

JPB CAC

CORRESPONDENCE
AS OF

October 19, 2021

Givens, Patrice

From: Roland Lebrun <ccss@msn.com>
Sent: Monday, September 20, 2021 4:44 PM
To: Council Member Marie Blankley; rich.constantine@morganhill.ca.gov; Sam Liccardo
Cc: cityclerk@cityofgilroy.org; Board (@caltrain.com); Baltao, Elaine
[board.secretary@vta.org]; cacsecretary [@caltrain.com]; MTC Info; City Clerk
Subject: Re: Measure RR victory party on Sunday 9/26

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders.

Dear Mayors Blankley, Constantine and Liccardo,


Please consider reaching out to the Caltrain Board and enquire as to the reasoning behind the exclusion of 3/4 of a million of Santa Clara County taxpayers who live south of Diridon station, specifically why this train is currently scheduled to originate from Diridon station instead of the Gilroy transit center.

Measure RR victory party on Sunday 9/26

*Come celebrate September Transit Month and join the Measure RR victory that allowed Caltrain to keep running! On Sunday, September 26, people will gather at stations for celebration and selfies, **starting with the train leaving San Jose Diridon at 12:12pm**, and continuing to 4th and King by 1:52. [Click here to RSVP](#) for mini-parties outdoors at the station platforms and an afterparty in San Francisco. If you would like to volunteer to help organize a party stop near you, please send us an email at friends@friendsofcaltrain.com*

Thank you for your support!!!

Roland Lebrun

PS. A return trip back to Gilroy would be much appreciated 

CC

Caltrain Board
MTC Commissioners
VTA Board

Givens, Patrice

From: Adrian Brandt <adrian.brandt@gmail.com>
Sent: Friday, September 24, 2021 9:26 AM
To: Givens, Patrice
Cc: Brian David Shaw; David Tuzman (david.tuzman@gmail.com); Emilia Varshavsky Shapiro; cacsecretary [@caltrain.com]; Chan, Hubert; jaquesra@gmail.com; jptorres152@gmail.com; larry@larryklein.com; neeraj@gmail.com; pageem@hdcco.com; patriciaoqra@gmail.com; pgemperle@gmail.com; rozkutler@gmail.com
Subject: Re: JPB CAC Meeting Follow-up (Hubert Chan)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders.

Hi Patrice, a quick Google search turned up this news story below from July.

Also, the project web page on the Caltrain website has the latest cost escalation data on slide 20 of this linked board presentation:

https://www.caltrain.com/Assets/Public+Affairs/Capital_Program/SSF+Station+Improvement+Project+PPT+7.2021.pdf

New South San Francisco Caltrain station is 50% over budget and 30 months late

<https://www.ktvu.com/news/new-south-san-francisco-caltrain-station-is-50-over-budget-and-30-months-late>

The opening of Caltrain's new station in South San Francisco is now set for November, meaning Caltrain expects the project to finish 50% over budget and two and a half years late.

In addition to the COVID-19 pandemic, Caltrain blamed the latest delays on "unforeseen conditions under Caltrain's tracks" and "low productivity by the contractor."

[...]

When the contract was awarded in August 2017, CalTrain said the project would cost \$61 million and be completed by summer 2019. CalTrain now says it will cost \$96.6 million, up from an interim estimate of \$71.6 million.

About \$23 million of the gap will be filled by San Mateo County Transportation Authority, and another \$2 million will come from the city itself, Caltrain said Friday.

On Fri, Sep 24, 2021 at 09:04 Givens, Patrice <givensp@samtrans.com> wrote:

Table 9. FUNDING (in thousands of \$)

Fund Source	Type	Board Approved			Activated Funding (D)	Un-activated Amount (E=C-D)
		Original (A)	Changes (B)	Current (C=A+B)		
Capital fund from operations source	01012		1,300	1,300	1,300	-
SMCTA Cap Contr to JPB/SAMTR	01059	1,233	43,339	44,572	44,572	-
CA-2017-057-01	02741		38,828	38,828	38,828	-
CSSF MOU-SSF Caltrain Station	04416		9,900	9,900	9,900	-
Totals		1,233	93,367	94,600	94,600	-

Info is straight from our Monthly Progress Report, to ensure full transparency. Original vs current budget is a different issue though, as there is an ongoing negotiation w/ Contractor and as we have not reported the #s to either Board; therefore, we are awaiting release of discussions on that . Should be able to share that info by next month.

Feel free to call me with questions.

Hubert, x7786

Cell (650) 740-6122

From: Givens, Patrice <givensp@samtrans.com>

Sent: Thursday, September 23, 2021 9:13 AM

To: Chan, Hubert <chanh@samtrans.com>

Subject: JPB CAC Meeting Follow-up

Hi Hubert,

CAC Member Larry Klein asked where the project stands with original budget versus the final cost of the project and asked for what sources funded those budget changes. You responded that you would follow-up, through the CAC Secretary with a response to the difference in budget and as far as the funding sources.

Please send your information to cacsecretary@caltrain.com so I can forward to all the members.

Thanks!

Patrice Givens, Administrative Analyst II

Peninsula Corridor Joint Powers Board

1250 San Carlos Ave. San Carlos, CA 94070

Phone: 650.508.6347 Website: www.caltrain.com



New South San Francisco Caltrain station is 50% over budget and 30 months late

Published July 3 | Caltrain | Bay City News

SOUTH SAN FRANCISCO, Calif. - The opening of Caltrain's new station in South San Francisco is now set for November, meaning Caltrain expects the project to finish 50% over budget and two and a half years late.

In addition to the COVID-19 pandemic, Caltrain blamed the latest delays on "unforeseen conditions under Caltrain's tracks" and "low productivity by the contractor."

Sponsored Links

Take 1 Cup Before Bed, Watch Your Body Fat Melt Away

Dr. Kellyann

In coordination with the city of South San Francisco, CalTrain is adding a pedestrian underpass below Highway 101 and the tracks to reach a new center boarding platform with passenger amenities, and it is upgrading the tracks and signals in the area. The improvements will also make the station fully compliant with the Americans with Disabilities Act.

In a statement late Friday, Caltrain said "risks" are passed and "the contractor productivity level has increased."

When the contract was awarded in August 2017, CalTrain said the project would cost \$61 million and be completed by summer 2019. CalTrain now says it will cost \$96.6 million, up from an interim estimate of \$71.6 million.

About \$23 million of the gap will be filled by San Mateo County Transportation Authority, and another \$2 million will come from the city itself, Caltrain said Friday.

The Peninsula Corridor Joint Powers Board, a collaboration of other agencies in the service area, has owned and operated the 150-year-old rail system since 1992.

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Givens, Patrice

From: Roland Lebrun <ccss@msn.com>
Sent: Friday, September 24, 2021 2:25 PM
To: Board (@caltrain.com)
Cc: Caltrain, Bac (@caltrain.com); cacsecretary [@caltrain.com]
Subject: AB361

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders.

Dear Caltrain Board,

Please consider following the Santa Clara County Valley Transportation Authority's lead and agendize an action item to adopt a Resolution authorizing the Caltrain Joint Powers Board of Directors and all standing, advisory, policy, oversight, steering, and inter-agency committees and subcommittees of the Board to continue to meet by remote teleconference, subject to the requirements of Assembly Bill 361 (Rivas).
<http://santaclaravta.igm2.com/Citizens/FileOpen.aspx?Type=6&ID=1907>

Thank you in advance for your consideration.

Roland Lebrun

ACTION ITEM - Adopt a Resolution authorizing the Santa Clara Valley Transportation Authority (VTA) Board of Directors and all standing, advisory, policy, oversight, steering, and inter-agency committees and subcommittees of the Board to continue to meet by remote teleconference, subject to the requirements of Assembly Bill 361 (Rivas).

STAFF REPORT WILL BE FORWARDED UNDER SEPARATE COVER

Givens, Patrice

From: Roland Lebrun <ccss@msn.com>
Sent: Friday, October 1, 2021 2:11 AM
To: Baltao, Elaine [board.secretary@vta.org]
Cc: MTC Info; BART Board; Board (@caltrain.com); cacsecretary [@caltrain.com]
Subject: Violation of Government Code Section 6253 (3 counts)
Attachments: 28th Street presentation.bmp; Santa Clara Presentation.png

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders.

Dear VTA Board,

Please refer to the attached screen shots **proving that the 3 meetings WERE recorded** and start an immediate investigation of the following individuals as to the whereabouts of the requested recordings:

Kimley Horn

- Joe Clayton
- Doug Moody
- Erica Roecks

VTA

- Gretchen Baisa

Thank you in advance for your immediate attention to this request.

Roland Lebrun

CC

MTC Commissioners
BART Board of Directors
Caltrain Board of Directors
VTA PAC
VTA CAC
Caltrain CAC

From: Rodriguez, Jessica <Jessica.Rodriguez@vta.org>
Sent: Thursday, September 30, 2021 11:04 AM
To: Roland Lebrun <ccss@msn.com>
Cc: VTA Board Secretary <Board.Secretary@vta.org>
Subject: RE: BART CWG Zoom video archives

Dear Mr. Lebrun,

Your California Public Records Act request below was forwarded to my attention. This is a timely notice of determination pursuant to Government Code Section 6253(c).

VTA staff diligently searched for records responsive to your request. Our search resulted in no responsive records. Your request will now be marked as "complete". Should you have any questions, please feel free to contact me.

Jessica Rodriguez

Paralegal

Santa Clara Valley Transportation Authority

3331 North First Street

San Jose, CA 95134-1927

Phone: 408-321-7561



From: Roland Lebrun <ccss@msn.com>
Sent: Friday, September 24, 2021 1:08 AM
To: VTA Board Secretary <Board.Secretary@vta.org>
Subject: [EXTERNAL] BART CWG Zoom video archives

Dear VTA Board,

Please provide copies of the following Zoom video archives pursuant to Government Code §6250 et seq.

- September 21 Downtown BART CWG

- September 22 28th Street BART CWG
- September 23 Santa Clara BART CWG

Thank you in advance for your prompt response to this request.

Roland Lebrun

Transit-Oriented Community Strategies

Transit Oriented Communities Strategy Study
(Street "Playbook")
dated 2019

• Vibrant, mixed-use, income, pedestrian-

Recommendations: New plans, funding, and structure investments "loves" needed to establish successful TOC



DRAFT as of 9/22/21 - FOR DISCUSSION ONLY 65



Charla Gomez



Jessie O'Malley Solis



Raise Hand



Q&A

BSVI | Progressive Design Build Process

Phase 1

- Progressive Design Build contracts include both Design and Construction phases
- Accelerate project delivery through early construction start
- Design and construction start almost simultaneously
- Early construction start allows for early program completion
- Construction start allows for early program completion
- Construction start allows for early program completion

Phase 2

- Progressive Design Build contracts include both Design and Construction phases
- Accelerate project delivery through early construction start
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BSVI

BSVI | Progressive Design Build Process

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BSVI

Givens, Patrice

From: Roland Lebrun <ccss@msn.com>
Sent: Wednesday, October 6, 2021 1:14 AM
To: Board (@caltrain.com)
Cc: Baltao, Elaine [board.secretary@vta.org]; cacsecretary [@caltrain.com]
Subject: Segment 4 signal system test results
Attachments: Test Book CT 47.51 - Virginia Street Crossing.pdf; Test Book CT 47.35 - Auzerais Street Crossing.pdf

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders.

Dear Caltrain Board,

Further to the staff response which did not include any technical information, I am compelled to inform you that the status of Segment 4 as reported in the staff presentation (slide 14 below) does not bear ANY resemblance to reality, specifically that there has been no progress on gate crossing performance at Virginia and Auzerais since January (Test Books attached):

1. Virginia
- 2.
3. **DESIGN** warning time: **34 seconds**
4. **ACTUAL** warning times: **36-130 seconds**

4.1.5 WARNING TIME MINIMUM 20" – ACTUAL IS FROM LIGHTS FLASHING UNTIL TRAIN AT ISLAND)		4.1.6 SPEED (ACTUAL OR BLANK IF UNKNOWN)	
DESIGN	ACTUAL		
34@35mph	65	18	MPH
34@35mph	36	17	MPH
34@35mph	63	19	MPH
34@35mph	36	25	MPH
34@35mph	110	9	MPH
34@35mph	108	11	MPH
34@35mph	128	8	MPH
34@35mph	130	9	MPH

- 5.
2. Auzerais
- 3.
4. **DESIGN** warning time: **32 seconds**
5. **ACTUAL** warning times: **50-172 seconds**

4.1.5 WARNING TIME MINIMUM 20" – ACTUAL IS FROM LIGHTS FLASHING UNTIL TRAIN AT ISLAND)		4.1.6 SPEED (ACTUAL OR BLANK IF UNKNOWN)	
DESIGN	ACTUAL		
32@35mph	57	13	MPH
32@35mph	51	17	MPH
32@35mph	56	13	MPH
32@35mph	50	16	MPH
32@35mph	78	9	MPH
32@35mph	149	9	MPH
32@35mph	96	8	MPH
32@35mph	172	8	MPH

6.

It is therefore unclear why staff would consider advancing the same "design" to other sections of the line.

Sincerely,

Roland Lebrun

CC

VTA Board
Caltrain CAC
VTA CAC

From: Wong, Shirley <WongSh@samtrans.com>
Sent: Tuesday, October 5, 2021 10:10 AM
To: 'ccss@msn.com' <ccss@msn.com>
Subject: PRA RE: Segment 4 signal system test results

Dear Mr. Lebrun,

Thank you for your Public Records Act request regarding the Auzerais and Virginia Grade Crossings. Staff have conducted a diligent search for records responsive to your request, and have located documents responsive to request nos. 2 through 4, which are available to you through this Dropbox link:

<https://www.dropbox.com/sh/7cefcxktotx1ipo/AAD2i4HNTpV3-ppWXSJjOjgZa?dl=0>

The JPB must be mindful of its ongoing obligation to maintain the security of its facilities and vehicles, and the safety of all those who use them. We have also located documents responsive to request no. 1, but they contain security sensitive information. Under these circumstances, we conclude that the public interest served by not disclosing security sensitive information clearly outweighs the public interest served by their disclosure. (See Government Code section 6255; *County of Santa Clara v. Superior Court* (2009) 170 Cal.App.4th 1301, 1329; *Procurier v. Superior Court* (1973) 35 Cal.App.3d 211, 212.) Accordingly these records will not be disclosed.

Thank you

Shirley

From: Roland Lebrun <ccss@msn.com>
Sent: Tuesday, October 5, 2021 2:50:35 AM
To: Board (@caltrain.com) <BoardCaltrain@samtrans.com>
Cc: PRA <PRA@samtrans.com>
Subject: Segment 4 signal system test results

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders.

Dear Caltrain Board,

Please refer to the attached slide and provide the following information for Segment 4 **Pursuant to Government Code Section 6250 et Seq.**

3. Copy of 95% design
4. Complete set of test results to date

Thank you in advance for your prompt response to this request.

Roland Lebrun

Segment	95% Design Percent Complete	Anticipated 95% Design Complete	Installation Percent Complete	Anticipated Installation Complete
Segment 1	64%	03/31/2023	21%	08/31/2023
Segment 2	98%	07/17/2022	23%	08/01/2022
Segment 3	35%	12/11/2022	21%	02/28/2023
Segment 4	100%	Complete	92%	10/15/2021

Data as of August 31, 2021



MODERN RAILWAY SYSTEMS
MRS GI 841 WARNING TIME TEST DATA FORM

CFR 234.259

ALL WRITING MUST BE IN BLUE PEN

CLIENT: CALTRAIN	
PROJECT: CALTRAIN ELECTRIFICATION 50-488	
TEST LOCATION: CT 47.51 Virginia Street Crossing	
DOT (IF APPLICABLE): 755099Y	
UNIT ID: _____	

4.1.1 DIRECTION	4.1.2 TIME (24 HOUR CLOCK (E.G. 21.30))		4.1.3 ROUTE/TRACK ID	4.1.4 MICROPROCESSOR (BLANK IF N/A)		4.1.5 WARNING TIME MINIMUM 20' - ACTUAL IS FROM LIGHTS FLASHING UNTIL TRAIN AT ISLAND)		4.1.6 SPEED (ACTUAL OR BLANK IF UNKNOWN)	CONDITION LEFT				DATE	TEST ENGINEER	WITNESS (LEAVE BLANK IF NOT AVAILABLE)		
	NB	SB		W	B	EP	MAIN		STDBY	N/A	DESIGN	ACTUAL				C	A
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	23	:	05	2		X	34@35mph	65		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1/31/2021	SL	MM
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	23	:	26	2		X	34@35mph	36		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1/31/2021	SL	MM
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	23	:	44	1		X	34@35mph	63		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1/31/2021	SL	MM
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	23	:	59	1		X	34@35mph	36		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1/31/2021	SL	MM
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	00	:	15	1		X	34@35mph	110		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2/1/2021	SL	MM
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	00	:	30	2		X	34@35mph	108		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2/1/2021	SL	MM
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	00	:	44	2		X	34@35mph	128		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2/1/2021	SL	MM
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	00	:	58	1		X	34@35mph	130		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	2/1/2021	SL	MM

CONDITION LEFT: _____

Do to Civil speed restriction unable to reach designed MAS

C - TEST COMPLETE EQUIPMENT PASSES TEST REQUIREMENTS
A - ADJUSTMENT MADE TEST COMPLETE EQUIPMENT PASSES TEST REQUIREMENTS
S - REPAIR OR REPLACEMENT TEST COMPLETE EQUIPMENT PASSES TEST REQUIREMENTS
R - REPAIR OR REPLACEMENT REQUIRED - DISCREPANCY FORM REQUIRED

TEST COMPLETION VERIFICATION	
MRS REPRESENTATIVE: Sal Lopez	SIGNATURE:
DATE: 2/1/2021	DATE: 2/1/2021
WITNESSED (LEAVE BLANK IF NOT AVAILABLE): Ned M	SIGNATURE (LEAVE BLANK IF NOT AVAILABLE):



MODERN RAILWAY SYSTEMS
MRS GI 841 WARNING TIME TEST DATA FORM

CFR 234.259

ALL WRITING MUST BE IN BLUE PEN

CLIENT:		CALTRAIN													
PROJECT:		CALTRAIN ELECTRIFICATION 50-488													
TEST LOCATION:		CT 47.51 Virginia Street Crossing													
DOT (IF APPLICABLE):		755099Y													
UNIT ID:		UNIT ID:													
4.1.1 DIRECTION	4.1.2 TIME (24 HOUR CLOCK E.G. 21:30)	4.1.3 ROUTE/TRACK ID	4.1.4 MICROPROFESSOR (BLANK IF N/A)		4.1.5 WARNING TIME MINIMUM 20' - ACTUAL IS FROM LIGHTS FLASHING UNTIL TRAIN AT ISLAND		4.1.6 SPEED (ACTUAL OR BLANK IF UNKNOWN)	CONDITION LEFT				DATE	TEST ENGINEER	WITNESS (LEAVE BLANK IF NOT AVAILABLE)	
			MAIN	STDBY	DESIGN	ACTUAL		C	A	S	R				
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<input checked="" type="checkbox"/>	11 : 03	MT2-1 17R		X	34@35mph	62	14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		1/31/2021	CH	
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<input type="checkbox"/>	:							<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>				
CONDITION LEFT															
C - TEST COMPLETE EQUIPMENT PASSES TEST REQUIREMENTS															
A - ADJUSTMENT MADE TEST COMPLETE EQUIPMENT PASSES TEST REQUIREMENTS															
S - REPAIR OR REPLACEMENT TEST COMPLETE EQUIPMENT PASSES TEST REQUIREMENTS															
R - REPAIR OR REPLACEMENT REQUIRED - DISCREPANCY FORM REQUIRED															
TEST COMPLETION VERIFICATION															
MRS REPRESENTATIVE: Colby Phillips												DATE: 2/17/2021		SIGNATURE: 	
WITNESSED (LEAVE BLANK IF NOT AVAILABLE):												DATE:		SIGNATURE (LEAVE BLANK IF NOT AVAILABLE):	

Givens, Patrice

From: Roland Lebrun <ccss@msn.com>
Sent: Thursday, October 7, 2021 1:53 AM
To: Board (@caltrain.com)
Cc: MTC Commission; SFCTA Board Secretary; ccjpaboard@capitolcorridor.org; BART Board; Public Comment; Public Comment; Baltao, Elaine [board.secretary@vta.org]; SFCTA CAC; cacsecretary [@caltrain.com]; cacsecretary [@samtrans.com]
Subject: Self-governed approach to Regional Caltrain Governance

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders.

