

**Peninsula Corridor Joint Powers Board
Work Program – Legislative – Planning Committee (WPLP)
1250 San Carlos Avenue, San Carlos CA 94070**

Minutes of September 28, 2022

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

MEMBERS ABSENT: None

STAFF PRESENT: M. Bouchard, J. Harrison, C. Fromson, R. Barnard, M. Jones, D. Ryan,
D. Seamans, S. Wong, K. Scribner

1. Call to Order/Pledge of Allegiance

Chair Charles Stone called the meeting to order at 3:01 p.m. and Michelle Bouchard, Acting Executive Director, led the Pledge of Allegiance.

2. Roll Call

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

3. Public Comment For Items Not On The Agenda

Adrian Brandt, San Mateo County, commented on the electrification project coming to fruition and expressed support for future train ceremonies.

4. Approve Meeting Minutes of July 27, 2022

Motion/Second: Chavez/Heminger

Ayes: Chavez, Heminger, Stone

Noes: None

Absent: None

5. Authorize the Execution of the Necessary Agreements and Amendments to Receive Funds and Act as the Project Lead to Deliver the Final Design Phase of the Rengstorff Avenue Grade Separation Project*

Rob Barnard, Deputy Chief, Rail Development, provided an update, which included the following highlights:

- Project partners and roles - Valley Transportation Authority VTA, Caltrain, City of Mountain View
- Project location in Santa Clara County between San Antonio and Mountain View Station
- Project goals and safety as the first priority
- Existing at Grade Crossing is Number 8 on the California Public Utilities Commission's (CPUC) statewide grade separation priority list
- Project elements, progress, and timeline for construction completion in 2028

- Project costs projected at \$272 million and funding commitments by VTA and City of Mountain View (\$50 million)
- Next steps include cooperative agreement, RFP (request for proposal), optimal delivery method, and award design
- Staff recommendation and a Fiscal Year 2023 Budget amendment will be brought forward for the Board’s consideration in the future

The Board had a discussion and staff provided further clarification in response to the Board members comment and question on grade separation funding through local sources and not Caltrain sources.

Motion/Second: Chavez/Heminger

Ayes: Chavez, Heminger, Stone

Noes: None

Absent: None

6. Approve the Compatibility of the Proposed Vehicular Bridge Crossing of the Caltrain Corridor at Communications Hill Boulevard in San Jose*

Director Cindy Chavez recused herself from this item.

Melissa Jones, Deputy Director Policy Development, provided the presentation, which included the following information:

- JPB property uses - principally as rail service provider, railroad uses, and non-railroad uses (utilities, access facilities, commercial such as sales lots, parking, storage)
- Caltrain’s Long term service vision
- JPB Rail Corridor Use Policy (RCUP) review process, technical review, approval of proposed use and granting of property access agreement
- RCUP overview, purpose, objectives and third-party property use requires a property access agreement
- RCUP decision making process for a proposed third-party use (location, allowable use, determination, and either grant compatibility approval or not)
- Proposed project (two lane vehicular bridge, connecting homes, parks, industrial space)
- RCUP compatibility finding (initially incompatible, after review, recommend for board approval) and staff recommendation (approve the use variance for the proposed vehicular bridge at Communications Hill Blvd. with conditions)
- KB Home, Inc. leading the design and delivery of the project and next steps

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

- Union Pacific ownership at this location: they own the track, ties, and ballast while Caltrain owns everything else

- Union Pacific ownership in the corridor: they own main track 1 north of Control Point Lick in South San Jose up to Santa Clara and then peels off to the East Bay
- Minimizing Caltrain interruptions during the bridge construction process and having more details about what Caltrain can insist on as a condition during the build period
- \$2,500 variance charge based on the number of staff needed across different departments, their average hours, and average staff rate
- Revisit possibility of charging for initial review
- Caltrain has a routine to involve and update High Speed Rail (HSR), including close coordination on technical reviews to ensure integration
- One of the RCUP's approval conditions is the JPB's obligation to HSR

Public Comment

Adrian Brandt, San Mateo County, commented on updating HSR on the project and the terrain to ensure the work does not impede the two planned electrified tracks and does not affect service down to Gilroy.

Motion/Second: Heminger/Stone

Ayes: Heminger, Stone

Noes: None

Absent: None

Recused: Chavez

7. State and Federal Legislative Update

Casey Fromson, Chief Communications Officer, provided information on the following:

- Federal Legislature – working through the Appropriation Bill (funding sources: community benefit project \$10 million on Senate side and \$51 million for electrification project on the House side from the capital investment grant program)
- State Legislature - \$900 million to \$1.5 billion is designated for transportation projects; of that amount at least \$900 million may be available for Caltrain electrification, and more information on how those dollars will be distributed to come
- Grade separation funding - guidance at state level with supplemental funding from Assembly member Berman
- Update from advocates will be next month

Devon Ryan, Government and Community Affairs Manager, provided a status update on the following bills:

- Senate Bill (SB) 922 – expand California Environmental Quality Act (CEQA) exemptions for transit projects
 - SB 942 – free and reduced fare programs
 - SB 917 – Seamless Transit Transformation Act will not be moving forward this year
 - Assembly Bill (AB) 1919 free youth transit fare program vetoed
 - AB 1944 board support not moving forward this session

- AB 2449 allow members to meet via teleconference without location notice (with a quorum meeting in person requirement) signed by governor

8. Committee Member Requests

Director Heminger requested a map indicating Union Pacific ownership along the corridor.

- 9. Date/Time of Next Regular WPLP Committee Meeting:** Wednesday, October 26, 2022 at 3:00 pm via Zoom (additional location, if any, to be determined).

10. Adjourn

The meeting adjourned at 3:47 p.m.