



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD Advocacy and Major Projects (AMP) Committee Meeting

August 30, 2023, 3:30 pm

Bacciocco Auditorium, 2nd Floor
1250 San Carlos Ave., San Carlos, CA

Committee Members: Steve Heminger (Chair), Cindy Chavez (Vice Chair), Jeff Gee

Members of the public may participate remotely or in-person, provided that they satisfy the safety protocols listed below.

Members of the public may participate remotely via Zoom at <https://us02web.zoom.us/j/84582532747?pwd=dGdjV3lQVW1RUGUyZk9SSml6aXZRZz09> or by entering Webinar ID: **845 8253 2747**, Passcode: **268109**, in the Zoom app for audio/visual capability or by calling 1-669-444-9171 (enter webinar ID and press # when prompted for participant ID) for audio only. The video live stream will be available after the meeting at <https://www.caltrain.com/video-board-directors>.

Members of the public also may participate in person at: San Mateo County Transit District, Bacciocco Auditorium - Second Floor, 1250 San Carlos Ave., San Carlos, CA, or any other noticed location provided they comply with the following safety protocols:

Please Note the Following COVID-19 Protocols for In-person Attendance:

Visitors who have been exposed to the COVID-19 virus, who have received a positive COVID-19 test results, or who are experiencing any of the following COVID-19 related symptoms should refrain from participating in person:

- Cough
- Fatigue
- Sore Throat
- Headache
- Congestion or runny nose
- Nausea or vomiting
- Muscle or body aches
- Diarrhea
- Fever or Chills
- Loss of taste or smell
- Shortness of Breath

Public Comments: Public comments may be submitted to publiccomment@caltrain.com prior to the meeting’s call to order so that they can be sent to the Board as soon as possible, while those received

during or after an agenda item is heard will be included into the Board's weekly correspondence and posted online at: <https://www.caltrain.com/about-caltrain/meetings>.

Verbal public comments will also be accepted during the meeting in person and through Zoom* or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Participants using Zoom over the Internet should use the Raise Hand feature to request to speak. For participants calling in, dial *67 if you do not want your telephone number to appear on the live broadcast. Callers may dial *9 to use the Raise Hand feature for public comment. Each commenter will be recognized to speak, and callers should dial *6 to unmute themselves when recognized to speak.

Each public comment is limited to two minutes. The Board Chair has the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

August 30, 2023 - Wednesday

3:30 pm

All items to which [Government Code section 84308](#) applies have been marked with an asterisk

A double asterisk indicates that one or more Directors of the JPB serve on the governing board of a public agency with which the JPB proposes to contract. Under Government code section 1091(a)(9), this relationship is considered to be a noninterest but it must be disclosed.

1. Call to Order / Pledge of Allegiance
2. Roll Call
3. Public Comment on Items Not on the Agenda
Comments by each individual speaker shall be limited to two (2) minutes. Items raised that require a response will be deferred for staff to reply.
4. Meeting Minutes of June 28, 2023 Motion
5. State and Federal Legislative Update and Approval of Legislative Proposal:
Support SB 410 (Becker) Motion
6. Diridon Station Business Case Update Informational
7. San Francisco Downtown Rail Extension (DTX): Relation to Other San Francisco
Rail Projects Informational
8. Bay Pass Pilot Update Informational
9. Committee Member Requests
10. Date/Time of Next Regular AMP Committee Meeting: Wednesday, September 27, 2023 at 3:30 pm.
The meeting will be accessible via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.
11. Adjourn

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

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. Communications to the Board of Directors can be e-mailed to board@caltrain.com. *Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电1.800.660.4287.*

Date and Time of Board and Committee Meetings

JPB Board: First Thursday of the month, 9:00 am; JPB Advocacy and Major Projects (AMP) Committee: Two Wednesdays before the Board meeting, 3:30 pm. The date, time, and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

Location of Meeting

Members of the Public may attend this meeting in person or remotely via Zoom. *Should Zoom not be operational, please check online at <https://www.caltrain.com/about-caltrain/meetings> for any updates or further instruction.

Public Comment*

Members of the public are encouraged to participate remotely or in person. Public comments may be submitted by comment card in person and given to the JPB Secretary. Prior to the meeting's call to order, public comment may be sent to publiccomment@caltrain.com so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board's weekly correspondence and posted online at: <https://www.caltrain.com/about-caltrain/meetings>.

Oral public comments will also be accepted during the meeting in person or through Zoom or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Each commenter will be automatically notified when they are unmuted to speak for two minutes or less. The Board Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

Accessible Public Meetings/Translation

Upon request, the JPB will provide 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 and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least 72 hours in advance of the meeting or hearing. Please direct requests for disability-related modification and/or interpreter services to the Title VI Administrator at San Mateo County Transit District, 1250 San Carlos Avenue, San Carlos, CA 94070-1306; or email titlevi@samtrans.com; or request by phone at 650-622-7864 or TTY 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 is 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
Advocacy and Major Projects (AMP) Committee
1250 San Carlos Avenue, San Carlos, CA 94070
Minutes of June 28, 2023**

Members Present: Cindy Chavez, Jeff Gee, Steve Heminger (Chair)
Members Absent: None
Staff Present: M. Bouchard, D. Chazan, J. Harrison, D. Ryan, S. Sargent, D. Seamans,
M. Tseng

1. Call to Order/Pledge of Allegiance

Chair Heminger called the meeting to order at 3:30 pm and led the Pledge of Allegiance.

2. Roll Call

District Secretary Dora Seamans called the roll and confirmed a quorum was present.

3. Public Comment on Items not on the Agenda

There were none.

4. Consent Calendar

4.a. Meeting Minutes of May 24, 2023

Motion/Second: Chavez/Gee

Ayes: Chavez, Gee, Heminger

Noes: None

Absent: None

5. San Francisco Downtown Rail Extension (DTX) Project: Progress Update on Agreements with the Transbay Joint Powers Authority (TJPA)

Dahlia Chazan, Deputy Chief of Caltrain Planning, provided the presentation that included the following:

- TJPA is lead agency for project and seeking FTA (Federal Transit Administration) funding
- Ad Hoc Committee formed to advise staff with development of MCA (Master Cooperative Agreement)
- Downtown extension work funded by TJPA; funding agreement will expire at end of August
- Expect to bring Terminal and Mainline (also known as railyards) Agreement for enabling work planned at railyards to the Board
- Ensured core of work represents Board-adopted principals for capital cost neutrality
- Previously FTA allowed 2019 ridership for ridership modeling baseline, but this is no longer the case. The project will need to use 2022 as baseline for calculating future ridership, which is significantly lower than 2019

- Discussed with TJPA the concept of including expansion EMU (electric multiple units) in project definitions

The Committee members had a discussion and staff provided further clarification in response to the Committee comments and questions, which included the following:

- Clarified ridership model on slide 7 was a baseline hybrid of both the pre-pandemic model and 2022 ridership numbers
- Two phased approach is helpful. 2024 is election year and the need to get new commitment for project in Washington, D.C. (District of Columbia)
- FTA guidance list of projects was final and did not include DTX
- Use ridership demographics and estimates for 2040 Service Vision to understand methodology in how the project was assessed
- FTA guidance with current ridership conditions and implications considering current hybrid work model and slow ridership recovery

6. State and Federal Legislative Update

Devon Ryan, Government Affairs Officer, provided the presentation that included the following:

- Federal Rail Safety Act still waiting on Senate floor
- Community project request on grade crossing improvements was submitted and moving thru the appropriations process
- Creation of Transit Transformation Task Force that included representatives from transit operators focusing on the engagement process for all parties to develop policy recommendations to grow transit ridership and improve transit experience
- Senator Weiner introduced SB (State Bill) 532 to increase bridge tolls by \$1.50 for a period of five years to support transit operators facing fiscal cliffs
 - Estimated to bring about \$900 million dollars over five years to be distributed by MTC (Metropolitan Transportation Commission)
 - 90 percent of funds would go to transit operators to maintain FY 2022-2023 service levels
 - 10 percent would go to support efforts, such as implementing regional transit initiatives and safety security, cleanliness, or reliability improvements to help attract riders
 - SB 532 is at Assembly Transportation Committee and set for hearing on July 5th

Director Chavez commented on the following:

- Total costs for bridge tolls relative to RM3 (State Regional Measure 3), which has scheduled implementation
- What bridges need to receive tolls
- Implications of the revenues – how it is shared and who gets impacted by bridge tolls
- Encouraged staff to have long-term discussion with State Legislature in the Fall

Public comment

Adina Levin, Friends of Caltrain and Seamless Bay Area, commented on the state budget and other potential funding opportunities to help stave off the earliest fiscal cliff impacts; SB532 bridge toll increase has laid groundwork for the potential 2026 regional measure; and, AB (Assembly Bill) 761 provisions for State Task Force for long term funding from State.

