



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

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

February 2, 2012 – Thursday

10:00 a.m.

1. Pledge of Allegiance
2. Call to Order/Roll Call
3. Public Hearing for Proposed Changes to the Codified Tariff
4. Public Comment

Public comment by each individual speaker shall be limited to two minutes

5. Consent Calendar

Members of the public or Board may request that an item under the Consent Calendar be considered separately

- a) Approval of Minutes of January 5, 2012
- b) Authorize Award of Contract to Day Wireless Systems for the Voice Radio Channel Base Station Improvements for the Narrowbanding Project for a Total Cost of \$50,834
- c) Authorize the Seventh Amendment to Extend the Term of the Contract with Cypress Security, LLC for Provisions of Security Guard Services and to Increase the Estimated Contract Amount by \$115,400
- d) Authorize Approval of an Updated Policy Pertaining to Lost and Unclaimed Property

RESOLUTIONS

6. Chairperson's Report

7. Report of the Citizens Advisory Committee

8. Report of the Executive Director

9. Acceptance of Statement of Revenues and Expenses for December 2011

MOTION

10. Acceptance of Quarterly Investment Report and Fixed Income Market Review and Outlook for the Quarter Ended December 31, 2011

MOTION

11. Authorize an Amendment to Increase the Fiscal Year 2012 Capital Budget in the Amount of \$610,863 for Traffic Preemption Improvements for a New Capital Budget of \$62,087,679

RESOLUTION

12. Authorize Revision to the JPB's Disadvantaged Enterprise Program to Include a Small Business Enterprise Program	RESOLUTION
13. Authorize Award of Contract to BECI Electric, Inc. for the Advanced Traveler Information System II – Public Address System Upgrade San Francisco Caltrain Station Project for a Total Cost of \$199,000	RESOLUTION
14. Approval of the 2012 Legislative Program	MOTION
15. Legislative Update	INFORMATIONAL
16. Fiscal Year 2011 Comprehensive Annual Financial Report	INFORMATIONAL
17. Correspondence	
18. Board Member Requests	
19. Date/Time of Next Meeting: Thursday, March 1, 2012, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2 nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070	
20. General Counsel Report	
a. Closed Session: Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code Section 54956.9(a): Robert Lightfoot v. City and County of San Francisco, et al.	
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.

**AGENDA ITEM # 3
FEBRUARY 2, 2012**

**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: **PUBLIC HEARING FOR PROPOSED CHANGES TO THE CODIFIED
TARIFF**

ACTION

On December 1, 2011 the Board approved a public hearing to be held February 2, 2012 for the consideration of changes to the Codified Tariff.

SIGNIFICANCE

Holding the public hearing will allow Caltrain to receive input on proposed Codified Tariff changes that may impact customers.

Changes under consideration are:

- A. Additional Regional Clipper® Implementation Measures
 - Increasing the cost of paper One-way and Zone Upgrade tickets by up to 25 cents per zone and Day passes by up to 50 cents per zone. **Note:** The cost of a One-way ride will remain the same for those using a Clipper card. Day passes are not available on Clipper. Monthly Pass prices will remain the same. See Attachment A for proposed fare chart.
 - Elimination of the 8-ride Ticket.
- B. Go Pass
 - Increasing the cost of the Go Pass by \$10 to \$165, and setting the minimum level for employer participation at \$13,750 per calendar year.
- C. Sales Period
 - Lengthening the sales period for monthly transportation passes and parking permits from the 9th of the month to the 15th of the month.

BUDGET IMPACT

There is no impact to the budget for holding the public hearing.

BACKGROUND

Staff developed the proposed changes to meet the responsibilities placed on Caltrain by Metropolitan Transportation Commission Resolution 3866 and upon analysis of customers' fare media usage, especially in light of Caltrain's transition to Clipper. The proposed changes to paper ticket prices are intended to incentivize use of the Clipper fare payment system, which has been the focus of significant regional investment over the past several years. The 8-ride Ticket is no longer a sustainable fare product for various reasons, including that it cannot be altered for improved performance within the Clipper system. The proposed changes to the Go Pass cost and annual minimum would move that program towards revenue neutrality. Finally, the extended sales period for monthly transportation passes and parking permits would benefit the agency in terms of the quantity of passes and permits sold, and customers, who would gain flexibility in timing their purchases.

The public outreach program regarding the proposed changes and this hearing included four community meetings (Gilroy, Mountain View, San Carlos and San Francisco), bilingual newspaper notices, a news release, station flyers, bilingual onboard messages to train riders, Facebook postings, Tweets and a presentation to the Caltrain Citizens Advisory Committee. Information also was posted to the Caltrain website, which allows readers to translate it into dozens of languages.

Staff established a number of ways for customers and the public to provide their input: at the community meetings, via a unique e-mail address, through the postal service, and with a call to the Customer Service Center's general number or one for those with hearing impairments.

Staff will consider public testimony and input from members of the Board of Directors before developing final recommendations for board consideration at its March 1, 2012 meeting. The changes would go into effect July 1, 2012.

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

Proposed Fare Adjustment
Effective July 1, 2012

Zone	Stations	Travel Within Any	TICKET	Current Fare	via Clipper® Card	via Ticket Vending Machine
1	San Francisco 22 nd Street Bayshore So. San Francisco San Bruno	One Zone	Full Fare:			
			One-way	\$2.75	\$2.75	\$3.00
			Day Pass	\$5.50	---	\$6.00
			8-ride	\$18.75	---	---
			Monthly Pass	\$73.00	\$73.00	---
			Eligible Discount:			
			One-way	\$1.25	\$1.25	\$1.50
			Day Pass	\$2.75	---	\$3.00
2	Millbrae Broadway Burlingame San Mateo Hayward Park Hillsdale Belmont San Carlos Redwood City	Two Zones	Full Fare:			
			One-way	\$4.75	\$4.75	\$5.25
			Day Pass	\$9.50	---	\$10.50
			8-ride	\$32.25	---	---
			Monthly Pass	\$126.00	\$126.00	---
			Eligible Discount:			
			One-way	\$2.25	\$2.25	\$2.50
			Day Pass	\$4.75	---	\$5.25
3	Atherton Menlo Park Palo Alto Stanford California Ave. San Antonio Mountain View Sunnyvale	Three Zones	Full Fare:			
			One-way	\$6.75	\$6.75	\$7.50
			Day Pass	\$13.50	---	\$15.00
			8-ride	\$46.00	---	---
			Monthly Pass	\$179.00	\$179.00	---
			Eligible Discount:			
			One-way	\$3.25	\$3.25	\$3.75
			Day Pass	\$6.75	---	\$7.50
4	Lawrence Santa Clara College Park San Jose Diridon Tamien	Four Zones	Full Fare:			
			One-way	\$8.75	\$8.75	\$9.75
			Day Pass	\$17.50	---	\$19.50
			8-ride	\$59.50	---	---
			Monthly Pass	\$232.00	\$232.00	---
			Eligible Discount:			
			One-way	\$4.25	\$4.25	\$4.75
			Day Pass	\$8.75	---	\$9.75
5	Capitol Blossom Hill	Five Zones	Full Fare:			
			One-way	\$10.75	\$10.75	\$12.00
			Day Pass	\$21.50	---	\$24.00
			8-ride	\$73.00	---	---
			Monthly Pass	\$285.00	\$285.00	---
			Eligible Discount:			
			One-way	\$5.25	\$5.25	\$6.00
			Day Pass	\$10.75	---	\$12.00
6	Morgan Hill San Martin Gilroy	Six Zones	Full Fare:			
			One-way	\$12.75	\$12.75	\$14.25
			Day Pass	\$25.50	---	\$28.50
			8-ride	\$86.75	---	---
			Monthly Pass	\$338.00	\$338.00	---
			Eligible Discount:			
			One-way	\$6.25	\$6.25	\$7.00
			Day Pass	\$12.75	---	\$14.25

Zone upgrade - Adult: \$2.25; Eligible Discount: \$1.00 (available only at TVM)

Go Pass: \$165 per eligible employee; minimum participation level \$13,750

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

Draft

**Minutes
January 5, 2012**

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

MEMBERS ABSENT: None

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

Vice Chair Adrienne Tissier called the meeting to order at 10:06 a.m. and led the Pledge of Allegiance.

SWEARING IN OF MALIA COHEN (REPRESENTING SAN FRANCISCO BOARD OF SUPERVISORS)

JPB Secretary Martha Martinez administered the Oath of Office to Director Malia Cohen.

REPORT FROM NOMINATING COMMITTEE (KNISS, LLOYD, NOLAN) – ELECTION OF 2012 OFFICERS

Director Tom Nolan said a committee of Directors Liz Kniss, Art Lloyd and himself recommends Director Tissier as chair and Director Ken Yeager as vice chair for 2012.

A motion (Lloyd/Nolan) to close the nominations was approved by all.

A motion (Lloyd/Nolan) to elect Director Tissier as chair and Director Yeager as vice chair was approved by all.

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

PUBLIC COMMENT

Vaughn Wolffe, Pleasanton, asked that the Board push for electrification this year since the JPB is spending over \$14 million a year on diesel fuel.

Roland LeBrun, San Jose, congratulated Director of Caltrain Modernization Program Marian Lee and her team on the Capacity Analysis. He said every model is only as good as it is run.

Doug DeLong, Mountain View, said he was disappointed this morning to learn that the coffee cart at the Mountain View station has closed. The cart has been there for over eight years and will be missed by the passengers.

Jim Bigelow, Redwood City/San Mateo County Chamber of Commerce, said there are some significant things occurring with Dumbarton Rail. The idea is to take the \$5.5 million subsidy

for the rail operations of the Dumbarton Rail and allow that to be used for expanding the current Dumbarton Bus to build ridership for a rail option. This money is not going away but coming to a project that will stay on the corridor.

CONSENT CALENDAR

- a. Approval of Minutes of December 1, 2011

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

CHAIRPERSON'S REPORT

Resolution of Appreciation to Outgoing Chair and Director Sean Elsbernd

Chair Tissier said the Board has been delighted to serve with outgoing Chair and Director Sean Elsbernd for the last four years. He helped guide the Board through the initial fiscal crisis, helped with the negotiations with the other partners so there would be no cut in service and worked with staff for a new rail operator contract.

A motion (Kniss/Lloyd) to approve the Resolution of Appreciation to outgoing Chair and Director Sean Elsbernd was approved by all.

Director Elsbernd said he enjoyed his time and getting to know the Board and the staff was great to work with.

Certificate of Appreciation to Outgoing Citizens Advisory Committee (CAC) Chair, Bruce Jenkins

Chair Tissier presented a Certificate of Appreciation to outgoing CAC Chair Bruce Jenkins. Mr. Jenkins thanked Assistant District Secretary Nancy McKenna, Budgets and Grants Administrative Specialist Rosemary Lake and Director of Rail Operations Michelle Bouchard for their assistance.

REPORT OF THE CITIZENS ADVISORY COMMITTEE

CAC Chair Jenkins reported:

- Welcomed Director Cohen to the Board.
- Ms. Bouchard gave a year-end performance report including service highlights, capital projects, bicycle capacity and update on new rail operator contract.
- Elections for 2012 officers were held and Paul Bendix was elected chair and Scott Klemmer vice chair.

REPORT OF THE EXECUTIVE DIRECTOR

Executive Director Michael Scanlon reported:

- On behalf of staff thanked Director Elsbernd for his service and welcomed Director Cohen.
- Congratulated Chair Tissier and Director Yeager on their election.
- Thanked the entire Board for their hard work over the past year to avoid Draconian service cuts and for their work at their partner agencies to keep this service healthy and going.
- Thanked Mr. Jenkins for his dedicated service.
- Key Caltrain Performance Statistics
 - Monthly Performance Statistics – November 2011 compared to November 2010

- Total Ridership was 1,100,515, an increase of 9.8 percent.
- Average Weekday Ridership was 42,265, an increase of 8.3 percent.
- Total Revenue was \$4,605,686, an increase of 23.7 percent.
- On-time Performance was 93.7 percent, a decrease of 0.2 percent.
- Caltrain Shuttle Ridership was 7,300, an increase of 29 percent.
- Year-to-Date Performance Statistics – November 2011 compared to November 2010
 - Total Ridership was 5,861,493, an increase of 8.8 percent.
 - Average Weekday Ridership was 43,917, an increase of 7.4 percent.
 - Total Revenue was \$24,720,506, an increase of 23.9 percent.
 - On-time Performance was 93.3, a decrease of 0.1 percent.
 - Caltrain Shuttle Ridership was 7,027, an increase of 28.9 percent.
- 2011 was a difficult year with 16 fatalities and the vast majority are ruled suicide. Caltrain had the first fatality of the year this week, north of Menlo Park. Staff will continue efforts on all fronts to make the system as safe as possible.
- The Bicycle Advisory Committee did not meet in December but will meet on January 19. A representative from Warm Planet will make a presentation on the bike facility. Staff is continuing to negotiate with the current provider to find a short-term solution while a long-term solution is identified.
- Rail operator transition is proving to be difficult and is taking more time than staff hoped and will cost a bit more.
- Special service:
 - On New Year's Eve extra trains were provided. There was an additional 4,000 riders, up 55 percent over last year. There was some bunching and real demand for the last train. The last train was so full it departed nine minutes early because of the crowds. There were some people left behind and staff will come up with a contingency plan for next year.
 - Sharks played 10 games in December and ridership is up 36 percent with an average of 335 additional riders per game.
 - The Kraft Fight Hunger Bowl had an increase of 1 percent in ridership.
 - The Freedom Train will run again on January 16 with stops at San Jose Diridon, Sunnyvale, Palo Alto and San Mateo stations.
- Significant progress is being made on a number of projects including the completion of the new Jerrold Avenue Bridge.
- The annual Holiday Train will return in 2012 in partnership with the Silicon Valley Community Foundation who has made a grant of \$50,000 a year for the next few years.
- This year over 500 toys were collected through special events here at the District offices and at the Redwood City Hometown event.
- The reading file contains correspondence, the Safety and Security Report and the latest issue of *Track the Fun*.

Director of Caltrain Modernization Marian Lee said there is a lot of public attention on the High Speed Rail (HSR) Business Plan that was recently released. The comments range from continuing the process to stopping the program. Staff is trying to not get too distracted and focus on the needs of Caltrain and electrification of the system. Staff is continuing with the local planning process to electrify the corridor. Key efforts for the upcoming month include finalizing the Capacity Analysis on the blended system. Comments on Caltrain's document are due January 16. Staff will also complete their due diligence of the review of the HSR Business Plan. The focus will be on making sure the details of the Business Plan are supportive and consistent

with the local planning process and the blended system concept that is trying to be advanced for the Peninsula corridor. Staff is starting the planning efforts on a traffic impact study and some additional service that stakeholders had asked staff to evaluate. Staff has met with local, county and transit agency partner stakeholders to share the scope of work. Everyone is supportive of advancing the studies and engaged in helping staff prepare them.

Director Jerry Deal said he looked for the Capacity Analysis on the website and was unable to find it. Ms. Lee said it is under the Caltrain Modernization Program link. Ms. Martinez said she will provide the link to the Board.

Public Comment

Shirley Johnson, San Francisco Bicycle Coalition, thanked staff for working with Warm Planet to keep the facility open. Thanked Directors Nolan and Yeager for asking staff to look for funding for the facility.

Jim Bigelow, Redwood City/San Mateo County Chamber of Commerce, said the chamber has reviewed the HSR Business Plan and is supporting the improved data costs and particularly the blended approach from San Francisco to San Jose. In a letter of support the Chamber is encouraging the \$900 million that is in the Proposition 1A bond be distributed. Caltrain is on a short fuse for Fiscal Years (FY) 2012 and 2013 and need to get money from different places to get electrification funded sooner than later.

ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR NOVEMBER 2011

Deputy CEO Gigi Harrington said operating revenue is above budget by \$3.7 million and the vast majority of that is in fare revenue and reflects the higher ridership levels being seen. Expenses are under budget by \$1.6 million and most of that is in the contract operating line item. Last week fuel was \$3.02 per gallon and year-to-date is \$3.10 per gallon. Year-to-date have received \$92,000 from the fuel hedge.

A motion (Cisneros/Lloyd) to accept the November 2011 statement was approved unanimously.

AUTHORIZE INCREASING AND AMENDING THE FISCAL YEAR 2012 OPERATING BUDGET BY \$2,574,385 FROM \$103,779,904 TO \$106,354,289

Ms. Harrington said this is to address the things that have occurred since the FY2012 budget was adopted. Staff is recognizing the actual receipts to-date and increasing farebox revenue by \$3.4 million and parking by \$200,000. The other revenue adjustment is a request to roll forward a transit security grant that was not used in FY2011.

On the expense side staff is asking to:

- Increase the security budget by \$117,000 due to the contract with the San Mateo County Sheriff's Office for Transit Police and for some security services at the Centralized Equipment Maintenance Operations Facility where the level of service has been increased.
- The rail operator transition budget needs to be increased by \$1.5 million for a combination of both internal contractor costs.
- The fuel budget needs to be increased by \$500,000 because staff has found the locomotives are not as quite as efficient in their use of fuel due to their age.

- Professional services needs to be increased for the Transit Security Grant, which is a neutral transaction. The JPB also is being asked to pay for its share of the cost of the SamTrans PeopleSoft upgrade project from which Caltrain benefits.

Director Ash Kalra said the fare revenue increase is a great sign and glad the Board decided to stick to the 80-train schedule. He asked if staff has thought about using some of the excess funds for maintenance since there has been a scaling back of those expenditures.

Mr. Scanlon said as good as the revenue picture is, it is not that good. The partner agencies and MTC still have to deliver. The rail operator transition costs have to be done and will have many long-term benefits. These transition costs involve taking an agency that has been running a rail with full 13(c) implications and rolling over front line employees to a new employer.

Director Deal said he has a little discomfort and understands transitions costs are higher than they were before but these costs are very high when a lot of money is needed to run the system. Mr. Scanlon said these are all investments that will yield long-term savings.

Ms. Bouchard reported on the rail operator transition expenses:

- The Board awarded a contract to TransitAmerica (TASI) in September with the Notice to Proceed in October.
- This process is transitioning a 19-year relationship with Amtrak and establishing a new relationship with TASI with a safe and seamless transition for customers.
- The largest activity is the transition of the workforce.
- There is a high level of cooperation between Amtrak and TASI.
- The Federal Railroad Administration is actively engaged and several deliverables have been completed and submitted.
- Union leadership is being responsive with concurrent negotiations with 11 unions. So far several side agreements are in place, but national union activities have impacted the schedule.
- Hiring activities for employees are underway including town hall TASI information sessions held for all management and represented employees. Employment offers were made to management employees and represented employees negotiations are pending.
- A comprehensive TASI mobilization and transition plan and schedule have been finalized.
- The planned date for contract service is now set for end of May 2012.
- The original budget assumed a completed transition by March 3, 2012 and was \$3.2 million. The revised budget has a deadline of May 26, 2012 and a budget of \$4.7 million.
- Next steps include notifying Amtrak concerning the schedule for providing Caltrain service through May 2012 and managing and coordinating transition activities to complete transition as planned and budgeted.

Chair Tissier said any time there is a new operator and a merger there is a need to ensure that staff has the tools needed to do it right. Is the \$1.5 million a conservative estimate or will staff need to come back at a later date for additional funds.

Ms. Bouchard said staff is in discussion with TASI for a not-to-exceed amount and meeting milestones to hit the May 26 date.

Director Nolan asked what is “burn rate” as mentioned in the PowerPoint. Ms. Bouchard said it is the cost of the human resources being allocated to the project.

Director Deal said he is comfortable with the cost but not happy.

Director Kniss said she is concerned the \$1.5 million is such a large amount and wants to be sure that no additional funds will be needed. Ms. Bouchard said staff is pretty sure they can get to May with this amount of money. Over the last few months staff has gotten a better understanding of the complexity of coordinating these two schedules of activities and that staff now has accounted for all the anticipated costs.

