



BOARD OF DIRECTORS 2022

STEVE HEMINGER, CHAIR
CHARLES STONE, VICE CHAIR
CINDY CHAVEZ
DEVORA "DEV" DAVIS
JEFF GEE
GLENN HENDRICKS
DAVE PINE
SHAMANN WALTON
MONIQUE ZMUDA

MICHELLE BOUCHARD
ACTING EXECUTIVE DIRECTOR

AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Work Program – Legislative – Planning (WPLP) Committee Meeting

Committee Members: Charles Stone (Chair), Cindy Chavez, Steve Heminger

Due to COVID-19, this meeting will be conducted via teleconference only (no physical location) pursuant to [Assembly Bill 361](#) (Gov. Code section 54953).

Directors, staff, and the public may participate remotely via Zoom at <https://zoom.us/j/99768901849?pwd=VmVSSEJFZHhyNzhIR212RURzODNndz09> or by entering Webinar ID: **997 6890 1849**, Passcode: **609602**, in the Zoom app for audio/visual capability or by calling 1-669-900-6833 (enter webinar ID and press # when prompted for participant ID) for audio only. The video live stream will be available after the meeting at <http://www.caltrain.com/about/bod/video.html>

Public Comments: Members of the public are encouraged to participate remotely. 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 in the Board's weekly correspondence and posted online at http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html.

Oral public comments will also be accepted during the meeting through *Zoom or via the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Use the Raise Hand feature to request to speak. For public 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 the Hand feature for public comment and press *6 to accept being unmuted when recognized to speak for three minutes or less. Each commenter will be automatically notified when they are unmuted to speak for three 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.

March 30, 2022 – Wednesday

3:00 pm

1. Call to Order / Pledge of Allegiance
2. Roll Call

3. Public Comments on Items not on the Agenda
Comments by each individual speaker shall be limited to three (3) minutes. Items raised that require a response will be deferred for staff to reply.
4. Approve Meeting Minutes of February 23, 2022 Motion
5. Approve Code of Conduct for Public Meetings Motion
6. State and Federal Legislative Update and Approval of Legislative Proposal: Support SB 922 (Wiener) and SB 942 (Newman) Motion
7. Authorize Executive Director Authority to Execute Change Orders Up to Five Percent of Increase of Balfour Beatty Infrastructure, Inc (BBI) Contract Award Motion
8. Accept 2021 Caltrain Sustainability Report Motion
9. Presentation of New Caltrain Website Informational
10. Committee Member Requests
11. Date/Time of Next Regular WPLP Committee Meeting:
Wednesday, April 27, 2022, at 3:00 pm via Zoom (additional location, if any, to be determined)
12. Adjourn

Information for the Public

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

If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242.

Agendas are available on the Caltrain website at www.caltrain.com. Communications to the Board of Directors can be e-mailed to board@caltrain.com. *Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电1.800.660.4287*

Date and Time of Board and Committee Meetings

JPB Board: First Thursday of the month, 9:00 am; JPB WPLP Committee: Fourth Wednesday of the month, 3:00 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

Due to COVID-19, the meeting will only be via teleconference as per the information provided at the top of the agenda. The Public may not attend this meeting in person. *Should Zoom not be operational, please check online at http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html for any updates or further instruction.

Public Comment*

Members of the public are encouraged to participate remotely. 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 http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html. Oral public comments will also be accepted during the meeting 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
Work Program – Legislative – Planning Committee (WPLP)
1250 San Carlos Avenue, San Carlos CA**

Draft Minutes of February 23, 2022

MEMBERS PRESENT: C. Chavez (arrived 3:26 pm), S. Heminger, C. Stone (Chair)

MEMBERS ABSENT: None

STAFF PRESENT: M. Bouchard, D. Hansel, J. Harrison, S. Petty, C. Fromson, D. Santoro,
W. Lau, C. David, J. Wasilco, R. Barnard, D. Seamans, S. Wong

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chair Charles Stone called the meeting to order at 3:01 p.m. and Director Steve Heminger led the Pledge of Allegiance.

2. ROLL CALL

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

3. PUBLIC HEARING FOR PROPOSED WEEKEND SERVICE CHANGES

Chair Stone opened the public hearing.

Wendy Lau, Manager of the Office of Civil Rights, and Catherine David, Manager of Operations, provided the presentation which included the following:

- Title VI Analysis
- Major service change and service equity analysis, including minority and non-minority and low-income and non-low-income demographics
- Next Steps and including today's public comments into the analysis

There was no public comment. Chair Stone closed the public hearing.

4. APPROVAL OF TITLE VI ANALYSIS FOR SUNDAY SERVICE SCHEDULE (AUGUST 2021)

Motion/Second: Heminger/Stone

Ayes: Heminger, Stone

Noes: None

Absent: Chavez

5. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Adrian Brandt, commented on vaccine policy for customer facing staff and encouraging Caltrain riders.

Director Heminger requested follow up on the vaccine policy to announce to Caltrain riders. Acting Executive Director Bouchard noted that staff has been working with TASI (Transit America Services Inc. which includes 11 unions) on a policy that will require vaccination or testing and an update will be provided in the future Executive Director's report as an administrative matter that does not require Board approval.

6. APPROVE MEETING MINUTES OF JANUARY 26, 2022

Motion/Second: Heminger/Stone

Ayes: Heminger, Stone

Noes: None

Absent: Chavez

**7. STATE AND FEDERAL LEGISLATIVE UPDATE AND APPROVAL OF LEGISLATIVE PROPOSAL:
SUPPORT AB 2197 (MULLIN)**

Jadie Wasilco, Government Community Affairs Manager, provided an update that included the following:

- The House and Senate passed a continuing resolution that would fund the federal government until March 11th
- Securing funding for electrification project through the Capital Investment Grants Program
- Asked the Board to support Assembly Bill (AB) 2917 (Mullin) which would provide \$260 million from the State's general fund to close the funding gap for Caltrain Electrification

The Board members had a discussion and staff provided further clarification regarding whether this bill was supposed to get Caltrain in line with everyone else and the timing for funds.

Public Comment

Adina Levin, Friends of Caltrain, commented on AB 2197, methods of support at the Thrive Alliance panel, and spreading the word.

Adrian Brandt, San Mateo County, commented on raising visibility for electrification funding, and having budget legislation instead of special legislation.

Motion/Second: Heminger/Stone

Ayes: Heminger, Stone

Noes: None

Absent: Chavez

8. CAPITAL PROJECTS QUARTERLY STATUS REPORT – 2ND QUARTER FISCAL YEAR 2022

Rob Barnard, Deputy Chief of Rail Development, provided the presentation which included the following:

- Re-tooling project delivery and implementation
- Caltrain Rail is currently managing 22 capital projects with review of concerns for 7 programs regressing
- Broadway Grade Separation Project scope and status update
- Value Engineering (VE) alternatives
- Project schedule update on the new schedule, cost, budget, and improved connectivity
- Legal framework and goals

Director Chavez arrived at 3:26pm.

The Board members had a discussion and staff provided further clarifications regarding the following:

- General contractor structure – is there a tool built in for dispute resolution
- Plan for any litigation in the future for any construction project
- Project budget funding – what is the box for risk funding
- Funding availability versus the speed of projects and risk of losing funding and requirement for spending money
- Big capital diversity report
- Incentive and dis-incentive structures – if done early, get incentive money, but if done late, they would lose money
- Bidding in groups instead of one at a time
- When the separation study would be complete
- Whether Caltrain is right sized for the amount of projects they are doing or taking on too many projects

Public Comment

Adrian Brandt, San Mateo County, commented on the Broadway grade separation.

Adina Levin, Friends of Caltrain, commented on the approach for the entire corridor, including Burlingame, visual impacts, and scaling the project.

Jeff Carter, Millbrae, commented on the Broadway grade separation, a new station constructed, accommodating 4 tracks, and the express passing the local train.

9. METROPOLITAN TRANSPORTATION COMMISSION (MTC) NETWORK MANAGEMENT BUSINESS CASE UPDATE

Michelle Bouchard, Acting Executive Director, provided an update on the regional discussions, Blue Ribbon Task force, seeking committee guidance and presenting to the full Board.

Sebastian Petty, Deputy Chief of Planning, provided an update on the next steps which included the following:

- Bay Area Transit Transformation Action Plan, Transit Coordination & Governance – Network Management Business Case to evaluate different models for the regional scale and develop a rationale for a particular model)
- Refined Operator Alternative: Transit Network Manager (TNM) Executive Board and working collaboratively with agencies
- MTC Resolution 3866 – establishes coordination implementation plan and compliance for transit funding
- Resolution 3866 would be updated to clarify operator commitments, fare integration, schedule coordination and other possible updates
- 2022 Look Ahead, Caltrain engagement, and next steps

The Board members had a discussion and staff provided further clarification regarding the following:

- Rail study goals and bringing the Caltrain perspective to discussions
- Rethinking customer focused approach versus top-down approach
- Where ideas by managers would be put on the transit coordination & governance plan
- Whether the July 2022 date is about a hypothetical structure
- Tempering expectations as it unlikely to have one agency controlling everything in the Bay Area

Public comment

Adina Levin, Friends of Caltrain, commented on a range of options created through the study, network management, encouraging the Caltrain board to look at the different options, and hearing customer focused goals.

Vaughn commented on 28 agencies in the Bay Area with 28 perspectives, having a policy issue, not technical issues, going from one area to another without worrying about which agency you are using, and maximizing efforts.

Scott O'Neil, Palo Alto, commented on getting easier options for riders and having a cohesive experience.

Adrian Brandt, San Mateo County, commented on the transportation union concept and only needing one thing to get anywhere.

Jeff Carter, Millbrae, commented on focusing on the rider's point of view, getting from one point in bay area to another, having a seamless system with a universal fare.

10. COMMITTEE MEMBER REQUESTS

Director Heminger requested follow up for a vaccine policy announcement for the public.

Director Heminger requested an executive summary in place of lengthier reports in the board packet, such as for Capital Projects and PCEP (Peninsula Corridor Electrification Project).

Director Heminger requested when the grade separation project would be complete.

Director Heminger requested schedule contingency for additional/all projects.

Director Chavez requested announcing Caltrain goals at regional discussions.

11. DATE/TIME OF NEXT REGULAR WPLP COMMITTEE MEETING: WEDNESDAY, MARCH 30, 2022 AT 3:00 PM VIA ZOOM

12. ADJOURN

The meeting adjourned at 4:52 p.m.

