



TOM NOLAN, CHAIR  
JERRY DEAL, VICE CHAIR  
JOSÉ CISNEROS  
MALIA COHEN  
ROSE GUILBAULT  
ASH KALRA  
ADRIENNE TISSIER  
PERRY WOODWARD  
KEN YEAGER

MICHAEL J. SCANLON  
EXECUTIVE DIRECTOR

# AGENDA

## PENINSULA CORRIDOR JOINT POWERS BOARD

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

June 5, 2014 – Thursday

10:00 a.m.

1. Pledge of Allegiance
2. Swearing in of Rose Guilbault Representing SamTrans
3. Call to Order/Roll Call
4. Public Hearing for Proposed Changes to the Codified Tariff
5. Public Comment  
Public comment by each individual speaker shall be limited to two minutes
6. 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 May 1, 2014
  - b) Authorize Execution of Contracts of More Than \$100,000 for Information Technology License Renewals, Maintenance Services and Professional Services for Fiscal Year 2015 for an Aggregate Not-to-Exceed Amount of \$500,000
  - c) Authorize Execution of Contracts for Technology Related Products and Services to Vendors Under Cooperative Purchasing Programs for Fiscal Year 2015 for an Aggregate Not-to-Exceed Amount of \$1 Million
7. Chairperson's Report
8. Report of the Citizens Advisory Committee
9. Report of the Executive Director
  - a) Proclamation Declaring June 19th as Dump the Pump Day
  - b) Caltrain Modernization Update
10. Acceptance of Statement of Revenues and Expenses for April 2014

### RESOLUTIONS

### PROCLAMATION INFORMATIONAL

### MOTION

Peninsula Corridor Joint Powers Board  
June 5, 2014 Agenda

- |  |               |
|--|---------------|
| 11. Adoption of the Fiscal Year 2015 Operating Budget in the Amount of \$125,736,026   | RESOLUTION    |
| 12. Authorize a Not-to-Exceed \$2 Million Increase in the Executive Director's Change Order Authority for Additional Work Needed for the San Bruno Grade Separation Project and Amend the Fiscal Year 2014 Capital Budget in the Amount of \$5 Million | RESOLUTION    |
| 13. Legislative Update   | INFORMATIONAL |
| 14. Capital Projects Quarterly Status Report – 3 <sup>rd</sup> Quarter Fiscal Year 2014  | INFORMATIONAL |
| 15. Correspondence   |               |
| 16. Board Member Requests  |               |
| 17. Date/Time of Next Meeting: Thursday, July 3, 2014, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2 <sup>nd</sup> Floor, 1250 San Carlos Avenue, San Carlos, CA 94070                                 |               |
| 18. General Counsel Report   |               |
| a) Closed Session: Conference with Legal Counsel – Potential Litigation – Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(b) (One Potential Case)   |               |
| 19. Adjourn  |               |

### **INFORMATION FOR THE PUBLIC**

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

If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at [www.caltrain.com](http://www.caltrain.com).

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

Regular meetings are held at the The San Mateo County Transit District Administrative Building located at 1250 San Carlos Avenue, San Carlos, one block west of the San Carlos Caltrain Station on El Camino Real, accessible by SamTrans bus Routes ECR, FLX, 260, 295 and 398. Additional transit information can be obtained by calling 1.800.660.4287 or 511.

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

### **Public Comment**

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

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

### **Accessibility for Individuals with Disabilities**

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

### **Availability of Public Records**

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

**PENINSULA CORRIDOR JOINT POWERS BOARD  
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 April 3, 2014 the Board approved holding a public hearing on June 5, 2014 for the consideration of changes to the Codified Tariff. Staff will consider public testimony and input from members of the Board of Directors before developing final recommendations for board consideration at its July 3, 2014 meeting.

**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. Parking (effective August 1, 2014)
  - Authorizing the Caltrain Executive Director to charge parking fees of up to \$25 a day at impacted stations for special events at the San Mateo Event Center and professional sports venues.
- B. Additional Regional Clipper® Use Incentive (effective October 5, 2014)
  - Increasing the cost of paper One-way tickets by 25 cents and Day passes by 50 cents. The cost of a one-way ride would remain the same for those using a Clipper card (Day passes aren't available on Clipper). Monthly Pass and 8-ride ticket prices also would remain the same.
- C. Go Pass (effective October 5, 2014)
  - Increasing the cost of each Go Pass issued for travel in 2015 by \$15, from \$165 to \$180 per participant per year, subject to a minimum participation level of \$15,120
  - Increasing the cost of each Go Pass provided for travel in 2016 to \$190 per participant per year, subject to a minimum participation level of \$15,960.

- D. Youth Age (effective January 1, 2015)
- Expanding the age of Youth from 17 years to 18 years.

### **BUDGET IMPACT**

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

### **BACKGROUND**

#### *Parking*

When Levi's Stadium opens in Santa Clara this August, some event attendees may opt to park (currently for a \$5 fee) at the Mountain View Caltrain lot and ride Santa Clara Valley Transportation Authority light rail to the stadium to avoid higher parking costs at or closer to the stadium. Staff anticipates similar situations may occur at other Caltrain stations located in close proximity to other professional sports and entertainment venues such as the San Mateo Event Center and the new San Jose Earthquakes stadium. Authorizing the Executive Director to charge as much as \$25 for parking at impacted stations would allow Caltrain to compete in the special event parking market.

#### *Clipper Use Incentive*

In continuing response to Metropolitan Transportation Commission Resolution 3866, staff proposes to increase the cost of paper tickets, but keep fares unchanged for those using a Clipper card. The goal is for at least half of the customers that purchase one-way tickets to use Clipper.

#### *Go Pass*

Staff recommends a two-step price increase for the Caltrain Go Pass to support movement toward program revenue neutrality.

#### *Youth Age*

As part of regional fare coordination work, Bay Area transit agencies may move toward a standard age for youth: five to 18 years old.

The public outreach program regarding the proposed changes leading up to this hearing included four community meetings (Gilroy, Mountain View, San Carlos and San Francisco), bilingual newspaper notices, a news release, station flyer, multilingual onboard messages to train riders, social media, *Caltrain Connection* article and a presentation to the Caltrain Citizens Advisory Committee. Information, including a redline of the Caltrain codified Tariff, was posted to the Caltrain website. Caltrain staff also reached out to community-based organizations to inform them of the proposed changes and also communicated directly with companies participating in the Go Pass program.

Staff established multiple 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.

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

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

**Minutes  
May 1, 2014**

**MEMBERS PRESENT:** J. Cisneros, M. Cohen, J. Deal, A. Kalra, T. Nolan (Chair),  
A. Tissier, K. Yeager

**MEMBERS ABSENT:** P. Woodward

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

Chair Tom Nolan called the meeting to order at 10:05 a.m. and led the Pledge of Allegiance.

**PUBLIC COMMENT**

Adina Levin, Friends of Caltrain, said there is a proposed Santa Clara County ballot measure for roads and transit. She said the measure polled well and included funding for Caltrain. Ms. Levin said the Clipper contract is up for renewal and planning has begun for Clipper 2.0. She said the JPB Citizens Advisory Committee (CAC) received a presentation on Clipper. She said one of the requests was for more customer feedback and staff said that would need to come from the Board.

Jeff Carter, Millbrae, said there needs to be customer feedback for Clipper. The Predictive Arrival Departure System (PADS) has not been working and he said he would like to hear an update on the system.

Director Malia Cohen arrived at 10:09 a.m.

**CONSENT CALENDAR**

- a. Approval of Minutes of April 3, 2014

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

**CHAIRPERSON'S REPORT**

**Appointment of Jerry Deal to the Transbay Joint Powers Authority (TJPA)**

Chair Nolan said with Art Lloyd's resignation from the JPB a vacancy has occurred on the TJPA. He is recommending the appointment of Director Deal to the TJPA.

A motion (Nolan/Yeager) to appoint Director Deal to the TJPA was passed unanimously.

Chair Nolan said the CAC has openings in San Francisco and San Mateo counties. He said applications are due June 1 and appointments will be made at the July 3 meeting.

### **REPORT OF THE CAC**

Adina Levin, Vice Chair, CAC, said at the April 16 meeting the committee:

- Welcomed Greg Scharff, Palo Alto City Councilman, representing Santa Clara County.
- Received presentations on the proposed Codified Tariff changes and the annual passenger counts.
- Received a presentation on Clipper 2.0 before the CAC meeting and one question arose concerning more customer feedback.

Director Ash Kalra arrived at 10:11 a.m.

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

Michael Scanlon, Executive Director, said Michelle Bouchard, Director, Rail Transportation, will be leaving Caltrain on May 2 to head up the Oakland Airport Connector Project at Bay Area Rapid Transit (BART). A letter signed by the entire Executive Team was read and presented to Ms. Bouchard.

Ms. Bouchard thanked everyone for the wonderful experience she had over the last 14 years. She thanked the Board for the support they have given the staff.

Chuck Harvey, Deputy CEO, said an assessment of the Quint Street Bridge has been completed and no other issues were found. He said the design for the repair work has been completed and it will fix the immediate emergency situation. Mr. Harvey said a Notice to Proceed was issued to Granite Construction on April 24. He said the materials have started to be fabricated and will be installed overnight on May 9 and 10. The cost of the repair is \$60,000 and the cost of the assessment was between \$40,000 and \$50,000. He said staff will be inspecting and assessing the bridge monthly.

Director Malia Cohen asked when the work will be completed. Mr. Harvey said by the end of May.

Mr. Scanlon reported:

- Key Caltrain Performance Statistics March 2014 compared to March 2013.
  - Monthly Performance Statistics:
    - Total Ridership was 1,431,748, an increase of 9.2 percent.
    - Average Weekday Ridership (AWR) was 53,080, an increase of 9 percent.
    - Total Revenue was \$6,144,575, an increase of 8.7 percent.
    - On-time Performance (OTP) was 92.9 percent, a decrease of 1.6 percent. This number includes a week of the slow orders for the Quint Street Bridge.
    - Caltrain Shuttle Ridership was 9,736, an increase of 14.9 percent.
  - Year-to-date Performance Statistics
    - Total Ridership was 12,456,541, an increase of 8.9 percent.

- AWR was 52,137, an increase of 8.7 percent.
- Total Revenue was \$54,497,597, an increase of 8.3 percent.
- OTP was 92.8 percent, an increase of 1.8 percent.
- Caltrain Shuttle Ridership was 8,100, a decrease of 1.7 percent.
- The Bicycle Advisory Committee's next meeting is May 15.
- May 8 is Bike to Work Day. Staff from Public Affairs will have a friendly competition to show that using Caltrain is faster than driving a car. Will Reisman, Public Affairs Specialist, will ride his bike from Union Square in San Francisco to the 4<sup>th</sup> and King Caltrain Station and board a train to San Carlos. Christine Dunn, Public Information Officer, will drive from the Union Square location to the Caltrain headquarters in San Carlos.
- Special service:
  - An additional 1,300 passengers were carried during the San Jose Sharks playoff games.
  - Through April 27, Giants ridership has increased 2 percent, or 101,000 additional riders.
  - Levi's Stadium planning continues with the Santa Clara Valley Transportation Authority (VTA). Mr. Harvey attended a meeting with the Super Bowl Host Committee.
- The Earth Day Scavenger Hunt went well. Winning photos were posted on various social media websites.
- The San Bruno Caltrain Station opening event is on May 10 at Posy Park in San Bruno, beginning at 11 a.m.
- Rail safety outreach efforts continue. Staff from Public Affairs has been at San Mateo, Redwood City, Burlingame, Menlo Park, Mountain View, and Palo Alto stations. On May 8 they will be at the Santa Clara Station along with VTA staff.
- Staff has applied for two Tiger VI grants. There is about \$600 million available nationally. The competition is very keen. One application is for another increment of Caltrain Modernization (CalMod) Project electrification money. Staff is seeking \$20 million for the \$1.2 billion CalMod project. Twenty letters of support have been sent from local legislators and supporters. The other project is in South San Francisco, and the Metropolitan Transportation Commission (MTC) has endorsed this grant application. This application is for \$10 million for a \$62 million project. Sixteen letters of support have been received on this project. This will provide for a new platform and reconfigure the tracks to remove the hold out rule at the station.
- The San Francisco Municipal Transportation Agency, Santa Clara Valley Transportation Authority and MTC were thanked for their assistance on the Fiscal Year (FY) 2015 budgets.
- The Caltrain 150<sup>th</sup> Anniversary celebration was completed on April 23 with customer appreciation events at the 4<sup>th</sup> and King San Francisco and San Jose Diridon stations.
- Chair Nolan and Director Cohen were thanked for attending the groundbreaking of the First Asian Community Garden in San Francisco.

- The Reading File contains the March Safety & Security Report, *Caltrain Connection*, Take Ones on CAC Recruitment, Rail Safety Outreach, and Bay to Breakers.

#### CalMod Update

Marian Lee, Executive Officer, CalMod, said staff continues to make progress on the Communications-based Overlay Signal System/Positive Train Control (CBOSS/PTC) Project. The fiber-optic cable is being pulled between Palo Alto and Sunnyvale. She said no complaints have been received.

Ms. Lee said the Draft Environmental Impact Report (DEIR) comment period closed on April 29. She said four public meetings and 10 additional meetings were held. Staff attended internal stakeholder meetings, and held office hours for city staff. Ms. Lee said staff is starting to review the comments and anticipates returning back to the Board in the early summer with a summary of the key comments received.

Ms. Lee said the Local Policy Maker Group did not meet last month, but staff sent an electronic update. The next meeting is May 22.

Ms. Lee made a presentation on the CalMod owner's team. She reported:

- The owner's team has been completed and consists of Travis Clark, Planning Director; Sherry Bullock, Program Management Director; and Dave Couch, Project Delivery Director. Mr. Couch has extensive experience delivering large capital projects. Mr. Couch came with a great reputation and an endless list of endorsements.
- Key consultant support is coming from URS Corporation (program management), Gannett Fleming (electrification), LTK Engineering (electric multiple units - EMUs) and B&G Transportation (safety).
- Industry Day was held on April 10 and there were over 100 participants.

Mr. Couch reported:

- This is going to be a challenging project but it will have minimal disruption to customers.
- The two procurements will be the design-build contract for the electrification process and the purchase of the EMUs. The design-build will go through a qualifications phase and will be a best value contract. The EMUs will be a negotiated procurement.
- Key benefits of splitting into two packages are direct owner control, enhanced competition, and best team selection by expertise area.
- Program objectives
  - Ensure system safety
  - Complete program within \$1.2 billion budget
  - Provide electrified service by 2019
  - Build a quality system
  - Minimize impacts to rail service and customers
  - Minimize impacts to environment
  - Support future high-speed rail (HSR) trains

- Sustain effective partnership with stakeholders
- Electrification design-build contract procurement milestones
  - Request for Qualifications (RFQ) issued in May 2014
  - RFQ due in August 2014
  - Request for Proposal (RFP) issuance in early 2015
  - Award of contract in summer/fall 2015
- Third party coordination
  - Communications protocol
  - Key coordination efforts include traffic impact mitigation, contact with utilities, and avoid/minimize impact outside of right of way
  - Permits
  - Agreements, as needed
- EMU contract procurement schedule
  - Request for Information (RFI) issued in June 2014
  - RFI due in July 2014
  - RFP issued in Spring 2015
  - Award of contract in fall/winter 2015
- Stakeholder EMU outreach includes:
  - Inform vehicle specification
  - Key issues are onboard passenger amenities, seating configuration, bicycle capacity, and Americans with Disabilities Act
- Next steps:
  - Issue electrification RFQ
  - Issue EMU RFI
  - Regular updates to Board

#### Public Comment

Roland Lebrun, San Jose, said he was disappointed to see only one EMU manufacturer present at Industry Day.

Jeff Carter, Millbrae, said he is disappointed to see Ms. Bouchard leave. She is a bright star and will be missed. He said quite a few years ago there was a detailed monthly ridership report and that document would give a five-year synopsis. Mr. Carter asked if this type of report could be produced every few months.

Director Ken Yeager said a number of letters have been received from cities with questions about the CalMod Project. He asked at what point does staff and the Board become concerned over cities challenging the project, whether from lawsuits, ballot measures or other efforts to obstruct the project. Director Yeager asked how staff and the Board assess the issues that are coming up and whether any of them potentially might slow down the entire project. Mr. Scanlon said staff will look at the formal comments and provide those responses in the EIR and assess where likely litigation may come from.

David Miller, Legal Counsel, said the environmental process represents the first situation where a risk of project delay could arise. He advised from a process standpoint, there should be little legal risk to the steps the JPB has taken in the preparation of the

environmental document and in its outreach to the public. As to possible substantive challenges, Mr. Miller advised that he is looking into recent court rulings that stand for the proposition that interstate carriers, such as the JPB are subject to the National Environmental Policy Act, but are not required to comply with the California Environmental Quality Act (CEQA). He said staff does not want to invite litigation, but obviously if litigation ensues, the JPB will avail itself of every possible defense, including the defense that the JPB was not required legally to comply with CEQA. Mr. Miller further advised that over the next few months staff will be responding to comments and should know by this fall if challenges to the EIR arise.

Director Adrienne Tissier said she hopes the cities commenting in the paper have commented on the DEIR.