Director Kniss said she will be disappointed if this item comes back to the Board for additional funds.

Mr. Scanlon said he feels very comfortable with this number. It is time and money running in parallel. Currently Amtrak is running the business and TASI is on site to learn. Staff has gotten assurances from TASI that this will happen, but the biggest uncertainty is the employees.

Chair Tissier appreciates staff’s efforts on this item.

Public Comment

Roland LeBrun, San Jose, said he echoes the comments from the Board. He has a real problem with the \$1.5 million increase and would like some clarification on the rail infrastructure.

A motion (Nolan/Cisneros) to authorize increasing and amending the Fiscal Year 2012 Operating Budget by \$2,574,385 from \$103,779,904 to \$106,354,289 was approved unanimously by roll call.

LEGISLATIVE UPDATE

Government Affairs Manager Seamus Murphy reported:

State

- The Legislature convened this week and bills are being introduced with a bill deadline of February 24.
- On January 10 the governor released his budget for the 2012 fiscal year and staff is looking for two things; the appropriation of Caltrain’s share of the Proposition 1A connectivity funding and some assurance that the diesel sales tax revenue won’t be diverted away from transit operations.

Federal

- In Congress the big news last month was the expiration of the pre-tax transit commuter benefits. Congress was negotiating over a tax extenders package and pre-tax transit commuter benefits were not included in the two month extension that ultimately passed. This is not a good thing for transit riders who take advantage of that benefit. Senator Charles Schumer announced plans to introduce legislation that would put these tax benefits back on par with the benefits that people who drive to work receive.

CORRESPONDENCE

No discussion.

BOARD MEMBER REQUESTS

None

DATE/TIME/PLACE OF NEXT MEETING

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

GENERAL COUNSEL REPORT

- a. Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(a) to Discuss Pending Litigation: San Mateo County Transit District v. City and County of San Francisco et al, San Mateo County Superior Court Case No. CIV 494013
Real Estate Negotiations – Pursuant to Government Code Section 54956.8
Agency Negotiators: David J. Miller and Brian Fitzpatrick
Under Negotiation: Price and terms of Purchase

Property and Negotiating Parties:
Artichoke Joes

Owner Address/Location APN:
659 Huntington Avenue 020-131-570
205 Angus Avenue 020-131-410
Angus and Huntington Avenue
SBE 845-41-5
San Mateo and Huntington Avenues
SBE 846-41-5

- b. Closed Session: Conference with Legal Counsel – Existing Litigation – Pursuant to Government Code Section 54956.9(a): Robert Lightfoot v. City and County of San Francisco, et al.
- c. Closed Session: Conference with Legal Counsel – Potential Litigation Pursuant to Government Code Section 54956.9(c) (One Potential Case)

Legal Counsel David Miller said the Board will convene in closed session to discuss three items that qualify for discussion in closed session under the Brown Act.

Adjourned to closed session at 11:18 a.m.

Reconvened to open session at 11:45 a.m.

Mr. Miller said the Board met in closed session as permitted by the Brown Act.

Mr. Miller said in regards to the proposed resolution of imminent domain action brought by SamTrans on behalf of the JPB for the San Bruno Grade Separation Project is being recommended for consideration.

A motion (Kalra/Nolan) to accept the imminent domain action brought forward by SamTrans on behalf of the JPB was passed unanimously.

Mr. Miller said in regards to pending litigation of Robert Lightfoot v. the Joint Powers Board and the City and County of San Francisco, et al, a report has been provided by counsel and will continue to keep the Board apprised of developments and no action is required today.

Mr. Miller said in regards to a matter of potential litigation, a report was provided by counsel and staff with regard to a claim that is pending and could result in litigation and there is no action to be taken now, but will report back as developments take place based on instructions given by the Board.

ADJOURNED

Adjourned at 11:46 a.m.

AGENDA ITEM # 5 (b)
FEBRUARY 2, 2012

PENINSULA CORRIDOR JOINT POWERS BOARD STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: AUTHORIZING AWARD OF A CONTRACT FOR VOICE RADIO CHANNEL BASE STATION IMPROVEMENTS FOR THE NARROWBANDING PROJECT

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Award the subject contract to the lowest, responsive and responsible bidder, Day Wireless Systems, in the amount of \$50,834.
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 recommended contract award will provide for upgrades to the antenna systems for Caltrain's four voice radio base stations at 1) San Francisco, 2) Sign Hill, 3) San Carlos Caltrain headquarters, and 4) San Jose Central Control Facility (CCF) to enable a smooth transition for the Federal Communications Commission (FCC) narrowband mandate to operate in the 12.5 kHz mode.

BUDGET IMPACT

Funding for the contract is fully budgeted in the approved Caltrain capital budgets. No additional funding is required.

BACKGROUND

On January 1, 2013, all land mobile radio systems operating in the 150-512 MHz radio bands must cease operating using 25 kHz technology and begin using at least 12.5 kHz technology. The Peninsula Corridor Joint Powers Board (JPB) is working to meet this FCC-mandated requirement to migrate from 25 kHz to the narrowband 12.5 kHz for the Caltrain voice radio system. Improvements to the voice radio base stations are needed to prevent degradation of voice communications when Caltrain migrates to narrowband. Work under this contract includes replacing the voice radio base station antennas, cables and filters to improve the overall performance of the voice radio system.

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 small and disadvantaged business enterprises (SBEs and DBEs). One bid was received as listed below:

	Company	Total Bid Amount
	<i>Engineer's Estimate</i>	\$100,000
1.	Day Wireless Systems, Benicia, CA	\$50,834

Staff reviewed the bid and determined that the bidder was responsive to the solicitation requirements. Day Wireless Systems was the only bid and its submission was 49.17 percent lower than the engineer's estimate. Staff attributes Day Wireless Systems' lower than anticipated bid amount to decreased mobilization and demobilization costs since Day Wireless Systems is currently working onsite on another JPB project. Staff attributes the low number of bids to the fact that there are a limited number of contractors that can perform this specialized work. Other potentially qualified firms were polled to find their reasons for not submitting bids. Two of the three firms responded that they usually focus on larger projects and that the proposed project was too small and not in their best financial interest. The third firm limited its business to the sale of voice radio equipment and was not positioned to bid on the full scope of work.

Staff and legal counsel determined that Day Wireless Systems submitted a complete bid package and satisfied all of the applicable legal requirements. As there was only a single bid received, staff conducted a price analysis of the bid and determined that it was fair and reasonable. Company reference checks confirm that Day Wireless Systems is an experienced and competent contractor. In addition, Day Wireless Systems is currently performing satisfactorily on another JPB contract that provides radio replacements for narrowbanding. Staff has determined that Day Wireless is appropriately qualified and capable of meeting the requirements of the proposed contract, and is therefore the lowest responsive, responsible bidder.

The DBE Office reviewed the IFB prior to release and encouraged bidders to provide subcontracting opportunities to small businesses, including DBEs. Although there is no DBE participation, Day Wireless Systems has been responsive to the JPB's DBE requirements.

Contract Officer: Helen Hoang	650.508.7964
Project Manager: Robert Tam	650.508.7969

RESOLUTION NO. 2012-

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

* * *

**AUTHORIZING AWARD OF CONTRACT TO
DAY WIRELESS SYSTEMS
FOR VOICE RADIO CHANNEL BASE STATION IMPROVEMENTS
FOR THE NARROWBANDING PROJECT
AT A TOTAL COST OF \$50,833.99**

WHEREAS, the Peninsula Corridor Joint Powers Board (“JPB”) solicited bids for Voice Radio Channel Base Station Improvements for the Narrowbanding Project; and

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

WHEREAS, staff and General Counsel have reviewed the bid; and

WHEREAS, staff has conducted a price analysis of the single bid received and determined that the price is fair and reasonable; and

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Day Wireless Systems of Benicia, California, for Voice Radio Channel Base Station Improvements for the Narrowbanding Project at a total cost of \$50,833.99; and

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

Regularly passed and adopted this 2nd day of February, 2012 by the following vote:

AYES:

NOES:

ABSENT

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

AGENDA ITEM # 5 (c)
FEBRUARY 2, 2012

PENINSULA CORRIDOR JOINT POWERS BOARD

STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: AUTHORIZING CONTRACT EXTENSION AMENDMENT FOR SECURITY GUARD SERVICES

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Authorize the seventh amendment to the Agreement with Cypress Security, LLC (Cypress) for furnishing security guard services in order to extend the contract term on a month-to-month basis from March 1, 2012 through December 31, 2012 for an additional estimated \$115,400.
2. Authorize the Executive Director, or designee, to execute the seventh amendment to the Agreement.

SIGNIFICANCE

Approval of the above actions will provide staff sufficient time to develop a Request for Proposals (RFP) for the provision of security guard services that will address the Peninsula Corridor Joint Powers Board's (JPB's) requirements while the current contractor continues to provide these services.

BUDGET IMPACT

The current approved contract amount is insufficient to provide security guard services during the 10-month contract extension. This amendment will increase the total contract amount from \$1,102,237 to \$1,217,637. Funds for the services to be provided pursuant to this amendment will be available under the approved and projected operating budgets.

BACKGROUND

Pursuant to Resolution 2006-29, the Board awarded a three-year contract with two one-year option terms to Cypress Security, LLC of San Francisco, CA to provide security guard services to the JPB at the San Francisco, San Jose Diridon and Gilroy Caltrain stations.

The re-solicitation of security guard services for the JPB has been delayed to give staff sufficient time to develop a new scope of work for the RFP that will solicit services that encompass requirements of both the JPB and the San Mateo County Transit District.

Cypress and staff negotiated a 25 cent per hour rate increase to the current contracted rates that Cypress bills the JPB. The rate increase represents a 2.33 percent increase over current billing amounts, is less than the latest published Consumer Price Index of 3.2 percent and is the first rate increase on this contract since February 2008. The new estimated monthly rate of \$11,540 will apply on a month-to-month basis until a new contract is in place. Staff anticipates issuing the RFP for security guard services in early 2012.

Contract Officer: Luis F. Velásquez 650.622.8099
Project Manager: Dave Triolo, Chief of Protective Services
650.508.6237

RESOLUTION NO. 2012-

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

* * *

**AUTHORIZING THE SEVENTH AMENDMENT TO EXTEND THE TERM OF THE
AGREEMENT WITH CYPRESS SECURITY, LLC FOR PROVISION OF SECURITY
GUARD SERVICES AND TO INCREASE THE ESTIMATED AGREEMENT
AMOUNT BY \$115,400**

WHEREAS, pursuant to Resolution 2006-29, the Board of Directors of the Peninsula Corridor Joint Powers Board (JPB) authorized the award of a contract to Cypress Security, LLC (Cypress) for provision of security guard services; and

WHEREAS, staff proposes to extend the Agreement for an additional 10 months on a month-to-month basis to allow time for the JPB to develop and issue a Request for Proposals to provide security guard services for the JPB and the San Mateo County Transit District; and

WHEREAS, the Executive Director recommends that the Board authorize the Seventh Amendment to the Agreement with Cypress, which will extend the contract term on a month-to-month basis from March 1, 2012 through December 31, 2012 and increase the contract amount by an estimated \$115,400.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the JPB authorizes the Seventh Amendment to the Agreement with Cypress Security, LLC of San Francisco, California to extend the contract term on a month-to-month basis from March 1, 2012 through December 31, 2012, and to increase the contract amount by an estimated \$115,400; and

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director or his designee to execute the Seventh Amendment, in a form approved by legal counsel.

Regularly passed and adopted this 2nd day of February, 2012 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

AGENDA ITEM # 5 (d)
FEBRUARY 2, 2011

PENINSULA CORRIDOR JOINT POWERS BOARD STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington CH. (Chuck) Harvey
Deputy CEO Deputy CEO

SUBJECT: **APPROVING AN UPDATED POLICY PERTAINING TO LOST AND UNCLAIMED PROPERTY**

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Approve an updated policy pertaining to lost and unclaimed property (Policy), which Policy shall be effective upon transition of Caltrain services to TransitAmerica Services, Inc. (TransitAmerica).
2. Authorize the Executive Director, or designee, to make future administrative changes to the Policy.

SIGNIFICANCE

The Policy governs the treatment of lost and unclaimed property found upon or within property owned or used by the JPB. The Policy needs to be updated to reflect current law and the upcoming change in the Caltrain operator from Amtrak to TransitAmerica.

BUDGET IMPACT

It is anticipated that there will be no impact on the budget; if anything these changes will allow a streamlining of the lost and found property disposition process.

BACKGROUND

Pursuant to Resolution 1992-33, the JPB adopted a policy pertaining to lost and unclaimed property. The Policy requires updating to make it consistent with current law as follows: (1) raising the threshold under which lost and unclaimed property is required to be sold at public auction from \$10 to \$100; and (2) clarifying that the published notice of public auction does not need to include a list of the items to be auctioned. The Policy also needs to be updated to reflect the upcoming change in the Caltrain operator, so that the correct representatives of the JPB are referenced.

Director, Rail Transportation: Michelle Bouchard

650.508.6420

RESOLUTION NO. 2012-

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

* * *

**APPROVING AN UPDATED POLICY FOR LOST AND
UNCLAIMED PROPERTY**

WHEREAS, pursuant to Resolution 1992-33, the Peninsula Corridor Joint Powers Board (JPB) adopted a policy setting forth procedures pertaining to lost and unclaimed property found upon or within property owned or used by the JPB (Policy); and

WHEREAS, staff desires to update the Policy to make it consistent with current law and to reflect the upcoming change in the Caltrain operator from Amtrak to TransitAmerica Services, Inc. (TransitAmerica); and

WHEREAS, staff has updated the Policy and presented it for Board approval, with the understanding that the Policy shall be effective upon transition of the Caltrain Peninsula Commute Service to TransitAmerica.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board approves the attached Policy pertaining to lost and unclaimed property, which Policy shall be effective upon transition of the Caltrain Peninsula Commute Service to TransitAmerica; and

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director, or designee, to make future administrative changes to the Policy.

Regularly passed and adopted this 2nd day of February 2012 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

LOST AND UNCLAIMED PROPERTY POLICY

PENINSULA CORRIDOR JOINT POWERS BOARD

I. DEFINITION

A. "JPB" shall mean the joint powers authority, known as the Peninsula Corridor Joint Powers Board, comprised of three member agencies: the San Mateo County Transit District ("District"); the Santa Clara County Transit District; and the City and County of San Francisco.

B. "JPB Representatives" shall mean officers or employees of any of the three member agencies of the JPB, of TransitAmerica Services, Inc. ("TransitAmerica") as the operator of the Caltrain Service under contract with the JPB, or of any other contractors or consultants of the JPB.

C. "Lost and unclaimed property" or "property" shall mean any money, goods, or other personal items or articles brought to the JPB or found upon or within the property owned or under the jurisdiction of the JPB or property used by the JPB for public meetings, where the owner of such lost or unclaimed property is unknown; provided, however, that property held as evidence, dangerous weapons or deadly weapons, narcotics or dangerous drugs, explosives or any property of any kind whatsoever, which is prohibited by law as the same are defined or described in State or Federal statutes, shall not constitute lost and unclaimed property as herein defined.

D. The "District" is the member agency of the JPB which has been designated and authorized by the JPB to serve as the managing agent of Caltrain. On behalf of the JPB, the District shall also implement this policy.

II. CARE AND RESTITUTION

The Executive Director of the JPB or his or her designee shall designate a safe place as a central repository for lost and unclaimed property. All JPB Representatives who find such property shall deliver it to the appropriate District employee in charge of the central repository for the JPB, who will arrange for its delivery to the central repository where the article shall be properly tagged, inventoried and stored.

All lost and unclaimed property shall be kept by the JPB using ordinary care to keep such property safely. If an owner appears and the property in question is in the possession of the JPB, the owner shall produce proof of his or her ownership and offer reimbursement to the JPB for any storage charges incurred. The property shall be delivered to said owner upon his or her payment of the storage charges, if any, and upon said owner executing a receipt for the property.

Property excepted from the definition of lost and unclaimed property in Section I shall be turned over to the law enforcement agency of the jurisdiction in which it is found or, if it may be used by the JPB as evidence, it shall be retained by the JPB.

III. PERIOD TO BE HELD

All lost and unclaimed property in the possession of the JPB shall be stored in the central repository designated by the District for at least three (3) months.

IV. NOTICE AND SALE

At any time after the expiration of said three (3) month period, the JPB may dispose of the lost and unclaimed property in accordance with procedures set forth in this section and Section VI. The Executive Director or his or her designee shall cause to be published once, in a newspaper of general circulation in San Francisco, San Mateo and Santa Clara counties, a notice of the JPB's intention to sell at public auction to the highest bidder at the time and place therein specified, all such lost and unclaimed property having a value of One Hundred Dollars (\$100.00) or greater and those lost and unclaimed property items or articles having a value of less than One Hundred Dollars (\$100.00) that the Executive Director or designee deems appropriate for auction. Such notice of sale shall be published not less than five (5) days prior to the time fixed for the auction.

The auction may be conducted by the Executive Director or his or her authorized representative; the JPB may enlist the services of a professional auctioneer to conduct the auction on behalf of the JPB. Each item shall be sold to the highest bidder at public auction.

Lost and unclaimed money in the custody of the JPB that is not claimed within the three (3) month period shall be delivered to the District's Director of Finance for deposit into the JPB's general fund.

V. EXPENSES AND PROCEDURES OF SALE

The expenses of the auction or any other method of disposition authorized in Section VI shall be a proper charge against the funds of the JPB and all proceeds received from the auction or any other method of disposition of the property under Section VI shall be delivered to the District's Director of Finance for deposit into the JPB's general fund.

VI. UNSOLD ITEMS

All property for which no bid is made at an auction or items of a value less than One Hundred Dollars (\$100.00) that are not included in an auction may be given to a non-profit charitable organization, destroyed or disposed of in some other manner as the Executive Director or his or her designee may direct.

**AGENDA ITEM # 8
FEBRUARY 2, 2012**

**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 DECEMBER 2011**

December 2011 Caltrain average weekday ridership (AWR) was 38,387, which is an increase of 3,531 or 10.1 percent over December 2010 AWR of 34,856. AWR has trended upward compared to the previous year for 17 consecutive months. The total number of passengers for the month of December 2011 was 1,036,826, which is an increase of 107,719 or 11.6 percent over the December 2010 total of 929,107.

In December 2011, on-time performance was 94.0 percent, as compared to 95.8 percent in December 2010. This is a decrease of 1.8 percent and is below the standard of 95 percent. If the definition of on-time is expanded to trains arriving within 10 minutes of the scheduled arrival time, on-time performance would be 97.5 percent. While not a significant contributor to the overall on-time performance, the fatalities at the California Avenue station in Palo Alto and at the Oak Grove grade crossing in Menlo Park significantly delayed or cancelled eight trains on Saturday, December 3.

For December 2011, mechanical delays totaled 611 minutes and there were 7.8 complaints per 100,000 passengers.

Average weekday shuttle ridership was 5,771, which is an increase of 1,616 or 38.9 percent over December 2010 AWR of 4,155. This high growth is largely influenced by Stanford's Marguerite shuttle, which constitutes almost 50 percent of Caltrain shuttle ridership. Marguerite AWR was close to double a year ago and many of the employer shuttles are up significantly. For the station shuttles, the Millbrae-Broadway shuttle averaged 131 daily riders. The Belmont-Hillsdale shuttle averaged 74 daily riders. The weekend Tamien-San Jose shuttle averaged 44 riders per day.

Caltrain Promotions – December 2011

San Jose Sharks – While beachgoers flee the ocean when a shark is spotted, hockey fans flock to Caltrain to get to Sharks games. Fans continue to hear about the service to the HP Pavilion in San Jose through onboard adcards, pre-game radio spots on KFOX during Coach's Corner, a web button and page on Caltrain's site and link on the Sharks' site. Shark service information also was included in *Caltrain Connection* and *Track the Fun*. Caltrain carried 3,345 customers after the 10 December games. Year-to-date ridership is up 36 percent compared to last year.