Peninsula Corridor Joint Powers Board
Staff Report

To: JPB Work - Program - Legislative - Planning Committee

Through: Michelle Bouchard
Acting Executive Director

From James C. Harrison
General Counsel

Subject: **Adopt Code of Conduct for Public Meetings**

Finance Committee
Recommendation

Work Program-
Legislative-Planning

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

ACTION

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) adopt the attached Code of Conduct for all Regular and Special Board, Committee, and Advisory Committee meetings.

SIGNIFICANCE

Meetings of the JPB and its Committees are subject to the Ralph M. Brown Act (the Brown Act), which requires meetings of legislative bodies to be open to the public. Cal. Gov. Code § 54950 et seq. The governing boards of local agencies are permitted to adopt and enforce policies designed to ensure that meetings are conducted in an orderly fashion and that decorum is maintained so that all members of the public may observe and participate in the conduct of the people's business.

The attached Code of Conduct establishes expectations regarding appropriate conduct in order to create an environment that promotes productivity and efficiency while fostering public participation.

BUDGET IMPACT

There is no budget impact associated with adopting this Code of Conduct.

BACKGROUND

The Brown Act was enacted in 1953 to guarantee the public's right to attend and participate in meetings of local legislative bodies. The Act protects the public's right to participate in government meetings, including by requiring notice of meetings and publication of meeting agendas and materials and prohibiting registration or payment of a fee as a condition of attendance. The governing body of a local agency must allow public criticism of the body to be freely expressed in its meetings. Cal. Gov. Code § 54954.3(c). However, the governing body may decline to take public comment on topics that are not within the subject matter jurisdiction of the body or to tolerate personal insults or slander of the board members or agencies' staff.

The Brown Act allows governing bodies to adopt codes of conduct to preserve decorum and permit the orderly conduct of its meetings. The Act also specifically permits the governing body to remove disruptive individuals from meetings as described in the proposed Code of Conduct in order to preserve order in a meeting and allow it to continue. Cal. Gov. Code § 54957.9.

This Code of Conduct complies with the requirements of the Brown Act and promotes public participation and efficient, productive, and orderly meetings.

Prepared By: James C. Harrison and Anna Myles-Primakoff

Olson Remcho LLP

Resolution No. 2022 –

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

*** * ***

**Adopting Code of Conduct for Board, Committee,
and Advisory Committee Meetings**

WHEREAS, the Peninsula Corridor Joint Powers Board (“Board”) is committed to the principles of government transparency and the promotion of public participation; and

WHEREAS the Board seeks to ensure that meetings are conducted in an orderly fashion and that decorum is maintained so that all members of the public may observe and participate in the conduct of the people’s business; and

WHEREAS, the Brown Act allows governing bodies to adopt codes of conduct or rules to preserve decorum and permit the orderly conduct of their meetings. The Act also specifically permits the governing body to remove disruptive individuals from meetings, as provided in the proposed Code of Conduct, to preserve order during a meeting and allow it to continue. Cal. Gov. Code § 54957.9; and

WHEREAS, the governing body of a local agency must allow public criticism of the body to be freely expressed in its meetings. However, the governing body does not need to permit members of the public to comment on topics that are not within the subject matter jurisdiction of the body or to tolerate personal insults or slander of the board members; and

WHEREAS, Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) adopt the attached Code of Conduct for all Regular and Special Board, Committee, and Advisory Committee meetings; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby adopts the attached Code of Conduct for all Regular and Special Board, Committee, and Advisory Committee meetings.

Regularly passed and adopted this 7th day of April 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

Code of Conduct Governing Public Participation in Meetings of the Board of Directors of the Peninsula Corridor Joint Powers Board

Principles and Purpose

The Peninsula Corridor Joint Powers Board ("Board") is committed to the principles of government transparency and the promotion of public participation. The Board seeks to ensure that meetings are conducted in an orderly fashion and that decorum is maintained so that all members of the public may observe and participate in the conduct of the people's business.

The purpose of this Code of Conduct is to establish expectations regarding appropriate conduct in order to create an environment that promotes productivity and efficiency while fostering public participation.

I. Addressing the Board

- A. A member of the public who wishes to address the Board must seek the permission of the Chair. In the interest of facilitating the business of the Board, the Chair may limit the amount of time and the number of persons who may address the Board.
- B. In-Person Meetings
 - 1. Members of the public desiring to address the Board at in-person meetings on a consent, discussion, closed session, or public hearing agenda item must complete a speaker request form and deposit the completed form with the Secretary of the JPB prior to the Board's consideration of the consent calendar, the reading of the agenda item, or the opening of the public hearing.
 - 2. A person who has requested to address the Board will be allowed two (2) minutes per agenda item.
 - 3. Members of the public shall have the right to address the Board on items of interest which are within the Board's jurisdiction. A person requesting to address the Board on a non-agenda item will be allowed up to two (2) minutes per meeting.
- C. Public Comments for Remote Attendees
 - 1. In addition to providing public comments in person at Board meetings, the Secretary of the JPB shall provide the ability for members of the public to address the Board remotely via a telephonic or other Internet-based service at regular meetings.
 - 2. A speaker request form is not required to make a public comment at a meeting held via teleconferencing.
 - 3. A person attending a meeting remotely and addressing the Board on an agenda item will be allowed two (2) minutes per item.
 - 4. Members of the public attending a meeting remotely shall have the right to address the Board on items of interest which are within the Board's jurisdiction.

A person addressing the Board on a non-agenda item will be allowed up to two (2) minutes per meeting.

- D. The Board shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the Board.
- E. Any individual who engages in disruptive conduct, as defined in Section II(B) of these Rules, may be prohibited from addressing the Board on agenda items and during public comment at future meetings.
- F. When any affiliated group of persons desires to address the Board on the same subject matter, the Chair may require that a spokesperson be chosen to represent the group, so as to avoid unnecessary repetition. Alternatively, if there are ten (10) or more speakers wishing to speak on an item, the Chair may limit all individuals to one (1) minute for their public comments on the same item.

II. Conduct

- A. Unless addressing the Board or entering or leaving the Board Room, all persons in the audience shall remain sitting in designated seating provided by the Board. No person shall stand or sit in the aisles, block the doorways, or sit in any seating not designated as available to the public.
- B. Disruptions
 - 1. A speaker may be sanctioned as described herein only if the speaker's conduct actually disrupts the orderly conduct of the meeting or interferes with the Board's ability to conduct its business. For purposes of this Rule, "disruption" of a Board meeting may include, but is not limited to, speaking beyond the time limits set by these Rules or the Chair, being unduly repetitious, engaging in an extended discussion of irrelevancies, or failing to yield to the Chair.
 - 2. Each person who addresses the Board shall not engage in personal attacks, or use loud, threatening, profane, or abusive language that disrupts, disturbs, or otherwise impedes the orderly conduct of the Board meeting. Any such language or any other disorderly conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the Board meeting is prohibited.
 - 3. The Chair may find that a speaker is disrupting the orderly conduct of the meeting if a comment is unrelated to the agenda item under consideration, or if the speaker's conduct violates any other provision in this Code of Conduct. If the Chair finds that a speaker is disrupting the orderly conduct of the meeting, the speaker shall forfeit their remaining time.
 - 4. No person in the audience at a Board meeting shall engage in conduct that disrupts the orderly conduct of any meeting, including, but not limited to, the utterance of loud or threatening language, whistling, clapping, stomping of feet,

speaking over or interrupting the recognized speaker, repeated waving of arms, or other disruptive acts.

5. The Chair has the authority to issue a warning or remove from a meeting a person violating the Code of Conduct or any lawful order issued by the Chair. If the person does not promptly leave the meeting after an order to do so by the Chair, the Chair may request that security remove the person from the meeting.
 6. Any person removed from a meeting shall be excluded from further attendance at the remainder of the meeting.
 7. If any meeting of the Board is willfully interrupted or disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting unfeasible, the Chair may recess the meeting or order the person or group of persons willfully interrupting the meeting to leave the meeting or be removed from the meeting.
 8. If any meeting is willfully interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the person or persons willfully interrupting or disrupting the meeting, the Chair may recess the meeting or order the meeting room cleared and continue in session. Only matters appearing on the posted agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend or remain in the meeting.
- C. Meetings Held Via Teleconferencing
1. The prohibitions on disruptive conduct described in Section II(B) of this Code of Conduct also apply to meetings held via teleconferencing.
 2. The Chair may issue a warning or remove from the telephonic conference or online forum a person violating the Code of Conduct or any lawful order issued by the Chair. If the person does not promptly exit the conference or forum after an order to do so by the Chair, the Chair may request that the Secretary of the JPB remove the person.
 3. Any person removed from a meeting shall be excluded from further attendance at the remainder of the meeting. The exclusion from the meeting shall be enforced by the Secretary of the JPB upon being so directed by the Chair.

Contact:

Mailing Address

PO Box 3006

San Carlos, CA 94070-1306

Office Address

1250 San Carlos Ave.

San Carlos, CA 94070-1306

Email: board@caltrain.com.

Public comments may be sent via email to publiccomment@caltrain.com. Please indicate in your email the agenda item to which your comment applies. Public comments received will be included in the board's weekly correspondence, which is posted to the Caltrain website.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Work - Program - Legislative - Planning Committee

Through: Michelle Bouchard
Acting Executive Director

From Casey Fromson
Chief Communications Officer

Subject: **State and Federal Legislative Update and Approval of Legislative Proposal: Support SB 922 (Wiener) and SB 942 (Newman)**

Finance Committee
Recommendation

Work Program-
Legislative-Planning

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

ACTION

Staff proposes the Committee recommend the Board:

1. Receive the attached Federal and State Legislative Updates
2. Approve the recommended Peninsula Corridor Joint Powers Board (Caltrain) position on legislation designated for action on the attached State Legislative Matrix.

SIGNIFICANCE

The 2022 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.

