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STEVE HEMINGER
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SHAMANN WALTON
MONIQUE ZMUDA

MICHELLE BOUCHARD
EXECUTIVE DIRECTOR

AGENDA

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

September 27, 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.

September 27, 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. Amendment to the Memorandum of Agreement with Transbay Joint Powers Authority for 4th and King Yard Preparation in Support of the Downtown Rail Extension * ** Motion
6. Approve BayPass Participation Agreement * ** Motion
7. State and Federal Legislative Update Informational
8. Diridon Station Business Case Update Informational
9. Committee Member Requests
10. Date/Time of Next Regular AMP Committee Meeting: Wednesday, October 25, 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: Dahlia Chazan, Deputy Chief, Caltrain Planning
Subject: **Amendment to the Memorandum of Agreement with Transbay Joint Powers Authority for 4th and King Yard Preparation in Support of the Downtown Rail Extension**

<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

Staff recommends that the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“Caltrain” or “JPB”):

- 1) Authorize the Executive Director to execute an amendment to the Memorandum of Agreement (“MOA”) dated March 2, 2023, with the Transbay Joint Powers Authority (“TJPA”) for an additional \$460,000 of reimbursable Caltrain expenses; and
- 2) Amend the Project budget from \$595,000 to \$1,055,000, to include additional \$460,000 reimbursable expenses from the MOA, increasing the Caltrain FY2024 Capital Budget from \$515,445,427 to \$515,905,427.

In March 2023, the Caltrain Board approved the MOA for an initial not-to-exceed amount of \$595,000 and a term expiring no later than March 31, 2024. The MOA authorizes reimbursement from TJPA to Caltrain for oversight of the design of the 4th and King Yard Preparation for the San Francisco Downtown Rail Extension (“DTX” or the “Portal”). The amendment will add \$460,000 to the MOA to support additional review and design support to complete the 30% design plan in early 2024.

Discussion

The DTX project 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. The 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 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, and includes track realignment, utility relocation, building relocation, and other site work at the railyard. TJPA anticipates reaching a 30 percent design level for this work by January 2024, which will provide a more comprehensive understanding of the operational and cost implications. 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 MOA, which authorized reimbursement from TJPA to Caltrain for oversight of the design of 4th and King Yard Preparation. As a result of the MOA, Caltrain has retained consultant services to bring the conceptual planning up to a 30 percent design level.

The MOA amendment will add \$460,000 to account for the expanded timeline for completion of the 30 percent design plan, to support the development of the 4th and King Yard Preparation agreement, and to provide additional review and analysis for procurement. These items are described in more detail below.

1. Updated Timeline: The MOA originally planned for completion of 30% design by September 2023, however, this has been pushed back to early 2024, requiring additional oversight and design support.
2. 4th and King Yard Preparation Agreement: Staff plan to develop and present a new agreement focused on the 4th and King Yard Preparation to both the TJPA Board of Directors and Caltrain Board for consideration in early 2024, as described in the Interim Agreement recently approved by both boards. It is anticipated that this agreement will supersede the MOA. The new agreement will include a project delivery plan to define the approach for advancing the project after the 30% milestone. Additional support is necessary to confirm items for the agreement such as: delivery method(s), packaging, organization, roles and responsibilities, staffing plan and support budgets, milestone schedule, decision-making and stage gates, change management, cost reimbursement, among other items necessary to advance the project.
3. Procurement Support: Additional support is needed to develop the request for proposals and initiate the procurement of the design and construction contractors for the 4th and King Yard Preparation work.

Budget Impact

In FY2023, a budget of \$595,000 was approved by the Board for the “4th and King Yard Preparation” (DTX Enabling Works Project) funded by TJPA through a MOA between TJPA and JPB. The execution of the Amended MOA will provide additional funding of \$460,000 in reimbursable expenses that will increase the total project budget from \$595,000 to \$1,055,000, increasing the Caltrain FY2024 Capital Budget from \$515,445,427 to \$515,905,427.

