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TOM NOLAN, VICE CHAIR
JOSE CISNEROS
MALIA COHEN
JERRY DEAL
ASH KALRA
ARTHUR L. LLOYD
ADRIENNE TISSIER
PERRY WOODWARD

MICHAEL J. SCANLON
EXECUTIVE DIRECTOR

AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

April 4, 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 MOTION
Members of the public or Board may request that an item under the Consent Calendar be considered separately
 - a) Approval of Minutes of March 7, 2013
5. Chairperson's Report
6. Report of the Citizens Advisory Committee
7. Report of the Executive Director
8. Acceptance of Statement of Revenues and Expenses for February 2013 MOTION
9. Assessment of the Fiscal Year 2013 Fuel Hedging Program INFORMATIONAL
10. Adopt the Revised Fuel Hedging Policy to Conform to Dodd-Frank, Award of Contract to Orrick, Herrington & Sutcliffe LLP to Serve as Special Counsel for the Fiscal Year 2014 Fuel Hedging Program for a Not-to-Exceed Fee of \$125,000 RESOLUTIONS
11. Authorize Award of Contracts to HDR Engineering, Inc. and Rail Surveyors & Engineers, Inc. for On-call General Engineering Consultant Services in an Aggregate Not-to-Exceed Amount of \$15 Million for a Three-year Term RESOLUTION
12. Authorize Award of Contract to Shimmick Construction Company, Inc. for the Signal Preemption Improvement Project in the Total Amount of \$1,849,500 RESOLUTION

Peninsula Corridor Joint Powers Board
April 4, 2013 Agenda

- | | |
|---|---------------|
| 13. Authorize the Second Amendment of the Use, Operating and Maintenance (UOM) Agreement for the Millbrae Intermodal Station | RESOLUTION |
| 14. Adoption of Caltrain Title VI Standards and Policies | RESOLUTION |
| 15. Legislative Update | INFORMATIONAL |
| 16. Correspondence | |
| 17. Board Member Requests | |
| 18. General Counsel Report | |
| 19. Date/Time of Next Meeting: Thursday, May 2, 2013, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2 nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070 | |
| 20. Adjourn | |

INFORMATION FOR THE PUBLIC

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

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

Location, Date and Time of Regular Meetings

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

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

Public Comment

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

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

Accessibility for Individuals with Disabilities

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

Availability of Public Records

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

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

Minutes
March 7, 2013

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

MEMBERS ABSENT: J. Cisneros

STAFF PRESENT: J. Averill, J. Cassman, C. Cavitt, A. Chan, M. Choy, 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 10:00 a.m. and led the Pledge of Allegiance.

PUBLIC COMMENT

Jeff Carter, Millbrae, said the plastic bag ban in San Mateo County discriminates against people who use public transit as they don't have the luxury of a car.

Jerry Carlson, Vice Mayor, Atherton, said in the next capital budget there will be a funding item to study removing the hold-out rule at the South San Francisco, Burlingame and Atherton stations. It is crucial this budget item is approved so the safety hazard is removed at these locations. Mr. Carlson asked the Board to support Senator Jerry Hill's Senate Bill 557. Mr. Carlson said there was a story in the news recently about the nation's largest railroad switching from diesel to natural gas and he asked if this is a direction the California High Speed Rail Authority (CHSRA) and Caltrain should be pursuing.

Roland LeBrun, San Jose, said there are more people than parking spaces in the combined Santa Clara Valley Transportation Authority (VTA) and Caltrain parking lots on both sides of Highway 87 at the Tamien Station. The additional six trains in the Caltrain schedule now provide a viable service and people who live near Blossom Hill and Morgan Hill Caltrain stations are now driving to Tamien. A solution might be to ask VTA to run hourly service between Diridon and Gilroy stations with an additional stop at the Blossom Hill Caltrain Station.

Directors Adrienne Tissier and Ash Kalra arrived at 10:05 a.m.

CONSENT CALENDAR

- a. Approval of Minutes of February 7, 2013

A motion (Lloyd/Nolan) to approve the consent calendar was unanimous.

CHAIRPERSON'S REPORT

No report.

REPORT OF THE CAC

CAC Chair Kevin Gardiner said at its February 20 meeting, the CAC:

- Received a presentation on the Communications-Based Overlay Signal System.
- Had a goal-setting discussion on items for the year, including the increase in ridership and crowding, update on the dedicated funding and improved bike service.
- Would be interested to know what type of information the Board would like the CAC to discuss.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR JANUARY 2013

Deputy CEO Gigi Harrington said revenues are over budget by about \$5 million and expenses are under budget by \$1 million. Last week fuel was \$3.18 per gallon and year to date is \$3.19 per gallon. The JPB received \$78,000 in February and year to date has received \$406,000 from the fuel hedge.

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

AUTHORIZE APPROVAL OF NEW AGREEMENT BETWEEN THE JPB AND CHSRA

Executive Officer, Caltrain Modernization Marian Lee said this agreement is to replace the outdated agreement between the CHSRA and JPB. This item was presented to the Board in December and February and to the Local Policymaker Group (comprised of elected officials from the 17 cities and three counties). Comments were received on the original principles and staff shared the actual draft agreement with the public to get a second round of comments. Ms. Lee said in the document is an item that states "avoiding designing the blended system in a way that avoids adverse impacts," staff added "wherever feasible." The document discusses the commitment to keep regular commuter rail in operation when the blended system is being developed. Ms. Lee said the word "regular" was removed as there will be service changes. She said where it states "preserving freight service," staff removed the part that states "in a manner consistent with the existing Trackage Rights Agreement." That agreement is for a diesel corridor.

Ms. Lee said staff attended yesterday's CHSRA Board meeting where this item was on the agenda for action. The action was deferred for a future CHSRA meeting where there will be full Board attendance. The chair noted there is majority board support for the new agreement and he expects approval at the next CHSRA meeting. Ms. Lee said a copy of correspondence received from stakeholders is in the Board's reading file.

Director Malia Cohen arrived at 10:14 a.m.

Public Comment

Ben Tripousis, CHSRA, said he encourages the Board to support the new agreement. JPB and CSHRA staff worked collaboratively to develop a revised document that meets the goals set out by both JPB and CHSRA. The revised agreement will facilitate the development of the early investment projects, specifically corridor electrification and automated train signal systems, as well as pave the way for future high-speed service in the Peninsula Corridor. The CHSRA will seek approval of the agreement at their April 4 meeting.

Jeremy Dennis, Office of Assemblyman Rich Gordon, said Assemblyman Gordon supports the agreement. This agreement will not only create the framework for long desired and critical modernization of Caltrain, but it solidifies the blended approach that was developed by Congresswoman Anna Eshoo, Senator Joe Simitian and Assemblyman Gordon.

Jeff Carter, Millbrae, said he has some concern with the agreement, including regular service versus operational service. Currently Caltrain is at capacity and more capacity is needed. He said we don't know what the future holds and the corridor should not be limited to two tracks and six trains per hour.

Jim Bigelow, Redwood City/San Mateo County and Menlo Park Chambers of Commerce and the San Mateo County Economic Development Association, said all entities strongly support the new agreement. It is very clear there is no four-track option from San Francisco to San Jose and it identifies minimizing the impact along the corridor. He acknowledged Director Tissier for her work at the Metropolitan Transportation Commission (MTC) in getting a funding package with the nine agencies.

Greg Greenway, Redwood City/San Mateo County Chamber of Commerce Board of Directors, said the chamber sent a letter of support of the new agreement and the agreement does a good job of addressing stakeholder concerns.

Roland LeBrun, San Jose, said what happened at the March 6 CHSRA meeting was a misunderstanding. Between now and the next meeting staff needs to work together to clarify the misunderstanding to ensure a unanimous vote at the April CHSRA meeting.

Adina Levin, Friends of Caltrain, said they support the agreement between Caltrain and CHSRA. An important issue is going to be the design of the system. She thanked Ms. Lee for disclosing there will be service changes and would encourage Caltrain to work with the communities on what the options are.

Director Kalra thanked the Board and staff for their continued support on this project and Ms. Lee and Mr. Tripousis for working with the community.

Mr. Scanlon said this new agreement speaks volumes of the evolution of the project. Yesterday there was push back from the most senior board member on CHSRA, but the member said once the majority speaks they will buy in.

A motion (Kalra/Nolan) to approve the new agreement between the JPB and CHSRA was approved unanimously.

AUTHORIZE AWARD OF CONTRACT TO BALFOUR BEATTY RAIL, INC. FOR THE SIGNAL SYSTEM REHABILITATION PROJECT IN THE TOTAL AMOUNT OF \$989,420

Director of Contracts and Procurement Cheryl Cavitt said award of contract to Balfour Beatty Rail will allow staff to continue to keep facilities in a state of good repair.

A motion (Tissier/Nolan) to award a contract to Balfour Beatty Rail, Inc. for the Signal System Rehabilitation Project in the total amount of \$989,420 was approved unanimously.

ADOPTION OF CALTRAIN TRANSIT SUSTAINABILITY PROJECT (TSP) STRATEGIC PLAN

Manager, Programming and Monitoring Melanie Choy said last month an overview was given on the TSP. MTC began developing the TSP in January 2010 to address transit operating and capital shortfalls by maximizing transit system cost efficiencies. One of the first TSP requirements is the adoption and submittal of a Strategic Plan to MTC by March 31, 2013. Ms. Choy said staff has prepared a Caltrain TSP Strategic Plan that establishes strategies and a monitoring program on how to achieve the MTC specified performance target. The key elements are cost-cutting and ridership growth achievements from previous years, Caltrain's baseline and TSP performance targets established by the MTC, and new and continued cost-cutting and ridership growth strategies.

A motion (Lloyd/Nolan) to adopt the Caltrain TSP Strategic Plan was approved unanimously.

Director Kalra left at 10:30 a.m.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Michael Scanlon reported:

- Key Caltrain Performance Statistics
 - Monthly Performance Statistics – January 2013 compared to January 2012
 - Total Ridership was 1,232,312, an increase of 10.9 percent.
 - Average Weekday Ridership was 45,111, an increase of 9 percent.
 - Total Revenue was \$5,247,032, an increase of 13.6 percent.
 - On-time Performance was 94.2 percent, an increase of 0.2 percent.
 - Caltrain Shuttle Ridership was 7,695, an increase of 3.4 percent.
 - Year-to-date Performance Statistics – January 2013 compared to January 2012
 - Total Ridership was 8,959,793, an increase of 11.9 percent.
 - Average Weekday Ridership was 47,846, an increase of 11.9 percent.
 - Total Revenue was \$39,426,967, an increase of 17.2 percent.
 - On-time Performance was 90.4 percent, a decrease of 3.1 percent.
 - Caltrain Shuttle Ridership was 8,247, an increase of 19.5 percent.

- The natural gas project referenced during prior public comment is a small pilot project and he doesn't see it becoming sufficient to power trains compared to diesel.
- Title VI public meetings were held in Gilroy, Mountain View, San Carlos and San Francisco. Attendance has been minimal and no comments have been received. The last day to submit comments is March 29.
- Annual onboard passenger counts were just completed and staff will present the results in the Spring.
- Union Pacific will be working on rail ties in the Gilroy area the week of March 11. There may be service delays of up to 10 minutes.
- The Bicycle Advisory Committee will meet on March 21.
- Special service:
 - Giants FanFest was on February 9. An additional 5,400 riders were carried on three extra northbound trains and two extra southbound trains.
 - A modified Saturday schedule was operated on President's Day. Ridership was down slightly from last year with 2,200 riders in the morning.
 - In February the San Jose Sharks had five home games and an additional 2,000 riders were carried, a 15 percent increase over last year.
 - The World Baseball Classic will be held at AT&T Park March 17-19. Baseball service will be provided for the evening games.
 - Giants baseball returns with exhibition games on March 28 and 29 and the home opener on Friday, April 5 at 1:30 p.m.
- Field testing will be occurring the week of March 4 for the Predictive Arrival/Departure System.
- In partnership with VTA, staff will hold an open house at the Gilroy Caltrain Station on Saturday, March 23 from 11 a.m. – 2 p.m. An insert was included in Gilroy utility bills and post cards were mailed to residents in Morgan Hill and San Martin.
- Last summer the price of tickets purchased at the ticket vending machines (TVM) was increased 25 cents for a one-way trip. The purpose was to move people over to the Clipper Card with a goal of at least 50 percent of one-way tickets purchased via Clipper. The Board also authorized staff to increase the TVM zone price if the 50 percent wasn't reached by July 2013. The goal has not been reached, but staff recommends against the additional increase in favor of more outreach to customers. Staff will reevaluate possible increases in January 2014.
- Staff launched a Caltrain news Twitter account in January 2013 and there are more than 4,500 followers.
- The Reading File contains correspondence, the January Safety and Security Report, postcard on the Gilroy outreach event and a sheet of some recently received Tweets.

Caltrain Modernization Program

Ms. Lee said the Notice of Preparation (NOP) for the Caltrain Electrification Environmental Impact Report was issued on January 31. The NOP was distributed to property owners within 300 feet of the right of way, libraries in the three counties, elected officials at the local, State and Federal level, transportation boards in the region, community groups as well senior city/county staff. Public scoping meetings have been held in San Carlos, Palo Alto and VTA and tonight in San Francisco. Total

attendance so far is over 100 participants with about 30 speakers. Written comments are being received until March 18. Staff will assess the comments and see if the scope should be modified.

Public Comment

Roland LeBrun, San Jose, asked if there could be bus service or Caltrain service so more people can attend the Gilroy event. Executive Officer, Customer Service and Marketing Rita Haskin said this is a ridership promotion with a focus on South County.

Adina Levin, Friends of Caltrain, said she attended a couple of the NOP meetings and there is a lot of discussion on grade separation. This is an opportunity to work with local cities, elected officials and MTC to start looking for funding.

LEGISLATIVE UPDATE

State Update

Director, Government and Community Affairs Seamus Murphy said the Cap and Trade Program had their second auction and approximately \$500 million was generated. Staff is working with the Transportation Coalition for Livable Communities to support investments from the Cap and Trade revenues in public transit.

Federal Update

Mr. Murphy said sequestration is in effect and does not affect public transit in terms of the formula money received, but it does affect some programs that are part of the General Fund including the New Starts Program.

CAPITAL PROJECTS QUARTERLY STATUS REPORT – 2ND QUARTER FISCAL YEAR 2013

No discussion.

CORRESPONDENCE

No discussion.

BOARD MEMBER REQUESTS

Director Tom Nolan thanked staff for providing him with a copy of the Caltrain Advertising Policy. He said San Francisco Municipal Transportation Agency (SFMTA) has been targeted by a group to put ads on buses that are very offensive, anti-Arab and anti-Islamic. The SFMTA has been advised the only way to prohibit these types of ads in the future is to adopt an Advertising Policy at a later date.

Chair Yeager requested today's meeting be adjourned in memory of Bimla Rhinehart, Executive Director of the California Transportation Commission, who passed away on March 5, and Santa Cruz Police Sergeant Loren "Butch" Baker and Detective Elizabeth Butler who were killed in the line of duty on February 26,

DATE/TIME/PLACE OF NEXT MEETING

The next meeting will be Thursday, April 4, 2013, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

GENERAL COUNSEL REPORT

- a. Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(a): Jose A. Salazar and Aura Paredes v. Peninsula Corridor Joint Powers Board, Transit America, et al

Mr. Miller said as permitted by the Brown Act the Board will meet in closed session on a pending litigation matter.

Adjourned to closed session at 10:56 a.m.

Reconvened to open session at 11:05 a.m.

Mr. Miller said, as permitted by the Brown Act, the Board met in closed session to hear a report from legal counsel and staff on a lawsuit that has been filed. This was an informational report and no action is required at this time.

Adjourned at 11:06 a.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

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

Caltrain's average weekday ridership (AWR) in February 2013 was 48,032, which is an increase of 5,073 or 11.8 percent over February 2012. Total Caltrain ridership in February 2013 was 1,166,994, which is 7.2 percent greater than February 2012.

On-time performance (OTP) for February 2013 was 93.5 percent. This was lower than February 2012, which was 94.6 percent. However, when measuring trains arriving within 10 minutes of the scheduled arrival time, OTP rises to 96.4 percent. There were four weekend days with 100 percent of the trains on time and an additional 14 days with OTP at 95 percent or better.

Passenger complaints remained at a relatively steady rate for the third month in a row at 11.4 complaints per 100,000 passengers. Monthly mechanical delays were average at 1,139 minutes for February 2013.

Average weekday shuttle ridership was 7,720, which is a decrease of 373 or 4.6 percent below February 2012 AWR of 8,093. This decrease is mainly attributable to several shuttles (Genentech-Gateway, Oyster Point and Utah-Grand) that are no longer counted under Caltrain and a decrease in Marguerite ridership. For the station shuttles, the Millbrae-Broadway shuttle averaged 185 daily riders. The Belmont-Hillsdale shuttle averaged 67 daily riders. The weekend Tamien-San Jose shuttle averaged 83 riders per day.