Prepared By: Lori Low
Government & Community Affairs Officer

650.740.6264



March 11, 2022

TO: Caltrain Board of Directors

FM: Joshua W. Shaw, Matt Robinson & Michael Pimentel, Shaw Yoder Antwih Schmelzer & Lange
Mike Robson & Bridget McGowan, Edelstein Gilbert Robson & Smith LLC

RE: **STATE LEGISLATIVE UPDATE – April 2022**

General Update

The second year of the 2021-22 Legislative Session is underway. Lately, the Legislature has been focused on budget committee meetings to hear the Governor's Fiscal Year 2022-23 budget proposals. In parallel to the budget review, Legislators have been busy introducing bills, with approximately 2,100 bills introduced in the second year of the two-year session before the February 18 [bill introduction deadline](#). Policy committees began hearing bills the week of March 7.

Bills with Recommended Action

SB 922 (Wiener) – CEQA Exemptions for Transit. This bill would permanently extend statutory exemptions from the CEQA requirement for clean transportation projects, including charging and facilities for zero-emission rail, station-area improvements, and first/last mile connections for bike and ped. This bill is a follow up to SB 288 (Wiener, 2020) which Caltrain supported. ***Recommend support position.***

SB 942 (Newman) Low Carbon Transit Operations Program: Free or Reduced Fare Transit Program. This bill would provide California public transit agencies with the flexibility to use Low Carbon Transit Operations Program funds for free or reduced-fare transit programs on an ongoing basis. This flexibility will ensure the long-term sustainability and benefits of free youth ridership programs that expand access to public transit and create lifelong riders. ***Recommend support position.***

Bills of Interest

AB 2197 (Mullin) – PCEP Funding. This bill would appropriate \$260 million from the state's General Fund to the California State Transportation Agency for the purpose of closing the funding gap for the Caltrain Electrification Project. ***Support.***

AB 1919 (Holden) – Free Student Transit Passes. This bill was introduced as an intent bill on free transit passes but was amended on March 7 with substantive language. The bill would require transit agencies to offer free youth transit passes to all California residents, regardless of immigration status, under age 25 in order to be eligible for state funding under state various programs. For the purposes of calculating the ratio of fare revenue to operating costs, the free youth transit passes would count as full price fares. Upon appropriation by the Legislature, the bill would also create the Youth Transit Pass Pilot Program

that would offset the costs to transit agencies offering free youth transit passes and would require the department to submit a report to the Legislature on the outcome of the program, the funding conditions associated with the program, the status of these programs statewide and whether the provisions of the bill led to reductions in GHG emissions and VMT. The bill would sunset on January 1, 2028. **Watch.**

AB 1938 (Friedman) – Transit and Intercity Rail Recovery Task Force. This bill would require the Secretary of the CA State Transportation Agency to establish and convene the Transit and Intercity Rail Recovery Task Force, which would include representatives from the department, various local agencies, academic institutions and nongovernmental organizations. The bill would require the task force to develop a process for early engagement of all of these parties to develop policies that grow ridership and improve operations for users. The bill would also require the Secretary to submit a report to the Legislature on the task force’s efforts and findings, including a detailed analysis of issues and recommendations. The bill would sunset on January 1, 2028. **Watch.**

AB 1944 (Lee) – Public Meetings. This bill would eliminate the requirement to post each board member address on public agendas for remote meetings. For public meetings that elect to use teleconferencing, the legislative body would be required to provide a video stream accessible to members of the public and an option for members of the public to address the legislative body remotely during public comment through a video or call-in option. **Watch.**

AB 2449 (Rubio) – Public Meetings. This bill would allow a local agency to use teleconferencing for a public meeting if at least a quorum of members of the legislative body participate in person from a single location that is identified on the agenda and is open to the public within the local agency’s jurisdiction, among other requirements. **Watch.**

AB 2441 (Kalra) – Local Public Transit Agencies: New Technologies. This bill, relating to the introduction of new technologies, would require public transit employers that create new products, services, type of operation or eliminate jobs or job functions of the workforce, to provide notice to the exclusive employee representative of its intention to begin procuring, acquiring or deploying such technologies no less than 12 months in advance. The bill would also require these technologies be mandatory subjects of collective bargaining, including creating plans to train and prepare the affected workforce to fill new positions created by the technology. **Watch.**

SB 917 (Becker) – Seamless. This bill would require the Metropolitan Transportation Commission (MTC) to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, develop an implementation and maintenance strategy and funding plan, and establish open data standards to support a more integrated public transportation network in the nine-county San Francisco Bay Area. This bill would also require the region’s transit agencies to comply with the established integrated fare structure, regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards. **Watch.**

High Speed Rail

On March 8, the Senate Transportation Committee and Senate Budget Subcommittee 5 held an informational hearing on the California High-Speed Rail Authority (HSRA) Draft 2022 Business Plan. HSRA presented an overview of the draft plan, which was followed by an analysis by the Legislative Analyst’s Office (LAO) and the High-Speed Rail Peer Review Group. LAO focused their presentation on the risks they have identified with the project including cost overruns, revenue uncertainty and concerns regarding the electrification of the 119-mile segment. They presented an overview of the options available to Legislature, depending on how committed the Legislature is to the full scope of the project.

These options include appropriating the full amount of proposed funding, limiting funding allocated from the Cap-and-Trade program on an annual basis or by implementing statutory provisions that restrict HSRA actions.

The hearing also provided an opportunity for Caltrain Acting Executive Director Michelle Bouchard, as part of the Regional Partners panel, to present an update on Caltrain, the long-term Service Vision as well as the status, benefits, and cost updates/needs for Caltrain Electrification. Following this presentation, Senator Becker made comments supporting the benefits of Caltrain Electrification and noted the general need for more funding for grade separations.

Grants

Transit and Intercity Rail Capital Program (\$500 million - \$600 million in Cycle 5) – The Transit and Intercity Rail Capital Program (TIRCP) provides grants from the Greenhouse Gas Reduction Fund to fund transformative capital improvements that will modernize California’s intercity, commuter, and urban rail systems, and bus and ferry transit systems, to significantly reduce emissions of greenhouse gases, vehicle miles traveled, and congestion. Eligible projects include zero-emission vehicles and associated fueling or charging infrastructure or facility modifications.

Current Guidelines: Found [here](#)

Status: [Funding cycle open; project applications due March 3, 2022](#)

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

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

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

State Transportation Improvement Program – The STIP, managed by Caltrans and programmed by the CTC, is primarily used to fund highway expansion projects throughout the state, but also supports grade separations. The STIP is programmed every two years (currently the 2018 STIP added \$2.2 billion in new funding). Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

Transit and Intercity Rail Capital Program – As discussed above, the TIRCP is managed by CalSTA and is available to fund rail and transit projects that reduce greenhouse gas emissions. The program receives funding from Cap and Trade and the recently created Transportation Improvement Fee to the tune of approximately \$500 million per year. The TIRCP is programmed over five years, with the most recent cycle beginning in May 2018. Caltrain received \$160 million for the CalMod project.

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

Caltrain

State Legislative Matrix 3/10/2022

Bill Number (Author)	Summary	Location	Position
Priority Bills			
AB 2197 (Mullin D) Caltrain electrification project funding	Existing law provides for the creation of the Peninsula Corridor Joint Powers Board, which operates Caltrain as the commuter rail service along the San Francisco Peninsula commute corridor. This bill would appropriate \$260,000,000 from the General Fund to the Transportation Agency for allocation to the Peninsula Corridor Joint Powers Board for the purpose of completing the Caltrain Electrification Project. Introduced: 2/15/2022	Assembly Transportation	Supported 3/3/2022
SB 922 (Wiener D) California Environmental Quality Act: exemptions - transportation-related projects	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 bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions. This bill would extend the above exemption indefinitely. The bill would also repeal the requirement that the bicycle transportation plan is for an urbanized area and would extend the exemption to an active transportation plan or pedestrian plan, or for a feasibility and planning study for active transportation, bicycle facilities, or pedestrian facilities. This bill contains other related provisions and other existing laws. Introduced: 2/3/2022	Senate Environmental Quality 3/28/2022 at 9 a.m. John L. Burton Hearing Room (4203) SENATE ENVIRONMENTAL QUALITY ALLEN, Chair	Recommend Support
SB 942 (Newman D) Low Carbon Transit Operations Program: free or reduced fare transit program	Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board as part of a market-based compliance mechanism to be deposited into the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law continuously appropriates specified portions of the annual proceeds in the fund to various programs, including 5% for the Low Carbon Transit Operations Program, which is administered by the Department of Transportation and provides operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility. Existing law requires each of those transit agencies to demonstrate that each expenditure of program moneys allocated to the transit agency reduces the emissions of	Senate Transportation 3/22/2022 at 9 a.m. Senate Chamber SENATE TRANSPORTATION GONZALEZ, LENA, Chair	Recommend Support

	<p>greenhouse gases and does not supplant another source of funds, to use those moneys to provide transit operating or capital assistance, to use at least 50% of those moneys to benefit disadvantaged communities, and to submit specified information to the department before seeking a disbursement of those program moneys, as specified. This bill would authorize a transit agency that uses program moneys to fund a free or reduced fare transit program and that demonstrates compliance with the above-described requirements in its initial program application to continue to use those moneys to maintain that program on an ongoing basis without demonstrating continued compliance with those requirements. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/8/2022</p>		
<p>SB 917 (Becker D) Seamless Transit Transformation Act</p>	<p>Existing law creates the Metropolitan Transportation Commission, as a local area planning agency and not as a part of the executive branch of the state government, to provide comprehensive regional transportation planning for the region comprised of the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma. This bill would require the commission to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, develop an implementation and maintenance strategy and funding plan, and establish open data standards, as specified. The bill would require the region's transit agencies, as defined, to comply with those established integrated fare structure, regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards, as provided. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/3/2022</p>	<p>Senate Transportation</p>	<p>Watch</p>
<p>AB 1919 (Holden D) Youth Transit Pass Pilot Program: free youth transit passes and eligibility for state funding.</p>	<p>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, revenues from a 1/4% sales tax in each county are available, among other things, for allocation by the transportation planning agency to transit operators, as specified. Existing law establishes the State Transit Assistance Program for the purpose of providing a source of state funding to eligible public transportation operators and other transportation agencies in order to support their local and regional transit operating and capital needs. Existing law establishes the Low Carbon Transit Operations Program to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility. Existing law conditions transit funding from certain programs on achieving specified ratios of fare revenues to operating costs. This bill would require transit agencies to offer free youth transit passes to all persons 25 years of age and under with California residency, regardless of immigration status, in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program. These free youth transit passes would count as full-price fares for purposes of calculating the ratio of fare revenues to operating costs.</p>	<p>Assembly Transportation</p>	<p>Watch</p>

