



BOARD OF DIRECTORS 2021

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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 the [Governor's Executive Orders N-25-20 and N-29-20](#).

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 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 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 two minutes or less. 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.

May 26, 2021 – Wednesday

3:00 pm

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

3. Public Comment on Items not on the Agenda

Comments by each individual speaker shall be limited to three (3) minutes. Items raised that require a response will be deferred for staff reply.

4. Approve Meeting Minutes of April 28, 2021

MOTION

5. Approve Compatibility of Proposed Bicycle and Pedestrian Undercrossing for Caltrain Corridor at Bernardo Avenue in Sunnyvale and Mountain View

MOTION

6. Approve 10-year lease with Prometheus Real Estate Group at the San Carlos Caltrain Station

MOTION

7. State and Federal Legislative Update

INFORMATIONAL

8. Update on Service Restoration

INFORMATIONAL

~~9. Capital Projects/FY21 Q3 Quarterly Progress Report~~

~~INFORMATIONAL~~

~~10.9.~~ Committee Member Requests

~~11.10.~~ Date/Time of Next Regular WPLP Committee Meeting: Wednesday, June 28, 2021 at 3:00 pm via Zoom

~~12.11.~~ 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. 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 and 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 for 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 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 are 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 APRIL 28, 2021

MEMBERS PRESENT: C. Stone (Chair), C. Chavez, S. Heminger

MEMBERS ABSENT: None.

STAFF PRESENT: J. Hartnett, J. Cassman, S. van Hoften, S. Petty, M. Bouchard, D. Hansel, A. Chan, B. Fitzpatrick, B. Tietjen, M. Jones, D. Pape, N. Atchison, D. Seamans, S. Wong

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chair Charles Stone called the subcommittee meeting to order at 3:02 p.m. and led the Pledge of Allegiance.

2. ROLL CALL

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

3. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Roland Lebrun, San Jose, commented on the Hillsdale station wireless technology and lack of member contribution to the budget.

Adrian Brandt, San Mateo County, commented on the new schedule, commuting riders, including a wider demographic of riders, and revamping the zone based fare structure.

4. APPROVE MEETING MINUTES OF MARCH 24, 2021

Motion/Second: Heminger/Chavez

Ayes: Chavez, Heminger, Stone

Noes: None

Absent: None

5. STATE AND FEDERAL LEGISLATIVE UPDATE

Brent Tietjen, Government and Community Affairs Officer, provided updates which included the following: American Jobs Plan (Infrastructure Package), INVEST in America Act (Surface Transportation Reauthorization Bill), and Fiscal Year 2022 Appropriations.

Public comment

Roland Lebrun, San Jose, commented on using \$200 million of the \$5 billion in Americans with Disabilities Act (ADA) implementation funds to reconstruct Hillsdale, Belmont, South San Francisco stations.

6. AUTHORIZE EXECUTION OF EXCLUSIVE NEGOTIATING AGREEMENT WITH SOUTH CITY VENTURES LLC FOR CERTAIN SOUTH SAN FRANCISCO CALTRAIN STATION PROPERTY ON DUBUQUE AVENUE IN SOUTH SAN FRANCISCO, CALIFORNIA

April Chan, Chief Officer of Planning, Grants, and TA Administration, provided a presentation regarding the negotiating agreement at the South San Francisco Caltrain station identified as part of the Rail Corridor Use Plan (RCUP). She spoke about the background, benefits of working together, the example site plan, and transit-oriented development (TOD) policy, the staff recommendation, and next steps.

Public comment

Roland Lebrun, San Jose, commented on spaces reserved for the southbound platform, reserving space for level boarding and high speed tracks; this development increasing Caltrain ridership and spoke in support of issuing a request for proposals (RFP) for separate interim realty services.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding working with the City of South San Francisco, the usage of the space, the long-term impacts, the Rail Corridor Use policy (RCUP), and the long-term service vision for Caltrain.

Motion/Second: Heminger/Chavez

Ayes: Chavez, Heminger, Stone

Noes: None

Absent: None

7. APPROVE 10-YEAR LEASE WITH PROMETHEUS REAL ESTATE GROUP AT THE SAN CARLOS CALTRAIN STATION

April Chan, Chief Officer of Planning, Grants, and TA Administration, stated that this is for a ten-year lease with Prometheus Group for the lease of the San Carlos Station depot building (and primarily related to the depot café property). She spoke about preserving compatibility with the RCUP (Rail Corridor Use policy) concerns, the variance process, and it being compatible with the long-term service vision. Sebastian Petty, Deputy Chief, Planning for Caltrain, noted that they did a capital overlay for future capital projects there and included considerations for future electrification and potential grade crossings or passing tracks, and the staff finding to recommended a ten-year lease here. Ms. Chan reviewed noted that this is a historic building that needs improvement and repairs and staff recommended waiving the first three years' rent.

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

- Shorter lease options
- Potential location with future passing tracks and high speed rail
- Whether this lease extension comes back to the Board
- Rent structure with the sublease with Prometheus, with the annual rent increase
- Improvement investments relative to the length of the lease (getting an appropriate rate of return)
- History of the space in terms of marketability and previous leases

- How urgent this contract is or whether it could wait for key staff to return to answer questions at the next WPLP Committee meeting
- Potentially holding a special closed session for details on property negotiations
- Conditions that could trigger passing tracks being needed
- Whether high speed rail would be coming through San Carlos in the next ten years

The Board directed staff to determine if this item should be considered at a future closed session with the full Board at its June meeting or if it could be deferred for further discussion at next month's WPLP Committee meeting once key staff is available to make a recommendation.

Public comment

Roland Lebrun, San Jose, commented on removing previously existing passing tracks and level boarding at other stations.

Adrian Brandt, San Mateo County, commented on the passing tracks currently relocated to the south of San Carlos station without touching the depot.

8. POST COVID BUSINESS STRATEGY – SCENARIO PLANNING

Sebastian Petty, Deputy Chief of Planning, provided a presentation and spoke about recovery planning, and what four main future scenarios (butterfly, back on track, downward spiral, and shark tank) might mean for Caltrain finances. These scenarios were intended to highlight four plausible and divergent potential futures for the railroad. Mr. Petty noted that this was an illustrative exercise to look at the range of options and not something Caltrain is putting into plan. He noted that restoring and building ridership is critical to Caltrain's ongoing financial sustainability and increasing fixed costs and inflationary pressures will be ongoing challenges.

Public comment

Roland Lebrun, San Jose, commented on previous plans to save after electrification, current lack of member contributions, rearranging the planning budget, hiring based on ridership recovery experience, changing frequency versus changing service, and building high speed rail tracking south of San Carlos.

Adrian Brandt, San Mateo County, commented on member agencies zeroing out on capital and operating contribution, ridership recovery, and attracting a broader demographic with increased frequency.

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

- Measure RR covering only operations in the short-term
- Lack of sources to fund capital and state of good repair items
- Increase of \$100 million in costs between year two to year three
- All scenarios requiring more than the expected funding from Measure RR
- Low carbon credit program as a source of ongoing revenue post-electrification

- Member agency agreement to contribute to the capital budget
- Having further discussion on this with the full Board meeting

9. UPDATE ON FISCAL YEAR 2022 SHUTTLE PROGRAM FUNDING AND SERVICES

The Board requested this item be moved to next month's WPLP Committee meeting.

Public comment

Roland Lebrun, San Jose, commented on keeping the weekend Tamien shuttle to bridge weekend service to Diridon, and shifting cost of Bayshore Shuttle in Brisbane to Samtrans.

10. COMMITTEE MEMBER REQUESTS

Director Heminger requested information on future station plans including high speed rail and encouraged regular consultative process between Caltrain and high speed rail.

11. DATE/TIME OF NEXT REGULAR WPLP COMMITTEE MEETING: WEDNESDAY, MAY 26, 2021 AT 3:00 PM VIA ZOOM

12. ADJOURN

The meeting adjourned at 4:53 p.m.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: JPB Work Program-Legislative - Planning Committee

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Sebastian Petty
Deputy Chief, Caltrain Planning

SUBJECT: **APPROVE COMPATIBILITY OF PROPOSED BICYCLE AND PEDESTRIAN UNDERCROSSING FOR CALTRAIN CORRIDOR AT BERNARDO AVENUE IN SUNNYVALE AND MOUNTAIN VIEW**

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) approve the proposed project for a new bicycle and pedestrian undercrossing of the Caltrain rail corridor at Bernardo Avenue in Sunnyvale and Mountain View as compatible, with conditions, with current and future railroad needs.

SIGNIFICANCE:

The City of Sunnyvale, the City of Mountain View, and Santa Clara Valley Transportation Authority (VTA) are project sponsors for a proposed new bicycle and pedestrian undercrossing of the Caltrain right-of-way (ROW) at Bernardo Avenue, on the border of the two cities. This proposed capital project is in the initial stages of conceptual design, with multiple alternative designs currently in development and under consideration.

The JPB has a long-established property access agreement process for reviewing and approving third parties' proposed uses of its property, including proposed capital projects such as the Bernardo Avenue undercrossing. The first stage of review now includes determining the compatibility of the proposed use with the current and future rail needs, using the Caltrain Rail Corridor Use Policy (RCUP) that was adopted by the Board in February 2020. After compatibility is confirmed, all proposed uses will proceed through the various stages of the design and delivery process to ensure compliance with JPB engineering, operational, and regulatory requirements. This includes conceptual design, preliminary design and environmental clearance, final design, and eventually construction. Construction and maintenance and property access agreements could start to be negotiated as early as 35 percent design and would be approved prior to construction.

JPB staff initiated the property access agreement process for the proposed bicycle and pedestrian undercrossing at Bernardo Avenue based on a request of the project sponsors. Using the RCUP, JPB staff reviewed the proposed project for initial compatibility with current and future rail needs. In accordance with the adopted RCUP, the proposed project was found to be initially "incompatible," as are all significant projects of this type that cross the active operating right of way. As laid out in the RCUP, JPB staff then completed additional review through the RCUP's Use Variance process (described in more detail below, in "Background"). Consistent with the Use Variance process, JPB staff has developed a recommendation for the Board's approval regarding the compatibility of the proposed undercrossing at Bernardo Avenue based on a number of key conditions that ensure the project will be developed and delivered in a manner consistent with the railroad's policies and current and future needs. The Board's approval of the proposed project's compatibility with current and potential future rail needs is required to advance the project through the design, delivery, and property access agreement processes.

At this time, staff recommends that the Board approve the compatibility of the proposed undercrossing at Bernardo Avenue with conditions, which are summarized below and are detailed in the resolution. These conditions are critical to ensuring the success of this proposed project as it moves forward through technical review in the JPB's capital project design and delivery processes.

A summary of recommended conditions to ensure compatibility with current and future rail needs is as follows:

- Minimize impacts to railroad infrastructure, operations, and maintenance;
- Comply with Caltrain construction standards;
- Achieve compatibility with future grade separation at Mary Avenue;
- The JPB will lead the process from 35 percent design through delivery; and
- Agreements will document roles and responsibilities in each phase of project development.

BACKGROUND

In the RCUP, all new pedestrian and bicycle crossings proposed under or over the corridor are considered to be initially "incompatible" with the railroad's current and future needs. This is not because the JPB does not support these types of projects – in fact, the JPB is generally supportive of enhancing community connectivity through new bicycle and pedestrian crossings. Rather, the agency recognizes that proposed pedestrian and bicycle crossings are major capital projects that could significantly impact rail facilities, resources, and operations and require intensive review and engagement by JPB staff. The RCUP has been specifically set up to *require* that new bicycle and pedestrian crossings go through a more detailed screening with the Use Variance process to make certain that these projects will be successful by being compatible with the railroad's current and future needs.

Through the RCUP's Use Variance process, individual consideration is given to each potential new pedestrian and bicycle crossing to ultimately help the project sponsor develop a successful project. The Use Variance process provides an opportunity for the JPB to identify any potential issues or processes that would need to be

addressed to prevent conflicts with future infrastructure or other future railroad needs for the property. Following Use Variance review of the proposed project, staff develops a recommendation to the Board, and the Board then makes a final compatibility determination for new pedestrian and bicycle crossings of the rail corridor.