Caltrain Promotions – February 2013

See Something – Say Something – Last month, Caltrain initiated its year-long *See Something – Say Something* customer safety and security awareness campaign. A new message is disseminated each month via station electronic message signs, conductor announcements, web posting (www.caltrain.com/seesomething) and social media, including Facebook, Google+ and Twitter. February's message was: See Something – Say Something: Plan ahead: program 911 or Transit Police (1.877.723.7245) into your phone.

Giants FanFest – Baseball fever started spiking in early February when San Francisco Giants players returned to town for the team's annual FanFest. Caltrain added extra capacity to its trains to accommodate the increased demand. The rail agency also activated a "quick buy" button on its station ticket machines to provide a shortcut for fans heading to San Francisco. The service was promoted through social media, a news release and on Caltrain's website. Caltrain transported 5,393 additional customers compared to an average Saturday.

San Jose Sharks – Staff continued to get the word out about the convenient service Caltrain offers for hockey fans headed to the HP Pavilion in San Jose. Service information is deployed through the Caltrain website, which includes a Sharks page, and social media outlets. For the five Sharks home games this month, Caltrain carried 1,984 additional customers. With the first two months of the shortened season completed, Caltrain's average ridership for games is up 14.7 percent compared to last season.

Presidents Day – Caltrain operated a modified Saturday schedule on Presidents Day in response to decreased demand. Information about the modified schedule was disseminated through station electronic signs, special timetable, social media, news release and web posting.

Partnerships – Caltrain Marketing staff works with a number of event organizers to co-promote events that will generate train ridership and also provide added value for current Caltrain customers. Partnerships in February included Disney On Ice presents Dare To Dream and the Bay Area Travel & Adventure Show. The events are generally promoted in the *Track the Fun* brochure, *Caltrain Connection* newsletter, through social media, news releases and web postings. The promoters also included Caltrain in their promotional materials and offered a discount (\$2 for Disney on Ice and \$5 for the travel and adventure show).

Prepared by: Rita P. Haskin, Executive Officer, Customer Service and Marketing 650.508.6248
Ted Yurek, Senior Planner, Operations Planning 650.508.6471

Table A

February 2013

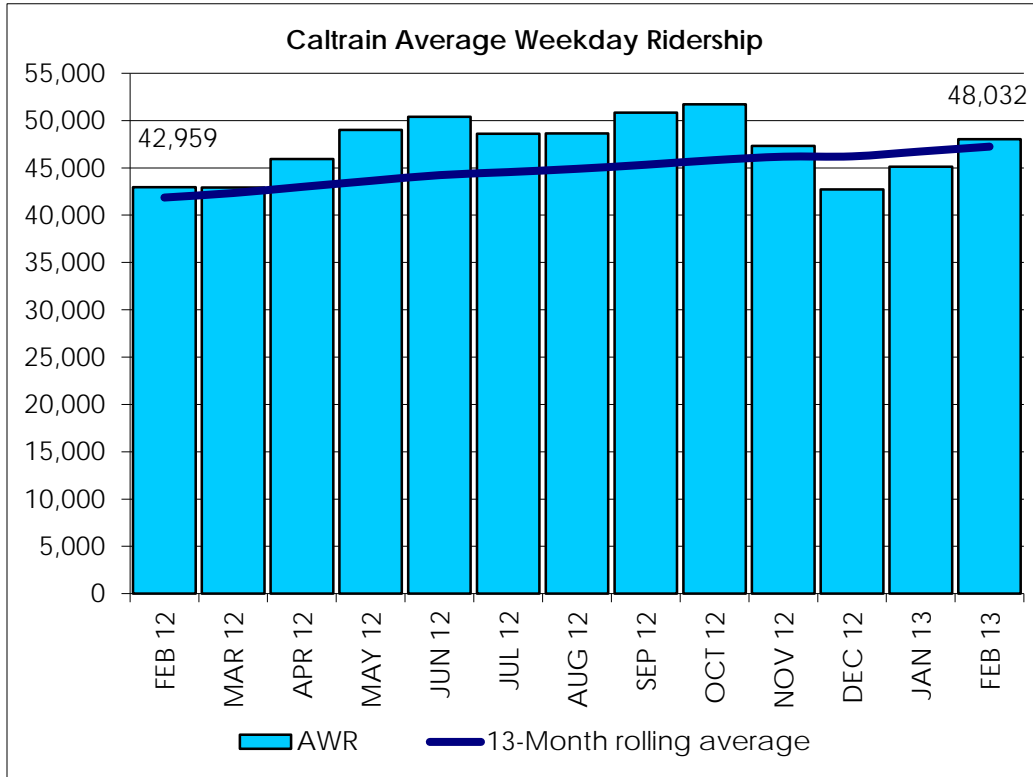
	FY2012	FY2013	% Change
Total Ridership	1,088,162	1,166,994	7.2%
Average Weekday Ridership	42,959	48,032	11.8%
Total Farebox Revenue	\$4,694,065	\$5,256,938	12.0%
On-time Performance	94.6%	93.5%	-1.1%*
Average Caltrain Shuttle Ridership	8,093	7,720	-4.6%

Year to Date

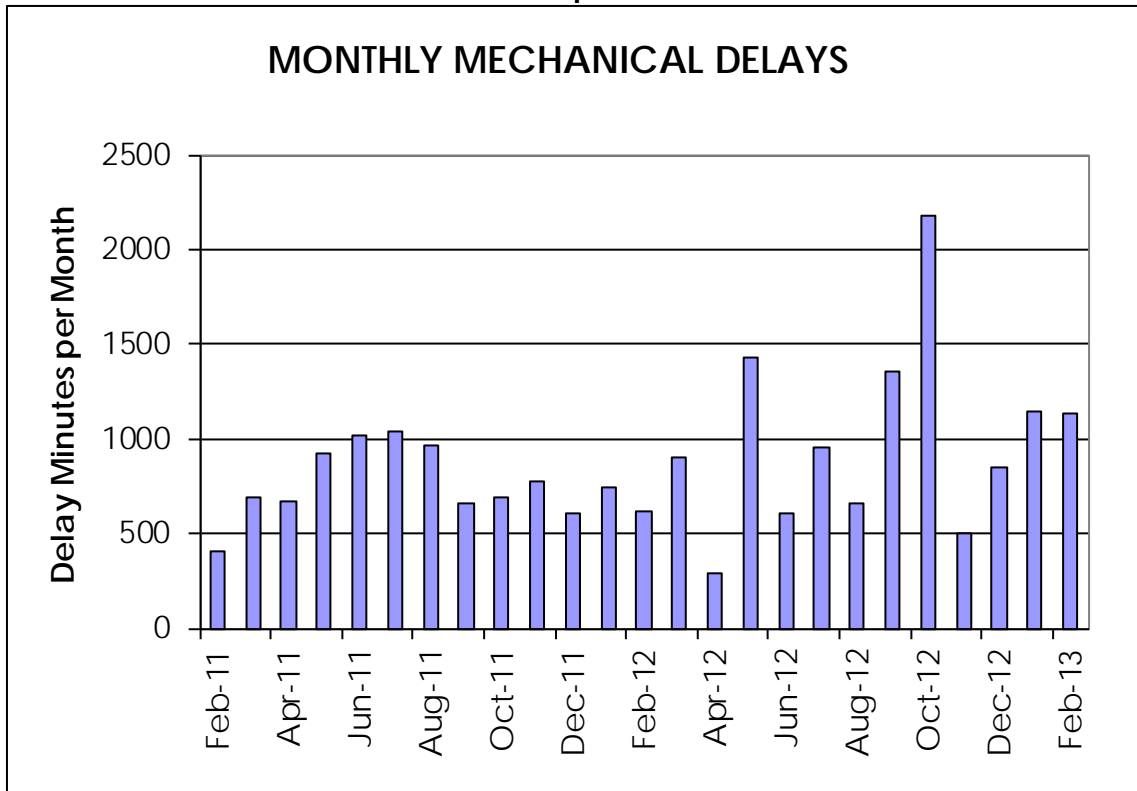
	FY2012	FY2013	% Change
Total Ridership	9,097,902	10,126,786	11.3%
Average Weekday Ridership	42,788	47,869	11.9%
Total Farebox Revenue	\$38,338,717	\$44,683,905	16.6%
On-time Performance	93.6%	90.7%	-2.9%*
Average Caltrain Shuttle Ridership	7,052	8,182	16.0%

* numeric difference of the percentages

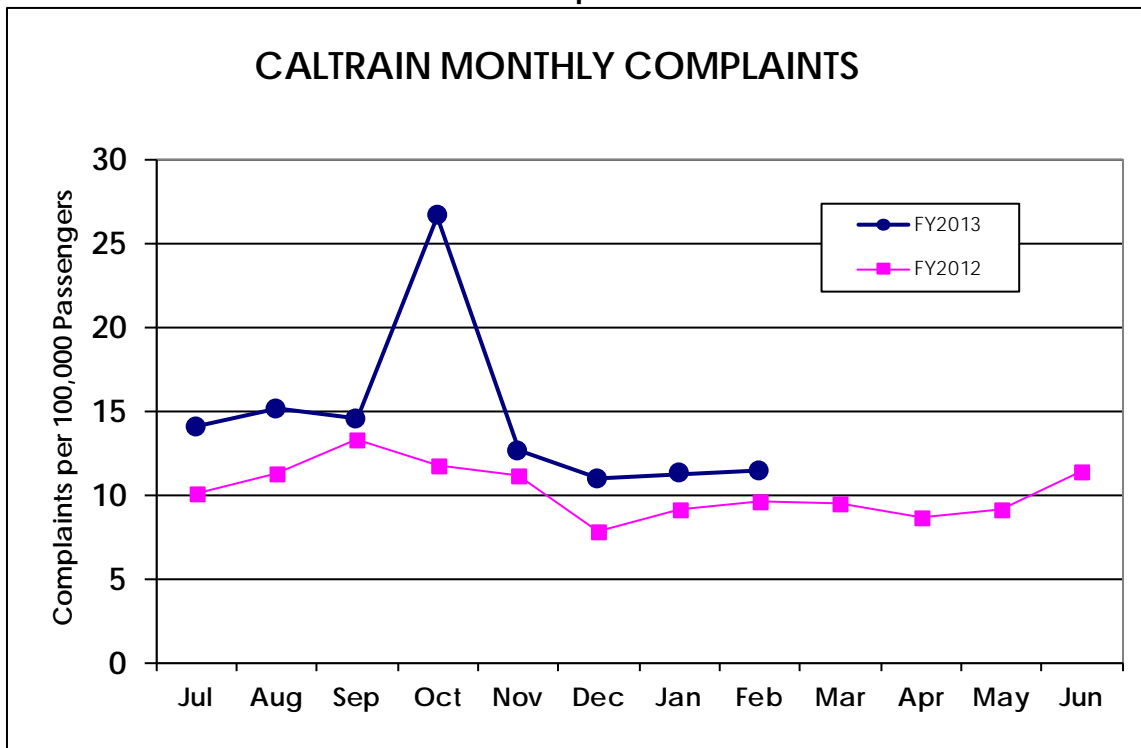
Graph A



Graph B



Graph C



PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD ENDING
FEBRUARY 28, 2013 AND SUPPLEMENTAL INFORMATION**

ACTION

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

SIGNIFICANCE

Revenue: For February of Fiscal Year 2013, *Total Operating Revenue* (line 7) is \$1,096,492 or 2.2 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$1,286,791 or 3 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$6,494,443 or 14.7 percent **higher**.

Expense: *Grand Total Expenses* (line 48) show a favorable variance of \$4,615,348 or 6 percent. *Total Operating Expense* (line 34) is \$4,226,729 or 6.3 percent **better** than budget. *Total Administrative Expense* (line 44) is \$388,619 or 4.2 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 48) are \$6,608,013 or 10.1 percent **higher**. The increase in expense is mainly due to *Contract Operating & Maintenance* (line 23) which is \$4,120,497 or 10.7 percent **higher**.

BUDGET IMPACT

Budget amendments adopted at the February 7, 2013 Board meeting are reflected in the revised budget. The amendment primarily accounts for an increase in the year to date farebox revenue and offset with reduction to year to date operating grant and year to date parking revenue.

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
February 2013

	% OF YEAR ELAPSED								
						66.7%			
	MONTH	YEAR TO DATE				ANNUAL			
	CURRENT	PRIOR	CURRENT	REVISED	% REV	APPROVED	REVISED	% REV	
	ACTUAL	ACTUAL	ACTUAL	BUDGET	BUDGET	BUDGET	BUDGET	BUDGET	
	(AS PROJECTED)								
REVENUE									
OPERATIONS:									
1	Farebox Revenue	5,256,938	38,345,844	44,683,905	43,397,114	103.0%	60,293,443	64,783,776	69.0%
2	Parking Revenue	271,625	2,133,161	2,030,187	2,140,148	94.9%	3,299,590	3,001,698	67.6%
3	Shuttles	118,642	621,864	778,509	953,550	81.6%	1,384,230	1,537,879	50.6%
4	Rental Income	142,958	1,183,212	1,199,864	1,245,840	96.3%	1,868,760	1,868,760	64.2%
5	Other Income	321,919	1,947,105	2,033,215	1,892,537	107.4%	2,527,430	2,527,430	80.4%
6									
7	TOTAL OPERATING REVENUE	6,112,082	44,231,187	50,725,680	49,629,188	102.2%	69,373,453	73,719,542	68.8%
8									
9	CONTRIBUTIONS:								
10	AB434 & TA Shuttle Funding	161,892	658,423	1,314,826	1,272,814	103.3%	2,184,271	2,050,700	64.1%
11	Operating Grants	502,506	2,240,710	3,600,579	3,620,206	99.5%	6,310,982	5,310,982	67.8%
12	JPB Member Agencies	2,791,667	16,891,502	22,333,333	22,333,333	100.0%	33,500,000	33,500,000	66.7%
13	Other Sources		1,610,273			0.0%			0.0%
14									
15	TOTAL CONTRIBUTED REVENUE	3,456,065	21,400,908	27,248,738	27,226,353	100.1%	41,995,253	40,861,682	66.7%
16									
17	GRAND TOTAL REVENUE	9,568,147	65,632,095	77,974,418	76,855,541	101.5%	111,368,706	114,581,224	68.1%
18									
19									
20	EXPENSE								
21									
22	OPERATING EXPENSE:								
23	Contract Operating and Maintenance	5,583,306	38,652,923	42,773,420	43,205,523	99.0%	63,820,184	64,426,717	66.4%
24	Operator Contract Transition Costs	-	1,495,087	-	-	0.0%	-	-	0.0%
25	Rail Operator Service - Other	-	-	309,700	-	0.0%	1,150,000	1,150,000	26.9%
26	Shuttles (incl Peninsula Pass)	337,600	1,882,327	2,598,886	2,707,373	96.0%	4,410,504	4,445,700	58.5%
27	Fuel	1,211,456	10,398,113	10,235,802	10,965,681	93.3%	17,198,522	17,198,522	59.5%
28	Timetables and Tickets	10,000	94,043	92,545	98,133	94.3%	147,200	147,200	62.9%
29	Insurance	515,087	3,152,307	3,474,337	3,474,660	100.0%	5,100,500	5,100,500	68.1%
30	Facilities and Equipment Maint	27,901	965,611	1,065,092	1,209,649	88.0%	1,534,560	1,780,471	59.8%
31	Utilities	76,524	946,812	1,008,752	1,130,960	89.2%	1,696,870	1,696,870	59.4%
32	Services	140,996	681,099	835,748	861,000	97.1%	1,286,880	1,286,880	64.9%
33									
34	TOTAL OPERATING EXPENSE	7,902,872	58,268,323	62,394,282	63,652,980	98.0%	96,345,220	97,232,860	64.2%
35									
36	ADMINISTRATIVE EXPENSE								
37	Wages and Benefits	404,885	3,054,740	3,548,075	3,620,344	98.0%	5,623,527	5,404,812	65.6%
38	Managing Agency Admin OH Cost	317,768	562,404	2,486,570	2,744,763	90.6%	3,540,298	4,148,129	59.9%
39	Board of Directors	838	6,633	5,825	7,115	81.9%	12,800	12,800	45.5%
40	Professional Services	209,551	1,821,904	1,794,463	1,836,895	97.7%	2,673,479	2,769,238	64.8%
41	Communications and Marketing	17,118	36,767	83,470	92,000	90.7%	138,000	138,000	60.5%
42	Office Expense and Other	105,484	1,146,075	989,008	994,914	99.4%	1,932,507	1,357,176	72.9%
43									
44	TOTAL ADMINISTRATIVE EXPENSE	1,055,644	6,628,522	8,907,411	9,296,030	95.8%	13,920,611	13,830,155	64.4%
45									
46	Long Term Debt Expense	91,906	735,250	735,250	735,250	100.0%	1,102,875	1,102,875	66.7%
47									
48	GRAND TOTAL EXPENSE	9,050,422	65,632,095	72,036,943	73,684,261	97.8%	111,368,706	112,165,890	64.2%
	NET SURPLUS / (DEFICIT)	517,725	-	5,937,476	3,171,281	187.2%	-	2,415,334	245.8%

"% 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 FEBRUARY 28, 2013

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted)	Liquid Cash	0.286%	\$ 24,615,998	\$ 24,615,998
Local Agency Investment Fund (Restricted)	Liquid Cash	0.286%	2,000,000	2,000,000
County Pool (Unrestricted)	* Liquid Cash	0.630%	20,101,324	20,101,324
Investment Portfolio (Unrestricted)	** Liquid Cash	0.000%	0	0
Other (Unrestricted)	Liquid Cash	0.000%	3,432,836	3,432,836
			\$ 50,150,158	\$ 50,150,158

Accrued Earnings for February, 2013 \$ 15,949.90

Cumulative Earnings FY2013 \$ 152,812.36

* County Pool average yield for the month ending February 28, 2013 was 0.630%. As of February, 2013 the amortized cost of the Total Pool was \$2,786,832,790.77 and the fair market value per San Mateo County Treasurer's Office was \$2,796,514,548.35.