Dear Caltrain Board,

Please consider asking Katie Miller and Howard Permut to introduce a **self-governed** transition to regional Caltrain Governance modeled after the Capitol Corridor JPA (CCJPA) by inviting the following individuals to present at the October 22nd Governance workshop as follows:

1) **James Harrison:**

- Synthesis of the 1996 CCJPA Agreement: <https://images.capitolcorridor.org/wp-content/uploads/2016/07/CA-CC-CCJPA-JEPA.pdf>

2) **David Kutrosky or Robert Padgette:**

- **Executive Leadership:** reporting structure including total number of direct and indirect FTEs
-
- **Contracts:** Union Pacific (Track & Systems) and Amtrak (passenger train Operations & Maintenance)
- <https://images.capitolcorridor.org/wp-content/uploads/2016/09/CA-CC-Amtrak-CCJPA-UP-OTPAgmt.pdf>
-
- **Budget:**

ITEM V.1 - CCJPA BUDGET FY 2021-2022

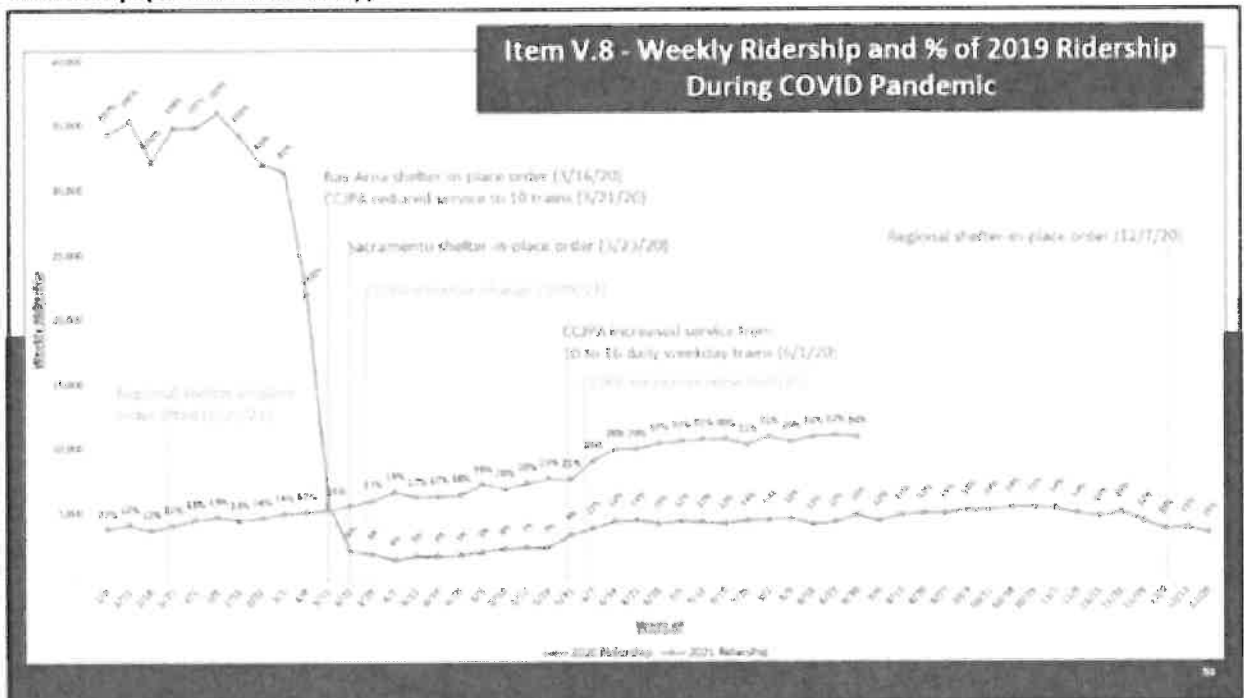
Annual CalSTA Allocation (in Millions)



Budget Item	FY 2021 Authorized	FY 2022 Annual Business Plan Request	FY 2022 Authorized	% Change FY 2022 vs. FY 2021
Amtrak Operations*				
	\$12.59	\$61.04	\$11.07	12%
CCJPA Administrative Management				
General Administrative	\$ 2.85	\$ 2.96	\$ 2.96	4%
Information/Customer Services	\$ 1.16	\$ 1.21	\$ 1.21	4%
CCJPA Marketing	\$ 1.17	\$ 1.17	\$ 1.17	0%
CCJPA Supplemental Allocations				
Minor Capital	\$ 0.00	\$ 0.50	\$ 0.50	100%
Capitalized Maintenance	\$ 0.10	\$ 1.00	\$ 1.00	900%
CA IRB Supplemental Allocations				
W-R Management	\$ 2.77	\$ 2.54	\$ 2.54	-9%
Line 21	\$ 1.00	\$ 1.50	\$ 1.50	50%
TOTAL - CCJPA Budget	\$21.64	\$71.92	\$21.95	-1.4%

*Amtrak Operations budget is supplemented by a carryover of federal relief funding and unexpended prior year operations funding

-
- https://www.capitolcorridor.org/wp-content/uploads/2021/09/Sept-15-2021-CCJPA-Board-Meeting-Agenda-Packet_Final.pdf (page 15)
-
- **Ridership (COVID Recovery)**



3) Tamar Allen or her successor:

- BART Administration: <https://images.capitolcorridor.org/wp-content/uploads/2017/09/CA-CC-CCJPA-BARTSupportAgmt.pdf>

Thank you in advance for considering a proven approach to self-governed Regional Caltrain Governance.

Roland Lebrun

CC

MTC Commissioners

SFCTA Commissioners

CCJPA Board of Directors

BART Board of Directors

VTA Board of Directors

SMCTA Board of Directors

SamTrans Board of Directors

VTA PAC

Caltrain CAC

SFCTA CAC

VTA CAC

SamTrans CAC

JOINT EXERCISE OF POWERS AGREEMENT TO ESTABLISH THE CAPITOL CORRIDOR JOINT POWERS AUTHORITY

This Agreement ("Agreement") is made and entered into in the State of California by and among the Capitol Corridor Joint Powers Board and the following public agencies that are parties to this Agreement:

- (a) Placer County Transportation Planning Agency ("PCTPA");
- (b) Sacramento Regional Transit District ("SRTD");
- (c) San Francisco Bay Area Rapid Transit District ("BART");
- (d) Santa Clara County Transit District, a/k/a Santa Clara Valley Transportation Authority ("VTA");
- (e) Solano Transportation Authority ("STA"), the county congestion management agency for the County of Solano; and
- (f) Yolo County Transit Authority, the county congestion management agency for the County of Yolo, a/k/a Yolo County Transportation District ("YCTD"),

all of whom collectively are sometimes hereinafter referred to as the "Agencies."

RECITALS

This Agreement is made with reference to the following facts:

- A. The Governor of California signed into law S.B. 457, as Chapter 263, Statutes of 1996, the Intercity Passenger Rail Act of 1996, on July 23, 1996, adding, among other things, Article 5 and 5.6 to Chapter 1, Part 5, Division 3, Title 2 commencing with Section 14070; repealing and adding Section 14031.8; and repealing Sections 14031.9 and 14031.10 of the California Government Code; and creating, among other things, the Capitol Corridor Joint Powers Board ("CCJPB") which, if certain requirements are met, principally the execution of an interagency transfer agreement ("Interagency Agreement") with the State of California, will manage the Capitol Corridor rail service ("Capitol Corridor Rail Service"). Chapter 263 provides, among other things, the following:
 - (i) For the establishment of a Capitol Corridor Joint Powers Board to be composed of not more than sixteen members, six of whom shall be members of the BART Board of Directors (two each who are residents of Alameda County, Contra Costa County and San Francisco County); two members of the Board of Directors of SRTD; two members of the Board of Directors of VTA; two members of the Board of Directors of YCTD; two members of the Board of Directors of STA; and two members of the Board of Directors of PCTPA;

- (ii) For the CCJPB to be deemed organized when at least two of the Agencies described in the previous paragraph elect to appoint members to serve on the Board; further, only those Agencies that appoint members to serve on the CCJPB prior to December 31, 1996 shall be member Agencies of the CCJPB;
- (iii) For the CCJPB, by December 31, 1996, to enter into the Interagency Agreement with the State of California, with an initial term ("Initial Term") commencing with the transfer of the responsibilities from the State to the CCJPB, and continuing for three years following the completion of track and signal improvements between Sacramento and Emeryville ("Track and Signal Improvements"). Should the Interagency Agreement not be executed by December 31, 1996, a report shall be made by the Secretary of the Business, Transportation and Housing Agency to the Governor and the Legislature by January 30, 1997 explaining the reasons therefor and proposing specific recommendations for developing an acceptable Interagency Agreement.
- (iv) For BART to provide all necessary administrative support to the CCJPB to perform its duties and responsibilities during the Initial Term of the Interagency Agreement;
- (v) That at the conclusion of the Initial Term, the CCJPB may, through procedures that it determines, select BART or another existing public rail transit agency, for a subsequent three year term to continue to administer the rail service under the direction of the CCJPB;
- (vi) That the CCJPB shall produce a business plan ("Business Plan") for each of the initial five years of operation of the service which shall describe the methods by which the CCJPB will administer rail service and seek to increase ridership in the Capitol Corridor and which shall be updated and submitted by the CCJPB to the Secretary of the Business, Transportation and Housing Agency by April 1 of each year;
- (vii) That the CCJPB will, through the Interagency Agreement, succeed to the State's current agreement with Amtrak for the operation of the Capitol Corridor Rail Service and may initiate changes in said agreement or, in the future, may, through a competitive solicitation process, contract with Amtrak, or other organizations not precluded by State or Federal law to provide passenger rail services, to operate the rail service;
- (viii) That the State shall maintain funding in an amount to support at least the current level of service in the Capitol Corridor for not less than a three-year period.

- (ix) That the level of service funded by the State shall in no event be less than the current number of intercity round trips currently operated in the Capitol Corridor, and shall also include feeder bus service with substantially the same number of route miles as the current feeder system.
- B. The CCJPB has been formed in accordance with the provisions of Section 14076.2 of the California Government Code. Further, it is the intent of the Legislature as expressed in Section 14070(a) of the California Government Code that a joint exercise of powers agency be established for the purpose of assuming administrative responsibility for Capitol Corridor Rail Service and that such joint powers agency is to be governed by the CCJPB. Therefore the CCJPB and the Agencies desire to create a joint powers authority to carry out and further define the administrative responsibilities for the Capitol Corridor Rail Service.
- C. Each of the Agencies is authorized to contract with each other for the joint exercise of any common power under Article 1, Chapter 5, Division 7, Title 1, Sections 6500 et seq. of the California Government Code.

AGREEMENT

NOW THEREFORE, in consideration of the recitals and the rights, duties and covenants set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the CCJPB and the Agencies hereby agree to the following:

1.0 DEFINITIONS

The terms defined in this Section 1.0 shall for all purposes of this Agreement have the meanings specified herein.

"Agency" shall mean each of those local governmental entities set forth in paragraphs (a) through (f) of the caption to this Agreement that have executed this Agreement and that have not withdrawn from the Authority.

"Authority" shall mean the Capitol Corridor Joint Powers Authority formed by the Agencies and the CCJPB pursuant to Article 1, Chapter 5, Division 7, Title 1, Sections 6500 et seq. of the California Government Code.

"Business Plan" shall mean the business plan to be submitted by the CCJPB to the Secretary of the Business, Transportation and Housing Agency covering the initial five year term of the Agreement as mandated by Chapter 263 and updated and submitted annually thereafter.

"Capitol Corridor Joint Powers Board" or "CCJPB" shall mean the governing body of the Authority, which shall assume administrative responsibility for the Capitol Corridor Rail Service.

"Capitol Corridor Rail Service" shall mean the existing intercity rail service in the Colfax-Sacramento-Suisun City-Oakland-San Jose corridor, as modified and developed by the Authority pursuant to this Agreement.

"Capital Improvement Program" shall mean a program of capital improvements developed by the CCJPB and the Managing Agency for inclusion in the Authority's budget.

"Interagency Agreement" shall mean the agreement provided for in Chapter 263 whereby the State of California will transfer all responsibility for administering the Capitol Corridor Rail Service to the CCJPB.

"Interim Workplan" shall mean the workplan proposed for the period commencing with the execution of this Agreement, and ending with the current fiscal year.

"Initial Term" shall mean the period that begins with the transfer of responsibilities from the California Department of Transportation to the CCJPB and continues for a three-year period subsequent to the completion of the Track and Signal Improvements.

"Managing Agency" shall mean BART for the Initial Term and thereafter, BART or another existing public rail transit agency.

"Track and Signal Improvements" shall mean the improvements to the Capitol Corridor being performed pursuant to the agreement dated February 20, 1996 between the State of California and the Southern Pacific Transportation Company.

2.0 CREATION OF AUTHORITY

There is hereby created an organization to be known as the Capitol Corridor Joint Powers Authority, which shall be a public entity separate and apart from any member Agency and the CCJPB. The Authority shall be governed by the terms of this Agreement and those by-laws passed and adopted by its governing Board, the CCJPB, which do not conflict with this Agreement.

3.0 PURPOSES

It is the purpose of the Authority to administer and manage the operation of the Capitol Corridor Rail Service as part of the California passenger rail system.

4.0 POWERS OF THE CCJPB

Subject to the limitations on the exercise of its powers as set forth in Chapter 263, all action of the CCJPB shall be taken in accordance with and under the provisions of this Agreement.

5.0 POWERS OF THE AUTHORITY

The Authority shall have all powers necessary or reasonably convenient to carry out the purposes stated in Section 3.0, including but not limited to the following:

- 5.1 To exercise in the manner provided by this Agreement the powers common to each of the Agencies and necessary to the accomplishment of the purposes of this Agreement. Powers common to each of the Agencies shall include any powers granted to all Agencies by legislative amendment subsequent to the date of this Agreement;
- 5.2 To make and enter into contracts;
- 5.3 To employ agents and employees;
- 5.4 To contract for the services deemed necessary to meet the purposes of the Authority including the retention of counsel as the CCJPB deems appropriate;
- 5.5 To acquire, including by lease or purchase, and to hold and dispose of real and personal property necessary to carry out the purposes of this Agreement;
- 5.6 To construct, manage, and maintain facilities and services;
- 5.7 To sue and be sued in its own name;
- 5.8 Subject to the provisions of Section 9.4 below, to incur debts, liabilities and obligations; however, the debts, liabilities and obligations of the Authority shall not constitute any debt, liability, or obligation of any of the Agencies or the CCJPB;
- 5.9 Subject to the provisions of Section 7.0 below, to apply for and accept grants for financial aid pursuant to any applicable State or Federal statutes; and
- 5.10 Subject to the provisions of Section 9.4 below, to raise funds through the issuance of bonds of the Authority pursuant to Article 4, Chapter 5, Division 7, Title 1, Sections 6584 et seq. of the California Government Code.
- 5.11 Pursuant to the requirements of California Government Code Section 6509, in exercising its powers, the Authority shall be subject to the statutory restrictions upon the manner of exercising the powers of BART.
- 5.12 Subject to a determination by the CCJPB, to develop procedures and issue a Request for Proposals to select a Managing Agency at the conclusion of the Initial Term.

6.0 MANAGING AGENCY

Subject to the policy direction and control of the CCJPB, BART shall serve as Managing Agency of the Authority for the Initial Term and in that capacity shall provide all necessary administrative support to the Authority.

The Managing Agency shall solicit the input and participation of the other Agencies and endeavor to achieve consensus while providing the following administrative support to the Authority:

- (i) Negotiate and recommend the award of all necessary agreements for the Authority, including but not limited to the Interagency Agreement, agreements for the provision of passenger rail services, and use of tracks and other facilities, subject to approval by the CCJPB;
- (ii) Manage all agreements entered into by the Authority;
- (iii) Implement projects contained in the approved Capital Improvement Program unless the administration of particular capital projects is more appropriately managed in another manner, such as by an individual Agency or a local government, as determined by the CCJPB;
- (iv) Provide for the maintenance and management of such property as may be owned or controlled by the Authority unless the administration of that property is more appropriately managed in another manner, such as by an individual Agency or a local government, as determined by the CCJPB;
- (v) Provide a risk management program to cover the Authority, the CCJPB, and each of the Agencies in the performance of their duties pursuant to this Agreement, and seek appropriate insurance coverage to implement such risk management program.
- (vi) Seek, obtain and administer grants, subject to the provisions of Section 7.0 below;
- (vii) Develop and implement marketing programs;
- (viii) Prepare and submit financial reports;
- (ix) Prepare for approval by the CCJPB the Business Plan;
- (x) Report regularly to the Authority regarding Capitol Corridor issues;
- (xi) Recommend changes in fares and the collection of fares to the Authority;
- (xii) Recommend changes in scheduling and levels of service to the Authority;
- (xiii) Prepare and implement changes in scheduling and fares, subject to appropriate public involvement;
- (xiv) Prepare capital and operating budgets for presentation to the Authority;
- (xv) Facilitate interaction with other entities involved in operation, construction and renovation of the Capitol Corridor Rail Service; and
- (xvi) Negotiate with any other public or private transportation providers as necessary to ensure coordinated service with the Capitol Corridor Rail Service.

7.0 SOLICITATION OF GRANTS

The Managing Agency shall pursue any and all sources of funding for the Authority;

provided, however, that neither the Managing Agency, on behalf of the Authority, and/or the CCJPB, nor the Authority or the CCJPB shall apply for Transportation Development Act Funds as defined in Chapter 4, Part 11, Division 10 of the California Public Utilities Code or for any funding that any Agency is also an applicant or approving Agency for without the express consent of that Agency.

8.0 CUSTODIAN OF PROPERTY

- 8.1 Pursuant to the requirements of California Government Code Section 6505.1, the Managing Agency's Controller-Treasurer shall have charge of, handle, and have access to any property of the Authority, and shall amend the official bond with the Managing Agency to provide for coverage, in the same amount, for the duties of the Controller/Treasurer set forth in this Agreement.
- 8.2 The Controller-Treasurer of the Managing Agency shall be the Treasurer of the Authority. Subject to the applicable provisions of any indenture, trust agreement or resolution providing for a trustee or other fiscal agent, the Treasurer is designated as the depository of the Authority to have custody of all the money of the Authority, from whatever source, and, as such, shall have the powers, duties and responsibilities specified in Section 6505.5 of the California Government Code.
- 8.3 The Controller-Treasurer of the Managing Agency, who performs the functions of auditor and controller for the Managing Agency, shall be the Controller of the Authority, and, as such, shall have the power, duties and responsibilities specified in Sections 6500 and 6505.5 of the California Government Code. The Controller-Treasurer shall draw checks to pay demands against the Authority when the demands have been approved by the CCJPB.
- 8.4 Upon providing reasonable notice, any Agency shall have the right to review any records maintained by the Managing Agency or the Managing Agency's Controller/Treasurer relating to the performance of their duties pursuant to this Agreement.

9.0 BUDGET AND FUNDING

- 9.1 The Managing Agency shall prepare and submit to the CCJPB for approval within thirty days of the effective date of this Agreement the Interim Workplan, which shall include recommendations for start-up funding needs and sources of funding therefor.
- 9.2 The Managing Agency shall prepare and submit to the CCJPB for approval a preliminary operating and capital budget for the succeeding fiscal year by April 1 of each year which is consistent with the prior Business Plan submitted. The Authority shall by resolution adopt a final budget no later than June 30 of each year. The fiscal year shall be July 1 of each year to and including the following

June 30. The budget shall include separate components for Managing Agency administration costs, operations, and capital costs anticipated to be incurred by the Authority during the fiscal year. The annual budget resolution shall set forth the authority of the Managing Agency to make capital and operating expenditures during the fiscal year, subject to such policy guidelines as the CCJPB may establish.

9.3 It is the intent of the Agencies to fully fund the annual budget from State and other non-Agency funding sources. The Authority shall not operate at a deficit.

9.4 No funding, debt, or financial obligation is created against any Agency solely as a consequence of executing this Agreement and no funding, debt, or financial obligation approved by the CCJPB and/or incurred by the Authority shall be binding against an Agency unless and until ratified by that Agency's governing body.

11.0 LIABILITY OF AUTHORITY, AGENCIES, OFFICERS AND EMPLOYEES

The debts, liabilities, and obligations of the Authority shall not be the debts, liabilities and obligations of any of the Agencies, the CCJPB or any of their respective members, officers, directors, employees or agents. Any obligations incurred by any bonds issued by the Authority as set forth in Section 5.10 above shall not constitute general obligations of the Authority but shall be payable solely from the moneys pledged to the repayment of such obligations or the repayment of principal or interest on such bonds under the terms of the resolution, indenture, trust agreement, contract or other instrument pursuant to which the obligation is incurred or the bonds are issued. The CCJPB and the Managing Agency, their directors, officers, employees, staff and agents shall use ordinary care and reasonable diligence in the exercise of their powers and in the performance of their duties pursuant to this Agreement. No Agency or CCJPB member, officer, director or employee shall be responsible for any action taken or omitted by any other Agency or CCJPB member, officer, director or employee. The Authority shall indemnify, defend and hold harmless the CCJPB, the individual Agencies, their members, officers, directors, employees and agents from and against any and all liability, loss, damage, expenses, costs (including, without limitation, costs and fees of litigation or arbitration) of every nature, arising out of any act or omission related to this Agreement, except such loss or damage which was caused by the wilful misconduct of the CCJPB or any individual Agency. The Authority's duty to indemnify each Agency shall survive that Agency's withdrawal from the Authority.

11.0 SERVICES BY MANAGING AGENCY

Subject to the provisions of Section 9 above, the Authority shall enter into a formal contract with the Managing Agency for the services the Managing Agency will perform pursuant to this Agreement, and the compensation for such services.

12.0 FILING WITH SECRETARY OF STATE

As required by Section 6503.5 of the California Government Code, an appropriate notice of this Agreement shall be filed with the Secretary of State within thirty days of its effective date.

13.0 BY-LAWS

The Authority may adopt from time to time by-laws as may be required for the conduct of its meetings, voting rights, specifications of officers of the Authority, and other matters concerning the orderly operation of the Authority.

14.0 WITHDRAWAL BY AGENCY

14.1 Notwithstanding any other provision of this Agreement, any Agency may withdraw from the Authority by giving thirty days advance written notice to the CCJPB. Any withdrawal from the Authority will also constitute withdrawal from the CCJPB.

14.2 The rights and obligations of any Agency so withdrawing from the Authority and the CCJPB shall be determined by negotiation between the CCJPB and the withdrawing Agency; provided, however, that debts and financial obligations of the withdrawing Agency shall not be greater than those agreed to by the withdrawing Agency pursuant to Section 9.4, above. In the event that the CCJPB and the withdrawing Agency cannot agree upon the rights and obligations of the withdrawing Agency, such rights and obligations shall be determined by arbitration pursuant to Section 18.0, below.