Prepared By: Gwen Buckley

Principal Planner

650-722-6827

Resolution No. 2023 –

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

Authorizing Amendment of the Memorandum of Agreement with Transbay Joint Powers Authority for 4th and King Yard Preparation in Support of the Downtown Rail Extension

WHEREAS, the San Francisco Downtown Rail Extension (“DTX” or “The Portal”) Project will connect the Peninsula Corridor Joint Powers Board’s (“Caltrain” or “JPB”) regional rail system and the future California High-Speed Rail Authority’s statewide system to the Salesforce Transit Center in downtown San Francisco; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, this work is referred to as “4th and King Yard Preparation”, formerly known as Mainline and Terminal Work, and includes track realignment, utility relocation, building relocation, and other site work at the railyard; and

WHEREAS, in March 2023, the Peninsula Corridor Joint Powers Board of Directors (“Board”) approved the Memorandum of Agreement (“MOA”) which authorized reimbursement from the Transbay Joint Powers Authority (“TJPA”) to Caltrain for oversight of the design of 4th and King Yard Preparation; and

WHEREAS, as a result of the MOA, Caltrain has retained consultant services to bring the conceptual planning up to a 30 percent design level and inform the recommended delivery method accounting for risk, operations, and TJPA schedule requirements; and

WHEREAS, the amendment will add \$460,000 to the MOA to account for the expanded timeline for completion of the 30% design plan, to support the development of the 4th and King

Yard Preparation agreement, and to provide additional review and analysis for procurement;
and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board authorize the Executive Director, or designee, to execute an amendment to the MOA between TJPA and Caltrain; and

BE IT FURTHER RESOLVED that the Board of Directors approves the amendment of the “4th and King Yard Preparation” (DTX Enabling Works) project budget from \$595,000 to \$1,055,000, and the Caltrain FY2024 Capital Budget from \$515,445,427 to \$515,905,427.

Regularly passed and adopted this 5th day of October 2023 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary



FY2024 ADOPTED CAPITAL BUDGET

Attachment B
Amendment 2
October 2023

Item #	PROJECT NAME	FY2024 AMENDED CAPITAL BUDGET	Amendment 2	FY2024 AMENDED CAPITAL BUDGET	Federal Funds	STA SOGR				Member Agency Funds	Others	Externally Funded / Stadler Cars	FY2024 ADOPTED CAPITAL BUDGET
							Santa Clara (Measure B)	San Francisco (SFCTA)	San Mateo (SMCTA)				
i. SOGR													
Bridges													
1	Guadalupe Bridges Replacement	17,364,622		17,364,622	12,138,098	892,549	2,192,000			2,192,000	2,141,975	-	17,364,622
2	San Francisquito Creek Bridge Emergency North Channel Restoration ³	5,165,715		5,165,715				461,316		2,028,704	2,490,020	-	5,165,715
3	San Francisquito Bridge Acoustic Monitoring System	857,638		857,638							857,638	-	857,638
4	SOGR Structures	1,560,000		1,560,000	1,248,000	312,000						-	1,560,000
	Total Bridges	24,947,975	-	24,947,975	13,386,098	1,204,549	2,192,000	461,316	2,028,704	4,682,020	5,675,308	-	24,947,975
Right of Way													
5	SOGR MOW Track	4,100,543		4,100,543	2,957,273						1,143,270	-	4,100,543
6	SOGR MOW Track - Track Equipment	2,556,828		2,556,828		264,318		2,112,165	180,345	2,292,510		-	2,556,828
7	ROW Fencing	1,835,951		1,835,951					1,191,951	1,191,951	644,000	-	1,835,951
	Total Right of Way	8,493,322	-	8,493,322	2,957,273	264,318	-	2,112,165	1,372,296	3,484,461	1,787,270	-	8,493,322
Signal & Communications													
8	Signal SOGR FY24 and FY25	632,000		632,000	505,600	126,400						-	632,000
	Total Signal & Communications	632,000	-	632,000	505,600	126,400	-	-	-	-	-	-	632,000
Station & Intermodal Access													
9	Station SOGR Project	1,226,519		1,226,519				1,226,519		1,226,519		-	1,226,519
	Total Station & Intermodal Access	1,226,519	-	1,226,519	-	-	-	1,226,519	-	1,226,519	-	-	1,226,519
	Total SOGR	35,299,816	-	35,299,816	16,848,971	1,595,267	2,192,000	3,800,000	3,401,000	9,393,000	7,462,578	-	35,299,816
ii. LEGAL MANDATE													
10	MS4 Trash Management	200,000		200,000					200,000	200,000		-	200,000
	Total	200,000	-	200,000	-	-	-	-	200,000	200,000	-	-	200,000
iii. OPERATIONAL IMPROVEMENTS/ENHANCEMENTS													
11	Mini-High Platforms	460,000		460,000							460,000	-	460,000
12	Next Generation Visual Messaging Sign (VMS)	1,200,000		1,200,000				1,200,000		1,200,000		-	1,200,000
13	22nd Street ADA Access Improvements	447,198		447,198							447,198	-	447,198
14	San Mateo Replacement Parking Track	3,773,000		3,773,000							3,773,000	-	3,773,000
15	Support for Property Mapping	520,000		520,000					520,000	520,000		-	520,000
	Total	6,400,198	-	6,400,198	-	-	-	1,200,000	520,000	1,720,000	4,680,198	-	6,400,198
iv. PLANNING/STUDIES													
16	Capital Planning (CIP)	359,000		359,000					359,000	359,000		-	359,000
17	San Francisco Railyards TOD	806,000		806,000							806,000	-	806,000
18	Level Boarding Roadmap	520,000		520,000					520,000	520,000		-	520,000
19	Battery EMU R/D	1,352,000		1,352,000							1,352,000	-	1,352,000
20	DISC/Diridon Business Case	1,560,000		1,560,000		1,560,000				1,560,000		-	1,560,000
21	Rail Network and Operations Planning	1,248,000		1,248,000		1,248,000				1,248,000		-	1,248,000
22	DTX Funding	250,000		250,000							250,000	-	250,000
26	DTX Support Project ¹ Total Project Budget (Post-Amendment): \$9,349,113	5,018,239		5,018,239							5,018,239	-	5,018,239
27	SF Railyards Preliminary Business Case ² Total Project Budget (Post-Amendment): \$4,676,623	274,174		274,174							274,174	-	274,174
28	DTX Enabling Works ⁴ Total Project Budget (Post-Amendment): \$1,055,000	-	460,000	460,000							460,000	-	460,000
	Total	11,387,413	460,000	11,847,413	-	-	2,808,000	-	879,000	3,687,000	8,160,413	-	11,847,413
v. STADLER CARS													
23	Stadler Cars	355,000,000		355,000,000								355,000,000	355,000,000
	Total	355,000,000	-	355,000,000	-	-	-	-	-	-	-	355,000,000	355,000,000



