AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

June 6, 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 — RESOLUTION
   Members of the public or Board may request that an item under the Consent Calendar be considered separately
   a) Approval of Minutes of May 2, 2013
   b) Authorize Approval of Clipper Memorandum of Understanding Amendment No. 2 With the Metropolitan Transportation Commission

5. Chairperson's Report — MOTION
   a) Appointment of Citizens Advisory Committee Member
      Jonathan Berk, Representing San Francisco County
      Adina Levin, Representing San Mateo County
      Cat Tucker, Representing Santa Clara County

6. Report of the Citizens Advisory Committee

7. Report of the Executive Director
   a) Proclamation Proclaiming June 20th as "Dump the Pump Day" — MOTION

8. Acceptance of Statement of Revenues and Expenses for April 2013 — MOTION

9. Authorize Adoption of Fiscal Year 2014 Operating Budget in the Amount of $119,973,096 — RESOLUTION

10. Authorize Adoption of Fiscal Year 2014 Capital Budget in the Amount of $190,564,950 — RESOLUTION

11. Authorize Award of Contract to A. Ruiz Construction Co. & Associates for the San Francisco Yard Track Reconfiguration Project in the Total Amount of $737,728 — RESOLUTION

12. Authorize Award of Contract to The Ryan Company, Inc. for the Wayside Power at Diridon Station Project in the Total Amount of $1,906,000 — RESOLUTION

13. Authorize Award of Contract to Dunbar Armored, Inc. for Armored Car Pickup and Deposit of Daily Transit Revenue for a Total Estimated Cost of $1,259,415 for a Three-year Base Term — RESOLUTION

14. Update on the Communications-based Overlay Signal System/ Positive Train Control Project — INFORMATIONAL

15. Legislative Update — INFORMATIONAL

16. Capital Projects Quarterly Status Report – 3rd Quarter Fiscal Year 2013 — INFORMATIONAL

17. Correspondence

18. Board Member Requests

19. General Counsel Report

20. Date/Time of Next Meeting: Thursday, August 1, 2013, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070

21. 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.

Draft

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

Minutes
May 2, 2013

MEMBERS PRESENT:	J. Cisneros, J. Deal, A. Kalra, A. Lloyd, T. Nolan, A. Tissier, P. Woodward, K. Yeager
MEMBERS ABSENT:	M. Cohen
STAFF PRESENT:	J. Averill, J. Cassman, A. Chan, E. Goode, G. Harrington, C. Harvey, R. Haskin, M. Lee, R. 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 last month the Board approved an amendment to the Memorandum of Understanding (MOU) with Bay Area Rapid Transit (BART) regarding the Millbrae Station. He said the JPB is giving money to BART for upkeep at the station and the amenities are not good. Mr. Carter said the drinking fountain on the mezzanine level has been out of order for more than a year.

Director Adrienne Tissier arrived at 10:02 a.m.

CONSENT CALENDAR

a. Approval of Minutes of April 4, 2013
b. Authorize Execution of Contracts of More than $100,000 for Technology-Related Products and Services to Vendors Under Cooperative Purchasing Programs for an Aggregate Not-to-Exceed Amount of $1 Million for Fiscal Year 2014
c. Authorize Execution of Contracts of More than $100,000 for Information Technology License Renewals, Maintenance Services and Professional Services for an Aggregate Not-to-Exceed Amount of $500,000 for Fiscal Year 2014

A motion (Nolan/Tissier) to approve the Consent Calendar was unanimous.

CHAIRPERSON'S REPORT

No report.

REPORT OF THE CAC

CAC Chair Kevin Gardiner said at its April 25 meeting, the CAC:

- Received a presentation on the 2013 Customer Satisfaction Survey. The CAC is interested in drilling into how on-time performance measures are taken.

Director Ash Kalra arrived at 10:04 a.m.

- Staff reported on increased ridership.
- The CAC is looking forward to a possible bike share program to help with increased capacity.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Michael Scanlon reported:

- Key Caltrain Performance Statistics
  - Monthly Performance Statistics – March 2013 compared to March 2012
    - Total Ridership was 1,310,962, an increase of 11.4 percent.
    - Average Weekday Ridership was 48,719, an increase of 13.5 percent.
    - Total Revenue was $5,654,766, an increase of 15.3 percent.
    - On-time Performance was 94.4 percent, an increase of 1.8 percent.
    - Caltrain Shuttle Ridership was 8,383, an increase of 9 percent.
  - Year-to-date Performance Statistics – March 2013 compared to March 2012
    - Total Ridership was 11,437,748, an increase of 11.3 percent.
    - Average Weekday Ridership was 47,964, an increase of 12.1 percent.
    - Total Revenue was $50,338,671, an increase of 16.4 percent.
    - On-time Performance was 91.2 percent, a decrease of 2.3 percent.
    - Caltrain Shuttle Ridership was 8,204, an increase of 15.2 percent.
- On April 6 a cover plate came off a portion of a locomotive and ruptured the fuel tank, resulting in the leak of approximately 700 gallons of diesel at the South San Francisco Caltrain Station. A number of wells have been installed to determine the amount of contamination. Cleanup is underway and staff is coordinating with environmental agencies. At at this time it appears the spill does not require extensive mitigation or excavation.
- The Bicycle Advisory Committee will meet on May 16 and will receive presentations on the annual passenger counts, the Caltrain Modernization (CalMod) Program, and the award of contract for the 4th and King Bicycle Facility.
- Special service:
  - The Giants played 12 games in April and ridership averaged 7,000 per game, an increase of 6 percent over last year.
  - The Sharks played eight home games in April and averaged 507 per game, an increase of 41.5 percent over last year.
  - The Dodgers will be in town May 3-5 and extra service and security will be provided.
  - Bay to Breakers is on May 19 and five trains will be added in the morning and three will be added post-race. Tickets are being presold at the ticket vending machines (TVM) starting May 13.
- San Bruno grade separation work continues with track being installed on the grade separated structure. Staff hopes to shift operations from the shoofly to the grade separation by the end of May. Staff will be holding a community meeting tonight for the San Mateo Bridges Replacement Project. This project is replacing four bridges that are more than 100 years old and involves raising the height of

some of the bridges, building new retaining walls, and removing trees. Staff has spoken to every property owner whose property abuts to the right of way.

- Bike to Work Day is on May 9 and staff will be at various energizer stations.
- Staff has engaged a marketing firm, Singer and Associates, to package and present the Caltrain Wi-Fi opportunity to potential sponsors. The marketing firm has created a formal presentation to gauge the interest of private entities in sponsoring Wi-Fi on Caltrain. Staff is also working with the Silicon Valley Leadership Group on this endeavor. To date, staff has had seven meetings with potential sponsors. The Massachusetts Bay Transportation Authority in Boston is doing this same exercise and staff is watching their process.
- The reading file contains Take Ones for Bay to Breakers and Sunset Celebration, and the March Safety and Security Report.

CalMod

Marian Lee, Executive Officer, Caltrain Modernization, said staff is in the process of summarizing the comments received from the public meetings on the Corridor Electrification Environmental Document. The summary and comments are posted on the CalMod website. This is for information only and not for public comment. The technical team is continuing to do the environmental work and assessment on the project. The Communications-based Overlay Signal System (CBOSS) technical team is continuing to advance design and coordination with High-speed Rail (HSR), the Federal Railroad Administration (FRA) and Union Pacific (UP).

Ms. Lee said project delivery of electrification and the vehicles is a hefty scope of work in a condensed period. Staff is continuing to build the JPB/CalMod team and supplementing staff with the necessary expertise. This expanded team will eventually oversee the delivery of electrification and vehicles and then coordinate with the Advanced Signal System Project.

Ms. Lee said staff is continuing to assess the appropriate project delivery approaches and planning outreach to the experts in the industry. These efforts will peak within the next Fiscal Year (FY). The proposed FY2014 Capital Budget includes a request for the CalMod Program.

Ms. Lee said the draft blended system studies were sent to city and county staff on May 1. The preliminary findings of these two studies were shared the end of last month and over the last several months people were able to comment. These reports do not contain policy decisions and are for educational purposes. Ms. Lee said after the city staff review the studies will be posted on the CalMod website for the public to review and comment.

Ms. Lee said the Local Policy Maker Group did not meet in April. The next meeting will be May 23.

Public Comment
Adina Levin, Friends of Caltrain, said they are happy to be hosting a public forum on the traffic and gate down time study in Menlo Park. She encourages staff to form a peer review group to look at some of the technical and operational decisions.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR MARCH 2013
Gigi Harrington, Deputy CEO, said revenues are $2.1 million over budget and there are $1 million in savings on the expense side. Last week fuel was $2.88 per gallon and year to date is $3.17 per gallon. The fuel hedge provided the JPB $15,000 in April and $461,000 year to date.

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

AUTHORIZE APPROVAL AND PUBLICATION OF THE PROPOSED DISADVANTAGED BUSINESS ENTERPRISE (DBE) OVERALL GOAL OF 12 PERCENT FOR FEDERAL FISCAL YEARS 2014 THROUGH 2016 FOR FEDERAL TRANSIT ADMINISTRATION ASSISTED CONTRACTS
Raymond Lee, DBE Officer, said staff is asking Board authorization to publish for public comment the JPB's proposed goal of 12 percent for Federal FY2014-2016, and authorize the goal be adopted if no comments are received. Mr. Lee said as a condition of receiving Federal financial assistance the JPB is required to establish overall DBE goals on a triennial basis. The overall DBE goal for FY2011-2013 is 10.5 percent. In FY2011a 9 percent goal was achieved; FY2012 slightly under 11 percent; currently for FY2013 it is at 22 percent. Staff will continue to monitor the DBE performance to ensure objectives are met.

A motion (Nolan/Lloyd) to approve and publish the DBE overall goal of 12 percent for FY2014-2016 was approved unanimously.

AUTHORIZE AWARD OF CONTRACT TO ALAMEDA BICYCLE TO OPERATE THE SAN FRANCISCO CALTRAIN BICYCLE PARKING FACILITY FOR A NOT-TO-EXCEED AMOUNT OF $245,000 FOR A THREE-YEAR TERM
Ms. Harrington said this is a recommendation to award a three year-contract with two one-year options to Alameda Bicycle. There is a subsidy involved and is included in the FY2014 budget. Staff did a competitive procurement and received three proposals. Ms. Harrington said the proposal includes tenant improvements that will allow expand capacity to 180 bikes. The current operator has a 90-day termination that staff will invoke upon approval of this contract. Ms. Harrington said the current operator will be invited to staff the facility for one year, or until the tenant improvements are completed.

Director Jerry Deal said the staff report notes the JPB will be putting forward $130,000 for purchase of furnishings and equipment. Ms. Harrington said this will be a JPB procurement.

A motion (Tissier/Deal) to award a contract to Alameda Bicycle to operate the San Francisco Caltrain bicycle parking facility was approved unanimously.

AUTHORIZE IMPLEMENTATION OF FUEL HEDGING PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2014, AUTHORIZE THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY TO IMPLEMENT FUEL HEDGING PROGRAM AND AUTHORIZE TAKING ALL ACTION NECESSARY RELATING TO THE IMPLEMENTATION AND EXECUTION OF THE FUEL HEDGING PROGRAM
Ms. Harrington said this is a request to hedge 50 percent of the JPB fuel budget. It is a very different environment this year with less volatility compared to last year. Staff hopes to start taking bids in two weeks from the four potential bidders. Ms. Harrington said the hedge is for 2.5 million gallons and as of today the cost will be one-third less than last year at $2.85 per gallon.

A motion (Nolan/Deal) to implement the Fuel Hedging Program for FY2014 and take all necessary action related to executing the Program was approved unanimously.

AUTHORIZE AMENDING AND INCREASING THE FISCAL YEAR 2013 CALTRAIN CAPITAL BUDGET IN THE AMOUNT OF $844,000 FOR A TOTAL CAPITAL BUDGET OF $90,437,085 AND EXECUTE A SERVICE CONTRACT AMENDMENT TO RECEIVE PROGRAMMED FEDERAL HIGHWAY ADMINISTRATION SECTION 130 RAILROAD/HIGHWAY AT-GRADE CROSSING GRANT FUNDS FOR THE REDWOOD CITY BROADWAY CROSSING IMPROVEMENT PROJECT
Eva Goode, Manager, Budgets, said this amendment includes funding to begin work on the TVM Replacement Project, conduct a grade crossing hazard analysis, and implement crossing improvements at Broadway in Redwood City. She said funds for the amendment will come from Federal and local sources.

A motion (Lloyd/Tissier) to amend the FY2013 Capital Budget and execute a service contract amendment to receive Federal Highway Administration Section 130 Railroad/Highway At-grade Crossing Grant Funds was approved unanimously.

2013 ANNUAL PASSENGER COUNTS
Deputy CEO Chuck Harvey reported:
- The purpose of the counts is to provide a measurement relative to previous years and to provide data for evaluating service changes, identifying trends, and allocating resources.
- Headcounts were taken on every weekday train, averaged over five weekdays, and on every weekend train for one weekend.
- Average weekday ridership was 47,060, an 11 percent increase over last year.
- Mid-day ridership increased 23.9 percent.
- All stations, except South San Francisco and Blossom Hill, had an increase in boardings.
- All counties saw significant increases in ridership.
- Ridership on the Gilroy extension increased 12.1 percent over last year.
- Baby Bullet trains are very popular; an 8.4 percent increase.
- In October 2012 four shoulder peak trains were restored and those trains and adjacent trains had an 18.5 percent increase in ridership. In the same period six stops were added at Sunnyvale and Palo Alto and those trains averaged 22.5 percent more passengers.
- Average weekday trip length is unchanged from 2012 at 22.8 miles.

- Average weekday bike ridership increased 15.7 percent. Daily bicycle ridership represents about 10 percent of total ridership.
- Over the five-day survey period, 59 bikes were denied boarding, compared to 58 in 2012. During this period 24,550 bikes were carried and the system is accommodating 99.8 percent of the demand.
- Weekend service increased 20.2 percent.

- Next steps
  - Ridership growth continues to strain capacity in peak periods and FY2014 Operating and Capital budgets must support the required resources to meet demand.
  - Increasing capacity between FY2014-2019 is essential to continue ridership/revenue growth.
  - Staff is investigating a potential rail car purchase to increase consists to six cars.

Chair Yeager said Santa Clara County is the fastest growing county in the State, and everything is pointing towards more growth. He asked at what point the conductors just shut the doors and not allow any more passengers on. Mr. Harvey said it depends. After a Giants game a standing load of 1,000-1,100 passengers will be carried. The average commute length is 20 or more miles so the goal is to get more people seated on these trains. Chair Yeager said at some point there will be a need to communicate to passengers the trains are full. He said he is pleased with bike boardings and denials numbers.

Director Tom Nolan asked what the impact of ridership will be with the bike sharing program in San Francisco and Redwood City. Mr. Harvey said it is a separate initiative and almost too small to estimate. Redwood City is going to have bikes, Zipcars, and shuttles, and this won't impact onboard capacity.

Director Ash Kalra said he is glad staff is looking into purchasing more cars for a short-term fix. The 47,000 passengers equals 1 million vehicle miles off the road. He said in terms of the Gilroy extension, if trains are added, passengers will come. The Blossom Hill Station showed a flat increase in ridership, but Hitachi is building a pedestrian bridge for employees to access the Blossom Hill Station.

Public Comment

Adina Levin, Friends of Caltrain, said she is glad to see the increase in ridership. It would be helpful to look at transit-oriented developments (TOD) in San Mateo, Mountain View, and Sunnyvale. Ms. Levin said Mountain View and San Mateo are creating non-profits that apply to the Transportation Demand Management Program. She said younger people prefer to drive less and use transit more.

Paul Wendt, Belmont, thanked staff for the presentation but disputes the bike bumping number. If bicyclists are denied boarding every day they will adjust their schedule.

Jeff Carter, Millbrae, said people used to say Caltrain won't amount to anything, but they have been proven wrong. He is glad staff is looking into obtaining additional rail cars so there is more seating. Mr. Carter said local ridership declined, but there are not many locals compared to limited and Baby Bullet trains, and would appreciate more local trains.

Roland LeBrun, San Jose, said everyone who wants to go northbound has to drive to Tamien Station, so service to Blossom Hill is needed. He said with electrification coming staff should not be buying gallery or Bombardier cars, but lease them for five years.

Greg Conlon, Atherton, said he drives to San Francisco once or twice a week and staff should track the traffic on Highways 101 and 280 because as traffic increases ridership will increase on the trains.

PRELIMINARY FISCAL YEAR 2014 OPERATING BUDGET

Ms. Harrington said:

- Ridership and customer demand are at an all-time high.
- Farebox ratio is projected to be 55.1 percent for FY2013.
- The FY2014 budget has no recommended fare increase, but does include a daily parking increase to $5 per day.
- Total preliminary revenues are $120 million.
- Total preliminary expenses are $120 million.
- In the past, a five-year rolling average of morning boardings was used to calculate the partner shares. Last year the partners agreed to look at contributions and last month it was agreed to use a formula of all day boardings. This new formula increases San Francisco's contribution, holds Santa Clara's about the same and, lowers San Mateo's.
- Caltrain's fiscal crisis has not been solved but the FY2014 budget delays it another year.
- FY2015 currently shows a deficit of $16 million.
- Staff will be back with a balanced budget for Board approval in June.
- Staff will continue discussions with member agencies and funding partners on funding options.

Public Comment

Roland LeBrun, San Jose, said $16.5 million in administrative costs is excessive.

Adina Levin, Friends of Caltrain, said the San Mateo County Board of Supervisors is considering using some of the sales tax passed last November to support SamTrans and this could alleviate some burden for Caltrain. She suggested staff look ahead with the partners a few years out on the budget process to avoid the roller coaster problems.

Mr. Scanlon said the 2013 Annual Passenger Counts Presentation showed Caltrain busting at the seams with passenger capacity and the FY2014 Operating Budget is being balanced with one-time money, but looking at a significant hole in FY2015.

PRELIMINARY FISCAL YEAR 2014 CAPITAL BUDGET

Ms. Goode said:

- FY2014 Capital Budget includes projects to maintain and improve the Caltrain system and keep it in a state of good repair. It also includes ongoing planning and management of the Early Investment Program and work with the California High-speed Rail Authority (CHSRA) on the blended system.
- The total budget is $66.7 million with Right of Way and Signal programs comprising nearly 70 percent, largely due to the San Mateo Bridges Project and the San Bruno Grade Separation Project.
    - The Right of Way and Signal category includes annual track rehabilitation and the San Mateo Bridges Project. The proposed projects include signal communications rehabilitation and final construction funds for the San Bruno Grade Separation Project. This category also includes funds for ongoing rehabilitation of passenger fleet and locomotives.
    - The Operational Improvements category includes the continued installation of fencing along the right of way and funds to construct the San Bruno Archway.
    - The Caltrain Modernization category includes planning and delivery methodology, continued outreach, building the team for the Early Investment Program, and ongoing coordination with CHSRA.
- Proposed funding sources include Federal, State and regional grants, and member agency contribution.
- Staff is requesting a total of $14.3 million from the partners, but discussions are continuing over the final contribution.

