



Agenda

Peninsula Corridor Joint Powers Board

May 05, 2022, 9:00 am

Due to COVID-19, this meeting will be conducted as a hybrid teleconference and in-person meeting pursuant to Assembly Bill 361 (Government Code Section 54953). **Members of the public are encouraged to participate remotely but may participate in-person provided that they satisfy the safety protocols listed below.**

Directors, staff, and the public may participate remotely via Zoom at <https://zoom.us/j/91412776292?pwd=cVdKa01PK2FKdm1CSUwwZXR3RmlkUT09> or by entering Webinar ID: **914 1277 6292**, Passcode: **909765** 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>

Directors, staff and the public also may participate in person at: San Mateo County Transit District, Bacciocco Auditorium - Second Floor, 1250 San Carlos Ave., San Carlos, CA, provided they comply with the following safety protocols:

Please Note the Following COVID-19 Protocols for In-person Attendance:

1. Visitors experiencing the following symptoms of COVID-19 may not enter the building:
 - Cough
 - Muscle Pain
 - Shortness of breath
 - Sore Throat
 - Fever
 - Loss of taste or smell
 - Chills
2. Visitors must use the hands-free temperature scanners upon entry. An alert will occur and entrance will be prohibited if a temperature is measured at 100.4 or above.
3. Visitors must show proof of Covid-19 vaccination or a negative COVID-19 test (with results obtained within last 7 days). Masks will be required for visitors who do not show proof of full vaccination (defined as two weeks after the second dose in a two-dose series, such as for the Pfizer-BioNTech and Moderna vaccines, or two weeks after a single dose of the J&J/Janssen vaccine).

Public Comments: Public comments may be submitted to publiccomment@caltrain.com prior to the meeting’s call to order so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board’s weekly

correspondence and posted online at:
<https://www.caltrain.com/about-caltrain/meetings>

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

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

May 05, 2022 - Thursday **9:00 am**
Government Code section 84308 does not apply to any items on the May 5, 2022 agenda.

PART I OF MEETING (CALL TO ORDER): 9:00am

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

PART II OF MEETING (CLOSED SESSION): 9:05 am estimated

3. General Counsel Report – Closed Session:
 - 3.a. Public Employee Performance Evaluation Pursuant to Government Code Section 54957(b)(1) Title: Acting Executive Director
 - 3.b. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9(d)(1): Estate of Moises Chavez Asencion v. Peninsula Corridor Joint Powers Board et. al, Case No. 20-CIV-02998.

PART III OF MEETING (REGULAR SESSION): 9:35 am estimated

4. General Counsel Report – Report Out from Above Closed Session
5. Public Comment for Items Not on the Agenda
Comments by each individual speaker shall be limited to two (2) minutes. Items raised that require a response will be deferred for staff reply.
6. Consent Calendar

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

Members of the Board may request that an item under the Consent Calendar be considered separately.

6.a. Approve Regular Meeting Minutes of April 7, 2022	Motion
6.b. Renew Findings to Hold Meetings via Teleconference for 30 Days Pursuant to AB 361	Resolution
6.c. Caltrain Key Performance Statistics – March 2022	Informational
6.d. Report of the Chief Financial Officer (CFO)	Informational
6.e. Accept Statement of Revenues and Expenses for the Period Ending March 31, 2022	Motion
6.f. Fuel Hedge Update	Informational
6.g. State and Federal Legislative Update and Approval of Legislative Proposal: Support Assembly Bill (AB) 1944 (Lee)	Motion
6.h. Diridon Development Update	Informational
6.i. Metropolitan Transportation Commission (MTC)/Regional Update	Informational
7. Asian Pacific American Heritage Month Resolution	Resolution
8. Fiscal Year 2023 Preliminary Operating and Capital Budgets	Informational
9. Postponement of Approved Fare Increases and 2023 Go Pass Pricing	Motion
10. Adopt Code of Conduct for Public Meetings	Resolution
11. Downtown Rail Extension Project Update	Informational
12. Reports	
12.a. Report of the Citizens Advisory Committee	Informational
12.b. Report of the Chair	Informational
12.c. Report of the Transbay Joint Powers Authority (TJPA)	Informational
12.d. Report of the Executive Director	Informational
13. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report	Informational

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

14. COVID-19 Policy Status Update

Informational

15. Correspondence

16. Board Member Requests

17. Date/Time of Next Regular Meeting: Thursday, June 2, 2022 at 9:00 am

The meeting will be accessible via Zoom teleconference and/or in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA.

18. Please see the future meeting agenda for more information.

19. 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 Finance Committee: Fourth Monday of the month, 2:30 pm; 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 be conducted both in person and via teleconference as per the information provided at the top of the agenda. *Should Zoom not be operational, please check online at http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html for any updates or further instruction.

Public Comment*

Members of the public are encouraged to participate remotely. Public comments may be submitted to publiccomment@caltrain.com prior to the meeting's call to order so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board's weekly correspondence and posted online at http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html.

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

Accessible Public Meetings/Translation

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

Availability of Public Records

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

**Peninsula Corridor Joint Powers Board
Board of Directors Meeting
1250 San Carlos Avenue, San Carlos CA**

Draft Minutes of April 7, 2022

MEMBERS PRESENT: C. Chavez (arrived 9:10 am), D. Davis, J. Gee, S. Heminger (Chair), G. Hendricks, D. Pine, C. Stone (Vice Chair), S. Walton (arrived 9:20 am), M. Zmuda

MEMBERS ABSENT: None

STAFF PRESENT: M. Bouchard, G. Martinez, S. Petty, J. Harrison, A. Myles-Primakoff, K. Yin, P. Shrestha, B. Shaw, C. Fromson, A. Timbers, L. Leung, J. Nogales-DeGuzman, J. Lipps, D. Seamans, S. Wong, K. Scribner

1. Call to Order / Pledge of Allegiance

Chair Steve Heminger called the meeting to order at 9:01 am and led the pledge of allegiance.

2. Roll Call

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

3. Public Comments for Items Not on the Agenda

Andy Chow, Redwood City, commented on the Caltrain collision and the inconvenience of the rescheduled trains clustered together, and having to leave 20 minutes earlier than needed.

Chair Heminger announced that Items 4 and 6 would be considered together.

4. Adopt Findings to Hold Meetings via Teleconference for 30 Days Pursuant to Assembly Bill (AB) 361

James Harrison, Legal Counsel, said Assembly Bill (AB) 361 needed updating every 30 days for the Board and committees to continue to meet remotely.

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

- Whether the public could be present in person or remote
- Attendance requirements for board members
- Rules for voluntary boards/committees
- Remote committee meetings
- Pending AB (Assembly Bill) 1944 legislation to modify Brown Act location requirements

Michelle Bouchard, Acting Executive Director, said they would work with legal and SamTrans regarding public commenters meeting live.

Motion/Second: Zmuda/Davis

Ayes: Chavez, Davis, Gee, Hendricks, Pine, Walton, Zmuda, Stone, Heminger

Noes: None

Absent: None

Public Comment

Jeff Carter, Millbrae, commented on continuing hybrid meetings and not needing Brown Act access to a Board member's home if there is virtual access.

Item 6 was taken out of order along with Item 4.

6. Approve Public Participation in Board and Committee Meetings via Teleconference

James Harrison, Legal Counsel, stated this resolution would authorize members of the public to participate remotely once (hybrid) in person meetings resume.

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

- Support for remote public comment and whether supporting staff would be remote too
- Pausing this for 60 days and taking action after any updates from AB 1944 regarding Board members remote attendance and noticing requirements
- Clarifying attendance unless COVID positive and considering what other agencies are doing

Public Comment

Adina Levin, Friends of Caltrain, commented on AB 1944 and lobbying to support this provision so members can participate remotely without providing personal addresses.

Jeff Carter, Millbrae, commented on continuing with hybrid meetings.

Motion/Second: Gee/Stone **moved to continue this item to the next meeting, directed staff to craft a policy that allows the public to continue participating in person or remotely, and allow hybrid Board, committee and public participation.**

Ayes: Chavez, Davis, Gee, Hendricks, Pine, Walton, Zmuda, Stone, Heminger

Noes: None

Absent: None

5. Consent Calendar

a. Approve Regular Meeting Minutes of March 3, 2022 and Special Meeting Minutes of March 21, 2022

b. Receive Caltrain Key Performance Statistics – January 2022

c. Award of Contract for Bayshore Station Painting Project and Authorization to Received Funding and Amend the Project Budget from \$2,300,000 to \$6,870,000

d. Amend and Increase the Fiscal Year 2022 Caltrain Capital Budget to \$156,862,394

- e. **Award of Contract for On-Call Executive Recruitment Services* (Gov. Code § 84308 applies)**
- f. **Authorize the Filing of Applications with the Metropolitan Transportation Commission for Programming of Federal Transit Administration Formula Funds for Caltrain Capital Projects**
- g. **Authorize the Application for and Receipt of Annual Cap and Trade Funding for the Peninsula Corridor Electrification Enhancement Project (PCEE)**
- h. **On-Call Transportation Planning and Consultant Support Services Update**
- i. **Authorize Execution of Change Orders for CEMOF Modification Contract and Tunnel Modification Contract* (Gov. Code § 84308 applies)**
- j. **Report of the Acting Chief Financial Officer (CFO)**
- k. **Accept Statement of Revenues and Expenses for the Period Ended February 28, 2022**
- l. **State and Federal Legislative Update and Approval of Legislative Proposal: Support SB 922 (Wiener) and SB 942 (Newman)**
- m. **Metropolitan Transportation Commission (MTC)/Regional Update**
- n. **Accept 2021 Caltrain Sustainability Report**
- o. **Presentation of New Caltrain Website**
- p. **Arab American Heritage Month Resolution**

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding Item 5c (Bayshore Painting) which included the following:

- How the cost went from \$2 million to \$6 million and previous contingencies
- Provide earlier notice on large overruns in the future

Director Monique Zmuda pulled Item 5d, Amend and Increase the Fiscal Year 2022 Capital Budget, from the consent calendar.

Public Comment

Aleta Dupree, Oakland, commented on the Arab American Heritage Month Resolution.

Motion/Second: Stone/Pine moved to approve all items, except Item 5d

Ayes: Chavez, Davis, Gee, Hendricks, Pine, Walton, Zmuda, Stone, Heminger

Noes: None

Absent: None

The Board members had a discussion on item 5d and staff provided further clarification in response to the Board comments and questions regarding the following:

- Costs increasing over time
- Proposed Board deferral related to the governance issue and member contributions

- Amendments from outside sources and current projects
- Agreements made relative to the term sheet and expediency
- Moving forward and not tying this to Measure RR discussions
- Concerns with speaking about additional member contributions
- Member agency contributions
- Other Transit Agency Board actions
- Consequences of not moving this forward and the effects on the schedule

Public Comment

Aleta Dupree, spoke in support of having to get work done, the budget is a forecast, and having reserves.

Adina Levin commented on the potential delay related to governance negotiations and spoke in support of a time when the Board would no longer be negotiating.

Motion/Second: Stone/Davis moved to approve Item 5d on the Fiscal Year 2022 Caltrain Capital Budget.

Ayes: Chavez, Davis, Gee, Hendricks, Pine, Stone

Noes: Walton, Zmuda, Heminger

Absent: None

7. COVID-19 Policy Status Update

Michelle Bouchard, Acting Executive Director, provided the updates which included progress by the Transit America Services, Inc. (TASI).

James Harrison, Legal Counsel, provided the presentation which included the following:

- Current policy for Caltrain employees and JPB contractors: require proof of vaccination or test weekly effective as of April 1, 2022
- JPB does not have broad authority but can require onsite safety protocols
- 66 percent of TASI employees are fully vaccinated
- TASI has been sending test kits and requiring test results online
- Other transit & rail policies and future policy considerations could include staff capacity issues, longer timeframe for implementation, and litigation risks

Public Comment

Adrian Brandt, San Mateo County, commented on the 1 in 3 vaccination rate, public facing employees requiring vaccines, and future strains.

Aleta Dupree, Oakland, commented about the 66 percent vaccination, airline vaccination rates, low vaccination rates compromising service, and daily testing not protecting employees going forward.

The Board members asked questions and staff provided further clarifications, which included the following:

- What action is needed from Board members besides this update and the legal basis for imposing vaccine mandates
- How often the vaccination percentages would be presented
- Public perception of vaccination rates and public facing staff need to be vaccinated
- Vaccine effects on reducing transmission and preventing death
- Compelling compliance upon TASI contract renewal

8. REPORTS

a. Report of the Citizens Advisory Committee (CAC)

Brian Shaw, CAC Chair, provided a report with updates on member and public comments on the train collision, train schedule, governance conclusion, marketing strategy, trip planner arrival times, and vehicle crossings. He noted the next meeting was April 20th.

b. Report of the Chair

Chair Heminger reported on Governance Memorandum of Understanding from the term sheet, and discussions from a recent Governance ad hoc meeting to move these outlines along. Governance Ad Hoc members Director Davis and Director Gee expressed commented on their goals for progress, detailing pages, and the indemnity section.

Director Shamann Walton left at 10:39 am.

c. Report of the Local Policy Maker Group (LPMG)

Director Gee reported on attendance, California high speed rail update, project status, much interest regarding grade separation funding, and a downtown extension update in April.

d. Report of the Transbay Joint Powers Authority (TJPA)

Director Gee provided an update on the downtown extension, New START program participation, electrification, grade separation, and support efforts in the north-end and south-end.

e. Report of the Executive Director

Michelle Bouchard, Acting Executive Director, reported on the following:

- 50 percent off fares campaign in April and coordinated return to office with increase of trains to 104 in April
- Reduction in service for three weeks due to cutovers
- South San Francisco ribbon cutting ceremony on April 8th at 9:30am
- 17 grade crossings electrification cutovers in San Mateo occurring in May
- Submitted final recovery plan to the Federal Transit Administration (FTA)
- Working with PG&E on a study to turn the system on
- Unveiling the new Caltrain website
- Ridership report at 18 percent of pre-pandemic baseline

The Board members asked questions and staff provided further clarifications regarding ridership levels of other transit agencies and filling up former commuter lines.

Public Comment

Adrian Brandt, San Mateo County, commented on branding at each of the bridges to remind the motoring public of the Caltrain line and retrofitting bridges

Jeff Carter, Millbrae, commented on branding at the bridges, the arrival of the new train, and displaying the new equipment.

Adina Levin, Friends of Caltrain, commented on BART, ferry ridership on the weekend, promotion of recreational activities, and getting ridership numbers for the Citizens Advisory Committee.

Paul Wendt commented on bridge branding.

f. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report – January 2022

Pranaya Shrestha, CalMod Chief Officer, provided the presentation, which included the following: reported the following:

- No change to the revenue service date and no change to project budget
- All foundation work completed and Segment 2 signal work (cutover) rescheduled to May
- Close coordination and related risk with PG&E
- Finalizing FTA and CHRSTA on remediation plan
- State & federal funding advocacy continues
- Key milestones included recovery plan submitted, March 20 the first two trains arrived, with Segment 4 to be completed in June
- Overhead contact system and traction power facilities
- Temporary train schedule from May 2 to May 20
- No change to mid-day, evening, and weekend schedules, and customer outreach
- 14 trainsets anticipated Fall 2023 and the 19th trainset anticipated in Fall 2024
- Program master schedule with revenue service Fall 2024
- Long wait time for equipment and looking throughout the country for batteries
- Program Budget - current budget, cost for the month, estimated cost for completion

Casey Fromson, Chief Communications Officer, reported on funding progress, Metropolitan Transportation Commission (MTC) strategies, and upcoming opportunities and support on the federal level, which included having positive conversations with Feinstein and legislators

Director Jeff Gee left at 10:50am

The Board members asked questions and staff provided further clarifications, which included the following:

- Electrification is on the critical path chart and adding interim milestones and tie in incentives
- Contractor field resources & equipment availability – items have been ordered now to prevent future issues
- Have a separate line item for allocated and unallocated Program Budget Details in the future
- Identifying resources for the \$200 million cashflow gap now

Public Comment

Aleta Dupree, Oakland, commented on laying out the supply train, going out of your way to get batteries, completion of sections 3 and 4, and selling electricity.

Adrian Brandt, San Mateo County, commented on using PowerPoint instead of Adobe for better visibility, progress reported by items remaining, fishing in the same pond, and hiring internationally.

Jeff Carter, Millbrae, commented on providing a link for electrification progress.

9. CORRESPONDENCE

Correspondence was available online.

10. BOARD MEMBER REQUESTS

There were none.

11. DATE/TIME OF NEXT REGULAR MEETING:

Thursday, May 5, 2022 at 9:00 am via Zoom (additional location, if any, to be determined).

How will we be meeting, bring another remote meeting resolution to the Board, and Board members are invited to participate in person at the May Board meeting.

12. ADJOURN

The meeting adjourned at 11:29 a.m.

An audio/video recording of this meeting is available online at www.Caltrain.com. Questions may be referred to the Board Secretary's office by phone at 650.508.6242 or by email to Board@Caltrain.com.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: James C. Harrison
General Counsel

Subject: Renew Findings to Hold Meetings via Teleconference for 30 Days Pursuant to AB 361

Finance Committee
Recommendation

Work Program-
Legislative-Planning

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

Action

Staff recommends that the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB”):

1. Renew findings that: 1) there is a proclaimed state of emergency in California; and 2) local public health officials have recommended measures for social distancing; and 3) meeting in person would pose imminent risk to the health and safety of attendees; and
2. Approve meeting remotely via teleconference for the next 30 days, pursuant to AB 361 (Government Code section 54953) with the option for members of the Board and members of the public to attend Board meetings in-person if they provide proof of vaccination or a negative COVID-19 test taken within the seven days preceding the meeting.

Significance

On March 4, 2020, Governor Gavin Newsom declared a state of emergency, and issued subsequent executive orders suspending certain provisions of the Ralph M. Brown Act (the Brown Act) to allow local government agencies to meet remotely during the COVID-19 pandemic. His most recent executive order suspending provisions of the Act expired at the end of September; before its expiration, Governor Newsom signed Assembly Bill 361 (AB 361) into law on September 16, 2021, amending the Brown Act to permit local agencies to continue to use teleconferencing under certain conditions during a state of emergency.

AB 361 allows local agencies to make an initial determination to hold open meetings via teleconferencing when there is a proclaimed state of emergency and one of the following criteria described in section 54953(e)(1) of the Brown Act, as amended, is met:

1. State or local officials have imposed or recommended social distancing.
2. The local agency holds a meeting for the purposes of determining by majority vote if meeting in person would pose imminent health and safety risks to attendees.
3. The local agency holds a meeting after having determined by majority vote, as a result of the emergency, meeting in person would pose imminent risks to the health or safety of attendees.

Following the initial determination, a local agency must make the following findings by a majority vote every 30 days to renew the resolution and to continue to meet remotely: (1) the local agency has reconsidered the circumstances of the emergency; *and* (2) the state of emergency continues to directly impact the ability of the members to safely meet in person, *or* state or local officials continue to impose or recommend social distancing. Gov't Code § 54953(e)(3).

In February 2022, Governor Gavin Newsom issued Executive Orders ending certain emergency measures no longer required to address the pandemic, however, the Governor's declared state of emergency is still in place. Transmission in San Mateo County is currently low according to CDC metrics. While rates of COVID-19 infections and hospitalizations have recently declined, new variants continue to emerge, including at least one recent variant with increased transmissibility. Though some COVID-19 restrictions are being rolled back at the state and local level, the California Department of Public Health continues to recommend that people who are at higher risk of severe illness from COVID-19 continue to protect themselves by staying at least six feet apart from people outside their households. And while masks are no longer required in all indoor spaces, the San Mateo County Health Department still recommends indoor masking for gatherings that include the elderly, immunocompromised individuals, or people who are not vaccinated.

Given the current and evolving conditions, staff recommends that the Board renew the resolution for Advisory, Committee, Regular and Special meetings to be conducted via teleconference for the next 30 days following this May 5, 2022, meeting with some modifications. Specifically, Staff recommends that while the remote meeting resolution is in effect, individual members of the Board and members of the public may opt to participate in-person at Board meetings if they adhere to all policies for attendance.

Board meetings will be held at the offices of the San Mateo County Transit District ("SamTrans") in the board room. Consistent with SamTrans workplace safety policy, Board members and members of the public will be required to show proof of vaccination (as defined by the California Department of Public Health) or proof of a negative COVID-19 test taken within the seven days preceding the meeting before entry into the building will be granted.

Board members and members of the public who do not wish to participate in-person or do not provide proof of vaccination or of a negative COVID-19 test from within the previous seven days

may participate remotely. This will also allow individuals who are particularly vulnerable to COVID-19, have additional health concerns, or who have been recently exposed to or infected by COVID-19 to participate safely.

Committee and Advisory Committee meetings will continue to be conducted remotely.

If the Board does not renew the resolution, the Board, Committees, and Advisory Committees must meet in person and any member who participates via teleconference must notice the location from which the member participates, as required by the Brown Act (pending any amendments to the Act, as described in more detail below).

Budget Impact

There is no budget impact associated with receiving this report.

Background

A. Pending Legislation

Assemblymember Alex Lee and Assemblymember Cristina Garcia introduced Assembly Bill (AB) 1944 on February 10, 2022. If enacted, the bill would require local governments to livestream public meetings and to allow virtual public participation. The bill would also allow local governmental bodies meeting remotely to waive the requirement that agencies identify the address of the location from which members participate via teleconference.

The provisions of AB 1944 are similar to AB 339, which was introduced by Assemblymember Lee in 2021 and which would have applied to jurisdictions with more than 25,000 residents. The Legislature passed AB 339 in 2021, but Governor Gavin Newsom vetoed the bill over concerns that the bill would have limited meeting flexibility and increased operating costs for the affected cities, counties, and other governmental bodies.

AB 1944 was referred to the Committee on Local Government on February 18, 2022. The bill does not include an urgency clause; if no urgency clause is added, the earliest the bill could go into effect is January 1, 2023.

B. Public Health Guidance in Member Counties

The California Department of Public Health continues to refer California residents to guidance from the Centers for Disease Control and Prevention (CDC) on how to prevent the spread of COVID-19 and its variants, and the CDC continues to recommend social distancing as a measure for individuals and specifically vulnerable individuals to protect themselves and others from infection with COVID-19.

Similarly, the San Mateo County Health Officer has advised that San Mateo County residents should continue to follow the recommendations of the CDC. According to the City and County of San Francisco public health guidance, its guidelines will align with those of the CDC (except when local conditions require more restrictive measures). On September 21, 2021, the County of Santa Clara Public Health Officer issued a Recommendation Regarding Continued Remote

Public Meetings of Governmental Entities and advised that public bodies continue to meet remotely to the extent possible. This recommendation has not changed since that time.

Prepared by: James C. Harrison and Anna Myles-Primakoff, Olson Remcho LLP

Resolution No. 2022-XX

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

* * *

Renew Resolution Adopting Findings That There is a Proclaimed State of Emergency and That Meeting In Person Poses Imminent Health and Safety Risks to Attendees and Authorizing Remote Teleconference Meetings for the Board and Committees For the Period of May 5, 2022 Through June 4, 2022

Whereas, on March 4, 2020, Governor Gavin Newsom declared a State of Emergency in the State of California; and

Whereas, the Ralph M. Brown Act (the Brown Act), Government Code section 54953(e), was amended on September 16, 2021, to make provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

Whereas, the Board of Directors: adopted Resolution 2021-52, on October 7, 2021, finding that the requisite conditions were met for the Peninsula Corridor Joint Powers Board to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; renewed this finding at the November and December 2021 meetings of the JPB; adopted the requisite findings again at the January 2022 meeting; and renewed the resolution at the February and March meetings; and

Whereas, on April 7, 2022, the Board adopted Resolution No. 2022-11, which includes findings that there is a proclaimed state of emergency and that the criteria described in section

54953(e)(1) of the Brown Act have been met, including that state or local officials have imposed or recommended social distancing; and

Whereas, San Mateo County, Santa Clara County, and San Francisco County public health officials continue to recommend measures to promote social distancing including following the guidance of the Center for Disease Control which recommends social distancing; and

Whereas, the rates of transmission of COVID-19 and variants continue to pose risks for health of attendees at indoor gatherings involving individuals from different households with unknown vaccination status; and

Whereas, Staff recommends that the Board renew the resolution for Advisory, Committee, and Regular and Special meetings of the Board to be conducted via teleconference for the next 30 days following this May 5, 2022 resolution, and that while the remote meeting resolution is in effect, individual members of the Board and members of the public may opt to participate in-person at Board meetings; and

Whereas, Board meetings will be held at the offices of the San Mateo County Transit District (“SamTrans”) in the board room, and SamTrans’ workplace safety policy requires all individuals to show proof of vaccination (as defined by the California Department of Public Health) or proof of a negative COVID-19 test taken within the seven days preceding the meeting before entry into the building will be granted; and

Whereas, to help protect against the spread of COVID-19 and variants, and to protect the health and safety of the public, the Board of Directors wishes to take the actions necessary to comply with the Brown Act, as amended, to continue to hold its Board, Committee, and Advisory

Committee meetings remotely via teleconference pursuant to AB-361 with an option for in-person attendance at Board meetings for members of the Board and the public; and

Whereas, the Board of Directors will continue to give notice of the meeting and post agendas as otherwise required by the Brown Act and allow members of the public to access the meeting and give ample opportunity for public comment; and

Now, therefore, be it resolved that the Board of Directors has reconsidered the circumstances of the emergency and finds that the state of emergency continues to directly impact the ability of the members to safely meet in person and state or local officials continue to impose or recommend social distancing; and

Be it further resolved that the Board renews Resolution No. 2022-11 and approves meeting via teleconference for all Regular and Special Board, Committee, and Advisory Committee Meetings of the JPB for the 30 days following this resolution, in accordance with Government Code section 54953 and other applicable provisions of the Brown Act.

Regularly passed and adopted this 5th day of May 2022 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: David Santoro
Acting Chief of Operations (Rail)

SUBJECT: **Caltrain Key Performance Statistics – March 2022**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

Staff Coordinating Council recommends that the Board receive the Performance Statistics Report for March 2022.

SIGNIFICANCE

Staff will provide monthly updates to the Caltrain Key Performance Statistics, Caltrain Shuttle Ridership, Communications and Marketing Promotions, and Digital Communications. It should be noted that this report reflects impacts from the COVID-19 pandemic.

BUDGET IMPACT

There is no budget impact.

MONTHLY UPDATE

March 2022

	Pre-Pandemic	Prior FY	Current FY	FY21 to FY22	Pre-Pandemic to FY22
	Mar. 2019	Mar. 2021	Mar. 2022	% Change	% Change
Total Ridership	1,487,889	109,519*	337,078	207.8%	-77.3%
Average Weekday Ridership	65,057	3,965*	12,539	216.2%	-80.7%
Total Farebox Revenue	\$ 8,065,294	\$ 3,025,589	\$ 2,992,204	-1.1%	-62.9%
On-time Performance	94.0%	88.9%	88.6%	-0.3%	-5.7%
Average Weekday Caltrain Shuttle Ridership	9,224	137	283	106.6%	-96.9%

Fiscal Year to Date

	Pre-Pandemic	Prior FY	Current FY	FY21 to FY22	Pre-Pandemic to FY22
	FY2019	FY2021	FY2022	% Change	% Change
Total Ridership	13,691,336	819,559*	2,507,378	205.9%	-81.7%
Average Weekday Ridership	66,465	3,544*	10,598	199.1%	-84.1%
Total Farebox Revenue	\$ 76,658,511	\$ 26,717,258	\$ 23,451,751	-12.2%	-69.4%
On-time Performance	93.9%	94.1%	93.1%	-1.1%	-0.9%
Average Weekday Caltrain Shuttle Ridership	7,994	967	257	-73.4%	-96.8%

** Adjusted after thorough review of data from past Fiscal Years*

RIDERSHIP

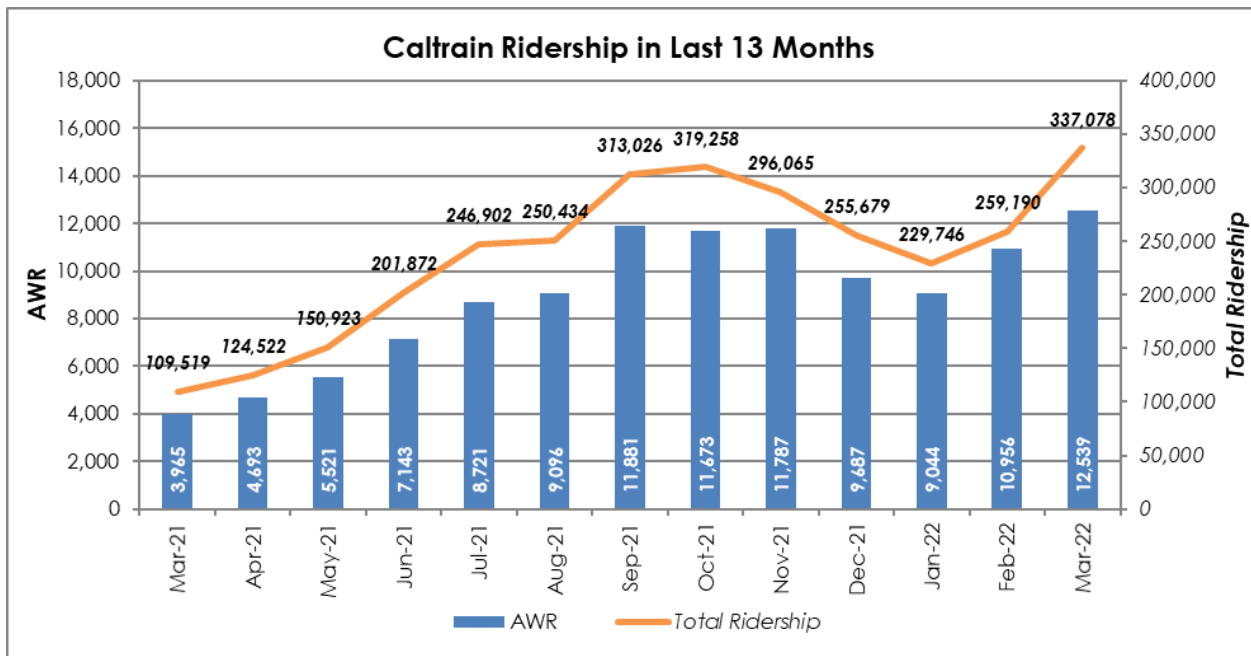
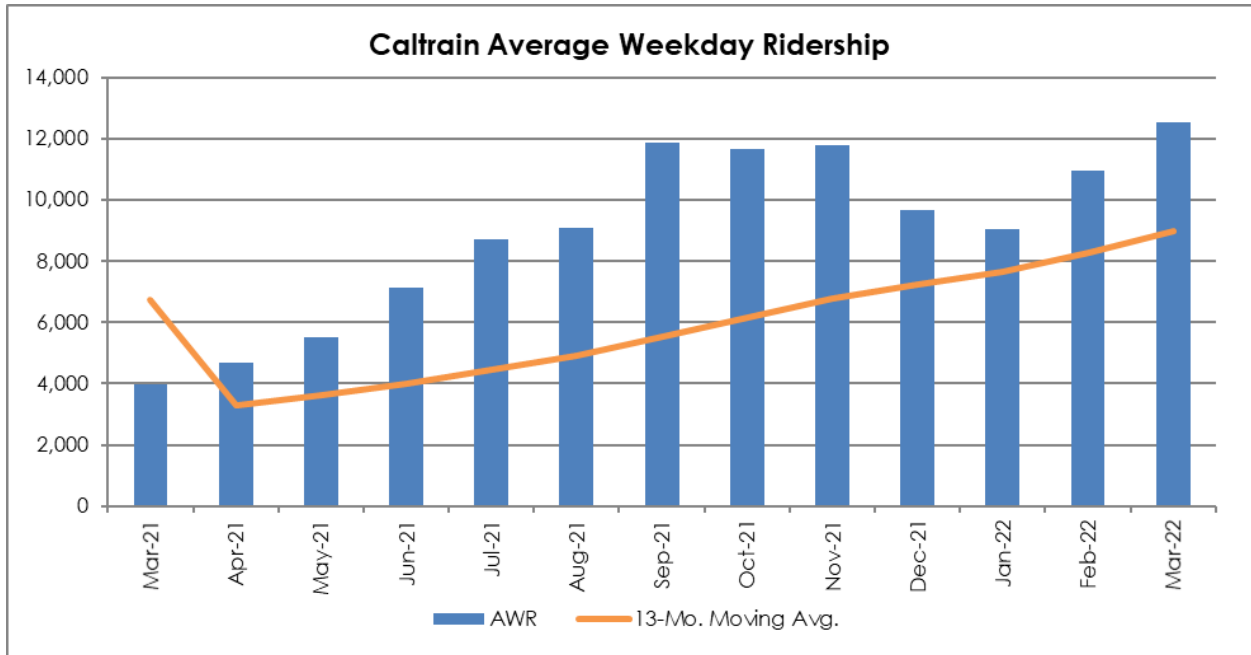
Since April 2020, ridership estimates have been developed using daily conductor counts at 14 key stations and Clipper tags at all stations due to significant impacts to ticket sales and usage patterns from the COVID-19 pandemic.

