well as a copy of each contract amendment and contract change order agreed to by the authority for \$25,000 or more.</p>	
<p>AB 453 Mullin D</p> <p>Sustainable communities.</p>	<p>SENATE 2 YEAR 8/30/2013 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/12/2013)</p>	<p>The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006, an initiative measure approved by the voters at the November 7, 2006, statewide general election, makes about \$5,400,000,000 in bond funds available for safe drinking water, water quality and supply, flood control, natural resource protection, and park improvements. Existing law establishes the Strategic Growth Council and appropriated \$500,000 from the funding provided by the initiative to the Natural Resources Agency to support the council and its activities. The council is required to manage and award grants and loans to a council of governments, metropolitan planning organization, regional transportation planning agency, city, county, or joint powers authority for the purpose of developing, adopting, and implementing a regional plan or other planning instrument to support the planning and development of sustainable communities.</p> <p>This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes. This bill contains other related provisions and other existing laws. Last Amended on 7/3/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 463 Logue R</p> <p>High-Speed Rail Authority: contracts.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 2/28/2013)</p>	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties, including the power to enter into contracts, as specified.</p> <p>This bill would require the authority to provide, to the appropriate policy and fiscal committees of the Legislature, a copy of each contract entered into by the authority if the dollar value of the goods or services to be provided or performed under the contract is \$25,000 or more, as well as a copy of each contract amendment and contract change order agreed to by the authority for \$25,000 or more. The bill would also require each contractor and subcontractor, as specified, to provide this information.</p>	
<p>AB 466 Quirk-Silva D</p> <p>Federal transportation funds.</p>	<p>ASSEMBLY ENROLLMENT 9/6/2013 - Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 77. Noes 0. Page 2908.).</p>	<p>Existing law provides for the allocation of certain federal transportation funds apportioned to the state between state purposes administered by the Department of Transportation and local and regional purposes administered by various regional agencies, including funds made available under the federal Congestion Mitigation and Air Quality Improvement Program, as specified.</p> <p>This bill would require the department to allocate federal funds to regional agencies under the federal Congestion Mitigation and Air Quality Improvement Program based on a weighted formula that considers population and pollution in a given area, as specified. Last Amended on 8/29/2013</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 481 Lowenthal D High-speed rail.</p>	<p>ASSEMBLY CHAPTERED 8/26/2013 - Chaptered by Secretary of State - Chapter 132, Statutes of 2013.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system, including the acquisition of rights-of-way through purchase and eminent domain. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion for high-speed train capital projects and other associated purposes.</p> <p>This bill would enact similar exceptions and authorizations relative to real property obtained for high-speed rail purposes by the High-Speed Rail Authority. The bill would make various additional conforming changes. The bill would also enact new provisions governing acquisition or disposal of right-of-way property by the authority. The bill would require payments for leases, sales, or other conveyances of property owned or controlled by the authority to be deposited in the High-Speed Rail Property Fund created by the bill, and would provide that the funds shall be available to the authority upon appropriation by the Legislature for specified purposes. This bill contains other existing laws. Last Amended on 6/12/2013</p>	<p>Pending</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 515 Dickinson D</p> <p>Environmental quality: California Environmental Quality Act: judicial review.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 3/12/2013)</p>	<p>The California Constitution vests the judicial power of the state in the Supreme Court, the courts of appeal, and the superior courts. Existing law establishes a superior court of one or more judges in each county and provides that the superior courts have original jurisdiction, except as provided in the Constitution. Existing law requires the presiding judge of each superior court to distribute the business of the court among the judges, and to prescribe the order of business, subject to the rules of the Judicial Council.</p> <p>This bill would establish a CEQA compliance division of the superior court in a county in which the Attorney General maintains an office and would vest the division with original jurisdiction over actions of proceedings brought pursuant to CEQA and joined matters related to land use and environmental laws. The bill would require the Judicial Council to adopt rules for establishing, among other things, protocol to govern the administration and efficient operation of the division, so that those judges assigned to the division will be able to hear and quickly resolve those actions or proceedings. The bill would provide that decisions of the CEQA compliance division of the superior court may be reviewed by way of a petition for an extraordinary writ. The bill would require the CEQA compliance division to issue a preliminary decision before the opportunity for oral argument is granted. If the CEQA compliance division of the superior court finds that a determination of a public agency violated CEQA, the bill would require the court's order to specify what action taken by the public agency was in error and what specific action by the public agency is necessary to comply with CEQA. The bill would prohibit an action or proceeding pursuant to CEQA from being brought unless the alleged grounds of noncompliance were presented to the public agency with enough specificity that the public agency could reasonably respond to the alleged violation. The bill would prohibit a person from maintaining an action or proceeding pursuant to CEQA unless that person objected during the administrative process with specificity as to how the public agency's response to the alleged violation is inadequate. This bill contains other existing laws. Last Amended on 3/11/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 528 Lowenthal D</p> <p>State Rail Plan and High-Speed Rail Authority business plan.</p>	<p>ASSEMBLY CHAPTERED 9/6/2013 - Chaptered by Secretary of State - Chapter 237, Statutes of 2013.</p>	<p>Existing law requires the Department of Transportation to prepare a 10-year State Rail Plan biennially, and requires the department to submit the State Rail Plan to the California Transportation Commission for its advice and consent on or before October 1 of each odd-numbered year prior to submitting the State Rail Plan to the Legislature, the Governor, and other entities by the following March. Existing law requires the plan to consist of 2 elements, a passenger rail element and a freight rail element, and sets forth various items that are required to be included in each element. Existing law separately requires the High-Speed Rail Authority to prepare, publish, adopt, and submit to the Legislature, not later than January 1, 2012, and every 2 years thereafter, a business plan, that includes specified elements, and to publish, at least 60 days prior to the publication of the plan, a draft business plan for public review and comment, as specified.</p> <p>This bill would revise the items required to be included in the State Rail Plan and the business plan. The bill would require the State Rail Plan to be submitted to the commission for advice 6 months prior to submitting the final State Rail Plan to the Transportation Agency for approval, and, on or before March 1, 2017, would require the approved State Rail Plan to be submitted to the Legislature, the Governor, and other specified entities. The bill would require the state rail plan to be updated, at a minimum, every 5 years. The bill would change, from January 1 to May 1 of each even-numbered year, the date by which the High-Speed Rail Authority is required to prepare, publish, adopt, and submit the business plan to the Legislature. This bill contains other related provisions and other existing laws. Last Amended on 6/4/2013</p>	<p>Pending</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 543 Campos D</p> <p>California Environmental Quality Act: translation.</p>	<p>SENATE 2 YEAR 7/12/2013 - Failed Deadline pursuant to Rule 61(a)(10)(SEN). (Last location was E.Q. on 6/13/2013)</p>	<p>Existing law, the California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</p> <p>This bill would require a lead agency to translate, as specified, certain notices required by the act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. By requiring a lead agency to translate these notices and documents, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 5/24/2013</p>	