Public Comment

Jim Bigelow, Redwood City/San Mateo County Chamber of Commerce, said partners need to come up with their fair share for implementation of electrification. The traffic is terrible at rush hour and is one reason there is an increase in ridership.

Roland LeBrun, San Jose, said there are four tracks at San Bruno and Caltrain just needs to elevate the other two and there will be a new passing station. He said when re-tracking is done in the future it should be done for 125 miles per hour.

Director Tissier left at 11:32 a.m.

LEGISLATIVE UPDATE

State Update

Seamus Murphy, Director, Government and Community Affairs, said Senate Bill 557 would clarify the HSR budget language to state $600 million of the $1.1 billion appropriated by the State would come to the Caltrain corridor for modernization. The bill also adds an extra layer of protection for the blended system by requiring the signatories to the regional HSR Early Investment MOU be required to adopt new language before anything beyond the blended system is considered. This bill cleared the Senate Transportation Committee this week and moves to Appropriations Committee the week of May 6.

Draft

Mr. Murphy said the San Mateo County Transit District (District) and the Santa Clara Valley Transportation Authority (VTA) are co-sponsoring Assembly Bill (AB) 797. This bill would provide the District and VTA with a project delivery approach called "construction management/general contractor." It would allow transit agencies to expedite projects by bringing on construction managers early in the design process, giving the firm an opportunity to review designs to ensure a project's constructability, provide more certainty regarding costs and to start work before design is complete. This would apply to Caltrain since the District and VTA have authority and San Francisco already has authority as a chartered city.

Mr. Murphy said AB574 would provide the authorization for Cap and Trade revenues to flow to meet different greenhouse gas-reducing projects.

Federal Update

Mr. Murphy said the appointment of new Transportation Secretary, Anthony Foxx, is good news for transit advocates. The American Public Transportation Association applauded the selection.

Mr. Murphy said the House Transportation and Infrastructure Subcommittee will be hosting a field hearing in the Central Valley on HSR on May 28-29. The chair of the committee is not a supporter of HSR so staff expects to hear some critical comments.

Chair Yeager asked if Mr. Scanlon knew much about Mr. Foxx. Mr. Scanlon said he doesn't know him personally, but has heard very good things about him.

CORRESPONDENCE

No discussion.

BOARD MEMBER REQUESTS

Director Art Lloyd said there are always a lot of people boarding at Millbrae with luggage. He said there should be better signage for people with luggage and a designated boarding area.

DATE/TIME/PLACE OF NEXT MEETING

The next meeting will be Thursday, June 6, 2013, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

GENERAL COUNSEL REPORT

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

Legal Counsel David Miller said real property negotiation qualifies for discussion in closed session under the Brown Act. He said there have been active negotiations that are connected to the CBOSS Project and it is possible there will be action taken by the Board following the closed session.

Adjourned to closed session at 11:41 a.m.

Reconvened to open session at 11:48 a.m.

Mr. Miller said the Board met in closed session, as permitted by the Brown Act, on a matter of a potential lease with purchase option of a real estate building in Menlo Park at 4020 Campbell Avenue. This is facility would house staff working on the CBOSS Project, and the location is ideal in that it is in close proximity to the right of way. The resolution would authorize the Executive Director to enter into a lease of the property.

A motion (Lloyd/Nolan) to authorize the Executive Director or his designee to execute a lease for property at 4020 Campbell Avenue in Menlo Park was approved unanimously.

Adjourned at 11:49 a.m.

AGENDA ITEM # 4 (b)
JUNE 6, 2013

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Rita P. Haskin
Executive Officer, Customer Service and Marketing

SUBJECT: **CLIPPER MEMORANDUM OF UNDERSTANDING AMENDMENT NO. 2**

ACTION

Staff Coordinating Council (SCC) recommends the Board authorize the Executive Director, or his designee, to execute Clipper® Memorandum of Understanding (MOU) Amendment Number 2. Changes to the MOU covered by the Amendment include:

- The Metropolitan Transportation Commission (MTC) retaining ownership of the Clipper equipment;
- A revised responsibility for and cost sharing of issuance of Regional Transit Connection (RTC) Clipper cards for people with disabilities; and
- The removal of an expiration date for the 1 percent commission paid to transit benefit administrators.

The Amendment goes into effect upon signature by all parties.

SIGNIFICANCE

Under the original MOU, the MTC agreed to transfer equipment ownership to the individual transit agencies. Under the proposed revision, MTC will maintain ownership; however, transit agencies will still be required to maintain the equipment. Amendment No. 2 also authorizes transferring responsibility of production and distribution of RTC Clipper cards to Cubic from the Central Processor/Medical Verifier in order to streamline both distribution and customer service for RTC customers. This transfer necessitates revised cost sharing for the distribution of RTC cards. Removal of the expiration date paid to transit benefit providers provides flexibility with continuing the process.

BUDGET IMPACT

There is no impact to the budget.

BACKGROUND

In June 2010, the Board approved entering into the Clipper Memorandum of Understanding (Resolution No. 2010-30) along with other transit agencies in the Bay Area that were participating in the Clipper program. In November 2011, the Board Approved MOU Amendment #1 (Resolution No. 2011-48). The Clipper MOU defines the agreements among MTC and transit operators with respect to operation of the Clipper fare payment system.

Prepared by: Rita P. Haskin, Executive Officer, Customer Service and Marketing
650.508.6248

AMENDMENT NO. 2

TO

CLIPPER® MEMORANDUM OF UNDERSTANDING

This Amendment No. 2 to the Clipper® Memorandum of Understanding dated as of November 10, 2011, as amended by Amendment No. 1, dated as of December 1, 2011 (collectively, the "MOU") by and among the Metropolitan Transportation Commission ("MTC") and the following transit operators participating in the Clipper® program (referred to herein as "Operator" or "Operators"), is effective as of June 30, 2013 ("Effective Date"):

Alameda-Contra Costa Transit District ("AC Transit"); Golden Gate Bridge Highway and Transportation District ("GGBHTD"); the San Francisco Bay Area Rapid Transit District ("BART"); the City and County of San Francisco, acting by and through its Municipal Transportation Agency ("MTA"); the San Mateo County Transit District ("SamTrans"); the Santa Clara Valley Transportation Authority ("VTA"); the Peninsula Corridor Joint Powers Board ("Caltrain"); the San Francisco Bay Area Water Emergency Transportation Authority ("WETA"); and any other transit operators that implement Clipper® and execute this MOU after the Effective Date.

MTC and the Operators are referred to herein as "the Parties" or individually, as a "Party".

The Parties agree to amend the MOU as follows:

1. Subpart E of Article I, Operator Responsibilities, is deleted.
2. Subpart D of Article II, MTC Responsibilities, is deleted.
3. Appendix B, Clipper® Cost and Revenue Allocation, is deleted and the revised Appendix B is substituted, as attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, this Amendment #2 to the MOU has been duly authorized and executed by the Parties hereto on the dates specified below.

Metropolitan Transportation Commission	Approved as to Form:
____________________________ Steve Heminger, Executive Director Date: ____________	________________________ Adrienne D. Weil General Counsel
Alameda Contra Costa Transit District	Approved as to Form:
____________________________ David J. Armijo, General Manager Date: ____________	________________________ Kenneth Scheidig, Acting General Counsel
Golden Gate Bridge Highway and Transportation District	Approved as to Form:
____________________________ Denis J. Mulligan, General Manager Date:____________	________________________ David J. Miller General Counsel
San Francisco Bay Area Rapid Transit District	Approved as to Form:
____________________________ Grace Crunican, General Manager Date: ___________	________________________ Matt Burrows, General Counsel

City and County of San Francisco
Municipal Transportation Agency

Approved as to Form:
Dennis J. Herrera, City Attorney

____
Edward D. Reiskin, Director of Transportation

Date: ___________

Municipal Transportation Agency Board of Directors
Resolution No. _________________
Dated: ________________________

____
Secretary, MTAB

____
Robin M. Reitzes
Deputy City Attorney

San Mateo County Transit District

Approved as to Form:

____
Michael J. Scanlon, General Manager/CEO

Date: _____________

____
David J. Miller
General Counsel

Santa Clara Valley Transportation Authority

Approved as to Form:

____
Michael T. Burns, General Manager

Date: _____________

____
Robert Fabela
General Counsel

Peninsula Corridor Joint Powers Board

Approved as to Form:

Michael J. Scanlon, Executive Director

Date: ___________

David J. Miller
General Counsel

San Francisco Bay Area Water Emergency Transportation Authority

Approved as to Form:

Nina Rannells, Executive Director

Date: __________

Stanley S. Taylor, III
Attorney for WETA

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Appendix B

Clipper® Cost and Revenue Allocation

1. Cost Allocation Among Operators

The allocation of Clipper® operating costs to each Operator shall be based on a combination of revenue collected and the number of fee payment transactions processed. "Revenue collected" shall mean the fee collected on behalf of each Operator by the Clipper® clearinghouse (*e.g.*, the price charged to ride on the Operator's transit system, the value of pass sales, the amount of parking fees paid). A "fee payment transaction" shall mean any activity in which a Clipper® card is used to receive service on or from an Operator's system (*e.g.*, to ride on the Operator's transit system, to park on the Operator's property). A fee payment transaction shall be attributed to the Operator on whose system the service was provided, except that a transaction in which a patron uses a Muni Fast Pass to ride BART will be attributed to MTA. All fee payment transactions are included for purposes of allocating Clipper® operating costs, regardless of whether the transaction results in a reduction of the amount of stored value or stored rides on a Clipper® card (*e.g.*, use of a monthly pass on a transit system, intra-operator transfers, entry and exit transactions for a single ride where both transactions are required to compute the appropriate fare payment).

One-third (1/3) of Clipper® operating costs shall be allocated to Operators based on each Operator's share of total revenue collected by the Clipper® clearinghouse, as defined above. Two-thirds (2/3) of Clipper® operating costs shall be allocated to Operators based on each Operator's share of total fee payment transactions processed by the Clipper® clearinghouse, as defined above.

In addition to the Clipper® operating costs allocated in accordance with Appendix B.2.B(i) herein, each Operator shall be responsible for payment of:

a. Clipper® Data Server (CDS) Store operating costs specified below for any CDS Store implemented on such Operator's site; and

b. Credit/debit interchange fees charged through an Operator-specific credit/debit gateway associated with Clipper® sales through add value machines, ticket office terminal devices and ticket vending machines. This responsibility is subject to review pursuant to Article I.F to ensure that no single Operator is unfairly burdened by such fees.

c. Incremental Clipper® operating costs established by and/or resulting from Clipper® Contract change orders requested and funded by an Operator for such Operator's use and benefit shall be the responsibility of such Operator. This applies to costs or portions of costs that would otherwise be MTC's responsibility as described below.

2. Clipper® Costs

A. <u>MTC Operating and Maintenance Costs.</u> MTC shall pay the following Clipper® operating costs:

i. All fixed operating costs of the Clipper® clearinghouse and equipment maintenance services costs as specified in the Clipper® Contract's Price Schedule (Attachment 2 to the Clipper® Contract) (the "Price Schedule"), including:

a. Item 3.20 Program Management – Operations and Maintenance
b. Item 3.30 Clipper® Testbed Operations & Maintenance
c. Item 5.31 Operator Help Desk
d. Item 5.32 Reporting
e. Item 5.33 Asset Management
f. Item 6.0 Equipment Maintenance Services
g. Item 10.21(a) Location Acquisition
h. Item 10.22 Location Servicing and Support
i. Item 10.23 (a) Acquisition Payment for Third Party Location
j. Item 12.0 Network Management
k. Item 13.22 Basic Monthly Operations and Admin

ii. Variable Clipper® operating costs as specified in the Price Schedule (Attachment 2 to the Clipper® Contract), specifically:

a. Item 8.10(a-g) Card Distribution Services
b. Item 8.11 Card Distribution Services
c. Item 8.12 Card Distribution Services
d. Item 8.20 Cardholder Education
e. Item 8.31 Location Acquisition for Completion of Distribution Network
f. Item 8.32 Location Acquisition for Completion of Distribution Network
g. Item 8.41 Pass Through of Amounts Paid for Installation of Phone Lines
h. Item 9.41 Fixed and Incremental Fees Per Active Card Account (50% of the invoiced amount)

iii. All other lump sum and capital expense items specified in the Price Schedule not enumerated above or covered by Section 2.B; and

iv. $7,120,000 in incentives to be allocated to Operators to pay operating costs, as shown in Section 4, <u>Incentive Payments</u>, below.

B. <u>Operator Operating Costs.</u>

i. Operators shall pay the following listed Clipper® operating costs in accordance with the cost sharing formula in Appendix B.1, reduced by any amounts payable by MTC pursuant to 2.A(iv) above. References to Item numbers refer to the corresponding prices payable to the Clipper® Contractor under the Clipper®

Contract Price Schedule, which are subject to annual price adjustment as specified in Article 13.6 of the Clipper® Contract:

a. Item 7.10 Regional Transit Connection (RTC) Clipper® Card Production
b. Item 9.24 Balance Protection Services Registration
c. Item 9.25 Lock/unlock Clipper® Application
d. Item 9.41 Fixed and Incremental Fees Per Active Card Account (50% of the invoiced amount)
e. Item 10.11 Clipper® E-purse Load
f. Item 10.12 Pass/Stored Ride Load
g. Item 10.24 Employer Program Commission
h. Item 11.0 Autoload Services
i. Item 12.22.89 Fixed Monthly Service Fee to Support Clipper® Data Server Store
j. Item 13.22.45 Supplemental Monthly Operations and Admin (except as reduced by MTC in accordance with Section 4.1, Incentive Payments)
k. Item 13.31Clipper® Transaction Fee
l. Item 13.60 Incremental Gateway Fees
m. Item 13.70 Incremental Debit Card Interchange Fees
n. Item 13.80 Incremental Credit Card Interchange Fees
o. Item 13.90 Pass Through Website Credit Card Processing Fees
p. Reimbursement of MTC bank fees and direct bank charges in connection with the Clipper® bank account(s) in excess of the amounts reimbursed under Section 3.A below
q. Direct payment or reimbursement of MTC costs for network communication.
r. Direct payment or reimbursement of MTC costs for materials necessary for additional printing, e.g. secondary printing or personalization, on Clipper® cards

ii. Changes or Additions to Operator Operating Costs Items. Substantive changes or additions to the Operator-paid operating cost items set forth in B(i)(a-o) require an amendment to this Appendix B and approval of all Parties to the MOU as of the date of the change or addition.

C. MTC shall invoice each Operator on a monthly basis for its share of the operating costs. The Operators shall pay MTC within fifteen (15) calendar days of receipt of such invoice.

3. Revenue Allocation

Revenues generated by Clipper® during any period of time, including interest earnings on funds held by the clearinghouse and excluding fare revenues or parking fees collected on behalf of and distributed to Operators, shall be utilized as follows:

A. To offset MTC's bank fees and direct bank charges related to the managing of the Clipper® accounts;

B. After deduction of MTC's bank fees and charges under 3.A above, to reduce the Operators' Clipper® operating costs listed in 2.B(i) above; and

C. After payment of Operators' Clipper® operating costs listed in 2.B(i) above, to be allocated to Operators using the formula specified in Section 1 herein.

Notwithstanding the above, fees charged cardholders for card acquisition, card replacement, balance restoration, failed Autoload funding recovery, card refund processing, and other card-related activities shall be reserved to pay for future card procurements; provided, however, that surcharges on limited use cards or other fare media imposed by an Operator to pay for the acquisition, implementation, administration and replacement of such fare media shall be distributed to and retained by such Operator. (For clarity, any surcharge imposed by an Operator as part of its fare structure shall be considered "fare revenue" and shall be distributed to and retained by such Operator.)

4. Incentive Payments

MTC's $10,000,000 in incentive funds shall be allocated to pay operating costs associated with Phase II as follows:

(1) $2,880,000 contingency to Contractor (for payment of Clipper® Contract Price Schedule Item No. 13.22.45) for transaction assurances in the event minimum transaction volumes (20,000,000 transactions/month) are not achieved. If the minimum transaction volumes are met and these funds are not needed, MTC may reallocate the remaining funds to other purposes; and

(2) $7,120,000 to individual Operators, to be applied as a credit against Phase II variable operating costs, a portion of which has already been credited to certain individual Operators:

AC Transit	$862,227
BART	2,128,016
Caltrain/SamTrans	484,744
Golden Gate Transit	634,239
MTA	2,327,503
SCVTA	683,271

RESOLUTION NO. 2013 –

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

* * *

AUTHORIZE THE EXECUTION OF THE MEMORANDUM OF UNDERSTANDING AMENDMENT NO. 2 REGARDING EQUIPMENT OWNERSHIP, RESPONSIBILITY FOR AND COST SHARING OF ISSUANCE OF REGIONAL TRANSIT CONNECTION CLIPPER CARDS AND REMOVAL OF AN EXPIRATION DATE FOR THE COMMISSION PAID TO TRANSIT BENEFIT ADMINISTRATORS

WHEREAS, the Metropolitan Transportation Commission (MTC), under authority granted to it under SB1474 (Statutes 1996, Chapter 256), included Clipper in its regional transit coordination program; and

WHEREAS, Clipper is an automated fare payment system for intra- and inter-operator transit trips in the San Francisco Bay Area; and

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) approved the Clipper Memorandum of Understanding (MOU) in June 2010 (Resolution 2010-30) that set forth a new governance structure for the participating agencies in the operation and maintenance of Clipper; and

WHEREAS, the seven signatories to the MOU, including the JOPB, are the Metropolitan Transportation Commission, Alameda-Contra Costa Transit District, the City and County of San Francisco, acting by and through its Municipal Transportation Agency, the Golden Gate Bridge, Highway and Transportation District, the San Mateo County Transit District, the San Francisco Bay Area Transit District and the Santa Clara Valley Transportation Authority; and

WHEREAS, the JPB approved MOU Amendment No. 1 on Nov. 3, 2011 (Resolution No. 2011-48), which outlines responsibility for commissions for Clipper sales handled through third-party transit benefit programs; and

WHEREAS, Amendment No. 2, Attachment A, outlines responsibility for equipment ownership, revised responsibility for and cost sharing of issuance of Regional Transit Connection Clipper cards and removal of expiration date for commission paid to transit benefit administrators; and

WHEREAS, Amendment No. 2 goes into effect upon signature by all parties.

NOW, THEREFORE, BE IT RESOLVED the JPB authorizes the Executive Director, or his designee, to execute Amendment No. 2 to the Clipper Memorandum of Understanding with the Metropolitan Transportation Commission regarding equipment ownership, responsibility for and cost sharing of issuance of Regional Transit Connection Clipper cards, and removal of an expiration date for the 1 percent commission paid to transit benefit administrators to take effect upon execution by all agencies.