For the proposed undercrossing at Bernardo Avenue, after the initial RCUP incompatibility finding, staff completed a detailed review of the proposed project through the Use Variance process to identify important factors that will be necessary for this proposed capital project on the Caltrain ROW to be compatible with current and future rail needs in the area. Staff understands the importance of the proposed undercrossing at Bernardo Avenue for enhancing connectivity in the surrounding communities in Sunnyvale and Mountain View. The recommended conditions associated with compatibility approval are necessary to move through the Caltrain design and delivery process in a manner that yields a project that successfully meets the needs of the railroad, as well as project sponsors and future cyclists and pedestrians.

Following Board approval of the Use Variance for the proposed Bernardo undercrossing, the project will be considered "compatible" with the railroad's current and potential future needs. Then, the project will proceed through the JPB's capital project design and delivery process, with the planned project moving through conceptual design to selection of an alternative, preliminary engineering and environmental clearance, final design, and ultimately construction. All project-specific details and processes will be memorialized in a series of agreements between the JPB and project sponsors as this third-party project moves through the various phases of design and delivery. Because this is a third-party project, all project costs must be covered by the project sponsors.

The RCUP is a policy framework to assist the JPB in deciding upon future uses of its own property and does not have a binding legal effect on the agency. This compatibility determination is therefore not considered a "project" under the terms of the California Environmental Quality Act (CEQA). Any actual change in use would be subject to review under CEQA, as appropriate. In the instance of the proposed undercrossing at Bernardo Avenue, environmental clearance, including CEQA compliance, will be included in the capital project design and delivery process.

Prepared by: Melissa Jones, Principal Planner, Caltrain Planning 650.295.6852

RESOLUTION NO. 2021-

**PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA**

*** * ***

**APPROVAL OF THE COMPATIBILITY OF THE PROPOSED BICYCLE AND PEDESTRIAN
UNDERCROSSING OF THE CALTRAIN CORRIDOR AT BERNARDO AVENUE
IN SUNNYVALE AND MOUNTAIN VIEW WITH CURRENT AND FUTURE RAILROAD NEEDS**

WHEREAS, the City of Sunnyvale (Sunnyvale), City of Mountain View (Mountain View), and Santa Clara Valley Transportation Authority (VTA) are sponsoring a proposed use of Peninsula Corridor Joint Powers Board (JPB) property for a new bicycle and pedestrian undercrossing at Bernardo Avenue (proposed project); and

WHEREAS, the proposed project will contribute to enhanced connectivity in the Sunnyvale and Mountain View communities and is supported in the following planning documents: Sunnyvale Vision Zero; Sunnyvale Active Transportation Plan; VTA Bicycle Expenditure Program; VTA Valley Transportation Plan 2040; and Santa Clara County Bicycle Plan; and

WHEREAS, in compliance with the JPB's Property Access Agreement process, the proposed project was reviewed for compatibility with the Caltrain Rail Corridor Use Policy (RCUP); and

WHEREAS, that review process found the proposed project to be initially "incompatible" with the RCUP, thus requiring additional detailed review through the RCUP's Use Variance process; and

WHEREAS, the RCUP's Use Variance review process clarified conditions that would ensure the compatibility of the proposed project with current and future rail needs, including Caltrain's Long-Term Service Vision; and

WHEREAS, in accordance with the findings of these reviews, the JPB finds that the proposed project is compatible with current and future rail needs with the following conditions:

1. The project will be designed and constructed to account for and minimally disrupt all current and future rail infrastructure, assets, and facilities in the area.
 - This infrastructure includes existing signal equipment, consisting of signals, signal houses, and pedestals; overhead catenary system equipment, including foundations, poles, and wires; other utilities in the area, including fiber optics; right-of-way fencing and gates; and vegetation.
 - "Future" refers to all improvements, etc. that are known or planned for in the area by the point when the proposed project reaches 35% design (electrification facilities, etc.).
 - If there is disruption to railroad assets and facilities, the project sponsors will need to cover all related costs and actively work with the JPB to ensure the infrastructure impacts are mitigated in a way that is minimally disruptive to ongoing operations.
2. The proposed project will be designed and constructed so as to minimally interrupt Caltrain operations and freight operations during and after construction.
 - It is anticipated that this project would proceed at a time when the railroad's Peninsula Corridor Electrification Project will be complete and

the railroad will be operating a mix of electric and diesel service. The energized railroad operations will add complexity to the design and delivery of the project.

- Passenger service and freight service delays and speed restrictions will need to be taken into account.
3. The proposed project will be designed to be compatible with the potential future grade separation project at Mary Avenue.
 - If the Mary Avenue grade separation project moves forward in the future, the design of the Bernardo Avenue undercrossing will ensure that there is not a future need to remove and/or rebuild any of the infrastructure associated with the bicycle and pedestrian undercrossing.
 4. The design of the proposed project will comply with all current and future railroad standards, including those for engineering, operations, and maintenance.
 - “Future” standards refers to the forthcoming, updated standards for the soon-to-be electrified railroad.
 5. The proposed project will be designed to not impede the railroad’s ability to maintain its infrastructure and right-of-way in the area during and after construction.
 6. The JPB will be responsible for delivering the project from the 35% design stage through the final design and the construction of the proposed project.
 7. Future agreements will provide clear roles and responsibilities for all parties for all stages of the proposed project.

- This will include agreement(s) related to community outreach and engagement, the constructed project's asset ownership, and the provision of ongoing security, maintenance, repairs, lighting, etc. associated with the constructed project.

NOW, THEREFORE, BE IT RESOLVED that Peninsula Corridor Joint Powers Board hereby approves the compatibility of the proposed project with current and future rail needs with the conditions listed above.

Regularly passed and adopted this 3rd day of June, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

Chair, Peninsula Corridor Joint Powers Board

JPB Secretary



RCUP Use Variance for Proposed Bicycle and Pedestrian Undercrossing at Bernardo Avenue

JPB WPLP Committee
May 26, 2021

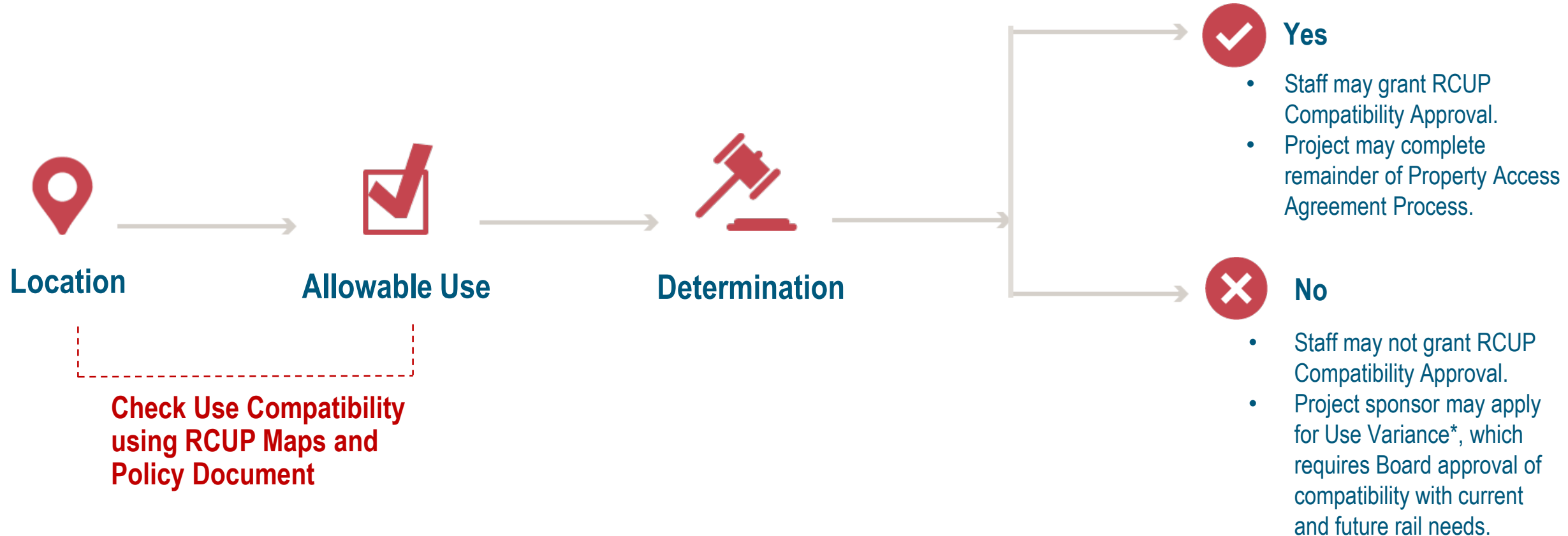
Presentation Overview

- Background and Context
- Caltrain Staff Recommendation for Use Variance
- Recommended Conditions for Approval
- Next Steps

Background – Property Access Agreement Process

- Caltrain frequently receives proposals for non-railroad uses of its property – including both private and public uses.
- The agency has a long-established property access agreement process to consider and approve proposed non-railroad uses of JPB property.
- Review process involves:
 1. **Compatibility review:** Rail Corridor Use Policy (RCUP) is used to provide a systematic framework for determining the compatibility of proposed uses with the railroad’s current and future needs (adopted by the Caltrain Board in February 2020 and aligns with Business Plan’s Long-Range Service Vision).
 2. **Technical review:** Once compatibility is confirmed, technical review commences for operational, engineering, and regulatory compliance.
 3. **Approval:** Final approval and property access agreements are granted after technical review is complete.

RCUP Compatibility Review: Decision-Making Process for a Proposed Non-Railroad Use



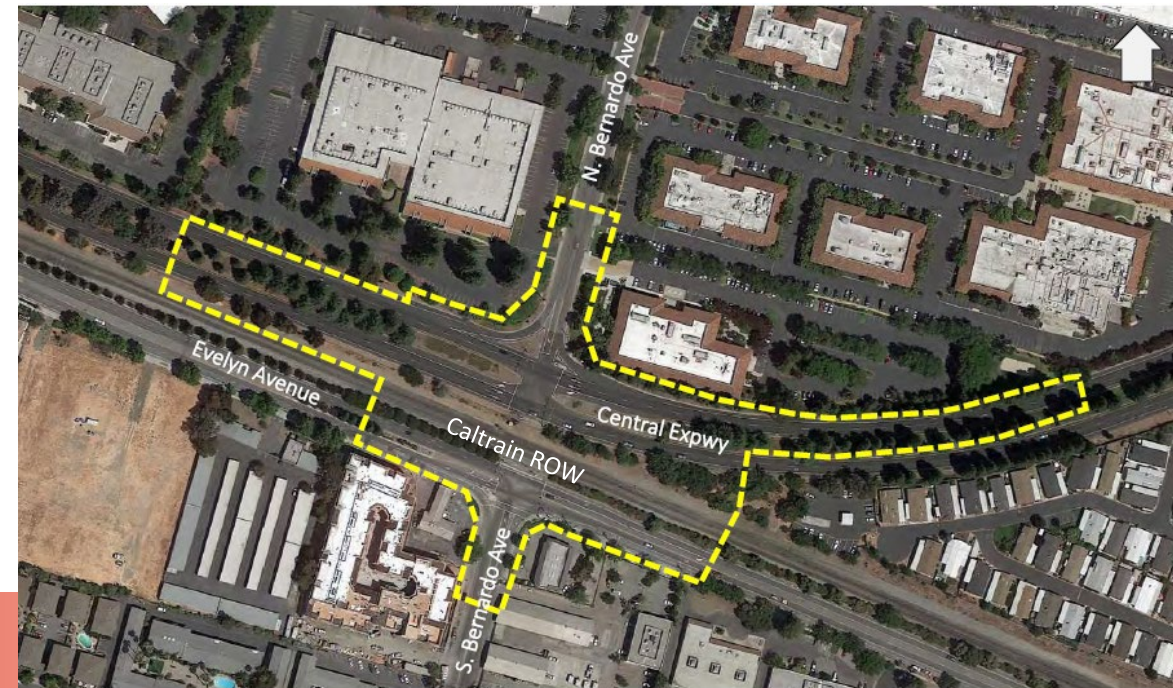
* Note: Initial Compatibility Review is free but Use Variance requires a fee.

Proposed Bicycle/Pedestrian Crossings in RCUP

- Caltrain generally supports community projects that enhance accessibility and connectivity, such as new bike/pedestrian crossings.
- By design, the RCUP considers all proposed new bike/ped crossings to be initially “incompatible” as these are significant capital projects that have the potential to seriously impact JPB facilities
 - This allows each project to go through a more detailed screening for compatibility via the RCUP’s Use Variance process.
- Through Use Variance process, staff gives individual consideration to each potential new bike/ped crossing to identify factors that will help the project sponsor develop a successful project.
- Staff then develops a compatibility recommendation for Board.
- Caltrain Board must make a compatibility determination for each proposed bike/ped crossing through action on the Use Variance.