** 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: **ASSESSMENT OF THE FISCAL YEAR 2013 FUEL HEDGING PROGRAM**

ACTION

This item is presented for informational purposes only.

SIGNIFICANCE

A Fuel Hedging Program (Program) was implemented for Fiscal Year (FY) 2013 to cover 50 percent of the Peninsula Corridor Joint Powers Board's (JPB) projected diesel fuel usage, which was approximately 2.25 million gallons.

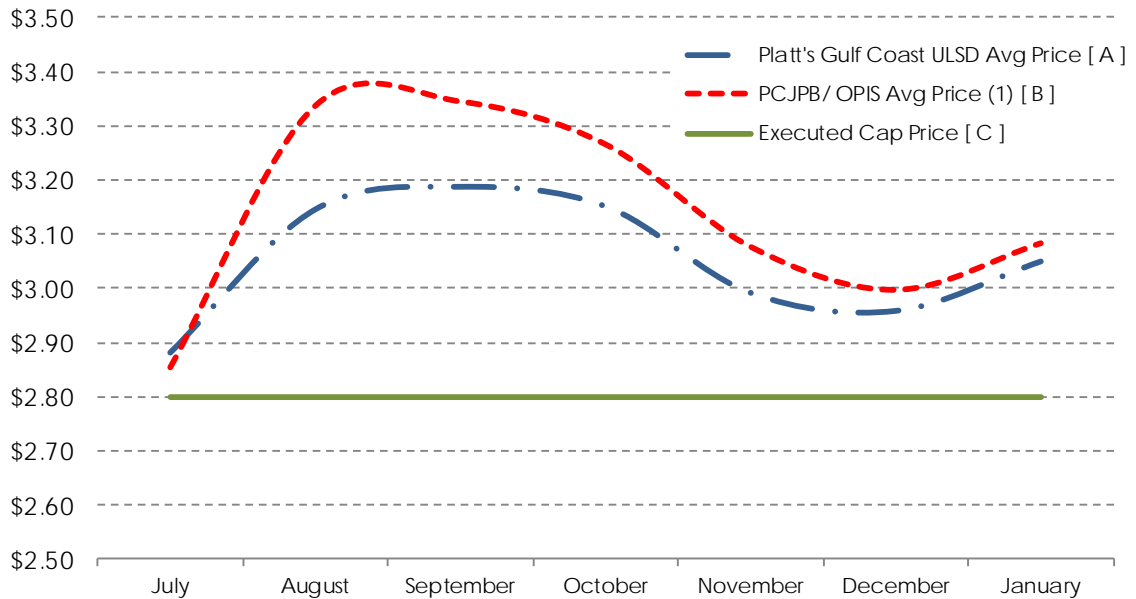
The Program allowed the JPB to reduce uncertainty in the fuel budget for FY2013 and to take advantage of the relatively low market prices at the time the fuel hedging transaction was executed.

Consistent with its revised Fuel Hedging Policy adopted on May 3, 2012, the JPB purchased a price cap of \$2.80 per gallon based on the Gulf Coast Ultra Low Sulfur Diesel (ULSD) index. Purchase of the price cap reduced the amount budgeted for diesel fuel by approximately \$1.3M over the fuel cost the JPB would otherwise have needed to assume for its fuel budget.

The counterparty on the FY2013 transaction was Barclays Bank PLC. Seven months into the fiscal year, the average price of the Gulf Coast ULSD index has been consistently above the \$2.80 cap price. The Platt's Gulf Coast ULSD index continued to have a high correlation of 0.982 with the Oil Price Information Service (OPIS) index on which the JPB's fuel cost is based. The JPB has thus far received a total year-to-date payment of \$328,966 from Barclays. The cost of the cap was \$609,750, which was paid by the JPB as an upfront premium. The following table and graph summarize the results of the FY2013 Program to date:

	Platt's Gulf Coast ULSD Avg Price [A]	PCJPB/ OPIS Avg Price ⁽¹⁾ [B]	Variance of ULSD Price & JPB's [A - B]	Executed Cap Price [C]	Variance of ULSD Price & Cap Price [A - C]	Payment from Barclays [D]
July	2.8813	2.8542	0.0271	2.80	0.0813	14,227.50
August	3.1456	3.3368	(0.1912)	2.80	0.3456	60,480.00
September	3.1873	3.3447	(0.1574)	2.80	0.3873	73,587.00
October	3.1512	3.2656	(0.1144)	2.80	0.3512	66,728.00
November	2.9917	3.0766	(0.0849)	2.80	0.1917	36,423.00
December	2.9584	2.9972	(0.0388)	2.80	0.1584	30,096.00
January	3.0496	3.0832	(0.0336)	2.80	0.2496	47,424.00
YTD						328,965.50

⁽¹⁾ Excluding Taxes and Fees



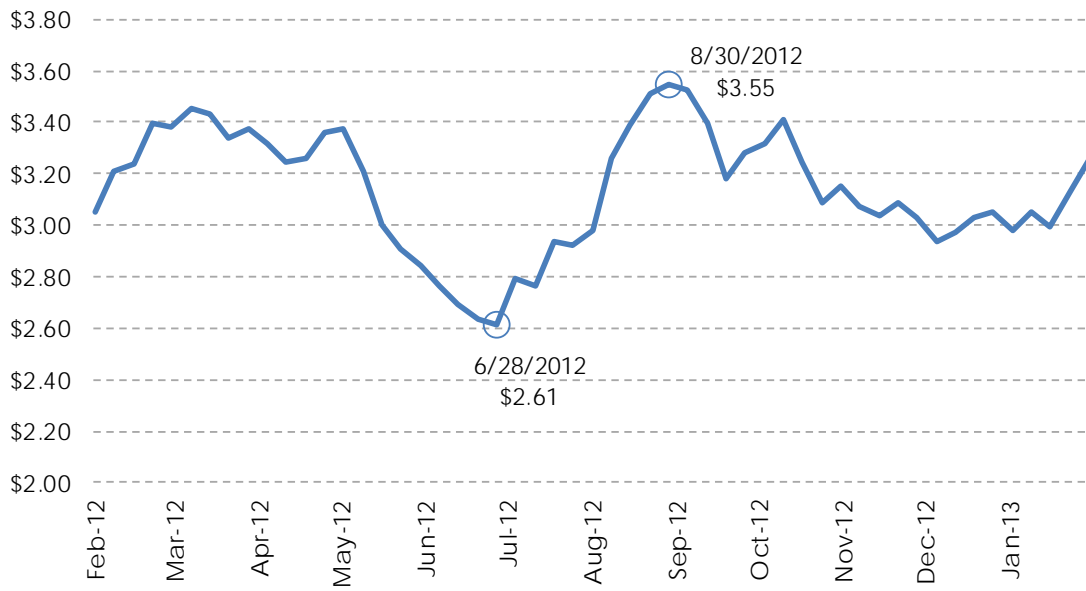
BUDGET IMPACT

There is no impact to the Budget.

BACKGROUND

The JPB purchases fuel from Pinnacle Petroleum based on the average weekly spot price for OPIS index, exposing the JPB to market price fluctuation. During the past 12-month period from February 2, 2012 to January 31, 2013, the price of OPIS has ranged from a high of \$3.55 per gallon in the last week of August 2012 to a low of \$2.61 in the last week of June 2012.

OPIS Weekly Index Average Fuel Price San Francisco



Prepared By: Andy Ly, Senior Financial Analyst

650.508.6376

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **ADOPT THE REVISED FUEL HEDGING POLICY TO CONFORM TO DODD-FRANK, AUTHORIZE ACTIONS NECESSARY IN CONNECTION WITH DODD-FRANK, INCLUDING EXECUTION OF DOCUMENTS, AND AUTHORIZE AWARD OF CONTRACT TO ORRICK, HERRINGTON & SUTCLIFFE LLP**

ACTION

Staff Coordinating Council recommends that the Board:

1. Adopt the attached revised Fuel Hedging Policy; and
2. Authorize actions necessary in connection with Dodd-Frank (DF), including adherence to the Dodd-Frank Protocol and filing and/or execution and delivery of such documents as are necessary in connection with Dodd-Frank; and
3. Authorize appointment of Orrick, Herrington & Sutcliffe LLP (Orrick) to serve as special counsel to the Peninsula Corridor Joint Powers Board (JPB) in connection with the Fiscal Year (FY) 2014 Fuel Hedging Program (Program). Fees for special counsel are not to exceed \$125,000, and are to be allocated to the JPB and the San Mateo County Transit District (District) based upon proportional shares.

SIGNIFICANCE

Certain provisions of various legislation and regulations, commonly referred to as Dodd-Frank, enacted in response to the financial markets crisis of 2008, apply to fuel hedging transactions, such as commodity price caps authorized by the Fuel Hedging Policy adopted by the Board in March 2010 and most recently revised in May 2012. The attached revised Fuel Hedging Policy includes the changes necessary to adhere to a documentation protocol (the DF Protocol) developed by the International Swaps and Derivatives Associations, Inc. (ISDA) to address the Dodd-Frank requirements. Providers of commodity price caps meeting the qualifications specified in the Fuel Hedging Policy will require that the JPB adhere to the Dodd-Frank Protocol as a condition for bidding with respect to the FY2014 Program.

Documentation relating to the DF Protocol includes (i) an adherence letter (Adherence Letter), (ii) the ISDA DF Protocol Agreement (DF Protocol Agreement), (iii) the ISDA DF Supplement (DF Supplement), and (iv) the ISDA DF Protocol Questionnaire and the DF Protocol Questionnaire Answer Sheet (collectively, the DF Protocol

Questionnaire). The documents listed above require Board approval prior to execution and/or filing by the General Manager/CEO or Deputy CEO, Finance and Administration.

The Adherence Letter provides the mechanism by which parties to fuel hedging transactions agree to adhere to the DF Protocol.

The DF Protocol Agreement establishes an agreed upon process for supplementing the various ISDA agreements that govern the terms and conditions of transactions between parties which agree to adhere to the Dodd-Frank Protocol (each, an adhering party).

The DF Supplement sets forth certain standardized representations, acknowledgements, notifications and agreements that each adhering party may elect to incorporate into the fuel hedging documentation between them.

The DF Protocol Questionnaire operates as the mechanism through which each adhering parties provides for the exchange of information regarding the representations, acknowledgements, notifications and agreements elected by such adhering party pursuant to the DF Supplement.

As staff and the JPB's Program advisor move through the process of taking the actions necessary in connection with Dodd-Frank and selecting a counterparty for the FY2014 Program, special counsel is necessary to ensure proper review and execution and/or filing of the necessary documents. Orrick served as counsel on the fuel hedge transactions entered into for the past four fiscal years as well as bond counsel on the JPB's 2007 financing for Bombardier rail cars and brings a strong understanding of the JPB's history and requirements.

Staff expects to return to the Board in May 2013 to obtain approval of the documents for the FY2014 Program. Staff also expects to return to the Board at the first meeting subsequent to bidding with a report on the results of the bid for the FY2014 Program and to return to the Board next year with an assessment of the FY2014 Program.

BUDGET IMPACT

Orrick will be providing services to both the JPB and the District. The total cost of Orrick's services will not exceed \$125,000 and are to be allocated to the JPB and the District based upon proportional shares.

BACKGROUND

To comply with the Dodd-Frank provisions applicable to them, providers of commodity price caps will require that the JPB adhere to the DF Protocol as a condition for bidding. Revision of the Fuel Hedging Policy and authorization of execution and/or delivery of documents required will enable the JPB to adhere to the DF Protocol and implement a Program for FY 2014.

Prepared By: Aandy Ly, Senior Financial Analyst

650.508.6376

**Peninsula Corridor Joint Powers Board
Fuel Hedging Policy**

Revised: April 4, 2013

Goal: The primary goal for the JPB's fuel hedging program is to reduce volatility in the fuel budget.

Mechanism: There are several mechanisms available to hedge fuel in the market today including commodity price caps, futures contracts, commodity swaps and physical hedging. This policy authorizes a commodity price cap with a counterparty authorized to conduct business in the United States.

Index: The price that the JPB pays for fuel is based on the Oil Price Information Service (OPIS) index. With respect to the commodity price cap, the JPB will use an index that has a high historical positive correlation to the OPIS index. In addition, prior to entering into a transaction, staff will examine data from the prior five (5) years to measure the ongoing correlation. The index to be utilized in the commodity price cap is the Platt's Gulf Coast Ultra Low Sulfur Diesel (ULSD) index. Between 2006 and 2012, the ULSD index had a high correlation of 0.993 with the OPIS index.

Duration: Each transaction will be implemented for no more than 12 months at a time and will not extend beyond one fiscal year.

Transaction Amount: Each transaction will be implemented for no more than 75 percent of JPB's projected fuel usage for a fiscal year.

Counterparty Credit Criteria: As a condition for bidding, a counterparty or its guarantor (hereinafter referred to as a "counterparty") must be rated at least "A" (or any equivalent rating) by each of the nationally recognized statistical rating organizations (each, a "Rating Agency") then assigning a rating to the counterparty. If the counterparty is downgraded to or below "A3" by Moody's, to or below "A-" by S&P, or to or below "A-" by Fitch after submission and acceptance of its bid by the JPB, the counterparty must post collateral to secure its performance in an amount and under terms and conditions acceptable to the JPB. In the event that the counterparty has been assigned a rating by more than one Rating Agency, the counterparty shall not be required to post collateral so long as the counterparty is rated at least "A" (or any equivalent rating) by at least one Rating Agency. In addition, the JPB retains the right to terminate the contract with the counterparty if its ratings are downgraded below "Baa1" in the case of Moody's, if its ratings are downgraded below "BBB+" in the case of S&P, or if its ratings are downgraded below "BBB+" in the case of Fitch.

Guaranty Requirements: Any guaranty shall be irrevocable and unconditional and shall be in form and substance satisfactory to the JPB.

Counterparty Selection Criteria: It is the intent that a counterparty be rated at least "Aa3" or "AA-" by at least one Rating Agency as a condition for bidding.

Notwithstanding the foregoing, in the event that JPB staff, with the advice of its fuel hedge program advisors, determines that it is necessary in order to maintain a competitive bidding process, expressions of interest and bids may be solicited from counterparties meeting the rating requirements specified above under "Counterparty Credit Criteria" and a counterparty rated at least "A" by each Rating Agency then assigning a rating to the counterparty may be selected.

Conformance To Dodd-Frank: It is the intent of the JPB to conform this policy to the requirements relating to recent legislation and regulations for over-the-counter derivatives transactions under the Wall Street Transparency and Accountability Act of 2010, as supplemented and amended from time to time (herein collectively referred to as "Dodd-Frank"), enacted in response to the financial markets crisis of 2008. Pursuant to such intent, it is the policy of the JPB that: (i) each fuel hedge program advisor engaged or to be engaged by the JPB will function as the designated qualified investment representative of the JPB, referred to in Dodd-Frank as the Designated QIR; (ii) each fuel hedge program advisor agrees to meet and meets the requirements specified in Commodity Futures Trading Commission Regulation 23.450(b)(1) or any successor regulation thereto (herein referred to as the "Representative Regulation"); (iii) each fuel hedge program advisor provide a written certification to the JPB to the effect that such fuel hedge program advisor agrees to meet and meets the requirements specified in the Representative Regulation; (iv) JPB staff monitor the performance of each fuel hedge program advisor consistent with the requirements specified in the Representative Regulation; (v) JPB staff exercise independent judgment in consultation with the JPB's fuel hedge program advisor or fuel hedge program advisors in evaluating all recommendations, if any, presented by any counterparty with respect to transactions authorized pursuant to this policy; and (vi) JPB staff rely on the advice of the JPB's fuel hedge program advisor or fuel hedge program advisors with respect to transactions authorized pursuant to this policy and do not rely on recommendations, if any, presented by any counterparty with respect to transactions authorized pursuant to this policy.

Monitoring: Monthly monitoring of the Gulf Coast ULSD average price must be calculated by, or under the direction of, JPB staff to ensure payments are received from the counterparty if and when due. Hedging practices should also be monitored by JPB staff to ensure this policy remains up to date with current best practices, including, without limitation, practices relating to the provisions of Dodd-Frank.

Board Approval: Staff shall return to the Board annually to obtain approval on the award of a financial contract for fuel hedging services and the authorization of the Executive Director or designee to execute such a contract for the current fiscal year.

Reporting: Annual reports will be presented to the Board in the form of an informational staff report, which will provide details concerning the terms of the commodity price cap and provide an assessment of the current year's program.