	<p>Upon the appropriation of moneys by the Legislature, this bill would also create the Youth Transit Pass Pilot Program, administered by the department, for purposes of offsetting the costs to transit agencies of offering free youth transit passes to all persons 25 years of age and under with California residency, regardless of immigration status. The bill would require the department to submit an interim report to specified committees of the Legislature on or before January 1, 2027, on, among other things, the outcomes of the program and the funding conditions associated with offering free youth transit passes, the status of transit pass programs statewide, and whether these provisions led to reductions in greenhouse gas emissions and vehicle miles traveled, as provided. The bill would repeal its provisions as of January 1, 2028.</p> <p>Amended: 3/7/2022</p>		
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Other Legislation

<p>AB 1938 (Friedman D)</p> <p>Transit and Intercity Rail Recovery Task Force</p>	<p>Existing law establishes the Transportation Agency, which consists of various departments and state entities, including the California Transportation Commission and the Department of Transportation. Under existing law, the agency is under the supervision of an executive officer known as the Secretary of Transportation, who is required to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, and coordinated planning and policy formulation in the matters of public interest related to the agency. Existing law provides for the funding of public transit and intercity rail, including under the Transportation Development Act. This bill would require the secretary, on or before July 1, 2023, to establish and convene the Transit and Intercity Rail Recovery Task Force to include representatives from the department and various local agencies, academic institutions, and nongovernmental organizations. The bill would require the task force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit and intercity rail ridership and improve transit and intercity rail operations for users of those services. The bill would require the secretary to prepare and submit a report of findings based on the task force’s efforts to the appropriate policy and fiscal committees of the Legislature on or before January 1, 2025. The bill would require the report to include a detailed analysis of specified issues and recommendations on specified topics. The provisions of the bill would be repealed on January 1, 2028. This bill contains other existing laws.</p> <p>Amended: 3/7/2022</p>	<p>Assembly Transportation</p>	<p>Watch</p>
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<p>AB 1944 (Lee D)</p> <p>Local government: open and public meetings.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each</p>	<p>Assembly Local Government</p>	<p>Watch</p>
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	<p>teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency’s jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would specify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public when the legislative body has elected to allow members to participate via teleconferencing.</p> <p>Introduced: 2/10/2022</p>		
<p>AB 2061 (Ting D) Transportation electrification: electric vehicle charging infrastructure</p>	<p>Existing law creates the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission (Energy Commission), to provide, among other things, competitive grants and revolving loans to specified entities for those entities to develop and deploy innovative technologies that transform California’s fuel and vehicle types to help attain the state’s climate change policies. Existing law requires the Energy Commission to develop and adopt an investment plan to determine priorities and opportunities for the program. Existing law requires the Energy Commission, in consultation with the State Air Resources Board (state board), as part of the development of the investment plan, to assess whether charging station infrastructure is disproportionately deployed, as specified, and, upon finding disproportionate deployment, to use moneys from the Alternative and Renewable Fuel and Vehicle Technology Fund, as well as other mechanisms, including incentives, to more proportionately deploy new charging station infrastructure, except as specified. Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing boards. Existing law requires the PUC, in consultation with the Energy Commission and the state board, to direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to, among other things, reduce dependence on petroleum and reduce emissions of greenhouse gases to 40% below 1990 levels by 2030 and to 80% below 1990 levels by 2050. The PUC is required to approve, or modify and approve, programs and investments in transportation electrification, including those that deploy charging infrastructure, through a reasonable cost recovery mechanism, if certain requirements are met. Beginning July 1, 2023, this bill would require a person who receives an incentive funded by a state agency or through a charge on ratepayers to install, own, or operate a charging station, in whole or in part, to report charging station uptime, as defined. The bill would require the Energy Commission, in consultation with the PUC, to develop a formula to calculate uptime to provide consistent, standardized reporting of information. This bill contains other existing laws.</p> <p>Introduced: 2/14/2022</p>	<p>Assembly Transportation 3/28/2022 at 2:30 p.m. State Capitol, Room 4202 ASSEMBLY TRANSPORTATION FRIEDMAN, Chair</p>	<p>Watch</p>
<p>AB 2237 (Friedman D)</p>	<p>Existing law requires the Strategic Growth Council, by January 31, 2022, to complete an overview of the California Transportation Plan and all sustainable</p>	<p>Assembly Transportation</p>	<p>Watch</p>

<p>Regional transportation plan: Active Transportation Program</p>	<p>communities strategies and alternative planning strategies, an assessment of how implementation of the California Transportation Plan, sustainable communities strategies, and alternative planning strategies will influence the configuration of the statewide integrated multimodal transportation system, and a review of the potential impacts and opportunities for coordination of specified funding programs. This bill would require the council to convene key state agencies, metropolitan planning agencies, regional transportation agencies, and local governments to assist the council in completing the report. The bill would require that the report be completed by July 1, 2024, and additionally assess, among other things, barriers to the achievement of, and recommend actions at the state, regional, and local levels to achieve, state and regional greenhouse gas emissions reduction targets related to the California Transportation Plan and all sustainable communities strategies and alternative planning strategies, as specified. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/16/2022</p>	<p>3/28/2022 at 2:30 p.m. State Capitol, Room 4202 ASSEMBLY TRANSPORTATION FRIEDMAN, Chair</p>	
<p>AB 2357 (Ting D) Surplus land</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined, and requires, except as provided, a local agency disposing of surplus land to comply with certain notice requirements prior to disposing of the land or participating in negotiations to dispose of the land with a prospective transferee, particularly that the local agency send a notice of availability to specified entities that have notified the Department of Housing and Community Development of their interest in surplus land, as specified. Under existing law, if the local agency receives a notice of interest, the local agency is required to engage in good faith negotiations with the entity desiring to purchase or lease the surplus land. This bill would also require the department to maintain on its internet website a listing of all entities, including housing sponsors, that have notified the department of their interest in surplus land for the purpose of developing low- and moderate-income housing. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/16/2022</p>	<p>Assembly Local Government</p>	<p>Watch</p>
<p>AB 2438 (Friedman D) Transportation projects: alignment with state plans</p>	<p>Existing law requires the Department of Transportation to prepare the California Transportation Plan for submission to the Governor and the Legislature, to complete the 3rd update to the plan by December 31, 2025, and to update the plan every 5 years thereafter, as a long-range planning document that incorporates various elements and is consistent with specified expressions of legislative intent. The plan is required to consider various subject areas for the movement of people and freight, including environmental protection. This bill would require all transportation projects funded at the local or state level to align with the California Transportation Plan and the Climate Action Plan for Transportation Infrastructure adopted by the Transportation Agency. To the extent the bill imposes additional duties on local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/17/2022</p>	<p>Assembly Transportation</p>	<p>Watch</p>
<p>AB 2441 (Kalra D)</p>	<p>Existing law creates various transit districts and prescribes requirements applicable to their labor relations, including those that address the recognition</p>	<p>Assembly Print</p>	<p>Watch</p>

<p>Public employment: local public transit agencies - new technologies</p>	<p>and certification of exclusive employee representatives, unit determinations, and procedures for meeting and conferring on matter subject to collective bargaining. This bill would prescribe requirements for public transit employers in connection with the introduction of new technologies for public transit services that introduce new products, services, or type of operation, as specified, or that eliminate jobs or job functions of the workforce to which they apply. The bill would require a public transit employer to provide notice, as specified, to the applicable exclusive employee representative of its intention to begin any procurement process or a plan to acquire or deploy to new technologies for public transit services, as described above, not less than 12 months before commencing the process, plan, or deployment. The bill would also prescribe subjects in this regard that would be mandatory subjects of collective bargaining, including creating plans to train and prepare the affected workforce to fill new positions created by a new service or product.</p> <p>Introduced: 2/17/2022</p>		
<p><u>AB 2449 (Rubio D)</u></p> <p>Open meetings: local agencies - teleconferences</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would authorize a local agency to use teleconferencing without complying with those specified teleconferencing requirements if at least a quorum of the members of the legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. The bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/17/2022</p>	<p>Assembly Local Government</p>	<p>Watch</p>
<p><u>ACA 1 (Aguiar-Curry D)</u></p> <p>Local government financing: affordable housing and public</p>	<p>(1)The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public</p>	<p>Assembly Local Government</p>	<p>Support</p>

<p>infrastructure: voter approval</p>	<p>infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 12/7/2020</p>		
<p>SB 674 (Durazo D)</p> <p>Public Contracts: workforce development - covered public contracts</p>	<p>Existing law establishes the Labor and Workforce Development Agency, under the supervision of the Secretary of Labor and Workforce Development. Existing law establishes within the Labor and Workforce Development Agency, the Department of Industrial Relations, to foster, promote, and develop the welfare of the wage earners of California and to advance their opportunities for profitable employment, among other duties. This bill would require the Labor and Workforce Development Agency to create 2 programs, to be known as the California Jobs Plan Program and the United States Jobs Plan Program. The bill would require the programs to meet specified objectives, including supporting the creation and retention of quality, nontemporary full-time jobs, as specified, and the hiring of displaced workers and individuals facing barriers to employment. The bill would require, as a component of applications for covered public contracts, as defined, the creation of forms for each program that state the minimum numbers of proposed jobs that are projected to be retained and created if the applicant wins the covered public contract. These components of the application would be known as the California Jobs Plan and the United States Jobs Plan, which the bill would define. Pursuant to these definitions, applicants for covered public contracts would state the minimum number of jobs, proposed wages, benefits, investment in training, specific protections for worker health and safety, and targeted hiring plans for displaced workers and individuals facing barriers to jobs, as specified, in exchange for covered public contracts. The bill would require an applicant for a covered public contract that uses entirely state and local funds to complete a California Jobs Plan form, while applicants for covered public contracts that use any amount of federal funds would complete the United States Jobs Plan. This bill contains other related provisions and other existing laws.</p> <p>Amended: 8/30/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p>SB 1161 (Min D)</p> <p>Transit districts: street harassment initiatives</p>	<p>Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit service. Existing law provides various provisions applicable to all public transit and transit districts. This bill would require certain transit districts to develop and implement initiatives to address the street harassment, as defined, of persons traveling by their systems at any point along the whole journey, as defined, and to consider the safety concerns and needs of these persons when planning, designing, and operating their systems. The bill would require these initiatives to be developed based on specified ridership data and in coordination and consultation with persons who travel by their systems, and would require those transit agencies to</p>	<p>Senate Transportation</p> <p>3/22/2022 at 9 a.m. Senate Chamber SENATE TRANSPORTATION GONZALEZ, LENA, Chair</p>	<p>Watch</p>