Proposed Project Overview – Bernardo Avenue Undercrossing for Bicycles and Pedestrians

- Proposed project: a new separated undercrossing for bicycles and pedestrians to close a north-south gap across the Caltrain railroad tracks and County Expressway at the border of Sunnyvale and Mountain View
- Project sponsors: Sunnyvale, Mountain View, VTA
- Project status: conceptual design phase; applied for RCUP compatibility approval
- RCUP:
 - Initial finding: Incompatible
 - Project sponsors applied for RCUP Use Variance
 - Staff have reviewed proposed project and developed recommendation



Staff Recommendation to Caltrain Board

- Staff recommend that the Caltrain Board approve the Use Variance for the proposed bicycle and pedestrian undercrossing at Bernardo Avenue with conditions.

Recommended Conditions Associated with Approval

1. The project will be designed and constructed to account for and minimally disrupt all current and future rail infrastructure, assets, and facilities in the area.
 - This infrastructure includes existing signal equipment, consisting of signals, signal houses, and pedestals; overhead catenary system equipment, including foundations, poles, and wires; other utilities in the area, including fiber optics; right-of-way fencing and gates; and vegetation.
 - “Future” refers to all improvements, etc. that are known or planned for in the area by the point when the proposed project reaches 35% design (electrification facilities, etc.).
 - If there is disruption to railroad assets and facilities, the project sponsors will need to cover all related costs and actively work with the JPB to ensure the infrastructure impacts are mitigated in a way that is minimally disruptive to ongoing operations.

Recommended Conditions Associated with Approval

2. The proposed project will be designed and constructed so as to minimally interrupt Caltrain operations and freight operations during and after construction.
 - It is anticipated that this project would proceed at a time when the railroad's Peninsula Corridor Electrification Project will be complete and the railroad will be operating a mix of electric and diesel service. The energized railroad operations will add complexity to the design and delivery of the project.
 - Passenger service and freight service delays and speed restrictions will need to be taken into account.

Recommended Conditions Associated with Approval

3. The proposed project will be designed to be compatible with the potential future grade separation project at Mary Avenue.
 - If the Mary Avenue grade separation project moves forward in the future, the design of the Bernardo Avenue undercrossing will ensure that there is not a future need to remove and/or rebuild any of the infrastructure associated with the bicycle and pedestrian undercrossing.

Recommended Conditions Associated with Approval

4. The design of the proposed project will comply with all current and future railroad standards, including those for engineering, operations, and maintenance.
 - “Future” standards refers to the forthcoming, updated standards for the soon-to-be electrified railroad.
5. The proposed project will be designed to not impede the railroad’s ability to maintain its infrastructure and right-of-way in the area during and after construction.

Recommended Conditions Associated with Approval

6. The JPB will be responsible for delivering the project from the 35% design stage through the final design and the construction of the proposed project.

7. Future agreements will provide clear roles and responsibilities for all parties for all stages of the proposed project.
 - This will include agreement(s) related to community outreach and engagement, the constructed project's asset ownership, and the provision of ongoing security, maintenance, repairs, lighting, etc. associated with the constructed project.

Next Steps – Caltrain Board Process

- Caltrain staff recommend that the WPLP Committee approve the staff recommendation.
- After WPLP Committee approval, the item will move forward to the Caltrain Board's June 3, 2021 meeting agenda on the consent calendar, for full Board approval.

Next Steps After Use Variance Approval

- After the Board approves the Use Variance for the proposed project, it will be considered to be compatible with the railroad's current and future needs.
- The project may then proceed to the rest of the railroad's capital project design and delivery process, taking into account all required conditions associated with the Use Variance.
 - This will include engineering, operational, and regulatory review.
- For immediate next steps, the project sponsor will establish a service agreement with Caltrain for near-term technical review of alternatives.

Thank you!

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: JPB Work Program-Legislative - Planning Committee

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: April Chan
Chief Officer, Planning, Grants, and Transportation Authority

SUBJECT: **APPROVE 10-YEAR LEASE WITH PROMETHEUS REAL ESTATE GROUP AT THE SAN CARLOS CALTRAIN STATION**

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):

- 1) Find a proposed lease of the San Carlos Caltrain Station depot building, and surrounding area (Depot), to be compatible with current and future rail needs; and
- 2) Authorize the Executive Director to enter into a ten-year lease, with two five-year mutual options, with PREG SC Transit Village, LP, a California limited partnership (Prometheus).

SIGNIFICANCE

In order to maximize revenue derived from its real property assets, JPB Real Estate staff recommends that a 10-year lease be approved to enable Prometheus to amortize its improvements to the Depot building over a lease term that is consistent with market expectations.

In addition to paying rent as described below, under the proposed lease, Prometheus (and sub-tenant BareBottle Brewery) will pay the majority of the cost to conduct certain deferred maintenance on the Depot building, as well as the cost to construct tenant improvements necessary to enable BareBottle to operate a taproom in the Depot.

The Depot's historically significant features are required to be maintained under a preservation covenant with the South Bay Historical Railroad Society. As such, all alterations will be conducted in accordance with the Secretary of the Interior's Guidelines for Historic Buildings and applicable local building codes, and in cooperation with the South Bay Historical Railroad Society, the supervisor of the

property's historic preservation covenant. The South Bay Historical Railroad Society approved the proposed use of the Depot as a taproom in December 2019.

BUDGET IMPACT

The costs of conducting deferred maintenance, including repairs to the building envelope, fire-and life safety systems, utility systems and interiors, are estimated to be in the range of \$194K to \$270K, in 2019 dollars. Under the lease, Prometheus, BareBottle and JPB will share this cost, with JPB's cost paid through its deferral of the first three years of rent under the lease, totaling just over \$150,000.

The JPB will start collecting rent of \$53,419.60 annually in year four of the lease, with rent increasing by three percent (3%) annually, and is expected to collect approximate \$409Kr the term of the lease. The base rent amount and business terms have been developed in consultation with a local commercial broker expert, who recommends they are reflective of market conditions for this type of use.

BACKGROUND

San Carlos Depot was constructed in 1888 and listed in the National Register of Historic Places database in 1984 for its association with transport and community development, as well as for its unique Richardsonian Romanesque design. Since June 1983, the Depot has been leased to various tenants for restaurant purposes. The most recent lease term ended approximately four years ago.

RCUP Compatibility

The Board of Directors (Board) adopted RCUP in February 2020 to guide the use of agency property and support delivery of Caltrain's Long-Term Service Vision. This policy was developed as an important piece of follow-on work to the Caltrain Business Plan to facilitate implementation; it is intended to ensure that nearer-term uses of the agency's limited property holdings will not preclude future achievement of the Long-Range Service Vision.

In reviewing the request to make the Depot available for a commercial lease, the initial RCUP compatibility review found the proposed use to be "incompatible" because it is within RCUP's Service Vision Capital Project Overlay. In the RCUP maps, this Overlay indicates areas of the corridor that may experience change due to potential future capital projects associated with the Long-Range Service Vision. In the Service Vision Capital Project Overlay, only proposed uses that are less than five years in duration are considered "compatible" with the RCUP.

On the other hand, proposed uses that are more than five years in duration are considered initially "incompatible" with the Service Vision Capital Project Overlay. However, uses may overcome duration-based findings of incompatibility through RCUP's Use Variance process. If the Board, through the Use Variance process, finds RCUP compatibility, the proposed use would then be reviewed for its compatibility with Caltrain's regulatory, operational, and engineering requirements.

In this instance, planning staff conducted additional review of a lease with a duration of 10 years. Staff determined that the Depot is located in a portion of the corridor that has been identified for potential future passing tracks that would be needed to grow service beyond the minimum level of service identified in the Long-Range Service Vision (12 trains per peak hour per direction); stated another way, these potential future passing tracks are not needed to achieve the Long-Range Service Vision's minimum level of service, but they would be needed to grow to a higher level of service.

In conducting the review, staff found that a 10-year lease is compatible with the railroad's current and future needs and would not preclude the agency from achieving the Long-Range Service Vision. Therefore, staff recommends that the Board find that a ten-year lease to be "compatible" with current and future rail needs. Additionally, while it is extremely unlikely that the site would be required within the initial 10-year lease term, nothing would preclude the use of condemnation should the railroad require the site before the end of the lease term and a voluntary buy-out could not be negotiated. Staff believes that any financial risk of doing so will be offset by the financial benefits derived from the lease.

Additionally, technical review has been completed for the proposed lease, and it has been found to be compliant with Caltrain's operational, regulatory, and engineering requirements.

Circumstances of Proposed Lease

Under an existing long-term ground lease, Prometheus has developed the San Carlos Transit Village, a Transit Oriented Development (TOD) project on the property surrounding the historic San Carlos Caltrans Depot Building and surrounding plaza area. As part of the TOD development, Prometheus also rebuilt the plaza area. Both the Plaza and Depot building are owed by JPB.

Due to its proximity to the surrounding TOD project, staff recommends that Prometheus should participate in the tenant selection for the Depot building as a master lessee. If the Board approves the proposed lease, Prometheus will enter into a sublease with BareBottle brewing company to operate a taproom in the Depot building. As the area involved in the Lease is less than 5,000 square feet, this lease is exempt from the requirements of the Surplus Land Act.

Prepared by: Brian W. Fitzpatrick, Director,
Real Estate and Property Development

650.508.7781

RESOLUTION NO. 2021-

**PENINSULA CORRIDOR JOINT POWERS BOARD
STATE OF CALIFORNIA**

*** * ***

**AUTHORIZATION OF A TEN-YEAR LEASE OF THE SAN CARLOS CALTRAIN STATION DEPOT
BUILDING TO PREG SC TRANSIT VILLAGE, LP.**

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) desires to authorize the Acting Executive Director to enter into a ten-year lease of the San Carlos Caltrain Station Depot Building and surrounding property (Depot), with two five-year mutual options, with PREG SC Transit Village, LP, a California limited partnership (Prometheus); and

WHEREAS, the proposed lease and use will contribute to the fulfillment of the City of San Carlos General Plan: Envision 2030, which calls for a walkable, thriving and transit-oriented downtown; and

WHEREAS, in compliance with the agency's Property Access Agreement process, this project was reviewed for compatibility with the Caltrain Rail Corridor Use Policy (RCUP), as well as undergoing technical review for operational, regulatory, and engineering compatibility; and

WHEREAS, that review process clarified that terms of the proposed lease would ensure its compatibility with the railroad's current and future needs and not preclude achievement of the Long-Range Service Vision; and

WHEREAS, in accordance with the findings of these reviews, the JPB finds that the proposed lease with Prometheus is compatible with the railroad's current and future needs; and

WHEREAS, in order to maintain the Depot's historically significant features, as required by the Preservation Covenant with the South Bay Historical Railroad Society, the lease will require that any modifications to the building be accomplished in compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

NOW, THEREFORE, BE IT RESOLVED that Peninsula Corridor Joint Powers Board hereby authorizes the Acting Executive Director to enter into a ten-year lease of the San Carlos Caltrain Station Depot Building and surrounding property, with two five-year mutual options, with PREG SC Transit Village LLP.

