

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

**Minutes of January 5, 2023**

**Members Present (Remote):** S. Heminger (Chair), M. Zmuda C. Chavez, D. Davis, J. Gee, S. Walton, R. Mueller

**Members Absent:** None

**Staff Present:** M. Bouchard, K. Kelly, J. Harrison, A. Myles-Primakoff, S. Sargent, C. Fromson, D. Ryan, R. Barnard, D. Chazan, K. Yin, B. Shaw, P. Shrestha, D. Stewart, S. Bullock, N. Fogarty, T. Burgwyn, T. Bartholomew, 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. Swearing in of San Mateo County Board of Supervisors Representative**

District Secretary Dora Seamans administered an Oath of Office to Raymond Mueller representing the San Mateo County Board of Supervisors.

**3. Roll Call**

Ms. Seamans called the roll and confirmed there was a Board quorum present.

**4. Adopting Findings to Authorize Holding Meetings via Teleconference for 30 Days Pursuant to Assembly Bill (AB) 361**

James Harrison, Legal Counsel, stated AB 361 will remain in effect through the end of February. Beginning in March, Board Members will either need to participate in person under traditional Brown Act requirements (by providing the Board Secretary with an address to post on the agenda, make that location accessible to the public, or within the narrow exceptions under AB 2449, may be allowed remote participation under emergency circumstances (meaning a family or medical emergency that prevents in person attendance).

Public Comment

Jeff Carter, Millbrae, spoke against anyone having to disclose their personal address and make it accessible to the public during Zoom meetings. He opined that there are good reasons for continuous Zoom or hybrid meetings and thought the legislature should change this rule.

Motion/Second: Davis/Gee

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

Noes: None

Absent: None

## **5. Resolution of Appreciation to Outgoing Director Dave Pine**

Chair Heminger stated that he would remember Director Pine as the \$100 million man due to his work on the Measure RR ballot. Board Members all expressed their appreciation and thanks to Director Pine for his many contributions that included electrification, positive train control, his calm, levelheaded leadership, and allowing for differences of opinion and strategy, working towards solutions for all, and serving on multiple boards.

Outgoing Director Pine thanked everyone for their kind words and expressed faith in the leadership for challenges ahead.

### Public Comment

Adina Levin, Friends of Caltrain, commented on navigating Caltrain through difficult waters through the pandemic.

Jeff Carter, Millbrae, commented on Measure RR, Director Pine's tenure, and Caltrain support.

Adrian Brandt, San Mateo County, thanked Director Pine for his contributions, especially with extended governance talks.

Motion/Second: Heminger/Gee

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

Noes: None

Absent: None

## **6. Public Comment for Items Not on the Agenda**

Jeff Carter, Millbrae, commented on the New Year Eve's service, the pdf schedule published online did not show any trains leaving after 12:05am, though trains were shown coming to San Francisco. The schedule could have shown trains leaving to make things clearer for people.

Adrian Brandt, San Mateo County, commented on flooding affecting grade separations, San Bruno and Belmont having severe underpass flooding where roads were for grade separations. He commented on Caltrain highlighting the flooding risks and previous arguments for not lowering roads and increasing flood risk in corridor wide grade separation studies.

Aleta Dupree commented on working toward a Clipper ticket vending machine (TVM) upgrade at all stations.

## **7. Report of the Executive Director**

Chair Heminger asked Executive Director Bouchard to address the flooding risk at over and under grade separations.

Michelle Bouchard, Executive Director, report included the following:

- Update on storm preparation responses included sub-pumps at all grade crossing and flood mitigation measures with the community are in place, additional pumping available, current assessment and re-assessment after the storms, and tree removal service

- Approval of the governance resolution, fully accessible South San Francisco train station, GoPass improved access to transit, and improved weekday schedule to improve BART access
- Peninsula Corridor Electrification Plan (PCEP) service change will require 31 partial weekend shutdowns to address top project risks including Overhead Catenary System (OCS) repair
- Martin Luther King Jr. celebration train on January 16<sup>th</sup> with free rides from San Jose to San Francisco
- Successful grant application for the electrification program
- Diridon Plaza Transit Oriented Development (TOD) project is hosting a virtual meeting January 9<sup>th</sup> regarding two mixed-used buildings with commercial space and \$12 million in fees toward affordable housing
- Metropolitan Transportation Commission's (MTC's) final business case meeting is December 12<sup>th</sup> with action expected January 22<sup>nd</sup>

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

- Preventative options to ensure no service interruptions especially during transition to electrified lines
- Caltrain has an arborist check trees along the corridor to identify any risks annually and considered having an on-call arborist for unpredictable events
- Improved Executive Director report format
- Welcomed Kathleen Kelly, Interim Chief Financial Officer, back to Caltrain

#### Public Comment

Jeff Carter, Millbrae, commented on having people out for incidences during the storm and trees in Burlingame falling across El Camino and the tracks.