Regularly passed and adopted this 6th day of June 2013, by the following vote:

AYES:

NOES:

ABSENT:

____
Chair, Peninsula Corridor Joint Powers Board

ATTEST:

____
JPB Secretary

AGENDA ITEM # 7
JUNE 6, 2013

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 APRIL 2013**

Caltrain's average weekday ridership (AWR) in April 2013 was 50,678, which is an increase of 4,750 or 10.3 percent over April 2012. Total Caltrain ridership in April 2013 was 1,351,544, which is 12 percent greater than April 2012.

On-time performance (OTP) for April 2013 was 93.7 percent. This exactly matches the OTP from April 2012. While this is below the standard of 95 percent arriving within five minutes, half of all days operated at 95 percent or better. When measuring trains arriving within 10 minutes of the scheduled arrival time, OTP rises to 97.8 percent.

Passenger complaints increased from a very low level in March to 12 complaints per 100,000 passengers for April 2013. While this is a month-to-month increase, the measurement is still below the average for the fiscal year. Monthly mechanical delays were above average at 1,902 minutes for April 2013. Nearly 40 percent of those minutes can be attributed to the incident on Saturday, April 6, when a significant fuel spill occurred at South San Francisco affecting nine trains.

Average weekday shuttle ridership was 6,758, which is a decrease of 1,264 or 15.8 percent below April 2012 AWR of 8,022. This decline is driven by a drop in the reported Marguerite ridership due to passenger counting equipment problems. When Marguerite data is excluded, shuttle ridership shows a 0.7 percent increase. For the station shuttles, the Millbrae-Broadway shuttle averaged 183 weekday riders. The Belmont-Hillsdale shuttle averaged 62 weekday riders. The weekend Tamien-San Jose shuttle averaged 67 riders per day.

Caltrain Promotions – April 2013

See Something – Say Something – The *See Something – Say Something* customer safety and security awareness campaign issued its fourth message as part of the year-long program. A new message is communicated each month via station electronic message signs, conductor announcements, web posting (www.caltrain.com/seesomething) and social media, including Facebook, Google+ and Twitter. April's message was "Don't touch unattended packages. Report them immediately to conductor or police." In response to the Boston Marathon bombing, we issued an additional reminder: "Please be aware of your surroundings. Remember to never leave your bags unattended and if you see something, say something. 1.877.SAF.RAIL."

Giants – The World Champion San Francisco Giants played their first full month of the season and were supported by tens of thousands of World Champion Caltrain customers. Staff continues to provide information about the regular and extra service for baseball fans. An improvement implemented this year is the addition of an "SF Baseball" button on station ticket machines to help speed the purchasing process. The new feature and service was promoted through a special baseball brochure, web presence (special button on home page and dedicated baseball page), video and social media. Close to 85,000 fans rode the train to the game, an increase of 6 percent compared to last year.

San Jose Sharks – The San Jose Sharks wrapped up their regular season in April as winners, earning themselves a trip to the playoffs. Caltrain also turned up a winner by serving more hockey fans than it's done in the past. Caltrain communicated to fans about its convenient service through its website, newsletter, brochures and various social media channels. For the month, 4,052 fans rode Caltrain after the eight games at the Shark Tank. With the four-month shortened season completed, Caltrain's average ridership for games was up 41.5 percent compared to last season.

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

April 2013

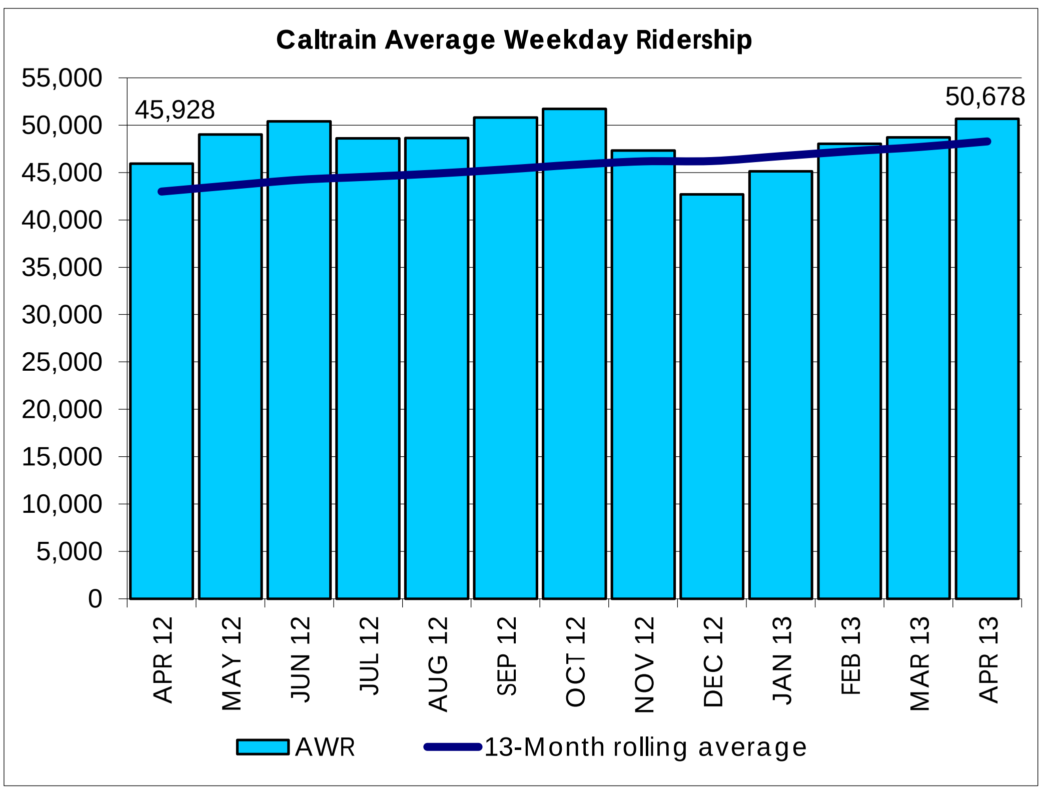
	FY2012	FY2013	% Change
Total Ridership	1,206,519	1,351,544	12.0%
Average Weekday Ridership	45,928	50,678	10.3%
Total Farebox Revenue	$5,173,588	$5,944,476	14.9%
On-time Performance	93.7%	93.7%	0.0%*
Average Caltrain Shuttle Ridership	8,022	6,758	-15.8%

Year to Date

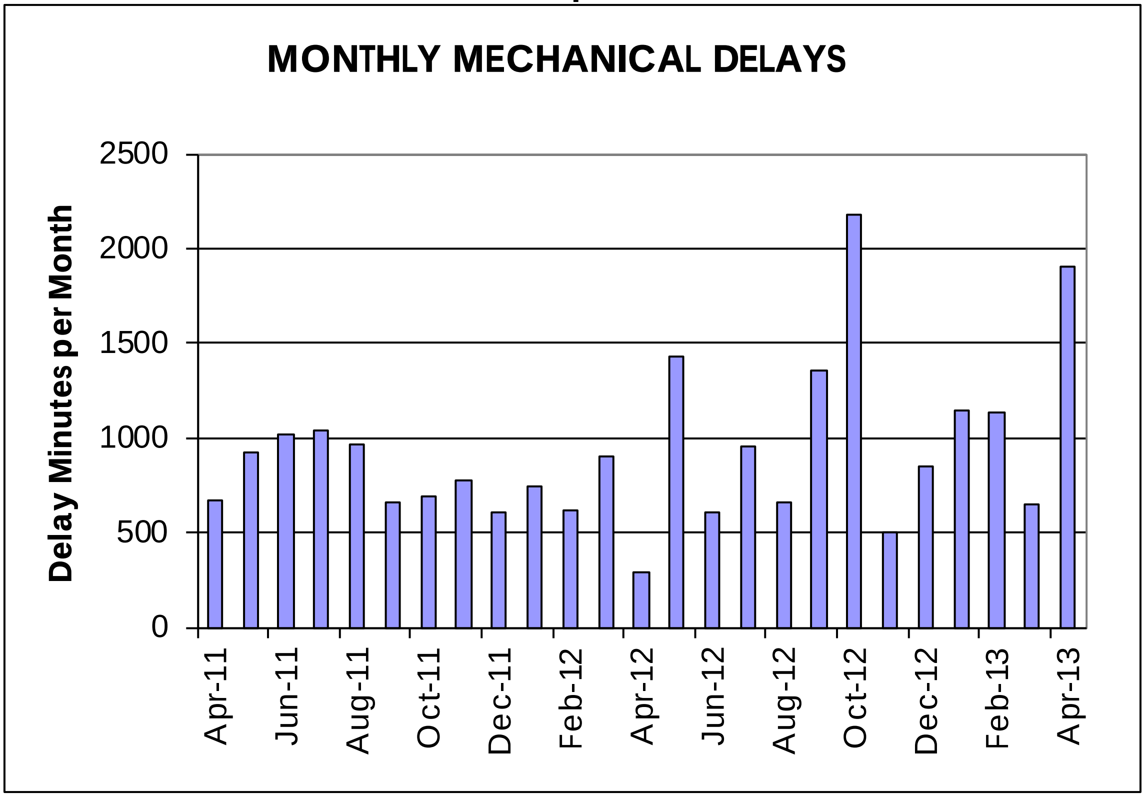
	FY2012	FY2013	% Change
Total Ridership	11,480,812	12,789,293	11.4%
Average Weekday Ridership	43,114	48,235	11.9%
Total Farebox Revenue	$48,416,421	$56,283,147	16.2%
On-time Performance	93.5%	91.4%	-2.1%*
Average Caltrain Shuttle Ridership	7,213	8,059	11.7%

* numeric difference of the percentages

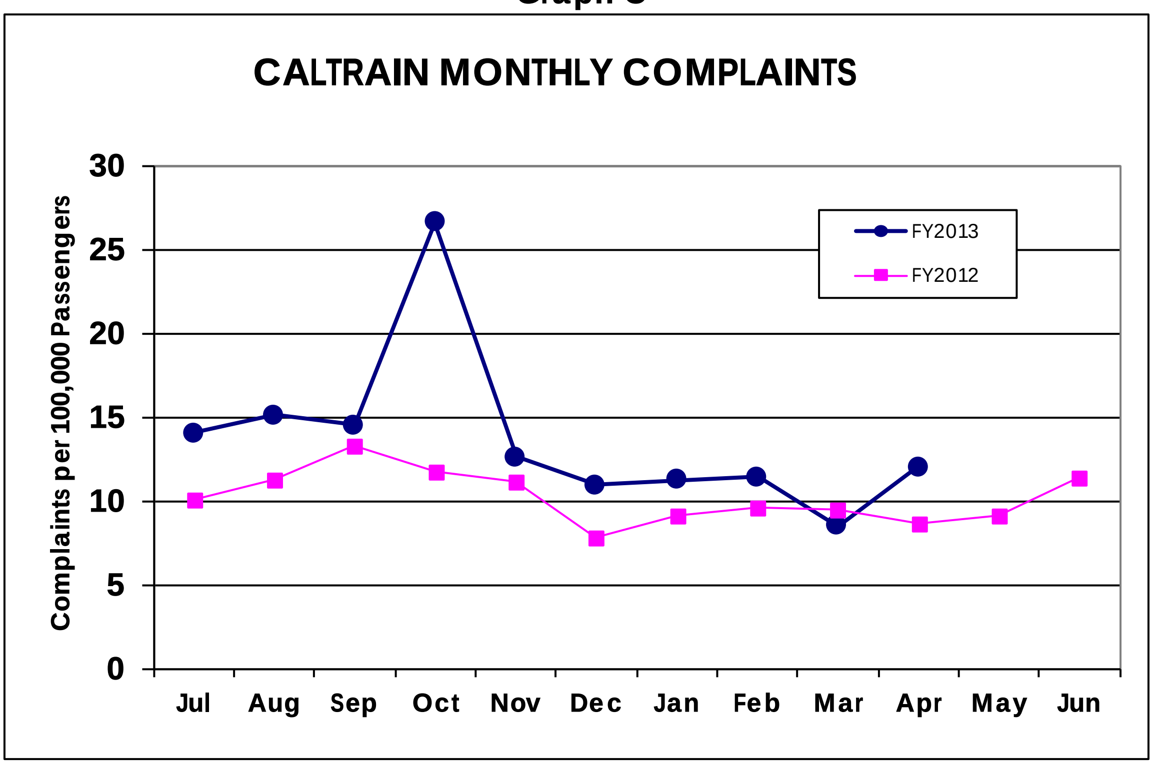
Graph A



Graph B



Graph C



AGENDA ITEM # 7 (a)
JUNE 6, 2013

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: **PROCLAMATION DECLARING JUNE 20, 2013 AS "NATIONAL DUMP THE PUMP DAY"**

ACTION
Staff Coordinating Council recommends the Board adopt the proclamation designating June 20, 2013 as "National Dump the Pump Day."

SIGNIFICANCE
The proclamation for "National Dump the Pump Day" is a reaffirmation of the Peninsula Corridor Joint Powers Board's commitment to join transit systems across the country in celebrating the American Public Transportation Association's (APTA) 8th annual "Dump the Pump Day." Caltrain provides quality commuter train service to all citizens who travel between San Francisco and San Jose and customers are clearly voting with their feet more than ever before. The approval of the proclamation is in association with a campaign undertaken by transit agencies throughout the country, in partnership with APTA, to educate the public on the value and the importance of getting out of their cars and away from high gas price and encourages people to give up driving and use public transportation, steps that would reduce each individual's carbon footprint, ease congestion and pollution and save money.

"National Dump the Pump Day" began in June 2006 when gas prices were $3 per gallon. With gas prices at more than $4 per gallon, using transit options such as Caltrain is one of the most effective ways to beat high gas prices. Train riders can use the Commute Calculator on the Caltrain website to compare the cost of taking Caltrain instead of driving a car.

BUDGET IMPACT
There is no impact on the budget.

BACKGROUND
Caltrain will celebrate "National Dump the Pump Day" this year by encouraging the public to "break up with the pump." In that spirit, Caltrain will be hosting a two-week social media campaign in early June encouraging followers to submit their best "break up lines" or photos of the car they are leaving behind.

The campaign will culminate with an event to highlight the environmental and personal savings public transportation can provide and celebrate the savings regular transit users enjoy.

In the last year, Caltrain has taken a number of steps to make taking transit easier:

- Offered the public free rides on New Year's Eve.
- Increased service from 86 to 92 weekday trains.
- Served a record-breaking 70,000 Giant's fans headed to the World Series Victory Parade.
- Sold pre-paid tickets for Bay to Breakers and Giants special service.

Prepared by: Jayme Ackemann, Communications Manager 650.508.7934

Proclamation

IN HONOR OF NATIONAL DUMP THE PUMP DAY

WHEREAS, June 20, 2013 marks the American Public Transportation Association's (APTA) 8th Annual National Dump the Pump Day; and

WHEREAS, Caltrain supports National Dump the Pump Day as a day that encourages people to ride public transportation to save money, protect the environment, reduce our dependence on foreign oil and improve the quality of life for all Americans; and

WHEREAS, Caltrain operates 92 weekday trains between San Francisco and San Jose, serving the Peninsula Rail Corridor, and the communities of San Francisco, San Mateo and Santa Clara counties; and

WHEREAS, U.S. public transportation use reduces the country's carbon footprint by 37 million metric tons – the equivalent of Washington DC, New York City, Atlanta, Denver and Los Angeles combined use of electricity; and

WHEREAS, public transportation use in 498 urban areas in the United States saved 865 million hours annually in travel time and 450 million gallons of fuel; and without public transportation, annual congestion costs would have risen by nearly $21 billion from $121 to $142 billion; and

WHEREAS, every $1 billion invested in public transportation creates and supports 36,000 jobs; and

WHEREAS, according to APTA's Transit Savings Report, a two-person household can save an average of $9,700 a year by downsizing to one car; and

WHEREAS, the average Caltrain rider saves $340 a month or $4,080 a year by taking Caltrain instead of driving.

NOW, THEREFORE BE IT RESOLVED on this 6th day of June, 2013, the Peninsula Corridor Joint Powers Board, in support of APTA's efforts, encourage citizens to get out of their vehicles and onto public transportation, and do hereby proclaim Thursday, June 20, 2013 as *NATIONAL DUMP THE PUMP DAY.*

Caltrain

____

Chair, Peninsula Corridor Joint Powers Board

AGENDA ITEM # 8
JUNE 6, 2013

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 APRIL 30, 2013 AND SUPPLEMENTAL INFORMATION**

ACTION

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

SIGNIFICANCE

Revenue: For April of Fiscal Year 2013, *Total Operating Revenue* (line 7) is $2,956,925 or 4.8 percent ***better*** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is $2,738,941 or 5.1 percent ***better*** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is $8,261,188 or 14.8 percent ***higher***.

Expense: *Grand Total Expenses* (line 47) show a favorable variance of $2,411,886 or 2.6 percent. *Total Operating Expense* (line 33) is $2,237,583 or 2.8 percent ***better*** than budget. *Total Administrative Expense* (line 43) is $174,302 or 1.5 percent ***better*** than budget.

Compared to prior year, *Grand Total Expenses* (line 47) are $8,710,860 or 10.6 percent ***higher***. The increase in expense is mainly due to *Contract Operating & Maintenance* (line 22) which is $5,955,039 or 12.5 percent ***higher***.

