



AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Advocacy and Major Projects (AMP) Committee Meeting

June 28, 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

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

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.

June 28, 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 as of May 24, 2023 Motion
5. San Francisco Downtown Rail Extension (DTX) Project: Progress Update on Agreements with the Transbay Joint Powers Authority (TJPA)** Informational
6. State and Federal Legislative Update Informational
7. MTC (Metropolitan Transportation Commission) Regional Monthly Update Informational
8. Date/Time of Next Regular AMP Committee Meeting: Wednesday, July 26, 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.

9. Committee Member Requests
10. 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**

Draft Minutes of May 24, 2023

MEMBERS PRESENT: S. Heminger (Chair), J. Gee

MEMBERS PRESENT

VIA TELECONFERENCE: C. Chavez (Vice Chair)

MEMBERS ABSENT: None

STAFF PRESENT: M. Bouchard, N. Fogarty, C. Fromson, Z. Guan, J. Harrison, D. Ryan,
D. Seamans, M. Tseng

1. Call to Order/Pledge of Allegiance

Chair Steve Heminger called the meeting to order at 3:32 pm, noted Vice Chair Chavez was attending remotely under Assembly Bill 2449 due to health reasons, 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 for Items Not on the Agenda

There were none.

4. Public Meeting Minutes of March 29, 2023

Motion/Second: Gee/Chavez

Ayes: Gee, Chavez, Heminger

Noes: None

Absent: None

5. State and Federal Legislative Update and Approval of Legislative Proposal:

Support AB 557 (Hart)

Support AB 1377 (Friedman)

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

- The Rail Safety Act with new regulations passed Senate Commerce Committee
- Community project requests to add improvements for six crossings along the corridor
- State Senate Select Committee met last week focusing on the fiscal cliff
- State budget released in January would allow flexing of TIRCP (Transit and Intercity Rail Capital Program) dollars

The Board had a discussion and staff provided further clarification in response to the Board members comments and questions on that included the following:

- Legislature understanding of Caltrain's risks to operating funding
- Determining funding options
- Supportive of CTA (California Transit Association) requests
- Possible strain to operating dollars if TIRCP is not fully funded as expected

Public Comment

Adrian Brandt expressed concern for unfunded mandates with railroad unions forcing two operators in locomotive cabs.

Motion/Second: Gee/Chavez

Ayes: Gee, Chavez, Heminger

Noes: None

Absent: None

6. Authorize Execution of Agreement with San Mateo County Transit District in Connection with Bus Bridge Services for the Caltrain Peninsula Corridor Electrification Project (PCEP) 2023 Weekend Closures**

Zhenlin Guan, Deputy Director of Project Delivery, provided the presentation that included the following:

- 2023 Construction and service changes – 31 partial weekend shutdowns and benefits of construction and testing on weekends
- Bus bridge support services – additional outreach to partnering agencies for support since February; SamTrans and Compass Transportation to provide bus bridge support
- Costs and budget for four weekend shutdowns

Public Comment

Adrian Brandt commented Compass Transportation using vehicles not suitable for carrying bikes so the riding community needs to be aware.

The Board had a discussion and staff provided further clarification in response to the Board Members comments and questions that included the following:

- Compass Transportation buses do not have front bike racks, but have luggage compartments underneath the buses for bikes; SamTrans has bike racks upfront on buses
- Need public information for bike capacity limitations

Director Gee noted he also serves on the SamTrans Board and disclosed non-interest for purposes of conflict-of-interest law.

7. Corridor Crossings Strategy Introduction

Jill Gibson, Consultant, Kimley-Horn and Associates, Inc., provided the presentation that included the following:

- Baseline conditions, current challenges, problem statement, purpose, and paths
- Project delivery opportunities, crossing delivery guide and approach spectrum including independent, coordinated, and system-wide projects
- Program strategy process, circulation and mobility workshop, and key takeaways to date
- Timeline and 2023 Engagement Schedule including future in-person Local Policy Maker Group (LPMG) workshops, City/County staff coordinating group, Board and Board committees' meetings
- Business Plan: 4-Track Context and 4-Track Segment Refinement

The Board had a discussion and staff provided further clarification in response to the Board members comments and questions that included the following:

- Explore organizational and technical capacities within the approach spectrum
- Caltrain funds have not been part of funding plans for grade crossings
- 4-Track Segment Refinement locations
- Inherent tensions with property owners for TOD (transit-oriented development)
- Possible service impact due to construction projects along corridor

Public Comment

Adrian Brandt commented on full activation of new space created underneath where tracks used to be when tracks are elevated and be careful of funding sources for grade separations.

8. Railyards Preliminary Business Case Update

Nadine Fogarty, Deputy Director of TOD (Transit Oriented Development) and Real Estate, introduced and noted working closely with DJ Baxter, Consultant, Kimley-Horn and Associates, Inc. and Genevieve Cadwalader, Vice President/Investment Officer, Prologis, Inc.

