#### **BOARD OF DIRECTORS 2025**



STEVE HEMINGER, CHAIR
RICO E. MEDINA, VICE CHAIR
MARGARET ABE-KOGA
PAT BURT
DAVID J. CANEPA
DAVID COHEN
JEFF GEE
SHAMANN WALTON
MONIQUE ZMUDA

MICHELLE BOUCHARD EXECUTIVE DIRECTOR

# Agenda

### **Peninsula Corridor Joint Powers Board**

Advocacy and Major Projects (AMP) Committee Meeting

February 26, 2025, 3:30 pm

Bacciocco Auditorium, 2<sup>nd</sup> Floor 1250 San Carlos Avenue, San Carlos, CA 94070

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

Members of the public may participate remotely via Zoom at <a href="https://us02web.zoom.us/j/84582532747?pwd=dGdjV3lQVW1RUGUyZk9SSml6aXZRZz09">https://us02web.zoom.us/j/84582532747?pwd=dGdjV3lQVW1RUGUyZk9SSml6aXZRZz09</a> 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 <a href="https://www.caltrain.com/video-board-directors">https://www.caltrain.com/video-board-directors</a>.

Members of the public also may participate in person at: San Mateo County Transit District, Bacciocco Auditorium - Second Floor, 1250 San Carlos Avenue, San Carlos, CA, 94070 or any other noticed location.

Public Comments: Public comments may be submitted to <a href="mailto:publiccomment@caltrain.com">publiccomment@caltrain.com</a> 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: <a href="https://www.caltrain.com/about-caltrain/meetings">https://www.caltrain.com/about-caltrain/meetings</a>.

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

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

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

### February 26, 2025 - Wednesday

3:30 pm

All items to which <u>Government Code section 84308</u> 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
- 2. Roll Call
- 3. Pledge of Allegiance / Safety Briefing
- 4. 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.
- 5. Approval of Meeting Minutes for January 29, 2025

Motion

6. Receive Update on Active Grade Crossing Projects and Corridor Crossing Strategy

Informational

7. Receive State and Federal Legislative Update and Consider of Positions on Legislation: Senate Bill 71 (Wiener), Assembly Bill 394 (Wilson)

Informational

- 8. Committee Member Requests
- 9. Date/Time of Next Regular AMP Committee Meeting: Wednesday, March 26, 2025 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.

10. Adjourn

### Information for the Public

All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board. If you have questions on the agenda, please contact the JPB Secretary at 650.551.6108. Agendas are available on the Caltrain website at <a href="https://www.caltrain.com">https://www.caltrain.com</a>. Communications to the Board of Directors can be e-mailed to <a href="mailto:board@caltrain.com">board@caltrain.com</a>.

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 Technology, Operations, Planning, and Safety (TOPS) Committee: Two Wednesdays before the Board meeting, 1:30 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 <a href="https://www.caltrain.com/about-caltrain/meetings">https://www.caltrain.com/about-caltrain/meetings</a> 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 <a href="mailto:publiccomment@caltrain.com">publiccomment@caltrain.com</a> 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: <a href="https://www.caltrain.com/about-caltrain/meetings">https://www.caltrain.com/about-caltrain/meetings</a>.

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 January 29, 2025

**Members Present:** Margaret Abe-Koga (arrived at 3:51 pm), Jeff Gee, Steve Heminger (Chair)

**Staff Present:** J. Baker, M. Bouchard, J. Brook, S. Bullock, C. Fromson, J. Harrison,

L. Lumina-Hsu, D. Ryan

### 1. Call to Order

Chair Steve Heminger called the meeting to order at 3:33 pm.

#### 2. Roll Call

Deputy District Secretary Loana Lumina-Hsu called the roll and confirmed a quorum was present.

### 3. Pledge of Allegiance / Safety Briefing

Chair Heminger led the Pledge of Allegiance and delivered the safety briefing.

### 4. Public Comment on Items not on the Agenda

Adrian Brandt commented on the grade crossing wireless optimization system.

Aleta Dupree commented on rider experience.

Chair Heminger inquired about crossings connected to the wireless control system. Sherry Bullock, Program Director, Caltrain Modernization Program, stated the crossings that were finished in August are under warranty.

### 5. Approval of Meeting Minutes for December 18, 2024

Motion/Second: Gee/Heminger

Ayes: Gee, Heminger

Noes: None

Absent: Abe-Koga

# 6. Authorize Executive Director to Execute Contract Change Order with Balfour Beatty Infrastructure, Inc., to Account for Unanticipated Cost Escalation for Labor, Materials, and Equipment

Ms. Bullock provided the presentation, which included the following:

- Final change order includes no potential future claims to be made against Caltrain
  - Within both Balfour Beatty Infrastructure, Inc. (BBII) contract and Peninsula Corridor Electrification Project (PCEP) budget
  - Close out \$50 million BBII contract with \$2.5 million cost savings

- Staff reviewed labor and material price over past three years to determine total cost impact
- Surplus materials and spare parts transferred from BBII to JPB

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

- Federal funds do not impact the project close-out
- Staff must spend funds to be able to invoice; can close contract by March with Board approval
- Reduced risk and cost of litigation as BBII waiver covers litigation that may arise in the future

### **Public Comment**

Roland commented on contract closeout.

Motion/Second: Gee/Abe-Koga Ayes: Abe-Koga, Gee, Heminger

Noes: None Absent: None

### 7. Receive State and Federal Legislative Update

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

#### Federal:

- Judge halted freeze on federal funds, which expires February 3
- IIJA (Infrastructure Investment and Jobs Act) funding freeze, although JPB has IIJA funds allocated
- Resignation of federal workers could impact processing time for grants, permits, regulatory needs, and safety issues
- Appropriations Continuing Resolution until March 14
- \$60.6 million in IIJA federal formula funds was allocated to Caltrain to fund four EMUs (electric multiple units) but not yet received

### State:

- Caltrain is partnering with Assemblymember Papan's office to address reimbursement for energy captured from regenerative braking
- Funding for formula-based programs such as TIRCP (Transit and Intercity Rail Capital Program) and ZETCP (Zero-Emission Transit Capital Program)
- California withdrew waiver requests to the EPA (Environmental Protection Agency)
  - o In-use locomotive regulation unenforceable
  - Alternative clean fleet regulation may still be enforceable; staff seeking guidance from CARB (California Air Resources Board)

### Regional:

- Senator Weiner's office continues work with partners, including MTC (Metropolitan Transportation Commission), on Senate Bill (SB) 63 intent language
  - Caltrain expecting MTC poll results in mid-February

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

- TIRCP has grade separation funding which is intact
- CalSTA (California State Transportation Agency) expected to prioritize funds to replace funding taken away from grade separation projects and report to the State in April
- Legal counsel to review cancellation clause in Stadler contract and provide information to the Board

### **Public Comment**

Roland commented on the seven-car EMUs change to four-car EMUs and reduced rider capacity.