FY2024 ADOPTED CAPITAL BUDGET

Attachment B
Amendment 2
October 2023

Item #	PROJECT NAME	FY2024 AMENDED CAPITAL BUDGET	Amendment 2	FY2024 AMENDED CAPITAL BUDGET	Federal Funds	STA SOGR				Member Agency Funds	Others	Externally Funded / Stadler Cars	FY2024 ADOPTED CAPITAL BUDGET
							Santa Clara (Measure B)	San Francisco (SFCTA)	San Mateo (SMCTA)				
vi. EXTERNALLY-FUNDED GRADE SEPARATION PROJECTS													
24	Mountain View Transit Center Grade Separation	107,000,000		107,000,000						-	-	107,000,000	107,000,000
25	San Mateo Grade Separation	158,000		158,000						-	-	158,000	158,000
	Total	107,158,000	-	107,158,000	-	-	-	-	-	-	-	107,158,000	107,158,000
	Total	515,445,427	460,000	515,905,427	16,848,971	1,595,267	5,000,000	5,000,000	5,000,000	15,000,000	20,303,189	462,158,000	515,905,427

¹ \$5,018,239 is funded by Transbay Joint Powers Authority (TJPA) through an Interim Agreement between JPB and TJPA

² \$274,174 is funded by Prologis through an Amended Memorandum of Understanding (MOU) between JPB and Prologis

³ The additional project budget of \$1,171,066 and the change in cost sharing commitment from the cities of Palo Alto and Menlo Park of \$1,861,909 are funded by: SMCTA from San Francisquito Acoustic Monitoring System Project \$2,028,704; Project Savings from existing/closed projects \$683,121; and Capital Contingency Funds \$321,150

⁴ \$460,000 is funded by Transbay Joint Powers Authority (TJPA) through an Amended Memorandum of Agreement between JPB and TJPA

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Sam Sargent, Director, Strategy and Policy
Subject: **Approve BayPass Pilot Participation Agreement**

<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 Metropolitan Transportation Commission (“MTC”) Fare Integration Task Force. The BayPass Phase 1 pilot launched in 2022 with five participating educational institutions and affordable housing properties. The BayPass Phase 2 pilot is scheduled for launch in late 2023 or early 2024 with ten participating employers.

