

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

**Minutes of June 2, 2022**

**MEMBERS PRESENT:** C. Chavez , D. Davis, J. Gee, S. Heminger (Chair), G. Hendricks, C. Stone (Vice Chair), S. Walton, M. Zmuda

**MEMBERS ABSENT:** Pine

**STAFF PRESENT:** M. Bouchard, G. Martinez, S. Petty, J. Harrison, A. Myles-Primakoff, P. Shrestha, B. Shaw, C. Fromson, R. Barnard, M. Kumar, K. Yin, R. Casumbal, B. Fitzpatrick, N. Fogarty, J. Wasilco, T. Bartholomew, L. Millard-Olmeda, C. Valbuena, B. Thompson, S. Bullock, D. Seamans, S. Wong, K. Scribner

**1. Call to Order / Pledge of Allegiance**

Chair Steve Heminger called the meeting to order at 9:00 am and led the pledge of allegiance.

**2. Roll Call**

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

**3. General Counsel Report – Closed Session:** Public Employee Performance Evaluation Pursuant to Government Code Section 54957(b)(1). Title: Executive Director

*The Board convened into closed session at 9:05 am.  
The Board reconvened back into regular session at 9:37 am*

**4. General Counsel Report – Report Out from Above Closed Session**

Ms. Seamans noted that a quorum of the Board was present.

Chair Heminger stated that there was no reportable action from the closed session.

**5. Public Comments for Items Not on the Agenda**

Aleta Dupree, Oakland, commented on electrification, Clipper, and vending machines.

Adrian Brandt, commented on revisiting Caltrain engineering standards, one percent maximum grade, and reviewing the environmental impact report (EIR).

**6. Consent Calendar**

**a. Approve Regular Meeting Minutes of May 5, 2022**

**b. Renew Findings to Hold Meetings via Teleconference for 30 Days Pursuant to Assembly Bill**

**(AB) 361**

- c. **Receive Caltrain Key Performance Statistics – April 2022**
- d. **Accept Quarterly Fuel Hedge Update**
- e. **Authorize Execution of Agreement to Accept Funding and Act as Project Lead for the South Linden Avenue and Scott Street Grade Separation Project**
- f. **Authorize Execution of Change Order to Wabtec Railway Electronics for Crossing Optimization Work Under Contract No 18-J-T-49 and Completion of Crossing Optimization Project**
- g. **Execute Contracts for Technology-Related Products and Services through Piggybacking Contracts and Cooperative Purchasing Programs**
- h. **Execute Contracts for Information Technology Licenses, Maintenance Services, and Professional Services**
- i. **Report of the Acting Chief Financial Officer (CFO)**
- j. **Accept Statement of Revenues and Expenses for the Period Ending April 30, 2022**
- k. **50 Percent Off Promotional Campaign Update**
- l. **State and Federal Legislative Update**
- m. **Declare Cahill Extension Property as Exempt Surplus Land and Approve of Rail Corridor Use Policy Variance**
- n. **Capital Projects Quarterly Status Report - 3rd Quarter Fiscal Year 2022**
- o. **Update on Regional Fare Coordination and Integration Study**
- p. **Metropolitan Transportation Commission (MTC)/Regional Update**
- q. **COVID-19 Policy Status Update**

Public Comment

Adrian Brandt, San Mateo, commented on wireless grade crossing activation, preventing excessive gate downtime, two speed check system, and high-speed rail authority.

Aleta Dupree, Oakland, commented on fare integration.

Motion/Second: Stone/Zmuda

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

Noes: None

Absent: Pine

Recused: Chavez on Items 6g and 6h

**7. Award of Contract to HNTB Corporation for Mountain View Transit Center Grade Separation and Access Project, and Adoption of a California Environmental Quality Act (CEQA) Determination and Addendum to the Mitigated Negative Declaration \* (Gov. Code § 84308 applies)**

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

- Project location, scope, ramp, undercrossing and entrances
- Schedule, contract delivery analysis, and budget summary

- Environmental review process, and staff recommendations

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding the estimated cost and full funding.

#### Public Comment

Adrian Brandt, San Mateo County, commented on the project, asked about the deletion of bicycle tracks in the scope of work, and spoke in support of improving bike and pedestrian infrastructure.

Jeff Carter, Millbrae, commented on this project, safety and collision prevention, having a Palo Alto grade separation, and having enough space for additional tracks.

Aleta Dupree, Oakland, expressed support for passing this item.