BUDGET IMPACT

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

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

PENINSULA CORRIDOR JOINT POWERS BOARD

STATEMENT OF REVENUE AND EXPENSE

Fiscal Year 2013

April 2013

		MONTH	YEAR TO DATE				ANNUAL			
							% OF YEAR ELAPSED		83.3%	
		CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET (AS PROJECTED)	% REV BUDGET	
	REVENUE									
	OPERATIONS:									
1	Farebox Revenue	5,944,476	48,423,547	56,283,147	53,544,206	105.1%	60,293,443	64,783,776	86.9%	1
2	Parking Revenue	300,663	2,685,463	2,612,937	2,570,923	101.6%	3,299,590	3,001,698	87.0%	2
3	Shuttles	103,570	859,069	1,327,088	1,245,714	106.5%	1,384,230	1,537,879	86.3%	3
4	Rental Income	148,654	1,477,220	1,494,086	1,557,300	95.9%	1,868,760	1,868,760	80.0%	4
5	Other Income	306,962	2,479,563	2,468,793	2,310,983	106.8%	2,527,430	2,527,430	97.7%	5
6										6
7	TOTAL OPERATING REVENUE	6,804,326	55,924,863	64,186,051	61,229,126	104.8%	69,373,453	73,719,542	87.1%	7
8										8
9	CONTRIBUTIONS:									9
10	AB434 & TA Shuttle Funding	169,748	823,978	1,650,395	1,661,757	99.3%	2,184,271	2,050,700	80.5%	10
11	Operating Grants	-	4,746,514	4,043,161	4,410,952	91.7%	6,310,982	5,310,982	76.1%	11
12	JPB Member Agencies	2,791,667	21,114,379	27,916,667	27,916,667	100.0%	33,500,000	33,500,000	83.3%	12
13										13
14	TOTAL CONTRIBUTED REVENUE	2,961,415	26,684,871	33,610,222	33,989,376	98.9%	41,995,253	40,861,682	82.3%	14
15										15
16	**GRAND TOTAL REVENUE**	**9,765,741**	**82,609,734**	**97,796,273**	**95,218,502**	**102.7%**	**111,368,706**	**114,581,224**	**85.4%**	16
17										17
18										18
19	**EXPENSE**									19
20										20
21	OPERATING EXPENSE:									21
22	Contract Operating and Maintenance	5,421,187	47,609,249	53,654,288	54,665,911	98.1%	63,820,184	64,426,717	83.3%	22
23	Operator Contract Transition Costs	-	2,290,835	-	-	0.0%	-	-	0.0%	23
24	Rail Operator Service - Other	-	-	309,700	313,320	98.8%	1,150,000	1,150,000	26.9%	24
25	Shuttles (incl Peninsula Pass)	347,666	2,398,061	3,820,708	3,926,537	97.3%	4,410,504	4,445,700	85.9%	25
26	Fuel	1,357,429	12,928,333	12,953,116	13,832,102	93.6%	17,198,522	17,198,522	75.3%	26
27	Timetables and Tickets	12,000	120,543	107,695	116,750	92.2%	147,200	147,200	73.2%	27
28	Insurance	408,901	3,974,696	4,251,900	4,324,738	98.3%	5,100,500	5,100,500	83.4%	28
29	Facilities and Equipment Maint	101,621	1,233,909	1,313,255	1,374,085	95.6%	1,534,560	1,780,471	73.8%	29
30	Utilities	127,048	1,182,188	1,180,104	1,197,020	98.6%	1,696,870	1,696,870	69.5%	30
31	Maint & Services-Bldg & Other	85,022	846,241	946,239	1,024,125	92.4%	1,286,880	1,286,880	73.5%	31
32										32
33	TOTAL OPERATING EXPENSE	**7,860,873**	**72,584,055**	**78,537,004**	**80,774,587**	**97.2%**	**96,345,220**	**97,232,860**	**80.8%**	33
34										34
35	ADMINISTRATIVE EXPENSE									35
36	Wages and Benefits	448,664	3,944,544	4,498,404	4,509,229	99.8%	5,623,527	5,404,812	83.2%	36
37	Managing Agency Admin OH Cost	341,926	738,663	3,180,642	3,186,116	99.8%	3,540,298	4,148,129	76.7%	37
38	Board of Directors	924	7,858	7,549	8,330	90.6%	12,800	12,800	59.0%	38
39	Professional Services	151,271	2,370,830	2,172,677	2,303,086	94.3%	2,673,479	2,769,238	78.5%	39
40	Communications and Marketing	16,509	40,249	108,152	115,000	94.0%	138,000	138,000	78.4%	40
41	Office Expense and Other	100,930	1,292,353	1,184,984	1,204,949	98.3%	1,932,507	1,357,176	87.3%	41
42										42
43	TOTAL ADMINISTRATIVE EXPENSE	**1,060,225**	**8,394,497**	**11,152,408**	**11,326,710**	**98.5%**	**13,920,611**	**13,830,155**	**80.6%**	43
44										44
45	Long Term Debt Expense	91,906	919,063	919,063	919,063	100.0%	1,102,875	1,102,875	**83.3%**	45
46										46
47	**GRAND TOTAL EXPENSE**	**9,013,004**	**81,897,614**	**90,608,474**	**93,020,360**	**97.4%**	**111,368,706**	**112,165,890**	**80.8%**	47
48										48
49	**NET SURPLUS / (DEFICIT)**	**752,737**	**712,120**	**7,187,799**	**2,198,142**	**327.0%**	**-**	**2,415,334**	**297.6%**	49

"% 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.

5/24/13 11:52 AM

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF APRIL 30, 2013

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Restricted)		Liquid Cash	0.264%	$ 2,000,000	$ 2,000,000
Local Agency Investment Fund (Unrestricted)		Liquid Cash	0.264%	24,034,756	24,034,756
County Pool (Unrestricted)	*	Liquid Cash	0.610%	20,199,707	20,199,707
Investment Portfolio (Unrestricted)	**	Liquid Cash	0.000%	0	0
Other (Unrestricted)		Liquid Cash	0.000%	2,757,275	2,757,275
				$ 48,991,738	$ 48,991,738

Accrued Earnings for April, 2013	$ 14,583.84
Cumulative Earnings FY2013	$ 185,535.84

* County Pool average yield for the month ending April 30, 2013 was 0.610%. As of April, 2013 the amortized cost of the Total Pool was $3,180,368,604.34 and the fair market value per San Mateo County Treasurer's Office was $3,191,161,345.57.

** 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.

AGENDA ITEM # 9
JUNE 6, 2013

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **ADOPTION OF PROPOSED FISCAL YEAR (FY) 2014 OPERATING BUDGET**

ACTION

The Staff Coordinating Council recommends the Joint Powers Board approve a FY2014 Operating Budget of $119,973,096 and approval of an amended member agency contribution methodology.

SIGNIFICANCE

At the May 2 Board meeting, staff presented a preliminary FY2014 Operating Budget that was balanced. No changes have been made since then. The proposed FY2014 Caltrain Operating Budget is balanced, the result of farebox revenues far exceeding expectations and stopgap funding that will not be available in FY2015. Attachment A shows an operating budget of $120 million, an increase of $7.8 million, or 7 percent over the FY2013 revised budget.

While the FY2014 is balanced, it is critical to emphasize that because the stopgap money will be gone, the FY2015 budget (Attachment B) will almost certainly face a substantial shortfall. That, in turn, will force consideration of drastic service reductions and/or fare increases.

The increase in the FY2014 operating budget is due in significant part to an increase in the Rail Operator Service line item and reflects the increasing complexity of operating the Caltrain service. At the same time, the management and oversight of the rail service has taken on additional complexity as expectations have been raised for the contract operator.

Ridership and revenues have grown every month for more than two years. This unprecedented surge in ridership is threatening to overwhelm the capacity of the railroad during peak periods.

To manage the growth in ridership and to take advantage of the business opportunity presented by booming demand, additional measures are being considered, including expanding capacity on the most popular trains.

Without question, expanding rail service, even as cuts in service are being prepared, would seem to be a fundamental contradiction.

When faced with similar circumstances in FY2012, however, the decision was made not to cut service and, a year later, service was expanded.

These decisions were key factors in making possible the record ridership increases and associated farebox revenue surpluses currently occurring on the Caltrain system.

Any solution to Caltrain’s ongoing fiscal structural deficit will include the ability of the agency to expand those elements of the rail service that bring in more revenue.

The dramatic rise in ridership, while providing more revenue, also threatens to impose hardships on current Caltrain customers. Providing more service assures that Caltrain can continue to meet the needs of its current riders.

The stopgap funding that will be gone at the end of FY2014 is the result of a region-wide effort to forestall service cuts in the face of an immediate budget crisis in FY2012.

Regional funds were provided through the Metropolitan Transportation Commission (MTC). These contributions were not a permanent funding source for Caltrain.

Additionally, the Santa Clara Valley Transportation Authority (VTA) and the City and County of San Francisco (CCSF) agreed to repay funds SamTrans had advanced to VTA and CCSF for the purchase of the Caltrain right of way.

SamTrans, in turn, used these funds towards its member agency contribution to the Caltrain Operating Budget, averting substantial cuts in service. No more partnership repayment funds are forthcoming from VTA and CCSF.

None of those options is available in FY2015, nor can farebox revenue grow to a level that it will cover the fiscal shortfall.

Since the fiscal crisis in FY2012 that threatened Draconian cuts in service, several steps were taken to improve efficiencies and reduce costs, including implementation of budget savings, employee furloughs and layoffs, employee funded benefits and wages and salaries freezes.

During the intervening three budget cycles, Caltrain has taken significant steps to identify and implement solutions to the agency’s long-term financial stability.

The agency successfully obtained $1.5 billion to fund its highest priority, the electrification and modernization of Caltrain. Scheduled to begin operations in 2019, the program will ease, but not resolve, Caltrain’s continuing structural financial imbalance.

Continuing efforts are underway to identify a permanent, dedicated funding source for Caltrain, including advocating for legislation that would reduce from two-thirds to

55 percent the voter threshold necessary to approve a tax increase for transit districts. In addition, several other funding avenues continue to be explored by Caltrain staff.

Fiscal Year 2014 Revenue Projections

Total revenues for FY2014 are projected to be $120 million. Revenues include the following significant components:

- **Operating Revenue** for Caltrain is projected to be $76 million, which includes the following:

  - Farebox Revenue is projected to be $66.1 million. This projection is based on FY2013 year-to-date actuals from July – February. The JPB has been experiencing record ridership with regular and special event service.

  - Parking Revenue is projected to be $3.7 million, which reflects an increase of $1 in daily parking fare resulting in an additional $324,000 in revenues.

- **Contributed Revenue** is projected to be $44 million, which includes the following:

  - AB434 & TA Shuttle Funding is projected to be $2.1 million which includes the TA shuttle funding of $1.1 million.

  - Operating Grants are projected to be $11.3 million consisting of $6.3 million in State Transit Assistance formula funds and $5 million in preventative maintenance funding through the MTC.

  - JPB Member Agency contributions are projected to be $17.23 million. The amount was based on SamTrans' contribution at $5.44 million and the recently agreed upon allocation methodology by all three parties. The Boarding Formula used in the allocation is based on Average Weekday (All Day) passenger count by county, collected in February 2013, including stations from Capitol to Gilroy. The total contributions for each member agency are allocated as follows:
    - San Mateo - $5.44 million
    - Santa Clara - $7.29 million
    - San Francisco - $4.50 million

  - Other sources are projected to be $13.4 million consisting of:
    - FY2011: $1 million in preventive maintenance fund surplus, $7.5 million operating savings, $1.5 million in Rail Operator transition costs savings
    - FY2012: $2.4 million surplus
    - $1 million in unused reserved insurance claim fund

Fiscal Year 2014 Expense Projections

Grand Total Expense for FY2014 is projected to be $120 million and includes the following significant components:

- **Operating Expenses** for Caltrain are projected at $102.4 million.

  - Rail Operator Contract is projected to be $64.5 million. FY2013 was the first year of real costs with the new Rail Service Operator. FY2013 is projected to come in higher than budget due to demands on the operations of the railroad because of unprecedented ridership. Efficiencies were found within the budget which can meet the current needs.

  - Security Services costs are projected to be $4.5 million, or 3.8 percent, primarily due to a contracted increase for the Sheriff's Transit Police.

  - Fuel costs are projected to be $17.8 million in FY2014, based on a projected fuel price of $3.45 per gallon. Staff will monitor the fuel price during the year and may recommend an amendment to the budget based on year-to-date actuals. Staff is working on the renewal of the fuel hedging program implemented during the past four years. The fuel hedge program assists with reducing volatility and uncertainty in the fuel budget.

- **Administrative expenses** are projected to be $16.5 million, an increase of $2.6 million or 18.8 percent. The increases are comprised mostly of:

  - Wages and Benefits: A Federal Transit Administration audit of the method by which the District was accounting for its fringe benefits resulted in direction by the FTA for a new reporting requirement that more fully reflects the agency staff fringe benefit obligations related to rail operations and support; four new full-time-equivalent positions in Rail Operations for appropriate oversight and management of an increasingly complex rail system and the challenges from record-setting ridership growth will be added.

  - Managing Agency Overhead Administration: The FTA audit also resulted in new reporting requirements that more accurately reflect the amount of SamTrans staff time that should be allotted to the Caltrain budget. The three Caltrain partners have approved the new overhead methodology.

  - Professional Services: The proposed budget includes increases for the Rail Operating Control System/Predicative Arrival Departure System contract management and the Origin Destination study and the reallocation of the bike parking facility operating subsidy to the other office expense services line item.

  - Other Office Expense and Services: FY2014 has higher bank fees, increases in software maintenance and license expenses and the reallocation of budget from professional services line item for the biking parking facility operating subsidy.

Going forward, Caltrain will continue discussions with MTC and the JPB partner agencies in an effort to identify funding sources to provide a balanced budget proposal for FY2015. JPB's reserves are below reasonable levels and JPB partners continue to experience reductions in their own sources of revenues.

The lack of a dedicated source of funding for Caltrain requires a substantial percentage of operating costs to be funded out of general funds from each partner. Caltrain will continue to work with its partner agencies, MTC, as well as other stakeholders, including the Silicon Valley Leadership Group and Friends of Caltrain, in an attempt to identify and secure a permanent, dedicated funding source for future operations.

The JPB Budget Subcommittee will also continue its on-going efforts concerning funding for Caltrain as extraordinary financing problems are on the horizon for next fiscal year.

Prepared By:	Ladi Bhuller, Manager, Budgets	650.508.7755
	Aandy Ly, Senior Financial Analyst	650.508.6376

Attachment A

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
PROPOSED BUDGET
FY2014

		FY2013 ADOPTED	FY2013 REVISED	FY2014 PROPOSED	INC(DEC) FY13 REVISED to FY14PROPOSED	% INC(DEC) FY13 REVISED to FY14PROPOSED	
		A	B	C	D = C - B	E = D / B	
	REVENUE						
	OPERATIONS:						
1	Farebox Revenue	60,293,443	64,783,776	66,070,569	1,286,793	2.0%	1
2	Parking Revenue	3,299,590	3,001,698	3,652,330	650,632	21.7%	2
3	Shuttles	1,384,230	1,537,879	1,722,636	184,757	12.0%	3
4	Rental Income	1,868,760	1,868,760	1,816,920	(51,840)	-2.8%	4
5	Other Income	2,527,430	2,527,430	2,691,230	163,800	6.5%	5
6	TOTAL OPERATING REVENUE	69,373,453	73,719,543	75,953,685	2,234,142	3.0%	6
7							7
8	CONTRIBUTIONS:						8
9	AB434 Peninsula & TA Shuttle Funding	2,184,271	2,050,700	2,109,948	59,248	2.9%	9
10	Operating Grants	6,310,982	5,310,982	11,287,914	5,976,932	112.5%	10
11	JPB Member Agencies	33,500,000	33,500,000	17,231,549	(16,268,451)	-48.6%	11
12	Other Sources	0	0	13,390,000	13,390,000	100.0%	12
13	TOTAL CONTRIBUTED REVENUE	41,995,253	40,861,682	44,019,411	3,157,729	7.7%	13
14							14
15	GRAND TOTAL REVENUE	111,368,706	114,581,225	119,973,096	5,391,871	4.7%	15
16							16
17	EXPENSE						17
18							18
19	OPERATING EXPENSE:						19
20	Rail Operator Service	59,872,650	59,872,649	64,500,000	4,627,351	7.7%	20
21	Rail Operator Service - Other	1,150,000	1,150,000	0	(1,150,000)	-100.0%	21
22	Security Services	3,837,534	4,353,611	4,519,944	166,333	3.8%	22
23	Rail Operator Extra Work	110,000	110,000	155,500	45,500	41.4%	23
24	Contract Operating & Maintenance	64,970,184	65,486,260	69,175,444	3,689,184	5.6%	24
25	Operator Contract Transition Costs	0	0	0	0	0.0%	25
26	Shuttle Service	4,410,504	4,445,700	4,774,107	328,407	7.4%	26
27	Fuel	17,198,522	17,198,522	17,828,097	629,575	3.7%	27
28	Timetables and Tickets	147,200	147,200	155,000	7,800	5.3%	28
29	Insurance	5,100,500	5,100,500	5,470,000	369,500	7.2%	29
30	Facilities and Equipment Maint	1,534,560	1,780,471	1,814,975	34,504	1.9%	30
31	Utilities	1,696,870	1,696,870	1,826,540	129,670	7.6%	31
32	Maint & Services - Bldg & Other	1,286,880	1,286,880	1,323,880	37,000	2.9%	32
33	TOTAL OPERATING EXPENSE	96,345,220	97,142,403	102,368,043	5,225,640	5.4%	33
34							34
35	ADMINISTRATIVE EXPENSE						35
36	Wages & Benefits	5,623,527	5,623,527	6,811,835	1,188,308	21.1%	36
37	Managing Agency Admin OH Cost	3,540,298	4,118,129	5,017,987	899,858	21.9%	37
38	Board of Directors	12,800	12,800	11,700	(1,100)	-8.6%	38
39	Professional Services	2,673,479	2,673,479	2,764,323	90,844	3.4%	39
40	Communications and Marketing	138,000	138,000	122,500	(15,500)	-11.2%	40
41	Other Expenses and Services	1,932,507	1,324,676	1,773,833	449,157	33.9%	41
42	TOTAL ADMINISTRATIVE EXPENSE	13,920,611	13,890,611	16,502,178	2,611,567	18.8%	42
43							43
45	Long-term Debt Expense	1,102,875	1,102,875	1,102,875	0	0.0%	45
46							46
47	GRAND TOTAL EXPENSE	111,368,706	112,135,889	119,973,096	7,837,207	7.0%	47
48							48
49	REVENUE OVER/UNDER	0	2,445,336	0			49