#### Public Comment

Greg Conlon, Atherton, said he is concerned about the grade separation projects and thinks a trench would mitigate a lot of these problems. He asked why outside poles are being used inside of inside poles.

Adina Levin, Friends of Caltrain, said she was at the Menlo Park Rail Committee meeting and there were different perspectives at the meeting. As a resident of Menlo Park she thinks it would be unwise and embarrassing to litigate for a project that has very strong benefits for the region. She said people need to know the benefits of electrification.

Director Yeager said Palo Alto and Menlo Park are showing all the negative impacts of electrification and not the positives.

Director Deal said the negatives of not having electrification need to be stated.

#### **ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR MARCH 2014**

Gigi Harrington, Deputy CEO, said March revenues are over budget by \$1.7 million and on the expense side there is \$3.8 million in savings. Ms. Harrington said fuel was \$3.11 per gallon last week and year-to-date is \$3.05 per gallon. The JPB received \$176,000 through March from the hedge.

A motion (Tissier/Deal) to accept the March 2014 statement was approved.

#### **CALTRAIN TRIENNIAL CUSTOMER SURVEY KEY FINDINGS**

Rita Haskin, Executive Officer, Customer Service and Marketing, reported:

- Objectives are to determine who our customers are and measure whether their needs are being met.
- The survey was conducted onboard in October 2013 during the weekday peak, weekday off-peak, and weekend trains. Surveys were available in English and Spanish.
- A total of 4,721 surveys were returned, a 75 percent response rate.
- Most customers are riding four or more days per week and 86 percent make a round trip.
- Forty percent have no access to a car or don't drive.

- The trip purpose for most customers was to commute to work.
- The Monthly Pass is the most popular form of payment. There about 44,000 people on the GO Pass Program.
- The main reason customers ride is to avoid traffic and relax.
- About a quarter of commuters were introduced to Caltrain by taking it to a special event.
- More people are accessing the stations by walking.
- Overall, customers are satisfied, but weekend riders are more satisfied than weekday riders.
- One-third of the customers are using mobile devices to access Caltrain information.
- Customers use a variety of news sources, but the main source is the Internet.
- Sixty percent of riders are male and 40 percent are between the ages of 25 and 34.
- A majority of customers work full time.
- More weekday-peak customers have post-graduate degrees compared to weekend customers.
- Caltrain has a diverse ridership, with customers speaking 68 languages.
- Thirty-six percent of Caltrain riders were born outside of the United States.
- Customers have a mean income of \$117,000.
- San Francisco, San Mateo, and Santa Clara counties are home to 95 percent of customers.
- Use information to:
  - Inform future planning
  - Communicate with customers
  - Market to potential off-peak customers
- Full report at [www.Caltrain.com/surveys](http://www.Caltrain.com/surveys)

Director Tissier asked if the response level was as high as the last customer survey. Ms. Haskin said yes.

Director Yeager said he is concerned that Hispanic/Latino ridership is only 12 percent. Ms. Haskin said marketing information is distributed in English and Spanish and some information is in Chinese. She said although the Latinos are the highest minority, the Asian category has grown and that is causing a shifting of percentages.

Director Cohen said the ethnicities are dropping in all categories, but Asian ridership increased. Ms. Haskin said this survey is a snapshot of the ridership during the survey period. She said staff is going to be doing a satisfaction survey in June and will look at the demographics from that survey, too.

Director Cohen asked how often the survey is done. Ms. Haskin said it is a triennial and allows for staff to see what has shifted over time.

Director Ash Kalra said Caltrain riders are very computer savvy. He said he is thankful for Caltrain staff working with VTA to ensure the first experience at Levi's Stadium goes smoothly.

Director Cohen asked how staff decides what questions to ask. Ms. Haskin said some questions are asked every time to see what has changed, and staff asks within the agency if there are certain things people are interested in.

Director Cohen asked if staff asks for feedback for questions from the partner agencies. Ms. Haskin said that has not happened in the past, but that can be done in the future. Director Cohen asked that San Francisco have an opportunity to look at the questions before the next survey.

#### Public Comment

Jeff Carter, Millbrae, said this survey shows Caltrain is something for the rich, but it should not be viewed as a rich-person's-only system. He said the average person riding Caltrain is paying \$5.10 and that is quite a bit higher than other systems in the region and this does not include parking.

Doug DeLong, Mountain View, said he thinks fares should be raised. He said Caltrain shouldn't be subsidizing commutes of people who make \$150,000 a year. Mr. DeLong said the senior discount should be replaced with a low income fare.

Adina Levin, Friends of Caltrain, said 14 percent of riders use the GO Pass and this is serving the large corporations. She said staff should consider income-based discounts.

Greg Conlon, Atherton, said Santa Clara County is getting the benefits of Caltrain as the population grows in that area.

Director Tissier said the increase in Santa Clara County helps the roadways throughout the region.

Director Cohen asked if staff could look into what people are paying and who they are.

#### **PRELIMINARY FISCAL YEAR 2015 OPERATING BUDGET**

Ms. Harrington reported:

- Ridership and customer demand are at an all-time high.
- Farebox revenues continue to set records.
- Farebox recovery ratio is projected at 60 percent.
- FY2015 budget includes no fare increases and uses one-time funds.
- Total revenue is \$125.7 million, a slight reduction of \$200,000 from FY2014.
- Preliminary expenses are \$125.7 million, an increase of \$5.2 million, and include an increase in the rail operator contract of \$3.1 million.
- Member contributions are \$6.2 million for San Mateo County, \$8.3 million for Santa Clara County and \$5.1 million for San Francisco for a total of \$19.8 million.
- The FY2015 balanced budget postpones the structural deficit for another year.
- There is a need for permanent funding sources. The one-time funding sources have been exhausted. Staff is exploring a full range of options, including tax increases, partnerships, and creative solutions. Support is needed from business, labor, environmental and community-based organizations, and elected officials.

- Next steps:
  - Staff will bring back the budget for approval in June.
  - A mid-year review to detail the fiscal impact of acquiring additional rail cars to address capacity issues.
  - Continue discussions with member agencies and funding partners on funding options.
  - Continue to work with stakeholders, including the Silicon Valley Leadership Group and MTC's Transit Sustainability Project to develop strategies for new revenue sources, including a dedicated, permanent funding source.

#### Public Comment

Roland Lebrun, San Jose, said he would like to prepare a business case and present it to the Board for consideration. He said it would involve restructuring the TransitAmerica contract when it comes up for renewal. Mr. Lebrun said he needs a breakdown of the costs of the train operations, train maintenance, and anything else included in the contract. He said this will tie in nicely with the EMU negotiated procurement and alleviate Director Yeager's concerns that the CalMod Project might encounter any legal challenges.

Jeff Carter, Millbrae, said last month he suggested the budget cycle be a two-year cycle to give a more stable budget.

#### **PRELIMINARY FISCAL YEAR 2015 CAPITAL BUDGET**

Eva Goode, Manager, Budgets, reported:

- The preliminary FY2015 Capital Budget is \$109.1 million.
- Goals:
  - Invest in infrastructure and equipment improvements to maintain a system in a state of good repair (SOGR).
  - Invest in the rehabilitation and replacement of components for the rail vehicles to ensure fleet availability.
  - Continue system safety improvements.
  - Continuing planning and management for the CalMod Program.
- Constraints:
  - Preliminary budget is not yet balanced.
  - Continuing to work with MTC for the SOGR/Federal Transit Administration funds.
- Funds are limited, but partners have committed to a total of \$10.5 million.
- Highlights:
  - SOGR, which includes station and intermodal access, right of way, signal and communications, and rolling stock.
  - CalMod Program includes rolling stock replacement and electrification.
  - Legal mandates and required enhancements include the CBOSS/PTC Program and railroad bridge load ratings.
  - Operational improvements and enhancements.
  - Support for the Caltrain Capital Program.

- Critical ongoing capital needs:
  - FTA and Federal Railroad Administration renewed focus on transit agencies' SOGR.
  - Track, signal, communications and rolling stock require consistent, ongoing maintenance.
  - Deferral of regular maintenance causes system delays, decreased service levels leading to ridership declines.
- Next steps:
  - Review capital program needs and reduce overall risk.
  - Finalize commitment from partner agencies.
  - Negotiate FTA funds on hold with MTC.
  - Present balanced budget to the Board in June.

**AUTHORIZE IMPLEMENTATION OF THE FUEL HEDGING PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2015, INCLUDING APPROVAL OF REQUEST FOR BIDS AND FORMS OF DOCUMENTS, AND AUTHORIZE EXECUTION AND DELIVERY OF DOCUMENTS, SELECTION OF WINNING BIDDER AND PAYMENT OF COMMODITY PRICE CAP PREMIUM FOR SUCH PROGRAM**

Ms. Harrington said staff is asking for approval of the fuel hedge documents. She said this year's fuel was hedged at \$2.85 per gallon and the cost was 18.9 cents per gallon. Ms. Harrington said right now it is pricing at 17 cents per gallon. She said there are three potential bidders: Barclay's, Royal Bank of Canada, and Wells Fargo. Ms. Harrington said with approval of this action, staff will wrap up the final documents, do the transaction and report back at the July meeting.

Public Comment

Greg Conlon, Atherton, said San Francisco and Caltrain hedge different percentages. He said staff should minimize risk and hedge more.

A motion (Deal/Yeager) to implement the Fuel Hedging Program for FY2015 was approved unanimously by roll call.

**AUTHORIZE ENTERING INTO COOPERATIVE AGREEMENT WITH THE CAPITOL CORRIDOR JOINT POWERS AUTHORITY TO PROVIDE FUNDING FOR THE SAN JOSE DIRIDON STATION WAYSIDE POWER PROJECT**

April Chan, Executive Officer, Planning and Development, said Staff Coordinating Council is recommending the Board authorize the Executive Director or his designee to enter into a cooperative agreement to receive \$250,000 from the Capitol Corridor Joint Powers Authority for the San Jose Diridon Station Wayside Power Project. She said this project is fully funded from a previous approved budget. Ms. Chan said this will reduce the local funding being used for the project.

Public Comment

Roland Lebrun, San Jose, said there are two diesel trains at Tamien making a lot of noise and at some point it would be good to have wayside power at that station.

A motion (Yeager/Tissier) to enter into a cooperative agreement with Capitol Corridor for the San Jose Diridon Station Wayside Power Project was approved unanimously by a roll call vote.

### **LEGISLATIVE UPATE**

Seamus Murphy, Director, Government and Community Affairs, said there has been some significant movement on Cap and Trade. The governor's revised budget comes out May 15. The governor's original proposal had some funding for sustainable community strategies and rail modernization. There is no funding directly for transit agencies, which is something the governor has been asked to consider. He said since that time, Senate President Pro-Tem Darrell Steinberg (D-Sacramento) has come out with an alternate proposal that includes a dedicated amount of funding for transit. Mr. Murphy said 30 percent of the funding remaining after funds are distributed to clean energy programs at the State level would be reserved for transit through the State Transit Assistance Program. There are additional details that need to be resolved on how the funds would be delivered. This is a significant improvement over the governor's proposal.

### Federal Update

Mr. Murphy said earlier this week the president sent his Transportation Reauthorization Bill to Congress. It is very optimistic and in line with the thinking of staff and the American Public Transportation Association. He said it includes significant increases over existing funding levels, at \$87 billion more than received currently. Mr. Murphy said \$72 billion is for transit, which is the amount needed to maintain an industry state of good repair, \$5 billion a year is for HSR and \$5 billion total is for the TIGER Program over four years. Congress is indicating they want to move forward with bills that maintain current funding levels and have no idea how to pay for the maintenance of the funding levels. The president's bill does have a concept that would fund the Highway Trust Fund above existing levels and enough to expand transit programs, which is the temporary tax on overseas corporate earnings. He said there are some regulatory changes in the president's proposal. One significant issue is PTC, and the proposal would seek to allow properties to petition the Department of Transportation to extend the 2015 deadline if they have good reason, and also to consider alternative strategies for achieving equivalent PTC functionality. Mr. Murphy said most railroads are having difficulty meeting the 2015 deadline. Fortunately Caltrain is on pace to meet it.

Mr. Murphy said Santa Clara County is pursuing a ballot measure for an additional sales tax to fund transportation needs. The Silicon Valley Leadership Group is leading the effort. Staff has been engaged with them on this effort to ensure Caltrain would benefit from whatever sales tax goes before voters. He said the FY2015 Capital Budget is not fully addressed and this is a good opportunity for staff to shore up the need in future years, secure enough funding to meet the ongoing capital needs and do what is necessary in a long-term capacity for improvements needed beyond the CalMod Program.

Director Kalra said as chair of VTA he is in constant contact with the Silicon Valley Leadership Group. He said this ballot measure looks very promising.

## **CORRESPONDENCE**

No discussion.

## **BOARD MEMBER REQUESTS**

Director Tissier thanked Mr. Harvey for putting in a temporary solution for clients getting around the railroad tracks to get to the clinic at North Fair Oaks.

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

The next meeting will be Thursday, June 5, 2014, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2<sup>nd</sup> Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

## **LEGAL COUNSEL REPORT**

Mr. Miller said in regards to the HSR litigation, the Court of Appeal has assumed jurisdiction in extraordinary fashion. Since the May meeting, another application was filed with the court to enable legal counsel to file a brief on the merits of the case. Mr. Miller said last week the court advised the acceptance of the application and the brief has been filed. He said significantly, the court has now set a date for the hearing on the merits of the bond validation case and the appeal on the financing plan. The hearing will be at 9:30 a.m. on Friday, May 23.

Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(a): Rowena Seto v. City and County of San Francisco, et al., San Francisco Superior Court, Case No. CPF-12-512350

Adjourned to closed session at: 12:01 p.m.

Reconvened to open session at: 12:16 p.m.

Mr. Miller said the Board met in closed session and legal counsel will report back on further developments.

Adjourned at 12:17 p.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **AUTHORIZATION TO EXECUTE CONTRACTS OF MORE THAN \$100,000 FOR INFORMATION TECHNOLOGY LICENSE RENEWALS, MAINTENANCE SERVICES AND PROFESSIONAL SERVICES FOR FISCAL YEAR (FY) 2015 FOR AN AGGREGATE NOT-TO-EXCEED AMOUNT OF \$500,000**

**ACTION**

Staff Coordinating Council (SCC) proposes the Board authorize the Executive Director or his designee to enter into contracts for more than \$100,000 with original equipment manufacturers, product licensors and their distributors or consultants, directly and without the utilization of cooperative purchasing agreements if not available or competitive solicitations if not applicable, to procure recurring maintenance services and license renewals necessary to permit continued effective use and upkeep of Peninsula Corridor Joint Powers Board (JPB)-owned computer and telecommunications hardware and software used for the management and oversight of Caltrain. This authorization also shall include contracts for the provision of sole source professional services necessary to expand or modify previously competitively procured proprietary software when an original provider is the only source of such services. Expenditures with manufacturers and vendors under this authority will not exceed the budgeted amount of \$500,000 throughout FY2015.

**SIGNIFICANCE**

Delegation of purchase order approval authority will allow the JPB to pay for recurring maintenance services, additional licenses, license renewal fees and professional services for proprietary software in excess of \$100,000 without bringing actions individually before the Board for approval. This delegation would not eliminate the requirement that all other procurement policies and procedures be followed.

Recurring support and license agreements are, by their nature, repetitive and routine, and are required to ensure continued and effective operation of information technology assets owned by the JPB. The sole source purchase of additional modules to existing software or professional services to modify existing proprietary software will allow the JPB's changing business needs to be met in a timely manner.

Delegating this authority expedites the JPB's ability to continue needed operations and services in the management of Caltrain and reduces the time and resources otherwise required to obtain individual approval of such support and license agreements.

### **BUDGET IMPACT**

Funds for these purchases are programmed in the proposed FY2015 Capital and Operating budgets.

### **BACKGROUND**

Software and hardware are typically sold with licenses and maintenance agreements that require periodic renewal. Failing to renew maintenance support means loss of software updates, problems obtaining resolution assistance, and repair services typically needed to keep a product in good operating order. In some cases, the product may not be legally used if a maintenance and license renewal has not been obtained.

It is not always possible to find cooperative purchasing agreements with contracts for the necessary maintenance support and license renewals. This is particularly true for transit industry-specific information technology products. The types of licensing and maintenance agreements contemplated are generally unobtainable under any other method because they are proprietary in nature to the manufacturers of the software. Similarly, many manufacturers do not allow third parties access to source code or to provide services. As a result, professional services to upgrade, modify, or add to existing software must be performed by the original manufacturer.

Issuance of contracts for maintenance and continued operation of assets like these will need to be brought individually before the Board for approval, unless authority is delegated to the Executive Director or his designee.

