



# AGENDA

## PENINSULA CORRIDOR JOINT POWERS BOARD

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

November 7, 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 October 3, 2013 MOTION
  - b) Approval of 2014 Board Meeting Calendar
5. Chairperson’s Report
6. Report of the Citizens Advisory Committee
7. Report of the Executive Director
  - a) 4<sup>th</sup> and King Study Update INFORMATIONAL
8. Acceptance of Statement of Revenues and Expenses for June 2013 (unaudited) MOTION
9. Acceptance of Statement of Revenues and Expenses for September 2013 MOTION
10. Authorize Reaffirming the Annual Investment Policy and Authorization to Invest Monies with the Local Agency Investment Fund RESOLUTION
11. Authorize Rejection of all Proposals for a Project Delivery Director for the Caltrain Modernization Program MOTION
12. Authorize Rejection of the Lowest Monetary Bid From Canada Ticket, Inc. as Non-Responsive and Award a Contract to Paper Solutions, Inc. to provide Typesetting, Printing, and Delivery of Thermal and Non-Thermal Ticket Media for a Total Estimated Cost of \$142,840 for a Two-Year Term RESOLUTION

Peninsula Corridor Joint Powers Board  
November 7, 2013 Agenda

13. Adoption of Caltrain Title VI Program

RESOLUTION

14. Legislative Update

INFORMATIONAL

15. Correspondence

16. Board Member Requests

17. Date/Time of Next Meeting: Thursday, December 5, 2013,  
10 a.m. at San Mateo County Transit District Administrative  
Building, Bacciocco Auditorium, 2<sup>nd</sup> Floor, 1250 San Carlos  
Avenue, San Carlos, CA 94070

18. General Counsel Report

- a) Closed Session: Conference with Legal Counsel – Existing  
Litigation Pursuant to Government Code 54956.9(a) City and  
County of San Francisco v. All Persons Claiming any Interest or  
Lien Upon the Real Property Described Herein San Francisco  
Superior Court Case No. CGC-13-531420

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](http://www.caltrain.com).

#### **Location, Date and Time of Regular Meetings**

Regular meetings are held at the San Mateo County Transit District Administrative Building located at 1250 San Carlos Ave., San Carlos, which is located one block west of the San Carlos Caltrain Station on El Camino Real. The building is also accessible by SamTrans bus Routes: 260, 295, 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](mailto:board@caltrain.com); or by phone at 650.508.6242, or TDD 650.508.6448.

#### **Availability of Public Records**

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

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

Minutes  
October 3, 2013

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

**MEMBERS ABSENT:** A. Kalra

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

Chair Ken Yeager called the meeting to order at 10 a.m. and led the Pledge of Allegiance.

**PUBLIC COMMENT**

Jeff Carter, Millbrae, said on Wednesday, September 25 there was a fire near the tracks south of Millbrae and it required trains to be stopped. He said it would be good to hear about what it takes to put a bus bridge in place. Mr. Carter said the Predictive Arrival/Departure System seems to be working well.

Director Josè Cisneros arrived at 10:03 a.m.

Paul Jones, Atherton, said there is a potential problem in November when excavation starts for installation of fiber optic cables for the Communications-based Overlay Signal System (CBOSS). There are many large, mature trees near the right of way with very large roots. He urges staff to have an arborist available to pass judgment on the danger to the trees if the roots are cut.

Greg Conlon, Atherton, thanked Casey Fromson, Government Affairs Officer, for attending the Atherton rail committee meeting. He said he is concerned about the gridlock on Highway 280.

**CONSENT CALENDAR**

- a. Approval of Minutes of September 5, 2013
- 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

A motion (Woodward/Tissier) to approve the Consent Calendar was passed unanimously.

### **CHAIRPERSON'S REPORT**

Chair Yeager said the Santa Clara Valley Transportation Authority (VTA) is planning to appoint a new general manager at their meeting tonight. The candidate has a long background in transportation and planning. Chair Yeager said the candidate has worked for some of the biggest transit agencies in the country, including Chicago and Washington, D.C., and is currently the chief operating officer at New York Metropolitan Transportation Authority.

Director Tom Nolan arrived at 10:06 a.m.

Michael Scanlon, Executive Director, said he offers his congratulations on this appointment. He has known the candidate (Nuria Fernandez) for many years. She served as the Deputy Administrator for the Federal Transit Administration and knows Washington, D.C. inside and out.

### **REPORT OF THE CITIZENS ADVISORY COMMITTEE (CAC)**

Kevin Gardiner, CAC Chair, said at its September 18 meeting the CAC received a report from the sub-committee working on their work plan. The CAC has six ideas to work on or advocate for: three relate to operations and three relate to advocacy. Mr. Gardiner said operations topics include managing capacity and how this relates to the bike bump issue, incident response, particularly communications as it relates to passengers, and Wi-Fi. He said advocacy topics include dedicated funding and whether the CAC can help advocate, blended system support, and support of Caltrain-related projects.

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

Mr. Scanlon reported:

- Congratulated Director Cisneros on being elected president of the League of California Cities.
- Key Caltrain Performance Statistics
  - Monthly Performance Statistics – August 2013 compared to August 2012
    - Total Ridership was 1,466,168, an increase of 8.6 percent.
    - Average Weekday Ridership was 53,840, an increase of 10.7 percent.
    - Total Revenue was \$6,505,552, an increase of 9 percent.
    - On-time Performance was 91.1 percent, a decrease of 2.4 percent.
    - Caltrain Shuttle Ridership was 6,962, a decrease of 16.9 percent.
  - Year-to-date Performance Statistics – August 2013 compared to August 2012
    - Total Ridership was 2,958,054, an increase of 11.4 percent.
    - Average Weekday Ridership was 54,414, an increase of 11.9 percent.
    - Total Revenue was \$13,159,067, an increase of 11.5 percent.
    - On-time Performance was 90.7 percent, a decrease of 2.9 percent.
    - Caltrain Shuttle Ridership was 6,495, a decrease of 18.5 percent.
    - A further analysis indicates crowding is the most significant factor contributing to on-time performance.
- The goal is no less [stet more] than 600 minutes per month of mechanical failures. In August there were 1,500 minutes. Chuck Harvey, Deputy CEO, has been speaking with TransitAmerica to correct this issue.

- On September 22 Granite Construction hit a gas line in San Bruno. There were no injuries, but there was disruption in service.
- On September 25 there was a fire in Millbrae during the heavy peak travel hour. The fire caused both tracks to be closed. Staff will have a debriefing with first responders.
- There were two fatalities on September 11. The first was in the early afternoon when a trespasser stepped in front of a southbound train at a grade separated portion of the right of way between Belmont and San Carlos. That same evening a trespasser was struck by a not-in-service southbound train. Total number of fatalities this year is 12, which is the same as last year's total.
- The Bicycle Advisory Committee (BAC) met on September 19 and received an update on bicycle theft prevention, which continues to be a problem at the Palo Alto Station. They received a presentation from the operator of the San Francisco bicycle facility, Alameda Bikes, and Sebastian Petty, Planner, provided an updated on the Bicycle Access and Parking Plan. The next BAC meeting will be on November 21.
- Giants ridership was down slightly. For the entire season, there was an additional 527,000 riders, down about 8 percent from last year. The average per-game ridership for the season was 6,300 riders.
- San Jose Sharks open their season tonight. For the preseason home games, there was an extra 160 riders per game, an increase of 15 percent over last year.
- Stanford will have two football games in October and the Big Game is November 23.
- Caltrain's 150<sup>th</sup> Anniversary will be celebrated in a number of ways. The first community event will be on October 19 at the Menlo Park Caltrain Station from 11 a.m. to 3 p.m. Senator Jerry Hill, San Mateo County Supervisors Adrienne Tissier and Warren Slocum, and Chair Yeager will all be speaking. At 12:14 p.m. actors will arrive at the station via Caltrain and re-create the famous 1864 picnic scene. A second event is being planned in January at the Santa Clara Caltrain Station.
- Thanked the Board for their support on the recent accusations from former employees that led to the NBC-11 investigative report. The finance team is outstanding and of the highest ethics and very qualified.
- Ten young filmmakers recently showed their rail safety videos at the Cinemark Theater in Redwood City. After each student's video was shown they spoke about the challenges of shooting the film and the message they were trying to get across. The themes were pay attention and don't shortcut life. The videos will be used in Operation Lifesaver presentations and on social media. Jayme Ackemann, Communications Manager and James Namba, Marketing Specialist, were acknowledged for their assistance in working with the filmmakers.
- The Reading File contains the August Safety & Security Report, a notice on upcoming Belmont Caltrain Station parking lot improvements, *Track the Fun* and San Jose Sharks Take One.

### **Caltrain Modernization Update**

Marian Lee, Executive Officer, Caltrain Modernization (CalMod) Program, said staff is preparing the administrative draft of the Environmental Document for the Peninsula Corridor Electrification Project. It is still on schedule to release the public draft early next year. Staff has begun the analysis of the other projects in the corridor.

Ms. Lee said staff was hoping to provide the Board with closure on the Fourth and King Study today, but it has been pushed out a month. This will allow staff from San Francisco and Santa Clara more time to review the technical analysis.

Ms. Lee said the Local Policy Maker Group met last month and received an update on the CBOSS/Positive Train Control (PTC) Project and all the installation activities planned for the corridor. The group received a presentation on level boarding.

### **Level Boarding Update**

Ms. Lee said level boarding is not a component of the \$1.5 billion CalMod Program, but is a longer-term goal that will need additional funding.

- Level boarding is important to Caltrain so that passengers do not have to step up or down between the platform and train.
- Key benefits include safety, operating efficiencies, passenger convenience and enabling passengers in wheelchairs to get on and off trains without assistance.
- There are 32 Caltrain stations and the trains are shared with multiple tenants.
- Currently Caltrain does not have level boarding.
- Station platforms are eight inches above top of rail. Caltrain vehicles are 18 inches from top of the rail.
- Currently Caltrain is subject to conflicting regulations. The Americans with Disabilities Act (ADA) requirement states there should be level boarding with trains and platforms next to each other. The California Public Utilities Commission (CPUC) requirement states that today Caltrain is fine, but if the platform height becomes higher than eight inches, a gap must be provided between the platform and trains. To be ADA compliant mini-high platforms and various types of lifts are used.
- Intermodal stations at Essen Central Station, Germany, Los Angeles Union Station and Denver Union Station house multiple tenants and have dedicated platforms at different heights to support the different systems.
- The future Caltrain-shared corridor will have an increase in multiple tenants with different floor and first-step heights.
- In the future Caltrain will strive for level boarding at 27 stations from San Francisco to Tamien. It is unclear what will happen to the five stations south of Tamien to Gilroy because this is Union Pacific's right of way. At the Santa Clara and Diridon stations there would be dedicated platforms because they are shared stations with the Altamont Commuter Express, Capitol Corridor, and Amtrak. At Millbrae and the new Transbay Terminal there will be dedicated platforms for high-speed rail (HSR).
- At a very conceptual level it would be ideal to have the same floor and platform heights for everybody. Staff is challenged with a corridor that supports different systems with different operating objectives.

- Caltrain has been looking at the industry for in-service vehicle options for the electric multiple units (EMUs) and there are two options: single level cars with a floor height of 50 inches and bi-level cars with a floor level height of 25 inches. It is important to find service-proven options.
- Staff is recommending the bi-level at 25 inches. This provides the most number of seats, which are critical to support increased ridership, and this floor height will be compatible with the Bombardier cars after removal of the first step.
- Next steps include:
  - Long-term level boarding effort in planning, analysis and timing
  - Presentations to stakeholders and Friends of Caltrain
  - Discussions used for procurement of the EMUs

Director Malia Cohen asked what the CPUC rationale is to create a gap. Ms. Lee said the CPUC rule is based on an outdated regulation so that rail personnel could hang off the side of a freight train and not hit the platform as the train moves through the station.

David Miller, Legal Counsel, said it is very difficult and challenging dealing with the CPUC despite the advantage of abandoning an old rule.

Director Tissier asked if there are guidelines that do not allow people to hang off the trains. Mr. Scanlon said they are operating on the Caltrain corridor, but are regulated by the Federal Railroad Administration and CPUC jurisdiction.

#### Public Comment

Jeff Carter, Millbrae, said level boarding cannot happen soon enough. He said he understands the difference in heights, but there needs to be consistency. Mr. Carter said the CPUC code is totally outdated and the practice of riding on the side of a train should be abolished.