Staff recommend that the Board of Directors authorize the Executive Director, or designee, to execute a Participation Agreement between the Peninsula Corridor Joint Powers Board (JPB) and MTC to support advancement of the BayPass Phase 2 pilot.

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 MTC anticipates that the Clipper BayPass Phase 1 pilot will continue until the end of 2024.

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. In September 2023, the MTC will program \$5 million 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 to include language in the BayPass Phase II pilot Participation Agreement 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. Only employers currently participating in VTA’s institutional pass program (SmartPass) that are outside of the three-mile Caltrain corridor buffer 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, regional transit operators 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: Executing the Participation Agreement to participate in the Phase 2 pilot program will not impact the budget.

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

Resolution No. 2023 –
Board of Directors, Peninsula Corridor Joint Powers Board
State of California

Authorizing Execution of a Clipper BayPass Pilot Program Participation Agreement

WHEREAS, Clipper BayPass is an all-transit agency institutional pass pilot created in 2022 under the direction of the Metropolitan Transportation Commission (“MTC”) Fare Integration Task Force; and

WHEREAS, BayPass Phase 1 pilot launched in 2022 with five participating institutions and Phase 2 is scheduled for launch in late 2023 or early 2024 with ten participating institutions in the nine-county region, including institutions in San Francisco, San Mateo County, and Santa Clara County; and

WHEREAS, the BayPass Phase 2 launch requires all Clipper participating transit agencies to execute a standard Participation Agreement prior to launch; and

WHEREAS, the Participation Agreement includes operator and MTC responsibilities within the BayPass Phase 2 pilot, and an approach to program revenue distribution; and

WHEREAS, the Peninsula Corridor Joint Powers Board (“Caltrain”) staff and MTC project management team negotiated language in the Participation Agreement to ensure that Caltrain and the existing Go Pass institutional pass program are protected from financial risks created by the BayPass Phase 2 pilot; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board authorize the Executive Director, or designee, to execute a Participation Agreement to support advancement of the BayPass Phase 2 pilot in a form approved by legal counsel and to take other actions necessary to implement the Agreement.

Regularly passed and adopted this 5th day of October 2023 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary



September 7, 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 – October 2023**

General Update

The Legislature met the fiscal committee deadline of September 1. On this day, both the Senate and Assembly Appropriations Committees held their Suspense File hearings, where they dispensed with hundreds of bills at once. The Senate held a little over 20% of the Assembly bills in this Committee while the Assembly held a little over 15% of the Senate bills that it heard on the Suspense File. Bills that are held in the Appropriations Committee are generally considered dead, aside from a small portion of bills that are held as “two year bills” that are eligible to move again early in January.

The Legislature is now in the final two weeks of session— Legislators must pass bills off the floor of the second house, and if needed, the floor of the house of origin for concurrence, before the Legislature adjourns on September 14.

The Governor will then have a month to consider the bills that were placed on his desk at the end of session. The Legislature will remain on recess until 2024, reconvening on January 3.

Senate Leadership Update. On Monday August 28, the Senate Democratic Caucus announced its next leader – Senator Mike McGuire was selected as the Senate Pro Tem Designee. Once the transition occurs, he will replace the current Pro Tem, Senator Toni Atkins, who is terming out in 2024. At this point, it is expected the transition will occur in 2024 and Senator Atkins will remain in her post for the duration of session. Senator McGuire terms out in 2026.

Bills with Action Taken

ACA 1 (Aguiar – Curry) – Local Government Financing. Assemblymember Aguilar-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 the Assembly Appropriations Committee with amendments on Friday, September 1. The bill then passed out of the Assembly and is now in Senate Appropriations. *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 was recently amended with chaptering 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 is pending a vote on the Senate Floor. *Support.*

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 Appropriations Committee on September 1 with amendments to require third-party review of distribution grid infrastructure as a condition of using the rate making mechanisms. The bill is now on the Assembly Floor. *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 was amended on September 6 to add new language relating to Public Employees Retirement Board (PERB) jurisdiction. The bill is on the Senate Floor.

AB 610 (Holden) - Free Youth Transit Passes. This bill would, upon appropriation of funding by the Legislature, create the Student Transit Pass Pilot Program for 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.

The bill is pending a vote on the Senate Floor after passing out of the Senate Appropriations Committee on Friday, September 1.

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.