Adrian Brandt, San Mateo County, commented on underpass flood testing, having a power backup system, avoiding flood pools, and re-thinking before building more grade separations that could create more flood pools and overflow.

Aleta Dupree commented on the Martin Luther King Jr. train, electrification grant, and operating post downed overhead wire.

#### **8. Consent Calendar**

- a. Approve Regular Meeting Minutes of December 1, 2022**
- b. Award of Contract for Right of Way Fencing Project**
- c. On-Call Transportation Planning and Consultant Support Services Update**
- d. Accept Statement of Revenues and Expenses for the Period Ending November 30, 2022**
- e. On-Call Communication and Signal Services Update**
- f. State and Federal Legislative Update**
- g. Metropolitan Transportation Commission (MTC)/Regional Update**

Motion/Second: Chavez/Zmuda approve all items with the exception of items 8c and 8e

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

Noes: None

Absent: None

Motion/Second: Gee/Heminger approve item 8c and 8e

Ayes: Davis, Gee, Walton, Zmuda, Heminger

Noes: None

Absent: None

Recused: Chavez, Mueller

**9. Authorize Agreement with San Mateo County Transit District in Connection with Bus Bridge Services for the Caltrain Peninsula Corridor Electrification Project (PCEP) Signal Cutover Weekend Closures**

Pranaya Shrestha, CalMod Chief Officer, provided a presentation on the following:

- Signal cutover weekend bus bridge service between Belmont and Mountain View
- No budget impact to PCEP project and cost at \$216,576

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

- Coming back to the Board for approval for settlement authority and to establish a threshold based on current practice and future report out
- Getting markers from other Bay Area transit agencies to determine if they are high or too low

Motion/Second: Chavez/Davis

Ayes: Chavez, Davis, Walton, Zmuda, Heminger

Noes: None

Absent: None

Recused: Gee, Mueller

**10. Approve Agreements to Compensate SamTrans for Use of Office Space in the SamTrans Headquarters Building**

Nadine Fogarty, Deputy Director, Transit Oriented Development and Real Estate, provided the presentation which included the following:

- Compensate SamTrans for use of office space; lease for space on ground floor for PCEP
- Paid from existing program budget
- Space in basement used by Positive Train Control (PTC) project from September 2017 and December 2020
- Space used by electrification program on ground floor

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

- Discussion at Finance Committee and looking at other sites for cost effectiveness
- It was always the intent that the project would pay for the space and there was no gift of public funds
- Through the governance process, Caltrain noted there have been informal agreements and is currently trying to identify all of them

Public Comment

Aleta Dupree commented on the importance and all parties should be compensated and made whole.

Motion/Second: Chavez/Zmuda

Ayes: Chavez, Davis, Walton, Zmuda, Heminger

Noes: None

Absent: None

Recused: Gee, Mueller

**11. Adopt 2023 Legislative Program**

Casey Fromson, Chief Communications Officer, provided updates that included the following:

- Programs at the state level for transit funding
- Small projects and setting up the framework for the annual program

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

- Lobbyists coming in biannually or annually
- Lobbying teams matching what we need today versus yesterday

Motion/Second: Chavez/Gee

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

Noes: None

Absent: None

**12. Adopt Amendments to Code of Conduct for Public Meetings**

Anna Myles Primakoff, Legal Counsel, provided the presentation that included the following:

- Purpose to promote public participation and transparency subject to the Brown Act
- Senate Bill (SB) 1100 clarified the definition of disruptive behavior and a legislative body's rights to conduct its business in an orderly manner
- The amended Code of Conduct incorporated SB 1100 new procedures and definitions for managing disruptions in order to maximize public participation and orderly conduct at meetings

Public Comment

Aleta Dupree commented on its importance, public spaces being safe spaces, protects Board Members and the public, and protects against escalation while not censoring.

Jeff Carter, Millbrae, commented on needing safe spaces for public process, appreciating the amendments and signing up for public comment.