7. MTC (Metropolitan Transportation Commission) Regional Monthly Update

Sam Sargent, Director of Strategy and Policy, provided the presentation that included the following:

- MTC led effort to try to advance regional transit improvement projects
- Operations Committee repurposed to Policy Advisory Committee included Commissioners David Canepa and Matt Mahan
- Bay Pass Pilot Program, the regional institutional pass program, began phase one in 2022 and consisted of only one percent Caltrain riders
- Phase two with more than 10 additional institutions, allows unlimited trips on the 24 Clipper participating transit systems, has allocated \$6 million to cover the pilot cost
- One-third of the pre-pandemic revenue, about \$30 million dollars, came from the GoPass program, and is currently at \$17 million dollars
- Concerns with Bay Pass pilot program pricing that could potentially undercut our current GoPass product and ensuring revenue neutrality for all participating operators

The Committee members had a discussion and staff provided further clarification in response to the Committee comments and questions, which included the following:

- Clarification on RNM (Regional Network Management) management, such as authority, accountability, and disagreement resolution
- KPMG (Kaiser Permanente Medical Group) working on the charter and governance documents
- Joint MTC project management team engaging operators to address concerns
- Need clarification around governance structure, escalation ladders, authority of project management team, dispute resolution process, and agreement on guiding principals
- Technological limitations with Clipper relative to the desired set of outcomes for regional use by 27 different agencies

Public comment

Adina Levin referenced a letter sent from Friends of Caltrain, Seamless Bay Area, SPUR (San Francisco Bay Area Planning and Urban Research Association), and TransFormCA to the Fare Integration Task Force urging all agencies to work with Bay Pass in terms with how to make it work and get back up funding.

8. Date/Time of Next Regular AMP Committee Meeting: Wednesday, July 26, 2023 at 3:30 pm.

9. Committee Member Requests

Chair Heminger requested for staff analysis and updates for SB 532 bridge toll bill.

10. Adjourn

The meeting adjourned at 4:46 pm

DRAFT

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Casey Fromson, Chief Communications Officer
Subject: **State and Federal Legislative Update and Approval of Legislative Proposal:
Support SB 410 (Becker)**

Staff Coordinating Council Reviewed Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

Staff proposes the Committee recommend the Board:

1. Receive the attached State and Federal Legislative Updates
2. Approve Legislative Proposal:
 - a. Support SB 410 (Becker)

Discussion

The 2023 Legislative Program establishes the principles that will guide the legislative and regulatory advocacy efforts. Based on those principles, staff coordinates closely with our Federal and State advocates on a wide variety of issues that are considered in Congress and the State legislature. The attached reports highlight the recent issues and actions that are relevant to the Board.

Budget Impact

None.

Prepared By: Devon Ryan Government & Community Affairs 650.730.6172
Officer



August 11, 2023

TO: Caltrain Board of Directors

FM: Matt Robinson & Michael Pimentel, Shaw Yoder Antwih Schmelzer & Lange
Mike Robson & Bridget McGowan, Edelstein Gilbert Robson & Smith LLC

RE: **STATE LEGISLATIVE UPDATE – September 2023**

General Update

We are approaching the closing weeks of the first year of a two-year session. The Legislature recently wrapped up with the second policy committee deadline in which bills were required to pass out of policy committees in the second house by July 14. The Legislature returned from summer recess on August 14.

The Legislature must meet the fiscal committee deadline on September 1, where all fiscal bills must pass out of the Appropriations Committee in the second house in order to keep moving. After that, the Legislature will have two weeks to pass the remaining bills off the floor in the second house and in many cases, the floor of the house of origin for concurrence, before session adjourns on September 14.

After Session adjourns on September 14, the Governor will have until October 14 to sign the bills on his desk. The Legislature will remain on recess until Session reconvenes on January 3.

Bills with Recommended Action

SB 410 (Becker) – Powering Up Californians Act. This bill would require the California Public Utilities Commission (CPUC) to set targets for investor-owned utilities for energization time periods to give more certainty on the time to connect to the grid as well as reporting requirements. The bill passed out of the Assembly Utilities and Energy Committee on July 13 and will go to the Assembly Appropriations Committee next. ***Recommend Support***

Bills with Action Taken

ACA 1 (Aguiar – Curry) – Local Government Financing. Assemblymember Aguiar-Curry reintroduced ACA 1, which would reduce the voter-approval threshold from 2/3 to 55% for cities and counties to issue bonds or raise taxes for public infrastructure and affordable housing projects. Caltrain supported this measure in 2021. The bill passed out of the Assembly Local Government Committee in July and was re-referred to the Appropriations Committee. ***Support.***

AB 463 (Hart) - Public Transit Electricity Prioritization. This bill would require the California Public Utilities Commission (CPUC) to consider the impacts of stopping electrical service to the operation of public transit vehicles when establishing priorities for electrical services that provide public benefits. This bill was held in the Assembly Appropriations Committee so it will not move further. **Support.**

AB 557 (Hart) - AB 361 Sunset Extension. This bill would remove the sunset established in AB 361 (R. Rivas) as well as increase the time period when the Board must renew the findings of an emergency or need for social distancing from 30 days to 45 days. This bill passed out of two policy committees in the Senate with clarifying amendments and is now on the Senate Floor. **Support.**

AB 1377 (Friedman) - Homeless Housing, Assistance, and Prevention Program. This bill would require applicants for the Homeless Housing, Assistance, and Prevention Program to include data and a narrative summary of steps taken to improve the delivery of housing and services to people experiencing homelessness on transit properties in their jurisdiction. The bill passed out of two policy committees in the Senate and is now pending a hearing in the Senate Appropriations Committee. **Support.**

Bills of Interest

AB 96 (Kalra) – Local Public Transit Agencies: New Technologies. Assemblymember Kalra reintroduced a version of AB 2441 from last year, which was ultimately vetoed by the Governor. The bill imposes requirements on public transit employers relating to the introduction of new technologies that could eliminate job functions and requires public transit employers to provide notice to employee representatives prior to procuring, acquiring or deploying these technologies and subject this to collective bargaining, among other requirements. The bill is on the Senate Floor.

AB 610 (Holden) - Free Youth Transit Passes. This bill would, upon appropriation of moneys by the Legislature, create the Student Transit Pass Pilot Program for the purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free student transit passes to persons attending public educational institutions, and persons 18 years of age or younger, providing free transit service to holders of those passes, and administering and participating in the program. Grants would be awarded based on the aggregate enrollment of students at eligible educational institutions within the county served by those transit agencies. The bill would authorize a transit agency to submit a grant application in partnership with one or more public educational institutions and would also authorize grant funds to be used to maintain, subsidize, or expand an existing fare free program.

This bill passed out of the Senate Transportation Committee unanimously and will go the Senate Appropriations Committee next.

AB 817 (Pacheco) – Open Meeting Flexibility for Subsidiary Bodies. This bill allows subsidiary bodies to use teleconferencing without regard to a state of emergency if they meet certain requirements. Subsidiary bodies are bodies that serve in an advisory capacity and do not take final action on specified items. This bill was not heard in the Assembly Local Government Committee and will not move further this year.

AB 1379 (Papan) - Teleconference Flexibilities. AB 1379 expands various flexibilities for local agencies under the Brown Act including, but not limited to, relaxing requirements for posting teleconference

locations, relaxing certain quorum requirements, removing the existing January 1, 2026 sunset date of flexibilities in current law, removing restrictions that prohibit members from participating remotely for more than two meetings a year, among other changes. The bill also requires that a legislative body have at least two meetings a year where members are in person at a single designated location. Like AB 817, this bill was not heard in the Assembly Local Government Committee and will not move further this year.

SB 532 (Wiener) Bridge Toll Increase. This bill would increase the toll for vehicles for crossing toll bridges in the San Francisco Bay area by \$1.50 until December 31, 2028, and require the revenues collected from this toll to be used by MTC for allocation to transit operators that provide service within the San Francisco Bay area and experiencing an operations funding challenge. Any transit operator seeking an allocation would be required to submit a 5-year projection of its operating need. This bill passed out of the Assembly Transportation Committee on July 5 and was referred to the Assembly Appropriations Committee. On August 21st, Senator Wiener announced a pause on the bill. Instead of continuing through the legislative process this year, Senator Wiener and Assemblymember Wilson will convene a working group of Bay Area legislators over the fall to determine what transit funding proposals to pursue in the next legislative session.

