



BOARD OF DIRECTORS 2023

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EXECUTIVE DIRECTOR

AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Board of Directors Meeting

September 07, 2023, 9:00 am

Bacciocco Auditorium, 2nd Floor
1250 San Carlos Ave., San Carlos, CA

Members of the public may participate remotely or in-person, provided that they satisfy the safety protocols listed below.

Members of the public may participate remotely via Zoom at <https://us06web.zoom.us/j/87581188408?pwd=OFNUYTVFdExlOXRkR2tQOENXQUhhUT09> or by entering Webinar ID: **875 8118 8408**, Passcode: **033088** in the Zoom app for audio/visual capability or by calling 1-669-900-6833 (enter webinar ID and press # when prompted for participant ID) for audio only. The video live stream will be available after the meeting at <https://www.caltrain.com/video-board-directors>

Members of the public also may participate in person at: San Mateo County Transit District, Bacciocco Auditorium - Second Floor, 1250 San Carlos Ave., San Carlos, CA, or any other noticed location provided they comply with the following safety protocols:

Please Note the Following COVID-19 Protocols for In-person Attendance:

Visitors who have been exposed to the COVID-19 virus, who have received a positive COVID-19 test results, or who are experiencing any of the following COVID-19 related symptoms should refrain from participating in person:

- Cough
- Fatigue
- Sore Throat
- Headache
- Shortness of Breath
- Nausea or vomiting
- Muscle or body aches
- Diarrhea
- Fever or Chills
- Loss of taste or smell
- Congestion or runny nose

Public Comments: Public comments may be submitted to publiccomment@caltrain.com prior to the meeting's call to order so that they can be sent to the Board as soon as possible, while

Amended to add item #10 as of September 1, 2023 at approximately 3:00 pm
Revision to 8.a. Meeting Minutes of August 3, 2023 as of Sept. 5, 2023 at approx. 3:00 pm

those received during or after an agenda item is heard will be included into the Board's weekly correspondence and posted online at: <https://www.caltrain.com/about-caltrain/meetings>.

Verbal public comments will also be accepted during the meeting in person and through Zoom* or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Participants using Zoom over the Internet should use the Raise Hand feature to request to speak. For participants calling in, dial *67 if you do not want your telephone number to appear on the live broadcast. Callers may dial *9 to use the Raise Hand feature for public comment. Each commenter will be recognized to speak, and callers should dial *6 to unmute themselves when recognized to speak.

Each public comment is limited to two minutes. The Board Chair has the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

September 07, 2023 - Thursday

9:00 am

*All items to which [Government Code section 84308](#) applies have been marked with an asterisk
A double asterisk indicates that one or more Directors of the JPB serve on the governing board of a public agency with which the JPB proposes to contract. Under Government code section 1091(a)((9), this relationship is considered to be a noninterest but it must be disclosed.*

PART I OF MEETING (CALL TO ORDER): 9:00 am

1. Call to Order / Pledge of Allegiance
2. Roll Call
3. Consideration of requests, if any, of Directors to participate remotely due to Emergency Circumstances

PART II OF MEETING (CLOSED SESSION): 9:05 am estimated

4. General Counsel Report - Closed Session: Conference with Legal Counsel – Pending Litigation (Gov. Code § 54956.9(d)(1)) [Abel Cuevas v. Peninsula Corridor Joint Powers Board, Santa Clara County Superior Court, Case No.: 21CV385375]

PART III OF MEETING (REGULAR SESSION): 9:35 am estimated

5. General Counsel Report – Report Out from Above Closed Session
6. Public Comment for Items Not on the Agenda
Comments by each individual speaker shall be limited to two (2) minutes. Items raised that require a response will be deferred for staff reply.
7. Report of the Executive Director Informational

Amended to add item #10 as of September 1, 2023 at approximately 3:00 pm
Revision to 8.a. Meeting Minutes of August 3, 2023 as of Sept. 5, 2023 at approx. 3:00 pm

8. Consent Calendar

Members of the Board may request that an item under the Consent Calendar be considered separately.

- | | | |
|------|--|------------|
| 8.a. | Meeting Minutes of August 3, 2023 | Motion |
| 8.b. | Renew Findings of an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to Public Contract Code §22050* | Resolution |

APPROVED BY THE FINANCE COMMITTEE

- | | | |
|------|---|---------------|
| 8.c. | Accept Statement of Revenues and Expenses for the Period Ending July 31, 2023 | Resolution |
| 8.d. | Authorize Rejection of Proposal for On-Call Soil and Hazardous Waste Environmental Compliance Planning and Support Services and Re-Solicit of RFP (Request for Proposal)* | Resolution |
| 8.e. | Amendment 1 to Contract with Bell Burnett & Associates to Provide Additional Scope and Capacity for Financial Strategy Planning Consulting Services* | Resolution |
| 8.f. | Amend and Increase the Fiscal Year 2024 Caltrain Capital Budget by \$5,292,413 from \$510,153,014 to \$515,445,427 and Delegate Authority to Amend Capital Budget Under Specified Circumstances | Resolution |
| 8.g. | Adopt Declaration of Official Intent to Reimburse Prior Expenditures | Resolution |
| 9. | Adoption of the Fiscal Year 2024-2028 Caltrain Fare Structure and Approval of Associated Title VI Equity Analysis | Resolution |
| 10. | State and Federal Legislative Update and Approval of Legislative Proposal: Support SB 410 (Becker) | Motion |
| 11. | Hispanic Heritage Month | Resolution |
| 12. | Proclamation Declaring September Railroad Safety and Suicide Prevention Month | Motion |
| 13. | Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report | Informational |