Prepared by: David Verderosa, Director, Information Technology  
and Telecommunications

650.508.7954

**RESOLUTION NO. 2014 -**

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

**\*\*\***

**AUTHORIZING EXECUTION OF CONTRACTS FOR INFORMATION TECHNOLOGY LICENSES,  
MAINTENANCE SERVICES AND PROFESSIONAL SERVICES FOR AN AGGREGATE NOT-TO-  
EXCEED AMOUNT OF \$500,000 FOR FISCAL YEAR 2015**

**WHEREAS**, the Peninsula Corridor Joint Powers Board (JPB) will require continuing product support and licenses for computer and telecommunications hardware and software throughout Fiscal Year (FY) 2015, to permit the continued effective use and maintenance of information technology assets owned by the JPB; and

**WHEREAS**, maintenance support and software license agreements for the information technology assets in use are, by their nature, repetitive and routine; and

**WHEREAS**, the JPB will also require professional services necessary to expand or modify previously competitively procured proprietary software, when an original provider is the only source of such services; and

**WHEREAS**, the Staff Coordinating Council recommends that the Executive Director or his designee be authorized to execute contracts that exceed \$100,000 with original equipment manufacturers, product licensors, and their authorized distributors and consultants to meet the JPB's technology operational requirements for FY2015, pursuant to the JPB's statutory procurement authority and policy, up to an aggregate not to exceed amount of \$500,000 for FY2015.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Directors of the Peninsula Corridor Joint Powers Board hereby takes the following actions:

1. Authorizes the procurement of product support, additional license purchases and renewal agreements for information technology assets owned by the

JPB for FY2015, pursuant to the JPB's statutory procurement authority and policy, in an aggregate not to exceed amount of \$500,000 for FY2015; and

2. Authorizes the Executive Director or his designee to enter into contracts exceeding \$100,000 with original equipment manufacturers, product licensors, or their authorized distributors for recurring product support and license renewals necessary to permit continued effective use and maintenance of JPB-owned computer and telecommunications hardware and software; and

3. Authorizes the Executive Director or his designee to enter into contracts exceeding \$100,000 with original equipment manufacturers, product licensors, or their authorized consultants for the provision of sole source professional services necessary to expand or modify previously competitively procured proprietary software, when an original provider is the only source of such services; and

4. Authorizes the Executive Director or his designee to execute all necessary purchase orders, contracts and other documents and to take such other actions as may be necessary to give effect to this Resolution.

Regularly passed and adopted this 5<sup>th</sup> day of June, 2014 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **AUTHORIZATION TO EXECUTE CONTRACTS FOR TECHNOLOGY RELATED  
PRODUCTS AND SERVICES TO VENDORS UNDER COOPERATIVE PURCHASING  
PROGRAMS FOR AN AGGREGATE NOT-TO-EXCEED AMOUNT OF \$1 MILLION  
FOR FISCAL YEAR (FY) 2015**

**ACTION**

Staff Coordinating Council (SCC) recommends the Board authorize the purchase, lease and/or rental of computer and telecommunications equipment and related services, digital reprographic equipment, hardware, software, licensing, installation and configuration of telecommunications equipment, maintenance agreements, and computer peripherals to vendors under intergovernmental cooperative purchasing programs available to the Peninsula Corridor Joint Powers Board (JPB) and which comply with the JPB's statutory procurement authority and policy, such as the California Multiple Award Schedule (CMAS), the National Inter-governmental Purchasing Alliance Company (National IPA), the State of California Strategic Sourcing Initiative (CSSI), the Western States Contracting Alliance (WSCA), the California Integrated Information Network 2 (CALNET 2), General Service Administration (GSA) Schedules (also referred to as Multiple Award Schedules and Federal Supply Schedules), and other cooperative programs, as the JPB needs are identified. This action includes delegation of authority to the Executive Director to enter into contracts over \$100,000 with vendors under approved cooperative purchasing programs. Expenditures with vendors under these programs will not exceed the budgeted amount of \$1 million throughout FY2015.

**SIGNIFICANCE**

Approval of this contracting authority will provide the JPB with a cost-effective means to support its standardization policy and provide the latest technology and related services through intergovernmental cooperative purchasing programs. Contracts issued under this authority will address the JPB's requirements for equipment, hardware, software, services, licensing, maintenance agreements, and programmed replacement of equipment that has reached the end of its useful life or has become unsuited to address the JPB's future needs.

**BUDGET IMPACT**

Funds for these purchases are programmed in the proposed FY2015 Capital and Operating budgets.

**BACKGROUND**

Given the rapidly changing technology of information system hardware, software and related services, the State of California, among other state agencies nationwide, has established agreements with vendors under various cooperative purchasing programs such as CMAS, CSSI, GSA, WSCA and CALNET 2 for providing these goods and services. Special districts, cities, counties and joint powers authorities are given statutory permission to procure competitively priced goods and services arising out of these programs' vendor agreements. By utilizing such cooperative purchasing programs, the JPB saves considerable time and expense associated with independent procurements, which would be unlikely to yield more favorable pricing or service.

All vendors selected will hold valid agreements under the corresponding cooperative purchasing program. Contracts will be executed only with vendors whose contracts were awarded under a cooperative buying agreement on a basis that complies with the JPB's statutory procurement authority and policy and will include the JPB's terms and conditions, as appropriate. Other cooperative purchasing programs may be utilized for acquisition of technology items during FY2015, but only to the extent each program fully complies with the JPB's statutory procurement authority and policy.

Prepared by: David Verderosa, Director, Information Technology  
and Telecommunications

650.508.7954

**RESOLUTION NO. 2014 -**

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

**\*\*\***

**AUTHORIZING EXECUTION OF CONTRACTS FOR TECHNOLOGY RELATED PRODUCTS AND SERVICES TO VENDORS UNDER COOPERATIVE PURCHASING PROGRAMS FOR AN AGGREGATE NOT-TO-EXCEED AMOUNT OF \$1 MILLION FOR FISCAL YEAR 2015**

**WHEREAS**, the Peninsula Corridor Joint Powers Board (JPB) will require new personal computers, computer and telecommunications equipment and related services, digital reprographic equipment, software, hardware, licensing and maintenance agreements, and computer peripherals throughout Fiscal Year (FY) 2015, to fulfill new technology requirements, to support the JPB's standardization policy, and to replace technology equipment that has reached the end of its useful life; and

**WHEREAS**, in light of the need to standardize, update and purchase the latest technology in personal computers, telecommunications equipment, and other related equipment and services in the most cost-effective manner, the JPB has determined that an independent JPB-initiated solicitation process for all of the procurements described above is unlikely to be in the JPB's best interest; and

**WHEREAS**, the State of California and other cooperative purchasing consortiums including the California Multiple Award Schedule (CMAS), the State of California Strategic Source Initiative (CSSI), The National Intergovernmental Purchasing Alliance Company (National IPA), Western States Contracting Alliance (WSCA), the California Integrated Information Network 2 (CALNET 2), and the General Services Administration (GSA) have established programs in which the JPB can participate in order to procure competitive, favorably priced technology systems equipment and related services; and

**WHEREAS**, the Staff Coordinating Council (SCC) recommends that the JPB participate in the above-mentioned cooperative purchasing programs, as well as additional cooperative purchasing programs, to the extent such programs fully comply with the JPB's statutory procurement authority and policy; and

**WHEREAS**, the SCC also recommends the Executive Director or his designee be authorized to enter into contracts that exceed \$100,000 with vendors under cooperative purchasing programs to meet its personal computer, telecommunications equipment, and other related technology equipment and services requirements for FY2015, pursuant to the terms and conditions of each programs' vendor agreements, up to an aggregate not-to-exceed amount of \$1 million for FY2015.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Directors of the Peninsula Corridor Joint Powers Board hereby takes the following actions:

1. Determines that an independent JPB initiated solicitation process for each purchase, lease and/or rental of new personal computers, computer and telecommunications equipment and services, digital reprographic equipment, hardware, software, licensing and maintenance agreements, and computer peripherals is unlikely to be in the JPB's best interest; and

2. Authorizes the procurement of technology systems equipment and related services through cooperative purchasing programs, including CMAS, CSSI, WSCA, CALNET 2, and GSA, to meet its technology equipment and services requirements for FY2015 pursuant to the terms and conditions of each programs' vendor agreement and to the extent that each vendor agreement fully complies with JPB's statutory procurement authority and policy; and

3. Authorizes the Executive Director to utilize additional cooperative purchasing programs for FY2015 to the extent that each additional program fully complies with the JPB's statutory procurement authority and policy; and

4. Authorizes the Executive Director or his designee to enter into contracts exceeding \$100,000 with vendors under the JPB-approved cooperative purchasing programs up to an aggregate, not-to-exceed, amount of \$1,000,000 for FY2015; and

5. Authorizes the Executive Director or his designee to execute all necessary purchase orders, contracts and other documents to effectuate this resolution, including any agreements with the State of California or other intergovernmental cooperative purchasing program for administrative fees for processing these authorized purchases.

Regularly passed and adopted this 5<sup>th</sup> day of June, 2014 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

---

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD**  
**STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

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

SUBJECT: **KEY CALTRAIN PERFORMANCE STATISTICS APRIL 2014**

In April 2014, Caltrain's average weekday ridership (AWR) was 55,269, which is an increase of 4,591 or 9.1 percent over April 2013 AWR of 50,678. The total number of passengers who rode Caltrain in April 2014 was 1,474,751 which is 9.1 percent more than in April 2013.

On-time performance (OTP) for April 2014 was 88.2 percent, which is below the 93.7 percent OTP for April 2013. When trains arriving within 10 minutes of the scheduled arrival time are included, April 2014 OTP rises to 96.1 percent. The significant difference between trains within five minutes and trains within 10 minutes is due to the temporary speed restriction on the Quint Street Bridge. This slow order caused some trains that would have normally been considered on-time to become delayed.

Mechanical delays in April 2014 were 953 minutes, compared with 1,902 minutes in April 2013. Eighty percent of the mechanical delays happened on five days: April 8, April 11, April 14, April 16, and April 17. By comparison, there were three weekend days when 100 percent of the trains operated on time. An additional six days operated with 95 percent or better OTP.

Looking at customer service statistics, there were 9.5 complaints per 100,000 passengers in April 2014. This is lower than the 12 complaints in April 2013.

Shuttle ridership is up 35.6 percent from last year. When comparing the same shuttle routes as last year and the Marguerite shuttles are removed, overall shuttle ridership increased 0.6 percent over April 2013. The Marguerite shuttles have improved the accuracy of their ridership reporting, which accounts for much of the ridership increase. For the station shuttles, the Millbrae-Broadway shuttle averaged 206 daily riders. The Belmont-Hillsdale shuttle averaged 66 daily riders. The weekend Tamien-San Jose shuttle averaged 65 riders per day.

## **Caltrain Promotions – April 2014**

**San Bruno Station Opening** – The month started off with the opening of the new San Bruno station. To make customers aware of the transition from the temporary station to the new one, staff used social media, conductor announcements, electronic message signs, windshield flyers, news release and station ambassadors. Ambassadors were at the new station for the first few days of service to assist customers during the peak-commute hours.

**Caltrain 150<sup>th</sup> Anniversary Customer Appreciation Day** – To wrap up the railroad's 150<sup>th</sup> celebration, Marketing staff held a Customer Appreciation Day at the bookend stations: San Jose and San Francisco. The events were promoted with banners at the stations, conductor announcements, message on the stations electronic message signs, onboard take ones, social media and ads on KCSM. Staff worked with vendors at the stations – Tazza D'Amore, Subway and McCarthy's Newsstand – to provide coupons in some of the commemorative bags that were provided to customers.

**Giants** – Baseball action was in full swing at AT&T Park. Before fans were treated to 22 home runs, many had the pleasure of a great ride on Caltrain. To promote service to the stadium, Caltrain produced a special brochure. In partnership with the Giants, the ball club provided permission to use a photo of fan-favorite Hunter Pence on the brochure. Information also was issued through a dedicated web page, social media and a news release. Caltrain carried 107,800 additional customers for the 15 home games. Year-to-day ridership has increased 2 percent compared to last year.

**San Jose Sharks** – April kept the Sharks busy with four regular season home games and three playoff games. Caltrain promoted the service to SAP Center through onboard take ones and adcards, provided by the hockey team. The marketing efforts also included running banner ads and radio spots on Pandora, posting information through social media and including information in *Track the Fun* and *Caltrain Connection*. SAP Center also helped promote the playoff game on Easter as a result of Caltrain running an extra post-game train. Caltrain carried an extra 3,201 customers for the games. Ridership for the regular season increased 16.8 percent compared to last season.

**Partnership** – Caltrain Market Research & Development staff works with a number of event organizers to co-promote events that could generate off-peak train ridership and also provide added value for current Caltrain customers. In April, the rail agency partnered with the New Living Expo at the San Mateo Event Center, which is adjacent to the Hillsdale station. Events are generally promoted in the *Track the Fun* brochure, through social media, news releases and web postings. The promoter also included Caltrain in its promotional materials. Caltrain customers received \$5 off the cost of general admission.

Prepared by: Rita P. Haskin, Executive Officer, Customer Service and Marketing 650.508.6248  
Catherine David, Senior Planner 650.508.6471

**Table A**

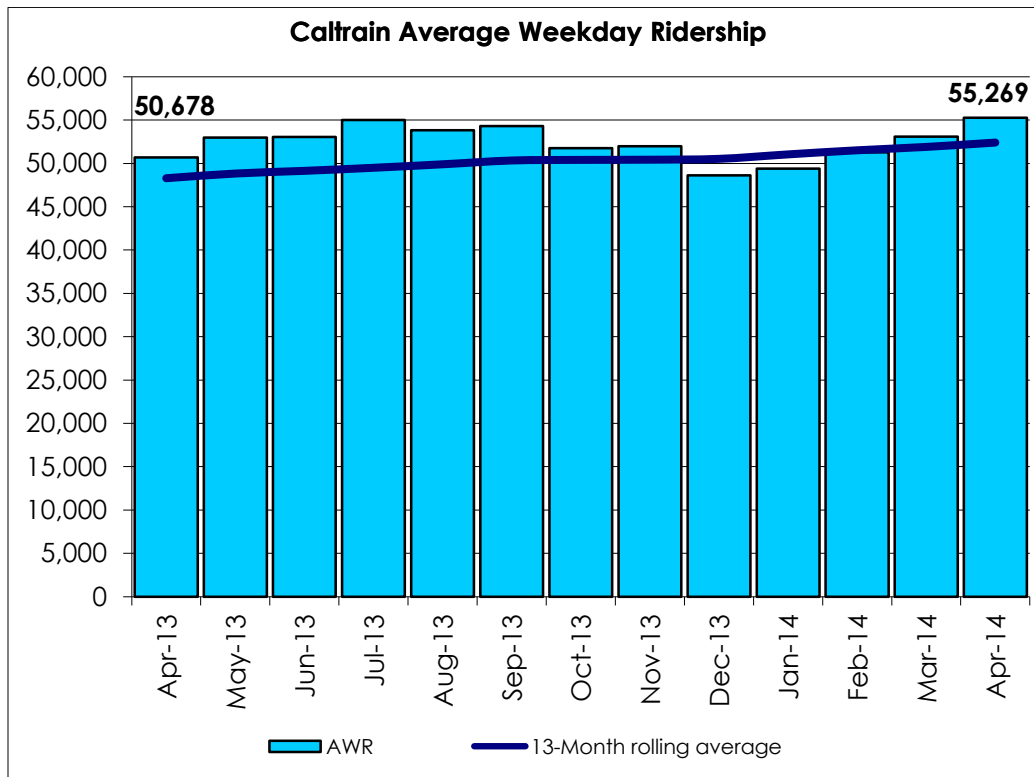
**April 2014**

	<b>FY2013</b>	<b>FY2014</b>	<b>% Change</b>
Total Ridership	1,351,544	1,474,751	9.1%
Average Weekday Ridership	50,678	55,269	9.1%
Total Farebox Revenue	\$5,944,476	\$6,555,780	10.3%
On-time Performance	93.7%	88.2%	-5.9%
Average Caltrain Shuttle Ridership	6,851	9,291	35.6%