SB 537 (Becker) - Teleconference Flexibilities. This bill was amended to provide a narrow exemption under the Brown Act for certain legislative bodies to participate in meetings via teleconferencing outside of a declared state of emergency without posting the physical location of members, but still requiring a quorum to be present at a meeting location within the jurisdiction and would only allow remote participation without posting the specific location for members participating from a public location more than 40 miles from the in-person meeting location. The bill would define “legislative body” to mean a board, commission, or advisory body of an appointed multijurisdictional cross county agency and defines “multijurisdictional” to mean a legislative body that includes representatives from more than one county, city, city and county, special district, or a joint powers entity. The bill would expand the circumstances of “just cause” under the AB 2449 (Rubio) authorization to apply to the situation in which an immunocompromised child, parent, grandparent, or other relative requires the member to participate remotely. On July 12, the bill passed out of the Assembly Local Government Committee with various committee amendments that are not yet in print.

Grants

On August 17, the California Transportation Commission (CTC) approved allocations of CalSTA Transit and Intercity Rail Capital Program (TIRCP) awards to Caltrain which included \$367M directed towards the Electrification Project and \$80M directed towards a battery-equipped electric multiple unit (BEMU) pilot demonstration project.

TIRCP and Zero-Emission Transit Capital Program (ZETCP) guidelines were released for comment. More information including a timeline can be found here. SB 125 guides the distribution of \$4 billion in General Fund through TIRCP on a population-based formula to regional transportation planning agencies (RTPAs), such as MTC for the Bay Area, which will have the flexibility to use the money to fund transit operations or capital improvements. The transportation budget trailer bill also establishes the \$1.1 billion Zero-Emission Transit Capital Program to be allocated RTPAs on a population-based formula and another formula based on revenues to fund zero-emission transit equipment and operations. SB 125 also includes an accountability program to govern distribution of these funds.

Grade Separation Funding - Below is a list of the funding sources that we are aware of and/or that have been used to fund grade separations in the recent years. The funding sources below are managed across various state agencies and departments, including the Public Utilities Commission (PUC), the California State Transportation Agency (CalSTA), the California Transportation Commission (CTC), and Caltrans.

PUC Section 190 Grade Separation Program – The Program is a state funding program to grade separate crossings between roadways and railroad tracks and provides approximately \$15 million annually, transferred from Caltrans. Agencies apply to the PUC for project funding.

State Transportation Improvement Program – The STIP, managed by Caltrans and programmed by the CTC, is primarily used to fund highway expansion projects throughout the state, but also supports grade separations. The STIP is programmed every two years. The 2022 STIP, adopted in March 2022, includes \$796 million in new STIP funding capacity. Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

Proposition 1A – This \$9.9 billion Bond Act is the primary funding source for the high-speed rail project and has been used to fund a very limited number of grade separation projects in the past, including in the City of San Mateo.

State Legislative Matrix 8/4/2023

Bill Number (Author)	Summary	Location	Position
<p>AB 6 (Friedman D)</p> <p>Transportation planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions.</p>	<p>Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires that each regional transportation plan also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. This bill would require the state board, after January 1, 2024, and not later than September 30, 2026, to establish additional targets for 2035 and 2045, respectively, as specified. This bill contains other existing laws.</p> <p>Amended: 3/16/2023</p>	<p>Senate 2 year</p>	<p>Watch</p>
<p>AB 7 (Friedman D)</p> <p>Transportation: planning: project selection processes.</p>	<p>Existing law establishes within state government 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. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish coordinated planning and policy formulation in matters of public interest, including transportation projects. On and after January 1, 2025, and to the extent applicable and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified principles into their existing program funding guidelines and processes.</p> <p>Amended: 6/28/2023</p>	<p>Senate Appropriations</p>	<p>Watch</p>
<p>AB 96 (Kalra D)</p> <p>Public employment: local public transit agencies: autonomous transit vehicle technology.</p>	<p>Existing law creates various transit districts and prescribes requirements applicable to their labor relations, including those that address the recognition and certification of exclusive employee representatives, unit determinations, and procedures for meeting and conferring on matters subject to collective bargaining. This bill would require a public transit employer, at least 10 months before beginning a procurement process to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of a workforce, to provide written notice to the exclusive employee representative of the workforce affected by the autonomous transit vehicle technology of its determination to begin that procurement process. The bill would require the public transit employer and exclusive employee</p>	<p>Senate Third Reading</p>	<p>Watch</p>

	<p>representative, upon written request by the exclusive employee representative, to commence collective bargaining within a specified time period on certain subjects, including creating plans to train and prepare the affected workforce to fill new positions created by the autonomous transit vehicle technology.</p> <p>Amended: 6/15/2023</p>		Item #5. 8/30/2023
<p>AB 241 (Reyes D)</p> <p>Vehicular air pollution: Clean Transportation Program: vehicle registration and identification plate service fees: smog abatement fee: extension.</p>	<p>Existing law, until January 1, 2024, increases the smog abatement fee on certain vehicles by a specified amount and requires the revenues generated by the increase to be deposited in the Air Quality Improvement Fund and the Alternative and Renewable Fuel and Vehicle Technology Fund. Existing law, until January 1, 2024, increases vehicle registration fees and certain service fees for identification plates by specified amounts. Existing law requires the revenue generated by the increase in those fees to be deposited in the Alternative and Renewable Fuel and Vehicle Technology Fund and either the Air Quality Improvement Fund or the Enhanced Fleet Modernization Subaccount, as provided. This bill would extend the increases in those charges to July 1, 2035. This bill contains other related provisions.</p> <p>Amended: 6/26/2023</p>	Assembly Third Reading	Watch
<p>AB 457 (Patterson, Joe R)</p> <p>Surplus Land Act: exempt surplus land: leases.</p>	<p>Existing law prescribes requirements for the disposal of surplus land, as defined, by a local agency, as defined. Existing law requires land to be declared surplus land or exempt surplus land, as supported by written findings, before a local agency takes any action to dispose of it consistent with the agency’s policies or procedures. Existing law requires any local agency disposing of surplus land to send, prior to disposing of that property or participating in negotiations to dispose of that property with a prospective transferee, a written notice of availability of the property pursuant to prescribed procedures. Under existing law, the disposal of exempt surplus land is not subject to these requirements. Existing law defines “exempt surplus land” for these purposes to include, among other things, surplus land that a local agency is transferring to another local, state, or federal agency for the agency’s use. This bill would expand that definition of “exempt surplus land” to include a parcel that (1) is identified in the local agency’s circulation element or capital improvement program for future roadway development, (2) is no larger than 2 acres, (3) is zoned for retail commercial use, and the use of the parcel is consistent with the underlying zoning, and (4) abuts a state highway right-of-way. This bill would become operative only if SB 747 of the 2023–24 Regular Session is enacted and takes effect on or before January 1, 2024. This bill contains other related provisions.</p> <p>Amended: 6/29/2023</p>	Senate Third Reading	Watch
<p>AB 463 (Hart D)</p> <p>Electricity: prioritization of service: public transit vehicles.</p>	<p>Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations and gas corporations. Existing law requires the commission to establish priorities among the types or categories of customers of every electrical corporation and every gas corporation, and among the uses of electricity or gas by those customers, to determine which of those customers and uses provide the most important public benefits and serve the greatest public need, and to categorize all other customers and uses in order of descending priority based on these standards. Existing law requires the commission, in establishing those priorities, to consider, among other things, the</p>	Assembly 2 year	Support

	<p>economic, social, and other effects of a temporary discontinuance in electrical or gas service to certain customers or for certain uses, as specified. If an electrical or gas corporation experiences a shortage of capacity or capability and is unable to meet all demands by its customers, existing law requires the commission to order that service be temporarily reduced by an amount that reflects the established priorities for the duration of the shortage. This bill would require the commission, in establishing those priorities, to also consider the economic, social equity, and mobility impacts of a temporary discontinuance in electrical service to the customers that rely on electrical service to operate public transit vehicles. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/6/2023</p>		<p>Item #5. 8/30/2023</p>
<p>AB 480 (Ting D) Surplus land.</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined, and requires, except as provided, a local agency disposing of surplus land to comply with certain notice requirements before disposing of the land or participating in negotiations to dispose of the land with a prospective transferee, particularly that the local agency send a notice of availability to specified entities that have notified the Department of Housing and Community Development of their interest in surplus land, as specified. Under existing law, if the local agency receives a notice of interest, the local agency is required to engage in good faith negotiations with the entity desiring to purchase or lease the surplus land. Existing law requires a local agency to take formal action in a regular public meeting to declare that land is surplus and is not necessary for the agency’s use and to declare land as either “surplus land” or “exempt surplus land,” as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency’s policies or procedures. This bill would exempt a local agency, in specified instances, from making a declaration at a public meeting for land that is “exempt surplus land” if the local agency identifies the land in a notice that is published and available for public comment at least 30 days before the exemption takes effect. This bill contains other related provisions and other existing laws.</p> <p>Amended: 7/3/2023</p>	<p>Senate Appropriations 8/14/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair</p>	<p>Watch</p>
<p>AB 557 (Hart D) Open meetings: local agencies: teleconferences.</p>	<p>Existing law, 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 contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency’s jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise the authority of a legislative body to hold a teleconference meeting under those abbreviated teleconferencing procedures when a declared state of emergency is in effect.</p>	<p>Senate Third Reading</p>	<p>Support</p>