Aleta Dupree commented on regenerative braking energy compensation and SB 30.

- **8.** Committee Member Requests There were none.
- **9.** Date/Time of Next Regular AMP Committee Meeting: Wednesday, February 26, 2025 at 3:30 pm.
- 10. Adjourn The meeting adjourned at 4:35 pm.

### Peninsula Corridor Joint Powers Board Staff Report

To:	JPB Advocacy	and Major Projects (AMP) Comm	ittee		
Through:	Michelle Boud	Michelle Bouchard, Executive Director			
From:	Dahlia Chazar	, Chief of Planning			
For:	March 2025 J	PB Board of Directors Meeting			
Subject:	Receive Upda Strategy	te on Active Grade Crossing Proj	ects a	nd Corridor Crossing	
Finance Co Recommen		Technology, Operations, Planning, and Safety Committee Recommendation		Advocacy and Major Projects Committee Recommendation	

### **Purpose and Recommended Action**

Staff are providing the Board with an update on all the current grade crossing improvement projects including enhancement (e.g., at-grade improvements) and elimination (e.g., closures or grade separations) projects along the Caltrain corridor. In addition, staff are providing an update on Corridor Crossings Strategy (CCS) activities, milestones, deliverables, and upcoming Board meetings. This report is provided for informational purposes only.

### Discussion

This presentation is a follow-up to the previous Board update on the CCS in 2024. Staff are currently advancing 8 crossing enhancement and 17 crossing elimination projects. The crossing enhancement projects are focused on improvements implemented at-grade such as intrusion technology, signing, pavement markers and markings, quad or exit gates, and lighting. These improvements are typically lower in cost (≤ \$10 million) and can be implemented within five to ten years. The elimination projects include improvements that remove or change the elevation or access to the crossing such as closures, vehicular grade separations, or bike/pedestrian crossings. These projects are larger in scale resulting in higher costs (+\$50 million) and have a longer delivery timeframe. The elimination projects are in varying stage of delivery with eight in planning, three in environmental, and five in design.

Over the last two years, staff have been collaborating with the corridor jurisdictions on two companion efforts:

Development of a Corridor Crossings Delivery Guide. The guide provides a clear project delivery process for at-grade crossing elimination projects. The Corridor Crossings Delivery Guide was published in August 2024 on the Caltrain website
 (<a href="https://www.caltrain.com/caltrain-corridor-crossings-delivery-guide">https://www.caltrain.com/caltrain-corridor-crossings-delivery-guide</a>) as a response to the corridor jurisdictions wanting to better understand the process and roles/responsibilities of implementing grade separation and closure projects.

The Corridor Crossings Investment Program – a comprehensive corridor-wide crossing
program consisting of a coordinated set of activities and actions to strategically fund
and deliver "small to large" rail crossings. The Corridor Crossings Investment Program is
currently in development and the draft program including the prioritized list of projects
will be presented at upcoming Board meetings.

### **Budget Impact**

The project has no impact on the budget.

Prepared By: Dahlia Chazan Chief of Planning February 12, 2025

### Peninsula Corridor Joint Powers Board Staff Report

JPB Advocacy and Major Projects (AMP) Committee		
Michelle Bouchard, Executive Director		
Casey Fromson, Chief of Staff		
March 2025 JPB Board of Directors Meeting		
Receive State and Federal Legislative Update and Consider of Positions of Legislation: Senate Bill 71 (Wiener), Assembly Bill 394 (Wilson)	on	
	Casey Fromson, Chief of Staff March 2025 JPB Board of Directors Meeting Receive State and Federal Legislative Update and Consider of Positions of	

### **Purpose and Recommended Action**

The 2025 Legislative Program establishes the principles that will guide the legislative and regulatory advocacy efforts. Based on those principles, staff coordinates closely with our Federal and State advocates on a wide variety of issues that are considered in Congress and the State legislature. The attached reports highlight the recent issues and actions that are relevant to the Board.

Staff proposes the Committee recommend the Board:

- 1. Receive the attached State and Federal Legislative Updates
- 2. Consider Positions on Legislation:
  - a. Senate Bill 71 (Wiener) California Environmental Quality Act (CEQA) Exemptions for Transit Projects
  - b. Assembly Bill 394 (Wilson) Transit Safety

### Discussion

The update will discuss changes at the federal level, relevant state legislation, and recent polling on potential transportation revenue measures as well as federal confirmation process.

### **Budget Impact**

There is no impact on the budget.

Prepared By: Devon Ryan Government & Community Affairs Officer 02/19/2025

Isabella Conferti Government & Community Affairs Specialist 02/19/2025

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202-955-3000 | F 202-955-5564 Holland & Knight LLP | www.hklaw.com

### Caltrain Federal Report February 2025

### Administration Update

Donald Trump Sworn-in as 47<sup>th</sup> President, Takes Quick Action on the Economy and the Border

- On January 20, Donald Trump was sworn in as U.S. President after years spent campaigning to return to the Oval Office. Trump replaced Joe Biden, who left Washington for the Bay Area to begin his retirement and exit from public service.
- Once complete with a ceremonial parade and speeches, the President returned to the
  White House, where he began signing dozens of executive orders addressing key issues
  he campaigned on. One of his first actions was directing federal department leads to
  make lowering the cost of living a priority. The President also signed orders to eliminate
  diversity, equity, and inclusion programs in the federal government, as well as telework
  policies and certain hiring practices.
- The President, alongside Department of Government Efficiency (DOGE) Lead Elon Musk, has pushed for large-scale layoffs of federal career staff. Nearly all federal employees were offered buyouts, and approximately 75,000 federal workers accepted the offer. However, it is unclear whether a significant number of those accepting the buyout were set to retire in 2025. Certain staff did not receive the buyout offer, such as air traffic controllers and aviation and railroad safety inspectors.
- As the new administration continues to issue policy changes and executive orders in the coming months, many will take several months to implement. Additionally, many departments will take months to fill open positions, which can delay work and prevent actions from taking effect.
- Holland & Knight has prepared an executive order tracker, which can be viewed here.