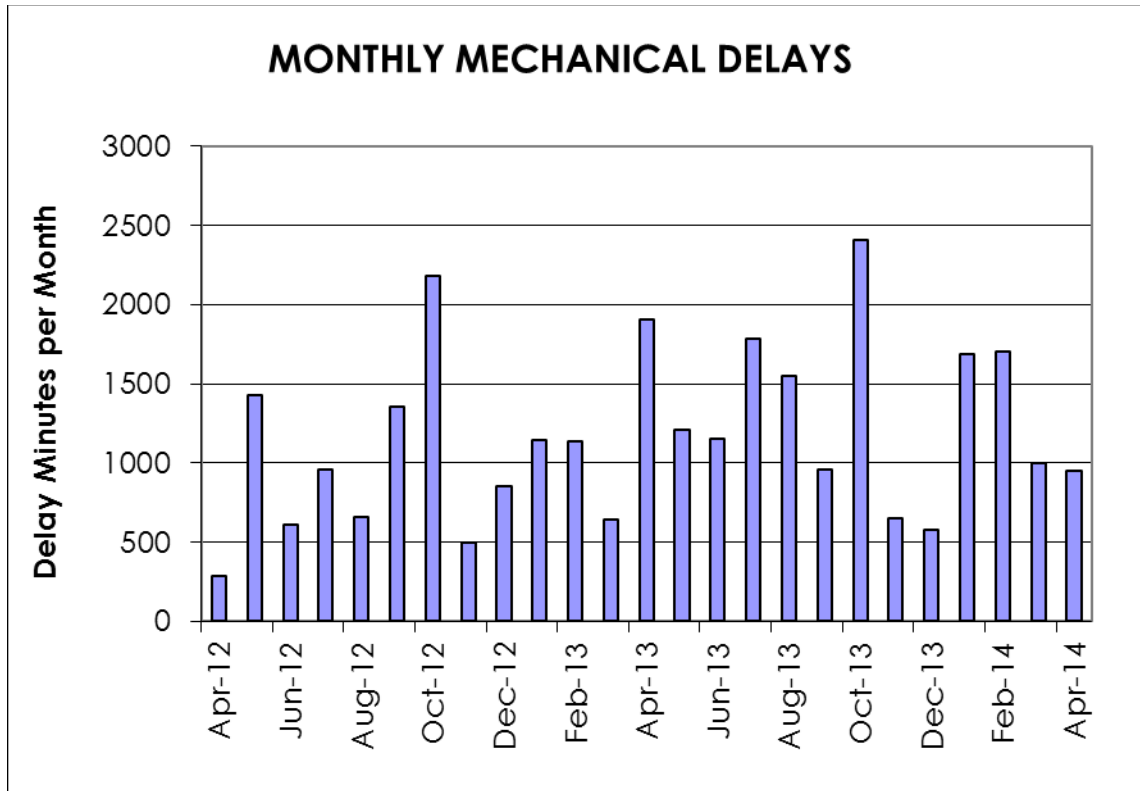
**Year to Date**

	<b>FY2013</b>	<b>FY2014</b>	<b>% Change</b>
Total Ridership	12,789,293	13,931,291	8.9%
Average Weekday Ridership	48,235	52,450	8.7%
Total Farebox Revenue	\$56,283,147	\$61,053,377	8.5%
On-time Performance	91.4%	92.3%	1.0%
Average Caltrain Shuttle Ridership	8,090	8,223	1.6%

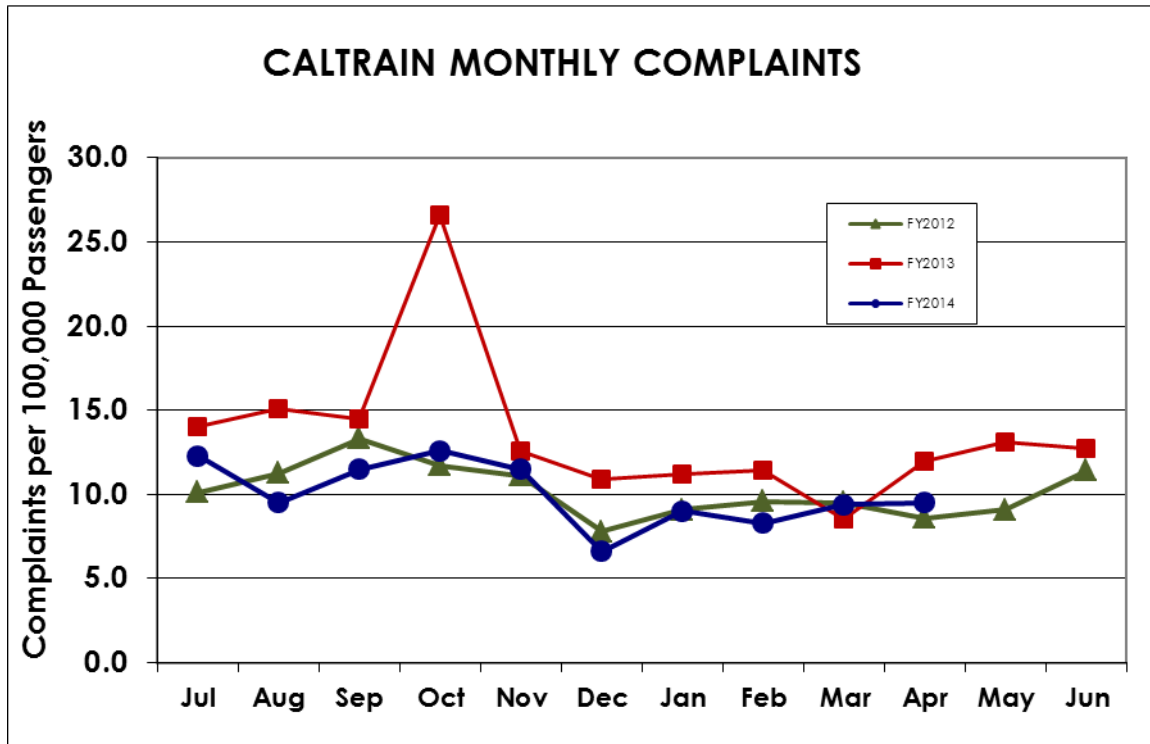
**Graph A**



**Graph B**



**Graph C**



**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Mark Simon  
Executive Officer, Public Affairs

SUBJECT: **PROCLAMATION DECLARING JUNE 19, 2014 AS “NATIONAL DUMP THE PUMP DAY”**

**ACTION**

Staff Coordinating Council recommends the Board adopt the proclamation designating June 19, 2014 as “National Dump the Pump Day.”

**SIGNIFICANCE**

The proclamation for “National Dump the Pump Day” reaffirms the Peninsula Corridor Joint Powers Board's commitment to provide quality commuter train service to all citizens who travel between San Francisco and San Jose. In partnership with the American Public Transportation Association (APTA), Dump the Pump Day is an annual opportunity to encourage people to give up driving and use public transportation, steps that would reduce greenhouse gases, ease congestion and pollution and save money.

As Caltrain's ridership continues to grow at a record-setting pace, the rail system has become a proven method by which Peninsula commuters can unhook from the gas pump. In the most recent triennial survey of Caltrain customers, 40 percent of the train customers do not have a car, and many of these customers have made a considered decision to stop using an automobile as a means of travel. In the same survey, 64 percent said they ride the train to avoid traffic, 34 percent said they take the train to save money and 30 percent said they ride the train to help the environment.

A recent study commissioned by APTA titled *Economic Impact of Public Transportation Investment* reported that the savings achieved from reduced congestion and less reliance on automobile use increases household purchasing power by at least \$18.4 billion per year. Savings to businesses, by improving employers' access to the labor market with more efficient commutes for its current and potential employees, along with reducing congestion costs and logistics, results in contributing an additional \$10.1 billion to the U.S. economy.

In addition, the study shows that this enhanced productivity and access results in \$3.3 billion per year in increased tax revenue for the Federal government and \$1.1 billion for state and local governments. An additional \$6 billion in tax revenue, annually, comes from the traditional impact of spending, with \$2.2 billion going to State and local governments and \$3.8 billion going to the Federal government. Total tax receipts are estimated at \$10.4 billion per year.

### **BUDGET IMPACT**

There is no impact on the budget.

### **BACKGROUND**

"National Dump the Pump Day" began in June 2006 when gas prices were \$3 per gallon. With gas prices at more than \$4 per gallon, using transit options such as Caltrain is one of the most effective ways to beat high gas prices.

In the last year, Caltrain celebrated the 150<sup>th</sup> anniversary of train service on the Peninsula Corridor. In October, Caltrain held an event in Menlo Park that focused on the history of passenger rail on the Peninsula. A second event in Santa Clara in January emphasized the future of rail. Today, Caltrain operates 92 weekday trains and 36 weekend trains with more people riding the train than ever before.

Prepared by: Christine Dunn, Public Information Officer

650.508.6238

# Proclamation

## ESTABLISHING 9<sup>th</sup> ANNUAL NATIONAL DUMP THE PUMP DAY ON JUNE 19, 2014

**WHEREAS**, June 19, 2014 marks the American Public Transportation Association's 9<sup>th</sup> annual National Dump the Pump Day; and

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

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

**WHEREAS**, for every \$1 invested in public transportation generates approximately \$4 in economic returns, powering community growth and revitalization; and

**WHEREAS**, nearly 60 percent of the trips taken in the U.S. are for work commutes, public transportation provides job access to millions of Americans; and

**WHEREAS**, U.S. public transportation use reduces the country's carbon footprint by 37 million metric tons -- the equivalent to a complete elimination of electricity consumption in New York City, Washington, D.C., Atlanta, Denver, and Los Angeles; and

**WHEREAS**, U.S. public transportation use saves 4.2 billion gallons of gasoline per year; and

**WHEREAS**, public transportation use in 498 urban areas in the U.S., including the San Francisco Bay Area, saved 865 million hours annually in travel time and 450 million gallons of fuel; and without public transportation, annual congestion costs would have risen by nearly \$21 billion from \$121 to \$142 billion; and

**WHEREAS**, the average Caltrain rider saves \$514 a month or \$6,168 a year by taking Caltrain instead of driving.

**NOW, THEREFORE BE IT RESOLVED** on this 5<sup>th</sup> day of June 2014, the Peninsula Corridor Joint Powers Board of Directors, in support of APTA's efforts, encourages citizen to get out of their vehicles , and onto public transportation, and does hereby proclaim Thursday, June 19, 2014, as *NATIONAL DUMP THE PUMP DAY*.



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Chair, Peninsula Corridor Joint Powers Board

PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **STATEMENT OF REVENUE AND EXPENSE FOR THE PERIOD ENDING  
APRIL 30, 2014 AND SUPPLEMENTAL INFORMATION**

**ACTION**

Staff proposes the Board of Directors accept and enter into the record the Statement of Revenue and Expense for the month of April 2014 and supplemental information.

**SIGNIFICANCE**

**Revenue:** For April of Fiscal Year 2014, *Total Operating Revenue* (line 7) is \$2,515,259 or 3.7 percent **better** than budget. Within total operating revenue, *Farebox Revenue* (line 1) is \$1,846,894 or 3.1 percent **better** than budget. Compared to the prior year, *Total Operating Revenue* (line 7) is \$5,784,192 or 9 percent **higher**.

**Expense:** *Grand Total Expenses* (line 50) show a favorable variance of \$4,166,736 or 4.2 percent. *Total Operating Expense* (line 36) is \$2,840,793 or 3.3 percent **better** than budget. *Total Administrative Expense* (line 46) is \$1,325,928 or 9.8 percent **better** than budget.

Compared to prior year, *Grand Total Expenses* (line 50) are \$5,667,621 or 6.3 percent **higher**.

**BUDGET IMPACT**

There are no budget revisions for the month of April 2014.

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

**PENINSULA CORRIDOR JOINT POWERS BOARD****STATEMENT OF REVENUE AND EXPENSE****Fiscal Year 2014****April 2014****% OF YEAR ELAPSED 83.3%**

	MONTH	YEAR TO DATE				ANNUAL		
	CURRENT ACTUAL	PRIOR ACTUAL	CURRENT ACTUAL	REVISED BUDGET	% REV BUDGET	APPROVED BUDGET	REVISED BUDGET	% REV BUDGET
(AS PROJECTED)								
<b>REVENUE</b>								
OPERATIONS:								
1 Farebox Revenue	6,555,780	56,283,147	61,053,312	59,206,418	103.1%	66,070,569	72,016,920	84.8%
2 Parking Revenue	444,931	2,612,937	3,431,875	3,032,943	113.2%	3,652,330	3,652,330	94.0%
3 Shuttles	170,341	1,327,088	1,364,722	1,457,819	93.6%	1,722,636	1,722,636	79.2%
4 Rental Income	147,612	1,494,086	1,443,834	1,513,180	95.4%	1,816,920	1,816,920	79.5%
5 Other Income	233,726	2,468,793	2,676,499	2,244,623	119.2%	2,691,230	2,691,230	99.5%
6								
7 TOTAL OPERATING REVENUE	7,552,389	64,186,051	69,970,243	67,454,984	103.7%	75,953,685	81,900,036	85.4%
8								
CONTRIBUTIONS:								
9								
10 AB434 Peninsula & TA Shuttle Funding	168,915	1,650,395	1,677,793	1,758,286	95.4%	2,109,948	2,109,948	79.5%
11 Operating Grants	523,993	4,043,161	10,239,928	10,288,213	99.5%	11,287,914	11,357,195	90.2%
12 JPB Member Agencies	1,435,963	27,916,667	14,359,633	14,359,624	100.0%	17,231,549	17,231,549	83.3%
13 Other Sources	-	-	-	6,480,099	0.0%	13,390,000	13,390,000	0.0%
14								
15 TOTAL CONTRIBUTED REVENUE	2,128,872	33,610,222	26,277,354	32,886,222	79.9%	44,019,411	44,088,692	59.6%
16								
17 GRAND TOTAL REVENUE	9,681,260	97,796,273	96,247,597	100,341,206	95.9%	119,973,096	125,988,728	76.4%
18								
<b>EXPENSE</b>								
19								
OPERATING EXPENSE:								
20								
21								
22								
23 Rail Operator Service	5,623,811	50,389,611	55,360,612	55,380,303	100.0%	64,500,000	64,500,000	85.8%
24 Rail Operator Service - Other	-	309,700	(30,324) (A)	-	0.0%	-	-	0.0%
25 Security Services	339,707	3,251,709	3,519,641	3,556,620	99.0%	4,519,944	4,519,944	77.9%
26 Rail Operator Extra Work	-	12,968	(251,596) (A)	129,600	-194.1%	155,500	155,500	-161.8%
27 Contract Operating & Maintenance	5,963,518	53,963,988	58,598,334	59,066,523	99.2%	69,175,444	69,175,444	84.7%
28 Shuttles (incl Peninsula Pass)	408,554	3,820,708	3,655,153	3,798,418	96.2%	4,774,107	4,774,107	76.6%
29 Fuel and Lubricants	1,307,681	12,851,491	12,450,658	13,856,748	89.9%	17,828,097	17,518,097	71.1%
30 Timetables and Tickets	-	107,695	(7,849) (A)	116,333	-6.7%	155,000	155,000	-5.1%
31 Insurance	320,950	4,251,900	4,882,528	5,307,777	92.0%	5,470,000	5,761,697	84.7%
32 Facilities and Equipment Maint	180,267	1,313,255	1,317,408	1,419,281	92.8%	1,814,975	1,938,980	67.9%
33 Utilities	37,456	1,180,104	1,150,362	1,282,000	89.7%	1,826,540	1,826,540	63.0%
34 Maint & Services-Bldg & Other	111,326	946,239	967,957	1,008,263	96.0%	1,323,880	1,323,880	73.1%
35								
36 TOTAL OPERATING EXPENSE	8,329,752	78,435,379	83,014,550	85,855,343	96.7%	102,368,043	102,473,745	81.0%
37								
ADMINISTRATIVE EXPENSE								
38								
39 Wages and Benefits	441,297	4,498,404	5,082,861	5,437,471	93.5%	6,811,835	6,234,992	81.5%
40 Managing Agency Admin OH Cost	339,139	3,180,642	3,672,407	4,181,656	87.8%	5,017,987	5,017,987	73.2%
41 Board of Directors	1,955	7,549	9,438	9,600	98.3%	11,700	11,700	80.7%
42 Professional Services	339,254	2,172,677	2,164,920	2,452,121	88.3%	2,764,323	3,745,061	57.8%
43 Communications and Marketing	2,428	108,152	(15,994) (A)	60,042	-26.6%	122,500	92,500	-17.3%
44 Office Expense and Other	242,341	1,184,984	1,327,240	1,425,910	93.1%	1,773,833	1,826,694	72.7%
45								
46 TOTAL ADMINISTRATIVE EXPENSE	1,366,414	11,152,408	12,240,872	13,566,800	90.2%	16,502,178	16,928,933	72.3%
47								
48 Long Term Debt Expense	91,906	919,063	919,048	919,063	100.0%	1,102,875	1,102,875	83.3%
49								
50 GRAND TOTAL EXPENSE	9,788,072	90,506,849	96,174,470	100,341,206	95.8%	119,973,096	120,505,553	79.8%
51								
52 NET SURPLUS / (DEFICIT)	(106,812)	7,289,424	73,127	-	0.0%	-	5,483,175	1.3%

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

(A) Reversal of Prior year accrual.

5/27/14 9:25 AM

**BOARD OF DIRECTORS 2014**

TOM NOLAN, CHAIR  
JERRY DEAL, VICE CHAIR  
JOSÉ CISNEROS  
MALIA COHEN  
ASH KALRA  
ADRIENNE TISSIER  
PERRY WOODWARD  
KEN YEAGER

MICHAEL J. SCANLON  
EXECUTIVE DIRECTOR

**PENINSULA CORRIDOR JOINT POWERS BOARD****INVESTMENT PORTFOLIO****AS OF APRIL, 2014**

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
-----		-----	-----	-----	-----
Local Agency Investment Fund (Restricted)	*	Liquid Cash	0.236%	\$ 2,000,000	\$ 2,000,000
Local Agency Investment Fund (Unrestricted)	*	Liquid Cash	0.233%	28,008,305	28,008,305
County Pool (Unrestricted)	**	Liquid Cash	0.500%	10,686,017	10,686,017
Other (Unrestricted)		Liquid Cash	0.000%	2,361,921	2,361,921
Other (Restricted)	***	Liquid Cash	0.200%	22,100,658	22,100,658
-----		-----	-----	-----	-----
				\$ 65,156,901	\$ 65,156,901

Accrued Earnings for April, 2014                      \$ 14,181.23  
Cumulative Earnings FY2014                            \$ 174,998.68

\* The market value of Local Agency Investment Fund (LAIF) is calculated annually and is derived from the fair value factor as reported by LAIF for quarter ending June 30 each fiscal year.