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State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 574 Lowenthal D</p> <p>California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: sustainable communities strategies.</p>	<p>ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2013)</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 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. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund.</p> <p>This bill would require the state board, in consultation with the California Transportation Commission and the Strategic Growth Council, to establish standards for the use of moneys allocated from the Greenhouse Gas Reduction Fund for sustainable communities projects, as specified. The bill would require the state board, in consultation with the California Transportation Commission and the Strategic Growth Council, to establish the criteria for the development and implementation of regional grant programs, as specified. The bill would require the California Transportation Commission, in consultation with the state board, to designate the regional granting authority within each region of the state to administer the allocated moneys for regional grant programs, as specified. This bill contains other existing laws. Last Amended on 4/15/2013</p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board
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Bill ID/Topic	Location	Summary	Position
<p>AB 616 Bocanegra D</p> <p>Local public employee organizations: dispute: factfinding panel.</p>	<p>SENATE 2 YEAR 8/30/2013 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/13/2013)</p>	<p>Existing law requires the governing body of a local public agency, or those boards, commissions, administrative officers, or other representatives as may be properly designated by law or by a governing body, to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Existing law authorizes an 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. Existing law authorizes an employee organization, if the dispute was not submitted to a 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.</p> <p>This bill would require that request to be in writing. The bill would provide that if either party disputes that a genuine impasse, as defined, has been reached, the issue of whether an impasse exists may be submitted to the Public Employment Relations Board for resolution before the dispute is submitted to a fact finding panel, as specified. The bill would also authorize each party to select a person to serve as its member of the fact finding panel. Last Amended on 6/17/2013</p>	
<p>AB 662 Atkins D</p> <p>Local government: redevelopment: successor agencies to redevelopment agencies.</p>	<p>ASSEMBLY ENROLLMENT 9/12/2013 - Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 78. Noes 0.).</p>	<p>Existing law authorizes the creation of infrastructure financing districts, as defined, for the sole purpose of financing public facilities, subject to adoption of a resolution by the legislative body and affected taxing entities proposed to be subject to the division of taxes and voter approval requirements. Existing law prohibits an infrastructure financing district from including any portion of a redevelopment project area.</p> <p>This bill would delete that prohibition and would authorize a district to finance a project or portion of a project that is located in, or overlaps with, a redevelopment project area or former redevelopment project area, as specified. This bill contains other related provisions and other existing laws. Last Amended on 9/6/2013</p>	

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State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 690 Campos D</p> <p>Jobs and education financing districts: voter approval.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was L. GOV. on 9/12/2013)</p>	<p>Existing law authorizes a legislative body, as defined, to create an infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, to finance specified public facilities, upon approval by 2/3 of the voters. Existing law authorizes an infrastructure financing district to fund infrastructure projects through tax increment financing, pursuant to the infrastructure financing plan and agreement of affected taxing entities, as defined.</p> <p>This bill would revise and recast the provisions governing infrastructure financing districts and instead provide for the creation of jobs and education financing districts (JEDs) without voter approval, and would make various conforming changes. The bill would authorize a public financing authority to enter into joint powers agreements with affected taxing entities with regard to non-taxing authority or powers only. The bill would authorize a district to implement hazardous cleanup pursuant to the Polanco Redevelopment Act, as specified. This bill contains other existing laws. Last Amended on 9/11/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 749 Gorell R</p> <p>Public-private partnerships.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/24/2013)</p>	<p>Existing law, until January 1, 2017, authorizes the Department of Transportation and regional transportation agencies, as defined, to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. These arrangements are commonly known as public-private partnerships. Existing law provides for the Public Infrastructure Advisory Commission, an organization established by the Business, Transportation and Housing Agency, to perform various functions relative to projects identified as suitable for development and delivery under these provisions, including the review of a proposed agreement submitted to it by the department or a regional transportation agency, and to charge a fee for certain of those functions.</p> <p>This bill would extend the operation of the provisions governing public-private partnerships from January 1, 2017, to January 1, 2022. The bill would also state the intent of the Legislature for a project developed under these provisions to have specified characteristics. Last Amended on 4/11/2013</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 756 Melendez R</p> <p>California Environmental Quality Act: judicial review: public works projects.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 4/15/2013)</p>	<p>The California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, referred to as an 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 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 also apply these provisions to a public works project, defined to mean an infrastructure project carried out by the city, county, special district, or state government or contracted out to a private entity by the special district or local or state government. By requiring a lead agency to use these alternative procedures in preparing and certifying the administrative record, this bill would impose a state-mandated local program. The bill would also authorize the Judicial Council to adopt Rules of Court to implement these provisions. This bill contains other related provisions and other existing laws. Last Amended on 4/11/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 797 Gordon D</p> <p>Transit districts: contracts.</p>	<p>ASSEMBLY CHAPTERED 9/20/2013 - Chaptered by Secretary of State - Chapter 320, Statutes of 2013.</p>	<p>Existing law creates the Santa Clara County Valley Transportation Authority with various powers and duties relative to transportation projects and services in the County of Santa Clara. Existing law creates the San Mateo County Transit District with various powers and duties relative to transportation projects and services in the County of San Mateo. Existing law authorizes the authority and the district to enter into contracts, as specified.</p> <p>This bill would authorize the authority and the district to utilize the Construction Manager/General Contractor project delivery contract method for transit projects within their respective jurisdictions, subject to certain conditions and requirements. The bill would require the authority or district to reimburse the Department of Industrial Relations for certain costs of performing wage monitoring and enforcement on projects using this contracting method, and would require those funds to be used by the department for enforcement of prevailing wage requirements on those projects. Last Amended on 4/15/2013</p>	<p>Watch Closely</p>

**Peninsula Corridor Joint Powers Board
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Bill ID/Topic	Location	Summary	Position
<p>AB 822 Hall D</p> <p>Local government retirement plans.</p>	<p>ASSEMBLY ENROLLED 9/20/2013 - Enrolled and presented to the Governor at 4 p.m.</p>	<p>Existing law requires local legislative bodies, before authorizing changes in public retirement plan benefits or other postemployment benefits, to secure the services of an actuary to provide a statement of the actuarial impact of the changes.</p> <p>This bill would require, whenever a local ordinance or measure qualifies for the ballot that proposes to alter, replace, or eliminate the retirement benefit plan of employees of a local government entity, whether by initiative or legislative action, the governing body of the local government entity to secure the services of an independent actuary to provide a statement, or a summary of the statement, not to exceed 500 words in length, of the actuarial impact of the proposed measure upon future annual costs of the retirement benefit plan, and to have this statement printed in the voter information portion of the sample ballot. The bill would require a specified notice regarding obtaining a copy of the measure to be printed in the voter information portion of the sample ballot, if the text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot. The requirements of the bill would apply to a city, including a charter city; a county, including a charter county; a city and county, including a charter city and county; a community college district; or a special district. This bill contains other related provisions and other existing laws. Last Amended on 7/10/2013</p>	

