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Agenda

Peninsula Corridor Joint Powers Board Advocacy and Major Projects (AMP) Committee Meeting

October 30, 2024, 3:30 pm

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

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

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

*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.

October 30, 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 / Safety Moment
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. Meetings Minutes of September 25, 2024 Motion
5. Approval of the 2025 JPB Advocacy and Major Projects Committee Meeting Calendar Motion
6. Receive Railyards Preliminary Business Case Update and Authorize Execution of Caltrain/Prologis Cooperation Agreement* Motion
7. Authorize Execution of a Cooperative Agreement with Diridon Partner Agencies to Establish Interim Project Organization Structure* ** Motion
8. State and Federal Legislative Update Informational
9. Committee Member Requests
10. Date/Time of Next Regular AMP Committee Meeting: Wednesday, November 20, 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.
11. Adjourn

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

Information for the Public

All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board. If you have questions on the agenda, please contact the JPB Secretary at 650.551.6108. Agendas are available on the Caltrain website at <https://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 Finance Committee: Two Mondays before the Board Meeting, 2:30 pm; JPB Advocacy and Major Projects (AMP) Committee: Two Wednesdays before the Board meeting, 3:30 pm. The date, time, and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

Location of Meeting

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

Public Comment*

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

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

Accessible Public Meetings/Translation

Upon request, the JPB will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least 72 hours in advance of the meeting or hearing. Please direct requests for disability-related modification and/or interpreter services to the Title VI Administrator at San Mateo County Transit District, 1250 San Carlos Avenue, San Carlos, CA 94070-1306; or email titlevi@samtrans.com; or request by phone at 650-622-7864 or TTY 650-508-6448.

Availability of Public Records

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

**Peninsula Corridor Joint Powers Board
Advocacy and Major Projects (AMP) Committee
1250 San Carlos Avenue, San Carlos, CA 94070
DRAFT Minutes of September 25, 2024**

Members Present: Margaret Abe-Koga, Jeff Gee (arrived at 3:32 pm), Steve Heminger (Chair)

Staff Present: J. Baker, M. Bouchard, J. Harrison, L. Ko, M. Lee, A. Metz, D. Pape, M. Reggiardo, D. Ryan, M. Tseng, K. Vuicich

1. Call to Order/Pledge of Allegiance

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

2. Roll Call

Acting District Secretary Margaret Tseng called the roll and confirmed a quorum was present.

Chair Heminger delivered the Safety Briefing.

3. Public Comment on Items not on the Agenda

Aleta Dupree, Team Folds, commented on her experience of the new electric trains and spoke in support of Caltrain's plans for expansion.

4. Meeting Minutes of July 24, 2024

Motion/Second: Abe-Koga/Gee

Ayes: Abe-Koga, Gee, Heminger

Noes: None

5. Receive Update on Diridon Station Design Alternatives and Authorize Execution of Cooperative Agreement with Diridon Partner Agencies to Establish Interim Project Organization Structure

Marian Lee, Diridon Station Project Director, and Melissa Reggiardo, Planning Manager, provided the presentation that included the following:

- Ten percent design with one recommended alternative and environmental kick-off targeted by next summer
- Alternative station designs (At-Grade, Elevated, Stacked) were scored
- Stacked design eliminated due to greater construction constraints and costs, negative visual impacts, and restricted intermodal connectivity
- Elevated Alternative has similar design to At-Grade Alternative (tracks and platforms, station components/layouts, passenger experience, land use impacts, CEMOF (Centralized Equipment Maintenance and Operations Facility) retainment but is raised by one level

- Elevation has differences in grade separations, visual impacts, and construction complexity/cost
- Reduction of area land use to preserve historic features of current Diridon station as well as rebuild Pacific Gas & Electric (PG&E) facility on-site
- Technical work and additional areas needing construction are to be identified
- Grade separations where streets are below tracks prove beneficial for safety and the community but increase project cost, time, construction challenges, and land usage
- Cost for At-Grade Alternative estimated \$3-6 billion while Elevated estimated \$5-10 billion
- Public feedback and next-step project approaches will be presented at Diridon Joint Policy Advisory Board's (JPAB) November Meeting

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

- Design alternative will need to be selected to define costing and funding plan. Value community input to help make a choice
- Need for clear project schedule and cost-funding estimates to provide transparency and certainty between organizations and the community

Public comment

Aleta Dupree commented on Elevated Station Design benefits and voiced concern over CEMOF retainment.

Staff furthered the discussion with the presentation that included the following:

- Implemented four-year cooperative agreement used to select a delivery authority for the Diridon Station Project
- Pre-Environmental Phase to take place from Summer 2024 – Summer 2025, while Environmental Phase to take place from 2025 – 2028
- Diridon JPAB to be restructured as Steering Committee
 - To consist of 10 members with Chair and Vice-Chair and conduct quarterly public meetings
 - Committee authority to not supersede authorities of partnering agencies
- Outlined roles and responsibilities for the Diridon Project Steering Committee

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

- Single entity to take accountability, more frequent meetings, and governing structure clarification to facilitate decision-making and productivity
- Fiscal year funds insufficient for environmental clearance fees yet sufficient to implement governing structure funds

- Current proposal for Diridon Project Steering Committee as an interim structure while agencies determine the accountable agency. Agencies' accountability for independent agreements made with consultants through a Memorandum of Understanding

The Committee members directed staff to develop a resolution for the suggested proposal: Caltrain to become lead agency by default if construction delivery authority is not implemented within two years. The Committee did not move the motion for this item.