Last month, Senator Wiener announced that he is putting the bill on pause to allow more discussion among stakeholders. The bill will not move further this year.

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. Amendments from the Assembly Local Government Committee require members who are compensated for their service to participate in person, among other changes.

The bill is now on the Assembly Floor.

Grants

On September 1, the CTC released the Formal Draft Guidelines for the SB 125 Transit and Intercity Rail Capital Program and Zero-Emission Transit Capital Program, available [here](#), with a virtual workshop on the guidelines occurring on September 7. Caltrain staff are reviewing the guidelines in advance of the comment deadline September 14.

On August 31, Caltrans announced FY 2023-24 [Sustainable Transportation Planning Grant program awards](#). Caltrain received \$474,000 to complete the Caltrain Climate Change Vulnerability Study.

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.

Caltrain Federal Report August - September 2023

Leadership Prepares for Continuing Resolution and Spending Votes

- Members left Washington at the beginning of August with significant progress to be made on appropriations. The House Appropriations Committee has held full committee markups of all FY 2024 appropriations bills excluding the Commerce, Justice, and Science and the Labor, Health and Human Services, and Education bill.
- The House was only able to pass one appropriations on the floor—the FY 2024 Military Construction-VA bill. Leadership had planned for consideration of additional bills votes but was unable to pass the Agriculture-FDA funding bill when Republican conservatives refused to move forward on the bill due to a lack of spending cuts.
- The House and Senate are now back in session and have plans to vote on their respective spending legislation. First, the Senate will vote on a three-bill spending package the week of September 11th consisting of the Agriculture-FDA, Military Construction-VA, and Transportation-HUD bills. The House plans to vote on its Defense Appropriations bill the week of September 11th.
- Congressional leadership in the House and Senate have indicated their support for short-term spending legislation, a continuing resolution (CR) to keep the federal government funded and to provide members additional time to complete FY 2024 appropriations legislation. The White House has released its list of “anomalies,” items it seeks to include in a short-term deal, as Congress prepares the resolution. However, Congress will determine which items are included in the spending package and is not bound by the President’s request.
- Despite bipartisan work on a CR, the likelihood of a government shutdown at the end of the calendar year is possible. Conservative members of the House Republican caucus may want to decreased funding levels further. If they decline to move forward, it could prevent the House from moving forward and lead to a government shutdown.

Bipartisan Rail Safety Bill Expected to Get Floor Vote this Fall

- This fall, the Senate is likely consider the Railway Safety Act of 2023 ([S.576](#)) – the bipartisan rail safety bill introduced in the wake of the train derailment in East Palestine OH – on the floor. This bill requires the Department of Transportation (DOT) to issue improved safety regulations for trains carrying hazardous materials, as well as increases to maximum fines that DOT can impose for violating said regulations.

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- Earlier in September, Senator J.D. Vance (R-OH) stated in a press conference that Democratic leadership confirmed that a vote will take place on the bill this fall. Senator Vance expressed confidence in the bill passing, and said that he’s “pretty sure” the nine GOP votes needed to pass are there, in addition the full support of the Democratic caucus.

DOT Opens SMART Funding Opportunity

- On August 8, the DOT announced the next funding round for the Strengthening Mobility and Revolutionizing Transportation (SMART) Grants Program. The current funding round is for Stage 1 Planning and Prototyping grants which will utilize data and technology capacity to improve transportation systems.
- The Department has made approximately \$500 million available for the current funding round. Applications are due on October 10. Interested parties may view the NOFO on [grants.gov](https://www.grants.gov) using this [link](#).

DOT Announces Next Phase of Clean Energy Tax Credit Implementation

- DOT is expected to issue guidance for the Inflation Reduction Act (IRA)’s energy efficiency home credit and sustainable aviation fuel (SAF) credit in the near future, as well as implementation guidance for the law’s investment tax credit, advanced manufacturing production tax credit, electric vehicle (EV) provision for “foreign entities of concern”, and clean hydrogen subsidies before the end of the year.
- DOT’s first phase of IRA implementation includes released guidance on tax incentives for EVs, energy communities, domestic content, new direct pay incentives, transferability, and prevailing wages.

DOT Names Sue Lawless as Key Motor Safety Officer at the Federal Motor Carrier Safety Administration (FMCSA)

- On August 30, DOT announced that Sue Lawless would be Assistant Administrator and Chief Safety Officer for the FMCSA. Lawless was previously Director of the FMCSA’s Motor Carrier, Driver, and Vehicle Standards Division.
- Lawless has also represented motor carriers and drivers as an attorney in the private sector. She assumed her new role starting September 10.