**Peninsula Corridor Joint Powers Board
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Bill ID/Topic	Location	Summary	Position
<p>AB 842 Donnelly R High-speed rail.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/8/2013)</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to the development and implementation of a high-speed train system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion for high-speed train capital projects and other associated purposes. Existing law appropriates certain amounts of federal funds and state bond funds to the authority for purposes of funding the construction of the initial segment of the high-speed rail project.</p> <p>This bill, notwithstanding any other law, would prohibit federal or state funds, including state bond funds, from being expended by the authority or any other state agency on the construction of the high-speed rail project, except as necessary to meet contractual commitments entered into before January 1, 2014. The bill would also make a statement of legislative intent.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 863 Torres D</p> <p>Transit projects: environmental review process.</p>	<p>ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/4/2013)</p>	<p>Existing federal law authorizes the United States Secretary of Transportation to enter into an agreement with a state under which the state assumes the responsibilities of the secretary with respect to federal environmental review and clearance under the National Environmental Policy Act of 1969 (NEPA) with respect to one or more transportation projects, as specified. Existing law, until January 1, 2017, authorizes the Department of Transportation, for transportation projects under its jurisdiction, to assume those responsibilities for Federally funded surface transportation projects subject to NEPA. Existing law provides that the State of California consents to the jurisdiction of the federal courts with regard to the compliance, discharge, or enforcement of those responsibilities, and further provides that the department may not assert immunity from suit under the 11th Amendment to the United States Constitution with regard to actions brought relative to those responsibilities under federal law.</p> <p>This bill would authorize the department to assume similar responsibilities for federal review and clearance under NEPA for a transit project, as defined, that is subject to NEPA. The bill would provide that the State of California consents to the jurisdiction of the federal courts in that regard, and further provides that the department may not assert immunity from suit under the 11th Amendment to the United States Constitution with regard to actions brought relative to those responsibilities under federal law.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 909 Gray D</p> <p>Metal theft and related recycling crimes.</p>	<p>ASSEMBLY ENROLLED 9/20/2013 - Enrolled and presented to the Governor at 4 p.m.</p>	<p>Existing law provides that any person who feloniously steals, takes, or carries away the personal property of another, or who fraudulently appropriates property that has been entrusted to him or her, is guilty of theft. Existing law also provides that a person who, being a dealer in or collector of junk, metals, or secondhand materials, buys or receives any wire, cable, copper, lead, solder, mercury, iron, or brass that he or she knows or reasonably should know is ordinarily used by, or ordinarily belongs to, a railroad or other transportation, telephone, telegraph, gas, water, or electric light company or county, city, or city and county without using due diligence to ascertain that the person selling or delivering the same has a legal right to do so, is guilty of criminally receiving that property.</p> <p>This bill, on and after January 1, 2015, would require the Department of Justice to establish a Metal Theft Task Force Program to provide grants to applicant regional task forces for the purpose 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. The bill, on and after January 1, 2015, would establish the Metal Theft Task Force Fund, to be administered by the department, and, upon appropriation by the Legislature, would make moneys in the fund available for the purposes of the program. This bill contains other related provisions and other existing laws. Last Amended on 9/3/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 935 Frazier D</p> <p>San Francisco Bay Area Water Emergency Transportation Authority: terms of board members.</p>	<p>SENATE 2 YEAR 7/12/2013 - Failed Deadline pursuant to Rule 61(a)(10)(SEN). (Last location was T. & H. on 5/23/2013)</p>	<p>Existing law establishes the San Francisco Bay Area Water Emergency Transportation Authority with specified powers and duties, including, but not limited to, the authority to coordinate the emergency activities of all water transportation and related facilities within the bay area region, as defined.</p> <p>This bill would expand the number of members appointed by the Senate Committee on Rules and the Speaker of the Assembly to 2 members each. The bill would require that the initial terms of the additional members appointed by the Senate Committee on Rules and the Speaker of the Assembly pursuant to its provisions shall be 2 years and 6 years, respectively. The bill would require that one of the 3 members appointed by the Governor be a bona fide labor representative and that another member be a resident of the City and County of San Francisco selected from a list of 3 nominees provided by the San Francisco County Transportation Authority. This bill contains other related provisions and other existing laws. Last Amended on 4/25/2013</p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 953 Ammiano D</p> <p>California Environmental Quality Act.</p>	<p>ASSEMBLY 2 YEAR 5/31/2013 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/31/2013)</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 defines "environment" and "significant effect on the environment" for its purposes. CEQA requires the EIR to include a detailed statement setting forth specified facts.</p> <p>This bill would revise those definitions, as specified. This bill would additionally require the lead agency to include in the EIR a detailed statement on any significant effects that may result from locating the proposed project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions. Because the lead agency would be required to undertake this additional consideration, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 1002 Bloom D</p> <p>Vehicles: registration fee: sustainable communities strategies.</p>	<p>ASSEMBLY L. GOV. 4/30/2013 - In committee: Set, first hearing. Hearing canceled at the request of author.</p>	<p>Existing law imposes a registration fee to be paid to the Department of Motor Vehicles for the registration of every vehicle or trailer coach of a type subject to registration, except those vehicles that are expressly exempted from the payment of registration fees. Existing law, until January 1, 2016, imposes a \$3 increase on that fee, \$2 of which is to be deposited into the Alternative and Renewable Fuel and Vehicle Technology Fund and \$1 of which is to be deposited into the Enhanced Fleet Modernization Subaccount.</p> <p>This bill would, in addition to any other taxes and fees specified in the Vehicle Code and the Revenue and Taxation Code, impose a tax of \$6 to be paid at the time of registration or renewal of registration of every vehicle subject to registration under the Vehicle Code in a county that is in a metropolitan planning organization required to prepare a sustainable communities strategy as part of its regional transportation plan, except as specified. This bill would require the Department of Motor Vehicles, after deducting all reasonable administrative costs, to remit the money generated by the tax for deposit in the Sustainable Communities Strategy Subaccount, which the bill would establish in the Motor Vehicle Account. The bill would make funds in the subaccount available, upon appropriation by the Legislature, for specified purposes. This bill contains other existing laws. Last Amended on 4/23/2013</p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 1051 Bocanegra D</p> <p>Housing.</p>	<p>ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/16/2013)</p>	<p>The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board to adopt 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). 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 state findings and declarations of the Legislature relating to transportation and residential housing development, as specified. The bill would create the Sustainable Communities for All Program, which shall begin operations on January 1, 2015, to fund transit-related projects through competitive grants and loans, as specified. The Sustainable Communities for All Program would not be implemented until the Legislature appropriates funds for the program. This bill contains other related provisions and other existing laws. Last Amended on 4/8/2013</p>	
<p>AB 1070 Frazier D</p> <p>California Transportation Financing Authority.</p>	<p>ASSEMBLY CHAPTERED 8/28/2013 - Chaptered by Secretary of State - Chapter 198, Statutes of 2013.</p>	<p>The California Transportation Financing Authority Act 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, subject to certain conditions, authorizes the authority to grant a request that a project sponsor, rather than the authority, be the issuer of the bonds.</p> <p>This bill would revise the act to further define the roles of the authority and an issuer of bonds under the act if the project sponsor, rather than the authority, is the issuer of bonds, and would define "issuer" in that regard. The bill would make other related changes. Last Amended on 4/3/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 1102 Allen R</p> <p>South Coast Air Quality Management District: beach burning.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was NAT. RES. on 8/15/2013)</p>	<p>Existing law establishes the South Coast Air Quality Management District vested with the authority to regulate air emissions from stationary sources located in the South Coast Air Basin and establishes a district board to govern the district. Existing regulations of the district prohibit a person from engaging in a recreational, ceremonial, or open burning conducted in a public coastal area marked by an accumulation of sand, as specified.</p> <p>This bill would prohibit the district from enacting a rule that prohibits a person from engaging in a beach burning for a recreational, ceremonial, or open burning conducted in a public coastal area marked by an accumulation of sand. This bill contains other related provisions. Last Amended on 8/14/2013</p>	
<p>AB 1181 Gray D</p> <p>Public employee organizations: members: paid leaves of absence.</p>	<p>ASSEMBLY CHAPTERED 9/9/2013 - Chaptered by Secretary of State - Chapter 305, Statutes of 2013.</p>	<p>The Meyers-Millias-Brown Act requires that local public agencies allow a reasonable number of local public agency employee representatives of recognized employee organizations reasonable time off without loss of compensation or other benefits when formally meeting and conferring with representatives of the public agency.</p> <p>This bill would additionally require the local public agency to give reasonable time off, without loss of compensation or other benefits, to public agency employee representatives when they are testifying or appearing as the designated representative, as defined, of the employee organization in proceedings before the Public Employment Relations Board in matters relating to a charge filed by the employee organization against the public agency or by the public agency against the employee organization, or when they are testifying or appearing as the designated representative, as defined, of the employee organization in matters before a personnel or merit commission. The bill would require the employee organization being represented to provide reasonable notification to the employer requesting a leave of absence without loss of compensation pursuant to these provisions. Last Amended on 5/16/2013</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 1222 Bloom D</p> <p>Public employees' retirement: collective bargaining: transit workers: transportation.</p>	<p>ASSEMBLY ENROLLMENT 9/11/2013 - Urgency clause adopted. Senate amendments concurred in. To Engrossing and Enrolling. (Ayes 74. Noes 3.).</p>	<p>The California Public Employees' Pension Reform Act of 2013 (PEPRA), among other things, establishes new retirement formulas for employees first employed on or after January 1, 2013, which a public employer offering a defined benefit pension plan is prohibited from exceeding, requires those employees to contribute a specified percentage of the normal cost of the defined benefit plan, and prohibits public employers from paying an employee's share of retirement contributions. PEPRA excepts certain retirement systems from its provisions.</p> <p>This bill would except from PEPRA public employees whose collective bargaining rights are subject to specified provisions of federal law until a specified federal district court decision on a certification by the United States Secretary of Labor, or his or her designee, or until January 1, 2015, whichever is sooner. The bill would also provide that if a federal district court upholds the determination of the United States Secretary of Labor, or his or her designee, that application of PEPRA to those public employees precludes certification, those employees are excepted from PEPRA. The bill would authorize the Director of Finance to authorize a loan of up to \$26,000,000 from the Public Transportation Account in the State Transportation Fund to be made to local mass transit providers in amounts equal to federal transportation grants not received due to non-certification from the federal Department of Labor, as specified. By providing for loans in the manner specified, this bill would make an appropriation. The bill would prescribe requirements regarding the disbursement of these funds. The bill would require a local transit provider to repay the loan based on the occurrence of certain contingencies or by January 1, 2019. This bill contains other related provisions. Last Amended on 9/4/2013</p>	<p>Support</p>