Motion/Second: Hendricks/Gee

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

Noes: None

Absent: Pine

Recused: Chavez

### **8. Adopt Fiscal Year (FY) 2023 Proposed Operating and Capital Budgets**

Director Zmuda noted that the Finance Committee has looked at potential revenue sources, expenses, and made some changes to further balance the operating budget over the last two committee meetings. She stated there has been a lot of agreement with respect to the capital budgets with some ongoing negotiations with partner agencies on how much is available to continue to fund it, but it is less than the \$5 million provided by each of the partners in prior years that Caltrain has requested.

Director Hendricks clarified that “approved by finance committee” on the agenda moved this item forward for full Board review and discussion.

Michelle Bouchard, Acting Executive Director, said the finance team wanted to identify needs for 2023 that might be reduced or need to be deferred.

Grace Martinez, Acting Chief Financial Officer, provided a presentation which included the following:

- Overview, proposed budget outlook, proposed revenues, and proposed expenditures
- Proposed capital budget, contingency funds, and remaining funding needed to balance
- Previous member contributions, temporary versus long term funding gap recommendations
- Capital & Operating Budget (budget proposed heavily dependent of receipts of Measure RR, including \$27million in operating reserves
- Recommend approval of the operating and capital budgets for fiscal year 2023 as contribution commitments were secured from all member agencies

Michelle Bouchard, Acting Executive Director, said this recommendation seeks to balance a transitional year, with plans to address future electrification years and Fiscal Year 2024 budgets.

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

- The member agency contribution agreed amount for capital projects
- Whether wages and benefits are up by 23 percent
- The importance of capital funding budget support and not putting off State of Good Repair (SOGR) items
- Considering doing a multi-year contribution commitment rather than annual contribution negotiations
- No further federal money and electrification increasing operating expenses
- Having a month-by-month projection for how \$30 million in fares track by September
- Expectations for other resources going forwarded
- Member agency understanding and expectations for a budget contribution policy

#### Public Comment

Adina Levin, Friends of Caltrain, commented on staff and board committee work on the budget, re-growing transit ridership following impacts of the pandemic, concerns with deferring state of good repair, and replacing project funding

Aleta Dupree, Oakland, commented on covering basics, not raising fares, have more people back on the trains, capital is essential, and SOGR does affect the public,

Vaughn commented on coordination between Caltrain, Capital Corridor, and ACE in the Bay Area.

Jeff Carter, Millbrae, commented on passing the budget, underfunding transit, keeping Caltrain in top condition, and cutting fares on all transit agencies in the Bay Area.

Adrian Brandt, San Mateo County, commented on labor budget, reduced operating costs, and fare inspections.

Motion/Second: Hendricks/Gee moved to approve with a request to review funding policies and procedures with an exploration of additional funding sources.

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

Noes: Hendricks

Absent: Pine

#### **9. Options for Imposing Mask Mandate**

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

- No mask laws at the local, state, or federal levels
- Most transit agencies are strongly recommend but not requiring masks

- BART is the exception with a mask mandate until July 18<sup>th</sup> and with the authority to issue citations
- Caltrain requires conductors wear masks and 43.7 percent of passengers are wearing masks
- JPB's authority can issue safety protocols, but cannot enforce mandate
- Three options: [1] status quo, [2] impose mask mandate with recognition of no power to enforce/issue citations [3] work to expand statutory authority especially to enforce through citations
- Staff recommends status quo with no mask mandate and working with the legislature to obtain authority to issue health and safety protocol mandates in the future

#### Public Comment

Aleta Dupree, Oakland, spoke in support of option two and commented on conflict even without mandates.

Adina Levin, Seamless Bay Area, commented on seniors requesting mask mandates on public transportation, supported increased compliance, and increasing safety for those who are health vulnerable.

Adrian Brandt, San Mateo County, commented on a mask mandate with soft enforcement for more riders and increased public good will.

Paul Wendt, Belmont, spoke in support of a mask mandate support and increasing riders with increased public safety.

Director Walton left at 11:30 am

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

- Mask wearing increasing with stating masks are required
- Support staff recommendation with legislative tools in the future
- Requiring masks to encourage staff and public safety
- Non-enforceable mandates and minimizing staff conflict with riders
- Conflict between members of the public when one asks another to put their mask on due to mask mandates and when rules are not clear
- Staff looking into BART conflict experiences

Motion/Second: Davis/Gee to approve the staff recommendation to continue to recommend mask wearing and for staff to work with legislature (and other transit agencies) to expand the authority of transit agencies to issue citations to include health and safety protocols issued by the transit agency.