Kraft Fight Hunger Bowl – College football fans wrapped up 2011 by taking Caltrain to the Kraft Fight Hunger Bowl at AT&T Park. The service was promoted with web posting, Tweets, Facebook status updates, station notices and a news release. It also was included in *Track the Fun* and *Caltrain Connection*. Caltrain, which ran two extra trains both before and after the game, carried an extra 1,737 customers, which is a 1 percent increase compared to the last bowl game.

New Year's Eve – Caltrain operated special service for New Year's revelers who celebrated in San Francisco then wanted to get home to the Peninsula and South Bay. The service was promoted through a news release, *Caltrain Connection* newsletter and web posting. Caltrain carried 3,876 customers, which is a 55 percent increase compared to last year.

Holiday Transit Toy Drive – With the second suspension of the annual Holiday Train because of fiscal issues, Caltrain partnered with SamTrans to provide a downscaled holiday celebration to generate toy donations for the Marine Corps Reserves and Salvation Army's Toys for Tots programs. The two transit agencies and their crew of North Pole characters staffed a booth at the popular Redwood City Hometown Holidays. More than 500 toys were collected for children in need.

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

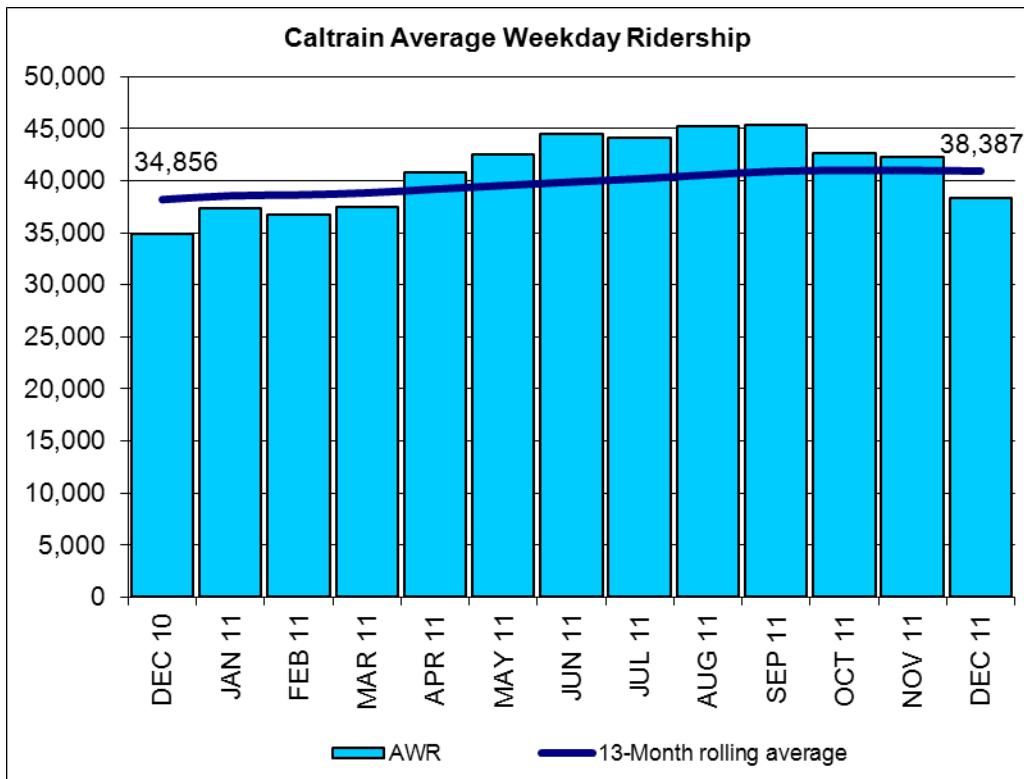
Table A

December 2011			
	FY2011	FY2012	%Change
Total Ridership	929,107	1,036,826	11.6%
Average Weekday Ridership	34,856	38,387	10.1%
Total Farebox Revenue	\$3,387,026	\$4,305,083	27.1%
On-time Performance	95.8%	94.0%	-1.8%*
Average Caltrain Shuttle Ridership	4,155	5,771	38.9%

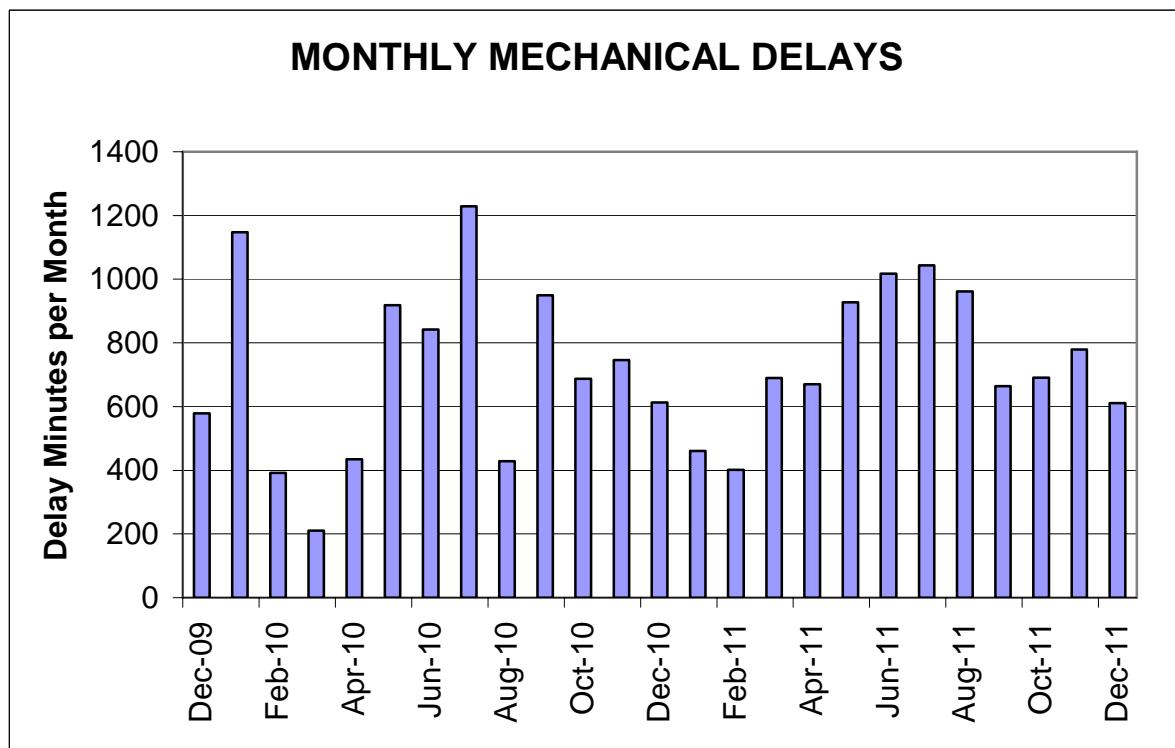
Year to Date			
	FY2011	FY2012	%Change
Total Ridership	6,318,810	6,898,319	9.2%
Average Weekday Ridership	39,879	42,996	7.8%
Total Farebox Revenue	\$23,344,216	\$29,025,589	24.3%
On-time Performance	93.8%	93.4%	-0.4%*
Average Caltrain Shuttle Ridership	5,236	6,818	30.2%

* numeric difference of the percentages

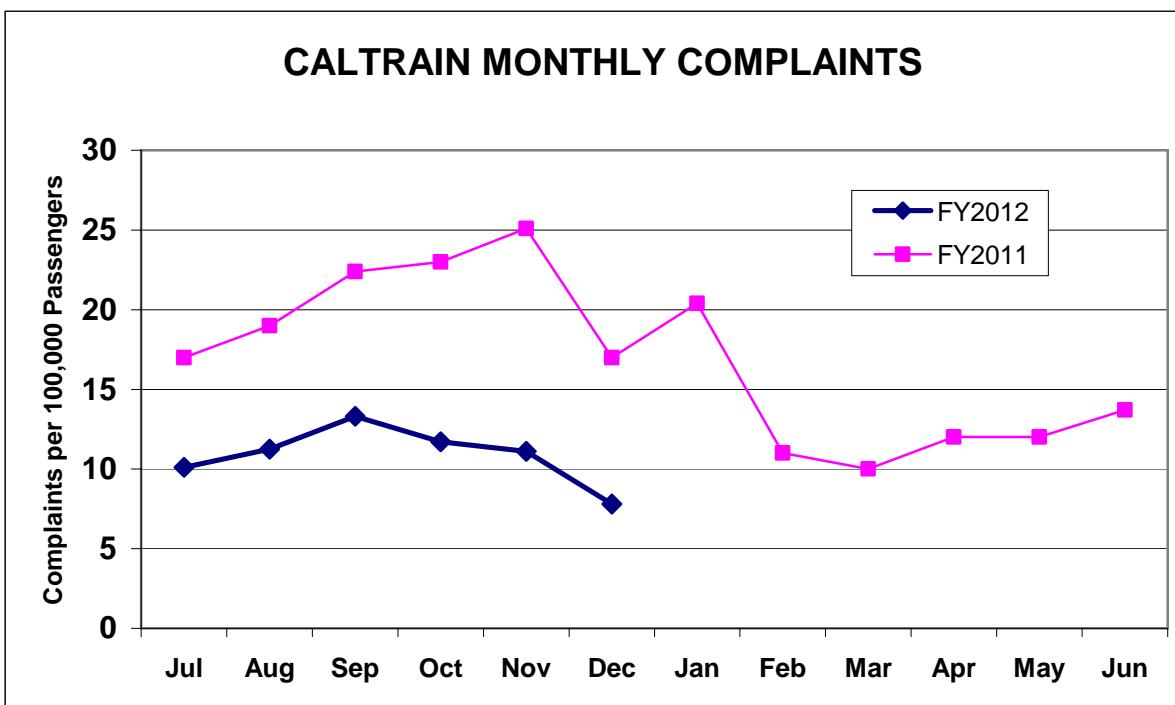
Graph A



Graph B



Graph C



AGENDA ITEM # 9
FEBRUARY 2, 2012

**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 DECEMBER 31, 2011 AND SUPPLEMENTAL INFORMATION**

ACTION

Staff proposes that the Board of Directors accept and enter into the record the Statement of Revenue and Expense for the month of December 2011 and supplemental information.

SIGNIFICANCE

Revenue: For December of Fiscal Year 2012, *Total Operating Revenue* (line 7) is \$4,225,102 or 14.5 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1), *Parking Revenue* (line 2) and *Other Income* (line 5) which together are \$4,353,624 or 15.7 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$6,218,941 or 22.8 percent **higher** driven by *Farebox Revenue* (line 1), *Parking Revenue* (line 2) and *Other Income* (line 5) which together are \$6,344,081 or 24.6 percent **higher**.

Expense: *Grand Total Expense* (line 46) is \$2,253,223 or 4.3 percent **better** than budget. *Total Operating Expense* (line 33) is \$1,727,916 or 3.8 percent **better** than budget. Within total operating expense, *Contract Operating & Maintenance* (line 23) and *Services* (line 31) together are \$527,840 or 1.7 percent **better** than budget. *Total Administrative Expense* (line 42) is \$525,308 or 9.3 percent **better** than budget.

Compared to prior year, *Grand Total Expense* (line 46) are \$3,979,429 or 8.7 percent **higher**. The increase in expense is mainly due to *Contract Operating & Maintenance* (line 23), *Fuel* (line 26) and *Administrative Expense* (line 42) which together are \$4,399,968 or 11.4 percent **higher** and is offset by *Insurance* (line 28) which is \$990,485 or 28.9 percent **lower** than budget.

Budget Revisions: There are no budget revisions for the month of December 2011.

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

650.508.7752
650.508.6259

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
Fiscal Year 2012
December 2011

	MONTH	% OF YEAR ELAPSED					50.0%
		CURRENT ACTUAL	YEAR TO DATE			ANNUAL	
			PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET
(AS PROJECTED)							
REVENUE							
OPERATIONS:							
1 Farebox Revenue	4,305,083	23,344,215	29,024,939	24,960,211	116.3%	50,644,719	50,644,719
2 Parking Revenue	258,705	1,213,310	1,600,970	1,388,298	115.3%	2,776,600	2,776,600
3 Shuttles	(43,179)	571,879	428,517	574,272	74.6%	1,148,579	1,148,579
4 Rental Income	146,107	867,632	885,853	868,620	102.0%	1,737,240	1,737,240
5 Other Income	221,030	1,248,284	1,523,982	1,447,758	105.3%	2,913,060	2,913,060
6							
7 TOTAL OPERATING REVENUE	4,887,746	27,245,320	33,464,261	29,239,159	114.5%	59,220,198	59,220,198
8							
9 CONTRIBUTIONS:							
10 AB434 Peninsula Feeder Shuttle	83,333	500,000	492,868	492,866	100.0%	1,000,000	1,000,000
11 Operating Grants	-	3,783,241	2,244,014	3,355,124	66.9%	9,222,450	9,222,450
12 JPB Member Agencies	2,111,438	17,545,066	12,668,625	12,668,622	100.0%	25,337,256	25,337,256
13 Other Sources	688,007		688,007	6,055,228	11.4%	9,000,000	9,000,000
14							
15 TOTAL CONTRIBUTED REVENUE	2,882,779	21,828,307	16,093,514	22,571,840	71.3%	44,559,706	44,559,706
16							
17 GRAND TOTAL REVENUE	7,770,525	49,073,627	49,557,776	51,810,999	95.7%	103,779,904	103,779,904
18							
19							
EXPENSE							
20 OPERATING EXPENSE:							
21 Contract Operating and Maintenance	5,315,909	27,839,925	29,953,343	30,396,761	98.5%	62,851,773	62,391,773
22 Operator Contract Transition Costs	141,995	-	442,049	1,125,909	39.3%	3,200,000	3,200,000
23 Shuttles (incl Peninsula Pass)	116,066	1,471,194	1,372,750	1,511,135	90.8%	2,984,550	2,984,550
24 Fuel	1,118,235	6,022,414	7,926,912	8,086,789	98.0%	14,660,380	14,660,380
25 Timetables and Tickets	27,242	48,463	53,179	67,667	78.6%	161,000	161,000
26 Insurance	485,555	3,424,983	2,434,498	2,434,980	100.0%	4,870,000	4,870,000
27 Facilities and Equipment Maint	117,802	392,589	516,719	620,715	83.2%	1,037,260	1,497,260
28 Utilities	115,421	675,223	699,512	798,500	87.6%	1,596,835	1,596,835
29 Services	112,212	430,301	503,507	587,928	85.6%	1,171,760	1,171,760
30							
31 TOTAL OPERATING EXPENSE	7,550,438	40,305,091	43,902,468	45,630,384	96.2%	92,533,558	92,533,558
32							
33 ADMINISTRATIVE EXPENSE							
34 Wages and Benefits	415,891	3,102,677	2,686,993	3,260,543	82.4%	6,340,690	6,336,359
35 Board of Directors	861	5,451	4,363	5,400	80.8%	10,800	10,800
36 Professional Services	173,630	903,553	1,449,977	1,416,844	102.3%	2,143,542	2,143,542
37 Communications and Marketing	2,936	30,536	31,146	72,075	43.2%	171,000	171,000
38 Office Expense and Other	147,718	679,603	931,392	874,315	106.5%	1,477,439	1,481,770
39							
40 TOTAL ADMINISTRATIVE EXPENSE	741,037	4,721,819	5,103,871	5,629,178	90.7%	10,143,471	10,143,471
41							
42 Long Term Debt Expense	91,906	551,438	551,438	551,438	100.0%	1,102,875	1,102,875
43							
44 GRAND TOTAL EXPENSE	8,383,381	45,578,348	49,557,776	51,810,999	95.7%	103,779,904	103,779,904
45							
46							

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



Board of Directors 2012

Adrienne Tissier, Chair
Ken Yeager, Vice Chair
José Cisneros
Malia Cohen
Jerry Deal
Ash Kalra

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF DECEMBER 31, 2011

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Restricted)	Liquid Cash	0.382%	\$ 2,000,000	\$ 2,000,000
Local Agency Investment Fund (Unrestricted)	Liquid Cash	0.382%	41,953,632	41,953,632
Investment Portfolio (Unrestricted)	Liquid Cash	0.599%	2,032,906	2,035,654
Other (Unrestricted)	Liquid Cash	0.010%	3,127,370	3,127,370
			\$ 49,113,908	\$ 49,116,656
Accrued Earnings for December 2011		\$13,999.49		
Cumulative Earnings FY2012		\$99,500.72		

** 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 # 10
FEBRUARY2, 2012**

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director / CEO

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **QUARTERLY INVESTMENT REPORT AND
FIXED INCOME MARKET REVIEW AND OUTLOOK**

ACTION

Staff Coordinating Council (SCC) recommends that the Board accept and enter into the record the Quarterly Investment Report and Fixed Income Market Review and Outlook for the quarter ended December 31, 2011.

SIGNIFICANCE

The Joint Powers Board's (JPB) Investment Policy contains a requirement for a quarterly report to be transmitted to the Board within 30 days of the end of the quarter. This staff report was forwarded to the Board of Directors under separate cover on January 25, 2012 in order to meet the 30 day requirement.

BUDGET IMPACT

As this reports on the Quarterly Market Review and Outlook, there is no budget impact.

BACKGROUND

The JPB is required by state law to submit quarterly reports within 30 days of the end of the quarter covered by the report. The report is required to include the following information:

1. Type of investment, issuer, date of maturity, par and dollar amount invested in all securities, investments and money held by the local agency;
2. Description of any of the local agency's funds, investments or programs that are under the management of contracted parties, including lending programs;
3. For all securities held by the local agency or under management by any outside party that is not a local agency or the State of California Local Agency Investment Fund (LAIF), a current market value as of the date of the report and the source of this information;
4. Statement that the portfolio complies with the Investment Policy or the manner in which the portfolio is not in compliance; and,

5. Statement that the local agency has the ability to meet its pool's expenditure requirements (cash flow) for the next six months or provide an explanation as to why sufficient money shall or may not be available.

A schedule, which addresses the requirements of 1, 2, and 3 above, is included in this report on page 6. The schedule separates the investments into three groups: The Investment Portfolio which is managed by SunTrust Banks, doing business as CSI Capital a SunTrust Group ("CSI"). Liquidity funds which are managed by JPB staff; and Trust funds which are managed by a third party trustee. The Investment Policy governs the management and reporting of the Investment Portfolio and Liquidity funds while the bond covenants govern the management and reporting of the Trust funds.

CSI provides the JPB a current market valuation of all the assets under its management for each quarter. The valuation is provided by FT Interactive Data, the major operating division of Interactive Data Corporation, (IDC). IDC is a leading provider of global securities data. They offer one of the largest information databases with current and historical prices on securities traded in all major markets including daily evaluations for more than 2.5 million fixed income securities.

Due to the nature of securities which are bought and sold in a principal market, such as fixed income securities, multiple market values may exist for a given security at any given time. CSI has chosen IDC as an unbiased estimator of these prices based on their leading role as a provider of end of the day pricing, an evaluation of their methodology and the experience of their evaluation staff. Unfortunately, given the recent volatility in the markets not every security is currently supported or accurately reflected by IDC. Therefore at the end of the quarter, CSI surveyed a number of Wall Street firms to get an accurate market value of the securities held in JPB's portfolio. These surveys reflect the levels at which someone is actually willing to purchase the securities held by JPB. In the case of money market instruments, which are not supported by IDC, CSI uses adjusted cost.