Regularly passed and adopted this 3rd day of June, 2021 by the following

vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary



Approval of 10-year lease with Prometheus Real Estate Group at the San Carlos Caltrain Station

*JPB WPLP Committee
May 26, 2021*

Items to be Discussed

- Recommended Board Actions
- Background
- High-Level Lease Terms
- RCUP Review and Approval (Sebastian)
- Lease Business Terms
- Alternative Approach
- Questions

Recommended Board Actions

- Staff recommends that the Board:
 - Find a proposed lease of the San Carlos Caltrain Station depot building, and surrounding area to be compatible with the railroad's current and future needs; and
 - Authorize the Executive director to enter into a ten-year lease, with two five-year mutual options with PREG SC Transit Village, LP, a California limited partnership

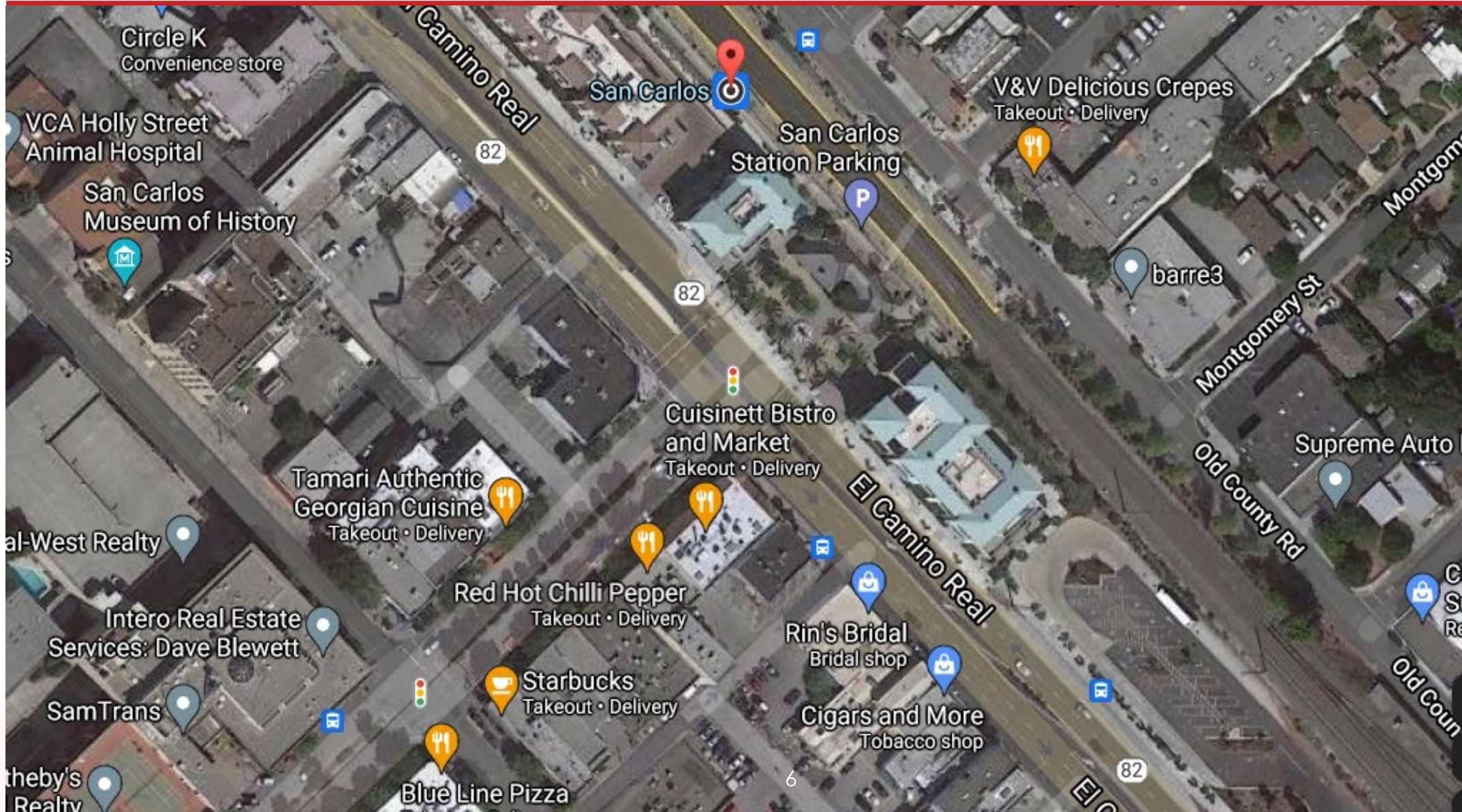
Background: Depot Building

- San Carlos Depot was constructed in 1888
- Listed on the National Register of Historic Places database in 1984
 - The South Bay Historical Railroad Society is the supervisor of the property's historic preservation covenant
- Since June 1983, the Depot has been leased to various tenants for restaurant purposes.
 - The most recent lease term ended approximately four years ago.

Background: Depot Building

- In 2019 staff conducted a study of each of its 7 historic station buildings to assess cost to conduct deferred maintenance at each site
- The assessment stated that the cost to cure deferred maintenance in San Carlos was estimated to be \$194K to \$270K, in 2019 dollars
 - The work includes improvements to the building envelope, fire-life safety, utilities systems, interiors and other professional services
- To date such work has occurred at only the Santa Clara Station
 - A former member of the historical society dedicated funds from his estate to help off set maintenance costs
 - In other cases, funds would need to come from the capital budget or through grants

Map



Background: The Development

- Prometheus has developed the San Carlos Transit Village, a Transit Oriented Development on the property surrounding the Depot and plaza area.
 - Prometheus rebuilt the plaza area.
- Due to its proximity to the surrounding TOD project, staff recommends that Prometheus should participate in the tenant relationship for the Depot building as a master lessee.
 - Prometheus will enter into a sublease with BareBottle brewing company to operate a taproom in the Depot building.
 - The South Bay Historical Railroad Society already approved the proposed use of the Depot as a taproom in December 2019

Picture of Plaza



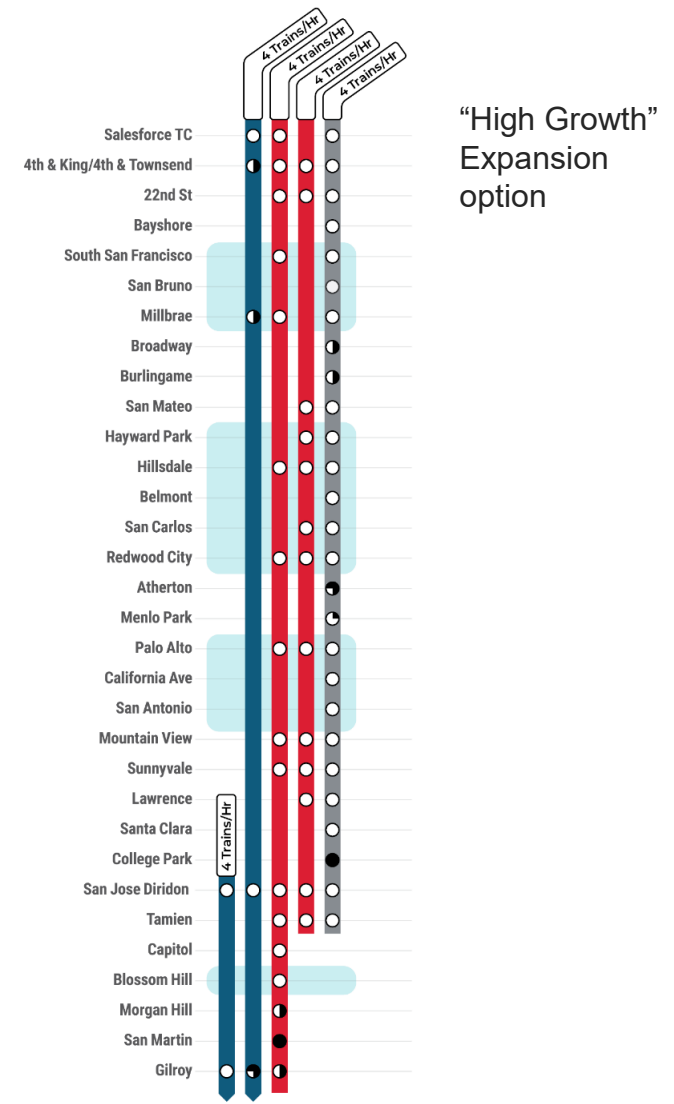
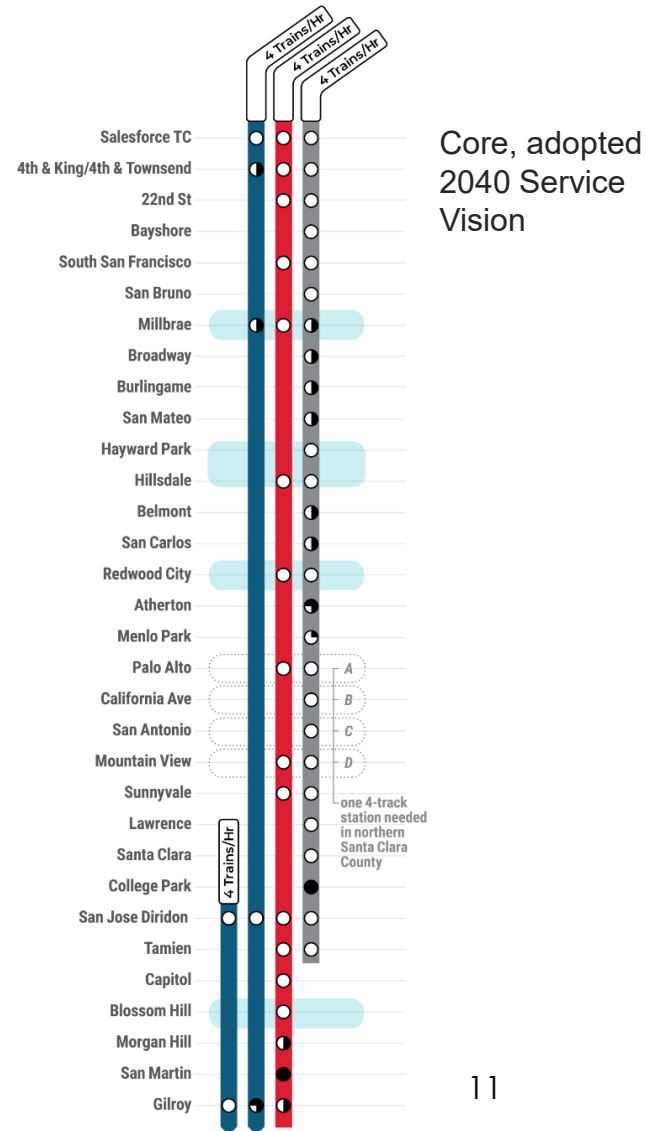
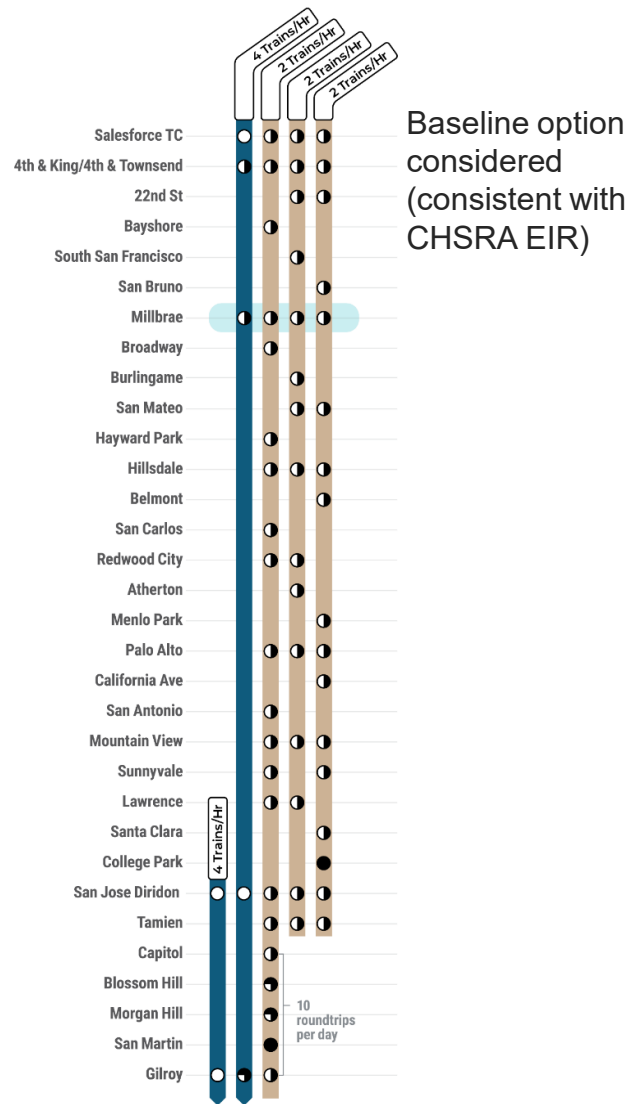
High-Level Lease Terms

- To maximize lease benefits and revenue, Real Estate staff recommends a 10-year lease to enable Prometheus to amortize its improvements to the Depot building.
- If approved, Prometheus will enter into a 10-year lease with JPB, with two mutual options of 5- years each
 - Pre-approved sublease with BareBottle brewing company to operate a taproom
- Under the proposed lease, Prometheus, BareBottle and JPB will split the cost to cure deferred maintenance and Tenant Improvements (TIs)
 - JPB's cost is capped and paid through its deferral of the first three years of rent under the lease, totaling just over \$150,000

RCUP: Project Review and Approval

- The Rail Corridor Use Policy (RCUP) is a Board-adopted policy to guide use of the agency's property and ensure compatibility with current and future rail needs.
 - RCUP's compatibility approval is first step in reviewing any proposed use of agency property – including public and private uses.
- For RCUP review of this proposed use, staff determined:
 - In RCUP maps, the proposed lease is within Service Vision Capital Project Overlay, indicating that the area could experience change from a potential future capital project.
 - The potential future capital project in this area is passing tracks that would only be needed to grow service beyond the minimum level of service identified in Caltrain's Long-Range Service Vision.
 - They are *not* required to accommodate CHSRA service on the corridor
 - They are *not* required to reach the total 12 trains per peak hour per direction (Caltrain's Long-Range Service Vision).
 - There is no feasible scenario that staff is aware of where these passing tracks would reach construction within the next ten years.