DOT Issues Waiver of Buy America Requirements for De Minimus Costs and Small Grants

- On August 22, DOT issued a public interest for [Waiver of Buy America Requirements for De Minimus Costs and Small Grants](#). The waiver is intended to ensure DOT and its

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grant recipients make efficient use of resources by focusing domestic sourcing efforts on products that provide the greatest manufacturing opportunities for American workers and firms, consistent with the Biden-Harris Administration's implementation of the Build America, Buy America Act.

- The waiver is also intended to reduce delays in the delivery of important transportation infrastructure projects that provide jobs and promote economic growth. More information about the public interest waiver and DOT's implementation of the Build America, Buy America Act can be found [here](#).

Round-Up of Open Grant Opportunities

- [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.
- [Pilot Program for Transit-Oriented Development](#). \$13 million available. All applications due October 10, 2023.

State Legislative Matrix 9/7/2023

Bill Number (Author)	Summary	Location	Position
AB 6 (Friedman D) Transportation planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions.	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. Amended: 3/16/2023	Senate 2 year	Watch
AB 7 (Friedman D) Transportation: planning: project selection processes.	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, feasible, and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified goals into program funding guidelines and processes. This bill contains other existing laws. Amended: 9/1/2023	Senate Third Reading 9/7/2023 #236 SENATE ASSEMBLY BILLS - THIRD READING FILE	Watch
AB 96 (Kalra D) Public employment: local public transit agencies: autonomous transit vehicle technology.	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. Existing law establishes the Public Employment Relations Board (PERB) in state government as a means of resolving disputes and enforcing the statutory duties and rights of specified public employers and employees under various acts regulating collective bargaining. Existing law includes within PERB's jurisdiction the resolution of disputes alleging violation of rules and regulations adopted by a public agency, as defined, concerning unit determinations, representations, recognition, and elections, as specified. Existing law authorizes PERB to adopt rules and regulations to carry out its purposes, as provided. Existing law does not apply the above provisions to employees of specified public transit agencies. 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	Senate Second Reading 9/7/2023 #17 SENATE ASSEMBLY BILLS - SECOND READING FILE	Watch

	<p>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 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. The bill would vest PERB with jurisdiction to process unfair practice charges alleging violations of these provisions, but only as to transit district employers where PERB has jurisdiction to process unfair practice charges. Should an employee organization file an unfair practice charge with PERB, the bill would require PERB's powers and duties to apply, as appropriate, and would require PERB's regulations to apply. The bill would authorize PERB to make additional emergency regulations, as specified.</p> <p>Amended: 9/6/2023</p>		<p>Item #7. 9/27/2023</p>
<p>AB 241 (Reyes D) 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>	<p>Assembly Third Reading 9/7/2023 #123 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS</p>	<p>Watch</p>
<p>AB 457 (Patterson, Joe R) 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>	<p>Senate Third Reading 9/7/2023 #100 SENATE ASSEMBLY BILLS - THIRD READING FILE</p>	<p>Watch</p>
<p>AB 463 (Hart D) 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</p>	<p>Assembly 2 year</p>	<p>Support</p>

	<p>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 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 #7. 9/27/2023</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 Third Reading 9/7/2023 #188 SENATE ASSEMBLY BILLS - THIRD READING FILE</p>	<p>Watch</p>
<p>AB 557 (Hart D) Open meetings: local agencies: teleconferences.</p>	<p>(1)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. Existing law, until January 1, 2024, authorizes the legislative body of a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect. Those circumstances are that (1) state or local officials have imposed or recommended measures to promote social distancing, (2) the legislative body is meeting 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 (3) the legislative body has previously</p>	<p>Senate Third Reading 9/7/2023 #319 SENATE ASSEMBLY BILLS - THIRD READING FILE</p>	<p>Support</p>