Risks: Some of the risks associated with a commodity price cap include:

Counterparty Risk – The risk that the counterparty fails to make required payments or otherwise perform pursuant to the terms of the agreement. This risk is mitigated by requiring the counterparty or its guarantor to have at least an "A" rating from each Rating Agency then assigning a rating to a counterparty or its guarantor as a condition for bidding, requiring collateral upon bidder downgrade as described above under "Counterparty Credit Criteria," limiting the term of the agreement to one fiscal year and monthly monitoring of counterparty rating.

Termination Risk – The risk that there will be a mandatory early termination of the transaction. This risk is mitigated in part by requiring the posting of collateral by the counterparty should the counterparty's or its guarantor's credit rating fall to or below "A3" in the case of Moody's or "A-" in the case of S&P or Fitch subsequent to the execution of the commodity price cap.

Basis Risk – The risk that there is a mismatch between the commodity price cap rate and the amount actually paid for fuel. This risk is mitigated by selecting the Gulf Coast ULSD index which is highly correlated to the rates the JPB pays for fuel.

RESOLUTION NO. 2013-

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

* * *

**AUTHORIZE ADOPTION OF THE REVISED THE FUEL HEDGING POLICY AND OTHER ACTIONS
NECESSARY IN CONNECTION WITH DODD-FRANK**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) adopted a Fuel Hedging Policy in March 2010, which was most recently revised in May 2012, which provides guidelines on fuel hedging transactions to ensure budget reliability; and

WHEREAS, in response to the financial markets crisis of 2008, various legislation has been adopted and various regulations have been enacted, commonly referred to as Dodd-Frank; and

WHEREAS, certain provisions of Dodd-Frank apply to fuel hedging transactions; and

WHEREAS, in connection with the provisions of Dodd-Frank applicable or relating to fuel hedging transactions, it is necessary to further revise the Fuel Hedging Policy in order to satisfy the provisions of Dodd-Frank requiring written policies and procedures; and

WHEREAS, there has been prepared and made available to the JPB, a proposed form of revised Fuel Hedging Policy (hereinafter referred to as the Revised Policy); and

WHEREAS, Dodd-Frank also includes certain provisions applicable to the providers of commodity price caps (each, a "counterparty," and herein sometimes referred to as the counterparties), including, without limitation, certain business conduct standards, which require, among other things, that a counterparty have a reasonable basis to believe that the JPB is capable of independently evaluating risks with regard to the contemplated fuel hedge transaction and have a reasonable basis to believe that the contemplated fuel hedge transaction is suitable for the JPB; and

WHEREAS, in order for a counterparty to enter into a fuel hedging transaction with the JPB in the future, it will be necessary for such counterparty to comply with such business conduct standards; and

WHEREAS, pursuant to the provisions of Dodd-Frank, a counterparty may satisfy the requirements described in the immediately preceding clause based upon the written representations of the JPB; and

WHEREAS, to provide an orderly process for such written representations to be provided to multiple counterparties or prospective counterparties, the International Swaps and Derivatives Association, Inc. (ISDA) developed a multilateral contractual amendment mechanism herein referred to as the "Dodd-Frank Protocol;" and

WHEREAS, the documentation relating to the Dodd-Frank Protocol includes (i) an adherence letter (the Adherence Letter), which is to be completed and filed electronically, (ii) the ISDA DF Protocol Agreement (the DF Protocol Agreement), (iii) the ISDA DF Supplement (the DF Supplement), (iv) the ISDA DF Protocol Questionnaire (the DF Protocol Questionnaire), and (v) the DF Protocol Questionnaire Answer Sheet (the DF Protocol Questionnaire Answer Sheet); and

WHEREAS, copies of the DF Protocol Agreement, the DF Supplement, the DF Protocol Questionnaire and the DF Protocol Questionnaire Answer Sheet (hereinafter collectively referred to as the DF Documents) have been made available to the JPB; and

WHEREAS, to enable counterparties to comply with the applicable provisions of Dodd-Frank, it is now necessary for the governing body of the JPB to approve the Revised Policy, to authorize adherence to the Dodd-Frank Protocol with such changes as may be agreed to by a counterparty, to authorize the execution and delivery of the Adherence Letter, to authorize the execution and delivery of the DF Documents, and to authorize the taking of such other actions as shall be necessary or advisable for the JPB relating to Dodd-Frank, as Dodd-Frank is supplemented and modified from time to time.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Peninsula Corridor Joint Powers Board as follows:

Section 1. **Approval of the Revised Fuel Hedging Policy.** The Revised Policy in such form as has been made available to the governing body of the JPB and attached hereto is hereby approved and adopted.

Section 2. **Approval of Adherence to the Dodd-Frank Protocol and Execution of Adherence Letter.** Adherence to the Dodd-Frank Protocol, with such changes as may be agreed to with a counterparty, is hereby approved. The Executive Director of the JPB and the Deputy CEO, Finance and Administration, of the JPB, each acting alone (each, an Authorized Officer), is hereby authorized and directed, for and in the name and on behalf of the JPB, to execute the Adherence Letter.

Section 3. **Approval of DF Documents.** The form of DF Protocol Agreement, DF Supplement, DF Protocol Questionnaire and DF Protocol Questionnaire Answer Sheet presented to this meeting are hereby approved. Each Authorized Officer is hereby authorized and directed, for and in the name and on behalf of the JPB, to execute each of the DF Documents which requires execution and to deliver or cause to be delivered each of the DF Documents which requires delivery, each such DF Document to be in substantially the form presented to this meeting, with such changes therein as the Authorized Officer executing the same, with the advice of PFM Asset Management LLC (the Fuel Hedge Advisor), may require or approve, such approval to be conclusively evidenced by the execution and/or delivery thereof.

Section 4. **Additional Revisions of Fuel Hedging Policy Relating to Provisions of Dodd-Frank.** Any additional revision of the Revised Policy solely related to the provisions of Dodd-Frank may be made by or at the direction of either Authorized Officer, with the advice of the Fuel Hedge Advisor and counsel to the JPB, without further authorization or direction by the governing body of the JPB.

Section 5. **Authorized Representative.** All actions, including without limitation, all filings or registrations required in connection with the provisions of Dodd-Frank, including filing for a Commodity Futures Trading Commission Interim Compliant Identifier

and, if subsequently required, a legal entity identifier, and approval of any changes to the Dodd-Frank Protocol and/or any amendments to existing fuel hedge documentation relating to the requirements of Dodd-Frank as may be agreed to with a counterparty, may be taken by either Authorized Officer without further authorization or direction by the governing body of the JPB and each Authorized Officer is hereby authorized and directed to take any such action which such Authorized Officer may deem necessary or desirable to further the purposes of this Resolution.

Section 6. **Severability of Invalid Provisions.** If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution which shall continue in full force and effect.

Section 7. **Effective Date.** This Resolution shall take effect immediately upon its passage.

Regularly passed and adopted this 4th day of April, 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

* * *

**AUTHORIZE AWARD OF CONTRACT TO ORRICK, HERRINGTON & SUTCLIFFE LLP TO
SERVE AS SPECIAL COUNSEL IN CONNECTION WITH THE
FISCAL YEAR 2014 FUEL HEDGING PROGRAM**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) currently purchases approximately four million gallons of diesel fuel each year to conduct train operations; and

WHEREAS, consistent with the fuel hedging policy adopted by the Board in March 2010 and most recently revised on the date hereof (the Policy), the JPB will shortly begin the process of selecting a counterparty meeting the requirements specified in the Policy for the Fiscal Year (FY) 2014 Fuel Hedging Program; and

WHEREAS, the JPB requires the services of special counsel to assist it in the process of implementing a fuel hedge for the FY2014 Fuel Hedging Program; and

WHEREAS, Orrick, Herrington & Sutcliffe, LLP, has served as the JPB's special counsel in prior years, including advising on FY2010's, FY2011's, FY2012's and FY2013's Fuel Hedging Program, and has substantial experience with public transit financial transactions.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director to execute a contract in an amount not to exceed \$125,000 with Orrick, Herrington &

Sutcliffe, LLP, to serve as special counsel to the JPB in connection with the proposed fuel hedge for FY2014, with the understanding that the not to exceed amount includes services to be provided under a separate contract with the San Mateo County Transit District, which is expected to pay 30 percent of the total cost of the special counsel services.

Regularly passed and adopted this 4th day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

C.H. (Chuck) Harvey
Deputy CEO

SUBJECT: **AUTHORIZING AWARD OF CONTRACTS FOR ON-CALL GENERAL
ENGINEERING CONSULTANT SERVICES**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award two on-call contracts for General Engineering Consultant (GEC) Design Services including Bridge Design Services and Structures and Other Design Services categories, each for a three-year term, in an aggregate not-to-exceed amount of \$15 million, to be shared as a pool for authorized tasks for the firms listed below.
 - HDR Engineering Inc. (for the Bridge Design Services category)
 - Rail Surveyors & Engineers, Inc. (for the Structures and Other Design Services category)
2. Authorize the Executive Director, or his designee, to execute a contract with each firm listed above in full conformity with the terms and conditions of the solicitation documents and negotiated agreements.
3. Authorize the Executive Director, or his designee, to exercise up to two additional one-year option terms for each contract, with an aggregate not-to-exceed amount of \$10 million, if it is in the best interest of the JPB.

SIGNIFICANCE

Historically, the JPB has contracted with general engineering consultants to provide on-call, as-needed engineering services for the design and delivery of Caltrain projects. Approval of the above actions will provide the JPB with a ready mechanism to deliver multi-discipline engineering design support services for the JPB Capital Program. These on-call services will be conducted on an as-needed basis. Award of these contracts will not obligate the JPB to purchase any specific level of service from either of the firms selected.

BUDGET IMPACT

Work Directives issued authorizing tasks under these contracts will contain a defined scope of services, with a discrete schedule and budget. Funds assigned to those work directives will come from approved capital and/or operating budgets. A variety of funding mechanisms and sources are used for each project and may include Federal, State, and local sources.

BACKGROUND

At the August 2, 2012 JPB meeting, the Board approved the SCC's recommendation to reject all proposals submitted in response to its Request for Proposals (RFP) covering GEC Design Services and those submitted in response to the GEC Design Review Services RFP. The SCC made this recommendation because it had been made aware of alleged irregularities in the solicitation process and desired to make certain that the process avoided even the appearance of any impropriety and provided maximum opportunities for proposers to participate in the competition for award of either contract. The Board authorized staff to resolicit proposals for both services. Recommendation for award of the GEC Design Services contracts is the subject of this report and the GEC Design Review contract will be presented to the Board for approval at a later date.

An RFP covering GEC design services for both a Bridge Design category and a Structures and Other Design category was issued and advertised in a newspaper of general circulation and on the JPB's procurement website. Solicitation notices also were sent to small and disadvantaged business enterprises (SBEs and DBEs) in the relevant fields. The JPB's intention was to award one contract in each design category to the most qualified firm in that category. From eight firms the JPB received seven proposals for the Bridge category and five proposals for the Structures and Other category. An Evaluation Committee (Committee) composed of qualified staff and participants from Bay Area Rapid Transit District, San Francisco Municipal Transportation Agency and Santa Clara Valley Transportation Authority reviewed and scored the proposals in accordance with the following weighted criteria:

- Financial Stability 5%
- Administration Systems 15%
- Key Personnel Qualifications and Experience 15%
- Subconsultant Management Plan 20%
- Quality Control Plan 20%
- Firm or Team Qualifications and Experience 25%

All proposals received were responsive to the RFP and the three firms determined to be in the "competitive range" in each category were invited for an interview (one firm was invited to interview in both categories). Upon completion of the interviews, checking of references, financial reviews, and the final scoring of proposals, the committee came to a consensus scoring. Firms that were interviewed are listed below, by discipline, in the order of their respective rankings:

Bridge Design Services:

1. HDR Engineering, Inc.
2. HNTB
3. Parsons Transportation Group

Structures and Other Design Services:

1. Rail Surveyors & Engineers, Inc. (DBE firm)
2. HNTB
3. Kal Krishnan Consulting Services, Inc. (DBE firm)

The JPB has completed negotiations with each of the highest-ranked firms. Both firms possess the requisite depth of experience and have the required qualifications to successfully perform the contracts.

The DBE officer reviewed all of the proposals and determined that all proposers met the requirements of the JPB's DBE Program. Although HDR Engineering, Inc. is not a DBE firm, it intends to perform its contract with a team of five subconsultants, including three DBE firms. Rail Surveyors & Engineers, Inc. is a DBE firm that not only intends to perform the majority of services required in its contract, but has also compiled a team of eight subconsultants, which list includes two DBE firms. The overall level of DBE participation in these contracts is expected to be meaningful and will assist the JPB in meeting its DBE program objectives.

Contract Officer: Patrick May
Project Manager: Steve Chao

650.508.7732
650.508.6301

RESOLUTION NO. 2013 -

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

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**AUTHORIZING AWARD OF CONTRACTS TO HDR ENGINEERING, INC. FOR ON-CALL BRIDGE
DESIGN SERVICES AND TO RAIL SURVEYORS & ENGINEERS, INC.
FOR ON-CALL STRUCTURES AND OTHER DESIGN SERVICES FOR UP TO AN AGGREGATE
NOT-TO-EXCEED AMOUNT OF \$15,000,000 FOR A THREE-YEAR TERM**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) issued a Request for Proposals (RFP) to provide on-call General Engineering Consultant (GEC) services in two categories: (1) bridge design services and (2) structures and other design services; and

WHEREAS, in response to the RFP, proposals were received from eight firms; and

WHEREAS, an Evaluation Committee has reviewed and scored proposals, conducted interviews with the three firms determined to be in the "competitive range" in each category, ranked the proposals according to the evaluation criteria set forth in the RFP, and determined that HDR Engineering, Inc. of Walnut Creek, CA and Rail Surveyors & Engineers, Inc., of Belmont, CA received the highest consensus rankings, respectively, in the two design services categories referenced above; and

WHEREAS, staff and legal counsel have reviewed the HDR Engineering, Inc. and Rail Surveyors & Engineers, Inc. proposals and determined that both proposals complied with the requirements of the solicitation documents; and

WHEREAS, Staff Coordinating Council recommends that a contract for on-call bridge design services be awarded to HDR Engineering, Inc. and that a contract for on-call structures and other design services be awarded to Rail Surveyors & Engineers, Inc., both for a three-year base term for up to an aggregate amount of \$15 million, which will be shared as a pool for authorized tasks assigned to the two firms.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors (Board) of the JPB hereby awards a contract for on-call bridge design services to HDR Engineering, Inc. of Walnut Creek, CA and a contract for on-call structures and other design services to Rail Surveyors & Engineers, Inc., of Belmont, CA, both for a three-year base term for up to an aggregate not-to-exceed amount of \$15 million, which is to be shared as a pool for authorized tasks assigned to the two firms; and

BE IT FURTHER RESOLVED that the Executive Director, or his designee, is authorized to execute a contract on behalf of the JPB with HDR Engineering, Inc. and Rail Surveyors & Engineers, Inc., in full conformity with the terms and conditions of the solicitation documents and negotiated agreements; and

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director, or his designee, to exercise up to two additional, one-year option terms to the contracts with HDR Engineering, Inc. and Rail Surveyors & Engineers, Inc., in a total aggregate not-to-exceed amount of up to \$10 million, which will be shared as a pool for authorized tasks assigned to the two firms if in the best interest of the JPB.

Regularly passed and adopted this 4th day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

C.H. (Chuck) Harvey
Deputy CEO

SUBJECT: **AUTHORIZATION OF AWARD OF A CONTRACT FOR THE SIGNAL PREEMPTION
IMPROVEMENT PROJECT**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract to the lowest responsive and responsible bidder, Shimmick Construction Company, Inc. (Shimmick) in the total amount of \$1,849,500.
2. Authorize the Executive Director or his designee to execute a contract in full conformity with the terms and conditions of the solicitation documents.

SIGNIFICANCE

Award of this construction contract will enhance safety by improving train approach warning systems at five crossings through the provision of new traffic signals, railroad signals, and related construction.

BUDGET IMPACT

Funding for this contract has been fully budgeted in the approved JPB capital budgets. No additional funding will be required.

BACKGROUND

The Signal Preemption Project will provide advance preemption timing at five crossings; Brewster Avenue in Redwood City, Churchill Avenue and East Meadow Avenue in Palo Alto and Rengstorff Avenue and Castro Street in Mountain View. The selection of these crossing locations was made by working with the California Public Utilities Commission. This project also will modify the phasing and traffic signals at Brewster Avenue, Castro Street and Rengstorff Avenue.

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

	Company	Total Bid Amount
	<i>Engineer's Estimate</i>	\$1,945,434
1.	Shimmick Construction Company, Inc. , Oakland, CA	\$1,849,500
2.	Ghilotti Bros/Summit Signal JV, San Rafael, CA	\$1,883,000
3.	HMS Construction, Inc., Vista, CA 92081	\$1,978,450

Staff reviewed the bids and determined Shimmick was responsive to the solicitation requirements. Shimmick was deemed to be the apparent low bidder with a bid that was 5 percent lower than the engineer's estimate.