15.0 TERMINATION

This Agreement shall continue in full force and effect until such time as the Agencies and the CCJPB determine that it is in the public interest to dissolve the Authority. Notwithstanding the foregoing, any of the Agencies may exercise its prerogative to terminate its membership in the Authority as set forth in Section 14.1, above. Upon termination of this Agreement by mutual consent of all the Agencies, all assets, liabilities and equity of the CCJPB shall be distributed in accordance with the provisions of the Interagency Agreement and any other agreements authorized by the CCJPB governing such distribution, and any remaining money or assets in possession of the Authority after the payment of all liabilities, costs, expenses, and charges validly incurred under this Agreement shall be returned to the Agencies in proportion to their contributions, if any, determined as of the time of termination.

16.0 INDEPENDENT AUDIT

Pursuant to and in accordance with the requirements of California Government Code Section 6505, the Managing Agency's Controller-Treasurer shall provide for an annual

independent audit of the accounts of the Authority within six months of the close of the fiscal year.

17.0 AMENDMENTS TO THE AGREEMENT

Amendments or modifications of this Agreement may be approved at any time by the CCJPB, with the unanimous consent of the Agencies. To be effective, all amendments and modifications must be in writing and signed by all member Agencies and the CCJPB.

18.0 ARBITRATION:

18.1 In the event of a dispute between the Authority, the CCJPB, the Managing Agency or any other Agency or Agencies, which cannot be satisfactorily resolved by those parties, said dispute shall be submitted to arbitration by a panel of three arbitrators who shall conduct the arbitration pursuant to the rules of the American Arbitration Association. The panel of arbitrators shall consist of one arbitrator appointed by each of the disputants, the third arbitrator to be appointed by mutual consent of the other two arbitrators. The arbitration panel shall resolve the dispute in accordance with the terms of this Agreement, and such resolution shall be final and binding upon the parties. Each party shall bear its own costs of arbitration, including reasonable attorneys fees. The cost of the third arbitrator shall be divided equally between the disputants.

18.2 Unless otherwise agreed by the disputants, only disputes regarding a disputant's rights and obligations arising under the terms of: (i) this Agreement, or (ii) any other agreement between the disputants in which this arbitration provision is incorporated by reference shall be subject to arbitration pursuant to Section 18.1, above.

19.0 APPOINTMENT OF MEMBERS TO CCJPB

Each signatory Agency to this Agreement shall have appointed its members to the CCJPB prior to and as a condition of its executing this Agreement. Members so appointed shall serve at the pleasure of their appointing bodies.

20.0 CONFLICT OF INTEREST CODE

The Authority by resolution shall adopt a conflict of interest code as required by law.

21.0 SUCCESSOR STATUTES

All statutes cited herein shall be deemed to include amendments and/or successor statutes to the cited statutes as they presently exist.

22.0 CONSTRUCTION: NUMBER, GENDER AND CAPTIONS

This Agreement has been executed in the State of California and shall be construed according to the law of said State. Numbers and gender as used herein shall be construed to include that number and/or gender which is appropriate in the context of the text in which either is included. Captions are included herein for the purposes of ease of reading and identification. Neither gender, number nor captions used herein shall be construed to alter the plain meaning of the text in which any or all of them appear.

23.0 AGREEMENT COMPLETE

This Agreement constitutes the full and complete agreement of the parties, superseding and incorporating all prior oral and written agreements relating to the subject matter of this Agreement.

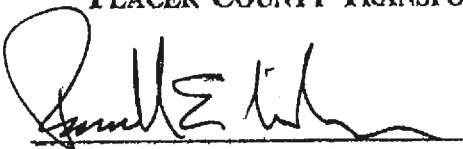
24.0 COUNTERPARTS

This Agreement may be executed in one or more counterparts and may include multiple signature pages, all of which shall be deemed to be one instrument. Copies of this Agreement may be used in lieu of the original.

25. EFFECTIVE DATE

This Agreement shall be effective upon execution by all of the Agencies.

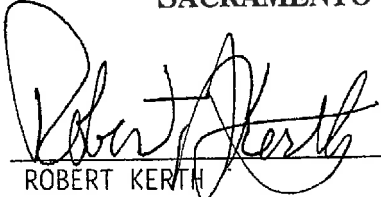
PLACER COUNTY TRANSPORTATION PLANNING AGENCY

By: 

Date: DEC 16, 1996

Title: Chairman, PCTPA

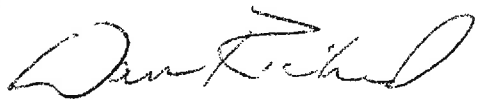
SACRAMENTO REGIONAL TRANSIT DISTRICT

By: 
ROBERT KERTH

Date: 12/31/96

Title: CHAIR, RT BOARD OF DIRECTORS

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

By: 

Date: November 29, 1996

Title: President

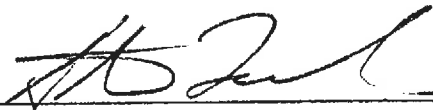
SANTA CLARA COUNTY TRANSIT DISTRICT

By: Tom M. Cipolla

Date: 12/11/96

Title: General Manager.

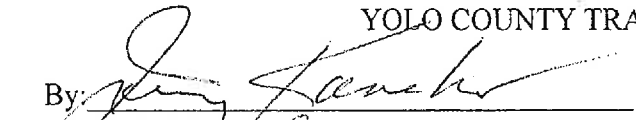
SOLANO TRANSPORTATION AUTHORITY

By: 

Date: 11/13/96

Title: Steve Lessler, Chairman

YOLO COUNTY TRANSIT AUTHORITY*

By:  Date: 11-20-96
Title: Chair

*After July 1, 1997, the YOLO COUNTY TRANSPORTATION DISTRICT

**AGREEMENT ON PERFORMANCE PAYMENT
FOR OPERATION OF CAPITOL CORRIDOR TRAINS
DATED: December 1, 2003**

This Agreement is among the Capitol Corridor Joint Powers Authority (CCJPA), Union Pacific Railroad Company (UP), and the National Railroad Passenger Corporation (Amtrak).

WHEREAS, the CCJPA has contracted with Amtrak to operate the intercity rail passenger trains identified in Table 1 to Exhibit A, Incentive Arrangement for Operation of Capitol Corridor Trains, attached hereto (the Capitol Corridor Trains);

WHEREAS, Amtrak and UP are parties to an agreement dated January 1, 2000 (the Operating Agreement), which covers the operation of Amtrak Trains (as such term is defined in the Operating Agreement) on routes on various different parts of UP's rail system, including the operation of the Capitol Corridor Trains;

WHEREAS, the Operating Agreement contains provisions for incentives and penalties in connection with the operation of Amtrak Trains on UP rail lines; and

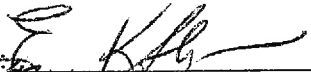
WHEREAS, the parties jointly desire to terminate the application of the normal incentives and penalty arrangement under the Operating Agreement to the Capitol Corridor Trains and establish a new performance payment arrangement with respect to the Capitol Corridor Trains;

NOW THEREFORE, the parties agree, effective December 1, 2003, that (1) Appendix V of the Operating Agreement shall cease to apply to the Capitol Corridor

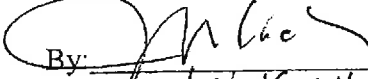
Trains and (2) incentive compensation with respect to the Capitol Corridor Trains operated pursuant to the Operating Agreement shall be governed exclusively by the provisions of the document entitled " Incentive Arrangement for Operation of Capitol Corridor Trains", which is attached to this Agreement as Exhibit A. This Agreement may be terminated on 60 days' prior written notice from any party to the other two parties. Effective upon any such termination, Appendix V of the Operating Agreement shall once again apply to the Capitol Corridor Trains.

IN WITNESS WHEREOF, the parties have executed this Agreement with respect to performance payments for the Capitol Corridor Trains by signature of their duly authorized representatives as set forth below:

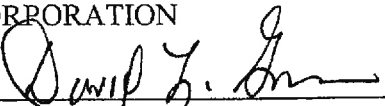
CAPITOL CORRIDOR JOINT
POWERS AUTHORITY

By: 
Name: EUGENE K. SKORODUMSKI
Title: MANAGING DIRECTOR
Date: 1/12/2004

UNION PACIFIC RAILROAD
COMPANY

By: 
Name: J. H. KOCH
Title: UP- TRANSP.
Date: 1/16/04

NATIONAL RAILROAD PASSENGER
CORPORATION

By: 
Name: David L. Gunn
Title: President and Chief Executive Officer
Date: 1/7/04

INCENTIVE ARRANGEMENT
FOR OPERATION OF CAPITOL CORRIDOR TRAINS

Performance payments for the operation of the Capitol Corridor Trains will be paid to UP by Amtrak on behalf of the Capitol Corridor Joint Powers Authority ("CCJPA") for any month during which the Capitol Corridor Trains attain an on-time performance of 92% or greater. For the purpose of this Incentive Arrangement, only the trains specified in Table 1 of this Incentive Arrangement are deemed Capitol Corridor Trains.

A. Performance Calculation.

An on-time performance percentage pursuant to this Incentive Arrangement will be calculated during each calendar month by dividing the number of trips that Capitol Corridor Trains arrive on time during such month by the number of trips Capitol Corridor Trains operated during such month. In making this calculation, the following conditions will apply as applicable:

1. Except as otherwise provided in this Part A, a trip is considered on-time if the train completes its trip in its scheduled running time or less as specified in Table 1 of this Incentive Arrangement, plus any one or more of the following:
 - (a) A basic tolerance of 5 minutes.
 - (b) The amount of time a train departs late from its Origin except where the delay in departing the point of Origin is due to actions or inactions of Union Pacific.
 - (c) The net amount of time by which the actual total station dwell times exceed the total Allowed Station Dwell Time for the trip as specified in Table 2 of this Incentive Arrangement (e.g. If at three stations Allowed Scheduled Dwell Time is exceeded by 2 minutes each and at one station actual dwell is less than Allowed Scheduled Dwell Time by 1 minute, total extra tolerance is $2+2+2-1=5$).
 - (d) The amount of time a train is delayed due to the operation of an Amtrak Special Train (as such term is defined in the Operating Agreement).
 - (e) The amount of time resulting from special stops to entrain or detrain passengers at locations other than regularly scheduled station stops which are expressly requested by authorized Amtrak personnel.
 - (f) The amount of time a train is held out of stations due to station tracks being occupied by other Amtrak Trains.
 - (g) The amount of time by which the sum of the following delays in a trip exceeds 10 minutes (or 6 minutes for trains between Oakland and San Jose):
 - (1) The amount of time a train is delayed due to equipment failure of an Amtrak car or locomotive, including failures found by wayside detectors.
 - (2) The amount of delay in excess of 10" caused by wayside detectors when no defective condition is found.

- (3) The amount of time a train is delayed due to a sick or disruptive passenger at a location other than a scheduled station stop.
- (4) The amount of time a train is delayed by the opening of a moveable bridge.
- (5) The amount of time lost exchanging passengers, crew, or supplies between Amtrak Trains en route.
- (6) The amount of time lost due to a freight-only qualified engineer operating the train at freight train speeds.
- (7) The amount of time delayed due to the engineer copying mandatory directives as defined in Rule 2.14 of the General Code of Operating Rules, Fourth Edition and amendments thereto.
- (8) At locations other than station stops, the amount of time expended in picking up a locomotive or car.
- (9) The amount of time a train was delayed en route due to joint UP/Amtrak Uniform Efficiency Testing or UP testing performed in a reasonable manner once every 90 days per engineer in accordance with FRA rules.
- (10) The amount of time a train is delayed (or held out of the area) between mileposts 44.0 and 51.4 near San Jose because of the operation of Caltrain commuter service.

For purposes of Items (b) through (g) above, any time lost due to causes attributable to the UP shall be excluded.

There will be no other allowable delays or tolerance in determining whether a train is on time or late.

2. Construction Work for CCJPA Account & Track Improvement Program Work

In order to facilitate construction work being carried out by UP for the CCJPA or for Track Improvement Program work funded by CCJPA, if the parties agree in a specific situation, UP and CCJPA may negotiate relief under separate terms and conditions for the duration of CCJPA funded work. Alternately, UP may receive up to 30 minutes additional tolerance for a train in return for a reduction in the incentive rates for the train. It is understood by UP and CCJPA that this additional tolerance purchase provision shall not be an addition to negotiated relief terms of this agreement.

For projects where the parties agree, the added tolerance may be purchased in the increments shown below for the corresponding percentage reduction in incentive rates:

<u>Additional Tolerance (Minutes)</u>	<u>Percentage Reduction in Incentive Rates</u>
5	10%
10	20%
15	25%
20	30%
25	40%
30	50%

UP will inform CCJPA's Managing Director in writing at least 10 business days in advance, specifying the additional tolerance requested and the period for which it is to be effective. Upon approval of the request by CCJPA, which approval shall not unreasonably be withheld, the percentage reduction in the incentive rates shall be applied on a prorated basis to reflect the number of days in a month the additional tolerance is effective.

3. Trips Not Counted.

Trips of a train encountering the following situations shall not be counted in the statistics used in calculating incentives pursuant to this Incentive Arrangement:

- (a) A trip terminated, detoured, re-routed or annulled because of conditions which UP does not have ability to control.
- (b) A train that is late for reasons stated below, provided the train would not otherwise have been late had the occurrence stated below not occurred:
 - (1) A train has struck a pedestrian or vehicle or is blocked by a vehicle or pedestrian; or
 - (2) The train is blocked by fire hoses, emergency vehicles or held by civil authorities; or
 - (3) The train is delayed due to extraordinary weather conditions or natural disasters, floods, earthquakes, or high winds requiring special precautions, etc., that significantly disrupt operation on Rail Lines of UP; or
 - (4) A train arrives late due to being delayed by another Amtrak Train experiencing delays described Items (1) through (3) of this Paragraph (b); or
 - (5) The train is delayed by more than 10 minutes due to acts of vandalism on the Rail Lines of UP which require the train to stop or be operated at reduced speed for a portion of its trip.

4. For purposes of this Incentive Arrangement, delays will be determined on the basis of reports made by train and engine crews, Amtrak Arrow reports, CAD, UP Digicon or TCS, pulse tapes, or event recorders.

B. Calculation of Performance Payments.

If the percentage of on-time performance of the Capitol Corridor Trains (the "On-Time Percentage") in a month is in a Percentage Range indicated below:

1. if the On-Time Percentage was not in that range or higher in the previous month, the Performance Payment to UP shall be the amount per train mile operated by Capitol Corridor Trains in the month in Column B corresponding to that Percentage Range;
or
2. if the previous month's On-Time Percentage was also in that range or a range representing a higher On-Time Percentage, the Performance Payment to UP shall be the amount per train mile operated by Capitol Corridor trains in the month in Column C corresponding to the Percentage Range for the month.

Column A	Column B	Column C
Percentage Range	Rate per TM	Rate per TM
0% - 91.9%	\$0.00	\$0.00
92.0% - 95.9%	\$1.25	\$1.88
96.0% - 100%	\$1.88	\$2.50

C. Remittance of Performance Payments.

Performance payments calculated pursuant to this Incentive Arrangement shall be billed to Amtrak separately from any other amounts payable pursuant to the Operating Agreement. Following the conclusion of each calendar month, UP shall submit a Statement of Charges calculated pursuant to this Incentive Arrangement and in a form reasonably requested by Amtrak to:

Senior Director Contract Administration
 National Railroad Passenger Corporation
 60b Massachusetts Avenue, N.E. Room 3E-105
 Washington, DC 20002

With a duplicate copy sent simultaneously to:

Managing Director
 Capitol Corridor Joint Powers Authority
 1000 Broadway, Suite 604
 Oakland, California 94607-4039

Amtrak shall make payment to UP on behalf of CCJPA for the earned Performance Incentive in accordance with terms of the Operating Agreement, and such payment on behalf of CCJPA due UP shall be made by check or wire transfer to:

First Bank of Nebraska
ABA No. 104000029

For the account of :

Union Pacific Railroad Company
1416 Dodge Street (MC 9060)
Omaha, NE 68179

Amtrak shall have the responsibility to guarantee payment to UP provided such funds for UP has been paid to Amtrak for this purpose by CCJPA under this Incentive Arrangement.

Notwithstanding the provisions of Appendix V, Item D of the Operating Agreement, penalties payable pursuant to Appendix V of the Operating Agreement may not be deducted from amounts payable pursuant to this Incentive Arrangement.

D. Scheduled Times

Table 1 of this Incentive Arrangement contains the data to be used to calculate on time performance and incentives pursuant to the provisions of this Incentive Arrangement. The Scheduled Departure and Arrival times are equivalent to those published in Amtrak's Public Timetable on the effective date of this Incentive Arrangement. When the parties change the schedule times in Amtrak's Public Timetable, Table 1 shall be changed to reflect such new published schedule times. Except as expressly set forth to the contrary in this Incentive Arrangement, the principles set forth in Appendix V, Section E of the Operating Agreement shall be utilized to establish schedule times.

The parties agree to implement schedule times for all Amtrak Trains operated for the CCJPA to conform to the requirements established in any capital agreements between UP, CCJPA and other governmental authorities or Amtrak for improvement of UP's Rail Lines as soon as the Rail Line conditions permit such implementation and as they may, from time to time, be amended.

Capitol Corridor Trains
INCENTIVE ARRANGEMENT, TABLE I
Schedule Times and Mileage

Trains	Origin	Destination	Actual(Pure) Running Time	Recovery Time	Allowed Station Dwell	Scheduled Running Time	Footnote	Train Miles Per Trip
All	Oakland JLS	Sacramento	98	21	11	130		90
All	Sacramento	Oakland JLS	102	17	11	130		90
All except 542	San Jose	Sacramento	154	29	17	200	(1)	134
542	San Jose	Sacramento	154	39	17	210	(1)(2)	134
All	Sacramento	San Jose	158	26	16	200	(1)	134
All	Oakland JLS	Auburn	147	21	17	185		125
All	Auburn	Oakland	157	21	17	195		125
All	San Jose	Auburn	203	30	22	255	(1)	169
All	Oakland	San Jose	56	21	3	80	(3)	44

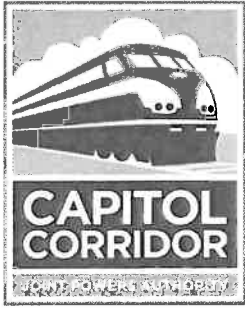
This Table I specifies the applicable Pure Running time, Scheduled Running Time and Station Dwell Times to be used for the calculations provided for in this Incentive Arrangement. The data is accurate on the effective date of this Incentive Arrangement and may be changed from time to time in accordance with the provisions of this Incentive Arrangement, Item D.

Footnotes:

1. Includes 5 minutes additional recovery time to accommodate CCJPA funded construction work between Oakland-San Jose which will be removed when the construction is complete.
2. Train #542 includes an additional 10 minutes recovery time between San Jose and Oakland to allow for a 10" earlier than needed departure from San Jose to avoid conflict with other train departures. This time will be removed when the earlier departure is no longer needed.
3. Includes 10 minutes additional recovery time to accommodate CCJPA funded construction work between Oakland-San Jose which will be removed when the construction is complete.

Capitol Corridor Trains
INCENTIVE ARRANGEMENT, Table 2
Station Dwell Times

	All Trains with intermediate Stops at listed Stations
Rocklin	1
Roseville	2
Sacramento	3
Davis	2
Suisun-Fairfield	2
Martinez	2
Richmond	2
Berkeley	1
Emeryville	2
Oakland	2
Hayward	1
Fremont-Centerville	1
Santa Clara	1



**CAPITOL CORRIDOR JOINT POWERS AUTHORITY
MEETING OF THE BOARD OF DIRECTORS
Wednesday, September 15, 2021 | 10:00 a.m. | Virtual**

Due to social distancing regulations in place, public participation will be via teleconference only.

You may join the CCJPA Board Meeting via Zoom as follows:

- Call 1-669-900-6833.
- Enter access code 818 9113 7896.

You may watch the Board Meeting live at www.capitolcorridor.org/ccjpa-board.

The full agenda packet, supplemental materials, and presentation materials will be available for download at www.capitolcorridor.org/ccjpa-board.

You may submit a public comment via the following methods:

- 1) Submit written comments:
 - Send email to ccjpaboard@capitolcorridor.org.
 - Indicate “Public Comment” as the subject line.
 - Please submit your comments as far in advance as possible. Emailed comments received by 2:00 pm on Tuesday, September 14th will be provided to the Board in advance of the meeting and will be included as part of the permanent Meeting record. Comments received after that time will be provided to the Board following the Meeting; *or*
- 2) Submit verbal comments:
 - Call 1-669-900-6833.
 - Enter access code 818 9113 7896.
 - Dial *9 to raise your hand when you wish to speak.
 - Public comment is limited to three (3) minutes per person, per item.

AGENDA

- I. Call to Order
- II. Roll Call and Pledge of Allegiance
- III. Report of the Chair
- IV. Consent Calendar *Action*
 1. Approval of Minutes of the June 16, 2021 Meeting
 2. Approval of Minutes of the June 30, 2021 Special Meeting
 3. 2022 CCJPA Board of Directors Meeting Schedule
 4. CCJPA-SJPA-LOSSAN-Caltrans Joint Powers Agreement
- V. Action and Discussion Items
 1. CCJPA FY 2021-22 Budget – Operations, Administration, Marketing, Information/Customer Support Services, and Supplemental Allocations *Action*
 2. FY 2021-22 Marketing & Communications Plan and Advertising Agreement *Action*
 3. Federal and State Grants for the Sacramento to Roseville Third Mainline Track, Phase One Project *Action*
 4. Legislation and Funding – State and Federal Update *Action*

- 5. Capital Projects Update –Link 21 *Info*
- 6. Annual On Board Survey Results (June 2021) *Info*
- 7. California Integrated Travel Program (Cal ITP) *Info*
- 8. Managing Director’s Report *Info*
- 9. Work Completed *Info*
 - a. Visit with Representative Ro Khanna for Agnew Siding
 - b. Link21 Virtual Public Workshops
 - c. Surfliner Door Panel Replacement
 - d. Café Car Service
 - e. El Dorado Transit
 - f. Marketing and Communications Activities (June 2021 – August 2021)
- 10. Work in Progress *Info*
 - a. South Bay Connect
 - b. Sacramento to Roseville Third Track
 - c. California Passenger Display System (CalPIDS)
 - d. Davis Crossovers and Signal Replacement
 - e. Agnew Siding
 - f. Upcoming Marketing and Communications Activities
- VI. Board Director Reports
- VII. Public Comment
- VIII. Adjournment. Next Meeting Date: 10:30 a.m., November 17, 2021 – Location TBD

The CCJPA Board reserves the right to take action on any agenda item. Consent calendar items are considered routine and will be enacted, approved, or adopted by one motion unless a request for discussion or explanation is received from a CCJPA Board Director or from a member of the audience.

