



BOARD OF DIRECTORS 2024

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AGENDA

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

May 29, 2024, 3:30 pm

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

Committee Members: Steve Heminger (Chair), Margaret Abe-Koga, and Jeff Gee

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.

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.

May 29, 2024 - Wednesday

3:30 pm

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

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

1. Call to Order / Pledge of Allegiance
2. Roll Call
3. Public Comment on Items Not on the Agenda
Comments by each individual speaker shall be limited to two (2) minutes. Items raised that require a response will be deferred for staff to reply.
4. Meeting Minutes of March 27, 2024 Motion
5. Approve Title VI Analysis for September 2024 JPB Electrification Service Changes Motion
6. Authorize Execution of Funding Agreements with VTA for Use of Measure B and Regional Measure 3 Funds for Phase 2 of the Diridon Station Business Case** Motion
7. Award of Contract for Federal Legislative Advocacy Services* Motion
8. Award of Contract for State Legislative Advocacy Services* Motion
9. Receive State and Federal Legislative Update Informational
10. Committee Member Requests
11. Date/Time of Next Regular AMP Committee Meeting: Wednesday, July 24, 2024 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.
12. Adjourn

Information for the Public

All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board. If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at www.caltrain.com. 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 Committee
1250 San Carlos Avenue, San Carlos, CA 94070**

DRAFT Minutes of March 27, 2024

Members Present: Margaret Abe-Koga, Jeff Gee, Steve Heminger (Chair)

Staff Present: M. Bouchard, D. Chazan, C. Fromson, J. Harrison, S. Graham (BART),
D. Ryan, D. Seamans, C. Tsao (Capital Corridor), M. Tseng

1. Call to Order/Pledge of Allegiance

Chair Heminger called the meeting to order at 3:31 pm and led the Pledge of Allegiance.

2. Roll Call

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

3. Public Comment on Items not on the Agenda - There were none.

4. Meeting Minutes of February 28, 2028

Motion/Second: Gee/Abe-Koga

Ayes: Abe-Koga, Gee, Heminger

Noes: None

5. State and Federal Legislative Update

Casey Fromson, Chief of Staff and Devon Ryan, Government Affairs Officer, provided the presentation that included the following:

- Successful \$1 million award for Community Project Funding for safety improvements at specific crossings along the corridor
- Serious deficits by FY (fiscal year) 2026 and need to ensure the regional measure will help fund any operating deficits
- SB (Senate Bill) 1031 replaces Senator Weiner's previous bill. Authorizes a measure for the nine Bay Area counties or a subset and would generate \$750 million for operators
- It would provide MTC with more authority to control existing resources that currently flow to operators, has provisions around transit demand management (TDM) requiring employers to purchase universal passes or something equivalent, and an assessment and a plan to consolidate all Bay Area transit agencies
- It will be heard next at the Senate Transportation Committee on April 23rd and at the Revenue and Tax Committee on April 24th. Expect amendments from the author to be made available in a week or so

- Requires only two-third vote of the commission to pass
- California State Transportation Agency (CalSTA) needs to develop a plan to consolidate all agencies

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

- Need for clarity on who MTC is accountable to and how changes occur
- Not intended for MTC to control local measures already in place for agencies
- MTC would like to condition existing transit funding sources, such as STA (State Transit Assistance) funds . Funds would then be conditioned on compliance with regional policies such as the Bay pass provisions that could negatively impact Caltrain financially
- CalSTA will develop and implement a plan to create a super agency of all 27 Bay Area transit agencies combined. May involve more taxes and legal issues
- Amendments to occur at next Senate Committee

Director Gee made a motion to bring this item to the full Board for discussion with a recommendation to oppose unless significantly amended and clarified and it was seconded by Director Abe-Koga.

Public comment

Adrian Brandt commented on financial outlook presentation at CAC (Citizens Advisory Committee) meeting, urged working Senator Weiner to amend, and to continually work on equity issues.

James Harrison, General Counsel, clarified that this item was an informational agenda item and staff can provide a sense of the Committee's input to take to the full Board.

6. Link21 Program Update

Dahlia Chazan, Chief of Planning, introduced Sadie Graham, Link21 Program Director, BART (Bay Area Rapid Transit), and Camille Tsao, Link21 Program Lead, Capital Corridor and they provided the presentation that included the following:

- Transit ridership has yet to return to pre-COVID levels. Caltrain, BART, and Capital Corridor forecasting ridership back at pre-COVID levels at or before 2040
- Addresses three key problems: insignificant megaregional connectivity and access, such as insufficient access to frequent, reliable, and time competitive service, congestion in the Transbay corridor, and the need to advance equity to meet the needs of communities
- If new crossing is BART gauge, then only conventional BART trains can operate in that new crossing. Standard gauge crossing would open opportunities for multiple operators to use the new crossing and just have a direct access to a wider megaregional network

- Link21 developing service plan in the future and building upon the work of the adopted Caltrain service vision
- Improving rail service and mega regional connections can really benefit a lot of people throughout the Northern California mega region
- Opportunities through the FRA (Federal Railroad Administration), especially the corridor identification program, which the Capital Corridor is a part of and Caltrain is a part of through High-Speed Rail

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

- Already have two big projects on either end of the Caltrain right-of-way and BART is in the middle of a train control project and would buy about 20 percent or more greater capacity in existing Transbay tube
- Need to evolve a more reasonable position or engaging in capital projects

Public comment

Adrian Brandt commented on pre-pandemic weekday ridership at 39 percent, hovering around 30; he does not see a need for a second BART gauge tunnel so much as the standard gauge tunnel.

The Committee Members continued the discussion and staff provided further clarification in response to the Committee's comments and questions, which included the following:

- Justification and clarification for the project dates
- Stage gate strategy to get to milestones where the project then can look forward to funding or look forward to when to ramp up planning

7. **Committee Member Requests** - There were none.
8. **Date/Time of Next Regular AMP Committee Meeting: Wednesday, April 24, 2024 at 3:30 pm.**
9. **Adjourn** - The meeting adjourned at 4:57 pm

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Advocacy and Major Projects (AMP) Committee
Through: Michelle Bouchard, Executive Director
From: Nathaniel Kramer, Chief People and Culture Officer
Subject: **Approve Title VI Analysis for September 2024 JPB Electrification Service Changes**

Finance Committee
Recommendation

Technology, Operations, Planning,
and Safety Committee
Recommendation

Advocacy and Major Projects
Committee Recommendation

Purpose and Recommended Action

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. Under the Peninsula Corridor Joint Powers Board’s (JPB) Title VI Policies, the September 2024 changes to Caltrain service after completion of the Peninsula Corridor Electrification Project (PCEP) qualify as “Major Service Changes”, thereby requiring a Title VI Service Equity Analysis. The analysis is prepared in conformity with Chapter IV of the Federal Transit Administration’s Circular 4702.1B to assess whether the change will result in disparate impacts on minority populations or disproportionate burdens on low-income populations.

The Title VI Service Equity Analysis evaluates Caltrain’s proposed weekday and weekend service changes before the new schedule is implemented on September 23, 2024. This analysis must be presented to the Board of Directors (Board) for its consideration and included in the Caltrain Title VI Program with a record of Board action.

The Title VI analysis, attached, concludes that the service changes associated with the new Caltrain electrification service schedule does not have a disparate impact on minority populations nor a disproportionate burden on low-income populations.

Staff recommends the Board of the JPB approve the Title VI Service Equity Analysis for the new Caltrain electrification service to begin in September 2024.

Discussion

As part of the Caltrain Modernization Program (CalMod), PCEP converts the Caltrain mainline from diesel-hauled trains to Electric Multiple Unit (EMU) trains, which will improve system performance. The completion of PCEP is accompanied by a brand-new service schedule that provides a significant increase to weekday and weekend service. Weekday express trains from

San Francisco to San Jose are expected to have trip times of under an hour compared to the current 66 minutes, local service will be 75 minutes instead of the current 100 minutes, and trips from southern Santa Clara County to San Francisco will save up to 28 minutes compared to existing travel times.

Staff completed the draft electrification service plans in Fall 2023 and presented them to the public and stakeholders for review before conducting schedule refinements based on this feedback in Winter 2023. Staff held approximately seventeen public meetings and ten community events in Fall and Winter 2023. Caltrain also received more than 1,650 responses from a public survey. This analysis evaluates the most current schedule that considered feedback from the above public outreach.

Under Caltrain's Title VI Policies, a Major Service Change occurs when: (1) there is a 25% reduction or addition of revenue miles per service day, or (2) there is a 50% reduction or addition of station stops per service day. The weekday and weekend service changes qualify as Major Service Changes both in a change in total revenue train miles and increases in station stops.

Caltrain's Title VI Disparate Impact policy establishes a 10% threshold difference for determining when a service change has an adverse impact on minority populations compared to non-minority populations. Similarly, the policy establishes the Disproportionate Burden threshold to determine if a service change has an adverse impact on low-income populations compared to non-low-income populations at 10%.

The analysis presented is consistent with policies adopted by the Board to comply with Title VI of the Civil Rights Act of 1964, and:

- Analyzes the new weekday and weekend electrified service schedule on a systemwide level to determine whether the impacts would result in disparate treatment among minority populations;
- Analyzes the new electrified service schedule on a systemwide level to determine whether the impacts would result in a disproportionate burden among low-income populations;
- Uses Caltrain's Title VI Policies and disparate impact and disproportionate burden thresholds adopted in 2013;
- Summarizes public outreach and engagement on proposed service changes;
- Concludes that the service increases do not result in a disparate impact on minority populations; and

- Concludes that the service increases do not impose a disproportionate burden on low-income populations.

Budget Impact

There is no budget impact associated with the proposed action.

Prepared By:	Wendy Lau	Deputy Director, Office of Civil Rights	650-622-7864
	Michelle Louie	Title VI & Social Equity Administrator	650-622-8038

Resolution No. 2024-

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

* * *

Approve the Title VI Analysis for September 2024 JPB Electrification Service Changes

Whereas, as part of the Caltrain Modernization Program, the Peninsula Corridor Joint Powers Board (JPB or Caltrain) completed the Peninsula Corridor Electrification Project (PCEP) in 2023, which converts the Caltrain mainline from diesel-hauled trains to Electric Multiple Unit trains to allow for the start of revenue service; and

Whereas, the completion of PCEP is accompanied by a brand-new service schedule to be implemented in September 2024 that will provide a significant increase to weekday and weekend service; and

Whereas, weekday express trains from San Francisco to San Jose are expected to have trip times of under an hour compared to the current 66 minutes, local service will be 75 minutes instead of the current 100 minutes, and trips from southern Santa Clara County to San Francisco will save up to 28 minutes compared to existing travel times; and

Whereas, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance; and

Whereas, as a recipient of grant funds from the Federal Transit Administration (FTA), the JPB Board of Directors (Board) adopted a Major Service Change Policy on April 4, 2023, by Resolution No. 2013-21 for the Caltrain system, which sets the thresholds for when a service equity analysis and public engagement process are required for a proposed service change; and

Whereas, on April 4, 2023, by Resolution No. 2013-21, the Board adopted Disparate Impact and Disproportionate Burden Policies to set thresholds for when major service changes are deemed to have disparate or disproportionate effects on minority or low-income populations; and

Whereas, under the JPB Title VI policies, the upcoming changes to Caltrain service after completion of PCEP qualify as “Major Service Changes”, thereby requiring a Title VI Service Equity Analysis; and

Whereas, the equity analysis must be prepared in conformity with Chapter IV of the FTA Circular 4702.1B to assess whether the change will result in disparate impacts on minority populations or disproportionate burdens on low-income populations; and

Whereas, staff has prepared a Title VI Service Equity Analysis that evaluates Caltrain’s proposed weekday and weekend service changes which must be presented to the Board for its consideration and included in the Caltrain Title VI Program with a record of Board action; and

Whereas, the Title VI Service Equity Analysis summarizes all public outreach conducted about the draft service plans, including public comments from the seventeen public meetings, ten community events, and public survey held in Fall and Winter 2023; and

Whereas, the analysis concludes that the service increases associated with the new Caltrain electrification service schedule do not have a disparate impact on minority populations nor a disproportionate burden on low-income populations; and

Whereas, the Executive Director recommends the Board approve the Title VI Service Equity Analysis as required under FTA Circular 4702.1B for the September 2024 JPB Electrification Service Change.