\*\* As of April 2014 the amortized cost of the Total County Pool was \$3,706,315,905.57 and the fair market value per San Mateo County Treasurer's Office was \$3,707,848,273.72.

\*\*\* Prepaid Grant funds for Homeland Security and PTMISEA projects, and funds reserved for debt repayment.

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

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

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Gigi Harrington  
Deputy CEO

SUBJECT: **PROPOSED FISCAL YEAR 2015 OPERATING BUDGET**

**ACTION**

The Staff Coordinating Council recommends the Joint Powers Board approve a Fiscal Year (FY) 2015 Operating Budget of \$125,736,026.

**SIGNIFICANCE**

At the May 1<sup>st</sup> Board meeting, staff presented a balanced, preliminary FY2015 budget proposal for Board adoption. No changes have been made since then.

The proposed budget is balanced, primarily due to farebox revenues far exceeding expectations, combined with previous year's savings from transition costs and fuel expenses.

The proposed FY2015 Caltrain Operating Budget, as shown in Attachment A, is \$125.7 million, an **increase** of \$5.2 million, or 4.3 percent over the FY2014 revised budget.

The proposed budget represents a cautious optimism that the unprecedented ridership and revenue growth of recent years will continue at a pace that will generate badly needed funding.

Caltrain still contends with a significant structural deficit and the agency will continue to struggle to identify revenues that will ensure continuation of current service levels. Caltrain also will continue its efforts to identify and implement a permanent, dedicated source of revenue that will stabilize the railroad's funding basis.

The increase in the FY15 Operating Budget is due in significant part to an increase in the Rail Operator Service line item, which is in alignment with the contract and reflects the increasing complexity of operating the Caltrain service.

**Capacity Challenges**

Caltrain's current service and rail car configuration is at capacity and beyond.

In seeking a near-term response, staff is exploring schedule changes that could increase capacity. Such changes could result in increased crew and fuel costs. These changes are in the preliminary stage of exploration. It is uncertain when and what form such service level changes would take and their fiscal impact. Staff will seek Board consideration of any possible changes.

The Board has approved efforts to undertake a long-term response to ridership capacity issues through the acquisition of additional rail cars. The Rail Car Capacity Project, authorized by the Board on January 9, 2014, per Resolution No. 2014-03, also will make it easier to remove rail cars from service for maintenance.

### **Fiscal Year 2015 Revenue Projections**

Total revenues for FY2015 are projected to be \$125.7 million. Revenues include the following significant components:

- **Operating Revenue** for Caltrain is projected to be \$84.5 million, which includes the following:
  - Farebox Revenue is projected to be \$75 million. This projection is based on FY2014 year-to-date actuals from July to February. The JPB has been experiencing record ridership with regular and special event service.
  - Parking Revenue is projected to be \$4.1 million, which reflects a full year increase of daily parking fare from \$4 to \$5 and a monthly parking pass increase from \$40 to \$50.
  - Other income, which mainly comprised of shared track maintenance revenue, is projected to be \$1.7 million.
- **Contributed Revenue** is projected to be \$41.2 million, which includes the following:
  - Assembly Bill 434 and San Mateo County Transportation Authority (TA) Shuttle Funding is projected to be \$2 million which includes the San Mateo County Transportation Authority shuttle funding of \$1 million.
  - Operating Grants are projected to be \$6.7 million in State Transit Assistance formula funds.
  - JPB Member Agency contributions are projected to be \$19.8 million. The amount was based on an increase in the SamTrans contribution, matched proportionately by the JPB partners according to the agreed-upon allocation methodology. The Boarding Formula used in the allocation is based on Average Weekday (All Day) passenger count by county, including stations from Capitol to Gilroy. The total contributions for each member agency are allocated as follows:

- San Mateo - \$6.26 million
- Santa Clara - \$8.39 million
- San Francisco - \$5.18 million
- Other sources are projected to be \$12.8 million consisting of:
  - FY2013: \$6 million in prior year operating budget savings,
  - FY2014: \$5.5 million in mid-year operating budget surplus and \$1.3 million in farebox revenue surplus from January through March.

### **Fiscal Year 2015 Expense Projections**

Grand Total Expense for FY2015 is projected to be \$125.7 million and includes the following significant components:

- **Operating Expenses** for Caltrain are projected at \$106.7 million.
  - Rail Operator Contract is projected to be \$67.8 million, an **increase** of \$3.1 million or 4.7 percent. The increase is in alignment with the rail operator contract. This reflects the increasing demands on the operations of the railroad because of unprecedented ridership, and the increasing complexity of operating the Caltrain service.
  - Security Services costs are projected to be \$5 million, an **increase** of \$469,566 or 10.4 percent. The increase is primarily due to an increase in the contract with the San Mateo County Sheriff's Office to provide Transit Police services, including the addition during FY2014 of deputy sheriff and security specialist positions.
  - Fuel costs are projected to be \$17.7 million in FY2015, based on a projected fuel price of \$3.40 per gallon. Staff will monitor the fuel price during the year and may recommend an amendment to the budget based on year-to-date actuals. Staff is working on the renewal of the fuel hedging program implemented during the past five years. The fuel hedge program assists with reducing volatility and uncertainty in the fuel budget.
- **Administrative expenses** are projected to be \$18 million, an **increase** of \$1.3 million or 7.9 percent.

While the proposed FY2015 Operating Budget is balanced, the lack of a dedicated source of funding for Caltrain requires a substantial percentage of operating costs to be funded out of the general funds from each partner. Going forward, Caltrain will continue to work with its partner agencies, Metropolitan Transportation Commission, as well as other stakeholders, including the Silicon Valley Leadership Group and Friends of Caltrain, in an attempt to identify and secure a permanent, dedicated funding source for future operations.

Prepared By:

Ladi Bhuller, Director, Budgets  
Andy Ly, Senior Financial Analyst

650.508.7755  
650.508.6376

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

	FY2013 <u>ACTUAL</u> A	FY2014 <u>ADOPTED</u> B	FY2014 <u>REVISED</u> C	FY2015 <u>PROPOSED</u> D	INC(DEC) FY15 PROPOSED to FY14 REVISED E = D - C	% INC(DEC) FY14 REVISED PROPOSED F = E / C	
<b>REVENUE</b>							
<b>OPERATIONS:</b>							
1 Farebox Revenue	68,767,170	66,070,569	72,016,920	75,043,692	3,026,772	4.2%	1
2 Parking Revenue	3,301,724	3,652,330	3,652,330	4,051,240	398,910	10.9%	2
3 Shuttles	1,972,626	1,722,636	1,722,636	2,001,840	279,204	16.2%	3
4 Rental Income	1,783,323	1,816,920	1,816,920	1,737,720	(79,200)	-4.4%	4
5 Other Income	2,932,340	2,691,230	2,691,230	1,679,620	(1,011,610)	-37.6%	5
6 TOTAL OPERATING REVENUE	78,757,183	75,953,685	81,900,036	84,514,112	2,614,076	3.2%	6
7							7
8 <b>CONTRIBUTIONS:</b>							8
9 AB434 & TA Shuttle Funding	1,922,649	2,109,948	2,109,948	1,981,540	(128,408)	-6.1%	9
10 Operating Grants	5,075,017	11,287,914	11,357,195	6,653,422	(4,703,773)	-41.4%	10
11 JPB Member Agencies	33,500,000	17,231,549	17,231,549	19,828,952	2,597,403	15.1%	11
12 Other Sources	0	13,390,000	13,390,000	12,758,000	(632,000)	-4.7%	12
13 TOTAL CONTRIBUTED REVENUE	40,497,666	44,019,411	44,088,692	41,221,914	(2,866,778)	-6.5%	13
14							14
15 GRAND TOTAL REVENUE	119,254,849	119,973,096	125,988,728	125,736,026	(252,702)	-0.2%	15
16							16
17 <b>EXPENSE</b>							17
18							18
19 <b>OPERATING EXPENSE:</b>							19
20 Rail Operator Service	58,879,276	64,500,000	64,500,000	67,650,426	3,150,426	4.9%	20
21 Rail Operator Service - Other	367,280	0	0	0	0	-	21
22 Security Services	4,217,676	4,519,944	4,519,944	4,989,510	469,566	10.4%	22
23 Rail Operator Extra Work	-102,587	155,500	155,500	155,500	0	0.0%	23
24 Contract Operating & Maintenance	63,361,645	69,175,444	69,175,444	72,795,436	3,619,992	5.2%	24
25 Shuttle Service	4,634,500	4,774,107	4,774,107	4,833,310	59,203	1.2%	25
26 Fuel and Lubricants	15,344,013	17,828,097	17,828,097	17,702,600	(125,497)	-0.7%	26
27 Timetables and Tickets	127,295	155,000	155,000	148,000	(7,000)	-4.5%	27
28 Insurance	5,186,334	5,470,000	5,761,697	5,713,750	(47,947)	-0.8%	28
29 Facilities and Equipment Maint	1,690,067	1,814,975	1,928,980	1,975,415	46,435	2.4%	29
30 Utilities	1,684,661	1,826,540	1,826,540	2,120,185	293,645	16.1%	30
31 Maint. Services-Bldg. & Other	1,283,283	1,323,880	1,323,880	1,397,218	73,338	5.5%	31
32 TOTAL OPERATING EXPENSE	93,311,797	102,368,043	102,773,745	106,685,914	3,912,169	3.8%	32
33							33
34 <b>ADMINISTRATIVE EXPENSE</b>							34
35 Wages and Benefits	5,389,848	6,811,835	6,823,590	6,768,729	(54,861)	-0.8%	35
36 Managing Agency Admin OH Cost	3,931,897	5,017,987	5,017,987	5,486,432	468,445	9.3%	36
37 Board of Directors	12,127	11,700	11,700	11,700	0	0.0%	37
38 Professional Services	2,680,039	2,764,323	2,879,323	3,533,792	654,469	22.7%	38
39 Communications and Marketing	122,446	122,500	122,500	119,300	(3,200)	-2.6%	39
40 Other Expenses and Services	1,607,726	1,773,833	1,773,833	2,027,284	253,451	14.3%	40
41 TOTAL ADMINISTRATIVE EXPENSE	13,744,082	16,502,178	16,628,933	17,947,237	1,318,304	7.9%	41
42							42
43 Long-term Debt Expense	1,102,875	1,102,875	1,102,875	1,102,875	0	0.0%	43
44							44
45 GRAND TOTAL EXPENSE	108,158,755	119,973,096	120,505,553	125,736,026	5,230,473	4.3%	45
46							46
47 <b>REVENUE OVER/UNDER</b>	11,096,094	0	5,483,175	0			47

**RESOLUTION NO. 2014-**

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

**\* \* \***

**ADOPTING FISCAL YEAR 2015 OPERATING BUDGET IN THE AMOUNT OF  
\$125,736,026**

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

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

**WHEREAS**, the Executive Director has prepared and presented an Operating Budget for Fiscal Year (FY) 2015 in the amount of \$125,736,026 which sets forth the projected revenues and expenses associated with the Peninsula Commute Service; and

**WHEREAS**, following review and deliberation, the Staff Coordinating Council has recommended adoption of the FY2015 Operating Budget as presented by the Executive Director.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Directors of the Peninsula Corridor Joint Powers Board hereby approves the FY2015 Operating Budget for the JPB in the amount of \$125,736,026; and

**BE IT FURTHER RESOLVED** the Executive Director is requested to forward a copy of the FY2015 Operating Budget to JPB member agencies for approval at the earliest practicable date.

Regularly passed and adopted this 5<sup>th</sup> day of June, 2014 by the following vote:

AYES:

NOES;

ABSENT:

---

Chair, Peninsula Corridor Joint Powers Board

---

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

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

SUBJECT: **AUTHORIZE A NOT-TO-EXCEED \$2 MILLION INCREASE IN THE EXECUTIVE DIRECTOR'S CHANGE ORDER AUTHORITY FOR ADDITIONAL WORK NEEDED FOR THE SAN BRUNO GRADE SEPARATION PROJECT (10-PCJPB-C-002) AND AN AMENDMENT TO THE FISCAL YEAR 2014 CAPITAL BUDGET IN THE AMOUNT OF \$5 MILLION**

**ACTION**

Staff Coordinating Council (SCC) recommends the Board approve an increase of \$2 million in the Executive Director's change order authority for the San Bruno Grade Separation contract with Granite Construction, Inc. (Contract) and an amendment to the Fiscal Year (FY) 2014 Capital Budget in the amount of \$5 million to cover current and prior change orders.

**SIGNIFICANCE**

The principal purpose of this Contract is to improve public safety by replacing three at-grade rail crossings with a grade separation. This increase in the Executive Director's change order authority will permit execution of essential change orders without delay to the completion of the construction contemplated by the Contract. The associated Capital Budget amendment will allocate sufficient funding to cover the proposed change orders.

**BUDGET IMPACT**

The FY2014 Capital Budget will be amended to include \$5 million for a total project budget of \$160 million and a total FY2014 Capital Budget of \$203,914,950. The funds for the budget amendment will come from previously allocated San Mateo County Transportation Authority New Measure A funds.

**BACKGROUND**

The construction contractor on the San Bruno Grade Separation Project is Granite Construction Inc. The scope of the Project is to grade separate three at-grade rail crossings and to construct a new San Bruno Caltrain station.

The original value of the Contract is \$77,699,000. The original change order authority of the Executive Director for the project was 10 percent of the total contract amount, or

\$7,769,900. Board Resolution No. 2013-10 increased the Executive Director's change order authority by \$6 million. Board Resolution No. 2013-54 increased the Executive Director's change order authority by an additional \$4 million. In accordance with customary District practices, a contingency of 10 percent was included in the increased Contract change order authority, resulting in the Executive Director's current change order authority of \$18,769,900.

A total of \$17,640,230 in change orders has been executed to date. The value of all known outstanding change orders to close out the Contract is approximately \$3 million. The combined total of executed and additional change orders exceeds the Executive Director's change order authority by \$2 million. An increase of \$2 million in the Executive Director's change order authority will enable execution of essential change orders without delay to the completion of work under the Contract.

The total amount forecasted for change orders on the San Bruno Grade Separation Project is expected to exceed the Executive Director's contract authority primarily due to two factors:

1. City improvements adjacent to the grade separation, that the JPB has previously committed to constructing, but which were not included in the Project at time of solicitation.
2. Utility conflicts identified during final construction of streets.
3. Grading changes identified during the final construction of the station.

Project Manager:	Rafael Bolon	650.339.0099
	Evà Goode, Manager, Budgets	650.508.7914

FY14 CALTRAIN CAPITAL BUDGET

Amendment #2 June 7, 2014

Item #	PROJECT TITLE/DESCRIPTION	FY 14 PROJECT PHASE	EST. TOTAL COST	PREVIOUSLY PROGRAMMED	CAPITAL BUDGET FY14	FUTURE NEEDS
SOGR						
Station & Intermodal Access						
1.1	TVM Replacement	Pre Eng	1,875,000	200,000	1,225,000	450,000
1.2	Corrosion Assessment/Rehab of Bayshore Station	Pre.Eng., Final Des., Constr	775,000	0	775,000	0
1.3	Systemwide Station Improvements	Pre.Eng., Final Des. Constr	9,430,000	5,493,000	500,000	3,437,000
1.4	Crew Facility Rehab at San Francisco Terminal	Pre.Eng., Final Des., Constr	1,075,000	0	1,075,000	0
			3,575,000		3,887,000	

Right of Way / Signal & Communications						
1.5	Systemwide Track Rehab	Fin Des / Constr	8,000,000	0	4,000,000	4,000,000
1.6	Rail Grinding	Final Des, Constr	2,207,241	0	770,714	1,436,527
1.7	Systemwide Signal Rehab	Final Des / Constr	4,475,000	0	1,000,000	3,475,000
1.8	San Mateo Bridges Replacement - Construction	Final Des, Constr	30,000,000	1,200,000	28,800,000	0
1.9	Marin Street & Napoleon Ave Bridge Closure	Pre Eng	4,656,000	0	600,000	4,056,000
1.10	San Bruno Grade Separation	Final Des, Constr	160,000,000	147,000,000	13,000,000	0
1.11	Railroad Communication System SOGR	Final Des / Constr	2,251,500	1,021,500	592,140	637,860
1.12	On Track Maintenance Equipment	Procurement	4,182,000	0	378,000	3,804,000
1.13	Upgrade of PA & VMS Systems at Four Stations	Pre Eng, Final Des	1,638,000	800,000	838,000	0
1.14	Brisbane Tunnel Track and Drainage Rehab	Pre Eng	8,007,000	0	432,000	7,575,000
1.15	Jerrold Bridge North Span Removal	Final Des, Constr	590,800	0	590,800	0
1.16	CTAMS	Constr	1,100,000	750,000	350,000	0
1.21	25th Ave Grade Separation	Pre Eng / Environ	3,700,000	0	3,700,000	0
1.22	So Linden & Scott Str Grade Separation	Pre Eng	650,000	0	650,000	0
			55,701,654		24,984,387	