Peninsula Corridor Joint Powers Board State Legislative Matrix as of 9-23-13

Bill ID/Topic	Location	Summary	Position
<p>AB 1290 John A. Pérez D</p> <p>Transportation planning.</p>	<p>ASSEMBLY ENROLLMENT 9/10/2013 - Assembly Rule 77 suspended. (Ayes 53. Noes 25. Page 3064.)</p> <p>Assembly Rule 63 suspended. (Ayes 53. Noes 25. Page 3064.)</p> <p>Senate amendments concurred in. To Engrossing and Enrolling.</p>	<p>Existing law creates the California Transportation Commission, with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects, pursuant to the state transportation improvement program and various other transportation funding programs. Existing law provides that the commission consists of 13 members, including 11 voting members, of which 9 are appointed by the Governor subject to Senate confirmation and 2 are appointed by the Legislature. In addition, 2 members of the Legislature are appointed as ex officio members without vote.</p> <p>This bill would provide for 2 additional voting members of the commission to be appointed by the Legislature. The bill would also provide for the Chairperson of the State Air Resources Board to serve as an ex officio member without vote. This bill contains other related provisions and other existing laws. Last Amended on 9/3/2013</p>	

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State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 1375 Chau D</p> <p>California Global Warming Solutions Act of 2006: market-based compliance mechanisms: Clean Technology Investment Account.</p>	<p>ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/8/2013)</p>	<p>The California Global Warming Solutions Act of 2006, hereafter the Global Warming Solutions Act, designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. 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 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. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law permits moneys from the fund be allocated for the research, development, and deployment of innovative technologies, measures, and practices related to programs and projects funded under the Global Warming Solutions Act.</p> <p>This bill would create the Clean Technology Investment Account within the Greenhouse Gas Reduction Fund and would require the Legislature to annually appropriate moneys from the Greenhouse Gas Reduction Fund into the Clean Technology Investment Account. This bill would make those moneys available to the state board for the purposes of accelerating the development, demonstration, and deployment of clean technologies that will reduce greenhouse gas emissions and foster job creation in the state. The bill would require the implementation of these provisions be contingent on the appropriation of moneys by the Legislature for these purposes. Last Amended on 5/7/2013</p>	

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State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 1380 Committee on Public Employees, Retirement and Soci</p> <p>County employees' retirement.</p>	<p>ASSEMBLY CHAPTERED 9/6/2013 - Chaptered by Secretary of State - Chapter 247, Statutes of 2013.</p>	<p>The California Public Employees' Pension Reform Act of 2013 (PEPRA) requires a public retirement system, as defined, to modify its pension plan or plans to comply with the act and, among other provisions, generally prohibits a public employer that offers a defined benefit plan from offering new employees defined benefit retirement formulas other than those established by the act, which, in comparison to existing formulas, generally provide reduced benefits and later ages for retirement. PEPRA prohibits the purchase of nonqualified service credit, as defined, unless the application to purchase the credit is received by the retirement system prior to January 1, 2013, and subsequently approved. PEPRA prohibits an employer from paying a new member's contribution for the normal cost of benefits in a defined plan and prohibits an enhancement of a public employee's retirement benefit adopted on or after January 1, 2013, from applying to service previously performed.</p> <p>This bill would amend various provisions of CERL to coordinate and subordinate that law with PEPRA. Generally, the bill would specify that certain provisions of CERL do not apply to members who are currently subject to PEPRA by virtue of being first employed on or after January 1, 2013. The bill would provide that provisions allowing a new formula for calculation of retirement benefits to be applied to service already performed are inoperative as of January 1, 2013, and would prohibit the purchase of nonqualified service credit, as specified. The bill would except retirement systems established under CERL from specified provisions of PEPRA concerning the calculation and adjustment of contribution rates. This bill contains other existing laws. Last Amended on 6/18/2013</p>	

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State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>ACA 8 Blumenfeld D</p> <p>Local government financing: voter approval.</p>	<p>SENATE G. & F. 7/10/2013 - In committee: Hearing postponed by committee.</p>	<p>The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions.</p> <p>This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district, as defined, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable. This bill contains other related provisions and other existing laws. Last Amended on 4/4/2013</p>	
<p>SB 1 Steinberg D</p> <p>Sustainable Communities Investment Authority.</p>	<p>SENATE 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/12/2013)</p>	<p>The Community Redevelopment Law authorizes the establishment of redevelopment agencies in communities to address the effects of blight, as defined. Existing law dissolved redevelopment agencies and community development agencies, as of February 1, 2012, and provides for the designation of successor agencies.</p> <p>This bill would authorize certain public entities of a Sustainable Communities Investment Area, as described, to form a Sustainable Communities Investment Authority (authority) to carry out the Community Redevelopment Law in a specified manner. The bill would require the authority to adopt a Sustainable Communities Investment Plan for a Sustainable Communities Investment Area and authorize the authority to include in that plan a provision for the receipt of tax increment funds provided that certain economic development and planning requirements are met. The bill would authorize the legislative body of a city or county forming an authority to dedicate any portion of its net available revenue, as defined, to the authority through its Sustainable Communities Investment Plan. The bill would require the authority to contract for an independent financial and performance audit every 5 years. This bill contains other related provisions and other existing laws. Last Amended on 9/3/2013</p>	Support

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 11 Pavley D</p> <p>Alternative fuel and vehicle technologies: funding programs.</p>	<p>ASSEMBLY TRANS. 9/11/2013 - Set, first hearing. Hearing canceled at the request of author.</p>	<p>Existing law creates the enhanced fleet modernization program, administered by the Bureau of Automotive Repair in the Department of Consumer Affairs, to provide compensation for the retirement of passenger vehicles, and light-duty and medium-duty trucks that are high polluters. Existing law provides that under this program compensation for retired vehicles for a low-income motor vehicle owner, as defined, is \$1,500, and for all other motor vehicle owners, it is \$1,000. Existing law authorizes this compensation to be increased by the department based on various factors, including the emissions benefits of the vehicle's retirement.</p> <p>This bill would require the state board, in consultation with the bureau and no later than June 30, 2015, to update the guidelines for the enhanced fleet modernization program to include specified elements and to study and consider specified elements. The bill, in addition, would establish compensation for replacement vehicles for low-income vehicle owners at not less than \$2,500 and would make this compensation available to an owner in addition to the compensation for a retired vehicle. The bill also would instead authorize an increase in the compensation under these programs for either retired or replacement vehicles only for low-income motor vehicle owners as necessary to balance maximizing air quality benefits of the program while ensuring participation by low-income motor vehicle owners, as specified. This bill contains other related provisions and other existing laws. Last Amended on 9/6/2013</p>	<p>Support</p>