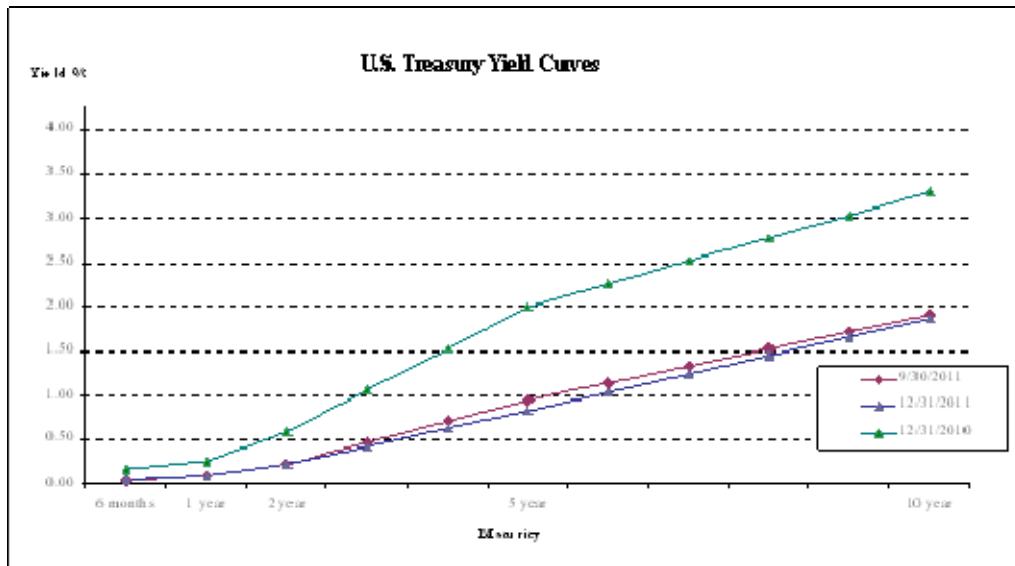
The Liquidity funds managed by JPB staff are considered to be cash equivalents and therefore market value is considered to be equal to book value, (i.e. cost). The shares of beneficial interest generally establish a nominal value per share. Because the Net Asset Value is fixed at a nominal value per share, book and market value are equal and rate of income is recalculated on a daily basis.

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

DISCUSSION

Market Review and Outlook

Despite signs of improving domestic growth, interest rates remained relatively unchanged during the fourth quarter of 2011 as the events surrounding the various debt crises in several of the European Union's member countries, generally referred to as sovereigns, continued to take center stage. Looking back on the year as a whole, interest rates generally fell through the third quarter and remained near record lows for the balance of the year.



Data Source: Bloomberg

As we recap the year just past and ponder the year ahead, the fixed income markets remain a challenge. Despite inflation near 3.0%, declining unemployment rates and stronger than expected consumption here in the U.S., interest rates remain set at abnormally low levels. Indeed, long-term bonds are at or near their most expensive levels ever, viewed from the standpoint that even a small increase in price could result in negative returns. These abnormally low rates can be attributed in varying parts to actions by the U. S. Federal Reserve stating this past summer, their intention to maintain the current low interest levels through 2012 and into 2013. As well as uncertainty surrounding our political process, uncertainty surrounding the economy and perhaps most importantly, uncertainty surrounding the sovereign debt crisis in Europe.

There is no way to overstate the importance of European policy makers finding a credible solution to their budgetary and debt problems. If the Europeans are unable to stem their financial challenges, the resulting crisis has the potential to surpass the 2008/2009 melt-down here in the U.S. The resulting shock waves would be felt around the globe and could set back our own fledgling recovery for years. On the other hand, a successful outcome could help bring back the much needed confidence that business leaders currently lack and pave the way to an improved economy and stronger growth in employment.

Unfortunately, the challenges the Europeans face are formidable. Experts are calling for either a disbandment of the Euro or a stronger fiscal union that would involve some loss of sovereignty among the member countries of the common European currency. The former would be messy

and risks the collapse of the banking system in Europe. The latter is exceptionally difficult to pull off. In the meantime, Europe's policy makers are frantically seeking an acceptable interim solution, but there are no easy answers.

Undoubtedly the U.S. bond market has been the beneficiary of fund flows out of the Euro and into the U.S. Dollar as investors hedged against the ongoing, disorderly decline in Euro zone markets. In all likelihood this kept U.S. interest rates lower than might have otherwise been the case given recent improvements in the U.S. economy. And, although there has been some recent progress in Europe on a longer-term solution, a near-term fix remains elusive. However, should a credible plan emerge, some of the recent fund inflows may reverse leading to higher interest rates. If a credible plan fails to emerge, interest rates may very well remain at their recent lows.

Strategy

Over the foreseeable future CSI expect interest rates to move gradually higher. They continue to caution that the current low rates leave no room for a sudden rise in interest rates, which would result in negative returns. Given CSI's outlook and the current level of uncertainty in the markets, we are comfortable keeping the portfolio's exposure to a change in interest rates below that of the benchmark.

As of the end of the quarter, the JPB's portfolio consisted of 0 percent FDIC guaranteed Corporate Bonds, 100 percent Agency Securities and 0 percent US Treasury securities; see Exhibit 6. FDIC guaranteed Corporate Bonds typically have a longer duration than one year and do not satisfy the JPB's liquidity needs. It is for these reasons the current portfolio mix is 100 percent invested in Agency Securities.

Budget Impact

The portfolio's performance is reported on a total economic return basis. This method includes the coupon interest, amortization of discounts and premiums, capital gains and losses and price changes (i.e., unrealized gains and losses). For the quarter ending December 31, the portfolio returned 0.12 percent. This compares to the benchmark return of 0.12 percent. The Performance graph in Exhibit 3 shows the relative performance of the JPB's portfolio since inception. The Growth of a Thousand Dollars graph in Exhibit 4 shows the cumulative performance over this same time frame for the portfolio.

The portfolio's yield to maturity, the return the portfolio will earn in the future if all securities are held to maturity is also reported. This calculation is based on the current market value of the portfolio including unrealized gains and losses. For the quarter ending December 31, the portfolio's yield to maturity or call was 0.39 percent. The benchmark's yield to maturity was 0.17 percent.

Another method of measuring the portfolio's yield to maturity is the yield of the portfolio at cost. This calculation is based on the value of the portfolio at cost and does not include any unrealized gains or losses as part of its computation. As of the end of the quarter the portfolio's rate of return on investments, at cost, was 0.71 percent.

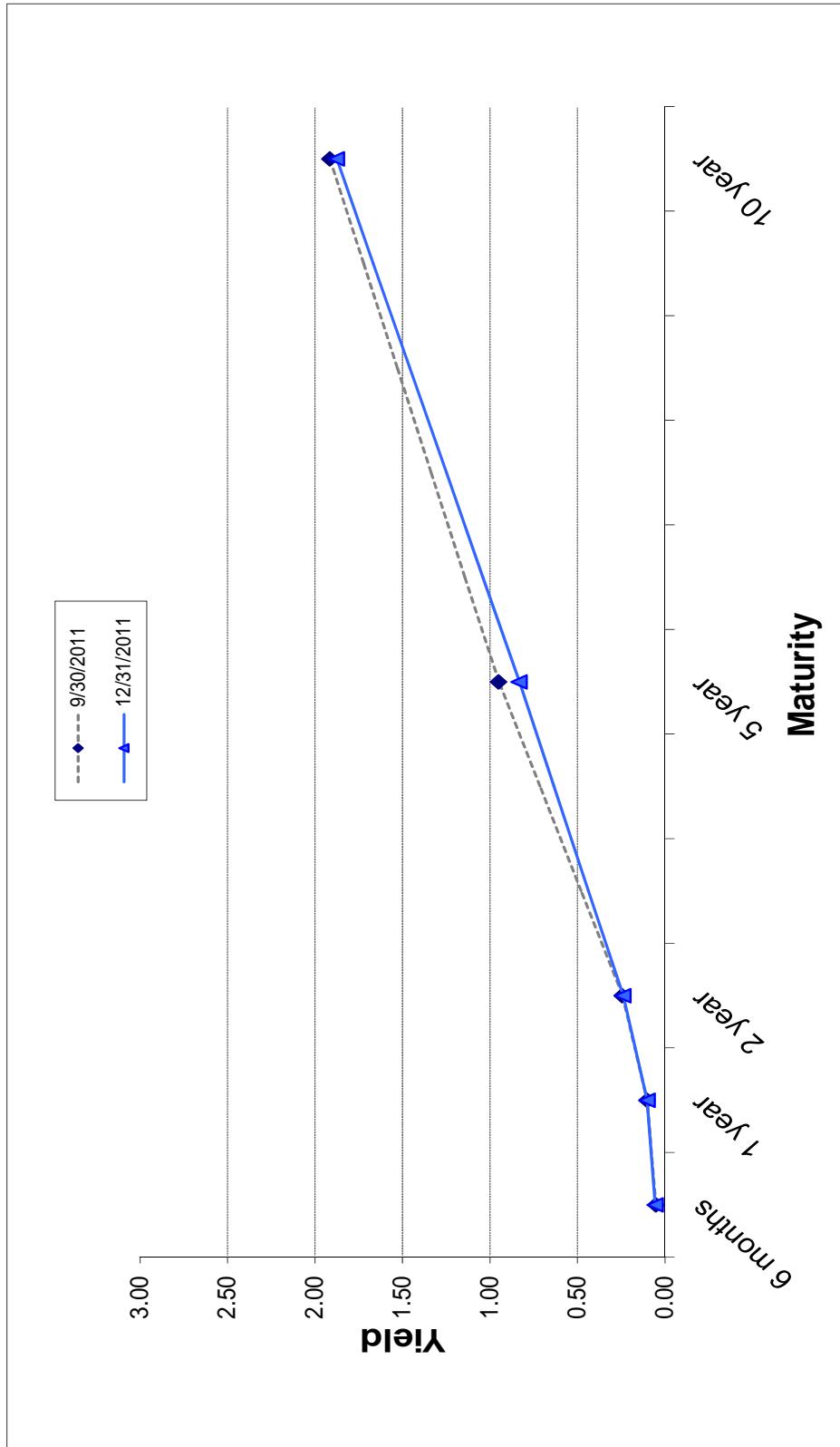
EXHIBIT 1

PENINSULA CORRIDOR JOINT POWERS BOARD
REPORT OF INVESTMENTS
FOR QUARTER ENDED DECEMBER 31, 2011

<u>TYPE</u>	<u>DATE OF MATURITY</u>	<u>PAR VALUE</u>	<u>CARRYING AMOUNT</u>	<u>MARKET VALUE</u>	<u>ACCRUED INTEREST</u>	<u>MARKET VALUE +ACCR. INT.</u>
<u>FUNDS MANAGED BY SUNTRUST BANKS/CSI CAPITAL A SUNTRUST GROUP:</u>						
<u>INVESTMENT PORTFOLIO:</u>						
GOVERNMENT BONDS						
FHLB	03-14-13	1,500,000	1,498,575	1,500,449	2,229	1,502,678
FNMA Step-Up	02-14-14	535,000	500,550	535,205	1,781	536,987
TOTAL FUNDS MANAGED BY SUNTRUST BANKS/CSI CAPITAL A SUNTRUST GROUP:		<u>2,035,000</u>	<u>1,999,225</u>	<u>2,035,654</u>	<u>4,011</u>	<u>2,039,665</u>
<u>LIQUIDITY FUNDS MANAGED BY DISTRICT STAFF:</u>						
BANK OF AMERICA CHECKING						
LAIF						
3,127,370		3,127,370		0		3,127,370
43,953,632		43,953,632		30,823		43,984,455
TOTAL FUNDS MANAGED BY DISTRICT STAFF		<u>47,081,002</u>	<u>47,081,002</u>	<u>30,823</u>	<u>30,823</u>	<u>47,111,825</u>
<u>TRUST FUNDS MANAGED BY THIRD PARTY TRUSTEE:</u>						
Cash						
First American Treas. Oblig. Cl D Corp Tr						
91,906		91,906		0		91,906
183,813		183,813		0		183,813
TOTAL FUNDS MANAGED BY THIRD PARTY TRUSTEE		<u>275,719</u>	<u>275,719</u>	<u>0</u>	<u>0</u>	<u>275,719</u>
TOTAL AS OF DECEMBER 31, 2011		<u>2,035,000</u>	<u>49,355,946</u>	<u>49,392,375</u>	<u>34,834</u>	<u>49,427,269</u>

EXHIBIT 2

Peninsula Corridor Joint Powers Board
Historical Yield Curve



Data Source: Bloomberg

CSI Capital Management, Inc.

Peninsula Corridor Joint Powers Board
 Monthly Review – Account vs. Benchmark
Rolling 24 Months

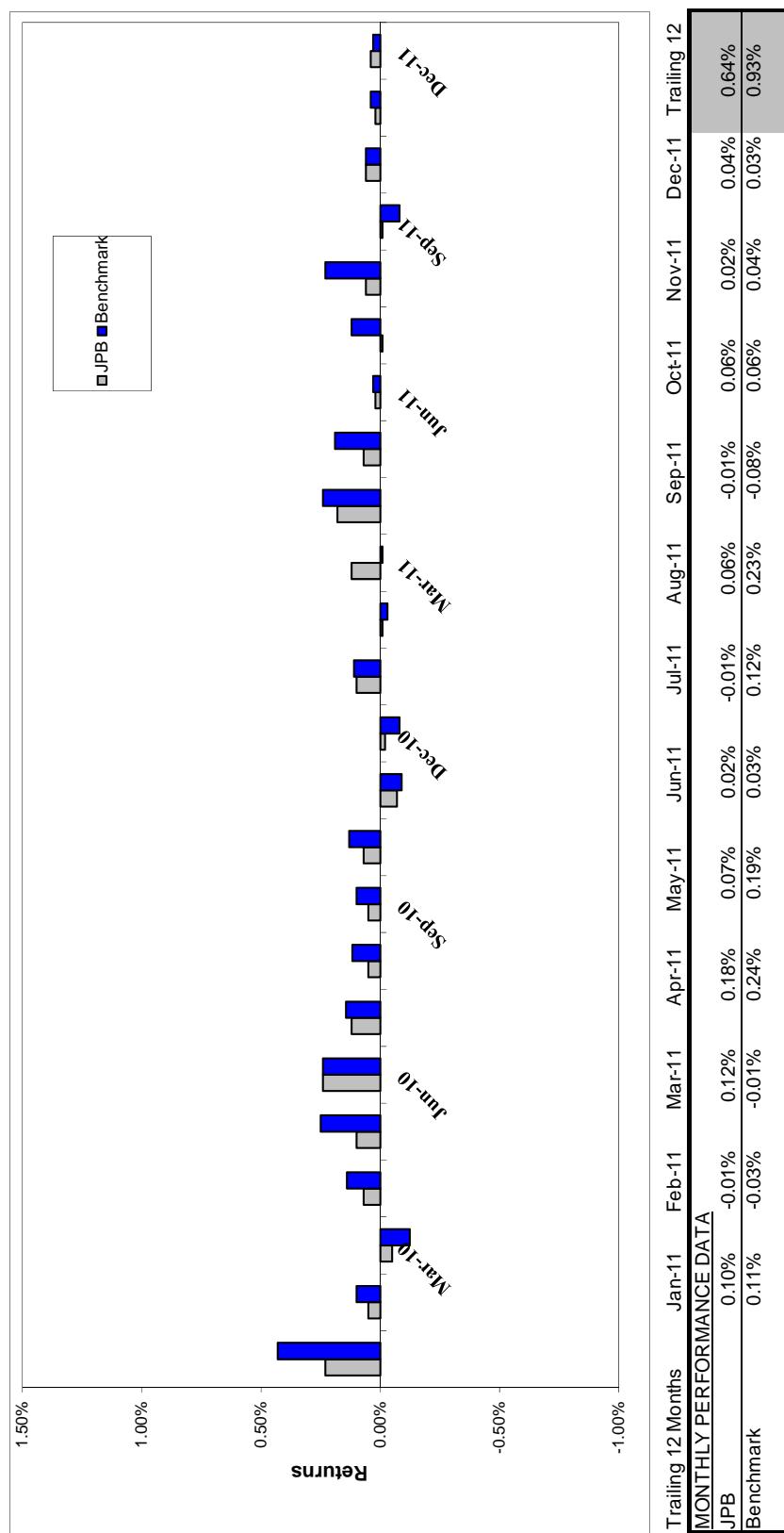
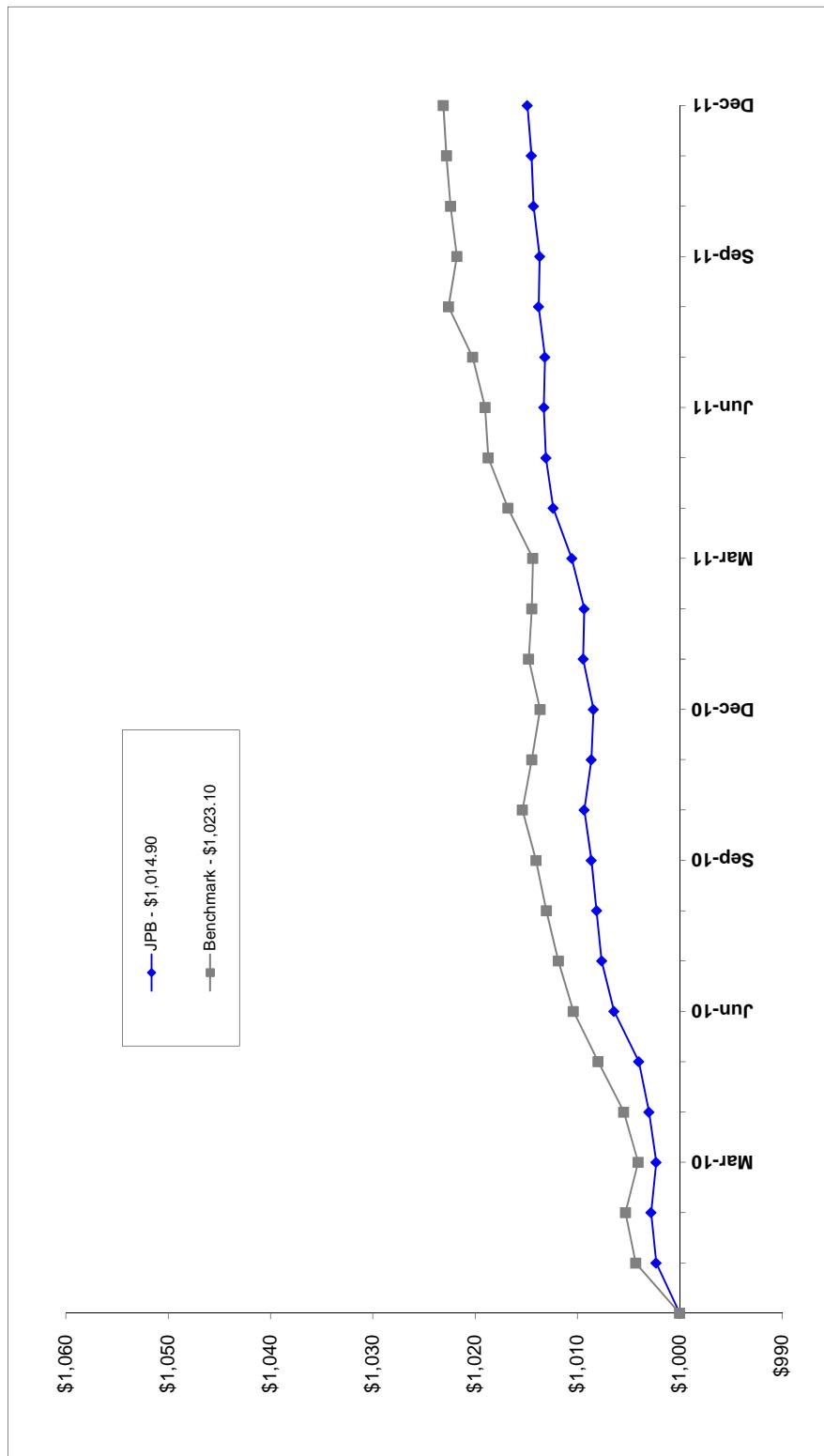


EXHIBIT 4

Peninsula Corridor Joint Powers Board
Growth of One Thousand Dollars
Rolling 24 months



CSI Capital Management, Inc.