	<p>Specifically, the bill would extend indefinitely that authority in the circumstances under which the legislative body either (1) meets for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (2) has previously made that determination. The bill would also extend the period for a legislative body to make the above-described findings related to a continuing state of emergency to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/19/2023</p>		<p>Item #5. 8/30/2023</p>
<p><u>AB 610 (Holden D)</u></p> <p>Youth Transit Pass Pilot Program: free youth transit passes.</p>	<p>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. Upon the appropriation of moneys by the Legislature, this bill would create the Youth Transit Pass Pilot Program, administered by the department, for purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free youth transit passes to persons attending certain educational institutions, providing free transit service to holders of those passes, and administering and participating in the program, as specified. The bill would authorize a transit agency to submit a grant application in partnership with one or more educational institutions and would also authorize grant funds to be used to maintain, subsidize, or expand an existing fare-free program, as provided. The bill would authorize a transit agency with an existing fare-free program that enables a person 18 years of age or younger to use a transit agency's bus and rail services without paying any additional fare or charge to submit an application without an educational institution partner, as provided. The bill would require the department to submit a report to specified committees of the Legislature on or before January 1, 2027, on, among other things, the outcomes of the program and the funding conditions associated with offering free youth transit passes, the status of transit pass programs statewide, and whether these provisions led to reductions in the emissions of greenhouse gases and vehicle miles traveled, as provided. The bill would repeal its provisions as of January 1, 2028. This bill contains other existing laws.</p> <p>Amended: 7/3/2023</p>	<p>Senate Appropriations</p>	<p>Watch</p>
<p><u>AB 744 (Carrillo, Juan D)</u></p> <p>California Transportation Commission: data, modeling, and analytic software tools procurement.</p>	<p>Existing law establishes the California Transportation Commission in the Transportation Agency. Existing law vests the California Transportation Commission with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. Upon the appropriation of funds by the Legislature, this bill would require the commission to acquire public domain or procure commercially available or open-source licensed data, modeling, and analytic software tools to support the state's sustainable transportation, congestion management, affordable housing, efficient land use, air quality, and climate change strategies and goals, as provided. This bill would authorize the commission to provide a direct allocation of funding to local agencies for the above purposes, and would require</p>	<p>Senate Appropriations</p> <p>8/14/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair</p>	<p>Watch</p>

	<p>state and local agencies that receive the funds or access to data, modeling, and analytic software tools to submit reports to the commission no later than August 1, 2026, regarding their use of the data, modeling, and analytic software tools. The bill would require the commission, based on those reports, to submit a report to the Legislature no later than June 1, 2027, regarding the use of the data, modeling, and analytic software tools by state and local agencies. This bill would authorize the commission to establish best practices for use of data in transportation planning and to identify data elements that should be made available to state and local agencies for transportation planning. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/21/2023</p>		<p>Item #5. 8/30/2023</p>
<p>AB 756 (Papan D)</p> <p>Department of Transportation: contaminated stormwater runoff: salmon and steelhead trout bearing surface waters.</p>	<p>Existing law vests the Department of Transportation with full possession and control of all state highways. This bill would require the department, in consultation with the State Water Resources Control Board, the Department of Toxic Substances Control, and the Department of Fish and Wildlife, to develop a programmatic environmental review process to prevent 6PPD and 6PPD-quinone from entering salmon and steelhead trout bearing surface waters of the state. The bill would require the department's 6PPD and 6PPD-quinone programmatic environmental review process to include, among other specified components, a pilot project at a particular highway crossing over the San Mateo Creek to study the effectiveness and cost effectiveness of installing and maintaining bioretention and biofiltration comparatively along department rights-of-way to eliminate the discharge of 6PPD and 6PPD-quinone into surface waters of the state, as specified. The bill would require, no later than December 31, 2026, the Director of Transportation to submit a report to the Legislature describing the department's strategy to eliminate the discharge of 6PPD and 6PPD-quinone by the department to all salmon and steelhead trout bearing surface waters of the state. This bill contains other related provisions.</p> <p>Amended: 3/2/2023</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p>AB 761 (Friedman D)</p> <p>Transit Transformation Task Force.</p>	<p>Existing law establishes the Transportation Agency, which consists of various departments and state entities, including the California Transportation Commission and the Department of Transportation. Under existing law, the agency is under the supervision of an executive officer known as the Secretary of Transportation, who is required to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, and coordinated planning and policy formulation in the matters of public interest related to the agency. Existing law provides for the funding of public transit, including under the Transportation Development Act. This bill would require the secretary, on or before July 1, 2024, to establish and convene the Transit Transformation Task Force to include representatives from the department, the Controller's office, various local agencies, academic institutions, nongovernmental organizations, and other stakeholders. The bill would require the task force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit ridership and improve the transit experience for all users of those services. The bill would require the secretary, in consultation with the task force, to prepare and submit a report of findings based on the task force's efforts to the appropriate policy and</p>	<p>Senate 2 year</p>	<p>Watch</p>

	<p>fiscal committees of the Legislature on or before January 1, 2025. The bill would require the report to include a detailed analysis of specified issues and recommendations on specified topics. The provisions of the bill would be repealed on January 1, 2028. This bill contains other existing laws.</p> <p>Introduced: 2/13/2023</p>		Item #5. 8/30/2023
<p>AB 817 (Pacheco D)</p> <p>Open meetings: teleconferencing: subsidiary body.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter. This bill contains other existing laws.</p> <p>Amended: 3/16/2023</p>	Assembly 2 year	Watch
<p>AB 819 (Bryan D)</p> <p>Crimes: public transportation: fare evasion.</p>	<p>Existing law makes it a crime, punishable as an infraction and subsequently as a misdemeanor, for an adult to evade payment of a fare of a public transportation system, the misuse of a transfer, pass, ticket, or token with the intent to evade the payment of a fare, or the unauthorized use of a discount ticket, as specified. Under existing law, a 3rd or subsequent violation of fare evasion or other listed associated violations is a misdemeanor and punishable by a fine of up to \$400 or by imprisonment in a county jail for a period of not more than 90 days, or both. This bill would no longer categorize as a misdemeanor a 3rd or subsequent violation, by an adult, of evading the payment of a fare of a public transportation system, the misuse of a transfer, pass, ticket, or token with the intent to evade the payment of a fare, or the unauthorized use of a discount ticket, and would make a 3rd or subsequent violation punishable only by a fine of up to \$400.</p> <p>Introduced: 2/13/2023</p>	Senate Third Reading	Watch
AB	Existing law establishes the California Transportation Commission in the	Senate Third Reading	Watch

<p>832 (Cervantes D)</p> <p>California Transportation Commission: membership.</p>	<p>Transportation Agency. Existing law vests the California Transportation Commission with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. Under existing law, the commission consists of 13 members, including 9 members appointed by the Governor with the advice and consent of the Senate, one member appointed by the Speaker of the Assembly, and one member appointed by the Senate Committee on Rules, as specified. Existing law requires the Governor, in appointing those members to the commission, to make every effort to ensure, among other things, the commission has a diverse membership with expertise in transportation issues, taking into consideration factors, including, but not limited to, socioeconomic background and professional experience, which may include experience working in, or representing, disadvantaged communities. This bill would require that at least one of those Governor-appointed members of the commission have expertise in transportation issues and professional experience that includes experience working in, or representing, disadvantaged communities.</p> <p>Amended: 3/1/2023</p>		<p>Item #5. 8/30/2023</p>
<p>AB 837 (Alvarez D)</p> <p>Surplus land: exempt surplus land: sectional planning area.</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency. Existing law defines terms for these purposes, including, among others, “surplus land” to mean land owned in fee simple by any local agency for which the local agency’s governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use. Existing law defines “exempt surplus land” to mean, among other things, surplus land that a local agency is exchanging for another property necessary for the agency’s use and surplus land that a local agency is transferring to another local, state, or federal agency for the agency’s use. Existing law provides that an agency is not required to follow the requirements for disposal of surplus land for “exempt surplus land,” except as provided. This bill would provide, until January 1, 2024, that land that is subject to a sectional planning area, as described, is not subject to the above-described requirements for the disposal of surplus land if specified conditions are met. The bill would, commencing April 1, 2025, and annually thereafter, require a local agency that disposes of land pursuant to these provisions submit a specified report to the Department of Housing and Community Development. The bill would make a local agency that disposes of land in violation of these provisions liable for a civil penalty, as specified. This bill contains other related provisions.</p> <p>Amended: 5/1/2023</p>	<p>Senate 2 year</p>	<p>Watch</p>
<p>AB 980 (Friedman D)</p> <p>Active Transportation Program: report.</p>	<p>Existing law establishes the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking. Existing law requires the California Transportation Commission to develop guidelines and project selection criteria for the program and authorizes the commission to amend the adopted guidelines after conducting at least one public hearing. This bill would require an applicant that receives funding under the program for a project to, within one year of completing the project, submit a report to the commission describing how the project met active transportation goals.</p>	<p>Assembly 2 year</p>	<p>Watch</p>