Now, Therefore, Be It Resolved that the Board hereby:

1. Finds pursuant to Title VI of the Civil Rights Act of 1964 that the September 2024 JPB Electrification Service Changes do not have a disparate impact on minority populations, nor a disproportionate burden on low-income populations; and
2. Approves the Title VI Service Equity Analysis attached to this resolution.

Regularly passed and adopted this 6th day of June, 2024 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Advocacy and Major Projects (AMP) Committee
Through: Michelle Bouchard, Executive Director
From: Marian Lee, Diridon Project Director
Subject: **Authorize Execution of Funding Agreements with VTA for Use of Measure B and Regional Measure 3 Funds for Phase 2 of the Diridon Station Business Case**

Finance Committee Recommendation

Technology, Operations, Planning, and Safety Committee Recommendation

Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (Caltrain):

1. Authorize the Executive Director or designee to execute two funding agreements with Santa Clara Valley Transportation Authority (VTA) in a form approved by legal counsel for Caltrain to use Regional Measure 3 and Measure B funds for Phase 2 of the Diridon Station Business Case in the amount of \$6,300,000; and
2. Authorize the Executive Director or designee to file any other required documentation or take any other actions necessary to give effect to this action.

Discussion

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

The Business Case is split into two phases. Phase 1 of the Business Case is fully funded with anticipated completion in Summer 2024. It will deliver two station design alternatives to discuss with the community at large. In Phase 2 of the Business Case, the Partner Agencies will work with the community to refine the alternatives and identify a preferred alternative. After the Business Case is complete, the project will move into the environmental phase.

Caltrain staff have provided quarterly updates to the AMP Committee on the Phase 1 work and will present another update at the next AMP meeting in June.

Phase 2 Scope

The Project Partners have identified specific agency roles in Phase 2: The City of San José is responsible for community outreach, VTA is responsible for long-term governance and funding analysis, and Caltrain is responsible for the pre-environmental technical work (Phase 2 of the Business Case).

Caltrain’s scope of work, with support of the Project Partners, includes design refinement and a quantitative assessment of two alternatives that incorporates community and stakeholder feedback. The work will result in a final Business Case document recommending a preferred alternative, as well as the following technical deliverables: an initial geotechnical and hydrological review, construction phasing plan, 10% design plans including track engineering, configurations of grade separations, rough order-of-magnitude cost estimate, historic station modification feasibility study, and a station access and circulation analysis.

Phase 2 Funding

The Project Partners have identified the following funding sources for the different areas of work in Phase 2.

Phase 2 Topic	Responsible Agency	Estimated Budget	Funding Source
Community Outreach	City of San José	\$500,000	City of San Jose General Funds
Governance and Funding/Advocacy	VTA	\$700,000	Regional Measure 3
Pre-Environmental Technical Analyses (Phase 2 Business Case)	Caltrain	\$5,300,000	Regional Measure 3
		\$1,000,000	Measure B* *Funds allocated for Caltrain Corridor Capacity Improvements
PHASE 2 TOTAL		\$7,500,000	

Caltrain’s scope of the Phase 2 work will be funded using \$1,000,000 of Measure B funding and \$5.3 million of Regional Measure 3 (RM3) funding. The Measure B funding is identified for Caltrain Corridor Capacity Improvements in the Measure B Expenditure Plan and is administered by VTA. Caltrain will either need to amend the existing Measure B agreement with VTA or execute a new agreement to access these Measure B funds. The RM3 Expenditure Plan, administered by MTC, allocates \$100 million in capital funding for the San Jose Diridon Station with VTA as the project sponsor. Since VTA receives the funds directly from MTC, Caltrain needs a separate funding agreement with VTA for Caltrain to access the \$5.3 million.

Therefore, staff recommends the Board authorize the Executive Director or designee to execute two funding agreements with VTA for Caltrain to access Measure B and RM3 funds for Phase 2 of the Diridon Station Business Case.

Budget Impact

The execution of the agreement with VTA will provide \$6,300,000 in Regional Measure 3 funding to reimburse Caltrain expenses from the Phase 2 work of the Diridon Business Case. A separate capital budget amendment will be presented to the Board in Summer 2024, as part of the quarterly capital budget amendment process.

Prepared By: Gwen Buckley

Principal Planner

650-722-6827

Resolution No. 2024-

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

* * *

Authorizing Execution of Funding Agreements with the Santa Clara Valley Transportation Authority for Use of Measure B and Regional Measure 3 Funds for Phase 2 of the Diridon Station Business Case

Whereas, the Peninsula Corridor Joint Powers Board (JPB or Caltrain), the Santa Clara Valley Transportation Authority (VTA), the City of San José, the Metropolitan Transportation Commission (MTC), and the California High-Speed Rail Authority (CHSRA) (Partner Agencies) are working together on the Diridon Station Business Case (Business Case) to plan for the transformation of San Jose’s downtown transit hub; and

Whereas, the Partner Agencies have split the Business Case into two phases. Phase 1 of the Business Case is fully funded with anticipated completion in Summer 2024. It will deliver two station design alternatives to discuss with the community at large; and

Whereas, Phase 2 of the Business Case requires the Partner Agencies to work with the community to refine the alternatives and identify a preferred alternative. After the Business Case is complete, the project will move into the environmental phase; and

Whereas, Caltrain staff have provided quarterly updates to the AMP Committee on the Phase 1 work and plan to present another update at the next AMP meeting in June; and

Whereas, the Partner Agencies have identified specific agency roles in Phase 2: The City of San José is responsible for community outreach, VTA is responsible for long-term governance and funding analysis, and Caltrain is responsible for the pre-environmental technical work (Phase 2 of the Business Case); and

Whereas, Caltrain's scope of work, with support of the Partner Agencies, includes design refinement and a quantitative assessment of two alternatives that incorporates community and stakeholder feedback; and

Whereas, the Caltrain work will result in a final Business Case document recommending a preferred alternative, as well as the following technical deliverables: an initial geotechnical and hydrological review, construction, and phasing plan, 10% design plans including track engineering, configurations of grade separations, rough order-of-magnitude cost estimate, historic station modification feasibility study, and a station access and circulation analysis; and

Whereas, the Partner Agencies have identified funding sources for the different areas of work in Phase 2, including \$5,300,000 from Regional Measure 3 (RM3) and \$1,000,000 from Measure B funding for the Phase 2 Business Case; and

Whereas, the Partner Agencies have identified Measure B funding, which is administered by VTA, for Caltrain Corridor Capacity Improvements in the Measure B Expenditure Plan. Caltrain will either need to amend the existing Measure B agreement with VTA or execute a new agreement to access these Measure B funds. The RM3 Expenditure Plan, which is administered by MTC, allocates \$100 million in capital funding for the San Jose Diridon Station with VTA as the project sponsor. Since VTA receives the funds directly from MTC, Caltrain will execute a separate funding agreement with VTA for Caltrain to access the \$5.3 million; and

Whereas, staff will present a separate capital budget amendment to the Board of Directors (Board) of the JPB at a later date; and

Whereas, staff recommends that the Board:

1. Authorize the Executive Director or designee to execute an amendment to the existing Measure B Agreement with VTA or two new funding agreements with VTA in a form approved by legal counsel for Caltrain to use RM3 and Measure B funds for Phase 2 of the Diridon Station Business Case in the amount of \$6,300,000; and
2. Authorize the Executive Director or designee to file any other required documentation or take any other actions necessary to give effect to this action.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board, hereby:

1. Authorizes the Executive Director or designee to execute an amendment to the existing Measure B Agreement with VTA or two new funding agreements with VTA in a form approved by legal counsel for Caltrain to use RM3 and Measure B funds for Phase 2 of the Diridon Station Business Case in the amount of \$6,300,000; and
2. Authorizes the Executive Director, or designee, to file any other required documentation or take any other actions necessary to give effect to this action.

Regularly passed and adopted this 6th day of June 2024 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Advisory and Major Projects (AMP) Committee
Through: Michelle Bouchard, Executive Director
From: David Covarrubias, Deputy Chief Financial Officer
Subject: **Award of Contract for Federal Legislative Advocacy Services**

Finance
Committee
Recommendation

Technology, Operations,
Planning, and Safety
Committee Recommendation

Advocacy and Major
Projects Committee
Recommendation

Purpose and Recommended Action

The award of this contract will provide the Peninsula Corridor Joint Powers Board (JPB) with qualified and experienced Federal Legislative Advocacy Services (Services) for the effective pursuit of the JPB’s federal legislative priorities. These Services provide the JPB with a vital link to the White House, U.S. Congress, and pertinent federal agencies. The awarded consultant will represent and advocate on behalf of the JPB in its dealings with all relevant federal agencies, legislative bodies, and related interest groups.

Staff recommends that the Board of Directors (Board) of the JPB:

1. Award a contract to Holland & Knight LLP of Washington, D.C. (H&K) for a not-to-exceed amount of \$512,000 (\$462,000 for fixed monthly fees, plus \$50,000 for ad-hoc, as-needed services), to provide the Services for a five-year term.
2. Authorize the Executive Director or designee to execute a contract with H&K in full conformity with the terms and conditions of the solicitation documents, and in a form approved by legal counsel.

Discussion

On January 12, 2024, the JPB, the San Mateo County Transit District (District), and the San Mateo County Transportation Authority (TA) (collectively referred to as the “Agencies”) issued a joint request for proposals (RFP) 24-S-J-T-P-035 to provide Federal Legislative Advocacy Services. Proposers had the option to submit proposals to one, two, or all three of the Agencies.

The RFP was posted to the Agencies’ eProcurement website, and fourteen potential proposers downloaded the RFP. On February 15, 2024, the proposals were due and the Agencies received proposals from three firms as follows:

PROPOSER	AGENCY		
	SAM	JPB	TA
Holland & Knight LLP	✓	✓	
Kadesh & Associates LLC			✓
Smith Dawson & Andrews, Inc.	✓		✓

The JPB received one proposal, from H&K, which staff found to be responsive to the requirements of the RFP.