EXHIBIT 5

Peninsula Corridor Joint Powers Board Duration vs. Benchmark

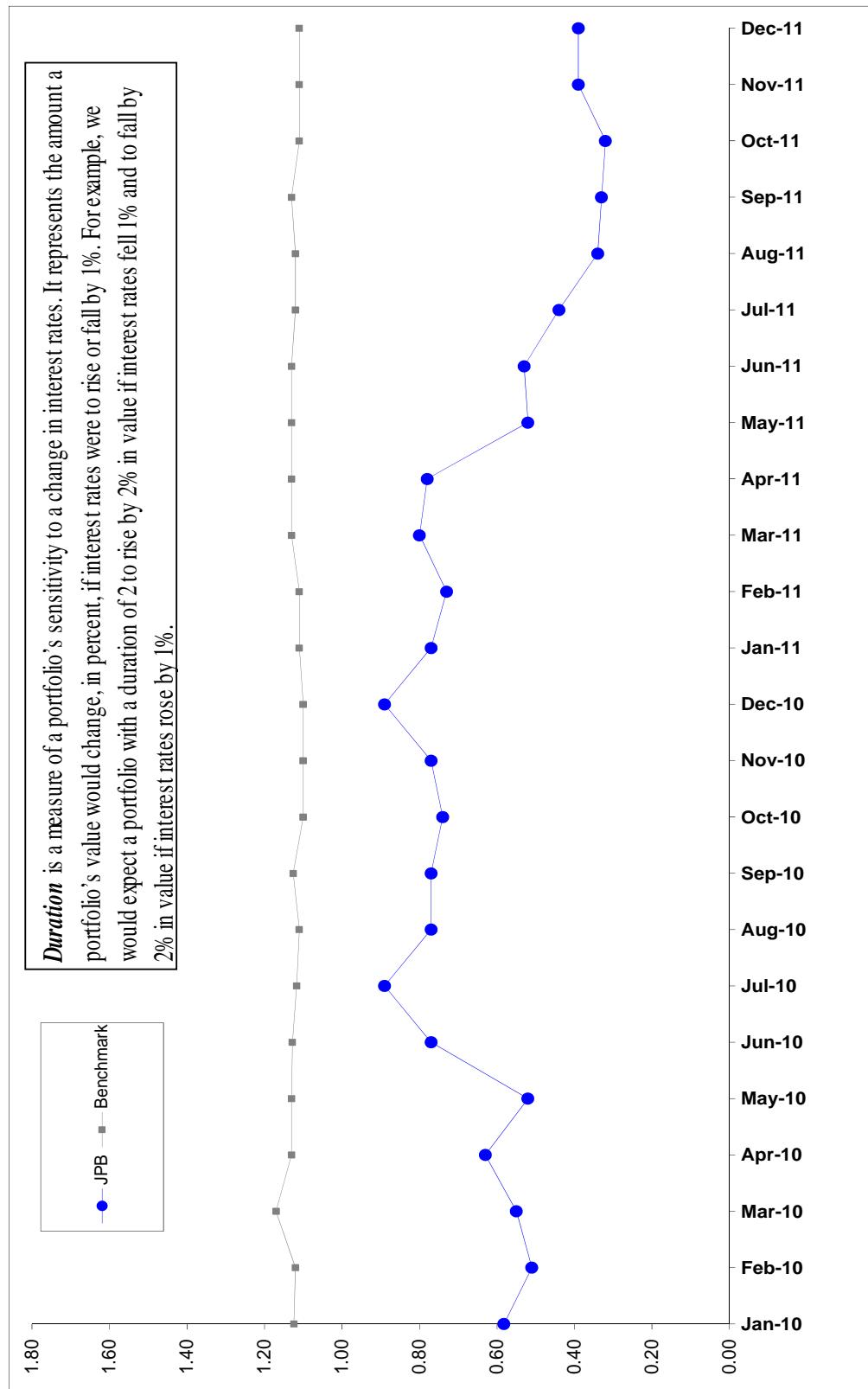
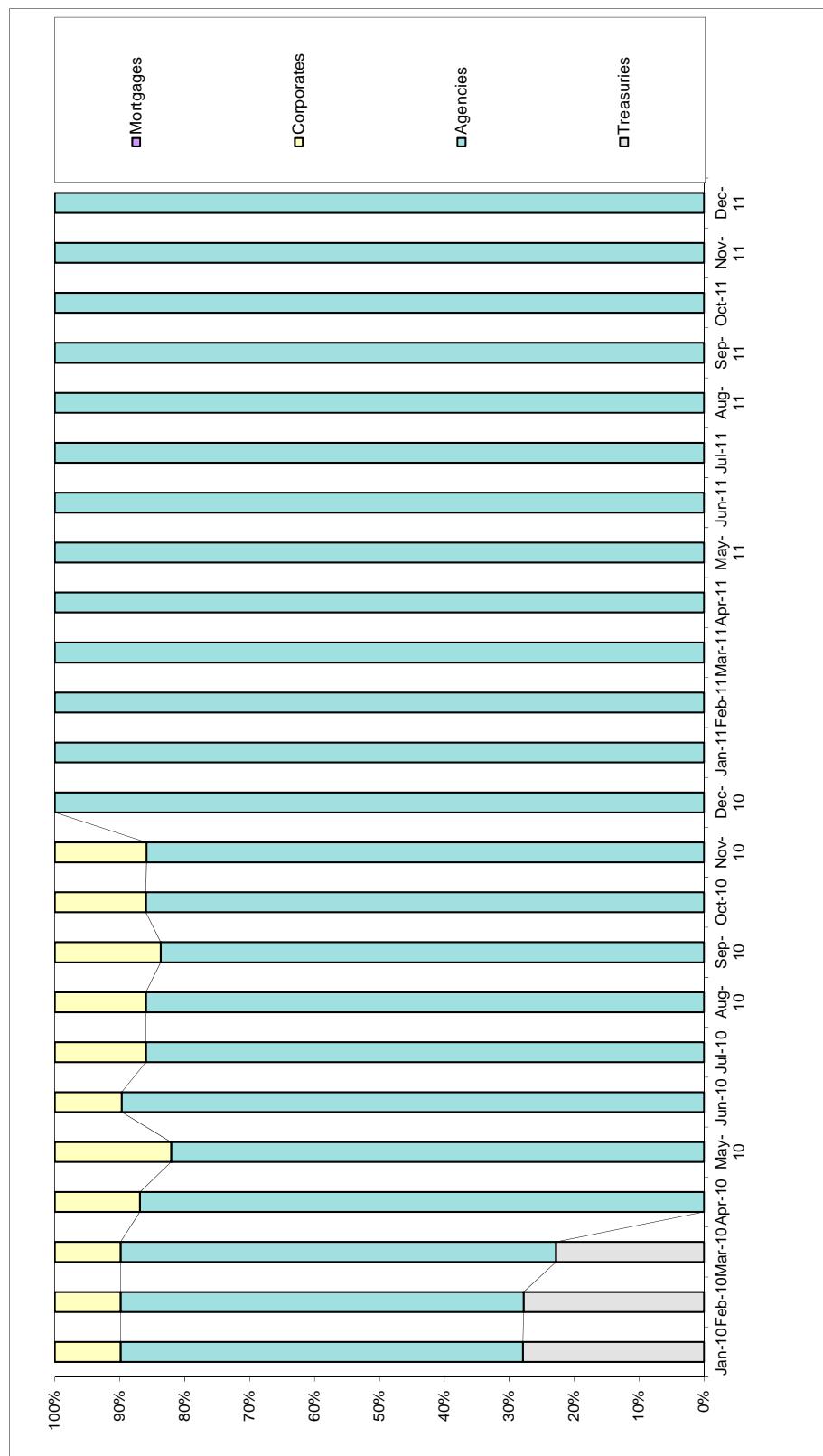


EXHIBIT 6

Peninsula Corridor Joint Powers Board
Percent of Assets Held by Type



CSI Capital Management, Inc.

**AGENDA ITEM # 11
FEBRUARY 2, 2012**

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **AUTHORIZE AN AMENDMENT TO INCREASE THE FISCAL YEAR
2012 CALTRAIN CAPITAL BUDGET IN THE AMOUNT OF \$610,863
FOR TRAFFIC PREEMPTION IMPROVEMENTS**

ACTION

Staff Coordinating Council (SCC) recommends the Board take the following actions:

- 1) Increase the Fiscal Year 2012 Capital Budget by \$396,656 and \$214,207, respectively, for the Santa Clara and San Mateo County Traffic Preemption Improvement projects. As a result of this change, the total authorized amount for the FY2012 Caltrain Capital Budget would increase from \$61,476,816 to \$62,087,679, as per Attachment A.
- 2) Authorize the Executive Director to execute a service contract amendment to receive programmed Federal Highway Administration (FHWA) Section 130 Railroad/Highway At-Grade Crossing grant funds for the Santa Clara and San Mateo County Traffic Preemption Improvement projects.

SIGNIFICANCE

In November 2010, the JPB received \$3.1 million in funding from the California Department of Transportation (Caltrans) under the FHWA Section 130 Railroad/Highway At-Grade Crossing program to fund the Santa Clara and San Mateo County Traffic Preemption Improvement projects. The scope of the Santa Clara County project includes upgrades to signalized traffic intersections adjacent to crossings at Churchill Avenue and West Meadow Drive in Palo Alto, and Castro Street and South Rengstorff Avenue in Mountain View. The scope of the San Mateo County project includes upgrades to the signalized traffic intersection adjacent to the crossing at Brewster Avenue in Redwood City, and pedestrian channelization devices at Third Avenue in San Mateo.

Subsequent to the initial award and agreement with Caltrans, the design process identified work not included in the original estimate. The additional work includes improvements that optimize

the advanced preemption at the crossings. For this reason Caltrans has agreed to provide additional funding for both projects. The projects will be fully funded by Caltrans under the FHWA Section 130 Railroad/Highway At-Grade Crossing program.

BUDGET IMPACT

No JPB member contributions are required for the proposed Capital Budget amendment. The funds for this project will come from a FHWA Section 130 Railroad/Highway At-Grade Crossing program grant. No matching funding is required.

BACKGROUND

The Joint Powers Board approved, and subsequently amended, the FY2012 Capital Budget on July 7, 2011 and October 6, 2011, for a total amount of \$61,476,816. The proposed amendment as discussed above would increase the Capital Budget to an authorized total of \$62,087,679.

The JPB annually adopts a Capital Budget to accompany the Operating Budget. The purpose of the Capital Budget is to implement a balanced program of projects that gives the JPB the ability to meet its goals and objectives as set forth in the Short Range Transit Plan and the related Rapid Rail Plan.

Prepared by: Éva Goode, Manager, Budgets

650.508.7914

FY12 JPB Caltrain Capital Budget Amendment 2

Proposed Funding Plan

RESOLUTION NO. 2012 –
PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA

**AUTHORIZING AMENDMENT TO THE FISCAL YEAR 2012 CAPITAL BUDGET IN THE
AMOUNT OF \$610,863 FOR TRAFFIC PREEMPTION IMPROVEMENTS FOR A TOTAL
BUDGET OF \$62,087,679**

WHEREAS, pursuant to Resolution Nos. 2011-27 and 2011-38 adopted on July 7, 2011 and October 6, 2011, respectively, the Peninsula Corridor Joint Powers Board (JPB) adopted and subsequently amended, the Fiscal Year (FY) 2012 Capital Budget for a total authorized budget of \$61,476,679; and

WHEREAS, the JPB has undertaken Traffic Preemption Improvement projects, which will upgrade various signalized traffic intersections adjacent to crossings in Santa Clara and San Mateo Counties; and

WHEREAS, in November 2010, the JPB received \$3,137,583 from the California Department of Transportation (Caltrans) under the Federal Highway Administration (FHWA) Section 130 Railroad/Highway At-Grade Crossing program to fund the Santa Clara and San Mateo County Traffic Preemption Improvement projects; and

WHEREAS, additional FHWA funds in the amount of \$610,863 have been awarded to the JPB for the purpose of the Santa Clara and San Mateo County Traffic Preemption Improvement projects; such funds shall be provided by Caltrans in order to allow for full optimization of the advanced preemption improvements; and

WHEREAS, Staff Coordinating Council recommends that the JPB approve the amendment to the FY2012 Capital Budget as described above.

NOW, THEREFORE, BE IT RESOLVED that the Peninsula Corridor Joint Powers Board approves an amendment to the FY2012 Capital Budget to increase the Santa Clara and San Mateo County Traffic Preemption Improvement projects by \$396,656 and \$214,207, respectively, for a total authorized capital budget increase of \$610,863, from \$61,476,816 to \$62,087,679; and

BE IT FURTHER RESOLVED, that the Peninsula Corridor Joint Powers Board authorizes the Executive Director to execute a service contract amendment to receive programmed FHWA Section 130 Railroad/Highway At-Grade Crossing grant funds for the Santa Clara and San Mateo County Traffic Preemption Improvement projects.

Regularly passed and adopted this 2nd day of February 2012, by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

AGENDA ITEM # 12

FEBRUARY 2, 2012

PENINSULA CORRIDOR JOINT POWERS BOARD STAFF REPORT

ACTION

The Peninsula Corridor Joint Powers Board (JPB) Disadvantaged Business Enterprise (DBE) Review Committee and Staff Coordinating Council (SCC) recommend Board approval of the following actions:

- a. Revise the JPB's DBE Program to include the following Small Business Enterprise (SBE) program elements:
 - i) Implementing a procurement procedure to obtain, when feasible and practicable, at least one of three price quotations from a small business for procurements other than Invitation for Bids (IFBs) and Request for Proposals (RFPs);
 - ii) Providing JPB staff a readily accessible SBE database to locate small businesses;
 - iii) Modifying our vendor registration process to facilitate interaction between prime contractors and subcontractors, including small businesses; and
 - iv) Applying a 5 percent SBE point or bid preference in the evaluation of proposals or bids that utilize small businesses for all RFPs and IFBs;
- b. Authorize the Executive Director to submit the revised DBE Program to the Federal Transit Administration (FTA) by the designated deadline of February 28, 2012.

SIGNIFICANCE

The U.S. Department of Transportation (DOT) issued final rules on DBE Program Improvements on February 28, 2011, requiring DOT grantees to include one or more elements in its DBE

program to structure contracting requirements to facilitate competition by small business enterprises (SBEs). The proposed element(s) must be submitted to the FTA for approval as part of a grantee's DBE program by February 28, 2012.

BUDGET IMPACT

The first three elements referenced above have no impact on the JPB's budget. Furthermore, the proposed 5 percent SBE *point* preference will have no impact on the JPB's budget because the point preference applies only to contracts awarded based on highest ranked proposer or, in other words, contracts resulting from RFPs where price is negotiated.

The proposed 5 percent SBE *bid* preference, however, may have an impact on the budget because the preference is considered in monetary terms. The 5 percent bid preference applies only to contracts awarded based on price (i.e., contracts resulting from IFBs) and the bid preference is capped at \$50,000 per contract which limits the JPB's monetary exposure. The impact on the JPB's budget will only materialize when the application of the bid preference is significant enough to affect the outcome of the bids.

The following illustrates the application of the Bid preference:

Illustration of SBE Bid Preference Evaluation Adjustment

For Construction (Public Works) Contracts Awarded on the Basis of Lowest Responsible Bid

An SBE Goal must be established and publicized in the IFB

	Bid Amount \$	SBE Goal	Total SBE Utilization \$	Total SBE Utilization %	SBE Preference Adjustment \$	Adj. Bid Evaluation \$
	(a)	(assume)	(b)	(c) = (b)/(a)	(d) = (Preference to be assigned from below)	(f) = (a) - (e)
Prime A	\$ 998,000.00	20.0%	\$ -	0.0%	\$ -	\$ 998,000.00
Prime B	1,048,000.00	20.0%	500,000.00	47.7%	49,900.00	998,100.00
Prime C	1,096,000.00	20.0%	150,000.00	13.7%	-	1,096,000.00
Prime D (SBE)	1,036,000.00	20.0%	1,036,000.00	100.0%	49,900.00	986,100.00

Winning Bid = Prime D, which has an adjusted bid of \$986,100 for evaluation purposes, but will be awarded a contract at its bid price of \$1,036,000

Maximum Preference = 5% of lowest bid (up to a max cap of \$50,000)

Lowest Bid = 998,000.00

Preference to be assigned = 49,900.00

Bidders A and C did not meet the agency goal of 20% and were not given the SBE preference.

BACKGROUND

On February 28, 2011, the DOT issued final rules intended to improve the DBE Program. According to the preamble to the final rules, DOT believes that "a program element that pulls together the various ways that a [grantee] reaches out to small businesses and makes it easier for them to compete for DOT-assisted contracts will foster the objectives of the DBE program." Accordingly, the DOT is requiring grantees to (1) include one or more elements in its DBE Program to foster small business participation and (2) submit its revised DBE Program to a DOT operating administration (such as the FTA) for approval by February 28, 2012.

For the past ten months, the DBE Officer has been engaged in a series of dialogue with other Bay Area transportation agencies, employees, and general counsel to assess potential small business program elements. An internal SBE Committee comprised of a cross section of managers and directors (from Finance, Maintenance, Rail Services, Capital Contracts, and Contracts and Procurement) was formed to evaluate program options. Over the past four months, the SBE Committee evaluated more than fifteen options, including programs implemented by the San Francisco Municipal Transportation Agency, Santa Clara Valley Transportation Authority, and the California Department of General Services. The SBE Committee discussed at length the pros and cons of each option and determined that the four elements referenced above are the most feasible within the context of current resources, procurement practices, and budgetary constraints.

The SBE Committee carefully weighed the potential cost impact of the SBE bid preference program and concluded that the impact is minimal. First, the bid preference is capped at \$50,000 per contract and its cost impact will only materialize when the application of the bid preference affects the outcome of an IFB. Second, the SBE Committee felt it was important to send the correct message to the business community that the JPB is incentivizing and rewarding subcontracting practices rather than requiring it. Finally, the SBE Committee concluded that a preference program is preferred over other alternatives, such as requiring bidders to meet an SBE goal or demonstrate good faith efforts to meet the goal because it reduces administrative burden, lessens paperwork on the part of a bidder, and mitigates the potential of a protracted procurement and appeal process. The SBE Committee concluded that the potential cost of an appeal resulting from a disputed good faith effort analysis and the loss of time in delivering a project outweighed the potential cost of the SBE preference. Accordingly, the SBE preference program is being recommended as a core component of the JPB's efforts to foster small business participation.