	Amended: 3/13/2023		Item #5. 8/30/2023
AB 1335 (Zbur D) Local government: transportation planning and land use: sustainable communities strategy.	Existing law requires specified designated transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, as described. Existing law requires the plan to include specified information, including a sustainable communities strategy prepared by each metropolitan planning organization, and requires each transportation planning agency to adopt and submit, every 4 years, an updated plan to the California Transportation Commission and the Department of Transportation. Existing law requires the sustainable communities strategy to include specified information, including an identification of areas within the region sufficient to house all the population of the region over the course of the planning period of the regional transportation plan, as specified, and an identification of areas within the region sufficient to house an 8-year projection of the regional housing need for the region, as specified. This bill would additionally require each metropolitan planning organization to include in the sustainable communities strategy the total number of new housing units necessary to house all the population of the region over the course of the planning period of the regional transportation plan, as specified, and the total number of new housing units necessary to house the above-described 8-year projection, as specified. By imposing additional duties on metropolitan planning organizations, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Amended: 6/22/2023	Senate Appropriations	Watch
AB 1377 (Friedman D) Homeless Housing, Assistance, and Prevention Program: Round 3.	Existing law establishes, among various other programs intended to address homelessness in this state, the Homeless Housing, Assistance, and Prevention program for the purpose of providing jurisdictions with one-time grant funds to support regional coordination and expand or develop local capacity to address their immediate homelessness challenges informed by a best-practices framework focused on moving homeless individuals and families into permanent housing and supporting the efforts of those individuals and families to maintain their permanent housing. Existing law provides for the allocation of funding under the program among continuums of care, cities, counties, and tribes in 4 rounds, which are to be administered by the Interagency Council on Homelessness. Existing law, beginning with round 3 of the program, requires applicants to provide specified information for all rounds of program allocations through a data collection, reporting, performance monitoring, and accountability framework, as established by the council. This includes data on the applicant's progress towards meeting their outcome goals, to be submitted annually, for each year of the program, and other information if the applicant has not made significant progress towards those goals. This bill would also require data and a narrative summary of specific and quantifiable steps that the applicant has taken to improve the delivery of housing and services to people experiencing homelessness or at risk of homelessness, on transit facilities owned and operated by a transit agency, as defined. This bill contains other existing laws. Amended: 6/12/2023	Senate Appropriations 8/14/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair	Support
AB 1379 (Papan D)	Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that	Assembly 2 year	Watch

<p>Open meetings: local agencies: teleconferences.</p>	<p>all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. This bill, with respect to those general provisions on teleconferencing, would require a legislative body electing to use teleconferencing to instead post agendas at a singular designated physical meeting location, as defined, rather than at all teleconference locations. The bill would remove the requirements for the legislative body of the local agency to identify each teleconference location in the notice and agenda, that each teleconference location be accessible to the public, and that at least a quorum of the members participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The bill would instead provide that, for purposes of establishing a quorum of the legislative body, members of the body may participate remotely, at the designated physical location, or at both the designated physical meeting location and remotely. The bill would require the legislative body to have at least 2 meetings per year in which the legislative body's members are in person at a singular designated physical meeting location. This bill contains other existing laws.</p> <p>Amended: 3/23/2023</p>		<p>Item #5. 8/30/2023</p>
<p>AB 1475 (Fong, Vince R)</p> <p>Transportation Agency: performance dashboard.</p>	<p>Existing law establishes the Transportation Agency, which has the power of general supervision over specified state entities. Existing law requires the agency to develop and report on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, coordinated planning and policy formation in the matters of public interest related to the agency. This bill would require the agency to create and maintain on its internet website a performance dashboard that, for every project overseen by the Department of Transportation, provides metrics, fiscal information, and operational information, as specified. The bill would require the agency to update the dashboard quarterly, using publicly available information. The bill would authorize the department to partner with other state or local agencies to collect the data required to be included in the performance dashboard.</p> <p>Amended: 4/10/2023</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p>AB 1525 (Bonta D)</p> <p>Transportation projects: priority populations.</p>	<p>Existing law establishes within state government 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. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish</p>	<p>Assembly 2 year</p>	<p>Watch</p>

	<p>coordinated planning and policy formulation in matters of public interest, including transportation projects. This bill would require the agency, the Department of Transportation, and the California Transportation Commission, on or before July 1, 2025, to jointly develop and adopt criteria and an evaluation process for purposes of jointly evaluating each agency, Department of Transportation, or California Transportation Commission project, as defined, to, among other things, determine if the project would be located in a priority population, address an important need of a priority population, and provide a direct, meaningful, and assured benefit to a priority population, as specified. The bill would require the agency, the Department of Transportation, and the California Transportation Commission, on and after July 1, 2025, to jointly evaluate all new proposed projects by the criteria, and, on or before July 1, 2026, and annually thereafter, to jointly submit a report to the Legislature that evaluates how projects funded during the prior year impacted priority populations, as specified. The bill would require the agency, the California Transportation Commission, and the Department of Transportation, on or before July 1, 2026, and triennially thereafter, to jointly establish a percentage, of at least 60%, of moneys allocated for agency, Department of Transportation, or California Transportation Commission projects, excluding administrative costs, to be allocated for projects that are located in priority populations, address an important need of priority populations, and provide at least 5 direct, meaningful, and assured benefits, or additional co-benefits, to priority populations, and would require those entities to allocate moneys consistent with that established percentage.</p> <p>Amended: 4/19/2023</p>		<p>Item #5. 8/30/2023</p>
<p><u>ACA 1 (Aguiar-Curry D)</u></p> <p>Local government financing: affordable housing and public infrastructure: voter approval.</p>	<p>The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws.</p> <p>Amended: 7/13/2023</p>	<p>Assembly Appropriations</p>	<p>Support</p>
<p><u>SB 84 (Gonzalez D)</u></p> <p>Air quality programs: funding.</p>	<p>Existing law creates the Enhanced Fleet Modernization Program to provide compensation for the retirement and replacement of passenger vehicles and light-duty and medium-duty trucks that are high polluters. Existing law requires the Bureau of Automotive Repair to administer the program and the State Air Resources Board to adopt the guidelines for the program. Existing law requires the guidelines to ensure vehicle replacement or a mobility option be an option for</p>	<p>Senate Inactive File</p>	<p>Watch</p>

	<p>all motor vehicle owners and may be in addition to compensation for vehicles retired. Existing law creates the Enhanced Fleet Modernization Subaccount in the High Polluter Repair or Removal Account and makes available, upon appropriation, all moneys in the account to establish, implement, and administer the program. This bill would require the guidelines to ensure each replacement vehicle in the program be either a plug-in hybrid or zero-emission vehicle unless the state board makes a specified determination in consultation with the State Energy Resources Conservation and Development Commission, as specified. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/18/2023</p>		<p>Item #5. 8/30/2023</p>
<p>SB 229 (Umberg D)</p> <p>Surplus land: disposal of property: violations: public meeting.</p>	<p>Existing law prescribes requirements for the disposal of land determined to be surplus land by a local agency. Those requirements include a requirement that a local agency, before disposing of a property or participating in negotiations to dispose of that property with a prospective transferee, send a written notice of availability of the property to specified entities, depending on the property's intended use, and send specified information in regard to the disposal of the parcel of surplus land to the Department of Housing and Community Development. Existing law, among other enforcement provisions, makes a local agency that disposes of land in violation of these disposal provisions, after receiving notification of violation from the department, liable for a penalty of 30% of the final sale price of the land sold in violation for a first violation and 50% for any subsequent violation. Under existing law, except as specified, a local agency has 60 days to cure or correct an alleged violation before an enforcement action may be brought. This bill would require a local agency that has received a notification of violation from the department to hold an open and public session to review and consider the substance of the notice of violation. The bill would require the local agency's governing body to provide prescribed notice no later than 14 days before the public session. The bill would prohibit the local agency's governing body from taking final action to ratify or approve the proposed disposal until a public session is held as required. By imposing new duties on local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Amended: 2/23/2023</p>	<p>Assembly Appropriations</p>	<p>Watch</p>
<p>SB 410 (Becker D)</p> <p>Powering Up Californians Act.</p>	<p>Existing law vests the Public Utilities Commission (PUC) with regulatory authority over public utilities, including electrical corporations. Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission), in collaboration with the State Air Resources Board, the PUC, and other relevant stakeholders, to annually gather from state agencies, as provided, specified entities' fleet data for on-road and off-road vehicles in the medium- and heavy-duty sectors and share that data with electrical corporations to help inform electrical grid planning efforts, as specified. Existing law requires electrical corporations, as part of their distribution planning processes, to consider that produced fleet data, and other available data, to facilitate the readiness of their distribution systems to support the state's anticipated level of electric vehicle charging, as specified. This bill, the Powering Up Californians Act, would require the PUC to establish, on or before September 30, 2024, reasonable average and maximum target energization time periods, as defined,</p>	<p>Assembly Appropriations</p>	<p>Recommend Support</p>