DJ Baxter, Consultant, Kimley-Horn provided the presentation that included the following:

- Overview and background and involved parties and project partners
- Preliminary Business Case (PBC), analysis framework, and goals and objectives
- Evaluate options, policy priorities and core assumptions, and current Activities

The Board had a discussion and staff provided further clarification in response to the Board members comments and questions that included the following:

- Under what circumstances is it appropriate for the Board to discuss land, land use, and value and any implications
- Staff to provide background information on Caltrain railyard rights for more robust Board understanding and engagement
- Planning process - final decision unclear with different metrics, different stakeholders, values, benefits, and tradeoffs and how to resolve any potential disputes or stalemates

- Currently collecting data to define roles and responsibilities and there may be a future workshop later to work on defining the roadmap for decision-making
- Development and business climate in San Francisco

Public Comment

Adrian Brandt supported Board concerns about unclear decision making and the need for robust roadmap to responsibilities and funding plan.

9. Committee Member Requests

There were none.

10. Date/Time of Next Regular AMP Committee Meeting: Wednesday, June 28, 2023 at 3:30 pm.

11. Adjorn

Meeting adjourned at 4:57pm

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Advocacy and Major Projects Committee
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Deputy Chief, Caltrain Planning
Subject: **San Francisco Downtown Rail Extension (DTX) Project: Progress Update on Agreements with the Transbay Joint Powers Authority (TJPA)**

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

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

Discussion

Caltrain and the Transbay Joint Powers Authority (“TJPA”) are negotiating a Master Cooperative Agreement (“MCA”) for the San Francisco Downtown Rail Extension Project (“DTX” or “The Portal”) as part of TJPA’s application for the Federal Transit Administration (“FTA”) Capital Investment Grants (“CIG”) Program. The MCA will address key topics, including design support and coordination; procurement and construction coordination; financial commitments; operations, maintenance, and rehabilitation; and asset disposition. FTA requires "substantial progress" on third-party agreements, such as the MCA, before TJPA requests the Full-Funding Grant Agreement (“FFGA”) in fall 2023.

The current MCA draft has significant, unresolved issues. As a result, TJPA and Caltrain have agreed to focus on the near-term elements of the MCA and document those elements in an Interim Agreement in August 2023, before TJPA’s submittal of the FFGA request. The Interim Agreement will include a decision-making process and delivery roles, staffing plan, budget and reimbursement mechanisms, and a timeline for vetting and agreeing on policy issues before the full MCA is executed. The MCA will be brought to the Caltrain Board in August 2024, allowing more time for Board engagement on policy issues.

Over the next couple months, staff will bring the Interim Agreement to the Board Ad Hoc on DTX MCA negotiations, the July AMP Committee, and the August Board for adoption.

Budget Impact

This informational item has no impact on the budget.

Background

The DTX project will extend Caltrain and future California High-Speed Rail service from the existing 4th and King railyard to the Salesforce Transit Center in downtown San Francisco.

The project is seeking funding through the FTA's CIG New Starts program. For New Starts projects, the FTA requires completion of two phases, Project Development and Engineering, in advance of receipt of a FFGA. The DTX project is executing an accelerated master schedule to support a potential FFGA approval in 2025. It was accepted into the initial Project Development Phase in December 2021 and requested entry into the Engineering Phase in February 2023. In fall of this year, TJPA anticipates approval to enter the Engineering Phase and will request the FFGA.

Prepared By: Gwen Buckley Principal Planner 650-722-6827

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Advocacy and Major Projects (AMP) Committee
Through: Michelle Bouchard, Executive Director
From: Casey Fromson, Chief Communications Officer
Subject: **State and Federal Legislative 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

Staff proposes the Committee recommend the Board:

1. Receive the attached State and Federal Legislative Updates

Discussion

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

Budget Impact

None.

Background

None.

Prepared By: Devon Ryan Government & Community Affairs Officer 650.730.6172



June 9, 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 – July 2023**

General Update

The Legislature wrapped up two major legislative deadlines in the last few weeks.

May 19th was the fiscal committee deadline, where fiscal bills must be heard in the Appropriations Committee in the first house before going to a vote on the floor. On May 18, the Appropriations Committees in both houses held their “suspense hearing,” where they dispensed hundreds of bills on the “suspense file” at once. It is at this point in the legislative process where we see the number of active bills moving through the legislative process decrease, and this year was no exception with many bills being held in the Committee.

June 2nd was another legislative milestone - the House of Origin Deadline, where bills must be voted on the Floor of the House of Origin. The bills that moved forward must have a policy committee hearing in the second house before the summer recess which begins July 14.

Budget Update. Since the release of the May Revision, the Legislature has been developing their budget proposal for transit funding in response to the Governor cutting \$2B in TIRCP funds. In late May, Senate Budget Subcommittees 2 and the full Assembly Budget Committee, voted to reject the Governor’s proposed \$2 billion cut to the TIRCP and allow regional agencies to “flex” a to-be-determined portion of that funding for operating assistance. The Legislature also voted to develop accountability measures for transit operators in order to access operations funding and to fold AB 761 (Friedman) into the trailer bill process. The Legislature will maintain Transportation Development Act relief from farebox & operating cost per hour penalties, maintain operating flexibility in the SB 1 state of good repair program, and provide additional flexibility withing the Low-Carbon Transportation Program. The Legislature is also proposing additional funding for zero-emission transit vehicles.