Motion/Second: Davis/Zmuda

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

Noes: None

Absent: None

### **13. Peninsula Corridor Electrification Project (PCEP): Monthly Progress Report and Update on 2023 Construction and Service Impact Plan**

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

- No schedule changes, construction service changes, and 133 electric train cars now in production
- Some damage to Overhead Catenary System (OCS) primarily caused by wind damage and to be assessed after the weather clears
- Authorized Balfour Beatty, Inc. (BBI) to order replacement items due to damage
- 2023 goal to complete construction and testing activities by December and impact to revenue service and passengers
- January 2024 revenue service testing
- Total of 31 weekend are shutdowns on both tracks for safer environment for workers
- Estimated construction and service costs and potential funding options

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

- \$33 million received from supplemental Federal Transit Administration (FTA) capital investment grants, full funding grant agreement (FFGA) funding, and \$10 million received from “community project” funding
- Remaining \$367 million funding gap – Caltrain should receive significant funding from the State and should know in month or two how much may be allocated
- Customer experience overview, customer travel impacts, and bus bridge service
- Weekend shutdowns from February to July 2023 and an estimated 16 additional weekend shutdowns needed for end to end testing
- Customer outreach campaign will include station ambassadors

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

- Shutdowns will be from February through December at different locations with messaging at all stations
- Shutdowns will occur by geographic location and will traverse counties
- Mitigation measures to respond with appropriate staff and procedures in place
- Caltrain will double down on environmental and resiliency issues
- Balfour Beatty Inc. (BBI) is required to design our system for a 100 year flood, worse case wind loading and ice and snow loading; assessment team will assess from end to end to see that it meets contract requirements;
- Members discussed heat and earthquake resiliency concerns

#### Public Comment

Vaughn Wolfe, Pleasanton, commented on outreach, climate change, a shortage of time, electric vehicles, and battery backups.

Aleta Dupree commented on the abbreviated report, not seeing a report on poles/wire progress, when shutdowns for bus bridges announced on web site, including train announcements, and following Japan's system for earthquake alerts.

Adrian Brandt, San Mateo County, commented on not having an option for tree branches falling onto the wires, earthquake precautions, and losing trace ridership.

Adina Levin, Friends of Caltrain, commented on customer communications especially in regards to bus bridges and day to day construction related delays.

Jeff Carter, Millbrae, commented about communication regarding bus bridges and shutdowns.

#### **14. Reports**

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

Brian Shaw, CAC Chair, provided a report on committee discussions, which included the following:

- He was voted in as Chair and David Tuzman voted in as Vice Chair
- January and February meetings would be hybrid and in person for the March meeting
- San Francisquito Creek project concerns
- Clipper data and distanced-based fare agenda
- Advocacy for additional grade separation project funding and project timeline
- Concern regarding car regulation
- Amendment to Code of Conduct and recourse for public removed from meetings
- Requested report for vehicles on track
- Caltrain's new Chief Of Safety

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

Chair Steve Heminger noted this would be his last report as Chair and recognized Board Members, past Caltrain Chairs, and the governance ad hoc committee members for working through the governance issues.

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

Director Jeff Gee reported on the memorandum of understanding (MOU) including rebranding to "the Portal" and an upcoming request to Federal Transit Administration (FTA) as a major milestone.

*Director Walton left at 10:54 am*

#### **15. Resolution Recognizing National Slavery and Human Trafficking Prevention Month**

Tasha Bartholomew, Communications Manager, presented the resolution Recognizing National Slavery and Human Trafficking Prevention Month.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding staff training on preventing trafficking.

Public Comment

Aleta Dupree commented on kids separated from families at busy stations and employees creating safe spaces.

Motion/Second: Gee/Davis

Ayes: Chavez, Davis, Gee, Mueller, Zmuda, Heminger

Noes: None

Absent: Walton

**16. Report of the Nominating Committee – Election of Officers for 2023**

Chair Heminger nominated Director Jeff Gee as Chair and Director Dev Davis as Vice Chair

Motion/Second: Zmuda/Chavez

Ayes: Chavez, Davis, Gee, Mueller, Zmuda, Heminger

Noes: None

Absent: Walton

Executive Director Bouchard thanked outgoing Chair Heminger for his service.

**17. Correspondence**

Correspondence was available online.

**18. Board Member Requests**

Chair Heminger requested addressing flooding risk reports at over/under crossings in grade separation studies.

Director Chavez requested a report out on settlement authority at the next available meeting.

Director Chavez requested information and a schedule preventing trafficking training for staff.

**19. Date/Time of Next Regular Meeting:**

Thursday, February 2, 2023 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.

**20. Adjourn**

Adjourned at 11:30am

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).