Both total and average weekday ridership (AWR) increased from the same month in the prior year as well as two prior months likely due to the receding impacts of the COVID-19 pandemic, including gradual introduction of return-to-office policies and increased leisure activities. Given month-to-month increase of 30.1 percent in Total Ridership and 14.5 percent in AWR, it is likely that significant service disruptions due to the San Bruno equipment incident and slightly-reduced temporary weekday schedule to accommodate PCEP construction did not reverse the positive trend in ridership in recent months.

Ridership recovery continues to be stronger on weekends compared to weekdays, namely:

- Average Saturday ridership increased by 149.9 percent to 6,718 from 2,688 from March 2021. This is 48.2 percent of pre-pandemic baseline.
- Average Sunday ridership increased by 187.6 percent compared to 5,452 from 1,896 from March 2021. This is 56.6 percent of pre-pandemic baseline.

The graphs on the following page provide data on observed trends in weekday and total ridership over the past 13 months.



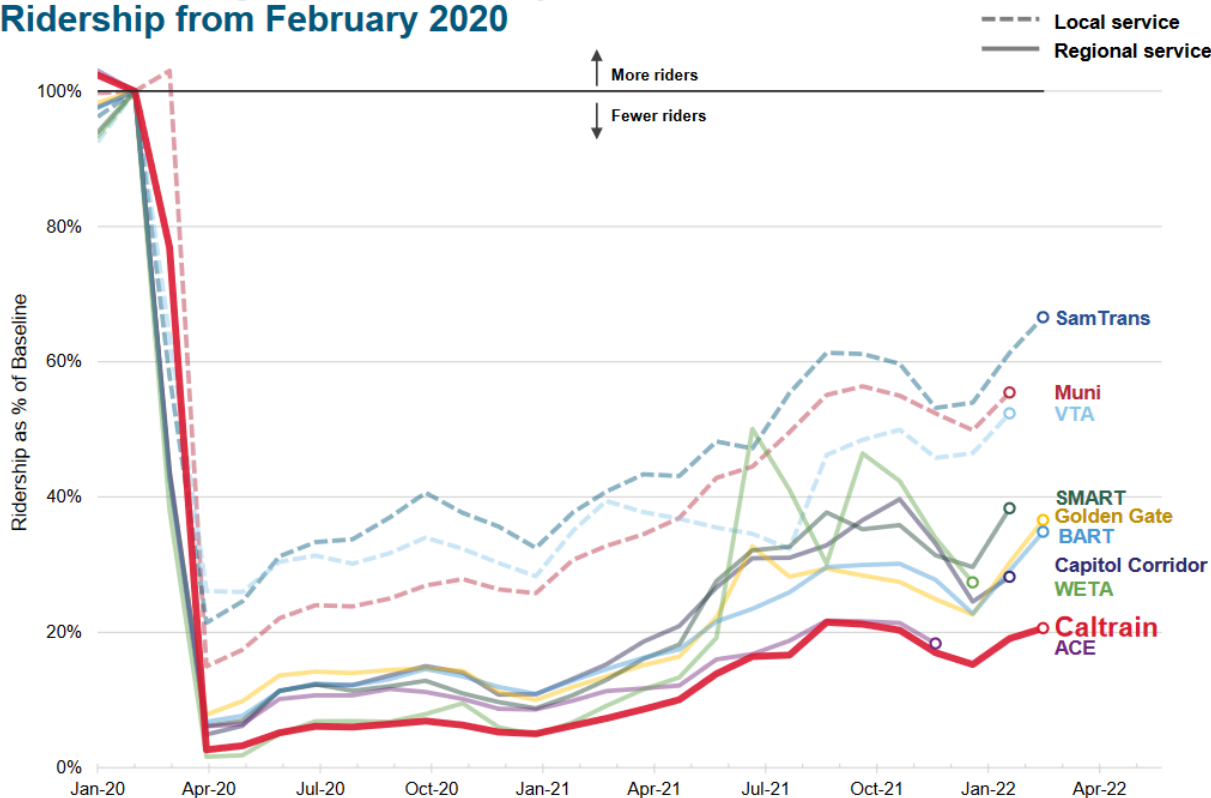
SHUTTLE AVERAGE RIDERSHIP

Shuttle AWR ridership for March 2022 was 283, an increase of 106.6 percent compared to 137 for March 2021. As of March 2022, eleven shuttle routes are operating.

REGIONAL RIDERSHIP RECOVERY

The following graph depicts pandemic-era ridership recovery for ten of the Bay Area transit agencies. It shows total monthly ridership as a percentage of baseline, which is defined here as the total monthly ridership reported by each agency in February of 2020. This graph will be included in the monthly performance report moving forward to track our ridership recovery compared to other regional and local transit agencies.

Percent Change in Total Monthly Ridership from February 2020



Sources:
 • ACE, SFMTA, VTA, WETA: NTD monthly passenger trips
 • BART, Capitol Corridor, Golden Gate Transit, SamTrans, SMART: Agency websites
 • Caltrain: Jan – Mar 2020 from Fare Sales Media & Ridership Model;
 • Caltrain: Mar 2020 to Present from conductor counts & Clipper
 Notes:
 • NTD available through Feb 2022; ACE last reported Dec 2021; WETA Jan 2022



Caltrain ridership, which has returned to just 20% of its pre-pandemic baseline, is lagging behind other peer transit agencies in the Bay Area including Muni and VTA, both of which have seen ridership levels return to more than 50% of their respective baselines. There are likely several reasons for this disparity.

- Caltrain is highly dependent, even more so than its peer agencies, on the degree to which typical 9-to-5 commuters return to offices for work. A recent Bay Area Council survey found that only 23% of employers are currently requiring an in-office presence five days a week, while 44% of employees indicated they would only come into the office a maximum of three days of week in the future.

- Caltrain is more likely to lose trips to personal vehicles when customers decide to use an alternative transportation mode. According to the Metropolitan Transportation Commission, traffic congestion in the Bay Area is still less than before the pandemic, particularly along the Peninsula. Pre-pandemic surveys showed that over half of Caltrain riders had access to a car, so until congestion significantly worsens, a large number of former Caltrain customers will continue to make car trips instead of taking the train.
- Other transit agencies, particularly those providing local bus service like SamTrans and SFMTA, provide a greater share of trips for essential workers who have continued to physically go into work throughout the pandemic.

TICKET SALES

Other ticket sales and farebox revenue statistics trended as follows:

- Number of eligible Go Pass employees was 62,556 in March 2022 which was a decrease from 87,143 in March 2021.
- Number of participating Go Pass companies was 42 in March 2022 which was a decrease from 117 in March 2021.
- Total Farebox Revenue was \$2,992,204 in March 2022 which was a decrease of 1.1% from \$3,025,589 in March 2021.

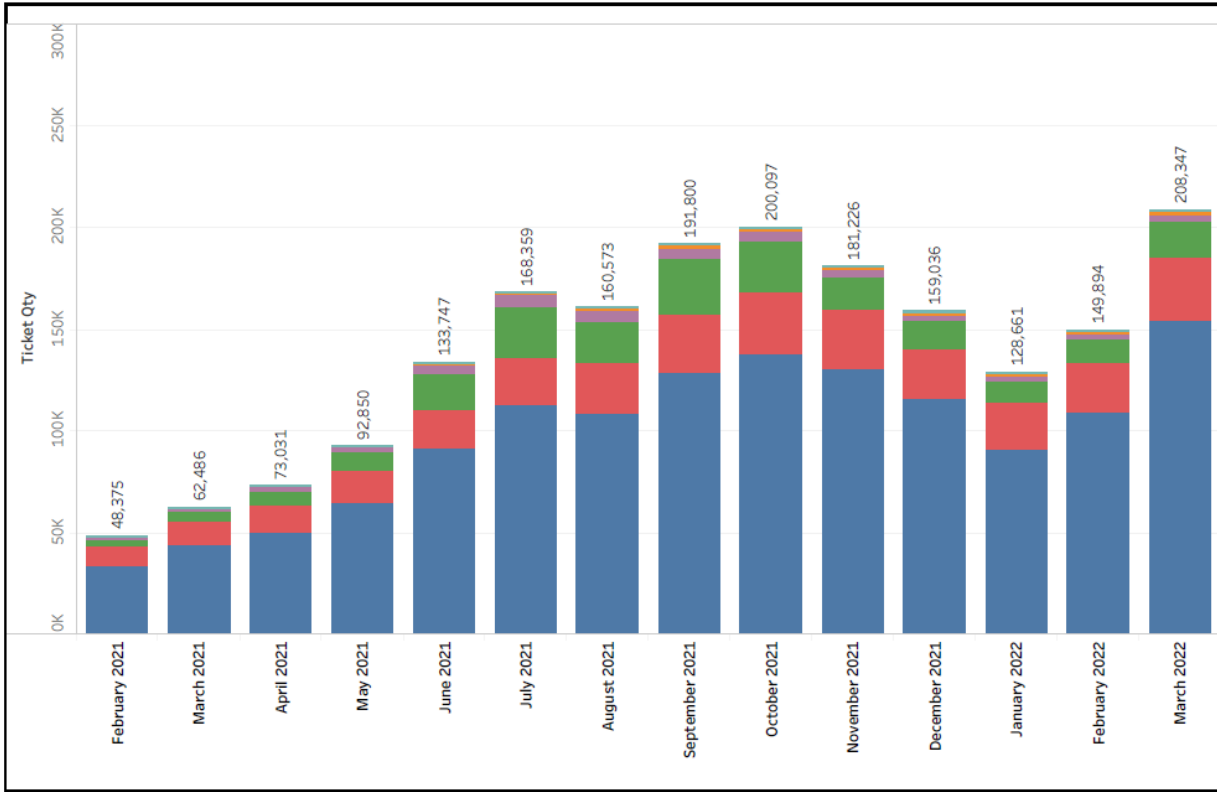
The decrease in fare revenue is driven by a reduction in Go Pass as companies shifted to working from home. Caltrain has taken steps to help retain Go Pass participants, including a 25% discount for companies that remained in the program, and starting a Go Pass donation program which allowed unused passes to be donated to a network of qualified community-serving organizations.

The graphs on the following pages provide additional details on ticket sales.



Number of Tickets sold by Fare Product - Dashboard

*Starting in September 2021 the overstatement of One-Way ticket sales which was 10-15% was corrected, tickets shown below will not align to prior board reports.

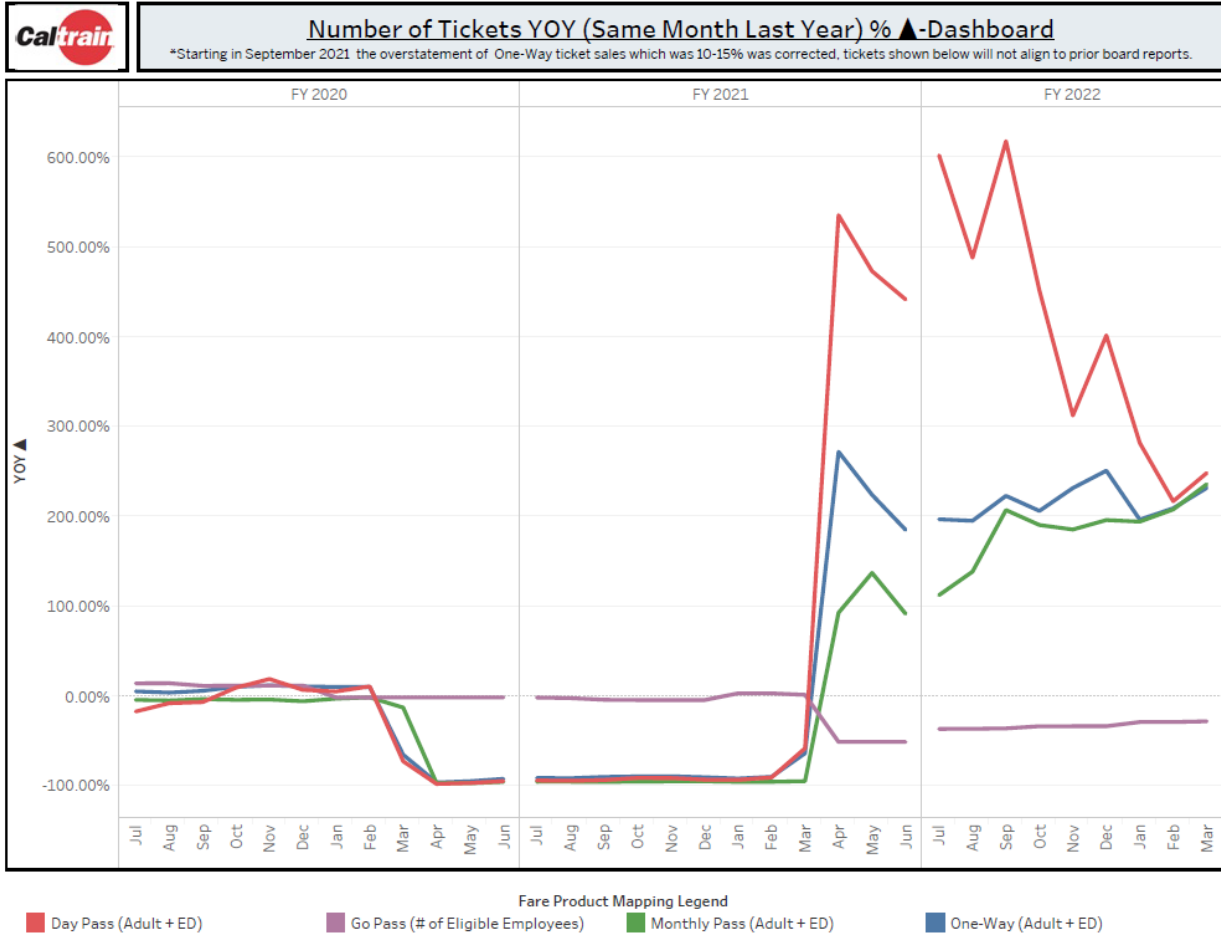


CalTrain Fare Type

- Monthly Pass-Eligible Discount
- Monthly Pass-Adult

- Day Pass-Eligible Discount
- Day Pass-Adult

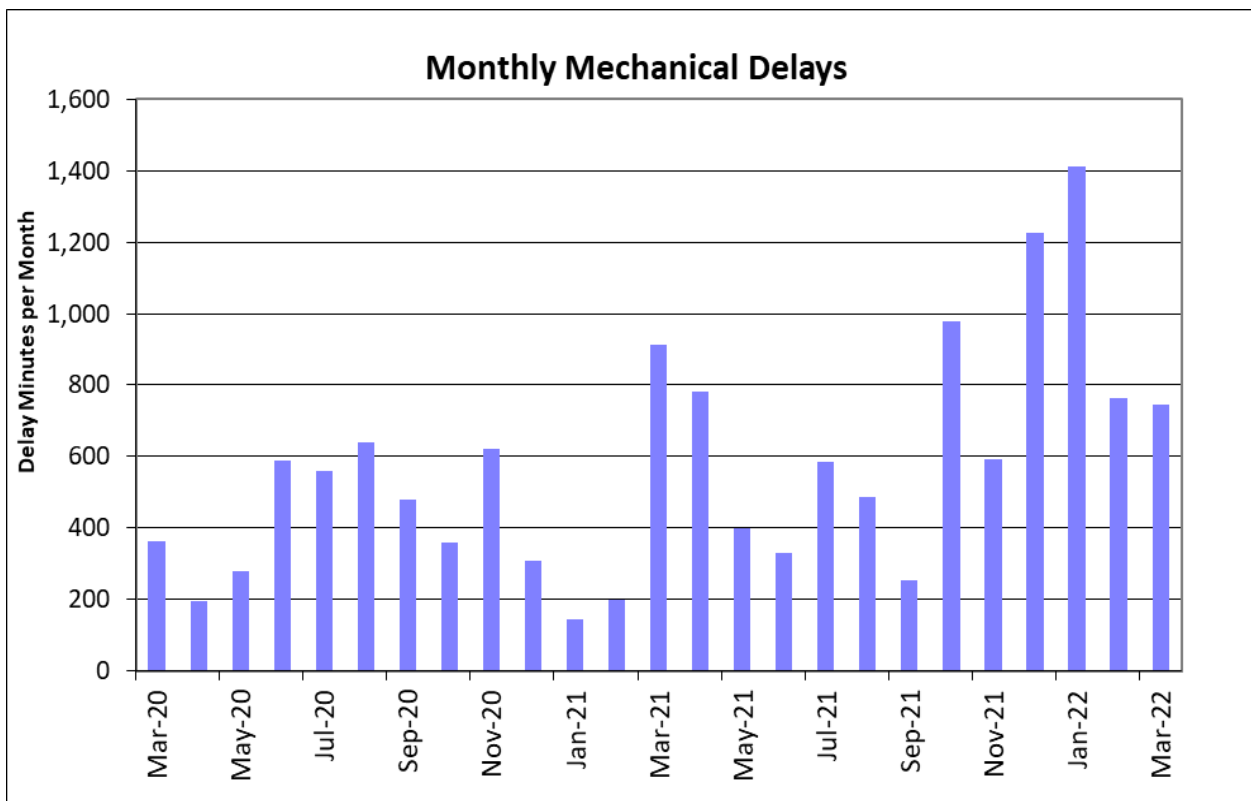
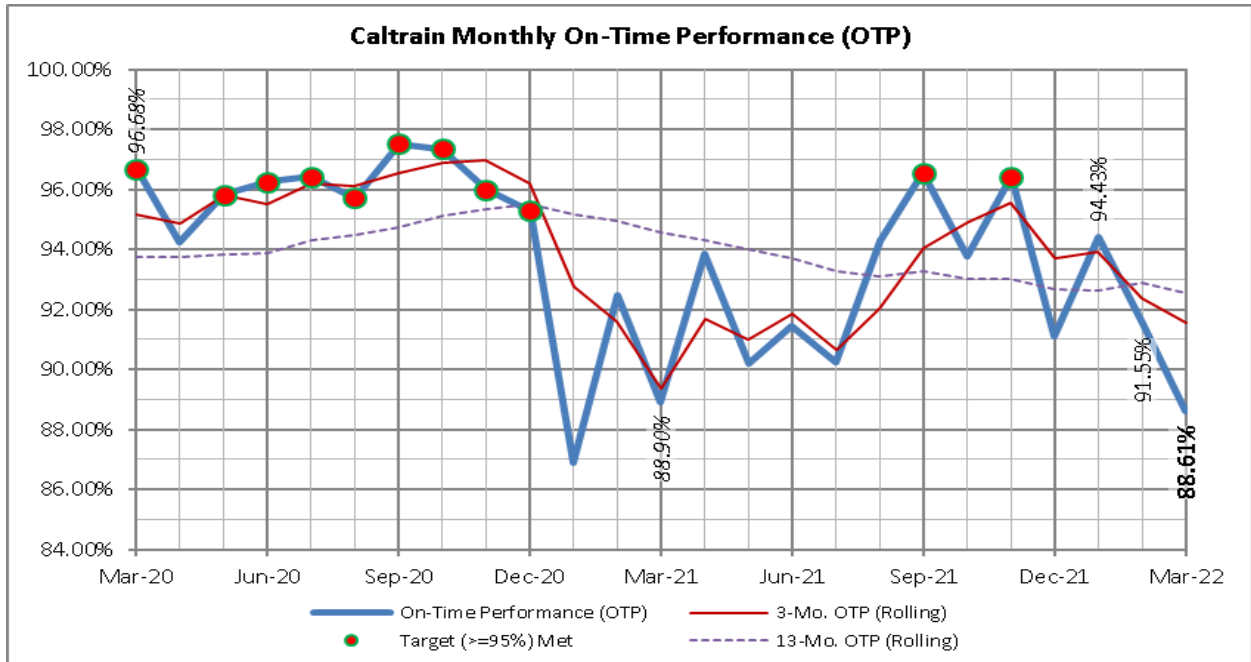
- One-Way-Eligible Discount
- One-Way-Adult



ON-TIME PERFORMANCE (OTP)

In March 2022, OTP was 88.6 percent, including all train delays, terminations, and annulments due to the San Bruno equipment crash and the post-incident repairs, compared to 88.9 percent in March 2021. Given similar levels of mechanical delays in March 2021 and March 2022, number of trains scheduled, and significant impacts of the incident to OTP.

The charts on the following page provide trends on the past two years of OTP and monthly mechanical delays.



Caltrain Communication and Marketing Campaigns for March 2022:

- Take Caltrain to the Game - Sharks Hockey, Warriors Basketball (ongoing)
- Clipper Mobile (ongoing)
- 20% Off Caltrain Monthly Pass (ongoing promotion valid through June 30, 2023)
- Clipper Start (ongoing)
- "Face Coverings Required" messaging to customers
- Press Release: "Caltrain Temporarily Reduces Weekday Service to Expedite Electrification Construction"
- Press Release: "Caltrain Received \$38.8 Million in Additional Federal Pandemic Relief"
- Press Release: "Caltrain to Operate Bus-Bridge Service Between South San Francisco and Millbrae Stations for Evening and Morning Commutes"
- Press Release: "Caltrain to Operate Regular Weekend Schedule and Maintain Bus-Bridge Service Between South San Francisco, San Bruno and Millbrae Stations on Saturday"
- Press Release: "UPDATE: Caltrain to Operate Modified Schedule and Maintain Bus-Bridge Service Between South San Francisco Morning Commutes"
- Press Release: "Caltrain to Move Forward with Plans to Temporarily Reduce Service Starting on Monday, March 14"
- Press Release: "Caltrain to Operate Regular Weekend Schedule"
- Press Release: "Caltrain Seeks Representative for Bicycle & Active Transportation Advisory Committee"
- Press Release: "Caltrain to Cut Fares 50% in April, Regular Weekday Service Resumes April 4"

Digital Communications Report:

On March 10th, Caltrain experienced a major incident that affected every aspect of communications.

March Highlights:

- Caltrain Incident
- Schedule Change
- Rising Gas Prices

Website Replacement Project:

The final elements of the new websites are in development, this is theming the website's look and design. Our staff "power users" have been trained to review their content and are editing now. We are on track for an April 26, 2022 launch. Highlights of the new site include a trip planner, live maps, improved calendar features for meetings and events, mobile-friendly, etc.

Prepared by:	Patrice Givens – Administrative Analyst II	650.508.6347
	Robert Casumbal – Director, Marketing & Research	650.508.7924
	Jeremy Lipps – Manager, Digital Communications	650.622.7845

**Peninsula Corridor Joint Powers Board
Staff Report**

DATE: April 17, 2022

TO: Finance Committee

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Grace Martinez
Acting Chief Financial Officer

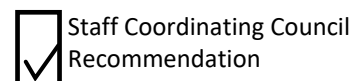
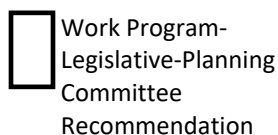
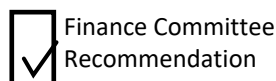
SUBJECT: **April 25, 2022 Finance Committee Report of the Acting Chief Financial Officer**

HIGHLIGHTS

- The proposed preliminary operating budget shows a deficit of \$4.3M to be closed from anticipated surplus from Fiscal 2022.
- The proposed preliminary capital budget shows a deficit of \$14.5M with anticipation that member agencies will provide additional contributions to close the gap.
- The forecast for the JPB's Fiscal 2022 Operating Results is provided in the monthly financial report. This forecast is based upon results through March of the current fiscal year.
- Revenues by Tickets Report is provided as a supplemental information.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Finance Committee
Through: Michelle Bouchard, Acting Executive Director
From: Grace Martinez, Acting Chief Financial Officer
Subject: **Accept Statement of Revenues and Expenses for the Period Ending March 31, 2022**



Action

Staff proposes that the Finance Committee of the Peninsula Corridor Joint Powers Board (JPB) accept and enter into the record the Statement of Revenues and Expenses for the month of March 2022.

This staff report provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through March 31, 2022. The statement has been designed to follow the Agency-wide line item rollup as included in the approved budget. The columns have been designed to provide easy comparison of year-to-date current actuals to the budget including dollar and percentage variances.

Significance

Annual Forecast: The annual forecast was updated based on actual revenue and expense trends through March 2022. The forecast was derived by analyzing trends and reviewing details with cost center managers.

Forecast Revenues: Total revenue (page 1, line 19) is forecast \$80.6 million higher than budget. This is driven primarily by \$101.1 million more allocation from the American Rescue Plan Act (ARPA) than budgeted. Measure RR (page 1, line 13), is \$9.0 million higher than budget reflecting updated estimates that continue to show recovery from the pandemic. The revenue increase is partially offset by Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) (page 1, line 14) which is \$27.1 million lower than budget as funding was previously received in FY21. Farebox Revenue (page 1, line 1) is \$2.0 million lower than budget as ridership levels continue to be depressed due to Omicron and continued delay of return to office, Parking revenue (page 1, line 2) is \$0.3 million lower than budget and Shuttles Revenue (page 1, line 3) is \$0.3 million lower than budget due to lower shuttle service as routes have been reduced or suspended due to low ridership.

Forecast Expenses: Total Expense (page 2, line 54) is \$4.1 million lower than budget. The variance is primarily due to lower expense trends. Rail Operator Service (page 2, line 24) is \$3.8 million lower than budget due to resource constraints and vacancies. Shuttles Services (page 2, line 26) is \$0.6 million lower than budget due to reduction or suspended service as result of low ridership. Facilities & Equipment Maintenance (page 2, line 31) is lower than budget by \$1.3 million due to lower Clipper Operator Charges as a result of lower ridership and under-runs in other contract services. Professional Services (page 2, line 41) is lower than budget by \$0.5 million as a result of under-runs in consultant services. Other Office Expenses and Services (page 2, line 43) is lower than budget by \$1.4 million due to reduction in Bank Fees and other services. Measure RR ballot Costs (page 2, line 49) is lower than budget by \$1.6 million. This is partially offset by Fuel and Lubricants (page 2, line 27) which is higher than budget by \$2.6 million reflecting the updated service to 104 weekday trains and the rising fuel prices due to supply concerns arising from the conflict abroad, and Claims, Payments, and Reserves (page 1, line 30) which is higher than budget by \$2.5M reflecting updates for recent claims. The forecast also includes an \$80 million reserve of Measure RR funds to address significant capital requirements for the Electrification Program and position the JPB to effectively compete for funds through a federal discretionary grant program that is intended to address the very kinds of revenue losses experienced by the JPB related to the COVID-19 pandemic. The reserve was approved at the November 2021 board meeting.

Year to Date Revenues: As of March year-to-date actual, the Grand Total Revenue (page 1, line 19) is \$48.9 million more than the approved budget. This is primarily driven by Measure RR (page 1, line 13) and ARPA fund (page 1, line 15), partially offset by CRRSAA fund (page 1, line 14). CRRSAA funding was received and reported as revenue in late FY21. However, it was not budgeted in FY21 as the amount of funding was unknown at the time of FY21 Budget adoption. Therefore the budget for CRRSAA funding was carried over and budgeted in FY22.

Year to Date Expenses: As of March year-to-date actual, the Grand Total Expense (page 2, line 54) is \$18.4 million lower than the approved budget. This is primarily driven by Rail Operator Service (page 2, line 24), Facilities and Equipment Maintenance (page 2, line 31), Wages and Benefits (page 2, line 38), Professional Services (page 2, line 41), Other Office Expenses and Services (page 2, line 43), and Measure RR Ballot Costs (page 2, line 49).

Other Information: The Agency accounts for revenue and expenditures on a modified cash basis (only material revenues and expenses are accrued) on the monthly financial statement. As such, the variance between the current year actual and the budget may show noticeable variances due to the timing of expenditures.

Budget Impact

There are no budget amendments for the month of March 2022.

