



BOARD OF DIRECTORS 2022  
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ACTING EXECUTIVE DIRECTOR

# AGENDA

## PENINSULA CORRIDOR JOINT POWERS BOARD

### Work Program – Legislative – Planning (WPLP) Committee Meeting

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

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

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

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

Oral public comments will also be accepted during the meeting through \*Zoom or via the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Use the Raise Hand feature to request to speak. For public participants calling in, dial \*67 if you do not want your telephone number to appear on the live broadcast. Callers may dial \*9 to use the Raise the Hand feature for public comment and press \*6 to accept being unmuted when recognized to speak for three minutes or less. Each commenter will be automatically notified when they are unmuted to speak for three minutes or less. The Board Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

**January 26, 2022 – Wednesday**

**3:00 pm**

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

3. Public Comments on Items not on the Agenda  
Comments by each individual speaker shall be limited to three (3) minutes. Items raised that require a response will be deferred for staff to reply.
4. Approve Meeting Minutes of November 24, 2021 MOTION
5. State and Federal Legislative Update INFORMATIONAL
6. Peninsula Corridor Electrification Project (PCEP) Project Update *(oral)* INFORMATIONAL
7. Accept Informational Update on Service Plan Monitoring and Analysis INFORMATIONAL
8. Committee Member Requests
9. Date/Time of Next Regular WPLP Committee Meeting:  
Wednesday, February 23, 2022, at 3:00 pm via Zoom (additional location, if any, to be determined)
10. Adjourn

## **INFORMATION FOR THE PUBLIC**

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

If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at [www.caltrain.com](http://www.caltrain.com). Communications to the Board of Directors can be e-mailed to [board@caltrain.com](mailto:board@caltrain.com). *Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电 1.800.660.4287*

### **Date and Time of Board and Committee Meetings**

JPB Board: First Thursday of the month, 9:00 am; JPB WPLP Committee: Fourth Wednesday of the month, 3:00 pm. The date, time, and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

### **Location of Meeting**

**Due to COVID-19, the meeting will only be via teleconference as per the information provided at the top of the agenda. The Public may not attend this meeting in person.**

\*Should Zoom not be operational, please check online at [http://www.caltrain.com/about/bod/Board\\_of\\_Directors\\_Meeting\\_Calendar.html](http://www.caltrain.com/about/bod/Board_of_Directors_Meeting_Calendar.html) for any updates or further instruction.

### **Public Comment\***

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### **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](mailto:titlevi@samtrans.com); or request by phone at 650-622-7864 or TTY 650-508-6448.

### **Availability of Public Records**

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

**Peninsula Corridor Joint Powers Board  
Work Program – Legislative – Planning Committee (WPLP)  
1250 San Carlos Avenue, San Carlos CA  
DRAFT MINUTES OF NOVEMBER 24, 2021**

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

**MEMBERS ABSENT:** C. Chavez

**STAFF PRESENT:** M. Bouchard, D. Hansel, J. Harrison, S. Petty, C. Fromson, D. Santoro, D. Shockley, B. Tietjen, M. Jones, P. Shrestha, D. Seamans, S. Wong

**1. CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Chair Charles Stone called the meeting to order at 3:08 p.m. and Director Heminger led the Pledge of Allegiance.

**2. ROLL CALL**

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

**3. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

Roland Lebrun, San Jose, commented on the Brown Act, Valley Transportation Authority (VTA) update on Diridon station, Kimley Horn, and the SamTrans organization chart.

**4. APPROVE MEETING MINUTES OF SEPTEMBER 22, 2021**

Motion/Second: Heminger/Stone

Ayes: Stone, Heminger

Noes: None

Absent: Chavez

**5. STATE AND FEDERAL LEGISLATIVE UPDATE**

Casey Fromson, Acting Chief Communications Officer, provided an update, which included the following:

- The November 15<sup>th</sup> infrastructure bill passed and roughly \$9.5 billion is expected to come to California Bay Area
- Appropriations process with a full year long continuing resolution (CR)
- Build Back Better (BBB) bill passed the House and includes \$10 billion for High-Speed Rail needs, and \$10 billion for housing transit nexus
- There will be a state budget release on January 10<sup>th</sup> with a current surplus and regional transit efforts explaining the importance of the electrification project

The Committee members had questions for staff follow up, which included the following: whether high speed rail, transit, and the electrification project are eligible for the Build Back Better (BBB) bill money.