A Selection Committee (Committee) composed of qualified staff from the JPB's Government & Community Affairs Department and the Chief of Staff for Caltrain, reviewed and evaluated the proposal in accordance with the following weighted criteria:

EVALUATION CRITERIA	MAX POINTS
Qualifications and Experience of Firm	35
Qualifications and Experience of Primary Lobbyist and Key Personnel	30
Approach to Scope of Services	15
Cost Proposal	20
Small Business Enterprise (SBE) Preference	5

After review, evaluation, and scoring H&K's proposal, the Committee determined that H&K possesses the requisite depth of knowledge and experience in federal legislative advocacy services for the effective advocacy of the JPB's federal legislative priorities.

Staff conducted a price analysis and determined the prices to be fair, reasonable, and consistent with those paid by other public agencies for similar services.

The proposed contract is for a not-to-exceed amount of \$512,000, of which \$462,000 is for monthly fixed fees and \$50,000 is for any additional ad-hoc services needed by the JPB during the five-year term.

Founded in 1968, H&K is a limited liability partnership with 34 offices and 2,200 attorneys and other professionals. Among the largest law firms in the U.S., H&K provides representation in federal advocacy, government regulatory affairs, business law, litigation, and real estate law.

The H&K Public Policy & Regulation Practice Group (PP&R), with more than 100 lobbyists and policy experts, includes former members of Congress and former members of staff from the White House, federal departments, presidential campaigns, former senior congressional committee and legislative staff members, and former state and local government officials. In addition, H&K has significant expertise working on federal transit and transportation programs.

H&K is the current provider for the Services for the JPB and has provided excellent service. The current five-year contract will expire on June 30, 2024.

Budget Impact

Funds for this contract are included in the JPB's Fiscal Year 2025 adopted Operating Budget and will be included in future years' operating budgets.

Prepared By:	Maria Flores	Procurement Administrator II	650.622.7892
	Devon Ryan	Government Affairs Officer	650.551.6165

Resolution No. 2024-

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

* * *

**Awarding a Contract to Holland & Knight LLP for a Total Not-to-Exceed
Amount of \$512,000 for Federal Legislative Advocacy Services for Five Years**

Whereas, on January 12, 2024, the Peninsula Corridor Joint Powers Board (JPB), the San Mateo County Transit District, and the San Mateo County Transportation Authority (together, the “Agencies”) issued a joint request for proposals (RFP) 24-S-J-T-P-035 to provide Federal Legislative Advocacy Services (Services); and

Whereas, Proposers had the option to submit proposals to one, two, or all three of the Agencies; and

Whereas, in response to the RFP, the Agencies received proposals from three firms by the due date of February 15, 2024, including one for the JPB received from Holland & Knight LLP of Washington D.C. (H&K); and

Whereas, a Selection Committee (Committee) composed of qualified staff from the JPB's Government & Community Affairs Department and the Chief of Staff for Caltrain reviewed and evaluated the proposal in accordance with the weighted criteria set forth in the RFP documents; and

Whereas, after a thorough evaluation of H&K's proposal, the Committee determined that H&K possesses the requisite depth of knowledge and experience in federal legislative advocacy services for the effective advocacy of the JPB’s federal legislative priorities; and

Whereas, staff and legal counsel reviewed H&K’s proposal and determined it complies with the requirements of the RFP; and

Whereas, staff conducted a price analysis and determined that H&K’s prices are fair and reasonable; and

Whereas, staff recommends that the Board of Directors (Board) award a contract to H&K for a not-to-exceed amount of \$512,000 (\$462,000 for the fixed monthly fees, plus \$50,000 for ad-hoc, as-needed services), to provide Federal Legislative Advocacy Services for a five-year term.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Holland & Knight LLP of Washington D.C., for a not-to-exceed amount of \$512,000 to provide Federal Legislative Advocacy Services for a five-year term; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to execute a contract with H&K in full conformity with the terms and conditions of the solicitation documents, and in a form approved by legal counsel.

Regularly passed and adopted this 6th day of June, 2024 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Advocacy and Major Projects (AMP) Committee
Through: Michelle Bouchard, Executive Director
From: David Covarrubias, Deputy Chief Financial Officer
Subject: **Award of Contract for State Legislative Advocacy Services**

Finance
Committee
Recommendation

Technology, Operations,
Planning, and Safety Committee
Recommendation

Advocacy and Major
Projects Committee
Recommendation

Purpose and Recommended Action

The award of this contract will provide the Peninsula Corridor Joint Powers Board (JPB) with qualified and experienced State Legislative Advocacy Services (Services) for the effective pursuit of the JPB’s state legislative priorities. These Services provide a vital link to the Governor’s Office, state legislature, and pertinent state agencies. The awarded consultant will represent and advocate on behalf of the JPB in its dealings with all relevant state agencies, legislative bodies, and related interest groups.

Staff recommends that the Board of Directors (Board) of the JPB:

1. Award a contract to Shaw Yoder Antwih Schmelzer & Lange, Inc. of Sacramento, California (SYASL), for a not-to-exceed amount of \$667,461 (\$617,461 for monthly fixed fees, plus \$50,000 for ad-hoc, as-needed services), to provide the Services for a five-year term.
2. Authorize the Executive Director or designee to execute a contract with SYASL in full conformity with the terms and conditions of the solicitation documents, and in a form approved by legal counsel.

Discussion

On January 12, 2024, the JPB, the San Mateo County Transit District (District), and the San Mateo County Transportation Authority (TA) (collectively referred to as the “Agencies”) issued a joint request for proposals (RFP) 24-S-J-T-P-036 to provide State Legislative Advocacy Services. Proposers had the option to submit proposals to one, two, or all three of the Agencies.

The RFP was posted to the Agencies’ eProcurement website, and fourteen potential proposers downloaded the RFP. On February 15, 2024, the proposals were due and the Agencies received proposals from three firms:

PROPOSER	AGENCY		
	SAM	JPB	TA
Khouri Consulting LLC			✓
Politico Group, Inc.			✓
Shaw Yoder Antwih Schmelzer & Lange, Inc.	✓	✓	

The JPB received one proposal, from SYASL, which staff found to be responsive to the requirements of the RFP.

A Selection Committee (Committee) composed of qualified staff from the JPB's Government & Community Affairs Department and the Chief of Staff for Caltrain, reviewed and evaluated the proposal in accordance with the following weighted criteria:

EVALUATION CRITERIA	MAX POINTS
Qualifications and Experience of Firm	35
Qualifications and Experience of Primary Lobbyist and Key Personnel	30
Approach to Scope of Services	15
Cost Proposal	20
Small Business Enterprise (SBE) Preference	5

After review, evaluation, and scoring SYASL's proposal, the Committee determined that SYASL possesses the requisite depth of knowledge and experience in state legislative advocacy services for the effective advocacy of the JPB's state legislative priorities.

Staff conducted a price analysis and determined the prices to be fair, reasonable, and consistent with those paid by other public agencies for similar services.

The proposed contract is for a not-to-exceed amount of \$667,461, of which \$617,461 is for monthly fixed fees and \$50,000 is for any additional ad-hoc services needed by the JPB during the five-year term.

Located in Sacramento, California, SYASL specializes in advocacy, association management, and public affairs. SYASL is registered with the Fair Political Practices Commission and Secretary of State to lobby state government and is recognized in Sacramento as a transportation, infrastructure, local government, housing, land-use, climate, and water policy advocate. The firm has developed a specialty in these policy areas through its representation of public transit agencies, congestion management agencies, cities and counties, regional transportation planning agencies, county transportation commissions, local sales tax authorities, airports, ports, and air quality management districts.

SYASL is the current provider for the Services for the JPB and the District. Key personnel assigned to the JPB's account have unparalleled track records of delivering policy and funding

success and have provided excellent service over the years. The current five-year contract will expire on June 30, 2024.

Budget Impact

Funds for this contract are included in the JPB's Fiscal Year 2025 adopted Operating Budget and will be included in future years' operating budgets.

Prepared By:	Maria Flores	Procurement Administrator II	650.622.7892
	Devon Ryan	Government Affairs Officer	650.551.6165

Resolution No. 2024-

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

* * *

**Awarding a Contract to Shaw Yoder Antwih Schmelzer & Lange, Inc. for a
Total Not-to-Exceed Amount of \$667,461 for State Legislative Advocacy
Services for Five Years**

Whereas, on January 12, 2024, the Peninsula Corridor Joint Powers Board (JPB), the San Mateo County Transit District, and the San Mateo County Transportation Authority (together, the “Agencies”) issued a joint request for proposals (RFP) 24-S-J-T-P-036 to provide State Legislative Advocacy Services (Services); and

Whereas, Proposers had the option to submit proposals to one, two, or all three of the Agencies; and

Whereas, in response to the RFP, the Agencies received proposals from three firms by the due date of February 15, 2024, including one for the JPB from Shaw Yoder Antwih Schmelzer & Lange, Inc. of Sacramento, California (SYASL); and

Whereas, a Selection Committee (Committee) composed of qualified staff from the JPB's Government & Community Affairs Department and the Chief of Staff for Caltrain reviewed and evaluated the proposal in accordance with the weighted criteria set forth in the RFP documents; and

Whereas, after a thorough evaluation of SYASL's proposal, the Committee determined that SYASL possesses the requisite depth of knowledge and experience in state legislative advocacy services for the effective advocacy of the JPB’s state legislative priorities; and

Whereas, staff and legal counsel reviewed SYASL's proposal and determined it complies with the requirements of the RFP; and

Whereas, staff conducted a price analysis and determined that SYASL's prices are fair and reasonable; and

Whereas, staff recommends that the Board of Directors (Board) award a contract to SYASL for a not-to-exceed amount of \$667,461 (\$617,461 for the fixed monthly fees, plus \$50,000 for ad-hoc, as-needed services), to provide State Legislative Advocacy Services for a five-year term.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Shaw Yoder Antwih Schmelzer & Lange, Inc. of Sacramento, California, for a not-to-exceed amount of \$667,461 to provide State Legislative Advocacy Services for a five-year term; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to execute a contract with SYASL in full conformity with the terms and conditions of the solicitation documents, and in a form approved by legal counsel.

Regularly passed and adopted this 6th day of June, 2024 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Advocacy and Major Projects (AMP) Committee
Through: Michelle Bouchard, Executive Director
From: Casey Fromson, Chief of Staff
Subject: **Receive State and Federal Legislative Update**

Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

The 2024 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.

Staff proposes the Committee recommend the Board:

1. Receive the attached State and Federal Legislative Updates

Discussion

The update will discuss the federal budget process, relevant state legislation, and status of the Bay Area regional transportation measure.

Budget Impact

None.