	<p>conduct outreach in multiple languages in order to reach limited English proficient persons impacted by street harassment. The bill would require these initiatives to include changes to policies, design, operations, or other aspects of transit systems, as specified. To the extent the bill imposes additional duties on a local agency, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/17/2022</p>		
<p>SB 1410 (Caballero D) California Environmental Quality Act: transportation impacts</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 the lead agency 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 establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill instead would require the criteria for determining the significance of transportation impacts of projects within transit priority areas to only promote the reduction of greenhouse gas emissions. The bill would retain the metric for traffic levels of service for projects outside transit priority areas, and require the potential metrics described above to only apply to projects within transit priority areas. This bill contains other existing laws.</p> <p>Introduced: 2/18/2022</p>	<p>Senate Environmental Quality</p>	<p>Watch</p>

Holland & Knight

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 Transportation Report As of March 17, 2022

Congress Passes \$1.5 Trillion Omnibus Bill, Biden Signs Short-term CR

- On March 15, the President signed into law the fiscal year (FY) 2022 Omnibus Appropriations bill ([H.R. 2471](#)), which funds federal agencies and programs including Department of Transportation (DOT), through September 30.
- The package totals \$1.5 trillion across 12 spending bills. This includes \$730 billion in non-defense discretionary spending, a 6.7 percent increase over last year. Federal agencies have been operating under a short-term continuing resolution (CR) that has provided FY 2021 funding for more than five months.
- The package also includes \$13.6 billion in humanitarian, economic, and security assistance for Ukraine. Of this, \$6.8 billion is for humanitarian assistance under Migration and Refugee Assistance (MRA), U.S. Emergency Refugee and Migration Assistance (ERMA), and International Disaster Assistance (IDA).
- The bill provides \$103 billion for DOT, which is an increase of \$16.2 billion above FY 2021 funding.
- The bill fully funds the Infrastructure Investment and Jobs Act (IIJA). This bill authorized significant boosts for DOT programs, but billions in new funds had to wait for Congress' approval of the FY 2023 appropriations legislation.
- For DOT, the bill includes approximately:
 - \$775 million in additional funds for RAISE.
 - \$25 million for a new technical assistance and capacity building program, Thriving Communities. The bill directs DOT to assist communities in a variety of geographic areas, including urban and rural communities. In addition, the agreement provides the Department of Housing and Urban Development (HUD) up to \$5 million for an interagency collaborative initiative to ensure housing and infrastructure development are taken into consideration in the administration of the this new program.
 - \$625 million for the Consolidated Rail Infrastructure and Safety Improvements (CRISI) grant program.
 - \$1.23 billion for the new Carbon Reduction program, created in IIJA, to curb greenhouse gas emissions from the transportation sector.

- \$665 million for Core Capacity Capital Investment Grant program.
- For the first time in over 10 years, Congress allowed members to request Community Project Funding (formerly known as earmarks) for projects in their congressional districts and states. Rep. Speier secured \$460,000 for Caltrain Mini High Ramps project in the final appropriations bill.

Congress Pivots on Legislative Priorities

- With the midterm elections quickly approaching, House Democrats are seeking avenues for legislative wins in the months ahead. This includes parts of the social spending and tax package formerly known as the Build Back Better Act, finding agreement with the Senate on legislation bolstering U.S. competitiveness with China, and renewing a push for voting rights.

Biden's Labor Order Aims to Raise Wages on Infrastructure Jobs

- On February 4, President Biden signed an [executive order](#) requiring all federally procured construction projects above \$35 million in value to use project labor agreements.
- According to the President, taxpayers will benefit from these labor agreements because they help to bolster wages on federal construction projects, guarantee work for unions, and prevent labor unrest.
- The executive order applies to projects in the IIJA that are direct federal procurement, and not to those led by other entities who have already been awarded federal grants.

Department of Transportation Grants Update

RAISE

- In February, DOT announced a Notice of Funding Opportunity (NOFO) for \$1.5 billion in RAISE grants. DOT will place emphasis on projects that are able to show a local workforce plan round; sustainability, and equity. Deadline for applications is April 14.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Work - Program - Legislative - Planning Committee

Through: Michelle Bouchard
Acting Executive Director

From Pranaya Shrestha
Chief Officer, CalMod

Subject: **Authorize Executive Director Authority to Execute Change Orders Up to Five Percent of Increase of Balfour Beatty Infrastructure, Inc. (BBII) Contract Award**

Finance Committee Recommendation Work Program-Legislative-Planning Committee Recommendation Staff Coordinating Council Reviewed Staff Coordinating Council Recommendation

ACTION

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) authorize the Acting Executive Director to execute change orders up to 5 percent of the Board-approved increase in the total contract amount for the design-build contract with Balfour Beatty Infrastructure, Inc. (BBII) dated July 7, 2016, for the Peninsula Corridor Electrification Project (“PCEP” or “Project”).

SIGNIFICANCE

The JPB’s design-build contract with Balfour Beatty Infrastructure, Inc. (“BBII”) is the cornerstone contract for PCEP. Pursuant to Resolution No. 2016-35, the Board originally awarded the contract in the not-to-exceed amount of \$696,610,558 on July 7, 2016 and authorized the Executive Director to approve change orders in an amount equal to 5 percent of the total Board-authorized BBII Contract award. Since the contract was executed, multiple change orders brought the total contract authority up to \$750,474,553. On December 6, 2021, the JPB and BBII agreed to global settlement of previous disagreements and the JPB issued three new global change orders bringing the total project amount up to \$ 1,097,149,881, with a variance of \$346,675,328. As a result of the approval of earlier change orders, the Executive Director currently has no remaining authority to execute change orders.

Delegation of authority to execute change orders up to 5 percent of the total increase of \$346,675,328 of the BBII Contract, or \$17,333,764, will allow the Executive Director to resolve issues as they arise and to keep the project deadlines on time in order to realize the goal of delivering electrified service in 2024. All change orders will be reported to the Board as part of monthly progress report.

The Change Management Board (CMB) will continue to review and approve contract change orders with a value of more than \$200,000. This review is required by the oversight protocol for the Caltrain Modernization Program that established the CMB on January 5, 2017. *See Resolution 2017-01, Commitment to Implement the Funding Partners' Oversight Protocol for the Caltrain Modernization Program (January 5, 2017).*

BUDGET IMPACT

There is no budget impact associated with increasing the delegation of authority to the Executive Director for Electrification Contract change orders.

BACKGROUND

PCEP is a key component of the Caltrain Modernization (CalMod) Program. The PCEP program will result in the electrification of the Caltrain Corridor from San Francisco's 4th and King Caltrain Station to approximately the Tamien Caltrain Station, convert diesel-hauled to electric trainsets ("Electric Multiple Unit" or "EMU"), and increase service to up to six Caltrain trains per peak hour per direction.

PCEP has experienced delays and cost increases arising from the COVID-19 pandemic, unforeseen site conditions, and commercial disputes with contractors. In order to address these increases and to complete the project, the Board voted on December 6, 2021, to increase the total capital project budget by \$462 million to a total of \$2.44 billion to allow the JPB to perform the remaining work necessary to complete the Project and deliver electrified service in 2024. This budget increase included a significant increase in the contract amount for the design-build contract awarded to Balfour Beatty Infrastructure, Inc. with additional funds for contingency, a risk pool, and incentives for on-time completion. Allowing this increase in contract authority will further the JPB's goal of completing PCEP expeditiously.

Resolution No. 2022 –

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

*** * ***

**Authorizing Executive Director to Execute Change Orders Up to Five Percent of Increase of
Balfour Beatty Infrastructure Inc. Contract Award**

WHEREAS, the JPB’s design-build contract with Balfour Beatty Infrastructure, Inc. (“BBII”) is the cornerstone contract for the Peninsula Corridor Electrification Project (“PCEP”). Pursuant to Resolution No. 2016-35, the Board of Directors (“Board”) originally awarded the contract in the not-to-exceed amount of \$696,610,558 on July 7, 2016, and authorized the Executive Director to approve change orders in an amount equal to 5 percent of the total Board-authorized BBII Contract award; and

WHEREAS, since the contract was executed, multiple change orders brought the total contract authority up to \$750,474,553, and on December 6, 2021, the JPB and BBII agreed to a global settlement of commercial issues and the JPB issued three new global change orders bringing the total project amount up to \$ 1,097,149,881, with a variance of \$346,675,328 from the previously approved total contract authority; and

WHEREAS, as a result of the approval of earlier change orders, the Executive Director currently has no remaining authority to execute change orders. Delegation of authority to execute change orders up to 5 percent of the total increase of \$346,675,328 of the BBII Contract, or \$17,333,764, will allow the Executive Director to resolve issues as they arise and to keep the project deadlines on time in order to realize the goal of delivering electrified service in 2024; and

WHEREAS, the Change Management Board (CMB) will continue to review and approve contract change orders with a value of more than \$200,000 and all change orders will be reported to the Board of Directors of the Peninsula Corridor Joint Powers Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors that the Acting Executive Director or designee is authorized to execute change orders up to 5 percent of the total increase of \$346,675,328 of the BBII Contract, or \$17,333,764, subject to approval by the CMB of change orders with a value of \$200,000 or more; and

BE IT FURTHER RESOLVED THAT the Board of Directors directs the Acting Executive Director to provide the Board with a quarterly update on contract change orders issued under this authority.

Regularly passed and adopted this 7th day of April, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Work-Program-Legislative-Planning Committee

Through: Michelle Bouchard
Acting Executive Director

From: April Chan
Acting Deputy General Manager

Subject: **Accept 2021 Caltrain Sustainability Report**

Finance Committee
Recommendation

Work Program-
Legislative-Planning

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

ACTION

Staff recommends the Board accept the 2021 Caltrain Sustainability Report.

SIGNIFICANCE

Caltrain publishes a sustainability report biennially to provide transparency to the public regarding Caltrain's environmental performance and benefit. This staff report summarizes Caltrain's sustainability report for the calendar years 2019 and 2020.

BUDGET IMPACT

Not at this time.