Public comment

Adina Levin, Friends of Caltrain, commented on federal funding, high speed rail, and grade separations.

Roland Lebrun, San Jose, commented on high-speed rail funding, authority, and designing planning.

**6. 2022 DRAFT LEGISLATIVE PROGRAM**

Casey Fromson, Acting Chief Communications Officer, provided an update, which included the following:

- Requested approval at this Committee and noted that this will also go to the Citizen's Advisory Committee for any comments and to the full Board for final adoption
- Changes included funding packages, COVID language, Public Employees' Pension Reform Act (PEPRA), and regulatory items

**7. SAN FRANCISCO RAILYARDS PRELIMINARY BUSINESS CASE (PBC) - PROJECT UPDATE**

Anthony Simmons, Director of System Wide Planning and Policy, provided an update which included the following:

- Background, SF Peninsula Rail Program, an on-going integrated decision-making process for major SF projects, and overlapping and coordinated roles with Caltrain and Prologis
- Three concurrent Work Elements for continued site development led by Prologis, joint endeavors, and operations, storage and maintenance analysis led by Caltrain
- Business case examining operations, goals, technical analysis, options, and next steps

The Committee members had a discussion and in response to the Committee comments and questions, staff provided clarifications on the following:

- Different governance approaches for each of these different projects
- Whether there any large-scale projects come in under budget and before deadlines and whether Caltrain's budget and deadline situation is unique
- Caltrain relying on Measure RR to have a seat at the table when ridership has not returned to pre-pandemic levels and capital expenditures were not met this year
- Doubling contingency funds

Public comment

Roland Lebrun, San Jose, commented on project delivery by the private sector, consultant locations, Downtown Extension Project storage, and engineering standards.

Adina Levin, Friends of Caltrain, commented on megaproject delivery, regional discussions, and collegiality.

## **8. 22ND STREET STATION AMERICANS WITH DISABILITIES ACT (ADA) ACCESS IMPROVEMENT FEASIBILITY STUDY**

Anthony Simmons, Director of System Wide Planning and Policy, introduced Nick Atchison from the Caltrain Modernization Planning team.

Nick Atchison, Caltrain Planning Analyst, provided the update, which included the following:

- Caltrain stations with ADA access and constraints with the 22<sup>nd</sup> Street physical layout
- Long range planning work at the Pennsylvania Ave Extension and Southeastern San Francisco Rail Station Study
- Scope determining the feasibility of street to platform ADA access
- Outreach to participants and stakeholder feedback
- Draft Recommended Alternative and next steps

### Public comment

Roland Lebrun, San Jose, commented on planning versus engineering, doing this earlier, tunneling, and the life of this project.

Adina Levin, commented on the order of projects that could occur with 22<sup>nd</sup> Street station occurring after the Downtown Extension (DTX) project, and working with San Francisco to get this funded and built.

Adrian Brandt, San Mateo County, commented on a longer ramp for the southbound platform due to greater elevation levels on the southbound side and the number of pre-COVID boarding per day.

## **9. CAPITAL PROJECTS QUARTERLY STATUS REPORT – 1ST QUARTER FISCAL YEAR 2022 PROJECT**

Michelle Bouchard, Acting Executive Director, stated this presents how Caltrain is retooling the Capital Program in light of the \$23 billion worth of work identified by the business plan to deliver larger projects successfully.