Attachment B

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
BUDGET PROJECTION
FY2015

		FY2012 ACTUAL A	FY2013 REVISED B	FY2014 PROPOSED C	FY2015 PROJECTED D	$ INC (DEC) E = D - C	% INC (DEC) F = E / C	
	REVENUE							
	OPERATIONS:							
1	Farebox Revenue	59,891,343	64,783,776	66,070,569	68,383,039	2,312,470	3.5%	1
2	Other Income	9,116,084	8,935,767	9,883,116	9,883,116	0	0.0%	2
3	TOTAL OPERATING REVENUE	69,007,427	73,719,543	75,953,685	78,266,155	2,312,470	3.0%	3
4								4
5	CONTRIBUTIONS:							5
6	JPB Member Agencies	25,337,256	33,500,000	17,231,549	18,245,169	1,013,620	5.9%	6
7	Other Sources	0	0	13,390,000	2,277,454	(11,112,546)	-83.0%	7
8	Other Contributed Revenues	10,252,518	7,361,682.00	13,397,862	8,397,862	(5,000,000)	-37.3%	8
9	TOTAL CONTRIBUTED REVENUE	35,589,773	40,861,682	44,019,411	28,920,484	(15,098,927)	-34.3%	9
10								10
11	GRAND TOTAL REVENUE	104,597,200	114,581,225	119,973,096	107,186,639	(12,786,457)	-10.7%	11
12								12
13	EXPENSE							13
14								14
15	OPERATING EXPENSE:							15
16	Contract Operating & Maintenance	59,435,769	65,486,261	69,175,444	72,209,245	3,033,801	4.4%	16
17	Fuel	15,281,681	17,198,522	17,828,097	17,828,097	0	0.0%	17
18	Insurance	4,783,055	5,100,500	5,470,000	5,661,450	191,450	3.5%	18
19	Other Operating Expense	11,929,218	9,357,121	9,894,502	9,894,502	0	0.0%	19
20	TOTAL OPERATING EXPENSE	91,429,723	97,142,404	102,368,043	105,593,294	3,225,251	3.2%	20
21								21
22	ADMINISTRATIVE EXPENSE							22
23	Wages & Benefits	4,810,240	5,623,527	6,811,835	6,811,835	0	0.0%	23
24	Managing Agency Admin OH Cost	910,064	4,147,679	4,410,156	4,410,156	0	0.0%	24
25	Other Administrative	3,973,045	4,148,955	5,280,187	5,280,187	0	0.0%	25
26	TOTAL ADMINISTRATIVE EXPENSE	9,693,349	13,920,161	16,502,178	16,502,178	0	0.0%	26
27								27
28	Long-term Debt Expense	1,102,875	1,102,875	1,102,875	1,102,875	0	0.0%	28
29								29
30	GRAND TOTAL EXPENSE	102,225,947	112,165,440	119,973,096	123,198,347	3,225,251	2.7%	30
31								31
32	REVENUE OVER/UNDER	2,371,253	2,415,785	0	(16,011,707)			32

Notes:

(1) JPB Member Contribution based on SamTran's Contribution of $5.76M (8% of $72M Sales Tax) and FY2013 All Day Boarding Formula including Gilroy

(2) Other Sources = Projected Farebox Surplus from FY2013 Farebox Revenue (MAR through MAY only)

RESOLUTION NO. 2013-

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

* * *

ADOPTING FISCAL YEAR 2014 OPERATING BUDGET
IN THE AMOUNT OF $119,973,096

WHEREAS, the Joint Powers Agreement requires approval of an operating budget each year; and

WHEREAS, the adoption of an operating budget is necessary for obtaining both Federal and State funds to support the Peninsula Commute Service operation; and

WHEREAS, the Executive Director has prepared and presented an Operating Budget for Fiscal Year (FY) 2014 in the amount of $119,973,096 which sets forth the projected revenues and expenses associated with the Peninsula Commute Service; and

WHEREAS, following review and deliberation, the Staff Coordinating Council has recommended adoption of the FY2014 Operating Budget as presented by the Executive Director.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Peninsula Corridor Joint Powers (JPB) Board hereby approves the FY2014 Operating Budget for the JPB in the amount of $119,973,096, and approves an amended boarding formula based on Average Weekday (All Day) patronage by county, collected in February 2013, including stations from Capitol to Gilroy, as the member agency contribution methodology, and

BE IT FURTHER RESOLVED the Executive Director is requested to forward a copy of the FY2014 Operating Budget to JPB member agencies for approval at the earliest practicable date.

Regularly passed and adopted this 6th day of June, 2013 by the following vote:

AYES:

NOES:

ABSENT:

____

Chair, Peninsula Corridor Joint Powers Board

Attest:

____

JPB Secretary

AGENDA ITEM # 10
JUNE 6, 2013

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **ADOPTION OF PROPOSED FISCAL YEAR 2014 CAPITAL BUDGET**

ACTION

Staff Coordinating Council (SCC) recommends that the Board adopt a Capital Budget of $190,564,950 for Fiscal Year (FY) 2014 (attached).

SIGNIFICANCE

At the May 2, 2013 JPB Board meeting, staff presented a preliminary FY2014 Capital Budget of $66,652,029, consisting primarily of critical infrastructure and equipment state-of-good-repair, legal mandates, operational improvements, and safety enhancement projects. The FY2014 Capital Budget was proposed to be funded by a mixture of Federal, State, and regional grants. It also included a request of $14,314,106 to the three JPB member agencies, or $4,771,369 each, to fully fund the proposed program of capital projects in FY2014.

At the May 2, 2013 JPB Board meeting, staff reported that the three JPB member agencies, San Francisco, San Mateo, and Santa Clara Valley Transportation Authority (VTA), were in discussion with each other as to the amount each can contribute towards the FY2014 Capital Budget. The amount of contribution proposed by the member agencies ranged from $2.5 million to $4.8 million. Since the 1996 Joint Powers Agreement provides that costs of capital projects not covered by outside funding are to be shared equally by the three JPB members, staff discussed with the Board the projects that would need to be reduced and/or deferred if each member cannot contribute the $4,771,369 requested.

Since the May 2, 2013 meeting, funding for several projects has been adjusted and one project has been added. Due to lower than anticipated receipts of MTC's Bridge Toll proceeds (AB664), that funding source has been reduced and JPB member shares increased by $200,000. Based upon the current status of the Rolling Stock State of Good Repair program and funding remaining from prior years, the Gallery and Bombardier Car lines have been reduced by $900,000. In addition, the planned purchase of an emergency generator at the Central Control Facility has been put on hold until such time as it may be required. The High Speed Rail joint planning and management work for the Blended System has been separated out, and funding, coming from the 9-party MOU for the Early Investment Program, has been included for Caltrain's Communications-based Overlay Signal System (CBOSS)/Positive Train Control (PTC) and Electrification projects.

Staff at the respective agencies have worked together since the May 3, 2012 meeting, and the partners have determined they each can contribute $3.8 million. However, the increased contribution from San Francisco County Transportation Authority (SFCTA)'s Proposition K county sales tax funds is a result of advancing future sales tax to the current year to fulfill this year's critical capital needs.

The FY2014 Capital Budget is broken down into the following major categories:

- **Infrastructure and Equipment State of Good Repair.** Some of the highlights in this category include:

    - Preliminary Engineering for replacement of Ticket Vending Machines;
    - Provide full funding for the replacement of 4 San Mateo Bridges;
    - Maintain the current infrastructure in a state of good repair by completing necessary track and structures rehabilitation and replacement;
    - Replace and upgrade signal and communication equipment;
    - Continue to rehabilitate components of the current fleet of passenger cars and locomotives to ensure vehicles will operate reliably up to the end of their duty cycles.

- **Legal Mandates** – Funding to complete final design and begin construction for Caltrain's CBOSS/ (PTC) project has been included in the FY2014 Capital Budget.

- **Operational Improvements** – Some of the highlights in this category include:

    - Provide initial funding for wireless access on Caltrain passenger cars;
    - Continue installation of safety fencing along the ROW;
    - Design funding for Train Departure monitors at SF 4th & King and San Jose Stations to provide real time train, track number and departure information to passengers.

- **Caltrain Modernization** – Provide funding for overall program management and planning coordination efforts with California High Speed Rail Authority to define the program for high-speed rail development in the Caltrain corridor, as well as to establish project priorities and construction sequence to ensure Caltrain operational needs are met. Continue planning and analyses to support the procuring of rolling stock for new electrified service and continue environmental and design work on the Electrification project.

BUDGET IMPACT

The total proposed FY2014 Capital Budget is $190,564,950. Total funding secured to finance the proposed FY2014 Capital Budget includes Federal, State, and other grant funding in the amount of $179,164,949. Local match requirement to these sources is $11,400,001, or $3,800,000 per member.

BACKGROUND

The Capital Budget is developed annually as part of the capital planning process. Budget line items are developed through priorities established in the Short Range Transit Plan and a parallel Call for Projects involving JPB operating and support departments, as well as the JPB partners. Capital project submittals are reviewed and prioritized by agency staff in consultation with staff from partner agencies to assure consistency with planning and policy objectives.

Prepared by:	John Ledbetter, Senior Budget Analyst	650.508.6473
	Éva Goode, Manager, Budgets	650.508.7914

RESOLUTION NO. 2013 –

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

* * *

ADOPTION OF THE FISCAL YEAR 2014 CAPITAL BUDGET
IN THE AMOUNT OF $190,564,950

WHEREAS, the Joint Powers Agreement dated October 18, 1991, as amended, requires the Peninsula Corridor Joint Powers Board (JPB) to develop and approve a capital budget to complement the strategic planning process; and

WHEREAS, the Executive Director and the Staff Coordinating Council recommend the Board of Directors (Board) adopt the Capital Budget for Fiscal Year (FY) 2014 in the amount of $190,564,950, as more particularly set forth in Attachment A; and

WHEREAS, the local match funding requirement for the proposed Capital Budget is $11,400,001, requiring a contribution of $3,800,000 from each of the three member agencies to fully satisfy their local funding requirement; and

WHEREAS, San Francisco will provide $3,800,000 of its FY2014 local match from Proposition K funds through the San Francisco County Transportation Authority; and

WHEREAS, San Mateo will provide $3,800,000 of its FY2014 local match through the San Mateo County Transportation Authority; and

WHEREAS, Santa Clara will provide $3,800,000 of its FY2014 local match through the Santa Clara Valley Transportation Authority.

NOW, THEREFORE, BE IT RESOLVED the Peninsula Corridor Joint Powers Board adopts the Fiscal Year 2014 Capital Budget in the amount of $190,564,950, as set forth in

Attachment A, with the understanding that, as to the local match funding requirement, the three member agencies will each contribute $3,800,000; and

BE IT FURTHER RESOLVED the Board authorizes the Executive Director to take such additional actions as may be necessary to give effect to this Resolution.

Regularly passed and adopted this 6th day of June 2013, by the following vote:

AYES:

NOES:

ABSENT:

____

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

____

JPB Secretary

PROPOSED FY14 CALTRAIN CAPITAL BUDGET

							Proposed Funding Plan								
							Federal		State		Other		JPB		
Item #	PROJECT TITLE/DESCRIPTION	FY 14 PROJECT PHASE	EST. TOTAL COST	PREVIOUSLY PROGRAMMED	PROPOSED CAPITAL BUDGET FY14	FUTURE NEEDS	Amount	Source	Amount	Source	Amount	Source	Amount	Source	FY14 TOTAL
	SOGR														
	Station & Intermodal Access														
1.1	TVM Replacement	Pre Eng	1,875,000	200,000	1,225,000	450,000	980,000	FTA					245,000	Members	1,225,000
1.2	Corrosion Assessment/Rehab of Bayshore Station	Pre.Eng., Final Des., Constr	775,000	0	775,000	0							775,000	Members	775,000
1.3	Systemwide Station Improvements	Pre.Eng., Final Des. Constr	9,430,000	5,493,000	500,000	3,437,000							500,000	Members	500,000
1.4	Crew Facility Rehab at San Francisco Terminal	Pre.Eng., Final Des., Constr	1,075,000	0	1,075,000	0							1,075,000	Members	1,075,000
					3,575,000	3,887,000	980,000		0		0		2,595,000		3,575,000
	Right of Way / Signal & Communications														
1.5	Systemwide Track Rehab	Fin Des / Constr	8,000,000	0	4,000,000	4,000,000	3,200,000	FTA			400,000	AB664	400,000	Members	4,000,000
1.6	Rail Grinding	Final Des, Constr	2,207,241	0	770,714	1,436,527	616,571	FTA					154,143	Members	770,714
1.7	Systemwide Signal Rehab	Final Des / Constr	4,475,000	0	1,000,000	3,475,000	800,000	FTA					200,000	Members	1,000,000
1.8	San Mateo Bridges Replacement - Construction	Final Des, Constr	30,000,000	1,200,000	28,800,000	0	19,640,000	FTA	9,000,000	Prop 1B			160,000	Members	28,800,000
1.9	Marin Street & Napoleon Ave Bridge Closure	Pre Eng	4,656,000	0	600,000	4,056,000	480,000	FTA					120,000	Members	600,000
1.10	San Bruno Grade Separation	Final Des, Constr	155,000,000	147,000,000	8,000,000	0					8,000,000	SMCTA			8,000,000
1.11	Railroad Communication System SOGR	Final Des / Constr	2,251,500	1,021,500	592,140	637,860	473,712	FTA					118,428	Members	592,140
1.12	On Track Maintenance Equipment	Procurement	4,182,000	0	378,000	3,804,000	302,400	FTA					75,600	Members	378,000
1.13	Upgrade of PA & VMS Systems at Four Stations	Pre Eng, Final Des	1,638,000	800,000	838,000	0							838,000	Members	838,000
1.14	Brisbane Tunnel Track and Drainage Rehab	Pre Eng	8,007,000	0	432,000	7,575,000	345,600	FTA					86,400	Members	432,000
1.15	Jerrold Bridge North Span Removal	Final Des, Constr	590,800	0	590,800	0	472,640	FTA					118,160	Members	590,800
1.16	CTAMS	Constr	1,100,000	750,000	350,000	0							350,000	Members	350,000
					46,351,654	24,984,387	26,330,923		9,000,000		8,400,000		2,620,731		46,351,654
	Rolling Stock														
1.17	MP 36 SEP HEP Replacement	Construction	1,360,600		1,073,700	286,900							1,073,700	Members	1,073,700
1.18	Gallery Car SOGR	Construction	3,076,665		573,810	2,502,855	435,000	FTA - ADA					138,810	Members	573,810
1.19	Bombardier Car SOGR	Construction	3,078,511		573,810	2,504,701	435,000	FTA - ADA					138,810	Members	573,810
					2,221,320	5,294,456	870,000		0		0		1,351,320		2,221,320
	CALTRAIN MODERNIZATION														
2.1	Rolling Stock Replacement	Pre Eng	4,410,507	2,204,257	1,087,000	1,119,250	869,600	FTA - EIS*			217,400	EIS*			1,087,000
2.2	HSR Blended System Planning and Management		2,525,000	1,010,000	1,515,000	TBD			1,200,000	CHSRA	125,000	CRCC/Slocog	190,000	Members	1,515,000
2.3	Electrification	Pre Eng	1,223,043,750	27,250,000	10,720,000	1,185,073,750					10,720,000	EIS*			10,720,000
					13,322,000	TBD	869,600		1,200,000		11,062,400		190,000		13,322,000
	LEGAL MANDATES AND REQUIRED ENHANCEMENTS														
3.1	CBOSS PTC Project	Des / Constr	231,000,000	75,535,591	117,982,026	37,482,383	29,830,000	FTA/FHWA	68,981,826	Prop 1A/1B	19,170,200	EIS*			117,982,026
					117,982,026	37,482,383	29,830,000		68,981,826		19,170,200		0		117,982,026
	OPERATIONAL IMPROVEMENTS/ENHANCEMENTS														
4.1	Dual Mode Communications	Final Des/ Constr	854,000	242,000	612,000	0							612,000	Members	612,000
4.2	FY14 Right of Way Safety Fencing	Construction	8,794,382	6,222,922	1,225,950	1,345,510			570,000	Prop 1B			655,950	Members	1,225,950
4.3	Wireless Broadband on Commuter Train	Pre Eng	800,000	0	800,000	0							800,000	Members	800,000
4.4	Train Departure Monitors at Terminal Stations	Final Design	1,380,000	0	585,000	795,000							585,000	Members	585,000
4.5	San Bruno Archway	Construction	1,700,000	500,000	1,200,000	0					1,200,000	City of SB/SMCTA			1,200,000
					4,422,950	2,140,510	0		570,000		1,200,000		2,652,950		4,422,950
	PLANNING/STUDIES														
5.1	Hold-Out Rule Elimination - Broadway, Atherton & SSF	Pre Eng	700,000	0	700,000	0					700,000	SMCTA			700,000
					700,000		0		0		700,000		0		700,000
	CALTRAIN SUPPORT PROGRAM AND CONTINGENCY														
6.1	Capital Project Development	Support			500,000								500,000	Members	500,000
6.2	Capital Program Management	Support			500,000								500,000	Members	500,000
6.3	Capital Contingency Funds (Engineering)	Support			330,000								330,000	Members	330,000
6.4	Capital Contingency Funds (Rail)	Support			660,000								660,000	Members	660,000
					1,990,000		0		0		0		1,990,000		1,990,000
	FY14 Proposed Capital Budget				190,564,950		58,880,523		79,751,826		40,532,600		11,400,001		190,564,950
													3,800,000	Per Member Contr	

*Funds to come from Early Investment Strategy funding plan.

Note: The proposed FY2014 capital program includes, distributed across all active projects, $7 million in administrative overhead funds to help support the capital program

AGENDA ITEM # 11
JUNE 6, 2013

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: **AUTHORIZE AWARD OF A CONTRACT FOR THE SAN FRANCISCO YARD TRACK RECONFIGURATION PROJECT**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract to the lowest, responsive and responsible bidder, A. Ruiz Construction Co. & Associates, Inc. (A. Ruiz Construction), in the total amount of $737,728.
2. Authorize the Executive Director or his designee to execute a contract in full conformity with the terms and conditions of the solicitation documents.

SIGNIFICANCE

This construction contract involves the reconfiguration of certain yard tracks located in the San Francisco rail yard near the intersection of Seventh and Townsend streets in San Francisco and removal of tracks from Townsend Street. Affected roadways will also be resurfaced with asphalt and concrete.

BUDGET IMPACT

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

BACKGROUND

This construction project is designed to ease maintenance of yard tracks and roadways near the busy intersection of Seventh and Townsend streets in San Francisco.

Invitations for Bids 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). Two bids were received as listed below:

	Company	Total Bid Amount
	Engineer's Estimate	*$500,000*
1.	A. Ruiz Construction Co. & Associates, Inc., San Francisco, CA	$737,728
2.	H&H Engineering Construction, Inc., Stockton, CA	$748,260

Staff and legal counsel reviewed the bid from A. Ruiz Construction, the low monetary bidder, and determined the bid was responsive to the solicitation requirements.

The bid from A. Ruiz Construction was 47.55 percent higher than the engineer's estimate. Staff attributes the higher-than-expected bid amounts to the economic upturn which has increased the number of projects available for bid in the market and correspondingly decreased the quantity of bidders available for any given project. The engineer's estimate was based on reviewing bid results from previous recent projects at Caltrain, all of which were procured during an economic downturn when there was greater competition among bidders. Taking current market conditions into consideration, staff has determined the difference between the engineer's estimate and A. Ruiz Construction's bid is fair and reasonable.

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

The DBE Program Officer reviewed A. Ruiz Construction's proposal and determined it meets the requirements of the JPB's DBE Program. A. Ruiz Construction is a former DBE program participant and is a minority-owned firm. It intends to engage a DBE subcontractor for traffic control support.