Amended to add item #10 as of September 1, 2023 at approximately 3:00 pm
Revision to 8.a. Meeting Minutes of August 3, 2023 as of Sept. 5, 2023 at approx. 3:00 pm

- | | |
|--|---------------|
| 14. San Francisco Downtown Rail Extension (DTX): Relation to Other San Francisco Rail Projects | Informational |
| 15. Diridon Station Business Case Update | Informational |
| 16. Reports | |
| 16.a. Report of the Citizens Advisory Committee | Informational |
| 16.b. Report of the Chair | Informational |
| 16.c. Report of the Local Policy Maker Group (LPMG) | Informational |
| 16.d. Report of the Transbay Joint Powers Authority (TJPA) | Informational |
| 17. Correspondence | |
| 18. Board Member Requests | |
| 19. Date/Time of Next Regular Meeting: Thursday, October 5, 2023 at 9:00 am.
The meeting will be accessible 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 | |

Amended to add item #10 as of September 1, 2023 at approximately 3:00 pm
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Information for the Public

All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board. If you have questions on the agenda, please contact the JPB Secretary at 650.508.6242. Agendas are available on the Caltrain website at www.caltrain.com. Communications to the Board of Directors can be e-mailed to board@caltrain.com.

Free translation is available; Para traducción llama al 1.800.660.4287; 如需翻译 请电 1.800.660.4287

Date and Time of Board and Committee Meetings

JPB Board: First Thursday of the month, 9:00 am; JPB TOPS and AMP Committee: Two Wednesdays before the Board meeting, 1:30 pm and 3:30 pm respectively. The date, time, and location of meetings may be changed as necessary. Meeting schedules for the Board and committees are available on the website.

Location of Meeting

Members of the Public may attend this meeting in person or remotely via Zoom. *Should Zoom not be operational, please check online at <https://www.caltrain.com/about-caltrain/meetings> for any updates or further instruction.

Public Comment*

Members of the public are encouraged to participate remotely or in person. Public comments may be submitted by comment card in person and given to the JPB Secretary. Prior to the meeting's call to order, public comment may be sent to publiccomment@caltrain.com so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board's weekly correspondence and posted online at: <https://www.caltrain.com/about-caltrain/meetings>.

Oral public comments will also be accepted during the meeting in person or through Zoom or the teleconference number listed above. Public comments on individual agenda items are limited to one per person PER AGENDA ITEM. Each commenter will be automatically notified when they are unmuted to speak for two minutes or less. The Board Chair shall have the discretion to manage the Public Comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.

Accessible Public Meetings/Translation

Upon request, the JPB will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least 72 hours in advance of the meeting or hearing. Please direct requests for disability-related modification and/or interpreter services to the Title VI Administrator at San Mateo County Transit District, 1250 San Carlos Avenue, San Carlos, CA 94070-1306; or email titlevi@samtrans.com; or request by phone at 650-622-7864 or TTY 650-508-6448.

Availability of Public Records

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



Executive Director's Monthly Report: August 2023

Executive Director Michelle Bouchard

Report prepared for September Board meeting; data current through July 2023.









Who We Are and What We Do

Caltrain Mission: Caltrain is a customer-focused rail system offering safe, reliable, accessible, and sustainable transportation service that enhances quality of life for all.

Caltrain Vision: To be a vital link in the statewide rail network by improving connectivity to other transit systems, contributing to the region's economic vitality, and partnering with local communities to ensure that diverse constituencies receive a world-class travel experience.



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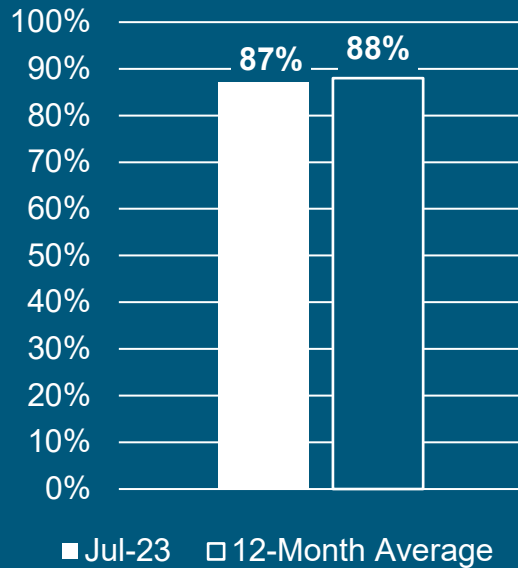