CAPITOL CORRIDOR JOINT POWERS AUTHORITY
Regular Board Meeting

Capitol Corridor Joint Powers Authority Board of Directors
Minutes of the 122nd Meeting
June 16, 2021

The 122nd meeting of the Board of Directors of the Capitol Corridor Joint Powers Authority (CCJPA) was held at 10:01 a.m., Wednesday, June 16, 2021, via teleconference, pursuant to Governor Gavin Newsom's Executive Order N-29-20. Chair Saylor presided; Jacqueline R. Edwards, Recording Secretary.

I. Call to Order. Chair Saylor called the meeting to order at 10:01 a.m.

II. Roll Call and Pledge of Allegiance.

Directors present: Don Saylor, Yolo County Transportation District (YCTD); Raul Peralez, Santa Clara Valley Transportation Authority (SCVTA); Lucas Frerichs, YCTD; Lisa Gillmor, SCVTA; Janice Li, San Francisco Bay Area Rapid Transit District (BART); John McPartland, BART; Steve Miller, Sacramento Regional Transit District (SRTD); Robert Raburn, BART; Jim Spering, Solano Transportation Authority (STA); and Sandy Amara, Placer County Transportation Planning Agency (PCTPA).

Absent: Directors Bevan Dufty, BART, Jim Holmes, PCTPA, and Kerri Howell, SRTD. Directors Debora Allen, BART, Bruce Houdesheldt, PCTPA, Harry Price, STA, and Rebecca Saltzman, BART, entered the Meeting later.

III. Report of the Chair. Chair Saylor expressed excitement about this being the last virtual Meeting and the next meeting will be held at the new BART Headquarters in Oakland. Chair Saylor gave instructions on the virtual meeting, accessing presentation materials online, Public Comments, and Board Members' remarks. Chair Saylor gave remarks regarding the tragic mass shooting at the Santa Clara Valley Transportation Authority (SCVTA) rail yard on May 26, 2021. Vice-Chair Peralez led the Meeting with a moment of honor and remembrance.

Directors Price and Houdesheldt entered the Meeting.

IV. Consent Calendar.

Director Spering moved the adoption of Item IV.1, Approve Minutes of the April 21, 2021, Meeting; IV.2 Resolution No. 21-13, In the Matter of Approving Amendment One of the FY 2021 Operating Agreement for the Provision of Rail Passenger Corporation and the Capitol Corridor Joint Powers Authority; Item IV.3 Resolution No. 21-14, Authorizing a Budget Revision for the Diesel Exhaust Fluid Storage and Dispensing System for the Oakland Maintenance Facility, and

Item IV.4 Resolution No. 21-15, Authorizing a Budget Revision of the Stege Crossover and Signal Upgrade Project. Director Raburn seconded the motion.

The motions brought by Director Spering and seconded by Director Raburn carried by unanimous roll call vote. Ayes: 12 – Directors Saylor, Peralez, Frerichs, Gillmor, Houdesheldt, Li, McPartland, Miller, Raburn, Spering, Amara. Noes: 0. Absent: 5 – Directors Allen, Dufty, Holmes, Howell, and Saltzman.

V. Action and Discussion Items.

1. CCJPA Fiscal Year (FY) 2020-21 Public Transportation Account (PTA) Funding. Robert Padgette, Managing Director, gave opening remarks. Leonel (Leo) Sanchez, Deputy Managing Director, presented the item, highlighting the Enterprise Asset Management System (EAMS) to increase fleet maintenance; equipment availability; accurate tracking and reporting; and In-car Air Purifiers to kill pathogens.

Chair Saylor invited questions or comments from the Board on item V.1. No comments were received.

Chair Saylor invited comments from the Public on Item V.1. No comments were received.

Director Saltzman entered the Meeting.

Director Raburn moved the adoption of Resolution No. 21-16, Authorizing Budgets for Enterprise Asset Management System and In-Car Air Purifiers funded by Public-Transportation Account Funding. Director Houdesheldt seconded the motion, which carried by unanimous roll call vote. Ayes: 13 – Directors Saylor, Peralez, Frerichs, Gillmor, Houdesheldt, Li, McPartland, Miller, Price, Raburn, Saltzman, Spering, and Amara. Noes: 0. Absent: 4 – Directors Allen, Dufty, Holmes, and Howell.

Director Allen entered the Meeting.

2. Right-of-Way Safety and Security Program – Dedicated Special Agents on the Capitol Corridor Route. Managing Director Padgette gave opening remarks. Deputy Managing Director Sanchez, presented the item, highlighting current trends; short-term solutions; long-term solutions; and enhanced safety strategy.

The item was discussed.

Chair Saylor invited questions or comments from the Public on Item V.2.

Recording Secretary Edwards announced that there are no public comments at this time.

Director Raburn moved the adoption of Resolution No. 21-17, In the Matter of Authorizing Union Pacific Railroad (UPRR) Special Agents on Capitol Corridor Route. Director Saltzman seconded the motion, which carried by unanimous roll call vote. Ayes:

14 –Directors Saylor, Peralez, Allen, Frerichs, Gillmor, Houdesheldt, Li, McPartland, Miller, Price, Raburn, Saltzman, Spering, and Amara. Noes: 0. Absent: 3 – Directors Duffy, Holmes, and Howell.

Director Li exited the Meeting.

3. State and Federal Legislation and Funding Update. Managing Director Padgette presented the item, highlighting FY 2021-22 State Budget; State Transit Assistance; Climate Change and Resilience; INVEST Legislation – Federal FAST Act Reauthorization (House); and Surface Transportation Investment Act (Senate).

Chair Saylor invited questions or comments from the Board on item V.3. No questions or comments were received.

4. State Rail Plan Update. Managing Director Padgette introduced Shannon Simons, Regional and Transit Coordinator from Caltrans, who presented the item, highlighting the vision for Zero-Emission statewide transportation system, delivering equity; tackling climate crisis; Integrated Statewide Network; and technical service planning. Managing Director Padgette gave closing remarks.

Chair Saylor invited questions or comments from the Board and the Public on item V.4.

Item was discussed.

5. Carquinez Strait High-Level Crossing Feasibility Study.

Managing Director Padgette gave opening remarks and introduced Jim Allison, Manager of Planning, who presented the item, highlighting increased frequency, increased speeds, and without addressing the lift of the bridge; exemplified proposed projects that could be good for frequency and speed between Sacramento and Benicia; and the Carquinez High-Level Crossing Engineering Study.

Chair Saylor invited questions or comments from the Board on Item V.5.

Item was discussed.

6. Capital Project Update – Link21. Managing Director Padgette gave opening remarks and introduced Camille Tsao, Manager of Special Projects, highlighting the program website and social media presence; program timeline; Stage Gate reviews; the plan for the upcoming months; public engagement throughout the megaregion; and Co-Creation Workshops.

Chair Saylor invited questions or comments from the Board on Item V.6.

Item was discussed.

7. Managing Director's Report. Managing Director Padgett discussed where Capitol Corridor's ridership and service performance; customer outreach activities for service ramp-up; and the Customer Service Report.

Chair Saylor invited questions or comments from the Board on Item V.7.

Item was discussed.

8. Work Completed and 9. Work in Progress. Managing Director Padgett announced that Items V.8 and V.9 would be brought before the public for comments and questions.

Chair Saylor invited comments for Items V.8 and V.9. No comments were received.

VI. Board Member Reports. Chair Saylor invited Board Member reports.

Director Raburn reported that he attended an Alameda County Board of Supervisors Meeting to be considered by the City of Oakland and the Oakland A's regarding cost sharing on the Howard Terminal Project.

Director Spring reported that he and Director Price participated in a groundbreaking in Fairfield for 199 affordable housing units that is for the Train Station Specific Plan that is coming to fruition.

Director Price expressed excitement and commented on Director Spring's presentation given at the groundbreaking he attended in Fairfield.

VII. Public Comment. Chair Saylor invited comments from the public.

Recording Secretary Edwards announced that there are no public comments.

Chair Saylor gave closing remarks.

Allen Miller addressed the board.

VIII. Adjournment. The Meeting adjourned at 11:47 a.m.

Next Meeting Date: 10:00 a.m., September 15, 2021.

CAPITOL CORRIDOR JOINT POWERS AUTHORITY
Special Board Meeting

Capitol Corridor Joint Powers Authority Board of Directors
Minutes of the 123rd Meeting
June 30, 2021

The 123rd special meeting of the Board of Directors of the Capitol Corridor Joint Powers Authority (CCJPA) was held at 1:00 p.m., Wednesday, June 30, 2021, via teleconference, pursuant to Governor Gavin Newsom's Executive Order N-08-21. Chair Saylor presided; Jacqueline R. Edwards, Recording Secretary.

I. Call to Order. Chair Saylor called the meeting to order at 1:00 p.m.

II. Roll Call and Pledge of Allegiance.

Directors present: Don Saylor, Yolo County Transportation District (YCTD); Lucas Frerichs, YCTD; Lisa Gillmor, Santa Clara Valley Transportation Authority (SCVTA); Jim Holmes, Placer County Transportation Planning Agency (PCTPA); Bruce Houdesheldt, PCTPA; John McPartland, San Francisco Bay Area Rapid Transit District (BART); Steve Miller, Sacramento Regional Transit District (SRTD); Harry Price, Solano Transportation Authority (STA); Robert Raburn, BART; Rebecca Saltzman, BART; and Jim Spring, STA.

Absent: Directors Debora Allen, BART, Bevan Dufty, BART, Kerri Howell, SRTD, Janice Li, BART, and Raul Peralez, SCVTA.

III. Report of the Chair. Chair Saylor gave instructions on the virtual meeting, accessing presentation materials online, Public Comments, and Board Members' remarks.

IV. Consent Calendar. None.

V. Action and Discussion Items.

1. Authorize Amendments to the Standard Agreements for Funding Received from the State of California under the Interagency Transfer Agreement (ITA) through the Annual Business Plan. Robert Padgette, Managing Director, presented the item, highlighting the strategic plan and capital improvements; and allocated funds for Customer Support Services, Marketing Administration, and Management of On-Board Technology (Wi-Fi).

Chair Saylor invited questions or comments from the Board on item V.1. No comments were received.

Chair Saylor invited comments from the Public on Item V.1. No comments were received.

Director McPartland moved the adoption of Resolution No. 21-18, In the Matter of Authorizing Amendments to the Standard Agreements for Funding Received from the State of California under the Interagency Transfer Agreement (ITA) through the Annual Business Plan process. Director Gillmor seconded the motion, which carried by unanimous roll call vote. Ayes: 11 – Directors Saylor, Frerichs, Gillmor, Holmes, Houdesheldt, McPartland, Miller, Price, Raburn Saltzman, and Spering. Noes: 0. Absent: 5 – Directors Allen, Dufty, Howell, Li, and Peralez.

2. Authorize the CCJPA Executive Director to Submit Funding Applications to and Execute Funding Agreements with the State of California or Federal Government Agencies.

Managing Director Padgette, presented the item, highlighting the opportunities to apply for grant funding as they become more available and how to receive grant funds.

Chair Saylor invited questions or comments from the Public on Item V.2. No comments were received.

Recording Secretary Edwards announced that there are no public comments at this time.

Director Houdesheldt moved the adoption of Resolution No. 21-19, In the Matter of Authorizing the CCJPA Executive Director to submit funding applications and execute funding agreements with the State of California, U.S. Government, or any Federal, State, Regional, and Local government Agencies. Director Holmes seconded the motion, which carried by unanimous roll call vote. Ayes: 11 – Directors Saylor, Frerichs, Gillmor, Holmes, Houdesheldt, McPartland, Miller, Price, Raburn Saltzman, and Spering. Noes: 0. Absent: 5 – Directors Allen, Dufty, Howell, Li, and Peralez.

Recording Secretary Edwards announced that there are no public comments.

Chair Saylor gave closing remarks.

VI. Adjournment. The Meeting adjourned at 1:10 p.m.

Next Meeting Date: 10:00 a.m., September 15, 2021.

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Authority Board **DATE:** September 10, 2021

FROM: Robert Padgette
 Managing Director, CCJPA

SUBJECT: 2022 CCJPA Board of Directors Meeting Schedule

PURPOSE

For the CCJPA Board to adopt the Capitol Corridor Joint Powers Authority Board of Directors' meeting schedule during Calendar Year 2022.

BACKGROUND

Pursuant to the CCJPA By-Laws, staff provided to the CCJPA member agency staff a draft schedule for the CCJPA Board meetings in Calendar Year 2022. Based on feedback from the CCJPA member agencies, the following schedule is being submitted to the CCJPA Board for adoption:

Date	Time	*Proposed Location
February 16, 2022	10:00 am	Oakland, BART Boardroom **Business Plan Adoption
April 20, 2022	10:00 am	Suisun, City Council Chambers
June 15, 2022	10:30 am	Santa Clara Valley Transportation Authority
September 21, 2022	10:00 am	Davis, City Council Chambers
November 16, 2022	10:00 am	Suisun, Solano Transportation Authority

*Due to the health concerns related to the ongoing COVID-19 pandemic, locations listed above are tentative and will be confirmed when permissible.

****Adoption of Business Plan requires an affirmative vote of at least two-thirds (11) of appointed members.**

RECOMMENDATION

The SCG recommends that the CCJPA Board adopt the 2022 Capitol Corridor Joint Powers Authority Board of Directors meeting schedule.

Motion: The CCJPA Board adopts the attached meeting schedule.



2022 CCJPA Board of Directors Meeting Schedule - DRAFT

Date	Time	*Proposed Location
February 16, 2022	10:00 am	Oakland, BART Boardroom **<i>Business Plan Adoption</i>
April 20, 2022	10:00 am	Suisun, City Council Chambers
June 15, 2022	10:30 am	Santa Clara Valley Transportation Authority
September 21, 2022	10:00 am	Davis, City Council Chambers
November 16, 2022	10:00 am	Suisun, Solano Transportation Authority

*Due to the health concerns related to the ongoing COVID-19 pandemic, locations listed above are tentative and will be confirmed when permissible.

****Adoption of Business Plan requires an affirmative vote of at least two-thirds (11) of appointed members.**

<p>ADOPTED: _____ CCJPA BOARD OF DIRECTORS</p>
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CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Authority Board **DATE:** September 10, 2021

FROM: Robert Padgette
Managing Director, CCJPA

SUBJECT: CCJPA-SJJPA-LOSSAN-Caltrans Joint Powers Agreement

PURPOSE

For the CCJPA Board to authorize CCJPA to participate in interagency Joint Powers Agreements between the CCJPA, the San Joaquin Joint Powers Authority (SJJPA), the Los Angeles-San Diego-San Luis Obispo Rail Corridor Joint Powers Authority (LOSSAN), and the State of California Department of Transportation (Caltrans) for joint procurement processes benefiting the four governmental agencies.

BACKGROUND

At the June 16, 2021 CCJPA Board of Directors meeting, the CCJPA Board approved two projects under consideration for Public Transportation Account (PTA) funding from the California State Transportation Agency (CalSTA) - the joint procurements of the Enterprise Asset Management System (EAMS) and In-Car Air Purifiers (Resolution 21-16). If approved by the State, the two projects will be sponsored and led by CCJPA with support from Caltrans and the other California JPAs, providing benefits to the four governmental agencies. However, these two projects may not be the only jointly beneficial projects that could be led by either one of the JPAs or via a formal partnership with Caltrans. Conducting these joint procurements of equipment and services will allow the four governmental agencies to benefit from the joint acquisition of technology hardware, software, and services and to garner additional savings through recognized economies of scale. As of this writing, the projects mentioned are still being considered for approval by CalSTA and Caltrans, but in the coming months and years, additional projects funded by various means could be considered similar if an interagency Joint Powers Agreement were to be established.

If the projects as described above, or any future jointly beneficial procurement-related projects are approved and funded, then the four governmental agencies, CCJPA, SJJPA, LOSSAN, and Caltrans, must enter into an interagency Joint Powers Agreement that permits a joint procurement process in order to move forward. The Joint Powers Agreements and the authority to enter into such joint procurements of equipment and services are made possible through the California Joint Exercise of Powers Act (Govt. Code Sections 6500 et seq.) and the provisions of Government Code Section 14070.6. The Joint Powers Agreements would outline mutual understandings of the four agencies related to the joint procurement, outlining the roles and responsibilities of each in the process.

In contemplation of the provisions of California Government Code Section 895.2 imposing specific tort liability jointly upon public entities solely by reason of such entities being parties to an agreement, as defined in Government Code Section 895, the Joint Powers Agreement would require participants to assume the full liability imposed upon them or any of their officers, directors, agents or employees by law for injury caused by any negligent or wrongful act or omission occurring in the performance of this Agreement to the same extent that such liability would be imposed in the absence of Section 895.2 of such Code. To achieve this purpose, the Joint Powers Agreement would require each party to indemnify, defend and hold harmless the other party for any cost or expense that may be imposed upon such other party solely by virtue of said Section 895.2. This would hold true for any and all projects pursued in this manner.

RECOMMENDATION

It is recommended that the CCJPA Board authorize CCJPA to enter into interagency Joint Powers Agreements between the CCJPA, SJPA, LOSSAN, and Caltrans permitting a joint procurement process that will benefit the four governmental agencies. It is also recommended that the CCJPA Board authorize the CCJPA Executive Director or their designee to execute all necessary and appropriate actions and agreements to implement the Joint Powers Agreements for current and planned future joint procurement projects, which are deemed mutually beneficial between all parties involved.

BEFORE THE
CAPITOL CORRIDOR JOINT POWERS AUTHORITY
BOARD OF DIRECTORS

In the Matter Authorizing CCJPA’s Participation
in Joint Powers Agreements with Caltrans, San Joaquin
Joint Powers Authority (SJJPA), and the Los Angeles-
San Diego-San Luis Obispo Rail Corridor Joint Powers
Authority (LOSSAN) for Joint Procurement Efforts

Resolution No. 21-20

WHEREAS, under Resolution 21-16, the CCJPA Board of Directors approved two projects that may be made possible by Public Transportation Account (PTA) funding from the California State Transportation Agency (CalSTA) that, when completed, will benefit CCJPA, SJJPA, LOSSAN, and Caltrans - the joint procurements of the Enterprise Asset Management System (EAMS) and the In-Car Air Purifiers; and

WHEREAS, conducting these joint procurements of equipment and services will allow the four governmental agencies to benefit from the joint acquisition of technology hardware, software, and services and to garner additional savings through recognized economies of scale; and

WHEREAS, these two projects, however, may not be the only jointly beneficial projects that could be led by either one of the JPAs or via a formal partnership with Caltrans; and

WHEREAS, the four governmental agencies, CCJPA, SJJPA, LOSSAN, and Caltrans, must participate in an interagency Joint Powers Agreements that permit a joint procurement process benefitting the four agencies in order to move forward with the two projects described above or any future jointly beneficial procurement-related projects; and

WHEREAS, the Joint Powers Agreements would outline mutual understandings of the four agencies related to the joint procurement regarding the roles and responsibilities of each in the procurement process, including liability and indemnification issues pursuant to the provisions of California Government Code Section 895.2; and therefore be it

RESOLVED, that the CCJPA Board hereby authorize CCJPA to participate in interagency Joint Powers Agreements between the CCJPA, SJJPA, LOSSAN, and Caltrans permitting a joint procurement process that will benefit the four governmental agencies; and therefore

BE IT FURTHER RESOLVED, CCJPA Board authorize the CCJPA Executive Director or their designee to execute all necessary and appropriate actions and agreements for the implementation of the Joint Powers Agreements for current and planned future projects which are deemed mutually beneficial between all parties involved; and that the CCJPA Board forthwith transmit a copy of this resolution to the California State Transportation Agency, and California Department of Transportation Division of Rail and Mass Transportation.

#

ACTION:	DATE:	ATTEST:
Ayes:		<hr style="width: 80%; margin: 0 auto;"/> Jacqueline R. Edwards Secretary
Noes:		
Abstain:		

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Authority Board **DATE:** September 10, 2021

FROM: Robert Padgette
Managing Director, CCJPA

SUBJECT: CCJPA FY 2020-2021 Budget – Administration, Marketing,
Information/Customer Support Services, and Supplemental Allocations

PURPOSE

For the CCJPA Board to adopt the CCJPA FY 2021-2022 budget based on enactment of the State Budget Act of 2022 and the FY 2021-2022 Annual Business Plan (ABP) Approval from the California State Transportation Agency.

BACKGROUND

Pursuant to the Interagency Transfer Agreement, the Secretary of the California State Transportation Agency (CalSTA) is required to allocate funds in the state budget to cover the CCJPA's annual budget for the period covering July 1 to the following June 30. The Governor enacted the State Budget Act of 2021 on June 28, 2021. On July 30, 2021, the CalSTA Secretary transmitted the FY 2021-2022 (FY 2022) Annual Business Plan approval letter to CCJPA.

The Board-approved ABP (Resolution 21-10) submitted to the Secretary of CalSTA on April 30, 2021 calls for restoration of the Capitol Corridor train service plan to pre-COVID levels (30 weekday and 22 weekend trains) after the first quarter of FY 2022. All ABP line items included in CCJPA's FY 2022 funding requests were authorized as requested, except for the Amtrak Operating budget. Given the uncertainty of the recovery from the pandemic, CalSTA has provided funding to support the current level of service at more than 80% of pre-pandemic levels through the entire fiscal year, which is supplemented by carryover of federal relief funding and unexpended prior year operating funds.