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

RESOLUTION NO. 2012-

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

* * *

**AUTHORIZING REVISION TO THE JPB'S DISADVANTAGED BUSINESS
ENTERPRISE PROGRAM TO INCLUDE A SMALL BUSINESS ENTERPRISE (SBE)
PROGRAM**

WHEREAS, effective February 28, 2011, the United States Department of Transportation ("DOT") issued amending regulations regarding the participation of Disadvantaged Business Enterprises ("DBEs") in federally assisted contracts ("Regulations"); and

WHEREAS, the Regulations require DOT grantees to include one or more elements in its DBE Program to structure contracting requirements to facilitate competition by small business enterprises (SBEs); and

WHEREAS, the Regulations require DOT grantees to submit its proposed SBE program elements to a DOT operating administration (such as the Federal Transit Administration) for approval by February 28, 2012; and

WHEREAS, the Executive Director has recommended the following SBE program elements:

- i) Implementing a procurement procedure to obtain, when feasible and practicable, at least one of three price quotations from a small business for procurements other than Invitation for Bids (IFBs) and Request for Proposals (RFPs);
- ii) Providing agency staff a readily accessible SBE database to locate small businesses;
- iii) Modifying the agency's vendor registration process to facilitate interaction

between prime contractors and subcontractors, including small businesses; and

iv) Applying a 5 percent SBE point or bid preference in the evaluation of proposals or bids that utilize small businesses for all RFPs and IFBs; and

WHEREAS, the Board of Directors finds that the proposed SBE program elements are appropriate and reasonable.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director to revise the agency's DBE Program to adopt the foregoing SBE program elements, and to make such other revisions to the DBE Program, and to take such actions as necessary, to implement the SBE component of the DBE Program; and

BE IT FURTHER RESOLVED that the Board of Directors directs the Executive Director to submit the revised DBE Program to the United States Department of Transportation through the Federal Transit Administration by February 28, 2012, in accordance with the Regulations.

Regularly passed and adopted this 2nd day of February 2012 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

AGENDA ITEM # 13

FEBRUARY 2, 2012

PENINSULA CORRIDOR JOINT POWERS BOARD STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

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

SUBJECT: AUTHORIZING AWARD OF A CONTRACT FOR THE ADVANCED TRAVELER INFORMATION SYSTEM II – PUBLIC ADDRESS SYSTEM UPGRADE SAN FRANCISCO CALTRAIN STATION PROJECT

ACTION

Staff Coordinating Council (SCC) recommends that the Board:

1. Award the subject contract to the lowest, responsive and responsible bidder, BECI Electric, Inc. of Oakland, CA, in the total amount of \$199,000.
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

The recommended contract award will replace the Public Address (PA) system at the San Francisco Caltrain Station and connected platforms to improve sound quality and reliability.

BUDGET IMPACT

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

BACKGROUND

The PA system at the San Francisco Caltrain Station is at the end of its useful life. A new PA system is required to ensure a reliable system that allows passengers to clearly understand all audio announcements made at the station. A design study was performed, and a new PA system was developed containing new equipment specifications and a new speaker layout to improve the performance of the PA system. Work under this contract includes removal of the old PA equipment, procurement of necessary materials, installation of the new equipment in the station and on platforms, and testing of the new PA system.

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 were also sent to potential bidders and Disadvantaged Business Enterprises (DBEs). Three bids (including one from a DBE) were received as listed below:

	Company	Total Bid Amount
	<i>Engineer's Estimate</i>	\$300,000
1.	BECI Electric, Inc. (a DBE firm), Oakland, CA	\$199,000
2.	Rosendin Electric, Inc., San Jose, CA	\$238,141
4.	Nema Construction, Albany, CA	\$249,000

Staff reviewed the bids and determined that all of the bidders were responsive to the solicitation requirements. BECI Electric, Inc. was deemed to be the apparent low bidder with a bid that was 33.6 percent lower than the engineer's estimate. Staff attributes the lower than anticipated bid amounts to the economic downturn, and attributes BECI's low bid amount to its familiarity with Caltrain on previous communication projects.

Staff and legal counsel determined that BECI Electric, Inc. submitted a complete bid package and satisfied all of the applicable legal requirements. BECI is an established Bay Area contractor. Company reference checks confirm that BECI is an experienced and competent contractor. BECI was awarded a JPB contract for Advanced Traveler Information System – Visual Message Sign Upgrade at Five Stations which was the first phase of the ATIS project. BECI completed the project and performed satisfactorily. Staff has determined that BECI is appropriately qualified and capable of meeting the requirements of the contract and is therefore the lowest responsive, responsible bidder.

BECI Electric, Inc. is a certified DBE firm and it intends to perform all of the services required in this contract with its own labor force. Its participation will support the JPB's overall DBE program objectives.

Contract Officer: Helen Hoang	650.508.7964
Project Manager: Robert Tam	650.508.7969

RESOLUTION NO. 2012-

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

* * *

**AUTHORIZING AWARD OF CONTRACT TO BECI ELECTRIC, INC.
FOR THE ADVANCED TRAVELER INFORMATION SYSTEM II – PUBLIC
ADDRESS SYSTEM UPGRADE SAN FRANCISCO CALTRAIN STATION PROJECT
AT A TOTAL COST OF \$199,000**

WHEREAS, the Peninsula Corridor Joint Powers Board (“JPB”) solicited bids for the Advanced Traveler Information System II – Public Address (PA) System Upgrade San Francisco Project; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to BECI Electric Inc. of Oakland, California, for the Advanced Traveler Information System II – PA System Upgrade San Francisco Caltrain Station Project at a total cost of \$199,000; and

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

Regularly passed and adopted this 2nd day of February, 2012 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**AGENDA ITEM # 14
FEBRUARY 2, 2012**

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon
Executive Director

FROM: Mark Simon
Executive Officer for Public Affairs

SUBJECT: **2012 STATE AND FEDERAL LEGISLATIVE PROGRAM**

ACTION

Staff Coordinating Council (SCC) proposes Board adoption of the attached legislative program to guide Caltrain's advocacy efforts in Sacramento and Washington D.C. over the course of the 2012 calendar year.

SIGNIFICANCE

The 2012 State and Federal Legislative Program sets forth the principles that will guide Caltrain's State and Federal advocacy efforts through the second half of the 2011-2012 State Legislative session and the 112th Congress. The program is intended to be broad enough to cover the wide variety of issues that will likely be considered and flexible enough to allow Caltrain, its staff, and its legislative advocates to respond swiftly and effectively to unanticipated developments. Adoption of the program provides our legislative delegation and our transportation partners with a Board-approved statement of Caltrain's priorities.

The 2012 Legislative Program is divided into two sections:

1. State
2. Federal

Each section of the program consists of a summary of the key policy issues and a series of related goals and advocacy strategies.

The State Legislative Program is organized around four primary issues:

1. State Budget and Transportation Funding
2. Transportation Operations and Project Delivery
3. Climate Change, Air Quality Regulation and Environmental Policy
4. High Speed Rail

The Federal Legislative Program is organized around five primary issues:

1. Surface Transportation Authorization
2. Fiscal Year 2013 Transportation Appropriations
3. Climate Change

4. High Speed Intercity Passenger Rail Program
5. Transit Safety and Security

In order to advance these goals, Government Affairs staff will work closely with the Board and Caltrain's State and Federal legislative consultants to implement a comprehensive advocacy approach. This approach will include:

1. Direct, consistent Board advocacy efforts with policymakers and their staff to encourage steps that will advance Caltrain's legislative priorities with an emphasis on funding
2. Participation in coordinated advocacy efforts in collaboration with the California Transit Association, the American Public Transportation Association and other advocacy organizations
3. Coordination of local, regional and statewide stakeholders in support of targeted policy objectives
4. Efforts to educate and build awareness among stakeholders and the public to foster support for legislative goals

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

Staff actively monitors State and Federal legislative activity and will seek Board positions on selected bills as appropriate to further Caltrain's legislative objectives and to provide support for our advocacy efforts. Staff will supply updated reports summarizing relevant legislative and regulatory activities, allowing the Board to track legislative developments and providing opportunities to take appropriate action on pending legislation.

Prepared by: Seamus Murphy, Manager, Government Affairs

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2012 LEGISLATIVE PROGRAM

STATE

Issue	Goals and Background	Strategy
1. State Budget and Transportation Funding	<p>A. Maintain and enhance State funding for public transit operations</p> <p>The successful reenactment of the gas-tax swap in 2011 was the latest effort to help ensure that transit agencies will have a reliable source of State operating subsidy as long as the State collects a sales tax on diesel fuel. Still, some of the revenues that support the State Transit Assistance program (STA) remain vulnerable to redirection by the State Legislature. As the Governor and the Legislature consider proposals to address the State's Fiscal Year (FY) 2012-13 budget shortfall it is possible that they will target these revenues.</p> <p>Additionally, at the end of the 2011 Legislative Session, legislation was proposed (SB 791) that would provide metropolitan planning organizations with enhanced authority to propose funding solutions that help meet local and regional transportation needs including operations. There is a strong likelihood that similar legislation will be considered in 2012.</p> <p>B. Secure enhanced funding for public transportation infrastructure and capital programs</p> <p>As a result of the gas tax swap, fewer resources are available for transportation infrastructure improvements. The elimination of the state sales tax on gasoline has left the State Transportation Improvement Program with fewer resources. State transit capital funding is essentially limited to ongoing Proposition 1B programs and, while capital funding for highways and local streets and roads has been maintained, it is still insufficient to meet expansion and ongoing maintenance needs.</p> <p>Additionally, the Governor expressed some reluctance in 2011 to conduct bond sales including the sale of infrastructure bonds that are critical to ongoing local and regional transportation infrastructure needs. The Governor has also, over the last two budget cycles, vetoed the vast majority of Proposition 1A connectivity funding appropriated by the Legislature to assist local and regional rail services connect to the State's future high-speed rail network. The California Transportation Commission is working with the Department of Finance and the California High Speed Rail Authority to develop a plan to guide the future allocation of these revenues.</p>	<ul style="list-style-type: none"> Support efforts to fund the STA program at levels specified in the 2011 reenactment of the 2010 gas tax swap legislation Support legislation that provides greater local and regional authority to propose enhanced funding for transit operations and other transportation needs. Support efforts to lower the two-thirds voter approval requirement for ballot measures that provide increased tax revenue for transportation purposes <ul style="list-style-type: none"> Support efforts to lower the two-thirds voter approval requirement for ballot measures that provide increased tax revenue for transportation purposes Advocate for regularly scheduled state bond sales and the equitable allocation of bond revenues to Proposition 1A and Proposition 1B programs that address transit and transportation infrastructure needs. Monitor efforts to develop a plan for allocating Proposition 1A connectivity funds and advocate for a process and a plan that maintains and maximizes potential benefit to the Caltrain system.

2012 LEGISLATIVE PROGRAM

2. Transportation Operations and Project Delivery	<p>A. Improve State transportation project delivery, financing, management and oversight policies.</p> <p>Project delivery continues to be an area of focus. Oftentimes, transportation projects can take a considerable amount of time to complete. Project sponsors must maneuver through a multi-stage development and review process and delays are common. Therefore, it is important to identify opportunities to expedite the delivery of transportation projects in order to create operational efficiencies and provide the benefits of transportation improvements to the system's users more quickly.</p> <p>B. Remove regulatory barriers to delivering effective public transportation services.</p> <p>Regulatory measures exist that sometimes conflict with evolving public transportation technologies, needs and priorities.</p>	<ul style="list-style-type: none"> Support legislation that would enhance transportation agencies' ability to benefit from public private partnerships Support efforts to preserve and enhance innovative contracting alternatives available to transportation agencies
3. Climate Change, Air Quality Regulation and Environmental Policy	<p>A. Ensure equitable implementation of AB 32 and SB 375</p> <p>In 2006, AB 32 (Nunez), the Global Warming Solutions Act, was passed making California the first state in the nation to attempt to cap its greenhouse gas emissions. AB 32 empowers the California Air Resources Board (CARB) to adopt rules and regulations to achieve this. Two years later, SB 375 (Steinberg) was enacted and put in place a framework for cutting vehicle miles traveled (VMT) as a strategy for reducing greenhouse gas emissions from the transportation sector. Implementation planning for these regulations is ongoing but no funding source has been identified to support the planning or implementation of the regulation.</p>	<p>Support implementation and legislation that:</p> <ul style="list-style-type: none"> Reinforces the overarching goal to reduce greenhouse gas emissions from the transportation sector by promoting clean transportation alternatives Promotes opportunities, including the Grand Boulevard Initiative, to plan and construct high-density, mixed-use development near public transit Promotes bicycle and pedestrian access to, and utilization of, public transit Provides funding to support operations and capital needs required by transit operators to meet State emissions mandates Provides dedicated funding enabling transportation planning agencies to meet specified emissions reduction targets and to accommodate increased service demand resulting from VMT reduction efforts Addresses and accounts for the potential erosion of traditional transportation funding through the reduction of taxable fuel consumption

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	<p>B. California Environmental Quality Act (CEQA) Reform</p> <p>The governor recently signed AB 900 which offers CEQA reform for certain infrastructure projects. Titled the “Jobs and Economic Improvement Through Environmental Leadership Act,” the bill establishes specified procedures for the expedited judicial review of environmental impact reports (EIRs) and approvals granted for specific types of leadership projects. Overall, the law allows for a shorter judicial review timeline and for certain projects to be completed faster. The bill, however, does not specifically authorize transit projects as qualifying for these CEQA reform measures. Legislative leadership has signaled its intent to create a working group to consider needed “clean up” of AB 900, for possible introduction in 2012.</p>	<ul style="list-style-type: none">• Support legislative efforts to simplify the CEQA review process in relation to TOD, infill development, bicycle and pedestrian and other projects and plans so that CEQA takes better account of the positive environmental impacts of a project, allowing for a more comprehensive evaluation of the trade-offs.
4. High-speed Rail	<p>Continue coordinated planning and funding efforts that advance the study of integrated high-speed rail and modernized Caltrain service on the Caltrain corridor</p> <p>Caltrain and the California High Speed Rail Authority (CHSRA) continue to work together to deliver high speed rail and a modernized and electrified Caltrain system between San Jose and San Francisco. Caltrain has released preliminary findings of a capacity analysis showing that integrated service on the corridor is operationally feasible and this integrated approach has been recently included in the CHSRA Draft Business Plan. Additional analysis is underway to determine overall feasibility of an integrated approach.</p>	<ul style="list-style-type: none">• Support legislation and policies that equip the California High Speed Rail Authority with the necessary resources and organizational structure to effectively plan and deliver high speed passenger rail and improved commuter rail service along the Caltrain corridor• Support efforts that encourage thorough study of project alternatives that support integrated Caltrain and HSR operations.• Advocate for continued efforts that will enhance public participation during the project’s planning process and will prepare the project to capitalize on future funding opportunities

2012 LEGISLATIVE PROGRAM

F E D E R A L

Issue	Goals and Background	Strategy
1. Surface Transportation Authorization	<p>A. Timing: Secure predictable federal transportation funding levels through multi-year authorization</p> <p>Since the expiration of SAFETEA-LU in 2009, Congress enacted several extensions of the current authorization as they have struggled to address challenges before considering a multi-year bill.</p> <p>B. Investment levels and Project Delivery: Ensure that authorized funding maintains or enhances current transportation investment levels and includes policies and programmatic reforms that promotes more efficient project delivery</p> <p>Under SAFETEA-LU, the overall funding level for highways, public transit, highway safety, motor carrier safety, and transportation research during the legislation's six-year life was \$286.4 billion. While this amount was greater than previous authorizations, it fell far short of the level of federal investment needed to maintain the nation's existing transportation infrastructure, as well as to expand its capacity in order to keep up with the steadily growing demand for transportation.</p> <p>Still, political circumstances have complicated efforts to pass multi-year legislation that increases transportation funding since even maintaining current funding levels will require greater revenues than those that currently support the Highway Trust fund and Mass Transit Accounts.</p> <p>In 2011, the House Transportation and Infrastructure Committee proposed a reauthorization measure that would have reduced federal transportation investment by approximately 30 percent. Alternatively, the Senate is currently considering a two-year proposal that would maintain current investment levels.</p>	<ul style="list-style-type: none"> Support efforts to gain swift approval of a multi-year surface transportation authorization act If necessary, support extension of the prior authorization in a manner that minimizes funding uncertainty and enhances overall infrastructure investment <p>Support multi-year surface transportation reauthorization proposals that:</p> <ul style="list-style-type: none"> Maintain or enhance existing federal investment levels Authorize adequate resources to implement federal rail safety requirements including positive train control and continue the planning and development of a nationwide high-speed rail network Provide funding guarantees that promote long-range planning, financing and leveraging by ensuring that authorized funding is appropriated each year Provisions that allow more flexibility to use federal funding to support operating needs. Remove roadblocks to efficient project delivery

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	<p>C. Sustainability & Livability: Establish policies that reflect public transportation's role in greenhouse gas reduction</p> <p>States continue to enact transportation and land use planning policies that encourage mixed-use, higher density, walkable development near transit. In addition, federal agencies have announced new partnerships intended to reduce VMT by promoting these goals on a national scale.</p>	<ul style="list-style-type: none"> Advocate for the inclusion of funding that furthers coordinated integration of programs that support housing, transportation and land use planning and investment Support other efforts to provide greater resources to coordinated transportation and land use planning efforts including the Grand Boulevard Initiative
2. FY 2013 Transportation Appropriations	<p>Secure full appropriation for public transportation programs at authorized levels and maximize discretionary funding opportunities</p> <p>Every year, Congress adopts at least 12 separate appropriations bills, including one for transportation. These measures provide the authority for federal agencies to spend money during the upcoming fiscal year for the programs they administer. In the case of surface transportation, the annual appropriations process is guided by funding and programs authorized in SAFETEA-LU until successor legislation is enacted.</p> <p>Funding to support the safety and security of the nation's public transit systems is also included in the U.S. Department of Homeland Security appropriations bill.</p>	<ul style="list-style-type: none"> Support a minimum appropriations level for federal surface transportation programs equal to the guaranteed spending levels authorized in SAFETEA-LU or its successor Advocate for the highest possible levels of funding for individual programs within the highway and transit titles of SAFETEA-LU or its successor and in the U.S. Department of Homeland Security appropriations bill Work with the agency's Congressional delegation to seek discretionary funding as appropriate
3. Climate Change	<p>A. Ensure that federal climate change legislation provides funding to expand clean transportation programs and services</p> <p>Despite several recent efforts, Congress has been unable to pass legislation that would address climate change by reducing greenhouse gas emissions. Previous versions of the legislation have included a cap and trade system with emissions allowances that would be traded in a market based system. A portion of the revenues generated through the sale of these allowances could be used to fund clean transportation projects. The transportation sector produces approximately one-third of the greenhouse gas emissions in this country, primarily in the form of carbon dioxide (CO2) emissions generated by automobiles.</p>	<ul style="list-style-type: none"> Advocate that climate change legislation includes a funding strategy that reflects the opportunity for greenhouse gas reduction through new investment in clean transportation alternatives Support dedicated formula funding that promotes energy efficiency in transit operations Support funding for planning and capital investment related to the promotion of transit oriented development opportunities and sustainable land use strategies including the Grand Boulevard Initiative that would result in VMT reduction Advocate that transportation planning and infrastructure receive its fair share of revenue from a cap-and-trade system, while also emphasizing that such revenue must be supplemental to, and not a substitute for, authorization of a robust federal surface transportation program

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	<p>B. Extend key tax provisions that encourage the use of public transit as a clean transportation alternative</p> <p>The American Recovery and Reinvestment Act increased pre-tax transit commuter benefits to the same level offered for parking commuter benefits. Current law also provides a 50-cent per gallon tax credit to transit operators for the purchase of alternative fuels. Both tax provisions expired when Congress was unable to negotiate a year-long tax extenders bill at the end of 2011 and instead passed a short-term bill that did not include either the extension of equitable pre-tax commuter benefits or the alternative fuel credit.</p>	<ul style="list-style-type: none"> Support a permanent 50-cent per gallon alternative fuel tax credit Support permanent pre-tax transit commuter benefits at a level equal to or greater than equivalent parking commuter benefits
<p>4. High Speed Intercity Passenger Rail Program (HSIPR)</p>	<p>Maximize federal investment in California's High Speed Train Project that will benefit Caltrain modernization</p> <p>The High Speed Intercity Passenger Rail Program (HSIPR) has provided more funding to California than any other state. Continued appropriation and allocation of these funds will be needed to support project alternatives that electrify and modernize Caltrain, while also addressing community concerns.</p>	<ul style="list-style-type: none"> Advocate for increased annual appropriations for the HSIPR program Work with the California High Speed Rail Authority (CHSRA) to identify and support funding opportunities Advocate for the inclusion of substantial investment in the HSIPR program in the next surface transportation authorization act Ensure that Caltrain electrification and modernization efforts are eligible to benefit from HSIPR funding opportunities
<p>5. Transit Safety and Security</p>	<p>A. Monitor new federal safety proposals</p> <p>The U.S. Department of Transportation with the authority to establish and implement safety standards for all modes of public transportation, including rail fixed guideway systems, buses and waterborne transit.</p>	<p>Support transit safety proposals that:</p> <ul style="list-style-type: none"> Provide opportunities for a collaborative effort between federal, state and local agency partners. Support consensus-based industry standards developed with input from public transit agencies. Retain and improves the existing state safety oversight framework by providing state regulators with the tools and resources necessary to ensure the performance of adequate safety oversight functions. Provide public transit agencies with adequate time to achieve compliance without penalty. Avoid unintended consequences that adversely affect public transit agencies
	<p>B. Secure full appropriation of authorized transit security grants and maximize discretionary funding opportunities</p> <p>Security is a top priority for public transit agencies across the United States. Since the terrorist attacks of September 11, 2001, public transit agencies have spent more than \$2 billion on security and emergency preparedness programs from their own budgets. Although state and local governments, as well as public transit agencies, are doing what they can to improve security, it is important for the federal government to be a full partner in efforts to ensure the security of the nation's public transit users.</p>	<ul style="list-style-type: none"> Promote appropriation of transit security grants in the FY 2013 U.S. Department of Homeland Security Appropriations Bill at authorized levels, separate from existing federal transit programs Support Federal public transit security and safety funding that provides a 100 percent federal share with no match requirement Support funding for the Rail Safety Technology Grant program at levels that will allow rail operators to meet Federal positive train control implementation deadlines Work with Congressional delegation to approve and seek discretionary funds Encourage consideration of transferring administration of transit security grant programs to the U.S. Department of Transportation Allow agencies to be direct recipients of grant funding to encourage timely award and receipt of funds.