Performance at a Glance

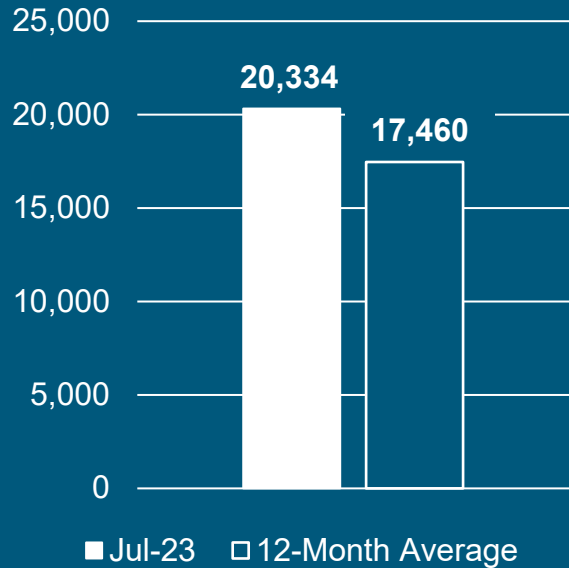
On-Time Performance

Percentage of trains arriving within six minutes of the scheduled time



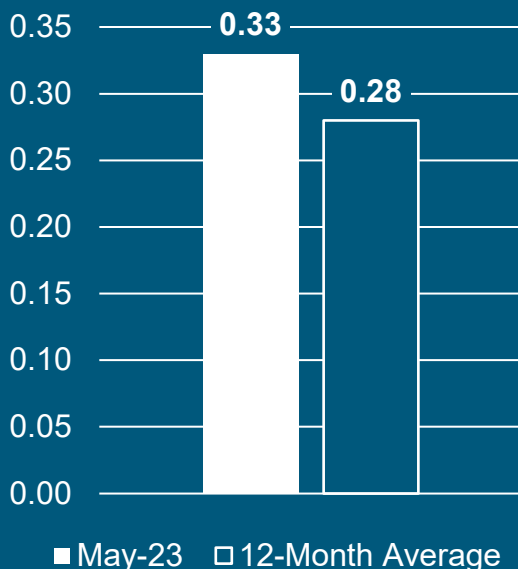
Average Daily Ridership

Average estimated weekday ridership



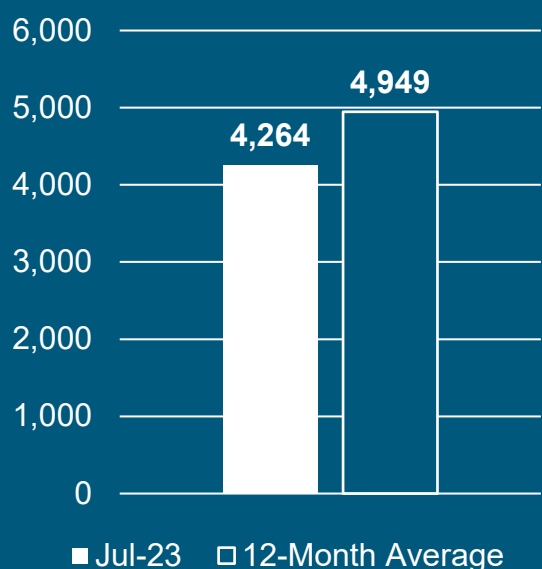
Farebox Recovery Ratio

Ratio of fare revenue to operating costs



Mean Distance Between Failures

Average miles travelled by locomotives before maintenance/repair is required

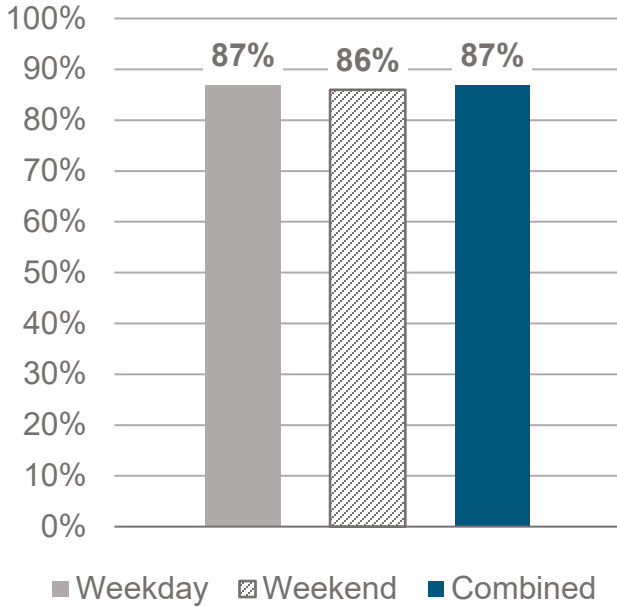


Note: Recent financials are not yet available due to ongoing year end close out activities for FY 2023.