Prepared By:	Devon Ryan	Government & Community Affairs Officer	650.730.6172
	Isabella Conferti	Government & Community Affairs Specialist	650.647.3498

Caltrain Bill Matrix as of 5/13/2024

Bill ID/Topic	Location	Summary	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>This bill is dead.</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>Watch</p>
<p>AB 7 Friedman D</p> <p>Transportation: planning: project selection processes.</p>	<p>This bill is dead.</p>	<p>Existing law establishes within state government the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish coordinated planning and policy formulation in matters of public interest, including transportation projects. On and after January 1, 2025, and to the extent applicable, feasible, and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified goals into program funding guidelines and processes. This bill contains other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 761 Friedman D</p> <p>Local finance: enhanced infrastructure financing districts.</p>	<p>This bill is in the Senate Local Government Committee.</p>	<p>Existing law establishes enhanced infrastructure financing districts to finance public capital facilities or other specified projects of communitywide significance. Existing law provides for the membership of the governing body of the district, referred to as the public financing authority. Existing law authorizes the legislative body of a city or a county to designate a proposed enhanced infrastructure financing district by adopting a resolution of intention to establish the proposed district which, among other things, is required to state that an enhanced infrastructure financing district is proposed and describe the boundaries of the proposed district. Existing law requires the public financing authority to direct the preparation of and adopt an infrastructure financing plan consistent with the general plan and any relevant specific plan, and consisting of, among other things, a financing section. Existing law requires that the financing section include a plan for financing the public facilities, a limit on the total number of dollars of taxes that may be allocated to the district pursuant to the plan, and a date, either not more than 45 years from the date on which the issuance of the bonds is approved for the plan on which the district will cease to exist, by which time all tax allocation to the district will end, or, where the district is divided into project areas, a date on which the infrastructure financing plan will cease to be in effect and all tax allocations to the district will end and a date on which the district's authority to repay indebtedness with incremental tax revenues will end, as specified. This bill, for plans proposed on or after January 1, 2024, would specify that for the purpose of development and construction of passenger rail projects in the County of Los Angeles where at least 75% of the revenue from the district is used for debt service on a federal Transportation Infrastructure Finance and Innovation Act loan, the date on which the district will cease to exist shall not be more than 75 years from the date of the issuance of bonds or approval of a loan, as specified. This bill would make legislative findings and declarations as to the necessity of a special statute for specified districts enacted primarily for the purpose of development and construction of zero-emission mass transit projects.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 817 Pacheco D</p> <p>Open meetings: teleconferencing: subsidiary body.</p>	<p>This bill is in the Senate Local Government Committee.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Existing law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, 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 (nonemergency provisions). Existing law imposes different requirements for notice, agenda, and public participation, as prescribed, when a legislative body is using alternate teleconferencing provisions. The nonemergency provisions impose restrictions on remote participation by a member of the legislative body and require the legislative body to specific means by which the public may remotely hear and visually observe the meeting. This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter. This bill contains other related provisions and other existing laws.</p>	<p>Support</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 914 Friedman D</p> <p>Electrical infrastructure: California Environmental Quality Act: review time period.</p>	<p>This bill is dead.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires each state agency to establish, by resolution or order, time limits for completing the environmental review of a project where the state agency is the lead agency for the project, as specified. This bill, until January 1, 2031, would require a state agency, acting as the lead agency, to complete its environmental review for an electrical infrastructure project and to approve or deny the project within 2 years of the submission and acceptance of a complete application for the issuance of a lease, permit, license, certificate, or other entitlement for use for electrical infrastructure to the state agency. If the state agency fails to meet this deadline, the bill would require the state agency to submit to the Legislature a report setting forth the reasons that the review could not be completed within the time period and identifying potential impacts to the electrical system that could result from the delay. This bill contains other existing laws.</p>	<p>Watch</p>
<p>AB 1516 Kalra D</p> <p>Labor and Workforce Development Agency: working group: minimum wage.</p>	<p>This bill is in the Senate Labor, Public Employment and Retirement Committee.</p>	<p>Existing law establishes the Department of Industrial Relations within the Labor and Workforce Development Agency to, among other things, foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. Existing law establishes the Division of Labor Standards Enforcement under the direction of the Labor Commissioner within the Department of Industrial Relations, and requires the division to ascertain the wages paid to all employees in this state, to ascertain the hours and conditions of labor and employment in the various occupations, trades, and industries in which employees are employed in this state, and to investigate the health, safety, and welfare of those employees. This bill would require the Labor and Workforce Development Agency to convene a working group to study and evaluate topics related to the minimum wage in California. The bill would require the working group to submit to the Legislature, on or before July 1, 2025, a report that outlines recommendations for raising the minimum wage for all workers in California.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 1837 Papan D</p> <p>San Francisco Bay area: public transit: Regional Network Management Council.</p>	<p>This bill is in the Assembly Appropriations Committee.</p>	<p>Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. Existing law requires the commission to adopt rules and regulations to promote the coordination of fares and schedules for all public transit systems within its jurisdiction, as specified. This bill would create the Regional Network Management Council as an 11-member council to represent the interests of its stakeholders, to provide leadership and critical input on regional transit policies, and to provide executive guidance on regional transit policies and actionable implementation plans in pursuit of transformative improvements in the customer experience San Francisco Bay area transit. The bill would require the commission to facilitate the creation of the council. By requiring the commission to facilitate the creation of the council, and requiring certain employees of specified local agencies to serve on the council, the bill would impose a state-mandated local program.</p>	<p>Support and Seek Amendments</p>
<p>AB 1870 Ortega D</p> <p>Notice to employees: legal services.</p>	<p>This bill is in the Senate Labor, Public Employment and Retirement Committee.</p>	<p>Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Employers who are subject to the workers' compensation system are generally required to keep posted in a conspicuous location frequented by employees and easily read by employees during the hours of the workday a notice that includes, among other information, to whom injuries should be reported, the rights of an employee to select and change a treating physician, and certain employee protections against discrimination. Existing law requires the administrative director to make the form and content of this notice available to self-insured employers and insurers. This bill would require the notice to include information concerning an injured employee's ability to consult a licensed attorney to advise them of their rights under workers' compensations laws, as specified. The bill would also make technical, nonsubstantive changes to these provisions.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 1879 Gipson D</p> <p>Electronic signatures.</p>	<p>This bill is in the Senate Judiciary Committee.</p>	<p>Existing law authorizes, in any written communication with a public entity, the use of a digital signature, which is defined, in part, as a type of electronic signature, as defined. Under existing law, a digital signature has the same force and effect as the use of a manual signature if it complies with specified requirements and the public entity elects to use a digital signature. Existing law requires, at the option of the parties, the use or acceptance of a digital signature. This bill would require, at the option of the parties, the use or acceptance of an electronic signature, including a digital signature, unless otherwise provided. Under the bill, a digital signature would also have the same force and effect as the use of a manual signature if it complies with the above-referenced requirements and the public entity’s use of a digital signature is mandated. The bill would also make nonsubstantive changes to these provisions. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 1890 Patterson, Joe R</p> <p>Public works: prevailing wage.</p>	<p>This bill is in the Senate Public Employment and Retirement Committee.</p>	<p>Existing law defines the term “public works” for the purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers’ compensation for public works projects. Existing law requires an entity awarding a public works contract, as specified, to provide notice to the Department of Industrial Relations. Existing law requires civil penalties to be imposed on an entity that fails to provide that required notice and authorizes the Labor Commissioner to issue a citation for civil penalties to an entity that fails to provide the required notice. This bill would additionally require the awarding body to provide notice to the department if there is a change in the identity of a contractor or subcontractor performing the project or, within 30 days, if the total amount of the contract change exceeds \$10,000. By creating new notification requirements for public agencies, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 1904 Ward D</p> <p>Transit buses: yield right-of-way sign.</p>	<p>This bill is in the Senate Transportation Committee.</p>	<p>Existing law authorizes a transit bus in the Santa Cruz Metropolitan Transit District and the Santa Clara Valley Transportation Authority to be equipped with a yield right-of-way sign on the left rear of the bus if the applicable entity approves a resolution requesting that this section be made applicable to it. Existing law requires the sign to be designed to warn a person operating a motor vehicle approaching the rear of the bus that the bus is entering traffic and be illuminated by a red flashing light when the bus is signaling in preparation for entering a traffic lane after having stopped to receive or discharge passengers. This bill would expand the authorization to equip transit buses, as described above, to apply to any transit agency if the transit agency approves a resolution that this authorization be made applicable to it. The bill would also authorize the yield right-of-way sign to be a static decal, and would only impose the above-described design and illumination requirements on a sign that is a flashing light-emitting diode (LED) sign.</p>	