	<p>certain reporting requirements so that electrical corporation performance can be tracked and improved, and a procedure for customers to report energization delays to the PUC, as provided. The bill would require the PUC to require the electrical corporation to take any remedial actions necessary to achieve the PUC’s targets and would require all reports to be publicly available, among other reporting requirements. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/19/2023</p>		<p>Item #5. 8/30/2023</p>
<p>SB 411 (Portantino D)</p> <p>Open meetings: teleconferences: neighborhood councils.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill, until January 1, 2028, would authorize an eligible legislative body to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if the city council has adopted an authorizing resolution and 2/3 of an eligible legislative body votes to use the alternate teleconferencing provisions. The bill would define “eligible legislative body” for this purpose to mean a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to the act. The bill would require an eligible legislative body authorized under the bill to provide publicly accessible physical locations for public participation, as prescribed. The bill would also require that at least a quorum of the members of the neighborhood council participate from locations within the boundaries of the city in which the neighborhood council is established. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/24/2023</p>	<p>Assembly Local Government</p>	<p>Watch</p>
<p>SB 434 (Min D)</p> <p>Transit operators: street harassment survey.</p>	<p>Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit service. Existing law provides various provisions applicable to all public transit and transit districts. Existing law requires the Mineta Transportation Institute at San Jose State University to, on or before December 31, 2023, develop and make available on its internet website a survey for the purpose of promoting consistency in the collection of specified survey data to inform efforts to improve the safety of riders and reduce street harassment on public transit. This bill would require a transit operator, as defined, upon appropriation of funds by the Legislature, to collect and publish specified survey data for the purpose of informing efforts to improve the safety of riders and reduce street harassment on public transit on or before December 31, 2024. The bill would require a transit operator to conduct</p>	<p>Assembly Appropriations</p>	<p>Watch</p>

	<p>outreach activities with subpopulations of riders who are underrepresented in surveys and impacted by street harassment to gain insight into the perspectives of these riders based on their experiences. The bill would authorize a transit operator to collect survey data in multiple languages to reach limited-English-proficient riders impacted by street harassment, as provided. The bill would require a transit operator to publish and make publicly available on its internet website the survey data collected pursuant to these provisions and promptly notify the Governor and the Legislature of publication of the survey data. The bill would provide that specified information collected by a transit operator in the 5 years before the effective date of this bill is deemed to be survey data collected by the transit operator for purposes of the bill, and that specified outreach activity conducted by a transit operator in the 5 years before the effective date of this bill is deemed to be outreach activities conducted by the transit operator for purposes of the bill. To the extent the bill imposes additional duties on a local agency, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Amended: 3/16/2023</p>		<p>Item #5. 8/30/2023</p>
<p>SB 532 (Wiener D)</p> <p>San Francisco Bay area toll bridges: tolls: transit operating expenses.</p>	<p>Existing law creates the Metropolitan Transportation Commission (MTC) as a regional agency in the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates the Bay Area Toll Authority (BATA) as a separate entity governed by the same governing board as MTC and makes BATA responsible for the administration of toll revenues from the state-owned toll bridges in the San Francisco Bay area. Existing law requires the Department of Transportation to collect tolls on these state-owned toll bridges. Existing law requires those toll revenues to be deposited in the Bay Area Toll Account and requires BATA to control and maintain that account, as specified. This bill would, until December 31, 2028, require BATA to increase the toll rate for vehicles for crossing the state-owned toll bridges in the San Francisco Bay area by \$1.50, as adjusted for inflation. The bill would require the revenues collected from this toll to be deposited in the Bay Area Toll Account, would continuously appropriate moneys from this toll increase and other specified tolls, and would require moneys from this toll to be transferred to MTC for allocation to transit operators that provide service within the San Francisco Bay area and that are experiencing a financial shortfall, as specified. The bill would direct MTC to require each transit operator eligible to receive an allocation from the account to, on an annual basis, submit a 5-year projection of its operating needs, as specified. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/29/2023</p>	<p>Paused for this year</p>	<p>Watch</p>
<p>SB 537 (Becker D)</p> <p>Open meetings: multijurisdictional, cross-county agencies: teleconferences.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the</p>	<p>Assembly Local Government</p>	<p>Watch</p>

	<p>members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows “just cause,” including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of “just cause” to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/24/2023</p>		<p>Item #5. 8/30/2023</p>
<p>SB 617 (Newman D)</p> <p>Public contracts: progressive design-build: local and regional agencies: transit.</p>	<p>Existing law, until January 1, 2029, authorizes local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project that treats, pumps, stores, or conveys water, wastewater, recycled water, advanced treated water, or supporting facilities. Existing law defines “progressive design-build” as a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project. Existing law requires the selected entity and its general partners or joint venture members to verify specified information under penalty of perjury. Existing law requires local agencies to report to the Legislature by January 1, 2028, regarding the use of the progressive design-build process, as specified. This bill, until January 1, 2029, would similarly authorize a transit district, municipal operator, consolidated agency, joint powers authority, regional transportation agency, or local or regional agency, as described, to use the progressive design-build process for up to 10 public works projects in excess of \$5,000,000 for each project. The bill would, similarly, require information to be provided under penalty of perjury and would require submission of a similar report to the Legislature. The bill would specify that this authority to use the progressive design-build process does not include inspection services for projects on, or interfacing with, the state highway system. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/28/2023</p>	<p>Assembly Appropriations</p>	<p>Watch</p>

<p>SB 670 (Allen D)</p> <p>State Air Resources Board: vehicle miles traveled: maps.</p>	<p>Existing law designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution and the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. Existing law imposes various requirements related to transportation planning, including a requirement that certain transportation planning agencies prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires each regional transportation plan to include, among other things, a sustainable communities strategy prepared by each metropolitan planning organization, as specified, which is designed to achieve certain targets for 2020 and 2035 established by the state board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. This bill would require the state board, in consultation with the Office of Planning and Research and the Department of Transportation, to develop a methodology for assessing and spatially representing light-duty vehicle miles traveled and to develop maps accordingly to display average light-duty vehicle miles traveled per capita in the state at the local, regional, and statewide level, as provided. The bill would require the state board to adopt the methodology no later than January 1, 2025, and to publish the maps no later than 6 months after the methodology is adopted. The bill would require the state board to update the methodology and maps at least once every 4 years. The bill would require the state board to make the methodology and the maps publicly available on its internet website. Under certain circumstances, the bill would require the state board, in consultation with the Office of Planning and Research, to provide technical assistance with regard to the usage and interpretation of the statewide map to a local agency requesting assistance.</p> <p>Amended: 4/27/2023</p>	<p>Senate 2 year</p>	<p>Item #5. 8/30/2023</p> <p>Watch</p>
<p>SB 747 (Caballero D)</p> <p>Land use: economic development: surplus land.</p>	<p>Existing law authorizes a city, county, or city and county, with the approval of its legislative body by resolution after a public hearing, to acquire, sell, or lease property in furtherance of the creation of an economic opportunity, as defined. Existing law specifies the Legislature's intent regarding those provisions. This bill would authorize a city, county, or city and county, in addition to a sale or lease, to otherwise transfer property to create an economic opportunity. The bill would make related, conforming changes. The bill would additionally state the Legislature's intent is to ensure that residents of the state have access to jobs that allow them to afford housing without the need for public subsidies. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/30/2023</p>	<p>Assembly Appropriations</p>	<p>Watch</p>

Federal Report for Caltrain August 2023

Congress in Recess for Month of August

- The House and Senate are in recess for the month of August. The House will return on September 12, and the Senate will return on September 5.

House and Senate Advance Respective Funding Bills

- Before Congress recessed for the month of August, the House and Senate Appropriations Committees advanced their respective appropriations bills. Lawmakers must pass a federal budget or a continuing resolution (CR) before the end of the fiscal year, September 30th, to keep the government open. Conservative members of the House Republican caucus may demand deeper spending cuts, which could lead to a government shutdown.
- The funding in the House and Senate Transportation/HUD (THUD) Appropriations bills are vastly different. The House bill provides \$21.9 billion for the Department of Transportation (DOT), and the Senate includes \$28.3 billion. The Senate bill includes additional funding for several programs on top of the Infrastructure Investment and Jobs Act (IIJA): \$4 million for Low-No Emission Bus Grants; \$81.9 million for bus grants, \$800 million for the RAISE grant program, and \$13.99 billion for transit formula program. The House bill does not include additional funding for transit programs.