Staff and legal counsel determined that Shimmick submitted a complete bid package and satisfied all of the applicable legal requirements. Staff reviewed the bid from Shimmick for responsiveness to the solicitation requirements and determined that it is responsive. Company reference checks confirm that Shimmick is an experienced and competent contractor. Accordingly, staff concludes that Shimmick is the lowest responsive and responsible bidder.

The Disadvantaged Business Enterprise (DBE) Program Officer reviewed Shimmick's bid and determined that it meets the requirements of the JPB's DBE Program. Shimmick intends to engage several subcontractors, including current and former DBE firms, which will assist the JPB in meeting its DBE Program objectives.

Contract Officer: Helen Hoang
Project Manager: Richard McIntosh

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650.289.1076

RESOLUTION NO. 2013-

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

* * *

**AUTHORIZING AWARD OF CONTRACT TO SHIMMICK CONSTRUCTION COMPANY, INC.
AT A TOTAL COST OF \$1,849,500**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited bids for the Signal Preemption Improvement Project to enhance public safety by improving train approach warning systems at five crossings through the provision of new traffic signals, railroad signals, and related construction; and

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

WHEREAS, staff and legal counsel have reviewed the bids and determined that Shimmick Construction Company, Inc. (Shimmick) of Oakland, California is the lowest responsive and responsible bidder; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Shimmick for the Signal Preemption Improvement Project for a total cost of \$1,849,500; and

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

Regularly passed and adopted this 4th day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: **AUTHORIZING THE SECOND AMENDMENT OF THE USE, OPERATING AND MAINTENANCE (UOM) AGREEMENT FOR THE MILLBRAE INTERMODAL STATION**

ACTION

Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director to amend the Use, Operating and Maintenance Agreement (UOM Agreement) with the Bay Area Rapid Transit District (BART) for the Millbrae Intermodal Station to extend the JPB share and payment schedule through Fiscal Year (FY) 2018.

SIGNIFICANCE

The UOM Agreement governs the day-to-day management of the Millbrae Intermodal Station and the adjacent 3.4 miles of rail corridor shared by BART and Caltrain. The UOM Agreement addresses the coordination of operations between BART and Caltrain at the Millbrae station.

Under the UOM Agreement, JPB has rights to use the station platforms and station concourse areas as part of the operation of its Caltrain commuter rail service. These rights include the rights of ingress and egress for passengers, employees and contractors. These rights also include Caltrain passenger use of the 3,005 spaces in the Joint Use Parking Area.

BUDGET IMPACT

The Second Amendment to the UOM Agreement specifies that the amount paid by JPB for FY2014 through FY2018, inclusive, shall be the amount paid the previous fiscal year plus a CPI-based inflationary adjustment. The FY2014 payment amount will be \$807,579, a 2.9 percent increase over the FY2013 payment amount of \$784,819.

The Second Amendment also states that the method for calculating the JPB share for FY2015 through FY2018 may be revised by written notification submitted by either entity no later than September 30 with negotiations commencing on or before October 31. If these conditions are not met or if there is no mutual agreement on a revision by December 31 the methodology shall remain unchanged for the subsequent fiscal year.

BACKGROUND

In June 1999, BART, San Mateo County Transit District and the JPB enter into a "Railroad Construction and Maintenance Agreement" (C&M Agreement) regarding the construction of the BART/SFO Extension Project on JPB property. That agreement contemplated that the parties would negotiate a future agreement that would govern the joint operation of the Millbrae Station and the management of the adjacent rail alignments.

A working group, which later included legal counsel, developed the present agreement which is entitled the "Use, Operating and Maintenance Agreement for the Millbrae Station and BART/JPB/SamTrans Facilities Related to the BART SFO Extension Project" or simply the "UOM Agreement." The UOM Agreement included a JPB cost sharing schedule for FY2004 through FY2008.

The UOM Agreement sets forth the services performed by BART for which the JPB is to pay a share of the annual expenses to maintain the station, structures, grounds and parking garage as well as keeping all public and employee areas clean and safe.

This includes but is not limited to janitorial, landscaping, lighting, heating, plumbing, electrical, glass replacement, pest control, painting and graffiti removal.

The JPB Board authorized extending the UOM Agreement through FY2013 with a new cost sharing schedule by Resolution No. 2008-27 on August 7, 2008, and that the amount of the JPB share for years following FY2013 shall be determined by the parties.

Prepared by: Lynn L. Lockwood, Rail Contract Cost Administrator 650.508.6328

RESOLUTION NO. 2013-

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

* * *

**AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE THE
SECOND AMENDMENT OF THE USE, OPERATING AND MAINTENANCE
AGREEMENT FOR THE MILLBRAE INTERMODAL STATION**

WHEREAS, in June of 1999, the San Francisco Bay Area Rapid Transit District (BART), the San Mateo County Transit District and the Peninsula Corridor Joint Powers Board (JPB) entered into a "Railroad Construction and Maintenance Agreement" regarding the construction of the BART/SFO Extension Project on the Caltrain rail corridor; and

WHEREAS, that agreement contemplated that the parties would negotiate an agreement that would govern the joint operation of the Millbrae Station, including the management of the adjacent rail alignments; and

WHEREAS, on February 18, 2005 the parties entered into the "Use, Operating and Maintenance Agreement for the Millbrae Station and BART/JPB/SamTrans facilities related to the BART/SFO Extension Project" (UOM Agreement) for the joint operation of the Millbrae Intermodal Station and the 3.4 miles of adjacent rail corridor shared by BART and Caltrain; and

WHEREAS, pursuant to Resolution 2008-27, adopted on August 7, 2008, the Board authorized a First Amendment of the UOM Agreement; and

WHEREAS, the Staff Coordinating Council recommends that the Board of Directors authorize the Executive Director to execute the Second Amendment of the UOM Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the amendment of the UOM Agreement to extend the term through Fiscal Year 2018 with a revised cost sharing schedule; and

BE IT FURTHER RESOLVED that the Executive Director or his designee is authorized to execute the Second Amendment of the UOM Agreement.

Regularly passed and adopted this 4th day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: **ADOPTION OF CALTRAIN TITLE VI STANDARDS AND POLICIES**

ACTION

Staff Coordinating Council (SCC) recommends the Board adopt the five attached policies and standards to ensure Caltrain remains in compliance with Title VI of the Civil Rights Act of 1964.

SIGNIFICANCE

The Federal Transit Administration (FTA) recently published Circular 4702.1B, updating and clarifying requirements for compliance with Title VI of the Civil Rights Act of 1964. Under the new circular, the FTA now requires each large public transportation provider's governing board to approve five standards and policies:

1. Major Service Change Policy
2. Disparate Impact Policy
3. Disproportionate Burden Policy
4. Systemwide Service Standards
5. Systemwide Service Policies

Staff has developed and finalized a set of these standards and policies for Caltrain service. The specific standards and policies are attached to this staff report and are the same as those presented in February.

The first item listed above defines "major service change" as a threshold for when Caltrain will conduct a thorough analysis of the potential effects of service changes on protected populations. The next two items define thresholds for when a fare change or major service change could result in a "disparate impact" on a minority population or a "disproportionate burden" on a low-income population. The final two items define standards and policies to be used when determining whether service and amenities are distributed equitably to minority and non-minority populations.

The new FTA requirements also require transit agencies to seek public input before Board action on the first three policies. Staff held four community meetings in the Caltrain service area to discuss the proposed policies and seek public input. The meetings were held in Gilroy, Mountain View, San Carlos and the Bayview district of San Francisco. At the recommendation of JPB Directors, staff also conducted additional outreach with community-based organizations in San Francisco and Santa Clara Counties. In addition to the public meetings, the public was notified that comments were accepted through the mail, telephone and the dedicated e-mail address of TitleVI@caltrain.com until March 29. As of March 28 staff has received one comment regarding the proposed policies.

Since the new Circular was released in October 2012, Caltrain staff has worked closely with legal counsel to ensure the attached standards and policies comply with the new regulations. The Board was first notified of the need to craft policies at the January meeting. Draft policies were brought before the Board in February along with presentations to the Citizens Advisory Committee and the public at large.

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

Caltrain, as a recipient of FTA grant assistance, is required to comply with the Civil Rights Act of 1964 and implementing regulations. Title VI of the Civil Rights Act prohibits recipients of Federal assistance from discriminating based on race, color, or national origin. Certain compliance requirements apply specifically to public transit providers operating 50 or more vehicles in urbanized areas with populations of 200,000 or more; Caltrain meets this threshold.

Prepared by: Ted Yurek, Senior Planner

650.508.6471

MAJOR SERVICE CHANGE POLICY

SERVICE CHANGES

All major increases or decreases in transit service are subject to a Title VI Equity Analysis prior to Board approval of the service change. A Title VI Equity Analysis completed for a major service change must be presented to the Caltrain Board for its consideration and included in the Caltrain Title VI Program with a record of the action taken by the Board.

Caltrain defines a major service change as any service change meeting at least one or both of the following criteria:

- A. An adjustment of service that equates to a reduction of or addition of 25 percent or more in total revenue train miles per day for the service day of the week (weekday, Saturday or Sunday) for which the change is made.
- B. A greater than 50 percent reduction or increase in the number of stops at a station per day for the service day of the week (weekday, Saturday or Sunday) for which the change is made.

Note: Any change that is a temporary or interim change due to construction or maintenance projects is exempted from the definition and is not considered a “major service change.”

DISPARATE IMPACT POLICY

This policy establishes a threshold for determining whether a given action has a disparate impact on minority populations versus non-minority populations. Per FTA Circular 4702.1B:

Disparate impact refers to a facially neutral policy or practice that disproportionately affects members of a group identified by race, color, or national origin, where the recipient's policy or practice lacks a substantial legitimate justification and where there exists one or more alternatives that would serve the same legitimate objectives but with less disproportionate effect on the basis of race, color, or national origin....

The policy shall establish a threshold for determining when adverse effects of [fare/]service changes are borne disproportionately by minority populations. The disparate impact threshold defines statistically significant disparity and may be presented as a statistical percentage of impacts borne by minority populations compared to impacts borne by non-minority populations. The disparate impact threshold must be applied uniformly...and cannot be altered until the next Title VI Program submission.

In the course of performing a Title VI Equity Analysis, Caltrain must analyze how the proposed action would impact minority as compared to non-minority populations. In the event the proposed action has a negative impact that affects minorities more than non-minorities with a disparity that exceeds the adopted Disparate Impact Threshold or that benefits non-minorities more than minorities with a disparity that exceeds the adopted Disparate Impact Threshold, Caltrain must evaluate whether there is an alternative that has a more equitable impact. Otherwise, Caltrain must take measures to mitigate the impact of the proposed action on the affected minority population and demonstrate that a legitimate business purpose cannot otherwise be accomplished and that the proposed change is the least discriminatory alternative.

The Caltrain Disparate Impact Threshold to determine if the adverse impacts of a major service change (as defined in the first part of this document) or a fare adjustment is established at 10 percent based on the cumulative impact of the proposed service and/or fare changes. This threshold applies to the difference of the impacts borne by minority populations compared to the same impacts borne by non-minority populations.

DISPROPORTIONATE BURDEN POLICY

This policy establishes a threshold for determining whether a given action has a disproportionate burden on low-income populations versus non-low-income populations. The Disproportionate Burden Policy applies only to low-income populations that are not also minority populations. Per FTA Circular 4702.1B:

The policy shall establish a threshold for determining when adverse effects of [fare/]service changes are borne disproportionately by low-income populations. The disproportionate burden threshold defines statistically significant disparity and may be presented as a statistical percentage of impacts borne by low-income populations as compared to impacts borne by non-low-income populations.... The disproportionate burden threshold must be applied uniformly...and cannot be altered until the next [Title VI] program submission.

At the conclusion of the analysis, if the transit provider finds that low-income populations will bear a disproportionate burden of the proposed [fare/]service change, the transit provider should take steps to avoid, minimize or mitigate impacts where practicable. The provider should describe alternatives available to low-income populations affected by the [fare/]service changes.

The Caltrain Disproportionate Burden Threshold to determine if the adverse impacts of a major service change (as defined in the first part of this document) or a fare adjustment is established at 10 percent based on the cumulative impact of the proposed service and/or fare changes. This threshold applies to the difference of the impacts borne by low-income populations compared to the same impacts borne by non-low-income populations.

SYSTEMWIDE SERVICE STANDARDS

Pursuant to requirements set forth in Federal Transit Administration (FTA) Circular 4702.1B Caltrain must establish and monitor its performance under quantifiable Service Standards and qualitative Service Policies. The Service Standards contained herein are used to develop and maintain efficient and effective commuter rail service. In some cases, these standards differ from standards used by Caltrain for other purposes.

The FTA requires all fixed route transit providers of public transportation to develop quantitative standards for the following indicators. Individual public transportation providers set these standards; therefore, these standards will apply to each individual agency rather than across the entire transit industry:

- A. Vehicle Load
- B. Vehicle Headways
- C. On-time Performance
- D. Service Availability

STATION HIERARCHY

For purposes of determining service and facility levels at stations, a hierarchy has been established that classifies each station into one of five types. The hierarchy is related to the level of ridership at the station. The following chart shows the station type names and general service description:

Station Type	Service Description
Major	Baby Bullet, limited and local
Intermediate	Limited and local
Minor	Local
Gilroy	Peak direction service only
Special	Limited use station

A. VEHICLE LOAD

Vehicle load factor is described by the October 2012 FTA Circular 4702.1B:

Vehicle load can be expressed as the ratio of passengers to the total number of seats on a vehicle. For example, on a 40-seat bus, a vehicle load of 1.3 means all seats are filled and there are approximately 12 standees. A vehicle load standard is generally expressed in terms of peak and off-peak times. Transit providers that operate multiple modes of transit must describe the specific vehicle load standards for peak and off-peak times for each mode of fixed route transit service (i.e., bus, express bus, bus rapid transit, light rail, heavy rail, commuter rail, passenger ferry, etc., as applicable), as the standard may differ by mode.

Providing sufficient seating capacity to meet demand is a priority for Caltrain. However, during the peak of the peak because of high passenger loads and limited capacity, it is not always possible to provide a seat for each passenger. During non-peak hours, the Caltrain standard is not to exceed one passenger per seat, but in the peak the standard is not to exceed one standee per five seats.

Staff monitors vehicle loads from train crew reports, passenger comments, passenger counts of special event trains and from an annual passenger count performed on every train. Whenever feasible, resources will be reallocated to meet passenger demand.

Service Standards

<u>Service Type</u>	<u>Peak Load Factor</u>	<u>Off-Peak Load Factor</u>
All	1.2	1.0

B. VEHICLE HEADWAY

Vehicle headway is described by the October 2012 FTA Circular 4702.1B:

Vehicle headway is the amount of time between two vehicles traveling in the same direction on a given line or combination of lines. A shorter headway corresponds to more frequent service. Vehicle headways are measured in minutes (e.g., every 15 minutes); service frequency is measured in vehicles per hour (e.g., 4 buses per hour). Headways and frequency of service are general indications of the level of service provided along a route. Vehicle headway is one component of the amount of travel time expended by a passenger to reach his/her destination. A vehicle headway standard is generally expressed for peak and off-peak service as an increment of time (e.g., peak: every 15 minutes; and off peak: every 30 minutes). Transit providers may set different vehicle headway standards for different modes of transit service. A vehicle headway standard might establish a minimum frequency of service by area based on population density. For example, service at 15-minute peak headways and 30-minute off-peak headways might be the standard for routes serving the most densely populated portions of the service area, whereas 30-minute peak headways and 45-minute off-peak headways might be the standard in less densely populated areas. Headway standards are also typically related to vehicle load. For example, a service standard might state that vehicle headways will be improved first on routes that exceed the load factor standard or on routes that have the highest load factors.

During peak and surrounding (shoulder) times, Caltrain serves stations largely based on demand. Midday, evenings and weekends are largely hourly service. Supplemental service is often provided for special events based on estimated ridership demand.

Service Standards Minimum Average Headways (in minutes)

<u>Station Type</u>	<u>Peak</u>	<u>Reverse-Peak</u>	<u>Midday</u>	<u>Evenings & Weekends</u>
Major	20	20	60	60
Intermediate	30	30	60	60
Minor	60	60	60	60
Gilroy	3 trips per peak period			
Special	-----Provided as needed-----			

C. ON-TIME PERFORMANCE

On-time performance is described by the October 2012 FTA Circular 4702.1B:

On-time performance is a measure of runs completed as scheduled. This criterion first must define what is considered to be “on time.” For example, a transit provider may consider it acceptable if a vehicle completes a scheduled run between zero and five minutes late in comparison to the established schedule. On-time performance can be measured against route origins and destinations only, or against origins and destinations as well as specified time points along the route. Some transit providers set an on-time performance standard that prohibits vehicles from running early (i.e., ahead of schedule) while others allow vehicles to run early within a specified window of time (e.g., up to five minutes ahead of schedule). An acceptable level of performance must be defined (expressed as a percentage). The percentage of runs completed system-wide or on a particular route or line within the standard must be calculated and measured against the level of performance for the system. For example, a transit provider might define on-time performance as 95 percent of all runs system-wide or on a particular route or line completed within the allowed “on-time” window.