### OMB Issues Federal Funding Freeze Memorandum, Rescinds One Day Later

- On January 27, the Office of Management and Budget (OMB) published a memo announcing a temporary freeze on nearly all federal funding and spending. The memo stated that the purpose of the freeze was to "give agencies time to ensure that financial assistance conforms to the policies set out in [President Trump's] executive orders," many of which outline cuts in areas such as green energy, infrastructure, and diversity, equity and inclusion (DEI) programs.
- On January 28, an OMB memo clarified that "Any program not implicated by the President's Executive Orders is not subject to the pause" and listed seven executive orders

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202-955-3000 | F 202-955-5564 Holland & Knight LLP | www.hklaw.com

specifically covered by OMB guidance. Minutes before the memorandum was to take effect, U.S. District Judge Loren L. AliKhan temporarily blocked the order to maintain the status quo while further litigation plays out.

• On January 31, a second federal judge with the U.S. District Court for the District of Rhode Island issued a temporary restraining order blocking the Trump Administration's efforts to freeze payments for grants and other programs. The order sets the stage for arguments on whether the court should impose a preliminary injunction to block the funding-freeze policies. The judge said a hearing would be set "shortly."

### DOT Secretary Announces New Policy for DOT Grants and Other Federal Assistance

- On January 29, DOT Secretary Sean Duffy released <a href="new Department of Transportation"><u>new Department of Transportation</u></a> (DOT) policy outlining how his Department would oversee the implementation of federal loans, grants, and other assistance. Duffy claimed that by implementing the new policies, he is following the direction of the President's various executive orders targeting DEI and the "green new deal." Below is a list of guidelines Sec. Duffy plans to pursue when considering grant applications:
  - Utilize user-pay models;
  - o Direct funding to local opportunity zones where permitted;
  - To the extent practicable, relevant, appropriate, and consistent with law, mitigate the unique impacts of DOT programs, policies, and activities on families and family-specific difficulties, such as the accessibility of transportation to families with young children, and give preference to communities with marriage and birth rates higher than the national average (including in administering the Federal Transit Administration's Capital Investment Grant program).
  - Prohibit recipients of DOT support or assistance from imposing vaccine and mask mandates.
  - Require local compliance or cooperation with Federal immigration enforcement and with other goals and objectives specified by the President of the United States or the Secretary."
- The Secretary also directed the DOT general counsel to investigate how the Department can unilaterally renew existing grant agreements to ensure compatibility with the President's executive orders. However, the legality of such an action would certainly spark legal action from grant recipients. Therefore, it is unclear whether the Department can implement the changes outlined in the memo, especially those related to immigration and birth rates. Holland & Knight is preparing a separate legal analysis discussing this memo and its legality.

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202-955-3000 | F 202-955-5564 Holland & Knight LLP | www.hklaw.com

### President Trump Temporarily Pauses All Regulatory Activities

- On January 20, President Trump signed an executive order: "Regulatory Freeze Pending Review". This executive order pauses ongoing regulatory activities, including proposed and recently published rules, until a Trump administration official is in place to review and approve said rule. President Trump issued a similar regulatory freeze via executive order at the beginning of his first term in 2017, as did President Biden in 2021.
- The executive order specifically details that any proposed rules sent to the Federal Register that have yet to be published will be withdrawn for review. Furthermore, the executive order also delays the effective dates of recently published rules that have yet to take effect by 60 days. This regulatory freeze provides the Trump Administration with the opportunity to determine which regulations align with their priorities, and which ones to rescind or rewrite.

### President Trump Selects Steven Bradbury as DOT Deputy Secretary

- On January 11, President Trump announced Steven Bradbury as the nominee for DOT Deputy Secretary. Bradbury is a veteran DOT official and a distinguished fellow at the Heritage Foundation. He contributed to the Heritage Foundation's Project 2025 chapter on transportation.
- Bradbury served as General Counsel at DOT during the first Trump Administration.
   During the Bush administration, Bradbury served as Principal Deputy and Acting Assistant Attorney General for the Office of Legal Counsel at the Department of Justice (DOJ).
- Bradbury will appear before the Senate Commerce Committee on February 20 for a confirmation hearing.

### Congressional Update

### Republicans Continue to Plan for Budget Reconciliation Effort in 119<sup>th</sup> Congress

- After months of planning, House Republicans held a markup of their budget reconciliation framework, which provides committee-by-committee instructions for House Republicans to begin drafting a new bill. This markup initiates the formal process of drafting a bill that will fund border security, defense, and energy programs, as well as potentially reauthorize the 2017 Tax Cuts and Jobs Act.
- To fund President Trump's immigration and border security agenda, House Republicans have discussed imposing new and expanded work requirements for Medicaid, food aid benefits (i.e. SNAP/TANF), and other aid for low-income families as a means of reducing spending. Republicans have also pondered whether removing or reducing the tax-exempt status of municipal bonds should be included as a revenue generator.

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202-955-3000 | F 202-955-5564 Holland & Knight LLP | www.hklaw.com

Additionally, Republicans could attempt to attach a provision to condition federal assistance on the basis of whether a jurisdiction cooperates with federal immigration enforcement efforts.