DOT Announces Over \$13 Million Available for Transit-Oriented Development

- On August 7, the Department of Transportation (DOT) announced \$13.7 million in federal funding available through the Federal Transit Administration's (FTA) Pilot Program for Transit-Oriented Development (TOD) Planning. This program will support local planning and investment near transit hubs to make communities both accessible via transit and walkable.
- To apply for funding, applicants must be existing FTA grant recipients. Transit project sponsors and land use planning authorities must partner to conduct the planning work of any project.
- All applications are due by October 10, 2023. More information on the TOD program can be found [here](#).

DOT Launches Project Delivery Center for Excellence

- On July 31, DOT launched the Project Deliver Center for Excellence, a national center created to help recipients of federal infrastructure funds deliver projects in a timely, efficient, and effective fashion. The center will be located at the DOT Volpe Center in Cambridge, MA.
- Initial projects for the center include: simplifying the contracting process for newer grant recipients, providing a central repository for best practices for project delivery/cost containment, and collaboration with the American Society of Civil Engineers (ASCE) and the Association of Consulting Engineering Companies to develop and distribute templates and model language for transportation construction contracts. More information about the Project Deliver Center for Excellence can be found [here](#).

Joint Office of Energy and Transportation Launches New EV Working Group

- On August 3, the Joint of Office of Energy and Transportation (Joint Office) announced the formation of the Electric Vehicle Working Group (EVWG). The purpose of the EVWG is to make recommendations to the Secretaries of Energy and Transportation on implementing the widespread adoption of EVs nationwide and solidifying America's place as a leader in clean energy jobs and manufacturing.
- The EVWG includes EV industry leaders, as well as leaders from the Department of Energy (DOE), Department of Transportation (DOT), Environmental Protection Agency (EPA), Council on Environmental Quality (CEQ), General Services Administration (GSA), and U.S. Postal Service (USPS). Mayor John Giles of Mesa, AZ was among those selected to serve on the EVWG.
- More information about the EVWG, including a full list of members, can be found [here](#).

New Government Accountability Office (GAO) Report Shows Lag in State and Local Tracking of Greenhouse Gas (GHG) Emissions Due to Traffic

- On August 4, the GAO released a [new report](#) entitled: "Climate Change: State and Local Efforts to Reduce Greenhouse Gas Emissions from Vehicles." This report was originally ordered by the House and Senate Appropriations Committees in the FY 2022 THUD Appropriations bill. The report is based on a sampling of ten state transportation departments, ten metropolitan planning organizations (MPOs), interviews with multiple federal agencies and stakeholder groups, and a questionnaire returned by 39 of the 50 states.

- More than half of the states that responded indicated they had not developed a greenhouse gas inventory or forecast for the transportation sector. Reasons states cited for this include the type of traffic in their state (i.e., lack of congestion), other state priorities, and lack of federal or state regulations. Moreover, several MPOs cited difficulties in analyzing GHG emissions due to lack of staff capacity.

DOT Announces \$20 Million in Grants Through Areas of Persistent Poverty Program

- On July 20, DOT announced \$20 million in awards through the Areas of Persistent Poverty (AoPP) Program. This program provides funding to economically distressed communities to improve public transportation. Funding was distributed to state and local governments, transit agencies, and nonprofit organizations to conduct the AoPP Program's objectives.
- DOT selected 47 communities located within census-defined low-income communities to receive funding through the AoPP Program. Recipients will use funding to further study the expansion of transit access within their respective areas.

Round-Up of Open Grant Opportunities

- [PROTECT Program](#). \$848 million available. All applications due August 18, 2023.
- [MPDG Program](#). \$5.575 billion available. All applications due August 21, 2023.
- [Neighborhood Access and Equity \(NAE\) Program](#). \$3.1 billion available. All applications due September 28, 2023.
- [Reconnecting Communities Pilot \(RCP\) Program](#). \$198 million available. All applications due September 28, 2023.
- [Pilot Program for Transit-Oriented Development \(TOD\) Planning](#). \$13 million available. All applications due October 6, 2023.
- [SMART Grants](#). \$100 million available. All applications due October 10, 2023.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Deputy Chief, Caltrain Planning
Subject: **Diridon Station Business Case Update**

<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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Purpose and Recommended Action

This report includes an informational update that requires no action by the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB” or “Caltrain”). At the March 29 Caltrain AMP Committee meeting, staff presented an overview of the Diridon Station Business Case scope and timeline and introduced the approach to the governance work as part of the Business Case. The purpose of this informational report and accompanying presentation is to share progress on the Diridon Station Business Case since the March update, including initial findings on the governance assessment.

Discussion

Caltrain, the City of San José, the Metropolitan Transportation Commission, Santa Clara Valley Transportation Authority (VTA), and the California High-Speed Rail Authority (Partner Agencies) are working together on the Diridon Station Business Case to plan for the transformation of San Jose’s downtown transit hub.

Background

Diridon Station is integral to California’s transportation network. It currently serves Caltrain, Capitol Corridor, Altamont Corridor Express (ACE), and Amtrak passenger rail, as well as VTA light rail and bus services. It is also a key part of planned and expanded services in the region, including new California High-Speed Rail and Bay Area Rapid Transit (BART) service, as well as the service expansion of Caltrain, Capitol Corridor, and ACE. To effectively accommodate such planned activity and future service needs, the station must be reconfigured to provide adequate capacity, functionality, and interconnectivity for passengers to easily use the new and expanded services alongside the existing.

In 2020, the Diridon Integrated Station Concept (DISC) process produced the Concept Layout, which is a spatial vision for future Diridon station redevelopment. For the Concept Layout to be realized, a series of separate but interrelated capital projects (i.e., Program of Projects) would also need to be carried out. The most significant of these are: (1) a potential relocation of the Caltrain Maintenance Facility (CEMOF); (2) potential modifications to the historic station; and (3) a potential relocation/reconfiguration of PG&E Substation A, which is within the footprint of

the Concept Layout. Each of these would be considered a major project on its own. Given the complexity, cost, and time required to carry out this Program of Projects, a central focus of the Business Case is to reexamine the feasibility of the Program of Projects and better understand costs, risks, and potential implementation strategies.

Business Case Update

Caltrain is leading the Partner Agencies in a Business Case to inform decision-making and help define a feasible, fundable, and implementable program that can be advanced to the environmental phase of study. The Business Case will identify the current status of the contingent and adjacent projects in the Program of Projects to define the scale of the Concept Layout relative to cost and schedule, priorities, and tradeoff considerations.

Since the project kicked off in early 2023, the Partner Agencies have agreed on a problem statement, vision statement, and have updated project goals and objectives to form the foundation of the project's evaluation process. The evaluation criteria are currently under development and will be used to compare program alternatives against a set of base case project investments to ascertain the costs of infrastructure elements, quantify measurable benefits, assess investment tradeoffs, and establish a value proposition for investment. As part of the alternative development, the Business Case team is also assessing the constraints and opportunities of the Program of Projects.

The Business Case is also exploring a range of potential organizational and governance options for future phases of the program, from planning to implementation and operation. The work is evaluating the advantages and disadvantages of existing and new organizational types and analyzing how the Partner Agencies' existing assets and capacities align with the program needs. Some initial findings indicate that the Partner Agencies have the authority and experience necessary to deliver planning and environmental-related tasks for a Diridon station redevelopment. However, funding is a significant constraint and there is no single agency focused on and accountable for program advancement. A formal decision-making structure would help solidify Partner relationships, oversight, and funding expectations. The next step for the governance assessment is to identify specific governance options and implementation considerations, including decision-making frameworks for all phases of project development.

The Business Case is currently on target to narrow a list of program alternatives to two and deliver a governance recommendation by the summer of 2024. If funded, the second phase of the Business Case will then commence with six months of additional analysis to deliver a full business case for the "best" program. This will include the economic and strategic case for the program as well as a financial and deliverability analysis.

Budget Impact

There is no direct budget impact associated with this informational update.

Prepared By:	Gwen Buckley	Principal Planner	650-722-6827
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**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Deputy Chief, Caltrain Planning
Subject: **San Francisco Downtown Rail Extension (DTX): Relation to Other San Francisco Rail Projects**

Staff Coordinating Council Reviewed Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

This report includes an informational update that requires no action by the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB” or “Caltrain”).

The San Francisco Downtown Rail Extension Project (“DTX” or “The Portal”) will connect Caltrain’s regional rail system and the future California High-Speed Rail Authority’s statewide system to the Salesforce Transit Center in downtown San Francisco. There are several projects that are interrelated and dependent on the DTX project, including projects that would also occupy some or all of Caltrain’s 4th and King railyard. The purpose of this informational update is to outline the relationship between DTX and the following projects: 4th and King Yard DTX Preparation; Railyards Preliminary Business Case; California High Speed Rail; Pennsylvania Avenue Extension; and the Link21 new transbay rail crossing.