6. Receive Update on Transit 2050+

David Pape, Policy Program Manager, Andy Metz, Alameda-Contra Costa Transit District (AC Transit) Transit Operator Project Manager, and Kara Vuicich, Metropolitan Transit Commission (MTC)/Association of Bay Area Government (ABAG) Project Manager, provided the presentation that included the following:

- Transit 2050+ to deliver the development of an intermodal transit network, recovery and growth of ridership, improvement of transit reliability and speed, and reduction of transportation barriers
- Participation from 12 different Bay Area transportation agencies
- Needs Assessment 2023 used to find gaps in transportation caused by COVID-19 pandemic identified through regional travel pattern data including gap locations and arterial transit speeds observed for project implementation
- Draft Network estimated to bring in \$86 billion in revenues
- Project divided into near-term (quick and impactful upgrades between 2025-2035) and long-term (expansions for future generations between 2035-2050)
 - Caltrain Near-Term: Increasing service to six trains per hour per direction, Caltrain Bay View Station
 - Caltrain Long-Term: Increasing service to eight trains per hour per direction, Caltrain High-Speed Rail Portal Project
- Status of Modal Plan transitioning into Regional Plan include completed round of public outreach (18 pop-up events) and two stakeholder workshops at MTC, revision of the Draft Network, upcoming meetings in December and January, and one-year goal to get environmental clearance before adoption

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

- Gap locations showcased the demand for transportation and equity priority
- Transit strategies of Plan Bay Area 2050 retained for Transit 2050+
- Quality of life evident in vehicles and transit areas should be used to encourage community to use public transportation
- Projects qualify as long-term if the revenue begins in 2036 or after

Director Abe-Koga left the meeting at 5:05pm

7. Receive State and Federal Legislative Update

Jason Baker, Director of Government and Communication Affairs, and Devon Ryan, Government Affairs Officer, provided the presentation that included the following:

- Average deficit of \$77 million per year
- MTC to approve framework for transportation measure on October 21, 2024
- Two scenarios proposed to make up for the farebox loss due to inflation within the next 15 years
- Scenario 1 (Revised and favored over Scenario 2) \$608 million over 10 years with four county involvement plus opt-ins
- Scenario 2 (Hybrid) \$608 million over 10 years with nine county involvement
- Other options: Caltrain-only measures county by county measures, “Non-Regional Measure,” county sales tax coupled with county parcel tax or county member contributions

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

- Caltrain-only measure meets current contractual obligations that later ties into regional measures
- Concerns with a measure that would leave Caltrain’s deficit unresolved
- Conflicts with Bay Area Housing Finance Authority (BAHFA) prevented MTC from placing a property tax on the ballot

Public comment

Aleta Dupree commented on the progress made at the MTC meeting and legislative challenges.

8. Committee Member Requests - There were none.

9. Date/Time of Next Regular AMP Committee Meeting: Wednesday, October 30, 2024 at 3:30 pm.

10. Adjourn - The meeting adjourned at 5:41 pm.



JPB Advocacy and Major Projects (AMP) Committee 2025 Meeting Calendar

Wednesdays, Two Weeks Prior to JPB Board Meeting – 3:30 PM
January 29
February 26
March 26
April 23
May 28
June – No meeting
July 23*
August 27
September 24*
October 29
November 19*
December 17*

Board Committee Members: Directors Steve Heminger (Chair), Margaret Abe-Koga, Jeff Gee
Primary Staff Liaison: Sam Sargent

*Regular meetings are scheduled for two Wednesdays prior to the Board meeting at 3:30 pm unless otherwise noted.

Meetings will be conducted in a hybrid format (virtually via Zoom) and in-person at 1250 San Carlos Avenue, Bacciocco Auditorium, 2nd Floor, San Carlos, CA, unless otherwise stated. Dates may be subject to change.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Advocacy and Major Projects Committee
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Chief, Caltrain Planning
Subject: **Receive Railyards Preliminary Business Case Update and Authorize Execution of Caltrain/Prologis Cooperation Agreement**

Finance Committee Recommendation

Technology, Operations, Planning, and Safety Committee Recommendation

Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

In July 2019, the Peninsula Corridor Joint Powers Board (JPB or Caltrain) executed a Memorandum of Understanding (MOU) with Prologis 4th & King, LLC (Prologis) to jointly fund the preparation of a Preliminary Business Case (PBC) for the 4th & King Railyards (SF Railyards). The MOU allocates responsibilities for the completion of the PBC and requires Prologis to reimburse Caltrain for the technical work required for preparation of the PBC.

Upon the completion of the PBC, Caltrain and Prologis will have met their obligations under the original MOU. Caltrain and Prologis require a new agreement to scope and fund additional technical work to advance the SF Railyards project. The new agreement (Cooperation Agreement) outlines the scope of the post-PBC technical work to be completed over 18 months at a cost of approximately \$2,714,260, jointly supported by Caltrain, Prologis and potentially the San Francisco County Transportation Authority. The Cooperation Agreement is intended to be valid until Caltrain and Prologis sign a real estate agreement.

For these reasons, staff recommends that the Board of Directors (Board) of the JPB:

1. Authorize the Executive Director, or designee, to execute the Cooperation Agreement with Prologis; and
2. Authorize the Executive Director, or designee, to file any required documentation and to take any additional actions necessary to give effect to deliver this action; and
3. Amend the Caltrain Fiscal Year 2025 Capital Budget to authorize the receipt of \$1,555,000 in reimbursement from Prologis as partial reimbursement for the costs of conducting the post-PBC technical work, as outlined in the Cooperation Agreement.

Discussion

On May 24 and November 29, 2023, and February 28, 2024, the Committee received updates on the status of the SF Railyards PBC. Below is a summary of key information provided in those updates:

- The PBC analyzed multiple potential configurations of the SF Railyards site and evaluated the trade-offs, impacts, and value/benefit of options against the project's goals and objectives, aiming to meet Caltrain's long-term operational needs while supporting feasible mixed-use development opportunities.
- Prologis has presented an opportunity to bring housing, jobs, activation, and an improved passenger experience to the 4th & King Site through a robust Transit-Oriented Development (TOD). In 2021, Caltrain partnered with Prologis to initiate the PBC to evaluate the feasibility and measure the performance of options that could facilitate rail operations while enabling development.
- The PBC analysis began with understanding Caltrain's core operating needs, which were used to create future operating scenarios that meet those needs and provide potential development area for Prologis.
- The PBC team has undertaken extensive technical work to evaluate options and test new configurations to carry Caltrain's service into the future, while looking for ways to facilitate development. Staff has also focused on how the scenarios being considered interface with other projects planned at the site (The Portal, Pennsylvania Avenue Extension grade separation project (PAX), High Speed Rail).
- The PBC team has developed several alternative yard configurations (scenarios), each of which conceptualizes a combination of rail facility improvements and mixed-use development.
- The PBC process recommends configurations that acknowledge the progress of The Portal (or DTX, the Downtown Extension) project is paramount and wholly impacts the design of the Railyards.
- Each scenario includes modernized Caltrain facilities and the ability to deliver the Board's Adopted Service Vision, while providing development opportunities at the site.
- Caltrain staff are coordinating closely with The Portal team to develop recommendations that minimize and consolidate disruption on the site and ensure that infrastructure expenditures at 4th & King are targeted to best benefit Caltrain's long-term needs.