Project Review and Approval



Project Review and Approval: Recommendation

- Staff recommends that Board find the 10-year lease to be compatible with the railroad's current and future needs
 - The lease would not preclude the agency from achieving the Long-Range Service Vision or the specified passing tracks from being built if and when they are needed.
- Engineering staff has determined that the proposed lease is compatible with Caltrain's operational, regulatory, and engineering requirements.

Lease: Business Terms

- The Historic Depot is approximately 1,078 square feet and there is an approximately 351 square foot ancillary Baggage Building
 - Includes use of area for outdoor eating area/patio space.
- The initial lease rate is \$3.25/sf, with 3% increase yearly
 - Plus, \$1.625/sf for the Baggage building
- If the option is exercised, rent goes to market starting in year 11
- Payment of rent will commence in Year 4 at \$53,419.60
 - In addition lessee's payment of maintenance costs, total rent collected over the first 10 years is expected to be approximately \$409K

Lease: Alternative Approach

- JPB could conduct deferred maintenance itself
 - Would need to identify funds (up to \$270K in 2019 dollars)
- Advertise the site for lease
- Negotiate new leases terms
 - Would include a “TI Allowance” paid by JPB and time to build TI’s
- Such a process would likely take over three years before rent could be collected

Actions

- Staff recommends that the Board:
 - Find a proposed lease of the San Carlos Caltrain Station depot building and surrounding area to be compatible with the railroad's current and future needs; and
 - Authorize the Executive Director to enter into a ten-year lease, with two five-year mutual options with PREG SC Transit Village, LP, a California limited partnership

Questions?

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: JPB Work Program-Legislative - Planning Committee

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Rona Rios
Chief Communications Officer, Acting

SUBJECT: **STATE AND FEDERAL LEGISLATIVE UPDATE**

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) receives the attached memos. Staff will provide regular updates to the Board in accordance with Legislative Program.

SIGNIFICANCE

The 2021 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: Brent Tietjen, Government and Community
Relations Officer

650-508-6495



May 18, 2021

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 – June 2021**

General Update

April 30 marked the first significant legislative deadline of the 2021 legislative session whereby bills had to pass out of policy committees in the house of origin before being considered by the fiscal committee.

Now, bills face the fiscal committee deadline where all bills must pass out of the respective Appropriations Committee by May 21. In order to meet this deadline, the Senate and Assembly Appropriations Committee will hold a “suspense hearing” this week, where hundreds of bills will be heard at one time, many of which will be held in committee or pass with substantial amendments.

After the fiscal committee deadline, authors will have until June 4 for their bills to pass out of their house of origin. After May 21, the Legislature will be busy with floor sessions to pass remaining bills to meet this hard deadline.

2021-22 State Budget: May Revision

The Governor released his May Revision of the 2021-22 State Budget Friday, which projects a \$76 billion surplus of revenue above projected spending for 2021-22. This is a \$129 billion swing in forecasting from a year ago. It is an unprecedented surplus that is larger than the entire state budgets of all but a few states, and the swing in forecasted revenue from the previous year is almost as large as California’s entire General Fund spending.

The non-partisan Legislative Analyst Office termed the surplus as being “once-in-a-generation magnitude” and it is coupled with \$26 billion in federal America Rescue Plan funding that does not have to be spent in the next fiscal year. With over \$100 billion in new revenues the Governor and Legislature have considerable ability to deliver projects and services to Californians.

At the heart of the budget is the Governor's proposed investment of \$100 billion in new economic stimulus - dubbed the "*California Comeback Plan*" - supported by the state's improved state budget revenues.

The *California Comeback Plan* includes the following new investments in transportation, totaling \$11 billion:

- **Zero-Emission Buses and Trucks** - \$1.4 billion to demonstrate and purchase or lease "green" buses and trucks. (*Funding Source: \$1.3 billion in General Fund, \$87 billion in Air Pollution Control Fund*)
- **Priority Transit and Rail Projects** - \$1 billion for transit and rail projects statewide that improve rail and transit connectivity between state and regional/local services. (*Funding Source: \$1 billion in General Fund*)
- **Zero-Emission Rail and Transit Equipment Purchase and Infrastructure** - \$407 million to demonstrate and purchase or lease state-of-the-art clean bus and rail equipment and infrastructure that eliminate fossil fuel emissions and intercity rail and intercity bus frequencies. (*Funding Source: \$100 million in General Fund, \$280 million Public Transportation Account, and \$27 million in federal funds*)
- **Los Angeles Olympics** - \$1 billion to deliver critical projects in time for the 2028 Olympic Games. (*Funding Source: \$1 billion in General Fund*)
- **High Priority Grade Separations and Grade Crossing Improvements** - \$500 million to support critical safety improvements throughout the state. (*Funding Source: \$500 million in General Fund*)
- **High-Speed Rail** - \$4.2 billion to complete high-speed rail construction in the Central Valley, advance work to launch service between Merced and Bakersfield, advance planning and project design for the entire project, and leverage potential federal funds. (*Funding Source: \$4.2 billion in Proposition 1A*)
- **State Highway Rehabilitation and Local Roads and Bridges** - \$2 billion to support the advancement of priority State Highway Operation and Protection Program (*SHOPP*) projects, *Interregional Transportation Improvement Program (ITIP) projects, and local road and bridge investments. (Funding Source: \$1.1 billion in special funds, \$968 million in federal funds)*
- **Active Transportation** - \$500 million to General Fund to advance projects that increase the proportion of trips accomplished by walking and biking, increase the safety and mobility of non-motorized users, advance efforts to regional agencies to achieve GHG goals. (*Funding Source: \$500 million in General Fund*)

The Governor's May Revise also shows a significant turnaround in revenue support for core transit programs. Initially, the January Budget estimated the State Transit Assistance (STA) program would receive approximately \$667 million in FY 2021-22. Now, the program is projected to see revenues of approximately \$786 million, an increase of about \$119 million. Intercity and Commuter Rail would receive an estimated \$259 million in FY 2021-22 (an increase of approximately \$45 million).

Cap and Trade funding has remained stable. The Low Carbon Transit Operations Program is expected to provide \$106 million, distributed using the STA formula. Lastly, the Transit and Intercity Rail Capital Program is expected to receive approximately \$487 million in FY 2021-22, as transportation improvement fee (TIF) revenues also remain steady.

Beyond these direct investments in public transit, the Governor's budget proposes to help transportation agencies tackle homelessness and litter on public property. The May Revise includes the new *Clean California Initiative* in which Caltrans will partner with local governments (including transit agencies) in a statewide beautification effort. The Governor is proposing \$1.5 billion General Fund over three-years to clean up garbage statewide, beautify the state's transportation network, educate the public about the harms of litter, and create long-lasting litter deterrents. Integral to this effort are close partnerships with local entities, with a focus on increasing resources dedicated to eliminating trash and implementing measures to reduce future litter. The initiative will also provide resources to beautify the

state highways and local roads with regional art and other projects that will serve as community gateways.

Finally, the May Revises proposes \$500 million one-time federal *American Rescue Plan Act* funds for HCD to provide additional planning and implementation grants to regional entities for infill developments, targeted towards the state's climate goals and reducing vehicle miles traveled. This funding would be available to transit agencies for advancing innovative transit projects.

Climate Action Plan for Transportation Infrastructure (CAPTI)

As you are aware, the California State Transportation Agency (CalSTA) released the [Climate Action Plan for Transportation Infrastructure](#) document. The plan outlines recommendations the state can implement to invest transportation funds to better mitigate climate change, as well as support public health, safety and equity. CAPTI builds on Executive Orders [N-19-19](#) and [N-79-20](#), which were signed by Governor Gavin Newsom in 2019 and 2020. CalSTA developed the draft CAPTI document after input from various state agencies and stakeholder groups. The draft document was available for public comment until May 19, 2021 with a final version expected in mid-July. More information can be found [here](#). Caltrain staff participated in the California Transit Association's CAPTI working group to develop formal comments on the document.

Bills of Interest

AB 361 (R. Rivas) Open Meetings: Teleconference. This bill would require a local agency to use teleconferencing without complying with the Brown Act when holding a meeting to declare or ratify a local emergency when state/local health officials have required or recommended social distancing. The bill would require that teleconferenced meetings provide notice of the meeting, post agendas, and means for public comment. Further, the bill prohibits local bodies from requiring public comment in advance of the meeting and require the body to make a series of findings related to the emergency 30 days after each meeting and every 30 days thereafter.

The bill passed out of the Assembly yesterday and will now go to the Senate.

Grants

In late-2020, the California Transportation Commission [awarded grants](#) for three SB 1 programs – the [Solutions for Congested Corridors Program](#) (SCCP), [Local Partnership Program](#) (LPP), and the [Trade Corridor Enhancement Program](#) (TCEP). In total, approximately \$2 billion was awarded for 56 new projects throughout the state to reduce traffic, improve goods movement, increase transit service, expand California's managed lanes network, and invest in bicycle and pedestrian improvements. According to the CTC, the funded projects would create more than 100,000 jobs over the next several years. The CTC will solicit applications for the next round of funding in the fall of 2021. Additionally, we expect the [Transit and Intercity Rail Capital Program](#) (TIRCP) to follow a similar schedule. We will provide more information as it becomes available.

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 – 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 5 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.

Please see the information above regarding the Governor’s proposed \$500 million investment in grade separations.

Caltrain

State Legislative Matrix 5/14/2021

Bill Number (Author)	Summary	Location	Position
Active Bills			
<p>AB 339 (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. Under existing law, a member of the legislative body who attends a meeting where action is taken in violation of this provision, with the intent to deprive the public of information that the member knows the public is entitled to, is guilty of a crime. This bill would, until December 31, 2023, require all open and public meetings of a city council or a county board of supervisors that governs a jurisdiction containing least 250,000 people to include an opportunity for members of the public to attend via a telephonic option or an internet-based service option. The bill would require all open and public meetings to include an in-person public comment opportunity, except in specified circumstances during a declared state or local emergency. The bill would require all meetings to provide the public with an opportunity to comment on proposed legislation in person and remotely via a telephonic or an internet-based service option, as provided. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/4/2021</p>	<p>Assembly Appropriations</p> <p>5/19/2021 9 a.m. - State Capitol, Assembly Chamber ASSEMBLY APPROPRIATIONS, GONZALEZ, LORENA, Chair</p>	<p>Watch</p>
<p>AB 361 (Rivas, Robert D)</p> <p>Open meetings: local agencies: teleconferences.</p>	<p>Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body 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 directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. 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. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and</p>	<p>Assembly Third Reading</p> <p>5/17/2021 #66 ASSEMBLY THIRD READING FILE - ASSEMBLY BILLS</p>	<p>Watch</p>