On-time Performance Service Standard

A train is determined to be on-time if it reaches its final destination within five minutes of the published schedule time. Caltrain does not permit its trains to depart early. It is Caltrain’s goal to have 95 percent of trains meet this on-time criteria. Monthly on-time performance is tracked and published as part of a monthly performance report to the Caltrain Board.

D. SERVICE AVAILABILITY

Service availability is described by the October 2012 FTA Circular 4702.1B:

Service availability is a general measure of the distribution of routes within a transit provider's service area...A standard might also indicate the maximum distance between stops or stations...Commuter rail service or passenger ferry service availability standards might include a threshold of residents within a certain driving distance as well as within walking distance of the stations or access to the terminal.

Caltrain station spacing is mostly based on locations inherited from a previous owner (the Southern Pacific Railroad) before the Peninsula Joint Powers Board took over the system in 1992. The 48-mile railroad from San Francisco to Tamien has 23 regular stations (not counting Special station types) for an average station spacing of 2.1 miles. The distance between stations one must travel to access service is based on average distance (miles) between adjacent stations (both directions) for types of service stopping at the station.

Service Availability Standards

<u>Station Type</u>	<u>Station Spacing</u>
Major	5 miles
Intermediate	3 miles
Minor	2 miles
Gilroy	6 miles
Special	1 mile

SYSTEMWIDE SERVICE POLICIES

FTA requires fixed-route transit providers to develop a policy for each of the following service indicators. Transit providers also may opt to set policies for additional indicators as appropriate. The following system-wide policies differ from service standards in that they are not necessary based on meeting quantitative thresholds; but rather qualitative evaluation results:

- A. Vehicle Assignment
- B. Transit Amenities

A. VEHICLE ASSIGNMENT

According to the October 2012 FTA Circular 4702.1B:

Vehicle assignment refers to the process by which transit vehicles are placed into service in depots and on routes throughout the transit provider's system. Policies for vehicle assignment may be based on the age of the vehicle, where age would be a proxy for condition. For example, a transit provider could set a policy to assign vehicles to depots so that the age of the vehicles at each depot does not exceed the system-wide average. The policy could also be based on the type of vehicle. For example, a transit provider may set a policy to assign vehicles with more capacity to routes with higher ridership and/or during peak periods. The policy could also be based on the type of service offered. For example, a transit provider may set a policy to assign specific types of vehicles to express or commuter service. Transit providers deploying vehicles equipped with technology designed to reduce emissions could choose to set a policy for how these vehicles will be deployed throughout the service area.

The Caltrain revenue fleet consists of 118 passenger cars (25 Bombardier and 93 Nippon Sharyo/Gallery cars) and 29 diesel locomotives. All trains are comprised of one locomotive and five passenger cars. All Gallery car trains include at least one Americans with Disabilities Act (ADA) accessible rail car, one car with a luggage rack and two cars that together accommodate up to 80 bikes. All Bombardier cars are ADA accessible and Bombardier trains all have two bike cars that accommodate up to 48 bikes.

Caltrain consists (i.e., locomotives, cab cars and passenger cars) are rotated on a daily basis to serve different scheduled trains. Several trains a day are specified to be equipped with Gallery consists to utilize the higher bike capacity of 80 (versus 48 for a Bombardier equipped train) for trains that have very high bike demand. Another group of trains are specified to be equipped with Bombardier consists in order to take advantage of its additional 10 seats and four doors per car for trains that have very high passenger loads. The use of Gallery versus Bombardier equipment is not matched to any particular service type or station, except Gilroy service that is always provided utilizing Gallery consists.

B. TRANSIT AMENITIES

According to the October 2012 FTA Circular 4702.1B:

Transit amenities refer to items of comfort, convenience, and safety that are available to the general riding public. Fixed route transit providers must set a policy to ensure equitable distribution of transit amenities across the system. Transit providers may have different policies for the different modes of service that they provide. Policies in this area address how these amenities are distributed within a transit system, and the manner of their distribution determines whether transit users have equal access to these amenities. This subparagraph is not intended to impact funding decisions for transit amenities. Rather, this subparagraph applies after a transit provider has decided to fund an amenity.

Caltrain provides a variety of amenities at stations to attract and retain customers. Station amenities are distributed based on ridership activity of stations and conditions that were adopted by the JPB when it took over the railroad. Stations are divided into three groups (Level 1- 3). These levels correspond roughly with the station hierarchy designations listed in the introduction to the system-wide service standards.

The “Core” set of amenities exist at most stations and include bike lockers, bike racks, shelters/canopies, benches, trash cans, pay phones, smart card fare validation equipment and ticket vending machines (TVMs). It is standard for each station to have a posted system map, schedule, other customer information, variable message signs and public announcement systems (PA). The standard amenities are included in the definition of core amenities.

Only a few stations with unique access situations have elevators or escalators. The placement of elevators is often at the choice and cost of others when a station is constructed or reconstructed.

Amenities Policy

<u>Station Type</u>	<u>Level</u>	<u>Amenities</u>
Major	Level 1	Core amenities
Intermediate	Level 1	Core amenities
Minor	Level 1	Core amenities
Gilroy	Level 2	Core amenities without bike racks, PA & VMS
Special	Level 3	TVMs only, at stations with scheduled stops

RESOLUTION NO. 2013 –

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

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ADOPTION OF SYSTEM-WIDE SERVICE STANDARDS AND POLICIES, DEFINITION OF "MAJOR SERVICE CHANGE," AND DISPARATE IMPACT AND DISPROPORTIONATE BURDEN POLICIES REQUIRED FOR COMPLIANCE WITH TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

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, as set forth in the above-referenced Circular, the Board of Directors is required to adopt System-Wide Service Standards and Policies to guide the equitable distribution of Caltrain programs and services; and

WHEREAS, the JPB is also required to adopt policies to define when a service change is sufficiently broad or large to necessitate a review of its potential impacts on minority and low-income populations, and to define when a fare change or major service change will have a disparate impact on minority populations or impose a disproportionate burden on low-income populations, all of which policies and definitions are required to be subject to public input; and

WHEREAS, over the past two months, JPB staff has presented draft policies to this Board and the public in Board meetings and other public meetings, undertaken extensive public outreach and accepted public comment on the policies; and

WHEREAS, the Staff Coordinating Council recommends the Board approve the attached System-Wide Service Standards and Policies, definition of "Major Service Change," and Disparate Impact and Disproportionate Burden Policies, which comply with FTA requirements and which will guide future decisions regarding and monitoring of Caltrain programs and services to ensure that they are provided equitably, without discrimination based on race, color or national origin.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby approves the attached System-Wide Service Standards and Policies, definition of "Major Service Change," and Disparate Impact and Disproportionate Burden Policies.

Regularly passed and adopted this 4th day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: 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

Nothing to report.

FEDERAL ISSUES

Appropriations

On March 21, Congress passed a continuing resolution (House Resolution 933) that preserves funding for Federal programs through the rest of the current fiscal year. The original bill passed by the House did not include increased Federal Transit Administration formula funding levels authorized under the transportation bill (Moving Ahead for Progress in the 21st Century) approved by Congress last year, but Senate amendments that reflect the authorized funding levels were ultimately agreed to by the House.

With funding resolved for Fiscal Year 2013, both chambers have started to work on funding for Federal programs in 2014. The House passed a budget resolution that assumes no General Fund transfers to the Highway Trust Fund, where spending is expected to outpace revenues sometime next year. The Senate budget resolution was approved by the Budget Committee and includes a \$50 billion General Fund transfer to help the Highway Trust Fund remain solvent.

The Senate resolution also anticipates nearly \$1 trillion in new revenues over the next decade. The resolution suggests that a portion of those revenues could be achieved through a new cap on the exemption of interest earned on municipal bonds. Staff will be monitoring this proposal carefully. A number of national organizations interested in maintaining strong demand for infrastructure bond financing have expressed concern about the proposal.

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 8 Perea D</p> <p>Alternative fuel and vehicle technologies: funding programs.</p>	<p>ASSEMBLY TRANS. 1/14/2013 - Referred to Com. on TRANS. and NAT. RES.</p>	<p>Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission (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.</p> <p>This bill would provide that the State Air Resources Board (state board), until January 1, 2024, 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 person 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 January 1, 2014, and every two years thereafter, the number of vehicles that automobile manufacturers project to be sold or leased, as reported to the state board. The bill would require the commission to allocate \$20 million each fiscal year, as specified, and up to \$20 million each fiscal year thereafter, as specified, for purposes of achieving a hydrogen fueling network sufficient to provide convenient fueling to vehicle owners, and expand that network as necessary to support a growing market for vehicles requiring hydrogen fuel, until there are at least 100 publicly available hydrogen fueling stations. 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, no later than July 1, 2013, would require the state board and air districts to jointly convene working groups to evaluate the specified policies and goals of specified programs. This bill contains other related provisions and other existing laws.</p>	<p>Support</p>

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 25 Campos D</p> <p>Employment: social media.</p>	<p>ASSEMBLY JUD. 3/18/2013 - Re- referred to Com. on JUD.</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. The bill would state that its provisions address a matter of statewide interest and apply to public employers generally, including charter cities and counties.</p> <p>Last amended on 3/14/2013</p>	
<p>AB 26 Bonilla D</p> <p>California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.</p>	<p>ASSEMBLY NAT. RES. 3/20/2013 - Re- referred to Com. on NAT. RES.</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 authorizes the Controller to use moneys in the fund for cash flow loans to the General Fund, as prescribed.</p> <p>This bill would prohibit the Controller from using moneys in the fund for cash flow loans to the General Fund. Last amended on 3/19/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 37 Perea D</p> <p>Environmental quality: California Environmental Quality Act: record of proceedings.</p>	<p>ASSEMBLY NAT. RES. 3/19/2013 - Re-referred to Com. on NAT. RES.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA.</p> <p>This bill would require, until January 1, 2017, for specified projects or upon the request of a project applicant and the consent of the lead agency, that the lead agency 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, for specified projects, a lead agency to prepare the record of proceedings as provided, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Last amended on 3/18/2013</p>	
<p>AB 153 Bonilla D</p> <p>California Global Warming Solutions Act of 2006: offsets.</p>	<p>ASSEMBLY NAT. RES. 1/31/2013 - Referred to Com. on NAT. RES.</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, 2014, 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</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p><u>AB 160</u> <u>Alejo D</u></p> <p>California Public Employees' Pension Reform Act of 2013: exceptions.</p>	<p>ASSEMBLY P.E.,R. & S.S. 1/31/2013 - Referred to Com. on P.E.,R. & S.S.</p>	<p>consider new offset protocols.</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.</p>	<p>Watch</p>
<p><u>AB 179</u> <u>Bocanegra D</u></p> <p>Public transit: electronic transit fare collection systems: disclosure of personal information.</p>	<p>ASSEMBLY TRANS. 1/31/2013 - Referred to Com. on TRANS.</p>	<p>Existing law prohibits a transportation agency from selling or providing personally identifiable information 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 after 4 1/2 years, as specified. Existing law provides various remedies in that regard.</p> <p>This bill would make these and other related provisions applicable to a transportation agency that employs an electronic transit fare collection system for payment of transit fares. The bill would require transportation agencies that obtain personally identifiable information of a person from electronic toll collection or electronic transit fare collection systems to discard that information after 6 months, as specified.</p>	<p>Watch</p>
<p><u>AB 185</u> <u>Hernández, Roger D</u></p> <p>Open and public meetings: televised</p>	<p>ASSEMBLY L. GOV. 3/12/2013 - Re-referred to Com. on L. GOV.</p>	<p>The Ralph M. Brown Act requires that an audio or video recording of an open and public meeting made at the direction of a local agency is subject to inspection pursuant to the California Public Records Act and may be erased or destroyed 30 days after the recording. Existing law requires that any inspection of an audio or video recording shall be provided without charge on equipment made available by the local agency.</p> <p>The bill would provide that an audio or video recording of an open and public meeting made at the direction of a local agency may be erased or destroyed 2 years after the</p>	

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State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
meetings.		recording. Last amended on 3/11/2013	
AB 229 John A. Pérez D Local government: infrastructure and revitalization financing districts.	ASSEMBLY L. GOV. 2/15/2013 - Referred to Com. on L. GOV.	<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 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 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 of a city 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 a city to form a district to finance a project or projects on a former military base, if specified conditions are met.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 278 Gatto D California Global Warming Solutions Act of 2006: Low Carbon Fuel Standard.</p>	<p>ASSEMBLY NAT. RES. 2/21/2013 - Referred to Com. on NAT. RES.</p>	<p>The California Global Warming Solutions Act of 2006 (the act), establishes the State Air Resources Board (state 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 determining the carbon intensity of fuels under the Low Carbon Fuel Standard regulations or another scoring system, to consider specified matters.</p>	
<p>AB 410 Jones- Sawyer D Public employee health benefits: enrollment.</p>	<p>ASSEMBLY P.E.,R. & S.S. 2/28/2013 - Referred to Com. on P.E.,R. & S.S.</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.</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 as an annuitant of the employer from which he or she first retired, upon meeting specified conditions, including that the person's subsequent retirement occurs within 120 days after separation of employment or the person is subject to disability retirement, as specified, the person had at least 5 years of credited service for the employer from which he or she first retired or qualifies for a contribution payable by an employer under disability retirement, and that the person is not eligible for a postretirement health benefit contribution from the employer from which he or she subsequently retires.</p>	

**Peninsula Corridor Joint Powers Board
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Bill ID/Topic	Location	Summary	Position
<p>AB 416 Gordon D</p> <p>State Air Resources Board: Local Emission Reduction Program.</p>	<p>ASSEMBLY NAT. RES. 3/21/2013 - Read second time and amended.</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.</p> <p>Last amended on 3/21/2013</p>	
<p>AB 417 Frazier D</p> <p>Environmental quality: California Environmental Quality Act: bicycle transportation plan.</p>	<p>ASSEMBLY NAT. RES. 3/11/2013 - Referred to Com. on NAT. RES.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency to prepare and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. 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 and would also require a local agency that determines that the bicycle transportation plan is exempt under this provision and approves or determines to carry out that project, to file notice of the determination with OPR and the county clerk.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 431 Mullin D</p> <p>Regional transportation plan: sustainable communities strategy: funding.</p>	<p>ASSEMBLY L. GOV. 3/21/2013 - Re-referred to Com. on L. GOV.</p>	<p>Existing law requires certain transportation planning activities by designated transportation planning agencies, including development of a regional transportation plan. Certain of these agencies are designated by federal law as metropolitan planning organizations to adopt. Existing law requires metropolitan planning organizations, as part of the regional transportation plan in urban areas, a sustainable communities strategy, which is to be designed to achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region.</p> <p>The bill would require the ordinance to contain an expenditure plan, with not less than 25% of available net revenues to be spent on each of the 3 categories of transportation, affordable housing, and parks and open space, in conformity with the sustainable communities strategy, with the remaining net available revenues to be spent for purposes determined by the transportation planning agency to help attain the goals of the sustainable communities strategy. Last amended on 3/5/2013</p>	
<p>AB 441 Patterson R</p> <p>High-Speed Rail Authority: contracts.</p>	<p>ASSEMBLY TRANS. 2/28/2013 - Referred to Com. on TRANS.</p>	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties, 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 3-27-13**