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Bill ID/Topic	Location	Summary	Position
<p>SB 13 Beall D</p> <p>Public employees' retirement benefits.</p>	<p>SENATE ENROLLED 9/20/2013 - Enrolled and presented to the Governor at 4:30 p.m.</p>	<p>The Public Employees' Retirement Law (PERL) establishes the Public Employees' Retirement System (PERS) and the Teachers' Retirement Law establishes the State Teachers' Retirement System for the purpose of providing pension benefits to specified public employees. Existing law also establishes the Judges' Retirement System II which provides pension benefits to elected judges and the Legislators' Retirement System which provides pension benefits to elective officers of the state other than judges and to legislative statutory officers. The County Employees Retirement Law of 1937 authorizes counties to establish retirement systems pursuant to its provisions in order to provide pension benefits to county, city, and district employees.</p> <p>This bill would correct an erroneous cross-reference in the above provision and would instead specify that the Judges' Retirement System and the Judges' Retirement System II are not required to adopt the defined benefit formula contained in other provisions for non-safety and safety members. The bill would except from PEPPRA certain multiemployer plans authorized under, and regulated by, specified federal law. The bill would also except from PEPPRA public employees whose collective bargaining rights are subject to specified provisions of federal law until a specified federal district court decision on certification by the United States Secretary of Labor, or his or her designee, or until January 1, 2015, whichever is sooner. The bill would also provide that if a federal district court upholds the determination of the United States Secretary of Labor, or his or her designee, that application of PEPPRA to those public employees precludes certification, those employees are excepted from PEPPRA. The bill would clarify the application of PEPPRA to employees who were employed prior to January 1, 2013, who have service credit in a different retirement system or who change positions for the same employer without a break in service, as specified. The bill would authorize a public retirement system to adopt regulations and resolutions in order to modify its retirement plan or plans to conform with PEPPRA. This bill contains other related provisions and other existing laws. Last Amended on 9/11/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 33 Wolk D</p> <p>Infrastructure financing districts: voter approval: repeal.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2013)</p>	<p>Existing law authorizes a legislative body, as defined, to create an infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, to finance specified public facilities, upon voter approval. Existing law authorizes an infrastructure financing district to fund infrastructure projects through tax increment financing, pursuant to the infrastructure financing plan and agreement of affected taxing entities, as defined.</p> <p>This bill would revise and recast the provisions governing infrastructure financing districts. The bill would eliminate the requirement of voter approval for creation of the district and for bond issuance, and would authorize the legislative body to create the district subject to specified procedures. The bill would instead authorize a newly created public financing authority, consisting of 5 members, 3 of whom are members of the city council or board of supervisors that established the district, and 2 of whom are members of the public, to adopt the infrastructure financing plan, subject to approval by the legislative body, and issue bonds by majority vote of the authority by resolution. The bill would authorize a public financing authority to enter into joint powers agreements with affected taxing entities with regard to non-taxing authority or powers only. The bill would authorize a district to finance specified actions and projects, and prohibit the district from providing financial assistance to a vehicle dealer or big box retailer, as defined. The bill would prohibit a district from financing any project or portion of a project within the boundaries of a former redevelopment agency until the successor agency to the former redevelopment agency has received a finding of completion. The bill would create a public accountability committee, as specified, to review the actions of the public financing authority. This bill contains other related provisions and other existing laws.</p> <p>Last Amended on 8/26/2013</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 54 Hancock D</p> <p>Hazardous materials management: stationary sources: skilled and trained workforce.</p>	<p>SENATE ENROLLED 9/19/2013 - Enrolled and presented to the Governor at 5 p.m.</p>	<p>Existing law establishes an accidental release prevention program implemented by the Office of Emergency Services and the appropriate administering agency, as defined, in each city or county. Under existing law, stationary sources subject to this accidental release prevention program are required to prepare a risk management plan (RMP) when required under certain federal regulations or if the administering agency determines there is a significant likelihood that the use of regulated substances by a stationary source may pose a regulated substances accident risk. Under existing law, the RMP is required to be submitted to the California Environmental Protection Agency and to the administering agency. Existing law imposes criminal penalties upon a stationary source that knowingly violates requirements of the accidental release prevention program.</p> <p>This bill would require an owner or operator of a stationary source that is engaged in certain activities with regard to petroleum and with one or more covered processes that is required to prepare and submit an RMP, when contracting for the performance of construction, alteration, demolition, installation, repair, or maintenance work at the stationary source, to require that its contractors and any subcontractors use a skilled and trained workforce to perform all onsite work within an apprenticeable occupation in the building and construction trades, including skilled journeypersons paid at least a rate equivalent to the applicable prevailing hourly wage rate. The bill would not apply to oil and gas extraction operations. Because the bill would make a knowing violation of these requirements a crime, and would otherwise impose new duties upon local agencies administering the program, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 9/3/2013</p>	

**Peninsula Corridor Joint Powers Board
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Bill ID/Topic	Location	Summary	Position
<p>SB 56 Roth D</p> <p>Local government finance: property tax revenue allocation: vehicle license fee adjustments.</p>	<p>SENATE APPR. 6/19/2013 - From committee: Do pass and re-refer to Com. on APPR. (Ayes 7. Noes 0. Page 1449.) (June 19). Re-referred to Com. on APPR.</p>	<p>Existing property tax 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 provides that each jurisdiction shall 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.</p> <p>This bill would modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount calculated on the basis of changes in assessed valuation. This bill would also modify these reduction and transfer provisions, for the 2013-14 fiscal year and for each fiscal year thereafter, by providing for a vehicle license fee adjustment amount for certain cities incorporating after a specified date, as provided. This bill contains other related provisions and other existing laws. Last Amended on 6/11/2013</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 110 DeSaulnier D</p> <p>East Span, San Francisco-Oakland Bay Bridge Safety Review Task Force.</p>	<p>SENATE ENROLLED 9/18/2013 - Enrolled and presented to the Governor at 5:05 p.m.</p>	<p>Existing law identifies the San Francisco-Oakland Bay Bridge as a "toll bridge" and provides that the bridge and the approaches to it are a primary state highway. Existing law requires the Department of Transportation to permanently maintain and operate the San Francisco-Oakland Bay Bridge as a primary state highway in such a manner that the physical condition and operating efficiency thereof are of the highest character. Existing law establishes the Bay Area Toll Authority and assigns to it responsibility for the administration of all toll revenues from state-owned toll bridges. Existing law provides that the power or duty of the authority to fix the rates of toll for the San Francisco-Oakland Bay Bridge or the power and duty of the department to collect the tolls so fixed by the authority for the use of the bridge are not affected by any law providing that state highways are to be free highways.</p> <p>This bill would establish the East Span, San Francisco-Oakland Bay Bridge Safety Review Task Force in state government and require the Legislative Analyst to provide administrative support for the task force as necessary for the completion of its duties. The task force would consist of 7 members designated by the Legislative Analyst. The members of the task force would be deemed officers of the state, serve a term of one year, and receive compensation, as specified, and reimbursement for reasonable expenses. The bill would appropriate \$149,000 from the State Highway Account in the State Transportation Fund to the Legislative Analyst for purposes of paying for the compensation and expense reimbursement of the task force members. The bill would require the Bay Area Toll Authority to reimburse the State Highway Account for all funds expended for purposes of the task force. The task force would be required to assess the anticipated seismic structural performance of the East Span, as defined, of the San Francisco-Oakland Bay Bridge by conducting a series of specified reviews. The task force would be required to submit a final written report to the Legislature and the Governor that includes the results of its assessment, as specified. This bill contains other related provisions. Last Amended on 8/8/2013</p>	

**Peninsula Corridor Joint Powers Board
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Bill ID/Topic	Location	Summary	Position
<p>SB 142 DeSaulnier D</p> <p>Public transit.</p>	<p>SENATE ENROLLED 9/12/2013 - Enrolled and presented to the Governor at 7 p.m.</p>	<p>Existing law provides for creation of one or more special benefit districts within a transit district or rapid transit district relative to the issuance of bonds to be repaid through special assessments levied on property within the special benefit district, or certain zones within the special benefit district, with the proceeds of the bonds to be used for specified transit improvements. Existing law enacts similar provisions applicable to a municipal transit system owned by a city or city and county.</p> <p>This bill would repeal all of these provisions. This bill contains other related provisions and other existing laws. Last Amended on 8/22/2013</p>	<p>Support</p>
<p>SB 230 Knight R</p> <p>Local transportation funds: performance audits.</p>	<p>SENATE 2 YEAR 5/10/2013 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was T. & H. on 3/21/2013)</p>	<p>Existing law provides various sources of funding to public transit operators. Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, revenues from a 1/4% sales tax in each county are available, among other things, for allocation by the transportation planning agency to transit operators, subject to certain requirements for the operator to maintain a specified farebox ratio of fare revenues to operating costs. The act requires the transportation planning agency to designate entities other than itself, a county transportation commission, a transit development board, or an operator to make a performance audit of its activities and the activities of each operator to whom it allocates funds. The act requires the transportation planning agency to consult with the entity to be audited prior to designating the entity to make the performance audit and defines "operating cost" for this purpose. Existing law excludes certain costs from this definition, including vehicle lease costs.</p> <p>This bill would also exclude principal and interest payments on all capital projects funded with certificates of participation. The bill would also correct an obsolete cross-reference in the definition of operating costs. Last Amended on 3/18/2013</p>	