BACKGROUND

Improving the environment is both a core benefit Caltrain provides to the community, and also a driving organizational value. Caltrain has been monitoring its environmental performance in its Sustainability Program for the past eight years, and was awarded "Silver" by APTA's Sustainability Committee in 2018.

Caltrain reports on its sustainability key performance indicators (KPIs) every two years. The 2021 Caltrain Sustainability Report can found at the following URL:

<https://www.caltrain.com/about/Sustainability.html>, and includes data for calendar years 2019 and 2020. Because Caltrain evaluates its environmental efficiency and impact per rider, the negative impact of the COVID-19 pandemic on Caltrain's ridership did reduce Caltrain's environmental performance over the last two years. Despite these challenging circumstances, the 2021 Sustainability Report shows steady progress across many indicators, below:

KPI	2018	2019	2020	% Change 2020 over 2018
GHG Emissions (MTCO ₂ e- Metric Tons Carbon Dioxide Equivalent)	45,311	43,253	40,411	- 11%
Criteria Air Pollutants (tons)	838	804	755	- 10%
Facility Energy Use (kBTU)	25,577,147	26,561,511	24,039,505	- 6%
Fleet Energy Use (kBTU)	597,873,380	572,972,737	538,286,568	- 10%
Water Consumption (gallons)	14,914,911	14,780,343	14,533,797	- 3%
Generated Waste (tons)	591	512	480	- 19%

Caltrain service prior to COVID-19 was GHG-negative, which means that Caltrain service displaces more greenhouse gases (GHG) than it generates in its operations. While COVID-19 related temporary service reductions also suppressed the reduction in GHG, Caltrain continues to displace more GHG than it generates.

Even with COVID-19 impacts, Caltrain maintained its carbon neutrality, speaking to the role Caltrain plays in reducing regional emissions. It is important to note that once electrified, Caltrain will offer more GHG benefits to the community than it already does today.

Caltrain's facility energy reductions are minimal, as COVID-19 did not shutter facilities to a significant extent. Facility energy use reduction does reflect Caltrain's 2019-2020 system-wide lighting upgrade to LEDs from incandescent lighting, which will save Caltrain approximately \$250,000 in annual electricity costs.

Prepared By: Amelia Timbers Principal Planner, Sustainability 650.508.7713

Caltrain 2021 Sustainability Report Update

MARCH 30, 2022



Agenda

- Caltrain Sustainability Report Content
- Report Findings: Consistent, Steady Progress
- Conservation Gains
- Performance Data
- Next steps

Caltrain Sustainability Report Content

- 2021 report includes data from CY 2019 and CY 2020
- Report Topics
 - Greenhouse Gas (GHG)
 - Criteria Air Pollutants (CAPs)
 - Energy Use
 - Water Consumption
 - Waste and Diversion

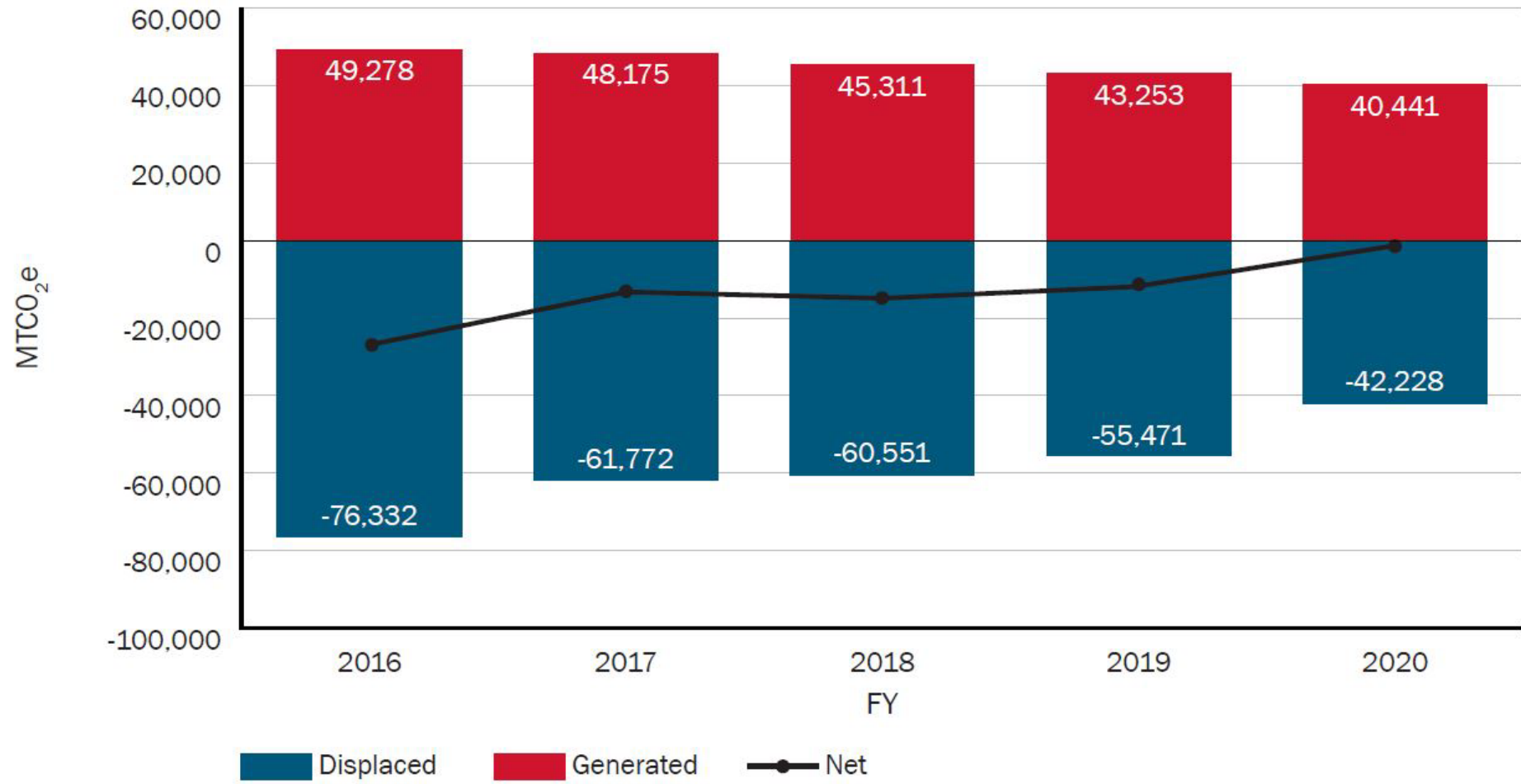
Report Findings

- Consistent Progress Despite Covid-19 Impacts on Per Rider Metrics
 - Caltrain measures environmental and performance efficiency per rider
 - Covid-19 suppressed ridership but modestly reduced resource use