Prepared By: Thwe Han, Accountant II	650.508.7912
Jennifer Ye, Director, Accounting	650.622.7890

PENINSULA CORRIDOR JOINT POWERS BOARD								
STATEMENT OF REVENUE AND EXPENSE								
Fiscal Year 2022								
March 2022								
% OF YEAR ELAPSED							75.0%	
	JULY TO MARCH				ANNUAL			
	CURRENT ACTUAL	APPROVED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE	
REVENUE								
OPERATIONS:								
1 Farebox Revenue	23,451,751	23,320,000	131,751	.6%	34,639,000	32,639,000	(2,000,000)	1
2 Parking Revenue	832,137	1,152,000	(319,864)	(27.8%)	1,536,000	1,286,000	(250,000)	2
3 Shuttles	916,896	1,202,922	(286,026)	(23.8%)	1,603,900	1,315,667	(288,233)	3
4 Rental Income	727,861	894,348	(166,487)	(18.6%)	1,192,466	1,192,466	-	4
5 Other Income	1,668,351	1,188,450	479,901	40.4%	1,584,608	1,668,351	83,743	5
6								6
7 TOTAL OPERATING REVENUE	27,596,995	27,757,720	(160,725)	(.6%)	40,555,974	38,101,484	(2,454,490)	7
8								8
9 CONTRIBUTIONS:								9
10 AB434 Peninsula & TA Shuttle Funding	398,475	839,475	(441,000)	(52.5%)	1,119,300	1,119,300	-	10
11 Operating Grants	4,817,448	4,919,104	(101,656)	(2.1%)	6,525,471	6,525,471	-	11
12 JPB Member Agencies	-	-	-	.0%	-	-	-	12
13 Measure RR	79,322,323	64,932,689	14,389,634	22.2%	86,576,919	95,621,811	9,044,892	13
14 CRRSAA*	-	27,115,922	(27,115,922)	(100.0%)	27,115,922	-	(27,115,922)	14
15 ARPA	77,164,334	14,849,883	62,314,451	419.6%	14,849,883	115,995,904	101,146,021	15
16								16
17 TOTAL CONTRIBUTED REVENUE	161,702,580	112,657,073	49,045,507	43.5%	136,187,495	219,262,486	83,074,991	17
18								18
19 GRAND TOTAL REVENUE	189,299,575	140,414,793	48,884,782	34.8%	176,743,469	257,363,970	80,620,501	19
20								20
<p>*CRRSAA funding was received and reported as revenue in late FY21. However, it was not budgeted in FY21 as the amount of funding was unknown at the time of FY21 Budget adoption. Therefore the budget for CRRSAA funding was carried over and budgeted in FY22. A future FY22 budget action will be brought to the Board to clarify funding sources for the FY22 budget, including reserved funds from the FY21 actual results and/or additional funding made available from ARPA distributions.</p>								

PENINSULA CORRIDOR JOINT POWERS BOARD									
STATEMENT OF REVENUE AND EXPENSE									
Fiscal Year 2022									
March 2022									
% OF YEAR ELAPSED							75.0%		
	JULY TO MARCH				ANNUAL				
	CURRENT ACTUAL	APPROVED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE		
21	EXPENSE							21	
22								22	
23	DIRECT EXPENSE:							23	
24	Rail Operator Service	66,076,398	72,103,180	(6,026,782)	(8.4%)	97,353,730	93,573,730	(3,780,000)	24
25	Security Services	5,102,130	5,614,887	(512,757)	(9.1%)	7,486,512	7,486,512	-	25
26	Shuttle Services	1,351,544	1,804,572	(453,028)	(25.1%)	2,723,200	2,157,353	(565,848)	26
27	Fuel and Lubricants*	7,256,519	7,826,139	(569,620)	(7.3%)	10,434,846	13,000,000	2,565,154	27
28	Timetables and Tickets	17,140	41,247	(24,108)	(58.4%)	55,000	55,000	-	28
29	Insurance	5,515,844	5,857,210	(341,366)	(5.8%)	5,857,210	5,857,210	-	29
30	Claims, Payments, and Reserves	565,660	615,006	(49,346)	(8.0%)	820,000	3,320,000	2,500,000	30
31	Facilities and Equipment Maintenance	3,943,703	5,817,279	(1,873,576)	(32.2%)	7,734,353	6,409,353	(1,325,000)	31
32	Utilities	1,701,681	1,914,453	(212,772)	(11.1%)	2,552,600	2,552,600	-	32
33	Maint & Services-Bldg & Other	950,916	1,262,655	(311,739)	(24.7%)	1,674,250	1,674,250	-	33
34								34	
35	TOTAL DIRECT EXPENSE	92,481,534	102,856,628	(10,375,094)	(10.1%)	136,691,701	136,086,008	(605,694)	35
36								36	
37	ADMINISTRATIVE EXPENSE							37	
38	Wages and Benefits	8,056,991	9,551,631	(1,494,640)	(15.6%)	12,301,799	12,301,799	-	38
39	Managing Agency Admin OH Cost	2,819,014	2,603,746	215,268	8.3%	3,470,871	3,470,871	-	39
40	Board of Directors	17,208	36,198	(18,990)	(52.5%)	48,275	48,275	-	40
41	Professional Services	3,802,045	6,613,676	(2,811,631)	(42.5%)	8,871,301	8,371,301	(500,000)	41
42	Communications and Marketing	176,349	244,244	(67,895)	(27.8%)	322,750	322,750	-	42
43	Other Office Expenses and Services	1,164,174	2,734,057	(1,569,883)	(57.4%)	3,655,020	2,305,020	(1,350,000)	43
44								44	
45	TOTAL ADMINISTRATIVE EXPENSE	16,035,781	21,783,552	(5,747,771)	(26.4%)	28,670,016	26,820,016	(1,850,000)	45
46								46	
47	TOTAL OPERATING EXPENSE	108,517,314	124,640,180	(16,122,866)	(12.9%)	165,361,717	162,906,024	(2,455,694)	47
48								48	
49	Measure RR Ballot Costs	5,357,846	7,000,000	(1,642,154)	(23.5%)	7,000,000	5,357,846	(1,642,154)	48
50	Governance	752,039	1,500,003	(747,964)	(49.9%)	2,000,000	2,000,000	-	49
51								51	
52	Debt Service Expense	1,916,247	1,786,311	129,936	7.3%	2,381,752	2,381,752	-	52
53								53	
54	GRAND TOTAL EXPENSE	116,543,447	134,926,494	(18,383,047)	(13.6%)	176,743,469	172,645,622	(4,097,847)	54
55								55	
56	NET SURPLUS / (DEFICIT)	72,756,128	5,488,299	67,267,829	1,225.7%	-	84,718,348	84,718,348	56
57								57	
58	Measure RR for Capital Reserve**					-	80,000,000		58
59	ADJUSTED NET SURPLUS / (DEFICIT)					-	4,718,348		59

* Fuel and Lubricants costs were reduced by a realized gain of \$1,457,614 from the fuel hedge program.

** The \$80M capital reserve using Measure RR funds was used to address capital needs for the Electrification Program and approved at the November 2021 board meeting.



BOARD OF DIRECTORS 2022

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

MICHELLE BOUCHARD
ACTING EXECUTIVE DIRECTOR

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF MARCH 31, 2022

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted)	*	Liquid Cash	0.365%	88,191	88,191
County Pool (Unrestricted)		Liquid Cash	0.904%	560,437	560,437
Other (Unrestricted)		Liquid Cash	0.050%	160,126,177	160,126,177
Other (Restricted)	**	Liquid Cash	0.050%	9,300,562	9,300,562
				\$ 170,075,367	\$ 170,075,367

Interest Earnings for March 2022 \$ 5,448.46
Cumulative Earnings FY2022 \$ 35,259.81

* The market value of Local Agency Investment Fund (LAIF) is calculated annually and is derived from the fair value factor as reported by LAIF for quarter ending June 30th each year.

** Prepaid Grant funds for Homeland Security, PTMISEA and LCTOP projects, and funds reserved for debt repayment. The Portfolio and this Investment Report comply with the Investment Policy and the provisions of SB 564 (1995). The Joint Powers Board has the ability to meet its expenditure requirements for the next six months.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Acting Executive Director
From: Grace Martinez, Acting Chief Financial Officer
Subject: **Fuel Hedge Update**

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

Action

Staff proposes the Board to review, accept, and enter into the record the report providing an update on the implementation of the Peninsula Corridor Joint Powers Board (JPB) Fuel Hedge Program (Program) and strategy.

Significance

The Board adopted JPB's current Diesel Fuel Hedging Program and a related Statement of Policy & Strategy on April 1, 2020. The program is managed in cooperation with consultant Linwood Capital, LLC.

JPB invested \$250,000 into the Program at the end of the Fiscal Year (FY) 2020, allowing the JPB to pre-purchase contextually appropriate anticipated diesel fuel in advance, with precise amounts determined by anticipated consumption and fuel market fluctuations. Based on the current parameters of the Program, hedging has produced:

- Realized net gains of \$1,236,769, which includes a \$700,000 cash out for the reduction of fuel costs, for the time-period June 2020 through March 25, 2022.
- Unrealized gains of \$2,690,549 for the time-period June 2020 through March 25, 2022.
- Combined unrealized gains and cumulative realized gains total \$3,927,318 through March 25, 2022.

Moving forward, the JPB and Linwood Capital will work to:

- Accumulate new fuel hedge contracts for the upcoming fiscal year as market conditions allow; and
- Maintain the size of the hedge in order to protect the JPB's fuel budget against volatile price movements in the diesel fuel market.

As a result, the Program is expected to help the JPB:

- Avoid \$2,169,915 in potential additional fuel costs (representing 51% fuel cost savings versus without hedging) over the next 10 months if fuel prices average 1 standard deviation higher than the current fuel market pricing; and
- Result in unrealized gains representing a fuel cost savings of approximately .50 cents per gallon through December 2022.

Budget Impact

There is no impact on the budget associated with the receipt of this report.

Background

The Program is designed to minimize large budget variances due to the volatility of diesel fuel prices, increase budget certainty, and facilitate a more effective utilization of budgetary resources. The purpose of the Program is not to speculate on the price of fuel but to manage risk, particularly as it relates to the JPB's annual budget, with realized gains or losses considered to be an element of fuel costs.

Prepared By:	Ashok Deshmukh	Acting Manager, Treasury	650-508-6405
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**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Casey Fromson
Chief Communications Officer

SUBJECT: **State and Federal Legislative Update and Approval of Legislative Proposal: Support AB 1944 (Lee)**



Finance Committee
Recommendation



Work-Program-
Legislative-Planning
Recommendation



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

Staff proposes the Committee recommend the Board:

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

SIGNIFICANCE

The 2022 Legislative Program establishes the principles that will guide the legislative and regulatory advocacy efforts. Based on those principles, staff coordinates closely with our Federal and State advocates on a wide variety of issues that are considered in Congress and the State legislature. The attached reports highlight the recent issues and actions that are relevant to the Board.

Prepared By: Jadie Wasilco
Government & Community Affairs Manager

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Caltrain State Legislative Matrix

Item #6.g.
5/5/2022

April 8, 2022

PRIORITY BILLS			
Bill Number (Author)	Summary	Location	Position
AB 2197 (Mullin D) Caltrain Electrification: Funding	Existing law provides for the creation of the Peninsula Corridor Joint Powers Board, which operates Caltrain as the commuter rail service along the San Francisco Peninsula commute corridor. This bill would appropriate \$260,000,000 from the General Fund to the Transportation Agency for allocation to the Peninsula Corridor Joint Powers Board for the purpose of completing the Caltrain Electrification Project. Introduced: 2/15/2022	Assembly Transportation	Supported 3/3/2022
SB 922 (Wiener D) California Environmental Quality Act: Exemptions for Transportation- Related Projects	The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA, until January 1, 2030, exempts from its requirements bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions. This bill would specify that the requirement that the bicycle transportation plan is for an urbanized area or urban cluster, as designated by the United States Census Bureau. The bill would extend the exemption to an active transportation plan or pedestrian plan in an urbanized area or urban cluster. The bill would define “active transportation plan” and “pedestrian plan.” The bill would specify that individual projects that are a part of an active transportation plan or pedestrian plan remain subject to the requirements of CEQA unless those projects are exempt by another provision of law. This bill contains other related provisions and other existing laws. Amended: 4/4/2022	Senate Appropriations 4/18/2022 at 9 a.m. 1021 O Street, Rm 1200 PORTANTINO, Chair	Supported 4/7/2022
SB 942 (Newman D) Low Carbon Transit	Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board as part of a market-based compliance mechanism to be deposited into the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law	Senate Appropriations 4/18/2022 at 9 a.m.	Supported 4/7/2022

<p>Operations Program: Free or Reduced Fare Transit Program</p>	<p>continuously appropriates specified portions of the annual proceeds in the fund to various programs, including 5% for the Low Carbon Transit Operations Program, which is administered by the Department of Transportation and provides operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility. Existing law requires each of those transit agencies to demonstrate that each expenditure of program moneys allocated to the transit agency reduces the emissions of greenhouse gases and does not supplant another source of funds, to use those moneys to provide transit operating or capital assistance, to use at least 50% of those moneys to benefit disadvantaged communities, and to submit specified information to the department before seeking a disbursement of those program moneys, as specified. This bill would authorize a transit agency that uses program moneys to fund a free or reduced fare transit program and that demonstrates compliance with the above-described requirements in its initial program application to continue to use those moneys to maintain that program on an ongoing basis without demonstrating continued compliance with those requirements. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/8/2022</p>	<p>1021 O Street, Rm. 1200 PORTANTINO, Chair</p>	<p>Item #6.g. 5/5/2022</p>
<p>AB 1944 (Lee D) Local Government: Open & Public Meetings</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would specify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public when the legislative body has elected to allow members to participate via teleconferencing.</p> <p>Introduced: 2/10/2022</p>	<p>Assembly Local Government</p>	<p>Recommend Support</p>

<p>SB 917 (Becker D)</p> <p>Seamless Transit Transformation Act</p>	<p>Existing law creates the Metropolitan Transportation Commission, as a local area planning agency and not as a part of the executive branch of the state government, to provide comprehensive regional transportation planning for the region comprised of the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma. This bill would require the commission to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, develop an implementation and maintenance strategy and funding plan, and establish open data standards, as specified. The bill would require the region's transit agencies, as defined, to comply with those established integrated fare structure, regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards, as provided. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/3/2022</p>	<p>Senate Transportation</p> <p>4/26/2022 at 9 a.m.</p> <p>Senate Chamber</p> <p>GONZALEZ, Chair</p>	<p>Item # 6g.</p> <p>5/5/2022</p>
<p>AB 1919 (Holden D)</p> <p>Free Youth Transit Pass Pilot Program: Eligibility for State Funding</p>	<p>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, revenues from a 1/4% sales tax in each county are available, among other things, for allocation by the transportation planning agency to transit operators, as specified. Existing law establishes the State Transit Assistance Program for the purpose of providing a source of state funding to eligible public transportation operators and other transportation agencies in order to support their local and regional transit operating and capital needs. Existing law establishes the Low Carbon Transit Operations Program to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility. Existing law conditions transit funding from certain programs on achieving specified ratios of fare revenues to operating costs. This bill would require local authorities, school districts, and colleges to maintain their funding for free or reduced fare youth transit as provided in the 2018-19 fiscal year. By imposing new transit funding requirements on local entities, the bill would impose a state-mandated local program. The bill would require transit agencies to offer free youth transit passes to all persons 25 years of age and under with California residency, regardless of immigration status, in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program, subject to a determination by the Controller that a legislative appropriation and the funding from local authorities, school districts, and colleges is sufficient to cover the lost farebox revenue as a result of offering free youth transit passes, as provided. These free youth transit passes would count as full-price fares for purposes of</p>	<p>Assembly Appropriations</p>	<p>Watch</p>

	calculating the ratio of fare revenues to operating costs. This bill contains other related provisions and other existing laws. Amended: 4/6/2022		Item #6.g. 5/5/2022
OTHER LEGISLATION			
AB 1938 (Friedman D) Transit and Intercity Rail Recovery Task Force	Existing law establishes the Transportation Agency, which consists of various departments and state entities, including the California Transportation Commission and the Department of Transportation. Under existing law, the agency is under the supervision of an executive officer known as the Secretary of Transportation, who is required to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, and coordinated planning and policy formulation in the matters of public interest related to the agency. Existing law provides for the funding of public transit and intercity rail, including under the Transportation Development Act. This bill would require the secretary, on or before July 1, 2023, to establish and convene the Transit and Intercity Rail Recovery Task Force to include representatives from the department and various local agencies, academic institutions, and nongovernmental organizations. The bill would require the task force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit and intercity rail ridership and improve transit and intercity rail operations for users of those services. The bill would require the secretary to prepare and submit a report of findings based on the task force's efforts to the appropriate policy and fiscal committees of the Legislature on or before January 1, 2025. The bill would require the report to include a detailed analysis of specified issues and recommendations on specified topics. The provisions of the bill would be repealed on January 1, 2028. This bill contains other existing laws. Amended: 3/7/2022	Assembly Appropriations	Watch
AB 2061 (Ting D) Transportation Electric Vehicle Charging Infrastructure	Existing law creates the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission (Energy Commission), to provide, among other things, competitive grants and revolving loans to specified entities for those entities to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. Existing law requires the Energy Commission to develop and adopt an investment plan to determine priorities and opportunities for the program. Existing law requires the Energy Commission, in consultation with the State Air Resources Board (state board), as part of the development of the investment plan, to assess whether charging station infrastructure is disproportionately deployed, as specified, and, upon finding disproportionate deployment, to use moneys from the Alternative and Renewable Fuel and Vehicle Technology Fund, as well as other mechanisms, including incentives, to more proportionately deploy new charging station	Assembly Appropriations	Watch

	<p>infrastructure, except as specified. Beginning July 1, 2023, this bill would require an entity that receives an incentive funded by a state agency or through a charge on ratepayers to install, own, or operate a charging station, in whole or in part, to report charging station uptime, as defined. The bill would require the Energy Commission, in consultation with the PUC, to develop a formula to calculate uptime to provide consistent, standardized reporting of information. This bill contains other existing laws.</p> <p>Amended: 3/21/2022</p>		Item #6.g. 5/5/2022
<p>AB 2237 (Friedman D)</p> <p>Transportation Planning - Regional Transportation Improvement Plan: Sustainable Communities Strategies – Climate Goals</p>	<p>Existing law establishes the Strategic Growth Council in state government. Existing law requires the council to develop and administer the Affordable Housing and Sustainable Communities Program to reduce the emissions of greenhouse gases through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support related and coordinated public policy objectives, as specified. Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires each regional transportation plan to also include a sustainable communities strategy prepared by each metropolitan planning organization. Existing law requires the council, by January 31, 2022, to submit a report to the relevant policy and fiscal committees of the Legislature that includes, among other things, an overview of those sustainable communities strategies, an assessment of how implementation of those sustainable communities strategies will influence the configuration of the statewide integrated multimodal transportation system, and a review of the potential impacts and opportunities for coordination of specified funding programs, including the Affordable Housing and Sustainable Communities Program. This bill would require the council, in consultation with the State Air Resources Board, the Department of Housing and Community Development, and the Transportation Agency, to convene a task force to review the roles and responsibilities of metropolitan planning organizations and to define “sustainable community. This bill contains other existing laws.</p> <p>Amended: 3/22/2022</p>	<p>Assembly Natural Resources</p> <p>4/25/2022 at 2:30 p.m. State Capitol, Rm. 447 RIVAS, Chair</p>	Watch
<p>AB 2357 (Ting D)</p> <p>Surplus Land</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined, and requires, except as provided, a local agency disposing of surplus land to comply with certain notice requirements before disposing of the land or participating in negotiations to dispose of the land with a prospective transferee, particularly that the local agency send a notice of availability to specified entities that have notified the Department of Housing and Community Development of their interest in surplus land, as specified. Under existing law, if the local agency receives a notice of interest, the local agency is required to engage in good faith negotiations with the entity desiring to purchase or lease</p>	<p>Assembly Local Government</p> <p>4/20/2022 at 9:30 a.m. State Capitol, Rm. 127 AGUIAR-CURRY, Chair</p>	Watch

	<p>the surplus land. Existing law defines “exempt surplus land,” for which a local agency is not required to follow the requirements for disposal of surplus land, except as provided, as, among other things, surplus land that is subject to valid legal restrictions that are not imposed by the local agency and that would make housing prohibited, as specified. This bill would also require the department to maintain on its internet website a listing of all entities, including housing sponsors, that have notified the department of their interest in surplus land for the purpose of developing low- and moderate-income housing. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/5/2022</p>		Item #6.g. 5/5/2022
<p>AB 2438 (Friedman D)</p> <p>Transportation Funding: Alignment with State Plans & GHG Emissions Reduction Standards</p>	<p>Existing law provides for the funding of projects on the state highway system and other transportation improvements, including under the state transportation improvement program, the state highway operation and protection program, the Solutions for Congested Corridors Program, the Trade Corridor Enhancement Program, and the program within the Road Maintenance and Rehabilitation Program commonly known as the Local Partnership Program. This bill would require the agencies that administer those programs to revise the guidelines or plans applicable to those programs to ensure that projects included in the applicable program align with the California Transportation Plan, the Climate Action Plan for Transportation Infrastructure adopted by the Transportation Agency, and specified greenhouse gas emissions reduction standards. This bill contains other related provisions and other existing laws.</p> <p>Amended: 3/21/2022</p>	Assembly Appropriations	Watch
<p>AB 2441 (Kalra D)</p> <p>Public Employment – Local Public Transit Agencies: New Technologies</p>	<p>Existing law creates various transit districts and prescribes requirements applicable to their labor relations, including those that address the recognition and certification of exclusive employee representatives, unit determinations, and procedures for meeting and conferring on matter subject to collective bargaining. This bill would prescribe requirements for public transit employers in connection with the introduction of new technologies for public transit services that introduce new products, services, or type of operation, as specified, or that eliminate jobs or job functions of the workforce to which they apply. The bill would require a public transit employer to provide notice, as specified, to the applicable exclusive employee representative of its intention to begin any procurement process or a plan to acquire or deploy to new technologies for public transit services, as described above, not less than 12 months before commencing the process, plan, or deployment. The bill would also prescribe subjects in this regard that would be mandatory subjects of collective bargaining, including creating plans to train and prepare the affected workforce to fill new positions created by a new service or product.</p>	Assembly Third Reading	Watch

	Introduced: 2/17/2022		Item #6.g.
<p>AB 2449 (Rubio 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 observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency’s jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would authorize a local agency to use teleconferencing without complying with those specified teleconferencing requirements if at least a quorum of the members of the legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency’s jurisdiction. The bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/17/2022</p>	Assembly Local Government	5/5/2022 Watch
<p>ACA 1 (Aguiar-Curry D)</p> <p>Local Government Financing Affordable Housing & Public Infrastructure: Voter Approval</p>	<p>(1)The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws.</p>	Assembly Local Government	Supported 2021

	Introduced: 12/7/2020		Item #6.g. 5/5/2022
SB 1121 (Gonzalez D) State & Local Transportation System: Needs Assessment	Existing law requires the California Transportation Commission to adopt and submit to the Legislature an annual report summarizing its prior-year decisions in allocating transportation capital outlay appropriations, and identifying timely and relevant transportation issues facing the state. Existing law authorizes the report to also include a discussion of any significant upcoming transportation issues anticipated to be of concern to the public and the Legislature and requires the report to include specific, action-oriented, and pragmatic recommendations for legislation to improve the transportation system. This bill would require the commission to prepare a needs assessment of the cost to operate, maintain, and provide for the necessary future growth of the state and local transportation system for the next 10 years, as provided. As part of the needs assessment, the bill would require the commission to forecast the expected revenue, including federal, state, and local revenues, to pay for the cost identified in the needs assessment, any shortfall in revenue to cover the cost, and recommendations on how any shortfall should be addressed. The bill would require the commission to submit the needs assessment to the Legislature on or before January 1, 2024, and biennially thereafter. Amended: 4/6/2022	Senate Transportation 4/19/2022 at 9 a.m. Senate Chamber GONZALEZ, LENA, Chair	Watch
SB 1161 (Min D) Transit Operators: Street Harassment Plans	Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit service. Existing law provides various provisions applicable to all public transit and transit districts. This bill would require the University of California Institute of Transportation Studies to, on or before June 30, 2023, develop and make available to transit operators, as defined, a survey for the purpose of promoting consistency in the collection of specified survey data. The bill would require transit operators to, on or before June 30, 2025, develop and implement a plan to reduce the street harassment experienced by its riders, as specified, and to consider the safety concerns and needs of riders impacted by street harassment when planning, designing, and operating their systems. The bill would require transit operators to, on or before June 30, 2024, collect survey data for the purpose of informing the plan. The bill would require the plan to be developed in consultation with certain riders, and would require those transit operators to conduct outreach in multiple languages in order to reach limited English proficient persons impacted by street harassment, as specified. The bill would authorize these plans to include changes to policies, design, operations, or other aspects of transit systems, as specified. The bill would require the Transportation Agency to, on or before January 1, 2027, produce and submit a report containing certain information related to the implementation of these provisions to the Legislature and the Governor. To the extent the bill imposes additional duties on a local agency, the bill would impose a state-mandated	Senate Transportation 4/19/2022 at 9 a.m. Senate Chamber GONZALEZ, Chair	Watch

	<p>local program. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/6/2022</p>		<p>Item #6.g. 5/5/2022</p>
<p>SB 1410 (Caballero D)</p> <p>California Environmental Quality Act: Transportation Impacts</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that the lead agency proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. CEQA requires the Office of Planning and Research to prepare and develop proposed guidelines for the implementation of CEQA by public agencies and requires the Secretary of the Natural Resources Agency to certify and adopt those guidelines. CEQA requires the office to prepare, develop, and transmit to the secretary for certification and adoption proposed revisions to the guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas, as defined, that promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Existing law requires the office to recommend potential metrics to measure transportation impacts, as specified. CEQA authorizes the office to adopt guidelines establishing alternative metrics to the metrics used for traffic levels of service for transportation impacts outside transit priority areas. This bill instead would require the criteria for determining the significance of transportation impacts of projects within transit priority areas to only promote the reduction of greenhouse gas emissions. The bill would require the potential metrics described above to only apply to projects within transit priority areas. This bill contains other existing laws.</p> <p>Amended: 3/31/2022</p>	<p>Senate Environmental Quality</p> <p>4/25/2022 at 9 a.m. 1021 O Street, Rm. 2100 ALLEN, Chair</p>	<p>Watch</p>



April 8, 2022

TO: Caltrain Board of Directors

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

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

General Update

As the Legislature goes into April, policy committee hearings are in full swing. Policy Committees will continue for fiscal bills (bills that have a cost to the state) until April 29. Bills keyed non-fiscal have until May 6 to be heard in policy committee. Following the policy committee deadline, fiscal legislation faces its next hurdle, the fiscal committee deadline on May 20.

Now that COVID case rates are declining, activity in the Legislature has been shifting increasingly towards in-person rather than virtual meetings. Virtual meetings are still occurring, but more legislative staff are working from the “Swing Space” rather than from home, increasing opportunities for in-person lobbying.

Bills with Recommended Action

AB 1944 (Lee) Public Meetings – This bill would make changes to the Brown Act to clarify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public. This bill would also require all public meetings of a legislative body using teleconferencing to provide a video stream accessible to members of the public and an option for members of the public to address the body remotely during the public comment period through an audio-visual or call-in option. **We recommend Caltrain SUPPORT this measure.**

Bills with Action Taken

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

This bill has not yet been set for hearing.

SB 922 (Wiener) – CEQA Exemptions for Transit. This bill would permanently extend statutory exemptions from the CEQA requirement for clean transportation projects, including charging and

facilities for zero-emission rail, station-area improvements, and first/last mile connections for bike and ped. This bill is a follow up to SB 288 (Wiener, 2020) which Caltrain supported. *Support.*

The bill is set for hearing in the Senate Appropriations Committee on 4/18.

SB 942 (Newman) Low Carbon Transit Operations Program: Free or Reduced Fare Transit Program.

This bill would provide California public transit agencies with the flexibility to use Low Carbon Transit Operations Program funds for free or reduced-fare transit programs on an ongoing basis. This flexibility will ensure the long-term sustainability and benefits of free youth ridership programs that expand access to public transit and create lifelong riders. *Support.*

The bill is set for hearing in the Senate Appropriations Committee on 4/18.

Bills of Interest

AB 1919 (Holden) – Free Student Transit Passes. The bill would require transit agencies to offer free youth transit passes to all California residents, regardless of immigration status, under age 25 in order to be eligible for state funding under state various programs. For the purposes of calculating the ratio of fare revenue to operating costs, the free youth transit passes would count as full price fares. Upon appropriation by the Legislature, the bill would also create the Youth Transit Pass Pilot Program that would offset the costs to transit agencies offering free youth transit passes and would require the department to submit a report to the Legislature on the outcome of the program, the funding conditions associated with the program, the status of these programs statewide and whether the provisions of the bill led to reductions in GHG emissions and VMT. The bill would sunset on January 1, 2028.

Recent amendments add provisions clarifying that the provisions do not apply if the Controller determines that the funding provided by the Legislature (upon appropriation) to the Youth Transit Pass Pilot Program is not sufficient to cover the lost farebox revenue from offering free transit passes. The amendments also require that local authorities, school districts and colleges maintain their funding for free or reduce fare youth transit as provided in 2018-19.

The bill passed out of the Assembly Transportation Committee 14-0 and will be heard next in the Assembly Appropriations Committee.

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

The bill passed out of the Assembly Public Employment and retirement Committee 4-1 on March 30 and will go to a vote on the Assembly Floor.

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

bill would also require the region's transit agencies to comply with the established integrated fare structure, regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards.

The bill is set to be heard in the Senate Transportation Committee on April 26.

Grants

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

Current Guidelines: Found [here](#)

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

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

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

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

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

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

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

Caltrain Federal Report As of April 14, 2022

President Biden Releases FY 2023 Budget Request

- On March 28, President Biden [released](#) his FY 2023 budget request, outlining his vision for the next year of government spending. The budget calls for significant investments into transportation programs.
- The Department of Transportation (DOT) FY 2023 budget request is \$105.5 billion in mandatory and discretionary funding, a \$1.7 billion, or approximately a 1.6 percent, increase from the FY 2022 enacted level. However, this request is in addition to \$36.8 billion in advanced appropriations under the Infrastructure Investment and Jobs Act (IIJA), bringing the total request to \$142.3 billion in funding for DOT next year.
 - \$1.5 billion for **Rebuilding American Infrastructure with Sustainability and Equity (RAISE)** discretionary grants and the newly authorized **National Infrastructure Project Assistance (Mega) Grant** program in addition to the \$2.5 billion provided for these programs under IIJA.
 - \$59.5 billion for the **Federal Highway Administration (FHWA)** in addition to \$9.5 billion in advance appropriations under the IIJA for a \$68.9 billion total commitment for the agency.
 - \$16.9 billion for the **Federal Transit Administration (FTA)** in addition to \$4.3 billion in advance appropriations under the IIJA for a \$21.1 billion total commitment for transit.
 - \$2.85 billion for **Capital Investment Grants** in addition to \$1.6 in advanced appropriations under the IIJA for a \$4.45 billion total investment in major capital projects and expanded transit service.
 - \$200 million for **Transit Infrastructure** grants in addition to \$2.05 billion in advanced appropriations from the IIJA for a \$2.25 billion total investment to support the following new programs:
 - \$50 million for a new program, **Zero Emission System Transformation Planning Program**: Grants for planning related to the conversion of transit bus fleet to zero-emission buses.
 - \$100 million for a new program, **Climate Resilience and Adaptation Grants**: Grants for capital projects that improve the resilience of transit assets related to climate hazards by protecting transit infrastructure from flooding, extreme temperatures, and other climate-related hazards.
 - \$4.7 billion for **passenger and freight rail** in addition to \$13.2 billion in advance appropriations under the IIJA for a \$17.9 billion total investment in rail, including:
 - \$500 million for the **Consolidated Rail Infrastructure and Safety Improvements (CRISI)** Program in addition to \$1 billion in advanced appropriations under the BIL for a total of \$1.5 billion for CRISI;

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- \$555 million for the **Federal-State Partnership for State of Good Repair Grant Program**, in addition to \$7.2 billion in advanced appropriations under IIJA for a total of \$7.755 billion for the Fed-State Partnership

DOT Announces Infrastructure Programs of Regional or National Significance

- On March 22, DOT posted a notice of funding opportunity (NOFO) for the INFRA, Mega-projects (new program created in IIJA), and RURAL infrastructure grant programs. The submission deadlines for all three programs are May 23.
 - [Mega Project Grants](#) are focused on large multimodal transportation projects, with 50 percent of the funding being awarded to projects greater than \$500 million in total project cost. The remaining 50 percent of the funding is awarded to projects between \$100 million and \$500 million in total project costs. The Mega program will help large multimodal projects with gaps in their financial plans.
 - [INFRA Grants \(existing program\)](#) will fund freight projects that have regional or national significance. At least 15 percent of the funds are reserved for small projects (<\$100 million) and at least 25 percent for rural projects. The program also sets aside \$150 million for projects with greater non-Federal share.