The team has advanced additional technical work intended to measure each scenario against a set of performance criteria, and to compare the relative benefits and tradeoffs of each possible future scenario against two baseline conditions.

In this briefing, Caltrain and Prologis staff will review the results, outline potential next steps for advancing the SF Railyards project, and provide an overview of the draft Cooperation Agreement between Caltrain and Prologis.

Budget Impact

The SF Railyards Cooperation Agreement project budget is \$2,714,260, with \$1,555,000 to be funded by Prologis, and \$424,260 to be funded by Caltrain. Caltrain is seeking Prop L funds to cover additional technical work (application pending). Once Caltrain identifies the source of funding for Caltrain's contribution towards the Project, we will return to the Board to seek authority to amend the Capital Budget to add this amount, if necessary.

Prepared By: Dahlia Chazan

Chief, Planning

Phone: 650-730-6115

Resolution No. 2024-
Board of Directors, Peninsula Corridor Joint Powers
Board State of California

* * *

Authorizing Execution of Cooperation Agreement with Prologis 4th & King, LLC, in Connection with Funding of Additional Technical Analysis for Development of the 4th & King Railyards

Whereas, the Peninsula Corridor Joint Powers Board (JPB) and Prologis 4th & King, LLC (Prologis) executed a Memorandum of Understanding (MOU) on July 19, 2021, subsequently amended on August 3, 2023, and again on September 3, 2024, to allocate responsibilities for conducting and funding a Preliminary Business Case (PBC) for the 4th and King Railyards property owned by Prologis; and

Whereas, JPB and Prologis have worked collaboratively and diligently to advance the PBC and have nearly completed their respective responsibilities consistent with the intent of the MOU; and

Whereas, JPB and Prologis, through the PBC, have identified a feasible Phase 1 and multiple Phase 2 rail improvement and commercial development scenarios; and

Whereas, JPB and Prologis agree that additional analysis is required to refine the Phase 1 and Phase 2 scenario concepts, conduct operations modelling, estimate costs and assess financial feasibility; and

Whereas, JPB and Prologis wish to execute the Cooperation Agreement to define the relationship between Caltrain and Prologis to advance the additional work, and to describe the scope of the additional work, and to commit Prologis resources in the amount of \$1,555,000 to partially reimburse Caltrain's costs for that work;

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director or designee to execute the Cooperation Agreement with Prologis 4th & King, LLC; and

Be It Further Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board authorizes the amendment of Caltrain's Capital Budget to reflect the receipt of \$1,555,000 from Prologis, pursuant to the Cooperation Agreement; and

Be It Further Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board authorizes the Executive Director, or designee, to take any other actions necessary to give effect to the resolution.

Regularly passed and adopted this 7th day of November 2024 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

Acting JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Advocacy and Major Projects Committee
Through: Michelle Bouchard, Executive Director
From: Marian Lee, Diridon Station Project Director
Subject: **Authorize Execution of a Cooperative Agreement with Diridon Partner Agencies to Establish Interim Project Organization Structure**

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

Purpose and Recommended Action

Staff is seeking Board approval to enter into a Cooperative Agreement with four project Partner Agencies. The Cooperative Agreement will formalize the commitments and actions needed by the Partner Agencies to set up the Interim Integrated Project Team.

Discussion

Background

The Partner Agencies are working together on the Diridon Station Redevelopment Project. The station currently serves Caltrain, Capitol Corridor, Altamont Corridor Express (ACE), and Amtrak passenger rail, as well as VTA light rail transit (LRT) and bus services. Diridon must also accommodate planned and expanded services in the region, including new California High-Speed Rail (CAHSR) and Bay Area Rapid Transit (BART) service, as well as expanded service for Caltrain, Capitol Corridor, and ACE. To effectively accommodate planned activity and future service needs, the station must be reconfigured, expanded, and upgraded to provide adequate capacity, functionality, and interconnectivity for passengers.

The Partner Agencies are developing detailed station design alternatives through a Business Case process to better understand costs, benefits, risks, and potential implementation strategies. The first phase of the Business Case is now complete and has identified two station design alternatives which are being discussed with the community at-large. The project is in Phase 2, and the Partner Agencies are working with the community to identify a recommended alternative that will be carried forward for environmental analysis.

In parallel with the station design efforts noted above, the partner agencies have been discussing the need to form a new governance structure and organization that will set the project on course to delivery. The partners have acknowledged that for a project of this magnitude, a dedicated entity is needed. A recommendation has been developed to pursue a Transit District/Transit Commission governance model, in the form of a Construction Authority.

This type of governance model can create a focused entity for a finite period during the station design and construction phase with clear purpose and accountability. Formation of the Authority would require legislative action, which would confirm the powers, scope, and other critical parameters of the Authority.

Interim Cooperative Agreement

While pursuing the creation of a long-term governance organization which will take time, the partner agencies have identified a need to make immediate improvements to the current project organization. The five-agency team coordinates and cooperates as formalized in the existing Cooperative Agreement but there is no official accountability structure. The purpose of the proposed new Cooperative Agreement is to create some level of accountability to assist with more aggressively advancing the on-going planning and environmental efforts. This agreement would be replaced once a dedicated new governance organization is established.

The agreement will formalize the following key commitments and actions to set up the Diridon Station Interim Integrated Project Team:

- Evolve the advisory JPAB into a voting Steering Committee
- *Grant Steering Committee final decision-making authority over critical project matters, including the selection of Project Director*
- *Designate Caltrain as the Lead Agency for the Project Director*
- *Define a comprehensive escalating dispute resolution process*
- Identify areas of responsibility for each partner agency
- Structure the team with appropriate levels of staff and subject matter consultants to enable thorough deliberation, quality work products, and efficient resolution
- Set up San José downtown integrated team project office

The italicized commitments were added by the PCJPB (October 3, 2024), San Jose City Council (October 8, 2024) and VTA board (October 3, 2024) by action with unanimous approvals. The attached memo is the direction provided at the PCJPB meeting and outlines clearly the intent behind the additions. See Attachment A. The City of San Jose and VTA received the same direction at their respective meetings.