CCJPA staff will continue to work with the State and our California JPA partners to monitor and analyze ridership and financial performance to support service restoration, including cost-saving strategies and potential additional federal relief support. An increase in service is contingent upon equipment availability, and there are strategies being worked on to meet fleet needs, such as the deployment of the new Venture Rail Cars on the San Joaquins and the release of bi-level equipment. We will continue to provide regular updates on planned changes in service levels in

the coming months. Restoration of full-service during FY 2022 would require a mid-year budget adjustment.

The allocations approved in the FY 2022 annual allocation letter include the Administrative, Marketing, and Information Customer Services budgets; the CCJPA supplemental allocations for Minor Capital and Capitalized Maintenance; and the California intercity passenger rail-support supplemental allocations for Onboard Wi-Fi and Link21. The following table summarizes the funding authorized from CalSTA in the ABP approval letter for FY 2022.

Budget Item	FY 2021 CalSTA Authorized	FY 2022 Annual Business Plan Request (a)	FY 2022 CalSTA Authorized	FY 2022 vs. FY 2021 % Change
Amtrak Operations (b)	\$ 12,590,113	\$ 61,038,000	\$ 11,066,009	-12.1%
CCJPA Administrative Management				
General Administrative	\$ 2,846,000	\$ 2,960,000	\$ 2,960,000	4.0%
Information/Customer Services	\$ 1,161,000	\$ 1,207,000	\$ 1,207,000	4.0%
CCJPA Marketing	\$ 1,174,000	\$ 1,174,000	\$ 1,174,000	0.0%
CCJPA Supplemental Allocations				
Minor Capital (c)	\$ -	\$ 500,000	\$ 500,000	100.0%
Capitalized Maintenance (d)	\$ 100,000	\$ 1,000,000	\$ 1,000,000	900.0%
CA IPR Supplemental Allocations				
WiFi Management (e)	\$ 2,773,878	\$ 2,539,000	\$ 2,539,000	-8.5%
Link 21 (New Transbay Rail Crossing) (f)	\$ 1,000,000	\$ 1,500,000	\$ 1,500,000	50.0%
TOTAL – CCJPA Budget	\$ 21,644,991	\$ 71,918,000	\$ 21,946,009	1.4%

- a) The CCJPA Annual Business Plan Update submitted to CalSTA in April 2021.
- b) The Amtrak Operating budget for FY 2022 is supplemented by a carryover of federal relief funding in the amount of \$4.28 million, FY 2020 Operating Surplus funds in the amount of \$8.69 million, and FY2021 Operating funds in the amount of \$12.59 million. The current budget authorized is the amount forecasted to sustain the current level of train service through the end of the fiscal year. Future increases will require a mid-year budget adjustment.
- c) Minor capital allocation to support small scale projects. Unexpended prior year funding was approved for use in FY 2021 for Minor Capital and therefore no new funding was authorized in FY 2021.
- d) Capitalized maintenance program funding to ensure a high-performance service. Unexpended prior year funding was approved for use in FY 2021.
- e) Funding supports the provision of third party onboard-WiFi and its associated management expenses for the northern California IPR fleet transferred from Amtrak to the CCJPA in FFY 2018-19.
- f) Separate allocation to support staffing and project planning resources related to the joint study with San Francisco Bay Area Rapid Transit for Link21

RECOMMENDATION

It is recommended that the CCJPA Board, in accordance with Section 8.1 of the Amended Joint Exercise Powers Agreement to Establish the CCJPA, adopt the CCJPA FY 2022 budget of \$21,946,009 pursuant to the enactment of the State Budget Act of 2021 and the allocation of such funds by the State to the CCJPA. As well, it is recommended that the CCJPA Board authorize the CCJPA Executive Director or their designee to enter in all necessary agreements for the implementation of the CCJPA FY 2022 ABP as supported by the funding of the FY 2022 CalSTA ABP approval letter; and that the CCJPA Board forthwith transmit a copy of this resolution to the California State Transportation Agency, and California Department of Transportation Division of Rail and Mass Transportation.

Motion: The CCJPA Board adopts the attached resolution.

BEFORE THE
CAPITOL CORRIDOR JOINT POWERS AUTHORITY
BOARD OF DIRECTORS

In the Matter of Adopting the Capitol Corridor
Joint Powers Authority Fiscal Year 2021-2022 Budget/

Resolution No. 21-21

WHEREAS, the State Budget for Fiscal Year 2021-2022, which covers the period July 1, 2021 through June 30, 2022, was enacted on June 28, 2021; and

WHEREAS, the FY 2021-2022 Annual Business Plan (ABP) submitted on April 30, 2021 calls for restoration of the Capitol Corridor train service plan to pre-COVID levels (30 weekday and 22 weekend trains) after the first quarter of FY 2022; and

WHEREAS, although we have seen an increase in ridership since the release of the FDA-approved COVID-19 vaccine in December 2020, weekly ridership continues at average of 30-40% of pre-pandemic levels.; and

WHEREAS, the CCJPA has received the FY 2021-2022 Annual Business Plan (ABP) approval letter from the Secretary of the California State Transportation Agency (CalSTA) on July 30, 2021 providing \$21,946,009 to the CCJPA to support its administrative management of the Capitol Corridor service including:

Annual Business Plan Budget	Amount
Administrative	\$ 2,960,000
Marketing	\$ 1,174,000
Information/Customer Services	\$ 1,207,000
Amtrak Operations	\$ 11,066,009
Onboard WiFi Services	\$ 2,539,000
Minor Capital Projects	\$ 500,000
Capitalized Maintenance Program	\$ 1,000,000
Link21	\$ 1,500,000
Total	\$ 21,946,009

; and

WHEREAS, All ABP line items included in CCJPA’s FY 2022 funding request were authorized as requested, with the exception of the Amtrak Operating budget. Due to the uncertainties caused by the ongoing COVID-19 global pandemic, CalSTA has authorized funding to sustain the current level of service for the full fiscal year at the current time; and

WHEREAS, CCJPA staff will continue to work with the State and our California JPA partners to monitor and analyze ridership and financial performance to support service restoration, including cost-saving strategies and potential additional federal relief support; and CCJPA staff will continue to provide regular updates on planned changes in service levels in the coming months; and

WHEREAS, Section 8.1 of the Amended Joint Exercise of Powers Agreement among the Member Agencies provides for the preparation and submission to the Capitol Corridor Joint Powers Board of a budget by the Managing Agency, and adoption thereof by the CCJPA Board; and

RESOLVED, that the CCJPA Board hereby adopt the CCJPA FY 22 budget of \$21,946,009 pursuant to the allocation letter from the Secretary of the California State Transportation Agency plus any further amount authorized and provided by the State to support additional Capitol Corridor train and feeder bus service based upon the enactment of the State Budget Act of 2021 and subject to allocation of such funding by the State; and

BE IT FURTHER RESOLVED, that the CCJPA Board authorize the CCJPA Executive Director or their designee to enter in all necessary agreements for the implementation of the CCJPA FY 2022 ABP as supported by the funding of the FY 2022 CalSTA ABP approval letter; and that the CCJPA Board forthwith transmit a copy of this resolution to the California State Transportation Agency, and California Department of Transportation Division of Rail and Mass Transportation.

#

ACTION:	DATE:	ATTEST:
Ayes:		
Noes:		<hr/> Jacqueline R. Edwards Secretary
Abstain:		



Gavin Newsom
Governor

915 Capitol Mall, Suite 350B
Sacramento, CA 95814
916-323-5400
www.calsta.ca.gov

David S. Kim
Secretary

July 30, 2021

Mr. Don Saylor, Chairman
Capitol Corridor Joint Powers Authority
2150 Webster St, 3rd Floor
Oakland, CA 94612

Dear Mr. Saylor:

The California State Transportation Agency (CalSTA) is in receipt of the Capitol Corridor Joint Powers Authority (CCJPA) Business Plan for Fiscal Year (FY) 2021-22 and FY 2022-23. The draft Annual Business Plan (ABP) was submitted on April 30, 2021 to CalSTA and the California Department of Transportation (Caltrans).

CalSTA is committed to assisting the CCJPA achieve the goals articulated in the Annual Business Plan of restoring Pre-COVID service levels along the Capitol Corridor. However, given uncertainties related to future ridership growth across the State-supported system, this approval letter authorizes only the initial resources necessary to fully fund the regular administrative budget for the fiscal year and to ensure service can be sustained in FY 2021-22 at the levels being operated today.

The COVID-19 pandemic created an unprecedented drop in ridership and revenue along all of the State-supported corridors. Although ridership on the Capitol Corridor has grown month to month since the initial FDA approval of a COVID-19 vaccine in December 2020, weekly ridership currently averages 30-40% of pre-COVID levels.

In close collaboration with CCJPA staff, Caltrans has developed a cost and revenue model to project the estimated operations subsidy need for each California intercity rail corridor based on current service levels and conservative revenue assumptions in order to ensure the availability of resources through FFY 2021-22. This model was used to estimate the operation funding needs for this initial funding approval.

CalSTA will regularly coordinate with the CCJPA and the other intercity corridors throughout the year to monitor and analyze ridership and financial performance prior to approving funding for additional service increases, including identified cost savings and the availability of additional Federal resources. Importantly, any additional increase in service is also dependent on fleet availability and maintenance efficiencies being achieved with deployment of the new Venture Rail Cars on the San Joaquins, and the subsequent release of bi-level equipment for use across the State-supported intercity passenger rail network.

Finally, additional funding approval for high-priority one-time projects is under consideration, pending review of available resources. These investments include both significant fleet refresh and rebuild proposals to improve the rider experience and extend the life of the fleet, as well as implementation of improved ticketing systems tied to the California Integrated Travel Project (Cal-ITP).

A detailed explanation of this initial approval of State operations funding support is provided below:

1. Funding Requests

a. Administrative Expenses

1. The CCJPA requests \$2,960,000 in Administrative expenses for FY 2021-22 (Page 18, Table 9-1). This amount is approved.
2. The CCJPA requests \$1,500,000 for additional staffing and project planning resources related to the joint study with BART for Link21 (New Transbay Rail Crossing) in support of the vision developed in the 2018 State Rail Plan (Page 19, Paragraph I). This amount is approved, with the resources required to be separately tracked and used for this specific planning effort.
3. By January 31, 2022, Caltrans will provide guidance on an administrative expense escalation rate for FY 2022-23 to be considered as a target for the next ABP. It is possible the escalation rate will be limited and lower than proposed for FY 2021-22.
4. The ABP forecast of \$3,078,000 for Administrative funding in FY 2022-23 is noted and will be analyzed in the context of the State budget capacity for FY 2022-23.
5. The ABP forecast of \$1,500,000 for additional staffing and project planning resources related to the joint study with BART for Link21 (New Transbay Rail Crossing) in FY 2022-23 is noted and will be analyzed in the context of the State budget capacity for FY 2022- 23.

b. Marketing Expenses

1. The CCJPA requests \$1,174,000 for their FY 2021-22 Marketing expenses (Page 18, Table 9-1). This amount is approved.
2. CCJPA shall continue to provide to CalSTA and Caltrans on a regular basis all marketing reports that are provided to the CCJPA Board. CCJPA shall continue to work with Caltrans and the other JPAs in the marketing working group to be prepared to provide support for

statewide analysis on the effectiveness of various marketing efforts to improving the financial performance of the service

3. The ABP forecast of \$1,174,000 for marketing expenditures in FY 2022-23 is noted and will be analyzed in the context of the State budget capacity for FY 2022-23.

c. Information/Customer Services

1. The CCJPA requests \$1,207,000 for FY 2021-22 for CCJPA/BART to continue to provide call center/phone information services. (Page 18, Table 9-1) This amount is approved.
2. The ABP forecast of \$1,255,000 for Information/Customer Services funding in FY 2022-23 is noted and will be analyzed in the context of the State budget capacity for FY 2022-23.

d. Onboard Technology

1. The CCJPA requests \$2,539,030 for Wi-Fi passenger service and associated management expenses for the Capitol and San Joaquins Corridors for FY 2021-22 (Page 18, Table 9-1). This amount is approved.
2. In 2018, CCJPA worked with Amtrak to transfer the provision of third-party onboard Wi-Fi and its associated management expenses for the two Northern California State-Supported intercity passenger rail services (Capitol Corridor and San Joaquins) to the CCJPA. As part of this shift, CCJPA procured a Next Generation onboard Wi-Fi service provider and a Wi-Fi service oversight contractor. CCJPA commenced the transition to Next Generation Wi-Fi for the Northern California fleet in February 2020 and completed the installation in December 2020.
3. Consistent with the transition to a service-based Wi-Fi contract, CalSTA requests a one-year status report on any gained efficiencies and/or Wi-Fi passenger service improvements resulting from this change.
4. The ABP forecast of \$3,520,000 Wi-Fi funding in FY 2022-23 is noted and will be evaluated in the context of the State budget capacity in FY 2022-23.

e. Minor Capital Expenses

1. CCJPA requests \$500,000 for FY 2021-22 funding for Minor Capital costs (Page 18, Table 9-1). This amount is approved; however, approval of projects is on a per case basis.

2. Caltrans has prepared guidelines and an authorization checklist for the use of minor capital project funding consistent with State law. These guidelines and checklist shall be used in requesting minor capital funding. Minor Capital funds cannot be used for administrative, marketing, or Amtrak operating expenses.
3. The ABP forecast of \$500,000 for minor capital expenditures in FY 2022-23 is noted and will be analyzed in the context of utilization of previous minor capital allocations and the State budget capacity for FY 2022-23.

f. Operations Expenditures

1. The CCJPA requests \$61,038,000 in Federal Fiscal Year (FFY) 2021-22 funding for Amtrak Operations costs (Page 68, Table 11.2) which assumes a return to Pre-COVID service levels by the second quarter of FFY2021-22. Though CalSTA supports CCJPA's goal to return to full service on the Capitol Corridor, funding at current service levels are approved at this time for reasons described above.
2. Using the revenue/cost model developed in cooperation between Caltrans and the JPAs, using current service levels and conservative revenue assumptions, the estimated operations subsidy need for the Capitol Corridor is \$36,626,335 for FFY 2021-22.
3. In addition to the anticipated FFY 2020-21 federal funding balance of \$4,283,401 from the Federal ARPA legislation, \$8,686,812 remains available to the CCJPA in FFY 2019-20 surplus operations funds along with \$12,590,113 remaining available from their FFY 2020-21 operations allocation.
4. Based on the above estimates and funds available to CCJPA in FFY 2021-22, \$11,066,009 is allocated to CCJPA for FFY 2021-22 operations as detailed in attachment A of this letter. Should revenues improve or costs be lower than expected, the funding level identified will allow service to be provided over a longer period. Should revenues decrease or costs come in higher than expected, additional funding may be allocated to continue operation of the services at the current service levels.
5. All Federal funds should be used to fund the initial Operations payments to Amtrak for FFY 2021-22, followed by FFY 2019-20 surplus funds followed by FFY 2020-21 allocated operations funds before any FFY 2021-22 allocated operations funds are used.

6. The ABP request of \$57,401,000 of operations funding for FY 2022-23 is noted and will be analyzed in the context of the State budget capacity for FY 2022-23.
7. CCJPA shall continue to work with CalSTA, Caltrans, and Amtrak to develop updated Operations estimates based on both the current service level and planned resumption of the Capitol Corridor service, as well as any additional cost saving actions identified in the upcoming discussions.
8. CalSTA will schedule regular budget check-in meetings throughout FY 2021-22 to review updated Operations estimates based on both the current service level and planned resumption of the Capitol Corridor service. Following those meetings, CalSTA may provide additional funding to CCJPA for FY 2021-22 based on those needs identified and the availability of State funds.

g. Capitalized Maintenance

1. The CCJPA requests \$1,000,000 for the FY 2021-22 Capitalized Maintenance program for upgrades and improvements to the railroad infrastructure to achieve and maintain a high level of on-time performance service [Page 18, Table 9-1). This amount is approved and includes:
 - i. \$600,000 for supplementary surfacing
 - ii. \$350,000 for other track improvements
 - iii. \$50,000 for CCJPA Staff time
2. Future ABPs shall include as an operating budget line item the on-going host railroad funding necessary to continue this program of investment to support high-performance service on the corridor.
3. The ABP forecast of \$1,000,000 for Capitalized Maintenance funding in FY 2022-23 is noted and will be analyzed in the context of the State budget capacity for FY 2022-23.

2. FY 2021-22 Approved Funding Summary:

Budget Item	Approved Amount
Administrative	\$2,960,000
Marketing	\$1,174,000
Minor Capital	\$500,000
Onboard Technology	\$2,539,000
Information/Customer Services	\$1,207,000

Mr. Don Saylor
July 30, 2021
Page 6

Link21 (New Transbay Rail Crossing)	\$1,500,000
Capitalized Maintenance	\$1,000,000
Operations	\$11,066,009
Total	\$21,946,009

3. Under current law, the CCJPA is required to submit an ABP to CalSTA by April 1 of each year. However, Amtrak does not provide its Capitol Corridor PRIIA 209 State Payment Forecast to the CCJPA until March 31st of each year. The result is that the ABP does not include Amtrak's most recent estimate on which a contract will be developed. To resolve this timing issue for the FY 2022-23 ABP, CalSTA requests that the CCJPA provide a draft ABP on April 1, 2022 and submit a final ABP by June 30, 2022.

If you have any questions or need additional information, please contact Chief Deputy Secretary for Rail and Transit Chad Edison, at (916) 323-5400, or by e-mail to Chad.Edison@calsta.ca.gov.

Sincerely,

David S. Kim

DAVID S. KIM
Secretary

Attachment

cc:

Robert Padgette, Managing Director, Capitol Corridor Joint Powers Authority

Chad R. Edison, Chief Deputy Secretary for Rail and Transit, California State Transportation Agency

Toks Omishakin, Director, California Department of Transportation

Jeanie Ward-Waller, Deputy Director, California Department of Transportation, Planning and Modal Programs

Kyle Gradinger, Chief, California Department of Transportation, Division of Rail and Mass Transportation

	Funds Available	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Total
Level of Service - % of Pre-COVID Levels		87%	87%	87%	87%	87%	87%	87%	87%	87%	87%	87%	87%	
Cost	\$	4,158,297.65	\$ 4,097,379.73	\$ 4,160,278.54	\$ 4,158,093.90	\$ 3,267,598.21	\$ 4,173,269.96	\$ 4,107,961.14	\$ 4,179,288.56	\$ 4,109,311.67	\$ 4,178,466.22	\$ 4,184,601.87	\$ 4,119,677.78	\$ 49,583,770.25
Revenue	\$	962,617.90	\$ 1,017,528.49	\$ 980,855.45	\$ 960,741.99	\$ 964,890.67	\$ 1,100,463.98	\$ 1,114,946.69	\$ 1,155,875.69	\$ 1,178,303.30	\$ 1,243,304.48	\$ 1,204,793.81	\$ 1,217,710.95	\$ 12,957,035.47
Net Amount Due	\$	3,195,679.75	\$ 3,079,751.24	\$ 3,179,423.09	\$ 3,197,351.91	\$ 2,992,707.58	\$ 3,072,805.98	\$ 2,992,912.45	\$ 3,023,412.78	\$ 2,981,008.37	\$ 3,030,161.74	\$ 2,979,808.06	\$ 2,901,311.83	\$ 36,626,334.79
CRSA Used	\$													\$
ARPA Used	\$	4,283,400.76	\$ 3,195,679.75	\$ 1,087,721.01										\$ 4,283,400.76
FY20 Surplus Used	\$	8,686,811.15		\$ 1,912,030.23	\$ 3,179,423.09	\$ 3,197,351.91	\$ 318,006.32							\$ 8,686,811.15
FY21 Allocation used	\$	17,590,113.00				\$ 2,674,701.36	\$ 3,072,805.98	\$ 2,992,912.45	\$ 3,023,412.78	\$ 318,380.53				\$ 17,590,113.00
State Subsidy										\$ 4,157,727.84	\$ 3,030,161.74	\$ 2,979,808.06	\$ 2,901,311.83	\$ 11,066,009.47

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Authority Board **DATE:** September 10, 2021

FROM: Robert Padgette
Managing Director, CCJPA

SUBJECT: FY 2021-22 Marketing & Communications Plan and Advertising Agreement

PURPOSE

For the CCJPA Board to receive an overview of and provide direction for the planned FY 2021-22 CCJPA Marketing and Communications Plan, and to authorize the activation of Year 2 of a three-year option with the current advertising agency for services to support the CCJPA's FY 2021-22 Marketing and Communications Plan.

BACKGROUND

FY 2021-22 Marketing and Communications Plan Overview

The CCJPA's marketing and communications plan for FY 2021-22 will include the following elements:

- Evolution of the current creative advertising campaign to market the Capitol Corridor service from Fall/Winter 2021 through Spring/Summer 2022
- Social Media Marketing to include organic and boosted content
- Targeted Marketing Campaigns for Senior, College/University, and additional niches
- Marketing efforts with Caltrans, other JPAs, and/or partner agencies to boost visibility and ridership throughout Northern California and statewide
- Content Development for promotions and information (e.g., schedules, reports, digital content)
- Customer Experience Programs, including maintenance, development, and enhancements for the website, Customer Relationship Management (CRM) software, Interactive Voice Response (IVR) system, CC Rewards loyalty platform, and onboard/station communication improvements
- Promotional Partnership Development
- Public Relations, advocacy, events, and outreach
- Joint Outreach programs with member agencies

For FY 2022, CCJPA staff will continue to heavily market to leisure-driven small groups such as families and friends, specifically featuring the Family and Friends 50% offer, college/university students, seniors, as well as other off-peak oriented offers to be determined throughout the year.