Round-Up of Open Grant Opportunities

- [FY 2022 RAISE Grants](#): \$2.275 billion available. All applications due by April 14, 2022.
- [Commuter Authority Rail Safety Improvement \(CARSI\) Grants Round 2](#): \$59 million available. All applications due by April 14, 2022.
- [INFRA Grants](#): \$1.5 billion available. All applications due by May 23, 2022.
- [Rural Grants](#): \$300 million available. All applications due by May 23, 2022.
- [Mega Grants](#): \$1 billion available. All applications due by May 23, 2022.
- [FY 2022 Low or No Emission Grant Program](#): \$1.1 billion available. All applications due by May 31, 2022.
- [FY 2022 Buses and Bus Facilities Competitive Program](#): \$372 million available. All applications due by May 31, 2022.

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Brian W. Fitzpatrick, Director of Real Estate & Property Development
Nadine Fogarty, Deputy Director of TOD & Real Estate Planning

SUBJECT: **Diridon Development Update**

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

ACTION

This report is for information only and is intended as an update to the staff report presented at the September 2021 Joint Powers Board (JPB) meeting. No Board of Directors (Board) action is required.

SIGNIFICANCE

The JPB owns approximately 17 acres of property in the area surrounding Diridon Station. Three acres of JPB’s land have been identified as developable (the “Development Parcels”). These parcels are within the City of San Jose’s Downtown Station Area Plan (DSAP), which was amended in 2021 after years of extensive community engagement. The amended plan increased overall development capacity throughout the Station Area and includes a mix of market-rate housing, affordable housing, hotel rooms and commercial space. The City’s General Plan (2011) and amended DSAP designate the Development Parcels for commercial uses as an integral part of the mixed-use plan for the over 200-acre DSAP area. The original DSAP (2014) also designated Caltrain’s parcel for commercial uses. In addition to helping to realize the City’s DSAP vision, development of the Development Parcels is expected to result in the creation of over 1 million square feet of commercial space, which will provide JPB a substantial, long-term revenue stream, generate ridership for Caltrain and contribute over \$12 million towards the creation of much- needed affordable housing in the Station Area.

While the amended DSAP allows for increased development capacity, and specifically identifies the Development Parcels for commercial use, it also places square footage limits on commercial space. As noted in the previous staff report, staff have been working over the past several months to advance planning entitlements for the Development Parcels to ensure that appropriate development capacity is allocated to the Development Parcels before the DSAP development limits are reached. This report and accompanying presentation provide an update on the status of these efforts.

BUDGET IMPACT

There is no budget impact associated with receiving this informational update. If the Development Parcels are developed as anticipated, they could yield a long-term revenue stream through the negotiation of a ground lease.

BACKGROUND

Site Description and Project Overview

The Development Parcels are located immediately east of the Diridon Station and are bordered by S. Montgomery, Cahill, Crandall, and W. San Fernando Streets. They are currently used for Caltrain parking and VTA’s light rail system passes underneath the Development Parcels, essentially bisecting them. In addition to the Development Parcels, Caltrain-owned property includes the railroad right-of-way, Diridon station, additional parking lots, a station drop-off and turnaround area, a bus staging area and landscaping. A map of JPB-owned property is attached to this report as Exhibit A.

The proposed development includes two office buildings with ground floor retail and other active uses, as well as a with a public plaza that connects the historic Diridon Station to Google’s planned Downtown West development to the east. The project will also include two separate underground parking garages. The location of VTA’s underground facilities precludes building a more efficient, integrated parking garage under the sites. The garages will most likely be shared for public use during certain hours per DSAP policy. The tables below provide details about the overall development and individual buildings, and graphics depicting the conceptual design are provided in the accompanying presentation.

Overall Project Summary

Office Sq. Ft.	Retail Sq. Ft.	Auto Parking	Bike Parking	Plaza Sq. Ft.
1,082,135	46,000	792	330	29,000

North and South Tower Details

	Retail Sq Ft.	Office Sq. Ft.	Auto Parking	Stories	Height
South Building	18,500	546,809	352	15	250'
North Building	27,500	532,325	440	16	265'

Policy and Planning Context

Caltrain Rail Corridor Use Policy (RCUP)

In February 2020, the JPB adopted the RCUP to guide the use of its property and support delivery of Caltrain’s Long-Term Service Vision. This document categorized all JPB-owned property into “property use zones,” which serve as the base land use districts for property along the Caltrain corridor. The four categories are Property Use Zone 1 (Operating Right-of-Way), Property Use Zone 2 (Station-Right-of-Way), Property Use Zone 3 (Non-Operating Right of Way), and Property Use Zone 4 (Special Study Area).

All Caltrain property at Diridon Station falls within Property Use Zone 4 (Special Study Area). Property Use Zone 4 includes JPB properties involved (at the time of RCUP adoption) in a defined planning process that formally includes multiple stakeholders. The RCUP further states that the planning process in each area will determine the future use of the property. When the Board adopted the RCUP, two ongoing planning initiatives impacted this property, the City of San Jose-led Amended DSAP process, and the Diridon Station Integrated Concept Plan (DISC), both described below. The City of San Jose has completed the Amended DSAP process, and the DISC partners continue to work together on plan concepts.

Caltrain TOD Policy

Adopted along with the RCUP in February 2020, the TOD Policy expresses JPB's goals and strategic objectives for TOD projects. The Policy applies to properties that are owned by the JPB in fee simple and are available for development independent from a capital project as defined by RCUP. JPB's overarching goals for TOD include: 1) sustainable transportation, 2) value creation, 3) equity, and 4) complete communities.

The proposed development furthers the TOD Policy goals in a variety of ways. It will include transit-supportive uses that will contribute to Caltrain ridership and generate a long-term revenue stream. It will help to implement the DSAP by delivering a commercial use that is consistent with the plan vision and community input. It will incorporate high-quality design standards that facilitate station access and support environmental sustainability. While the development will not directly include affordable housing, it will provide over \$12 million of commercial linkage fees that will help fund affordable housing within the plan area (explained in further detail below). Finally, the development will encourage high labor standards by requiring that construction workers be paid prevailing wages.

Amended Diridon Station Area Plan (DSAP)

The City of San José initially adopted the DSAP in 2014. The Plan, which covers approximately 200 acres of property surrounding the Diridon Station, designated specific locations for housing, commercial space (office), hotels, retail uses, and a new baseball stadium. In 2019, the City initiated a process to amend the DSAP to align it with current market conditions, tie it to other planning efforts and to reflect that a stadium was no longer planned for the area. Furthermore, the amended DSAP includes Google's Downtown West Mixed-Use Plan, incorporates the Diridon Affordable Housing Implementation Plan, and integrates additional equity considerations. After an extensive community input and engagement process, the amended DSAP, and Google's Downtown West Mixed-Use Plan, were approved by the San Jose City Council in May 2021.

The DSAP implements the City's General Plan (2011), which designates all JPB-owned parcels as "Commercial-Downtown." According to the General Plan, "this designation includes office, hotel, retail, service, and entertainment uses in the City's Downtown, consistent with those supported by the Downtown designation, but denotes areas in which residential uses are not appropriate and therefore are excluded." Consistent with the General Plan, the Amended DSAP designates the Development Parcels "Employment/Commercial" uses. The allowed land uses of the Development Parcels did not change because of the recent amendment. However, the amended plan allows increased building heights and floor area.

In addition to the site-specific standards, the Amended DSAP and associated environmental impact report (EIR) also include area-wide “caps” on specific categories of development. Overall, the Amended DSAP allows up to 14.44 million square feet of office space and 13,519 new homes. Google’s Downtown West development accounts for approximately 7.3 million square feet, leaving about 7.1 million square feet of office space allocation. Given the proximity to transit, downtown amenities, nearby housing, and Google’s development, it is expected that additional commercial development in the DSAP area will be in high demand in the coming years. It is therefore imperative that Caltrain act swiftly to ensure that an appropriate amount of the development cap is allocated to the Development Parcels. Staff anticipates that the entitlement and environmental review process will become substantially more challenging when the development caps are reached.

Diridon Station Integrated Concept Plan (DISC)

The California High-Speed Rail Authority (CHSRA), Caltrain, Santa Clara Valley Transportation Authority (VTA), Metropolitan Transportation Commission (MTC), and the City of San José (Partner Agencies) are working together on a plan to expand and redesign Diridon Station. Generally, DISC planning involves the station itself, the approaches to the station, and station access (plazas, etc.). The DISC process is ongoing, and the Partner Agencies are now embarking upon a Business Case analysis that will help to advance the project toward implementation. A key early component of the Business Case will be an in-depth study to examine options for the future of the historic depot. Caltrain will work closely with the Partner Agencies to ensure that the architectural team designs the Development Parcels to incorporate DISC principles, with active ground floor uses and a public plaza. Additionally, over 14 acres of Caltrain property at Diridon Station will be reserved from development to accommodate DISC needs.

Proposed Development Concept

Utilizing the JPB’s “on-call” planning contracts, Caltrain staff have assembled a consultant team that includes 1) ARUP and 2) Perkins and Will. The team has been tasked with preparing a conceptual design for the development. As described below, these designs are planned to be submitted as part of a formal planning application in May 2022. Overall, JPB’s proposal calls for approximately 1.1M square feet of commercial space, which currently fits within the DSAP commercial square footage cap. It is expected that the architectural team will make changes to the conceptual plans based on additional feedback received based on the City’s formal review, as well as the community outreach process.

As noted above, a large portion of the DSAP plan will be implemented via Google’s Downtown West development. The Downtown West project includes development of several parcels adjacent to the Development Parcels. Caltrain staff and the consultant team have been working closely with Google during the design process to ensure compatibility between the development sites.

Affordable Housing

As noted above, the City of San Jose General Plan and DSAP do not allow housing on the Development Parcels. However, a substantial amount of land has been allocated for housing in designated locations within the DSAP area. The Amended DSAP plan also included an ambitious [Affordable Housing Implementation Plan](#). As noted above, the DSAP allows up to 13,519 new homes in the area. The City aims to have 25% of those units to be deed-restricted, affordable units (extremely low to moderate-income levels).

The City's implementation plan includes several strategies to produce and fund affordable units. For example, "Production Strategy #3" states that the City should "Prioritize the use of Commercial Linkage Fee revenues generated in the Diridon Station Area for affordable housing projects within the Plan area." In November 2020, the City adopted a [Commercial Linkage Fee](#) that applies to development on the site (\$12/sf). Based on the initial proposal, it is expected that commercial development of the Development Parcels would generate more than \$12 million towards the creation of affordable housing on lands designated for housing within the DSAP area.

City of San Jose Entitlement Process

The Caltrain team submitted a preliminary review application to the City in October 2021 and received a response from the City in early December. In general, the comments are supportive of the project. Key issues that the team is currently working to address include 1) the location of auto access to the project; 2) providing appropriate space for loading facilities; and 3) modifying the building massing based on an improved understanding of Federal Aviation Administration (FAA) requirements.

Staff plan to submit a formal application to the City in May 2022. The formal application will include "schematic" design drawings that allow square footage to be allocated to the site, but will not include detailed architectural drawings. The formal review takes about a year and includes community outreach meetings as required by the City of San Jose, and an environmental assessment to ensure it complies with the DSAP EIR. In addition to community outreach meetings, the Caltrain team will also meet with key stakeholders on an as-needed and ongoing basis. The project would ultimately be reviewed and approved by the San Jose Planning Commission.

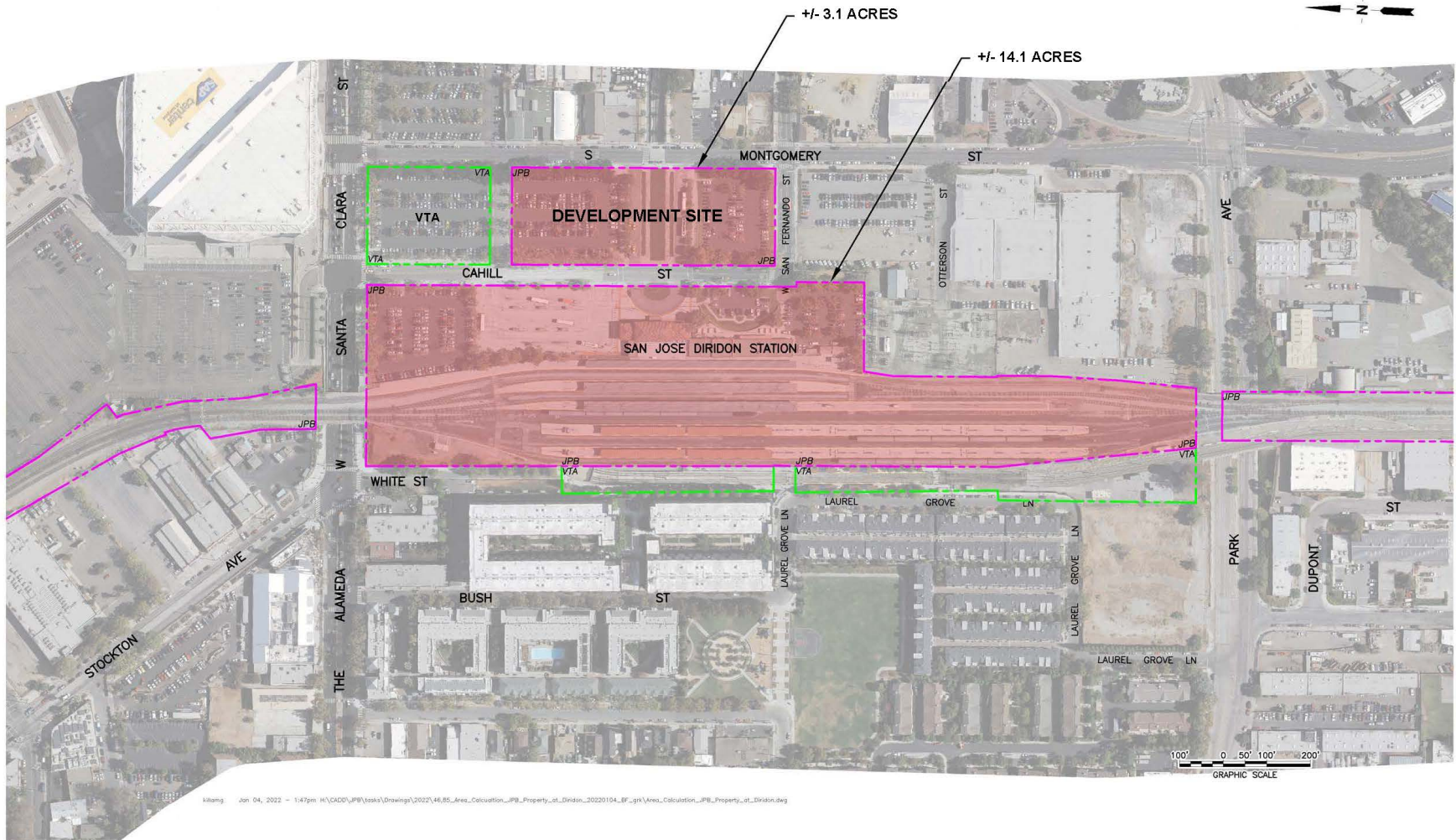
Future Real Estate Process

After the Development Parcels are entitled, staff anticipates JPB will follow its typical practice to move forward with the real estate process, including reserving time at the outset to ensure compliance with the Surplus Land Act and any other legal or procedural requirements. While staff anticipate that the project will receive entitlements by mid-2023, the timing of the development solicitation may be adjusted based on market conditions. It is anticipated that JPB would enter a long-term ground lease with the development partner. Under the terms of the agreement, the developer would take on all "development risk" by financing, building, and owning all improvements while JPB would continue to own the Development Parcels and would collect rent based on the success of the development. Staff will seek Board direction at each stage of the real estate process, including direction about timing, final form of disposition agreement, and business terms.

Timeline, Next Steps, and Future Board Review

As noted above, staff plan to submit a formal application to the City of San Jose in May 2022, and the process to receive entitlements is expected to take approximately one year. The real estate process described above would begin in mid-2023 at the earliest (depending on market conditions) and will be subject to Board approval. The Board will receive additional updates and opportunities to review this project during and after the formal City entitlement process.

EXHIBIT A
PCJPB PROPERTY AT SAN JOSE DIRIDON STATION



**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board
Through: Michelle Bouchard, Acting Executive Director
From: Casey Fromson, Chief Communications Officer
Subject: **Metropolitan Transportation Commission (MTC)/Regional Update**

Finance Committee
Recommendation

Work Program-
Legislative-Planning
Committee
Recommendation

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

Action

None

Significance

The Metropolitan Transportation Commission (MTC) provides planning, funding, coordination, and technical assistance to cities, counties, transit agencies, and other partners to bring the region together. The California Legislature created the MTC in 1970 to plan and provide a cohesive vision for the Bay Area's transportation system. The Commission's scope over the years has expanded to address other regional issues, including housing and development.

MTC is actively considering several key policy and funding decisions that affect Caltrain, and staff wants to ensure the Board is apprised of these decisions as well as other regional efforts

Budget Impact

No budget impact.

Background

Key Regional Items this Month:

Transit Network Manager Business Case

Caltrain staff has continued to engage with the MTC-led Network Manager Business Case work throughout the month of April, however there were no Advisory Committee meetings during the month and no new study material formally presented. The next Advisory Committee meeting will occur on May 2nd and staff will provide a written summary of materials and discussion in next month's report. Staff will continue to provide written updates on study

progress and will return to the WPLP with a standalone item (similar to the one presented in February) at such time as the study reaches a major milestone or is otherwise ready for Board input.

Regional Rail Partnership Study

During the month of April, staff continued to engage with MTC and their consultant team (led by Steer) on the initial phases of the Regional Rail Partnerships Grant. Caltrain staff participated, along with staff from MTC, BART and VTA, in a series of discussions focused on issues related to the planning and delivery of major rail capital projects. This study is an exploratory effort funded by a Caltrans Planning grant that will analyze issues related to major rail project delivery in the Bay Area the relationship of project delivery to larger organization and governance. Caltrain staff will provide a more fulsome summary of study materials as they are formalized and are made available for public discussion. Work and concepts developed as part of the Regional Rail Partnerships Grant will ultimately feed into the larger Network Manager Business Case Study.

Regional Fare Coordination and Integration Study

Since the Fare Integration Task Force unanimously adopted a Bay Area Transit Fare Policy Vision Statement in November 2021 the BART and MTC staff on the project team have been focused delivering the first identified action, an Institutional Transit Pass Pilot Program with a focus on educational institutions, affordable housing properties, and employers of various sizes. The Institutional Transit Pass Pilot will provide “all you can use” transit access to pilot participants. This program is funded with \$6 million identified by the MTC Commission to advance delivery of the Transit Transformation Action Plan, adopted last summer by the Blue Ribbon Transit Recovery Task Force. The Institutional Transit Pass Pilot is intended to be revenue neutral (or revenue positive) for transit operators.

Of the \$6 million identified for the pilot, \$4.4m is identified to cover foregone revenue over the 2-year pilot term. \$2.2 million will be distributed to transit operators up-front based on each operator’s share of FY19 fare revenue. Caltrain would receive \$230,000 (10.19%). Another \$2.2 million would be held in reserve meant for “top-off” funding to distribute among operators in year 2 to cover any lost fare revenue. Actual allocation to be determined by the MTC commission at a later date.

Board actions to accept/endorse the pilot (per each agency’s policy) will occur May-June 2022.

The Institutional Transit Pass Pilot will launch under the “pilot” process detailed under the Federal Transit Administration’s (FTA) Title VI Circular. BART and MTC staff have been working in close coordination with FTA staff to ensure the Institutional Transit Pass Pilot complies with all Title VI requirements and MTC will serve as the lead agency for any Title VI analysis required

for the Institutional Transit Pass Pilot. Individual transit operators are not expected to prepare any Title VI analysis as a part of their participation in the Institutional Transit Pass Pilot.

To launch the Institutional Transit Pass Pilot Program in August 2022 each transit operator that is part of the Clipper system will need to formally consent to participate. Some transit agencies may choose to have their governing boards approve participation while other agencies may agree to participate with only staff/executive concurrence.

Prepared By: Jadie Wasilco

Caltrain Government &
Community Affairs
Manager

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Resolution No. 2022-

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

Resolution Honoring Asian/Pacific American Heritage Month

WHEREAS, the Peninsula Corridor Joint Powers Board (Caltrain) pays tribute to the many contributions of generations of Asian Americans and Pacific Islanders (AAPI) who have enriched the history of the United States; and

WHEREAS, Asian/Pacific Americans helped develop our nation in countless ways, those recognized, unrecognized, and unrecorded; and

WHEREAS, the month of May was selected for Asian/Pacific American Heritage Month because the first Japanese immigrants arrived in the United States on May 7, 1843, and the first transcontinental railroad was completed on May 10, 1869, with substantial contributions from Chinese immigrants; and

WHEREAS, a 2020 rider survey showed that the AAPI community make up 28% of Caltrain ridership; and

WHEREAS, Caltrain believes every person has the freedom to feel valued and respected, and condemns racism in rhetoric or action; and

WHEREAS, in July 2021, the Caltrain Board adopted a resolution in support of diversity, equity, inclusivity and anti-racism; and

WHEREAS, in May 2021, Caltrain held a panel and listening session with Tsuru for Solidarity on racism in Asian-American and African-American communities; and

WHEREAS, the Asian-American and Pacific Islander community is an inherently diverse population, composed of more than 45 distinct ethnicities and more than 100 language dialects; and

WHEREAS, according to the Bureau of the Census, the Asian-American population grew faster than any other racial or ethnic group over the last decade, surging nearly 72% between 2000 and 2015;

NOW, THEREFORE, BE IT RESOLVED that the Caltrain Board of Directors does hereby recognize May as Asian/Pacific American Heritage Month and celebrate the immense contributions that Asian Americans and Pacific Islanders have made in the United States.

Regularly passed and adopted this 5th day of May, 2022 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board



ATTEST:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Acting Executive Director
From: Grace Martinez, Acting Chief Financial Officer
Subject: **Fiscal Year 2023 Preliminary Operating and Capital Budgets**

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

ACTION

This report is submitted for informational purposes only.

This item was presented at the Finance Committee on April 25th. Based on committee feedback and input, staff has revised the recommended approach to close the \$33.7M funding gap shown in the FY23 Preliminary Capital Budget gap as follows:

1. Use of \$15.9 million of the available unrestricted fund balance (described in detail on page 3 of this report).
2. Use of \$2.1 of the \$20 million of the capital reserve account. Funds from the above-mentioned sources would replace the staff's original proposal (which is outlined in this staff report) of \$18 million to be sourced from the capital reserve account.
3. Receive member agency funding of \$15.7 million or \$5.3 million from each partner.

Additionally, at the request of the Finance Committee, staff has developed two alternative budget scenarios that differ from the staff recommended preliminary operating and capital budgets and show additional reductions in operating and capital expenditures. These alternative scenarios are discussed in the PowerPoint attached to this report.

Staff will obtain Board feedback, and finalize discussions with funding partners and member agencies, and make further refinements, the Peninsula Corridor Joint Powers Board (JPB) Staff will present a final budget proposal to the Finance Committee and Board of Director for consideration and adoption at the June 2022 Board meeting.

SIGNIFICANCE

After more than two years, the COVID-19 pandemic and its aftermath continue to have profound consequences for Caltrain. While ridership has steadily recovered through the spring of 2022, overall usage (and fare revenues) are still a fraction of pre-COVID levels. Caltrain was fortunate to receive substantial federal relief funding supporting operations in FY2021 and

FY2022, however these funds will no longer be available for FY2023 and the railroad must balance its budget with other sources.

Caltrain (and rail in general) is a capital intensive, high fixed cost business. This means that rail is very cost efficient at scale- when the high costs of operating and maintaining a corridor can be spread across many trains and riders. Conversely running fewer trains will result in savings- but at the expense of disproportionately large impacts to service. Running fewer trains would also result in service levels dropping substantially at many stations and could deter users from returning to the system at a time when Caltrain is focused on rebuilding ridership and working to encourage the use of its service across many different markets.

At the recent Peninsula Corridor Joint Powers Board workshop held in March, Caltrain staff laid out a post-COVID business strategy focused on:

- Sustaining a competitive and attractive level of weekday service that;
 - Provides good value to existing individual and institutional (Go Pass) customers throughout the corridor
 - Standardizes train times and enhances connections with other operators
 - Continues improved off-peak and weekend services to address equity needs and build markets outside of standard commute hours
- Maintaining a commitment to equity and building ridership by holding fares constant
- Advancing organizational changes including reducing vacancies and completing the governance process
- Completing electrification while strengthening the overall capital program and advancing other projects and initiatives at the corridor and regional scale

Funding this strategy is challenging. While Caltrain is fortunate to have access to Measure RR funds, federal relief funding has been fully utilized in FY2022 and fare revenues are still greatly reduced from pre-COVID levels. The preliminary FY2023 operating and capital budgets described below rely on fully using anticipated Measure RR receipts to fund the operating budget. The preliminary capital budget includes a significantly reduced set of projects and requires Board input on how to source a needed \$33.7 million in local funding.

FY2023 Preliminary Operating Budget Overview:

- The FY2023 Preliminary Operating Budget is one that reflects economic recovery and gradual emergence out of the pandemic.
- The budget reflects the consolidation of shuttle contracts under SamTrans, thereby zeroing out Shuttle Revenues and Expenses.
- There is a \$4.8M State Transit Assistance (STA) carryforward funds that is helping balance the budget.
- Measure RR revenues amount to \$114.3M, accounting for 65 of Total Revenues.

- There are no American Rescue Plan Act (ARPA) Funds for FY2023 as they will be claimed in FY2022.
- Fuel is going to be one of our most volatile expenses based on the current political climate.

FY2023 Preliminary Capital Budget Overview:

- The FY2023 Preliminary Capital Budget is a constrained budget and full funding sources will be identified for all projects included in the Proposed Capital Budget presented to the Board in June.
- The FY2023 Preliminary Capital Budget requires the identification of \$33.7 million in local funding to support the constrained project list and match anticipated federal funding. Staff recommends that this funding be sourced as follows;
 - Use of \$18 million from previously collected Measure RR funds that were transferred to a capital reserve account in fall of 2022¹
 - An additional \$15.7 million in member funding to the capital budget. This represents an obligation of \$5.3 million from each of the three member agencies.

Overview of available “Reserve” funding:

- *As noted above, Caltrain has funding available in reserve that can be utilized as part of the FY23 budget. This funding is as follows;*
 - *\$20 million dollars of remaining in a ‘capital reserve’ account that was established by the Board in FY22 using Measure RR funding*
 - *\$42.9 million in unrestricted fund balance*
- *The Financial Reserve Policy adopted by the Board in 2017 directs the agency to maintain between 10 and 15% of its annual operating budget in reserves (or approximately \$18 to \$27 million for FY23). Funding this reserve amount out of the unrestricted \$42.9 million would leave the remaining unrestricted fund balance at \$15.9 million.*
- *Currently Caltrain does not have a formal policy for capital reserve. Staff will come back to the board with a draft to establish a capital reserve policy.*

FY2023 PRELIMINARY OPERATING BUDGET

Please refer to Attachment A – FY2023 Preliminary JPB Financial Statement- Preliminary Budget for a comparative schedule of the FY2023 Preliminary Operating Budget which shows the FY2021 Actual, FY2022 Forecast and the FY2023 Preliminary Operating Budget. The line

¹ As discussed above, Staff revised this recommendation following the Finance Committee meeting to use \$15.9 million from the unrestricted fund balance and \$2.1 million from the capital reserve, along with member contributions, to fill this funding gap.

numbers for each revenue and expense item detailed below refer to the corresponding line numbers on Attachment A.

Revenue Projections

Total revenues for FY2023 are projected at \$176.2 million, a decrease of \$81.2 million or 31.6% less than the FY2022 Forecast:

- Revenue from Operations for FY2023 is projected at \$50.5 million, an increase of \$12.4 million or 32.6% over the FY2022 Forecast.
- Revenue from Contributions for FY2023 is projected at \$125.6 million, a decrease of \$93.6 million or 42.7% lower than the FY2022 Forecast.

OPERATING REVENUE

Line 1 **Caltrain Fares:** \$30.2 million, an increase of \$12.6 million or 71.3% higher than the FY2022 forecast.

Farebox revenue includes fare receipts collected directly from rail passengers.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Caltrain Fares	6,702,382	25,039,000	17,639,000	30,219,000	12,580,000	71.3%

Caltrain Fares assumes a 36% recovery of Pre-COVID levels. Ridership recovery is assumed to continue to be slow due to remote work and potential COVID variants.

Line 2 **Go Pass:** \$16.3 million, an increase of \$1.3 million or 8.4% higher than the FY2022 forecast.

Caltrain Go Pass program allows companies, educational institutions, and residential complexes (Participants) to purchase annual unlimited ride passes for eligible employees, students, or residents (Users). Go Pass is not available for purchase by individuals and does not cover parking at Caltrain stations or travel on other transit systems. Go Pass has been sold on a calendar year basis.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Go Pass	25,737,533	9,600,000	15,000,000	16,260,000	1,260,000	8.4%

Go Pass reflects current customers signed up for calendar year 2022 amounting to

approximately \$15.3 million plus an assumed 6% growth with continued signups and renewals.

Line 3 **Parking Revenue:** \$1.9 million, an increase of \$0.6 million or 47.4% higher than the FY2022 forecast.

Parking revenue includes fees at parking lots located in various passenger stations, with the largest being at the SAP Center adjacent to the San Jose Diridon station.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Parking Revenue	385,304	1,536,000	1,286,000	1,896,000	610,000	47.4%

Parking revenue estimates follow Caltrain Fares revenue trend projections.

Line 4 **Shuttle Revenue:** \$0, a decrease of \$1.3 million or 100% lower than the FY2022 forecast.

Shuttle Program funding comes from participating employers, the San Mateo County Transportation Authority (TA), Bay Area Air Quality Management District (BAAQMD). This line item refers only to the revenue generated from participating local employers who provide rail passengers the last-mile connections between Caltrain stations and work sites.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Employer Share -						
SamTrans / JPB Shuttle Programs	1,022,510	1,603,900	1,315,667	-	(1,315,667)	-100.0%

For FY2023, shuttle service contracts will be consolidated under San Mateo County Transit District (SamTrans). Therefore, there will be no employer revenue for JPB as it will no longer provide contracted shuttle services.