Staff recommends the Board authorize the Executive Director or designee to enter into the Cooperative Agreement with the Partner Agencies to formalize the Interim Integrated Project Team. See resolution and Cooperative Agreement. Agreement approvals and signatures from the Partner Agencies will be obtained over the next few months. Activation of the Steering Committee will occur this winter to account for transitions and appointments related to election outcomes.

Budget Impact

There is no direct budget impact associated with this action.

Prepared By: Marian Lee

Diridon Project Director

650-619-1905

Resolution No. 2024-

Board of Directors, Peninsula Corridor Joint Powers

Board State of California

* * *

Authorizing Execution of Cooperative Agreement between Peninsula Corridor Joint Powers Board, City of San José, Santa Clara Valley Transportation Authority, California High Speed Rail Authority, and Metropolitan Transportation Commission on the Pre-Environmental and Environmental Phases of the Diridon Station Redevelopment Project

Whereas, the Peninsula Corridor Joint Powers Board (JPB), the City of San José, the Santa Clara Valley Transportation Authority, the California High Speed Rail Authority, and the Metropolitan Transportation Commission (collectively, the Parties) are signatories to an existing Cooperative Agreement that commit the agencies to pursue the Diridon Station Redevelopment Project (Project);

Whereas, the parties currently participate on the Diridon Station Joint Policy Advisory Board with the San Francisco Bay Area Rapid Transit and Ex-Officio Member Rod Diridon to advance the Diridon Station Redevelopment Project (Project);

Whereas, the Parties wish to execute a new Cooperative Agreement to define the Project's scope; establish an accountability framework; complete project-level environmental review for the Project under the National Environmental Policy Act and the California Environmental Quality Act; decide on the long-term governance organization for the Project; advocate and obtain necessary funding to advance the Project; and assign staff and consultants to the Project;

Whereas, the Parties agree that the existing Diridon Station Joint Policy Advisory Board shall be restructured into the Diridon Station Steering Committee (Steering Committee) under the new Cooperative Agreement;

Whereas, earlier this year, JPB, the City of San José, and the Santa Clara Valley Transportation Authority sought amendments to a draft version of the new Cooperative Agreement to improve governance, ensure accountability, and establish a clear process for dispute resolution for the Project; and

Whereas, the new Cooperative Agreement now designates JPB as the lead agency for the Project Director (to be hired), establishes a comprehensive and escalating dispute resolution process, and grants the Steering Committee final decision-making authority over critical project matters, including the selection of the Project Director.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director or designee to execute the new Cooperative Agreement between the Parties; and

Be It Further Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board authorizes the Executive Director, or designee, to take any other actions necessary to give effect to the resolution.

Regularly passed and adopted this 7th day of November 2024 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

Acting JPB Secretary



October 11, 2024

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

FM: Matt Robinson, Michael Pimentel, and Alchemy Graham, Shaw Yoder Antwih Schmelzer & Lange

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

General Update

September 30 marked final day for the Governor to act on bills sent to him in the second year of the 2023-24 Legislative Session. Of the hundreds of bills passed by the Legislature in the final weeks of session, the Governor signed 1,017 bills and vetoed 189 bills, equating to a 15.7% veto rate. Of the total bills signed, 668 were Assembly bills and 349 were Senate bills.

The Assembly, at Governor Newsom's request, convened an extraordinary session to further explore proposals for reducing the cost of fuel in California, including the Governor's proposal, captured in [ABX2-1 \(Aguiar-Curry and Hart\)](#), to give authority to the California Energy Commission to potentially require California refineries hold fuel in reserve to mitigate for cost increases due to refinery maintenance shutdowns. The Assembly has held two committee hearings and passed the bill off the Assembly Floor on October 1. At the time of this drafting, the bill passed the Senate policy committee and the Senate Floor and will head back to the Assembly for a final floor vote before being submitted to the Governor.

As we noted in your last report, the Legislature will convene for the 2025-26 Legislative Session on December 2. We expect 34 new legislators in the Senate and Assembly when the Legislature reconvenes. They will meet for one day and we should see bills begin to be introduced, before adjourning for the remainder of the year. They will reconvene to begin the real work of the first year of the session in January 2025. Legislative deadlines have not yet been released, but we will share them with you once they have been made public.

November 5 Election

As we noted in your last report, California voters will act on 10 propositions, including the climate and education bonds passed by the Legislature on November 5. As a reminder, the ballot for statewide propositions is as follows:

- Proposition 2: \$10 billion education bond.
- Proposition 3: Reaffirm the right of same-sex couples to marry.
- Proposition 4: \$10 billion climate bond.
- Proposition 5: 55% voter approval for local bonds (ACA 1 / ACA 10).
- Proposition 6: End indentured servitude in state prisons.
- Proposition 32: Raise the state minimum wage to \$18 an hour.
- Proposition 33: Allow local governments to impose rent controls.

- Proposition 34: Require certain health care providers to use nearly all revenue from Medi-Cal Rx on patient care.
- Proposition 35: Make existing tax on managed health care insurance plans permanent.
- Proposition 36: Increase penalties for theft and drug trafficking.

Recently, the Public Policy Institute of California conducted [polling](#) on the November ballot measures. We note some of the key findings below:

Proposition 4: Climate Bond – After reading the ballot title and label, 65 percent of likely voters would vote yes (33% no). Partisans are deeply divided, with 83 percent of Democrats and 64 percent of independents in support compared to 35 percent of Republicans.

Proposition 5: 55% voter approval for local bonds – Likely voters are divided on this legislative constitutional amendment, with 49 percent saying they would vote yes and 50 percent saying they would vote no.