Roland Lebrun, San Jose, said he doesn't think 25 inches is going to work as long as there are other tenants operating in the corridor. He said he would like the Board to send a strong message to the California High-Speed Rail Authority that dedicated platforms will not be tolerated in the Peninsula. Mr. Lebrun said a different procurement approach is taken in Europe. He said a specification is written of what is needed to get the job done and then agencies wait until the manufacturers respond back.

Adina Levin, Friends of Caltrain, requested Caltrain and HSR look at solutions for their platform needs.

Andy Chow, Bay Rail Alliance, said VTA has level boarding with mini-high platforms for wheelchair boardings. Mr. Chow said shared platforms will be highly desirable at Transbay Terminal.

Greg Conlon, Atherton, said staff can file an Order of Investigation with the CPUC to change this old regulation and offered to assist in this effort.

**ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR AUGUST 2013**

Gigi Harrington, Deputy CEO, said August revenues are over budget by \$1.8 million and there are savings of \$1.3 million on the expense side. Last week, fuel was \$3.14 per gallon and year-to-date is \$3.16 per gallon. The JPB received \$31,000 from the fuel hedge in September.

Ms. Harrington said fare revenue for Fiscal Year 2013 was \$68.8 million and the budgeted amount was \$66 million. She said staff will look at this number during the mid-year budget review and make any necessary budget adjustments. Ms. Harrington said the auditors will be leaving today and she will be back with the year-end financial reports in December.

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

**AUTHORIZE AWARD OF CONTRACT TO VAN WAGNER COMMUNICATIONS, LLC FOR TRAIN AND STATION ADVERTISING FOR A FIVE-YEAR BASE TERM**

Cheryl Cavitt, Director, Contracts and Procurement, said this contract will provide an advertising contractor for exterior train and station advertising. This is a revenue producing contract with a minimum annual guarantee of \$90,000 per year, with a 3 percent escalation per year, or 60 percent of advertising revenues received by Van Wagner, whichever is greater.

A motion (Nolan/Tissier) to award a contract to Van Wagner Communications, LLC, for train and station advertising for a five-year base term was approved unanimously.

**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**

Ms. Cavitt said this contract is going to provide for the advanced site preparation for the San Mateo Bridges Project and will involve the removal and disposal of 111 trees and shrubs along the Caltrain right of way.

A motion (Lloyd/Nolan) to award a contract to Community Tree Service, Inc. for the San Mateo Bridges Project advanced site preparation in the total amount of \$375,000 was approved unanimously.

**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**

Ms. Cavitt said staff is requesting Board approval of award of contracts to two firms. There is an aggregate pool of \$4 million dollars that will be shared among the two firms based on task-by-task assignment of work directives.

A motion (Lloyd/Tissier) to award 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 and exercise additional two one-year options of \$1 million each was approved unanimously.

**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**

Ms. Cavitt said this is the companion to the previous item and is for on-call contracts to be shared among four firms for on-call transportation planning and support services.

A motion (Cisneros/Deal) to award 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 and exercise up to two additional one-year options was approved unanimously.

**UPDATE ON CALTRAIN STRATEGIC PLAN**

Ms. Lee said this is an informational item. She reported:

- The last Plan was in 2004 and covered a 20-year timeframe. Although it has not been 20 years, a new plan is justified given all the activities occurring on the right of way.
- The vision was to become the preferred mode of travel along the Peninsula corridor by providing passengers with a world-class travel experience, serve as a catalyst for economic development, and have a key role in regional mobility management.
- The 2004 Guiding Principles were:
  - Satisfy passengers and build ridership
  - Invest wisely in system improvements
  - Promote connections to other transportation systems
  - Partner with communities and broaden communications with the public
  - Improve long-term financial footing
- In 2004, average weekday ridership was 28,000. The major events were the opening of the Millbrae Caltrain Station with Bay Area Rapid Transit service and implementation of Baby Bullet service. At the time, the key opportunities were Caltrain electrification, continue to build an intermodal network for the region, and connection to the HSR system.
- The Plan also stated that while there were great opportunities there were a lot of problems. There was the structural deficit, no dedicated funding source, and limited capital funding.
- To address the gap between the great opportunities and the realities of funding, the Plan laid out a range of investment scenarios from status quo to build out. The Plan stated which scenario would be achievable and was directly linked to how much money could be found.
- Today average weekday ridership is 50,000 and major events include the San Bruno Grade Separation Project, the \$1.5 billion CalMod Program and commitment to the blended system with HSR. While revenue from ridership is doing quite well there still is a struggle with the challenges outlined in the 2004

- Plan, structural deficit and no dedicated source of funding.
- Purpose of updating the Plan:
  - Recommend looking out 10 years
  - Want to address five key questions in the new Plan
    - What do we want to become?
    - How are we doing?
    - What's ahead of us?
    - What do we need to do?
    - How are we going to do it?

In asking these questions, staff will be anchored to the existing commitments of implementing the CalMod Program and the blended system.

- Project partners include staff, Staff Coordinating Council, Local Policymaker Group, the CAC, City Staff Coordinating Council, external stakeholders and the Peninsula Corridor Working Group.
- Staff will come back in spring 2014 with draft policies for discussions and produce a final Plan for adoption in July 2014.

Chair Yeager asked if community meetings will be held in all three counties. Ms. Lee said it is not in the program, but it will be considered.

Chair Yeager asked what the role of the CAC will be in this process. Ms. Lee said staff will seek the CAC's input and comments.

Director Tissier left at 11:14 a.m.

#### Public Comment

Jeff Carter, Millbrae, said he is glad staff is updating the Plan. He said the right of way cannot be constrained because it needs to accommodate a lot more in the future.

Adina Levin, Friends of Caltrain, said she is glad the Plan will be updated since so much has changed since 2004. She said if staff can put together a picture of what the needs are for Caltrain it may be easier to get support from the voters and regional supporters.

Greg Conlon, Atherton, said he applauds staff's decision to update the Plan and encouraged staff to look at both grade separations and trenching as a solution over the next 10 years.

#### **LEGISLATIVE UPDATE**

##### Federal Update

Seamus Murphy, Director, Government and Community Affairs, said the impacts on the Federal shutdown to the Federal Transit Administration (FTA) are significant. About 95 percent of FTA workers have been furloughed and the only employees remaining are those working on the Hurricane Sandy relief effort. Mr. Murphy said the one grant pending for Caltrain that would be of concern if the shutdown lasts for a period of time is \$27 million for the CBOSS Project. He said the finance staff says this amount can be cash flowed for a certain period of time, but if the shutdown were to last many months it might become an issue.

State Update

Mike Robson, the JPB's State lobbyist from Edelson/Gilbert/Robson/Smith, said Senate Bill (SB) 557 by Senator Hill has been signed by the governor and ensures \$600 million in Proposition 1A high-speed rail funds will be allocated to the CalMod Program.

Mr. Robson said Assembly Bill (AB) 8 was signed by the governor and will renew the Carl Moyer Program, which provides funds for alternative-fuel vehicles.

Josh Shaw, the JPB's lobbyist from Shaw/Yoder/Antwih, Inc., said AB797 by Assemblyman Rich Gordon has been signed by the governor and will give VTA and SamTrans new innovative procurement methods related to Construction Manager/General Contractor method of contracting. Mr. Shaw said there is a code section that grants all public transportation agencies the design-build authority and it sunsets next year. The California Transit Association is writing a bill that renews this authority for public transit agencies.

Public Comment

Roland Lebrun, San Jose, said he was pleased to read that staff is paying attention to reports on PTC. He said all Class 1 railroads in the United States are standardized.

**CORRESPONDENCE**

No discussion.

**BOARD MEMBER REQUESTS**

None

**LEGAL COUNSEL REPORT**

No report.

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

The next meeting will be Thursday, November 7, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2<sup>nd</sup> Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

Adjourned at 11:30 a.m.

PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Martha Martinez  
JPB Secretary

SUBJECT: **2014 BOARD OF DIRECTORS MEETING CALENDAR**

**ACTION**

Staff Coordinating Council (SCC) recommends the Board approve the Meeting Calendar for 2014 (attached).

**SIGNIFICANCE**

The Board's monthly meeting is scheduled for the first Thursday of each month at 10 a.m. except for January.

**BUDGET IMPACT**

There is no impact on the budget.



## Peninsula Corridor Joint Powers Board Meeting Calendar for 2014

Thursday – 10 AM
January 9*
February 6
March 6
April 3
May 1
June 5
July 3
August 7
September 4
October 2
November 6
December 4

The Board meets the first Thursday of the month.

All meetings are held at 1250 San Carlos Ave., Second Floor, San Carlos, CA 94070.

\*Second Thursday

**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 SEPTEMBER 2013**

In September 2013, Caltrain's average weekday ridership (AWR) was 54,308, which is an increase of 3,487 or 6.9 percent over September 2012 AWR of 50,821. September was the 37<sup>th</sup> consecutive month to show AWR growth. The total number of passengers who rode Caltrain in September 2013 was 1,395,711, which is 8.2 percent more than in September 2012.

On-time performance (OTP) for September 2013 was 90.9 percent, which is above the 86.6 percent OTP for September 2012. When trains arriving within 10 minutes of the scheduled arrival time are included, September 2013 OTP rises to 96.2 percent. Mechanical delays in September 2013 were 954 minutes. In addition, there were two days with service disruptions not related to mechanical delays.

- On September 16, 19 late trains experienced minor delays because of vandalism to a signal junction box near the Tamien station.
- On September 25, 19 trains experienced significant delays as the result of a brush fire adjacent to the tracks near Trousdale Avenue

There were two fatalities on September 11. Train 146 struck a trespasser at 12:35 p.m. in between Belmont and San Carlos. Later, an unscheduled non-revenue train struck a trespasser at 8:47 p.m. at the South San Francisco Station.

Looking at customer service statistics, there were 11.5 complaints per 100,000 passengers in September 2013. This is lower than the 14.5 complaints in September 2012 and below the average of 13.7 complaints per 100,000 passengers for Fiscal Year 2013.

Shuttle ridership is down 29.4 percent compared with the same shuttles last year. However, when the Marguerite shuttles are removed, overall shuttle ridership has actually grown 2.8 percent over September 2012. The Marguerite shuttles are continuing to have difficulty providing accurate ridership numbers, which accounts for much of the decrease in ridership. For the station shuttles, the Millbrae-Broadway shuttle averaged 165 daily riders. The Belmont-Hillsdale shuttle averaged 80 daily riders. The weekend Tamien-San Jose shuttle averaged 71 riders per day.

## Caltrain Promotions – September 2013

**See Something – Say Something** – The *See Something – Say Something* customer safety and security awareness campaign issued its ninth message as part of the year-long program: *When crossing train tracks, make sure you have a safe, clear path. Never go around a lowered gate. The gate means wait.* A new message is communicated each month through station electronic message signs, conductor announcements, web posting ([www.caltrain.com/seesomething](http://www.caltrain.com/seesomething)) and social media, including Facebook, Google+ and Twitter.

**Stanford Football** – The Stanford Cardinal was back in action on the gridiron. Caltrain promoted its service to the Stanford Stadium station with banner ads and radio spots on Pandora, news release, social media, web button and dedicated page on its website. Service information also was included in two Caltrain publications, *Track the Fun* and *Caltrain Connection*. In September, Caltrain served two games, carrying a total 4,065 customers to the Stanford Stadium station. Because the Stanford station doesn't have a Clipper card tagging device or ticket machines, an unknown number of customers also used the Palo Alto station.

**San Jose Sharks** – The professional hockey season got underway as planned this year, and the San Jose Sharks took to the ice at SAP Center for a few pre-season matches. Caltrain staff worked with the Sharks to promote train service to the center with onboard take ones and adcards. Caltrain also ran banner ads and radio spots on Pandora, issued a news release, posted information through social media and included information in *Track the Fun*. Caltrain carried an extra 482 customers for the three pre-season home games.

**America's Cup** – For the super-peak America's Cup racing dates in September, thousands of people rode Caltrain to San Francisco to catch some of the sailing action. Caltrain ran a couple of extra trains to accommodate the increased demand, and carried 3,625 extra customers compared to 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.

**San Francisco Giants** – Baseball fans continued to ride Caltrain to get their fill of the Giants as their season came to a close in September. For the season, Caltrain transported an additional 527,260 customers. This is an 8 percent decrease compared to last season. However, the ridership decline correlated to the decline in game attendance. Average additional ridership for the season was 6,353 per game.