Line 5 **Rental Income:** \$0.9 million, a decrease of \$0.3 million or 21.6% lower than the FY2022 forecast.

Rental income is derived from contract arrangements and lease negotiations for third-party use of properties owned by the JPB along the Caltrain right of way (ROW).

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Rental Revenue	1,124,691	1,192,466	1,192,466	935,357	(257,109)	-21.6%

Rental revenues are decreasing due to rent relief and cancellations.

Line 6 **Other Income:** \$1.2 million, a decrease of \$0.4 million or 26.5% lower than the FY2022 forecast.

Other Income consists shared track usage maintenance fees, permit fees, advertising income, interest on invested funds, and parking citation fees. Shared Track Maintenance Revenue is generated from the annual contract with Union Pacific Railroad (UPRR). Advertising Income includes income from train wraps, station ad cards, and digital displays. Construction permit fees from 3rd party contractors belong to the Other Non-Transit Revenue.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Parking Citation Program Revenue	138,890	-	197,821	-	(197,821)	0.0%
Misc. Operating Revenue	264,469	156,000	249,191	295,921	46,730	100.0%
Shared Track Maintenance Revenue	445,095	409,000	314,996	409,000	94,004	29.8%
Other Non-Transit Revenues	441,398	300,000	572,605	300,000	(272,605)	100.0%
Insurance Reimbursements	-	-	66,595	-	(66,595)	0.0%
Advertising Income	114,225	509,608	236,689	116,290	(120,399)	-50.9%
Other Interest Income	14,844	100,000	23,608	50,000	26,392	111.8%
Interest Income - LAIF	48,458	110,000	3,110	55,000	51,890	1668.6%
Interest Income - County Pool	6,659	-	3,736	-	(3,736)	-100.0%
Other Income	1,474,039	1,584,608	1,668,351	1,226,211	(442,140)	-26.5%

The decrease in Other Income is driven by the reduction in Parking Citation, Other Non-Transit Revenues, and Advertising Income. FY2022 forecast for Parking Citation and Other Non-Transit Revenues was increased based on actuals while FY2023 budget retained prior levels. For Advertising Income, FY2022 projected actuals are lower than projections and FY2023 budget reflects the corresponding adjustment to this line item.

CONTRIBUTIONS

Line 10 **AB434 & TA Shuttle Funding:** \$0.04 million, a decrease of \$1.1 million or 96.4% lower than the FY2022 forecast.

Contributions for the service come from state and local sources. In 1991, through Assembly Bill (AB) 434, the State Legislature authorized a \$4.00 surcharge on cars and trucks to fund projects that reduce on-road motor vehicle emissions. AB434 revenues provide partial funding for the JPB shuttle program through a competitive grant process managed by BAAQMD. The TA also funds shuttle services with revenues from the Measure A San Mateo County-wide sales tax.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
AB434 - California Clean Air A	167,083	80,000	80,000	40,000	(40,000)	-50.0%
TA Contr-SM Cnty Caltrain Shut	977,598	1,039,300	1,039,300	-	(1,039,300)	-100.0%
AB434 & TA Shuttle Funding	1,144,681	1,119,300	1,119,300	40,000	(1,079,300)	-96.4%

For FY2023, shuttle service contracts will be consolidated under SamTrans and grant administration will be done by commute.org. This budget reflects the reassignment of grants to commute.org.

Line 11 **Operating Grants:** \$11.3 million, an increase of \$4.8 million or 73% higher than the FY2022 forecast.

State Transit Assistance (STA) revenue generated from the statewide sales tax on diesel fuel is allocated to the region’s transit operators by formula. The formula allocates funds based on population, the amount of passenger fares, and local support revenues collected by transit operators. The State sends out projections assuming a growth rate and adjusts these throughout the year.

Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023	\$ Change	% Change
				PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Operating Grants	13,325,611	6,525,471	6,525,471	11,288,161	4,762,690	73.0%

This budget is based on MTC estimates as of February 2022 which includes a carryforward from prior years in the amount of \$4.8 million.

Line 12 **JPB Member Agencies:** \$0, no change from FY2022 forecast.

JPB has three member agencies: the City and County of San Francisco, the San Mateo County Transit District and the Santa Clara Valley Transportation Authority. Contributions from the member agencies were previously calculated in accordance with an allocation methodology based on the average mid-weekday boarding data including Gilroy.

Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023	\$ Change	% Change
				PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
JPB Member Agencies	27,940,231	-	-	-	-	0.0%

This budget assumes that there will be no member agency contributions for operations in FY2023. Operating obligations are expected to be met through Measure RR, Farebox Revenue, and Operating Grants.

Line 13 **Measure RR:** \$114.3 million, an increase of \$18.7 million or 19.5% higher than the FY2022 forecast.

Measure RR is a 1/8 cent sales tax approved in November 2020 that provides Caltrain’s first source of dedicated non-fare revenues.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Measure RR	-	86,576,919	95,621,811	114,300,000	18,678,189	19.5%

Measure RR is trending up primarily due to improvements seen in tax-generating groups such as autos/transportation, fuel/service stations, and restaurants/hotels. There is a strong demand for new and used cars despite inventory concerns. Improvements in the fuel service stations and restaurants/hotels are driven by rising prices and pent-up demand for travel.

Line 14 **CARES Act Funding:** No budget for FY2023.

Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding was provided by the federal government to transit agencies to supplement operating funds that were lost due to decreased ridership, tax revenue and other factors. It was also intended to address increased costs associated with pandemic related operations.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
CARES Act	41,509,536	-	-	-	-	0.0%

The CARES Act federal relief fund was fully utilized in FY2021.

Line 15 **CRRSAA Funding:** \$0, no change from FY2022 forecast.

Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) funding is being provided by the federal government to transit agencies to address the issues identified above.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
CRRSAA	46,692,029	27,115,922	-	-	-	0.0%

A portion of the CRRSAA funding amounting to \$ \$27.1 million was assumed for FY2022. When the CRRSAA funding was received in late FY2021, the entire amount of \$46.7 million was reported as revenue, leaving zero for FY2022. Given this, the updated FY2022 forecast has zeroed out this line item.

Line 16 **ARPA Funding:** \$0, a decrease of \$1160 million or 100% lower than the FY2022 forecast.

American Rescue Plan Act (ARPA) funding is being provided by the federal government to

transit agencies to help resolve recovery.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
ARPA	-	14,849,883	115,995,904	-	(115,995,904)	-100.0%

The total amount of ARPA funds is \$116.0 million, received as two separate awards: \$77.2 million and \$38.8 million. No ARPA funds will be budgeted for FY2023 since the entire amount will be used for FY2022.

Expense Projections

Grand Total Expense for FY2023 projected at \$180.4 million, an increase of \$7.7 million or 4.5% over the FY2022 Forecast:

- Operating Expense for FY2023 projected at \$147.1 million, an increase of \$11.0 million or 8.1% over the FY2022 Forecast.
- Administrative Expense for FY2023 projected at \$30.0 million, an increase of \$3.2 million or 12.0% over the FY2022 Forecast.
- Long-term Debt Expense for FY2023 projected at \$2.6 million.

OPERATING EXPENSE

Line 24 **Rail Operator Service**: \$102.6 million, an increase of \$9.0 million or 9.6% higher than the FY2022 forecast.

The JPB contracts out for rail operator service with TransitAmerica Services, Inc. (TASI). TASI provides rail operations, maintenance and support services in the following areas: Administration/Safety, Operations and Dispatch, Maintenance of Equipment, Maintenance of Track, Communications, Signals and Stations, Capital Construction Support and State of Good Repair (SOGR) maintenance. TASI is paid on a cost-plus-performance-fee contract structure.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Rail Operator Service	85,108,192	97,353,730	93,573,730	102,583,389	9,009,659	9.6%

In FY2022, the budget included an increase in the scheduled train service from 68 trains per weekday to 104 trains per weekday at the end of August, 2021. For FY2023, the budget of \$102.6 million assumes 104 trains per weekday service for the full fiscal year. In addition, the budget includes provisions for increases in labor burden and rates, restoration of the annual

passenger count service and maintenance support for fiber. The FY2023 budget also includes funding to support the maintenance of 2 new stations at Hillsdale and South San Francisco.

Line 25 **Security Services**: \$7.9 million, an increase of \$0.4 million or 6.0% higher than the FY2022 forecast.

Security services are provided through a law enforcement contract, a communications services contract with the San Mateo County Sheriff's Office (SMCSO), and a building security guard contract. The SMCSO contract supports Rail operations.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Security Services	6,752,598	7,486,512	7,486,512	7,935,381	448,869	6.0%

FY2023 Security Services budget reflects the projected annual contractual increases and overtime estimates.

Line 26 **Shuttles**: \$0.1 million, a decrease of \$2.0 million or 94.4% lower than the FY2022 forecast.

The Shuttle program provides last-mile connections for Caltrain passengers.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Shuttle Service	1,899,021	2,723,200	2,157,353	120,400	(2,036,953)	-94.4%

This budget reflects the consolidation of shuttle contracts under SamTrans.

Line 27 **Fuel and Lubricants**: \$17.5 million, an increase of \$4.5 million or 34.9% higher than the FY2022 forecast.

This line item covers the cost of diesel fuel for JPB locomotive operations, including the associated taxes. Starting in FY2021, Caltrain entered into a diesel fuel hedging program that helps manage exposure to changes in diesel fuel prices.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Fuel and Lubricants	7,205,280	10,434,846	13,000,000	17,539,232	4,539,232	34.9%

	FY22 Adopted Budget	FY23 Preliminary Budget
Hedged %	64%	65%
Price Per Gallon	\$1.71	\$2.96
Unhedged %	36%	35%
Price Per Gallon	\$2.40	\$3.41
Fuel Consumption (No. of Gallons)	3,962,405	4,551,803
Fuel Cost	\$7,759,974	\$14,183,476
Taxes	\$2,674,872	\$3,855,756
Subtotal	\$10,434,846	\$18,039,232
Fuel Hedge Realized Savings	-	(\$500,000)
Total	\$10,434,846	\$17,539,232

The FY2023 fuel budget assumes a 104-train service per weekday with a fuel consumption of 4.5 million gallons. It also assumes that 65.0% of the fuel portfolio is hedged at \$2.96/gallon and 35.0% is unhedged at \$3.41/gallon. This budget includes fuel savings of \$500K derived from the fuel hedge program.

Line 28 **Timetables and Tickets**: \$0.1 million, an increase of \$0.08 million or 146.1% higher than the FY2022 forecast.

Timetables and Tickets includes the cost of designing, updating, and printing of timetables, schedules, maps, and Caltrain tickets.

Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023 PRELIMINARY BUDGET	\$ Change FY23 Preliminary to FY22 Forecast	% Change FY23 Preliminary to FY22 Forecast
Timetables and Tickets	15,932	55,000	55,000	135,350	80,350	146.1%

Line 29 **Insurance**: \$6.3 million, an increase of \$0.4 million or 7.6% higher than the FY2022 forecast.

The Insurance budget includes premiums, deductibles, adjuster fees, broker fees, and other insurance costs. Rates reflect costs for property, casualty, and liability insurance.

Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023 PRELIMINARY BUDGET	\$ Change FY23 Preliminary to FY22 Forecast	% Change FY23 Preliminary to FY22 Forecast
Insurance	5,406,266	5,857,210	5,857,210	6,299,730	442,520	7.6%

FY2023 Insurance budget reflects the preliminary estimates provided by the insurance broker. Adjustments will be made as final insurance premium amounts are determined.

Line 30 **Claims, Payments, and Reserves:** \$0.8 million, a decrease of \$2.5 million or 75.3% lower than FY2022 forecast.

This budget item covers the cost of claims, reserves and payments, and the associated legal fees.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Claims Reserves & Payments	3,067,164	820,000	3,320,000	820,000	(2,500,000)	-75.3%

FY2022 forecast was adjusted to reflect potential claims for incidents that transpired in said fiscal year. FY2023 budget retained the usual level of reserves.

Line 31 **Facilities and Equipment Maintenance:** \$7.3 million, an increase of \$0.8 million or 13.3% higher than the FY2022 forecast.

This budget item covers expenses related to Clipper Operator charges, revenue collection services, ticket vending machines, data line services and other contract services.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Facilities and Equipment Maintenance	4,260,435	7,734,353	6,409,353	7,258,788	849,435	13.3%

This budget reflects increases in Other Contract Services relating to the rail systems maintenance and marketing support to increase ridership. Clipper Operator Charges also increased to reflect the assumed ridership recovery.

Line 32 **Utilities:** \$2.6 million, an increase of \$0.1 million or 2.5% higher than the FY2022 forecast.

This item covers the cost of gas & electric, telephone, water & sewer, and trash. The budget also includes utility costs of PTC maintenance such as data circuits, radio license fees, and spectrum lease.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Utilities	2,009,538	2,552,600	2,552,600	2,617,600	65,000	2.5%

The increase is due to an uptrend in water & sewer utility cost.

Line 33 **Maintenance & Services – Building & Other:** \$1.8 million, an increase of \$0.1 million or 4.8% higher than the FY2022 forecast.

This item covers the cost of building maintenance services, printing and information services, and repair and maintenance of computers and office equipment.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Maintenance & Services - Bldg & Other	1,385,569	1,674,250	1,674,250	1,754,100	79,850	4.8%

The budget reflects an increase in the building maintenance service cost for certain stations.

ADMINISTRATIVE EXPENSE

Line 37 **Wages & Benefits:** \$14.1 million, an increase of \$1.8 million or 14.4% higher than the FY2022 forecast.

The San Mateo County Transit District (District) serves as the managing agency for the JPB. Wages & Benefits reflects staffing costs for an anticipated 73.7 FTEs for the operating budget which includes 69.2 existing FTEs and 4.5 new FTEs.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Wages & Benefits	9,550,977	12,301,799	12,301,799	14,075,511	1,773,712	14.4%

Operating

FY2023 FTE	Admin	Bus	CalMod	Comm	Exec	Finance	Planning	Rail	Total
Non-Represented	4.5	1.1	-	18.7	0.5	8.0	3.0	33.5	69.2
New FTEs	1.0	-	-	0.8	2.1	-	0.6	-	4.5
Total Operating	5.5	1.1	-	19.5	2.6	8.0	3.6	33.5	73.7

Fringe benefit costs are applied to actual staff wages as a calculated rate. The District aggregates all estimated annual fringe benefit costs of employees associated with a particular agency (payroll taxes, pension, medical, dental and vision premiums, life insurance, long-term disability, unemployment, and paid time-off). This total is then divided by the total projected wages for that agency for the upcoming year to arrive at a fringe benefit rate that is charged on a periodic basis against payroll costs. Variances are trued up annually.

The FY2023 budget assumes a universal wage increase, a \$1.0K lumpsum payment aligned with SamTrans Amalgamated Transit Union Collective Bargaining Agreement, and a fringe benefit rate of 36.32% compared to the FY2022 fringe benefit rate of 44.44%. There are 4.5 new FTEs included in the budget, and vacancy savings have been assumed based on hiring dates and attrition. The budget also reflects an increase in JPB’s share of the total CalPERS ER Funded Cost and the Total Retiree Medical.

Line 38 **Managing Agency Admin OH Cost:** \$3.6 million, an increase of \$0.1 million or 2.7%

higher than the FY2022 forecast.

Managing Agency Administrative Overhead (OH) Cost reflects the cost of District personnel dedicated to the Caltrain business (as opposed to Caltrain operations).

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Managing Agency Admin OH Cost	3,510,418	3,470,871	3,470,871	3,565,453	94,582	2.7%

The Indirect Cost Allocation Plan (ICAP) calculates the indirect cost rate used to recover overhead costs related to agency indirect administrative overhead and capital projects. The District procured the assistance of an outside consulting firm to develop a methodology that equitably allocates the costs incurred by the District for services and functions shared by the different agencies administered by District staff. The consultant team is selected for its experience and knowledge in developing allocation methodologies for governmental and public entities.

The ICAP is prepared in accordance with the principles and guidelines set forth in the Office of Management and Budget (OMB) Circular A-87 “Cost Principles for State, Local and Indian Tribal Governments” and ASMB C-10 “Cost Principles and Procedures for Developing Cost Allocation Plans and Indirect Cost Rates for Agreements with the Federal Government.”

The ICAP calculates two components:

- Agency Indirect Administration (AIA) – a pool of costs that cannot be directly attributed to a specific agency.

This consists of labor and non-labor support functions that benefit each of the four agencies managed or supported by the District. Examples include the time charged by the Payroll Department to process the biweekly payroll or the time charged by the Human Resource Department to post recruitments on industry websites. Based on specific statistics, these costs are distributed to each department. For example, the payroll department costs are distributed to each department based on the number of FTEs. The District incurs all of the AIA costs and then recovers appropriate shares of the costs from the District’s Operating and Capital budgets, the JPB Operating and Capital budgets, the TA budget and the SMCELJPA budget.

- Capital Overhead – a pool of project support costs that cannot be directly attributed to a specific capital project.

A capital overhead rate is calculated for each agency. An example of a capital overhead cost would be the time charged by an administrative assistant who supports multiple capital project engineers. The capital overhead costs are tracked and included in the ICAP rate and is charged to each capital project.

In mid-FY2021, the ICAP methodology was changed to more appropriately allocate these costs across the range of projects served – staff anticipates that this approach will continue. In prior

years, the ICAP rate was applied to pre-defined labor costs. The new methodology applies the ICAP rate to all labor and non-labor costs. The methodology does not change how much ICAP in total is paid, but rather how the total ICAP is allocated to different projects.

Line 39 **Board of Directors:** \$57.3 thousand, an increase of \$9.0 thousand or 18.6% higher than the FY2022 forecast.

This covers director compensation, seminars and training, and meetings for the Board of Directors.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Board of Directors	26,998	48,275	48,275	57,275	9,000	18.6%

Line 40 **Professional Services:** \$9.2 million, an increase of \$0.8 million or 10.0% higher than the FY2022 forecast.

This covers the cost of consultants for legal services, audit services, legislative advocacy and technical services.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Legal Services	1,813,687	2,814,850	2,814,850	2,600,000	(214,850)	-7.6%
Annual Audit Services	65,460	78,000	78,000	68,000	(10,000)	-12.8%
Legislative Advocate	152,344	169,200	169,200	175,200	6,000	3.5%
Consultants	3,136,773	5,809,251	5,309,251	6,362,555	1,053,304	19.8%
Professional Services	5,168,264	8,871,301	8,371,301	9,205,755	834,454	10.0%

The increase in FY2023 budget for consultants reflects the cost for a pilot trash reduction project which is part of the state regulatory requirement to reduce trash in storm drains and executive and finance consulting services. This is also impacted by increase in rates. Legal Services decreased as \$200K has been reallocated to Governance.

Line 41 **Communications and Marketing:** \$0.4 million, an increase of \$0.1 million or 25.1% higher than the FY2022 forecast.

This covers the cost of promotional advertising for fares, schedule changes, and the mobile app.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Communications and Marketing	234,816	322,750	322,750	403,730	80,980	25.1%

FY2023 budget reflects an increase in marketing support for ongoing special events, electrification, and branding projects. It also includes the cost for the ambassador program, in addition to outreach and public hearings.

Line 42 **Other Office Expense and Services:** \$2.7 million, an increase of \$0.4 million or 18.2% higher than the FY2022 forecast.

This covers bank and transaction fees, software maintenance and licenses, recruitment costs, seminar and training, business travel, dues and subscriptions, and leases on properties along Caltrain’s right of way in support of commuter services. The ROW leases include facilities for radio transmission antennas and real estate for storage of train equipment and spare parts.

Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023 PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	\$ Change	% Change FY23 Preliminary to FY22 Forecast
Other Office Expense and Services	1,487,493	3,655,020	2,305,020	2,724,996	419,976		18.2%

The increase in FY2023 budget is due to bank fees that are aligned with the assumed ridership recovery and the recurring software monthly service fee for Wabtec.

Line 45 **Measure RR Ballot Costs:** \$0, a decrease of \$5.3 million or 100% lower than the FY2022 forecast.

Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023 PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	\$ Change	% Change FY23 Preliminary to FY22 Forecast
Measure RR Ballot Costs	-	7,000,000	5,357,846	-	(5,357,846)		100.0%

The Measure RR Ballot Costs was a one-time activity in FY2022 to cover costs incurred by the counties of San Francisco, San Mateo, and Santa Clara to put the Measure RR ballot up for a vote in FY2021 elections. Since this activity is completed, no budget is expected for FY2023.

Line 46 **Governance:** \$0.7 million, a decrease of \$1.3 million or 65% lower than the FY2022 forecast.

Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023 PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	\$ Change	% Change FY23 Preliminary to FY22 Forecast
Governance	-	2,000,000	2,000,000	700,000	(1,300,000)		-65.0%

This item covers ongoing Governance related costs that include staff costs, consultant support, legal consultation, and specialized financial analysis.

Line 48 **Debt Service Expense:** \$2.6 million, an increase of \$0.2 million or 8.4% higher than

the FY2022 forecast.

This covers the cost and principal retirement of debt incurred for the acquisition and rehabilitation of passenger rail cars, for the acquisition of real property, and for maintenance of a revolving line of credit.

Description	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Long-term Debt Expense	2,882,955	2,381,752	2,381,752	2,581,752	200,000	8.4%

The increase is due to the Letters of Credit obtained from Wells Fargo to fund working capital.

LINES 58-60 Reserve:

The financial reserve policy adopted by the board effective September 1, 2017, stated “the JPB will maintain an *Operating Reserve of at least 10 percent of the annual operating budget, and that the JPB shall strive to reserve up to 15 percent of the annual operating budget when possible*”. The opening balance of the reserve is \$16 million. Staff is proposing to add \$11 million to the FY23 Operating Reserve to have an ending balance of \$27 million (15% of operating budget of \$180 million).

PRELIMINARY FY2023 CAPITAL BUDGET - \$48,886,285

i. STATE OF GOOD REPAIR (SOGR) - \$27,087,366

BRIDGES - \$9,702,066

1. Guadalupe Bridge - \$9,642,066

Replace the Guadalupe River Bridge in San Jose, damaged by weather and arson. The project will remove the MT1 Guadalupe River Bridge, including piers and abutments, and replace it with a new railroad bridge. The track structure will be reconstructed at the existing alignment and profile. Construction of the new railroad bridge may require protection or relocation of the underground utilities in the right-of-way and/or attached to the existing bridge.

2. San Francisquito Creek Bridge Replacement - \$60,000

Rehabilitate the San Francisquito Bridge and replace with highly reliable structures to improve track alignment and operational safety and minimize future costly maintenance repairs. The project entails a preliminary design feasibility report to be used for environmental scoping and assessment tasks. It will also require public outreach to affected communities.

RIGHT OF WAY - \$9,800,000

3. SOGR Track - \$7,000,000

The System Wide Track Rehabilitation Program covers the work required to keep the Caltrain railroad in a state of good repair. The type and scope of work scheduled for each fiscal year is based on the condition of the railroad and on the inspections and the tests performed throughout the year.

4. Track Tie Replacement - \$500,000

The Track Tie Replacement Project aims to do a major tie replacement program along the entire railroad by using concrete ties throughout the alignment.

5. SOGR Right of Way - \$800,000

The intent of this project is to maintain the ROW in a state of good repair. As the dynamics change surrounding JPB property, the agency needs to adjust as necessary to address issues. In some instances, the JPB needs to provide better access for the Contract Operator; in others, the JPB must restrict access to other areas to eliminate continual problems.

6. Right of Way Fencing - \$1,500,000

The project will continue to install vandal-resistant fencing at key locations along the JPB main line rail corridor to deter trespassing. This work plan is intended to span four years, picking up where the last three-year contract was successfully completed.

SIGNALS & COMMUNICATIONS - \$5,585,300

7. SOGR Signal & Communications - \$3,000,000

This project is part of an annual request to maintain the Caltrain communication and signal and crossing systems in a state of good repair. Projects typically repair and replace communication systems that beyond their useful life and/or vandalized. Typical scopes of work include, but are not limited to, new Base Stations, new Visual Message Signs, station network cables, repair of microwave dishes, etc. For signal and crossing systems, the type and scope of work scheduled for each fiscal year are based on the condition of the signal systems, the inspections, and the tests performed throughout the year.

8. SOGR Fiber Optic - \$2,585,300

The System Wide Fiber Optics State of Good Repair Project covers the work required to maintain the reliability and consistency of the fiber optics infrastructure. The type and scope of work scheduled for each fiscal year are based on the condition of the system, the inspections, and the tests performed throughout the year.

STATION AND INTERMODAL ACCESS - \$2,000,000

9. SOGR Facilities - \$1,000,000

The SOGR Facilities project covers the work required to maintain the reliability and safety of Caltrain's stations, facilities, and related assets. The type and scope of work scheduled for each fiscal year are based on the condition of the facilities, the inspections, and maintenance performed throughout the year. Typical scope of work includes replacement of outdated facilities such as, but not limited to, wheelchair lifts and station shelters.

10. SOGR Historical Stations - \$1,000,000

This project will be part of an annual request for work towards the preservation of the six Caltrain historic stations to keep them in a state of good repair. This project will typically restore station amenities that are beyond their useful life and/or vandalized. Typical scopes of work include, but are not limited to, new restrooms, roofs, windows, lighting, doors, interior and exterior walls made of brick, stone, stucco, wood and other surfaces. HVAC, plumbing and electrical upgrades are included as well.

ii. LEGAL MANDATES AND REQUIRED ENHANCEMENTS - \$75,000

11. CCTV End of Life Equipment - \$75,000

This project will replace and install CCTV equipment and provide ongoing maintenance.

iii. OPERATIONAL IMPROVEMENTS / ENHANCEMENTS - \$15,248,919

12. PADS Replacement - \$1,060,000

Development and implementation of a new real-time passenger information system at the Central Control Facility (CCF), the Backup Central Control Facility (BCCF) and at the stations.

13. Next Generation Visual Messaging Sign - \$2,700,000

Research, design and acquisition of Visual Messaging Signs to replace the current ones that have reached end of life and are no longer supported by the manufacturer.

14. BCCF Virtualization Project - \$1,200,000

To migrate the datacenters supporting rail operations to a single virtual platform. This project will design and build virtualized private cloud infrastructure and server farm to support Caltrain operational systems and provide an efficient and scalable architecture with enhance redundant capabilities.

15. Broadband Communication - \$5,193,586

Design a broadband wireless communication system along the Caltrain corridor for the wayside train maintenance diagnostics and passenger Wi-Fi service. The project will entail assessment of existing infrastructure and the construction of the broadband system.

16. Caltrain VoIP - \$222,000

Migration to digital radio system for a state-of-the-art train/wayside communication system to improve performance and reliability.

17. Technology Refresh Assessment - \$325,000

The purpose of this project is to analyze, scope, and plan software upgrade projects that are early in the development cycle and do not have defined funding. This funding will allow IT department to conduct detailed analysis of existing systems and develop requirements for replacement systems.

18. GIS System - Update & Upgrade - \$2,000,333

Implement a Geographic Information Software (GIS) that will centralize, modernize, map, and integrate existing tools and resources. This powerful digital mapping tool will enable delivery of a comprehensive and accurate data about Caltrain's assets and right of way.

19. Enterprise Asset Management Software System - \$1,048,000

Procure a base EAM system with the following core capabilities: asset registry, asset condition and assessment, work request, work planning and management, warranty management, materials management, planning and budgeting, and management reporting.

Asset information is currently stored in various disparate systems and some by the Rail Contract Operator (TASI). The industry best practice is to centralize asset data within a single EAM system to maintain data consistency and analysis. Implementation of an EAM system is in accordance with Transit Asset Management (TAM) Plan of Caltrain.

The EAM system is required to enable Caltrain and the other agencies to maintain its assets in a database which promotes seamless data collection, analysis, and reporting. This will allow responsible personnel to write work orders against assets for the performance of maintenance and the state of good repair projects; to maintain a parts inventory; to assign labor to perform maintenance activities, as well as to perform other asset management functions.

20. Backup Central Control Facility (BCCF) Office Remodel - \$1,000,000

This is the office remodel of the Backup Central Control Facility including dry wall, electrical circuit, plumbing, flooring, HVAC, lighting, insulation, fire sprinkler system, and lighting. Also included is the purchase of computers and office furniture and fixtures.

21. Support for Property Mapping - \$500,000

The funds for this project will be used for developing a more accurate record of agency-owned property. Specific tasks will include field survey work, resolution of property boundaries, and creation of maps and legal descriptions.

iv. PLANNING/STUDIES - \$3,650,000

22. DTX Support - \$500,000

Provides support, engagement, and coordination with San Francisco partners for the continued development of the Downtown Extension (DTX) project. Activities include, but are not limited to, engineering design review and coordination, financial planning, ridership modelling, and support for activities required to DTX to successfully move through FTA Capital Investment Grant (CIG) program.

23. Redwood City Corridor Planning - \$1,000,000

This project advances work in Redwood City and integrates grade separation and station planning. Scope of work includes building on and integrating work initiated through the Whipple Avenue Grade Separation and Redwood City Transit Hub Planning.

24. Rail Network and Operations Planning - \$200,000

This project will fund continued research that will guide the development of efficient train schedules that match supply of service with current and anticipated demand. Contrary to pre-pandemic years when ridership levels were consistent, numerous factors have created uncertainty regarding future travel patterns. Research is needed to tailor service during the post-pandemic recovery phase, as well as to enable planning for a mixed fleet service after electrification project is completed.

25. Transit-Oriented Development Studies - \$750,000

This project will provide technical support to advance TOD projects and exploration of corridor-wide TOD strategies designed to maximize ridership and revenue potential from real estate assets and station areas. Technical studies include environmental assessment, hazmat testing, traffic studies, title research, and market and feasibility analysis. This project will also facilitate other activities include TOD planning, land use approvals, and other real estate efforts at locations having TOD potential.

26. Electric Multiple Unit (EMU) Hybridization - \$350,000

Supports Caltrain's emerging partnership with Stadler and the State of California around the development of a hybridized EMU capable of off-wire operation. A dedicated project manager and engineering support will lead Caltrain's participation in R&D efforts. Substantial additional funding is expected to come from the state but Caltrain will incur initial costs to advance this work.

27. San Francisco Corridor and Stations Planning - \$250,000

This project includes Caltrain support, engagement, and coordination with San Francisco partners for the continued development of key projects in San Francisco such as Pennsylvania Avenue Extension and South East Rail Station Study.

28. SF Railyards Preliminary Business Case - \$250,000

Staff and consultant support in developing the preliminary business case where key elements specific to transportation needs at the railyards will be investigated to ensure Caltrain's requirements are met.

29. Caltrain Access Policy Update - \$100,000

Scope includes a review of the existing access policy, investigation of national and international best practices, stakeholder engagement, and policy development focused on pedestrian, cyclist, and parking access to and along the corridor.

30. Capital Planning Technical Support - \$250,000

Rail program development support to assist with a variety of capital planning projects, as needed and determined by the Capital Improvement Program development process.

v. DTX Funding - \$1,500,000

31. DTX Funding - \$1,500,000

This is a funding contribution to be requested of Caltrain as part of the local match for federal FTA funding toward the DTX project. Caltrain's contribution will be matched with contributions from other DTX partners, including the San Francisco County Transportation Authority, Metropolitan Transportation Commission, and California High Speed Rail Authority.

vi. Capital Contingency Funds - \$1,325,000

32. Capital Contingency Funds - Engineering - \$330,000

This contingency supports unforeseen capital expenditure related to the delivery of capital projects/programs.