Proposition 5

This measure is the result of an amended version of ACA 1, which C/CAG had long supported. Originally, ACA 1 proposed to reduce the voter threshold for local measures from two-thirds to 55 percent for special taxes, property related fees, and local bonds used to fund affordable housing and infrastructure. However, in mid-2024, largely driven by the BAHFA effort to pass a housing measure in November 2024, ACA 1 was amended by ACA 10 to limit the revenue mechanism to local bonds backed by ad valorem property taxes. If passed by the voters by a simple majority, Proposition 5 would lower the vote threshold for local bonds to 55 percent for the aforementioned purposes.

Regional Measure

As you are aware, SB 1031 (Wiener), the Bay Area regional measure to support transit and transportation, did not move forward in 2024. As a result, MTC convened a select committee made up of commissioners, stakeholders, and representatives of the Senators' offices to determine if there is a path forward for authorizing legislation that will obtain broad enough regional support to pass the Legislature in 2025 and pave the way for a ballot measure in 2026.

Bills of Interest

SB 925 (Wiener) City and County of San Francisco Merchandising Sales – SUPPORT

This bill would have authorized the City and County of San Francisco to adopt an ordinance prohibiting the sale of specified merchandise on public property without a permit, if the ordinance included specified written findings, including, among other things, that there has been a significant pattern of merchandise being the subject of retail theft and then appearing for sale on public property within the City and County of San Francisco. Pursuant to this bill, the ordinance would have been required to be adopted by the City and County of San Francisco to, among other things, identify a local permitting agency that is responsible for administering a permit system. The bill would have also authorized the ordinance to provide that selling merchandise without a permit is punishable as an infraction, and that subsequent violations after 2 prior convictions is an infraction or a misdemeanor punishable by imprisonment in the county jail not exceeding 6 months. ***This bill was held on the Suspense File in the Assembly Appropriations Committee.***

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

This bill would require the targets and performance measures adopted by the California Transportation Commission to include within the SHOPP asset management plan targets and measures reflecting state

transportation goals and objectives, including for complete streets assets that reflect the existence and conditions of bicycle, pedestrian, and transit priority facilities on the state highway system. This bill would also require Caltrans' performance report to include a description of complete streets facilities, including pedestrian, bicycle, and transit priority facilities on each project. ***This bill was signed on September 27.***

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

This bill would have served 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 have also charged 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. ***This bill was not heard in the Assembly Transportation Committee.***

AB 1837 (Papan) Bay Area Transit Coordination – SUPPORT

This bill would have created the Regional Network Management Council and would have required the Metropolitan Transportation Commission to facilitate the creation of the Council. ***This bill was not heard in the Senate Transportation Committee.***

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. ***This bill was signed on September 27.***

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. ***This bill was not heard in the Assembly Public Safety Committee.***

Caltrain Bill Matrix as of 10/11/2024

Bill ID/Topic	Location	Summary	Position
<p>AB 107 Gabriel D</p> <p>Budget Act of 2024.</p>	<p>This bill was signed by the Governor on June 26, 2024.</p>	<p>This bill would make appropriations for the support of state government for the 2024–25 fiscal year. This bill contains other related provisions.</p>	<p>Watch</p>
<p>AB 173 Committee on Budget</p> <p>Transportation budget trailer bill.</p>	<p>This bill was signed by the Governor on July 2, 2024.</p>	<p>Among other related provisions, relative to matters most salient to the Caltrain, this bill would require the Secretary of Transportation to coordinate with the Department of Transportation and the California Transportation Commission to identify available funding in state transportation programs that may be used to support grade separation projects that were previously awarded funding under specified transportation programs but had that funding reverted pursuant to the Budget Act of 2024. The bill would require the Transportation Agency to prioritize, and would authorize the agency to directly allocate, the funding identified by that process, as available and appropriate, for those grade separation projects that are at risk of losing or failing to secure federal and local funding commitments, or that are at risk of approved project schedule delays, or both. The bill would require the secretary to report to the Legislature, on or before April 30, 2025, on any funding that the Secretary identified for impacted grade separation projects.</p> <p>This bill would expand the requirements of the accountability program to the distribution of funds appropriated to the Transportation Agency in the Budget Act from the Greenhouse Gas Reduction Fund for purposes of the formula-based component of the Transit and Intercity Rail Capital Program. The bill would also require a regional transportation planning agency to submit an updated regional short-term financial plan and updated transit operator data to the Transportation Agency in order to receive moneys governed by the accountability program in the 2025–26 fiscal year, and to submit updated transit operator data to the Transportation Agency in order to receive moneys governed by the accountability program in the 2026–27 and 2027–28 fiscal years. The bill would authorize the Transportation Agency to modify the guidelines for the distribution of those funds for each of these 3 fiscal years by specified dates.</p> <p>This bill would appropriate \$100,000,000 from the General Fund to the Department of Transportation to support the Active Transportation Program with the funds to be allocated by the commission, as specified. Upon signature from the Governor, this bill would take effect immediately as a bill providing for appropriations related to the Budget Bill.</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 was signed by the Governor on September 22, 2024.</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, 2025, 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 (TIFIA) loan, the date on which the district will cease to exist shall not be more than 75 years from the date of the approval of a TIFIA loan, as specified. This bill contains other related provisions.</p>	<p>Watch</p>
<p>AB 1870 Ortega D</p> <p>Notice to employees: legal services.</p>	<p>This bill was signed by the Governor on July 15, 2024.</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
AB 1879 Gipson D Property taxation: filing.	This bill was signed by the Governor on September 12, 2024.	The California Constitution provides for the taxation of property and establishes the State Board of Equalization to administer those taxes. Existing property tax law, pursuant to constitutional authorization, sets forth procedures for imposing and collecting taxes on property in the state. Existing law requires a person owning taxable personal property, as specified, to file annually a signed property statement declared to be true under the penalty of perjury with the assessor. Existing law authorizes a property statement to be filed with the assessor through the United States mail, properly addressed with postage prepaid. This bill would instead authorize the statement to be filed through the United States mail provided it is mailed in a manner that includes a postmark and is properly addressed with postage prepaid, as specified. This bill contains other related provisions and other existing laws.	Watch
AB 1890 Patterson, Joe R Public works: prevailing wage.	This bill was vetoed by the Governor on September 29, 2024.	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, within 30 days, if there is a change in the identity of a contractor or subcontractor performing the project or, if the total amount of the contract change exceeds specified thresholds. The bill would exempt projects of awarding bodies operating labor compliance programs that are approved and monitored by the department and covered by a valid project labor agreement. 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.	Watch
AB 1904 Ward D Transit buses: yield right-of-way sign.	This bill was signed by the Governor on September 25, 2024.	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.	Watch