Contract Officer: Alicia Fraumeni 650.508.6442
Project Manager: Lin Guan 650.508.7976

RESOLUTION NO. 2013-

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

* * *

AUTHORIZING AWARD OF SAN FRANCISCO YARD TRACK RECONFIGURATION PROJECT CONTRACT TO A. RUIZ CONSTRUCTION CO. & ASSOCIATES, INC.
AT A TOTAL COST OF $737,728

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited bids for a project to reconfigure certain yard tracks in the San Francisco rail yard for ease of maintenance and operational flexibility and to remove track from and resurface roadways near the intersection of Seventh and Townsend streets in San Francisco; and

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

WHEREAS, staff and legal counsel reviewed the bids and determined A. Ruiz Construction Co. & Associates, Inc. (A. Ruiz Construction) of San Francisco, California to be the lowest, responsive and responsible bidder; and

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

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to A. Ruiz Construction of San Francisco, California, for the San Francisco Yard Track Reconfiguration Project for a total cost of $737,728; and

BE IT FURTHER RESOLVED the Executive Director, or his designee, is authorized to execute a contract on behalf of the Peninsula Corridor Joint Powers Board with A. Ruiz Construction for the San Francisco Yard Track Reconfiguration Project in full conformity with all the terms and conditions of the solicitation documents.

Regularly passed and adopted this 6th day of June, 2013 by the following vote:

AYES:

NOES;

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

____

JPB Secretary

AGENDA ITEM # 12
JUNE 6, 2013

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: **AUTHORIZE AWARD OF CONTRACT FOR WAYSIDE POWER AT SAN JOSE DIRIDON STATION**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract to the lowest, responsive and responsible bidder, The Ryan Company, Inc. (Ryan Company) in the total amount of $1,906,000.
2. Authorize the Executive Director or his designee to execute a contract in full conformity with the terms and conditions of the solicitation documents.

SIGNIFICANCE

Award of this construction contract will remove the existing non-functional outdoor unit substation and switchgear, provide a new foundation and outdoor-rated unit substation, provide 15 new outdoor wayside power cabinets on four platforms, provide new electrical service and secondary feeders, and coordinate, test and provide training for equipment. This will preclude the need for the train diesel engines to be running while in the station, saving fuel and fulfilling our commitment to the community to reduce noise and diesel exhausts.

BUDGET IMPACT

Funding for this contract was included in the approved Fiscal Year (FY) 2013 Caltrain Capital Budget and the budget includes grant funding from the Bay Area Air Quality Management District (Carl Moyer Program) for the project. The higher-than-anticipated cost for the contract will be covered by cost savings from other completed projects and capital contingency funds.

BACKGROUND

The existing substation was damaged by lightning/fire in 2009 and is non-functional. The existing wayside cabinets were also determined to be non-operational. Since then, Caltrain has been receiving complaints from nearby residences that excessive noise is being generated from the trains. The project will remove and replace the existing unit substation, replace the existing damaged units with new wayside power cabinets and provide new wayside cabinets on the two new platforms recently constructed. Upon completion, the trains will be able to turn off the diesel engines and plug into the wayside cabinets thereby reducing noise and pollution, and saving fuel.

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). Four bids were received as listed below:

	Company	**Total Bid Amount**
	Engineer's Estimate	*$1,550,000*
1.	The Ryan Company, Inc., Norton, MA	$1,906,000
2.	Blocka Construction, Inc., Fremont	$2,048,400
3.	Shimmick Construction Company, Inc., Oakland	$2,193,650
4.	Central Sierra Electric Company, Inc., Jackson, CA	$3,071,669

Ryan Company was deemed to be the apparent low bidder with a bid that was 22.97 percent higher than the engineer's estimate. Staff attributes the higher-than-expected bid amounts to the economic upturn, which has increased the number of projects available for bid in the market and correspondingly decreased the quantity of bidders available for a given project. The engineer's estimate was based on reviewing bid results from previous recent projects at Caltrain, all of which were procured during an economic downturn when there was heightened competition among bidders. As a result, staff has determined the difference between the engineer's estimate and Ryan Company's bid is fair and reasonable. In conjunction with the above, further investigation into pricing was made and it was determined the low bid is fair and reasonable. The three lowest bids were within 13 percent of each other.

Staff and Legal Counsel carefully reviewed the bid submittal from Ryan Company and determined the Ryan Company was responsive and responsible.

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

The DBE Program Officer reviewed Ryan Company's proposal and determined it meets the requirements of the JPB's DBE program. Ryan Company intends to engage a DBE subcontractor for fencing work.

Contract Officer: Alicia Fraumeni 650.508.6442
Project Manager: Al Fung 650.508.7790

RESOLUTION NO. 2013-

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

* * *

AUTHORIZING AWARD OF CONTRACT TO THE RYAN COMPANY, INC. FOR THE WAYSIDE POWER AT DIRIDON STATION PROJECT AT A TOTAL COST OF $1,906,000

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) solicited bids for the Wayside Power at Diridon Station Project; and

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

WHEREAS, staff and Legal Counsel have reviewed the bids and determined that The Ryan Company, Inc. of Norton, Massachusetts is the lowest, responsive and responsible bidder; and

WHEREAS, the Executive Director recommends a contract be awarded to The Ryan Company, Inc., whose bid meets all of the requirements of the solicitation documents.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to The Ryan Company, Inc. of Norton, Massachusetts, for the Wayside Power at Diridon Station Project for a total cost of $1,906,000; and

BE IT FURTHER RESOLVED the Executive Director, or his designee, is authorized to execute a contract on behalf of the Peninsula Corridor Joint Powers Board with The Ryan Company for the Wayside Power at Diridon Station Project in full conformity with all the terms and conditions of the solicitation documents.

Regularly passed and adopted this 6th day of June, 2013 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

____
JPB Secretary

5145932.1

AGENDA ITEM # 13
JUNE 6, 2013

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **AUTHORIZE AWARD OF CONTRACT FOR ARMORED CAR PICKUP AND DEPOSIT OF DAILY TRANSIT REVENUE**

ACTION

Staff Coordinating Council (SCC) recommends the Board:

1. Award a contract to Dunbar Armored, Inc. (Dunbar) to provide armored car pickup and deposit of daily transit revenue for a total estimated cost of $1,259,415 for a three-year base term.
2. Authorize the Executive Director, or his designee, to execute a contract with Dunbar, the highest consensus-ranked firm.
3. Authorize the Executive Director, or his designee, to exercise up to two option terms with Dunbar for an aggregate estimated cost of $839,610, if deemed in the best interest of the Peninsula Corridor Joint Powers Board (JPB).

SIGNIFICANCE

Award of this contract will provide for a dedicated and qualified contractor to provide the regular scheduled system-wide revenue collection, transport, counting and deposit of the 103 Ticket Vending Machine (TVM) cash receivers from Caltrain stations.

BUDGET IMPACT

Funds to support the award of this project are available under the approved and projected operating budgets.

BACKGROUND

On February 7, 2012 the JPB and the San Mateo County Transit District jointly issued a Request for Proposals (RFP) for armored car pickup and deposit of daily transit revenue. The RFP was advertised in a local newspaper and solicitation notices were sent to small and Disadvantaged Business Enterprise (DBE) firms.

Three proposals were received as follows:

1. Dunbar Armored, Inc. (Dunbar), Hunt Valley, MD
2. Garda Cash Logistics (Garda), Boca Raton, FL
3. Loomis Armored US LLC, Milpitas, CA

Proposals were reviewed and scored by an evaluation committee (Committee) comprising of staff from the following JPB departments: Safety and Risk Management, TVM Program Management, and Treasury. The Committee scored the proposals in accordance with the following weighted criteria as stated in the RFP:

• Quality and responsiveness of the Proposal	0-20 points
• Qualifications of Key Personnel	0-15 points
• Quality and comprehensiveness of the Proposer's Training Program	0-15 points
• Quality of security features, including the condition of Proposer's facilities, vehicles and equipment in association with their Operations, Management & Loss Prevention Plan	0–15 points
• Quality and Comprehensiveness of Proposer's Personnel Recruitment Policy, including a description of their Background Check Process	0–15 points
• Cost Proposal	0–20 points

After review, evaluation, and initial scoring of all proposals received, the following firms were found to be within the competitive range and were invited to interview:

1. Dunbar
2. Garda

Upon completion of interviews and final scoring, Dunbar received the highest consensus ranking and its proposal was determined to be responsive to the RFP requirements. Dunbar was asked to submit a best and final offer. Staff performed a financial review and reference checking that yielded favorable results. It was determined Dunbar is a responsible contractor and possesses the financial resources and qualifications to successfully perform the required services at a fair and reasonable price. Dunbar intends to perform the required services with its own labor force. The JPB's DBE Officer also confirmed Dunbar met the JPB's DBE requirements.

The JPB's current contractor is Garda (formerly AT Systems West, Inc.), which was originally awarded a three-year contract with two one-year options at a total estimated cost of $2,189,796. Pursuant to Resolution No. 2011-51, the contract was extended for one year at a total estimated cost of $456,096. Per Board Resolution No. 2012-38, the contract was again extended on a month-to-month basis for up 12 months for a total estimated cost of $456,096.

Contract Officer: Brian Geiger 650.508.7973
Project Manager: Dave Triolo, Chief of Protective Services 650.508.6237

RESOLUTION NO. 2013-

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

* * *

AUTHORIZING AWARD OF A CONTRACT TO DUNBAR ARMORED, INC. TO PROVIDE ARMORED CAR PICKUP AND DEPOSIT OF DAILY TRANSIT REVENUE AT AN ESTIMATED COST OF $1,259,415 FOR A THREE-YEAR BASE TERM

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) and the San Mateo County Transit District (District) jointly solicited for competitive proposals from qualified firms to provide armored car pickup and deposit of daily transit revenue; and

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

WHEREAS, an Evaluation Committee (Committee) has reviewed and evaluated the proposals in accordance with the criteria set forth in the RFP; and

WHEREAS, upon completion of the initial evaluation and scoring process, two firms were found to be in the competitive range and were invited to interview; and

WHEREAS, subsequent to the interviews and final scoring, the Committee found the proposal submitted by Dunbar Armored, Inc. (Dunbar) of Hunt Valley, Maryland, was the highest ranked and met all the solicitation requirements; and

WHEREAS, staff and legal counsel have reviewed the Dunbar proposal and have determined it is responsive to the RFP; and

WHEREAS, Executive Director recommends a contract be awarded to Dunbar for a three-year term at a total estimated cost of $1,259,415, with up to two one-year option terms for an aggregate estimated cost of $839,610.

NOW, THEREFORE, BE IT RESOLVED the Board of Directors of the Peninsula Joint Powers Board awards a contract to Dunbar for providing armored car pickup and deposit of daily transit revenue for a three-year term at a total estimated cost of $1,259,415; and

BE IT FURTHER RESOLVED the Executive Director, or his designee, is authorized to execute a contract on behalf of the JPB with Dunbar in full conformity with all the terms and conditions of the solicitation documents; and

BE IT FURTHER RESOLVED the Executive Director, or his designee, is authorized to exercise up to two one-year option terms with Dunbar for an aggregate estimated cost of $839,610, provided that the exercise of such options is in the best interest of the JPB.

Regularly passed and adopted this 6th day of June, 2013 by the following vote:

AYES:

NOES:

ABSENT

Chair, Peninsula Corridor Joint Powers Board

ATTEST

JPB Secretary

AGENDA ITEM # 14
JUNE 6, 2013

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: **UPDATE ON COMMUNICATIONS-BASED OVERLAY SIGNAL SYSTEM (CBOSS)/ POSITIVE TRAIN CONTROL (PTC)**

ACTION

No action required at this time. This presentation is an informational update on Caltrain Communication-based Overlay Signal System (CBOSS) Project.

SIGNIFICANCE

The CBOSS Project is one of the identified interrelated program projects that addresses corridor capacity, operational efficiency and public safety issues required to accommodate the mixed traffic capacity requirement of high speed rail, commuter, and freight services. The CBOSS Project is also part of the early investment strategy in the Caltrain Modernization Program.

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

The JPB awarded the CBOSS Project System Integration Contract (Phase 1) in October 2011 to Parsons Transportation Group (PTG). Pursuant to Resolution No. 2011-43, the JPB entered into an agreement with PTG to implement CBOSS/PTC for Caltrain on December 28, 2011. The award of the contract was contingent upon JPB execution of a Service Agreement with California High Speed Rail Authority, which was executed on December 22, 2011. Notice to Proceed was issued for the base contract on January 27, 2012; since then PTG has completed the Project Execution Planning effort and Preliminary Design and Critical Design phase.

Pursuant to Resolution No. 2013-07, Option 1, Phase 2 was approved by the Board on January 3, 2013 for final design and installation of a data communication subsystem. Completion of Phase 2 is anticipated by October 2014.

Staff, at the August 2013 Board meeting, will provide a further update on project status.

AGENDA ITEM #15
JUNE 6, 2013

PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Mark Simon
Executive Officer, Public Affairs

SUBJECT: **STATE AND FEDERAL LEGISLATIVE UPDATE**

ACTION

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

SIGNIFICANCE

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

STATE ISSUES

Legislation

May 31 is the deadline for bills to be passed out of their house of origin. Five of the bills that the agency supports have already cleared their respective house of origin in advance of the deadline.

AB 797 (Gordon) – This bill would authorize the San Mateo County Transit District (District) and the Santa Clara Valley Transportation Authority (VTA) to pursue a Construction Manager/ General Contractor (CMGC) project delivery approach. By extension, the Peninsula Corridor Joint Powers Authority would also be authorized to use CMGC. The bill cleared the Assembly on May 13 and has been referred to the Senate Transportation and Housing Committee. Committee staff is interested in exploring amendments to the bill that would extend CMGC authority to all transit agencies. The District and VTA are currently working with committee staff to assess the viability of these amendments.

Budget

The governor released his May Budget Revision on May 14. The revision does not propose any significant changes to transportation funding compared to the governor's January budget recommendations.

The May Revision proposes to loan $500 million of the proceeds generated by the auction of emissions credits from the State's cap and trade system to the General Fund. The funds would be paid back with interest in time to comply with the recently released

Cap and Trade Auction Proceeds Investment Plan. The plan proposes to begin allocating auction proceeds in Fiscal Year 2015, and targets "sustainable communities and clean transportation" as the category eligible for the largest share of revenues.

FEDERAL ISSUES

Grants

On May 10, the Metropolitan Transportation Commission's (MTC) Legislative Committee approved its endorsement of applications being considered for the U.S. Department of Transportation's (USDOT) multimodal Transportation Investment Generating Economic Recovery (TIGER) Program. USDOT is seeking applications for $474 million in funding available in the current fiscal year.

MTC is supporting five projects totaling $78 million in requests. The project list includes a $20 million request for the Caltrain/HSR Early Investment Program.

Internet Sales Tax

On May 6 the Senate approved legislation that would allow states to collect state and local sales taxes for their residents' online purchases. California already collects sales taxes from online retailers with a physical presence in the state, but extending the authority to all online retailers would increase statewide sales tax revenues by almost $2 billion. The fate of the bill in the House is uncertain since many House Republicans view the bill as a tax increase.

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

Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 5-28-13

Bill ID/Topic	Location	Summary	Position
AB 8 **Perea D** Alternative fuel and vehicle technologies: funding programs.	ASSEMBLY THIRD READING 5/24/2013 - From committee: Do pass. (Ayes 11. Noes 3.) (May 24). Read second time. Ordered to third reading.	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. 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 2 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. **Last Amended on 5/13/2013**	Support

AB 25 **Campos D** Employment: social media.	SENATE RLS. 5/16/2013 - In Senate. Read first time. To Com. on RLS. for assignment.	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. This bill would apply the provisions described above to public employers, as defined. The bill would state that its provisions address a matter of statewide interest and apply to public employers generally, including charter cities and counties. **Last Amended on 5/1/2013**	
AB 26 **Bonilla D** California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund.	ASSEMBLY APPR. SUSPENSE FILE 5/24/2013 - Do pass as amended.	The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. This bill would require the 3-year investment plan to allocate moneys consistent with additional statewide goals, as specified. The bill would require projects involving construction, alteration, demolition, installation, repair, and maintenance work paid for in whole or in part from the Greenhouse Gas Reduction Fund to be considered public works as defined. The bill would authorize moneys from the Greenhouse Gas Reduction Fund be made available to the owner or operator of a refinery to perform maintenance work to reduce greenhouse gas emissions if all maintenance work at the refinery related to reducing greenhouse gas emissions that falls within an apprenticeable occupation, as defined, will be performed by skilled journeypersons, as defined, and registered apprentices, as defined. This bill contains other related provisions. **Last Amended on 4/22/2013**	

AB 37 **Perea D** Environmental quality: California Environmental Quality Act: record of proceedings.	SENATE RLS. 5/28/2013 - Action From THIRD READING: Read third time. Passed Assembly to SENATE.	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. 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. **Last Amended on 3/18/2013**	
AB 153 **Bonilla D** California Global Warming Solutions Act of 2006: offsets.	ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2013)	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. This bill, if the state board uses its authority to include the use of market-based compliance mechanisms, would require the state board, on or before January 1, 2015 , to adopt a specified process for the review and consideration of new offset protocols and, commencing in 2014 and continuing annually thereafter, use that process to review and consider new offset protocols. The bill would require the state board to adopt guidelines and incentives that prioritize the approval of specified offset protocols. The bill would require the state board to submit a specified annual report to the Legislature. **Last Amended on 4/8/2013**	

AB 160 **Alejo D** California Public Employees' Pension Reform Act of 2013: exceptions.	ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/24/2013)	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. This bill would except from PEPRA, by excepting from the definition of public retirement system, certain multiemployer plans authorized under federal law and retirement plans for public employees whose collective bargaining rights are protected by a specified provision of federal law if a federal agency determines a conflict with federal law. This bill contains other related provisions and other existing laws. **Last Amended on 4/11/2013**	
AB 179 **Bocanegra D** Public transit: electronic transit fare collection systems: disclosure of personal information.	SENATE RLS. 5/24/2013 - In Senate. Read first time. To Com. on RLS. for assignment.	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 within 4 1/2 years, as specified. Existing law provides various remedies in that regard. 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. This bill contains other related provisions and other existing laws. **Last Amended on 4/24/2013**	

AB 229 **John A. Pérez** **D** Local government: infrastructure and revitalization financing districts.	SENATE G. & F. 5/23/2013 - Referred to Com. on GOV. & F.	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. 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. This bill contains other related provisions. **Last Amended on 4/8/2013**	

AB 278 **Gatto D** California Global Warming Solutions Act of 2006: Low Carbon Fuel Standard.	SENATE RLS. 5/28/2013 - Action From THIRD READING: Read third time. Passed Assembly to SENATE.	The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit, as defined, to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The state board is additionally required to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. Pursuant to the act, the state board has adopted the Low Carbon Fuel Standard regulations. 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. The bill would require the state board to identify, to the extent feasible, environmental laws and practices of the jurisdiction from which the fuel originates that may affect greenhouse gas emissions from the production and transportation of fuel. The bill would require the state board to solicit comments and consider and respond to evidence regarding specified significant effects caused by the Low Carbon Fuel Standard regulations. **Last Amended on 4/4/2013**	
AB 410 **Jones-Sawyer D** Public employee health benefits: enrollment.	SENATE P.E. & R. 5/23/2013 - Referred to Com. on P.E. & R.	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. 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. This bill contains other existing laws.	