33. Capital Contingency Funds - Rail - \$660,000

This contingency supports unforeseen capital expenditure related to rail operations.

34. Capital Project Development - \$335,000

This contingency supports planning and engineering study activities.

Prepared By: Claudette Valbuena Budget Analyst III
Ladi Millard-Olmeda Director, Budgets

650-508 6237
650-508 7755

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
PRELIMINARY BUDGET
FY2023

	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023 PRELIMINARY BUDGET	FY2023 Preliminary to FY2022 Forecast \$ variance	FY2023 Preliminary to FY2022 Forecast % variance		
	A	B	C	D	E = D - C	F = E / C		
REVENUE								
OPERATIONS:								
1	Caltrain Fares	6,702,382	25,039,000	17,639,000	30,219,000	12,580,000	71.3%	1
2	Go Pass	25,737,533	9,600,000	15,000,000	16,260,000	1,260,000	8.4%	2
3	Parking Revenue	385,304	1,536,000	1,286,000	1,896,000	610,000	47.4%	3
4	Shuttles	1,022,510	1,603,900	1,315,667	-	(1,315,667)	-100.0%	4
5	Rental Income	1,124,691	1,192,466	1,192,466	935,357	(257,109)	-21.6%	5
6	Other Income	1,474,039	1,584,608	1,668,351	1,226,211	(442,140)	-26.5%	6
7	TOTAL OPERATING REVENUE	36,446,459	40,555,974	38,101,484	50,536,568	12,435,084	32.6%	7
8								8
9	CONTRIBUTIONS:							
10	AB434 Peninsula & TA Shuttle Funding	1,144,681	1,119,300	1,119,300	40,000	(1,079,300)	-96.4%	10
11	Operating Grants	13,325,611	6,525,471	6,525,471	11,288,161	4,762,690	73.0%	11
12	JPB Member Agencies	27,940,231	-	-	-	-	0.0%	12
13	Measure RR	-	86,576,919	95,621,811	114,300,000	18,678,189	19.5%	13
14	CARES	41,509,536	-	-	-	-	0.0%	14
15	CRRSAA	46,692,029	27,115,922	-	-	-	0.0%	15
16	ARPA	-	14,849,883	115,995,904	-	(115,995,904)	-100.0%	16
17	TOTAL CONTRIBUTED REVENUE	130,612,088	136,187,495	219,262,486	125,628,161	(93,634,325)	-42.7%	17
18								18
19	GRAND TOTAL REVENUE	167,058,547	176,743,469	257,363,970	176,164,729	(81,199,241)	-31.6%	19
20								20
21	EXPENSE							
22								22
23	OPERATING EXPENSE:							
24	Rail Operator Service	85,108,192	97,353,730	93,573,730	102,583,389	9,009,659	9.6%	24
25	Security Services	6,752,598	7,486,512	7,486,512	7,935,381	448,869	6.0%	25
26	Shuttle Services	1,899,021	2,723,200	2,157,353	120,400	(2,036,953)	-94.4%	26
27	Fuel and Lubricants	7,205,280	10,434,846	13,000,000	17,539,232	4,539,232	34.9%	27
28	Timetables and Tickets	15,932	55,000	55,000	135,350	80,350	146.1%	28
29	Insurance	5,406,266	5,857,210	5,857,210	6,299,730	442,520	7.6%	29
30	Claims, Payments, and Reserves	3,067,164	820,000	3,320,000	820,000	(2,500,000)	-75.3%	30
31	Facilities and Equipment Maintenance	4,260,435	7,734,353	6,409,353	7,258,788	849,435	13.3%	31
32	Utilities	2,009,538	2,552,600	2,552,600	2,617,600	65,000	2.5%	32
33	Maint & Services-Bldg & Other	1,385,569	1,674,250	1,674,250	1,754,100	79,850	4.8%	33
34	TOTAL OPERATING EXPENSE	117,109,995	136,691,701	136,086,008	147,063,970	10,977,963	8.1%	34
35								35
36	ADMINISTRATIVE EXPENSE							
37	Wages and Benefits	9,550,977	12,301,799	12,301,799	14,075,511	1,773,712	14.4%	37
38	Managing Agency Admin OH Cost	3,510,418	3,470,871	3,470,871	3,565,453	94,582	2.7%	38
39	Board of Directors	26,998	48,275	48,275	57,275	9,000	18.6%	39
40	Professional Services	5,168,264	8,871,301	8,371,301	9,205,755	834,454	10.0%	40
41	Communications and Marketing	234,816	322,750	322,750	403,730	80,980	25.1%	41
42	Other Office Expenses and Services	1,487,493	3,655,020	2,305,020	2,724,996	419,976	18.2%	42
43	TOTAL ADMINISTRATIVE EXPENSE	19,978,967	28,670,016	26,820,016	30,032,720	3,212,704	12.0%	43
44								44
45	Measure RR Ballot Costs	-	7,000,000	5,357,846	-	(5,357,846)	-100.0%	45
46	Governance	-	2,000,000	2,000,000	700,000	(1,300,000)	-65.0%	46
47								47
48	Debt Service Expense	2,882,955	2,381,752	2,381,752	2,581,752	200,000	8.4%	48
49								49
50	GRAND TOTAL EXPENSE	139,971,917	176,743,469	172,645,622	180,378,442	7,732,820	4.5%	50
51								51
52								52
53	PROJECTED SURPLUS/(DEFICIT)	27,086,630	-	84,718,348	(4,213,713)			53
54	Measure RR for Capital Reserve			80,000,000				54
55	Draw from FY2022 surplus			-	4,213,713			55
56	ADJUSTED PROJECTED SURPLUS/(DEFICIT)			4,718,348	(0)			56
57								57
58	Reserve, Beginning Balance				16,115,624			58
59	FY23 set aside				10,941,142			59
60	Reserve, Ending Balance				27,056,766			60



**Attachment B
FY2023 UNCONSTRAINED CAPITAL BUDGET**

Item #	PROJECT NAME	Unconstrained FY2023 Capital Budget	Preliminary FY2023 Capital Budget Request
i. SOGR			
Bridges			
1	Guadalupe Bridges Replacement (002113)	11,000	9,642
2	San Francisquito Creek Bridge Replacement (100427)	4,403	60
Total Bridges		15,403	9,702
Right of Way			
3	SOGR Track	10,000	7,000
4	Track Tie Replacement	1,500	500
5	SOGR ROW	800	800
6	ROW Fencing	1,500	1,500
Total Right of Way		13,800	9,800
Signal & Communications			
7	SOGR Signal & Communications	3,000	3,000
8	SOGR Communication System (100572)	1,700	-
9	SOGR Fiber Optic	2,585	2,585
Total Signal & Communications		7,285	5,585
Station & Intermodal Access			
10	SOGR Facilities	2,000	1,000
11	SOGR Historical Stations	2,000	1,000
Total Station & Intermodal Access		4,000	2,000
Total SOGR		40,488	27,087
ii. LEGAL MANDATES AND ELECTRIFIED SERVICE RAIL PROGRAM INTEGRATION			
12	CCTV end of life equipment	75	75
Total		75	75
iii. OPERATIONAL IMPROVEMENTS/ENHANCEMENTS			
13	PADS Replacement	1,960	1,060
14	Next Generation Visual Messaging Sign (VMS) (100449)	2,700	2,700
15	BCCF Virtualization Project	1,200	1,200
16	Broadband Communication (100403)	8,311	5,194
17	Caltrain VoIP	222	222
18	22nd Street ADA Improvements	200	-
19	Technology Refresh Assessment	325	325
20	GIS System - Update & Upgrade (100565)	2,824	2,000
21	Enterprise Asset Management Software System (100564)	1,048	1,048
22	Backup Central Control Facility (BCCF) Office Remodel	1,400	1,000
23	Project Management Information System	450	-
24	Support for Property Mapping	500	500
Total		21,140	15,249
iv. PLANNING/STUDIES			
25	DTX Support	500	500
26	Security CCTV Assessment	100	-
27	Redwood City Corridor Planning	1,000	1,000
28	Rail Network and Operations Planning	500	200
29	Transit-Oriented Development Studies	750	750
30	Electric Multiple-Unit (EMU) Hybridization	350	350
31	San Francisco Corridor and Stations Planning	500	250
32	SF Railyards Preliminary Business Case	250	250
33	Caltrain Access Policy Update	250	100



**Attachment B
FY2023 UNCONSTRAINED CAPITAL BUDGET**

Item #	PROJECT NAME	Unconstrained FY2023 Capital Budget	Preliminary FY2023 Capital Budget Request
34	Capital Planning Technical Support	250	250
Total		4,450	3,650

v. DTX FUNDING			
35	DTX Funding	1,500	1,500
Total		1,500	1,500

vi. CAPITAL/CONTINGENCY FUNDS			
36	Capital Contingency Funds - Engineering	330	330
37	Capital Contingency Funds - Rail	660	660
38	Capital Project Development	335	335
Total		1,325	1,325

Total (Excludes Externally Funded Projects)		68,978	48,886
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Project Category	Project Requests Fully Funded by Requesting Local Agencies	Requested Amount	Requested Amount
Operational Improvements/ Enhancements	South Linden & Scott Grade Separation (002152)	4,960	4,960
	Mary Ave/Sunnyvale Ave Grade Separation	18,898	18,898
	Rengstorff Grade Separation (100482)	8,715	8,715
	Middle Ave Undercrossing	400	400
	Bernardo Ave Undercrossing	4,990	4,990
	San Mateo Grade Crossing Improvements (100566)	2,067	2,067
Total Externally Funded Projects		40,030	40,030

FY2023 Caltrain Capital Budget Summary (000s)*

Project	Reduced Capital Budget Request	Federal Funding	Capital Reserve Account (allocated to Capital in FY22)	STA SOGR	Total	Deficit
SOGR Projects - Federal Eligible	23.59	13.67	1.92	1.50	17.09	(6.50)
SOGR Projects - Other	3.5				-	(3.50)
Legal Mandates	0.08					
Operational Improvements	15.25					
Planning/Studies	3.65					
DTX Funding	1.50					
Capital Contingency	1.33					
Non-SOGR Projects Total	21.80	-	16.08	-	16.08	(5.72)
						-
Total	48.89	13.67	18.00	1.50	33.17	(15.72)

(5.30) Per Partner Obligation

*Does not include Externally funded capital projects in the amount of \$40M.

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard

FROM: Grace Martinez
Acting Chief Financial Officer

SUBJECT: **Postponement of Approved Fare Increases and 2023 Go Pass Pricing**



Finance Committee
Recommendation



Work Program-Legislative-Planning
Committee Recommendation



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff recommends the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) postpone fare increases as described below. The Board previously approved the fare increases at the September 2019 Board meeting and subsequently postponed the increases due to the COVID-19 pandemic at the June 2021 Board meeting. The Finance Committee motion to recommend approval failed 1-1 and the Directors indicated that they would like the full Board to consider the proposal.

The proposed changes to the current schedule of increases are as follows:

- A. Go Pass – Postpone the 5% price increases by one year from January 1, 2023 to January 1, 2024, and again from January 1, 2025 to January 1, 2026
 - B. Clipper® - Discount – Postpone the April 1, 2022 reduction of the Clipper discount from \$0.55 to \$0.25 per one-way adult fare with corresponding changes to all Clipper Products except the Eligible Discount one-way fare to July 1, 2028
 - C. Periodic Fare Increases – Delay scheduled increases to the full price one-way base fare and zone charge (with corresponding increases to related products), as follows:
 - Base Fare increase of \$0.50: Postpone from July 1, 2022 to July 1, 2023
 - Zone Charge increase of \$0.25: Postpone from July 1, 2024 to July 1, 2025
 - Base Fare increase of \$0.50: Postpone from July 1, 2026, to July 1, 2027
2. Adopt a resolution establishing new Go Pass pricing and terms for 2023 as follows:
- A. Customers that are enrolled for the last 6 months of 2022 (i.e. an effective date

no later than July 1, 2022) receive a 20% discount off the 2023 Go Pass price of \$342 per year (discounted to \$287).

- B. Maintain the current adopted incentive structure which allows for distribution to on-site contracted staff, part-time employees, and graduate and post-doctoral students as well as donation of the Go Pass to qualified and not-for-profit organizations

Significance

Caltrain has experienced significant declines in ridership because of COVID-19 and the related Shelter-in-Place orders. Postponing previously-approved periodic fare and Go Pass increases will help incentivize increased ridership and potentially increase overall fare revenue as a result. Many peer agencies nationwide have delayed or cancelled any near-term fare increases to encourage ridership recovery and provide price stability to customers during challenging economic times. Some agencies have also approved changes to offer additional discounts, introduce more flexible ticket types, and expand products for reduced fare riders. Examples include:

- The New York Metropolitan Transportation Authority, which has indefinitely delayed its biennial fare increase originally planned for 2021;
- SFMTA, which agreed in 2020 on a two-year suspension of Muni fare increases;
- VTA, which agreed in 2021 on no transit fare increases for the next 2 fiscal years;
- MBTA, which in 2022 approved changes that introduced permanent 5-day flex passes on commuter rail, a new 7-day pass for reduced fare riders, and lower pricing for 1 day passes; and
- NJ TRANSIT, which in 2022 agreed not to increase fares in FY23 (the fifth consecutive year without a fare hike).

Each of the proposed fare changes would delay the fare increases by one year, with the exception of the reduction of the Clipper discount, which would be delayed for six years.

Delaying previously approved fare changes will provide additional time for ridership recovery and allow staff to better assess how the planned fare changes align with the changing environment. Caltrain's fare strategy is an area of focus for fiscal year (FY) 2023, and staff will assess:

- A. Considerations of equity and connectivity aspects of fares
- B. Pricing strategy at both individual and regional levels
- C. Regional coordination efforts
- D. Caltrain's financial position
- E. Ridership trends

Delaying the Clipper change is proposed as part of an ongoing assessment of the overall Caltrain Clipper strategy. Additionally, ticket sales have recovered better for both ticket vending machine paper tickets and mobile purchases, compared to Clipper. The Acting Executive Director

authorized a temporary promotional fare reduction which extended the fare reductions beyond April 1, 2022; this proposal will extend the fare reduction as described above.

Providing a discount and flexibility options for the Go Pass in 2023 for companies previously enrolled will assist in retaining these companies, incentivize ridership, and potentially increase overall revenue as a result. Caltrain has been heavily reliant on Go Pass revenue during the pandemic and offering continued incentives to participate in the program will help provide value for loyal customers.

Budget Impact

The proposed fare change postponements, if approved, would not impact the proposed budget for FY 2023 because they have already been assumed in the proposed budget. To gauge the potential magnitude of the fare changes, if we assumed that all passengers paid the fare increases in FY2023, the total estimated incremental fare revenue would be \$1.5M for non-Go Pass and \$0.4M for Go Pass on the FY2023 proposed farebox budget of \$46.4M. This incremental fare revenue estimate assumes no fare elasticity. It is important to note that we do not have a decent estimate of our current price elasticity, and the actual revenue would most likely be considerably lower were the fare increases executed due to prospective passenger opting for alternative transportation options. If the fare increases were executed, it may provide a disincentive for riders to return to Caltrain at a time when the agency is focused on encouraging customers to return to public transit and continuing to support essential workers who have relied on Caltrain service throughout the pandemic.

Background

In 2019, the Board of Directors approved a series of fare changes and the accompanying Title VI Analysis, to address the JPB's anticipated budget shortfalls. At that time, the JPB did not have a dedicated source of funding to support operating, maintenance, and capital costs. Since that time, COVID -19 has severely impacted Caltrain ridership levels and reduced fare revenues, but the agency has been able to obtain federal economic relief funds. Additionally, voters of the member counties approved Measure RR in November 2020, creating the JPB's first non-fare dedicated source of revenue, thereby reducing the agency's reliance on fares to fund operations.

Fare Increases

The postponement in fare increases was subject to considerable public outreach and feedback beginning in April 2021 until May 24, 2021. The Finance Committee called a Public Hearing on May 24, 2021, for consideration of changes to the Fare Structure. In June 2021, the Board of Directors approved the postponement of these fare increases until after FY 2021- 2022 to incentivize ridership to return and potentially increase overall fare revenue as a result.

At its June 2021 meeting, the Board agreed to postpone fare increases approved at the September 2019 Board meeting due to the pandemic. Pursuant to Resolution 2020-20, the Caltrain Fare Structure as adopted in Resolution 2019-32, and FTA Circular 4702.1B, which grants the authority to implement special and promotional fare discounts lasting up to six months, the Acting Executive Director authorized a promotional fare reduction that postpones the same previously approved fare increases mentioned above to alleviate the economic effects of the

COVID-19 pandemic on riders, incentivize Caltrain ridership, and potentially increase overall fare revenue.

The proposed delay in implementing previously approved fare changes will continue to support the Caltrain Fare Policy framework adopted by the Board in December 2018, which includes as a consideration the structuring of fares to incentivize rider behavior in support of the agency's policy goals. Maintaining the current pricing structure will provide stability for riders at a time when the agency is focused on encouraging customers to return to public transit and continuing to support essential workers who have relied on Caltrain service throughout the pandemic.

Go Pass Pricing

At its January 2021 meeting, the Board approved an incentive for current customers to renew, and for new customers to participate in, the 2022 Go Pass program, including a 25% discount for customers that had participated in the last 6 months of the 2021 Go Pass program (with an effective date of no later than July 1, 2021). In addition to this discount, the Board approved options that provided flexibility to Go Pass institutions by enabling distribution to on-site contracted staff, part-time employees, and graduate and post-doctoral students as well as donation to qualified and not-for-profit organizations

Prepared by: Bruce Thompson, Acting Manager Fare Operations

Resolution No. 2022 –

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

* * *

Postponing Approved Fare Increases and Adopting 2023 Go Pass Pricing

Whereas, on May 6, 1992, by Resolution No. 1992-31, the Board of the Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB”) adopted a Codified Tariff, setting forth the rate structure for the Caltrain service; and

Whereas, the JPB has previously amended the Codified Tariff to modify fares in order to implement policy and administrative changes in the Caltrain service; and

Whereas, the JPB is committed to the principles underlying its Caltrain Fare Policy, adopted on December 6, 2018, by Resolution 2018-49, including financial sustainability, equity, customer experience, and ridership; and

Whereas, the JPB revised the Fare Structure (which replaced the Codified Tariff) on September 5, 2019, by adopting Resolution No. 2019-32, in order to increase Go Pass prices every other year, reduce the Clipper® Discount, increase base and zone fares (alternating every other year), and participate in the regional means-based fare pilot program (Clipper START); and

Whereas, in light of the Covid-19 pandemic, on September 3, 2020, the JPB adopted Resolution 2020-47, postponing the previously-approved fare increases, which were to take effect on April 1 and July 1, 2020, until after Fiscal Year 2020-2021; and

Whereas, on June 4, 2020, by Resolution No. 2020-21, the JPB extended the duration of the 2020 Go Pass participant agreements through March 2021 to compensate for their users' loss of use of Caltrain for the duration of state and local shelter-in-place orders; and

Whereas, on June 4, 2020, by adopting Resolution 2020-30, the JPB increased the Caltrain discount associated with Clipper START from 20 percent to 50 percent off single-ride, adult Clipper fares; and

Whereas, on January 7, 2021, the JPB adopted Resolution 2021-01 to reduce the 2021 Go Pass pricing to reflect the shortened program year and continued commute pattern changes caused by COVID-19; to give added flexibility to Go Pass program participants by permitting them to offer otherwise unused 2021 Go Passes to on-site contractors, part-time employees, and graduate and post-doctoral students and to donate unused passes to qualified not-for-profit organizations, and to decrease the 2022 Go Pass price for the Go Pass program participants purchasing passes for at least the last six months of 2021; and

Whereas, in April and May 2021, the JPB engaged in public outreach, including published notices and virtual community meetings to afford members of the public an opportunity to comment on fare change proposals and held a duly-noticed public hearing at the May 24, 2021 meeting of the Finance Committee on the extension of the Caltrain Monthly Pass discount and accepted comments on fare changes; and

Whereas, on June 3, 2021, by adopting Resolution 2021-33, the JPB, based on the public comment it had received, extended the temporary 20 percent discount on Monthly Pass products, postponed two scheduled 5 percent increases in the Go Pass price, postponed a

reduction of the Clipper discount, delayed scheduled increases to the full-price base fare and zone charge, and extended Clipper START; and

Whereas, Staff recommends that the Board adopt the following changes to the current schedule of fare increases:

- A. Go Pass – Postpone two scheduled 5 percent price increases by one year from January 1, 2023, to January 1, 2024, and again from January 1, 2025, to January 1, 2026
- B. Clipper Discount – Postpone the April 1, 2022 reduction of the Clipper discount from \$0.55 to \$0.25 per one-way adult fare and corresponding changes to all Clipper Products except the Eligible Discount one-way fare to July 1, 2028
- C. Periodic Fare Increases – Delay scheduled increases to the full price one-way base fare and zone charge (and corresponding increases to related products), as follows:
 - Base Fare increase of \$0.50: Postpone from July 1, 2022, to July 1, 2023
 - Zone Charge increase of \$0.25: Postpone from July 1, 2024, to July 1, 2025
 - Base Fare increase of \$0.50: Postpone from July 1, 2026, to July 1, 2027

Whereas, Staff recommends that the Board adopt new Go Pass pricing and terms for 2023 as follows:

- A. Customers that are enrolled for the last 6 months of 2022 (i.e., an effective date no later than July 1, 2022) receive a 20 percent discount off the 2023 Go Pass price of \$342 per year (discounted to \$287)

- B. Maintain the current adopted incentive structure that allows for distribution to on-site contracted staff, part-time employees, and graduate and post-doctoral students as well as donation of the Go Pass to qualified not-for-profit organizations; and

Whereas, under Title VI of the Civil Rights Act of 1964 and implementing regulations, including Federal Transit Administration Circular C 4702.1B, the JPB is required to perform a Title VI Equity Analysis in conjunction with most fare changes to assess whether they will result in disparate impacts or disproportionate burdens on minority or low-income populations, respectively, and on April 4, 2013, the Board adopted Resolution No. 2013-21, which established Disparate Impact and Disproportionate Burden Policies to set thresholds for when fare or major service changes are deemed to have disproportionate effects on minority or low-income populations; and

Whereas, Staff has previously prepared, and the Board has previously adopted Title VI equity analyses on September 5, 2019 (Resolution No. 2019-32) related to the postponement of the previously-adopted fare changes that are the subject this action; and

Whereas on May 24, 2021, the Finance Committee held a duly-noticed public hearing regarding changes to the Fare Structure.

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

1. Finds pursuant to Title VI of the Civil Rights Act of 1964 that the fare changes enacted hereby will not have a disparate impact on minority populations or a disproportionate burden on low-income populations;
2. Approves the following fare changes:

- a. Go Pass – Postpone a 5 percent price increase scheduled for January 1, 2023, to January 1, 2024, and postpone a second 5 percent price increase scheduled for January 1, 2025, to January 1, 2026
 - b. Clipper Discount – Postpone the April 1, 2022 reduction of the Clipper discount from \$0.55 to \$0.25 for a one-way adult fare and corresponding changes to all Clipper Products except the Eligible Discount one-way fare to July 1, 2028
 - c. Periodic Fare Increases – Delay scheduled increases to the full price one-way base fare and zone charge (and corresponding increases to related products), as follows:
 - i. Base Fare increase of \$0.50: Postpone from July 1, 2022, to July 1, 2023
 - ii. Zone Charge increase of \$0.25: Postpone from July 1, 2024, to July 1, 2025
 - iii. Base Fare increase of \$0.50: Postpone from July 1, 2026, to July 1, 2027; and
3. Approves the Go Pass pricing and terms for 2023 as follows:
- a. Customers that are enrolled for the last 6 months of 2022 (i.e., an effective date no later than July 1, 2022) receive a 20 percent discount off the 2023 Go Pass price of \$342 per year (discounted to \$287)
 - b. Maintain the current adopted incentive structure that allows for distribution to on-site contracted staff, part-time employees, and graduate and post-

doctoral students as well as donation of the Go Pass to qualified not-for-profit organizations; and

Be It Further Resolved That the Board of Directors directs the Acting Executive Director, or designee, to sign any agreements or other documents, or take any other actions required, to give effect to this resolution.

Regularly passed and adopted this 5th day of May 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: James C. Harrison
General Counsel

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

Finance Committee
Recommendation

Work Program-
Legislative-Planning

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

ACTION

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

SIGNIFICANCE

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

The proposed Code of Conduct establishes expectations regarding appropriate conduct in order to create an environment that promotes productivity and efficiency while fostering public participation. A draft Code was presented to the Citizens Advisory Committee on April 20, 2022; feedback received at that meeting was incorporated into the proposed Code.

BUDGET IMPACT

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

BACKGROUND

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

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

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

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

Resolution No. 2022 –

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

* * *

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

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

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

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

WHEREAS, the governing body of a local agency must allow members of the public the opportunity to comment on items that are not on the agenda, but does not need to permit members of the public to comment on topics that are not within the subject matter jurisdiction of the body; and

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

WHEREAS, Staff recommends that the Board adopt the attached Code of Conduct for all Regular and Special Board, Committee, and Advisory Committee meetings; and

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

Regularly passed and adopted this 5th day of May 2022 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**CODE OF CONDUCT GOVERNING PUBLIC PARTICIPATION IN MEETINGS OF THE BOARD OF
DIRECTORS OF THE PENINSULA CORRIDOR JOINT POWERS BOARD**

PRINCIPLES AND PURPOSE

The Board of Directors of the Peninsula Corridor Joint Powers Board (“Board”) is committed to the principles of government transparency and the promotion of public participation. The Board seeks to ensure that Board and Committee meetings are conducted in an orderly fashion and that decorum is maintained so that all members of the public may observe and participate in the conduct of the people’s business. Promoting a respectful and orderly environment will ensure that all speakers have the opportunity to be heard and that members of the Board and Committees have the opportunity to hear public comment and engage in thoughtful deliberations.

The purpose of this Code of Conduct is to establish expectations regarding appropriate conduct in order to create an environment that promotes civil and respectful discussion, productivity, and efficiency while fostering public participation and a safe and welcoming environment. Caltrain encourages robust public participation in its Board and Committee meetings, and this Code of Conduct is intended to preserve free expression while addressing conduct that may disrupt or impede Board or Committee meetings. This Code of Conduct applies to all Regular and Special Board, Committee, and Advisory Committee Meetings.

I. Addressing the Board/Committee

- A. A member of the public who wishes to address the Board or Committee must seek the permission of the Chair. In the interest of facilitating the business of the Board or Committee, the Chair may limit the amount of time and the number of persons who may address the Board or Committee.
- B. In-Person Meetings
 - 1. Members of the public desiring to address the Board or a Committee at in-person meetings on a consent, discussion, closed session, or public hearing agenda item are requested, but not required, to complete a speaker request form and deposit the completed form with the Secretary of the JPB prior to the Board or Committee’s consideration of the consent calendar, the reading of the agenda item, or the opening of the public hearing.
 - 2. A person who has requested to address the Board or a Committee will be allowed up to two (2) minutes per agenda item, unless the Chair establishes a different standard based on the Board or Committee’s business needs.
 - 3. Members of the public shall have the right to address the Board or a Committee on items of interest which are within the Board or Committee’s jurisdiction. A person requesting to address the Board or Committee on a non-agenda item will be allowed up to two (2) minutes per meeting, unless the Chair establishes a

different standard based on the Board or Committee's business needs. Items addressed by members of the public pursuant to this paragraph may be added to future agendas at the request of the Chair or two or more Board members.

C. Meetings Held Via Teleconference

1. When meetings are held via teleconference, the Secretary of the JPB shall provide the ability for members of the public to address the Board or Committee remotely via a telephonic or other Internet-based service at regular meetings.
 2. A person attending a meeting remotely and addressing the Board or a Committee on an agenda item will be allowed up to two (2) minutes per agenda item, unless the Chair establishes a different standard based on the Board or Committee's business needs.
 3. Members of the public attending a meeting remotely shall have the right to address the Board or Committee on items of interest which are within the Board or Committee's jurisdiction. A person addressing the Board or Committee on a non-agenda item will be allowed up to two (2) minutes per meeting, unless the Chair establishes a different standard based on the Board or Committee's business needs.
- D. The Board or Committee shall provide at least twice the allotted time to a member of the public who utilizes a translator to ensure that non-English speakers receive the same opportunity to directly address the Board or Committee.
- E. Any individual who engages in disruptive conduct, as defined in Section II(B) of these Rules, may be prohibited from addressing the Board or Committee on agenda items and during public comment at future meetings.
- F. When any affiliated group of persons desires to address the Board or Committee on the same subject matter, the group may select a spokesperson who may coordinate with the Chair or staff prior to the meeting, or if there are significant time constraints, the Chair may require that a spokesperson be chosen to represent the group. Subject to approval by the Chair, the Chair or staff may additionally facilitate any one of the following options for the group, including but not limited to: (i) requesting additional time for the spokesperson to speak if other members of the group cede their time; (ii) arranging speakers sequentially; or (iii) for in-person meetings, members of the group may raise their hand or stand up at their seat to show support for their designated speaker in lieu of providing remarks.
- G. Alternatively, if there are ten (10) or more speakers wishing to speak on an item, the Chair may limit all individuals to one (1) minute for their public comments on the same item.

II. Conduct

- A. Unless addressing the Board or Committee or entering or leaving the Board Room, all persons in the audience shall sit only in designated seating provided by the JPB.

Standing is permitted though no person shall stand or sit in the aisles or block the doorways.

B. Disruptions

1. A speaker may be sanctioned as described herein only if the speaker's conduct actually disrupts the orderly conduct of the meeting or interferes with the Board or Committee's ability to conduct its business. For purposes of this Rule, "disruption" of a Board or Committee meeting may include, but is not limited to, speaking beyond the time limits set by these Rules or the Chair, being unduly repetitious, engaging in an extended discussion of irrelevancies, or failing to yield to the Chair.
2. Each person who addresses the Board or Committee shall not engage in personal attacks, or use loud, threatening, profane, or abusive language that disrupts, disturbs, or otherwise impedes the orderly conduct of the Board or Committee meeting. Any such language or any other disorderly conduct that disrupts, disturbs, or otherwise impedes the orderly conduct of the Board or Committee meeting is prohibited.
3. The Chair may find that a speaker is disrupting the orderly conduct of the meeting if a comment is unrelated to the agenda item under consideration, or if the speaker's conduct violates any other provision in this Code of Conduct. If the Chair finds that a speaker is disrupting the orderly conduct of the meeting, the speaker shall forfeit their remaining time.
4. No person in the audience at a meeting shall engage in conduct that disrupts the orderly conduct of any meeting, including, but not limited to, the utterance of loud or threatening language, whistling, clapping, stomping of feet, speaking over or interrupting the recognized speaker, repeated waving of arms, or other disruptive acts. Whether conduct rises to the level of being disruptive shall be determined by the Chair.
5. The Chair has the authority to issue a warning or remove from a meeting a person violating the Code of Conduct or any lawful order issued by the Chair. If the person does not promptly leave the meeting after an order to do so by the Chair, the Chair may request that security remove the person from the meeting.
6. Any person removed from a meeting shall be excluded from further attendance at the remainder of the meeting.
7. If any meeting is willfully interrupted or disrupted by a person or by a group of persons so as to render the orderly conduct of the meeting unfeasible, the Chair may recess the meeting or order the person or group of persons willfully interrupting the meeting to leave the meeting or be removed from the meeting.
8. If any meeting is willfully interrupted or disrupted by a person or by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the person or persons willfully interrupting or disrupting the meeting, the Chair may recess the meeting or

order the meeting room cleared and continue in session. Only matters appearing on the posted agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend or remain in the meeting.