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

**Table A**

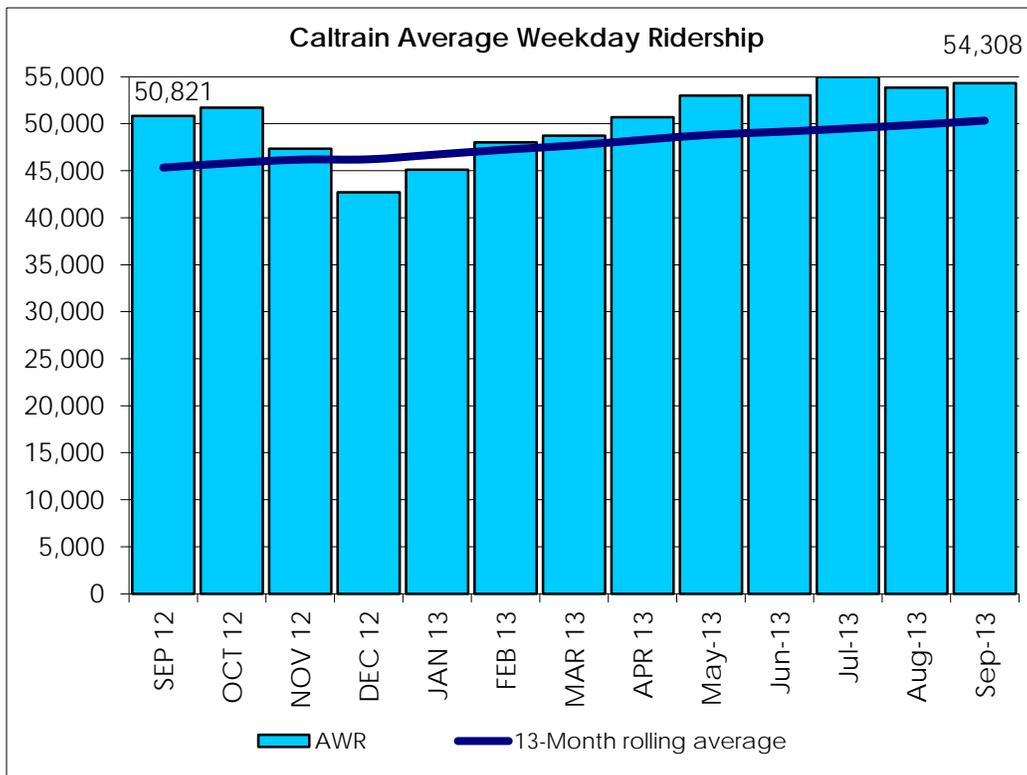
**September 2013**

	<b>FY2013</b>	<b>FY2014</b>	<b>% Change</b>
Total Ridership	1,289,890	1,395,711	8.2%
Average Weekday Ridership	50,821	54,308	6.9%
Total Farebox Revenue	\$5,859,685	\$6,282,145	7.2%
On-time Performance	86.6%	90.9%	5.0%
Average Caltrain Shuttle Ridership	10,247	7,239	-29.4%

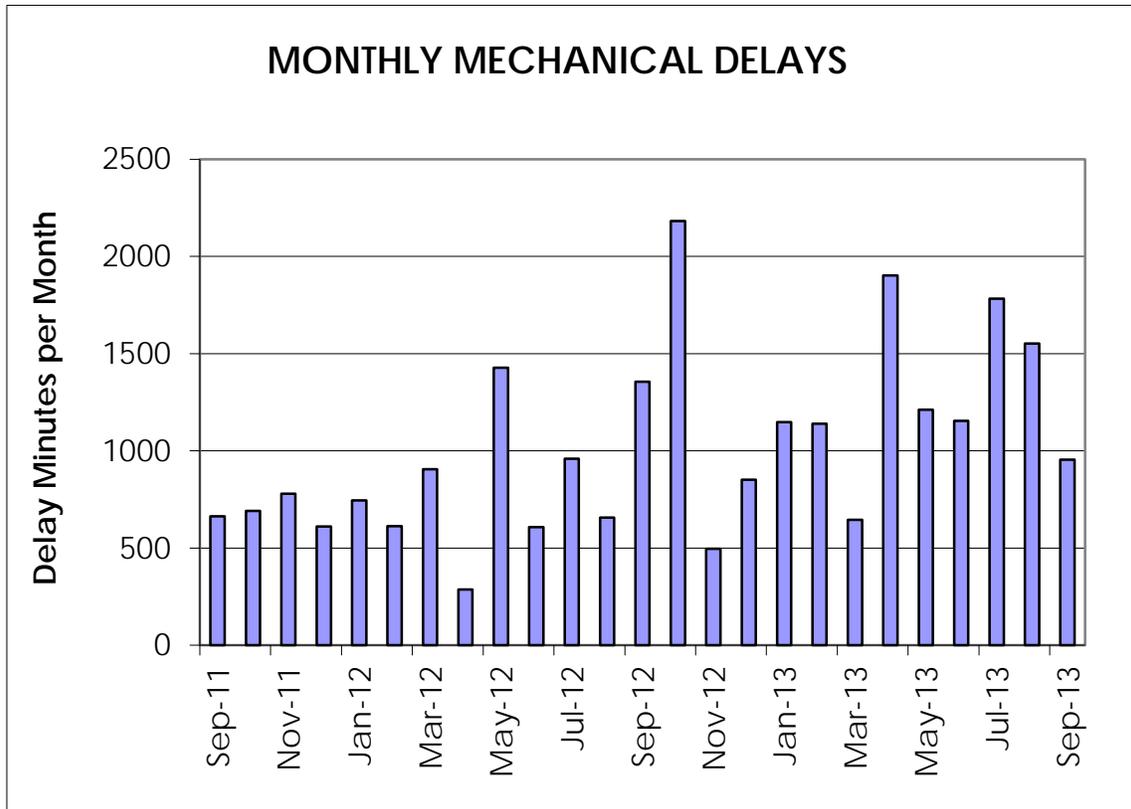
**Year to Date**

	<b>FY2013</b>	<b>FY2014</b>	<b>% Change</b>
Total Ridership	3,946,397	4,353,765	10.3%
Average Weekday Ridership	49,355	54,379	10.2%
Total Farebox Revenue	\$17,665,531	\$19,441,212	10.1%
On-time Performance	91.3%	90.8%	-0.5%
Average Caltrain Shuttle Ridership	8,743	6,995	-20.0%

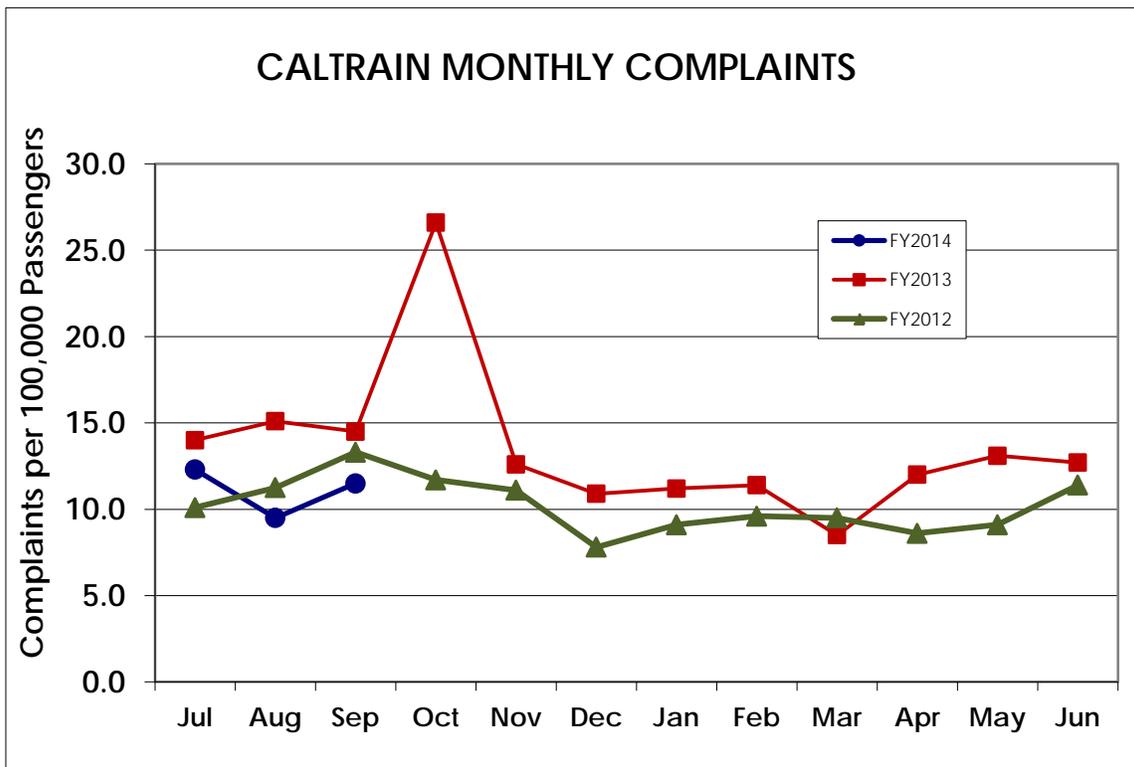
**Graph A**



**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  
JUNE 30, 2013 AND SUPPLEMENTAL INFORMATION – YEAR END RESULTS -  
UNAUDITED**

**ACTION**

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

**SIGNIFICANCE**

**Unaudited Revenue:** For June of Fiscal Year (FY) 2013, *Total Operating Revenue* (line 7) is \$5,038,241 or 6.8 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$3,983,394 or 6.1 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$9,749,756 or 14.1 percent **higher**.

**Unaudited Expense:** *Grand Total Expenses* (line 46) show a favorable variance of \$4,007,135 or 3.6 percent. *Total Operating Expense* (line 32) is \$3,921,063 or 4 percent **better** than budget. *Total Administrative Expense* (line 42) is \$86,073 or 0.6 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 46) are \$5,960,703 or 5.8 percent **higher**.

Staff recommends allocating the FY2013 surplus to FY2014 capital needs and to the FY2015 operating budget. Staff will come back to the Board to request this action.

**BUDGET IMPACT**

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

**Final Year End Results:** Staff will update this report and distribute in conjunction with the Fiscal Year 2013 Comprehensive Annual Financial Report (CAFR).