Negotiations between the Legislature and Governor on the budget package are ongoing. A balanced budget must be adopted by June 15.

Bills with Action Taken

ACA 1 (Aguiar – Curry) – Local Government Financing. Assemblymember Aguiar-Curry reintroduced ACA 1, which would reduce the voter-approval threshold from 2/3 to 55% for cities and counties to issue

bonds or raise taxes for public infrastructure and affordable housing projects. Caltrain supported this measure in 2021. *Support.*

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

AB 557 (Hart) - AB 361 Sunset Extension. This bill would remove the sunset established in AB 361 (R. Rivas) as well as increase the time period when the Board must renew the findings of an emergency or need for social distancing from 30 days to 45 days. This bill passed out of the Senate Governance and Finance Committee this week. During the hearing, the author indicated he would be tightening the language around active state of emergency declarations in the next policy committee. The bill is scheduled for a hearing in the Senate Judiciary Committee on June 27. *Support.*

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

Bills of Interest

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

Amendments on May 1 require a 10-month notice before beginning procurement or deployment of a technology that would eliminate job functions or jobs, among other changes.

The bill passed out of the Assembly and is pending a hearing in the Senate Labor, Public Employment and Retirement Committee.

AB 610 (Holden) - Free Youth Transit Passes. Assemblymember Holden reintroduced AB 1919 from last session that requires the creation of a Youth Free Transit Pass Pilot program. This bill passed out of the Assembly and was referred to the Senate Transportation Committee.

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 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.

This bill is the Assembly and is pending referral to a policy committee.

Grants

Last year, the CTC hosted workshops for the three SB 1 programs it oversees – the Solutions for Congested Corridors Program (SCCP), Local Partnership Program (LPP), and the Trade Corridor Enhancement Program (TCEP). The CTC solicited applications for the next round of funding in Summer 2022 and will announce project awards in Summer 2023. As a reminder, in late-2020, the California Transportation Commission awarded grants for three SB 1 programs – the Solutions for Congested Corridors Program, Local Partnership Program, and the Trade Corridor Enhancement Program.

Caltrans – Caltrans has released the FY 2023-24 Sustainable Transportation Planning Grant application guide and call for applications. The program has a total of \$84 million available for transportation planning projects statewide.

Current Guidelines: Guidelines can be found [here](#).

Status: Caltrain applied on March 9, 2023. Award announcement expected summer 2023.

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

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

State Transportation Improvement Program – The STIP, managed by Caltrans and programmed by the CTC, is primarily used to fund highway expansion projects throughout the state, but also supports grade separations. The STIP is programmed every two years. The 2022 STIP, adopted in March 2022, includes

\$796 million in new STIP funding capacity. Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

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

State Legislative Matrix 6/9/2023

Bill Number (Author)	Summary	Location	Position
<p>AB 6 (Friedman D)</p> <p>Transportation planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions.</p>	<p>Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires that each regional transportation plan also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. This bill would require the state board, after January 1, 2024, and not later than September 30, 2026, to establish additional targets for 2035 and 2045, respectively, as specified. This bill contains other existing laws.</p> <p>Amended: 3/16/2023</p>	<p>Senate Rules</p>	<p>Watch</p>
<p>AB 7 (Friedman D)</p> <p>Transportation: planning: project selection processes.</p>	<p>Existing law establishes within state government the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish coordinated planning and policy formulation in matters of public interest, including transportation projects. On and after January 1, 2025, and to the extent possible, feasible, applicable, and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified principles into their processes for project development, selection, and implementation. This bill contains other existing laws.</p> <p>Amended: 5/25/2023</p>	<p>Senate Rules</p>	<p>Watch</p>
<p>AB 96 (Kalra D)</p> <p>Public employment: local public transit agencies: autonomous transit vehicle technology.</p>	<p>Existing law creates various transit districts and prescribes requirements applicable to their labor relations, including those that address the recognition and certification of exclusive employee representatives, unit determinations, and procedures for meeting and conferring on matters subject to collective bargaining. This bill would require a public transit employer, at least 10 months before beginning a procurement process to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of a workforce, to provide written notice to the exclusive employee representative of the workforce affected by the autonomous transit vehicle technology of its determination to begin that procurement process. The bill would require the public transit employer and exclusive employee representative, upon</p>	<p>Senate L., P.E. & R.</p> <p>6/14/2023 9:30 a.m. - 1021 O Street, Room 2200 SENATE LABOR, PUBLIC EMPLOYMENT AND RETIREMENT, CORTESE, DAVE, Chair</p>	<p>Watch</p>