Ayes: Chavez, Davis, Gee, Hendricks, Heminger

Noes: Zmuda, Stone

Absent: Pine, Walton

## **10. Recognize Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Pride Month and Reaffirm a Commitment to Diversity, Equity, Access and Inclusion**

Tasha Bartholomew, Communications Manager, asked the Board to pass the resolution recognizing June as pride month. She stated that Caltrain cherishes the dignity and value of every person and expresses equality based on age, race, marital status, physical attributes, eradicating hate speech and standing in solidarity with LGBTQ+ people and all those who have been historically marginalized for any reason.

### Public comment

Aleta Dupree, Oakland, commented on the importance of equity and setting examples for global inclusion.

Motion/Second: Heminger/Stone

Ayes: Chavez, Davis, Hendricks, Zmuda, Stone, Heminger, Zmuda

Noes: None

Absent: Pine, Walton

## **11. REPORTS**

### **a. Report of the Citizens Advisory Committee (CAC)**

Brian Shaw, CAC Chair, provided a report with updates on business intelligence, budget and costs, path to unconstrained budget, contract negotiations, transition to electrification operating budget, and past member agency contributions. He stated the public commented on keeping fares low, train staffing levels, and having zone fares to increase ridership.

### Public Comment

Jeff Carter, Millbrae, commented on the business intelligence update, and data for public consumption.

Adrian Brandt, San Mateo County, commented on riders with mobility issues being caught unaware on single tracking and missing their train.

### **b. Report of the Chair**

Chair Heminger provided a governance update that included information on an adopted term sheet, meeting with general counsel to improve the memorandum of understanding (MOU) and bringing it quickly to a close. He stated if the JPB approves it in June, they could get everything done by August and update older agreements.

### Public comment

Vaughn commented keeping promises and not overselling.

### **c. Report of the Transbay Joint Powers Authority (TJPA)**

Director Jeff Gee, commented on an aggressive downtown extension workplan to bring the train downtown, the ECS Executive Steering Committee and integrated project management team is working hard, working locally for matching the federal funding opportunity, and with more changes to come.

**d. Report of the Executive Director**

Michelle Bouchard, Acting Executive Director, reported the following:

- Positive meetings with Speaker Pelosi delegation members and staff and other White House official with recognition and support for the program
- Ongoing transportation deal discussions and recent State Senate and Assembly approved budget plan announcement, including transportation
- 50 percent off fare campaign in April resulted in 24 percent higher ticket sales than in March (which may be conflated a little with some companies returning to work and the Giants season)
- San Francisco yards preliminary business case work included engagement with stakeholders on layout and storage options, more outreach to be done, and future update to the Board
- 88 percent of the operations department staff have been vaccinated and overall the vaccination rate has gone up from 61 percent to 75 percent.

Public Comment

Jeff Carter, Millbrae, commented on rail development and having a future system that carries 100,000 to 200,000 per day with a downtown extension and the station at Fourth and Townsend.

**12. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report**

Pranaya Shrestha, CalMod Chief Officer, discussed the following:

- Project highlights - no changes in the schedule, completed 17 cutover grade crossings, completed the signal phase study for the PG&E substation in the San Jose area, and started static testing of electric trains
- Continuing safety and emergency preparedness work and staff trainings and it is National Construction Safety month
- Program Budget, upcoming Board actions, and future funding needed in June 2023

Casey Fromson, Chief Communications Officer, discussed funding updates on the Federal and State level with a \$10 billion transportation package on the table right now with outcomes on June 15.

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

- Federal funds are needed in June 2023
- Have quarterly milestones/updates to track progress for critical path items
- Program evaluation, training, and making changes to increase productivity
- Checking the funding needed for activities by December 2022 rather waiting until June 2023

Public Comment

Aleta Dupree, Oakland, commented on building infrastructure, signaling, having trains run by wire by August, having a longer term vision for the Gilroy station, and running electric equipment.

Adrian Brandt, San Mateo County, commented on the January foundation completion press release, unmasking utilities issues, dual speed check, and appropriate track length for 110 miles per hour cars.

**13. CORRESPONDENCE**

Correspondence was available online.

**14. BOARD MEMBER REQUESTS**

There were none.

**15. DATE/TIME OF NEXT REGULAR MEETING:**

Thursday, August 4, 2022 at 9:00 am via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA (additional location, if any, to be determined).

**16. ADJOURN**

The meeting adjourned at 12:34 pm

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