**Peninsula Corridor Joint Powers Board
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Bill ID/Topic	Location	Summary	Position
<p>SB 232 Monning D</p> <p>California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund.</p>	<p>SENATE ENROLLED 9/20/2013 - Enrolled and presented to the Governor at 4:30 p.m.</p>	<p>Existing law creates the California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund (Endowment Fund) in the State Treasury, and requires moneys in the Endowment Fund to be allocated, upon appropriation by the Legislature, to the Department of Veterans Affairs for the annual administrative and oversight costs of the veterans cemetery, as specified, and to generate funding through interest for the veterans cemetery. Existing law requires moneys in the Endowment Fund to be invested to generate ongoing earnings to cover the estimated annual oversight and maintenance costs associated with the veterans' cemetery, as provided.</p> <p>This bill would instead require any moneys to be allocated to the department for the non-reimbursable costs of design and construction and the annual operations and maintenance costs of the veterans' cemetery for the next 10 years. This bill would allow, but not require, moneys in the fund to be invested to generate ongoing earnings to offset the estimated annual operations and maintenance costs associated with the veterans' cemetery. This bill contains other related provisions and other existing laws. Last Amended on 9/6/2013</p>	
<p>SB 408 De León D</p> <p>Transportation funds.</p>	<p>SENATE 2 YEAR 5/10/2013 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 2/28/2013)</p>	<p>Existing law establishes a policy for expenditure of certain state and federal funds available to the state for transportation purposes. Under this policy, the Department of Transportation and the California Transportation Commission develop a fund estimate of available funds for purposes of adopting the state transportation improvement program, which is a listing of capital improvement projects. After deducting expenditures for administration, operation, maintenance, local assistance, safety, rehabilitation, and certain environmental enhancement and mitigation expenditures, the remaining funds are available for capital improvement projects.</p> <p>This bill would provide that the remaining funds are available for the study of, and development and implementation of, capital improvement projects.</p>	

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State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 425 DeSaulnier D</p> <p>Public works: the Public Works Peer Review Act of 2013.</p>	<p>SENATE CHAPTERED 9/6/2013 - Chaptered by Secretary of State - Chapter 252, Statutes of 2013.</p>	<p>Existing law defines a public work as construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds; work done for irrigation, utility, reclamation, and improvement districts, and other districts of this type; street, sewer, or other improvement work done under the direction and supervision or by the authority of any officer or public body of the state; or of any political subdivision or district thereof, and public transportation demonstration projects, as specified.</p> <p>This bill would allow a public agency, principally tasked with administering, planning, developing, and operating a public works project, to establish a specified peer review group, as defined, and would require the administering agency, if a peer review group is established, to draft a charter, published on the agency's Internet Web site, related to the duties of the peer review group. Last Amended on 5/7/2013</p>	<p>Pending</p>
<p>SB 436 Jackson D</p> <p>Port Hueneme Beach shoreline protection.</p>	<p>SENATE ENROLLED 9/20/2013 - Enrolled and presented to the Governor at 4:30 p.m.</p>	<p>Under existing law, the Division of Boating and Waterways has powers and duties pertaining to beach erosion control, beach stabilization, and beach repair and restoration.</p> <p>This bill would appropriate \$1,000,000 from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund to the State Coastal Conservancy for a grant to the City of Port Hueneme. The bill would require funding be allocated for emergency measures along Hueneme Beach in the City of Port Hueneme to prevent severe infrastructure damage to streets and property caused by beach erosion and flooding, thereby making an appropriation. The bill would require, if the above projects concerning emergency measures are not eligible for the bond moneys, that, \$1,000,000 from the Harbors and Watercraft Fund be allocated by either loan or grant to the City of Port Hueneme for emergency measures to prevent severe infrastructure damage to streets and property located along Hueneme Beach caused by erosion and flooding, thereby making an appropriation. This bill contains other related provisions and other existing laws. Last Amended on 9/11/2013</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 525 Galgiani D</p> <p>California Environmental Quality Act: exemptions.</p>	<p>SENATE 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/11/2013)</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify 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. Existing law exempts certain activities from CEQA, including a project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities.</p> <p>This bill would provide that a project by the San Joaquin Regional Rail Commission and the High-Speed Rail Authority to improve the existing tracks, structure, bridges, signaling systems, and associated appurtenances located on the existing railroad right-of-way used by the Altamont Commuter Express service qualifies for this exemption from CEQA.</p>	
<p>SB 556 Corbett D</p> <p>Agency: ostensible: nongovernmental entities.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was INACTIVE FILE on 9/11/2013)</p>	<p>Existing law specifies the authority of agents in dealing with 3rd persons. Existing law states when an agency is ostensible for purposes of determining the authority of an agent. Existing law prohibits unfair methods of competition and unfair or deceptive acts or practices undertaken by a person in a transaction intended to result or which results in the sale or lease of goods to any consumer.</p> <p>This bill would prohibit a person, firm, corporation, or association that is a nongovernmental entity and contracts to perform labor or services relating to public health or safety for a public entity from displaying on a vehicle or uniform a logo, as defined, that reasonably could be interpreted as implying that the labor or services are being provided by employees of the public agency, unless the vehicle or uniform conspicuously displays a disclosure, as specified. Last Amended on 9/4/2013</p>	Oppose

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Bill ID/Topic	Location	Summary	Position
<p>SB 557 Hill D High-speed rail.</p>	<p>SENATE CHAPTERED 9/6/2013 - Chaptered by Secretary of State - Chapter 216, Statutes of 2013.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable, High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9,950,000,000 in general obligation bonds for high-speed rail development and other related purposes. Existing law appropriates specified funds from the High-Speed Passenger Train Bond Fund and from federal funds for high-speed rail and connecting rail projects.</p> <p>This bill would add detail to provisions governing the expenditure of certain of those appropriated funds. The bill would specify that of the \$1,100,000,000 appropriated for early high-speed rail improvement projects in the Budget Act of 2012, \$600,000,000 and \$500,000,000 shall be allocated solely for purposes of specified memoranda of understanding approved by the High-Speed Rail Authority for the Metropolitan Transportation Commission region and the southern California region, respectively. The bill would limit fund transfer authority between certain appropriations to temporary transfers for account management purposes. The bill would restrict use of certain appropriated funds, to the extent they are allocated to the San Francisco-San Jose segment of the high-speed rail system, to implement a rail system in that segment that primarily consists of a 2-track blended system to be used jointly by high-speed trains and Caltrain commuter trains, with the system to be contained substantially within the existing Caltrain right-of-way. These provisions would be effective until a specified time, and would be inoperative thereafter. This bill contains other related provisions. Last Amended on 5/2/2013</p>	<p>Support</p>