	<p>written request by the exclusive employee representative, to commence collective bargaining within a specified time period on certain subjects, including creating plans to train and prepare the affected workforce to fill new positions created by the autonomous transit vehicle technology.</p> <p>Amended: 5/1/2023</p>		<p>Item #6. 6/28/2023</p>
<p>AB 241 (Reyes D) 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>Assembly Third Reading 6/12/2023 #7 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. This bill would expand "exempt surplus land" to include a parcel that is (1) identified in the local agency's circulation element or capital improvement program for future roadway development, (2) no larger than 2 acres, (3) zoned for retail commercial use, and leased for a purpose consistent with the underlying zoning, and (4) abuts a state highway right-of-way.</p> <p>Amended: 3/15/2023</p>	<p>Senate Gov. & F.</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 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</p>	<p>Assembly 2 year</p>	<p>Support</p>

	<p>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 #6. 6/28/2023</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 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 recast that provision and 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. The bill would also require a local agency to provide a written notification to the Department of Housing and Community Development of its declaration and findings 30 days before disposing of land declared “exempt surplus land.” Because this bill would require local officials to perform additional duties, it would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/5/2023</p>	<p>Senate Gov. & F.</p>	<p>Watch</p>
<p>AB 557 (Hart D) Open meetings: local agencies: teleconferences.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency’s jurisdiction. The act provides an exemption to the jurisdictional requirement for health</p>	<p>Senate Judiciary 6/27/2023 1:30 p.m. - 1021 O Street, Room 2100 SENATE JUDICIARY, UMBERG, THOMAS, Chair</p>	<p>Support</p>

	<p>authorities, as defined. Existing law, until January 1, 2024, authorizes 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, or in other situations related to public health, as specified. 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. Existing law requires a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option. Existing law prohibits a legislative body that holds a teleconferenced meeting under these abbreviated teleconferencing procedures from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. This bill would extend the above-described abbreviated teleconferencing provisions when a declared state of emergency is in effect, or in other situations related to public health, as specified, indefinitely. The bill would also extend the period for a legislative body to make the above-described findings related to a continuing state of emergency and social distancing 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>Introduced: 2/8/2023</p>		<p>Item #6. 6/28/2023</p>
<p><u>AB 610 (Holden D)</u> Student Transit Pass Pilot Program: free student 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 Student 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 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, as specified. 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 create a new fare free student transit pass program or to maintain, subsidize, or expand an existing fare free student transit pass 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 a public educational institution partner, as provided. The bill would require the department to submit a report to specified</p>	<p>Senate Transportation</p>	<p>Watch</p>

	<p>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 student 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: 5/18/2023</p>		<p>Item #6. 6/28/2023</p>
<p><u>AB 744 (Carrillo, Juan D)</u></p> <p>California Transportation Commission: data, modeling, and analytic software tools procurement.</p>	<p>Existing law establishes the California Transportation Commission in the Transportation Agency. Existing law vests the California Transportation Commission with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. Upon the appropriation of funds by the Legislature, this bill would require the commission to acquire public domain or procure commercially available or open-source licensed data, modeling, and analytic software tools to support the state’s sustainable transportation, congestion management, affordable housing, efficient land use, air quality, and climate change strategies and goals. The bill would require the commission to provide access to the data, modeling, and analytic software tools to state and local agencies, as specified. This bill would authorize the commission to provide a direct allocation of funding to local agencies for the above purposes, and would require state and local agencies that receive the funds or access to data, modeling, and analytic software tools to submit reports to the commission no later than February 1, 2026, regarding their use of the data, modeling, and analytic software tools. The bill would require the commission, based on those reports, to submit a report to the Legislature no later than December 1, 2026, regarding the use of the data, modeling, and analytic software tools by state and local agencies. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/8/2023</p>	<p>Senate Transportation</p>	<p>Watch</p>
<p><u>AB 756 (Papan D)</u></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>Assembly 2 year</p>	<p>Watch</p>

	Amended: 3/2/2023		Item #6. 6/28/2023
<u>AB 761 (Friedman D)</u> Transit Transformation Task Force.	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. Introduced: 2/13/2023	Senate Transportation	Watch
<u>AB 817 (Pacheco D)</u> Open meetings: teleconferencing: subsidiary body.	Existing law, the Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time	Assembly 2 year	Watch

	and every 12 months thereafter. This bill contains other existing laws. Amended: 3/16/2023		Item #6. 6/28/2023
AB 819 (Bryan D) Crimes: public transportation: fare evasion.	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. Introduced: 2/13/2023	Senate Public Safety 6/13/2023 8:30 a.m. - 1021 O Street, Room 2200 SENATE PUBLIC SAFETY, WAHAB, AISHA, Chair	Watch
AB 832 (Cervantes D) California Transportation Commission: membership.	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. Amended: 3/1/2023	Senate Transportation 6/13/2023 1:30 p.m. - 1021 O Street, Room 1200 SENATE TRANSPORTATION, GONZALEZ, LENA, Chair	Watch
AB 837 (Alvarez D) Surplus land: exempt surplus land: sectional planning area.	Existing law prescribes requirements for the disposal of surplus land by a local agency. Existing law defines terms for these purposes, including, among others, "surplus land" to mean land owned in fee simple by any local agency for which the local agency's governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency's use. Existing law defines "exempt surplus land" to mean, among other things, surplus land that a local agency is exchanging for another property necessary for the agency's use and surplus land that a local agency is transferring to another local, state, or federal agency for the agency's use. Existing law provides that an agency is not required to follow the requirements for disposal of surplus land for "exempt surplus land," except as provided. This bill would provide, until January 1, 2024, that land that is subject to a sectional planning area, as described, is not subject to	Senate Gov. & F.	Watch