Bill ID/Topic	Location	Summary	Position
AB 453 Mullin D Sustainable communities.	ASSEMBLY L. GOV. 2/28/2013 - Referred to Com. on L. GOV.	<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.</p>	
AB 463 Logue R High-Speed Rail Authority: contracts.	ASSEMBLY TRANS. 2/28/2013 - Referred to Com. on TRANS.	<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>	
AB 466 Quirk-Silva D Federal transportation funds.	ASSEMBLY TRANS. 3/18/2013 - Re-referred to Com. on TRANS.	<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. Last amended on 3/14/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
AB 481 Lowenthal D High-speed rail.	ASSEMBLY TRANS. 2/28/2013 - Referred to Coms. on TRANS. and A. & A.R.	<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 or other conveyances of property controlled by the authority to be deposited with the authority for use in development, improvement, and maintenance of the high-speed rail system.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 515 Dickinson D</p> <p>Environmental quality: California Environmental Quality Act: judicial review.</p>	<p>ASSEMBLY JUD. 3/12/2013 - Re-referred to Com. on JUD.</p>	<p>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. Last amended on 3/11/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 528 Lowenthal D</p> <p>State Rail Plan: High-Speed Rail Authority business plan.</p>	<p>ASSEMBLY TRANS. 3/20/2013 - Re-referred to Com. on TRANS.</p>	<p>Existing law requires the Department of Transportation to prepare a 10-year State Rail Plan biennially for submission to the Legislature, Governor, and specified entities. The plan consists 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 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 specified business plan, with 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 and recast the items required to be included in the 2 elements of the State Rail Plan and would change the date to May 1, 2014, by which the High-Speed Rail Authority is required to prepare, publish, adopt, and submit to the Legislature, and every 2 years thereafter, a specified business plan. .</p> <p>Last amended on 3/19/2013</p>	
<p>AB 543 Campos D</p> <p>California Environmental Quality Act: translation.</p>	<p>ASSEMBLY NAT. RES. 3/20/2013 -</p>	<p>Existing law, 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 on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</p> <p>This bill would require a lead agency to translate any notice, document, or executive summary required by the act when the impacted community has a substantial number of non-English-speaking people, as specified.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 572 Atkins D</p> <p>California Global Warming Solutions Act of 2006: market-based compliance mechanisms.</p>	<p>ASSEMBLY NAT. RES. 3/18/2013 - Re-referred to Com. on NAT. RES.</p>	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective greenhouse gas emissions reductions. The act authorizes the state board to include use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.</p> <p>This bill, for purposes of determining the viability of incentivizing greenhouse gas emissions reductions through increased energy efficiency, would require the Public Utilities Commission , in consultation with the state board and the State Energy Resources Conservation and Development Commission, to develop one or more protocols, as specified, to enable 3rd -party intermediaries to document, aggregate, and trade or sell on behalf of specified entities, the greenhouse gas emissions reductions value of energy efficient measures that are more stringent than applicable building code standards.</p> <p>Last amended on 3/14/2013</p>	
<p>AB 603 Cooley D</p> <p>Public contracts: design-build.</p>	<p>ASSEMBLY A. & A.R. 3/7/2013 - Referred to Coms. on A. & A.R. and L. GOV.</p>	<p>Existing law provides for a Design-Build Demonstration Program that allows for a local transportation entity to utilize the design-build method of procurement for a specified amount of projects for local and state projects. Existing law defines "local transportation entity" as a designated transportation authority, a consolidated agency, the Santa Clara Valley Transportation Authority, any other local or regional transportation entity that is designated as a regional transformation agency. Existing law subjects both local and state projects to specified procedural requirements to qualify as a design-build project. Existing law repeals these provisions on January 1, 2014.</p> <p>This bill would include in the definition of a local transportation entity a city, county, city and county, and a joint powers authority. This bill would only apply the specified procedural requirements to the state design-build projects. This bill would delete the repeal date. This bill would also authorize the Capital Southeast Connector Joint Powers Authority to use design-build procurement, as specified. This bill makes findings regarding the need for special legislation.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 616 Bocanegra D</p> <p>Local public employee organizations: dispute: fact-finding panel.</p>	<p>ASSEMBLY P.E.,R. & S.S. 3/20/2013 - Re-referred to Com. on P.E.,R. & S.S.</p>	<p>Existing law requires the governing body of a 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 provides that an employee organization may 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 instead authorize an employee organization, if the dispute was not submitted to a mediation, to request in writing that the public agency submit the parties' differences to a fact-finding panel not later than 60 days following the date that either party provided the other with a written notice of a declaration of impasse. 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. This bill contains other related provisions and other existing laws. Last amended on 3/19/2013</p>	
<p>AB 662 Atkins D</p> <p>Local government: infrastructure financing districts.</p>	<p>ASSEMBLY L. GOV. 3/4/2013 - Referred to Com. on L. GOV.</p>	<p>Existing law authorizes the creation of infrastructure financing districts, as defined, for the sole purpose of financing public facilities, subject to adoption of a resolution by the legislative body and affected taxing entities proposed to be subject to the division of taxes and voter approval requirements. Existing law prohibits an infrastructure financing district from including any portion of a redevelopment project area. Existing law, effective February 1, 2012, dissolved all redevelopment agencies and community development agencies and provides for the designation of successor agencies, as specified.</p> <p>This bill would delete the prohibition on infrastructure financing district including any portion of a redevelopment project area.</p>	

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State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>AB 690 Campos D</p> <p>Jobs and infrastructure financing districts: voter approval.</p>	<p>ASSEMBLY L. GOV. 3/11/2013 - Referred to Com. on L. GOV. and H. & C.D.</p>	<p>Existing law authorizes a legislative body, as defined, to create an infrastructure financing district, adopt an infrastructure financing plan, and issue bonds, for which only the district is liable, to finance specified public facilities, upon approval by 2/3 of the voters. Existing law authorizes an infrastructure financing district to fund infrastructure projects through tax increment financing, pursuant to the infrastructure financing plan and agreement of affected taxing entities, as defined.</p> <p>This bill would revise and recast the provisions governing infrastructure financing districts and instead provide for the creation of jobs and infrastructure financing districts (JIDs) with 55% voter approval. 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.</p>	
<p>AB 695 Mansoor R</p> <p>Public employees' health benefits.</p>	<p>ASSEMBLY PRINT 2/22/2013 - From printer. May be heard in committee March 24.</p>	<p>The Public Employees' Medical and Hospital Care Act (PEMHCA), which is administered by the Board of Administration of the Public Employees' Retirement System (PERS), authorizes the board to contract for health benefit plans for employees and annuitants, as defined. PEMHCA requires the state and each employee or annuitant to contribute a portion of the cost of providing the benefit coverage afforded under the approved health benefit plan in which the employee or annuitant is enrolled. Contributions and premiums paid under PEMHCA are deposited in the Public Employees' Health Care Fund and the Public Employees' Contingency Reserve Fund, which are continuously appropriated funds.</p> <p>This bill would make technical, non-substantive changes to a provision of the Public Employees' Medical and Hospital Care Act.</p>	

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Bill ID/Topic	Location	Summary	Position
AB 696 Mansoor R Public employment: pensions.	ASSEMBLY PRINT 2/22/2013 - From printer. May be heard in committee March 24.	<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 and, among other provisions, establishes new retirement formulas that may not be exceeded by a public employer offering a defined benefit pension plan, setting the maximum benefit allowable for employees first hired on or after January 1, 2013, as a formula commonly known as 2.5% at age 67 for non-safety members, one of 3 formulas for safety members, 2% at age 57, 2.5% at age 57, or 2.7% at age 57, and 1.25% at age 67 for new state miscellaneous or industrial members who elect to be in Tier 2. Under PEPRA, the Judges' Retirement System I and the Judges' Retirement System II are not required to adopt the defined benefit formula contained in certain other provisions.</p> <p>This bill would make technical, non-substantive changes to this provision.</p>	
AB 707 Ting D Battery.	ASSEMBLY PUB. S. 3/4/2013 - Referred to Com. on PUB. S.	<p>Existing law provides that when a battery is committed against the person of an operator, driver, or passenger on a bus, taxicab, streetcar, cable car, trackless trolley, or other motor vehicle, as specified, the penalty is imprisonment in a county jail not exceeding one year, or a fine not exceeding \$10,000, or both the fine and imprisonment. Existing law also provides that if the victim is injured, the offense would be punished by a fine not exceeding \$10,000, or by imprisonment in a county jail not exceeding one year or in the state prison for 16 months, or 2 or 3 years, or by both that fine and imprisonment.</p> <p>This bill would provide that a battery committed against the person of an individual authorized to issue citations for fare evasion or passenger conduct violations for a public transportation provider, as defined, or against the person of a parking control officer would be punishable by the penalties described above.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 749 Gorell R</p> <p>Public-private partnerships.</p>	<p>ASSEMBLY TRANS. 3/4/2013 - Referred to Com. on TRANS.</p>	<p>Existing law, until January 1, 2017, authorizes the Department of Transportation and regional transportation agencies, as defined, to enter into comprehensive development lease agreements with public and private entities, or consortia of those entities, for certain transportation projects that may charge certain users of those projects tolls and user fees, subject to various terms and requirements. These arrangements are commonly known as public-private partnerships. Existing law provides for the Public Infrastructure Advisory Commission, an organization established by the Business, Transportation and Housing Agency, to perform various functions relative to projects identified as suitable for development and delivery under these provisions, including the review of a proposed agreement submitted to it by the department or a regional transportation agency, and to charge a fee for certain of those functions.</p> <p>This bill would delete the reference to the Public Infrastructure Advisory Commission established by the Business, Transportation and Housing Agency. The bill would instead create a new Public Infrastructure Advisory Commission, with 12 members, of which 5 would be appointed by the Governor, 3 by the Senate Committee on Rules, and 2 by the Speaker of the Assembly. In addition, the Treasurer and the Director of General Services, or their representatives, would serve on the commission. The bill would assign additional duties to the commission, including a requirement for the commission to make a determination for each agreement submitted to it relative to whether the public-private partnership procurement method is suitable for the project, or whether another procurement method should be used, as specified. This determination would be binding on the department or regional transportation agency. The bill would require the commission to establish best practices for public-private partnerships, and to identify other state departments that would benefit from similar contracting authority. The bill would authorize the commission to charge a fee for certain of these new duties. The bill would also extend the operation of the provisions governing public-private partnerships from January 1, 2017, to January 1, 2019.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 756 Melendez R</p> <p>California Environmental Quality Act: judicial review: public works projects.</p>	<p>ASSEMBLY JUD. 3/20/2013 - Re-referred to Com. on JUD.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA establishes a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA.</p> <p>This bill would also apply these provisions to a public works project, defined to mean an infrastructure project carried out by the city, county, or state government or contracted out to a private entity by the local or state government. By requiring a lead agency to use these alternative procedures in preparing and certifying the administrative record, this bill would impose a state-mandated local program.</p> <p>Last amended on 3/19/2013</p>	
<p>AB 792 Mullin D</p> <p>Local government: open meetings.</p>	<p>ASSEMBLY L. GOV. 3/4/2013 - Referred to Com. on L. GOV.</p>	<p>The Ralph M. Brown Act enables the legislative body of a local agency to call both regular and special meetings. The act requires the legislative body of a local agency to post, at least 72 hours before the meeting, an agenda containing a brief general description of each item of business to be transacted or discussed at a regular meeting, in a location that is freely accessible to members of the public, and to provide a notice containing similar information with respect to a special meeting at least 24 hours prior to the special meeting. The act requires that the agenda or notice be freely accessible to members of the public, and be posted on the local agency's Internet Web site, if the local agency has one.</p> <p>This bill, if the local agency is unable to post the agenda or notice on its Internet Web site because of software or hardware impairment beyond the local agency's reasonable control, would require the local agency to post the agenda or notice immediately upon resolution of the technological problems. The bill would provide that the delay in posting, or the failure to post, the agenda or notice would not preclude a local agency from conducting the meeting or taking action on items of business, provided that the agency has complied with all other relevant requirements. This bill contains other related provisions and other existing laws.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 797 Gordon D</p> <p>Santa Clara County Valley Transportation Authority: contracts.</p>	<p>ASSEMBLY TRANS. 3/4/2013 - Referred to Com. on TRANS.</p>	<p>Existing law creates the Santa Clara County Valley Transportation Authority with various powers and duties relative to transportation projects and services. Existing law authorizes the authority to enter into contracts, as specified.</p> <p>This bill would authorize the authority to utilize the Construction Manager/General Contractor project delivery contract method for transit projects within its jurisdiction, subject to certain conditions and requirements. The bill would require the authority 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.</p>	
<p>AB 822 Hall D</p> <p>Local government retirement plans.</p>	<p>ASSEMBLY L. GOV. 3/4/2013 - Referred to L. GOV. and E. & R.</p>	<p>Under existing law, the adoption of a charter or amendment to a charter of a city or city and county may be submitted to the voters at a statewide general, statewide primary, or regularly scheduled municipal election.</p> <p>This bill would require a charter or charter amendment that proposes to alter, replace, or eliminate the retirement benefit plan of employees of the city or city and county to be submitted to voters at a statewide general election. This bill contains other related provisions and other existing laws.</p>	
<p>AB 842 Donnelly R</p> <p>High-speed rail.</p>	<p>ASSEMBLY TRANS. 3/4/2013 - Referred to Com. on TRANS.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relative to the development and implementation of a high-speed train system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion for high-speed train capital projects and other associated purposes. Existing law appropriates certain amounts of federal funds and state bond funds to the authority for purposes of funding the construction of the initial segment of the high-speed rail project.</p> <p>This bill, notwithstanding any other law, would prohibit federal or state funds, including state bond funds, from being expended by the authority or any other state agency on the construction of the high-speed rail project, except as necessary to meet contractual commitments entered into before January 1, 2014. The bill would also make a statement of legislative intent.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 863 Torres D</p> <p>Transit projects: environmental review process.</p>	<p>ASSEMBLY TRANS. 3/4/2013 - Referred to Coms. on TRANS. and NAT. RES.</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>AB 909 Gray D</p> <p>Metal theft and related recycling crimes.</p>	<p>ASSEMBLY PUB. S. 3/7/2013 - Referred to Com. on PUB. S.</p>	<p>Existing law establishes the Board of State and Community Corrections to, among other things, promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system.</p> <p>This bill, on and after January 1, 2015, would require the board to establish a Metal Theft Task Force Program to provide grants to applicant regional task forces for the 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 board, and, upon appropriation by the Legislature, would make moneys in the fund available for purposes of the program.</p>	

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Bill ID/Topic	Location	Summary	Position
AB 953 Ammiano D California Environmental Quality Act.	ASSEMBLY NAT. RES. 3/7/2013 - Referred to Com. on NAT. RES.	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA defines "environment" and "significant effect on the environment" for its purposes. CEQA requires the EIR to include a detailed statement setting forth specified facts.</p> <p>This bill would revise those definitions, as specified. This bill would additionally require the lead agency to include in the EIR a detailed statement on any significant effects that may result from locating the proposed project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions.</p>	
AB 1031 Achadjian R Local government	ASSEMBLY PRINT 2/25/2013 -	<p>Existing law, the Ralph M. Brown Act, requires each legislative body of a local agency to provide notice of the time and place for holding regular meetings and an agenda containing a brief general description of each item of business to be transacted.</p> <p>This bill would make technical, non-substantive changes to a provision of the Ralph M. Brown Act.</p>	
AB 1051 Bocanegra D Housing.	ASSEMBLY H. & C.D. 3/21/2013 -	<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. Last amended on 3/21/2013</p>	

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Bill ID/Topic	Location	Summary	Position
AB 1070 Frazier D California Transportation Financing Authority.	ASSEMBLY TRANS. 3/7/2013 - Referred to Com. on TRANS.	<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.</p>	
AB 1102 Grove R Air resources: greenhouse gas emissions.	ASSEMBLY NAT. RES. 3/21/2013 -	<p>The California Global Warming Solutions Act of 2006 authorizes the State Air Resources Board, known as ARB, by regulation, to adopt a market-based compliance mechanism to further the achievement of the statewide greenhouse gas emissions limits.</p> <p>This bill would require the ARB, if the ARB adopts a market-based compliance mechanism that provides for the auctioning of greenhouse gas allowances, to auction program allowances consigned by an electrical corporation or a local publicly owned electric utility before auctioning any other allowances. Last amended on 3/21/2013</p>	
AB 1181 Gray D Public employee organizations: members: paid leaves of absence.	ASSEMBLY P.E.,R. & S.S. 3/7/2013 - Referred to Com. on P.E.,R. & S.S.	<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 representing 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 when they are testifying or representing the employee organization in other employment relations matters. 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.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>AB 1290 John A. Pérez D</p> <p>Transportation planning.</p>	<p>ASSEMBLY TRANS. 3/11/2013 - Referred to Com. on TRANS.</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 Secretary of the Transportation Agency, the Chairperson of the State Air Resources Board, and the Director of Housing and Community Development to serve as ex officio members without vote.</p>	
<p>AB 1375 Chau D</p> <p>California Global Warming Solutions Act of 2006: market-based compliance mechanisms: Clean Technology Investment Account.</p>	<p>ASSEMBLY NAT. RES. 3/21/2013 - .</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 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. That law permits money from the fund be allocated for research, development, and deployment of innovative technologies, measures, and practices related to programs and projects funded under the Global Warming Solutions Act. That law also prohibits the state from using moneys in the fund unless the state determines that the use of the moneys furthers the regulatory purposes of 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 money from the Greenhouse Gas Reduction Fund into the Clean Technology Investment Account. This bill would make the funds available for the research, development, and deployment of the above-described Global Warming Solutions Act programs and projects while creating jobs and reducing greenhouse gas emissions. Last amended</p>	

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Bill ID/Topic	Location	Summary	Position
AB 1380 Committee on Public Employees, Retirement County employees' retirement.	ASSEMBLY P.E.,R. & S.S. 3/14/2013 - Referred to Com. on P.E.,R. & S.S.	<p>on 3/21/2013</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.</p> <p>This bill would prohibit the application of the above-described authorizations to a member who is subject to the PEPRA for that member's membership in the county retirement system. The bill would also authorize a member who is subject to the PEPRA and has completed 5 years of service and has reached the minimum retirement age applicable to that member, or has reached 70 years of age, to retire upon filing a written application with the board, as specified.</p>	
ACA 8 Blumenfield D Local government financing: voter approval.	ASSEMBLY PRINT 2/14/2013 -	<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.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 1 Steinberg D</p> <p>Sustainable Communities Investment Authority.</p>	<p>SENATE T. & H. 3/13/2013 -</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.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 11 Pavley D</p> <p>Alternative fuel and vehicle technologies: funding programs.</p>	<p>SENATE E.O. 3/19/2013 - Set for hearing April 3.</p>	<p>Existing law establishes the Alternative and Renewable Fuel and Vehicle Technology Program, administered by the State Energy Resources Conservation and Development Commission (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.</p> <p>This bill would provide that the State Air Resources Board (state board), until January 1, 2024, 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 person 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 January 1, 2014, and every two years thereafter, the number of vehicles that automobile manufacturers project to be sold or leased, as reported to the state board. The bill would require the commission to allocate \$20 million each fiscal year, as specified, and up to \$20 million each fiscal year thereafter, as specified, for purposes of achieving a hydrogen fueling network sufficient to provide convenient fueling to vehicle owners, and expand that network as necessary to support a growing market for vehicles requiring hydrogen fuel, until there are at least 100 publicly available hydrogen fueling stations. 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.</p>	<p>Support</p>