Bill Number (Author)	Summary	Location	Position
	<p>void.This bill would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting for the purpose of declaring or ratifying a local emergency, during a declared state of emergency or local emergency, as those terms are defined, when state or local health officials have imposed or recommended measures to promote social distancing, and during a declared local emergency provided the legislative body determines, by majority vote, that meeting in person would present imminent risks to the health or safety of attendees. The bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency’s control which prevents members of the public from submitting public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified. The bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. When there is a continuing state of emergency, local emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/10/2021</p>		
<p>AB 629 (Chiu D) San Francisco Bay area: public transportation.</p>	<p>(1)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 relative to providing public transit services. This bill would require the commission on or before February 1, 2022, to submit a copy of a specified transit fare study undertaken by the commission to certain committees of the Legislature. The bill would require the commission to submit a report on or before January 1, 2023, to those entities on the progress of implementing the recommendations of that study.This bill contains other related provisions and other existing laws.</p>	<p>Assembly Appropriations Suspense File 5/20/2021 Upon adjournment of Session - State Capitol, Assembly Chamber ASSEMBLY APPROPRIATIONS, GONZA LEZ, LORENA, Chair</p>	<p>Watch</p>

Bill Number (Author)	Summary	Location	Position
	Amended: 3/22/2021		
AB 1157 (Lee D) Controller: transportation funds: distribution and reporting requirements.	Existing law, for purposes of the State Transit Assistance Program, requires local transportation agencies to report to the Controller by June 15 of each year the public transportation operators within its jurisdiction that are eligible to claim specified local transportation funds. This bill would instead require local transportation agencies to report this information within 7 months after the end of each fiscal year. This bill contains other related provisions and other existing laws. Amended: 3/15/2021	Senate Transportation	Watch
ACA 1 (Aguiar-Curry D) Local government financing: affordable housing and public infrastructure: voter approval.	(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 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. Introduced: 12/7/2020	Assembly Local Government	Supported February 2021
SB 44 (Allen D) California Environmental Quality Act: streamlined judicial review: environmental leadership transit 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 (EIR) 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 establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. This bill would provide that no reimbursement is required by this act for a specified reason. This bill contains other existing laws. Amended: 4/27/2021	Senate Appropriations Suspense File 5/20/2021 Upon adjournment of Session - Senate Chamber SENATE APPROPRIATIONS, PORTANTINO, Chair	Supported February 2021
SB 339 (Wiener D) Vehicles: road usage	Existing law requires the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee in consultation with the Secretary of Transportation. Under existing law, the purpose of the technical advisory committee is to guide the development and evaluation of	Senate Appropriations Suspense File 5/20/2021 Upon adjournment of Session - Senate Chamber SENATE APPROPRIATIONS, PORTANTINO	Supported April 2021

Bill Number (Author)	Summary	Location	Position
charge pilot program.	<p>a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system. Existing law requires the technical advisory committee to study RUC alternatives to the gas tax, gather public comment on issues and concerns related to the pilot program, and make recommendations to the Secretary of Transportation on the design of a pilot program, as specified. Existing law repeals these provisions on January 1, 2023. This bill would extend the operation of these provisions until January 1, 2027. The bill would require the Transportation Agency, in consultation with the California Transportation Commission, to implement a pilot program to identify and evaluate issues related to the collection of revenue for a road charge program, as specified. The bill would require the RUC Technical Advisory Committee to make recommendations to the Transportation Agency on the design of the pilot program, including the group of vehicles to participate. The bill would require that if a group of vehicles other than state-owned vehicles is selected, that participation in the program be voluntary. The bill would require the Transportation Agency to convene a state agency work group, as specified, to implement the pilot program and to design a process for collecting road charge revenue from vehicles. The bill would require that participants in the program be charged a mileage-based fee, as specified, and receive a credit or a refund for fuel taxes or electric vehicle fees, as specified. The bill would require that the pilot program not affect funding levels for a program or purpose supported by state fuel tax and electric vehicle fee revenues. The bill would require the Transportation Agency to submit reports to the Legislature, as specified.</p> <p>Amended: 4/5/2021</p>	NO, Chair	
<p>SB 771 (Becker D)</p> <p>Sales and Use Tax Law: zero emissions vehicle exemption.</p>	<p>Existing state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Sales and Use Tax Law provides various exemptions from those taxes. This bill, on or after January 1, 2022, would provide an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, a qualified motor vehicle, as defined, sold to a qualified buyer, as defined. The bill would provide that this exemption does not apply to specified state sales and use taxes from which the proceeds are deposited into the Local Revenue Fund, the Local Revenue Fund 2011, or the Local Public Safety Fund. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/11/2021</p>	<p>Senate Appropriations</p> <p>5/17/2021 9 a.m. - John L. Burton Hearing Room (4203) SENATE APPROPRIATIONS, PORTANTIN O, Chair</p>	Watch
Inactive Bills			
<p>AB 5 (Fong R)</p> <p>Greenhouse Gas Reduction Fund: High-Speed Rail</p>	<p>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,</p>	Assembly 2 year	Watch

Bill Number (Author)	Summary	Location	Position
Authority: K-12 education: transfer.	<p>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 2023-24 and 2024-25 fiscal years and would require the transfer of those amounts from moneys collected by the state board to the General Fund. The bill would specify that the transferred amounts shall be available, upon appropriation, to augment funding for K-12 education and to support full-time in-person instruction for all students.</p> <p>Amended: 3/17/2021</p>		
<p>AB 476 (Mullin D)</p> <p>Department of Transportation: state highways: transit bus pilot program.</p>	<p>Existing law vests the Department of Transportation with full possession and control of the state highway system and associated real property. Existing law generally requires vehicles to be driven upon the right 1/2 of a roadway, defined to include only that portion of a highway improved, designed, or ordinarily used for vehicular travel. Existing law generally prohibits the driver of a vehicle from overtaking and passing another vehicle by driving off the paved or main-traveled portion of the roadway. Existing law authorizes the Monterey-Salinas Transit District and the Santa Cruz Metropolitan Transit District to conduct a transit bus-only program using the shoulders of certain state highways as transit bus-only traffic corridors, subject to approval by the Department of Transportation and the Department of the California Highway Patrol. Existing law requires that the highway segments to be used for the program are to be jointly determined by the districts, the department, and the Department of the California Highway Patrol, as provided. This bill would authorize the Department of Transportation to establish a pilot program to authorize a transit operator or operators to operate transit buses on the shoulders of state highways, under a project selected under the program. The bill would authorize an operator or operators, in partnership with a regional transportation agency that meets specified requirements, to submit an application to the department to establish and operate a project under the program. The bill would authorize the department to select no more than 8 total projects under the program using guidelines developed with input from the Department of the California Highway Patrol and the public. The bill would require the department, the Department of the California Highway Patrol, and the operator or operators and regional transportation agency that submitted the application to jointly determine the state highways, or segment of state highways, that will be used in a project. The bill would require the applicable regional transportation agency to be responsible for all costs attributable to the project. Two years after commencing a project, the bill would require an operator or operators, in conjunction with the applicable regional transportation agency, to submit a report to the Legislature that includes certain information about the project.</p> <p>Amended: 3/16/2021</p>	Assembly 2 year	Watch
AB 703 (Rubio ,	Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that	Assembly 2 year	Watch

Bill Number (Author)	Summary	Location	Position
<p>Blanca D)</p> <p>Open meetings: local agencies: teleconferences.</p>	<p>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 remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/29/2021</p>		
<p>AB 823 (Gray D)</p> <p>High-Speed Rail Authority: trains powered by fossil fuel combustion engines.</p>	<p>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. Existing law requires the high-speed rail system to be designed to use electric trains. Existing law authorizes the authority, upon receiving legislative or voter approval, to enter into contracts with private or public entities for the design, construction, and operation of high-speed trains. This bill would prohibit the authority from directly or indirectly using local, state, federal, or any other public or private funding to purchase, lease, operate, or maintain a passenger or freight train powered by a diesel engine or other type of fossil fuel combustion engine, and from enabling such a train to operate on authority-owned rail infrastructure designed for speeds in excess of 125 miles per hour, except as specified.</p> <p>Introduced: 2/16/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p>AB</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and</p>	<p>Assembly 2 year</p>	<p>Watch</p>

Bill Number (Author)	Summary	Location	Position
<p>1116 (Friedman D) High-Speed Rail Authority: oversight: Legislative Analyst's Office.</p>	<p>duties related to the development and implementation of a high-speed train system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, statewide general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related rail purposes. This bill would require the Legislative Analyst's Office, for the purpose of reviewing the planning, financing, expenditures, and other elements of the statewide high-speed rail system, to review any materials submitted to the authority and documents the authority requests from contractors, consultants, or external parties, as specified, and to provide recommendations to the policy and budget committees of the Legislature regarding the statewide high-speed rail system and the development of shared mobility systems statewide. The bill would require the authority, and any entity contracting with the authority, to provide to the Legislative Analyst's Office any information that it requests and to permit representatives of the Legislative Analyst's Office to attend the authority's internal meetings. The bill would repeal these requirements on January 1, 2031.</p> <p>Introduced: 2/18/2021</p>		
<p>AB 1235 (Patterson R) High-speed rail: legislative oversight.</p>	<p>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. Existing law requires the authority, on or before March 1, 2017, and every 2 years thereafter, to provide 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. This bill would create the Joint Legislative High-Speed Rail Oversight Committee consisting of 3 Members of the Senate and 3 Members of the Assembly to provide ongoing and independent oversight of the high-speed rail project by performing specified duties, and would require the committee to make recommendations to the appropriate standing policy and budget committees of both houses of the Legislature to guide decisions concerning the state's programs, policies, and investments related to high-speed rail. The bill would require the authority to provide the committee with certain documents and information within prescribed timelines, and would require the authority to permit the chairperson of the committee, or the chairperson's designee, to attend meetings of any internal governance committees related to project oversight, as provided.</p> <p>Introduced: 2/19/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>

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Caltrain As of May 20, 2021 Transportation Report

Bipartisan Negotiations on Infrastructure Plan

- On March 31, President Joe Biden introduced the American Jobs Plan of 2021, requesting \$2 trillion over eight years to modernize the nation's infrastructure and create 19 million jobs. The infrastructure includes both traditional infrastructure such as roads, transit, rail, airports, and water, but also resiliency, broadband access, and housing.
- On April 22, Senate Environment and Public Works (EPW) Committee Ranking Member Shelley Moore Capito (R-WV), with a number of other Republicans, released a \$568 billion infrastructure framework as a counteroffer to the America Jobs Plan. The framework defines infrastructure as: roads and bridges; public transit systems; rail; safety; drinking water and wastewater infrastructure; inland waterways and ports; airports; broadband infrastructure; and water storage. The framework did not identify the specific funding programs, but did mention that the funds would flow through existing formula programs and "proven discretionary grant programs". Summary of the funding levels:

Roads and Bridges	\$299 B	Federal Highway Administration, Office of the Secretary
Public Transit Systems	\$61 B	Federal Transit Administration
Rail	\$20 B	Amtrak, Federal Railroad Administration, Office of the Secretary
Safety	\$13 B	Federal Motor Carrier Safety Administration, National Highway Traffic Safety Administration, Pipeline and Hazardous Materials Safety Administration

- On May 13, Senator Capito, along with the Republican ranking members of the other Senate policy committees that oversee infrastructure, met with the President to discuss infrastructure. The meeting went well, and on May 19, the group met with Secretary of Transportation Pete Buttigieg, Secretary of Commerce Gina Raimondo, and National Economic Adviser Brian Deese to further discuss infrastructure.

- The Senate Republicans have agreed to increase the funding level from their initial proposal and are open to including funding for electric vehicle charging stations.
- The Senate Republican seem optimistic on striking a deal with the President on infrastructure. "Next two weeks will probably be the critical time spot," Capito said. But "right now it is hard for me to see July 4 as an end date," she said.

House/Senate Consideration of the Surface Transportation Authorization Bill

- House Transportation Committee Chairman Peter DeFazio (D-Ore.) has delayed the committee's consideration of the surface transportation bill until early June. Originally, the committee was going to release a draft and markup the bill the week before Memorial Day recess. However, the staff are still vetting the over 2300 member designated project (otherwise known as earmarks).
- The Senate EPW Committee is tentatively planning to markup the Senate reauthorization bill on Mary 26. Even if the date is delayed, Chairman Tom Carper (D-DE) said the committee will pass the bill well before July 4

Decarbonizing Transportation Industry a Focus of House Energy & Commerce Hearing

- On May 5, the Subcommittee on Energy of the Committee on Energy and Commerce held a legislative [hearing](#) entitled, "The CLEAN Future Act: Driving Decarbonization of the Transportation Sector." During this hearing, lawmakers examined decarbonizing the transportation sector and discussed a series of proposed legislation, including:
 - **H.R. 1512**, the "**Climate Leadership and Environmental Action for our Nation's Future Act**" (**CLEAN Future Act**)
 - **H.R. 2852**, the "**NO EXHAUST Act**"
 - **H.R. 1221**, the "**Electric Vehicles for Underserved Communities Act of 2021**"
 - **H.R. 2308**, the "**Advanced Technology Vehicles Manufacturing Future Act of 2021**" or the "**ATVM Future Act**"
- The majority of discussion focused on the growing use of electric vehicles and what the impacts of this transition will be for the United States. Lawmakers expressed consensus on the desire to be energy independent, to not need to rely on China and other foreign competitors for critical materials, to create good American jobs and build domestically, and to lower consumer costs, all while working to achieve net zero greenhouse gas emissions no later than 2050.