• On the Senate side, Budget Committee Chair Lindsey Graham (R-SC) released his committee's plan for a budget reconciliation package addressing border security, immigration, and defense spending, but left out the highly anticipated reauthorization of the 2017 Tax Cuts and Jobs Act. Graham's action has come as House leadership has struggled to release their own plan, as Speaker Mike Johnson navigates a razor-thin majority and the dueling priorities within his conference. The House Freedom Caucus, a group of hardline conservatives who traditionally demand deep spending cuts in exchange for their support, has complicated Johnson's path to a reconciliation bill. Caucus members, led by Rep. Chip Roy (R-TX), have demanded that the reconciliation bill include additional cuts to pay for the revenue lost by reauthorizing the 2017 Tax Cuts and Jobs Act.

### House T&I Holds Hearing on Surface Transportation Reauthorization Priorities

- On January 15, the House Transportation & Infrastructure (T&I) committee held a <a href="hearing">hearing</a> entitled: "America Builds: The State of the Nation's Transportation System." The hearing was intended to explore the current state of the transportation system, investments in transportation/infrastructure, and challenges affecting the supply chain.
- Much of the hearing focused on evaluating the Bipartisan Infrastructure Law (BIL) and discussing how different levels and types of investment will impact various communities across the nation. Witnesses for the hearing included:
  - o Jeff Landry, Governor, State of Louisiana
  - Vanessa Fuentes, Council Member and Mayor Pro Tem, City of Austin, Texas;
     and Chair, National League of Cities Transportation and Infrastructure Services
     Committee, on behalf of The National League of Cities
  - o Ms. Sarah Galica, Vice President, Transportation, The Home Depot
  - o Mr. Seth Schulgen, Vice President, Williams Brothers Construction, on behalf of The Associated General Contractors of America.
- This was the first of many hearings the committee will hold on the Surface Transportation Reauthorization. With the Surface Transportation Reauthorization set to expire in 2026, members will have over a year to submit their priorities to the relevant committees. In the past, Congress has required an extension to allow members additional time to complete the bill and could require a waiver to complete the next reauthorization.

### House T&I Committee Makes Subcommittee Leadership Changes

• On January 21, the House Transportation & Infrastructure (T&I) Committee Chair Sam Graves (R-MO) announced changes to subcommittee chairmanships to account for Rep.

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202-955-3000 | F 202-955-5564 Holland & Knight LLP | www.hklaw.com

Rick Crawford (R-AR) being appointed to serve as Chair of House Permanent Select Committee on Intelligence.

- The following members have been appointed to subcommittee chair roles:
  - o Rep. Rick Crawford (R-AR): Vice Chair, House T&I Committee
  - o Rep. David Rouzer (R-NC): Chair, Highways and Transit Subcommittee
  - o Rep. Daniel Webster (R-FL): Chair, Railroads, Pipelines, and Hazardous Materials Subcommittee
  - o Rep. Mike Ezell (R-MS): Chair, Coast Guard and Maritime Transportation Subcommittee



February 14, 2025

TO: Board of Directors

Peninsula Corridor Joint Powers Board (Caltrain)

FM: Matt Robinson and Michael Pimentel

Shaw Yoder Antwih Schmelzer & Lange

RE: STATE LEGISLATIVE UPDATE – March 2025

### **General Update**

Legislators have until February 21 to introduce bills for consideration in the first year of the two-year session. As of this writing, there have been approximately 1100 bills introduced. Many bills start out as "spot" bills and will need to be amended before they can be heard in the Legislature's policy committees. The Assembly requires spot bills to be amended by March 17 and the Senate by March 26. The deadline for policy committees to meet and hear bills with a fiscal impact is May 2 (May 9 for non-fiscal) for bills in the first house. For information about key legislative and budget deadlines, please see the 2025 Legislative Calendar available <a href="here">here</a>.

### **Caltrain-Sponsored Legislation**

Caltrain and its state advocates continue to work with Assembly Member Diane Papan on the introduction of new legislation to allow Caltrain to be credited for the electricity it exports to the grid based on its value, determined by the avoided cost to the suppliers and distributor of buying clean energy elsewhere. The new legislation is expected to be introduced by the Assembly Member the week of February 17, following additional engagement with Caltrain's energy providers and distributor.

### Caltrain Staff Visit Sacramento

On February 4, Caltrain CEO Bouchard and Caltrain staff traveled to Sacramento to meet with state legislators and administration officials to discuss Caltrain's newly electrified service, its funding needs and priorities, and the Caltrain-sponsored bill discussed above. The Caltrain team, along with its state advocates, met with Senate and Assembly Transportation Committee Chairs Dave Cortese and Lori Wilson, members of the Caltrain legislative delegation, CalSTA Undersecretary Mark Tollefson, and High-Speed Rail Authority Board Chair Tom Richards and CEO Ian Choudri.

### Senators Wiener and Arreguin Lead Effort to Secure Additional Funding for Transit

Senators Wiener and Arreguin are leading efforts in the Legislature to secure an additional \$2 billion for the SB 125 programs – inclusive of the formula-based Transit and Intercity Rail Capital Program and Zero-Emission Transit Capital Program – as part of the Fiscal Year 2025-26 budget. The effort is supported by the California Transit Association and numerous stakeholders in the Bay Area and statewide. If successful, this effort would result in additional funding for all regions of the state and help address near-term funding shortfalls as regions prepare to advance self-help measures.

### CalSTA Releases Final Guidelines for SB 125 Programs

On January 10, the California State Transportation Agency released the <u>final guidelines governing the distribution of the second year of SB 125 funding</u> as well as the <u>final annual reporting template</u>. The final guidelines are largely consistent with the final guidelines released by CalSTA for the first year of SB 125 funding but include clarification that this can be used to expand service beyond 2022 baselines, not just maintain service at those baselines. These clarifications do not change the intent of SB 125 funding; rather, they harmonize the guidelines with the statutory intent for this funding and further validate the investments CalSTA has made in service expansion from SB 125 in regions across the state.