Year 2 Renewal with Current Advertising Agency

To maximize cost efficiencies and workflow production, staff is seeking to exercise the option to renew for the second of the three one-year options with the current advertising agency, Creative:MINT, with a budget of up to \$550,000 (supported with CalSTA allocated funds). Agency will provide full advertising services such as creative development, media planning and purchasing, social media placement, and campaign oversight. Use of the advertising agency will ensure consistency in the application of the current campaign to all advertising channels and will also allow the media purchase budget to be maximized. Additionally, the advertising agency can provide CCJPA support in media purchasing and creative design updates for other marketing opportunities that materialize during the fiscal year. Using an abbreviated budget in FY 2021, Creative:MINT performed the following for the CCJPA:

- Created theme for Capitol Corridor campaign artwork, "Get Out There and Rediscover Northern California" to attract off-peak, leisure travelers and past riders back to the service
- Developed targeted advertising media plan that included limited runs of digital out-of-home billboards, mobile, and online advertising.
- Created videos used in social media marketing efforts to tout Capitol Corridor amenities and features

RECOMMENDATION

The SCG recommends that the CCJPA Board adopt the CCJPA FY 2021-22 Advertising Services Plan for an amount not-to-exceed \$550,000 and authorize the CCJPA Executive Director or their designee to execute Year 2 of a three-year option with the current advertising agency to support the CCJPA's FY 2022 Marketing and Communications Plan.

Motion: The CCJPA Board adopts the attached resolution.

BEFORE THE
CAPITOL CORRIDOR JOINT POWERS AUTHORITY
BOARD OF DIRECTORS

In the Matter of
Authorizing the Activation of Year 2 of a Three-Year Option
with the current advertising agency for services to support the
CCJPA’s FY 2021-22 Marketing and Communications Plan

Resolution No. 21-22

WHEREAS, the CCJPA has identified small groups of families/friends and single leisure travelers as target markets for FY 2021-22 (“FY 2021-22 Campaign”) and is developing offers aimed at these groups in its FY 2021-22 Marketing Plan; and

WHEREAS, the FY 2021-22 Campaign will promote off-peak travel aboard trains that have available capacity; and

WHEREAS, the CCJPA seeks to activate the second of a three-year option for the original FY 2021 contract with the advertising agency at this time to oversee and execute all aspects of the FY 2022 Campaign; and

WHEREAS, the CCJPA has identified a not-to-exceed budget of \$550,000 for the FY 2021-22 Campaign that will be supported by California State Transportation Agency (CalSTA)-Allocated funds; and

RESOLVED, that the CCJPA Board does hereby approve the budget for the FY 2021-22 Campaign budget for an amount not to exceed \$550,000;

AND BE IT FURTHER RESOLVED, that the CCJPA Board hereby authorize the CCJPA Executive Director or their designee to execute Year 2 of a three-year option with the current advertising agency for services to support the CCJPA’s FY 2022 Marketing and Communications Plan.

#

ACTION:	DATE:	ATTEST:
Ayes:		<hr style="width: 100%;"/> Jacqueline R. Edwards Secretary
Noes:		
Abstain:		

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Authority Board **DATE:** September 10, 2021

FROM: Robert Padgette
Managing Director, CCJPA

SUBJECT: CCJPA Grant Funding Request for Future State and Federal Funding for the Sacramento to Roseville Third Mainline Track, Phase One Project

PURPOSE

For the CCJPA Board to approve the CCJPA Executive Director to apply for, and if awarded, process grant funding at both the state and federal level with specific attention to the federal Consolidated Rail Infrastructure and Safety Improvement (CRISI) Federal Grant Program Submission for the Sacramento to Roseville Third Mainline Track, Phase One project.

BACKGROUND

The CCJPA is currently in design development and right-of-way acquisition for the Sacramento to Roseville Third Track, Phase One project. When constructed, the Project will allow for two additional round trips to/from Roseville to points west. CCJPA has completed two 25% UPRR design submittal processes, the second of which reduced the capital construction costs significantly from the initial 25% design submittal, yet there is still roughly a \$68M gap to be made up from the existing programmed state construction funding. CCJPA is working to obtain funding grants from various state sources (in some cases with eligible partners such as Placer County Transportation Planning Agency (PCTPA), and also anticipates the need to apply for federal funding with the anticipated 2021 Consolidated Rail Infrastructure and Safety Improvements (CRISI) funding program as administered by the Federal Railroad Administration (FRA). The CRISI notice of funding availability is expected to be announced in the coming weeks.

Of the four phases of project development (environmental, design, right-of-way, and construction), the CCJPA has tentatively completed the environmental documentation phase for California Environmental Quality Act (CEQA) with the CCJPA Board adoption of the Environmental Impact Report (EIR) in 2015 (Resolution No. 15-22); however, pending some unresolved project level design details subject to Union Pacific Railroad (UPRR) review, a supplemental EIR may be required. If federal funds are awarded, (National Environmental Policy Act (NEPA) clearance will be required (the CEQA EIR is a significant basis for completing the NEPA requirements). The design process is underway now and is at the 25% UPRR design submittal level. Within calendar year 2022, CCJPA expects to have all UPRR design phases completed. Identification of right-of-way potentially needed is underway at this time for neighboring land, which, if necessary, will be acquired prior to construction. CCJPA faces a funding gap at the construction phase.

Unlike past large infrastructure projects with UPRR, UPRR is requesting that CCJPA procure and lead 80% of the construction effort. UPRR will only focus on the signal work and track connections. This requires that CCPA procure not only the public works construction contracts but also a construction management

contract that can augment the limited CCJPA staff resources for this phase of the project. As well, CCJPA will need to lead the utility relocation aspect of construction. All told, this project will be the most significant in CCJPA’s history in terms of direct responsibility and funding complexity. If CCJPA successfully obtains federal funding, many aspects of the project will also have to be ‘federalized’, meaning procurement and contracting will have to proceed according to the applicable federal grant program funding the project.

CCJPA staff has developed the following funding plan, inclusive of secured and proposed state and federal sources as follows:

Funding Program	S/F*	Recipient	Awarded	Proposed
Proposition 1A (Prop 1A)	S	CCJPA	\$ 51.97	
Proposition 1B (Prop 1B)	S	CCJPA	\$ 18.25	
Transit and Intercity Rail Capital Program (TIRCP)	S	CCJPA	\$ 8.48	
Interregional Transportation Improvement Program (ITIP)	S	CCJPA	\$ 3.53	\$ 22.50
State Rail Assistance (SRA)	S	CCJPA	\$ 2.00	
Consolidated Infrastructure and Safety Improvement (CRISI)	F	CCJPA		\$ 29.77
Regional Transportation Improvement Program (RTIP)	S	CCJPA		\$ 2.00
Solutions for Congested Corridors (SCC)	S	PCTPA**		\$ 25.00
Subtotal			\$ 84.23	\$ 79.27
Total Project Funding Required				\$163.50

*S= State; F=Federal

** Placer County Transportation Planning Agency

The CCJPA is seeking approval from the CCJPA Board to allow CCJPA to pursue the identified state and federal funding sources, but also allow the CCJPA Executive Director to submit, receive, and process any other state and federal funding grant requests to implement Phase One of the Sacramento to Roseville Third Mainline Track Project as noted in the attached resolution.

RECOMMENDATION

It is recommended that the CCJPA Board approve the attached resolution permitting the utilization of named (or future named) federal and state grant funding sources for their intended purpose in implementing Phase One of the Sacramento to Roseville Third Track Project.

BEFORE THE
CAPITOL CORRIDOR JOINT POWERS AUTHORITY
BOARD OF DIRECTORS

In the matter of authorizing the CCJPA Executive Director or designee to apply for state and federal funding grants and utilize such funds, if awarded, for the purpose of completing construction for Phase One of the Sacramento to Roseville Third Track Project

Resolution No. 21-23

WHEREAS, the CCJPA has acquired existing state funding for the purposes of completing all phases of the development of Phase One of the Sacramento to Roseville Third Mainline Track Project (hereafter, ‘Project’) which will permit two additional round trips to and from Roseville, California; and

WHEREAS, the existing funding is not sufficient to complete the construction phase of development and will require additional state and federal funding; and

WHEREAS, these funding sources, whether state or federal will require a CCJPA Board resolution for funding grant submittals and for receipt of any awarded funding; and

WHEREAS, the CCJPA is specifically intending to apply for funding for the 2021 CRISI federal grant program, and state funding from ITIP/RTIP, and with the partnership of the Placer County Transportation Planning Agency (PCTPA) be eligible for Solutions for Congested Corridor state funding; and

WHEREAS, these funding sources as well as additional funding from as yet unidentified funding sources at the federal or state level, if the planned funding grant sources are not successful will also be of use in overcoming the funding gap for the Project; and therefore be it

RESOLVED that the CCJPA Board authorize the CCJPA Executive Director or designee apply for and process any and all state and/or federal funding grants, with specific focus on the CRISI federal funding grant process and complete all requirements of said funding grants in support of the Project.

AND BE IT FURTHER RESOLVED that the CCJPA Board forthwith transmit a copy of this resolution to CalSTA and Caltrans.

#

ACTION:	DATE:	ATTEST:
Ayes:		<hr/> Jacqueline R. Edwards Secretary
Noes:		
Abstain:		

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Authority Board **DATE:** September 10, 2021
FROM: Robert Padgette
 Managing Director, CCJPA
SUBJECT: State and Federal Legislative and Funding Update

PURPOSE

To provide the CCJPA Board with an overview of the federal and state legislative and funding matters affecting Capitol Corridor service.

State Legislation and Funding

Negotiations Between Newsom Administration and State Legislature on Investments in Transportation Infrastructure End for Year, Billions in Supplemental Transit and Rail Funding Expected to Return to State General Fund

Source: California Transit Association, Executive Director Update, September 7, 2021

The end of the first year of the 2021-22 Regular Legislative Session, negotiations between the Newsom Administration and the State Legislature to authorize the appropriation of additional funding to the state's high speed rail project and to establish parameters for the allocation of funding for various supplemental investments in transportation infrastructure were not successful..

In the absence of this additional legislation, the following investments revert to the General Fund:

- \$2.5 billion in supplemental investment for the Transit and Intercity Rail Capital Program; Note: The reversion to the General Fund of this supplemental investment does not impact the estimated \$500M-\$600M available to TIRCP from the ongoing appropriation from the Greenhouse Gas Reduction Fund nor SB 1's Transportation Improvement Fee.
- \$500 million for the Active Transportation Program; and,
- \$400 million for Climate Adaptation on Transportation Infrastructure.

While these supplemental investments in transportation infrastructure are not expected to move forward this year, it is expected that negotiations between the Newsom Administration and State Legislature to recommence as we approach 2022 and the beginning of the second year of the 2021-22 Regular Legislative Session. It is possible that these negotiations will include discussion of additional investment benefiting public transit and rail systems.

Federal Legislation and Funding

Bipartisan Infrastructure Investment and Jobs Act

On August 10, 2021, the Senate passed the Infrastructure Investment and Jobs Act. The bill is unique because it combines a traditional surface transportation reauthorization bill with a one-time infusion of appropriation funding. The Fixing America’s Surface Transportation (FAST) Act enacted in December 2015 will expire on September 30, 2021.

It is hard to overstate the potential impact of this bill on intercity passenger rail in the country. The Federal government has provided episodic and, arguably, limited funding to passenger rail over the last several decades. Congress has provided \$8B in American Recovery and Reinvestment Act (ARRA) funding in 2008 and several hundred million dollars in discretionary rail funds in recent years, which has given the FRA the experience to oversee discretionary programs. Now, the Senate is proposing an order of magnitude increase in Federal funding. While Capitol Corridor has relied almost entirely on State funds for capital investments in recent years, this proposal would provide us with the opportunity to apply for federal investments we know will dramatically enhance our service. The bill would also provide greater investment in rail safety programs to support grade separations and reduce right-of-way fatalities; expand opportunity for federal support to advance large-scale capital projects, such as the Sacramento to Roseville Third Track Project; and accelerate our service expansion plans as defined under the umbrella of the California Statewide Rail Plan and in the adopted CCJPA Vision Plan.

The table below details the intercity passenger rail programs included in the Infrastructure Investment and Jobs Act, highlighting both the five-year appropriation and authorization as compared to the most recent five-year authorization and appropriation.

Passenger Rail Programs (in millions of dollars)	FAST Act Authorization	Approps Enacted ¹	Bipartisan Infrastructure Deal	
	5-Yr Total FY16-20	5-Yr Total FY17-21	One-Time Emergency Appropriation	Authorization (Subject to annual approps)
			5-Yr Total FY22-26	5-Yr Total FY22-26
1. Amtrak Accounts	\$ 8,050	\$ 13,097	\$ 22,000	\$ 19,220
Northeast Corridor	2,538	5,148	6,000	6,570
National Network	5,454	7,951	16,000	12,650
2. USDOT Grant Programs	\$ 2,200	\$ 2,737	\$ 44,000	\$ 15,250
Federal-State Partnership	997	1,075	36,000	7,500
CRISI	1,103	1,618	6,000	5,000
Restoration and Enhancement	100	37	-	250
Railroad Crossing Elimination Program			3,000	2,500
Mag. Lev. Tech Deployment Program		14		
3. Grand Total: Passenger Rail²	\$ 10,250	\$ 15,834	\$ 66,000	\$ 34,470

Note 1: Appropriations includes COVID-related relief funding (CARES Act, CRRSA, and American Rescue Plan)

Note 2: Table does not include certain funding directly appropriated/authorized to FRA, including Safety & Operations and Railroad Research & Development

Table also excludes funding authorized to the Amtrak OIG.

Source: Table – State-Amtrak Intercity Passenger Rail Committee Informal Summary Update

While, as written, the total potential for rail funding is approximately \$100 billion, this would require that Congress fully appropriate funds as authorized. At a minimum, the bill provides \$66 billion in intercity rail funding over five years, more than \$13 billion annually. As a point of comparison, total rail funding in FY 21, not including COVID relief funds, totaled less than \$3 billion. In addition to the programs listed above, other significant multi-modal discretionary programs are proposed that would be available to intercity rail projects.

The CCJPA Reauthorization Ad Hoc Committee met on August 10, 2021 to discuss the bill. The CCJPA Board Chair and Vice Chair have sent a thank you letter to Senate leadership and the California Senators congratulating them on passing the Infrastructure Investment and Jobs Act. Letters of support were also sent to the Congressional Representatives along the Capitol Corridor route.

Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program Notice of Funding Opportunity (NOFO)

The Federal Railroad Administration has announced a Notice of Funding Opportunity (NOFO) for the Consolidated Rail Infrastructure and Safety Improvements (CRISI). Congress has authorized \$361,978,796 for the CRISI grant program for the Secretary to invest in a wide range of projects within the United States to improve railroad safety, efficiency, and reliability; mitigate congestion at both intercity passenger and freight rail chokepoints; enhance multi-modal connections; and lead to new or substantially improved Intercity Passenger Rail Transportation corridors. Rail safety projects include, but are not limited to, grade crossing enhancements, rail line Relocations and Improvements, and deployment of railroad safety technology. Eligible activities also include regional rail and corridor Planning, environmental analyses, research, workforce development, and training.

Applications for funding under this solicitation are due no later than 5:00 p.m. ET, November 29, 2021. For more information, visit <https://railroads.dot.gov/grants-loans/competitive-discretionary-grant-programs/consolidated-rail-infrastructure-and-safety-2>

Capitol Corridor plans to apply for CRISI funding for the Sacramento to Roseville Third Track project.

Federal Outreach Strategy

With an expanding Federal intercity rail program, CCJPA will benefit from increased engagement at the Federal level to ensure that the nature of our service is considered as discretionary programs are developed and executed by USDOT and the Federal Railroad Administration. Staff will continue to engage in the national intercity rail organizations, States for Passenger Rail Coalition and the State Amtrak Intercity Passenger Rail Committee, both of which offer opportunities to engage directly with key stakeholders. In addition, CCJPA has entered into an agreement with SJPA and LOSSAN to establish a California intercity passenger rail coalition that will seek to educate federal policymakers on the unique nature of Amtrak state-supported services, raise awareness of California's growing passenger rail system and proposed investments, and build stronger relationships with intercity rail stakeholders.

RECOMMENDATION

For information only.



August 13, 2021

The Honorable Chuck Schumer
Majority Leader
United States Senate
S-221, The U.S. Capitol
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
317 Russell Senate Office Building
Washington, D.C. 20510

Subject: Infrastructure Investment and Jobs Act

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Executive Director

Robert Padgette
Managing Director

**CAPITOL CORRIDOR
JOINT POWERS AUTHORITY**
2150 WEBSTER STREET
3RD FLOOR
OAKLAND, CA 94612
(V) 510.464.6995
(F) 510.464.6901
www.capitolcorridor.org

Dear Majority Leader Schumer and Minority Leader McConnell,

On behalf of the Capitol Corridor Joint Powers Authority (CCJPA), congratulations on passing the Infrastructure Investment and Jobs Act, which we believe will be transformational for passenger rail in California and across the country.

As the third busiest intercity passenger rail corridor in the nation, the Capitol Corridor service is a critical transportation system in the Northern California Megaregion, carrying nearly 1.8 million passengers in fiscal year 2019. The CCJPA was created by the State of California in the late 1990s to market and maintain oversight of the state-supported rail service between Auburn/Sacramento, Oakland, and San Jose. For thirty years since its inception, the service has benefitted immensely from steady investment, almost entirely funded by the State of California.

With increased federal support for passenger rail as proposed in the Infrastructure Investment and Jobs Act, we will be able to leverage available state funding and accelerate our plans for expansion defined under the umbrella of the California Statewide Rail Plan and in the adopted CCJPA Vision Plan. Improvements to our intercity passenger rail system will improve mobility for California residents, support the State's economy and serve as a critical strategy to reduce greenhouse gas emissions. We would like to highlight some elements of the legislation that will have a significant impact on passenger rail:

Recognition of the role of states and joint powers authority in passenger rail. As recognized in this legislation, passenger rail in the country is about more than just Amtrak. The fleet used to operate the CCJPA service is owned by the State of California, operations are conducted by Amtrak, the rail infrastructure is owned by Union Pacific Railroad (UPRR) and Caltrain, and the train stations are owned by communities along the corridor. CCJPA brings these partners together to deliver a high-quality intercity passenger rail service. As well, the California intercity rail JPAs lead the effort to deliver capital improvements in partnership with the Class I freight railroads. The legislation, as proposed, provides

discretionary programs for which CCJPA is eligible, including the Federal-State Partnership Program, redefined to expand eligibility to services like our own, and an expanded CRISI program. CCJPA is ready and able to deliver on projects to further enhance and expand our service.

Improved transparency and reform of the costing system for state-supported service. The current system that allocates the cost of Amtrak's rail operating services to states does not provide a sufficient level of transparency, nor does it always reflect services provided. We are encouraged by the language in the proposed legislation that sets an expectation for improvements to this system under the oversight of the State Amtrak Intercity Passenger Rail Committee (SAIPRC).

Investments in safety. CCJPA and other rail services in the State of California struggle with far too many fatalities along the railroad right-of-way. In this legislation, Congress recognizes this by creating a new grade separation program and providing significant investment in existing programs to reduce right-of-way pedestrian fatalities. While CCJPA has been working in close partnership with UPRR to address this vexing issue, an expanded Federal partnership will allow us to expand our efforts to improve safety. Even a single fatality is one too many.

Please do not hesitate to reach out to Robert Padgette, Managing Director of Capitol Corridor, should you have any questions or would like additional information. He can be reached at (510) 821-3478 or RobP@CapitolCorridor.org.

As the Infrastructure Investment and Jobs Act moves to the House, we will engage with our elected representatives to ensure a full understanding of the positive benefits this bill will bring to intercity rail. We very much look forward to being a partner with Congress and the Federal government to deliver this truly transformational investment.

Sincerely,



Don Saylor
Chair, CCJPA Board of Directors
Supervisor, Yolo County Board of Supervisors



Raul Peralez
Vice Chair, CCJPA Board of Directors
Council Member, City of San Jose

cc: U.S. Senator Dianne Feinstein
U.S. Senator Alex Padilla



August 18, 2021

VIA E-MAIL

The Honorable Nancy Pelosi, Representative
 The United States House of Representatives, 12th District of California
 1236 Longworth House Office Building
 Washington, DC 20515

Attention: **Robert Edmonson**

Subject: **Infrastructure Investment and Jobs Act**

Dear Representative Pelosi,

On behalf of the Capitol Corridor Joint Powers Authority (CCJPA), we are writing to express our support for the Infrastructure Investment and Jobs Act, which we believe will be transformational for passenger rail in California and across the county.

As the third busiest intercity passenger rail corridor in the nation, the Capitol Corridor service is a critical transportation system in the Northern California Megaregion, carrying nearly 1.8 million passengers in fiscal year 2019. The CCJPA was created by the State of California in the late 1990s to market and maintain oversight of the state-supported rail service between Auburn/Sacramento, Oakland, and San Jose. For thirty years since its inception, the service has benefitted immensely from steady investment, almost entirely funded by the State of California.

With increased federal support for passenger rail as proposed in the Infrastructure Investment and Jobs Act, we will be able to leverage available state funding and accelerate our plans for expansion defined under the umbrella of the California Statewide Rail Plan and in the adopted CCJPA Vision Plan. Improvements to our intercity passenger rail system will improve mobility for California residents, support the State's economy and serve as a critical strategy to reduce greenhouse gas emissions. We would like to highlight some elements of the legislation that will have a significant impact on passenger rail:

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CAPITOL CORRIDOR

JOINT POWERS AUTHORITY

2150 WEBSTER STREET

3RD FLOOR

OAKLAND, CA 94612

(V) 510.464.6995

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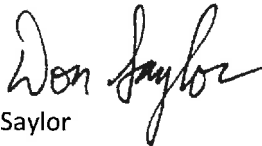
www.capitolcorridor.org

Improved transparency and reform of the costing system for state-supported service. The current system that allocates the cost of Amtrak's rail operating services to states does not provide a sufficient level of transparency, nor does it always reflect services provided. We are encouraged by the language in the proposed legislation that sets an expectation for improvements to this system under the oversight of the State Amtrak Intercity Passenger Rail Committee (SAIPRC).