Bill ID/Topic	Location	Summary	Position
<p>AB 1958 Berman D</p> <p>Santa Clara Valley Transportation Authority: board of directors.</p>	<p>This bill is in the Senate Transportation Committee.</p>	<p>Existing law creates the Santa Clara Valley Transportation Authority (VTA) with various powers and duties relative to transportation projects and services and the operation of public transit in the County of Santa Clara. Existing law vests the government of the VTA in a 12-member board of directors, appointed by the County of Santa Clara and the cities within the county, as specified. Existing law requires, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transportation issues. This bill would require, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transportation or project management issues.</p>	
<p>AB 2090 Irwin D</p> <p>Office of Farm to Fork: food deserts: transportation.</p>	<p>This bill has been referred to the Assembly Appropriations Suspense File.</p>	<p>Existing law creates the Office of Farm to Fork within the Department of Food and Agriculture, and requires the office, to the extent that resources are available, to work with various entities to increase the amount of agricultural products available to underserved communities and schools in the state. Existing law requires the office, among other things, to identify distribution barriers that affect limited food access and work to overcome those barriers through various actions and to coordinate with school districts and representatives to, among other things, increase the nutritional profile of foods provided in schools. This bill would require the office to also work with transportation agencies to increase the amount of agricultural products available to underserved communities and schools in the state, and to prioritize the department's efforts in food deserts, as defined, throughout the state, especially cities and counties that are most impacted by food insecurity, as defined. The bill would require the office to work to overcome those identified distribution barriers by also facilitating partnerships between statewide, regional, and local transportation agencies to address inadequate public transportation lines in urban and rural communities, with the aim of connecting all communities to adequate and nutritional food access, as provided. The bill would require the office to coordinate with school districts and representatives to assess access to school breakfast and lunch programs during scheduled academic calendar breaks and school closures.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2192 Carrillo, Juan D</p> <p>Public agencies: cost accounting standards.</p>	<p>This bill has been ordered to the Consent Calendar on the Assembly Floor.</p>	<p>Existing law, the Uniform Public Construction Cost Accounting Act, authorizes a public agency, whose governing board has by resolution elected, to become subject to uniform construction cost accounting procedures. Existing law provides for the development of cost accounting standards and an alternative method for the bidding of public works projects by public entities. The act defines “public project” to include, among other things, construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility. This bill would define “public project” to additionally include installations involving any publicly owned, leased, or operated facility. This bill contains other existing laws.</p>	<p>Watch</p>
<p>AB 2233 Schiavo D</p> <p>Building standards: toilet compartments.</p>	<p>This bill is in the Assembly Appropriations Committee.</p>	<p>Existing law, the California Building Standards Law, establishes the California Building Standards Commission within the Department of General Services and sets forth its powers and duties, including approval and adoption of building standards and codification of those standards into the California Building Standards Code. Existing law also establishes that in the Department of General Services, there is a State Architect, appointed by the Governor, as specified, who is required to report directly to the Director of General Services. This bill would require the Division of the State Architect, as part of the next intervening edition of the California Building Standards Code adopted after January 1, 2025, to propose for adoption building standards that increase the total minimum number of ambulatory accessible toilet compartments to 5% of the total number of toilet compartments, with at least one ambulatory accessible toilet compartment. The bill would require that these standards be in addition to wheelchair accessible toilet compartment standards. The bill would also require the Division of the State Architect to consider additional changes to ambulatory accessible toilet compartment standards to improve accessibility.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2302 Addis D</p> <p>Open meetings: local agencies: teleconferences.</p>	<p>This bill is in the Senate Rules Committee, pending referral to policy committee.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets. The bill, for the purpose of counting meetings attended by teleconference, would define a “meeting” as any number of meetings of the legislative body of a local agency that begin on the same calendar day. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2325 Lee D</p> <p>San Francisco Bay Area Rapid Transit District: officers: designation and appointment.</p>	<p>This bill is in the Senate Rules Committee, pending referral to policy committee.</p>	<p>Existing law establishes the San Francisco Bay Area Rapid Transit District, governed by a board of directors, with specified powers and duties relative to the construction and operation of a rapid transit system. Under existing law, the officers of the district consist of the members of the board, a secretary, a general manager, a general counsel, a treasurer, a controller, and other officers, assistants, and deputies that the board may provide for by ordinance or resolution, as specified. Existing law requires the board to appoint, and authorizes the board to remove, the secretary, the general manager, the general counsel, the treasurer, and the controller. Existing law requires all other officers and employees of the district to be appointed by, and to serve at the pleasure of, the general manager. This bill would eliminate the treasurer and controller as specifically designated officers of the district and as positions subject to appointment and removal by the board. The bill would also eliminate specified qualifications applicable to the controller.</p>	<p>Watch</p>
<p>AB 2421 Low D</p> <p>Employer-employee relations: confidential communications.</p>	<p>This bill has been referred to the Assembly Appropriations Suspense file.</p>	<p>Existing law that governs the labor relations of public employees and employers, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions relating to public schools, provisions relating to higher education, and provisions relating to the the San Francisco Bay Area Rapid Transit District, prohibits employers from taking certain actions relating to employee organization, including imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with, restraining, or coercing employees because of their exercise of their guaranteed rights. Those provisions of existing law further prohibit denying to employee organizations the rights guaranteed to them by existing law. This bill would also prohibit a local public agency employer, a state employer, a public school employer, a higher education employer, or the district from questioning any employee or employee representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2455 Gabriel D</p> <p>Whistleblower protection: state and local government procedures.</p>	<p>This bill is in the Senate Rules Committee, pending referral to policy committee.</p>	<p>Existing law authorizes a city, county, or city and county auditor or controller to maintain a whistleblower hotline to receive calls from persons who have information regarding fraud, waste, or abuse by local government employees, as specified. Existing law authorizes the county auditor to refer calls received on the whistleblower hotline to the appropriate government authority for review and possible investigation. During the initial review of a call, existing law requires the auditor, controller, or other appropriate governmental agency to hold in confidence information disclosed through the whistleblower hotline, as specified. Upon receiving specific information that an employee or local government has engaged in an improper activity, as defined, existing law authorizes a city or county auditor to conduct an investigative audit of the matter, as specified. This bill would expand the above-described duties and authorizations to the auditor’s or controller’s designee, as specified. The bill would recast information regarding fraud, waste, or abuse by local government employees as improper governmental activity, as defined, and expand its scope to include activity by a local agency, employee, or contractor or subcontractor. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2503 Lee D</p> <p>California Environmental Quality Act: exemption: passenger rail projects.</p>	<p>This bill is in the Senate Rules Committee, pending referral to policy committee.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA, until January 1, 2030, exempts from its requirements certain transportation-related projects if specified requirements are met, including that a local agency, as defined, is carrying out the project and that the project will be completed by a skilled and trained workforce, as provided. CEQA includes within these exempt transportation-related projects a public project for the institution or increase of bus rapid transit, bus, or light rail service, which will be exclusively used by low-emission or zero-emission vehicles, on existing public rights-of-way or existing highway rights-of-way. Existing law requires the lead agency, if it determines that a transportation-related project is exempt from CEQA and determines to carry out the project, to file a notice of exemption with the Office of Planning and Research and the county clerk in which the project is located. This bill would expand that exemption from CEQA to include a public project for the institution or increase of other passenger rail service, which will be exclusively used by zero-emission trains, on existing public rights-of-way or existing highway rights-of-way. Because the bill would increase the duties of the county clerk, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Support</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2553 Friedman D</p> <p>Housing development: major transit stops: vehicular traffic impact fees.</p>	<p>This bill is in the Senate Rules Committee, pending referral to policy committee.</p>	<p>Existing law, the California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA exempts from its requirements residential projects on infill sites and transit priority projects that meet certain requirements, including a requirement that the projects are located within 1/2 mile of a major transit stop. CEQA defines “major transit stop” to include, among other locations, the intersection of 2 or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. This bill would revise the definition of “major transit stop” to increase the frequency of service interval to 20 minutes. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2561 McKinnor D</p> <p>Local public employees: vacant positions.</p>	<p>This bill has been referred to the Assembly Appropriations Suspense file.</p>	<p>Existing law, the Meyers-Milias-Brown Act (act), authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. The act prohibits a public agency from, among other things, imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with specified employee rights guaranteed by the act. This bill would require each public agency with bargaining unit vacancy rates exceeding 10% for more than 90 days within the past 180 days to meet and confer with a representative of the recognized employee organization to produce, publish, and implement a plan consisting of specified components to fill all vacant positions within the subsequent 180 days. The bill would require the public agency to present this plan during a public hearing to the governing legislative body and to publish the plan on its internet website for public review for at least one year. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include findings that changes proposed by this bill address a matter of statewide concern.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2661 Soria D</p> <p>Electricity: transmission facility planning: Westlands Water District.</p>	<p>This bill has been referred to the Assembly Appropriations Suspense file.</p>	<p>Existing law vests the Public Utilities Commission (PUC) with regulatory authority over public utilities. Existing law requires the PUC to adopt a process for each load-serving entity, as defined, to file an integrated resource plan and a schedule for periodic updates to the plan to ensure that it meets, among other things, the state’s targets for reducing emissions of greenhouse gases and the requirement to procure at least 60% of its electricity from eligible renewable energy resources by December 31, 2030. Under existing law, after the load-serving entities updated the integrated resource plans pursuant to the schedule adopted by the PUC, the PUC adopted an aggregated resource portfolio known as the preferred system plan. Existing law establishes an Independent System Operator (ISO) as a nonprofit public benefit corporation, and requires the ISO to ensure the efficient use and reliable operation of the electrical transmission grid consistent with the achievement of planning and operating reserve criteria, as specified. Existing law requires the PUC, in consultation with the State Energy Resources Conservation and Development Commission, to provide, not later than March 31, 2024, transmission-focused guidance to the ISO about resource portfolios of expected future renewable energy resources and zero-carbon resources. Existing law requires the guidance to include the allocation of those resources by region based on technical feasibility and commercial interest in each region. This bill would require the PUC to perform a sensitivity analysis evaluating the potential for 10,000 to 30,000 megawatts of solar electrical generation located in the Central Valley beyond the amount of solar electrical generation described in the most recently adopted preferred system plan as of January 1, 2025. The bill would require the PUC to transmit the sensitivity analysis to the ISO for evaluation as part of the next transmission planning process. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2669 Ting D</p> <p>Toll bridges: tolls.</p>	<p>This bill has been referred to the Assembly Appropriations Suspense file.</p>	<p>Existing law provides for the construction and operation of various toll bridges by the state, the Golden Gate Bridge, Highway and Transportation District, and private entities that have entered into a franchise agreement with the state. This bill would prohibit a toll from being imposed on the passage of a pedestrian, bicycle, or personal micromobility device over these various toll bridges, unless the bridge was under construction on or after January 1, 2025, and the tolls are used to fund the cost of constructing the bridge.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2712 Friedman D</p> <p>Preferential parking privileges: transit-oriented development.</p>	<p>This bill is on the Assembly Floor.</p>	<p>Existing law authorizes a local authority, by ordinance or resolution, to prohibit or restrict the stopping, parking, or standing of vehicles on certain streets or highways during all or certain hours of the day. Existing law authorizes the ordinance or resolution to include a designation of certain streets upon which preferential parking privileges are given to residents and merchants adjacent to the streets for their use and the use of their guests, under which the residents and merchants may be issued permits that exempt them from the prohibition or restriction of the ordinance or resolution. Existing law prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within 1/2 mile of public transit, as defined, unless the public agency makes written findings that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact on, among other things, the city's, county's, or city and county's ability to meet its share of the regional housing need for low- and very low income households. This bill would, for purposes of its provisions, define "development project" to mean a residential, commercial, or other development project exempt from minimum automobile parking requirements, or subject to parking minimum reductions based on any other applicable law, located within the boundaries of the City of Los Angeles. This bill, for a development project that is located within a preferential parking area, would require the development project to be excluded from the boundaries of the preferential parking area and would prohibit the local authority, as defined, from issuing any permit to the residents, vendors, or visitors of the development project that grants preferential parking privileges. However, the bill would also authorize a local authority to issue permits to residents or vendors of the development project that is within the boundaries of a preferential parking area if the issuing the permit does not cause overcrowding in the preferential parking area for existing residents. The bill would also provide that none of the above-described provisions prohibit local authorities from issuing permits to residents of developments projects that occupy deed-restricted units intended for specified households. This bill contains other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2715 Boerner D</p> <p>Ralph M. Brown Act: closed sessions.</p>	<p>This bill is on the Assembly Floor.</p>	<p>Existing law, the Ralph M. Brown Act, generally requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Existing law authorizes a legislative body to hold a closed session with specified individuals on, among other things, matters posing a threat to the security of essential public services, as specified. This bill would additionally authorize a legislative body to hold a closed session with other law enforcement or security personnel and to hold a closed session on a threat to critical infrastructure controls or critical infrastructure information, as defined, relating to cybersecurity. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2751 Haney D</p> <p>Employer communications during nonworking hours.</p>	<p>This bill has been referred to the Assembly Appropriations Suspense file.</p>	<p>Existing law, including statutory provisions and orders of the Industrial Welfare Commission, as enforced by the Division of Labor Standards Enforcement, regulates the wages, hours, and working conditions of employees. Existing law makes it a crime for an employer to require or cause any employee to work for longer hours than those fixed or under conditions of labor prohibited by an order of the commission or to violate or refuse or neglect to comply with specified statutes on wages, hours, and working conditions or any order or ruling of the commission. This bill would require a public or private employer to establish a workplace policy that provides employees the right to disconnect from communications from the employer during nonworking hours, except as specified. The bill would define the “right to disconnect” to mean that, except for an emergency or for scheduling, as defined, an employee has the right to ignore communications from the employer during nonworking hours. The bill would require nonworking hours to be established by written agreement between an employer and employee. The bill would authorize an employee to file a complaint of a pattern of violation of the bill’s provisions with the Labor Commissioner, punishable by a specified civil penalty.</p>	<p>Watch</p>