AB 416 **Gordon D** State Air Resources Board: Local Emission Reduction Program.	ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/1/2013)	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. This bill would create the Local Emission Reduction Program and would require money to be available from the General Fund, upon appropriation by the Legislature, for purposes of providing grants and other financial assistance to develop and implement greenhouse gas emissions reduction projects in the state. The bill would require the state board, in coordination with the Strategic Growth Council, to administer the program, as specified. The bill would require the implementation of the program to be contingent on the appropriation of moneys by the Legislature, as specified. **Last Amended on 4/4/2013**	
AB 417 **Frazier D** Environmental quality: California Environmental Quality Act: bicycle transportation plan.	SENATE E.Q. 5/9/2013 - Referred to Com. on E.Q.	The California Environmental Quality Act, known as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, known as an EIR, on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires the lead agencies to make specified findings in an EIR. This bill, until January 1, 2018, would exempt from CEQA a bicycle transportation plan for an urbanized area, as specified, and would also require a local agency that determines that the bicycle transportation plan is exempt under this provision and approves or determines to carry out that project, to file notice of the determination with the county clerk. This bill contains other existing laws. **Last Amended on 4/18/2013**	

AB 431 **Mullin D** Regional transportation plan: sustainable communities strategy: funding.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/16/2013)	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. Existing law requires metropolitan planning organizations to adopt, 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. This bill would authorize a transportation planning agency that is designated as a metropolitan planning organization to impose a transactions and use tax, as specified, at a rate of no more than 0.5% even if the combined rate of this tax and other specified taxes imposed in the county, exceeds, if certain requirements are met. 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. This bill contains other existing laws. **Last Amended on 4/15/2013**	
AB 441 **Patterson R** High-Speed Rail Authority: contracts.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 2/28/2013)	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. 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.	

AB 453 **Mullin D** Sustainable communities.	ASSEMBLY THIRD READING 5/24/2013 - From committee: Do pass. (Ayes 16. Noes 0.) (May 24). Read second time. Ordered to third reading.	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. This bill would make a local agency formation commission eligible for the award of financial assistance for those planning purposes.	
AB 463 **Logue R** High-Speed Rail Authority: contracts.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 2/28/2013)	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. 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.	
AB 466 **Quirk-Silva D** Federal transportation funds.	SENATE T. & H. 5/23/2013 - Referred to Com. on T. & H.	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. This bill would require the department to allocate federal funds to regional agencies under the federal Congestion Mitigation and Air Quality Improvement Program based on a weighted formula that considers population and pollution in a given area, as specified. **Last Amended on 3/14/2013**	

AB 481 **Lowenthal D** High-speed rail.	SENATE RLS. 5/23/2013 - In Senate. Read first time. To Com. on RLS. for assignment.	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. 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 in the High-Speed Rail Property Fund created by the bill, and would provide that the funds shall be available to the authority upon appropriation by the Legislature for specified purposes. This bill contains other existing laws. **Last Amended on 4/1/2013**	

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

AB 528 **Lowenthal** D State Rail Plan: High-Speed Rail Authority business plan.	SENATE RLS. 5/20/2013 - In Senate. Read first time. To Com. on RLS. for assignment.	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. Existing law requires the plan to consist of 2 elements, a passenger rail element and a freight rail element, and sets forth various items that are required to be included in each element. Existing law separately requires the High-Speed Rail Authority to prepare, publish, adopt, and submit to the Legislature, not later than January 1, 2012, and every 2 years thereafter, a 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. This bill would revise and recast the items required to be included in the 2 elements of the State Rail Plan and in the elements of the business plan, and would eliminate the 10-year timeframe for the State Rail Plan. The bill would change, from January 1 to May 1 of each even-numbered year, the date by which the High-Speed Rail Authority is required to prepare, publish, adopt, and submit the business plan to the Legislature. This bill contains other related provisions and other existing laws. **Last Amended on 4/25/2013**	
AB 543 **Campos** D California Environmental Quality Act: translation.	ASSEMBLY THIRD READING 5/28/2013 - Action From SECOND READING: Read second time. To THIRD READING.	Existing law, the California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would require a lead agency to translate, as specified, certain notices required by the act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when a group of non-English-speaking people, as defined, comprises at least 25% of the population within the lead agency's jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 25% of the residents of that area. By requiring a lead agency to translate these notices and documents, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. **Last Amended on 5/24/2013**	

AB 574 **Lowenthal D** California Global Warming Solutions Act of 2006: Greenhouse Gas Reduction Fund: sustainable communities strategies.	ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/15/2013)	The California Global Warming Solutions Act of 2006, designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. This bill would require the state board, in consultation with the California Transportation Commission and the Strategic Growth Council, to establish standards for the use of moneys allocated from the Greenhouse Gas Reduction Fund for sustainable communities projects, as specified. The bill would require the state board, in consultation with the California Transportation Commission and the Strategic Growth Council, to establish the criteria for the development and implementation of regional grant programs, as specified. The bill would require the California Transportation Commission, in consultation with the state board, to designate the regional granting authority within each region of the state to administer the allocated moneys for regional grant programs, as specified. This bill contains other existing laws. **Last Amended on 4/15/2013**	Support

AB 616 **Bocanegra D** Local public employee organizations: dispute: factfinding panel.	SENATE RLS. 5/28/2013 - Action From THIRD READING: Read third time. Passed Assembly to SENATE.	Existing law requires the governing body of a local public agency, or those boards, commissions, administrative officers, or other representatives as may be properly designated by law or by a governing body, to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations. Existing law authorizes an employee organization to request that the parties' differences be submitted to a fact finding panel not sooner that 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. 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. **Last Amended on 4/25/2013**	
AB 662 **Atkins D** Local government: infrastructure financing districts.	SENATE G. & F. 5/24/2013 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on GOV. & F.	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. This bill would delete that prohibition. This bill contains other related provisions and other existing laws. **Last Amended on 5/24/2013**	

AB 690 **Campos D** Jobs and infrastructure financing districts: voter approval.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was L. GOV. on 4/10/2013)	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. 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) without voter approval, and would make various conforming changes. The bill would authorize a public financing authority to enter into joint powers agreements with affected taxing entities with regard to non-taxing authority or powers only. The bill would authorize a district to implement hazardous cleanup pursuant to the Polanco Redevelopment Act, as specified. This bill contains other existing laws. **Last Amended on 4/9/2013**	
AB 749 **Gorell R** Public-private partnerships.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/24/2013)	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. This bill would extend the operation of the provisions governing public-private partnerships from January 1, 2017, to January 1, 2022. **Last Amended on 4/11/2013**	

AB 756 **Melendez** R California Environmental Quality Act: judicial review: public works projects.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was JUD. on 4/15/2013)	The California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, referred to as an EIR, on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA establishes a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA. This bill would also apply these provisions to a public works project, defined to mean an infrastructure project carried out by the city, county, special district, or state government or contracted out to a private entity by the special district or local or state government. By requiring a lead agency to use these alternative procedures in preparing and certifying the administrative record, this bill would impose a state-mandated local program. The bill would also authorize the Judicial Council to adopt Rules of Court to implement these provisions. This bill contains other related provisions and other existing laws. **Last Amended on 4/11/2013**	
AB 792 **Mullin** D Local government: open meetings.	SENATE G. & F. 5/23/2013 - Referred to Com. on GOV. & F.	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. This bill, if the local agency is unable to post the agenda or notice on its Internet Web site because of software, hardware, or network services impairment beyond the local agency's reasonable control, would specify that the local agency may conduct the meeting as long as the legislative body meets specified requirements, including, among other things, posting the agenda or notice immediately upon resolution of the technological problems, as specified. 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. **Last Amended on 5/6/2013**	

AB 797 **Gordon D** Transit districts: contracts.	SENATE T. & H. 5/23/2013 - Referred to Com. on T. & H.	Existing law creates the Santa Clara County Valley Transportation Authority with various powers and duties relative to transportation projects and services in the County of Santa Clara. Existing law creates the San Mateo County Transit District with various powers and duties relative to transportation projects and services in the County of San Mateo. Existing law authorizes the authority and the district to enter into contracts, as specified. This bill would authorize the authority and the district to utilize the Construction Manager/General Contractor project delivery contract method for transit projects within their respective jurisdictions, subject to certain conditions and requirements. The bill would require the authority or district to reimburse the Department of Industrial Relations for certain costs of performing wage monitoring and enforcement on projects using this contracting method, and would require those funds to be used by the department for enforcement of prevailing wage requirements on those projects. **Last Amended on 4/15/2013**	Support
AB 822 **Hall D** Local government retirement plans.	SENATE RLS. 5/23/2013 - In Senate. Read first time. To Com. on RLS. for assignment.	Existing law requires local legislative bodies, before authorizing changes in public retirement plan benefits or other postemployment benefits, to secure the services of an actuary to provide a statement of the actuarial impact of the changes. This bill would require, whenever a local measure qualifies for the ballot that proposes to alter, replace, or eliminate the retirement benefit plan of employees of a local government entity, whether by initiative or legislative action, the governing body of the local government entity to secure the services of an independent actuary to provide a statement, not to exceed 500 words in length, of the actuarial impact of the proposed measure upon future annual costs of the retirement benefit plan, and to have this statement printed in the voter information portion of the sample ballot. The bill would require, under certain circumstances that the proponents of an initiative measure pay an additional filing fee to pay for the costs of the actuarial impact statement, which would be refunded if the measure is approved by the voters. The bill would require the governing body to make public at least 2 weeks prior to the election the future annual costs that will result from the changes to the retirement plan proposed by the measure. The bill would require a specified notice regarding obtaining a copy of the measure to be printed in the voter information portion of the sample ballot, if the text of the measure is not printed on the ballot, nor in the voter information portion of the sample ballot. The bill would require the measure to be submitted to the voters only at a statewide general election. The requirements of the bill would apply to a charter city, charter city and county, or charter county. This bill contains other related provisions and other existing laws. **Last Amended on 4/30/2013**	

AB 842 **Donnelly R** High-speed rail.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 4/8/2013)	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. 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.	
AB 863 **Torres D** Transit projects: environmental review process.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was TRANS. on 3/4/2013)	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. 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.	

AB 909 **Gray D** Metal theft and related recycling crimes.	ASSEMBLY THIRD READING 5/28/2013 - Action From SECOND READING: Read second time. To THIRD READING.	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. 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 the purposes of the program. This bill contains other related provisions. **Last Amended on 5/24/2013**	
AB 953 **Ammiano D** California Environmental Quality Act.	ASSEMBLY THIRD READING 5/13/2013 - Read second time. Ordered to third reading.	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA defines "environment" and "significant effect on the environment" for its purposes. CEQA requires the EIR to include a detailed statement setting forth specified facts. This bill would revise those definitions, as specified. This bill would additionally require the lead agency to include in the EIR a detailed statement on any significant effects that may result from locating the proposed project near, or attracting people to, existing or reasonably foreseeable natural hazards or adverse environmental conditions. Because the lead agency would be required to undertake this additional consideration, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	

AB 1002 **Bloom D** Vehicles: registration fee: sustainable communities strategies.	ASSEMBLY L. GOV. 4/30/2013 - In committee: Set, first hearing. Hearing canceled at the request of author.	Existing law imposes a registration fee to be paid to the Department of Motor Vehicles for the registration of every vehicle or trailer coach of a type subject to registration, except those vehicles that are expressly exempted from the payment of registration fees. Existing law, until January 1, 2016, imposes a $3 increase on that fee, $2 of which is to be deposited into the Alternative and Renewable Fuel and Vehicle Technology Fund and $1 of which is to be deposited into the Enhanced Fleet Modernization Subaccount. This bill would, in addition to any other taxes and fees specified in the Vehicle Code and the Revenue and Taxation Code, impose a tax of $6 to be paid at the time of registration or renewal of registration of every vehicle subject to registration under the Vehicle Code in a county that is in a metropolitan planning organization required to prepare a sustainable communities strategy as part of its regional transportation plan, except as specified. This bill would require the Department of Motor Vehicles, after deducting all reasonable administrative costs, to remit the money generated by the tax for deposit in the Sustainable Communities Strategy Subaccount, which the bill would establish in the Motor Vehicle Account. The bill would make funds in the subaccount available, upon appropriation by the Legislature, for specified purposes. This bill contains other existing laws. **Last Amended on 4/23/2013**	Support
AB 1051 **Bocanegra D** Housing.	ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/16/2013)	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. This bill would state findings and declarations of the Legislature relating to transportation and residential housing development, as specified. The bill would create the Sustainable Communities for All Program, which shall begin operations on January 1, 2015, to fund transit-related projects through competitive grants and loans, as specified. The Sustainable Communities for All Program would not be implemented until the Legislature appropriates funds for the program. This bill contains other related provisions and other existing laws. **Last Amended on 4/8/2013**	

AB 1070 **Frazier D** California Transportation Financing Authority.	SENATE T. & H. 5/23/2013 - Referred to Coms. on T. & H. and GOV. & F.	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. This bill would revise the act to further define the roles of the authority and an issuer of bonds under the act if the project sponsor, rather than the authority, is the issuer of bonds, and would define "issuer" in that regard. The bill would make other related changes. **Last Amended on 4/3/2013**	
AB 1102 **Grove R** Air resources: greenhouse gas emissions.	ASSEMBLY 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was NAT. RES. on 4/1/2013)	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. 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**	
AB 1181 **Gray D** Public employee organizations: members: paid leaves of absence.	SENATE RLS. 5/23/2013 - In Senate. Read first time. To Com. on RLS. for assignment.	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. This bill would additionally require the local public agency to give reasonable time off, without loss of compensation or other benefits, to public agency employee representatives when they are testifying or appearing as the designated representative, as defined, of the employee organization in proceedings before the Public Employment Relations Board in matters relating to a charge filed by the employee organization against the public agency or by the public agency against the employee organization , or when they are testifying or appearing as the designated representative, as defined, of the employee organization in matters before a personnel or merit commission . The bill would require the employee organization being represented to provide reasonable notification to the employer requesting a leave of absence without loss of compensation pursuant to these provisions. **Last Amended on 5/16/2013**	

AB 1290 **John A. Pérez** **D** Transportation planning.	ASSEMBLY THIRD READING 5/24/2013 - From committee: Do pass. (Ayes 12. Noes 5.) . Read second time. Ordered to third reading.	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. 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. This bill contains other related provisions and other existing laws. **Last Amended on 4/23/2013**	
AB 1375 **Chau** **D** California Global Warming Solutions Act of 2006: market-based compliance mechanisms: Clean Technology Investment Account.	ASSEMBLY 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/8/2013)	The California Global Warming Solutions Act of 2006, hereafter the Global Warming Solutions Act, designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature. Existing law requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law permits moneys from the fund be allocated for the research, development, and deployment of innovative technologies, measures, and practices related to programs and projects funded under the Global Warming Solutions Act. This bill would create the Clean Technology Investment Account within the Greenhouse Gas Reduction Fund and would require the Legislature to annually appropriate moneys from the Greenhouse Gas Reduction Fund into the Clean Technology Investment Account. This bill would make those moneys available to the state board for the purposes of accelerating the development, demonstration, and deployment of clean technologies that will reduce greenhouse gas emissions and foster job creation in the state. The bill would require the implementation of these provisions be contingent on the appropriation of moneys by the Legislature for these purposes. **Last Amended on 5/7/2013**	

AB 1380 **Committee on Public Employees, Retirement and Social Security** County employees' retirement.	SENATE RLS. 5/16/2013 - In Senate. Read first time. To Com. on RLS. for assignment.	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. PEPRA prohibits the purchase of nonqualified service credit, as defined, unless the application to purchase the credit is received by the retirement system prior to January 1, 2013, and subsequently approved. This bill would limit provisions relating to purchase of additional retirement credit, as described above, to applications received prior to January 1, 2013, and subsequently approved. The bill would also prohibit the application of the above-described authorizations regarding time of retirement 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. **Last Amended on 4/23/2013**	
ACA 8 **Blumenfield D** Local government financing: voter approval.	ASSEMBLY L. GOV. 4/8/2013 - Re-referred to Com. on L. GOV.	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. This measure would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district, as defined, to service bonded indebtedness incurred to fund specified public improvements and facilities, or buildings used primarily to provide sheriff, police, or fire protection services, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable. This bill contains other related provisions and other existing laws. **Last Amended on 4/4/2013**	

SB 1 **Steinberg D** Sustainable Communities Investment Authority.	ASSEMBLY RLS. 5/28/2013 - Action From THIRD READING: Read third time. Passed Senate to ASSEMBLY.	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. This bill would authorize certain public entities of a Sustainable Communities Investment Area, as described, to form a Sustainable Communities Investment Authority (authority) to carry out the Community Redevelopment Law in a specified manner. The bill would require the authority to adopt a Sustainable Communities Investment Plan for a Sustainable Communities Investment Area and authorize the authority to include in that plan a provision for the receipt of tax increment funds provided that certain economic development and planning requirements are met. The bill would authorize the legislative body of a city or county forming an authority to dedicate any portion of its net available revenue, as defined, to the authority through its Sustainable Communities Investment Plan. The bill would require the authority to contract for an independent financial and performance audit every 5 years. This bill contains other related provisions and other existing laws. **Last Amended on 5/2/2013**	Support

SB 11 **Pavley D** Alternative fuel and vehicle technologies: funding programs.	SENATE APPR. SUSPENSE FILE 5/23/2013 - Do pass as amended.	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. This bill would provide that the State Air Resources Board, referred to as the 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. The bill would add intelligent transportation systems as a category of projects eligible for funding under the Alternative and Renewable Fuel and Vehicle Technology Program. This bill contains other related provisions and other existing laws. **Last Amended on 5/15/2013**	Support

SB 13 **Beall D** Public employees' retirement benefits.	ASSEMBLY P.E.,R. & S.S. 5/16/2013 - Referred to Com. on P.E.,R. & S.S.	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. 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 non-safety and safety members. The bill would clarify the application of PEPRA 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 PEPRA. This bill contains other related provisions and other existing laws. **Last Amended on 2/6/2013**	

SB 33 **Wolk D** Infrastructure financing districts: voter approval: repeal.	ASSEMBLY L. GOV. 5/16/2013 - Referred to Com. on L. GOV.	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. This bill would revise and recast the provisions governing infrastructure financing districts. The bill would eliminate the requirement of voter approval for creation of the district and for bond issuance, and would authorize the legislative body to create the district subject to specified procedures. The bill would instead authorize a newly created public financing authority, consisting of 5 members, 3 of whom are members of the city council or board of supervisors that established the district, and 2 of whom are members of the public, to adopt the infrastructure financing plan, subject to approval by the legislative body, and issue bonds by majority vote of the authority by resolution. The bill would authorize a public financing authority to enter into joint powers agreements with affected taxing entities with regard to non-taxing authority or powers only. The bill would authorize a district to finance specified actions and projects, and prohibit the district from providing financial assistance to a vehicle dealer or big box retailer, as defined. The bill would create a public accountability committee, as specified, to review the actions of the public financing authority. This bill contains other related provisions and other existing laws. **Last Amended on 3/6/2013**	
SB 54 **Hancock D** Retirement: county employees.	ASSEMBLY P.E.,R. & S.S. 4/10/2013 - Hearing postponed by committee. In P.E.,R. & S.S.	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. 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. This bill contains other related provisions. **Last Amended on 2/13/2013**	

SB 56 **Roth** D Local government finance: vehicle license fee adjustments.	SENATE G. & F. 5/1/2013 - Set, second hearing. Hearing canceled at the request of author.	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. This bill would, for the 2013-14 fiscal year, provide for a new vehicle license fee adjustment amount, as specified. This bill would also, for the 2013-14 fiscal year and for each fiscal year thereafter, provide for a vehicle license fee adjustment amount for certain cities incorporating after a specified date, as provided. This bill contains other related provisions and other existing laws. **Last Amended on 4/23/2013**	
SB 110 **Steinberg** D California Transportation Commission: guidelines.	ASSEMBLY TRANS. 5/9/2013 - Referred to Coms. on TRANS. and A. & A.R.	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. 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. This bill contains other existing laws.	
SB 142 **DeSaulnier** D Public transit.	ASSEMBLY RLS. 5/28/2013 - Action From THIRD READING: Read third time. Passed Senate to ASSEMBLY.	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. This bill contains other related provisions and other existing laws. **Last Amended on 5/7/2013**	Support

SB 230 **Knight** R Local transportation funds: performance audits.	SENATE 2 YEAR 5/10/2013 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was T. & H. on 3/21/2013)	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.	ASSEMBLY RLS. 5/28/2013 - Action From THIRD READING: Read third time. Passed Senate to ASSEMBLY.	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.	
SB 408 **De León** D Transportation funds.	SENATE 2 YEAR 5/10/2013 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 2/28/2013)	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. This bill would provide that the remaining funds are available for the study of, and development and implementation of, capital improvement projects.	