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 2013**

**UNAUDITED**

**June 2013**

	% OF YEAR ELAPSED								100.0%
	MONTH	YEAR TO DATE				ANNUAL			
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET	% REV BUDGET	
	(AS PROJECTED)								
<b>REVENUE</b>									
<b>OPERATIONS:</b>									
1 Farebox Revenue	6,146,121	59,891,343	68,767,170	64,783,776	106.1%	60,293,443	64,783,776	106.1%	1
2 Parking Revenue	322,048	3,261,932	3,301,724	3,001,698	110.0%	3,299,590	3,001,698	110.0%	2
3 Shuttles	525,352	1,148,957	1,972,626	1,537,279	128.3%	1,384,230	1,537,279	128.3%	3
4 Rental Income	142,177	1,759,216	1,783,323	1,868,760	95.4%	1,868,760	1,868,760	95.4%	4
5 Other Income	226,674	2,945,978	2,932,340	2,527,430	116.0%	2,527,430	2,527,430	116.0%	5
6									6
7 <b>TOTAL OPERATING REVENUE</b>	<b>7,362,372</b>	<b>69,007,427</b>	<b>78,757,183</b>	<b>73,718,942</b>	<b>106.8%</b>	<b>69,373,453</b>	<b>73,718,942</b>	<b>106.8%</b>	7
8									8
<b>CONTRIBUTIONS:</b>									9
10 AB434 & TA Shuttle Funding	102,506	989,533	1,922,649	2,050,700	93.8%	2,184,271	2,050,700	93.8%	10
11 Operating Grants	-	9,262,985	5,075,017	5,310,982	95.6%	6,310,982	5,310,982	95.6%	11
12 JPB Member Agencies	2,791,667	25,337,256	33,500,000	33,500,000	100.0%	33,500,000	33,500,000	100.0%	12
13									13
14 <b>TOTAL CONTRIBUTED REVENUE</b>	<b>2,894,173</b>	<b>35,589,774</b>	<b>40,497,666</b>	<b>40,861,682</b>	<b>99.1%</b>	<b>41,995,253</b>	<b>40,861,682</b>	<b>99.1%</b>	14
15									15
16 <b>GRAND TOTAL REVENUE</b>	<b>10,256,545</b>	<b>104,597,200</b>	<b>119,254,849</b>	<b>114,580,624</b>	<b>104.1%</b>	<b>111,368,706</b>	<b>114,580,624</b>	<b>104.1%</b>	16
17									17
<b>EXPENSE</b>									18
<b>OPERATING EXPENSE:</b>									19
22 Contract Operating and Maintenance	4,821,316	63,659,700	62,994,365	66,207,343	95.1%	63,820,184	66,207,343	95.1%	22
23 Rail Operator Service - Other	57,580	-	367,280	367,281	100.0%	1,150,000	367,281	100.0%	23
24 Shuttles (incl Peninsula Pass)	733,009	3,044,524	4,634,500	4,445,700	104.2%	4,410,504	4,445,700	104.2%	24
25 Fuel and Lubricants	1,186,197	15,281,681	15,344,013	16,200,615	94.7%	17,198,522	16,200,615	94.7%	25
26 Timetables and Tickets	1,600	155,936	127,295	147,200	86.5%	147,200	147,200	86.5%	26
27 Insurance	514,586	4,783,055	5,186,334	5,100,500	101.7%	5,100,500	5,100,500	101.7%	27
28 Facilities and Equipment Maint	266,441	1,828,325	1,690,067	1,780,471	94.9%	1,534,560	1,780,471	94.9%	28
29 Utilities	430,780	1,438,295	1,684,661	1,696,870	99.3%	1,696,870	1,696,870	99.3%	29
30 Maint & Services-Bldg & Other	190,410	1,238,207	1,283,283	1,286,880	99.7%	1,286,880	1,286,880	99.7%	30
31									31
32 <b>TOTAL OPERATING EXPENSE</b>	<b>8,201,918</b>	<b>91,429,723</b>	<b>93,311,797</b>	<b>97,232,860</b>	<b>96.0%</b>	<b>96,345,220</b>	<b>97,232,860</b>	<b>96.0%</b>	32
33									33
<b>ADMINISTRATIVE EXPENSE</b>									34
35 Wages and Benefits	418,113	4,810,240	5,389,848	5,404,812	99.7%	5,623,527	5,404,812	99.7%	35
36 Managing Agency Admin OH Cost	326,908	910,064	3,931,897	4,148,129	94.8%	3,540,298	4,148,129	94.8%	36
37 Board of Directors	3,416	10,020	12,127	12,800	94.7%	12,800	12,800	94.7%	37
38 Professional Services	163,845	2,498,188	2,680,039	2,769,238	96.8%	2,673,479	2,769,238	96.8%	38
39 Communications and Marketing	493	57,755	122,446	138,000	88.7%	138,000	138,000	88.7%	39
40 Office Expense and Other	302,267	1,379,187	1,607,726	1,357,176	118.5%	1,932,507	1,357,176	118.5%	40
41									41
42 <b>TOTAL ADMINISTRATIVE EXPENSE</b>	<b>1,215,041</b>	<b>9,665,454</b>	<b>13,744,082</b>	<b>13,830,155</b>	<b>99.4%</b>	<b>13,920,611</b>	<b>13,830,155</b>	<b>99.4%</b>	42
43									43
44 Long Term Debt Expense	91,906	1,102,875	1,102,875	1,102,875	100.0%	1,102,875	1,102,875	100.0%	44
45									45
46 <b>GRAND TOTAL EXPENSE</b>	<b>9,508,866</b>	<b>102,198,052</b>	<b>108,158,755</b>	<b>112,165,890</b>	<b>96.4%</b>	<b>111,368,706</b>	<b>112,165,890</b>	<b>96.4%</b>	46
47									47
48 <b>NET SURPLUS / (DEFICIT)</b>	<b>747,679</b>	<b>2,399,148</b>	<b>11,096,094</b>	<b>2,414,734</b>	<b>459.5%</b>	<b>-</b>	<b>2,414,734</b>	<b>459.5%</b>	48

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



**PENINSULA CORRIDOR JOINT POWERS BOARD**

**INVESTMENT PORTFOLIO**

**AS OF JUNE 30, 2013**

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Restricted)	*	Liquid Cash	0.244%	\$ 2,000,000	\$ 2,000,000
Local Agency Investment Fund (Unrestricted)	*	Liquid Cash	0.244%	24,734,756	24,742,061
County Pool (Unrestricted)	**	Liquid Cash	0.610%	20,199,707	20,124,674
Investment Portfolio (Unrestricted)		Liquid Cash	0.000%	0	0
Other (Unrestricted)		Liquid Cash	0.000%	1,083,809	1,083,809
				\$ 48,018,272	\$ 47,950,543

Accrued Earnings for June, 2013 \$ 15,357.98

Cumulative Earnings FY2013 \$ 217,675.74

\* The market value of Local Agency Investment Fund (LAIF) was derived from the fair value factor of 1.001219643 as reported by LAIF for quarter ending June 30, 2013.

\*\* County Pool average yield for the month ending June 30, 2013 was 0.610%. As of June, 2013 the amortized cost of the Total Pool was \$3,069,295,685.11 and the fair market value per San Mateo County Treasurer's Office was \$3,062,992,775.78.

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

PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD ENDING  
SEPTEMBER 30, 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 September 2013 and supplemental information.

**SIGNIFICANCE**

**Revenue:** For September of Fiscal Year (FY) 2014, *Total Operating Revenue* (line 7) is \$2,464,340 or 12.5 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$2,281,614 or 13.3 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$2,271,448 or 11.4 percent **higher**.

**Expense:** *Grand Total Expenses* (line 52) show a favorable variance of \$1,738,324 or 5.7 percent. *Total Operating Expense* (line 36) is \$1,315,623 or 5.1 percent **better** than budget. *Total Administrative Expense* (line 46) is \$422,702 or 9.6 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 52) are \$1,758,247 or 6.5 percent **higher**.

**BUDGET IMPACT**

In September, per Resolution No. 2013-39, the Board authorized to revise the FY2014 Operating Budget to include \$18,875 of Operation Lifesaver, Inc. funds, increasing the total budget to \$119,991,971.

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**

**September 2013**

**% OF YEAR ELAPSED 25.0%**

	MONTH		YEAR TO DATE			ANNUAL		
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET	% REV BUDGET
(AS PROJECTED)								
<b>REVENUE</b>								
<b>OPERATIONS:</b>								
1 Farebox Revenue	6,282,080	17,665,531	19,441,147	17,159,533	113.3%	66,070,569	66,070,569	29.4%
2 Parking Revenue	315,743	789,261	918,626	916,330	100.3%	3,652,330	3,652,330	25.2%
3 Shuttles	114,146	289,825	354,497	464,095	76.4%	1,722,636	1,722,636	20.6%
4 Rental Income	142,241	454,570	438,394	452,850	96.8%	1,816,920	1,816,920	24.1%
5 Other Income	210,067	660,283	978,253 A	673,770	145.2%	2,691,230	2,691,230	36.3%
6								
7 <b>TOTAL OPERATING REVENUE</b>	<b>7,064,278</b>	<b>19,859,470</b>	<b>22,130,918</b>	<b>19,666,578</b>	<b>112.5%</b>	<b>75,953,685</b>	<b>75,953,685</b>	<b>29.1%</b>
8								
<b>CONTRIBUTIONS:</b>								
10 AB434 Peninsula & TA Shuttle Funding	154,253	418,161	476,943	527,484	90.4%	2,109,948	2,109,948	22.6%
11 Operating Grants	523,993	1,327,746	1,571,978	1,881,319	83.6%	11,287,914	11,306,789	13.9%
12 JPB Member Agencies	1,435,963	8,374,999	4,307,890	4,307,887	100.0%	17,231,549	17,231,549	25.0%
13 Other Sources				4,007,992	0.0%	13,390,000	13,390,000	0.0%
14								
15 <b>TOTAL CONTRIBUTED REVENUE</b>	<b>2,114,209</b>	<b>10,120,906</b>	<b>6,356,811</b>	<b>10,724,682</b>	<b>59.3%</b>	<b>44,019,411</b>	<b>44,038,286</b>	<b>14.4%</b>
16								
17 <b>GRAND TOTAL REVENUE</b>	<b>9,178,487</b>	<b>29,980,376</b>	<b>28,487,729</b>	<b>30,391,260</b>	<b>93.7%</b>	<b>119,973,096</b>	<b>119,991,971</b>	<b>23.7%</b>
18								
19								
<b>EXPENSE</b>								
<b>OPERATING EXPENSE:</b>								
23 Rail Operator Service	5,200,000	14,826,992	15,569,246	16,125,000	96.6%	64,500,000	64,500,000	24.1%
24 Rail Operator Service - Other	-	285,000	-	-	0.0%	-	-	0.0%
25 Security Services	417,386	799,076	1,109,320	1,119,986	99.0%	4,519,944	4,519,944	24.5%
26 Rail Operator Extra Work	-	25,400	-	38,880	0.0%	155,500	155,500	0.0%
27 Contract Operating & Maintenance	5,617,386	15,936,468	16,678,566	17,283,866	96.5%	69,175,444	69,175,444	24.1%
28 Shuttles (incl Peninsula Pass)	289,313	883,666	979,776	1,193,523	82.1%	4,774,107	4,774,107	20.5%
29 Fuel and Lubricants	1,394,502	4,253,379	4,041,872	4,457,024	90.7%	17,828,097	17,828,097	22.7%
30 Timetables and Tickets	5,328	35,472	29,831	31,917	93.5%	155,000	155,000	19.2%
31 Insurance	425,694	1,200,120	1,453,021	1,502,494	96.7%	5,470,000	5,470,000	26.6%
32 Facilities and Equipment Maint	196,918	374,542	452,714	450,864	100.4%	1,814,975	1,841,850	24.6%
33 Utilities	143,466	438,205	434,688	456,535	95.2%	1,826,540	1,826,540	23.8%
34 Maint & Services-Bldg & Other	88,083	316,513	321,553	331,420	97.0%	1,323,880	1,323,880	24.3%
35								
36 <b>TOTAL OPERATING EXPENSE</b>	<b>8,160,690</b>	<b>23,438,365</b>	<b>24,392,020</b>	<b>25,707,643</b>	<b>94.9%</b>	<b>102,368,043</b>	<b>102,394,918</b>	<b>23.8%</b>
37								
<b>ADMINISTRATIVE EXPENSE</b>								
39 Wages and Benefits	473,321	1,250,233	1,686,432	1,881,228	89.6%	6,811,835	6,634,616	25.4%
40 Managing Agency Admin OH Cost	368,128	878,061	1,087,281	1,254,497	86.7%	5,017,987	5,017,987	21.7%
41 Board of Directors	859	1,681	1,739	2,250	77.3%	11,700	11,700	14.9%
42 Professional Services	219,235	663,214	706,471	731,068	96.6%	2,764,323	2,903,015	24.3%
43 Communications and Marketing	16,833	33,750	18,964	21,438	88.5%	122,500	122,500	15.5%
44 Office Expense and Other	186,178	353,666	484,309	517,419	93.6%	1,773,833	1,804,360	26.8%
45								
46 <b>TOTAL ADMINISTRATIVE EXPENSE</b>	<b>1,264,555</b>	<b>3,180,605</b>	<b>3,985,197</b>	<b>4,407,899</b>	<b>90.4%</b>	<b>16,502,178</b>	<b>16,494,178</b>	<b>24.2%</b>
47								
50 Long Term Debt Expense	91,906	275,719	275,719	275,719	100.0%	1,102,875	1,102,875	25.0%
51								
52 <b>GRAND TOTAL EXPENSE</b>	<b>9,517,150</b>	<b>26,894,689</b>	<b>28,652,936</b>	<b>30,391,260</b>	<b>94.3%</b>	<b>119,973,096</b>	<b>119,991,971</b>	<b>23.9%</b>
53								
54 <b>NET SURPLUS / (DEFICIT)</b>	<b>(338,664)</b>	<b>3,085,687</b>	<b>(165,207)</b>	<b>-</b>	<b>0.0%</b>	<b>-</b>	<b>-</b>	<b>0.0%</b>

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

A - Recovery of Lehman Brothers Bankruptcy funds of \$327,132.82.



**PENINSULA CORRIDOR JOINT POWERS BOARD**

**INVESTMENT PORTFOLIO**

**AS OF SEPTEMBER 30, 2013**

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Restricted)	Liquid Cash	0.257%	\$ 2,000,000	\$ 2,000,000
Local Agency Investment Fund (Unrestricted)	Liquid Cash	0.257%	21,951,257	21,951,257
County Pool (Unrestricted)	* Liquid Cash	0.760%	20,557,629	20,557,629
Other (Unrestricted)	Liquid Cash	0.000%	557,595	557,595
			\$ 45,066,482	\$ 45,066,482

Accrued Earnings for September, 2013	\$ 19,094.94
Cumulative Earnings FY2014	\$ 54,298.29

\* County Pool average yield for the month ending September 30, 2013 was 0.760%. As of September, 2013 the amortized cost of the Total Pool was \$2,791,184,696.33 and the fair market value per San Mateo County Treasurer's Office was \$2,791,032,502.31.