California Air Resources Board Withdraws Waiver Requests for Two Zero-Emission Vehicle Regulations On January 14, the California Air Resources Board (CARB) withdrew its waiver requests for the Advanced Clean Fleet (ACF) and In-Use Locomotive regulations, which were previously submitted to the U.S. Environmental Protection Agency (USEPA). Under the federal Clean Air Act, CARB is required to submit waiver requests to USEPA, and receive an approved waiver from the agency, to enforce regulations that exceed Clean Air Act requirements. The ACF and In-Use Locomotive regulations mandate that private and municipal medium- and heavy-duty fleets and freight and passenger rail locomotives, respectively, transition to zero-emission technologies on set schedules. The ACF specifically impacts medium-and heavy-duty vehicles in the classes 2b-8, except for the vehicle types covered by the Innovative Clean Transit (ICT) regulation.

### CTC Elects New Leadership

At its January 2025 business meeting, the California Transportation Commission elected Darnell Grisby as its Chair and Clarissa Falcon as its Vice Chair, effective March 1.

Appointed to the Commission by Governor Newsom in March 2021, Grisby is a nationally recognized social impact leader who champions upward mobility by advancing policies that promote justice through economic opportunity and environmental stewardship.

He currently serves as Senior Fellow at the Beneficial State Foundation, where he leads programs that support economic mobility through transportation and financial justice. He spent the previous nine years as Director of Policy Development and Research at the American Public Transportation Association, where he helped protect public transportation from budget cuts, assisted cities around the nation in pursuing local transit ballot initiatives, and showcased the economic power of transportation investments. Grisby served as a legislative director and senior advisor in the California State Legislature and a government affairs professional before working at Reconnecting America, a think tank devoted to smart growth.

Appointed to the Commission by Senate President pro Tempore Toni Atkins, Clarissa Reyes Falcon is the President and Principal Consultant for Falcon Strategies. She previously worked for the California State Senate as a district director and as a public policy analyst for the San Diego Regional Economic Development Corporation. Falcon is a board member for the University of California, San Diego Chancellor's Community Advisory Board, the San Diego Union Tribune Community Advisory Board, the South County Economic Development Council, Circulate San Diego, and the Asian Business Association Board.

### CalSTA Holds Eighth Transit Transformation Task Force Meeting

The California State Transportation Agency's Transit Transformation Task Force met for its eighth time in Riverside on February 5.

The meeting included discussion on the process and timeline for completing the Task Force's report to the Legislature by October 30, 2025, and afforded Task Force members the opportunity to review the draft staff report on recommendations for fleet and asset management transit system oversight and reporting and further discuss options for additional transit funding. The planned discussion on reforms to reduce transit capital construction costs and timelines was postponed until the next Task Force meeting.

As we have highlighted for you in our last few reports, the California Transit Association (the trade organization to which Caltrain belongs) continues to lead engagement in the Task Force discussions on behalf of California transit agencies. To inform the positions it takes at Task Force meetings, the Association continues to engage its membership on the challenges / barriers they face in delivering improvements to transit service and has convened an internal Transit Transformation Advisory Committee to develop policy recommendations (for breaking past these challenges) for submittal to the Task Force.

The Task Force is subject to the state's open meeting requirements for state bodies, known as Bagley-Keene, and as such, all agenda materials are available on CalSTA's website.

The next Task Force meeting will take place on March 11 in Sacramento.

### **Bills with Recommended Action**

### SB 71 (Wiener) CEQA Exemptions for Transit Projects – RECOMMEND SUPPORT

Co-Sponsored by the California Transit Association, this bill would extend indefinitely the current January 1, 2030 sunset date established by SB 922 (Wiener, 2022) for statutorily authorized CEQA exemptions for transit and transportation projects, add additional project-types to the list of exemptions (ferry terminals, transit operational analysis, bus stops, bus shelters), and make substantive procedural changes surrounding board actions (i.e. board process for establishing a project's cost estimate). Caltrain previously supported SB 922, as well as AB 2503 (Lee, 2024), which added to the list of statutory exemptions an exemption for zero-emission rail.

### AB 394 (Wilson) Transit Safety – RECOMMEND SUPPORT

Co-Sponsored by the California Transit Association, this bill would enhance the safety and security of California's public transportation systems by strengthening protections for transit operators, employees, and passengers. The bill accomplishes this goal by applying enhanced penalties for assaults to all transit employees, as well as updated provisions for trespass violations on transit systems. Further, AB 394 would empower agencies to seek court-issued prohibition orders against those convicted of assault or trespass. AB 394 promote safer transit environments for transit riders and employees alike. SMART, the union representing Caltrain operators, is a co-sponsor of this bill.

### Bills of Interest

### SB 30 (Cortese) Sale of Diesel-Powered Rail Equipment

This bill would prohibit a public entity that owns diesel-powered on-track equipment – defined to mean any locomotive or any other car, rolling stock, equipment, or other device that, alone or coupled to others, is operated on stationary rails and has a diesel engine – from selling, donating, or otherwise transferring that equipment for continued use after the public entity ceases the service of on-track equipment by replacing it with lower emission on-track equipment. The author of the bill has indicated that this legislation is in response to the recent transfer of Caltrain trainsets to Peru.

#### SB 63 (Wiener) Regional Measure Spot Bill

This bill states that it is the "intent of the Legislature to enact legislation authorizing a revenue measure to invest in transportation, including to, at a minimum, sustain and improve public transportation, in the San Francisco Bay area. It is the further intent of the Legislature that the details of this authorizing legislation, including the specific geography of the measure, be based on continued stakeholder engagement and consensus building, building off of a robust regional engagement process led by the Metropolitan Transportation Commission in 2024."

### SB 239 (Arreguín) Brown Act Teleconferencing Advisory Bodies

This bill would authorize a subsidiary body, as defined in the bill, to use alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation. The bill would require the subsidiary body to post the agenda at the primary physical meeting location and make it open to the public. If elected officials serve on the subsidiary body, they would be required to adhere to the status quo ante for teleconferencing under the Brown Act, meaning they would need to post the meeting location and make it open to the public. This bill is co-sponsored by the League of Cities and State Association of Counties (CSAC).