Robert Barnard, Deputy Chief, Rail Development, provided the update, which included the following:

- Re-tooling Project Delivery, implementation, organizational development, and enhancement of reporting being critical to project delivery success
- Revised Capital Program Quarterly Report included summary to show trends for critical key performance indicators of safety, schedule, budget, and funding
- Next steps included providing regular updates and program level or project specific as requested

The Committee members had a discussion and in response to the Committee comments and questions, staff provided clarifications on the following:

- Ensuring this happens in practice through leadership and financial capacity
- Encouraging brevity and judgment in reporting and presenting information to the Board and to focus on managing problems and improving project delivery
- Improving project delivery by working with the private sector where appropriate
- Balance between being transparent and responsive to the public while also maintaining legal confidentiality when necessary to help ensure the best possible outcome

#### Public comment

Roland Lebrun, San Jose, commented on the Brown Act, capital project quarterly status, results, level boarding in South San Francisco station, and significance of mechanical independence between northbound and southbound tracks.

Adrian Brandt, San Mateo County, commented on bringing in experts, international capital transit projects, reporting green projects for accountability, PCEP software issues, and train speed versus warning time in graphs.

### **10. PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP) PROJECT UPDATE (oral)**

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

- Construction segment updates and progress supporting 2024 revenue service date
- Overhead contact system and Traction Power Facilities progress
- Electric trains production, testing, and schedule
- 2 Speed Check – 17 cutovers from Burlingame to Hillsdale until March 2022
- Wireless Signal Optimization, Testing and Safety, and Safety Campaign
- Key milestones, top risks, and immediate next steps

#### Public comment

Roland Lebrun, San Jose, commented on operating trains in different directions with mechanical independence between northbound and southbound categories, pole progress, segment 4 signaling, and single source versus request for proposal (RFP) testing with competing solutions in Colorado.

Adrian Brandt, San Mateo County, commented on the wireless signal solution, gate down times, and a train speed versus warning time graph.

#### **a. Change Management Board (CMB) Process Overview**

Chair Stone announced this would be presented at the full Board meeting.

#### Public comment

Roland Lebrun, San Jose, commented on public participation in the CMB process.

### **11. COMMITTEE MEMBER REQUESTS**

Director Heminger requested a review of the 2 Speed Check presentation. Staff noted that it was presented at the November Board meeting and offered to provide any additional information directly.

### **12. DATE/TIME OF NEXT REGULAR WPLP COMMITTEE MEETING: WEDNESDAY, DECEMBER 22, 2021 AT 3:00 PM VIA ZOOM**

### **13. ADJOURN**

The meeting adjourned at 5:18 p.m.

DRAFT



**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: JPB Work – Program – Legislative – Planning Committee

THROUGH: Michelle Bouchard  
Acting Executive Director

FROM: Casey Fromson  
Chief Communications Officer

SUBJECT: **STATE AND FEDERAL LEGISLATIVE UPDATE**

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

**SIGNIFICANCE**

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

Prepared By: Lori Low  
Government & Community Affairs Officer

650.740.6264



January 18, 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 – January 2022**

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### **General Update**

The Legislature reconvened for the second year of the 2021-22 Legislative Session on Monday January 3. Two-year bills must pass out of the house of origin by end of January, and February 18 marks the bill introduction deadline for new bills.

The “Swing Space” where legislative offices are housed during the construction of the annex is up and running. However, in late-December, the Assembly announced to its employees it will reinstate its flexible work schedule until February 14, which allows staff to work remotely if necessary. It remains to be seen how the Capitol working dynamic will evolve as COVID case rates change in the winter and into spring.

### **2022-23 State Budget**

On January 10, Governor Newsom released his proposed Fiscal Year (FY) 2022-23 budget, based on the latest economic forecasts available to the Governor and his Department of Finance. The \$286.4 billion budget proposes to invest significant new state funding to address the Administration's top priorities, including pandemic response & relief, homelessness, transportation infrastructure, combatting climate change, wildfires, emergency response, and drought. The budget includes the following one-time investments in transportation infrastructure:

- **Priority Transit and Rail Projects** - \$2 billion for transit and rail projects statewide that improve rail and transit connectivity between state and regional/local services.
- **Southern California Mobility Projects** - \$1.25 billion to deliver critical projects in Southern California.
- **Heavy-Duty Zero-Emission Vehicles and Supporting Infrastructure** - \$935 million to deploy 1,000 zero emission short-haul (drayage) trucks and 1,700 zero-emission transit buses and \$1.1 billion for zero-emission trucks, buses, and off-road equipment and fueling infrastructure.
- **High Priority Grade Separations and Grade Crossing Improvements** - \$500 million to support critical safety improvements throughout the state.
- **High-Speed Rail** - \$4.2 billion to complete high-speed rail construction in the Central Valley, advance work to launch service between Merced and Bakersfield, advance planning and project design for the entire project, and leverage federal funds.

- **Active Transportation** - \$750 million to General Fund to advance projects that increase the proportion of trips accomplished by walking and biking, increase the safety and mobility of non-motorized users, advance efforts to regional agencies to achieve GHG goals.
- **Climate Adaptation** - \$400 million for state and local climate adaptation projects that support climate resiliency and reduce risks from climate impacts.
- **Emerging Opportunities** - \$200 million to invest in demonstration and pilot projects in high carbon-emitting sectors, such as maritime, aviation, rail, and other off-road applications, as well as support for vehicle grid integration at scale.

When it comes to the one-time expenditure of funds for transportation infrastructure, the Metropolitan Transportation Commission, Bay Area’s transit/transportation planning agency, submitted a letter to state leaders calling for a \$10 billion investment in transit and transportation, with \$5 billion going to transit (split between formula funding and competitive grants).

The Budget also reflects that the State Transit Assistance (STA) program will see revenues of approximately \$854 million in FY 2022-23. Intercity and Commuter Rail would receive an estimated \$283 million in FY 2022-23, and Low Carbon Transit Operations Program is expected to provide \$182 million. Lastly, the Transit and Intercity Rail Capital Program is expected to receive approximately \$473 million in FY 2022-23.

Beyond these direct investments in public transit and rail, the Governor's budget proposes \$100 million to continue the Clean California Local Grant Program into 2023-24, which provides grants to cities, counties, transit agencies, tribal governments and other government agencies to beautify their communities and remove trash and debris.

Finally, the Governor is proposing \$300 million in one-time General Fund (\$75 million in 2022-23, and \$225 million in 2023-24) for the Affordable Housing and Sustainable Communities program to support land-use, housing, transportation, and land preservation projects for infill and compact development that reduce greenhouse gas emissions. This supplements the existing annual Cap and Trade auction proceeds (20% of annual revenues) available for this program.

### **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

## State Legislative Matrix 1/14/2022

Bill Number (Author)	Summary	Location	Position
<p><a href="#">AB 5</a> (<a href="#">Fong R</a>)</p> <p>Greenhouse Gas Reduction Fund: High-Speed Rail Authority: K-12 education: transfer.</p>	<p>The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include in its regulation of those emissions the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund. Existing law continuously appropriates 25% of the annual proceeds of the fund to the High-Speed Rail Authority for certain purposes. This bill would suspend the appropriation to the High-Speed Rail Authority for the 2023-24 and 2024-25 fiscal years and would require the transfer of those amounts from moneys collected by the state board to the General Fund. The bill would specify that the transferred amounts shall be available, upon appropriation, to augment funding for K-12 education and to support full-time in-person instruction for all students.</p> <p>Amended: 3/17/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p><a href="#">AB 476</a> (<a href="#">Mullin D</a>)</p> <p>Department of Transportation: state highways: part-time transit lane pilot program.</p>	<p>Existing law vests the Department of Transportation with full possession and control of the state highway system and associated real property. Existing law generally requires vehicles to be driven upon the right 1/2 of a roadway, defined to include only that portion of a highway improved, designed, or ordinarily used for vehicular travel. Existing law generally prohibits the driver of a vehicle from overtaking and passing another vehicle by driving off the paved or main-traveled portion of the roadway. This bill would require the Department of Transportation to establish a pilot program to authorize a transit operator or operators, in partnership with an eligible transportation agency, to operate part-time transit lanes, defined as designated highway shoulders that support the operation of transit vehicles during specified times. The bill would require the department by January 1, 2024, to develop guidelines for the safe operation of part-time transit lanes, as provided, a training program for transit operators to operate transit buses on the shoulders of highways within the state, and a program to identify transit buses authorized to be used or operated in part-time transit lanes within the state. The bill would require the eligible transportation agency to be responsible for all costs attributable to the project. Two years after commencing a project, the bill would require an operator or operators, in conjunction with the eligible transportation agency, to submit a report to the Legislature that includes certain information about the project. This bill contains other existing laws.</p> <p>Amended: 9/7/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p><a href="#">AB 629</a> (<a href="#">Chiu D</a>)</p> <p>San Francisco Bay area: public transportation.</p>	<p>(1) Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relative to providing public transit</p>	<p>Assembly 2 year</p>	<p>Watch</p>