	<p>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>		Item #6. 6/28/2023
<p>AB 980 (Friedman D)</p> <p>Active Transportation Program: report.</p>	<p>Existing law establishes the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking. Existing law requires the California Transportation Commission to develop guidelines and project selection criteria for the program and authorizes the commission to amend the adopted guidelines after conducting at least one public hearing. This bill would require an applicant that receives funding under the program for a project to, within one year of completing the project, submit a report to the commission describing how the project met active transportation goals.</p> <p>Amended: 3/13/2023</p>	Assembly 2 year	Watch
<p>AB 1335 (Zbur D)</p> <p>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, calculated as specified and except as provided, 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: 5/11/2023</p>	<p>Senate Housing</p> <p>6/20/2023 1:30 p.m. - 1021 O Street, Room 1200 SENATE HOUSING, WIENER, SCOTT, Chair</p>	Watch
<p>AB 1377 (Friedman D)</p> <p>Homeless Housing, Assistance, and Prevention Program:</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 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</p>	<p>Senate Human Services</p> <p>6/19/2023 3 p.m. or upon adjournment of Session - 1021 O Street, Room 2200 SENATE HUMAN SERVICES, ALVARADO-GIL, MARIE, Chair</p>	Support

Round 3.	<p>supporting the efforts of those individuals and families to maintain their permanent housing. Existing law provides for the allocation of funding under the program among continuums of care, cities, counties, and tribes in 4 rounds, which are to be administered by the Interagency Council on Homelessness. Existing law, beginning with round 3 of the program, requires applicants to provide specified information for all rounds of program allocations through a data collection, reporting, performance monitoring, and accountability framework, as established by the council. This includes data on the applicant's progress towards meeting their outcome goals, to be submitted annually, for each year of the program, and other information if the applicant has not made significant progress towards those goals. This bill would also require data and a narrative summary of specific and quantifiable steps that the applicant has taken to improve the delivery of housing and services to people experiencing homelessness or at risk of homelessness, on transit facilities owned and operated by a transit district, as defined, in their jurisdiction. This bill contains other existing laws.</p> <p>Amended: 4/13/2023</p>		Item #6. 6/28/2023
<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</p>	Assembly 2 year	Watch

	<p>that, for every project overseen by the Department of Transportation, provides metrics, fiscal information, and operational information, as specified. The bill would require the agency to update the dashboard quarterly, using publicly available information. The bill would authorize the department to partner with other state or local agencies to collect the data required to be included in the performance dashboard.</p> <p>Amended: 4/10/2023</p>		<p>Item #6. 6/28/2023</p>
<p>AB 1525 (Bonta D)</p> <p>Transportation projects: priority populations.</p>	<p>Existing law establishes within state government the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish 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>Assembly 2 year</p>	<p>Watch</p>
<p>ACA 1 (Aguiar-Curry D)</p> <p>Local government financing: affordable housing and public infrastructure: voter</p>	<p>The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real</p>	<p>Assembly Local Government</p>	<p>Support</p>

approval.	<p>property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/30/2023</p>		<p>Item #6. 6/28/2023</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>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 has received a notification of violation from the department to hold an open and public session to review and consider the substance of the notice of violation. The bill would require the local agency's governing body to provide prescribed notice no later than 14 days before the public session. The bill would prohibit the local agency's governing body from taking final action to ratify or approve the proposed disposal until a public session is held as required. By imposing new duties on local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Assembly Local Government</p>	<p>Watch</p>

	Amended: 2/23/2023		Item #6. 6/28/2023
<p>SB 411 (Portantino D)</p> <p>Open meetings: teleconferences: neighborhood councils.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill, until January 1, 2028, would authorize an eligible legislative body to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if the city council has adopted an authorizing resolution and 2/3 of an eligible legislative body votes to use the alternate teleconferencing provisions. The bill would define “eligible legislative body” for this purpose to mean a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to the act. The bill would require an eligible legislative body authorized under the bill to provide publicly accessible physical locations for public participation, as prescribed. The bill would also require that at least a quorum of the members of the neighborhood council participate from locations within the boundaries of the city in which the neighborhood council is established. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/24/2023</p>	Assembly Local Government	Watch
<p>SB 434 (Min D)</p> <p>Transit operators: street harassment survey.</p>	<p>Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit service. Existing law provides various provisions applicable to all public transit and transit districts. Existing law requires the Mineta Transportation Institute at San Jose State University to, on or before December 31, 2023, develop and make available on its internet website a survey for the purpose of promoting consistency in the collection of specified survey data to inform efforts to improve the safety of riders and reduce street harassment on public transit. This bill would require a transit operator, as defined, upon appropriation of funds by the Legislature, to collect and publish specified survey data for the purpose of informing efforts to improve the safety of riders and reduce street harassment on public transit on or before December 31, 2024. The bill would require a transit operator to conduct 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</p>	Assembly Transportation	Watch