- Republicans voiced concern for the Biden administration’s aggressive electrification push through the CLEAN Future Act, and stated that the market and consumer choice should drive the adoption of EVs. They expressed disapproval for the plan to mandate the transition to electric vehicles, stating that the country and the power grid are not yet prepared.
- Democrats supported the CLEAN Future Act as putting the country on the right path to tackle climate change. They stressed the need to ensure EVs, as well as their charging stations, are affordable and accessible for all communities, particularly those that are underserved.

Senate Democrats Propose \$15 Billion to Address Highway Inequities

- On April 19, Senate Democrats, led by EPW Chairman Tom Carper (D-Del.), introduced the “Reconnecting Communities Act” ([S. 1202](#)) that would create grants to finance the removal or retrofitting of highway overpasses and depressed highways that have harmed neighborhoods often occupied by low-income individuals and communities of color.
- The legislation would authorize \$15 billion over five years for the program. Biden’s \$2.25 trillion infrastructure and jobs package released last month proposed \$20 billion for a new plan “to reconnect neighborhoods cut off by historic investments and ensure new projects increase opportunity, advance racial equity and environmental justice, and promote affordable access.”
- Transportation Secretary Pete Buttigieg has repeatedly said he wants to address equity through transportation policy. The senators’ proposal — which only has Democratic cosponsors — poses a test of the administration’s ability to get bipartisan support for that goal.

Build More Housing Near Transit Act Reintroduced

- On April 14, Rep. Scott Peters (D-CA) [reintroduced](#) the Build More Housing Near Transit Act to encourage the construction of low and middle-income housing in transit-served, walkable locations. The bill, which reflects language included in last year’s [H.R. 2](#), the Moving Forward Act, would provide incentives for transit applicants who meet requirements related to building more housing along the future transit corridor.
- It covers projects submitted under the Federal Transit Administration (FTA)’s Capital Investment Grants (CIG) Program.
- According to the National Low Income Housing Coalition, the United States has a shortage of 7 million affordable homes, and 10.4 million Americans spend more than half of their income on housing.
- H.R. 2483, the Build More Housing Near Transit Act of 2021, aims to facilitate the construction of more housing, increase transit ridership, and maximize federal

investments. The bill will also help slow climate change, as research shows that building housing near transit lines has vast potential to reduce greenhouse gas emissions.

Grant Opportunities & Award Announcements

- **2021 Competitive Funding Opportunity: Pilot Program for Transit-Oriented Development (TOD) Planning**: \$10 million available. Applications due by June 21, 2021.
- **FY 2021 National Infrastructure Investments (RAISE Grants - Formerly BUILD Grants)**: \$1 billion available. Applications due by July 12, 2021.

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: JPB Work Program-Legislative - Planning Committee

THROUGH: Michelle Bouchard
Executive Director, Caltrain

FROM: Sebastian Petty
Deputy Chief, Planning, Caltrain

SUBJECT: **UPDATE ON SERVICE RESTORATION**

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

ACTION

Staff Coordinating Council recommends the Board of Directors (Board) receive an informational update on proposed fall schedule change and service restoration.

SIGNIFICANCE

Caltrain is currently operating a reduced, 70-train per weekday service based on the significant reduction in demand resulting from the COVID-19 Pandemic. The current service has been developed to conserve agency resources while continuing to provide a foundational level of regional rail service to communities in San Francisco, San Mateo and Santa Clara counties.

As the COVID-19 Pandemic recedes and the region and state relax and lift public health orders, transit operators are preparing to adjust and restore service. Caltrain is developing plans for a service change and expansion to coincide with BART's recently announced intention to operate an expanded service starting on August 30th. This restoration will allow Caltrain to provide a competitive service offering as employees return to work and in-person education resumes in the region. The planned service change also provides a further opportunity to continue implementation of the Equity, Connectivity Recovery and Growth Framework adopted by the Board in 2020 – with an emphasis on providing improved service at all times of day, a simplified set of service patterns, and coordinated connections at key regional transfer points. Staff is presenting initial analysis and recommendations to the Board and will then work to solicit stakeholder feedback and refine the proposed approach throughout the summer.

BUDGET IMPACT

There is no budget impact associated with receiving this informational update. The restoration of service described has been incorporated into the FY22 operating budget.

BACKGROUND

Starting in March of 2020, the emergence of the COVID-19 Pandemic resulted in a rapid and severe crisis for the railroad, with ridership plummeting by as much as 98%. Caltrain quickly implemented significant service cuts and has been restoring and adjusting service over subsequent months as the pandemic has continued.

At the June 2020 Board Meeting, Peninsula Corridor Joint Powers Board (JPB) staff announced that activity on the Caltrain Business Plan would pause and pivot toward COVID Recovery Planning efforts. At the September 2020 Board Meeting the Board adopted the Equity, Connectivity, Recovery & Growth Framework (the Framework) – a significant policy document that outlines Caltrain's approach to recovering from the COVID-19 Pandemic and growing the system in a manner consistent with the larger Business Plan process. The framework includes specific policies and actions that describe how Caltrain can recover in a way that emphasizes improving equity outcomes on the system and enhancing connectivity to the region's transit network.

The Equity, Connectivity, Recovery & Growth Framework was used to develop a reduced, 70 train per weekday service that was implemented at the end of 2020 and adjusted in March of 2021 to coincide with an update to BART's timetable. This service focused on initial implementation of the Framework by providing a simplified set of train patterns, improved midday and weekend service levels, and coordinated connections at the Millbrae BART station.

Prepared by: Ted Burgwyn, Director,
Rail Network and Operations Planning, Caltrain

650-551-6139

Caltrain Business Plan

COVID RECOVERY
PLANNING

UPDATE ON SERVICE
RESTORATION

June 3 2021



Ongoing Recovery Planning Efforts

Caltrain has pivoted its Business Plan effort to focus on COVID-19 Recovery planning. This work is spread across multiple streams as shown on the right

Caltrain staff will engage regularly with the Board, stakeholders and the public as recovery planning proceeds over the next several months



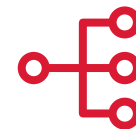
Equity, Connectivity, Recovery, & Growth Framework



Near Term Service Planning



Financial Analysis



Scenario Planning

Ongoing Recovery Planning Efforts

Caltrain has pivoted its Business Plan effort to focus on COVID-19 Recovery planning. This work is spread across multiple streams as shown on the right

Caltrain staff will engage regularly with the Board, stakeholders and the public as recovery planning proceeds over the next several months



Equity, Connectivity, Recovery, & Growth Framework



Near Term Service Planning



Financial Analysis



Scenario Planning

Context & Background

Multiple Phases of Crisis & Response

Initial Triage

March 2020 – May 2020

Surviving the Pandemic

May 2020 – 2021 (?)

Preparing for the Next Reality

2021 and Beyond



Initial crisis and immediate triage response by Caltrain

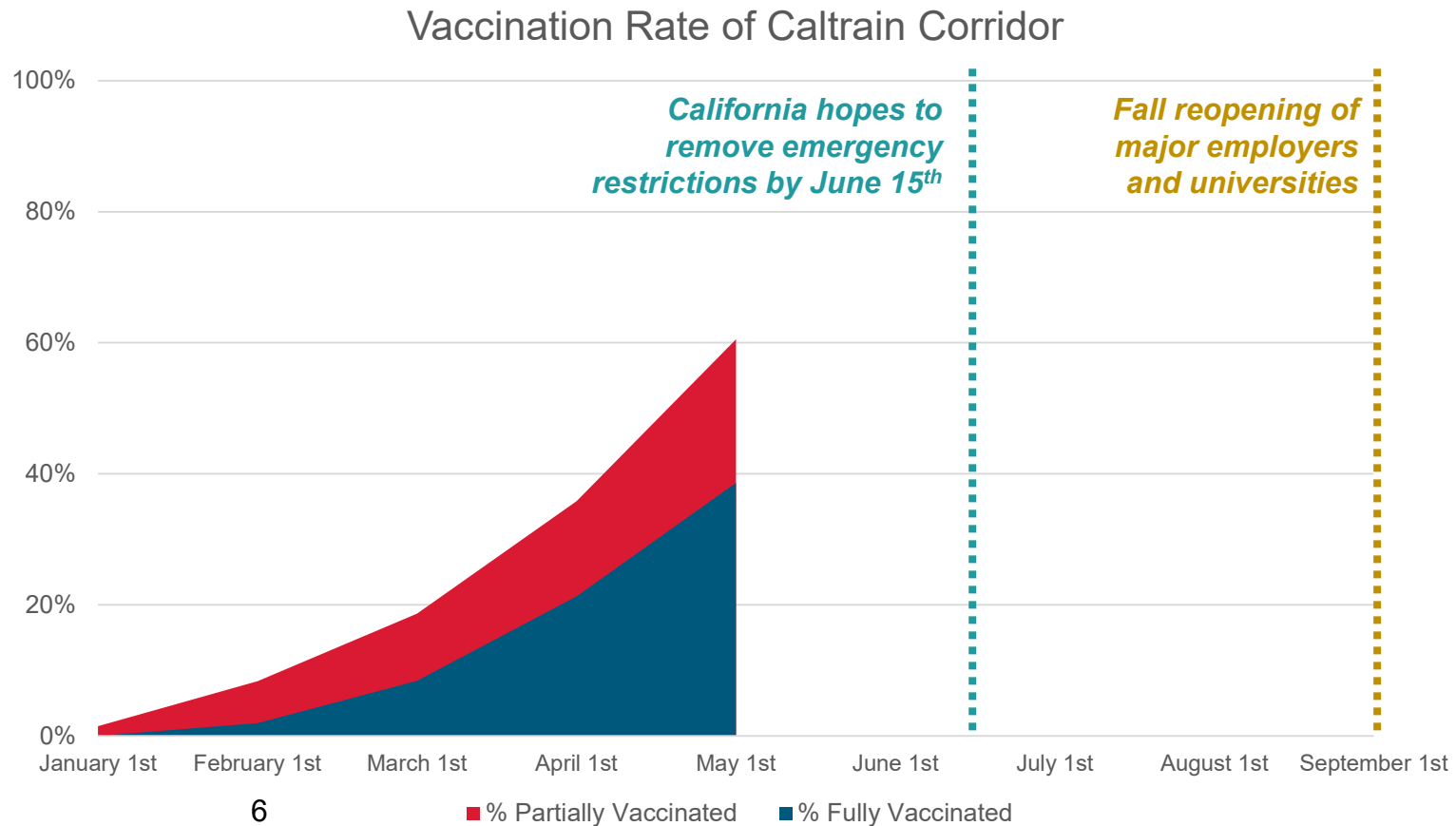
Extended period where Pandemic is ongoing and Caltrain ridership and operations remain deeply impacted and in a state of dynamic flux. Railroad's financial position is precarious

Long-term resolution of pandemic through vaccine or other permanent public health approaches. Caltrain adjusts to new Business Environment