On-Time Performance

Performance This Month (July-23)

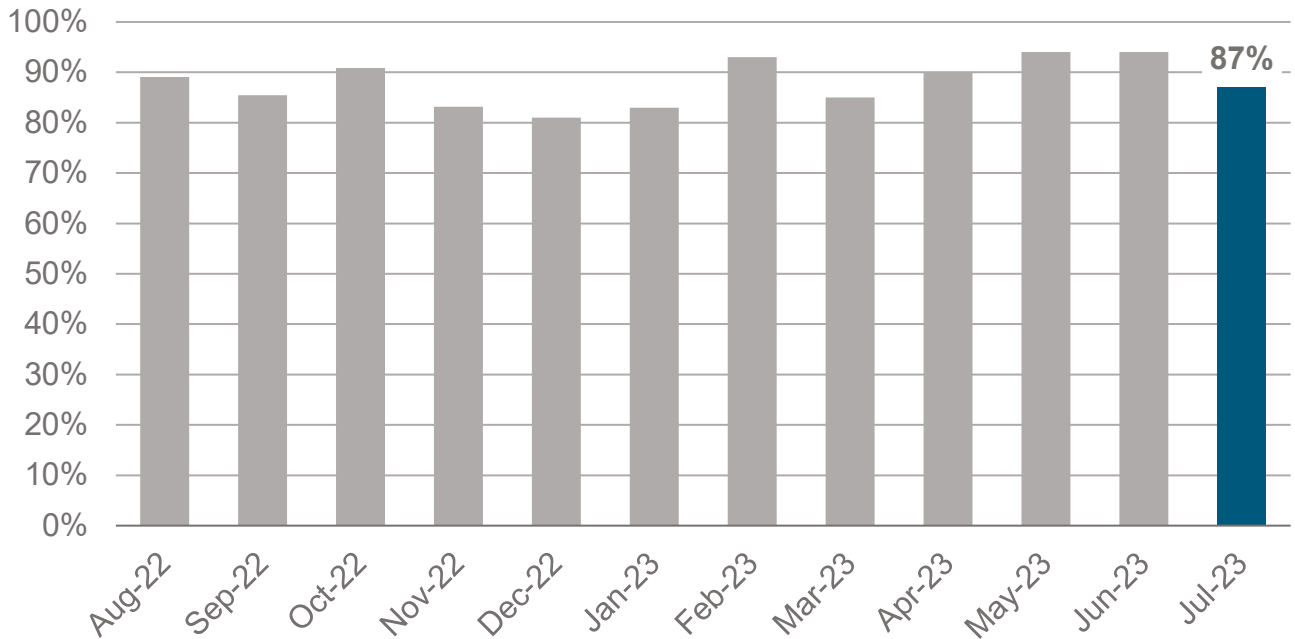


Trains are considered on-time if they arrive within six minutes of the scheduled arrival time at end-line locations (i.e. San Francisco, San Jose Diridon, Tamien, and Gilroy).

The on-time performance (OTP) goal for Caltrain is 95 percent. Combined OTP for the month of July was 87%.

Note that weekend OTP includes holidays.