The Portfolio and this Investment Report comply with the Investment Policy and the provisions of SB 564 (1995).

The Joint Powers Board has the ability to meet its expenditure requirements for the next six months.

PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **REAFFIRM THE ANNUAL INVESTMENT POLICY AND AUTHORIZATION TO INVEST MONIES WITH THE LOCAL AGENCY INVESTMENT FUND**

**ACTION**

Staff Coordinating Council (SCC) recommends the Board adopt the attached resolutions, one reaffirming the Statement of Investment Policy (Investment Policy) and the delegation of authority as stated therein and a second resolution authorizing the investment of Peninsula Corridor Joint Powers Board (JPB) monies in the Local Agency Investment Fund (LAIF).

**SIGNIFICANCE**

The Executive Director or his designee serves as the JPB's trustee for purposes of placing investments pursuant to the attached investment policy (Exhibit A). The Board of Directors, in accordance with *California Government Code Section 53646(a)*, may review and reauthorize this delegation of authority on an annual basis at a public meeting.

The Board of Directors, in compliance with LAIF requirements, must also adopt a separate resolution authorizing monies to be invested in LAIF.

Staff, in conjunction with Legal Counsel, has reviewed the attached Investment Policy and recommends the reaffirmation of said policy.

**BACKGROUND**

The JPB's investments have always been in accordance with sound treasury management practices and complied with the objectives of safety, liquidity, and yield in that order of priority.

The JPB originally adopted its Investment Policy in August 1999 and has, from time to time, amended this policy.

The JPB most recently amended this policy on November 1, 2012 with the following minor changes:

- (1) A clarification of the allowable investment provision. (Pages 5-6)
- (2) Update to two statutory citations. (Page 3 and Page 6)

Prepared by: Lori Snow, Manager, Finance - Treasury

650.508.6425

August 5, 1999  
Reaffirmed August 3, 2000  
Amended August 2, 2001  
Reaffirmed September 2002  
Amended October 2003

Reaffirmed September 2004  
Reaffirmed October 2005  
Reaffirmed November 2006  
Amended November 2007  
Amended December 2008

Reaffirmed December 2009  
Amended November 2010  
Reaffirmed November 2011  
Amended November 2012

## **EXHIBIT A**

### **PENINSULA CORRIDOR JOINT POWERS BOARD**

#### **STATEMENT OF INVESTMENT POLICY**

##### **I. PURPOSE**

This Policy provides guidelines for the prudent investment and cash management of the Peninsula Corridor Joint Powers Board's (JPB) funds. It is the goal of this Policy to establish investment objectives in accordance with the provisions of the *California Government Code, Section 53600 et seq.* (hereafter "*Code*"), and investment guidelines, to ensure that the funds under its purview are prudently invested to preserve capital, provide necessary liquidity, and to achieve a market-average rate of return over an economic cycle consistent with the JPB's goals of preserving principal and minimizing the risk of diminishing the principal.

Investments may only be made as authorized by this Investment Policy, and subsequent revisions. This Statement of Investment Policy may be reviewed annually by the JPB's Board of Directors at a public meeting. Irrespective of these policy provisions, should the provisions of the *Code* be, or become, more restrictive than those contained herein, then such provisions will be considered immediately incorporated into this Statement of Investment Policy.

##### **II. OBJECTIVE**

The JPB's cash management system is designed to monitor and forecast accurately, expenditures and revenues, thus enabling the JPB to invest funds to the fullest extent possible. Idle funds of the JPB shall be invested in accordance with sound treasury management and in accordance with the provisions of *California Government Code Section 53600 et seq.* and this Policy.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital, as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be applied in the context of managing an overall portfolio. JPB officials shall act in accordance with written procedures and the Investment Policy and should report deviations from expectations in a timely fashion and take appropriate action to control adverse developments.

The JPB's primary objective with respect to its invested funds is to safeguard the principal of the funds. The second objective is to meet the liquidity needs of the JPB. The third objective is to achieve a return on its invested funds.

### **III. POLICY**

At all times, the JPB shall invest its funds in accordance with the rules and restrictions established by the law of the State of California (*Government Code Section 53600 et seq.*). In addition, the JPB shall conduct its investments under the "prudent investor standard": "When investing, reinvesting, purchasing, acquiring, exchanging, selling or managing public funds, a trustee shall act with care, skill, prudence and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency." (*California Government Code Section 53600.3*).

The Executive Director or his designee of the JPB shall serve as the JPB's trustee for purposes of placing investments pursuant to this Investment Policy. The Board of Directors may review and specifically reauthorize this delegation of authority on an annual basis. The Investment Policy may be reviewed annually by the JPB's Board of Directors at a public meeting. (*California Government Code Section 53646(a)*).

1. **Criteria for Selecting Investments.** Criteria for selecting investments and the order of priority are:
  - a. **Safety.** The safety and risk associated with an investment refer to the potential loss of principal, interest or a combination of these amounts. The JPB shall operate only in those investments that are considered safe. Investments in instruments and with institutions permitted under Section 2, Diversification, Section 6, Allowable Investment Instruments and Section 7, Local Agency Investment Fund & San Mateo County Investment Fund, are deemed to constitute safe investment within the meaning of this Investment Policy.
  - b. **Liquidity.** An adequate percentage of the portfolio, in the approximate amount of six months operating expenses, should be maintained in liquid short-term investments which can convert to cash if necessary to meet disbursement requirements. For purposes of this Investment Policy, fixed income securities maturing in one year or more are considered investment term and fixed income securities maturing in less than one year are considered short-term cash equivalents.
  - c. **Return on Investment.** The JPB's investment portfolio shall be designed with the objective of attaining the safety and liquidity objectives first, and then attaining a market rate of return throughout the budgetary and economic cycles, consistent with the portfolio's benchmark as described in

Section IV - Benchmarks. This benchmark takes into account the JPB's investment risk constraints and the cash flow characteristics of the portfolio.

2. **Diversification.** The JPB will limit its investments to the safest types of securities which include those backed by the U. S. Government or its agencies, those which have federal insurance on principal by the Federal Deposit Insurance Corporation (FDIC), or those having collateral backing of the invested principal as defined by this Investment Policy and/or the California Codes, and medium term notes as defined by *California Government Code Section 53601(k)*. Only first mortgages or government securities may be used for collateral on JPB deposits.

Collateral is defined in this Investment Policy to mean property (as securities) pledged by a borrower to protect the interest of the lender. For purposes of this Investment Policy, the following investments are considered to have collateral backing: Certificates of Deposit protected by either the FDIC or pledged securities in conformance with California Codes and this Investment Policy; Bankers' Acceptances (protected by an irrevocable time draft or bill of exchange) whereby the accepting bank incurs an irrevocable primary obligation thus guaranteeing payment on the draft or bill. A secondary obligation rests with the issuing company; Commercial Paper (protected by an unsecured promissory note from the issuer who must be rated A-1/P-1/F-1 or better) thereby guaranteeing that the earning power and/or liquidity had been established to fulfill the obligation to pay; and, asset backed securities which are rated AAA by both Moody's and Standard & Poor's.

The portfolio should consist of a mix of various types of securities, issuers, and durations from among the allowable investment instruments described in Sections 5, 6 and 7 so as to minimize the risk of loss and to maximize the rate of return when prudent to do so.

3. **Safekeeping and Custody.** All security transactions, including collateral for repurchase agreements will be executed on a Delivery versus Pay Basis (DVP). The assets of the JPB shall be held in safekeeping by the JPB's safekeeping agent, or secured through third party custody and safekeeping procedures. A due bill or other substitution will not be acceptable.
4. **Maturity of Investments.** Should the JPB decide to invest its cash in investments other than through a local agency investment fund (i.e. LAIF, SMCIF), the remaining maturity of a callable security shall be determined by its actual final stated maturity. The maturity of asset backed securities shall be considered the estimated maturity date of the tranche. With the adoption of this amended JPB Investment Policy, the JPB Board authorizes the Executive Director or his designee to invest in securities exceeding 5 years but not more than a remaining life exceeding 11 years, no more than 25 percent of the portfolio shall be invested in securities with a remaining life of 5 to 11 years, and the weighted

average maturity of the portfolio shall not exceed 5 years. The policy of maintaining a maximum dollar weighted maturity of 5 years leaves open the flexibility to take advantage of interest rate fluctuations as well as yield curve differences to maximize the return on investment as well as coinciding with the expected use of the funds. The imposed maximum dollar weighted 5 year average maturity also limits the market risk to levels comparable to an intermediate income fund.

The specific security guidelines including maximum maturities and qualified Fixed Income instruments can be found in the table under Section 9, Summary of Investments & Limitations of this policy.

5. **Deposit of Funds.** As far as possible, all money belonging to or in the custody of the JPB including money paid to the JPB to pay the principal, interest or penalties of bonds, shall be deposited for safekeeping in state or national banks, savings associations or federal associations, credit unions or federally insured industrial loan companies in California (as defined by *California Government Code Section 53630*). Pursuant to *California Government Code Sections 53635, 53637 and 53638*, the money shall be deposited in any authorized depository with the objective of realizing maximum return, consistent with prudent financial management.

The JPB's funds may also be invested in the instruments set forth below and in Sections 6 and 7 of this policy:

- a. **Time Deposits with Banks.** The JPB may invest in time deposits. In so doing, the following rules will be followed subject to the applicable statutory requirements:
- (1) No more than 5 percent of the total portfolio will be placed in any one financial institution.
  - (2) The issuing bank must carry short-term ratings of at least A-1/P-1/F-1 whose long-term rating is A or better by two of the three nationally recognized rating services (Standard & Poor's, Moody's Investor Services and Fitch's Ratings).
  - (3) Prior to placing each deposit, the Executive Director or his designee will survey the market in order to determine which stable financial institution offers the highest rate of interest.
- b. **U.S. Treasury Obligations.** The investment of JPB funds in U. S. Treasury Obligations may be undertaken in lieu of time deposits. Guaranteed by the U. S. Government, treasury obligations are considered one of the safest instruments, but the yield generally is lower than that of time deposits.

6. **Allowable Investment Instruments.** The JPB may also invest in any investment instrument as authorized by the *California Government Code*, as it may be amended from time to time, and subject to any conditions set forth in the *California Government Code* (with particular attention to the restrictions described in section 53601). These investment instruments may include:
- a. United States Treasury notes, bonds, bills or certificates of indebtedness, or those for which the faith and credit of the United States Government are pledged for the timely payment of principal and interest.
  - b. Obligations issued by banks for cooperatives, federal land banks, federal intermediate credit banks, federal home loan banks or obligations, participations or other instruments of or issued by, a federal agency or a United States government-sponsored enterprise.
  - c. Bills of exchange or time drafts drawn on and accepted by a commercial bank, otherwise known as bankers acceptances, which are eligible for purchase by the Federal Reserve System.
  - d. Commercial paper of "prime" quality of the highest ranking or of the highest letter and numerical rating as provided for by Moody's Investors Service, Standard and Poor's or Fitch's Ratings.
  - e. Negotiable certificates of deposits issued by a nationally or state-chartered bank or a state or federal association (as defined by *California Financial Code Section 5102*) or by a state-licensed branch of a foreign bank.
  - f. Investments in repurchase agreements or reverse repurchase agreements of any securities authorized by this section.
  - g. Medium-term notes/corporate bonds of a maximum of five years' maturity issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States.
  - h. Shares of beneficial interest issued by diversified management companies investing in the securities and obligations as authorized by subdivisions (a) to (g), inclusive, of this section.
  - i. Any mortgage pass-through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate or consumer receivable-backed bond of a maximum of five years maturity.
  - j. Other securities having first mortgages or government securities as collateral backing of the invested principal as defined by this Policy and/or the *California Government Code*.

7. **Local Agency Investment Fund & San Mateo County Investment Fund.** The Board of Directors also authorizes the JPB to invest in the Local Agency Investment Fund (LAIF) pursuant to *California Government Code Section 16429.1* and in the San Mateo County Investment Fund (SMCIF).
  
8. **Prohibited Investments.** The JPB shall not invest any funds in inverse floaters, range notes or mortgage derived interest-only strips. The JPB shall not invest any funds in any security that could result in zero interest accrual if held to maturity; however, the JPB may hold this prohibited instrument until its maturity date. The limitation does not apply to investments in shares of beneficial interest issued by diversified management companies as set forth in *California Government Code Section 53601.6*.
  