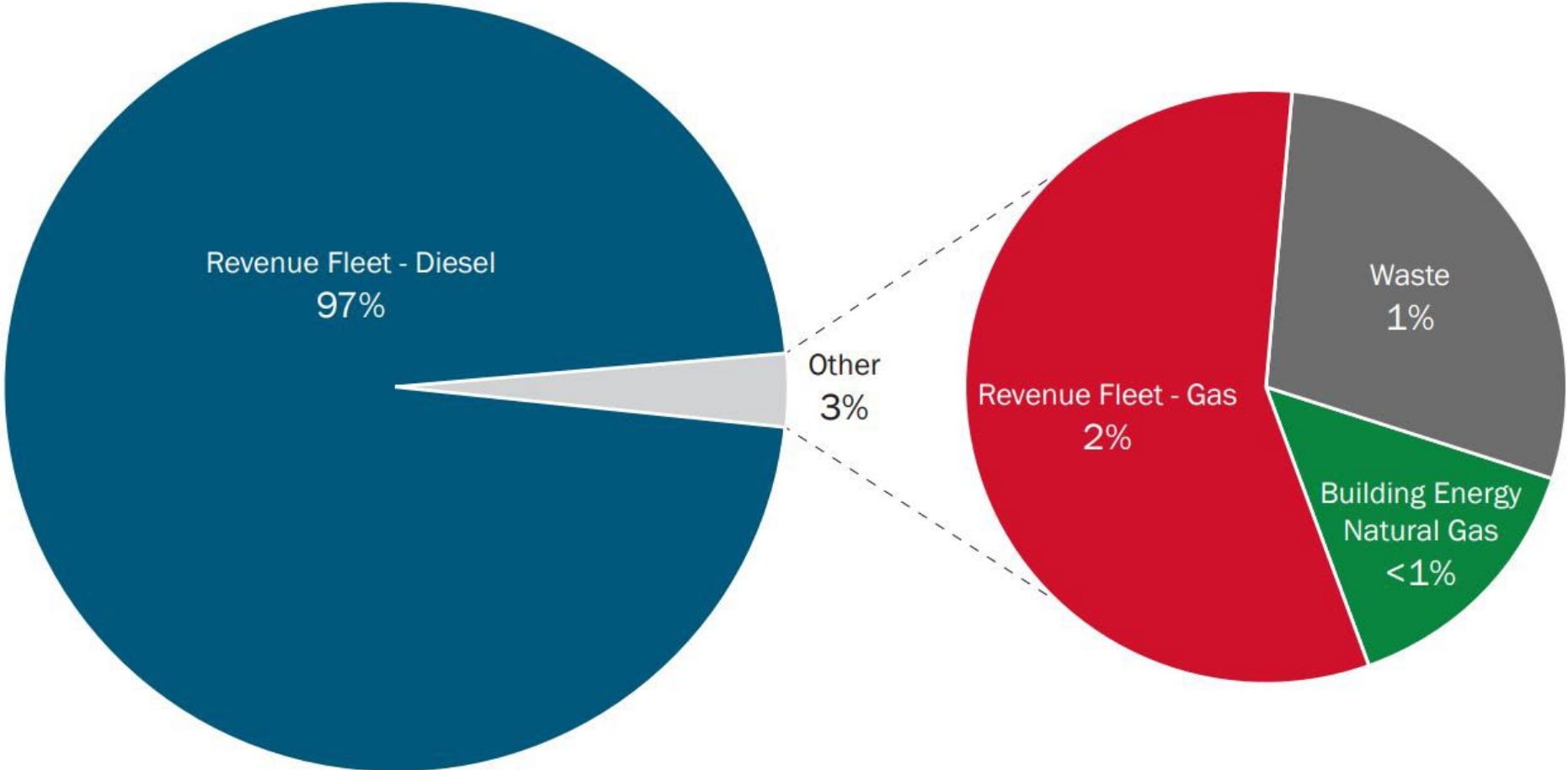
Conservation Gains

KPI	2018	2019	2020	% Change 2020 over 2018
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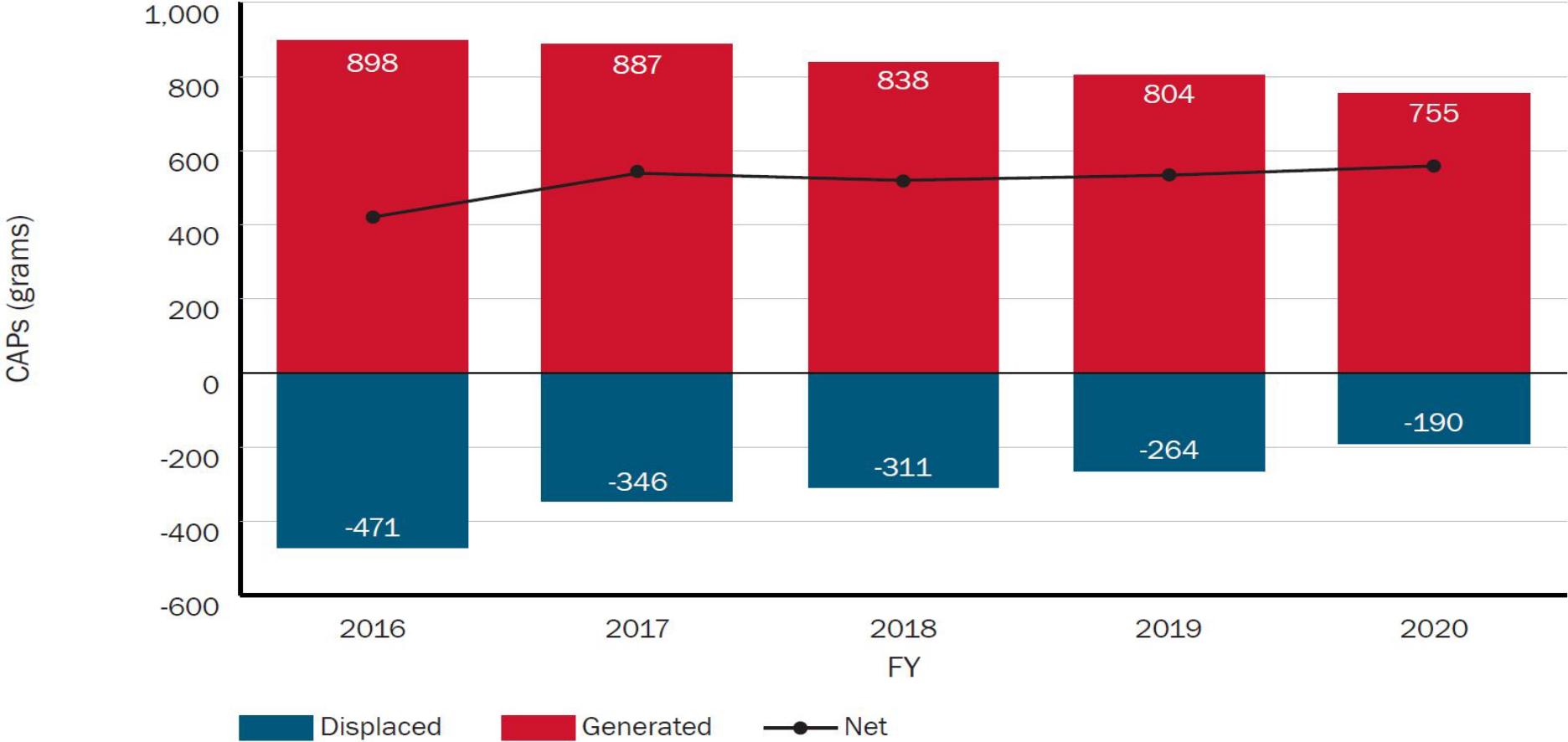
Greenhouse Gas (GHG) Performance



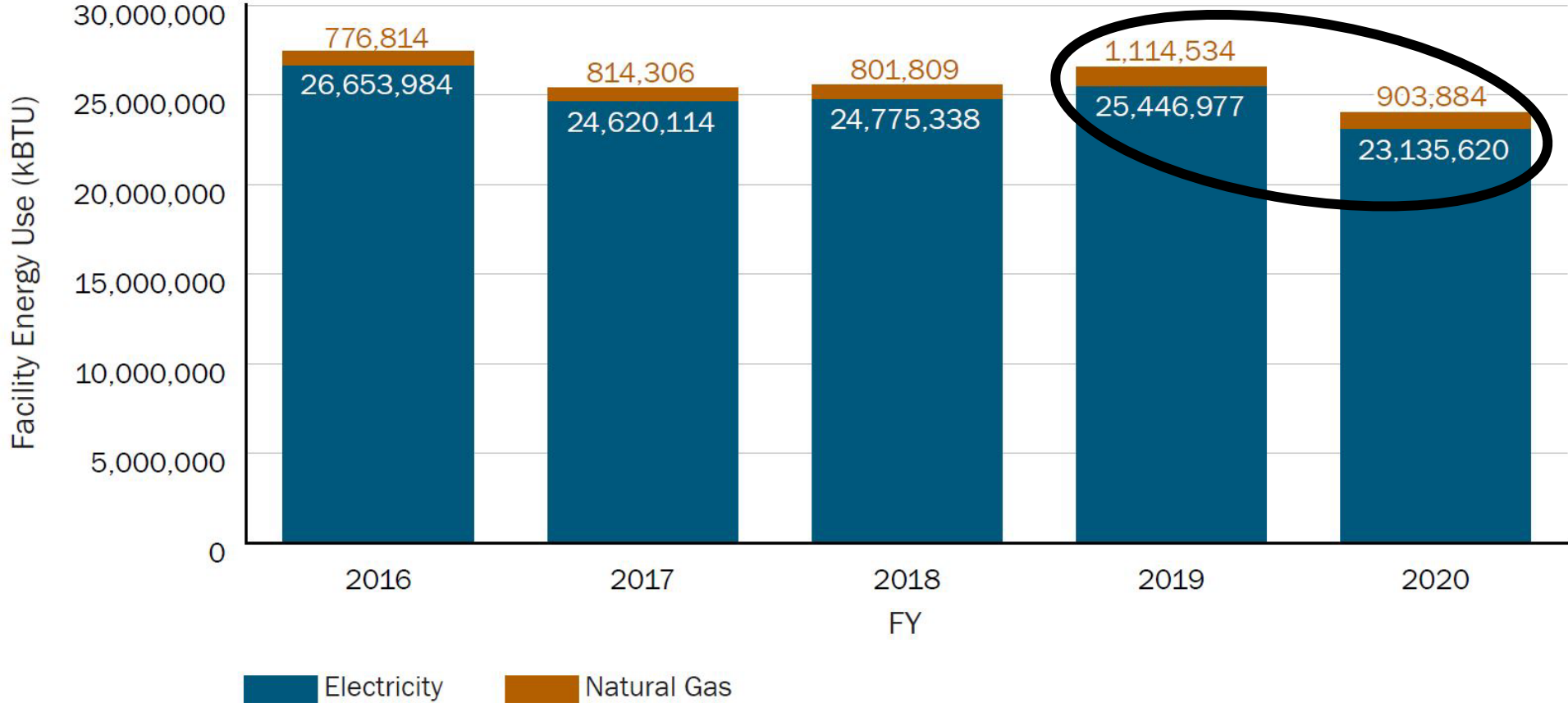
GHG Sources



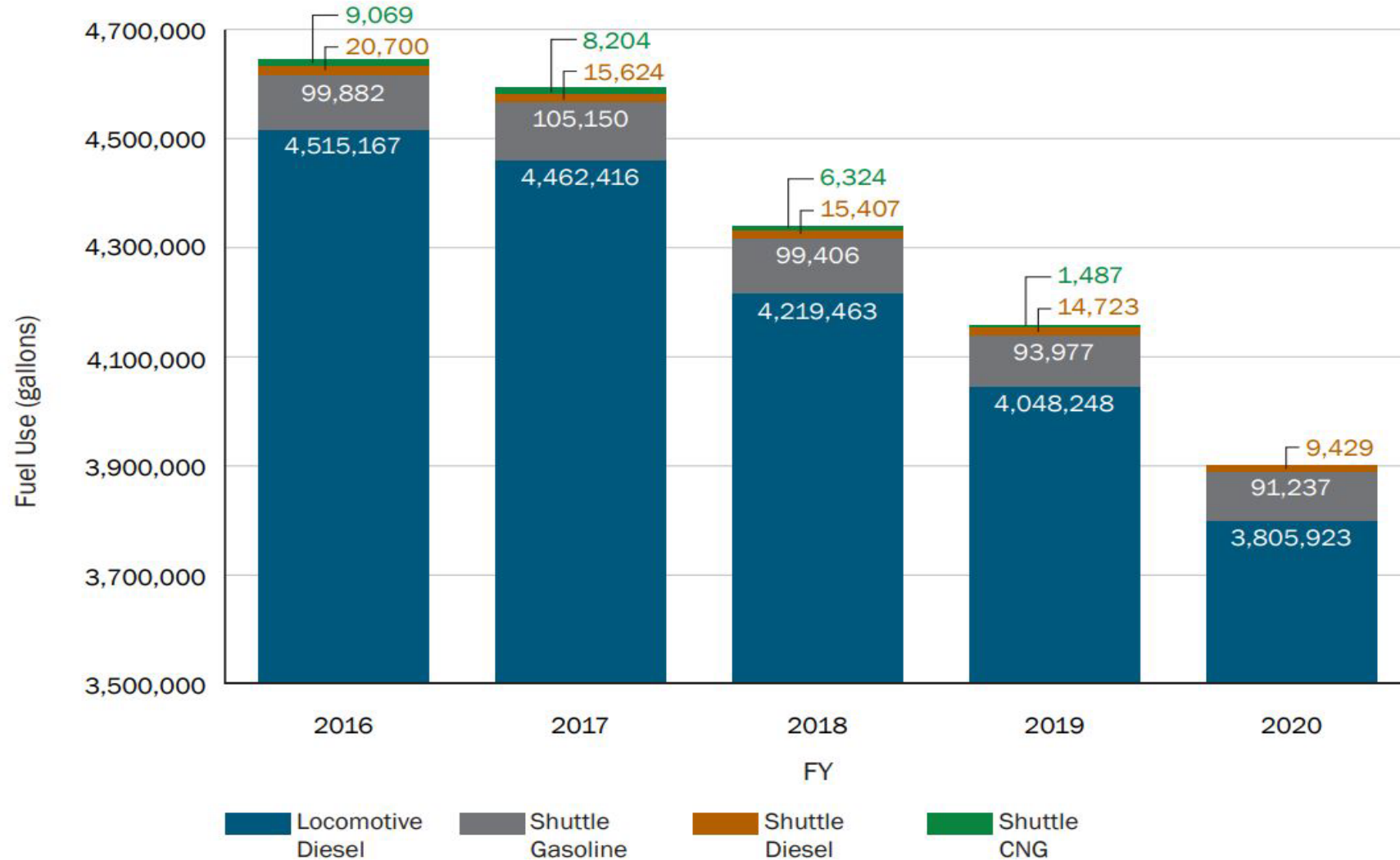
Criteria Air Pollutants (CAPs)