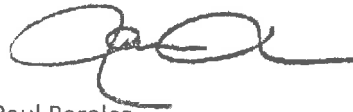
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Please do not hesitate to reach out to Robert Padgette, Managing Director of Capitol Corridor, should you have any questions or would like additional information. He can be reached at (510) 821-3478 or RobP@CapitolCorridor.org. We very much look forward to being a partner with Congress and the Federal government to deliver this truly transformational investment.

Sincerely,



Don Saylor
Chair, CCJPA Board of Directors
Supervisor, Yolo County Board of Supervisors



Raul Peralez
Vice Chair, CCJPA Board of Directors
Council Member, City of San Jose

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Board **DATE:** September 10, 2021

FROM: Robert Padgette
 Managing Director, CCJPA

SUBJECT: Capital Projects Update – Link21 Spotlight

PURPOSE

To provide the CCJPA Board with an update on the CCJPA’s capital program and specifically the Link21 project.

BACKGROUND

CCJPA maintains an ongoing listing of various capital projects led by CCJPA and those led by others that will influence the Capitol Corridor service. The table on the next page provides the latest update on the projects that are underway by the CCJPA.

A more extensive list of all capital projects in all development stages is presented in the required FY 2021-22 and FY 2022-23 Draft Annual Business Plan, which was adopted by the CCJPA Board at the April 21, 2021 Board meeting (Resolution 21-10).

The current list of active projects underway using secured capital funds is provided below.

RECOMMENDATION

For information and discussion.

,

CCJPA CAPITAL PROJECTS September 2021			
Project Name	Project Description/Benefits	Cost	Projected Completion
Signal Replacement/Upgrade	Replace outdated signal systems to reduce signal system interruptions and delays (three-year program).	\$ 1,200,000	Phase II December-20
ROW Safety/Security	Annual funding to support UP in ROW clean-up including vegetation removal, clean-up and encampment relocation (three-year program).	\$ 2,250,000	March-21
Santa Clara Siding	Design and construct 2,000' siding in the vicinity of the Santa Clara Great America Station	\$ 1,441,969	Design May-21 Construction June-22
South Bay Connect (Oakland to San Jose Phase 2A)	Environmental, design, and construction to relocate Capitol Corridor service between Oakland Coliseum and Newark from Niles Subdivision to Coast Subdivision, which will decrease travel time between Oakland and San Jose and to improve connections to SF Peninsula.	\$ 349,422,000	Environmental: Dec-21 Design: Dec-25 Construction: Dec-26
Capitalized Maintenance 2020-2021	Track maintenance for State of Good Repair Program to maximize on-time performance (annual program)	\$ 450,000	December-21
Davis Station Signal Improvements	Improve the railroad signal system and replace track crossovers at Davis station to improve reliability and lifespan of the railroad infrastructure.	\$ 5,150,000	December-21
Stege Signal Improvements	Improvements to the railroad signal system in the vicinity of Richmond station which will result in improved reliability and better on-time performance.	\$ 1,050,000	June-22
Sacramento to Roseville Third Main Track Phase I	Construct first phase of third main track and layover facility improvements in order to increase service frequency between Sacramento and Roseville.	\$ 150,500,000	Design/ROW - June-22 Construction - June-24
CAPITAL PROJECT TOTAL		\$ 444,498,969	

CCJPA PARTNER PROJECTS September 2021			
Project Name	Project Description/Benefits	Cost	Projected Completion
Door Panel Procurement	Procurement of door panels for Caltrans-owned Surfliner Rail Cars	\$ 550,000	June-21
California Passenger Information Display System (CalPIDs) Modernization	Design, test, and implement an improved passenger train arrival/alerts system all communication channels including station hardware, servers, data, and software.	\$ 1,260,529	December-21
California Integrated Travel Program (CalITP)	Develop a governance structure and approach for a system that allows for seamless statewide travel and fare purchase across multiple agencies and modes	\$ 27,100,000	Pilot October-22
Network Integration	Support for initial Second Transbay Crossing study and Southern Alameda County Rail Study	\$ 2,000,000	Ongoing
WiFi Upgrade & Oversight FFY 2020-2021	Management of onboard WiFi upgrade and operations for the Capitol and San Joaquins Corridors.	\$ 2,773,878	Ongoing
Link21 (New Transbay Rail Crossing) FY 2020-2021	Planning and implementation strategies for a new Transbay Rail Crossing. (Cumulative funding since FY 20: \$2.750M)	\$ 1,500,000	Ongoing
PARTNER PROJECT TOTAL		\$ 33,134,407	

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Board **DATE:** September 10, 2021

FROM: Robert Padgette
 Managing Director, CCJPA

SUBJECT: Capitol Corridor’s Annual On-Board Survey Results (June 2021)

PURPOSE

To provide the CCJPA Board with an overview of the results from the Capitol Corridor On-Board surveys conducted in June 2021.

BACKGROUND

The CCJPA conducts an annual on-board survey to gauge the overall performance based on the passengers’ responses to questions relating to customer service as well as input on Capitol Corridor passengers’ demographic information. In 2020, this survey was not conducted due to public health restrictions and cautions surrounding COVID-19. However, CCJPA resumed its annual survey this year in June.

Surveyors collected 1,079 completed surveys between June 22 and 28, 2021. Overall satisfaction scores showed the highest rating since 2014, with a score of 4.31 on a ranking of 1 to 5 with 5 being “very satisfied”, an improvement over 2019’s score of 4.22. When asked how likely they would be to recommend Capitol Corridor, 94% said they would be Likely/Very Likely to recommend (91% in 2019).

RECOMMENDATION

For information and discussion.

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Authority Board **DATE:** September 10, 2021
FROM: Robert Padgette
 Managing Director, CCJPA
SUBJECT: California Integrated Travel Program (Cal-ITP) Update

PURPOSE

For the CCJPA Board to receive an informational update of the California Integrated Travel Program (Cal-ITP) and the CCJPA relationship to the project as a fiscal sponsor and participant in the program.

BACKGROUND

Under the authorities granted by Resolution 18-06, the CCJPA applied for and received 2018 Transit and Intercity Rail Capital Program (TIRCP) funding to support the establishment of a statewide program to unify transit in California with a common fare payment system, real-time data standard, and seamless verification of eligibility for transit discounts. The initiative to pursue this effort was borne out of prior phases of work that CCJPA had coordinated with the California State Transportation Agency (CalSTA) and the Caltrans Division of Rail and Mass Transit (DRMT).

Based on salient advice from partners in the prior phases of work to pursue a more ‘agile’ method of developing Cal-ITP, CCJPA led a procurement under the awarded \$27.34M in 2018 TIRCP funding for a consultant team that could adjust, innovate, and work flexibly, toward outcomes. Working with CCJPA staff, a Cal-ITP steering committee, the selected consultant, Xentrans, worked out a process to deliver on a series of diverse and progressive work tasks which has led to several field trials. This advancement would not have been possible without the leadership of CalSTA and key Caltrans staff who led the process of change in coordination with a diverse cadre of external parties both in the private sector (e.g., payment processors, hardware suppliers) and public sector (e.g., California Department of General Services, Department of Motor Vehicles).

A key objective of Cal-ITP is to simplify the process of trip planning, payment, and determining discount eligibility by utilizing the State of California to engage with the market at scale, with scale cost efficiencies, while also elevating transit agencies across the state to a standard quality of accurate and complete information (using the General Transit Feed Specifications, or GTFS) for trip planning purposes, and then utilize readily available State maintained data (such as age-based discounts, student discounts), which could support application of travel discounts embedded in the transit payment process. The critical approach has been to make discrete advancements with every step but with an eye towards the larger vision. The complexity and diversity of transit systems across the state warrants this approach.

Cal-ITP began from the basis of an integrated mobility framework and has advanced by defining system features by work area (i.e., the work tasks), which has led to the launch of minimum viable products (MVPs) with select transit agencies. All of those involve the inclusion of contactless payments (credit card EMV

supported) thus far and relate to utilizing contactless payments in various environments. With these initial MVPs, the work program is refined, new MVPs are added, and the work program evolves.

Over time, the intention is for Cal-ITP to transition into a State program. Some of this has already started with some work programs (primarily in the GTFS side of Cal-ITP). During this item's presentation, the details will be provided, visually depicting how work has evolved and will continue to evolve and transition over time.

It is important to note that in addition to being the fiscal sponsor of Cal-ITP, CCJPA is also a beneficiary of an MVP process for passenger rail. We are actively engaged with a process to have on-train contactless payment readers, conductor validator readers, and a public information campaign developed, which will allow CCJPA to control its payment system and costs. This is expected to reduce the costs for ticketing and payment support, become more user-friendly, and improve equity among Capitol Corridor patrons. In addition, it will be the basis for integrating rail with transit trips across the state.

This item is meant as an opportunity to bring the CCJPA Board up to speed with the evolution of Cal-ITP to this point and to explain CCJPA's role in that process and as a beneficiary of that process. During the November 2021 CCJPA Board meeting, CCJPA staff anticipates bringing key action items related to Cal-ITP administration to allow the program to continue both the statewide evolution and train MVP.

RECOMMENDATION

For information and discussion.



Date: September 10, 2021
From: Robert Padgett, Managing Director
To: CCJPA Board of Directors
Subject: Managing Director's Report – August 2021

At its September 15, 2021 meeting, the CCJPA Board will be provided with an update on year-to-date service performance, customer service, and other updates.

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Authority Board **DATE:** September 10, 2021
FROM: Robert Padgette
 Managing Director, CCJPA
SUBJECT: WORK COMPLETED (September 15, 2021 Meeting)

PURPOSE

To provide a report on work completed up to the September 15, 2021 CCJPA Board meeting.

BACKGROUND

The following is a report on recently completed work:

- a. Visit with Representative Ro Khanna for Agnew Siding: On Wednesday, July 7, 2021, CCJPA Board Vice Chair Raul Peralez and CCJPA Board Director Lisa Gilmore, along with CCJPA Managing Director Rob Padgette and Deputy Managing Director Leo Sanchez, hosted Representative Ro Khanna of CA-17 at the Santa Clara-Great America station to provide him with information about the Capitol Corridor's Agnew Siding Project. Representative Khanna supported \$6.6M in project funding for inclusion in H.R. 3684 INVEST in America Act. If the project is included in the pending federal transportation reauthorization, this funding, together with the existing \$3.5M of committed State funding, would allow the Capitol Corridor and Altamont Commuter Express (ACE) to complete work by the end of 2022. The Agnew Siding Project will reduce train delays, improve road congestion, and combat climate change.
- b. Link21 Virtual Public Workshops: In June and July 2021, the Capitol Corridor and BART, in coordination with several municipal and transportation agencies throughout the 21-county Northern California megaregion, completed its first round of online public workshops for the Link21 Program. Each interactive workshop focused on a different area of the Megaregion and intended to inform the public and gather feedback about their transportation needs and priorities. There will be a second round of forums later in the year. See the Link21 Event page for a complete list of past and future outreach events.
- c. Surfliner Door Panel Replacement: As of August 25, 2021, door panels on all Northern California cars have been replaced. The results of this completed project will lead to quieter rides for our passengers and a reduction in door-related delays. To enhance the state-wide

reliability, staff is working with Los Angeles-San Diego-San Luis Obispo Rail Corridor (LOSSAN) on completing the remaining 13 state-owned Surfliner cars in Southern California.

- d. Café Car Service: Café Car service reopened in June with limited menu. Staff expanded the food offerings in July with a new Snack Pack. Perfect for kids and families, the Snack Pack was created in collaboration with the San Joaquins and includes a variety of snacks contained within a Capitol Corridor and San Joaquins' branded box.
- e. El Dorado Transit: CCJPA and El Dorado Transit Authority have partnered to operate the Thru-Way Bus Service between Sacramento Valley Station and South Lake Tahoe with intermediate stops at Cameron Park and Placerville. This partnership allows El Dorado County Transit Authority to use their existing buses, which will be operated and maintained by El Dorado County Transit Authority. This project will reduce operating and maintenance costs of the Thru-Way bus service and will continue to connect Capitol Corridor trains to the Thru-Way bus service at Sacramento Valley station. Service is daily. CCJPA will partner with El Dorado Transit Authority to increase daily service levels as ridership demands grow and research feasibility for Zero Emission Buses (ZEB) for this route. The partnership began on July 5, 2021, and the service launched successfully.
- f. Marketing Activities (June 2021 – August 2021):
 - Advertising, Promotions, and Offers:
 - a. “Get Out There/Rediscover Northern CA” campaign flighted in June to promote three summer offers aimed at stimulating leisure travel.
 - b. Summer offers: Take 5 for \$5 on Weekends to promote family/small group travel, Seniors Ride Half Off Midweek to promote off-peak travel, CC Rewards 50% off Weekends to grow loyalty program and offer solo travelers a weekend discount.
 - Print and Digital Communications:
 - a. Communications: Coordinated announcements of El Dorado Transit assuming operation of the Sacramento-S. Lake Tahoe connecting bus service.
 - Public Relations, Events, Outreach, and Customer Service
 - a. Communications regarding Link21 Public Workshops

RECOMMENDATION

For information only.

Marketing & Public Relations

New and Returning Promotions



With travel restrictions approaching the rear view, Capitol Corridor welcomed passengers back to travel with three great offers. This summer, two of our most popular discounts have returned: Take 5 for \$5 Weekends and Seniors Save 50% Midweek. Also, we debuted an exclusive offer of 50% Off Weekends for CC Rewards members. *Read more:* https://www.capitolcorridor.org/blogs/get_on_board/capitol-corridor-introduces-summer-fare-deals-to-boost-ridership/.

Returning to the Office



We invited a guest blogger to share some of the important considerations for those returning to the office after being away for over a year. The habits for many of us have changed, and the article offers strategies for adjusting to a new in-person work routine.

Read more:

https://www.capitolcorridor.org/blogs/get_on_board/six-strategies-for-a-smooth-post-covid-return-to-office/

New Menu Item



Capitol Corridor teamed up with the San Joaquins to offer a new, co-branded menu item in the Café Car. The new Snack Pack offers some great items (Chips, Cookie, Nuts, Mini Clif Bar) at a value. We continue to evolve our menu to adjust to our ridership. Check out the current menu:

<https://www.capitolcorridor.org/cafe-car-menu-v2/>

#CCBackOnBoard



Each week, Capitol Corridor is seeing more returning and new faces on board the train. To celebrate our passengers, we launched our #CCBackOnBoard campaign. A lucky rider that snapped a selfie on board the train and used the hashtag was entered to win a prize package of Capitol Corridor swag!

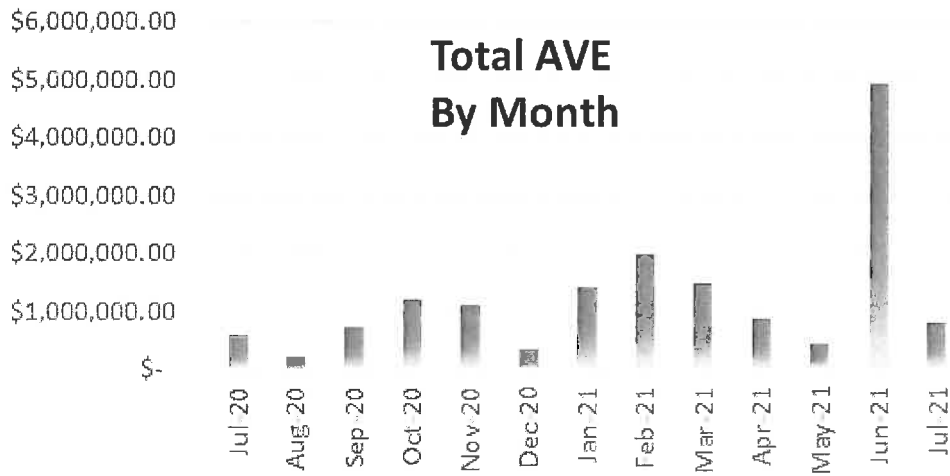
Communications: Social Media, CC Rail Mail and Service Alerts

Followers as of 8/24/21

	16,691 - 351
	6,439 + 33
	3,444 + 25

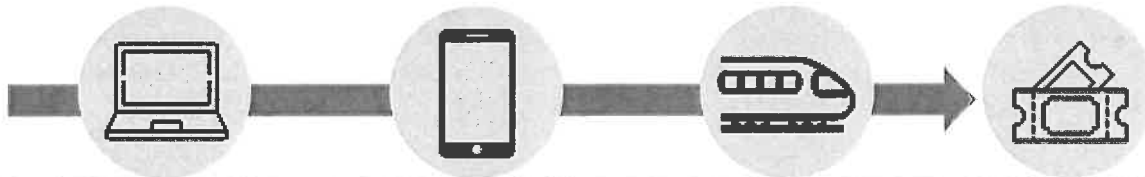
July 2021	Net New Subscribers	Total Subscribers	Engagement Rate
CC Rail Mail	14	6,018	42%
Weekday Service Alerts	31	5,256	34%
Weekend Service Alerts	48	1,659	29%

Earned Media Reporting – July 2021



Number of News Stories: 13
 Number of Broadcast Stories: 14
 Advertising Value Equivalency (AVE): \$796,748

Website - Jul 21 to May 21



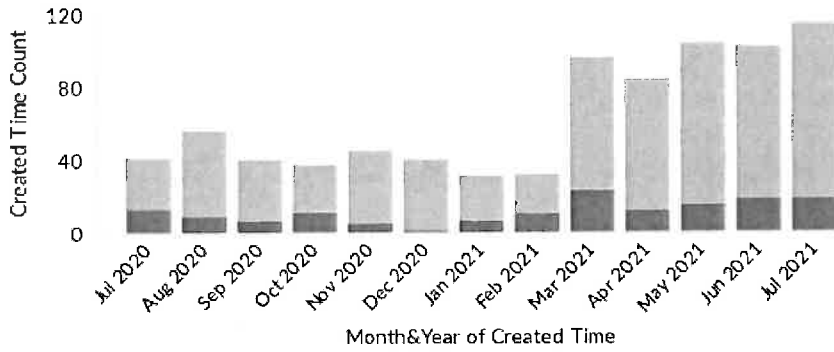
	CapitolCorridor.org Visits	Percentage of Visits Via Mobile	Referrals to Amtrak.com from Capitol Corridor.org	Bookings on Amtrak.com Initiated from CapitolCorridor.org
July	81,571	66.1%	11,481	2,322
June	68,404	59.2%	7,441	1,540
May	35,126	47.8%	3,043	864



Customer Experience

Customer Comments

Company Store



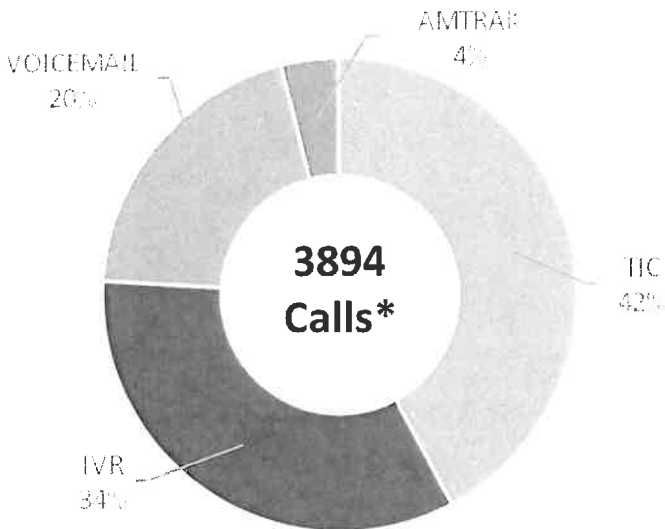
FY21 Total Sales	\$2,636.91
FY21 Avg Sales/Month	\$219.74

FY22	Sales
July	\$195.82

Comment Rating
 ■ Negative/Complaint ■ Neutral ■ Positive/Compliment

IVR– July 2021

Call Distribution



Initial Call Flow	Calls
Live Agent	1114
Articles Query (Rider Policies)#	1017
Schedules	568
Voicemail	350
Something Else+	331
Train Status	199
Trip-Planning	138
Stop Information	72
Refunds	60
Travel Advisories	31
Service Alerts	5
Group Travel	3
Total	3888*

*Call total discrepancy exists when callers disconnect before being routed.
 #Answer is a pre-written response.
 +Callers can ask questions and IVR will use keywords to resolve.