9. **Portfolio Transactions.** The JPB’s investment advisors are expected to seek best execution for all portfolio transactions. Best execution relates to the expected realized price net of commissions and is not necessarily synonymous with the lowest commission rate. Investment advisors are to obtain three independent bids from SEC licensed brokerage institutions, licensed by the state as a broker-dealer, as defined in *California Government Code Section 53601.5*, or from a brokerage firm designated as a primary government dealer by the Federal Reserve Bank, prior to the execution of each portfolio transaction. The investment advisors, at their sole discretion and authority, will choose which broker dealers or brokerage firms from which to solicit bids and final selection is to be made based on the best interests of the JPB. Investment advisors may incur realized capital losses in order to minimize the decrease in real purchasing power of the assets over an indefinite period of time subject, however, to the prior approval of the Executive Director or his designee.
  
10. **Summary of Instruments & Limitations.** Subject to the limitations set forth in *California Government code Sections 53600 et seq.* which may be amended from time to time, the Executive Director or his designee may invest in the following instruments, subject to the limits of flexibility described above:

<u>Instrument</u>	<u>Limitations</u>			
	<u>Rating</u>	<u>% Of Fund</u>	<u>% Of Fund Per Issuer</u>	<u>Maturity</u>
U.S. Treasury Obligations		100	100	11 years
Obligations of U.S. Agencies or Government Sponsored Enterprises		100	100	11 years

<u>Instrument</u>	<u>Limitations</u>			
	<u>Rating</u>	<u>% Of Fund</u>	<u>% Of Fund Per Issuer</u>	<u>Maturity</u>

Bankers Acceptances	A1/ P1/F1			
Domestic (\$500 million minimum assets)		15	10	180 days
Foreign (\$500 million minimum assets)		15	10	180 days
Collateralized Time Deposits Within the State of California		30	10	1 year
Negotiable Certificates of Deposits		10	5	5 years
Commercial Paper	A1/ P1/F1	15	10	270 days
(\$500 million minimum assets)	Additional	10	-	31 days*
*Additional 10% (for a total of 25%) if the dollar weighted average maturity of the entire amount does not exceed 31 days				
Repurchase Agreements Secured by U.S.Treasury or Agency Obligation (102% collateral)		100	50	1 year
Reverse Repurchase Agreements & Security Lending		20	20	92 days
Corporate Bonds & Medium Term Notes Including Asset-Backed Bonds (two agencies)	A	30	10	5 years
Local Agency Investment Fund (LAIF)				Up to the current limit.
San Mateo County Investment Fund (SMCIF)				Up to the current limit.
Shares of Beneficial Interest Issued by Diversified Management Companies as defined in Government Code Section 53601		10	5	
Mortgage Backed Securities	AAA	20	5	5 years
No Inverse Floaters				
No Range Notes				
No Interest Only Strips Derived from a Pool of Mortgages				

#### IV. **BENCHMARKS**

All of the JPB's investment results shall be evaluated quarterly based on the following composite index developed by the JPB's investment advisor.

50% BofA Merrill Lynch 0-1 Year U.S. Governments

50% BofA Merrill Lynch 1-3 Year U.S. Governments

**V. REPORTING**

On a monthly basis the Investment Advisor should submit an investment report which provides a market review, the Advisor's outlook for the market and strategy for investing JPB funds. The report will also compare the portfolio against the benchmark established by this policy in terms of duration and yield.

Quarterly, the Executive Director shall submit an investment report to the Board of Directors within 30 days of the end of the quarter. The report shall include the following information:

1. Type of investment, issuer, date of maturity, par and dollar amount invested in all securities, investments and moneys held by the JPB;
2. Description of any of the JPB's funds, investments or programs that are under the management of contracted parties, including lending programs;
3. For all securities held by the JPB or under management by any outside party that is not a local agency or the State of California Local Agency Investment Funds, a current market value as of the date of the report and the source of this valuation;
4. Statement that the portfolio complies with the Investment Policy or the manner in which the portfolio is not in compliance; and
5. Statement that the JPB has the ability to meet its pool's expenditure requirements (cash flow) for the next six months or provide an explanation as to why sufficient money shall or may not be available.

If the JPB places all of its investments in the LAIF, FDIC-insured accounts in a bank or savings and loan association or county investment pool (or any combination of these three), the Executive Director can simply submit, on at least a quarterly basis, the most recent statements from these institutions to meet the requirements of items 1 - 3 above, with a supplemental report addressing items 4 and 5 above. (*California Government code Section 53646(b)-(e)*).

**RESOLUTION NO. 2013-**

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

**STATE OF CALIFORNIA**

\*\*\*

**REAFFIRMING THE STATEMENT OF INVESTMENT POLICY  
FOR THE PENINSULA CORRIDOR JOINT POWERS BOARD**

**WHEREAS**, as encouraged by applicable State law and in accordance with best practices, the Peninsula Corridor Joint Powers Board (JPB) has adopted an Investment Policy; and

**WHEREAS**, the JPB may annually render a statement of said Investment Policy to the Board of Directors for review and approval pursuant to Section 53646 of the State of California Government Code; and

**WHEREAS**, in August 1999, the JPB adopted a Statement of Investment Policy; and

**WHEREAS**, the JPB has amended its Statement of Investment Policy over the years, most recently in November 2012, to clarify an allowable investment provision and to update two citations; and

**WHEREAS**, in presenting the Statement of Investment Policy to the Board of Directors for this year, staff recommends reaffirmation of the aforementioned Statement of Investment Policy, and further recommends reappointing the Executive Director (or his designee) as trustee for purposes of placing investments pursuant to the aforementioned policy.

**NOW, THEREFORE BE IT RESOLVED** the Board of Directors of the Peninsula Corridor Joint Powers Board affirms the Statement of Investment Policy attached hereto as Exhibit A; and

**BE IT FURTHER RESOLVED** the Board of Directors of the Peninsula Corridor Joint Powers Board hereby appoints its Executive Director (or his designee) as the trustee for purposes of placing investments pursuant to said policy.

Regularly passed and adopted this 7th day of November, 2013 by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Chair, Peninsula Corridor Joint Powers Board

ATTEST:

\_\_\_\_\_  
JPB Secretary

RESOLUTION NO. 2013-

BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD

STATE OF CALIFORNIA

\*\*\*

**AUTHORIZING INVESTMENT OF PENINSULA CORRIDOR JOINT POWERS BOARD MONIES IN  
LOCAL AGENCY INVESTMENT FUND**

**WHEREAS**, pursuant to Government Code Section 16429.1, a Local Agency Investment Fund (LAIF) was created in the State Treasury for the deposit of local agency monies for purposes of investment by the State Treasurer; and

**WHEREAS**, staff recommends that the deposit and withdrawal of money in LAIF in accordance with the provisions of Government Code Section 16429.1 for the purpose of investment as stated therein are in the best interests of the Peninsula Corridor Joint Powers Board.

**NOW THEREFORE, BE IT RESOLVED** the Board of Directors of the Peninsula Corridor Joint Powers Board does hereby authorize the deposit and withdrawal of Peninsula Corridor Joint Powers Board monies in LAIF in the State Treasury in accordance with the provisions of Government Code Section 16429.1 for the purpose of investment as stated therein; and

**BE IT FURTHER RESOLVED** the Executive Director (or his designee) shall be authorized to order the deposit or withdrawal of Peninsula Corridor Joint Powers Board monies in the Local Agency Investment Fund.

Regularly passed and adopted this 7<sup>th</sup> day of November, 2013 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

Marian Lee  
Executive Officer,  
Caltrain Modernization

SUBJECT: **REJECTION OF ALL PROPOSALS FOR A PROJECT DELIVERY DIRECTOR FOR CALTRAIN MODERNIZATION (CALMOD) PROGRAM**

**ACTION**

Staff Coordinating Council (SCC) recommends the Board reject all proposals submitted in response to the Peninsula Corridor Joint Powers Board's (JPB) solicitation 13-PCJPB-P-025, to procure the services of a Project Delivery Director for the Caltrain Modernization (CalMod) Program.

**SIGNIFICANCE**

Approval of the above action will enable staff to continue the search for qualified individuals who can provide the services of a Project Delivery Director for the CalMod Program. Initial scoring of the two submitted proposals yielded less than 50 percent of the 100 possible points, thus both proposals failed to meet the minimum technical requirements of the solicitation. For that reason staff recommends the Board reject all proposals.

**BUDGET IMPACT**

There is no impact to the budget.

**BACKGROUND**

A Request for Proposals (RFP) was issued to identify an individual to provide the services of a Project Delivery Director for the CalMod Program for a three-year base term with two 2-year option terms. The solicitation was advertised in a newspaper of general circulation and on the JPB's procurement website. Notifications went out to interested vendors that were registered in the procurement database and to Disadvantaged Business Enterprises in the engineering and transportation consulting industries. The JPB received two proposals in response to the RFP.

An Evaluation Committee (Committee) composed of CalMod Program project team members and one participant from Dallas Area Rapid Transit carefully reviewed and

scored the proposals. Evaluation criteria described the requirements for an individual to demonstrate sufficient education, training, and professional experience to successfully deliver large, complex, and highly integrated rail system transit projects involving electrified vehicles, overhead catenary systems, traction power substations, signals and communications on time and within budget. Upon completion of the review by the Committee, the composite results indicated that neither candidate's qualifications were sufficiently strong to warrant continuation of the evaluation process and the Committee concluded that the procurement should be terminated.

Inquiries were made to the 20 firms that downloaded the RFP but did not submit proposals. Nine firms responded. Several stated qualified personnel were not available during the timeframe required; one responded the five-year term was prohibitive; and several others noted they were planning to respond to the Electrification Consultant procurement that would be posted at a later date.

Staff has developed a comprehensive CalMod Program procurement strategy to secure appropriate levels of owner-representative support necessary to deliver the Program, which includes electrifying the peninsula corridor and acquiring Electric Multiple Units (EMUs). Staff will continue its search for qualified individuals to support the CalMod Program.

Senior Contract Officer: Juanita Vigil  
Project Manager: Marian Lee

650.508.7731  
650.622.7843

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: **REJECTION OF THE LOWEST MONETARY BID AS NON-RESPONSIVE AND  
AWARD OF A CONTRACT FOR PROVIDING TYPESETTING, PRINTING, AND  
DELIVERY OF THERMAL AND NON-THERMAL TICKET MEDIA**

**ACTION**

Staff Coordinating Council (SCC) recommends the Board:

1. Reject the lowest monetary bid from Canada Ticket, Inc., of Langley, British Columbia, Canada as non-responsive.
2. Award a contract to the lowest, responsive and responsible bidder, Paper Solutions, Inc., of Indianapolis, IN, to provide typesetting, printing, and delivery of thermal and non-thermal ticket media for a total estimated cost of \$142,840 for a two-year term.
3. Authorize Executive Director or his designee to execute a contract with Paper Solutions, Inc. in full conformity with the terms and conditions of the bid specification documents.
4. Authorize the Executive Director, or his designee, to exercise up to two one-year option terms with Paper Solutions, Inc. for an aggregate estimated cost of \$142,840, if deemed in the best interest of the Peninsula Corridor Joint Powers Board (JPB).

**SIGNIFICANCE**

Award of this contract will provide the Peninsula Corridor Joint Powers Board (JPB) with a dedicated supplier to provide printing and delivery of thermal and non-thermal tickets for the Caltrain ticket vending machines (TVMs) along the Caltrain right of way.

**BUDGET IMPACT**

The total cost of these services is included in the approved and projected operating budgets.

**BACKGROUND**

The Invitation for Bids covered the printing and delivery of thermal and non-thermal tickets over a two-year term. The term of the award was limited to two years to coincide with the anticipated TVM Replacement Project scheduled to be underway in 2015. It is anticipated the new TVMs may require an entirely new ticket stock.

The solicitation was advertised in a newspaper of general circulation and on the JPB's procurement website. Notifications went out to interested bidders and Disadvantaged Business Enterprises in the printing industry. Two bids were received, as follows:

<b>Company</b>	<b>Bid Amount</b>
1. Canada Ticket, Inc., British Columbia, Canada	\$137,794
2. Paper Solutions, Inc., Indianapolis, IN	\$142,840

Canada Ticket, Inc. submitted the lowest bid. Upon review by staff and Legal Counsel, Canada Ticket's bid was found to be non-responsive as they submitted a business check for their bidder's security. In accordance with the solicitation documents, General Provision 8, "Bidder's Security," no personal or business checks will be accepted. For a check to meet the applicable requirements, it must be a "certified," "cashier's" or "official check."