	<p>made that determination. If there is a continuing state of emergency, or if state or local officials have imposed or recommended measures to promote social distancing, existing law requires a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures. 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. 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: 9/1/2023</p>		<p>Item #7. 9/27/2023</p>
<p><u>AB 610 (Holden D)</u> 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: 8/14/2023</p>	<p>Senate Third Reading 9/7/2023 #355 SENATE ASSEMBLY BILLS - THIRD READING FILE</p>	<p>Watch</p>
<p><u>AB 744 (Carrillo, Juan D)</u> 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. This bill would require the commission to convene relevant state agencies to assess the procurement and implementation of data, modeling, and analytic software tools to support the state's sustainable transportation, congestion management, affordable housing, efficient land use, air quality, economic, and climate change strategies and goals, as provided. On or before July 1, 2025, the bill would require the commission to develop</p>	<p>Senate Third Reading 9/7/2023 #454 SENATE ASSEMBLY BILLS - THIRD READING FILE</p>	<p>Watch</p>

	<p>a proposal to procure data, modeling, and analytic software tools and a process to grant access to the data it procures directly, or provide a process for direct allocation of funding to agencies for data procurement, or both of those, as provided.</p> <p>Amended: 9/1/2023</p>		<p>Item #7. 9/27/2023</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 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>	<p>Senate 2 year</p>	<p>Watch</p>
<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</p>	<p>Assembly 2 year</p>	<p>Watch</p>

	<p>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>		<p>Item #7. 9/27/2023</p>
<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>Enrollment: 9/6/2023</p>	<p>Assembly Enrollment</p>	<p>Watch</p>
<p>AB 832 (Cervantes D)</p> <p>California Transportation Commission: membership.</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. 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>Senate Third Reading</p> <p>9/7/2023 #114 SENATE ASSEMBLY BILLS - THIRD READING FILE</p>	<p>Watch</p>
<p>AB 837 (Alvarez D)</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</p>	<p>Senate 2 year</p>	<p>Watch</p>

<p>Surplus land: exempt surplus land: sectional planning area.</p>	<p>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>Item #7. 9/27/2023</p>
<p>AB 980 (Friedman D) 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>Amended: 3/13/2023</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p>AB 1335 (Zbur D) Local government: transportation planning and land use: sustainable communities strategy.</p>	<p>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.</p> <p>Amended: 6/22/2023</p>	<p>Senate 2 year</p>	<p>Watch</p>
<p>AB 1377 (Friedman D) Homeless Housing,</p>	<p>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</p>	<p>Senate Third Reading 9/7/2023 #176 SENATE ASSE</p>	<p>Support</p>

Assistance, and Prevention Program.	<p>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. This bill would require applications or planning materials for additional state funding appropriated on or after July 1, 2024, as specified, to include 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.</p> <p>Amended: 8/31/2023</p>	MBLY BILLS - THIRD READING FILE	Item #7. 9/27/2023
<p>AB 1379 (Papan D)</p> <p>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 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>	Assembly 2 year	Watch
<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>	Assembly 2 year	Watch
<p>AB 1525 (Bonta D)</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,</p>	Assembly 2 year	Watch

<p>Transportation projects: priority populations.</p>	<p>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. 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 #7. 9/27/2023</p>
<p>ACA 1 (Aguiar-Curry D)</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, including downpayment assistance, 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 prohibit a city, county, city and county, or special district from placing a proposition on the ballot pursuant to these provisions if the voters have previously approved a proposition pursuant to these provisions or the below special tax provisions until all funds from the previous proposition are committed to programs and projects listed in the specific local program or ordinance, as described. The measure, subject to certain vote thresholds, would authorize the Legislature to enact laws establishing additional accountability measures and laws for the downpayment assistance programs authorized by the measure, as specified. 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: 9/5/2023</p>	<p>Senate Appropriations</p>	<p>Support</p>

<p>SB 84 (Gonzalez D)</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 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>Senate Inactive File</p>	<p>Item #7. 9/27/2023</p> <p>Watch</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 is disposing of surplus land by sale and has received a notification of violation from the department to hold an open and public meeting 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 meeting. The bill would prohibit the local agency's governing body from taking final action to ratify or approve the proposed sale of surplus land until a public meeting is held as required. The bill would exempt from its provisions a local agency that ceases to dispose of surplus land after receiving the notice of violation. 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: 8/24/2023</p>	<p>Assembly Third Reading</p> <p>9/7/2023 #172 ASSEMBLY THIRD READING FILE - SENATE BILLS</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 authorizes the PUC to establish an expedited distribution grid interconnection dispute resolution process with the goal of resolving disputes over interconnection applications within the jurisdiction of the PUC in no more than 60 days from the time the dispute is formally brought to the PUC. 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</p>	<p>Assembly Third Reading</p> <p>9/7/2023 #369 ASSEMBLY THIRD READING FILE - SENATE BILLS</p>	<p>Support</p>