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Bill ID/Topic	Location	Summary	Position
<p>SB 617 Evans D</p> <p>California Environmental Quality Act.</p>	<p>SENATE 2 YEAR 5/31/2013 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/30/2013)</p>	<p>The California Environmental Quality Act, referred to as CEQA requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, referred to as an 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 additionally require the above mentioned notices to be filed with both the Office of Planning and Research and the county clerk and be posted by the county clerk for public review. The bill would require the county clerk to post the notices within one business day, as defined, of receipt and stamp on the notice the date on which the notices were actually posted. By expanding the services provided by the lead agency and the county clerk, this bill would impose a state-mandated local program. The bill would require the county clerk to post the notices for at least 30 days. The bill would require the Office of Planning and Research to post the notices on a publicly available online database established and maintained by the office. The bill would require the office to stamp the notices with the date on which the notices were actually posted for online review and would require the notices to be posted for at least 30 days. The bill would authorize the office to charge an administrative fee not to exceed \$10 per notice filed. The bill would specify that a time period or limitation period specified by CEQA does not commence until the notice is actually posted for public review by the county clerk or is available in the online database, whichever is later. The bill would require the notice of determination to be filed solely by the lead agency. This bill contains other related provisions and other existing laws. Last Amended on 5/28/2013</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 628 Beall D</p> <p>Infrastructure financing: transit priority projects.</p>	<p>SENATE DESK 8/19/2013 - Withdrawn from engrossing and enrolling. Ordered held at the Desk.</p>	<p>Existing law establishes the Transit Priority Project Program, and authorizes a city or county to participate in the program by adopting an ordinance indicating its intent to participate in the program and by forming an infrastructure financing district. Existing law requires a city or county that elects to participate in the program to amend, if necessary, its general plan, and any related specific plan, to authorize participating developers to build at an increased height of a minimum of 3 stories within the newly created infrastructure financing district. Existing law exempts from these provisions a city or county that has adopted specified language in its charter, or by ordinance or resolution. Under existing law, a transit priority project that meets specified criteria is designated as a sustainable communities project, and is thus exempt from certain environmental review requirements.</p> <p>This bill would eliminate the requirement of voter approval for the creation of an infrastructure financing district, the issuance of bonds, and the establishment or change of the appropriations limit with respect to a transit priority project. The bill would require a city or county that uses infrastructure financing district bonds to finance its transit priority project to use at least 25% of the associated property tax increment revenues for the purposes of increasing, improving, and preserving the supply of lower and moderate-income housing available in the district and occupied by persons and families of moderate-, low-, very low, and extremely low income. The bill would require the district to implement these affordable housing provisions in accordance with specified provisions of the Community Redevelopment Law, to the extent not inconsistent with the provisions governing infrastructure financing districts. The bill would require the adoption of an ordinance that would require the replacement of designated low-income dwelling units, upon their removal from the district, within 2 years of their displacement. The bill would set forth the findings and declarations of the Legislature, and the intent of the Legislature that the development of transit priority projects be environmentally conscious and sustainable, and that related construction meet or exceed the requirements of the California Green Building Standards Code. Last Amended on 8/5/2013</p>	<p>Support</p>
<p>SB 633</p>	<p>ASSEMBLY 2 YEAR</p>	<p>The California Environmental Quality Act, referred to as CEQA, requires a</p>	

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State Legislative Matrix as of 9-23-13**

Bill ID/Topic	Location	Summary	Position
<p>Pavley D CEQA.</p>	<p>8/30/2013 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 8/6/2013)</p>	<p>lead agency, as defined, to prepare, or cause to be prepared, and certify completion of, an environmental impact report, referred to as an 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 prescribes certain requirements for the review of draft EIRs, as specified. CEQA prohibits a lead agency or responsible agency from requiring a subsequent or supplemental EIR when an EIR has been prepared for a project pursuant to its provisions, unless one or more of specified events occurs, including, among other things, that new information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available. CEQA requires the Office of Planning and Research to prepare and develop, and the Secretary of the Natural Resources Agency to certify and adopt guidelines for the implementation of CEQA. CEQA requires the office to review the guidelines once every 2 years and recommend proposed changes or amendments to the guidelines to the secretary. CEQA requires the guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and to exempt those classes of projects from CEQA. These are referred to as categorical exemptions.</p> <p>This bill would, for purposes of the new information exception to the prohibition on requiring a subsequent or supplemental EIR, specify that the exception applies if new information that becomes available was not known and could not have been known by the lead agency or any responsible agency at the time the EIR was certified as complete. The bill would authorize the office, by July 1, 2015, to draft and transmit to the secretary revisions to the guidelines to include as a categorical exemption projects involving minor temporary uses of land and public gatherings that have been determined not to have a significant effect on the environment. The</p>	

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Bill ID/Topic	Location	Summary	Position
		bill would require the secretary, if the Office of Planning and Research transmits the revisions to the secretary, to certify and adopt the proposed revisions to the guidelines by January 1, 2016 . Because a lead agency would be required to determine whether a project would fall within this categorical exemption, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 8/6/2013	
SB 648 Corbett D Electronic cigarettes: restriction of use and advertising.	ASSEMBLY 2 YEAR 8/16/2013 - Failed Deadline pursuant to Rule 61(a)(10)(ASM). (Last location was G.O. on 8/5/2013)	Existing law defines an electronic cigarette as a device that can provide an inhalable dose of nicotine by delivering an inhalable solution. Existing law, to the extent not preempted by federal law, makes it unlawful for a person to sell or otherwise furnish an electronic cigarette to a person under 18 years of age. This bill would extend the above-referenced restrictions and prohibitions against the smoking of tobacco products to include electronic cigarettes. By including electronic cigarettes within the restricted and prohibited activity, this bill would change the definition of a crime with respect to certain facilities, thereby creating a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 8/5/2013	Support
SB 731 Steinberg D Environment: California Environmental Quality Act.	ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was L. GOV. on 9/11/2013)	The California Environmental Quality Act, or CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, or 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 Office of Planning and Research to develop and prepare, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA by public agencies. 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	Watch Closely

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Bill ID/Topic	Location	Summary	Position
		<p>of noncompliance with CEQA. CEQA establishes time periods within which a person is required to bring a judicial action or proceeding to challenge a public agency's action taken pursuant to CEQA.</p> <p>This bill would provide that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project, as defined, on an infill site, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the office to prepare and submit to the Secretary of the Natural Resources Agency, and the secretary to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise and transportation impacts of projects within transit priority areas. The bill would require the office, on or before July 1, 2015, to prepare, develop, and transmit to the secretary recommended proposed changes or amendments to the guidelines establishing criteria for a lead agency to assess the need for translating specified notices into non-English languages and requirements for the posting of those notices in non-English languages. Because the bill would require the development of guidelines that would require a lead agency to translate notices into non-English languages and to post those translated notices, this bill would impose a state-mandated local program. The bill would require the office to produce a report on economic displacement and would require the office to publicly circulate a draft of the report. The bill would require the lead agency, in making specified findings, to make those findings available to the public at least 10 days prior to the adoption of the findings and to provide specified notice of the availability of the findings for public review. Because the bill would require the lead agency to make the draft finding available for public review and to provide specified notices to the public, this bill would impose a state-mandated local program. The bill would require the lead agency, at the request of a project applicant for specified projects, 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,</p>	

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		<p>this bill would impose a state-mandated local program. The bill would authorize the tolling of the time period in which a person is required to bring a judicial action or proceeding challenging a public agency's action taken pursuant to CEQA through a tolling agreement that does not exceed 4 years. The bill would authorize the extension of the tolling agreement. This bill contains other related provisions and other existing laws. Last Amended on 9/9/2013</p>	
<p>SB 751 Yee D</p> <p>Meetings: publication of action taken.</p>	<p>SENATE CHAPTERED 9/6/2013 - Chaptered by Secretary of State - Chapter 257, Statutes of 2013.</p>	<p>The Ralph M. Brown Act requires all meetings of the legislative body of a local agency, as defined, to be open and public and prohibits the legislative body from taking action by secret ballot, whether preliminary or final.</p> <p>This bill would additionally require the legislative body of a local agency to publicly report any action taken and the vote or abstention on that action of each member present for the action, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 6/17/2013</p>	<p>Watch Closely</p>
<p>SB 785 Wolk D</p> <p>Design-build.</p>	<p>SENATE 2 YEAR 5/31/2013 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was INACTIVE FILE on 5/24/2013)</p>	<p>Existing law authorizes the Department of General Services, the Department of Corrections and Rehabilitation, and various local agencies to use the design-build procurement process for specified public works under different laws.</p> <p>This bill would repeal those authorizations, and enact provisions that would authorize the Department of General Services, the Department of Corrections and Rehabilitation, and those local agencies, as defined, to use the design-build procurement process for specified public works. The bill would require moneys that are collected under these provisions to be deposited into the State Public Works Enforcement Fund, subject to appropriation by the Legislature. The bill would require specified information to be verified under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 5/2/2013</p>	<p>Support</p>