As a result, Paper Solutions, Inc. was determined to be the lowest, responsive, responsible bidder. Its bid fully complies with the solicitation documents. Paper Solutions, Inc. is appropriately qualified and capable of meeting the requirements of the contract.

Canada Ticket, Inc. has filed a protest. Staff has reviewed it and reached the conclusion the protest is without merit. In accordance with the bid protest procedures, staff will advise the protester of the staff determination.

Staff contacted other potential bidders to determine why they did not submit a bid. One indicated it could not provide all the items required by the JPB without subcontracting, which is not allowed under the contract. Another felt its pricing would not be competitive and, therefore, did not bid. Additionally, thermal ticket printing is a small niche in the printing industry with few companies capable of being competitive in that niche.

The JPB's current contractor is Paper Solutions, Inc. at a five-year estimated cost of \$493,820. The contract expires December 31, 2013.

Contract Officer: Brian Geiger 650.508.7973  
Project Manager: Melissa Wicklow, Market Development Specialist 650.508.6292

RESOLUTION NO. 2013-

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

\* \* \*

**REJECTING THE LOWEST MONETARY BID AS NON-RESPONSIVE AND AUTHORIZING  
CONTRACT AWARD TO PAPER SOLUTIONS, INC. FOR PROVIDING TYPESETTING, PRINTING,  
AND DELIVERY OF THERMAL AND NON-THERMAL TICKET MEDIA  
FOR THE ESTIMATED COST OF \$142,840 FOR A TWO-YEAR PERIOD**

**WHEREAS**, the Peninsula Corridor Joint Powers Board (JPB) solicited competitive bids to provide typesetting, printing, and delivery of thermal and non-thermal ticket media; and

**WHEREAS**, in response to the JPB's Invitation for Bids (IFB), two firms submitted bids; and

**WHEREAS**, staff and legal counsel have reviewed the bids and determined the lowest monetary bidder, Canada Ticket, Inc. of Langley, British Columbia, Canada, is non-responsive for its failure to submit a bidder's security that met the applicable requirements; and

**WHEREAS**, staff has duly notified Canada Ticket, Inc. of the recommendation to reject its bid and of its right to present evidence on its behalf before the JPB's Board of Directors (Board); and

**WHEREAS**, the Executive Director recommends a contract be awarded to the second low bidder, Paper Solutions, Inc. of Indianapolis, IN, whose bid meets the requirements of the solicitation documents.

**NOW, THEREFORE, BE IT RESOLVED** the Board hereby rejects Canada Ticket Inc.'s bid as non-responsive for the reason recited above; and

**BE IT FURTHER RESOLVED** the Board hereby awards a contract to provide typesetting, printing, and delivery of thermal and non-thermal ticket media to Paper Solutions, Inc. for a two-year term at a total estimated cost of \$142,840 inclusive of all delivery and other costs and expenses but excluding taxes; and

**BE IT FURTHER RESOLVED** the Executive Director or his designee is authorized to execute a contract on behalf of the JPB with Paper Solutions, Inc. in full conformity with the terms and conditions of the bid specification documents; and

**BE IT FURTHER RESOLVED** the Executive Director or his designee is authorized to exercise up to two one-year option terms with Paper Solutions, Inc. for an aggregate estimated cost of \$142,840 provided that the exercise of such option is in the best interest of the JPB.

Regularly passed and adopted this 7<sup>th</sup> day of November, 2013, by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

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

SUBJECT: **ADOPTION OF CALTRAIN TITLE VI PROGRAM**

**ACTION**

Staff Coordinating Council (SCC) recommends that the Board adopt the Caltrain Title VI Program ([attached](#)).

**SIGNIFICANCE**

Under new Federal guidelines issued in October 2012, the Federal Transit Administration (FTA) requires the governing board of Federal funding recipients to adopt a Title VI Program every three years. Caltrain's first program under the new guidelines must be submitted to the FTA by December 1, 2013.

The Caltrain Title VI Program includes the following documentation of Caltrain policies, procedures and activities:

- Contents and placement of public notices regarding the public's rights under Title VI of the Civil Rights Act of 1964
- Title VI complaint form and procedures
- List of transit-related Title VI investigations, complaints, and lawsuits pending within the last three years
- Public Participation Plan (PPP) and summary of public engagement processes undertaken in past three years, including for adoption of the Major Service Change, Disparate Impact and Disproportionate Burden policies
- Language Assistance Plan (LAP)
- Demographic information on membership of non-elected committees, such as the Citizens Advisory Committee, and discussion of encouragement of minority involvement
- Results of equity analyses for any facilities constructed over the last three years
- Service area description and demographic profile, including ridership survey results
- Adopted service standards and policies, as well as results of service monitoring under these standards and policies
- Results of equity analyses for fare and service changes made in past three years
- Record of Board consideration and adoption of the Title VI Program

The development of elements of this program has included significant outreach to the public, including meetings which targeted specific language groups in a focus-group format. Some elements of the program, including the PPP and LAP, include recommendations for improving outreach efforts associated with new initiatives or planning efforts.

Analysis conducted as part of program development concluded that Caltrain complies with all applicable Title VI requirements.

### **BUDGET IMPACT**

There is no impact on the budget.

### **BACKGROUND**

Caltrain has been submitting a triennial Title VI Program to the FTA for a number of reporting cycles. New guidance from the FTA now requires the Board of Directors to adopt the program prior to submission. Staff developed and publicly vetted a series of performance standards and related policies in January through March 2013 prior to Board adoption of these policies in April 2013. Since that time, staff has worked to conduct outreach and develop the other elements necessary to compile the Title VI Program in advance of its December 1, 2013 due date. Staff will continue to ensure Caltrain remains in compliance with all applicable Title VI requirements moving forward, including development and adoption of the next program in 2016.

Prepared by: Catherine David, Senior Transportation Planner

650.508.6471

RESOLUTION NO. 2013 –

BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD

STATE OF CALIFORNIA

\* \* \*

**ADOPTION OF CALTRAIN TITLE VI PROGRAM**

**WHEREAS**, Title VI of the Civil Rights Act of 1964 requires recipients of Federal grants and other assistance to operate their programs and services without regard to, or discrimination based on, race, color or national origin; and

**WHEREAS**, the Federal Transit Administration (FTA) issued Circular FTA C 4702.1B, effective October 1, 2012, setting forth requirements and guidelines for Title VI compliance; and

**WHEREAS**, the above-referenced Circular details required elements of a Title VI Program, which each recipient of FTA grants and assistance must submit to the FTA every three years to evidence compliance with Title VI; and

**WHEREAS**, Caltrain's current Title VI Program expires on January 31, 2014, therefore necessitating submittal of an updated program to the FTA by December 1, 2013; and

**WHEREAS**, Caltrain's Title VI Program must include numerous elements, including but not limited to:

1. Information on numerous agency policies, procedures and activities undertaken over the last three years;
2. A public participation plan;
3. Information on public outreach undertaken by the JPB over the past three years, including during development and approval of the Major Service Change, Disparate Impact and Disproportionate Burden policies adopted by this Board pursuant to Resolution 2013-21;
4. A plan for engaging persons with limited English proficiency;
5. System-wide service standards and policies, which this Board also adopted pursuant to Resolution 2013-21;
6. Results of service monitoring analysis; and
7. Results of fare and service change equity analyses conducted over the past three years; and

**WHEREAS**, staff has developed a proposed Title VI Program (provided to the Board via staff report), including the above-referenced items and evidencing Caltrain's compliance with Title VI, for Board consideration and approval.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Directors of the Peninsula Corridor Joint Powers Board hereby adopts the Caltrain Title VI Program; and

**BE IT FURTHER RESOLVED** the Board of Directors authorizes the Executive Director, or his designee, to:

1. Include evidence of the Board's consideration and approval of the final Caltrain Title VI Program;
2. Submit the final Caltrain Title VI Program to the FTA; and
3. Take any other steps necessary to give effect to this Resolution, including responding to any follow-up inquiries from the FTA.

Regularly passed and adopted this 7<sup>th</sup> day of November, 2013 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: 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**

Cap-and-Trade

In October, the California Air Resources Board (CARB) released an update to its Draft Climate Change Scoping Plan as required by the California Global Warming Solutions Act (Assembly Bill (AB) 32). Once final, this plan will guide the State's efforts to achieve the greenhouse gas reduction targets called for in AB 32.

The San Mateo County Transit District has been collaborating, along with several other transit-focused agencies, as a member of the Transportation Coalition for Livable Communities, to support AB 32 implementation that includes significant funding for the transportation improvements and services that will be necessary to achieve the law's greenhouse gas reduction targets.

CARB reviewed the draft plan at its October meeting where staff from the Transportation Coalition for Livable Communities testified on behalf of its members in support of the regional allocation of revenues from vehicle fuels emissions allowances, and the award of those revenues through regional competitive grant programs.

Active Transportation Program

Last month the Governor signed Senate Bill 99 and AB 101, creating the Active Transportation Program, which reflects the consolidation of various bike and pedestrian programs within Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21). The goals of this nearly \$130 million program are to increase the proportion of biking and walking trips, advance the efforts of regional agencies to achieve greenhouse gas reduction goals, and enhance public health, among other things.

The California Transportation Commission is holding workgroup meetings around the state to develop guidelines for program. The meetings are open to those interested in the program, including representatives of government agencies and stakeholders with expertise in pedestrian and bicycle issues, including the Safe Routes to Schools program.

Staff will be participating in the San Jose workshop on November 13.

## **FEDERAL ISSUES**

### **Appropriations**

Following a 16-day government shutdown, Congress approved funding that extends Fiscal Year 2013 Federal spending through January 15, which is also the trigger date for a second round of sequestration cuts. The deal also extends the Federal government's borrowing authority through February 7 and requires the House and the Senate to create a budget conference committee to develop a budget framework by December 13.

The conference committee is scheduled to meet for the first time on October 30.

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

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 8</a> <a href="#">Perea D</a></p> <p>Alternative fuel and vehicle technologies: funding programs.</p>	<p>ASSEMBLY CHAPTERED 9/28/2013 - Chaptered by Secretary of State - Chapter 401, Statutes of 2013.</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. 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.</p> <p><b>Last Amended on 9/6/2013</b></p>	<p>Support</p>

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 25</a> <a href="#">Campos D</a></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. <b>Last Amended on 5/1/2013</b></p>	
<p><a href="#">AB 26</a> <a href="#">Bonilla D</a></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. &amp; 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 journeypersons, 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. <b>Last Amended on 6/25/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 153</a> <a href="#">Bonilla D</a></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. <b>Last Amended on 4/8/2013</b></p>	
<p><a href="#">AB 160</a> <a href="#">Alejo D</a></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. <b>Last Amended on 5/28/2013</b></p>	<p>Pending</p>