Bill ID/Topic	Location	Summary	Position
AB 2192 Carrillo, Juan D Public agencies: cost accounting standards.	This bill was signed by the Governor on September 25, 2024.	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 related provisions and other existing laws.	Watch
AB 2302 Addis D Open meetings: local agencies: teleconferences.	This bill was signed by the Governor on September 22, 2024.	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.	Watch

Bill ID/Topic	Location	Summary	Position
<p>AB 2325 Lee D</p> <p>San Francisco Bay Area Rapid Transit District: officers and employees: designation and appointment.</p>	<p>This bill was signed by the Governor on July 15, 2024.</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 positions of the treasurer and controller, would create the position of the chief financial officer subject to appointment and removal by the general manager, would transfer all of the duties previously assigned to the treasurer to the chief financial officer, and would make other related changes in this regard. The bill would authorize the general manager to designate other financial personnel to undertake any of the duties or responsibilities assigned to the chief financial officer.</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 was signed by the Governor on September 25, 2024.</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 auditor or controller 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 government activity, existing law authorizes a city or county auditor or controller to conduct an investigative audit of the matter, as specified. Existing law requires the identity of the individual or individuals reporting the improper government activity and the subject employee or employees to be kept confidential, except as specified. Existing law defines “fraud, waste, or abuse” to mean any activity by a local agency or employee that is undertaken in the performance of the employee’s official duties, as described, that is in violation of any local, state, or federal law or regulation relating to, among other things, corruption. This bill would also authorize a city, county, or city and county auditor or controller to maintain a whistleblower hotline to receive calls from persons who have information regarding improper governmental activity, and would recast information regarding fraud, waste, or abuse by local government employees as improper governmental activity. The bill would instead authorize a city or county auditor or controller, or auditor’s or controller’s designee, to conduct an investigative audit of the matter upon receiving specific information that an employee or local government has engaged in a fraud, waste, or abuse or improper governmental activity, as specified. The bill would also require the identity of the individual or individuals reporting the fraud, waste or abuse and the subject employee or employees to be kept confidential, except as specified. The bill would expand the above-described duties and authorizations to the auditor’s or controller’s designee, as specified. The bill would revise the definition of “fraud, waste, or abuse” to also define “improper governmental activity,” and expand the scope of those terms 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 was signed by the Governor on September 27, 2024.</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, located entirely within existing rail 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 May 2024</p>
<p>AB 2553 Friedman D</p> <p>Housing development: major transit stops: vehicular traffic impact fees.</p>	<p>This bill was signed by the Governor on September 19, 2024.</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>

Bill ID/Topic	Location	Summary	Position
<p>AB 2561 McKinnor D</p> <p>Local public employees: vacant positions.</p>	<p>This bill was signed by the Governor on September 22, 2024.</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 requires the governing body of a public agency to meet and confer in good faith regarding wages, hours, and other terms and conditions of employment with representatives of recognized employee organizations and to consider fully presentations that are made by the employee organization on behalf of its members before arriving at a determination of policy or course of action. This bill would, as specified, require a public agency to present the status of vacancies and recruitment and retention efforts at a public hearing at least once per fiscal year, and would entitle the recognized employee organization to present at the hearing. If the number of job vacancies within a single bargaining unit meets or exceeds 20% of the total number of authorized full-time positions, the bill would require the public agency, upon request of the recognized employee organization, to include specified information during the public hearing. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include related legislative findings. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2661 Soria D</p> <p>Electricity: Westlands Water District.</p>	<p>This bill was signed by the Governor on September 25, 2024.</p>	<p>The California Water District Law provides for the establishment of water districts and authorizes a district to construct, maintain, and operate plants for the generation of hydroelectric energy and transmission lines for the conveyance of the hydroelectric energy. Existing law merged the former West Plains Water Storage District into the Westlands Water District, and provides for the operation of the Westlands Water District. This bill would authorize the Westlands Water District to provide, generate, and deliver solar photovoltaic or hydroelectric electricity and to construct, operate, and maintain works, facilities, improvements, and property necessary or convenient for generating and delivering that electricity. The bill would require the district to use the electricity for the district’s own purposes, and the bill would authorize the district to sell surplus electricity to a public or private entity engaged in the distribution or sale of electricity. The bill would also authorize the district to construct, operate, and maintain energy storage systems and electric transmission lines, and to construct, operate, and maintain works, facilities, improvements, and property necessary or convenient for the operation of the energy storage system and electric transmission lines, within the boundaries of the district, as specified. The bill would require the district to report the amount of income, and the purposes for expenditure of that income, from these electricity facilities in a specified report. The bill would require the district to establish a community benefits agreement plan for a specified electrical infrastructure development plan and related transmission and other electrical projects, as provided. This bill would make legislative findings and declarations as to the necessity of a special statute for the Westlands Water District.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
AB 2669 Ting D Toll bridges: tolls.	This bill was signed by the Governor on September 25, 2024.	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.	Watch
AB 2712 Friedman D Preferential parking privileges: transit-oriented development.	This bill was signed by the Governor on September 22, 2024.	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 or visitors of the development project that grants preferential parking privileges. 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 related provisions and other existing laws.	Watch
AB 2715 Boerner D Ralph M. Brown Act: closed sessions.	This bill was signed by the Governor on September 14, 2024.	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.	Watch