C. Meetings Held Via Teleconference

1. The prohibitions on disruptive conduct described in Section II(B) of this Code of Conduct also apply to meetings held via teleconferencing.
2. The Chair may issue a warning or remove from the telephonic conference or online forum a person violating the Code of Conduct or any lawful order issued by the Chair. If the person does not promptly exit the conference or forum after an order to do so by the Chair, the Chair may request that the Secretary of the JPB remove the person.
3. Any person removed from a meeting shall be excluded from further attendance at the remainder of the meeting. The exclusion from the meeting shall be enforced by the Secretary of the JPB upon being so directed by the Chair.

Contact:

Mailing Address

PO Box 3006
San Carlos, CA 94070-1306

Office Address

1250 San Carlos Ave.
San Carlos, CA 94070-1306

Email: board@caltrain.com.

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

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Anthony Simmons
Director, Systemwide, Stations, and Capital Planning

SUBJECT: **Downtown Rail Extension Project Update**

Finance Committee
Recommendation

Work-Program-Legislative
Planning Committee
Reviewed

Staff Coordinating
Council Reviewed

Staff Coordinating Council
Recommendation

Action

This report is for information only. No action by the Board of Directors (Board) is required.

Significance

The Peninsula Corridor Joint Powers Board (JPB) has been closely involved in the ongoing planning and development of the San Francisco Downtown Rail Extension project (DTX). The DTX will have major impacts on Caltrain and is a key component of Caltrain's 2040 Service Vision (Vision) and is projected to significantly increase Caltrain ridership throughout the corridor. This report provides an overview and update of DTX project progress and status, and most importantly, provides details to the Board regarding the JPB's current and future engagement in the project. The report includes a discussion of a Master Cooperative Agreement (MCA) which is currently being negotiated between the JPB and the Transbay Joint Powers Authority (TJPA) to formally define both parties' roles and responsibilities in advancing this project, as well as the JPB's future engagement as DTX continues toward construction and delivery. Approval of the MCA by the Board will be requested later this year.

Budget Impact

There is no current impact on the budget.

Background

The completion of the DTX will have a major positive impact on Caltrain service and ridership. It completes the final element of the Transbay Program, which includes the Salesforce Transit Center, completed in 2018, and the creation of a transit-oriented neighborhood around the multi-modal transit hub. A regional priority since 1988, the DTX project will deliver the vision of the program by bringing Caltrain and California High Speed Rail into downtown San Francisco. The environmentally-cleared DTX will extend Caltrain's rail line from the Fourth and King station by approximately 1.6 miles and will provide significantly improved access for

Peninsula riders to the North and East Bays, with a nearby connection to BART and San Francisco Municipal Transportation Agency rail services.

In April 2020, Caltrain entered into a Memorandum of Understanding (MOU) with the TJPA, Metropolitan Transportation Commission (MTC), California High Speed Rail Authority (CHSRA), City and County of San Francisco (CCSF), and the San Francisco County Transportation Authority (SFCTA). Pursuant to the MOU, these six agencies have agreed to take part in a multi-year effort to ready the DTX for procurement, including activities related to governance, oversight, management, funding, and project delivery. The MOU also established a new organizational structure to support the efforts of the TJPA. An Integrated Program Management Team (IPMT), and an Executive Steering Committee (ESC), both composed of representatives from each of the partnering agencies, meet regularly to advise the TJPA Board on technical and policy matters. Specifically, Acting Executive Director Michelle Bouchard currently serves as the Chair of the DTX ESC, and Caltrain staff are members of the IPMT.

In 2021, the project executed an accelerated master schedule to support a potential 2023 Full Funding Grant Agreement (FFGA) request through the Federal Transit Administration's (FTA's) Capital Improvement Grant (CIG) process. The project was accepted into the FTA's initial Project Development Phase in December 2021. In 2022, the DTX project will pursue major milestones related to project development, funding, and public outreach and engagement.

To support and formalize Caltrain's role in the project, Caltrain and TJPA have commenced negotiating an MCA that outlines and confirms each party's responsibility for planning, designing, procuring, constructing, operating, and maintaining DTX. This agreement is critical to progress the project in an efficient and expeditious manner. By winter 2022, Caltrain staff anticipates requesting Board consideration and approval for the MCA.

Prepared By: Anthony Simmons
Director, Systemwide, Stations, and Capital Planning

650.868.9925

**CITIZENS ADVISORY COMMITTEE (CAC)
PENINSULA CORRIDOR JOINT POWERS BOARD (JPB)
SAN MATEO COUNTY TRANSIT DISTRICT ADMINISTRATIVE BUILDING**
Bacciocco Auditorium, 2nd Floor
1250 San Carlos Avenue, San Carlos CA 94070

MINUTES OF MARCH 16, 2022

MEMBERS PRESENT: A. Brandt, P. Flautt (Vice Chair), R. Jaques (Alternate), R. Kutler (arrived 6:20pm), P. Leung, M. Pagee (Alternate), JP. Torres, D. Tuzman (arrived 5:45pm), E. Shapiro

MEMBERS ABSENT: B. Shaw (Chair), L. Klein

STAFF PRESENT: R. Casumbal, J. Lipps, J. Jest, J. Navarrete, J. Navarro

Due to COVID-19, this meeting was conducted as a teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20, which suspends certain requirements of the Ralph M. Brown Act.

Vice Chair Patrick Flautt called the meeting to order at 5:40 p.m. and led the Pledge of Allegiance.

APPROVAL OF MINUTES OF FEBRUARY 16, 2022

Motion/Second: Torres / Leung

Ayes: Brandt, Flautt, Shapiro

Abstain: None

Absent: Klein, Kutler, Shaw, Tuzman

PUBLIC COMMENT

Roland Lebrun, San Jose, via Zoom Q&A, commented on the Caltrain collision that occurred on March 10, 2022, and recommends Caltrain donate the entire trainset, minus the locomotive, to the NTSB so that they may study what occurred. He then commented on the Scott ST. incident where a car drove around the tracks. He asked whether the gates perform the same way with Dual Speed Check as they do with Constant Warning Time.

Jeff Carter, Millbrae, via Zoom Q&A, commented on the known issue with maintenance vehicles not shunting the track. He then requested staff to explain the reason they do not shunt the track.

CHAIRPERSON'S REPORT

Vice Chair Patrick Flautt read a prepared statement from Caltrain addressing the collision that occurred on March 10, 2022. He then mentioned that the agenda item to brainstorm on iPhones for Conductors has been moved to later this year.

COMMITTEE COMMENTS

Member Adrian Brandt commented on the unfortunate collision that occurred on March 10, 2022 and recommended that the spokesperson have all the facts prior to speaking to the media. He then made recommendations for the investigation of the collision.

Member Tuzman shared that the passenger communication, at stations, regarding train schedule was not ideal during the major incident that occurred on March 10, 2022. He also mentioned that the statement provided the following day, explaining how the service schedule would recover, was impressive. He then asked whether the new electric trains would have GPS. Mr. Joe Navarro, Deputy Chief, Rail Operations, confirmed and stated that staff is working on a real time feature for the public. Member Tuzman provided the committee an update on the governance discussion that occurred at the board meeting.

PUBLIC COMMENT

Roland Lebrun, San Jose, via Zoom Q&A, stated that he is pleased that the NTSB is investigating the Caltrain collision. He then commented on the governance issue. Lastly, he recommended the committee and the public to watch the finance session that will be held on Monday afternoon.

Jeff Carter, Millbrae, via Zoom Q&A, hopes that the governance discussions have been settled and that future meetings are used for taking care of the good for Caltrain and Samtrans.

CALTRAIN MARKETING STRATEGIES

Robert Casumbal Director, Marketing & Market Research and Julian Jest, Market Research & Development Analyst, presented the Caltrain Marketing Strategies presentation. The full presentation can be found on caltrain.com.

Committee Comments:

Vice Chair Flautt complimented the presentation and suggested that staff provide the public CAC visibility so that the public is made aware of the work that is being done. Potentially create a short video, 45 seconds to a minute, summarizing the monthly meetings showcasing what was discussed and what issues are being tackled. He also suggested soliciting feedback from the public through the website. He then asked for details regarding the survey data and whether he may obtain that data. Mr. Jest provided the details and stated that he would indeed be able to share that data.

Member Emilia Shapiro asked whether staff is interested in other audience segmentations in terms of marketing and then asked for the social media strategy and whether it includes other platforms like LinkedIn. Mr. Jest responded that on the equity side of things, other areas that are looked at are income levels, crossed with household size. Mr. Casumbal then shared that their team typically has a comprehensive communications and marketing plan.

Member Patricia Leung shared that it is important to get the riders engaged and stated that highlighting the rider's experience, onboard the train, could be useful.

Member Brandt asked staff about the time of day the survey is completed, and Mr. Jest responded that the times of day vary. Member Brandt then asked how staff ensures that the surveys are statistically scientific and how does Caltrain reach non-riders. Mr. Jest replied that staff works with a consultant to execute the surveying work conducted and explained how surveys are statistically represented by ridership. He also mentioned that the survey response rate is high. Mr. Jest then stated that Caltrain reaches non-riders through general population studies, through the counties in which Caltrain operates. Member Brandt later suggested to brand Caltrain on bridges within the three counties. Mr. Casumbal responded that his team may be looking into increasing brand awareness within Caltrain property.

Member Tuzman asked why the fifty percent discount that will be offered in April was not highlighted in press releases. Mr. Casumbal responded that being sensitive to the recent events, staff decided to delay the communication plan to next week.

Member Rosalind Kutler agreed with Member Leung's comments regarding sharing rider's experiences and stories about riding the train to engage passengers.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, stated that Caltrain should have station to station fares and pointed out that the CAC passed the resolution in support of that. He shared his ideas on attracting the non-frequent rider. He then suggested staff to promote the new EMUs once they arrive and would like to see clever advertising.

Roland Lebrun, San Jose, via Zoom Q&A, suggested having a sign on the freeway, as they had in previous years, that shows the time a driver would get to their destination had they taken Caltrain. He then stated that Caltrain is missing out on a massive market south of San Jose.

NEW CALTRAIN WEBSITE PREVIEW

Jeremy Lipps, Manager, Digital Communication, presented the New Caltrain Website Preview presentation. The full presentation can be found on caltrain.com.

Committee Comments:

Vice Chair Flautt complimented the new website and asked whether the launch is on target. Mr. Lipps responded that staff is on target. Vice Chair Flautt then asked about the CAC page and Mr. Lipps stated that he will be sharing the link for the committee's review. Vice Chair Flautt requested a custom form on the site where users can suggest agenda items. Mr. Lipps stated that it is possible.

Member Kutler requested having better communication to alert riders of trains that have been taken out of service and/or service delays. Mr. Lipps explained why the automated system does not work during catastrophic events and how things transition to manual updates.

Member Tuzman asked whether live train maps are based on GPS and Mr. Lipps responded that it is, partially, and that the data is refreshed every sixty seconds. Mr. Tuzman then shared that it is not clear where to find the timetable. Mr. Lipps stated that he will be reviewing that section.

Member Shapiro asked about the mobile website and Mr. Lipps stated that staff is discussing that feature and reviewing the larger strategy.

Member Brandt suggested having arrival time on the trip planner feature. Mr. Lipps stated that he would further review. Member Kutler agreed with Member Brandt's suggestion. Member Brandt then suggested that the live map clearly indicate single tracking and annulled trains along with other suggestions. Mr. Lipps responded that a lot of those suggestions are being worked on and would be happy to work with the committee for further feedback.

Member Leung asked about record retention issues staff was facing. Mr. Lipps responded that the document policy is in progress with legal and IT. He then explained further details to the committee.

Mr. Lipps advised that the CAC will receive a link to review the website with a bug feedback form.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, appreciated the presentation and appreciated the explanation regarding the document retention policy progress. He then asked for better ways to download the recorded Zoom meetings.

Roland Lebrun, San Jose, via Zoom Q&A, complimented the new website. He then suggested staff use Legistar, backend system, as other agencies do to address the PDF issues.

Drew, via Zoom Q&A, appreciated the update on the email issues. He then referred to the slide that shows desktop and mobile view side-by-side, and suggested the proportions for the mobile app to shrink to avoid scrolling down. Mr. Lipps responded that the concern had been discussed and the current view is the best solution.

STAFF REPORT UPDATE

Joe Navarro, Deputy Chief, Rail Operations reported (The full report can be found on caltrain.com):

On-time Performance (OTP) –

- **February:** The February 2022 OTP was 91.6% compared to 92.5% for February 2021.
 - **Vehicle Strikes** – There was one vehicle strike on February 25, resulting in a fatality.

- **Trespasser Strikes** – There were two trespasser strikes on February 14 and 22, resulting in fatalities.
- **Vehicles on Tracks** – There were two days, February 8 and 23 with a vehicle on the tracks that caused train delays.
- **Mechanical Delays** – In February 2022 there were 762 minutes of delay due to mechanical issues compared to 200 minutes in February 2021.
- **January:** The January 2022 OTP was 94.4% compared to 86.9% for January 2021.
 - **Trespasser Strike** – There was one trespasser strike on January 25.

Mr. Navarro shared the Clipper ridership chart.

Committee Comments:

Member Brandt requested that staff provide the crossing for vehicle on the tracks, in future reports. He then asked whether ridership has increased due to the rise in gas prices and Mr. Navarro responded that it is too early to have those numbers, however, has seen an increase with bicycle riders in bike cars. Lastly Member Brandt asked about the American Association couplers being used on the EMUs. Mr. Navarro stated that the AA couplers are used for transport.

Member Tuzman asked whether the temporary schedule will end as indicated on April 4, 2022. Mr. Navarro responded that staff should know the answer by the end of next week.

Public Comments:

Roland Lebrun, San Jose, via Zoom Q&A, stated that Caltrain is the lowest in ridership recovery. He then expressed that he was pleased to hear about the couplers. Roland then requested more details with trespasser/vehicle strikes, whether they went around the gates. Lastly, he reiterated to stop using the word trespasser when people are struck.

Jeff Carter, Millbrae, via Zoom Q&A, hopes that Caltrain will choose level boarding and stated that High Speed Rail should conform to Caltrain. Lastly, he would like to see items in the work plan agenda. Vice Chair Flautt responded that the data is not available yet for those items to be agenda.

JPB CAC Work Plan

April 20, 2022

- Constant Warning
- Code of Conduct

May 18, 2022

- Business Intelligence presentation

- Engineering Standards

June 15, 2022

-
-

Suggested Items:

- Go Pass cost per ride factors – requested by Chair, Brian Shaw on 6/19/19
- San Mateo County Climate Action Plan – requested by Member Rosalind Kutler on 10/16/19
- MTC Means-Based Discount Fare program update
- Caltrain connections with other agencies – requested by Member Rosalind Kutler on 12/18/19 and Alternate Member Rob Jaques on 12/15/21
- Update on grade crossing pilot six months after installation – requested by Member, Patrick Flautt on 12/18/19
- Operating Costs – requested by Member Adrian Brandt on 2/13/20
- Rail Corridor Use Policy – requested by Member Anna Dagum on 10/21/20
- Industry Safe Functionality
- Blue Ribbon Task Force
- Clipper Data Availability
- Construction Obstacles
- Wireless Solution Technology – requested by Member Adrian Brandt on 12/8/21
- Redwood City Station Development - requested by Member Adrian Brandt on 12/8/21
- Dual speed check installation/Constant Warning, Downtown Extension, elevated four track station, future Dumbarton Rail extension and the Google campus being planned at the Diridon station, PCEP project wireless overlay system and level boarding and the status of fully vaccinated staff - requested by Member Adrian Brandt on 12/15/21
- Transit Oriented Development & historic station preservation outreach - requested by Member Patricia Leung on 12/15/21
- Equity evaluation on the most recent schedule change and Go Pass qualification requirements - requested by Member Rosalind Kutler on 12/15/21
- Staffing structure, Governance Update, Visual Messaging Display rollout plan, Equity Plan implementation/update and periodic updates from Government Affairs regarding funding sources and how infrastructure bills may impact Caltrain - requested by Member David Tuzman on 12/15/21
- Caltrain Wayfinding improved, specifically with single tracking - requested by Member Jean-Paul Torres on 12/15/21
- Conductor's communication tools and how they may interface with the public. Regional trip planning and availability for riders that do not have access to mobile devices - requested by Alternate Member Melody Pagee on 12/15/21

- Distance-based fares on Caltrain. Deep dive on it from a practical standpoint - requested by Chair, Brian Shaw on 12/15/21

DATE, TIME, AND LOCATION OF NEXT REGULAR MEETING:

The next meeting will be April 20, 2022, at 5:40 pm, San Mateo County Transit District Administrative Building, 2nd Floor Bacciocco Auditorium, 1250 San Carlos Avenue, San Carlos, CA.

Adjourned at 7:49 pm.



BOARD OF DIRECTORS 2022

STEVE HEMINGER, CHAIR
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MICHELLE BOUCHARD
ACTING EXECUTIVE DIRECTOR

Memorandum

Date: April 25, 2022
To: Board of Directors
From: Michelle Bouchard, Acting Executive Director
Subject: May 5, 2022, JPB Board Meeting Executive Director's Report

- **On-time Performance**

- **Through April 24:** The preliminary April 2022 OTP was 90.8% compared to 93.9% for April 2021.
 - **Vehicle Strike** – There was one vehicle strike on April 14 at the Broadway crossing in Burlingame, resulting in a non-fatality. There were 13 trains delayed and 1 train annulled.
 - **Trespasser Strikes** – There was one trespasser strike on April 24 near Rengstorff Avenue, Mountain View, resulting in a non-fatality. There were 2 trains delayed.
- **March:** The March 2022 OTP was 88.6% compared to 88.9% for March 2021.
 - **Vehicle Strike** – A collision involving a train and on-track equipment occurred on March 10. Additional details on the incident and corresponding investigation are provided below.
 - **Trespasser Strikes** – There were two trespasser strikes on March 18 and March 21, one resulting in a fatality. The strike on the 18th was a fatality at Fair Oaks Lane, which caused 7 trains to be delayed and 1 train to be

terminated. The strike on the 21st was a NON-fatality at Rengstorff Avenue, which caused 8 trains to be delayed.

- **Temporary Weekday Service Schedule** – Electrification construction work originally planned for March 14, 2022 to April 1, 2022 was postponed due to Caltrain’s March 10th Train & On-Track Equipment Collision. Due to the Caltrain incident, the temporary reduced schedule was used to accommodate service restoration activities.
 - The construction work has been rescheduled and there will be temporary weekday schedule which will be in effect from Monday May 2, 2022 to Friday May 20, 2022.
 - Midday, evening and weekend schedules will not change.
 - Peak service will be reduced: a total of three different limited trains will operate each hour per direction.
 - No local service during peak hours.
 - Baby Bullet service will be suspended
 - 88 trains will operate each weekday (down from current 104).
 - On Monday May 23, 2022 Caltrain will revert back to the regular weekday schedule.
 - Trains will single-track at Broadway, Burlingame, San Mateo, Hayward Park and Hillsdale stations.
 - Customer Outreach Efforts will include:
 - Landing page: www.caltrain.com/May2022
 - Organic Social (Twitter, FB, IG, Nextdoor, Tiktok)
 - Paid Digital and Print Ads
 - Seat Drop (Flyer)
 - Station Information Board Schedule
 - Station Ambassadors
 - Email Blasts
 - Mobile App Alerts
 - Visual Messaging Signage at Stations
 - Onboard and Station Announcements
 - Press Release
 - Amplified message via elected officials, cities, counties,
 - Updates to key stakeholders, business groups
- **National Transportation Safety Board (NTSB) Preliminary Report** – On April 14, 2022 the NTSB released its Preliminary Report regarding Caltrain’s Passenger Train

Collision with Hi-rail Maintenance Vehicles that occurred on March 10, 2022. A final report will later be issued once the investigation has been completed.

- **CAC Meeting** – The Citizens Advisory Committee met on Wednesday, April 20, via teleconference. Anna Myles-Primakoff, Olson Remcho, LLP, provided a presentation on Code of Conduct. Bruce Thompson, Acting Manager – Fare Operations, provided a presentation on Fare Change Postponement & 2023 Go Pass Pricing. Chris Harvey, Manager – Rail Operations, provided the Staff Report. The next CAC meeting is scheduled for Wednesday, May 18, via teleconference.
- **BATAC Meeting** – The next Bicycle & Active Transportation Advisory Committee is scheduled for Thursday, May 19, via teleconference.
- **Special Event Service**

Services Performed:

Following is a summary of special event services provided.

- **San Francisco Giants** – The SF Giants hosted ten games in April.

Caltrain will provide one post-game express train for evening games on weekdays and weekends. The train departs San Francisco 15 minutes after the last out or when full, making its first stop to Millbrae followed by local stops to San Jose Diridon. Fans wishing to reach stations between San Francisco and Millbrae should take a regularly scheduled train. Staff will continuously monitor the service throughout the season and make adjustments to accommodate the crowd as needed.

- **Golden State Warriors** – The Warriors hosted six games in March. The total additional ridership for February was 1,833. The average additional ridership per game was 306, an increase of 17% compared to February 2022 (260). Year-to-date season average additional ridership per game is 296, a decrease of 27% compared to 2019 (405).

The Warriors hosted three playoffs games through April 27.

- **San Jose Sharks** – The Sharks hosted six games in March. Total post game additional riders boarding at San Jose Diridon was 515. The average ridership per game for February was 86, an increase of 28% compared to February 2022 (67). Year-to-date additional ridership is 2,610, a decrease of 70% compared to 2019 (8,608).

The Sharks hosted seven games in April.

Services Scheduled:

- **San Francisco Giants** – The SF Giants will host fourteen regular season games in May.
- **Golden State Warriors** – The Warriors may host playoff games in May.
- **Bay to Breakers** – On Sunday May 15, Caltrain will provide two pre-race trains in the early morning and two post-race trains in the afternoon to accommodate the event goers.
- **Memorial Day Holiday Service** – On Monday, May 30, Caltrain will operate a Weekend Schedule in observance of the Memorial Day holiday.

● **Capital Projects**

The Capital Projects information is current as of April 15, 2022 and is subject to change between April 15 and May 5, 2022 (Board Meeting).

- **South San Francisco Station Improvements:** This project replaces the existing side platforms with a new centerboard platform, construction of a new connecting pedestrian underpass to the two new plazas in downtown South San Francisco to the west and the shuttle area to east.

New Ramps, the West Plaza and the pedestrian underpass were opened to passengers on January 13, 2022. Shuttle service was moved from the parking lot to its new permanent location on Poletti Way on January 24, 2022. The parking lot was patched, resealed and re-striped. The ribbon cutting ceremony that was delayed due to COVID precautions was held on April 8, 2022. Decorative stainless steel panels will be installed when the material arrives, on the “Art Wall” within the pedestrian tunnel. Replacement variable message signs on the station platforms, to replace those that were water-damaged, will also be installed when the units arrive on-site. Other than that, only minor “punch list” work items remain which will be completed over the next several months to close out the project.

- **Burlingame Broadway Grade Separation Project:** This project will grade separate the railroad alignment at Broadway, between Carolan and California Avenues, in the City of Burlingame and remove the current at-grade crossing. As a part of this

project, the Broadway Station will become elevated and the hold-out rule at this station will be eliminated, improving operational efficiency. Currently, this project is funded for the design phase through local funds (San Mateo County Transportation Agency Measure A and the City of Burlingame). The City of Burlingame is the project sponsor with Caltrain acting as the lead agency for implementation.

The current schedule forecasts advertisement for the construction contract by late-2023, with construction scheduled to occur from early 2025 to mid-2028. The Team is evaluating the potential use of the Construction Manager/General Contractor (CM/GC) project delivery approach, to address project risk and site constraints. If CM/GC is chosen, the schedule for the construction contract may accelerate.

- **Guadalupe River Bridge Replacement:** JPB proposes to replace the MT-1 railroad bridge and extend the MT-2 railroad bridge over the Guadalupe River in the City of San Jose, Santa Clara County, California. The proposed project is located just north of Willow Street and east of State Route (SR) 87 between the Tamien and San Jose Diridon stations.

The total project cost is estimated at approximately \$51.2 million and has reached 100% design completion. Bid advertisement expected in May 2022 with expected Board award in Summer, 2022.

The primary issue facing this project is the resolution of budget issues with Union Pacific Railroad (UPRR). Per the Trackage Rights Agreement, a binding arbitration hearing was held in December 2021. A preliminary ruling was rendered by the Arbitration Panel with certain matters still pending resolution.

- **Rengstorff Avenue Grade Separation:** JPB in partnership with the City of Mountain View propose to grade separate the existing at-grade Caltrain tracks from the roadway crossing at Rengstorff Avenue in the City of Mountain View. This project will help improve public safety for pedestrians, cyclists, vehicles, and trains while improving the overall traffic flow and travel reliability.

The project entails constructing a new fully depressed intersection, major grading work, new paving & bicycle lanes with special barriers, retaining walls, new elevated railroad tracks & pedestrian bridges, utility relocation, drainage & pump station facilities, and landscaping.

The 35% design is currently under review after submittal in April 2022. An RFP for Final Design services and another potentially for a CM/GC contractor is anticipated in late 2022. The preliminary total budgeted estimate is approximately \$280 million.

Most of the funds will come from the City of Mountain View (thru VTA-Measure “B” sales tax), State, Federal, local, and other grants.

Currently construction is expected to start in early 2025, pending securing funds and complete in late 2027.

- **Ticket Vending Machine (TVM) Upgrade:** This project will upgrade the existing TVM Server and retrofit and refurbish existing TVM machines to include functions planned for the Clipper program. The new machines will be able to dispense new Clipper cards (excluding discount Clipper cards that require verification of eligibility) and allow customers to add value to existing Clipper cards. In addition, the scope was increased to include upgrades to the credit card reader and database.

Phase 1 was completed in October 2020 to develop a prototype Clipper TVM. Phase 2 for retrofitting 12 additional TVM’s was completed in March 2021. The completion of Phase 3 for 27 TVM’s that was expected in April 2022 has been extended to May due to supply chain issues. Phase 4 for upgrading another 27 TVM’s commenced in March 2022 with completion expected by the end of 2022. Phase 5 funds to upgrade the remaining 27 TVM’s (contained in the FY22 Capital Budget) are not yet available.

- **Clipper Next Gen Validators Site Preparation:** This project will prepare the stations with electrical power for the installation of the Clipper Next Gen Validators to be installed by MTC/Cubic. The contract was awarded to BECI Electric at the February 2022 JPB Board meeting. The contractor continues in the administrative period with field construction to begin in the Spring and complete by late 2022.

Mary and Evelyn Avenue Traffic Signal Preemption Project: This project will perform upgrades to train approach warning systems at Mary Avenue and Evelyn Avenue crossings in Sunnyvale. The project will improve vehicle safety at the at-grade crossings by increasing traffic signal advance warning times for approaching trains in order to clear vehicles at the crossings.

JPB completed construction in June 2021. Integrated testing with the City of Sunnyvale’s traffic controller is now scheduled for May 2022 as the City’s contractor has received materials and has scheduled completion of their construction by the end of April.

- **Churchill Avenue Grade Crossing Improvements:** This project will improve safety, pedestrian and bicycle access to the Churchill Avenue crossing in the City of Palo

Alto. The project scope includes widening sidewalks, associated relocation of pedestrian gates, and installing new vehicle pavement markings and markers. This project is coordinated with the City of Palo Alto's own design for the crossing.

The project began in December 2019. The 100% design was received in October 2021. JPB's Issue for Bid documents are awaiting the California Public Utilities Commission (CPUC) approval of the City of Palo Alto's portion of the contract documents so that advertisement for bids can proceed. Construction is forecast to occur from Summer 2022 to Summer-2023.

- **Broadband Wireless Communications:** This project will provide wireless communication systems to enhance railroad operations and maintenance capabilities and provide Wi-Fi capability for passengers. This project is funded through a Transit and Intercity Rail Capital Program (TIRCP) grant.

Proposals were received at the end of December 2021 and were reviewed by an Evaluation Committee at Caltrain and followed by interviews with shortlisted proposers. System demonstrations of their proposed systems within the Caltrain corridor have been scheduled in April and May, and, will be followed by contract negotiations, with contract award anticipated in the Summer of 2022. Design and Construction is planned from September 2022 until June 2024.

- **Bayshore Station Bridge Painting:** This project will perform rehabilitation of the coatings of the existing steel pedestrian overpass bridge at the Bayshore Station in Brisbane. The bridge's paint coatings are in need of rehabilitation due to surface rust. This work combined with a complete repainting of the bridge will bring the structure to a state of good repair.

Bids were received on Friday, January 14, 2022, and an evaluation by JPB was completed. Award of the construction contract is currently planned for April 2022. Construction is expected to commence in Spring/Summer 2022 and complete in late 2022.

- **Mountain View Transit Center Grade Separation and Access:** The purpose of the Mountain View Transit Center (MVTC) Grade Separation and Access Project is to improve safety at Castro Street in the city of Mountain View by replacing the existing at-grade crossing at Castro Street with a grade-separated pedestrian and bicycle underground crossing.

JPB Environmental Planning group obtained environmental clearance for the Project through the California Environmental Quality Act (CEQA). A Board action for CEQA

adoption will be done concurrently with the approval and award of the Final Design Contract in mid-2022. JPB is evaluating the potential use of alternative contract delivery methods for construction to address project risk and site constraints.

- **Watkins Avenue Grade Crossing Improvements:** This project includes the design and construction of four quadrant (“quad”) gates at the Watkins Avenue Grade crossing located in Atherton, California. This project is related to the executed Memorandum of Understanding (MOU) regarding the ‘Town of Atherton Station Closure’ between the Town and Caltrain.

In July 2021, a work directive was issued to the design consultant to complete the final design activities. JPB staff including, Engineering and Maintenance, conducted a kick-off meeting with Town of Atherton staff regarding scope, schedule, and input for the conceptual design. The 35% design for the safety improvements at the grade crossing has been completed and reviewed. The 65% design was received and has been reviewed. The 100% design is now in progress for completion in the Summer 2022.

The current schedule forecast reflects a construction period from January 2023 to December 2023, which complies with executed MOU terms.