Rolling Stock						
1.17	MP 36 SEP HEP Replacement	Construction	1,360,600		1,073,700	286,900
1.18	Gallery Car SOGR	Construction	3,076,665		573,810	2,502,855
1.19	Bombardier Car SOGR	Construction	3,078,511		573,810	2,504,701
1.20	Procure Passenger Coaches	Procurement	4,000,000	0	4,000,000	0
			6,221,320		5,294,456	

CALTRAIN MODERNIZATION						
2.1	Rolling Stock Replacement	Pre Eng	4,410,507	2,204,257	1,087,000	1,119,250
2.2	HSR Blended System Planning and Management		2,525,000	1,010,000	1,515,000	TBD
2.3	Electrification	Pre Eng	1,223,043,750	27,250,000	10,720,000	1,185,073,750
			13,322,000		TBD	

LEGAL MANDATES AND REQUIRED ENHANCEMENTS

3.1	CBOSS PTC Project	Des / Constr	231,000,000	75,535,591	117,982,026	37,482,383
			117,982,026		37,482,383	

OPERATIONAL IMPROVEMENTS/ENHANCEMENTS

4.1	Dual Mode Communications	Final Des/ Constr	854,000	242,000	612,000	0
4.2	FY14 Right of Way Safety Fencing	Construction	8,794,382	6,222,922	1,225,950	1,345,510
4.3	Wireless Broadband on Commuter Train	Pre Eng	800,000	0	800,000	0
4.4	Train Departure Monitors at Terminal Stations	Final Design	1,380,000	0	585,000	795,000
4.5	San Bruno Archway	Construction	1,700,000	500,000	1,200,000	0
			4,422,950		2,140,510	

PLANNING/STUDIES

5.1	Hold-Out Rule Elimination - Broadway, Atherton & SSF	Pre Eng	700,000	0	700,000	0
			700,000			

CALTRAIN SUPPORT PROGRAM AND CONTINGENCY

6.1	Capital Project Development	Support			500,000	
6.2	Capital Program Management	Support			500,000	
6.3	Capital Contingency Funds (Engineering)	Support			330,000	
6.4	Capital Contingency Funds (Rail)	Support			660,000	
			1,990,000			

FY14 Capital Budget		203,914,950
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Proposed Funding Plan

Federal		State		Other		JPB		FY14 TOTAL
Amount	Source	Amount	Source	Amount	Source	Amount	Source	
980,000	FTA					245,000	Members	1,225,000
						775,000	Members	775,000
						500,000	Members	500,000
						1,075,000	Members	1,075,000
980,000		0		0		2,595,000		3,575,000
3,200,000	FTA			400,000	AB664	400,000	Members	4,000,000
616,571	FTA					154,143	Members	770,714
800,000	FTA					200,000	Members	1,000,000
19,640,000	FTA	9,000,000	Prop 1B			160,000	Members	28,800,000
480,000	FTA					120,000	Members	600,000
				13,000,000	SMCTA			13,000,000
473,712	FTA					118,428	Members	592,140
302,400	FTA					75,600	Members	378,000
						838,000	Members	838,000
345,600	FTA					86,400	Members	432,000
472,640	FTA					118,160	Members	590,800
						350,000	Members	350,000
				3,700,000	SMCTA			3,700,000
				650,000	SMCTA			650,000
26,330,923		9,000,000		17,750,000		2,620,731		55,701,654
						1,073,700	Members	1,073,700
435,000	FTA - ADA					138,810	Members	573,810
435,000	FTA - ADA					138,810	Members	573,810
				4,000,000	Other			4,000,000
870,000		0		4,000,000		1,351,320		6,221,320
869,600	FTA - EIS*			217,400	EIS*			1,087,000
		1,200,000	CHSRA	125,000	CRCC/Slocog	190,000	Members	1,515,000
				10,720,000	EIS*			10,720,000
869,600		1,200,000		11,062,400		190,000		13,322,000
29,830,000	FTA/FHWA	68,981,826	Prop 1A/1B	19,170,200	EIS*			117,982,026
29,830,000		68,981,826		19,170,200		0		117,982,026
						612,000	Members	612,000
		570,000	Prop 1B			655,950	Members	1,225,950
						800,000	Members	800,000
						585,000	Members	585,000
				1,200,000	City of SB/SMCTA			1,200,000
0		570,000		1,200,000		2,652,950		4,422,950
				700,000	SMCTA			700,000
0		0		700,000		0		700,000
						500,000	Members	500,000
						500,000	Members	500,000
						330,000	Members	330,000
						660,000	Members	660,000
0		0		0		1,990,000		1,990,000
58,880,523		79,751,826		53,882,600		11,400,001		203,914,950
						3,800,000	Per Member Contr	

\*Funds to come from Early Investment Strategy funding plan.  
Note: The proposed FY2014 capital program includes, distributed across all active projects, \$7 million in administrative overhead funds to help support the capital program

**RESOLUTION NO. 2014 –**

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

\* \* \*

**AUTHORIZING A NOT-TO-EXCEED \$2 MILLION INCREASE IN THE EXECUTIVE DIRECTOR'S  
CHANGE ORDER AUTHORITY FOR THE SAN BRUNO GRADE SEPARATION  
PROJECT CONTRACT AND AN AMENDMENT TO THE FISCAL YEAR 2014  
CAPITAL BUDGET IN THE AMOUNT OF \$5 MILLION**

**WHEREAS**, on July 1, 2010, pursuant to Resolution No. 2010-40, the Peninsula Corridor Joint Powers Board awarded a contract to Granite Construction, Inc. (Contract) to perform construction for the San Bruno Grade Separation Project (Project), in an amount not-to-exceed \$77,699,000; and

**WHEREAS**, the Executive Director's original Contract change order authority was established at 10 percent of the total contract amount, or \$7,769,900; and

**WHEREAS**, pursuant to Resolution Nos. 2013-10 and 2013-54, the Board of Directors increased the Executive Director's Contract change order authority by \$6 million and \$4 million respectively, and in accordance with customary District practices, a contingency of 10 percent was included in the increased Contract change order authority, resulting in the Executive Director's current Contract change order authority of \$18,769,900; and

**WHEREAS**, a total of \$17,640,230 in change orders has been executed to date and the value of all known outstanding change orders to close out the Contract is approximately \$3 million; and

**WHEREAS**, the combined total of executed and additional change orders exceeds the Executive Director's Contract change order authority by \$2 million; and

**WHEREAS**, staff recommends the Executive Director's Contract change order authority be increased in an amount not-to-exceed \$2 million, which will permit execution of essential change orders without delay to the completion of the construction contemplated by the Contract.

**NOW, THEREFORE, BE IT RESOLVED** the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes an increase in the Executive Director's Contract change order authority in an amount not-to-exceed \$2 million; and

**BE IT FURTHER RESOLVED** the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes an amendment to the Fiscal Year 2014 Capital Budget to include \$5 million for a total project budget of \$160 million, with the understanding that the funds for the budget amendment will come from previously allocated San Mateo County Transportation Authority New Measure A funds. The total amended FY2014 Capital Budget will be \$203,914,950.

Regularly passed and adopted this 5th day of June 2014 by the following vote:

AYES:

NOES:

ABSENT:

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Chair, Peninsula Corridor Joint Powers Board

ATTEST:

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JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: Joint Powers Board

THROUGH: Michael J. Scanlon  
Executive Director

FROM: Mark Simon  
Executive Officer, Public Affairs

SUBJECT: **STATE AND FEDERAL LEGISLATIVE UPDATE**

**ACTION**

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

**SIGNIFICANCE**

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

**STATE ISSUES**

State Budget/Cap-and-trade

The governor released his May budget revision last month and aside from some minor adjustments to the projected Fiscal Year (FY) 2015 State Transit Assistance funding, the transportation components of the budget, including the cap-and-trade proposal are unchanged from his initial budget recommendations.

The cap-and-trade proposal from Senate President Pro Tem Darrell Steinberg continues to look like the most advantageous option with 25 percent of all funding going to public transportation, another 20 percent for Sustainable Communities Strategy implementation and an additional 15 percent for low carbon transportation including low emission transit vehicles.

The Assembly Budget Subcommittee also put forward a cap-and-trade proposal that is believed to be a non-starter with the governor since it does not include funding for high-speed rail.

**FEDERAL ISSUES**

Authorization

The U.S. Department of Transportation released a four-year reauthorization proposal with funding levels sufficient enough to bring the nation's transportation infrastructure in a state of good repair. However, the Senate Environment and Public Works Committee approved a six-year highway spending bill based on the assumption that funding will need to be retained at the current insufficient levels plus inflation.

The Senate's transit and rail titles won't be available until they are released by the Banking and Commerce committees but a similar approach on funding levels is anticipated. Even if the Senate chooses not to increase funding to appropriate levels, additional funding will need to be identified by the Finance Committee.

The Senate's Highway Bill does have some transit impacts. It funds the Transportation Infrastructure Finance and Innovation Act (TIFIA) loan program at \$750 million per year, which is \$250 million below the current level, and it provides \$400 million for the multimodal Transportation Infrastructure Generating Economic Recovery (TIGER) grant program, which is \$200 million less than 2014.

#### Appropriations

The House Appropriations Committee passed a FY2015 Transportation Housing and Urban Development (THUD) appropriations bill under the funding authorized by Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21). The bill maintains funding for Federal transportation formula programs but cuts discretionary programs like TIGER and New Starts significantly. The full House and the Senate Appropriations Committee are expected to take up the issue in the coming weeks.

The Senate also voted to bring a tax extenders package to the floor for a vote, which will hopefully happen soon and would restore commuter tax benefits for transit riders to parity with those that drivers receive.

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

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 26</a> <a href="#">Bonilla</a> D  Construction: prevailing wage and mechanics liens.	SENATE L. & I.R. 3/18/2014-From committee chair, with author's amendments: Amend, and re-refer to Com. on L. & I.R. Read second time and amended.  6/11/2014 9:30 a.m. - Rose Ann Vuich Hearing Room (2040) SENATE LABOR AND INDUSTRIAL RELATIONS, HUESO, Chair	<p>Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages. Existing law generally defines "public works" to include construction, alteration, demolition, installation, or repair work done under contract and paid in whole or in part out of public funds. Existing law defines "construction" for these purposes to include work performed during the design and preconstruction phases of construction. Existing law makes a willful violation of laws relating to payment of prevailing wages on public works a misdemeanor.</p> <p>This bill would revise the definition of "construction" to also include work performed during the post-construction phases of construction, including, but not limited to, all cleanup work at the jobsite. The bill would also expand the definition of "public works," for the purposes of requirements regarding the payment of prevailing wages, to also include any task relating to the collecting or sorting, or both, of refuse or recyclable metals, such as copper, steel, and aluminum, performed at a public works jobsite. By expanding the definition of a crime, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 3/18/2014</b></p>	
<a href="#">AB 194</a> <a href="#">Campos</a> D  Open meetings: actions for violations.	SENATE G. & F. 2/6/2014-Referred to Com. on GOV. & F.	<p>The Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act requires every agenda for a regular meeting or notice for a special meeting to provide an opportunity for members of the public to address the legislative body on items being considered by the legislative body, as specified. The act authorizes a district attorney or any interested party to seek a judicial determination that an action taken by a legislative body is null and void if the legislative body violated certain provisions of the act.</p> <p>This bill would expand the authorization for a district attorney or interested party to seek a judicial determination that an action taken by a legislative body is null and void if the legislative body violated the requirement that every agenda for a regular meeting or notice for a special meeting provide an opportunity for members of the public to address the legislative body on items being considered, as specified.</p> <p><b>Last Amended on 1/27/2014</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 418</a> <a href="#">Mullin</a> D  Local government: special tax, assessment, or property-related fee.	ASSEMBLY INACTIVE FILE 5/15/2014-Ordered to inactive file at the request of Assembly Member Mullin.	<p>Existing law, until January 1, 2013, authorized the City/County Association of Governments of San Mateo County to impose a fee of up to \$4 on motor vehicles registered within San Mateo County for a program for the management of traffic congestion and storm water pollution within that county.</p> <p>This bill would authorize the City/County Association of Governments of San Mateo County, in accordance with specified provisions of the California Constitution, to impose a parcel tax or a property-related fee for the purpose of implementing storm water management programs, as prescribed. This bill contains other related provisions.</p> <p><b>Last Amended on 2/10/2014</b></p>	
<a href="#">AB 515</a> <a href="#">Dickinson</a> D  Environmental quality: California Environmental Quality Act: writ of mandate.	SENATE E.Q. 5/19/2014-In committee: Set, first hearing. Hearing canceled at the request of author.  6/18/2014 9:30 a.m. - Room 3191 SENATE ENVIRONMENTAL QUALITY, HILL, Chair	<p>The California Environmental Quality Act requires the court, if it finds that a public agency has violated the requirements of the act, to issue an order, in the form of a peremptory writ of mandate, specifying what actions by the public agency are necessary to comply with the requirements of the act.</p> <p>This bill would require the peremptory writ of mandate to specify the time by which the public agency is to make an initial return of the peremptory writ of mandate containing specified information. Because a public agency would be required to file an initial return of the peremptory writ of mandate, this bill would impose a state-mandated local program. The bill would require the trial court, to the extent feasible, to issue a determination indicating whether the actions specified in the initial return and any subsequent return are adequate to comply with the peremptory writ of mandate within 30 days of the filing of the return. This bill contains other related provisions and other existing laws. <b>Last Amended on 3/17/2014</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 1501</a> <a href="#">Patterson</a> R  High-speed rail.	ASSEMBLY DEAD 5/2/2014-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 4/29/2014)	<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) and other federal acts provide funding for allocation nationally to high-speed rail projects. The Budget Act of 2012 appropriates federal funds, and state funds in the High-Speed Passenger Train Bond Fund, to the authority for various purposes related to the high-speed rail project, including right-of-way acquisition and construction.</p> <p>This bill would prohibit the authority from expending the federal funds appropriated to the authority pursuant to the Budget Act of 2012 unless state funds appropriated from the High-Speed Passenger Train Bond Fund or from another state funding source are immediately available to the authority for the purpose of providing matching state funds for the federal funds. This requirement would apply regardless of whether the federal government has authorized the expenditure of the federal funds without the immediate availability of the nonfederal match that is a condition for the award of the federal funds. The bill would also make legislative findings and declarations.</p> <p><b>Last Amended on 3/13/2014</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 1536</a> <a href="#">Olsen</a> R  Public transportation employees: strikes: prohibition.	ASSEMBLY DEAD 5/2/2014-Failed Deadline pursuant to Rule 61(b)(5). (Last location was P.E.,R. & S.S. on 2/14/2014)	<p>Existing law prescribes procedures governing disputes between exclusive bargaining representatives of public transportation employees and local agencies, and authorizes the Governor, when it appears a strike will significantly disrupt transportation services and endanger public health, safety, and welfare, to appoint a board to investigate issues in connection with these labor negotiations and make a report. Existing law prohibits a strike during the period of investigation and permits the Governor, upon receiving a report from a board of investigation, to request the Attorney General to petition a court to enjoin the strike, as specified.</p> <p>This bill would repeal those provisions that authorize the Governor to appoint a board to investigate when it appears a strike will significantly disrupt transportation services, prohibit a strike during the period of investigation, and that authorize the Governor to request the Attorney General to petition a court to enjoin the strike. The bill would instead prohibit a state or local public transportation employee or public transportation employee organization from engaging in, causing, instigating, encouraging, or condoning a strike. The bill would also provide that a person who, on behalf of a public transportation employer, exercises authority, supervision, or direction over a public transportation employee shall not have the power to, and shall not purport to, authorize, approve, condone, or consent to a strike by a public transportation employee. This bill contains other related provisions and other existing laws.</p>	
<a href="#">AB 1556</a> <a href="#">Perea</a> D  Unemployment insurance.	SENATE L. & I.R. 5/8/2014-Referred to Com. on L. & I.R.  6/11/2014 9:30 a.m. - Rose Ann Vuich Hearing Room (2040) SENATE LABOR AND INDUSTRIAL RELATIONS, HUESO, Chair	<p>Existing unemployment insurance law requires all standard information employee pamphlets provided by the Employment Development Department concerning unemployment and disability insurance programs to be printed in English and separately in Spanish, or both.</p> <p>This bill would instead require those pamphlets to be printed in English and the 7 other most commonly used languages among participants in each program. This bill would require the Employment Development Department to make pages on its Internet Web site that provide information regarding applying for, and receiving, unemployment insurance benefits available in the 7 languages, other than English, most commonly used by unemployment insurance applicants and claimants. This bill contains other related provisions and other existing laws. <b>Last Amended on 3/17/2014</b></p>	