FY22 Marketing and Communications Overview

July	August	September
<ul style="list-style-type: none"> ✓ Statement on Racial Equality ✓ Health and Safety video ✓ Health and Safety webpage ✓ CallTP Presentation ✓ Update Transit Transfer Program ✓ Rail Goods Company Store Launch 	<ul style="list-style-type: none"> ✓ San Francisco Bus Connection Reactivation (mid to late August) ✓ Timetable Update ✓ South Bay Connect Public Comments ✓ New TransBay Crossing Branding ✓ Health and Safety messaging along the route. 	<ul style="list-style-type: none"> ✓ Rail Safety Month ✓ VisitCA Promotion ✓ Corridor Conversations – Online Engagement Event ✓ Transit Transfer Program Update ✓ Train Status Survey ✓ Bike to Wherever Day 2020
October	November	December
<ul style="list-style-type: none"> ✓ Tentative date for Annual Onboard Survey ✓ Begin design/production of FY20 Annual report ✓ Route 20 Schedule Update ✓ Route 7 Schedule Update ✓ Route 21 Schedule Update ✓ Onboard Your Train Wi-Fi launch ✓ California Clean Air Day 	<ul style="list-style-type: none"> ✓ Thanksgiving service communications ✓ Planning for 30th Anniversary year-long celebrations (Dec. 2021) ✓ Transit Transfer Modernization ✓ Corridor Conversations – Holiday Travel ✓ San Francisco Bus stop move ✓ Reinstatement of Santa Barbara-San Jose/Oakland connecting bus service ✓ Capitol Corridor Masks in Company Store ✓ Next Generation Wi-Fi new network name announcement ✓ Press Announcement – Board Chair and Vice Chair election 	<ul style="list-style-type: none"> ✓ Holiday greeting ✓ Holiday travel communications ✓ Planning for 30th Anniversary year-long celebrations (Dec. 2021) ✓ Corridor Conversations – “Birds Along the Capitol Corridor Route” with Yolo Basin Foundation ✓ Next Generation Wi-Fi install completion announcement ✓ Capitol Corridor Rewards ✓ Cori Added to Company Store
January	February	March
<ul style="list-style-type: none"> ✓ New Year’s Message to Riders ✓ Launch of Link21 website ✓ Annual Performance Report ✓ Capitol Corridor Rewards Launch ✓ Rider Profiles –Traveling During the pandemic ✓ #ILoveCC social campaign launched 	<ul style="list-style-type: none"> ✓ "Travel Safely" retargeting ad campaign for essential travel ✓ South Bay Connect video ✓ Contactless Travel Promotion ✓ Fact Sheet and B2B video ✓ Valentine’s Day UGC ✓ Planning 30th Anniversary activities (Dec. 2021) 	<ul style="list-style-type: none"> ✓ Business Plan Workshops ✓ Corridor Conversations – California Joint Powers Authority Leadership ✓ New Train Schedule ✓ Spring offers, pending health conditions ✓ Advertising Procurement
April	May	June
<ul style="list-style-type: none"> ✓ Corridor Conversations – DMO's ✓ FY22 Budget Planning ✓ Stand Against AAPI Violence ✓ Café Car Resumption Plan ✓ Digital Clipper Card Promotion ✓ New locomotives 	<ul style="list-style-type: none"> ✓ FY22 Planning ✓ Amtrak 50th Anniversary ✓ Bike Month/Bike East Bay ✓ CC Rewards Offer ✓ Contactless payment campaign ✓ Timetable Change Planning ✓ 30th Anniversary Planning ✓ AAPI Month content 	<ul style="list-style-type: none"> ✓ Contract vendor planning for FY22 ✓ Onboard Survey of Riders ✓ Timetable Change ✓ Schedule Change Kickoff Event ✓ Café Car Reinstatement ✓ Oakland A's Promotion



FY22 Marketing and Communications Overview

July

- ✓ El Dorado Transit—Route 20
- ✓ Café Car Snack Box
- ✓ Senior Half Off Mid-Week Promo
- ✓ Take 5 for \$5 Weekend Promo
- ✓ CC Rewards 50% off Weekends Promo
- ✓ On Board Survey
- ✓ Fare Analysis survey
- ✓ Link21 Public Workshops
- ✓ Richmond Transit Center Grand Opening event

August

- ✓ STA film project at OMF
- ✓ Schedule change for Route 7 with a new stop at Humboldt University
- ✓ PCTPA FY22 Joint Marketing Planning
- ✓ Outreach for ADA station accessibility construction (OAC and MTZ)
- ✓ On board survey overview
- ✓ National Black Business Month
- ✓ Return to office passenger survey
- ✓ Bipartisan Infrastructure
- ✓ Football Season service coordination

September

- Rail Safety Month
- 30th Anniversary promotional offer
- Station signage refresh
- South Bay Connect video shoot
- Hispanic Heritage Month (start 9/15)

October

- FY21 Annual report start
- Hispanic Heritage Month (end 10/15)

November

- Thanksgiving service communications

December

- Holiday greeting
- Holiday travel communications
- 30th Anniversary Celebration

January

- New Year's Message to Riders
- Annual Performance Report

February

- Valentine's Day UGC

March

- New Train Schedule (tent.)
- Oakland A's planning

April

- FY23 Budget Planning

May

- FY23 Planning

June

- Contract vendor planning for FY23
- Onboard Survey of Riders



CAPITOL CORRIDOR JOINT POWERS AUTHORITY

MEMORANDUM

TO: Capitol Corridor Joint Powers Authority Board **DATE:** September 10, 2021

FROM: Robert Padgette
Managing Director, CCJPA

SUBJECT: WORK IN PROGRESS (September 15, 2021 Meeting)

PURPOSE

To provide an update on work in progress up to the September 15, 2021 CCJPA Board meeting.

BACKGROUND

The following is a report on work efforts currently underway:

- a. South Bay Connect – Since concluding the initial Scoping Period for Environmental Impact Report (EIR) in August 2020, the project team is working on the technical analyses of environmental impacts for the draft EIR, while continuing public outreach and engagement activities such as presentations and meetings with various local city councils and community groups. The second set of Community Working Group (CWG) meetings occurred at the end of May 2021 and a recent CWG meeting was conducted on August 24, 2021. Development of the draft EIR will continue into late 2021, and CCJPA continues to work with UPRR on modeling the shift of service to Coast Subdivision and understanding the need for infrastructure improvements necessary to maintain efficient passenger and freight railroad operations as a result of the project.
- b. Sacramento – Roseville Third Track Project – The Union Pacific Railroad (UPRR) remains importantly engaged as a partner in this project and has provided extensive review comments on each design submittal. The design team has submitted a revised 25% design submittal to follow by a field constructability review. When complete, this project will allow the Capitol Corridor to operate two additional round trips between Sacramento and Roseville. The future Phase II of this project will permit the Capitol Corridor to operate a total of 10 round trips in this segment.
- c. California Passenger Display System (CalPIDS) – CCJPA is near the closing phases of software development and is checking/fixing bugs at this point and readying for the hardware order. The PIDS hardware order will include Station Controllers, UPS, and minor hardware for each station is needed to interface with the new software. When software is

completed, all the backend systems that rely upon train location details can be launched. On the physical station side of things, cabinets will be ordered prior to the Board meeting. Final station design drawings are in development and are roughly at the 60% level. As those are prepared, the respective station entities that oversee installation are getting design plans to review. In parallel, CCJPA will be leading a public works procurement for the cabinet installations once all stations have reached 100% design level. Subsequently, AT&T will drop their communications system to utilize each cabinet, and functionality of the updated PIDS system (using the older signs and audio components for now) will be tested, commissioned and turned over for full at-station service.

- d. Davis Crossover and Signal Replacement – The design team has continued working with the Union Pacific Railroad (UPRR) to refine the track design for this project and is preparing to submit the 30% design for review and approval. The design team has similarly been developing design plans to modify the adjacent 2nd Street. The revised profile of 2nd Street will allow construction of the railroad track improvements without the need for a retaining wall between the street and the railroad. The City of Davis is prepared to construct this work upon completion of the plans. Following completion of the track design, the UPRR will complete the signal design and construct the project. When complete, this project will provide a gateway to the future replacement of the Davis boarding platforms with a safer, ADA-compliant arrangement utilizing a center island platform with grade-separated pedestrian access. Managed by Amtrak, the boarding platform project has kicked off with a design team selected by Amtrak. Capitol Corridor staff will work to help coordinate the interests of the stakeholders to help ensure a successful project.
- e. Agnew Siding in Santa Clara –The design team has reached the project 30% design completion level and is working on details of the required retaining wall in order to submit the 60% design plans. When the design is complete, the UPRR will construct this siding, which will allow Capitol Corridor and other trains to meet and pass in the segment of single track between Newark and San Jose. The Agnew siding will reduce delays that occur in the area due to train congestion.
- f. Upcoming Marketing and Communications Activities –
 - Advertising, Promotions, and Offers:
 - a. Fall advertising plans will focus on attracting new and returning business/commute travelers, leisure travelers, sports/event attendees, and lead up to 30th Anniversary.
 - b. Thirty Percent Off – September will usher in a new 30% off discount to attract new riders to the service, and will run through December as a lead in to our 30th Anniversary.
 - c. Statewide Marketing Ridership Recovery – CCJPA is coordinating with the other two JPAs and with Caltrans to develop a statewide marketing plan aimed to promote ridership recovery on all three routes, with support from CalSTA. The in-progress Market Segmentation Study results will inform and guide the marketing campaign that will go into development this fall.

- Communications:
 - a. Rail Safety Month: Digital outreach campaign in partnership with California Operation Lifesaver, social media posts.
- Public Relations, Events, Outreach, and Customer Service:
 - a. Planning for Rail Safety Month
 - b. Planning for 30th Anniversary campaign underway

RECOMMENDATION

For information only.

AGREEMENT BETWEEN

CAPITOL CORRIDOR JOINT POWERS AUTHORITY

AND

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

FOR

ADMINISTRATIVE SUPPORT

February 20, 2005

ADMINISTRATIVE SUPPORT AGREEMENT

THIS AGREEMENT ("Agreement") is entered into as of this 20th day of February, 2005, by and between the CAPITOL CORRIDOR JOINT POWERS AUTHORITY and the SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT.

RECITALS

THIS AGREEMENT is made with reference to the following facts:

- A. Effective December 31, 1996, the following parties entered into a "Joint Exercise of Powers Agreement to Establish the Capitol Corridor Joint Powers Authority" (such agreement being referred to herein as the "JEPA", and the Joint Powers Authority so formed as the "CCJPA"):
 - (i) Placer County Transportation Planning Agency ("PCTPA");
 - (ii) Sacramento Regional Transit District ("SRTD");
 - (iii) San Francisco Bay Area Rapid Transit District ("BART");
 - (iv) Santa Clara Valley Transportation Authority ("VTA");
 - (v) Solano Transportation Authority ("STA"); and
 - (vi) Yolo County Transportation District ("YCTD"),all of whom collectively are sometimes hereinafter referred to as the "Agencies", and BART sometimes hereinafter referred to as the "Managing Agency".
- B. Effective August 28, 1997, the Agencies amended the JEPA (such amended JEPA being referred to herein as the "Amended JEPA").
- C. Pursuant to the provisions of Senate Bill No. 457, Chapter 263, California Stats. 1996, adding Articles 5, 5.2, 5.4 and 5.6 to Chapter 1, Part 5, Divisions 3, Title 2 of the California Government Code, the "Intercity Passenger Rail Act of 1996", hereinafter referred to as the "Act", the Capitol Corridor Joint Powers Board ("CCJPB") was created to serve as the governing Board of the CCJPA.
- D. The Act further provided, in Section 14076.4 of the California Government Code, that, for an initial period beginning with the transfer of responsibilities for the Capitol Corridor Service from the California Department of Transportation to the CCJPB and continuing for a three-year period subsequent to the completion of the track and signal improvements between Sacramento and Emeryville, the Managing Agency's General Manager and its administrative staff were to furnish all necessary administrative support to the CCJPB to perform its duties and responsibilities, and that these parties were to perform for the CCJPB any and all activities that they were authorized to perform for BART.
- E. Effective July 1, 1998, the CCJPA and the State of California entered into an Interagency Transfer Agreement ("ITA"), along with other related documents, whereby the CCJPA assumed responsibility from the State for the Capitol Corridor intercity rail service, all in accordance with the provisions of the Act.

- F. At the conclusion of the initial period, the Act in Section 14076.4 authorized the CCJPB to select BART or another existing public transit agency for a three-year term to provide all necessary administrative support staff to the CCJPB to perform its duties and responsibilities.
- G. The parties hereto then renewed, for the period February 20, 2002 through February 19, 2005, upon the same terms and conditions, the Agreement to provide administrative support services, and the compensation therefor, which the Managing Agency provided to the CCJPA pursuant to the provisions of the Act, the Amended JEPa, the ITA, and other documents relating to the operation of the Capitol Corridor Service.
- H. Government Code Section 14076.4 was amended by Stats.2003, Ch. 525, Section 4 (A.B. 1717) to provide that from the year 2003 onward the term of the agreement by which the public transit agency would provide such administrative services would subsequently be increased from a three-year term to a five-year term.
- I. The parties hereto now desire to renew this Agreement for a five-year term, upon the same terms and conditions, compensation and the like as are set forth in Section G. of these Recitals and in other parts of this Agreement.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual premises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby agree as follows:

1. MANAGING AGENCY:

The Managing Agency shall provide the following administrative support to the CCJPB for the benefit of the CCJPA during the term hereof:

- (i) Negotiate and recommend the award of all necessary agreements for operation of the business of the CCJPA, including but not limited to agreements for the provision of passenger rail services, and use of tracks and other facilities, subject to approval by the CCJPB;
- (ii) Manage all agreements entered into by the CCJPA;
- (iii) Implement projects contained in the Capital Improvement Program approved by the CCJPA unless the administration of particular capital projects is more appropriately managed in another manner, such as by an individual Agency or a local government, as determined by the CCJPB;
- (iv) Provide for the maintenance and management of such property as may be owned or controlled by the CCJPA unless the administration of that property is more appropriately managed in another manner, such as by an individual Agency or a local government, as determined by the CCJPB;

- (v) Provide a risk management program to cover the CCJPA, the CCJPB, and each of the Agencies in the performance of their duties and seek appropriate insurance coverage to implement such risk management program;
- (vi) Seek, obtain, and administer grants, subject to the provisions of Section 2., below;
- (vii) Develop and implement marketing programs;
- (viii) Prepare and submit financial reports;
- (ix) Prepare the Business Plan for approval by the CCJPB;
- (x) Report regularly to the CCJPA regarding Capitol Corridor issues;
- (xi) Recommend changes in fares and the collection of fares to the CCJPA;
- (xii) Recommend changes in scheduling and levels of service to the CCJPA;
- (xiii) Prepare and implement changes in scheduling and fares, subject to appropriate public involvement;
- (xiv) Prepare capital and operating budgets for presentation to the CCJPA;
- (xv) Prepare any necessary conflict of interest code for the CCJPA;
- (xvi) Provide for an appropriate procurement procedure and appropriate documentation therefor for the CCJPA;
- (xvii) Facilitate interaction with other entities involved in operation, construction and renovation of the Capitol Corridor Service;
- (xviii) Negotiate with any other public or private transportation providers as necessary to ensure coordinated service with the Capitol Corridor Service; and
- (xix) Provide such other ordinary and necessary administrative support to the CCJPA as the CCJPB shall direct and carry out such other administrative duties as are imposed upon the CCJPA by contract or by applicable law.

2. SOLICITATION OF GRANTS:

The Managing Agency shall pursue any and all sources of funding for the CCJPA; provided, however, that neither the Managing Agency, on behalf of the CCJPA and/or the CCJPB, nor the CCJPA nor the CCJPB shall apply for Transportation Development Act funds as defined in Chapter 4, Part 11, Division 10 of the California Public Utilities Code or for any funding for which any Agency is also an applicant or approving Agency without the express consent of that Agency.

3. STAFF OF MANAGING AGENCY/CCJPA:

The following staff members of the Managing Agency shall serve in the positions indicated for the CCJPA during the term of this Agreement:

- (i) The General Manager of the Managing Agency shall serve as the Executive Director of the CCJPA;
- (ii) The General Counsel of the Managing Agency shall serve as the General Counsel of the CCJPA;
- (iii) The Controller-Treasurer of the Managing Agency shall serve as the Controller-Treasurer of the CCJPA; and
- (iv) The District Secretary of the Managing Agency shall serve as the Secretary of the CCJPA.

4. CUSTODIAN OF PROPERTY:

- (i) Pursuant to the requirements of California Government Code Section 6505.1, the Managing Agency's Controller-Treasurer shall have charge of, handle, and have access to any property of the CCJPA, and shall amend the official bond with the Managing Agency to provide for coverage, in the same amount, for the duties of the Controller/Treasurer set forth in the ITA and in this Agreement.
- (ii) Subject to the applicable provisions of any indenture, trust agreement or resolution providing for a trustee or other fiscal agent, the Controller-Treasurer is designated as the depository of the CCJPA to have custody of all the funds of the CCJPA, from whatever source, and, as such, shall have the powers, duties and responsibilities specified in Section 6505.5 of the California Government Code.
- (iii) The Controller-Treasurer as Controller of the CCJPA shall have the power, duties and responsibilities specified in Sections 6500 and 6505.5 of the California Government Code. The Controller-Treasurer shall draw checks to pay demands against the CCJPA when the demands have been approved by the CCJPB.
- (iv) Upon providing reasonable notice, any Agency shall have the right to review any records maintained by the Managing Agency or the Managing Agency's Controller/Treasurer relating to the performance of their duties pursuant to this Agreement.

5. COMPENSATION OF MANAGING AGENCY:

Unless expressly supplemented by the CCJPB, the Managing Agency's sole compensation for its duties and responsibilities hereunder (including compensation of any employee of the Managing Agency who provides service to the CCJPA pursuant to the terms of this Agreement) shall be that portion of the budget allocated to the CCJPA by the State of California which is applicable to the Managing Agency's services hereunder.

6. INVOICES:

Pursuant to Fund Transfer Agreement No. 75RCCJPA-1 between the State of California, Department of Transportation, and the CCJPA, the Managing Agency shall prepare and submit invoices to the State for the CCJPA's actual costs for administration, marketing, and operations. These invoices shall include all of the Managing Agency's charges relating to its services to the CCJPA. Such invoices shall indicate the Managing Agency's rates, costs, and reimbursable expenses for services performed and shall be available for inspection and review by any of the Agencies during normal business hours.

7. AUDIT:

The Managing Agency's Controller-Treasurer shall provide for an annual independent audit of the accounts of the Managing Agency, as they relate to its administrative support of the CCJPA pursuant to the terms of this Agreement, within six months of the close of each fiscal year of the CCJPA. The results of any such audit shall be supplied to any of the Agencies upon request. The Managing Agency shall retain records relating to such audits for a commercially reasonable period of time after any such audit, and said records may be inspected by any of the Agencies pursuant to the provisions of Section 4.(iv) hereof.

8. ALLOCATED LOSSES:

Any liability, loss, damage, expense or costs incurred by or sought to be imposed upon the Managing Agency, its members, officers, directors, employees and agents, arising out of any act or omission related to the Managing Agency's and the CCJPA's activities and obligations provided for in this Agreement, shall be allocated among the Managing Agency, the CCJPA and other parties in accordance with applicable laws and the provisions of the Amended JEPA.

9. TERM:

This Agreement shall commence upon the date hereof, and shall continue until February 19, 2010. Notwithstanding the foregoing either party hereto may terminate this Agreement upon thirty (30) days prior written notice.

10. AMENDMENTS:

Amendments or modifications of this Agreement may be approved at any time by the written consent of all of the parties hereto.

11. ARBITRATION:

(i) In the event of a dispute between the Managing Agency and the CCJPB or the CCJPA, which cannot be satisfactorily resolved by those parties, said dispute shall be submitted to arbitration by a panel of three arbitrators who shall conduct the arbitration pursuant to the rules of the American Arbitration Association. The panel of arbitrators shall consist of one arbitrator appointed by the CCJPB or CCJPA, and one arbitrator by the Managing Agency, the third arbitrator to be appointed by mutual consent of the other two arbitrators. The arbitration panel shall resolve the dispute in accordance with the terms of this Agreement, and such resolution shall be final and binding upon the parties. Each of the parties shall

bear its own costs of arbitration, including reasonable attorneys fees. The cost of the third arbitrator shall be divided equally between the disputants.

- (ii) Unless otherwise agreed by the disputants, only disputes regarding a disputant's rights and obligations arising under the terms of this Agreement shall be subject to arbitration pursuant to Subsection (i), above.

12. SUCCESSOR STATUTES:

All statutes cited herein shall be deemed to include amendments and/or successor statutes to the cited statutes as they presently exist.

13. CONSTRUCTION: NUMBER, GENDER AND CAPTIONS:

This Agreement has been executed in the State of California and shall be construed according to the law of said State, without regard to rules regarding conflict of laws. Number and gender as used herein shall be construed to include that number and/or gender which is appropriate in the context of the text which is included. Captions are included herein for the purposes of ease of reading and identification. Neither gender, number nor captions used herein shall be construed to alter the plain meaning of the text in which any or all of them appear.

14. AGREEMENT COMPLETE:

This Agreement constitute the full and complete agreement of the parties, superseding and incorporating all prior oral and written agreements relating to the subject matter of this Agreement.

15. COUNTERPARTS:

This Agreement may be executed in one or more counterparts and may include multiple signature pages, all of which shall be deemed to be one instrument. Copies of this Agreement may be used in lieu of the original.

16. EFFECTIVE DATE:

This Agreement shall be effective upon execution by both parties hereto.

**CAPITOL CORRIDOR
JOINT POWERS AUTHORITY**

By: 

Title: Chair

**SAN FRANCISCO BAY AREA
RAPID TRANSIT DISTRICT**

By: 

Title: President

Givens, Patrice

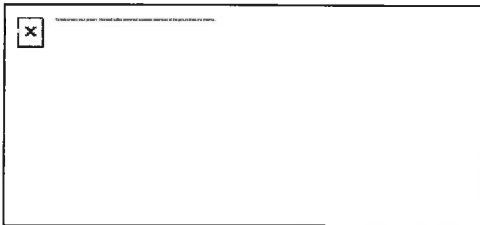
From: Roland Lebrun <ccss@msn.com>
Sent: Thursday, October 7, 2021 9:22 PM
To: Board (@caltrain.com)
Cc: cacsecretary [@caltrain.com]
Subject: Live streaming Zoom meetings on YouTube

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders.

Dear Caltrain Board,

Here are the instructions for setting up livestreaming on YouTube:

<https://support.zoom.us/hc/en-us/articles/360028478292-Streaming-a-Meeting-or-Webinar-on-YouTube-Live>



Live streaming meetings or webinars on YouTube

You can live stream a Zoom meeting or webinar on YouTube. This allows participants to join your meeting via Zoom to view it and comment on it through YouTube. During the live event, there will be a...

support.zoom.us

Please ask staff to reach out to the City of Brisbane if they need technical assistance.

Thank you

Roland Lebrun