	<p>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 #6. 6/28/2023</p>
<p>SB 532 (Wiener D)</p> <p>Ballot measures: local taxes.</p>	<p>Existing law requires that the ballots used when voting upon a measure proposed by a local governing body or submitted to the voters as an initiative or referendum measure, including a measure authorizing the issuance of bonds or the incurrence of debt, have printed on them a true and impartial statement describing the purpose of the measure. If the proposed measure imposes a tax or raises the rate of a tax, existing law requires the ballot to include in the statement of the measure the amount of money to be raised annually and the rate and duration of the tax to be levied. Existing law requires the ballot label contain no more than 75 words. This bill would exempt from this requirement a measure that imposes or increases a tax with more than one rate or authorizes the issuance of bonds. If the proposed measure imposes or increases a tax with more than one rate, or authorizes the issuance of bonds, this bill would require that the ballot include in the statement of the measure to be voted on an estimate of the amount of money to be raised annually and the rate and the duration of the tax to be levied. This statement, which may contain bullet points, would not count toward any word limit that applies to the statement of the measure. If including the fiscal disclosure in the ballot would result in the total number of words on the ballot label to exceed the 75 word limit and would necessitate the printing of an extra ballot card compared to the ballot labels not exceeding the 75 word limit, the type size of the fiscal disclosure may be reduced by the minimal amount needed to stop from necessitating an extra ballot card, as long as the type size is no smaller than 8-point, and as long as the type size is reduced by the same amount for all ballot measures. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/18/2023</p>	<p>Assembly Desk</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, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the</p>	<p>Assembly Desk</p>	<p>Watch</p>

	<p>general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows “just cause,” including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of “just cause” to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/24/2023</p>		<p>Item #6. 6/28/2023</p>
<p>SB 617 (Newman D)</p> <p>Public contracts: progressive design-build: local and regional agencies.</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. 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. This bill would additionally 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. The bill would specify that the authority to use the progressive design-build process does not include inspection services for projects on, or interfacing with, the state highway system. By expanding the local agencies that may use the progressive design-build process and thus expanding the crime of perjury, the bill would impose a state-mandated local program.</p> <p>Amended: 3/30/2023</p>	<p>Assembly Local Government</p> <p>6/21/2023 1:30 p.m. - State Capitol, Room 447 ASSEMBLY LOCAL GOVERNMENT, AGUIAR-CURRY, CECILIA, Chair</p>	<p>Watch</p>
<p>SB 670 (Allen D)</p> <p>State Air Resources Board: vehicle miles traveled: maps.</p>	<p>Existing law designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution and the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. Existing law imposes various requirements related to transportation planning, including a requirement that certain transportation planning agencies prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires each regional transportation plan to include, among other things, a sustainable communities strategy prepared by each metropolitan planning organization, as specified, which is designed to achieve certain targets for 2020 and 2035 established by the state board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. This bill would require</p>	<p>Senate 2 year</p>	<p>Watch</p>

	<p>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 #6. 6/28/2023</p>
<p>SB 747 (Caballero D) Land use: economic development: surplus land.</p>	<p>Existing law authorizes a city, county, or city and county, with the approval of its legislative body by resolution after a public hearing, to acquire, sell, or lease property in furtherance of the creation of an economic opportunity, as defined. Existing law specifies the Legislature's intent regarding those provisions. This bill would authorize a city, county, or city and county, in addition to a sale or lease, to otherwise transfer property to create an economic opportunity. The bill would make related, conforming changes. The bill would additionally state the Legislature's intent is to ensure that residents of the state have access to jobs that allow them to afford housing without the need for public subsidies. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/18/2023</p>	<p>Assembly Desk</p>	<p>Watch</p>

Caltrain Federal Report May and June 2023

Congressional Update

Negotiators Reach Debt Limit Deal

- On June 3, President Biden signed legislation increasing the debt ceiling through January 2025 and limiting federal spending through the same amount of time. Congress worked quickly to pass the bill after Speaker McCarthy and President Biden reached an agreement on May 27.
- The Fiscal Responsibility Act ([H.R. 3746](#)) keeps non-defense spending at current FY 2023 levels in 2024 when factoring in agreed-upon appropriations adjustments. Negotiators also included new language incentivizing Congress to pass FY 2024 spending bills on time, or spending will be subject to additional cuts if a continuing resolution is passed.
- In addition to spending cuts, the bill includes provisions addressing COVID funding and permitting reform. Provisions included in the bill would codify the President's plan to resume student debt payments beginning September 1. In addition, the bill includes a new provision expanding work requirements for Supplemental Nutrition Assistance Program (SNAP) for adults aged 50-54 without dependents. Despite the new work requirements, the provision will sunset in 2030.
- In order to incentivize a successful appropriations process, the agreement provides that, if all 12 appropriations bills are not enacted by January 1 of the following year, discretionary spending will temporarily operate at a maximum of 99% of current levels. Caps on defense funding would be lower, and caps on nondefense funding would be higher. These revised spending limits would be in place until all discretionary accounts receive a final, full-year appropriation in each fiscal year. In the event final appropriations are enacted before April 30, the spending limits revert to the original levels. If an agreement is not reached and appropriations are still on a short-term continuing resolution (CR) on April 30, a sequestration would be ordered to eliminate any breach of the reset discretionary spending limits.