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 179</a> <a href="#">Bocanegra D</a></p> <p>Public transit: electronic transit fare collection systems: disclosure of personal information.</p>	<p>ASSEMBLY CHAPTERED 9/27/2013 - Chaptered by Secretary of State - Chapter 375, Statutes of 2013.</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 41/2 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. <b>Last Amended on 9/4/2013</b></p>	<p>Watch Closely</p>
<p><a href="#">AB 229</a> <a href="#">John A. Pérez D</a></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. <b>Last Amended on 8/12/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 278</a> <a href="#">Gatto D</a></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. <b>Last Amended on 9/3/2013</b></p>	
<p><a href="#">AB 410</a> <a href="#">Jones-Sawyer D</a></p> <p>Public employee health benefits: enrollment.</p>	<p>ASSEMBLY CHAPTERED 10/4/2013 - Chaptered by Secretary of State - Chapter No. 525, Statutes of 2013</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. <b>Last Amended on 6/4/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 416</a> <a href="#">Gordon</a> 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. <b>Last Amended on 4/4/2013</b></p>	
<p><a href="#">AB 417</a> <a href="#">Frazier</a> D</p> <p>Environmental quality: California Environmental Quality Act: bicycle transportation plan.</p>	<p>ASSEMBLY CHAPTERED 10/7/2013 - Chaptered by Secretary of State - Chapter 613, Statutes of 2013.</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. <b>Last Amended on 6/13/2013</b></p>	
<p><a href="#">AB 441</a> <a href="#">Patterson</a> 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>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 453</a> <a href="#">Mullin D</a>  Sustainable communities.	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>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. <b>Last Amended on 7/3/2013</b></p>	
<a href="#">AB 463</a> <a href="#">Logue R</a>  High-Speed Rail Authority: contracts.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 2/28/2013)	<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>	
<a href="#">AB 466</a> <a href="#">Quirk-Silva D</a>  Federal transportation funds.	ASSEMBLY CHAPTERED 10/11/2013 - Chaptered by Secretary of State - Chapter 736, Statutes of 2013.	<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.</p> <p><b>Last Amended on 8/29/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 481</a> <a href="#">Lowenthal D</a>  High-speed rail.	ASSEMBLY CHAPTERED 8/26/2013 - Chaptered by Secretary of State - Chapter 132, Statutes of 2013.	<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. <b>Last Amended on 6/12/2013</b></p>	Pending
<a href="#">AB 515</a> <a href="#">Dickinson D</a>  Environmental quality: California Environmental Quality Act: judicial review.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 3/12/2013)	<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. <b>Last Amended on 3/11/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 528</a> <a href="#">Lowenthal D</a></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. <b>Last Amended on 6/4/2013</b></p>	<p>Pending</p>
<p><a href="#">AB 543</a> <a href="#">Campos D</a></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. 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. <b>Last Amended on 5/24/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 574</a> <a href="#">Lowenthal</a> 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. <b>Last Amended on 4/15/2013</b></p>	<p>Support</p>
<p><a href="#">AB 616</a> <a href="#">Bocanegra</a> 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. <b>Last Amended on 6/17/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 662</a> <a href="#">Atkins D</a>  Local government: redevelopment: successor agencies to redevelopment agencies.	ASSEMBLY VETOED 10/13/2013 - Vetoed by the Governor	<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. <b>Last Amended on 9/6/2013</b></p>	
<a href="#">AB 690</a> <a href="#">Campos D</a>  Jobs and education financing districts: voter approval.	ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was L. GOV. on 9/12/2013)	<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. <b>Last Amended on 9/11/2013</b></p>	
<a href="#">AB 749</a> <a href="#">Gorell R</a>  Public-private partnerships.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/24/2013)	<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. <b>Last Amended on 4/11/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 756</a> <a href="#">Melendez R</a></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. 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.</p> <p>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. <b>Last Amended on 4/11/2013</b></p>	
<p><a href="#">AB 797</a> <a href="#">Gordon D</a></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. <b>Last Amended on 4/15/2013</b></p>	<p>Watch Closely</p>

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 822</a> <a href="#">Hall D</a></p> <p>Local government retirement plans.</p>	<p>ASSEMBLY VETOED 10/12/2013 - Vetoed by the Governor</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. <b>Last Amended on 7/10/2013</b></p>	
<p><a href="#">AB 842</a> <a href="#">Donnelly R</a></p> <p>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>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 863</a> <a href="#">Torres D</a></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>	
<p><a href="#">AB 909</a> <a href="#">Gray D</a></p> <p>Metal theft and related recycling crimes.</p>	<p>ASSEMBLY VETOED 10/3/2013 - Vetoed by the Governor</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. <b>Last Amended on 9/3/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 935</a> <a href="#">Frazier</a> 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. &amp; 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. <b>Last Amended on 4/25/2013</b></p>	<p>Support</p>
<p><a href="#">AB 953</a> <a href="#">Ammiano</a> 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. This bill would revise those definitions, as specified.</p> <p>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 10-28-13**

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 1002</a> <a href="#">Bloom</a> 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. <b>Last Amended on 4/23/2013</b></p>	<p>Support</p>
<p><a href="#">AB 1051</a> <a href="#">Bocanegra</a> 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. <b>Last Amended on 4/8/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 1070</a> <a href="#">Frazier D</a>  California Transportation Financing Authority.	ASSEMBLY CHAPTERED 8/28/2013 - Chaptered by Secretary of State - Chapter 198, Statutes of 2013.	<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. <b>Last Amended on 4/3/2013</b></p>	
<a href="#">AB 1102</a> <a href="#">Allen R</a>  South Coast Air Quality Management District: beach burning.	ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was NAT. RES. on 8/15/2013)	<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. <b>Last Amended on 8/14/2013</b></p>	
<a href="#">AB 1181</a> <a href="#">Gray D</a>  Public employee organizations: members: paid leaves of absence.	ASSEMBLY CHAPTERED 9/9/2013 - Chaptered by Secretary of State - Chapter 305, Statutes of 2013.	<p>The Meyers-Milias-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. <b>Last Amended on 5/16/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 1222</a> <a href="#">Bloom D</a></p> <p>Public employees' retirement: collective bargaining: transit workers: transportation.</p>	<p>ASSEMBLY CHAPTERED 10/4/2013 - Chaptered by Secretary of State - Chapter 527, Statutes of 2013.</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. <b>Last Amended on 9/4/2013</b></p>	<p>Support</p>
<p><a href="#">AB 1290</a> <a href="#">John A. Pérez D</a></p> <p>Transportation planning.</p>	<p>ASSEMBLY VETOED 10/11/2013 - Vetoed by the Governor</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. <b>Last Amended on 9/3/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">AB 1375</a> <a href="#">Chau D</a></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. <b>Last Amended on 5/7/2013</b></p>	
<p><a href="#">AB 1380</a> <b>Committee on Public Employees, Retirement and Soci</b></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. <b>Last Amended on 6/18/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">ACA 8</a> <a href="#">Blumenfield</a> D</p> <p>Local government financing: voter approval.</p>	<p>SENATE G. &amp; 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. <b>Last Amended on 4/4/2013</b></p>	
<p><a href="#">SB 1</a> <a href="#">Steinberg</a> 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. <b>Last Amended on 9/3/2013</b></p>	Support

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 11</a> <a href="#">Pavley D</a></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. <b>Last Amended on 9/6/2013</b></p>	<p>Support</p>

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 13</a> <a href="#">Beall D</a></p> <p>Public employees' retirement benefits.</p>	<p>SENATE CHAPTERED 10/4/2013 - Chaptered by Secretary of State - Chapter No. 528, Statutes of 2013</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 PEPRAs certain multiemployer plans authorized under, and regulated by, specified federal law. The bill would also except from PEPRAs 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 PEPRAs to those public employees precludes certification, those employees are excepted from PEPRAs. The bill would clarify the application of PEPRAs 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 PEPRAs. This bill contains other related provisions and other existing laws. <b>Last Amended on 9/11/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 33</a> <a href="#">Wolk D</a></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. <b>Last Amended on 8/26/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 54</a> <a href="#">Hancock D</a> Hazardous materials management: stationary sources: skilled and trained workforce.</p>	<p>SENATE CHAPTERED 10/13/2013 - Chaptered by Secretary of State - Chapter 795, Statutes of 2013.</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. <b>Last Amended on 9/3/2013</b></p>	
<p><a href="#">SB 56</a> <a href="#">Roth D</a> 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. <b>Last Amended on 6/11/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 110</a> <a href="#">DeSaulnier D</a></p> <p>East Span, San Francisco-Oakland Bay Bridge Safety Review Task Force.</p>	<p>SENATE VETOED 10/11/2013 - Vetoed by the Governor</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. <b>Last Amended on 8/8/2013</b></p>	
<p><a href="#">SB 142</a> <a href="#">DeSaulnier D</a></p> <p>Public transit.</p>	<p>SENATE CHAPTERED 10/8/2013 - Chaptered by Secretary of State - Chapter 655, Statutes of 2013.</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. <b>Last Amended on 8/22/2013</b></p>	<p>Support</p>

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 230</a> <a href="#">Knight R</a></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. &amp; 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.</p> <p>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. <b>Last Amended on 3/18/2013</b></p>	
<p><a href="#">SB 232</a> <a href="#">Monning D</a></p> <p>California Central Coast State Veterans Cemetery at Fort Ord Endowment Fund.</p>	<p>SENATE CHAPTERED 10/10/2013 - Chaptered by Secretary of State - Chapter 694, Statutes of 2013.</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 veteran's 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 veteran's 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 veteran's cemetery. This bill contains other related provisions and other existing laws. <b>Last Amended on 9/6/2013</b></p>	
<p><a href="#">SB 408</a> <a href="#">De León D</a></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>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 425</a> <a href="#">DeSaulnier D</a>  Public works: the Public Works Peer Review Act of 2013.	SENATE CHAPTERED 9/6/2013 - Chaptered by Secretary of State - Chapter 252, Statutes of 2013.	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. 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 <b>Last Amended on 5/7/2013</b>	Pending
<a href="#">SB 436</a> <a href="#">Jackson D</a>  Port Hueneme Beach shoreline protection.	SENATE CHAPTERED 9/28/2013 - Chaptered by Secretary of State - Chapter 416, Statutes of 2013.	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.  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. <b>Last Amended on 9/11/2013</b>	
<a href="#">SB 525</a> <a href="#">Galgiani D</a>  California Environmental Quality Act: exemptions.	SENATE 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/11/2013)	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.  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.	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 556</a> <a href="#">Corbett D</a></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. <b>Last Amended on 9/4/2013</b></p>	<p>Oppose</p>
<p><a href="#">SB 557</a> <a href="#">Hill D</a></p> <p>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. <b>Last Amended on 5/2/2013</b></p>	<p>Support</p>

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 617</a> <a href="#">Evans D</a></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. <b>Last Amended on 5/28/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 628</a> <a href="#">Beall D</a></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. <b>Last Amended on 8/5/2013</b></p>	<p>Support</p>

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 633</a> <a href="#">Pavley D</a>  CEQA.	ASSEMBLY 2 YEAR 8/30/2013 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 8/6/2013)	<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 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 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. <b>Last Amended on 8/6/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 648</a> <a href="#">Corbett D</a></p> <p>Electronic cigarettes: restriction of use and advertising.</p>	<p>ASSEMBLY 2 YEAR 8/16/2013 - Failed Deadline pursuant to Rule 61(a)(10)(ASM). (Last location was G.O. on 8/5/2013)</p>	<p>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.</p> <p>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. <b>Last Amended on 8/5/2013</b></p>	<p>Support</p>
<p><a href="#">SB 731</a> <a href="#">Steinberg D</a></p> <p>Environment: California Environmental Quality Act.</p>	<p>ASSEMBLY 2 YEAR 9/13/2013 - Failed Deadline pursuant to Rule 61(a)(14). (Last location was L. GOV. on 9/11/2013)</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. 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 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</p>	<p>Watch Closely</p>

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
		<p>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, 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. <b>Last Amended on 9/9/2013</b></p>	
<p><a href="#">SB 751</a> <a href="#">Yee D</a></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. 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. <b>Last Amended on 6/17/2013</b></p>	<p>Watch Closely</p>
<p><a href="#">SB 785</a> <a href="#">Wolk D</a></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. <b>Last Amended on 5/2/2013</b></p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 10-28-13**

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 787</a> <a href="#">Berryhill</a> 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. <b>Last Amended on 4/18/2013</b></p>	
<p><a href="#">SB 788</a> <b>Committee on Transportation and Housing</b></p> <p>Transportation.</p>	<p>SENATE CHAPTERED 10/3/2013 - Chaptered by Secretary of State - Chapter 523, Statutes of 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 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. <b>Last Amended on 8/14/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 791</a> <a href="#">Wyland R</a></p> <p>Motor vehicle fuel tax: rate adjustment.</p>	<p>SENATE T. &amp; 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. <b>Last Amended on 4/4/2013</b></p>	<p>Oppose</p>

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SB 792</a> <a href="#">DeSaulnier D</a></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 on 5/23/2013)</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 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. <b>Last Amended on 5/14/2013</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 798</a> <a href="#">De León D</a>  California Green Infrastructure Bank Act.	SENATE 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was G. & F. on 3/11/2013)	<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>	
<a href="#">SCA 4</a> <a href="#">Liu D</a>  Local government transportation projects: special taxes: voter approval.	SENATE APPR. 8/29/2013 – Re-referred to Com. on APPR.	<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. 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.</p> <p>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. <b>Last Amended on 8/28/2013</b></p>	Support
<a href="#">SCA 8</a> <a href="#">Corbett D</a>  Transportation projects: special taxes: voter approval.	SENATE APPR. 8/29/2013 - Re- referred to Com. on APPR.	<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. <b>Last Amended on 5/21/2013</b></p>	Support

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 10-28-13

Bill ID/Topic	Location	Summary	Position
<p><a href="#">SCA 9</a> <a href="#">Corbett D</a></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. <b>Last Amended on 5/21/2013</b></p>	
<p><a href="#">SCA 11</a> <a href="#">Hancock D</a></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. <b>Last Amended on 5/21/2013</b></p>	Support