Monthly On-Time Performance in the Past Year





Delays and Cancellations

May-23

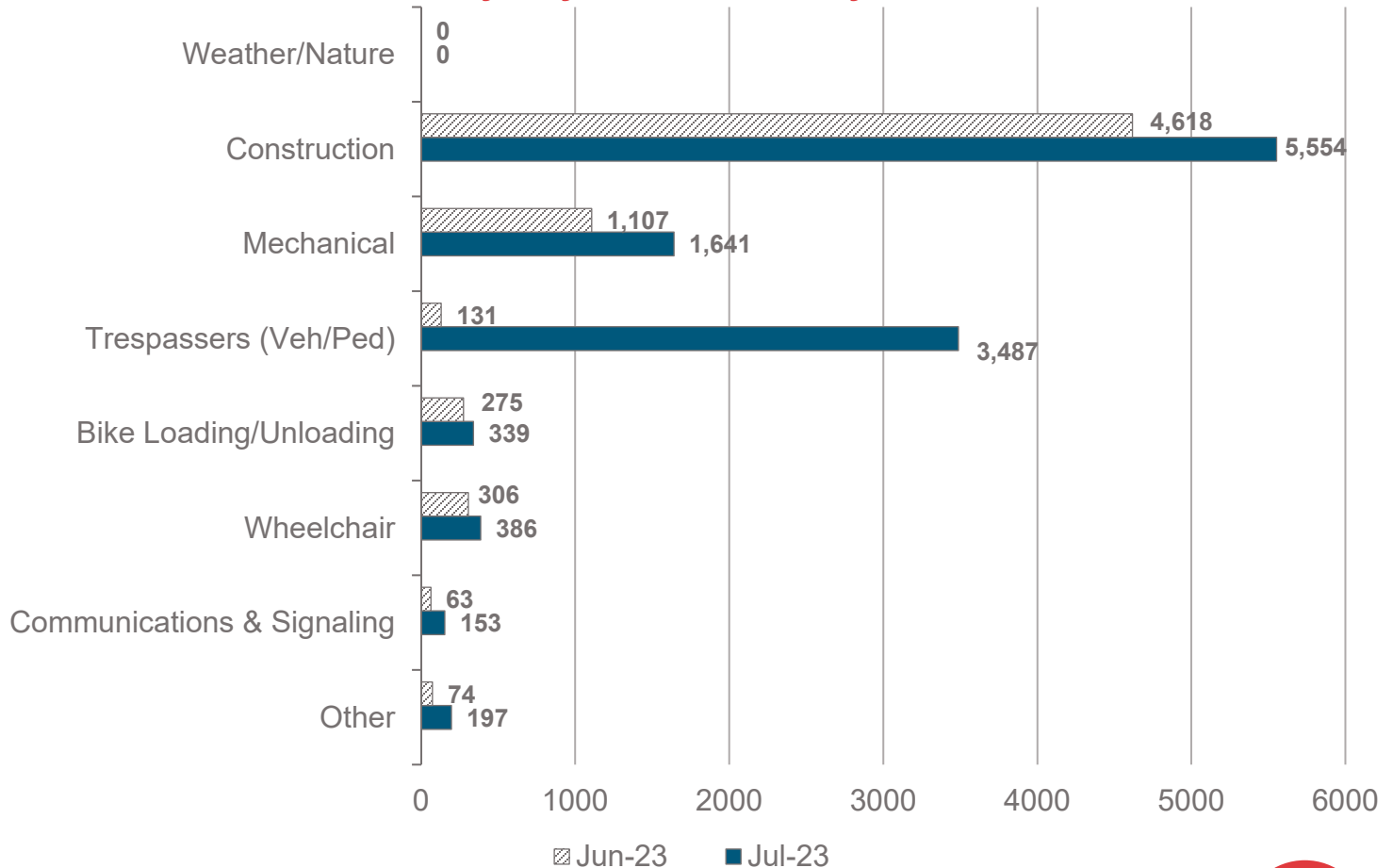
Jun-23

July-23

Number of Late Trains	169	162	342
Average Minutes Late for Late Trains	13	14	18
Number of Cancelled Trains	9	12	19

Trains are considered late if they arrive at their end-line destination six minutes or more after the scheduled time. Average Minutes Late represents the average difference in actual arrival time from the scheduled arrival time for late trains. Cancelled Trains includes trains forced to terminate mid-run, as well as those that are annulled before they begin to operate.

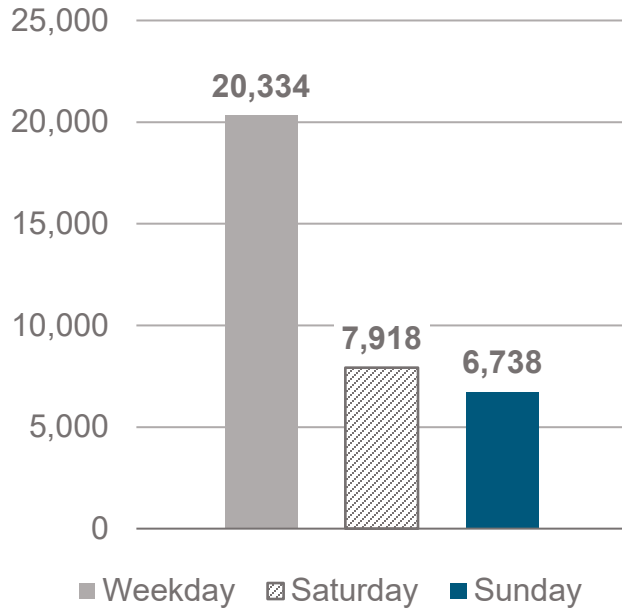
Reasons for Train Delays, by Minutes of Delay