<p>AB 2781 Irwin D</p> <p>Public contracting: state grants: prohibition.</p>	<p>This bill has been referred to the Assembly Appropriations Suspense file.</p>	<p>Existing law governs the bidding and awarding of public contracts by public entities, as defined, and imposes additional requirements on state agencies when awarding contracts. This bill would require a state agency, as defined, to include, when awarding a contract for grant administration services, as defined, in the terms of the contract a provision that sets forth standards for resolving actual or perceived conflicts of interest for the contractor.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2813 Aguiar-Curry D Government Investment Act.</p>	<p>This bill is in the Assembly Appropriations Committee.</p>	<p>Existing law, known as the Proposition 218 Omnibus Implementation Act, defines various terms and prescribes procedures and parameters for local jurisdictions to comply with specified provisions of the California Constitution. The Legislature adopted Assembly Constitutional Amendment 1 (ACA 1) at the 2023–24 Regular Session of the Legislature, which, if approved by the voters, would amend and add provisions of the California Constitution to (1) create an additional exception to the 1% limit on the ad valorem tax rate on real property by authorizing a local jurisdiction 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, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction; and (2) authorize a local jurisdiction to impose, extend, or increase a sales and use tax to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction. This bill, for purposes of ACA 1, would define “affordable housing” to include rental housing, ownership housing, interim housing, and affordable housing programs such as downpayment assistance, first-time homebuyer programs, and owner-occupied affordable housing rehabilitation programs. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness or ACA 1 special taxes to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety buildings, facilities, and equipment. This bill would specify that a parcel tax imposed pursuant to ACA 1 may include an exemption for persons who are 65 years of age or older, older whose annual income does not exceed 250% of the 2012 federal poverty guidelines, persons receiving Supplemental Security Income for a disability, or persons receiving Social Security Disability Insurance Benefits and whose yearly income does not exceed specified amounts. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2854 Irwin D Bradley-Burns Uniform Local Sales and Use Tax Law.</p>	<p>This bill has been referred to the Assembly Appropriations Suspense File.</p>	<p>The Bradley-Burns Uniform Local Sales and Use Tax Law (Bradley-Burns) authorizes counties and cities to impose local sales and use taxes in conformity with the Sales and Use Tax Law. Existing law, on or after January 1, 2016, prohibits a local agency from entering into any form of agreement that would result, directly or indirectly, in the payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to any person, as defined, for any purpose, if the agreement results in a reduction in the amount of Bradley-Burns local tax revenues that, in the absence of the agreement, would be received by another local agency and the retailer continues to maintain a physical presence within the territorial jurisdiction of that other local agency, with specified exceptions. This bill would require a local agency, as defined, to annually provide specified information relating to each agreement resulting in the direct or indirect payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to the California Department of Tax and Fee Administration. The bill would additionally require the local agency to publish that information on its internet website. The bill would impose monetary penalties on any local agency that fails to provide information to the department or fails to publish information to its internet website, as prescribed. By expanding the duties of local agencies, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2879 Fong, Vince R High-Speed Rail Authority: contracting.</p>	<p>This bill is in the Assembly Appropriations Committee.</p>	<p>The California High-Speed Rail Act creates the High-Speed Rail Authority, composed of 11 members, to develop and implement a high-speed rail system in the state, with specified powers and duties. The act authorizes the authority to enter into contracts with private or public entities for the design, construction, and operation of high-speed trains. The act requires the authority to appoint an executive director to administer the affairs of the authority as directed by the authority. This bill, notwithstanding the authority's ability to delegate power to the executive director, would require any contract change order with a value greater than \$100,000,000 to be approved by the authority.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 3177 Carrillo, Wendy D</p> <p>Mitigation Fee Act: land dedications: mitigating vehicular traffic impacts.</p>	<p>This bill in the Assembly Appropriations Committee.</p>	<p>Existing law, the Mitigation Fee Act, imposes various requirements with respect to the establishment, increase, or imposition of a fee by a local agency as a condition of approval of a development project. Existing law requires a local agency that imposes a fee on a housing development for the purpose of mitigating vehicular traffic impacts to set the rate for the fee to reflect a lower rate of automobile trip generation if the housing development satisfies specified characteristics, including that the housing development is located within 1/2 mile of a transit station. Existing law defines transit station for these purposes to mean a rail or light-rail station, ferry terminal, bus hub, or bus transfer station. This bill would instead require the housing development to be located within 1/2 mile of a transit priority area for purposes of a local agency setting the rate for a mitigating vehicular traffic impacts fee to reflect a lower rate of automobile trip generation. The bill would define “transit priority area” as an area within 1/2 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 3186 Petrie-Norris D</p> <p>Public works: prevailing wages: access to records.</p>	<p>This bill has been referred to the Assembly Appropriations Suspense file.</p>	<p>Existing law requires that, except as specified, not less than the general prevailing rate of per diem wages be paid to workers employed on public works and imposes misdemeanor penalties for a willful violation of this requirement. Existing law defines “public works,” for the purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds. Existing law requires the Labor Commissioner to investigate allegations that a contractor or subcontractor violated the law regulating public works projects, including the payment of prevailing wages. Existing law requires each contractor and subcontractor on a public works project to keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by the contractor or subcontractor in connection with the public work. Existing law requires any copy of records made available for inspection as copies and furnished upon request to the public or any public agency to be marked or obliterated to prevent disclosure of an individual’s name, address, and social security number but specifies that any copy of records made available to a Taft-Hartley trust fund for the purposes of allocating contributions to participants be marked or obliterated only to prevent disclosure of an individual’s full social security number, as specified. This bill would require each contractor and subcontractor performing work on any public works project and any covered entity, as defined for these purposes as a corporation, limited liability company, partnership, joint venture, or other legal entity, that develops or undertakes such project, to make specified records available upon request to the Division of Labor Standards Enforcement, to multiemployer Taft-Hartley trust funds, and to joint labor-management committees, as specified. The bill would also apply this requirement to contractors, subcontractors, and covered entities that are developing, undertaking, or performing work on a development project for which contractors are required to maintain and verify payroll records, as specified. The bill would subject a contractor, subcontractor, or covered entity, for failing to comply with the provisions of this act, to a penalty by the commissioner, as specified, and would deposit the penalties into a specified fund. This bill would require the Director of Industrial Relations to adopt rules to govern the release of those records, as specified. This bill contains other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 532 Wiener D San Francisco Bay area toll bridges: tolls: transit operating expenses.</p>	<p>This bill is in the Assembly Appropriations Committee.</p>	<p>Existing law creates the Metropolitan Transportation Commission (MTC) as a regional agency in the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates the Bay Area Toll Authority (BATA) as a separate entity governed by the same governing board as MTC and makes BATA responsible for the administration of toll revenues from the state-owned toll bridges in the San Francisco Bay area. Existing law requires the Department of Transportation to collect tolls on these state-owned toll bridges. Existing law requires those toll revenues to be deposited in the Bay Area Toll Account and requires BATA to control and maintain that account, as specified. This bill would, until December 31, 2028, require BATA to increase the toll rate for vehicles for crossing the state-owned toll bridges in the San Francisco Bay area by \$1.50, as adjusted for inflation. The bill would require the revenues collected from this toll to be deposited in the Bay Area Toll Account, would continuously appropriate moneys from this toll increase and other specified tolls, and would require moneys from this toll to be transferred to MTC for allocation to transit operators that provide service within the San Francisco Bay area and that are experiencing a financial shortfall, as specified. The bill would direct MTC to require each transit operator eligible to receive an allocation from the account to, on an annual basis, submit a 5-year projection of its operating needs, as specified. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 537 Becker D</p> <p>Open meetings: multijurisdictional, cross-county agencies: teleconferences.</p>	<p>This bill has been ordered to the Inactive File.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows "just cause," including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of "just cause" to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction. The bill would require a member who receives compensation for their service, as specified, on the legislative body to participate from a physical location that is open to the public. The bill would require the legislative body to identify in the agenda each member who plans to participate remotely and to include the address of the publicly accessible building from which each member will participate via teleconference. The bill would prohibit a member from participating remotely pursuant to these provisions unless the remote location is the member's office or another location in a publicly accessible building and is more than 40 miles from the in-person location of the meeting. The bill would repeal these alternative teleconferencing provisions on January 1, 2026. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 904 Dodd D</p> <p>Sonoma-Marín Area Rail Transit District.</p>	<p>This bill is on the Senate Floor.</p>	<p>Existing law creates, within the Counties of Sonoma and Marin, the Sonoma-Marín Area Rail Transit District with specified duties and powers relative to the provision of a passenger and freight rail system within the territory of the district. Under existing law, the district is governed by a 12-member board of directors appointed by various local governmental entities. Existing law authorizes the board to submit to the voters of the district a measure proposing a retail transactions and use tax ordinance. This bill would also authorize those special taxes to be imposed by a qualified voter initiative if that initiative complies with certain requirements. The bill would require the board of supervisors of the Counties of Sonoma and Marin to call a special election on a tax measure proposed by the district’s board of directors or a qualified voter initiative in their respective counties, as specified. To the extent that the bill would impose additional duties on a county elections official, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>SB 955 Seyarto R</p> <p>Office of Planning and Research: Infrastructure Gap-Fund Program.</p>	<p>This bill has been referred to the Senate Appropriations Suspense file.</p>	<p>Existing law establishes the Office of Planning and Research in the Governor’s office for the purpose of serving the Governor and the Governor’s cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. Existing law authorizes a local agency to finance infrastructure projects through various means, including by establishing an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community. This bill would require the office, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to local agencies to develop and construct infrastructure projects, as defined. The bill would authorize the office to provide funding for up to 20% of a project’s total cost, subject to specified requirements, including, among other things, that the office is prohibited from awarding a grant to a local agency unless the local agency provides funding that has been raised through local taxes for at least 10% of the infrastructure project’s total cost. The bill would require the office to develop guidelines to implement the program that establish the criteria by which grant applications will be evaluated and funded. The bill would make these provisions operative January 1, 2027.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1031 Wiener D</p> <p>San Francisco Bay area: local revenue measure: transportation improvements.</p>	<p>This bill is in the Senate Appropriations Committee.</p>	<p>Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would authorize the commission to raise and allocate new revenue and incur and issue bonds and other indebtedness, as specified. In this regard, the bill would authorize the commission to impose a retail transactions and use tax, a regional payroll tax, a parcel tax, and a regional vehicle registration surcharge in all or a subset of the 9 counties of the San Francisco Bay area, in accordance with applicable constitutional requirements. The bill would require the parcel tax to be collected by counties and the other 3 taxes to be collected by specified state agencies, and would require the net revenues from those taxes to be remitted to the commission, as prescribed. The bill would require the revenue generated pursuant to these provisions to be used for transportation improvements in the San Francisco Bay area, including for various transit purposes, and would require the commission to distribute those revenues in accordance with specified requirements. This bill contains other related provisions and other existing laws.</p>	<p>Oppose Unless Amended</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1098 Blakespear D Passenger and freight rail: LOSSAN Rail Corridor.</p>	<p>This bill has been referred to the Senate Appropriations Suspense file.</p>	<p>Existing law establishes the Department of Transportation in the Transportation Agency under the control of an executive officer known as the Director of Transportation. Existing law authorizes the Department of Transportation, subject to approval of the Secretary of Transportation, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in certain rail corridors, including the LOSSAN Rail Corridor. Existing law defines the LOSSAN Rail Corridor as the intercity passenger rail corridor between San Diego, Los Angeles, and San Luis Obispo. Pursuant to this authority, the department entered into an interagency transfer agreement with the LOSSAN Rail Corridor Agency to administer intercity passenger rail service in the LOSSAN Rail Corridor. This bill would require the Secretary of Transportation to provide guidance and recommendations to, and coordination between, stakeholders as necessary to ensure the performance of the LOSSAN Rail Corridor, as specified. This bill would also require the Secretary of Transportation, in consultation with the Director of Transportation, the California Transportation Commission, the Secretary for Environmental Protection, and the Secretary of the Natural Resources Agency, to submit a report to the Legislature on or before January 1, 2026, regarding the LOSSAN Rail Corridor that includes specified information. The bill would also require the Secretary of Transportation, in coordination with stakeholders responsible for operating rail services along the LOSSAN Rail Corridor, to submit a report to the Legislature on or before January 1, 2027, and biennially thereafter, on the performance of the LOSSAN Rail Corridor, as provided. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1206 Becker D GO-Biz: next generation batteries.</p>	<p>This bill is in the Senate Appropriations Committee.</p>	<p>Existing law establishes the Governor’s Office of Business and Economic Development (GO-Biz), which serves the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. Existing law authorizes GO-Biz, until July 1, 2025, to undertake measures that are necessary or useful to prepare and submit an application to receive funding from the regional clean hydrogen hubs program established by the Secretary of the United States Department of Energy or to otherwise participate in the regional clean hydrogen hubs program. Existing law requires grants made from any funding received from the regional clean hydrogen hubs program to be used as specified. The California Renewables Portfolio Standard Program requires the Public Utilities Commission to establish a renewables portfolio standard, as defined, requiring all retail sellers, as defined, to procure a minimum quantity of electricity products from eligible renewable energy resources, as defined, so that the total kilowatthours of those products sold to their retail end-use customers achieves 25% of retail sales by December 31, 2016, 33% by December 31, 2020, 44% by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would, until January 1, 2030, authorize GO-Biz to undertake measures that are necessary or useful to prepare and submit an application to receive funding from next generation battery hub programs, as defined. The bill would require that grants made from any funding received from next generation battery hub programs under its provisions support projects in California that advance progress toward resource adequacy goals and the targets of the scoping plan and the California Renewables Portfolio Standard Program. The bill would also require that grants made from any funding received from next generation battery hub programs under its provisions prioritize projects that meet any of the specified conditions, including that the project help reduce costs and increase access to batteries. Prior to the submission of any applications to receive funding from next generation battery hub programs, the bill would require a partnership entered into pursuant to the above-described provisions to adopt a community benefits plan that includes specified elements. The bill would require GO-Biz to submit a report to the relevant budget and policy committees of the Legislature on or before January 1, 2026, and annually thereafter, regarding the status of any partnership entered into pursuant to the above-described provisions.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1239 Grove R</p> <p>State vehicle fleet: zero-emission vehicles: raw materials: child labor.</p>	<p>This bill is in the Senate Appropriations Committee.</p>	<p>Existing law requires the Department of General Services, beginning no later than the 2024–25 fiscal year, to ensure that at least 50% of the light-duty vehicles purchased for the state vehicle fleet each fiscal year are zero-emission vehicles, except as provided. This bill would require the department to require a supplier of zero-emission vehicles purchased for the state vehicle fleet to certify that any raw materials used in the manufacturing of the zero-emission vehicles, including, but not limited to, cobalt and lithium, come from mining operations that are free of child labor.</p>	<p>Watch</p>
<p>SB 1321 Wahab D</p> <p>Employment Training Panel: employment training program: projects and proposals.</p>	<p>This bill is in the Senate Appropriations Committee.</p>	<p>Existing law establishes the Employment Training Panel within the Employment Development Department and sets forth its powers and duties with respect to certain employment training programs. Existing law declares the intent of the Legislature that the purpose of provisions relating to the panel is to establish an employment training program to promote a healthy labor market in a growing, competitive economy and to fund only projects that meet specified criteria, including promoting the retention and expansion of the state’s manufacturing workforce. Existing law requires the panel, in funding projects that meet the above-described criteria, to give funding priority to projects that meet specified goals, including promoting the retention and expansion of the state’s manufacturing workforce. This bill would also include in the above-described project criteria, among other things, assisting existing apprentice, certification, or other training programs in updating training to reflect new technologies or methods, or to address gaps in existing training. The bill would also include in the above-described goals, among other things, meeting the standards established by the Division of Apprenticeship Standards for high-quality training programs. The bill would authorize projects developed pursuant to the above-described provisions to use program funding, upon appropriation by the Legislature, to provide training through apprenticeship programs approved by the Division of Apprenticeship Standards and training at joint-labor management training centers. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1325 Durazo D</p> <p>Public contracts: best value procurement: goods.</p>	<p>This bill has been referred to the Senate Appropriations Suspense File.</p>	<p>Existing law imposes requirements on, and authorizes procedures for, public contracting for equipment and services, among other things, by local and state agencies. Existing law authorizes certain procurements to be facilitated through a lowest responsible bidder requirement. This bill would authorize a public entity, as defined, to award contracts through a best value procurement method, as described, for the purchase of goods with a base value of \$250,000 or more. The bill would require the public entity to adopt and publish procedures and guidelines for evaluating the qualifications of the bidders to ensure the best value selections are conducted in a fair and impartial manner, as described. The bill would authorize the procedures and guidelines to include the adoption of a high road jobs plan policy that evaluates bidders' high road jobs plan commitments as part of the overall score for the public contract, as specified. This bill would require the solicitation document to include certain information and would direct the public entity to use a scoring method based on price and the factors described in the solicitation document, as specified. The bill would require the public entity to let any contract for these projects to the selected bidder that represents the best value or reject all bids. The bill would also authorize a public entity to award all contracts for the purchase of municipal fleets by using a best value procurement method, as specified. This bill contains other related provisions.</p>	<p>Watch</p>
<p>SB 1434 Durazo D</p> <p>Unemployment insurance: benefit and contribution changes.</p>	<p>This bill is in the Senate Labor, Public Employment, and Retirement Committee.</p>	<p>Existing law provides for unemployment compensation benefits for eligible individuals in the state who are unemployed through no fault of their own. Existing law excludes from the definition of "wages," for purposes of the unemployment insurance law, remuneration in excess of \$7,000 paid to an individual by an employer during any calendar year, with respect to employment. This bill would change the amount of remuneration that is excluded from the definition of "wages," to \$____ on and after January 1, 2025, but before January 1, 2027, and to \$____ on and after January 1, 2027. The bill would require an annual cost of living increase to the \$____ amount on and after January 1, 2028, and each January 1 thereafter. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1509 Stern D Negligent Operator Treatment (NOT) in California Act.</p>	<p>This bill has been referred to the Senate Appropriations Suspense file.</p>	<p>Existing law prescribes various speed limits for the operation of vehicles, and generally prohibits a person from driving a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed that endangers the safety of persons or property. Existing law requires that specified convictions, violations, and traffic-related incidents count as points against a driver's record for purposes of suspension or revocation of the privilege to drive, and generally provides that traffic convictions involving the safe operation of a motor vehicle result in one violation point. This bill, the Negligent Operator Treatment (NOT) in California Act, would specify that a conviction of driving a vehicle at a speed that exceeds the posted speed limit by 26 miles per hour or more on a highway with a posted speed limit for passenger vehicles of 55 miles per hour or less shall be given a value of 2 points.</p>	<p>Watch</p>