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 5-28-14**

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 1897</a> <a href="#">Hernández,</a> <a href="#">Roger D</a>  Labor contracting: client liability.	ASSEMBLY THIRD READING 5/27/2014-Read second time. Ordered to third reading.  5/28/2014 #119 ASSEMBLY THIRD READING FILE	<p>Existing law regulates the terms and conditions of employment and establishes specified obligations of employers to employees. Existing law prohibits a person or entity from entering into a contract for labor or services with a construction, farm labor, garment, janitorial, security guard, or warehouse contractor, if the person or entity knows or should know that the contract or agreement does not include sufficient funds for the contractor to comply with laws or regulations governing the labor or services to be provided.</p> <p>This bill would require a client employer to share with a labor contractor all civil legal responsibility and civil liability for the payment of wages, the failure to report and pay all required employer contributions, worker contributions, and personal income tax withholdings, and the failure to obtain valid workers' compensation coverage. The bill would define a client employer as a business entity that obtains or is provided workers to perform labor or services within the usual course of business from a labor contractor, except as specified. The bill would define a labor contractor as an individual or entity that supplies workers, either with or without a contract, to a client employer to perform labor or services within the client employer's usual course of business and would except from this definition specified nonprofit, labor, and motion picture payroll services organizations. The bill would specify that it does not prohibit client employers and labor contractors from mutually contracting for otherwise lawful remedies for violations of its provisions by the other party. The bill would require a client employer or labor contractor to provide to a requesting enforcement agency or department, and make available for copying, information within its possession, custody, or control required to verify compliance with applicable state laws. The bill would authorize the Labor Commissioner, the Division of Occupational Safety and Health, and the Employment Development Department to adopt necessary regulations and rules to administer and enforce the bill's provisions. The bill would provide that waiver of its provisions is contrary to public policy, void, and unenforceable. <b>Last Amended on 5/23/2014</b></p>	Oppose

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 2021</a> <a href="#">Gordon</a> D  San Mateo County Transit District.	SENATE T. & H. 5/8/2014-Referred to Com. on T. & H.  6/10/2014 1:30 p.m. - John L. Burton Hearing Room (4203) SENATE TRANSPORTATION AND HOUSING, DESAULNIER, Chair	<p>Existing law creates the San Mateo County Transit District with various powers and duties relative to transportation projects and services in the County of San Mateo. Existing law authorizes the district to utilize the Construction Manager/General Contractor project delivery contract method for transit projects within its jurisdiction, subject to certain conditions and requirements. Existing law requires the district to comply with certain prevailing wage requirements with respect to that contract method, which requirements are monitored and enforced by the Department of Industrial Relations, or alternatively to elect to enter into a collective bargaining agreement that binds all of the contractors performing work on the project and that includes a mechanism for resolving disputes about the payment of wages.</p> <p>This bill would additionally authorize the district to meet its obligations under this provision by continuing to operate an existing previously approved labor compliance program, subject to approval of the Department of Industrial Relations, as specified.</p> <p><b>Last Amended on 3/17/2014</b></p>	Support
<a href="#">AB 2046</a> <a href="#">Gomez</a> D  Joint exercise of powers: financing.	ASSEMBLY THIRD READING 5/15/2014-Reconsideration granted. (Page 4924.) Ordered to third reading. Read third time and amended. Ordered to third reading. (Page 4924.)  5/28/2014 #48 ASSEMBLY THIRD READING FILE	<p>The Joint Exercise of Powers Act authorizes the legislative or other governing bodies of 2 or more public agencies to jointly exercise by agreement any power common to the contracting parties, as specified, and authorizes a joint powers authority to exercise various powers, including, among others, the power to issue bonds, including bonds bearing interest, to pay the cost of any public capital improvement, working capital, or liability or other insurance program, as specified.</p> <p>This bill would authorize a joint powers authority to issue or cause to be issued bonds and enter into a loan agreement for the financing or refinancing of a project that is situated in another state, including working capital related to that project, if the project and its financing meets certain conditions. <b>Last Amended on 5/15/2014</b></p>	
<a href="#">AB 2170</a> <a href="#">Mullin</a> D  Joint powers authorities: common powers.	SENATE G. & F. 5/8/2014-Referred to Com. on GOV. & F.	<p>Existing law provides that 2 or more public agencies, by agreement, may form a joint powers authority to exercise any power common to the contracting parties, as specified.</p> <p>This bill would provide that the parties to the agreement may exercise any power common to the contracting parties, including, but not limited to, the authority to levy a fee or tax, as specified.</p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 2198</a> <a href="#">Levine D</a>  Mental health professionals: suicide prevention training.	SENATE RLS. 5/19/2014-In Senate. Read first time. To Com. on RLS. for assignment.	<p>Existing law provides for the licensure and regulation of various professionals who provide mental health-related services, including psychologists, marriage and family therapists, educational psychologists, professional clinical counselors, and clinical social workers. Under existing law, an applicant for licensure in these professions is required to complete certain coursework or training in order to be eligible for a license. Existing law also requires these professionals to participate in continuing education as a prerequisite for renewing their license.</p> <p>This bill would require a psychologist, marriage and family therapist, educational psychologist, professional clinical counselor, and clinical social worker who began graduate study on or after January 1, 2016, to complete a minimum of 15 contact hours of coursework in suicide assessment, treatment, and management before he or she may be issued a license. The bill would also require, commencing January 1, 2016, a person licensed in these professions who began graduate study prior to January 1, 2016, to take a six-hour continuing education course in suicide assessment, treatment, and management in order to renew his or her license. <b>Last Amended on 4/21/2014</b></p>	Support
<a href="#">AB 2226</a> Morrell R  Eminent domain: local public entities.	ASSEMBLY DEAD 5/9/2014-Failed Deadline pursuant to Rule 61(b)(6). (Last location was PRINT on 2/20/2014)	<p>The California Constitution permits private property to be taken or damaged for public use only when just compensation is paid. The Eminent Domain Law prescribes how that constitutionally authorized power may be exercised and permits that exercise only for a public use. The law permits a local public entity to acquire by eminent domain property within its territorial limits only, except if the power to acquire property outside its limits is expressly granted by statute or necessarily implied.</p> <p>This bill would make a non-substantive, technical change to these provisions.</p>	

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 5-28-14**

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 2445</a> <a href="#">Chau D</a>  Community colleges: transportation fees.	SENATE ED. 5/8/2014-Referred to Com. on ED.  6/4/2014 9 a.m. - John L. Burton Hearing Room (4203) SENATE EDUCATION, LIU, Chair	<p>Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges. Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state. Existing law also authorizes the governing board of each district to impose various fees, including fees for parking and transportation services that are subject to specified limits. Existing law provides that a district is prohibited from entering into a contract for transportation services provided by a common carrier or a municipally owned transit system and funded by a fee for transportation services, unless a majority of the students of that district approve payment of the fee for that purpose within a specified time period.</p> <p>This bill would specify that a community college district is authorized to enter into a contract for the transportation services described above if a majority of the students of that district, or campus of that district, as appropriate, approve the payment of the fee within the same time period.</p>	Support

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 2471</a> <a href="#">Frazier</a> D  Public contracts: change orders.	ASSEMBLY THIRD READING 5/27/2014-Read second time. Ordered to third reading.  <b>5/28/2014 #174 ASSEMBLY            THIRD READING FILE</b>	<p>Existing law contains various provisions relating to contracts by a public entity for the performance of public works of improvement, including provisions for the payment of progress payments and the disbursing and withholding of retention proceeds. Existing law, until January 1, 2016, prohibits progress payments upon state contracts from being made in excess of 100% of the percentage of actual work completed, and authorizes the Department of General Services to withhold not more than 5% of the contract price until final completion and acceptance of the project, except as specified.</p> <p>This bill would require a public entity, as defined, when authorized to order changes or additions to the work in a public works contract awarded to the lowest bidder, to issue a change order promptly, and no later than 60 days after the extra work is performed and reasonable documentation has been submitted, except as specified. The bill would, if this requirement is not met, make the public entity liable to the original contractor for the extra work that has already been performed. The bill would require prejudgment interest to accrue on any amount for which the public entity fails to issue a change order promptly or make a payment due pursuant to this bill. The bill would also authorize an original contractor to present to the public entity a request for a change order for extra work performed by a subcontractor, including a lower tier subcontractor. It would also authorize a subcontractor to request that an original contractor present a change order request for extra work directed by the public entity that was performed by the subcontractor or lower tier subcontractor. The bill would require the original contractor to notify the subcontractor as to whether the original contractor presented the request to the public entity, as specified. <b>Last Amended on 5/23/2014</b></p>	Oppose
<a href="#">AB 2639</a> <a href="#">Lowenthal</a> D  State freight plan.	ASSEMBLY DEAD 5/9/2014-Failed Deadline pursuant to Rule 61(b)(6). (Last location was PRINT on 2/21/2014)	<p>Existing law requires the Transportation Agency to prepare a state freight plan with specified elements to govern the immediate and long-range planning activities and capital investments of the state with respect to the movement of freight. Existing law requires the agency to establish a freight advisory committee with various responsibilities in that regard and requires that the initial state freight plan be submitted to the Legislature, the Governor, and certain state agencies by December 31, 2014, and updated every 5 years thereafter.</p> <p>This bill would make non-substantive changes to these provisions.</p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 2650</a> <a href="#">Conway</a> R  Bonds: transportation.	ASSEMBLY TRANS. 4/28/2014-In committee: Set first hearing. Failed passage. Reconsideration granted.	<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. 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 billion in general obligation bonds for high-speed rail purposes and \$950 million for other related rail purposes. Article XVI of the California Constitution requires measures authorizing general obligation bonds to specify the single object or work to be funded by the bonds and further requires a bond act to be approved by a 2/3 vote of each house of the Legislature and a majority of the voters.</p> <p>This bill would provide that no further bonds shall be sold for high-speed rail purposes pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, except as specifically provided with respect to an existing appropriation for high-speed rail purposes for early improvement projects in the Phase I blended system. The bill, subject to the above exception, would require redirection of the unspent proceeds received from outstanding bonds issued and sold for other high-speed rail purposes prior to the effective date of these provisions, upon appropriation, for use in retiring the debt incurred from the issuance and sale of those outstanding bonds. The bill, subject to the above exception, would also require the net proceeds of other bonds subsequently issued and sold under the high-speed rail portion of the bond act to be made available, upon appropriation, to fund projects in the State Transportation Improvement Program, the State Highway Operation and Protection Program, and the state's freight plan. The bill would make no changes to the authorization under the bond act for issuance of \$950 million for rail purposes other than high-speed rail. These provisions would become effective only upon approval by the voters at the next statewide general election. This bill contains other related provisions.</p>	

**Peninsula Corridor Joint Powers Board  
State Legislative Matrix as of 5-28-14**

Bill ID/Topic	Location	Summary	Position
<a href="#">AB 2651</a> <a href="#">Linder</a> R  Vehicle weight fees: transportation bond debt service.	ASSEMBLY DEAD 5/2/2014-Failed Deadline pursuant to Rule 61(b)(5). (Last location was TRANS. on 3/17/2014)	<p>Existing law imposes weight fees on the registration of commercial motor vehicles and provides for the deposit of net weight fee revenues into the State Highway Account. Existing law provides for the transfer of certain weight fee revenues from the State Highway Account to the Transportation Debt Service Account to reimburse the General Fund for payment of debt service on general obligation bonds issued for transportation purposes. Existing law also provides for the transfer of certain weight fee revenues to the Transportation Bond Direct Payment Account for direct payment of debt service on designated bonds, which are defined to be certain transportation general obligation bonds issued pursuant to Proposition 1B of 2006.</p> <p>This bill, notwithstanding these provisions or any other law, effective January 1, 2016, would prohibit weight fee revenue from being transferred from the State Highway Account to the Transportation Debt Service Fund or to the Transportation Bond Direct Payment Account, and from being used to pay the debt service on transportation general obligation bonds.</p>	
<a href="#">HR 29</a> <a href="#">Gomez</a> D  Relative to outsourcing public services.	ASSEMBLY ADOPTED 4/3/2014-Read. Amended. Adopted. (Ayes 44. Noes 22. Page 4332.)	<p>The Assembly opposes outsourcing of public services and assets, which harms transparency, accountability, shared prosperity, and competition, and supports processes that give public service workers the opportunity to develop their own plan on how to deliver cost-effective, high-quality services. The Assembly urges local officials to become familiar with the provisions of the Taxpayer Empowerment Agenda. The Assembly intends to introduce and advocate for responsible outsourcing legislation.</p> <p><b>Last Amended on 4/3/2014</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 674</a> <a href="#">Corbett</a> D  California Environmental Quality Act: exemption: residential infill projects.	ASSEMBLY NAT. RES. 5/8/2014-Referred to Coms. on NAT. RES. and L. GOV.	<p>The California Environmental Quality Act, commonly referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</p> <p>This bill would instead exempt as "residential" a use consisting of residential units and primarily neighborhood-serving goods, services, or retail uses that do not exceed 25% of the total building square footage of the project. This bill contains other related provisions and other existing laws. <b>Last Amended on 1/6/2014</b></p>	
<a href="#">SB 785</a> <a href="#">Wolk</a> D  Design-build.	ASSEMBLY L. GOV. 5/8/2014-Referred to Com. on L. GOV.	<p>Existing law authorizes the Department of General Services, the Department of Corrections and Rehabilitation, and various local agencies to use the design-build procurement process for specified public works under different laws.</p> <p>This bill would repeal those authorizations, and enact provisions that would authorize the Department of General Services, the Department of Corrections and Rehabilitation, and those local agencies, as defined, to use the design-build procurement process for specified public works. The bill would authorize the Marin Healthcare District to use the design-build process when contracting for the construction of a building and improvements directly related to a hospital or health facility building at the Marin General Hospital. The bill would require moneys that are collected under these provisions to be deposited into the State Public Works Enforcement Fund, subject to appropriation by the Legislature. The bill would require specified information to be verified under penalty of perjury. By expanding the crime of perjury, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. <b>Last Amended on 1/14/2014</b></p>	Support

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 792</a> <a href="#">DeSaulnier</a> D  Regional entities: San Francisco Bay Area.	ASSEMBLY L. GOV. 5/19/2014-From committee with author's amendments. Read second time and amended. Re-referred to Com. on L. GOV.  6/18/2014 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair	<p>Existing law creates the Metropolitan Transportation Commission, the Bay Area Toll Authority, the Bay Area Air Quality Management District, and the San Francisco Bay Conservation and Development Commission, with various powers and duties relative to all or a portion of the 9-county San Francisco Bay Area region with respect to transportation, air quality, and environmental planning, as specified. Another regional entity, the Association of Bay Area Governments, is created under existing law as a joint powers agency comprised of cities and counties with regional planning responsibilities. Existing law provides for a joint policy committee of certain member agencies in this 9-county area to collaborate on regional coordination. Existing law requires regional transportation planning agencies, as part of the regional transportation plan adopted in urban areas, to develop a sustainable communities strategy, coordinating transportation, land use, and air quality planning, with specified objectives.</p> <p>This bill would require the member agencies of the joint policy committee to complete an analysis of common functions and identify opportunities to save costs, reduce redundancies, and further the goals of the member agencies. The bill would require the analysis to also include a statement relative to the expected reduction of overhead, operation, and management costs. The bill would also require the joint policy committee to maintain an Internet Web site containing information relevant to the committee's activities and to appoint an advisory committee on economic competitiveness with specified members from the business community and other organizations to adopt goals and policies related to economic development, including social equity issues . This bill contains other related provisions and other existing laws.</p> <p><b>Last Amended on 5/19/2014</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 901</a> <a href="#">Vidak</a> R  High-speed rail: funding.	SENATE T. & H. 4/22/2014-Set, first hearing. Failed passage in committee. (Ayes 1. Noes 6. Page 3236.) Reconsideration granted.	<p>Article XVI of the California Constitution requires a general obligation bond act to specify the single object or work to be funded by the bonds, and further requires a bond act to be approved by a 2/3 vote of each house of the Legislature and by a majority of the voters. Article XVI authorizes the Legislature, at any time after the approval of a general obligation bond act by the voters, 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. 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, statewide general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related rail purposes.</p> <p>This bill, subject to voter approval, would amend the bond act to provide that no further bonds shall be sold for high-speed rail and related rail purposes, and would also explicitly authorize the net proceeds received from outstanding bonds issued and sold prior to the effective date of these provisions, upon appropriation, to be redirected from those high-speed rail purposes to retiring the debt incurred from the issuance and sale of those outstanding bonds. The bill would direct the Secretary of State to submit these provisions to the voters on the ballot of the November 4, 2014, statewide general election. This bill contains other related provisions. <b>Last Amended on 4/7/2014</b></p>	Oppose

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 902</a> <a href="#">Vidak</a> R  High-speed rail: eminent domain.	SENATE T. & H. 4/22/2014-Set, first hearing. Failed passage in committee. (Ayes 1. Noes 7. Page 3236.) Reconsideration granted.	<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 train system. Existing law authorizes the authority to acquire rights-of-way through purchase or eminent domain. Existing law sets forth the process for acquisition of property by eminent domain, including a requirement for adoption of a resolution of necessity. Before adopting a resolution of necessity, existing law requires a public entity to determine the fair market value of the property to be acquired and to offer that amount to the owner of the property.</p> <p>This bill would prohibit the authority, or the State Public Works Board acting on behalf of the authority, from adopting a resolution of necessity to commence an eminent domain proceeding to acquire a parcel of real property for the high-speed train system unless the resolution identifies the sources of all funds to be invested in the property, and the anticipated time of receipt of those funds, and declares that the authority, or the board, has offered to purchase the property at not less than the fair market value or the amount necessary to discharge the liens against the property, as described, whichever is greater. The bill would require the authority or the board to be responsible for compliance with any environmental protection laws or regulations that are applicable to the property it acquires pursuant to eminent domain. This bill contains other related provisions.</p> <p><b>Last Amended on 4/7/2014</b></p>	Oppose
<a href="#">SB 903</a> <a href="#">Vidak</a> R  High-speed rail: property tax revenues.	SENATE T. & H. 4/22/2014-Set, first hearing. Failed passage in committee. (Ayes 1. Noes 7. Page 3236.) Reconsideration granted.	<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 train system, including the power to acquire rights-of-way through purchase or eminent domain. Existing law, 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 purposes, creates the High-Speed Passenger Train Bond Fund, and requires that moneys in the fund be made available to the authority for expenditures, among other things, related to the acquisition of interests in real property and rights-of-way and the development and construction of the high-speed rail system.</p> <p>This bill would require the authority, with regard to real property acquired by it and from moneys available for expenditure by it from the fund, to annually pay to the county in which the real property is located an amount equal to the property tax equivalent, as defined. This bill contains other related provisions. <b>Last Amended on 4/7/2014</b></p>	Oppose