### AB 259 (Rubio) Brown Act Teleconferencing

Existing law authorizes local agencies to use teleconferencing for board/council members under certain circumstances (illness, caring for others, travel, etc.) if a quorum of the members participates in person from the same location identified on the agenda and that the location is open to the public and is within the local agency's jurisdiction. Existing law establishes limits on the number of meetings members may participate in via teleconference to two meetings per year if the legislative body regularly meets once per month or less. These provisions sunset on January 1, 2026. This bill would remove the sunset date and extend the alternative teleconferencing procedures indefinitely.

### Caltrain Bill Matrix as of 2/18/2025

Bill ID/Topic	Location	Summary	Position
AB 12 Wallis R Low-carbon fuel standard: regulations.	Pending referral to policy committee.	The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions to ensure that the statewide greenhouse gas emissions are reduced to at least 40% below the statewide greenhouse gas emissions limit, as defined, no later than December 31, 2030. Pursuant to the act, the state board has adopted the Low-Carbon Fuel Standard regulations. This bill would void specified amendments to the Low-Carbon Fuel Standard regulations adopted by the state board on November 8, 2024.	Watch
AB 21 DeMaio R Taxpayer Protection Act of 2025.	Pending referral to policy committee.	The California Constitution requires a state statute that would result in any taxpayer paying a higher tax to be imposed by an act passed by 2/3 vote of the each house of the Legislature. The California Constitution also provides that all taxes imposed by a local government are either general taxes or special taxes, as defined, and requires that taxes imposed, extended, or increased by a local government be submitted to the electorate and approved by a majority vote, in the case of general taxes, or a 2/3 vote, in the case of special taxes. Existing law imposes specified requirements on state and local ballots, including, among other things, on the contents of the ballot label, ballot title, and summary. This bill would declare the intent of the Legislature to enact a constitutional amendment to limit the ability of state and local governments to raise taxes, restore a 2/3 vote requirement on local special tax increases, impose voter approval requirements on specific categories of new taxes, and regulate the titles on state and local ballot measures relating to tax increases.	Watch
AB 23 DeMaio R  The Cost of Living Reduction Act of 2025.	Pending referral to policy committee.	Existing law vests the Public Utilities Commission (PUC) with regulatory authority over public utilities, including electrical corporations and gas corporations, and requires the PUC to develop a definition of energy affordability. Existing law also establishes the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy (Little Hoover Commission) to promote economy, efficiency, and improved service in the transaction of the public business in the various departments, agencies, and instrumentalities of the executive branch of state government. This bill, the Cost of Living Reduction Act of 2025, would declare the intent of the Legislature to enact subsequent legislation to reduce the cost of living in California by undertaking specified activities, including, among other things, by suspending all state taxes and fees on gasoline and electric and gas utilities and by requiring the Little Hoover Commission to provide a report on methods to reduce the cost of living in other areas, as provided.	Watch

Bill ID/Topic	Location	Summary 2/26/2	025 Position
AB 61 Pacheco D  Electricity and natural gas: legislation imposing mandated program and requirements: third-party review.	Referred to the Assembly Utilities & Energy Committee.	Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations and gas corporations. The Public Advocate's Office of the Public Utilities Commission is established as an independent office within the commission to represent and advocate on behalf of the interests of public utility customers and subscribers within the jurisdiction of the commission. This bill would request the office to establish, by January 1, 2027, a program to, upon request of the Legislature, analyze legislation that would establish a mandated requirement or program or otherwise affect electrical or gas ratepayers, as specified. The bill would request the office to develop and implement conflict-of-interest provisions that would prohibit a person from participating in an analysis for which the person knows or has reasons to know that the person has a financial interest. The bill would establish the Energy Programs Benefit Fund in the State Treasury and continuously appropriate the moneys in the fund to the office to support the work of the office in providing analyses under the bill. The bill would repeal these provisions on January 1, 2031.	Watch
AB 99 Ta R  Electrical corporations: rates.	Referred to the Assembly Utilities & Energy Committee.	Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations. Existing law authorizes the commission to fix the rates and charges for every public utility and requires that those rates and charges be just and reasonable. This bill would prohibit an electrical corporation from proposing, and the commission from approving, a rate increase above the rate of inflation, unless the rate increase is approved by a majority of the electrical corporation's customers voting in an election conducted according to specified requirements, and except when the commission determines that the costs underlying the rate increase are directly related to safety enhancements and modernization or to higher commodity or fuel costs. This bill contains other related provisions and other existing laws.	Watch
AB 267 Macedo R  Greenhouse Gas Reduction Fund: high-speed rail: water infrastructure and wildfire prevention.	Pending referral to policy committee.	The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulation of those emissions the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 25% of the annual proceeds of the fund to the High-Speed Rail Authority for certain purposes. This bill would suspend the appropriation to the High-Speed Rail Authority for the 2026–27 and 2027–28 fiscal years and would instead require those amounts from moneys collected by the state board to be transferred to the General Fund. The bill would specify that the transferred amounts shall be available, upon appropriation by the Legislature, to augment funding for water infrastructure and wildfire prevention.	Watch

Bill ID/Topic	Location	Summary 2/26/2	Position
AB 273	Pending referral to policy	The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the	Watch
<u>Sanchez</u> R	committee.	state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The	
		act authorizes the state board to include in its regulation of those emissions the use of market-	
Greenhouse Gas		based compliance mechanisms. Existing law requires all moneys, except for fines and penalties,	
Reduction Fund:		collected by the state board from the auction or sale of allowances as part of a market-based	
high-speed rail:		compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. Existing law	
infrastructure		continuously appropriates 25% of the annual proceeds of the fund to the High-Speed Rail Authority	
improvements.		for certain purposes. This bill would eliminate the continuous appropriation of 25% of the annual	
		proceeds of the Greenhouse Gas Reduction Fund to the High-Speed Rail Authority on June 30, 2026.	
		The bill, beginning with the 2026–27 fiscal year, would instead require 25% of the annual proceeds	
		of the Greenhouse Gas Reduction Fund to be transferred to the General Fund and for those moneys,	
		upon appropriation, to be used to augment funding provided to local governments to improve	
		infrastructure.	