	<p>services. This bill would require the commission on or before February 1, 2022, to submit a copy of a specified transit fare study undertaken by the commission to certain committees of the Legislature. The bill would require the commission to submit a report on or before January 1, 2023, to those entities on the progress of implementing the recommendations of that study. This bill contains other related provisions and other existing laws.</p> <p>Amended: 3/22/2021</p>		
<p><a href="#">AB 703</a> (<a href="#">Rubio, Blanca D</a>)</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 remove the notice requirements particular to teleconferencing and would revise the requirements of the act to allow for teleconferencing subject to existing provisions regarding the posting of notice of an agenda, provided that the public is allowed to observe the meeting and address the legislative body directly both in person and remotely via a call-in option or internet-based service option, and that a quorum of members participate in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the jurisdiction. The bill would require that, in each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the local agency also give notice of the means by which members of the public may observe the meeting and offer public comment and that the legislative body have and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the federal Americans with Disabilities Act, as provided. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/29/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p><a href="#">AB 823</a> (<a href="#">Gray D</a>)</p> <p>High-Speed Rail Authority: trains powered by fossil fuel combustion engines.</p>	<p>The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law requires the high-speed rail system to be designed to use electric trains. Existing law authorizes the authority, upon receiving legislative or voter approval, to enter into contracts with private or public entities for the design, construction, and operation of high-speed trains. This bill would prohibit the authority from directly or indirectly using local, state, federal, or any other public or private funding to purchase, lease, operate, or maintain a passenger or freight train powered by a diesel engine or other type of fossil fuel combustion engine, and from enabling such a train to operate on authority-owned rail infrastructure designed for speeds in excess of 125 miles per hour, except as specified.</p> <p>Introduced: 2/16/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p><a href="#">AB 1116</a> (<a href="#">Friedman D</a>)</p> <p>High-Speed Rail Authority:</p>	<p>Existing law creates the High-Speed Rail Authority with specified powers and duties related to the development and implementation of a high-speed train system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as</p>	<p>Assembly 2 year</p>	<p>Watch</p>