**AGENDA ITEM # 15
FEBRUARY 2, 2012**

**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

Budget

The Governor released his initial Fiscal Year (FY) 2013 Budget proposal last month. The proposal assumes passage of sales and income tax increases by California voters that would reduce the budget shortfall to \$9.2 billion. The remaining shortfall is addressed through cuts to health and human services and education programs. The proposal avoids any impact on state public transportation programs.

The budget proposal does not include details about the State's investment in the high-speed rail program through the sale of Proposition 1A and Proposition 1A connectivity bonds. Those details are expected as a part of the Governor's May Revision.

FEDERAL ISSUES

Authorization

The House Transportation and Infrastructure Committee will mark up a new long-term reauthorization proposal on February 2. We expect to see a draft of the bill on January 27.

The Senate continues to work on its two-year authorization proposal. The Senate Finance Committee plans to mark up the bill during the week of January 31. The Finance Committee is charged with identifying revenues to cover the \$12 billion needed to maintain current investment levels in Federal transportation programs.

Authorization for current surface transportation investment expires on February 31 and will need to be extended again unless it is reauthorized by Congress.

Budget

The President announced that he will release his FY 2013 budget on February 10.

Prepared By: Seamus Murphy, Government Affairs Manager

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Peninsula Corridor Joint Powers Board

State Legislative Matrix as of 1-23-12

Bill ID/Topic	Location	Summary	Position
<u>AB 16</u> <u>Perea D</u> High-Speed Rail Authority.	SENATE INACTIVE FILE 9/9/2011 - Ordered to inactive file at the request of Senator Rubio.	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes. The federal American Recovery and Reinvestment Act of 2009 (ARRA) provides funding for allocation nationally to high-speed rail projects.</p> <p>This bill would require the authority to make every effort to purchase high-speed train rolling stock and related equipment that are manufactured in California, consistent with federal and state laws.</p>	
<u>AB 41</u> <u>Hill D</u> High-Speed Rail Authority: conflicts of interest: disqualification: ex parte communications.	SENATE DESK 1/13/2012 - In Senate. Held at Desk.	<p>Existing provisions of the Political Reform Act of 1974 prohibit a public official at any level of state or local government from making, participating in making, or attempting to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest, as defined. Existing law also requires specified elected and appointed officers at the state and local level of government to disclose specified financial interests by filing periodic statements of economic interests. Existing law further requires public officials who hold specified offices and who have a financial interest in a decision within the meaning of the Political Reform Act of 1974 to publicly identify the financial interest giving rise to the conflict of interest or potential conflict of interest, recuse themselves from discussing and voting on the matter, and leave the room until after the discussion, vote, and other disposition of the matter is concluded, except as specified.</p> <p>This bill would add members of the High-Speed Rail Authority to those specified offices who must publicly identify a financial interest giving rise to a conflict of interest or potential conflict of interest, and recuse themselves accordingly. Last Amended on 8/22/2011</p>	
<u>AB 57</u> <u>Beall D</u> Metropolitan Transportation Commission.	SENATE 2-YEAR 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was T. & H. on 6/2/2011)	<p>The Metropolitan Transportation Commission Act creates the Metropolitan Transportation Commission as a regional agency in the 9-county San Francisco Bay Area with comprehensive regional transportation planning and other related responsibilities. Existing law requires the commission to consist of 19 members, including 2 members each from the Counties of Alameda and Santa Clara, and establishes a 4-year term of office for members of the commission.</p> <p>This bill would, instead, require the commission to consist of 21 members, including one member appointed by the Mayor of the City of Oakland and one member appointed by the Mayor of the City of San Jose. The bill would require the initial term of those 2 members to end in February 2015. The bill would, effective with the commission term commencing February 2015, prohibit more than 3 members of the commission from being residents of the same county, as specified. By imposing new requirements on a local agency, this bill would impose a state-mandated local program. Last Amended on 5/19/2011</p>	

Peninsula Corridor Joint Powers Board
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Bill ID/Topic	Location	Summary	Position
<u>AB 58</u> <u>Galgiani D</u> High-speed rail.	ASSEMBLY TRANS. 5/2/2011 - In committee: Set, second hearing. Hearing canceled at the request of author.	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. 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 in general obligation bonds for high-speed rail and related purposes. Existing law provides for appointment of an executive director by the authority, who is exempt from civil service and serves at the pleasure of the authority.</p> <p>This bill, for purposes of managing and administering the ongoing work of the authority in implementing the high-speed train project, would authorize the Governor, upon the recommendation of the executive director, to appoint up to 6 additional authority officers, exempt from civil service, who would serve in specified positions at the pleasure of the executive director. The bill would require a salary survey to be conducted to determine the compensation for the executive director and additional exempt officers, and would require the salaries to be established by the authority and approved by the Department of Personnel Administration.</p> <p>Last Amended on 3/16/2011</p>	
<u>AB 145</u> <u>Galgiani D</u> High-speed rail.	SENATE 2-YEAR 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/16/2011)	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority with 9 members to develop and implement a high-speed train system in the state, with specified powers and duties. Existing law, pursuant to that act, specifies the powers and duties of the authority, which include entering into contracts with private and public entities for the design, construction, and operation of high-speed trains, the acquisition of rights-of-way through purchase or eminent domain, and the relocation of highways and utilities, among other things. Existing law requires the authority to adopt and submit to the Legislature, every 2 years, a business plan. Existing law authorizes the authority to appoint an executive director, and authorizes the Governor to appoint up to 6 additional persons exempt from civil service. Existing law provides for the authority to establish an independent peer review group. Existing law, 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 in general obligation bonds for high-speed rail and related purposes.</p> <p>This bill would repeal all of the provisions of the California High-Speed Rail Act. The bill would enact a new California High-Speed Rail Act. The bill would continue the High-Speed Rail Authority in existence with limited responsibilities and would place the authority within the Business, Transportation and Housing Agency. The 5 members of the authority appointed by the Governor would be subject to Senate confirmation, but existing members could continue to serve the remainder of their terms. The bill would authorize the authority to appoint an executive director, and would provide for the Governor to appoint up to 6 additional individuals exempt from civil service as authority staff. The bill would require the authority to adopt policies directing the development and implementation of high-speed rail, prepare and adopt a business plan and high-speed train capital program, establish a peer review group, select alignments for the routes of the high-speed train system established by law, adopt criteria for the award of franchises, and set fares or establish guidelines for the setting of fares. Last Amended on 7/13/2011</p>	

Peninsula Corridor Joint Powers Board
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Bill ID/Topic	Location	Summary	Position
<u>AB 277</u> Galgiani D High-speed rail: power supply.	ASSEMBLY 2-YEAR 5/28/2011 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)	<p>Existing law creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. 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 in general obligation bonds for high-speed rail and related purposes. Various federal laws provide funding for allocation nationally to high-speed rail and other related projects.</p> <p>This bill would require the California Research Bureau, by May 1, 2012, to develop an energy consumption profile that includes a forecast of the power needs of the high-speed rail system and an analysis of any recommendations for identifying a carbon-free baseline power supply for the system. The bureau's work would be done in consultation with the High-Speed Rail Authority, the Federal Railroad Administration, the Public Utilities Commission, the State Energy Resources Conservation and Development Commission, the United States Department of Energy, and the Legislative Analyst's Office. The bill would require the bureau to submit its report to the authority, the authority's independent peer review group, and specified committees of the Legislature. This bill contains other related provisions. Last Amended on 4/7/2011</p>	
<u>AB 296</u> Skinner D Building standards: cool pavement.	SENATE 2-YEAR 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 7/11/2011)	<p>Existing law requires the Department of Transportation to adopt a balanced, multimodal research and development program, including the research and development of new technologies.</p> <p>This bill would establish the Cool Pavements Research and Implementation Act and would encourage the department to consult and coordinate with specified state agencies, to implement the act. The bill would require the department to publish or make available on the department's Internet Web site, by January 1, 2014, a Cool Pavements Handbook to detail specifications, testing protocols, and best practices for cool pavements. Last Amended on 6/21/2011</p>	

Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 1-23-12

Bill ID/Topic	Location	Summary	Position
<u>AB 333</u> <u>Grove R</u> California Global Warming Solutions Act of 2006: cap-and-trade program.	ASSEMBLY NAT. RES. 6/28/2011 - In committee: Hearing postponed by committee. (Refers to 6/14/2011 hearing)	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The state board is required to adopt a statewide greenhouse gas emissions limit equivalent to the statewide greenhouse gas emissions level in 1990 to be achieved by 2020, and to adopt rules and regulations in an open public process to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions. The act authorizes the state board, in furtherance of achieving the statewide greenhouse gas emissions limit by January 1, 2011, to adopt a regulation that establishes a system of market-based declining annual aggregate emission limits for sources or categories of sources that emit greenhouse gas emissions, applicable from January 1, 2012, to December 31, 2020, inclusive, that the state board determines will achieve the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions, in the aggregate, from those sources or categories of sources. The act also authorizes the state board to include in its regulations the use of market-based compliance mechanisms to comply with the regulations, subject to prescribed requirements.</p> <p>This bill would require the state board to make findings and submit a status report to the Legislature no later than July 31, 2011, on the readiness of a proposed cap-and-trade program to begin January 1, 2012. The bill would authorize the board, if it makes a specified finding in the status report, to commence the cap-and-trade program after January 1, 2012, but no later than January 1, 2013. The bill would require the board to provide an annual cap-and-trade status report to the Legislature. Last Amended on 5/11/2011</p>	
<u>AB 381</u> <u>Alejo D</u> Department of Transportation.	ASSEMBLY 2-YEAR 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/14/2011)	<p>Existing law creates the Department of Transportation, within the Business, Transportation and Housing Agency, under the administration of the Director of Transportation, who is required to organize the department, as specified, with the approval of the Governor and the Secretary of the Business, Transportation and Housing Agency. This bill would make a non-substantive, grammatical change to that provision.</p>	
<u>AB 471</u> <u>Lowenthal, Bonnie D</u> High-speed rail: inspector general.	ASSEMBLY 2-YEAR 5/28/2011 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed train system in the state, with specified powers and duties. Existing law, 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 in general obligation bonds for high-speed rail and related purposes.</p> <p>This bill would create an independent inspector general to oversee the activities of the authority, and conduct investigations and audits in that regard. The inspector general would be appointed for a 6-year term by the Governor, subject to confirmation by the Senate. The bill would require the inspector general to report quarterly to the authority and annually to the Governor and the Legislature. Last Amended on 4/25/2011</p>	

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State Legislative Matrix as of 1-23-12

Bill ID/Topic	Location	Summary	Position
<u>AB 485</u> <u>Ma D</u> Infrastructure financing.	SENATE INACTIVE FILE 9/7/2011 - Ordered to inactive file at the request of Senator Wolk.	<p>The Transit Village Development Planning Act of 1994 authorizes a city or county to create a transit village plan for a transit village development district that addresses specified characteristics. Existing law authorizes the legislative body of the city or county to adopt an infrastructure financing plan, create an infrastructure financing district, and issue bonds for which only the district is liable, to finance specified public facilities, upon voter approval.</p> <p>This bill would eliminate the requirement of voter approval for the adoption of an infrastructure financing plan, the creation of an infrastructure financing district, and the issuance of bonds with respect to a transit village development district. The bill would require a city or county that uses infrastructure financing district bonds to finance its transit village development district to use at least 20% of the revenue from those bonds for the purposes of increasing, improving, and preserving the supply of lower and moderate-income housing; to require that those housing units remain available and occupied by moderate-, low-, very low, and extremely low income households for at least 55 years for rental units and 45 years for owner-occupied units; and to rehabilitate, develop, or construct for rental or sale to persons and families of low or moderate income an equal number of replacement dwellings to those removed or destroyed from the low- and moderate-income segment of the housing market as a result of the development of the district, as specified. The bill would set forth the findings and declarations of the Legislature, and the intent of the Legislature that the development of transit village development districts be environmentally conscious and sustainable, and that related construction meet or exceed the requirements of the California Green Building Standards Code. Last Amended on 6/29/2011</p>	Support
<u>AB 492</u> <u>Galgiani D</u> High-Speed Rail Authority.	SENATE RLS. 6/27/2011 - From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on RLS.	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes.</p> <p>This bill would require the authority to consider, to the extent permitted by federal and state law, the creation of jobs and participation by small business enterprises in California when awarding major contracts or purchasing high-speed trains. The bill would require the authority to appoint a small business enterprise advisory committee. Last Amended on 6/27/2011</p>	

Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 1-23-12

Bill ID/Topic	Location	Summary	Position
<u>AB 508</u> Swanson D Displaced public transit, solid waste handling, and recycling services employees.	SENATE 2-YEAR 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. on 6/23/2011)	<p>Existing law requires a local government agency letting a public transit service contract out to bid to give a bidding preference for contractors and subcontractors who agree to retain, for a period of at least 90 days, certain employees who were employed to perform essentially the same services by the previous contractor or subcontractor. Under this law, contractors or subcontractors who agree to retain employees must offer employment to those employees except for reasonable and substantiated cause. Additionally, the law provides that if a successor contractor or subcontractor determines that fewer employees are needed than under the prior contract, qualified employees must be retained by seniority within the job classification. Further, the existing contractor, when required by the awarding authority, must provide employment information relating to wage rates, benefits, dates of hire, and job classifications of employees under the existing service contract to the awarding authority or a successor contractor.</p> <p>This bill would add employees of solid waste handling and recycling contractors and subcontractors to those provisions. By requiring local agencies to give a bidding preference to such contractors and subcontractors, this bill would impose a state-mandated local program.</p>	
<u>AB 522</u> Bonilla D Vacation of public streets, highways, and public service easements.	ASSEMBLY 2-YEAR 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/15/2011)	<p>Existing law establishes the processes and procedures necessary for vacation of public streets, highways, and public service easements, and defines "vacation" for these purposes to mean the complete or partial abandonment or termination of the public right to use a public street, highway, or public service easement. Under these provisions, proof of publication of a required notice is made by affidavit.</p> <p>This bill would make a non-substantive change to these provisions.</p>	
<u>AB 567</u> Valadao R Transportation funds: capital improvement projects.	ASSEMBLY 2-YEAR 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2011)	<p>Existing law requires specified funds made available for transportation capital improvement projects to be programmed and expended for interregional and regional improvements, as specified.</p> <p>This bill would make non-substantive changes to these provisions.</p>	
<u>AB 570</u> Smyth R Emissions of greenhouse gases: California Global Warming Solutions Act of 2006.	ASSEMBLY 2-YEAR 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was PRINT on 2/16/2011)	<p>The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The act requires the state board, on or before January 1, 2011, to adopt greenhouse gas emission limits and emission reduction measures by regulation to achieve the maximum technologically feasible and cost-effective reductions in emissions of greenhouse gases, in furtherance of achieving the statewide greenhouse gas emissions limit, with the regulations to become operative beginning January 1, 2012.</p> <p>This bill would make technical and non-substantive changes to the above requirements.</p>	

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State Legislative Matrix as of 1-23-12

Bill ID/Topic	Location	Summary	Position
<u>AB 676</u> <u>Torres D</u> Transportation funds.	ASSEMBLY 2-YEAR 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was TRANS. on 3/3/2011)	<p>Existing law establishes a policy for expenditure of certain state and federal funds available to the state for transportation purposes. Under this policy, the Department of Transportation and the California Transportation Commission develop a fund estimate of available funds for purposes of adopting the state transportation improvement program, which is a listing of capital improvement projects. After deducting expenditures for administration, operation, maintenance, local assistance, safety, rehabilitation, and certain environmental enhancement and mitigation expenditures, the remaining funds are available for capital improvement projects.</p> <p>This bill would provide that the remaining funds are available for the study of, and development and implementation of, capital improvement projects.</p>	
<u>AB 710</u> <u>Skinner D</u> Local planning: infill and transit- oriented development.	SENATE THIRD READING 9/9/2011 - From inactive file. Senate Rule 29 suspended. (Ayes 24. Noes 12. Page 2453.) Ordered to third reading. Read third time. Refused passage. (Ayes 18. Noes 19. Page 2474.).	<p>The Planning and Zoning Law requires specified regional transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, and requires the regional transportation plan to include, among other things, a sustainable communities strategy, for the purpose of using local planning to reduce greenhouse gas emissions.</p> <p>This bill would state the findings and declarations of the Legislature with respect to parking requirements and infill and transit-oriented development, and would state the intent of the Legislature to reduce unnecessary government regulation and to reduce the cost of development by eliminating excessive minimum parking requirements for infill and transit-oriented development. This bill would also express a legislative finding and declaration that its provisions shall apply to all cities, including charter cities. This bill contains other related provisions. Last Amended on 8/18/2011</p>	
<u>AB 845</u> <u>Ma D</u> Transportation: bond funds.	SENATE INACTIVE FILE 8/22/2011 - Ordered to inactive file at the request of Senator Liu.	<p>Existing law, the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes, including \$950 million to be allocated by the California Transportation Commission to eligible recipients for capital improvements to intercity and commuter rail lines and urban rail transit systems in connection with or otherwise related to the high-speed train system. Of this amount, 80% is to be allocated to eligible commuter and urban rail recipients based on track miles, vehicle miles, and passenger trips pursuant to guidelines to be adopted by the commission. A dollar-for-dollar match is to be provided by a commuter and urban rail recipient for bond funds received.</p> <p>This bill would require the guidelines adopted by the commission to determine the funding share for each eligible commuter and urban rail recipient to use the distribution factors gathered from the 2007 Data Tables of the National Transit Database of the Federal Transit Administration. The bill would require the commission to accept from each eligible recipient a priority list of projects up to the target amount expected to be available for the recipient and would require matching funds provided by the recipient to be from nonstate funds. The bill would define "non-state matching funds" for purposes of these bond fund allocations to mean local, federal, and private funds, as well as state funds available to an eligible recipient that are not subject to allocation by the commission. Last Amended on 5/10/2011</p>	

Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 1-23-12

Bill ID/Topic	Location	Summary	Position
<u>AB 1092</u> <u>Lowenthal,</u> <u>Bonnie D</u> High-speed rail.	SENATE 2-YEAR 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was RLS. on 6/16/2011)	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. 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 in general obligation bonds for high-speed rail and related purposes.</p> <p>This bill would require the authority to report biannually to the Legislature beginning March 1, 2012, on the status of the project, including overall progress, the project budget, expenditures to date, a comparison of the current and project work schedule and the baseline schedule contained in the 2009 business plan, project milestones, and other related issues.</p>	
<u>AB 1126</u> <u>Calderon,</u> <u>Charles D</u> Transaction and use tax: rate.	ASSEMBLY THIRD READING 1/11/2012 - Read second time. Ordered to third reading.	<p>The Transaction and Use Tax Law authorizes a district to impose a transactions tax for the privilege of selling tangible personal property at retail upon every retailer in the district at a rate of 1/4 of 1%, or a multiple thereof, of the gross receipts of the retailer from the sale of all tangible personal property sold by that person at retail in the district. That law also requires that a use tax portion of a transaction and use tax ordinance be adopted to impose a complementary tax upon the storage, use, or other consumption in the district of tangible personal property purchased from any retailer for storage, use, or other consumption in the district at a rate of 1/4 of 1%, or a multiple thereof, of the sales price of the property whose storage, use, or other consumption is subject to the tax, as prescribed.</p> <p>This bill would decrease those rates to 1/8 of 1%. Last Amended on 1/4/2012</p>	

Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 1-23-12

Bill ID/Topic	Location	Summary	Position
<u>AB 1134</u> <u>Bonilla D</u> Department of Transportation: project study reports.	ASSEMBLY 2-YEAR 5/28/2011 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)	<p>Existing law requires the Department of Transportation, in consultation with transportation planning agencies, county transportation commissions, counties, and cities, to carry out long-term state highway planning. Existing law authorizes the department, to the extent that it does not jeopardize the delivery of projects in the adopted state transportation improvement program, to prepare a project studies report for capacity-increasing state highway projects. Existing law requires the department to review project studies reports performed by an entity other than the department. Existing law authorizes a local entity to request the department to prepare a project studies report for a capacity-increasing state highway project that is being proposed for inclusion in a future state transportation improvement program. If the department determines that it cannot complete the report in a timely fashion, existing law authorizes the requesting entity to prepare the report. Existing law makes specified guidelines adopted by the California Transportation Commission applicable to project studies reports commenced after October 1, 1991.</p> <p>This bill would instead authorize the department to prepare project study reports for any project on the state highway system. The bill would require project study reports to include specified project-related factors, including, among other things, cost estimates, schedule, and other information deemed necessary to form a sound basis for commitment of future state funding and project delivery. The bill would require an entity performing a project study report to reimburse the department for the cost of reviewing and approving a report for projects that are not in an adopted regional transportation plan, a voter-approved county sales tax measure expenditure plan, or another voter-approved transportation program. The bill would authorize a local entity to request the department to prepare a project study report for a state highway project that is being proposed for inclusion in a future state transportation improvement program or for funding from a regional or local funding source and would authorize the local entity to prepare the report at its own expense if the department determines that it cannot complete the report. The bill would require open and continuous communication between the department, a local entity requesting a project study report, and the regional transportation planning agency or county transportation commission. The bill would require the department, in consultation with representatives of cities, counties, regional transportation planning agencies, and county congestion management agencies, to prepare draft revised guidelines for the preparation of project study reports, as specified, and would require the department to submit the draft revised guidelines to the California Transportation Commission by July 1, 2012. The bill would require the California Transportation Commission to adopt final guidelines by October 1, 2012, and would make the guidelines applicable to project study reports upon adoption of the guidelines. Last Amended on 3/21/2011</p>	

Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 1-23-12

Bill ID/Topic	Location	Summary	Position
<u>AB 1206</u> <u>Galgiani D</u> High-speed rail: contracts: small businesses.	ASSEMBLY 2-YEAR 5/28/2011 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. 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 in general obligation bonds for high-speed rail and related purposes. Under federal law, funding is made available for allocation nationally to high-speed rail and other related projects.</p> <p>This bill would require the authority to identify essential components of, and adopt, a small business enterprise program as part of contracts to be awarded by the authority relative to development and construction of the high-speed rail system and to adopt an oversight and accountability program for the small business enterprise program. The bill would require the authority to report annually to the Department of General Services and Legislature in that regard and post the report on its Internet Web site. Last Amended on 3/30/2011</p>	
<u>AB 1229</u> <u>Feuer D</u> Transportation: financing: federal highway grant anticipation notes.	SENATE 2-YEAR 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/16/2011)	<p>Existing law continuously appropriates the amounts specified in the annual Budget Act as having been deposited in the State Highway Account from federal transportation funds, and pledged by the California Transportation Commission, to the Treasurer for the purposes of issuing federal highway grant anticipation notes, commonly known as GARVEE bonds, to fund transportation projects selected by the commission. Existing law defines an "eligible project" for these purposes as the federally funded portion of a highway or other transportation project that has been designated for accelerated construction by the commission, and increases the capacity, reduces the travel time, or provides long-life rehabilitation of the key bridges and roadways of a corridor or gateway for interregional travel and movement of goods. Existing law prohibits the Treasurer from authorizing the issuance of the notes if the annual repayment obligations of all outstanding notes in any fiscal year would exceed 15% of the total amount of federal transportation funds deposited in the account for any consecutive 12-month period within the preceding 24 months.</p> <p>This bill would provide that an "eligible project" may include projects programmed by a regional transportation planning agency using its share of apportionments of federal regional surface transportation program funds or congestion mitigation and air quality funds, as specified. The bill would authorize no more than 50% of bonding capacity of GARVEE bonds from being made available for these projects and would require the commission to require a regional transportation planning agency to commit to repaying the state for debt service if that agency's share of federal regional surface transportation program funds or federal congestion mitigation and air quality funds is insufficient to repay the GARVEE bonds or if a portion of the project costs is ineligible for federal funding. The bill would, for such a repayment by a regional transportation planning agency, authorize the commission to amend into the State Transportation Improvement Program some or all of the funds necessary for the repayment to be counted against the county share of State Transportation Improvement Program funds for the county in which the project is located. By expanding the types of projects for which GARVEE bonds may be used, the bill would make an appropriation. Last Amended on 6/21/2011</p>	

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State Legislative Matrix as of 1-23-12

Bill ID/Topic	Location	Summary	Position
<u>AB 1287</u> <u>Buchanan D</u> Local government: audits.	ASSEMBLY 2-YEAR 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was L. GOV. on 3/21/2011)	<p>Existing law requires school districts to comply with General Accounting Office standards for financial and compliance audits, as specified, and prohibits an independent auditor from engaging in financial compliance audits unless, within 3 years of commencing the first of the audits, and every 3 years thereafter, the auditor completes a quality control review in accordance with General Accounting Office standards.</p> <p>This bill would require local agencies, defined to include cities, counties, a city and county, special districts, authorities, or public agencies, to comply with General Accounting Office standards for financial and compliance audits and would prohibit an independent auditor from engaging in financial compliance audits unless, within 3 years of commencing the first of the audits, and every 3 years thereafter, the auditor completes a quality control review in accordance with General Accounting Office standards.</p>	
<u>AB 1308</u> <u>Miller R</u> Highway Users Tax Account: appropriation of funds.	ASSEMBLY 2-YEAR 5/28/2011 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. on 5/27/2011)	<p>Article XIX of the California Constitution requires revenues from state excise taxes on motor vehicle fuels for use in motor vehicles upon public streets and highways, over and above the cost of collection and any refunds authorized by law, to be used for various street and highway purposes and for certain mass transit guideway purposes. Existing law requires state excise fuel tax revenues to be deposited in various accounts and to be allocated, in part, for various purposes, including the cost of collection and authorized refunds. Existing law requires the balance of these funds remaining after authorized deductions to be transferred to and deposited monthly in the Highway Users Tax Account in the Transportation Tax Fund. Existing law provides for formula apportionment of specified revenues in the Highway Users Tax Account to cities and counties for the transportation purposes authorized by Article XIX of the California Constitution, and requires other portions of those revenues to be transferred to and deposited in the State Highway Account in the State Transportation Fund. Existing law provides that the money in the Highway Users Tax Account is appropriated for the above-described transportation purposes, but also generally provides that the money in the State Highway Account may not be expended until appropriated by the Legislature.</p> <p>This bill, in any year in which the Budget Act has not been enacted by July 1, would provide that all moneys in the Highway Users Tax Account in the Transportation Tax Fund, except as specified, are continuously appropriated and may be encumbered for certain purposes until the Budget Act is enacted. The bill would thereby make an appropriation. The bill would authorize the Controller to make estimates in order to implement these provisions.</p>	

Peninsula Corridor Joint Powers Board
State Legislative Matrix as of 1-23-12

Bill ID/Topic	Location	Summary	Position
<u>AB 1444</u> <u>Feuer</u> D Environmental quality: expedited judicial review: public rail transit projects.	ASSEMBLY PRINT 1/5/2012 - From printer. May be heard in committee February 4.	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. The Jobs and Economic Improvement Through Environmental Leadership Act of 2011 amended CEQA to establish, until January 1, 2015, an expedited judicial review process and specifies procedures for the preparation and certification of the administrative record for an EIR of a project meeting specified requirements that has been certified by the Governor as an environmental leadership development project.</p> <p>This bill would state the intent of the Legislature to enact legislation to provide the benefits provided by the Jobs and Economic Improvement Through Environmental Leadership Act of 2011 for new public rail transit infrastructure projects.</p>	
<u>SB 22</u> <u>La Malfa</u> R High Speed Rail	DIED in SENATE TRANS 1/11/11 Failed passage in committee.	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. Article XVI of the California Constitution authorizes the Legislature, at any time after the approval of a general obligation bond act by the people, to reduce the amount of the indebtedness authorized by the act to an amount not less than the amount contracted at the time of the reduction or to repeal the act if no debt has been contracted.</p> <p>This bill would reduce the amount of general obligation debt authorized pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century to the amount contracted as of January 1, 2012.</p>	
<u>SB 46</u> <u>Correa</u> D Public officials: compensation disclosure.	ASSEMBLY DESK 8/22/2011 - In Assembly. Read first time. Held at Desk.	<p>Existing provisions of the Political Reform Act of 1974 require certain persons employed by agencies to file annually a written statement of the economic interests they possess during specified periods. The act requires that state agencies promulgate a conflict of interest code that must contain, among other topics, provisions that require designated employees to file statements disclosing reportable investments, business positions, interests in real property, and income. The act requires that every report and statement filed pursuant to the act is a public record and is open to public inspection.</p> <p>This bill would, commencing on January 1, 2013, and continuing until January 1, 2019, require every designated employee and other person, except a candidate for public office, who is required to file a statement of economic interests to include, as a part of that filing, a compensation disclosure form that provides compensation information for the preceding calendar year, as specified. Last Amended on 6/2/2011</p>	

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Bill ID/Topic	Location	Summary	Position
<u>SB 50</u> <u>Correa D</u> Lobbyist employers: gifts.	ASSEMBLY RLS. 6/23/2011 - Re-referred to Com. on RLS.	<p>The Political Reform Act of 1974 regulates the receipt of gifts by public officials and also regulates the activities of members of the lobbying industry, including lobbyist employers. Under existing law, public officials are prohibited from accepting gifts from any single source in any calendar year with a total value of more than \$250, as adjusted biennially by the Fair Political Practices Commission. Existing law also prohibits a lobbyist or lobbying firm from giving gifts to a public official aggregating more than \$10 in a calendar month or from acting as an agent or intermediary in the making of any gift or arranging for the making of any gift by any other person.</p> <p>This bill would prohibit a lobbyist, lobbying firm, or lobbyist employer from giving to an elected state officer or a member of that officer's immediate family, and would prohibit an elected state officer from accepting from a lobbyist, lobbying firm, or lobbyist employer, certain gifts, including tickets to specified venues and events, spa treatments, recreational trips, and gift cards. However, under the bill, these prohibitions would not apply to a fundraising event for a bona fide charitable organization.</p> <p>Last Amended on 6/20/2011</p>	
<u>SB 392</u> <u>Gaines R</u> Transportation: California Transportation Commission.	SENATE 2-YEAR 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 2/24/2011)	<p>Existing law establishes the California Transportation Commission and authorizes the commission to alter or change the location of any state highway if, in the opinion of the commission, the alteration is for the best interest of the state.</p> <p>This bill would make a non-substantive change to these provisions.</p>	
<u>SB 475</u> <u>Wright D</u> Infrastructure financing.	ASSEMBLY 2-YEAR 7/8/2011 - Failed Deadline pursuant to Rule 61(a)(10). (Last location was L. GOV. on 6/29/2011)	<p>Existing law authorizes a governmental agency, as defined, to solicit proposals and enter into agreements with private entities for the design, construction, or reconstruction by, and lease to, private entities, for specified types of fee-producing infrastructure projects. Existing law permits these agreements to provide for infrastructure facilities owned by a governmental entity, but constructed by a private entity, to be leased to or owned by that private entity for a period of up to 35 years, after which time the project would revert to the governmental agency.</p> <p>This bill would authorize a local governmental agency to enter into an agreement with a private entity for financing for specified types of revenue-generating infrastructure projects. The bill would require an agreement entered into under these provisions to include adequate financial resources to perform the agreement, and would additionally permit the agreements to lease or license to, or provide other permitted uses by, the private entity. Last Amended on 6/20/2011</p>	

Peninsula Corridor Joint Powers Board

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Bill ID/Topic	Location	Summary	Position
<u>SB 517</u> Lowenthal D High-Speed Rail Authority.	ASSEMBLY 2-YEAR 8/26/2011 - Failed Deadline pursuant to Rule 61(a)(11). (Last location was APPR. SUSPENSE FILE on 8/18/2011)	<p>Existing law creates the High-Speed Rail Authority in state government with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 9 members, including 5 members appointed by the Governor.</p> <p>This bill would place the High-Speed Rail Authority within the Business, Transportation and Housing Agency. The bill would provide for the Secretary of Business, Transportation and Housing to serve on the authority as a nonvoting, ex officio member. The bill would require the secretary to propose an annual budget for the authority upon consultation with the authority. The bill would require the members of the authority appointed by the Governor to be appointed with the advice and consent of the Senate. The bill would provide for the members that are appointed to have specified background or experience, as specified. Last Amended on 6/30/2011</p>	
<u>SB 545</u> Anderson R Transportation.	SENATE 2-YEAR 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 3/3/2011)	<p>Existing law creates various transportation programs to develop and implement improvements to transportation systems.</p> <p>This bill would state the intent of the Legislature to enact legislation enabling the state to examine efficiency in administering solutions to California's transportation needs.</p>	
<u>SB 624</u> Harman R Emissions of greenhouse gases: California Global Warming Solutions Act of 2006.	SENATE 2-YEAR 5/13/2011 - Failed Deadline pursuant to Rule 61(a)(3). (Last location was RLS. on 3/3/2011)	<p>The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt a statewide greenhouse gas emissions limit to be achieved by 2020, equivalent to the statewide greenhouse gas emissions levels in 1990. The act requires the state board, on or before January 1, 2011, to adopt greenhouse gas emission limits and emission reduction measures by regulation to achieve the maximum technologically feasible and cost-effective reductions in emissions of greenhouse gases, in furtherance of achieving the statewide greenhouse gas emissions limit, with the regulations to become operative beginning January 1, 2012.</p> <p>This bill would make technical, non-substantive changes to the above requirements.</p>	
<u>SB 693</u> Dutton R Public contracts: local agencies.	SENATE 2-YEAR 6/3/2011 - Failed Deadline pursuant to Rule 61(a)(8). (Last location was T. & H. on 4/13/2011)	<p>Existing law sets forth requirements for the solicitation and evaluation of bids and the awarding of contracts by public entities for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement. Existing law also authorizes specified state agencies, cities, and counties to implement alternative procedures for the awarding of contracts on a design-build basis. Existing law authorizes the Department of Transportation and regional transportation agencies to enter into public-private partnerships for transportation projects under certain conditions. Existing law authorizes the department to delegate to any city or county any part of its powers and jurisdiction, except the power of approval, with respect to any portion of any state highway within the city or county, and to withdraw the delegation.</p> <p>This bill would specify that the delegation authority includes the authority to utilize private-public partnership agreements for transportation projects. Last Amended on 4/13/2011</p>	

Peninsula Corridor Joint Powers Board
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Bill ID/Topic	Location	Summary	Position
SB 733 Price D High-speed rail: business plan: contracts: small business participation.	SENATE 2-YEAR 5/28/2011 - Failed Deadline pursuant to Rule 61(a)(5). (Last location was APPR. SUSPENSE FILE on 5/23/2011)	<p>Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. 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 in general obligation bonds for high-speed rail and related purposes. Under federal law, funding is made available for allocation nationally to high-speed rail and other related projects. Existing law requires the authority to prepare, publish, adopt, and submit to the Legislature a business plan containing specified elements beginning January 1, 2012, and every 2 years thereafter.</p> <p>This bill would require the authority, in awarding contracts for the construction of the high-speed rail system with state or federal funds, to develop a strategy in conjunction with the Employment Development Department to ensure that at least 25% of the project workforce used at each authority worksite is from the local workforce, and to report on that strategy in the business plan to be submitted on January 1, 2012, or as an addendum to that plan to be submitted on March 1, 2012.</p> <p>Last Amended on 5/11/2011</p>	
SB 749 Steinberg D California Transportation Commission: guidelines.	SENATE THIRD READING 1/18/2012 - Read second time. Ordered to third reading.	<p>Existing law generally provides for programming and allocation of state and federal funds available for transportation capital improvement projects by the California Transportation Commission, pursuant to various requirements. Existing law authorizes the commission, in certain cases, to adopt guidelines relative to its programming and allocation policies and procedures.</p> <p>This bill would establish specified procedures that the commission would be required to utilize when it adopts guidelines, except as specified, and would exempt the adoption of those guidelines from the requirements of the Administrative Procedure Act. Last Amended on 1/4/2012</p>	

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Finance Committee

THROUGH: Michael J. Scanlon
Executive Director

FROM: Gigi Harrington
Deputy CEO

SUBJECT: **COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL
YEAR ENDING JUNE 30, 2011**

ACTION

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

SIGNIFICANCE

Maze and Associates conducted the annual audit of the financial statements for the year ended June 30, 2011 and determined that the financial statements fairly represent the financial position of the PCJPB for the period of July 1, 2010 to June 30, 2011.

The Comprehensive Annual Financial Report has four sections, the introductory, financial, statistical and single audit section. The financial section includes:

- 1) Independent Auditor's Report – this report was prepared by the independent auditors, who rendered an unqualified opinion, which is the most favorable opinion an agency can receive in an audit. An unqualified opinion means that the financial statements are presented fairly and in accordance with generally accepted accounting principals in the United States.
- 2) Management's Discussion and Analysis – this section provides management's overview of the financial activities.
- 3) Basic Financial Statements – the basic financial statements include a statement of net assets, statement of revenues, expenses and changes in net assets, statement of cash flow, and notes to the financial statements which are essential to a full understanding of the data provided.
- 4) Required Supplementary Information – this includes the budgetary basis comparison for the Revenue and Expenses and the notes to the supplementary schedule which are essential to a full understanding of the data provided.

Annually, the JPB submits the Comprehensive Annual Financial Report to the Government Finance Officers Association (GFOA) for the Certificate of Achievement for Excellence in Financial Reporting. The JPB has received an award for every year that the report was submitted.

BUDGET IMPACT

There is no impact on the Budget

The Fiscal Year 2011 Comprehensive Annual Financial Report is available for review at the following link:

http://www.caltrain.com/Assets/_Finance/Comprehensive+Annual+Financial+Reports/JPB+CAFR+2011.pdf