Administration Update

DOT Announces ATTAIN Awards

- On May 25, the U.S. Department of Transportation [announced](#) the awards for the Advanced Transportation Technology and Innovation (ATTAIN) Program. The ATTAIN Program funds projects that use advanced technologies to improve Americans' travel experience on highways and in public transit. DOT distributed \$52 million to eight

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recipients across the United States for projects addressing transit, climate resilience, pedestrian infrastructure, smart signals, and other transportation innovations.

- Before the passage of the Infrastructure Investment and Jobs Act (IIJA), ATTAIN was previously known as the Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) Program. The IIJA amended ATCMTD and provided the program with additional funding.

FTA Requests Input on National Public Transportation Safety Plan

- The Federal Transit Administration (FTA) is requesting public comment on the updated version of the National Public Transportation Safety Plan (NSP). The NSP is FTA's primary guidance document for safety improvements in public transit. Recipients of FTA Urbanized Area Formula Grants are required to develop Agency Safety Plans (ASP). The PTASP's proposed changes include new requirements for ASPs, among other modifications.
- The proposed changes would increase the number of safety performance targets that PTASP-applicable transit agencies must abide by. Transit agencies receiving urban formula (Section 5307) funds and serving an urbanized area with a population of 200,000 or more must also address key safety risks identified by the new plan. In addition, there are new minimum voluntary safety standards and recommended best practices for transit agencies.
- The new plan would replace the version issued in January 2017. Interested parties have until July 31 to submit comments through [Regulations.gov](https://www.regulations.gov).

Federal Railroad Administration (FRA) to Assess Safety Practices of Major Freight Railroads

- FRA Administrator Amit Bose sent a letter to Senate Majority Leader Chuck Schumer (D-NY) stating that the administration will conduct safety assessments on Class I railroads over the next year. The Administrator also said that FRA will publish "interim reports for each Class I railroad, and an overarching final report assessing issues, trends, and commonalities across all railroads reviewed."
- Administrator Bose's letter was in response to Senator Schumer's request in April for the FRA to work with the National Transportation Safety Board (NTSB) to conduct a broader probe into all major freight railroads similar to the audit conducted for Norfolk Southern following the February train derailment in East Palestine, OH. While the FRA does not directly regulate railroad safety culture, Administrator Bose did state in his letter that the FRA will make recommendations to railroad companies and track all corrective actions companies take in response.

Grants Update

- Palo Alto was awarded \$6M from the Federal Railroad Administration's [Rail Crossing Elimination Grant Program](#) for rail crossings at Churchill Avenue, Meadow Drive and Charleston Road. More [information on the recipients](#).

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Advocacy and Major Projects (AMP) Committee
Through: Michelle Bouchard, Executive Director
From: Sam Sargent, Director, Strategy and Policy
Subject: **Metropolitan Transportation Commission (MTC) / Regional 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

The Metropolitan Transportation Commission (MTC) provides planning, funding, coordination, and technical assistance to cities, counties, transit agencies, and other partners to bring the region together. The California Legislature created MTC in 1970 to plan and provide a cohesive vision for the Bay Area’s transportation system. This item is informational only.

Discussion

MTC is actively considering several key policy and funding decisions that affect Caltrain, and staff wants to ensure the Joint Powers Board (JPB) is apprised of these discussions and other items with regional impact.

Budget Impact

No budget impact.

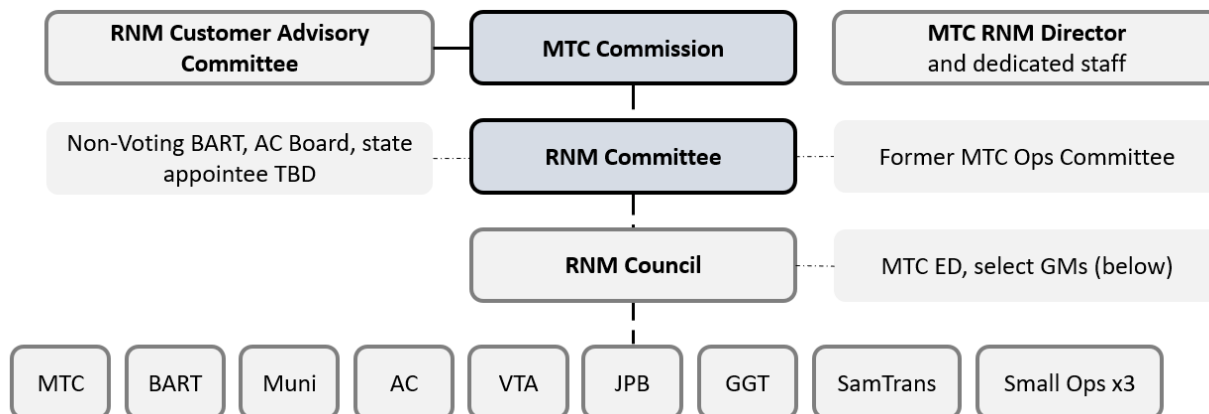
1. Regional Network Management Update

Since last summer, Caltrain staff have provided updates on the development of MTC’s Regional Network Management (RNM) business case and subsequent startup process.