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 904</a> <a href="#">Vidak</a> R  High-speed rail: private property: owner consent.	SENATE T. & H. 4/22/2014-Set, first hearing. Failed passage in committee. (Ayes 1. Noes 7. Page 3236.) Reconsideration granted.	<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 train system. Existing law, for any project along the high-speed rail network, authorizes the authority to contract with the Department of Transportation to perform specified project design services, including construction inspection services.</p> <p>This bill would require the authority to require that any employee of the authority or any employee working for a public or private entity that has contracted with the authority, prior to entering onto any privately owned property, identify himself or herself to the property owner and obtain the consent of the property owner, as specified. This bill contains other related provisions. <b>Last Amended on 4/7/2014</b></p>	Oppose
<a href="#">SB 969</a> <a href="#">DeSaulnier</a> D  Public works.	ASSEMBLY 5/28/2014-Action From THIRD READING: Read third time. Passed Senate to ASSEMBLY.  <b>5/28/2014 #57 SENATE            BILLS-THIRD READING FILE</b>	<p>Existing law generally defines "public work" as construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds; work done for irrigation, utility, reclamation, and improvement districts, and other districts of this type; street, sewer, or other improvement work done under the direction and supervision or by the authority of any officer or public body of the state or of any political subdivision or district thereof, and public transportation demonstration projects, as specified. Existing law, the Public Works Project Peer Review Act of 2013, authorizes a public agency principally tasked with administering, planning, developing, and operating a public works project to establish a peer review group, as defined. If a peer review group is established, existing law requires the administering agency to draft a charter, published on the agency's Internet Web site, related to the duties of the peer review group.</p> <p>This bill would authorize these provisions, instead, to be known and cited as the Public Works Project Oversight Improvement Act. The bill would define a "megaproject" as a transportation project with total estimated development and construction costs exceeding \$2,500,000,000. The bill would require the agency administering a megaproject to establish a peer review group and to take specified actions to manage the risks associated with a megaproject including establishing a comprehensive risk management plan, and regularly reassessing its reserves for potential claims and unknown risks. Because this bill would require local agencies to perform additional duties, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. <b>Last Amended on 5/27/2014</b></p>	Oppose

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 990</a> <a href="#">Vidak</a> R  Transportation funds: disadvantaged small communities.	SENATE T. & H. 4/29/2014-Set, second hearing. Failed passage in committee. (Ayes 3. Noes 8. Page 3312.) Reconsideration granted.	<p>Existing law generally provides for programming and allocation of funds for transportation capital improvement projects through the state transportation improvement program process administered by the California Transportation Commission. Existing law requires 25% of available funds to be programmed and expended on interregional improvement projects nominated by the Department of Transportation, and 75% of available funds to be programmed and expended on regional improvement projects nominated by regional transportation planning agencies or county transportation commissions, as applicable, through adoption of a regional transportation improvement program.</p> <p>This bill would require no less than 5% of funds available for regional improvement projects to be programmed in the regional transportation improvement program for disadvantaged small communities, as defined. In programming these moneys, the bill would require regional transportation agencies and county transportation commissions to prioritize funding congestion relief and safety needs. This bill contains other related provisions. <b>Last Amended on 4/21/2014</b></p>	
<a href="#">SB 1064</a> <a href="#">Hill</a> D  Public Utilities Commission: railroads: natural gas pipelines: safety.	ASSEMBLY U. & C. 5/12/2014-Referred to Com. on U. & C.  6/9/2014 3 p.m. - State Capitol, Room 437 ASSEMBLY UTILITIES AND COMMERCE, BRADFORD, Chair	<p>Existing law provides that the Public Utilities Commission has certain responsibilities for the inspection, surveillance, and investigation of the rights-of-way, facilities, equipment, and operations of railroads, including public mass transit guideways, and for enforcement of state and federal laws, regulations, orders, and directives relative to rail safety.</p> <p>This bill would enact similar provisions applicable to NTSB safety recommendations and Federal Transit Administration (FTA) safety advisories concerning rail facilities. With respect to natural gas pipelines, if the commission receives a correspondence from the NTSB that indicates that a recommendation of the NTSB has been closed following an action that the NTSB finds unacceptable, the bill would require this fact to be noted in the annual report submitted to the Legislature. This bill contains other related provisions and other existing laws. <b>Last Amended on 4/8/2014</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 1077</a> <a href="#">DeSaulnier</a> D  Vehicles: mileage-based fee pilot program.	ASSEMBLY 5/27/2014-Read third time. Passed. (Ayes 23. Noes 11.) Ordered to the Assembly.	<p>Existing law establishes the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun.</p> <p>This bill would require the agency to develop, by January 1, 2016, a pilot program designed to assess specified issues related to implementing a mileage-based fee (MBF) in California to replace the state's existing fuel excise tax. The bill would require the agency, at a minimum, to assess certain issues related to implementing an MBF, including, among others, different methods for calculating mileage and collecting road use information, processes for managing, storing, transmitting, and destroying data to protect the integrity of the data and ensure drivers' privacy, and costs associated with the implementation and operation of the MBF system, as specified. The bill would also require the department to prepare and submit a specified report of its findings to the policy and fiscal committees of the Legislature no later than June 30, 2017. The bill would require the report to include, among other things, recommendations on how best to implement an MBF, as specified, and recommendations regarding public and private agency access to MBF data that ensures privacy rights as protected by the California Constitution. The bill would repeal these provisions on January 1, 2018. <b>Last Amended on 4/21/2014</b></p>	
<a href="#">SB 1145</a> <a href="#">Corbett</a> D  Railroad crossings: quiet zones.	SENATE DEAD 5/9/2014-Failed Deadline pursuant to Rule 61(b)(6). (Last location was RLS. on 3/6/2014)	<p>Existing law generally requires a railroad to provide for the sounding of a horn or other similar device when a train will be entering a highway grade crossing, except in areas where a quiet zone has been established consistent with the requirements of federal regulations.</p> <p>This bill would state the intent of the Legislature to enact legislation to facilitate the process of establishing local safety enhancements at railroad crossings necessary for the approval of quiet zones.</p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 1156</a> <a href="#">Steinberg</a> D California Carbon Tax Law of 2014.	SENATE G. & F. 4/2/2014-Set, first hearing. Hearing canceled at the request of author.	<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 to include the use of market-based compliance mechanisms.</p> <p>This bill, effective January 1, 2015, would impose a carbon tax of an unspecified amount per ton of carbon-dioxide-equivalent emissions on suppliers of fossil fuels. The bill would require the State Board of Equalization to administer and implement the carbon tax, and would require revenues from the tax to be deposited in the Carbon Tax Revenue Special Fund in the State Treasury. The bill would exempt suppliers of fossil fuels subject to the tax from regulations imposed by the State Air Resources Board under the California Global Warming Solutions Act of 2006 relative to the compliance obligation in the second compliance period under which suppliers of specified fuels are required to obtain allowances for carbon-dioxide-equivalent emissions under the cap-and-trade program adopted by the State Air Resources Board. The bill would state the intent of the Legislature that revenues from the carbon tax be rebated to taxpayers, particularly low- and medium-income taxpayers, of other taxes, and for implementation of the carbon tax to be revenue neutral. This bill contains other related provisions.</p>	
<a href="#">SB 1183</a> <a href="#">DeSaulnier</a> D Vehicle registration fees: surcharge for bicycle infrastructure.	ASSEMBLY 5/28/2014-Action From THIRD READING: Read third time. Passed Senate to ASSEMBLY.  <b>5/28/2014 #63 SENATE BILLS-THIRD READING FILE</b>	<p>Existing law provides for the imposition of certain registration fees on motor vehicles, including certain fees imposed by local agencies for various specified purposes.</p> <p>This bill would authorize a city, county, or regional park district to impose, as a special tax, a motor vehicle registration surcharge of not more than \$5 for bicycle infrastructure purposes. The bill would require the Department of Motor Vehicles to administer the surcharge and to transmit the net revenues from the surcharge to the local agency. The bill would require the local agency to use these revenues for improvements to paved and natural surface trails and bikeways, including existing and new trails and bikeways and other bicycle facilities, and for associated maintenance purposes. The bill would limit to 5% the amount of net revenues that may be used by the local agency for its administrative expenses in implementing these provisions. <b>Last Amended on 5/27/2014</b></p>	Support

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 1204</a> <a href="#">Lara D</a> California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program.	ASSEMBLY 5/27/2014-Read third time. Passed. (Ayes 26. Noes 10.) Ordered to the Assembly.	<p>Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board from the auction or sale of allowances as part of a market-based compliance mechanism relative to reduction of greenhouse gas emissions, commonly known as cap and trade revenues, to be deposited in the Greenhouse Gas Reduction Fund, and to be used, upon appropriation by the Legislature, for specified purposes.</p> <p>This bill would create the California Clean Truck, Bus, and Off-Road Vehicle and Equipment Technology Program, to be funded from cap and trade revenues, to fund zero- and near-zero emission truck, bus, and off-road vehicle and equipment technologies and related projects, as specified, with priority to be given to certain projects, including projects that benefit disadvantaged communities. The program would be administered by the state board, in conjunction with the State Energy Resources Conservation and Development Commission. The bill would require the state board, in consultation with the commission, to create a multiyear framework and plan, and to adopt guidelines for implementation of the program.</p> <p><b>Last Amended on 5/6/2014</b></p>	
<a href="#">SB 1350</a> <a href="#">Lara D</a> Baby diaper changing accommodations .	ASSEMBLY DESK 5/23/2014-In Assembly. Read first time. Held at Desk.	<p>Existing law requires publicly and privately owned facilities where the public congregates to be equipped with sufficient restrooms to meet the needs of the public at peak hours.</p> <p>This bill would require the California Building Standards Commission to develop and adopt standards governing the installation of baby diaper changing accommodations for restroom facilities in a place of public accommodation, as specified. The bill would require the commission to require, when developing the building standards that any place of public accommodation that installs a baby diaper changing accommodation ensures that the accommodation is equally available or provided regardless of the gender for which the restroom facilities are designed. This requirement would only apply under specified circumstances, including when there is construction of a new restroom or substantial renovation of a restroom, as specified. The bill would authorize the commission, in adopting this standard, to consult with the State Architect, the State Department of Housing and Community Development, the Office of Statewide Health Planning and Development, and other interested parties. The bill would also authorize the commission to expend funds from the Building Standards Administration Special Revolving Fund, upon appropriation as specified, for the development and adoption of these standards. This bill contains other existing laws. <b>Last Amended on 5/5/2014</b></p>	

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 1368</a> <a href="#">Wolk D</a>  State highways: relinquishment.	ASSEMBLY 5/27/2014-Read third time. Passed. (Ayes 35. Noes 0.) Ordered to the Assembly.	<p>Existing law gives the Department of Transportation full possession and control of all state highways. Existing law provides for the relinquishment of state highways or portions of state highways to any county or city by the California Transportation Commission in accordance with specified criteria and procedures. Existing law, in addition, authorizes the commission to relinquish to a county transportation commission or regional transportation planning agency a park-and-ride lot within their respective jurisdictions, if the department enters into an agreement with the county transportation commission or regional transportation planning agency providing for that relinquishment and other conditions are satisfied.</p> <p>This bill would also authorize the commission to relinquish a park-and-ride lot to a joint powers authority formed for purposes of providing transportation services in the manner described above.</p>	Support
<a href="#">SB 1433</a> <a href="#">Hill D</a>  Local Agency Public Construction Act: transit design-build contracts.	ASSEMBLY L. GOV. 5/23/2014-Referred to Coms. on L. GOV. and TRANS.  <b>6/18/2014 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, ACHADJIAN, Chair</b>	<p>Existing law authorizes a transit operator to enter into a design-build contract, as specified. Existing law defines a "transit operator" as a transit district, included transit district, municipal operator, included municipal operator, or transit development board, a consolidated agency, or any joint powers authority formed to provide transit service. Existing law establishes conditions for the selection of the design-build entity relating to the dollar amounts of the contracts. Existing law requires a transit operator, as defined, awarding a contract for a public works project pursuant to these provisions, to reimburse the Department of Industrial Relations for costs of performing prevailing wage monitoring and enforcement of the public works project and would require moneys collected to be deposited into the State Public Works Enforcement Fund, a continuously appropriated fund. Existing law repeals these provisions on January 1, 2015.</p> <p>This bill would include in the definition of "transit operator" any other local or regional agency responsible for the construction of transit projects, thereby extending the design-build procurement authorization. The bill would eliminate the requirement that the project cost exceed a specified amount. The bill would delete the repeal date, thus extending the operation of these provisions indefinitely. This bill contains other related provisions and other existing laws.</p>	Support

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SB 1451</a> <a href="#">Hill D</a>  Environmental quality: judicial review: standing.	SENATE DEAD 5/9/2014-Failed Deadline pursuant to Rule 61(b)(6). (Last location was JUD. on 5/1/2014)	<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 on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.</p> <p>This bill would require that the alleged grounds for noncompliance shall have been presented to a public agency prior to the close of the public hearing on the project if the grounds for noncompliance were not known and could not have been known with the exercise of reasonable diligence during the public comment period or if no public comment period was provided by CEQA. The bill would limit the standing of a person objecting to the project prior to the close of the public hearing on the project before the filing of notice of determination to an action or proceeding challenging a project for which no public comment period was provided by CEQA. This bill contains other related provisions and other existing laws. <b>Last Amended on 4/21/2014</b></p>	Support
<a href="#">SCA 4</a> <a href="#">Liu D</a>  Local government transportation projects: special taxes: voter approval.	SENATE APPR. 8/29/2013-Re-referred to Com. on APPR.	<p>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities.</p> <p>This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for local transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax includes certain requirements. This measure would prohibit a local government from expending any revenues derived from a special transportation tax approved by 55% of the voters at any time prior to the completion of a statutorily identified capital project funded by revenues derived from another special tax of the same local government that was approved by a 2/3 vote. The measure would also make conforming and technical, non-substantive changes.</p> <p><b>Last Amended on 8/28/2013</b></p>	Support

## Peninsula Corridor Joint Powers Board State Legislative Matrix as of 5-28-14

Bill ID/Topic	Location	Summary	Position
<a href="#">SCA 8</a> <a href="#">Corbett</a> D  Transportation projects: special taxes: voter approval.	SENATE APPR. 8/29/2013-Re-referred to Com. on APPR.	<p>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities.</p> <p>This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for transportation projects requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax includes certain requirements. The measure would also make conforming and technical, non-substantive changes. <b>Last Amended on 5/21/2013</b></p>	Support
<a href="#">SCA 9</a> <a href="#">Corbett</a> D  Local government: economic development: special taxes: voter approval.	SENATE APPR. 6/27/2013-Re-referred to Com. on APPR.	<p>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities.</p> <p>This measure would provide that the imposition, extension, or increase of a special tax by a local government for the purpose of providing funding for community and economic development projects, as specified, requires the approval of 55% of its voters voting on the proposition, if the proposition proposing the tax contains specified requirements. The measure would also make conforming and technical, non-substantive changes. <b>Last Amended on 5/21/2013</b></p>	
<a href="#">SCA 11</a> <a href="#">Hancock</a> D  Local government: special taxes: voter approval.	SENATE APPR. 6/27/2013-Re-referred to Com. on APPR.	<p>The California Constitution conditions the imposition of a special tax by a local government upon the approval of 2/3 of the voters of the local government voting on that tax, and prohibits a local government from imposing an ad valorem tax on real property or a transactions tax or sales tax on the sale of real property.</p> <p>This measure would instead condition the imposition, extension, or increase of a special tax by a local government upon the approval of 55% of the voters voting on the proposition, if the proposition proposing the tax contains specified requirements. The measure would also make conforming and technical, non-substantive changes. <b>Last Amended on 5/21/2013</b></p>	Support

**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: **CAPITAL PROJECTS QUARTERLY STATUS REPORT –  
3<sup>rd</sup> QUARTER FISCAL YEAR 2014**

**ACTION**

No action required. The [Capital Projects Quarterly Status Report](#) is submitted to the Board for information only.

**SIGNIFICANCE**

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

**BUDGET IMPACT**

There is no impact on the budget.

**BACKGROUND**

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

Prepared by: Kelvin Yu, Manager, Project Controls

650.622.7853