Bill ID/Topic	Location	Summary	Position
<p>AB 2813 Aguiar-Curry D</p> <p>Government Investment Act.</p>	<p>This bill was signed by the Governor on July 18, 2024.</p>	<p>(1)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. 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, that are affordable to households earning up to 150% of countywide median income. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety facilities, infrastructure, and equipment. The bill would define “public infrastructure” to exclude the construction, reconstruction, rehabilitation, or replacement of a sports stadium or arena where the majority of the use of the facility is for private ticketed activities. The bill would prohibit ACA 1 bonded indebtedness from being used for the acquisition or lease of any real property that has, at the time of acquisition or lease, been improved with one to 4 dwelling units, except as specified. The bill would also prohibit any ACA 1 bonded indebtedness, when added to existing bonded indebtedness of a local government, from exceeding the applicable statutory limit on the maximum amount of bonded indebtedness that a local government is authorized to incur. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2854 Irwin D</p> <p>Bradley-Burns Uniform Local Sales and Use Tax Law.</p>	<p>This bill was signed by the Governor on September 28, 2024.</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, as prescribed. 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>

Bill ID/Topic	Location	Summary	Position
<p>AB 2879 Lackey R</p> <p>High-Speed Rail Authority: contracting.</p>	<p>This bill was signed by the Governor on September 14, 2024.</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>
<p>AB 3177 Carrillo, Wendy D</p> <p>Mitigation Fee Act: land dedications: mitigating vehicular traffic impacts.</p>	<p>This bill was signed by the Governor on September 22, 2024.</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, as specified. 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 a transit priority area, as specified, 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 would prohibit a local agency from imposing a land dedication requirement, as defined, on a housing development to widen a roadway if the land dedication requirement is for the purpose of mitigating vehicular traffic impacts, achieving an adopted traffic level of service related to vehicular traffic, or achieving a desired roadway width. The bill, notwithstanding that prohibition, would authorize a local agency to, among other things, impose a land dedication requirement on a housing development if the housing development is not located in a transit priority area and the housing development has a linear street frontage of 500 feet or more. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>ACA 10 Aguiar-Curry D</p> <p>Local government financing: affordable housing and public infrastructure: voter approval.</p>	<p>This measure was signed by the Governor on June 27, 2024.</p>	<p>Assembly Constitutional Amendment No. 1 of the 2023–24 Regular Session (ACA 1) would, if adopted by the people, amend Section 4 of Article XIII A, Section 2 of Article XIII C, and Section 3 of Article XIII D of, and would add Section 2.5 of Article XIII C to, the California Constitution, relative to local finance. Under these provisions, ACA 1 would condition the imposition, extension, or increase of a sales and use tax or transactions and use tax imposed in accordance with specified law or a parcel tax by a local government for the purposes of funding the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, including downpayment assistance, or permanent supportive housing, or the acquisition or lease of real property for those purposes, on the proposition proposing that tax being approved by a majority vote of the membership of the governing board of the local government and by 55% of its voters voting on the proposition and the proposition includes specified accountability requirements. ACA 1 would also make conforming changes. This measure would remove the above-described provisions of ACA 1 relating to special taxes and make conforming changes in other provisions of ACA 1. The measure would direct the Secretary of State to make those amendments in ACA 1. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>SB 532 Wiener D</p> <p>Parking payment zones.</p>	<p>This bill was signed by the Governor on September 28, 2024.</p>	<p>Existing law allows a local authority to establish parking meter zones and fix the rate of fees for those zones by ordinance. Existing law prohibits a local authority from requiring payment of parking meter fees by a mobile device, as specified. This bill would instead authorize, until January 1, 2033, in the City and County of San Francisco, City of Long Beach, and City of Santa Monica, a local authority to require payment of parking fees by a mobile device, if it meets certain requirements, such as adopting an accessible and equitable parking cash payment plan that does not utilize parking meters or payment centers in parking payment zones to provide reasonably accessible alternative means for payment of parking fees using cash. The bill would also authorize the local authority in the City and County of San Francisco, City of Long Beach, and City of Santa Monica to operate the above-described parking zones for 5 years following the date of creation, in each of the respective entities, of the first mobile device parking payment zone, or until January 1, 2033, whichever is sooner. The bill would specify that a civil fine for parking in a zone that requires payment by mobile device and lacks a parking meter is 1/2 of the civil fine for failing to pay for metered parking. The bill would require a local authority to consult with specified stakeholders in the development of the plan and would require a local authority that adopts a plan and implements a mobile device parking payment zone to provide to its governing body and the Legislature a specified evaluation of the impact of all mobile device parking payment zones implemented by the local authority on equity, accessibility, and costs.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 537 Becker D</p> <p>City or County of Los Angeles: memorial to forcibly deported Mexican Americans and Mexican immigrants.</p>	<p>This bill was signed by the Governor on September 28, 2024.</p>	<p>Existing law provides for various memorials and monuments on the grounds of the State Capitol. Existing law requires the Department of General Services to maintain state buildings and grounds. Existing law, the Apology Act for the 1930s Mexican Repatriation Program, makes findings and declarations regarding the unconstitutional removal and coerced emigration of United States citizens and legal residents of Mexican descent, between the years 1929 and 1944, to Mexico from the United States during the 1930s “Mexican Repatriation” Program. Existing law expresses the apology of the State of California to those individuals who were illegally deported and coerced into emigrating to Mexico and requires that a plaque to commemorate those individuals be installed and maintained by the Department of Parks and Recreation in an appropriate public place in the City or County of Los Angeles. This bill would authorize a nonprofit organization representing Mexican Americans or Mexican immigrants to enter into negotiations to plan, construct, and maintain a memorial to Mexican Americans and Mexican immigrants who were forcibly deported from the United States during the Great Depression, as provided. The bill would require the memorial to be located at an appropriate public place in the City or County of Los Angeles. The bill would require the nonprofit organization to enter into negotiations with the Department of General Services and the state agency with jurisdiction over the state property where the memorial is proposed, where applicable, if the nonprofit organization proposes to locate the memorial on state property. The bill would require the nonprofit organization to submit a plan for the memorial to the department and the applicable state agency for review and approval. The bill would require these provisions to be funded exclusively through private sources. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>SB 904 Dodd D</p> <p>Sonoma-Marín Area Rail Transit District.</p>	<p>This bill was signed by the Governor on September 28, 2024.</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 and would require the district to reimburse the counties upon request for the incremental cost of submitting the measure to the voters, 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. The bill would delete a provision that limits the district, in the County of Sonoma north of the City of Healdsburg, to locating commuter stations only within incorporated areas. The bill would require the district to obtain coverage for the district and its employees under the appropriate federal and state workers’ compensation, unemployment compensation, and disability and unemployment insurance laws, instead of only under laws of this state. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1098 Blakespear D</p> <p>Passenger and freight rail: LOSSAN Rail Corridor.</p>	<p>This bill was signed by the Governor on September 27, 2024.</p>	<p>Existing law establishes the Department of Transportation in the Transportation Agency. 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, with technical and subject matter assistance from the Secretary for Environmental Protection and the Secretary of the Natural Resources Agency, to submit a report to the Legislature regarding the LOSSAN Rail Corridor that includes specified information no later than 2 years after an appropriation is made by the Legislature for purposes of this report. 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 the performance of the LOSSAN Rail Corridor no later than 3 years after an appropriation is made by the Legislature for purposes of this performance report and biennially thereafter. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>SB 1321 Wahab D</p> <p>Employment Training Panel: employment training program: projects and proposals.</p>	<p>This bill was signed by the Governor on September 22, 2024.</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 fostering retention of high-wage, high-skilled jobs in manufacturing. 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 goals, among other things, promoting the hiring, training, and advancement of disadvantaged, marginalized, and underrepresented workers. The bill would authorize projects funded under the above-described provisions to include programs to provide training through apprenticeship programs that are registered with the Division of Apprenticeship Standards. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
SB 1509 Stern D Negligent Operator Treatment (NOT) in California Act.	This bill was vetoed by the Governor on September 22, 2024.	Existing law prohibits driving a vehicle upon a highway at a speed greater than is reasonable or prudent. Existing law also prohibits driving a vehicle in excess of an established speed limit. 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. This bill, the Negligent Operator Treatment (NOT) in California Act, would, commencing on January 1, 2027, prohibit excessively speeding, defined as 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. The bill would provide that a conviction for excessively speeding is punishable as an infraction and one point shall be assessed against a driver’s record for a first violation and 2 points for any subsequent violation that occurs within 3 years after a previous violation for which the driver was convicted. This bill contains other existing laws.	Watch