- **San Mateo Grade Crossing Improvements:** This project will install four quadrant (“quad”) gates at the grade crossings at 4th and 5th Avenues in San Mateo. The 100% design is complete; awaiting the City of San Mateo to finish their design in Spring 2022. Procurement is scheduled to begin following integration of the City’s design into the bid documents for procurement with construction planned for 2023.
- **MP-36 Locomotive Mid-Life Overhaul Project:** This project involves performing mid-life overhaul of six MP-36-3C Locomotives. The mid-life overhaul includes complete disassembly of the main diesel engine, overhauling by reconditioning reusable main frame components and re-assembly with new engine components and replacement of Separate Head-End Power (SEP-HEP) unit and all electrical components of the SEP-HEP compartment. All areas of the locomotive car body, trucks, wheels and electrical components shall be reconditioned to like-new condition or replaced with new material. The project work is occurring off-site at the contractor’s facility location. The 6 locomotives to be overhauled are Locomotive #'s 923, 924, 925, 926, 927 & 928. In order to maintain daily service, only 1 to 2 of these locomotives are released at a time for overhaul work that is expected to take approximately 8 months per locomotive. Due to this restriction, the overall completion of this work is expected to take approximately 4 years.

The first vehicle #927 was shipped to the vendor's (Alstom) facility at Mare Island (Vallejo) in July 2020 for overhaul. Its return to Caltrain was delayed from early-2021 until the end of December 2021 due to COVID-19 related impacts to the vendor's supply chain, availability of testing staff due to travel restrictions, and an increase in the scope of needed repairs. Vehicle #927 is currently undergoing acceptance testing by Alstom and TASI at CEMOF in San Jose. The 927 has been conditionally accepted by the JPB and is currently running in service. Vehicle #924 was shipped in early November 2020 to the vendor to make room in the CEMOF facility construction project and is currently 24% completed, it has been completely stripped, and both the main and HEP engines are being over-hauled. Vehicle # 925 has most recently been prepared and inspected at CEMOF for delivery to Alstom's facility in Mare Island for overhaul. The 925 has arrived at the Alstom facility in Mare Island and is ready to begin its over-haul. Henry Flores, Deputy Director of Rail Vehicle Maintenance is the Project Manager.

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Pranaya Shrestha
Chief Officer, Caltrain Modernization Program

SUBJECT: **Peninsula Corridor Electrification Project Monthly Progress Report**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

Staff Coordinating Council recommends the Board receive the Peninsula Corridor Electrification Project (PCEP) Executive Monthly Progress Report (MPR). The MPR is available online under “Reports and Presentations” at this webpage:
http://www.caltrain.com/projectsplans/CaltrainModernization/CalMod_Document_Library.html

No action required.

SIGNIFICANCE

Staff prepares and submits a report covering the PCEP on a monthly basis.

BUDGET IMPACT

There is no impact on the budget.

BACKGROUND

The MPR is intended to provide funding partners, stakeholders, and the public a PCEP overview and an overall update on project progress. This document provides information on the scope, cost, funding, schedule, and project implementation.

Prepared By: Pranaya Shrestha
Interim Chief Officer, Caltrain Modernization Program

720.757.9191



Caltrain Modernization Program Peninsula Corridor Electrification Project (PCEP)



Executive Monthly Progress Report

March 31, 2022

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1.0 EXECUTIVE SUMMARY

1.1 Introduction

The Peninsula Corridor Electrification Project (PCEP) will upgrade 51 miles of diesel service to electrified service from San Francisco to San Jose (Tamien Station). The PCEP scope of work includes design and construction of an overhead contact system, traction power facilities, modification of the existing signaling and grade crossing protection system to make it compatible with the electrified railroad, substation improvements at Pacific Gas and Electric (PG&E) substations, and modifications at existing tunnels and Caltrain's maintenance facility. It also includes the design, manufacturing, assembly, testing, and delivery of the Electric Multiple Units (EMUs).

Caltrain rebaselined the program budget and schedule in December of 2021. Caltrain completed a thorough assessment of all aspects of the program including cost, schedule, risks and organization. Caltrain is committed to deliver PCEP and achieve revenue service in September of 2024.

1.2 Program Cost and Budget

On December 6, 2021, the JPB adopted a new PCEP program budget of \$2,442,690,697. As of March 2022, the project is on budget:

- The current project total cost at completion (EAC) is the same as Board adopted budget of \$2.44 billion.
- As of March 2022, a total of \$375,960 to-date drawdown occurred to the Shared Risk Pool of \$50 million.
- As of March 2022, \$0 was drawn from project contingency of \$40 million.
- No new award of the Project incentive pool of \$18.5 million.

1.3 Program Progress and Schedule

As of March 31, 2022, the overall project completion is 65%. The current program schedule is still on track with PCEP's substantial completion date of April 2024 and Revenue Service by September 2024.

1.4 Change Management Board (CMB)

In March 2022, the following change order was submitted for CMB approval:

- CMB approved Proven contract Change Orders which settle all outstanding claims and time extension for Tunnel and CEMOF

1.5 This Month's Accomplishments

The project team has completed the following notable activities for the month of March 2022:

- Continued to bring on experienced, qualified resources to fill key management positions for PCEP delivery, including a seasoned veteran with over 35 years of transit experience.
- Received first two EMU Trainsets on March 18, 2022.
- Continued progressing the Single-Phase Study for Traction Power Substation 2.
- Continued finalizing test documents that comply with PG&E interconnect

handbook for PG&E review.

- Continued weekly project status meetings with CMB members.
- Completed and submitted FTA and HSR Recovery/Remediation Plan.
- Continued Segment 4 Milestone 1 completion joint walk-through and punch list.
- PCEP field work was on hold from March 10, 2022 through March 27, 2022 due to railroad incident; project resumed field work on March 28, 2022.
- Performed Safety standdown; all Contractors and PCEP team were trained on Roadway Worker Protection (RWP) rules and procedural changes designed to enhance safety.
- Evaluated the potential impact to PCEP schedule due to the suspension of work due to the incident on March 10, 2022.
- Continued to provide PCEP progress update to funding partners leadership, elected officials, citizens and business community.
- Complete EMU production schedule rebaseline effort. The 14th trainset is scheduled to be on-site by fall of 2023, no impact to Revenue Service.

1.6 Upcoming work

For the next six months, the PCEP team has set additional goals as described below:

- Complete Single-Phase Study for TPS 2 by May 31, 2022.
- Segment 2 phase 3&4 major signal and grade crossing system cutover was moved from March to May and plan to complete first major signal system cutover by May 23, 2022.
- Update Program Management Plan (PMP) by June 30, 2022.
- Energize Segment 4 and start testing EMU Trainset 3 by July 31, 2022.
- Commence joint task force quality audit effort with focus on TPS.
- Continue pursuing federal and local grants to close the funding gap.

The PCEP Project is currently on budget and on time for achieving Revenue Service in September of 2024.

1.7 Critical Items

As of March 2022, Project top critical items and related actions are highlighted below.

Table 1-1. Critical Issues and Actions

Critical Issues	Actions
Timely completion of Single-Phase Study and execution of PG&E Transmission Operating Load Agreement (TOLA) will impact Segment 4 energization to OCS/TPS Commissioning and EMU Testing	<ul style="list-style-type: none"> • The technical team meets with PG&E weekly to finalize the number of cases required to complete the Single-Phase Study. • Additional resources have been brought in to expedite Single-Phase Study effort. • Caltrain leadership met with PG&E representatives to outline the path forward. Both management teams meet weekly to track the status. • Caltrain has received and reviewed TOLA agreement.
Timely completion of Segment 2 Signal/2SC cutover	<ul style="list-style-type: none"> • Perform comprehensive cutover planning; develop and track dashboard for each cutover, including design submittal, duct bank completion, flagger needs. • Work closely with Rail Operations to maximize track access. • Advance notification to the public on train schedule service changes for weekend shutdown.
Funding of \$410 million program gap	<ul style="list-style-type: none"> • Special task force is in place to identify federal and state grant opportunities to pursue. • Targeted advocacy is ongoing. • Prepare earmarks grant scope and application.
Equipment procured and installed (e.g., wayside cubical batteries and TPS cables) are not in compliance with contractual requirement or not in compliance with issue for construction (IFC) design	<ul style="list-style-type: none"> • Assigned focus group including technical lead and delivery director for issue resolution. • Commence joint task force (designer, builder and PCEP Team) for quality audit with focus on wayside equipment and TPS. • Timely address design change notice and design variance requests. • Perform root cause analysis and correction actions to avoid future mishaps.
Project skilled resources (Contractor and Caltrain) availability	<ul style="list-style-type: none"> • Design-builder brought experienced project director, construction manager, systems Engineer from UK to the project. More Traction Power technical support is on its way. • Caltrain continues reaching out to the industry to interview and secure key resources for testing, Rail Activation and project acceptance. • Develop specialized staff plan for operations and maintenance.

2.0 PROGRAM SCHEDULE

2.1 Introduction

PCEP has a Master Program Schedule (MPS) which illustrates the timeline of major elements of the PCEP program depicted in **Figure 2-1**.

The Electrification Substantial Completion Date is forecast by April 1, 2024 based on design-builder March progress schedule. The Electrification RSD date remains on September 26, 2024, with 6 months schedule contingency.

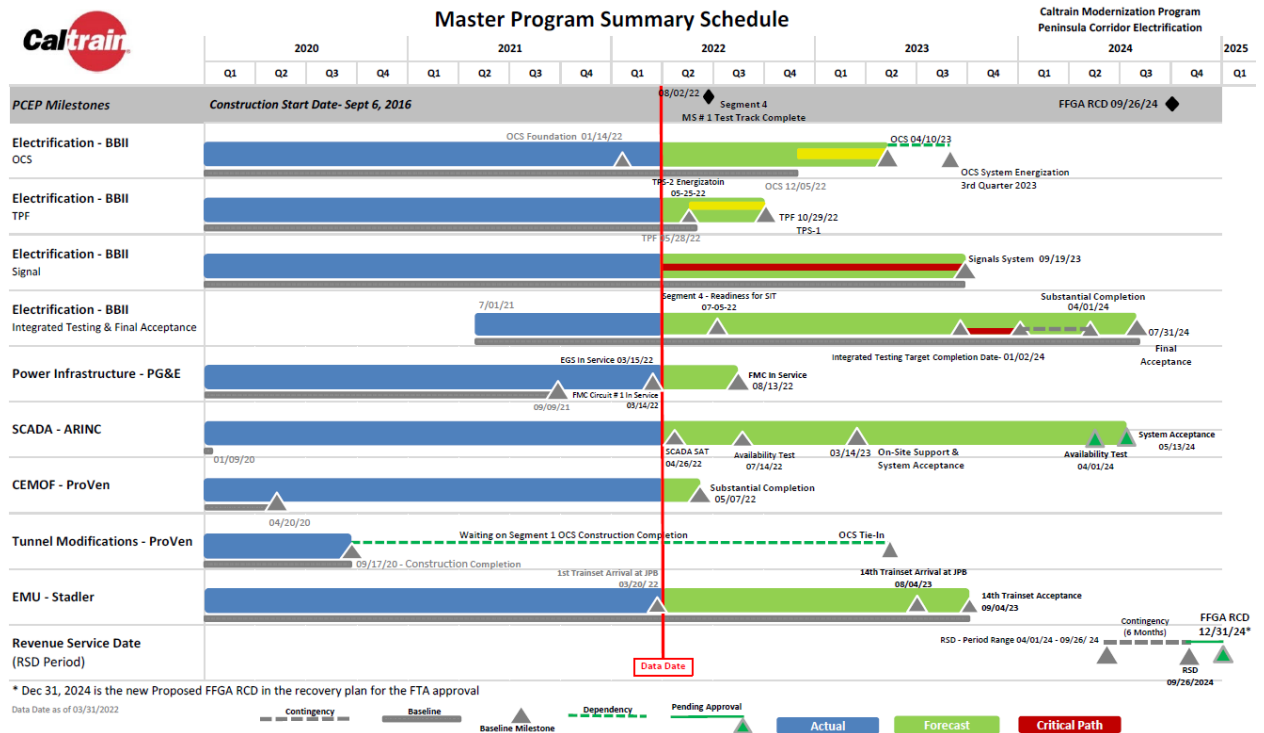


Figure 2-1. Master Program Summary Schedule

2.2 Critical Path

The current critical path for PCEP continues to run through the design, installation, and testing of the signal and crossing modifications required to make the signal system compatible with the electrified railroad, followed by integrated testing and cutover.

As of March 31, 2022, the overall delay to the critical path is 0 days compared to the project re-baseline schedule.

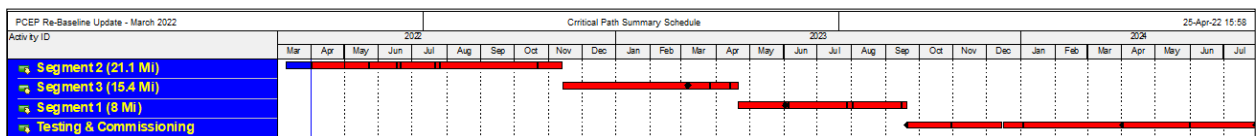


Figure 2-2. PCEP Critical Path Summary Schedule

2.3 Schedule Issues

Issues that may impact critical path or major milestones are identified in the table below as of March 2022.

Table 2-1. Schedule issues and actions

Issues	Actions
Construction work stoppage safety stand down due to the track safety incident which occurred on March 10, 2022.	<ul style="list-style-type: none"> Schedule workshop held March 30, 2022 to assess schedule impact. Schedule recovery recommendation and actions developed by JPB/BBII to mitigate schedule impact. Complete segment 2 cutovers by mid-November to mitigate critical path impact.
OCS installation delay due to low productivity and the project OCS work was on hold from March 3/10 to 3/28 during the safety stand down.	<ul style="list-style-type: none"> Additional BBII OCS crew training for regulation and variance in the OCS design / installation due to re-design & accommodations to resolve foundation DSC issues. Hiring additional BBII OCS staff members to prevent schedule slippage and help in future installation planning.
Late completion of Single-Phase study and TPS 2 testing including TPS2 battery enclosure continue to impact Segment 4 energization and milestone 1 completion.	<ul style="list-style-type: none"> The technical team meets with PG&E weekly to finalize the number of cases required to complete the Single-Phase Study. Additional resources are brought in to expedite Single-Phase Study effort. Caltrain leadership meet with PG&E management team weekly to outline the path forward. Review and approve all test procedures timely and complete remaining TPS acceptance testing to support PG&E TPS energization.

2.4 Contract Milestones

Table 2-2. Electrification Design-Build Contract Milestones

Milestone	Re- Baseline Dates	Current Forecast	Milestone Variance
	April 15, 2022	August 5, 2022	-112
Substantial Completion	April 1, 2024	April 1, 2024	0
Final Acceptance	July 31, 2024	July 31, 2024	0

Late completion TPS 2 single phase study and TPS testing have caused delay of Segment 4 energization which impact Segment 4 substantial completion (Milestone 1). March 10 field work shutdown also contributes delay of Segment 4 OCS/TPS construction completion. There is no impact to full alignment substantial completion of April 1, 2024, and Revenue Service Date of September 2024.

3.0 COST AND BUDGET

3.1 Introduction

This section presents current program cost and budget. On December 6, 2021, the JPB adopted a new Program budget of \$2.44 billion. Table 3-1 depicts a summary level of program budget, costs, and estimate at completion based on the latest update of the Electrification and EMU projects as of March 31, 2022.

3.2 Program Budget and Cost

Table 3-1. Budget Summary by Project

Description of Work	Re-Baseline Current Budget (A) ¹	Cost This Month (B) ²	Cost To Date (C) ³	Estimate To Complete (D)	Estimate At Completion (E) = (C) + (D)	Variance at Completion (F) = (A) – (E)
Electrification	\$1,749,139,438	\$12,159,512	\$1,280,937,198	\$468,202,240	\$1,749,139,438	\$0
EMU	\$693,551,258	\$21,482,759	\$360,841,234	\$332,710,024	\$693,551,258	\$0
PCEP TOTAL	\$2,442,690,697	\$33,642,271	\$1,641,778,432	\$800,912,264	\$2,442,690,697	\$0

¹ Column A "Current Budget" includes executed change orders and awarded contracts.

² Column B "Cost This Month" represents the cost of work performed this month.

³ Column C "Cost To Date" includes actuals (amount paid) and accruals (amount of work performed) to date.

Table 3-2 depicts program budget, costs, and estimate at completion summarized by major elements of work. This budget table provides additional detail for the program and is broken down by major contracts for Electrification and EMU, minor contracts, real estate, utilities, project management oversight and other indirect support costs.

Table 3-2. Budget Summary by Major Elements

Description of Work	Re-Baseline Budget	Cost This Month	Cost To Date	Estimate To Complete	Estimate At Completion
Electrification	\$1,097,149,881	\$7,671,825	\$739,333,567	\$357,816,314	\$1,097,149,881
EMU Procurement	\$556,072,601	\$19,541,920	\$287,690,365	\$268,514,601	\$556,204,966
Minor Construction Contracts (SSF, ²⁵ th Grade, Tunnel, CEMOF, SCADA, Non-BBI OCS)	\$67,055,072	\$620,951	\$57,244,406	\$9,810,666	\$67,055,072
Real Estate Acquisition & Support	\$34,914,177	-\$5,525	\$23,573,002	\$11,341,175	\$34,914,177
PG&E, Utilities	\$132,088,995	\$459,789	\$191,686,187	-\$59,597,193	\$132,088,995
Management Oversight & Support	\$312,699,697	\$2,234,948	\$233,908,990	\$78,790,707	\$312,699,697
TASI Support	\$114,488,767	\$1,617,504	\$74,788,466	\$39,700,301	\$114,488,767
Finance Charges	\$9,898,638	\$51,825	\$7,902,802	\$1,995,836	\$9,898,638
Insurance	\$6,581,851	\$0	\$4,581,851	\$2,000,000	\$6,581,851
Other Required Projects & Services	\$9,084,176	\$40,964	\$2,495,823	\$6,588,353	\$9,084,176
Environmental Mitigation	\$14,438,866	\$64,824	\$1,205,404	\$13,233,462	\$14,438,866
Caltrain Capital Overhead (ICAP)	\$48,217,887	\$1,343,246	\$17,367,569	\$30,850,319	\$48,217,887
Contingency	\$40,000,089	\$0	\$0	\$39,867,724	\$39,867,724
Total	\$2,442,690,697	\$33,642,271	\$1,641,778,432	\$800,912,264	\$2,442,690,697

3.3 Program Shared Risk Pool and Contingency

Caltrain and Balfour Beatty Infrastructure, Inc. (BBII) continue implementing new mechanisms to ensure a collaborative approach to Project delivery. The management team meets every week to review the issues log focusing on risk mitigation and issues resolution.

As part of global settlement, a shared risk pool of \$50 million was established to manage risks and mitigation proactively and collaboratively with the design-build contractor. Table 3-3 shows the current shared risk drawdown for the current month and to-date as well as the remaining balance of the shared Risk Pool by Risk Category. Any shared risk items that are above \$200,000 require Change Management Board (CMB) approval.

Table 3-3. Shared Risk Pool Status as of March 2022

Risk ID	Risk Description	Risk Amount	Current Month	Executed to Date	Remaining Balance
1	Permanent Power Availability	\$268,572	\$114,495	\$114,495	\$154,077
2	Different Site Condition for OCS Foundation	\$3,500,000	\$101,112	\$101,112	\$3,398,888
3	Different Site Condition for Duct bank	\$2,800,000	\$0	\$0	\$2,800,000
4	Condition of existing Fiber backbone infrastructure	\$3,150,000	\$0	\$0	\$3,150,000
5	Availability of TASI Resource	\$5,777,820	\$0	\$0	\$5,777,820
6	Signal Cutover access and work window	\$5,607,150	\$0	\$0	\$5,607,150
7	Condition of existing signal system	\$538,572	\$0	\$0	\$538,572
8	EMI Nonconformance by EMU Vendor	\$750,000	\$0	\$0	\$750,000
9	Reed Street Cutover	\$90,000	\$0	\$0	\$90,000
10	Availability of low voltage power for cutover testing	\$1,120,000	\$0	\$0	\$1,120,000
11	Third party Permits	\$150,000	\$0	\$0	\$150,000
12	SCADA integration for the entire alignment	\$159,524	\$0	\$0	\$159,524
13	Tunnel OCS Compatibility	\$167,500	\$0	\$0	\$167,500
14	Supply chain issue due to COVID 19	\$300,000	\$28,923	\$28,923	\$271,077
15	End to end Systems integration commissioning	\$2,100,000	\$0	\$0	\$2,100,000
16	Existing Caltrain Operating systems interface and integration	\$1,400,000	\$0	\$0	\$1,400,000
17	Third party Approval	\$150,000	\$0	\$0	\$150,000
18	Impact from Caltrain other capital or third-party projects	\$2,166,683	\$0	\$0	\$2,166,683
19	Track access delay for BBII Construction	\$1,800,000	\$0	\$0	\$1,800,000
20	Additional light Maintenance and Protection Needs	\$280,000	\$0	\$0	\$280,000
21	Crossing Protection	\$220,000	\$35,560	\$60,418	\$159,582
22	Power facilities	\$500,000	\$0	\$0	\$500,000
23	NCR's	\$0	\$0	\$0	\$0
24	Potholing	\$1,700,000	\$0	\$71,012	\$1,628,988
25	Pre-Revenue Service Operational Testing	\$250,000	\$0	\$0	\$250,000
26	TRO Contingency	\$3,000,000	\$0	\$0	\$3,000,000
27	Contingency	\$12,000,000	\$0	\$0	\$12,000,000
NA	Unidentified	\$54,179	\$0	\$0	\$54,179
	BBII Risk Pool Total	\$50,000,000	\$280,090	\$375,960	\$49,624,040

In addition to the established Risk Pool with BBII, the Re-Baseline Budget includes a program contingency of \$40 million to cover non-BBII potential changes and unknowns. Table 3-4 provides a detailed status of approved transfers from contingency due to executed Contract Change Orders and approved Budget Transfers.

Table 3-4. Program Contingency Drawdown Balance

Transfer	Description	Contingency
Project Contingency	Previously Reported Balance	\$40,000,089
	No Changes This Month	\$0
	PROJECT CONTINGENCY REMAINING BALANCE	\$40,000,089

3.4 Electrification Design Builder Contract Incentives

The Global Settlement with BBII also includes incentives based on Milestone completions and remaining contract incentives. Table 3-5 provides a status of Design-Build Contractor incentives Budgeted, Awarded, and remaining Balance.

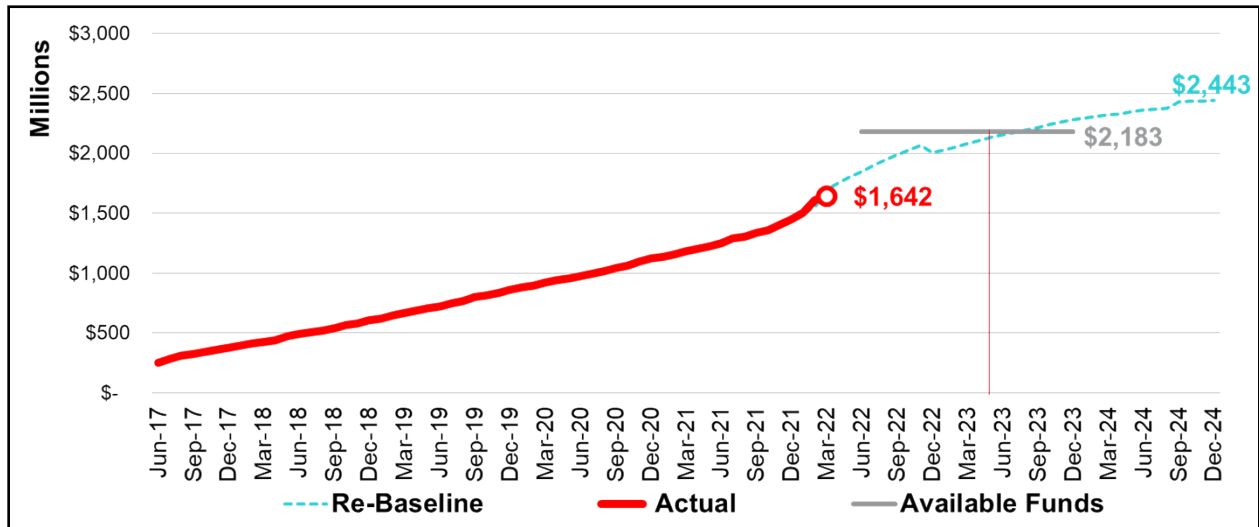
Table 3-5. BBII Incentives

Incentives	Budgeted	Awarded	Balance
Contract Incentive:			
Quality	\$1,250,000	\$1,000,000	\$250,000
Safety	\$2,500,000	\$875,000	\$1,625,000
Community Outreach	\$2,500,000	\$1,750,000	\$750,000
DBE	\$900,000	\$0	\$900,000
Total Contract Incentive	\$7,150,000	\$3,625,000	\$3,525,000
Milestone Incentive:			
Early Signal and Crossing Cutover	\$4,000,000	\$0	\$4,000,000
Early Project Substantial Completion (NTE)	\$8,000,000	\$0	\$8,000,000
Early Revenue Service	\$3,000,000	\$0	\$3,000,000
Total Milestone Incentive	\$15,000,000		\$15,000,000

3.5 Program Cash Flow and Funding

The remaining program expenditures are cash flowed in Figure 3-1 to illustrate by July 2023 additional funding will be needed to complete the program.

Figure 3.1 Expenditure – Funding Cash Flow



3.6 Issues

Table 3-6. Cost and Funding issues identified, and actions taken for March 2022

Issues	Actions
Additional funding setup for \$410M Funding Gap.	<ul style="list-style-type: none"> Actively pursuing additional State and Federal funding sources. Dedicated task force has been established at the executive level. Prepare earmarks grant scope and application for April submission.

4.0 CHANGE MANAGEMENT

4.1 Introduction

The change management process establishes a formal administrative work process associated with the initiation, documentation, coordination, review, approval, and implementation of changes during the design, construction, or manufacturing of PCEP. The change management process accounts for the impacts of the changes and ensures prudent use of contingency.

4.2 Change Orders

4.2.1 Executed Change Orders

The following change orders were issued in March 2022:

- Adjustment of the Stadler production schedule and payment schedule to account for excusable delays associated with COVID. This is a \$0 change order.
- Proven Contract Settlement for CEMOF and Tunnel Contract in the amount of \$6.5 million which was approved by CMB.

4.2.2 Pending Change Order

- Stadler TTCI EMU Test utility Cost of \$482,364.71. The justification memo was submitted for CMB approval in April 2022.

4.2.3 Upcoming Change Order

- Negotiation of ARINC Office SCADA change order for time extension and additional field points change.

4.3 Issues

Table 4-1. Change Management issues identified and actions taken for March 2022

Issues	Actions
Proven Claims Negotiation - Complete	<ul style="list-style-type: none"> • A dedicated negotiation team is assigned to settle with Tunnel and CEMOF Contractor, including resolving outstanding change orders and contract completion. JPB approval of settlement with Proven in the amount of \$6.5 million is scheduled on April 7, 2022.
ARINC Contract Time Extension	<ul style="list-style-type: none"> • Discussions were held with ARINC management team to confirm the site support period to align the new baseline schedule, including a 1,000-hour availability test to be performed when the system is in production for the entire alignment. Team has finalized the scope of work, and the proposal request has been sent to ARINC.
Segment 4 Maintenance Option in the existing BBII Contract was never exercised. Maintenance of OCS/TPS for segment 4 will be needed post segment 4 substantial completion once Caltrain is using it for EMU testing under 25kV.	<ul style="list-style-type: none"> • Prepare Scope of work and define segment 4 maintenance needs. • Define EMU testing and burn in work schedule. • Evaluate procurement alternatives for maintenance work • Seek a proposal from BBII for the maintenance option as existed in the current Contract. • Evaluate the resource and price proposal. • Execute segment 4 maintenance option.

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: System Safety

SUBJECT: **COVID-19 Policy Status Update**



Finance Committee
Recommendation



Work Program-
Legislative-Planning
Committee



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff recommends that the Board of Directors (Board) receive this informational update regarding the Peninsula Corridor Joint Powers Board's (JPB) COVID-19 policy for contractors.

Significance

Current Policy

On March 7, 2022, staff issued an administrative policy requiring all contractors to verify that employees who work onsite at Caltrain facilities, including stations and trains, have either received a COVID-19 vaccination or submit to weekly testing to reduce transmission in the workplace and protect riders' safety. This policy does not apply to the employees of contractors who work primarily outdoors, although Transit America Services, Inc. (TASI) has made the decision to exceed testing requirements by including employees that primarily work outdoors.

The JPB has been working closely with leadership of TASI to develop and implement the policy. Staff designed the current policy in collaboration with TASI leadership to ensure that it could be implemented without risking litigation or service cuts. TASI also reviewed the policy with its employee unions. As of April 22nd, 2022, 74 percent of TASI employees working onsite for JPB are fully vaccinated; unvaccinated employees will be required to test weekly.

Regulatory Update

On April 18th a federal judge struck down the CDC's mask mandate for public transportation. As a result, the CDC stated they will no longer enforce the order which required transit agencies to ensure masks are worn on transit vehicles and indoor transit hubs. In suit the JPB has mirrored the CDC's approach to strongly recommend masks while riding in passenger cars but will not seek

to remove riders who do not. TASI employees are still required to wear masks on the Caltrain fleet and in all indoor facilities. As the Justice Department has moved to appeal the ruling, the JPB will continue to look to local, state and federal health authorities to determine the appropriate protocol for the health and safety of our riders.

Budget Impact

There is no budget impact associated with receiving this informational update.

Testing and Vaccination Update

As the contract operator works through the logistics of implementing the new testing policy in an operationally sustainable manner, improvements in vaccination rates are emerging. Since the policy took effect on April 1st, 21 vaccination cards have been submitted – a 6 percent increase. TASI has made the decision to exceed testing requirements by including employees that primarily work outdoors. These employees will be included in the reported statistics. It is notable that the operations department that includes conductors has the highest vaccination rate at 87%.

A. Vaccination Rates

Department	Headcount	Unvaccinated Employees	Vaccinated Employees	Vaccination Rate
Finance	8	2	6	75%
Maintenance of Way	127	44	83	65%
Maintenance of Equipment	99	17	82	83%
Operations	183	23	160	87%
Management	82	41	41	50%
Overall	499	127	372	74%

CY-22 Month	Overall Vaccination Rate
January	61%
February	60%
March	69%
April (through 4/22)	74%

TASI’s Human Resources is working to contact each unvaccinated employee to confirm vaccination status and ensure testing compliance. As a result, vaccination records are being submitted every day. The JPB will continue to work with TASI to improve upon the vaccination rate. We anticipate an improved vaccination rate as the logistics and enforcement procedures are nearing full optimization.

B. Compliance

Department	Employees Unvaccinated	Employees Tested	Compliance Rate
Finance	2	1	50%
Maintenance of Way	44	17	38%
Maintenance of Equipment	17	12	71%
Operations	23	19	82%
Management	41	41	100%
Overall	127	90	71%

In the early stages of implementation, lower compliance rates are an expected result. Managers are working to streamline the delivery of tests without disrupting operations. Human Resources are working to effectively communicate and enforce the policy.

Prepared by: Robert Sebez – Acting Director, System Safety and Security

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