SB 436 **Jackson D** California Environmental Quality Act: notice.	ASSEMBLY RLS. 5/28/2013 - Action From THIRD READING: Read third time. Passed Senate to ASSEMBLY.	The California Environmental Quality Act, commonly referred to as CEQA, requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, also known as an 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 areawide significance. CEQA requires the lead agency to provide to specified entities a notice of at least one scoping meeting. 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. **Last Amended on 4/3/2013**	
SB 525 **Galgiani D** California Environmental Quality Act: exemptions.	SENATE 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 3/11/2013)	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. Existing law exempts certain activities from CEQA, including a project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities. This bill would provide that a project by the San Joaquin Regional Rail Commission and the High-Speed Rail Authority to improve the existing tracks, structure, bridges, signaling systems, and associated appurtenances located on the existing railroad right-of-way used by the Altamont Commuter Express service qualifies for this exemption from CEQA.	

SB 557 **Hill D** High-speed rail.	ASSEMBLY DESK 5/24/2013 - In Assembly. Read first time. Held at Desk.	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. This bill would add detail to provisions governing the expenditure of certain of those appropriated funds. The bill would specify that of the $1,100,000,000 appropriated for early high-speed rail improvement projects in the Budget Act of 2012, $600,000,000 and $500,000,000 shall be allocated solely for purposes of specified memoranda of understanding approved by the High-Speed Rail Authority for the Metropolitan Transportation Commission region and the southern California region, respectively. The bill would limit fund transfer authority between certain appropriations to temporary transfers for account management purposes. The bill would restrict use of certain appropriated funds, to the extent they are allocated to the San Francisco-San Jose segment of the high-speed rail system, to implement a rail system in that segment that primarily consists of a 2-track blended system to be used jointly by high-speed trains and Caltrain commuter trains, with the system to be contained substantially within the existing Caltrain right-of-way. These provisions would be effective until a specified time, and would be inoperative thereafter. This bill contains other related provisions. **Last Amended on 5/2/2013**	Support

SB 617 **Evans D** California Environmental Quality Act.	SENATE THIRD READING 5/28/2013 - Action From SECOND READING: Read second time and amended. To THIRD READING.	The California Environmental Quality Act, referred to as CEQA requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, referred to as an EIR on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would additionally require the above mentioned notices to be filed with both the Office of Planning and Research and the county clerk and be posted by the county clerk for public review. The bill would require the county clerk to post the notices within one business day, as defined, of receipt and stamp on the notice the date on which the notices were actually posted. By expanding the services provided by the lead agency and the county clerk, this bill would impose a state-mandated local program. The bill would require the county clerk to post the notices for at least 30 days. The bill would require the Office of Planning and Research to post the notices on a publicly available online database established and maintained by the office. The bill would require the office to stamp the notices with the date on which the notices were actually posted for online review and would require the notices to be posted for at least 30 days. The bill would authorize the office to charge an administrative fee not to exceed $10 per notice filed. The bill would specify that a time period or limitation period specified by CEQA does not commence until the notice is actually posted for public review by the county clerk or is available in the online database, whichever is later. The bill would require the notice of determination to be filed solely by the lead agency. This bill contains other related provisions and other existing laws. **Last Amended on 5/28/2013**	

SB 628 **Beall D** Infrastructure financing: transit priority projects.	ASSEMBLY DESK 5/20/2013 - In Assembly. Read first time. Held at Desk.	Existing law establishes the Transit Priority Project Program, and authorizes a city or county to participate in the program by adopting an ordinance indicating its intent to participate in the program and by forming an infrastructure financing district. Existing law requires a city or county that elects to participate in the program to amend, if necessary, its general plan, and any related specific plan, to authorize participating developers to build at an increased height of a minimum of 3 stories within the newly created infrastructure financing district. Existing law exempts from these provisions a city or county that has adopted specified language in its charter, or by ordinance or resolution. Under existing law, a transit priority project that meets specified criteria is designated as a sustainable communities project, and is thus exempt from certain environmental review requirements. This bill would eliminate the requirement of voter approval for the creation of an infrastructure financing district, the issuance of bonds, and the establishment or change of the appropriations limit with respect to a transit priority project. The bill would require a city or county that uses infrastructure financing district bonds to finance its transit priority project to use at least 25% of the associated property tax increment revenues for the purposes of increasing, improving, and preserving the supply of lower and moderate-income housing available in the district and occupied by persons and families of moderate-, low-, very low, and extremely low income. The bill would require the district to implement these affordable housing provisions in accordance with specified provisions of the Community Redevelopment Law, to the extent not inconsistent with the bill. This bill would require the adoption of an ordinance that would require the replacement of designated low-income dwelling units, upon their removal from the district, within 2 years of their displacement. The bill would require the metropolitan planning organization to certify that the project proposed by the district is consistent with the region's sustainable communities strategy, prior to the implementation of the project. The bill would set forth the findings and declarations of the Legislature, and the intent of the Legislature that the development of transit priority projects be environmentally conscious and sustainable, and that related construction meet or exceed the requirements of the California Green Building Standards Code. **Last Amended on 5/14/2013**	Support

SB 633 **Pavley D** CEQA.	SENATE THIRD READING 5/24/2013 - Read second time. Ordered to third reading.	The California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify completion of, an environmental impact report, referred to as an EIR, on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA prescribes certain requirements for the review of draft EIRs, as specified. CEQA prohibits a lead agency or responsible agency from requiring a subsequent or supplemental EIR when an EIR has been prepared for a project pursuant to its provisions, unless one or more of specified events occurs, including, among other things, that new information, which was not known and could not have been known at the time the EIR was certified as complete, becomes available. CEQA requires the Office of Planning and Research to prepare and develop, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA. CEQA requires the office to review the guidelines once every 2 years and recommend proposed changes or amendments to the guidelines to the secretary. CEQA requires the guidelines to include a list of classes of projects that have been determined not to have a significant effect on the environment and to exempt those classes of projects from CEQA, referred to as categorical exemptions. This bill would specify 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. The bill would authorize the office, by July 1, 2015, to revise the guidelines to include as a categorical exemption projects involving minor temporary uses of land and public gatherings that have been determined not to have a significant effect on the environment. The bill would require the secretary, by January 1, 2016, to certify and adopt the proposed revisions to the guidelines. Because a lead agency would be required to determine whether a project would fall within this categorical exemption, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. **Last Amended on 5/6/2013**	

SB 648 **Corbett D** Electronic cigarettes: restriction of use and advertising.	ASSEMBLY DESK 5/24/2013 - In Assembly. Read first time. Held at Desk.	Existing law defines an electronic cigarette as a device that can provide an inhalable dose of nicotine by delivering an inhalable solution. Existing law, to the extent not preempted by federal law, makes it unlawful for a person to sell or otherwise furnish an electronic cigarette to a person under 18 years of age. This bill would extend the above-referenced restrictions and prohibitions against the smoking of tobacco products to include electronic cigarettes. By including electronic cigarettes within the restricted and prohibited activity, this bill would change the definition of a crime with respect to certain facilities, thereby creating a state-mandated local program. This bill contains other related provisions and other existing laws. **Last Amended on 5/7/2013**	

SB 731 **Steinberg D** Environment: California Environmental Quality Act and sustainable communities strategy.	SENATE THIRD READING 5/24/2013 - Read second time and amended. Ordered to third reading.	The California Environmental Quality Act, or CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, or EIR, on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires the Office of Planning and Research to develop and prepare, and the Secretary of the Natural Resources Agency to certify and adopt, guidelines for the implementation of CEQA by public agencies. CEQA establishes a procedure for the preparation and certification of the record of proceedings upon the filing of an action or proceeding challenging a lead agency's action on the grounds of noncompliance with CEQA. CEQA establishes time periods within which a person is required to bring a judicial action or proceeding to challenge a public agency's action taken pursuant to CEQA. This bill would provide that aesthetic impacts of a residential, mixed-use residential, or employment center project, as defined, within a transit priority area, as defined, shall not be considered significant impacts on the environment. The bill would require the office to prepare and propose, and the Secretary of the Natural Resources Agency to certify and adopt, revisions to the guidelines for the implementation of CEQA establishing thresholds of significance for noise, and for the transportation and parking impacts of residential, mixed-use residential, or employment center projects within transit priority areas. The bill would require the lead agency, in making specified findings, to make those findings available to the public at least 15 days prior to the approval of the proposed project and to provide specified notice of the availability of the findings for public review. Because the bill would require the lead agency to make the draft finding available for public review and to provide specified notices to the public, this bill would impose a state-mandated local program. The bill would require the lead agency, at the request of a project applicant for specified projects, to, among other things, prepare a record of proceedings concurrently with the preparation of negative declarations, mitigated negative declarations, EIRs, or other environmental documents for specified projects. Because the bill would require a lead agency to prepare the record of proceedings as provided, this bill would impose a state-mandated local program. The bill would authorize the tolling of the time period in which a person is required to bring a judicial action or proceeding challenging a public agency's action taken pursuant to CEQA through a tolling agreement that does not exceed 4 years. The bill would authorize the extension of the tolling agreement. This bill contains other related provisions and other existing laws. **Last Amended on 5/24/2013**	

SB 751 **Yee D** Meetings: publication of action taken.	SENATE CONSENT CALENDAR 5/22/2013 - Ordered to special consent calendar.	The Ralph M. Brown Act requires all meetings of the legislative body of a local agency, as defined, to be open and public and prohibits the legislative body from taking action by secret ballot, whether preliminary or final. This bill would additionally require the legislative body of a local agency to publicly report any action taken and the vote or abstention on that action of every member present. This bill contains other related provisions and other existing laws. **Last Amended on 5/2/2013**	
SB 787 **Berryhill R** Environmental quality: the Sustainable Environmental Protection Act.	SENATE 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was E.Q. on 5/1/2013)	The California Environmental Quality Act, or CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report, or EIR, on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would enact the Sustainable Environmental Protection Act and would specify the environmental review required pursuant to CEQA for projects related to specified environmental topical areas. For a judicial action or proceeding filed challenging an action taken by a lead agency on the ground of noncompliance with CEQA, the bill would prohibit a cause of action that (1) relates any topical area or criteria for which compliance obligations are identified or (2) challenges the environmental document if: (A) the environmental document discloses compliance with applicable environmental law, (B) the project conforms with the use designation, density, or building intensity in an applicable plan, as defined, and (C) the project approval incorporates applicable mitigation requirements into the environmental document. The bill would provide that the Sustainable Environmental Protection Act only applies if the lead agency or project applicant has agreed to provide to the public in a readily accessible electronic format an annual compliance report prepared pursuant to the mitigation monitoring and reporting program. This bill contains other related provisions and other existing laws. **Last Amended on 4/18/2013**	

SB 788 **Committee on Transportation and Housing** Transportation.	ASSEMBLY DESK 5/16/2013 - In Assembly. Read first time. Held at Desk.	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. Existing law exempts certain activities from CEQA, including a project for the institution or increase of passenger or commuter services on rail or highway rights-of-way already in use, including modernization of existing stations and parking facilities. This bill would define the term "highway" for these purposes. This bill contains other related provisions and other existing laws. **Last Amended on 4/18/2013**	
SB 791 **Wyland R** Motor vehicle fuel tax: rate adjustment.	SENATE T. & H. 4/29/2013 - Set, first hearing. Hearing canceled at the request of author.	Existing law, as of July 1, 2010, exempts the sale of, and the storage, use, or other consumption of, motor vehicle fuel from specified sales and use taxes and increases the excise tax on motor vehicle fuel, as provided. Existing law requires the State Board of Equalization to annually adjust the excise tax rate for the state's next fiscal year so that the revenues from the sales and use tax exemption and motor vehicle fuel excise tax increase are revenue neutral. This bill would eliminate the requirement that the State Board of Equalization adjust the rate of the excise tax on motor vehicle fuel, and instead would require the Department of Finance to annually calculate that rate and report that calculated rate to the Joint Legislative Budget Committee. The rate for the state's next fiscal year would remain the same as the rate of the current fiscal year or would decrease, as provided. This bill would further state that the rate may increase upon a further act by the Legislature. This bill contains other related provisions. **Last Amended on 4/4/2013**	Oppose

SB 792 **DeSaulnier D** Regional entities: Bay Area.	SENATE 2 YEAR 5/24/2013 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/23/2013)	Existing law creates the Metropolitan Transportation Commission, the Bay Area Toll Authority, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission, with various powers and duties relative to all or a portion of the 9-county San Francisco Bay Area region with respect to transportation, air quality, and environmental planning, as specified. Another regional entity, the Association of Bay Area Governments, is created as a joint powers agency comprised of cities and counties under existing law with regional planning responsibilities. Existing law provides for a joint policy committee of certain member agencies in this 9-county area to collaborate on regional coordination. Existing law requires regional transportation planning agencies, as part of the regional transportation plan in urban areas, to develop a sustainable communities strategy pursuant to Senate Bill 375 of the 2007-08 Regular Session coordinating transportation, land use, and air quality planning, with specified objectives. This bill would require the Metropolitan Transportation Commission to report biannually to the Legislature and the public at large on the progress in implementing the policies and programs of the sustainable communities strategy. The bill would also require the joint policy committee to prepare a regional organization plan for the affected member agencies. The regional organization plan would include a plan for consolidating certain functions that are common to the member agencies. The regional organization plan would also include a statement relative to the expected reduction of overhead, operation, and management costs. The bill would require a member agency affected by the plan to submit a copy of the plan to its board on or before December 31, 2014, and would require the member agencies to report to the Senate Transportation and Housing Committee on the adoption and implementation of the plan on or before December 31, 2015. The bill would also require the joint policy committee to develop and adopt public and community outreach and inclusive public participation programs and to maintain an Internet Web site. The bill would also require the joint policy committee to appoint an advisory committee on economic competitiveness with specified members from the business community and other organizations to adopt goals and policies related to the inclusion of economic development opportunities in the plans of the member agencies. By imposing new duties on the joint policy committee, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. **Last Amended on 5/14/2013**	

SB 798 **De León** D California Green Infrastructure Bank Act.	SENATE 2 YEAR 5/3/2013 - Failed Deadline pursuant to Rule 61(a)(2). (Last location was G. & F. on 3/11/2013)	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. This bill would enact the California Green Infrastructure Bank Act (act). The bill would establish the California Green Infrastructure Bank (bank) as a public corporation and would make it responsible for administering the act. The bill would make the bank under the direction of an executive director to be appointed by the Governor subject to Senate confirmation. Under the bill, the bank would be governed and its corporate power exercised by a board of directors consisting of 5 members, including 3 members appointed by the Governor subject to Senate confirmation and the Senate Committee on Rules and the Speaker of the Assembly would each appoint one member. This bill contains other related provisions and other existing laws.	
SCA 4 **Liu** D Local government transportation projects: special taxes: voter approval.	SENATE RLS. 5/21/2013 - Read second time and amended. Re-referred to Com. on RLS.	The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities. This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax includes certain requirements. 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 5/21/2013**	Support

SCA 8 **Corbett D** Transportation projects: special taxes: voter approval.	SENATE RLS. 5/21/2013 - Read second time and amended. Re-referred to Com. on RLS.	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 transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax includes certain requirements. The measure would also make conforming and technical, non-substantive changes. **Last Amended on 5/21/2013**	Support
SCA 9 **Corbett D** Local government: economic development: special taxes: voter approval.	SENATE E. & C.A. 5/21/2013 - Read second time and amended. Re-referred to Com. on E. & C.A.	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 community and economic development projects, as specified, requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax contains specified requirements. The measure would also make conforming and technical, non-substantive changes. **Last Amended on 5/21/2013**	
SCA 11 **Hancock D** Local government: special taxes: voter approval.	SENATE E. & C.A. 5/21/2013 - Read second time and amended. Re-referred to Com. on E. & C.A.	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. This measure would instead condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition, if the proposition proposing the tax contains specified requirements. The measure would also make conforming and technical, non-substantive changes. **Last Amended on 5/21/2013**	Support

AGENDA ITEM # 16
JUNE 6, 2013

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: **CAPITAL PROJECTS QUARTERLY STATUS REPORT – 3RD QUARTER FISCAL YEAR 2013**

ACTION
No action required. The Capital Projects Quarterly Status Report is submitted to the Board for information only.

SIGNIFICANCE
The Capital Projects Quarterly Status Report is submitted to keep the Board advised as to the scope, budget and progress of current ongoing capital projects.

BUDGET IMPACT
There is no impact on the budget.

BACKGROUND
Staff prepares the Capital Projects Quarterly Status Report for the Board on a quarterly basis. The report is a summary of the scope, budget and progress of capital projects. It is being presented to the Board for informational purposes and is intended to better inform the Board of the capital project status.

Prepared by: Kelvin Yu, Manager, Project Controls 650.622.7853