	<p>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, 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 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: 9/5/2023</p>		<p>Item #7. 9/27/2023</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, 2026, 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. The bill would require that, at least once per year, at least a quorum of the members of the eligible legislative body participate in person from a singular physical location that is open to the public and within the boundaries of the eligible legislative body. This bill contains other related provisions and other existing laws.</p> <p>Enrollment: 9/6/2023</p>	<p>Senate Enrollment</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</p>	<p>Assembly Third Reading</p> <p>9/7/2023 #219 ASSEMBLY T HIRD READING FILE - SENATE BILLS</p>	<p>Watch</p>

	<p>transit operator to conduct 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 #7. 9/27/2023</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>Assembly Appropriations <i>Senator Wiener announced that he is putting the bill on pause to allow more discussion among stakeholders. The bill will not move further this year.</i></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 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, 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</p>	<p>Assembly Third Reading 9/7/2023 #152 ASSEMBLY T HIRD READING FILE - SENATE BILLS</p>	<p>Watch</p>

	<p>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. The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction. The bill would require a member who receives compensation for their service, as specified, on the legislative body to participate from a physical location that is open to the public. The bill would require the legislative body to identify in the agenda each member who plans to participate remotely and to include the address of the publicly accessible building from which each member will participate via teleconference. The bill would prohibit a member from participating remotely pursuant to these provisions unless the remote location is the member’s office or another location in a publicly accessible building and is more than 40 miles from the in-person location of the meeting. The bill would repeal these alternative teleconferencing provisions on January 1, 2026. This bill contains other related provisions and other existing laws.</p> <p>Amended: 9/5/2023</p>		<p>Item #7. 9/27/2023</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>Enrolled: 9/5/2023</p>	<p>Senate Enrollment</p>	<p>Watch</p>
<p>SB 670 (Allen D)</p>	<p>Existing law designates the State Air Resources Board as the state agency with the primary</p>	<p>Senate 2 year</p>	<p>Watch</p>

<p>State Air Resources Board: vehicle miles traveled: maps.</p>	<p>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>Item #7. 9/27/2023</p>
<p>SB 747 (Caballero D) Land use: surplus land.</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency. Existing law defines terms for these purposes. Existing law defines “surplus land” to generally mean land owned in fee simple by a local agency for which the local agency’s governing body takes formal action in a public meeting declaring that the land is surplus and not necessary for the agency’s use. Existing law defines “agency’s use” to include land that is being used, is planned to be used pursuant to a written plan adopted by the local agency’s governing board, or is disposed of to support agency work or operations. Existing law excludes from “agency’s use” commercial or industrial uses or activities, or property disposed of for the sole purpose of investment or generation of revenue, unless the local agency is a district, except as specified, and the agency’s governing body takes specified actions in a public meeting. Existing law excludes from these requirements the disposal of exempt surplus land by an agency of the state or any local government. Existing law requires a local agency 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. Under existing law, exempt surplus land includes, among other types of land, property that is used by a district for an “agency’s use” as expressly authorized, land for specified developments, including a mixed-use development, if put out to open, competitive bid by a local agency, as specified, and surplus land that is subject to specified valid legal restrictions. Existing law defines for a local agency that is a district, except for those districts whose primary mission is to supply the public with a transportation system, “agency’s use” to include commercial or industrial uses or activities, or property disposed of for the sole purpose of investment or generation of revenue. This bill would define the term “dispose” for these purposes to mean the sale of the surplus property or a lease of any surplus property entered into on or after January 1, 2024, for a term longer than 15 years, including renewal options, as specified. The bill would also redefine the term “agency’s use” to include use for transit, property owned by a port that is used to support logistics uses, sites for broadband equipment or wireless facilities, and waste disposal sites. The bill would specify that for a local</p>	<p>Assembly Third Reading 9/7/2023 #263 ASSEMBLY T HIRD READING FILE - SENATE BILLS</p>	<p>Watch</p>

	<p>agency that is a district, “agency’s use” includes commercial or industrial uses or activities, or property disposed of for the sole purpose of investment or generation of revenue, without exception. This bill contains other related provisions and other existing laws.</p> <p>Amended: 8/14/2023</p>		<p>Item #7. 9/27/2023</p>
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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: **Diridon Station Business Case 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

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.

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