The purpose of RNM, according to MTC, is to advance regional transit improvement projects more efficiently and effectively. To that end, RNM has focused on six functional areas to determine the proper role of regional entities and transit operators in each:

- Accessibility
- Bus Transit Priority
- Connected Network Planning
- Fare Integration Policy
- Rail Network Management
- Wayfinding and Mapping

MTC adopted the following decision-making structure for RNM in February 2023. Updates have been made by Caltrain staff to reflect the naming of transit operators involved with the RNM Council and non-voting representatives to the new MTC RNM Committee:



As a reminder, the existing MTC Operations Committee will transition to the RNM Committee between June and July. Commissioners David Canepa from San Mateo County and Matt Mahan from Santa Clara County represent the Caltrain service area on that committee. The first meeting of the new RNM Committee is scheduled for Friday, July 14 and will be held on the second Friday of the month going forward.

After the RNM Committee is the RNM Council, consisting of the MTC Executive Director and 11 transit operator general managers: Caltrain, BART, SFMTA, AC Transit, VTA, Golden Gate Transit, SamTrans, and three small operators to be chosen by the small operators in the coming weeks. The first meeting of the RNM Council is scheduled for Monday, July 24 and will be held on the fourth Monday of the month going forward.

Finally, the current MTC Policy Advisory Council's Transit Transformation Action Plan Subcommittee will be transformed into a new RNM Customer Advisory Committee starting in September. The charters for the RNM Committee, RNM Council, and RNM Customer Advisory Committee are being completed this summer, as part of a joint effort between Bay Area transit operators and MTC.

Over the next three months, a new Director of RNM, reporting to the MTC Deputy Executive Director will be hired to oversee dedicated staff for this work. The funding plan for RNM, including staffing, is still in process. Caltrain will be actively participating in the RNM funding discussions, as the railroad must ensure that the overhead costs of this effort are not borne by regional transit operators.

- **Recommended JPB Action:** no action at this time, informational only.

2. **BayPass Pilot Development**

In 2022, MTC began Phase 1 of the BayPass pilot program, to test proof of concept for a regional institutional transit pass program, similar to Caltrain's Go Pass program. In Phase 1, five participating institutions distributed 50,000 Bay Passes to students, staff, and residents: MidPen Housing, San Francisco State University, San Jose State University, Santa Rosa Junior College, and UC Berkeley.

BayPass allows for unlimited trips on the 24 Clipper participating transit systems, including Caltrain. MTC has allocated approximately \$6 million to the pilot program to cover initial administrative costs and offset revenue impact. In Phase 1, only one percent of trips have been taken on Caltrain, limiting the financial impact of the pilot so far.

Phase 2 of the BayPass pilot program proposes an expansion of the unlimited regional transit pass to 10+ employers. Since early 2023, Caltrain and the joint MTC-BART BayPass project management team have been working through the details of an expanded pilot, specifically any near-term and long-term revenue impacts for the railroad.

Caltrain's Go Pass program has been the largest and most successful institutional pass program in the Bay Area for almost 20 years. Pre-pandemic, Go Pass was a \$30 million per year program, accounting for 1/3 of Caltrain's total fare revenue. During the pandemic, that proportion went as high as 1/2 of fare revenue before settling back to 1/3, or \$17 million per year. Go Pass is an integral part of Caltrain's business model. If the BayPass pilot or any similar long-term program isn't structured correctly, it could have a significant impact on Caltrain's financial picture.

To move forward with Phase 2, all 24 Clipper participating transit operators must agree to the terms of the expanded BayPass pilot program. Because of the importance of Go Pass revenue to Caltrain, participating in Phase 2 or any similar, longer-term program must be revenue neutral to the railroad. The railroad cannot participate in a program that could undercut the Go Pass program in the three-county service area and threaten approximately \$22 million per year over 10 years (\$220 million) in Caltrain fare revenue.

Caltrain is not alone in its concerns about the current structure of Phase 2 of the BayPass pilot. Other transit operators have institutional pass programs that could be negatively impacted. Caltrain staff are collaborating with other operators and the joint MTC-BART project management team to ensure revenue neutrality, sufficient detail on BayPass governance and decision-making processes, and a reasonable timeline for implementation.

Phase 2 of the BayPass pilot program is scheduled for full launch in Fall 2023. Caltrain staff will work to ensure that the railroad is made whole, and its existing programs protected. Regular updates will be provided to the JPB until these critical issues are resolved.

- **Recommended JPB Action:** no action at this time, informational only.