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Congressional Update

President Biden Signs Continuing Resolution

- On September 26, President Biden signed a Continuing Resolution (CR) that maintains current funding levels through December 20, 2024. The bill includes \$231 million in extra funding for the Secret Service to protect presidential candidates.
- House Republicans reached a deal on September 22 to avoid a government shutdown after Speaker Mike Johnson was unable to pass his CR, which included the SAVE Act. The bill would require proof of citizenship to vote in federal elections. Nearly all Democrats joined some Republicans in opposing the measure.
- The current CR was crafted in negotiations with House Republicans and Democrats and was stripped of partisan policies, resulting in some House Republican opposition.

Administration Update

Commerce Department Announces New Proposed Restrictions on Russian and Chinese Transportation Technology

- On September 23, the Department of Commerce [announced](#) a proposed rule that would ban the import and sale of Chinese and Russian vehicles and specific hardware and software components that enable connectivity. The proposed rule targets vehicles' hardware and software that allows integration of Wi-Fi, Bluetooth, cellular, or satellite systems.
- The proposed rule would prohibit the import or sale of certain connected vehicle systems designed, developed, manufactured, or supplied by entities with a sufficient nexus to China or Russia. Software prohibitions would take effect for Model Year 2027, and the prohibitions on hardware would take effect for Model Year 2030.
- The proposed rule would apply to all wheeled on-road vehicles such as cars, trucks, and buses. Commerce Department officials and the White House cited national security concerns in their decision behind the proposed rule, fearing that certain vehicle technology can allow outside actors to track users.

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FTA Issues General Directive on Transit Worker Safety

- The Federal Transit Administration (FTA) issued a general directive requiring transit agencies subject to FTA's Public Transportation Agency Safety Plans (PTASP) Final Rule to take new steps to inform FTA of the current state of transit worker safety.
- Under the general directive, agencies will be required to conduct a safety risk assessment, identify safety risk mitigations or strategies, and provide information to FTA on how they are assessing, mitigating, and monitoring the safety risk associated with assaults on transit workers. If an agency's risk assessment reveals an "unacceptable" level of risk of assaults on transit workers, they must identify strategies to protect their workers further.
- Agencies must provide FTA with the required information within 90 days on how they are protecting transit workers. In the general directive, FTA reminds agencies that they may use Urbanized Area Formula Grants (Section 5307), State of Good Repair (Section 5337), and Bus and Bus Facilities (Section 5339) funds for the implementation of a Safety Management System used for the risk assessment.

FRA Announces Federal-State Partnership Funding Opportunity

- On October 1, the Federal Railroad Administration (FRA) released a Notice of Funding Opportunity (NOFO) for the [Federal-State Partnership for Intercity Passenger Rail Program](#) for projects not located on the Northeast Corridor. The Federal-State Partnership program provides grants to modernize and expand intercity passenger rail.
- Over \$1 billion is available in funding for projects that will establish new intercity passenger and high-speed rail service, improve existing service performance, and replace or rehabilitate rail infrastructure. Additionally, projects improving intercity passenger rail safety, reliability, and performance, including project planning, are eligible for funding.
- All applications are due on December 16, 2024, by 11:59 p.m. EST.

DOT to Release PROTECT Grant Program on October 16

- The Department of Transportation (DOT) is expected to release the NOFO for the Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Program on October 16.
- The Bipartisan Infrastructure Law (BIL) established the PROTECT Program to help make surface transportation more resilient to natural hazards, including climate change, sea level rise, flooding, extreme weather events, and other natural disasters through the support of planning activities, resilience improvements, community resilience, and evacuation routes, and at-risk coastal infrastructure.

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- The PROTECT Discretionary Grant Program provides \$1.4 billion in contract authority over five years (FY22 – FY26) through competitive grants to State DOTs, metropolitan planning organizations, local governments, Indian tribes, Territories (At-Risk Coastal activities) and other eligible entities. The department will fund projects that address climate change by improving the resilience of the surface transportation system, including highways, public transportation, ports, and intercity passenger rail.

Round-Up of Open Grant Opportunities

- [FY24 Federal-State Partnership for Intercity Passenger Rail Grant Program](#). \$1.057 billion available. All applications due December 16, 2024.