Discussion

The Transbay Joint Powers Authority (“TJPA”) is seeking funding for DTX through the Federal Transit Administration (“FTA”) Capital Investment Grants Program New Starts program. The project is implementing an accelerated master work plan to support potential Full Funding Grant Agreement approval in 2025. Caltrain is committed to supporting the TJPA in the implementation of the accelerated work plan. TJPA’s latest schedule shows the project opening for service in 2032.

The 4th and King Yard Preparation work is part of the DTX project, while the Railyards Preliminary Business Case, California High Speed Rail; Pennsylvania Avenue Extension, and Link21 are separate projects in which Caltrain has varying levels of involvement. The interrelation of these four projects to DTX is outlined below.

Map of Major San Francisco Rail Projects



4th and King Yard Preparation

The DTX project has identified the need for substantial work to occur in Caltrain’s right-of-way at the 4th and King railyard prior to and during the project’s main civil construction. It is required to connect the above-grade Caltrain mainline to the new tunnel serving a new, underground 4th and Townsend station and the remainder of the DTX. This work is referred to as “4th and King Yard Preparation”, formerly known as Mainline and Terminal Work. It includes track realignment, utility relocation, building relocation, and other site work at the railyard. Caltrain is overseeing design work commissioned by TJPA to advance this sitework. The design is incorporating a multi-stage construction program to allow Caltrain to maintain continuous operations during the construction period.

In March 2023, the Caltrain Board approved the Memorandum of Agreement (“MOA”) to authorize reimbursement from TJPA to Caltrain for oversight of the design of the 4th and King Yard Preparation. TJPA anticipates reaching a 30% design level by January 2024, which will provide a more comprehensive understanding of the operational and cost implications of the sitework. The Interim Agreement recently approved by JPB and the TJPA Board of Directors indicates that an agreement focused on the 4th and King Yard Preparation will be developed and presented to both boards for consideration in 2024.

Railyards Preliminary Business Case

The San Francisco Railyards Preliminary Business Case (“Railyards PBC”) is a partnership between Prologis (as property owner) and Caltrain (as holder of a perpetual transportation

operating easement) to explore the potential for a public-private partnership to redevelop the 4th and King Railyards. This redevelopment would include upgraded rail and passenger facilities, along with significant commercial development. The Railyards PBC will provide a structured, evidence-based framework to evaluate development concepts using goals, objectives, and evaluation criteria identified for the SF Railyards site. The project team is also working to better understand future operations, storage, and maintenance needs around the 4th and King/future 4th and Townsend station areas. This includes identifying service needs, vehicles, and maintenance facility assumptions in alignment with the potential timing of future development. Finally, the team is conducting a phasing analysis to assess the viability of a first phase development project that could proceed prior to, or in parallel with DTX construction.

California High Speed Rail

The California High Speed Rail Authority (“CHSRA”) is responsible for the planning, design, construction, and operation of a high-speed rail system that will connect the mega-regions of the state. Between San Francisco and San Jose, the CHSRA’s trains will share the rail corridor that is primarily owned and operated by Caltrain. DTX will extend both Caltrain and future high-speed rail service to Salesforce Transit Center. CHSRA is a DTX project partner: the agency was added to the TJPA Board in 2017 and serves on the project’s Executive Steering Committee (“ESC”). CHSRA is supporting efforts to complete technical work and secure funding to build the DTX. They are closely involved in the analysis of the DTX infrastructure requirements to ensure it aligns with CHSRA’s design and service requirements.

Pennsylvania Avenue Extension

The Pennsylvania Avenue Extension (“PAX”) is a proposed grade separation of the existing at-grade rail crossings at 16th Street and Mission Bay Drive, intended to facilitate travel to the Mission Bay District. The PAX project, led by San Francisco County Transportation Authority (SFCTA), is in the early planning stages and would occur after DTX. The DTX tunnel design includes a below-grade tunnel stub box at the west end of the Caltrain railyard to connect to the future PAX tunnel extension, which would extend south of the DTX tunnel past the existing railyards, generally following the alignment of Pennsylvania Avenue. Caltrain staff continues to stay engaged in the PAX project as work progresses.

Link21

Led by BART and the Capitol Corridor Joint Powers Authority, Link21 is a program of projects to integrate and improve the connections between BART and regional rail systems in Northern California. A major project within the Link21 Program is a new transbay passenger rail crossing between Oakland and San Francisco. In Spring 2024, the program will recommend that the crossing will be either a regional rail (standard gauge) crossing or BART crossing. Link21 has developed six draft concepts for the new transbay crossing through data gathering, technical studies, a market analysis, and public and stakeholder input. Four of the concepts are focused on providing a standard gauge rail crossing, and two include a new BART crossing. All the regional rail concepts provide a direct connection to the eastern end of the train box in the Salesforce Transit Center, using existing knock-out panels similar to those that will allow the DTX to reach the western end of the Transit Center. This would convert the Transit Center from

a stub-end station to a through-running station. Link21 currently envisions opening a transbay crossing for service as early as 2040.

Caltrain staff meets with Link21 program leadership on a monthly basis, to support our partner's work and to ensure that the interests of the JPB are represented during the planning phases of the project.

Budget Impact

This informational item has no impact on the budget.

Prepared By: Gwen Buckley

Principal Planner

650-722-6827

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Sam Sargent, Director, Strategy and Policy
Subject: **Bay Pass Pilot Update**

<input type="checkbox"/> Staff Coordinating Council Reviewed	<input type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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Purpose and Recommended Action

Clipper BayPass is an all-transit agency institutional pass pilot created in 2022 under the direction of the MTC Fare Integration Task Force. Phase 1 of the BayPass pilot launched in 2022 with five participating educational institutions and affordable housing properties. Phase 2 is scheduled for launch in late 2023 or early 2024 with ten participating employers. This item is informational only. No action is requested this month.

Discussion

Clipper BayPass Phase 1 pilot launched in 2022 with five participating educational institutions and affordable housing properties, including San Jose State University and MidPen Housing in the Caltrain service area. Phase 1 was fully funded by MTC, with reimbursements made to operators on a per trip basis. Approximately 20,000 of the 2 million Phase 1 trips have been on Caltrain, less than 1-percent of total regional trips.

The Phase 2 pilot will involve 20,000 all-agency passes divided between 10 participating employers, who will purchase Bay Passes on an annual basis for two years. \$5 million will be programmed in September by MTC to cover pilot overhead and potential losses, should employer participant revenue not cover expenses. Two employers will be selected from Santa Clara County, two from San Mateo County (including the City of Menlo Park), and three from San Francisco.

Since early 2023, Caltrain staff have been working closely with the joint MTC-BART project management team (“PM Team”) to ensure that Caltrain and the Go Pass institutional pass program are protected from any risks created by the BayPass Phase 2 pilot. Go Pass currently makes up one-third of Caltrain’s total fare revenue (\$17 million in FY2023). In the FY2024 - 2025 Caltrain budget, Go Pass is expected to be over 35-percent of total fare revenue. Caltrain is actively engaged in a Go Pass expansion effort to increase revenue and participants.

Caltrain has a projected fiscal cliff of as much as \$550 million over the next 10 years. Go Pass revenues are projected to generate as much as \$220 million over the same period. Loss of any portion of this revenue would increase the railroad’s fiscal cliff on a dollar-for-dollar basis. Accordingly, Caltrain staff have negotiated BayPass Phase II pilot Participation Agreement language that protects current Go Pass revenue and relationships with existing Go Pass participants:

- **Santa Clara County:** only existing Go Pass customers within three miles of the Caltrain corridor will participate in the Phase 2 pilot. Outside of the three-mile buffer, only employers currently participating in VTA’s institutional pass program (SmartPass) will participate in the pilot. These pilot participants will maintain their existing relationships with Caltrain and VTA, respectively, and purchase the regional all-transit agency pass through MTC as an add-on.
- **San Mateo County:** only an existing Go Pass customer (City of Menlo Park) will participate within 3-miles of the Caltrain corridor.
- **San Francisco:** Caltrain will be reimbursed on a per-trip basis for trips taken by Phase 2 pilot participants within the city.

In September and October, transit operators (including Caltrain) will bring a common Participation Agreement with MTC to their policy boards for action. The PM Team anticipates a BayPass Phase 2 pilot launch no later than January 2024, with participating employers entering into one-year contracts with one-year extensions. Phase 2 is expected to close in late 2025, followed by evaluation of pilot data and regional discussions on next steps.

Budget Impact: no budget impact.

Prepared By: Sam Sargent Director, Strategy and Policy, Caltrain 650-730-6223