Vaccinations & Reopening

Key Milestones

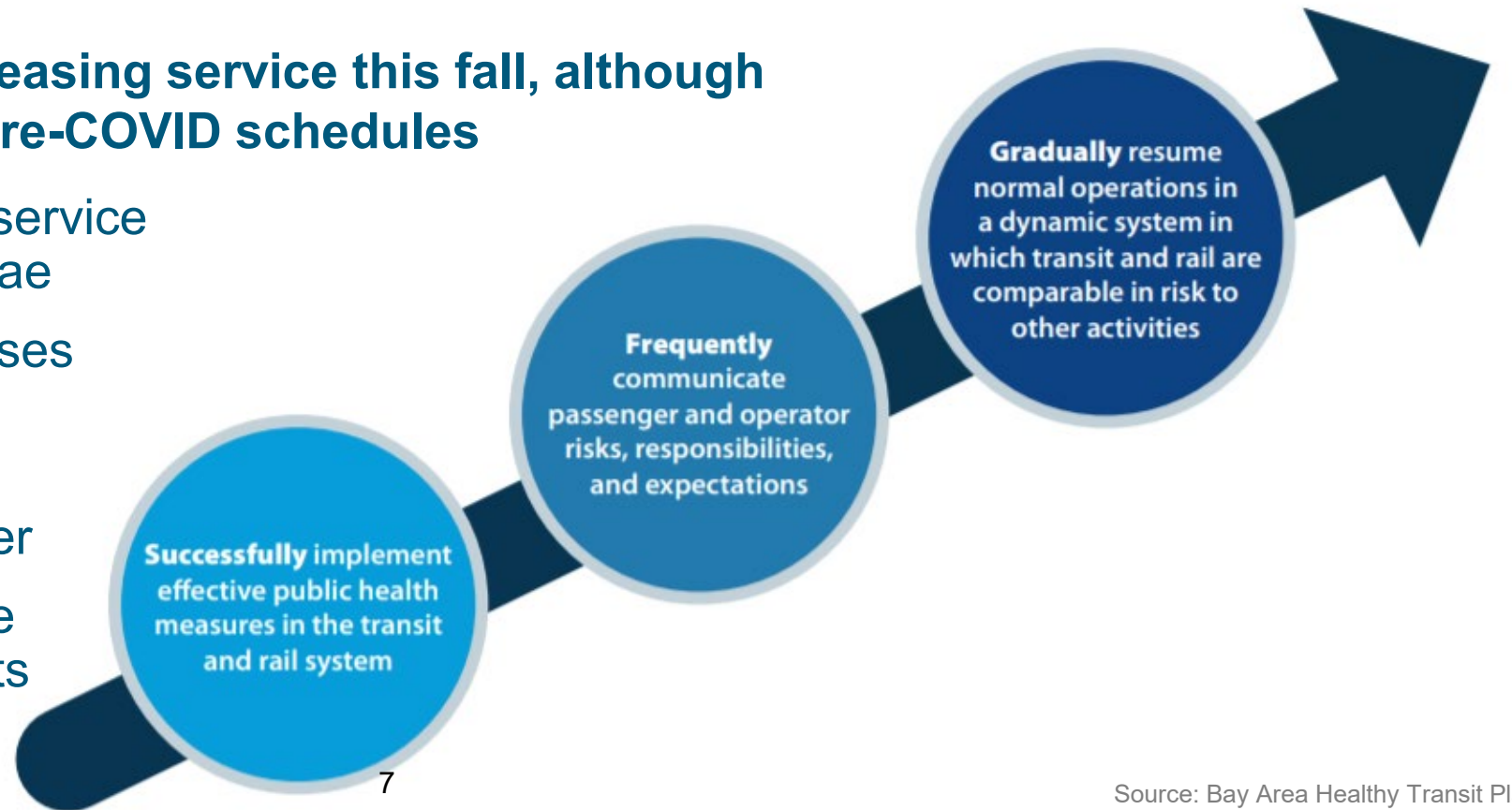
- As of May 1st, 61% of residents of Santa Clara, San Mateo, and San Francisco counties are partially or fully vaccinated
- California hopes to remove all emergency restrictions by June 15
- Several major employers are targeting reopening in September (Google, Apple, etc)
- Major universities expect to be in person in the fall (Stanford, San Jose State, Santa Clara, etc)



Regional Transit Service Scaling Up

Many transit agencies are increasing service this fall, although few are completely restoring pre-COVID schedules

- BART will provide 15-minute service on all lines, including at Millbrae
- WETA phasing service increases between July and October
- ACE and Capitol Corridor are increasing service this summer
- Muni, VTA, and SamTrans are evaluating service adjustments



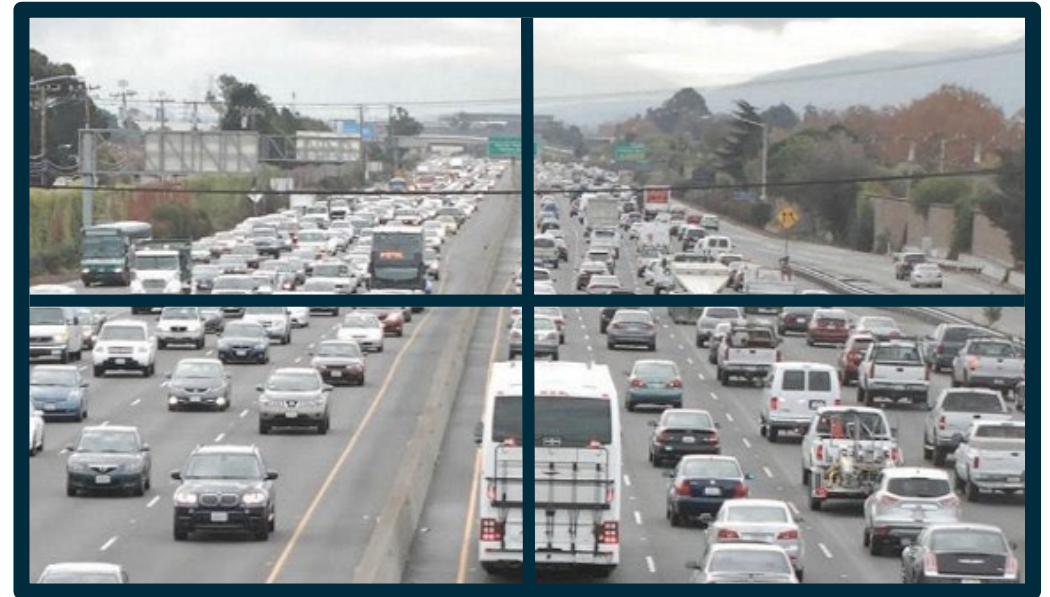
A Window of Opportunity

As workplaces, universities, and events establish a “new normal,” Caltrain has a window of opportunity to shape post-pandemic travel behavior:



Caltrain recaptures ridership and attract new riders by increasing service

OR



Former riders shift to driving because Caltrain service does not meet their needs

Service Planning

Service Restoration Goals

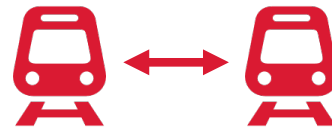
Caltrain seeks to recapture and expand market share while also building upon the principles of the Equity, Connectivity, Recovery, and Growth Policy:



**Competitively
Serve core
ridership markets
and attract new
riders**



**Provide a
standardized
repetitive schedule**



**Coordinate transit
connections**



**Address social and
racial equity needs**

What We've Heard

Service during COVID-19 Pandemic has been reduced and ridership remains very low as many major employers along the corridor continue remote work. Caltrain has listened to feedback on the current reduced service. As we look to change the service in the next few months we want to retain elements of the service that work well while also adjusting and improving.

	AM Peak	Midday	PM Peak	Evening
Current Service Plan	2	2	2	
70 Trains/Weekday	1	1	1	1

- **Customers have benefitted from improved connections with BART at Millbrae**
- **Midday and weekend service increase is popular**
- **Increased train service desired, including express trains**
- **Add more stops to improve connectivity/frequency at all stations (skip-stop service at current service level is inconvenient for travelers going between intermediate stations)**



Fall Service Strategy

Increasing service for the Fall will help Caltrain rebuild core ridership markets and support the region's economic recovery.

Investing in the Region's Economic Recovery:



Provide a Competitive Regional Transit Service

- Recapture riders adjusting to new travel behavior
- Emphasize connectivity to rail and bus services



Continue Equity-Oriented Planning

- Maintain off-peak and weekend service enhancements to diversify trip purposes and ridership markets



Expect the Unexpected

- Duration of pandemic and effects on travel behavior remain unknown
- Ridership and farebox revenue may take time to fully recover

Ongoing Constraints

While Caltrain's primary goal of the fall schedule change is to increase service, the railroad must continue to operate within some significant constraints.

Other factors impacting the train schedule:



Work within Existing Financial Constraints

- Farebox revenue remains low and will take time to recover
- Service levels must be aligned with financial capacity



Deliver Major Construction Projects

- South San Francisco and Electrification projects require track access to complete
- Train schedules must be tailored to accommodate ongoing single-tracking operations.

Fall Service Changes Under Consideration

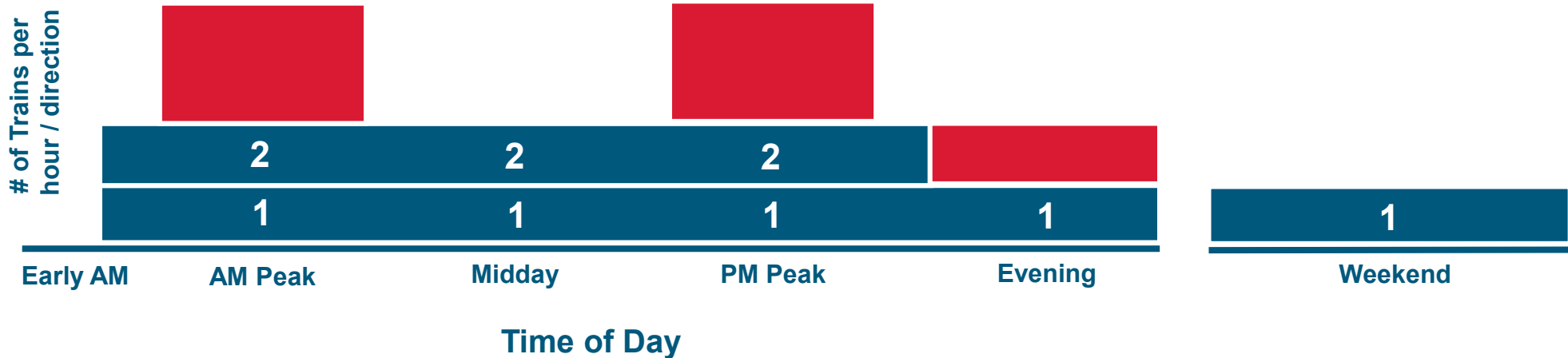
- **Maintain service enhancements identified in the Equity, Connectivity, Recovery, and Growth Policy**
 - Expanded off-peak and weekend service
 - Simplified repetitive service pattern
 - Improved coordination with BART and other transit providers
- **Increase peak period service levels above the current 2 trains per hour**
- **Increase evening service levels above 1 train per hour**
- **Evaluate changes to service patterns including potential restoration of “Baby Bullet” style express service**
- **Restore 3 daily roundtrips to Gilroy**

Fall 2021 Service Expansion

Service planning will consider expanding peak period and evening frequency and adjusting stopping patterns. Overall span of service hours and weekend frequency will not change.

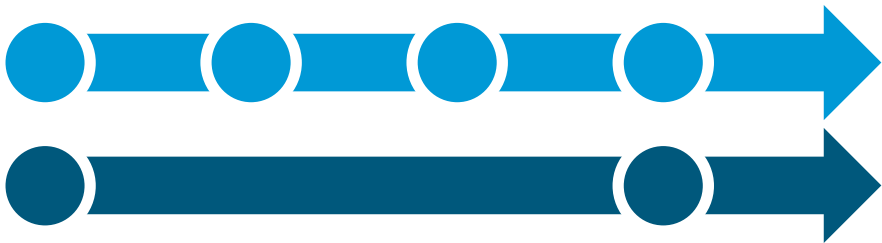
Fall Service Changes

Current Service Levels



Key Tradeoffs

Number of Stops



Types of Service



		Number of Stops	
		More Stops	Less Stops
Types of Service	All Trains the Same	<p>Pros: Frequent service to all stations. Consistent headways with good connectivity.</p> <p>Cons: Trains are slow.</p>	<p>Pros: Reasonable travel times at all stations. Frequent service at consistent headways for major stations only.</p> <p>Cons: Infrequent service with challenging connectivity at most stations. Complicated service.</p>
	Different Types of Trains	<p>Pros: Faster travel times between major stations. Good connectivity between all stations.</p>	<p>Cons: Slow travel times for all other stations. Inconsistent headways at major stations. Somewhat complicated service.</p>

Next Steps

- **Develop service plan to achieve the outlined goals**
- **Coordinate with BART timetable to optimize connections**
- **Prepare to participate in region's "Welcome Back to Transit" marketing campaign**
- **Consider potential to join BART in promotional fare reduction planned for month of September**