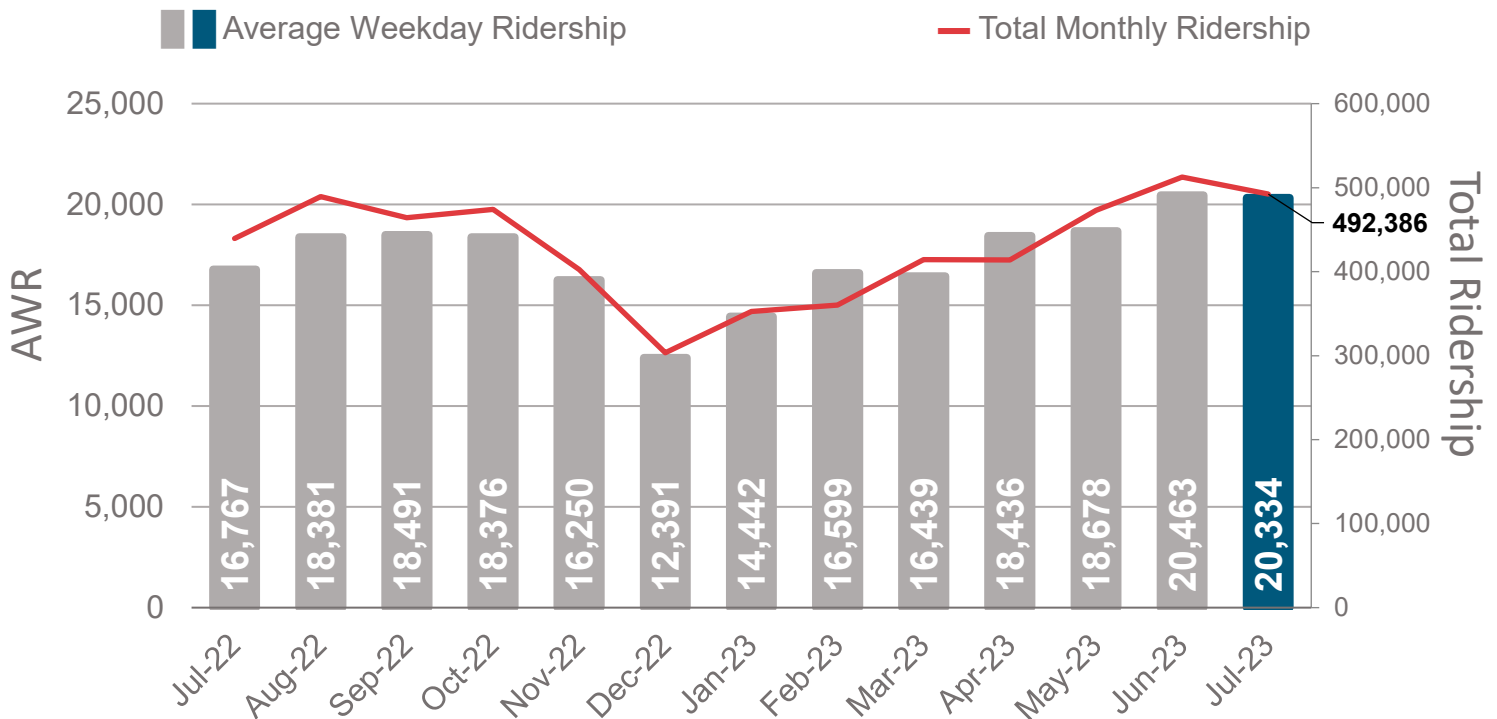
Ridership and Revenue

Average Daily Ridership (July-23)



Average weekday ridership (AWR) increased by approximately 21 percent compared to the same month in the prior year as riders continue to return to the Caltrain system for increased work and leisure travel.

Ridership in the Past Year



Since April 2020, ridership estimates have been developed using daily conductor counts at 14 key stations and Clipper cards used at all stations due to significant impacts to ticket sales and usage patterns from the COVID-19 pandemic.





Ridership and Revenue

Special Service Ridership Report

Giants

- Twelve regular season home games in July.
- Total additional ridership boarding and alighting at San Francisco station was 59,222.
- Year-to-date additional ridership is 203,852, a 3% decrease compared to 2022 (211,072) and a 5% increase compared to 2019 (194,606).
- Special trains:
 - One post-game special train for 11 games.
 - One pre-game special train for five games.

SJ Earthquakes vs LA Galaxy at Stanford Stadium

- Regular northbound and southbound service stopped at Stanford Stadium
 - Four pre-game trains.
 - Four post-game trains.
- Total ridership boarding and alighting at Stanford station was 1,363, a 38% increase compared to 2019 (987).
- Special trains:
 - Two charter trains for SJ Earthquakes ticket holders.

4th of July Fireworks

- This event occurred on a weekday (Tuesday), with weekend service in operation.
- Total additional ridership boarding and alighting at San Francisco station was 1,279, a 21% decrease compared to 2022 (1,609).
- Special trains:
 - One pre-event special train.
 - One post-event special train.

Dead & Company - The Final Tour at Oracle Park

- Three concerts in July.
- Total additional ridership boarding and alighting at San Francisco station was 3,503.
- Special trains:
 - One post-event special train (7/14).
- *Please note, a bus bridge was in effect for the 7/15 & 7/16 concerts.*

Taylor Swift, The Eras Tour at Levi's Stadium

- Two concerts in July.
- Total additional ridership boarding and alighting at Mountain View station was 5,788.
- Special trains:
 - One post-event special train (7/28).
 - One post-event special train (7/29).