oversight: Legislative Analyst's Office.	<p>Proposition 1A at the November 4, 2008, statewide general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related rail purposes. This bill would require the Legislative Analyst's Office, for the purpose of reviewing the planning, financing, expenditures, and other elements of the statewide high-speed rail system, to review any materials submitted to the authority and documents the authority requests from contractors, consultants, or external parties, as specified, and to provide recommendations to the policy and budget committees of the Legislature regarding the statewide high-speed rail system and the development of shared mobility systems statewide. The bill would require the authority, and any entity contracting with the authority, to provide to the Legislative Analyst's Office any information that it requests and to permit representatives of the Legislative Analyst's Office to attend the authority's internal meetings. The bill would repeal these requirements on January 1, 2031.</p> <p>Introduced: 2/18/2021</p>		
<p><a href="#">AB 1235</a> (<a href="#">Patterson R</a>)</p> <p>High-speed rail: legislative oversight.</p>	<p>The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law requires the authority, on or before March 1, 2017, and every 2 years thereafter, to provide a project update report, approved by the Secretary of Transportation as consistent with specified criteria, to the budget committees and the appropriate policy committees of both houses of the Legislature, on the development and implementation of intercity high-speed train service, as provided. This bill would create the Joint Legislative High-Speed Rail Oversight Committee consisting of 3 Members of the Senate and 3 Members of the Assembly to provide ongoing and independent oversight of the high-speed rail project by performing specified duties, and would require the committee to make recommendations to the appropriate standing policy and budget committees of both houses of the Legislature to guide decisions concerning the state's programs, policies, and investments related to high-speed rail. The bill would require the authority to provide the committee with certain documents and information within prescribed timelines, and would require the authority to permit the chairperson of the committee, or the chairperson's designee, to attend meetings of any internal governance committees related to project oversight, as provided.</p> <p>Introduced: 2/19/2021</p>	Assembly 2 year	Watch
<p><a href="#">AB 1260</a> (<a href="#">Chen R</a>)</p> <p>California Environmental Quality Act: exemptions: transportation-related projects.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would further exempt from the requirements of CEQA projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains, provided certain requirements are met, including giving prior notice to the public and holding a noticed public meeting, as provided. This bill contains other existing laws.</p> <p>Amended: 7/6/2021</p>	Inactive	Watch
<p><a href="#">ACA 1</a> (<a href="#">Aguiar-Curry D</a>)</p> <p>Local government financing: affordable housing and 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</p>	Assembly Local Government	Support

	<p>housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 12/7/2020</p>		
<p><a href="#"><u>SB 674</u></a> (<a href="#"><u>Durazo</u></a> D)</p> <p>Public Contracts: workforce development: covered public contracts.</p>	<p>Existing law establishes the Labor and Workforce Development Agency, under the supervision of the Secretary of Labor and Workforce Development. Existing law establishes within the Labor and Workforce Development Agency, the Department of Industrial Relations, to foster, promote, and develop the welfare of the wage earners of California and to advance their opportunities for profitable employment, among other duties. This bill would require the Labor and Workforce Development Agency to create 2 programs, to be known as the California Jobs Plan Program and the United States Jobs Plan Program. The bill would require the programs to meet specified objectives, including supporting the creation and retention of quality, nontemporary full-time jobs, as specified, and the hiring of displaced workers and individuals facing barriers to employment. The bill would require, as a component of applications for covered public contracts, as defined, the creation of forms for each program that state the minimum numbers of proposed jobs that are projected to be retained and created if the applicant wins the covered public contract. These components of the application would be known as the California Jobs Plan and the United States Jobs Plan, which the bill would define. Pursuant to these definitions, applicants for covered public contracts would state the minimum number of jobs, proposed wages, benefits, investment in training, specific protections for worker health and safety, and targeted hiring plans for displaced workers and individuals facing barriers to jobs, as specified, in exchange for covered public contracts. The bill would require an applicant for a covered public contract that uses entirely state and local funds to complete a California Jobs Plan form, while applicants for covered public contracts that use any amount of federal funds would complete the United States Jobs Plan. This bill contains other related provisions and other existing laws.</p> <p>Amended: 8/30/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p><a href="#"><u>SB 771</u></a> (<a href="#"><u>Becker</u></a> D)</p> <p>Sales and Use Tax Law: zero emissions vehicle exemption.</p>	<p>Existing state sales and use tax laws impose a tax on retailers measured by the gross receipts from the sale of tangible personal property sold at retail in this state or on the storage, use, or other consumption in this state of tangible personal property purchased from a retailer for storage, use, or other consumption in this state. The Sales and Use Tax Law provides various exemptions from those taxes. This bill, on or after January 1, 2022, would provide an exemption from those taxes with respect to the sale in this state of, and the storage, use, or other consumption in this state of, a qualified motor vehicle, as defined, sold to a qualified buyer, as defined. The bill would provide that this exemption does not apply to specified state sales and use taxes from which the proceeds are deposited into the Local Revenue Fund, the Local Revenue Fund 2011, or the Local Public Safety Fund. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/11/2021</p>	<p>Assembly 2 year</p>	<p>Watch</p>



# Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 |  
T 202.955.3000 | F 202.955.5564 Holland & Knight LLP | www.hklaw.com

## Caltrain Federal Transportation Report as of January 14, 2022

### *CONGRESSIONAL UPDATE*

#### Congress Begins 2022 With Social Spending, Government Funding Talks

- The Senate returned from recess on January 3, and the House returned on January 10.
- In December, Senate Majority Leader Chuck Schumer (D-NY) said that the Senate will consider the Build Back Better Act “very early in the new year so that every Member of this body has the opportunity to make their position known on the Senate floor.”
  - However, Senator Schumer has yet to announce changes to the legislation that would address Senator Joe Manchin (D-WV)’s concerns about the bill’s cost, potential impact on inflation, and expansive social programs such as those for paid family leave. With unified Republican opposition, the Majority Leader still needs the West Virginia Democrat’s support to get the legislation passed by a simple majority vote.
- Congress is also working on the fiscal year (FY) 2022 appropriations bill to avoid a yearlong continuing resolution (CR)--the current CR expires on February 18. The Senate Appropriations and House Appropriations leadership began meeting on January 13 on a possible \$1.4 trillion omnibus appropriations bill. Republicans remain opposed to several controversial policy provisions such as banning federal funding for abortions and funding for environmental justice.
- The Senate is also considering voting rights legislation, that the House has already passed, by attempting to end the filibuster.

### *ADMINISTRATION NEWS*

#### Secretary Buttigieg Highlights DOT’s Work to Combat Human Trafficking

- Department of Transportation (DOT) Secretary Pete Buttigieg has called upon all transportation stakeholders to join in the fight against human trafficking. Secretary Buttigieg’s call to action follows the release of President Joe Biden’s [National Action Plan \(NAP\) to Combat Human Trafficking](#), a government wide approach that prioritizes combating human trafficking through prevention, protection, prosecution, and partnerships. As part of its commitment to support the NAP, DOT will increase stakeholder engagement, expand training and awareness for transportation employees and

the traveling public, and continue to ensure that states permanently ban drivers convicted of human trafficking from operating a commercial motor vehicle for which a commercial driver's license or a commercial learner's permit is required.

#### DOT and DOE Launch Joint Effort to Build Out Nationwide Electric Vehicle Charging Network

- On December 14, DOT Secretary Buttigieg and Department of Energy Secretary Jennifer Granholm signed a memorandum of understanding to create a Joint Office of Transportation and Energy to support the deployment of \$7.5 billion from the Infrastructure Investment & Jobs Act (IIJA) to build out a national electric vehicle (EV) charging network.
- The IIJA directs both agencies to collaborate on new programs and initiatives, including the new joint office, that will support the transition of the nation's transportation systems, which currently accounts for 29 percent of all U.S. carbon pollution, to EVs and other zero-carbon technologies.
- Both agencies are tasked with implementing investments in zero-emission vehicle passenger, transit, and heavy-duty vehicles that create cleaner and more affordable transportation options.
- The Joint Office of Energy and Transportation will largely focus on EV charging provisions in the IIJA, including:
  - Supporting the development of guidance and standards for the bill's EV charging programs.
  - Providing technical assistance to state and localities to strategically deploy EV charging infrastructure and provide the data and tools needed to help develop state EV charging plans.

#### ***TRANSIT***

#### National Defense Authorization Act Enacted with Transit Provision

- The President signed into law the FY 2022 National Defense Authorization Act (NDAA) on December 27, 2021. The NDAA contained other non-defense related provisions, including one that will help facilitate creative ways to develop new, affordable housing units along transit lines.
- Specifically, the NDAA included H.R. 3680, *The Promoting Affordable Housing Near Transit Act*. This bill was supported by local and national housing organizations and will allow transit entities to transfer real property/unused land to a local government, local governmental authority or non-profit organization for the purposes of building affordable, transit-accessible housing for those who need it most. Additional details on the bill:
  - The asset must remain in public use for a minimum of five years after transfer.