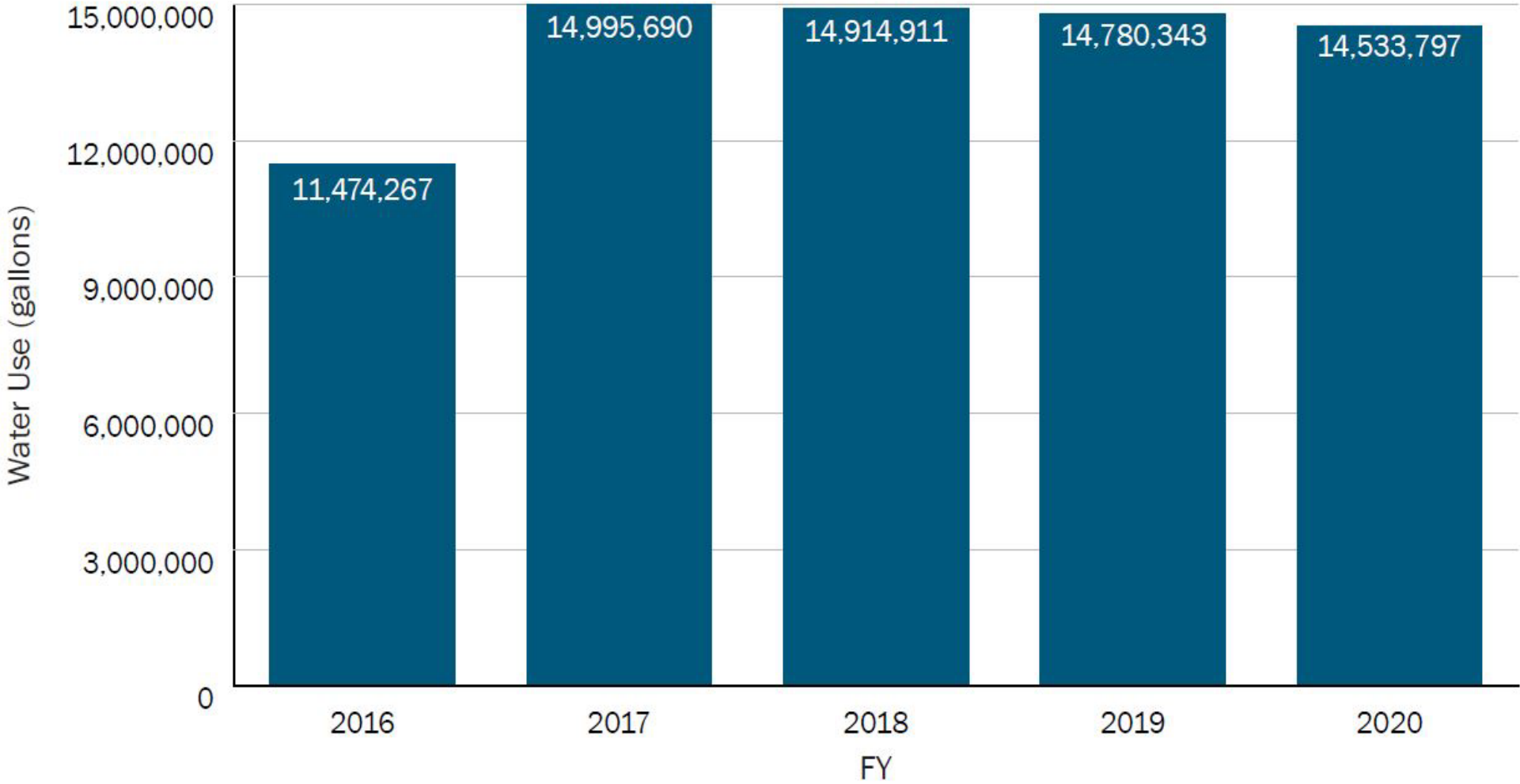
Facility Energy Use



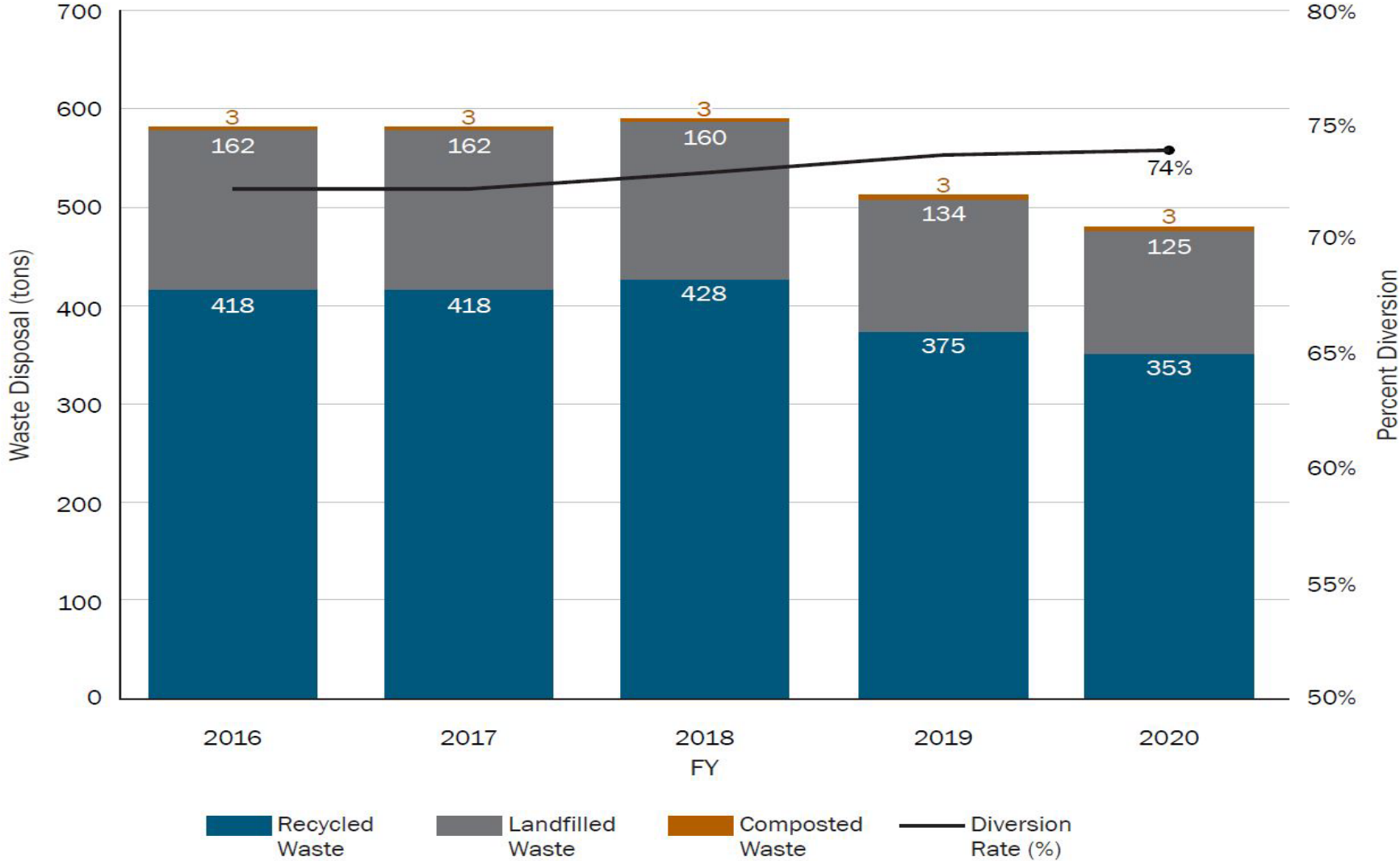
Fleet Energy Use



Water Consumption



Waste & Diversion



Next Steps

- Report posted to website
- Gap Analysis for Environmental Management System (EMS)
 - Compares current practices to ISO 14001 Standard

Thank you!

Amelia Timbers
Principal Planner, Sustainability

timbersa@samtrans.com

(650) 508-7713

FOR MORE INFORMATION

WWW.CALTRAIN.COM



**Peninsula Corridor Joint Powers Board
Staff Report**

To: Work - Program - Legislative - Planning Committee

Through: Michelle Bouchard
Acting Executive Director

From Jeremy Lipps
Manager, Digital Communications

Subject: **Presentation of New Caltrain Website**

- Finance Committee Recommendation Work Program-Legislative-Planning Committee Recommendation Staff Coordinating Council Reviewed Staff Coordinating Council Recommendation

ACTION

Presentation only: Staff will present highlights of the new Caltrain website ahead of launch.

SIGNIFICANCE

The current Caltrain website is over 10 years old, this is considered ancient in digital communication. The new Caltrain.com site represent a long-overdue and significantly improved customer experience for Caltrain riders. The site will launch with a new features, including a live map, trip planner, improved meeting and event calendar and general improvements for the public and staff.

BUDGET IMPACT

There is no budget impact associated with receiving this report.

BACKGROUND

The Caltrain Digital Team has been working with FivePaths for two years to research and build the new Caltrain website.

Prepared by: Jeremy Lipps, Manager, Digital Communications