Bill ID/Topic	Location	Summary 2/26/2	025 Position
AB 339	Pending referral to policy	Existing law, the Meyers-Milias-Brown Act, contains various provisions that govern collective	Watch
<u>Ortega</u> D	committee.	bargaining of local represented employees and delegates jurisdiction to the Public Employment	
		Relations Board to resolve disputes and enforce the statutory duties and rights of local public agency	
Local public		employers and employees. Existing law requires the governing body of a public agency to meet and	
employee		confer in good faith regarding wages, hours, and other terms and conditions of employment with	
organizations:		representatives of recognized employee organizations. Existing law requires the governing body of a	
notice		public agency, and boards and commissions designated by law or by the governing body, to give	
requirements.		reasonable written notice, except in cases of emergency, as specified, to each recognized employee	
		organization affected of any ordinance, rule, resolution, or regulation directly relating to matters	
		within the scope of representation proposed to be adopted by the governing body or the designated	
		boards and commissions. This bill would require the governing body of a public agency, and boards	
		and commissions designated by law or by the governing body of a public agency, to give the	
		recognized employee organization no less than 120 days' written notice before issuing a request for	
		proposals, request for quotes, or renewing or extending an existing contract to perform services	
		that are within the scope of work of the job classifications represented by the recognized employee	
		organization. The bill would require the notice to include specified information, including the	
		anticipated duration of the contract. The bill would also require the public agency, if an emergency	
		or other exigent circumstance prevents the public agency from providing the written notice	
		described above, to provide as much advance notice as is practicable under the circumstances. If the	
		recognized employee organization demands to meet and confer within 30 days of receiving the	
		written notice, the bill would require the public agency and recognized employee organization to	
		promptly meet and confer in good faith, as specified. By imposing new duties on local public	
		agencies, the bill would impose a state-mandated local program. This bill contains other related	
		provisions and other existing laws.	

Bill ID/Topic	Location	Summary 2/26/2	025 Position
AB 340 Ahrens D  Employer- employee relations: confidential communications.	Pending referral to policy committee.	Existing law that governs the labor relations of public employees and employers, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions relating to public schools, provisions relating to higher education, and provisions relating to the San Francisco Bay Area Rapid Transit District, prohibits employers from taking certain actions relating to employee organization, including imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with, restraining, or coercing employees because of their exercise of their guaranteed rights. Those provisions of existing law further prohibit denying to employee organizations the rights guaranteed to them by existing law. This bill would also prohibit a local public agency employer, a state employer, a public school employer, a higher education employer, or the district from questioning any employee or employee representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation.	
AB 370 Carrillo D California Public Records Act: cyberattacks.	Pending referral to policy committee.	The California Public Records Act requires state and local agencies to make their records available for public inspection, except as specified. Existing law requires each agency, within 10 days of a request for a copy of records, to determine whether the request seeks copies of disclosable public records in possession of the agency and to promptly notify the person of the determination and the reasons therefor. Existing law authorizes that time limit to be extended by no more than 14 days under unusual circumstances, and defines "unusual circumstances" to include, among other things, the need to search for, collect, and appropriately examine records during a state of emergency when the state of emergency currently affects the agency's ability to timely respond to requests due to staffing shortages or closure of facilities, as provided. This bill would revise the definition of unusual circumstances as it applies to a state of emergency to require the state of emergency, in addition to currently affecting the agency's ability to timely respond to requests as described above, to also require the state of emergency to directly affect the agency's ability to timely respond to requests as described above. By restricting the time period in which a local agency may respond to requests, thus increasing the duties of local officials, this bill would create a state-mandated local program. This bill would also expand the definition of unusual circumstances to include the inability of the agency, because of a cyberattack, to access its electronic servers or systems in an electronic format that may be responsive to a request. Under the bill, the extension would apply only until the agency regains its ability to access its electronic servers or systems and search for and obtain electronic records that may be responsive to a request. This bill contains other related provisions and other existing laws.	

Bill ID/Topic	Location	Summary 2/26/2	025 Position
AB 377 Tangipa R  High-Speed Rail Authority: business plan: Merced to Bakersfield segment.	Pending referral to policy committee.	The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. The act requires the authority to prepare, publish, adopt, and submit to the Legislature a business plan containing specified elements on a biennial basis and to also provide on a biennial basis a project update report, approved by the Secretary of Transportation as consistent with specified criteria, to the budget committees and the appropriate policy committees of both houses of the Legislature, on the development and implementation of intercity high-speed train service, as provided. The act requires the authority to develop schedules for the delivery of specified tasks relating to the Merced to Bakersfield segment of the high-speed rail project for inclusion in the project update report and the business plan and also requires the authority to include certain other information in the project update report and the business plan relating to the Merced to Bakersfield segment, as provided. This bill would require the authority, as part of the business plan that is due on or before May 1, 2026, to provide a detailed funding plan for the Merced to Bakersfield segment that includes certain information, including an updated estimate of the funding gap for completing the segment and a strategy for addressing the funding gap.	Watch
AB 394 Wilson D Crimes: public transportation providers.	Pending referral to policy committee.	Existing law defines a battery as any willful and unlawful use of force or violence upon the person of another. Existing law provides that when a battery is committed against the person of an operator, driver, or passenger on a bus, taxicab, streetcar, cable car, trackless trolley, or other motor vehicle, as specified, and the person who commits the offense knows or reasonably should know that the victim is engaged in the performance of their duties, the penalty is imprisonment in a county jail not exceeding one year, a fine not exceeding \$10,000, or both the fine and imprisonment. Existing law also provides that if the victim is injured, the offense would be punished by a fine not exceeding \$10,000, by imprisonment in a county jail not exceeding one year or in the state prison for 16 months, 2, or 3 years, or by both that fine and imprisonment. This bill would expand this crime to apply to an employee or contractor of a public transportation provider. The bill would authorize the court, following a conviction, to impose a prohibition order barring reentry to public transit property, as specified. The bill would make a violation of a prohibition order a misdemeanor, as specified. By expanding the scope of an existing crime and creating a new crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	Watch