May 13, 2024

TO: Board of Directors, Peninsula Corridor Joint Powers Board (Caltrain)

FM: Matt Robinson, Michael Pimentel, and Alchemy Graham, Shaw Yoder Antwih Schmelzer & Lange
Mike Robson, Edelstein Gilbert Robson & Smith LLC

RE: **STATE LEGISLATIVE UPDATE – June 2024**

General Update

The Legislature has been busy hearing bills in policy committees since returning from Spring Recess on April 1. Policy committees had until April 26 to hear bills with fiscal impacts and move them to the appropriations committees, where most bills were placed on the suspense file. The suspense file hearings will take place on May 16. Bills must move out of the first house by May 24. For more information about key legislative and budget deadlines, see the adopted 2024 Legislative Calendar available [here](#).

State Budget Update

On May 10, Governor Newsom released his [May Revision](#) to the proposed Fiscal Year (FY) 2024-25 budget released in January. The “May Revise,” as it is commonly referred, updates the state’s revenue projections for the upcoming fiscal year based on the latest economic forecasts available to California Department of Finance. As expected, the May Revise estimates that the budget deficit has grown – by approximately \$7 billion relative to budget deficit estimate released in January of \$38 billion, placing the state at an estimated \$45 billion deficit for FY 2024-25. This budget deficit estimate drops to \$27 billion when the cost savings generated by the Early Action Budget Agreement are factored in.

Importantly, the May Revise maintains the state’s commitment to provide the \$5.1 billion for public transit capital projects and operations outlined in the Budget Act of 2023 (AB 102 / SB 125) but maintains this commitment by proposing a series of significant fund shifts and delays. Specifically, the May Revise makes the following changes to the public transit capital and operations:

- **Maintains the \$4 billion for the formula-based Transit and Intercity Rail Capital Program (TIRCP)** by shifting **\$839 million** from General Fund dollars to Greenhouse Gas Reduction Fund dollars.

The May Revise maintains the change implemented in the Early Action Budget Agreement that extends the appropriation timeline for this funding from two years (FY 2023-24 and FY 2024-25) to three years (FY 2023-24 through FY 2025-26).

- **Maintains the \$1.1 billion for the formula-based Zero-Emission Transit Capital Program** by delaying the appropriation of **\$680 million** of this funding to out years, as follows:

- **\$220 million** scheduled for appropriation in FY 2023-24 is delayed to FY 2024-25;
- **\$230 million** scheduled for appropriation in FY 2025-26 is delayed to FY 2027-28; and
- **\$230 million** scheduled for appropriation in FY 2026-27 is delayed to FY 2027-28.

Additionally, the May Revision makes the following changes to various other transportation investments approved in previous Budget Acts:

- **Cuts \$148 million in unawarded funds from the TIRCP Cycle 6.**
- **Cuts an additional \$400 million from the Active Transportation Program** beyond the \$200 million cut included in the Governor’s January Budget for a total reduction of \$600 million.
 - The May Revision specifically reduces \$300 million from the Program in FY 2025-26 and \$99 million in FY 2026-27, with Cycle 7 backfilling funding for Cycle 6.
- **Cuts \$330 million in awarded, but not yet appropriated funds for various grade separation projects.** This cut will negatively impact Caltrain, as it was awarded \$70 million from this program for the Burlingame grade separation project.