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Bill ID/Topic	Location	Summary	Position
<p>SB 13 Beall D</p> <p>Public employees' retirement benefits.</p>	<p>SENATE APPR. 3/22/2013 - Set for hearing April 8.</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 I and the Judges' Retirement System II are not required to adopt the defined benefit formula contained in other provisions for nonsafety and safety members. The bill would clarify the application of PEPRRA to employees who were employed prior to January 1, 2013, who have service credit in a different retirement system. 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 PEPRRA. Last amended on 2/6/2013</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 24 Walters R</p> <p>Public employees' retirement: benefit plans.</p>	<p>SENATE P.E. & R. 1/10/2013 - Referred to Com. on P.E. & R.</p>	<p>Existing law regulates state and local public retirement systems and generally requires public employees who are new members, as defined, of those systems, on and after January 1, 2013, to participate in specified benefit plans. Existing law permits a public employer that, before January 1, 2013, offers a defined benefit pension plan that provides a defined benefit formula with a lower benefit factor at normal retirement age, and results in a lower normal cost, than the defined benefit formula required for new employees on and after January 1, 2012, to continue to offer that defined benefit formula and exempts the employer from specified requirements regarding pensionable compensation. Existing law requires, in the case of these plans, if a new defined benefit formula is adopted on or after January 1, 2013, that the formula meet certain requirements and, among other things, be approved by the Legislature. Existing law prescribes the same requirements for a retirement benefit plan that consists solely of a defined contribution plan if the employer, on or after January 1, 2013, adopts a new defined benefit pension plan or defined benefit formula, as specified.</p> <p>This bill would also authorize a local agency public employer or public retirement system that offers a defined benefit pension plan to offer a benefit formula with a lower benefit factor at normal retirement age and that results in a lower normal cost than the benefit formulas that are currently required, for purposes of addressing a fiscal necessity.</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 33 Wolk D</p> <p>Infrastructure financing districts: voter approval: repeal.</p>	<p>SENATE APPR. 3/22/2013 - Set for hearing April 8.</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. The bill would create a public accountability committee to review the actions of the public financing authority. This bill contains other related provisions and other existing laws. Last amended on 3/6/2013</p>	
<p>SB 54 Hancock D</p> <p>Retirement: county employees.</p>	<p>ASSEMBLY P.E.,R. & S.S. 2/28/2013 - Referred to Com. on P.E.,R. & S.S.</p>	<p>The California Public Employees' Pension Reform Act of 2013 requires each county retirement system created pursuant to the County Employees Retirement Law of 1937 to use a retirement formula commonly known as 2.5% at 67 years of age for non-safety members first hired on or after January 1, 2013, except that a lower retirement formula may be used as specified. The County Employees Retirement Law of 1937 authorizes the Alameda County Board of Supervisors to provide service retirement allowances for general members based on one of 2 formulas commonly known as the 2% at 57 years of age formula or the 1.64% at 57 years of age formula.</p> <p>This bill would authorize the Alameda County Board of Supervisors to adopt a resolution that would provide service retirement allowances based on a formula commonly known as the 2% at 65 years of age formula for general members hired after approval of the resolution, as specified. Last amended on 2/13/2013</p>	

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State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
<p>SB 56 Roth D</p> <p>Local government finance: vehicle license fee adjustments.</p>	<p>SENATE G. & F. 3/19/2013 - Set for hearing April 17.</p>	<p>The Vehicle License Fee Law establishes, in lieu of any ad valorem property tax upon vehicles, an annual license fee for any vehicle subject to registration in this state. Beginning with the 2004-05 fiscal year and for each fiscal year thereafter, existing law requires that each city, county, and city and county receive a vehicle license fee adjustment amount, as defined, from a Vehicle License Fee Property Tax Compensation Fund that exists in each county treasury. Existing law requires that these amounts be funded from ad valorem property tax revenues otherwise required to be allocated to educational entities.</p> <p>This bill would, for the 2013-14 fiscal year, provide for a new vehicle license fee adjustment amount, as specified. Last amended on 3/4/2013</p>	
<p>SB 110 Steinberg D</p> <p>California Transportation Commission: guidelines.</p>	<p>SENATE T. & H. 3/12/2013 - Set for hearing April 2.</p>	<p>Existing law generally provides for programming and allocation of state and federal funds available for transportation capital improvement projects by the California Transportation Commission, pursuant to various requirements. Existing law authorizes the commission, in certain cases, to adopt guidelines relative to its programming and allocation policies and procedures.</p> <p>This bill would establish specified procedures that the commission would be required to utilize when it adopts guidelines, except as specified, and would exempt the adoption of those guidelines from the requirements of the Administrative Procedure Act.</p>	
<p>SB 124 Corbett D</p> <p>Public contracts: bid preferences: clean energy.</p>	<p>SENATE E. U., & C. 3/12/2013 - Set for hearing April 2.</p>	<p>Existing law imposes various requirements with respect to contracting by state agencies and the Trustees of the California State University. Existing law requires state agencies and to the Trustees of the California State University to use a competitive bidding process when contracting for goods and services. However, existing law allows a public agency to award an energy service contract if the governing body determines it is in the best interest of the agency and costs will be reduced, as specified.</p> <p>This bill would require state agencies and the Trustees of the California State University that accept bids or proposals for a contract for the purchase or installation of a clean energy device, technology, or system, as defined, to provide a 5% preference to a bidder that certifies that all of the parts of the clean energy device, technology, or system to be installed have been manufactured or assembled in the state, in accordance with specified criteria. This bill would authorize a public agency, including, but not limited to, the Trustees of the California State University, to award a contract based on the fact that a clean energy device, technology, or system was manufactured or assembled in the</p>	

**Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 3-27-13**

Bill ID/Topic	Location	Summary	Position
		state if the contract is an energy service contract determined to be in the best interest of the public agency.	
SB 142 DeSaulnier D Public transit.	SENATE G. & F. 3/13/2013 - Set for hearing April 3.	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. This bill would repeal all of these provisions.	
SB 230 Knight R Local transportation funds: performance audits.	SENATE T. & H. 3/21/2013 - Re-referred to Com. on T. & H.	Existing law provides various sources of funding to public transit operators. Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, revenues from a 1/4% sales tax in each county are available, among other things, for allocation by the transportation planning agency to transit operators, subject to certain requirements for the operator to maintain a specified farebox ratio of fare revenues to operating costs. The act requires the transportation planning agency to designate entities other than itself, a county transportation commission, a transit development board, or an operator to make a performance audit of its activities and the activities of each operator to whom it allocates funds. The act requires the transportation planning agency to consult with the entity to be audited prior to designating the entity to make the performance audit and defines "operating cost" for this purpose. Existing law excludes certain costs from this definition, including vehicle lease costs. This bill would also exclude principal and interest payments on all capital projects funded with certificates of participation. The bill would also correct an obsolete cross-reference in the definition of operating costs. Last amended on 3/18/2013	
SB 232 Monning D Private employment: public transit employees.	SENATE L. & I.R. 3/19/2013 - Set for hearing April 10.	Existing law requires a local government agency to give a 10% preference to any bidder on a service contract to provide public transit services who agrees to retain employees of the prior contractor or subcontractor for a period of not less than 90 days, as specified. This bill would expand these provisions to require a state agency to also give a 10% preference to any bidder under these provisions.	

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Bill ID/Topic	Location	Summary	Position
<p>SB 408 De León D</p> <p>Transportation funds.</p>	<p>SENATE RLS. 2/28/2013 - Referred to Com. on RLS.</p>	<p>Existing law establishes a policy for expenditure of certain state and federal funds available to the state for transportation purposes. Under this policy, the Department of Transportation and the California Transportation Commission develop a fund estimate of available funds for purposes of adopting the state transportation improvement program, which is a listing of capital improvement projects. After deducting expenditures for administration, operation, maintenance, local assistance, safety, rehabilitation, and certain environmental enhancement and mitigation expenditures, the remaining funds are available for capital improvement projects.</p> <p>This bill would provide that the remaining funds are available for the study of, and development and implementation of, capital improvement projects.</p>	
<p>SB 436 Jackson D</p> <p>California Environmental Quality Act: notice.</p>	<p>SENATE E.Q. 3/11/2013 - Referred to Com. on E.Q.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires the lead agency to call at least one scoping meeting for a project that may affect highways or other facilities under the jurisdiction of the Department of Transportation if the meeting is requested by the department, or for a project of statewide, regional, or area wide significance. CEQA requires the lead agency to provide to specified entities a notice of at least one scoping meeting.</p> <p>This bill would require a lead agency to conduct at least one public scoping meeting for the specified projects and to provide notice to the specified entities of at least one public scoping meeting. This bill contains other related provisions and other existing laws.</p>	
<p>SB 444 De León D</p> <p>California Transportation Financing Authority.</p>	<p>SENATE RLS. 3/11/2013 - Referred to Com. on RLS.</p>	<p>The California Transportation Financing Authority Act sets forth the duties of the California Transportation Financing Authority in issuing certain transportation financing instruments, or approving their issuance by various local or regional agencies. The authority is authorized to expend moneys in the continuously appropriated California Transportation Financing Authority Fund to secure the issuance of bonds issued by the authority and cover various related costs, among other things.</p> <p>This bill would make a technical, non-substantive change to these provisions.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 525 Galgiani D</p> <p>California Environmental Quality Act: exemptions.</p>	<p>SENATE E.Q. 3/11/2013 - Referred to Com. on E.Q.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. Existing law exempts certain activities from CEQA, including a project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities.</p> <p>This bill would provide that a project by the San Joaquin Regional Rail Commission and the High-Speed Rail Authority to improve the existing tracks, structure, bridges, signaling systems, and associated appurtenances located on the existing railroad right-of-way used by the Altamont Commuter Express service qualifies for this exemption from CEQA.</p>	
<p>SB 557 Hill D</p> <p>High-speed rail.</p>	<p>SENATE T. & H. 3/11/2013 - Referred to Com. on T. & H.</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable, High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes. 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. This bill contains other related provisions.</p>	Support

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Bill ID/Topic	Location	Summary	Position
<p>SB 617 Evans D</p> <p>California Environmental Quality Act.</p>	<p>SENATE E.Q. 3/11/2013 - Referred to Com. on E.Q.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</p> <p>This bill would 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 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.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 628 Beall D</p> <p>Infrastructure financing.</p>	<p>SENATE G. & F. 3/13/2013 - Set for hearing April 3.</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.</p> <p>This bill would eliminate the requirement of voter approval for the adoption of an infrastructure financing plan, the creation of an infrastructure financing district, and the issuance of bonds with respect to a transit 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 20% of the revenue from those bonds for the purposes of increasing, improving, and preserving the supply of lower and moderate-income housing; to require that those housing units remain available and occupied by moderate-, low-, very low, and extremely low income households for at least 55 years for rental units and 45 years for owner-occupied units; and to rehabilitate, develop, or construct for rental or sale to persons and families of low or moderate income an equal number of replacement dwellings to those removed or destroyed from the low- and moderate-income segment of the housing market as a result of the development of the district, as specified. The bill would set forth the findings and declarations of the Legislature, and the intent of the Legislature that the development of transit priority projects be environmentally conscious and sustainable, and that related construction meet or exceed the requirements of the California Green Building Standards Code.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 633 Pavley D</p> <p>CEQA: environmental impact reports.</p>	<p>SENATE RLS. 3/11/2013 - Referred to Com. on RLS.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency to prepare 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. 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.</p> <p>This bill would specifically require that the 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.</p>	
<p>SB 731 Steinberg D</p> <p>Environment: California Environmental Quality Act and sustainable communities strategy.</p>	<p>SENATE RLS. 3/11/2013 - Referred to Com. on RLS.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</p> <p>This bill would state the intent of the Legislature to enact legislation revising CEQA to, among other things, provide greater certainty for smart infill development, streamline the law for specified projects, and establish a threshold of significance for specified impacts.</p>	

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Bill ID/Topic	Location	Summary	Position
SB 751 Yee D Local planning: metropolitan planning organizations.	SENATE RLS. 3/11/2013 - Referred to Com. on RLS.	<p>Existing law establishes various regional agencies for the purpose of addressing planning issues, including transportation planning. Certain of these agencies are designated, pursuant to federal law, as metropolitan planning organizations, and are charged with specified transportation planning duties.</p> <p>This bill would declare the intent of the Legislature to enact legislation to ensure transparency in connection with the functioning of metropolitan planning organizations, including, but not limited to, the individual voting records of their members.</p>	
SB 785 Wolk D Design-build.	SENATE G.O. 3/21/2013 - Set for hearing April 9.	<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 provide that specified information related to the procurement of design-build contracts is exempt from the California Public Records Act. 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.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 787 Berryhill R</p> <p>Environmental quality: the Sustainable Environmental Protection Act.</p>	<p>SENATE E.Q. 3/11/2013 - Referred to Coms. on E.Q. and JUD.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</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) alleges noncompliance with CEQA based on any topical area or criteria for which compliance obligations are identified or (2) challenges the environmental document based on noncompliance with CEQA 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.</p>	

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Bill ID/Topic	Location	Summary	Position
<p>SB 792 DeSaulnier D</p> <p>Regional entities: Bay Area.</p>	<p>SENATE T. & H. 3/19/2013 - Set for hearing April 16.</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 regional entities 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 joint policy committee to prepare a regional organization plan for the affected regional entities. The organization plan would include a plan for consolidating certain functions that are common to the regional entities and reducing overhead costs. The bill would require the joint policy committee to hold at least one public hearing in each county of the region and to adopt a final plan by June 30, 2015. The bill would also require the joint policy committee to develop and adopt public community outreach programs and to maintain an Internet Web site. The bill would require the joint policy committee to conduct a review of the policies and plans, and associated regulations, of each regional entity, including an assessment of the consistency of the policies, plans, and regulations among the regional entities with the requirements of Senate Bill 375 of the 2007-08 Regular Session. The bill would provide that the joint policy committee shall be responsible for ensuring that the sustainable communities strategy for the region integrates transportation, land use, and air quality management consistent with that legislation. The bill would also require the joint policy committee to appoint an advisory committee on economic competitiveness with specified members from the business community to adopt goals and policies related to the inclusion of economic development opportunities in the plans of the regional entities. By imposing new duties on the joint policy committee, the bill would impose a state-mandated local program.</p>	<p>Watch</p>

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Bill ID/Topic	Location	Summary	Position
<p>SB 798 De León D</p> <p>California Green Infrastructure Bank Act.</p>	<p>SENATE G. & F. 3/21/2013 - Set for hearing April 24.</p>	<p>The Bergeson-Peace Infrastructure and Economic Development Bank Act authorizes the California Infrastructure and Economic Development Bank, governed by a board of directors, to make loans and provide other assistance to public and private entities for various types of economic development projects, among other things. The activities of the bank under these provisions are funded from the California Infrastructure and Economic Development Bank Fund, which is continuously appropriated for these purposes.</p> <p>This bill would enact the California Green Infrastructure Bank Act (act). The bill would establish the California Green Infrastructure Bank (bank) as a public corporation and would make it responsible for administering the act. The bill would make the bank under the direction of an executive director to be appointed by the Governor subject to Senate confirmation. Under the bill, the bank would be governed and its corporate power exercised by a board of directors consisting of 5 members, including 3 members appointed by the Governor subject to Senate confirmation and the Senate Committee on Rules and the Speaker of the Assembly would each appoint one member.</p>	
<p>SB 811 Lara D</p> <p>California Transportation Commission.</p>	<p>SENATE RLS. 3/11/2013 - Referred to Com. on RLS.</p>	<p>Existing law creates the California Transportation Commission as the successor to the California Highway Commission and specifies its authority and duties.</p> <p>This bill would make a non-substantive change to these provisions.</p>	
<p>SCA 4 Liu D</p> <p>Local government transportation projects: special taxes: voter approval.</p>	<p>SENATE G. & F. 3/21/2013 - Set for hearing May 8.</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. 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.</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. Last Amended on 3/19/2013</p>	Support

**Peninsula Corridor Joint Powers Board
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Bill ID/Topic	Location	Summary	Position
SCA 8 Corbett D Transportation projects: special taxes: voter approval.	SENATE G. & F. 3/21/2013 - Set for hearing May 8.	<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. The measure would also make conforming and technical, non-substantive changes.</p>	Support
SCA 9 Corbett D Local government: economic development: special taxes: voter approval.	SENATE G. & F. 3/21/2013 - Set for hearing May 8.	<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. The measure would also make conforming and technical, non-substantive changes.</p>	
SCA 11 Hancock D Local government: special taxes: voter approval.	SENATE G. & F. 3/21/2013 - Set for hearing May 8.	<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. The measure would also make conforming and technical, non-substantive changes.</p>	Support