Bill ID/Topic	Location	Summary 2/26/2	2025 Position
AB 421 Solache D Immigration enforcement: prohibitions on access, sharing information, and law enforcement collaboration.	Pending referral to policy committee.	Existing law, the California Values Act, generally prohibits California law enforcement agencies from investigating, interrogating, detaining, detecting, or arresting persons for immigration enforcement purposes. Existing law provides certain limited exceptions to this prohibition, including transfers of persons pursuant to a judicial warrant and providing certain information to federal authorities regarding serious and violent felons in custody. This bill would prohibit California law enforcement agencies from collaborating with, or providing any information in writing, verbally, on in any other manner to, immigration authorities regarding proposed or currently underway immigration enforcement actions when the actions could be or are taking place within a radius of one mile of any childcare or daycare facility, religious institution, place of worship, hospital, or medical office. To the extent this bill would impose additional duties on local law enforcement agencies or officials, the bill would impose a state-mandated local program. This bill contains other related provisions and other	Watch
AB 555 Jackson D  Air resources: regulatory impacts: transportation fuel costs.	Pending referral to policy committee.	existing laws.  Existing law vests the State Air Resources Board with the authority to regulate transportation fuels and requires the state board to adopt standards and regulations providing for specification for vehicular fuel composition to achieve the maximum degree of emission reduction possible from vehicular sources to attain the state air quality standards. This bill would require the state board, on a quarterly basis, to submit to the relevant policy committees of the Legislature a report providing data and describing the impacts of its regulations of transportation fuels on the prices of those fuel to California consumers.	Watch
SB 30 Cortese D  Diesel-powered on-track equipment: decommissioning: resale and transfer restrictions.	Pending referral to policy committee.	Existing law provides various provisions applicable to all public transit and transit districts and includes specific requirements applicable to public entities that operate commuter rail or rail transit systems. This bill would prohibit a public entity that owns diesel-powered on-track equipment from selling, donating, or otherwise transferring that equipment for continued use after the public entity decommissions the equipment.	Watch

Bill ID/Topic	Location	Summary 2/26/2	Position
SB 63 Wiener D San Francisco Bay area: local revenue measure: transportation funding.	Pending referral to policy committee.	Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would state the intent of the Legislature to enact legislation authorizing a revenue measure to invest in transportation in the San Francisco Bay area.	
	Referred to the Senate Environmental Quality Committee and Senate Transportation Committee.	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 active transportation plans, pedestrian plans, or bicycle transportation plans for the restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and the related signage for bicycles, pedestrians, and vehicles. This bill would extend the operation of the above-mentioned exemption indefinitely. The bill would also exempt a transit comprehensive operational analysis, as defined, a transit route readjustment, or other transit agency route addition, elimination, or modification, from the requirements of CEQA. Because a lead agency would be required to determine whether a plan qualifies for this exemption, the bill would impose a statemandated local program. This bill contains other related provisions and other existing laws.	

Bill ID/Topic	Location	Summary 2/26/2	025 Position
SB 79 Wiener D  Planning and zoning: housing development: transit-oriented development.	Pending referral to policy committee.	Existing law, the Planning and Zoning Law, requires each city, county, or city and county to prepare and adopt a general plan for its jurisdiction that contains certain mandatory elements, including a housing element. Under existing law, a part of the housing element is an assessment of housing needs, which includes the locality's share of the regional housing need. Under existing law, the appropriate council of local governments, or for cities without a council of governments, the Department of Housing and Community Development, adopts a final regional housing need plan that allocates a share of the regional housing need to each locality in the region. Existing law requires the Board of Directors of the San Francisco Bay Area Rapid Transit District to adopt by ordinance transit-oriented development (TOD) zoning standards for each station that establish minimum zoning requirements for height, density, parking, and floor area ratio that apply to an eligible TOD project, as provided, and authorizes developers of certain eligible TOD projects to submit an application for a development that is subject to a specified streamlined, ministerial approval process, as provided. This bill would declare the intent of the Legislature to enact legislation that would make housing more affordable for California families, reduce greenhouse gas emissions, and enhance public transit systems by, among other things, requiring the upzoning of land near rail stations and rapid bus lines to encourage transit-oriented development. The bill would make related findings and declarations.	Watch
SB 272 Becker D  San Mateo County Transit District: job order contracting: pilot program.	Referred to the Senate Transportation Committee.	The Local Agency Public Construction Act sets forth procedures that a local agency is required to follow when procuring certain services or work. The act also sets forth specific public contracting requirements for certain transit districts, including the San Mateo County Transit District for construction work contracts. The act authorizes certain local agencies, including school districts and community college districts, to engage in job order contracting, as prescribed. This bill would establish a pilot program to authorize the San Mateo County Transit District to use job order contracting as a procurement method. The bill would impose a \$5,000,000 cap on awards under a single job order contract and a \$1,000,000 cap on any single job order. The bill would limit the term of an initial contract to a maximum of 12 months, with extensions as prescribed. The bill would establish various procedures and requirements for the use of job order contracting under the pilot program. The bill would require the district, on or before January 1, 2030, to submit to the appropriate policy and fiscal committees of the Legislature a report on the use of job order contracting under the bill. The pilot program would be repealed on January 1, 2032. This bill would make legislative findings and declarations as to the necessity of a special statute for the San Mateo County Transit District.	Watch

Bill ID/Topic	Location	Summary 2/26/2	025 Position
SB 348	Pending referral to policy	The California Global Warming Solutions Act of 2006 establishes the State Air Resources Board as	Watch
<u>Hurtado</u> D		the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The	
		act requires the state board to adopt rules and regulations, as provided, to achieve the maximum	
State Air Resources		technologically feasible and cost-effective greenhouse gas emissions reductions to ensure that the	
Board: Low-Carbon		statewide greenhouse gas emissions are reduced to at least 40% below the statewide greenhouse	
Fuel Standard.		gas emissions limit, as defined, no later than December 31, 2030. Pursuant to the act, the state	
		board has adopted the Low-Carbon Fuel Standard, or regulations. This bill would state the intent of	
		the Legislature to enact future legislation that would, among other things, require the board to	
		revise the Low-Carbon Fuel Standard program, as provided. The bill would make related findings and	
		declarations.	