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Bill ID/Topic	Location	Summary	Position
<p>SB 787 Berryhill R</p> <p>Environmental quality: the Sustainable Environmental Protection Act.</p>	<p>SENATE 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 5/1/2013)</p>	<p>The California Environmental Quality Act , or CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report , or 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 enact the Sustainable Environmental Protection Act and would specify the environmental review required pursuant to CEQA for projects related to specified environmental topical areas. For a judicial action or proceeding filed challenging an action taken by a lead agency on the ground of noncompliance with CEQA, the bill would prohibit a cause of action that (1) relates any topical area or criteria for which compliance obligations are identified or (2) challenges the environmental document if: (A) the environmental document discloses compliance with applicable environmental law, (B) the project conforms with the use designation, density, or building intensity in an applicable plan, as defined, and (C) the project approval incorporates applicable mitigation requirements into the environmental document. The bill would provide that the Sustainable Environmental Protection Act only applies if the lead agency or project applicant has agreed to provide to the public in a readily accessible electronic format an annual compliance report prepared pursuant to the mitigation monitoring and reporting program. This bill contains other related provisions and other existing laws. Last Amended on 4/18/2013</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 788 Committee on Transportation and Housing</p> <p>Transportation.</p>	<p>SENATE ENROLLED 9/18/2013 - Enrolled and presented to the Governor at 5 p.m.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. Existing law exempts certain activities from CEQA, including a project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities.</p> <p>This bill would define the term "highway" for these purposes. This bill contains other related provisions and other existing laws. Last Amended on 8/14/2013</p>	
<p>SB 791 Wyland R</p> <p>Motor vehicle fuel tax: rate adjustment.</p>	<p>SENATE T. & H. 4/29/2013 - Set, first hearing. Hearing canceled at the request of author.</p>	<p>Existing law, as of July 1, 2010, exempts the sale of, and the storage, use, or other consumption of, motor vehicle fuel from specified sales and use taxes and increases the excise tax on motor vehicle fuel, as provided. Existing law requires the State Board of Equalization to annually adjust the excise tax rate for the state's next fiscal year so that the revenues from the sales and use tax exemption and motor vehicle fuel excise tax increase are revenue neutral.</p> <p>This bill would eliminate the requirement that the State Board of Equalization adjust the rate of the excise tax on motor vehicle fuel, and instead would require the Department of Finance to annually calculate that rate and report that calculated rate to the Joint Legislative Budget Committee. The rate for the state's next fiscal year would remain the same as the rate of the current fiscal year or would decrease, as provided. This bill would further state that the rate may increase upon a further act by the Legislature. This bill contains other related provisions. Last Amended on 4/4/2013</p>	Oppose
<p>SB 792 DeSaulnier D</p> <p>Regional entities: Bay Area.</p>	<p>SENATE 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE</p>	<p>Existing law creates the Metropolitan Transportation Commission, the Bay Area Toll Authority, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission, with various powers and duties relative to all or a portion of the 9-county San Francisco Bay Area region with respect to transportation, air quality, and environmental planning, as specified. Another regional entity, the</p>	

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Bill ID/Topic	Location	Summary	Position
	on 5/23/2013)	<p>Association of Bay Area Governments, is created as a joint powers agency comprised of cities and counties under existing law with regional planning responsibilities. Existing law provides for a joint policy committee of certain member agencies in this 9-county area to collaborate on regional coordination. Existing law requires regional transportation planning agencies, as part of the regional transportation plan in urban areas, to develop a sustainable communities strategy pursuant to Senate Bill 375 of the 2007-08 Regular Session coordinating transportation, land use, and air quality planning, with specified objectives.</p> <p>This bill would require the Metropolitan Transportation Commission to report biannually to the Legislature and the public at large on the progress in implementing the policies and programs of the sustainable communities strategy. The bill would also require the joint policy committee to prepare a regional organization plan for the affected member agencies. The regional organization plan would include a plan for consolidating certain functions that are common to the member agencies. The regional organization plan would also include a statement relative to the expected reduction of overhead, operation, and management costs. The bill would require a member agency affected by the plan to submit a copy of the plan to its board on or before December 31, 2014, and would require the member agencies to report to the Senate Transportation and Housing Committee on the adoption and implementation of the plan on or before December 31, 2015. The bill would also require the joint policy committee to develop and adopt public and community outreach and inclusive public participation programs and to maintain an Internet Web site. The bill would also require the joint policy committee to appoint an advisory committee on economic competitiveness with specified members from the business community and other organizations to adopt goals and policies related to the inclusion of economic development opportunities in the plans of the member agencies. By imposing new duties on the joint policy committee, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Last Amended on 5/14/2013</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 798 De León D</p> <p>California Green Infrastructure Bank Act.</p>	<p>SENATE 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was G. & F. on 3/11/2013)</p>	<p>The Bergeson-Peace Infrastructure and Economic Development Bank Act authorizes the California Infrastructure and Economic Development Bank, governed by a board of directors, to make loans and provide other assistance to public and private entities for various types of economic development projects, among other things. The activities of the bank under these provisions are funded from the California Infrastructure and Economic Development Bank Fund, which is continuously appropriated for these purposes.</p> <p>This bill would enact the California Green Infrastructure Bank Act (act). The bill would establish the California Green Infrastructure Bank (bank) as a public corporation and would make it responsible for administering the act. The bill would make the bank under the direction of an executive director to be appointed by the Governor subject to Senate confirmation. Under the bill, the bank would be governed and its corporate power exercised by a board of directors consisting of 5 members, including 3 members appointed by the Governor subject to Senate confirmation and the Senate Committee on Rules and the Speaker of the Assembly would each appoint one member. This bill contains other related provisions and other existing laws.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SCA 4 Liu D</p> <p>Local government transportation projects: special taxes: voter approval.</p>	<p>SENATE APPR. 8/29/2013 - Re-referred to Com. on APPR.</p>	<p>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities.</p> <p>This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax includes certain requirements. This measure would prohibit a local government from expending any revenues derived from a special transportation tax approved by 55% of the voters at any time prior to the completion of a statutorily identified capital project funded by revenues derived from another special tax of the same local government that was approved by a 2/3 vote. The measure would also make conforming and technical, non-substantive changes. Last Amended on 8/28/2013</p>	<p>Support</p>
<p>SCA 8 Corbett D</p> <p>Transportation projects: special taxes: voter approval.</p>	<p>SENATE APPR. 8/29/2013 - Re-referred to Com. on APPR.</p>	<p>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities.</p> <p>This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax includes certain requirements. The measure would also make conforming and technical, non-substantive changes. Last Amended on 5/21/2013</p>	<p>Support</p>

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Bill ID/Topic	Location	Summary	Position
<p>SCA 9 Corbett D</p> <p>Local government: economic development: special taxes: voter approval.</p>	<p>SENATE APPR. 6/27/2013 - Re-referred to Com. on APPR.</p>	<p>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities.</p> <p>This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for community and economic development projects, as specified, requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax contains specified requirements. The measure would also make conforming and technical, non-substantive changes. Last Amended on 5/21/2013</p>	
<p>SCA 11 Hancock D</p> <p>Local government: special taxes: voter approval.</p>	<p>SENATE APPR. 6/27/2013 - Re-referred to Com. on APPR.</p>	<p>The California Constitution conditions the imposition of a special tax by a local government upon the approval of 2/3 of the voters of the local government voting on that tax, and prohibits a local government from imposing an ad valorem tax on real property or a transactions tax or sales tax on the sale of real property.</p> <p>This measure would instead condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition, if the proposition proposing the tax contains specified requirements. The measure would also make conforming and technical, non-substantive changes. Last Amended on 5/21/2013</p>	Support