- The overall benefit of the transfer is greater than what the government would receive in selling the asset, while factoring in fair market value.
- At least 40 percent of the housing units must be for tenants with incomes at or below 60 percent of the locality's median income. At least 20 percent of the units must be for tenants with incomes at or below 30 percent of the median income.
- The asset will remain in use for a minimum of 30 years after the date of transfer.

#### FTA Releases Bipartisan Infrastructure Fact Sheets for Transit Stakeholders

- The Federal Transit Administration (FTA) has posted [fact sheets](#) for the [Bipartisan Infrastructure Law](#).
- The fact sheets include information on annual funding allocations, statutory references, eligible recipients, eligible activities, as well as details on new programs or changes to existing programs.
- The FTA held a webinar on January 7. The agency shared that:
  - FTA will publish its partial year apportionments by the end of January—due to the CR that is funding the federal agencies at current funding (FY 2021) levels. The final apportionments will be released once Congress passes the FY 2022 appropriations bills. FTA will also issue interim guidance on the changes and some of the new programs in the IIJA.
  - FTA will be issuing the IIJA NOFOs on a rolling basis. The first NOFOs will be for the Bus and Bus Facilities and Lo-No grant programs. FTA will announce the FY 2021 awards for Bus and Bus Facilities before issuing the new NOFO.
  - IIJA requires Buy America to be applied to construction materials. The Office of Management and Budget (OMB) will release this spring guidance. FTA will start enforcing it within 180 days of the bill being signed until law which should be mid May.
  - FTA is waiting for Census updates for urbanized area populations and will be requesting comments on its procedures over the next couple of months. FTA will start using this data for FY 2023 awards.

**PENINSULA CORRIDOR JOINT POWERS BOARD  
STAFF REPORT**

TO: JPB Work – Program – Legislative – Planning Committee

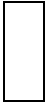
THROUGH: Michelle Bouchard  
Executive Director, Caltrain

FROM: Sebastian Petty  
Deputy Chief, Planning, Caltrain

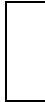
SUBJECT: **INFORMATIONAL UPDATE ON SERVICE PLAN MONITORING AND ANALYSIS**



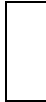
Finance Committee  
Recommendation



Work Program-Legislative-  
Planning Committee  
Recommendation



Staff Coordinating  
Council Reviewed



Staff Coordinating Council  
Recommendation

**ACTION**

None; this item is for information only.

**SIGNIFICANCE**

On August 30, 2021, Caltrain increased service from 70 trains per weekday to an unprecedented 104. This restoration allows the railroad to provide a competitive service offering as some employees return to in-office work and in-person education resumes. The service change also provides a further opportunity to continue implementation of the Equity, Connectivity Recovery and Growth Framework adopted by the Board in 2020 – with an emphasis on providing improved service at all times of day, a simplified set of stopping patterns, and coordinated connections with other transit operators at key regional transfer points. At the same time, Caltrain must manage the increase in service while still balancing constraints created by significant ongoing construction activities, staffing availability, and overall financial capacity.

Due to the dynamic and rapidly changing environment being caused by the ongoing COVID-19 pandemic, Caltrain staff has been continuously monitoring not only the traditional key performance indicators such as On-Time Performance and Average Daily Ridership, but also trends in the larger business environment that are outside of the agency's control, such as office space vacancy rates, return to work plans of regional employers, regional trends in travel behavior, and development activity along the corridor. At the February JPB meeting, staff will provide an update on this analysis and how these factors impact future service planning initiatives.

## **BUDGET IMPACT**

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

## **BACKGROUND**

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

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

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

The recent service restoration builds off these improvements and not only restores service to pre-pandemic levels, but also provides additional enhancements to capture new ridership markets and adjust to changing travel behaviors. This includes increased train frequencies at most stations throughout the day, along with a variety of new limited and "Baby Bullet" express trains to provide a competitive and reliable transit service to the region.

Prepared by: Ted Burgwyn

Director, Rail Network and Operations Planning, Caltrain

650-551-6139