The May Revision does not mention, or propose new action on, the \$2.4 billion in FY 2023-24 funding for the formula-based TIRCP and ZETCP that is currently frozen by the Newsom Administration. As we previously reported, this funding was scheduled to be released to regional entities for suballocation to transit agencies by April 30, 2024. Therefore, the spending freeze remains in place pending budget discussions between the Newsom Administration and Legislature.

Due to its early release, the May Revision does not yet include an update to State Transit Assistance, State Rail Assistance, Cap and Trade, and Local Transportation Fund projections. We expect this information to become available over the coming weeks.

CalSTA Releases Final Guidelines and Call for Projects for TIRCP Cycle 7

On April 30, the California State Transportation Agency (CalSTA) released the final program guidelines and a call for projects for Award Cycle 7 of the Transit and Intercity Rail Capital Program (TIRCP). The final guidelines and the call for projects are now available on the [CalSTA website](#).

The 2024 TIRCP grant cycle will program projects starting with the 2024-25 fiscal year and ending with the 2028-29 fiscal year. The new program cycle will include previously awarded and active projects that have not been fully allocated by the end of the 2023-24 fiscal year, and projects selected with the 2024 cycle. Applications are due July 23, 2024, and CalSTA expects to announce project awards on October 23, 2024.

CalSTA’s Transit Transformation Task Force Holds Third Meeting

On April 15, the California State Transportation Agency convened the third meeting of the Transit Transformation Task Force at the Caltrans District 11 Headquarters in San Diego.

The meeting was organized around reviewing and discussing the initial work of the Task Force’s Technical Working Group relative to identifying the components of “transit availability,” establishing target metrics for these components, and identifying the factors that determine if transit is an attractive choice. In short, the Technical Working Group identified “connections to destinations,” “distance to a transit stop,” “span of service,” and “understanding of transit” as the primary components of transit availability (while stipulating to the importance of other characteristics of features); presented community-specific, but fiscally unconstrained, metrics for each; and identified “reliability,” “speed,” “safety,” “experience,” and “affordability” as the factors that determine if transit is an attractive choice.

The feedback from the Task Force elevated the following points and themes:

- Demography and the characteristics of the built environment, including accessibility, must be factored into how community-specific metrics are defined;
- Efforts to increase transit ridership should not focus solely on “supply side” solutions (as the state has organized the Task Force’s discussions to-date) and must consider “demand side” solutions;
- Task Force’s work to define metrics should integrate data already developed by Metropolitan Planning Organizations, and Regional Transportation Planning Agencies and included in Sustainable Community Strategies Plans;
- Safety is the top factor determining if transit is an attractive choice;
- Exercise of establishing community-specific metrics and identifying the factors that determine if transit is an attractive choice must be grounded in fiscal constraints and political realities; and,
- Discussion on transit transformation should start with discussion on addressing barriers / challenges to providing or improving public transit services, many of which are created by policies and procedures established by the state and municipalities.

The next Task Force meeting will take place on June 17 in San Francisco. The Task Force is subject to the state’s open meeting requirements for state bodies, known as Bagley-Keene, and as such, all agenda materials will be available on [CalSTA’s website](#).

Bills of Interest

SB 960 (Wiener) Complete Streets Projects on the State Highway System - WATCH

On complete streets, this bill would require all transportation projects funded or overseen by Caltrans to provide complete streets facilities unless exempt pursuant to the bill. It would also require the targets and performance measures adopted by the California Transportation Commission to include within the SHOPP asset management plan objective targets and measures reflecting state transportation goals and objectives, including for complete streets assets on the state highway system. This bill would also require Caltrans’ performance report to include a description of complete streets facilities on each project. Lastly, this bill would require Caltrans to develop and adopt a project intake, evaluation, and encroachment permit review process for complete streets facilities that are sponsored by a local jurisdiction or transit agency. As a part of this process, Caltrans would be required to designate an encroachment permit manager in each district to oversee the review of complete streets facilities applications. Caltrans would then be required to produce a report on the project applications submitted for complete streets facilities.

On transit priority projects, this bill would require the Director of Transportation to, on or before July 1, 2027, adopt a transit priority policy to guide the implementation of transit priority facilities on the state highway system. The bill would also require the Caltrans-prepared State Highway System Management Plan (SHSMP) to include specific and quantifiable accomplishments, goals, objectives, costs, and performance measures for transit priority facilities consistent with SHOPP asset management plan and Caltrans’ most recent policy.

SB 1031 (Wiener) Bay Area Transportation Regional Measure / Transit Consolidation – OPPOSE UNLESS AMENDED

This bill would serve as the authorizing vehicle for the Metropolitan Transportation Commission to propose a revenue measure to the voters in its jurisdiction to fund the operation, expansion, and transformation of the San Francisco Bay area’s public transportation system, as well as other transportation improvements. This bill would also charge the California State Transportation Agency with developing a plan to consolidate the 27 transit agencies in the San Francisco Bay Area. Recent amendments to the bill include an “enhanced coordination” component alongside the current consolidation component. Specifically, the amended version of the bill requires that the mandated

assessment on consolidation now identifies opportunities for enhanced coordination as well. The Author defines “enhanced coordination” as “increasing coordination across two or more transit agencies to improve service, efficiency, safety, or other benefits.”

Other recent amendments to the bill include: removing MTC’s authority to place a measure on the ballot that raises revenue starting January 1, 2041; limiting the durations of a new tax to 30 years; limiting a sales and use tax to one-half of a percent; stating that revenues can only be used for capital investments; and clarifies the intent of the Author in disallowing MTC the authority to condition State Transit Assistance funds as an enforcement mechanism for transit agencies to ensure compliance with network manager requirements.

AB 1837 (Papan) Bay Area Transit Coordination - SUPPORT

This bill would create the Regional Network Management Council and would require the Metropolitan Transportation Commission to facilitate the creation of the Council.

AB 2503 (Lee) CEQA Exemptions for Railroad Electrification - SUPPORT

This bill would expand existing CEQA exemptions to include public projects for the institution or increase of other passenger rail service, which will be exclusively used by zero emission trains on existing public rights-of-way or existing highway rights-of-way. This bill is targeted at providing a CEQA exemption for catenary power systems.

AB 2824 (McCarty) Transit Employee Assaults – WATCH

This bill would have enhanced penalties for individuals who commit assault or battery against a public transit operator or employee. This bill would have also allowed transit agencies to prohibit individuals convicted of assault or battery from entering transit facilities and vehicles using a more streamlined process. This bill is sponsored by the California Transit Association.

Caltrain Federal Report May 2024

Caltrain D.C. Visit Recap

- Caltrain leadership visited Washington, D.C., during the month of May to visit with federal decision-makers and educate them on Caltrain initiatives and other pressing matters.
- During a visit with the Federal Transit Administration (FTA), Caltrain connected with senior leadership, including Executive Director Matt Welbes. The meeting provided Caltrain with an opportunity to check in with the agency on electrification progress and invite officials to California to visit Caltrain.
- Caltrain also met with Federal Railroad Administration (FRA) Administrator Amit Bose to discuss electrification further and invited him and Secretary Pete Buttigieg to visit Caltrain.
- On Capitol Hill, Caltrain met with Rep. Kevin Mullin (D-CA), Rep. Anna Eshoo (D-CA), and staff with Rep. Nancy Pelosi and Sen. Alex Padilla. Additionally, the team also visited with staff on the House Transportation & Infrastructure and the Senate Banking, Housing, and Urban Affairs Committees.

Congressional Update

Congress Passes \$95 Billion Foreign Aid Package

- On April 24, President Biden signed a \$95 billion foreign aid package with broad bipartisan support, with the exception of Freedom Caucus Republicans.
- The bill includes \$60.84 billion for Ukraine, including \$23 billion to replenish weapons, stocks, and facilities; \$26 billion for Israel, including \$9.1 billion for humanitarian assistance; and \$8.12 billion for the Indo-Pacific, including Taiwan. Bipartisan leaders, including President Joe Biden and Senate Minority Leader Mitch McConnell, had been urging House Speaker Mike Johnson to pass Ukraine aid in the House for months.
- The Ukraine funding portion of the package passed by a vote of 311-112 in the House, with all 112 “nays” coming from Republicans, compared to 102 Republicans in support.

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Stronger Communities Through Better Transit Act Introduced

- Senior Democratic members of the House Transportation & Infrastructure Committee introduced legislation ([H.R. 7039](#)) that would authorize funding for transit system operations.
- Specifically, the bill authorizes \$20 billion annually and would distribute funding to every recipient of FTA urbanized area and rural area formula funds. This bill was introduced as key lawmakers begin considering potential provisions for the new surface transportation bill which is up for reauthorization in 2026.
- Reps. Mullin and Lofgren have announced their support for the bill. However, the legislation does not yet have any Republican supporters.
- Caltrain formally supported this bill during the May board meeting.

Administration Update

FTA Finalizes Updated Public Transportation Agency Safety Regulations

- On April 9, FTA announced a final rule updating the agency's [Public Transportation Agency Safety Plans \(PTASP\) regulation](#), as well as the [National Public Transportation Safety Plan](#). This is the first major update to the PTASP regulation.
- The updated PTASP regulation increases the role of frontline transit workers in safety, specifies requirements for safety committees transit agencies are required to establish under the Bipartisan Infrastructure Law (BIL), and requires transit agencies to include de-escalation training for frontline transit workers and minimize exposure to infectious diseases.
- The updated National Public Transportation Safety Plan includes best practices for transit agencies to improve safety performance in response to major transit accidents/injuries and incorporates BIL provisions for risk-based approaches to reducing said injuries or fatalities on public transit.

FTA Requests Input on CIG

- FTA has opened a comment portal on proposed policy changes to the Capital Investments Grants (CIG) Program. The revisions are intended to amend FTA's CIG Policy Guidance last published in January 2023 and are a comprehensive update of the CIG Policy Guidance.
- The comment portal can be found [here](#), and all input must be submitted by June 4, 2024. FTA hopes to finalize the policy guidance by the end of the calendar year and, thus, is not expected to extend the comment window.

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DHS Releases FY24 Transit Security Grant Program

- The Department of Homeland Security (DHS) released the [notice of funding opportunity](#) (NOFO) for the FY24 Transit Security Grant Program (TSGP). This program provides funding to transit agencies to protect critical surface transportation infrastructure and the traveling public from acts of terrorism.
- Examples of recent TSGP accomplishments include jurisdictions increasing their mass notifications and critical incident management systems, enabling organizations and communities to send emergency alerts and share critical information through multiple channels (e.g., text message, email, voice, desktop, social media) quickly and effectively. Examples of TSGP accomplishments include organizations providing surge support (law enforcement personnel) for special events and tunnel hardening.
- All applications are due June 24, 2024, with approximately \$83 million in available funding.

Round-Up of Open Grant Opportunities

- [Consolidated Rail Infrastructure and Safety Improvements Grant Program](#). \$2.3 billion available. All applications due May 28, 2024.
- [Fiscal Year 2024 Transit Security Grant Program](#). \$83 million available. All applications due June 24, 2024.