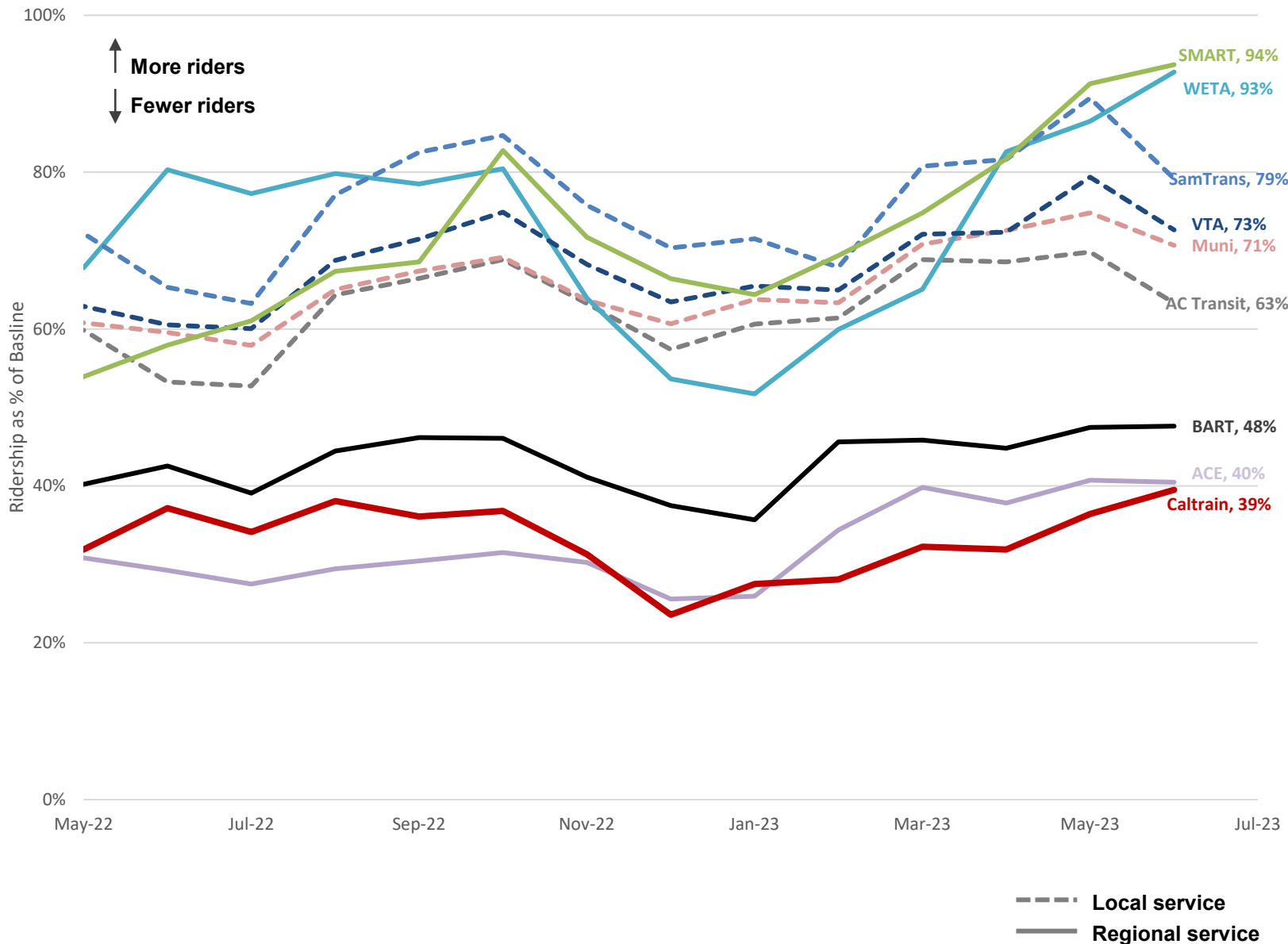


Ridership and Revenue

Public Transit Ridership Recovery in the Bay Area

The below chart represents total monthly ridership as a percentage of baseline (defined as total monthly ridership reported in February 2020).

Total Monthly Ridership as a Share of Pre-Pandemic Levels



Sources:

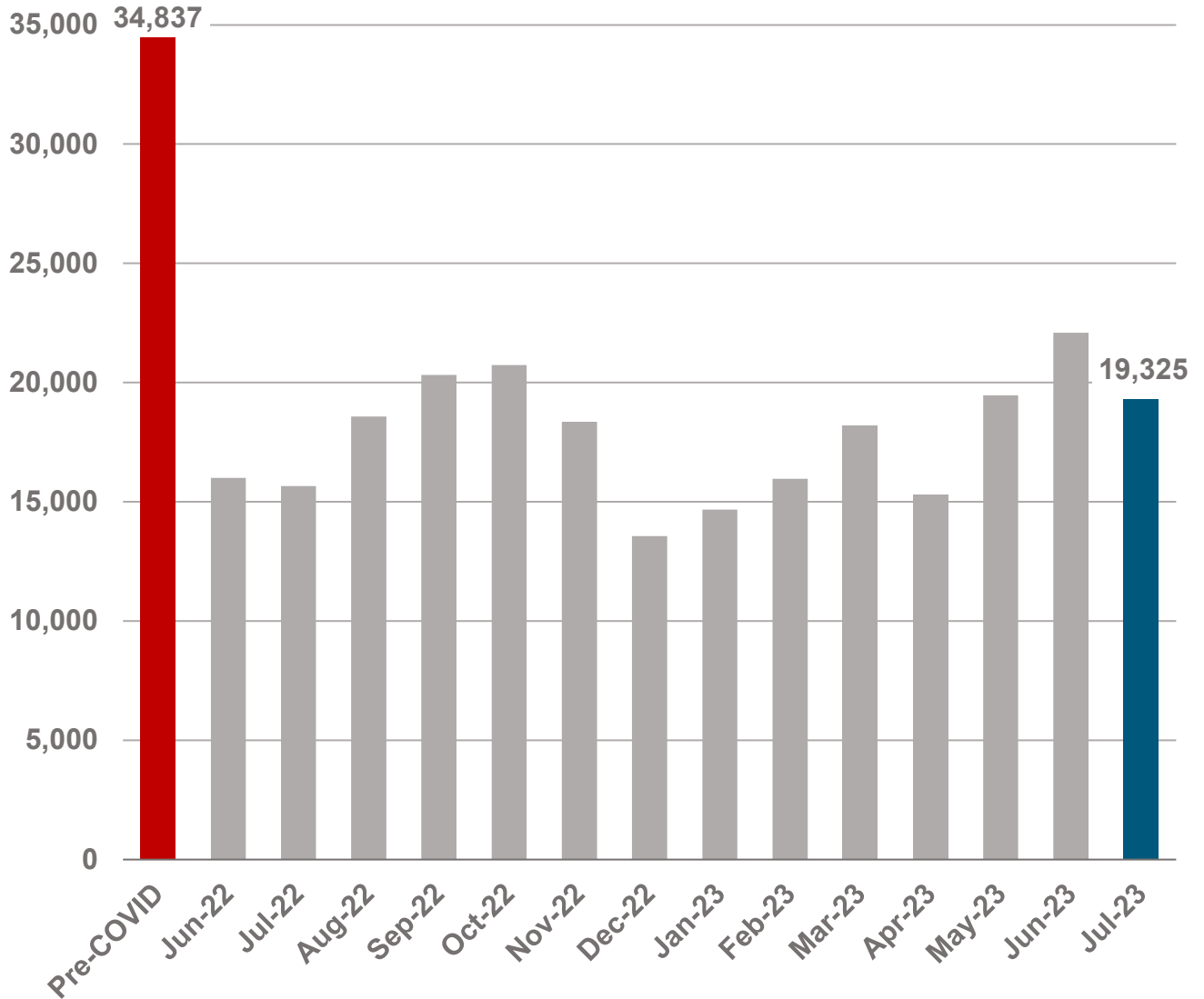
- Caltrain ridership estimates based on conductor counts & Clipper data
- Ridership data for all other agencies retrieved from the National Transit Database





Ridership and Revenue

Monthly BART Transfers at Millbrae in the Past Year



BART Transfers at Millbrae represents the total number of BART-to-Caltrain and Caltrain-to-BART transfers, as measured by Clipper Card data.

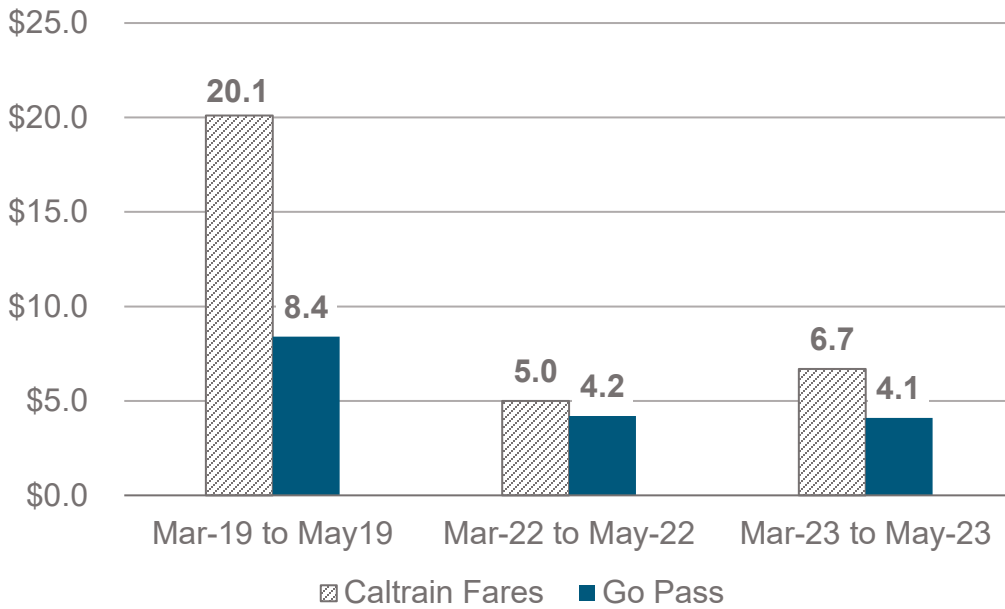
Pre-COVID data is provided for comparison purposes and represents average monthly transfers during the one-year period from March 2019 to February 2020.





Ridership and Revenue

Total Fare Revenues (\$M) - Past 3 Months Comparison

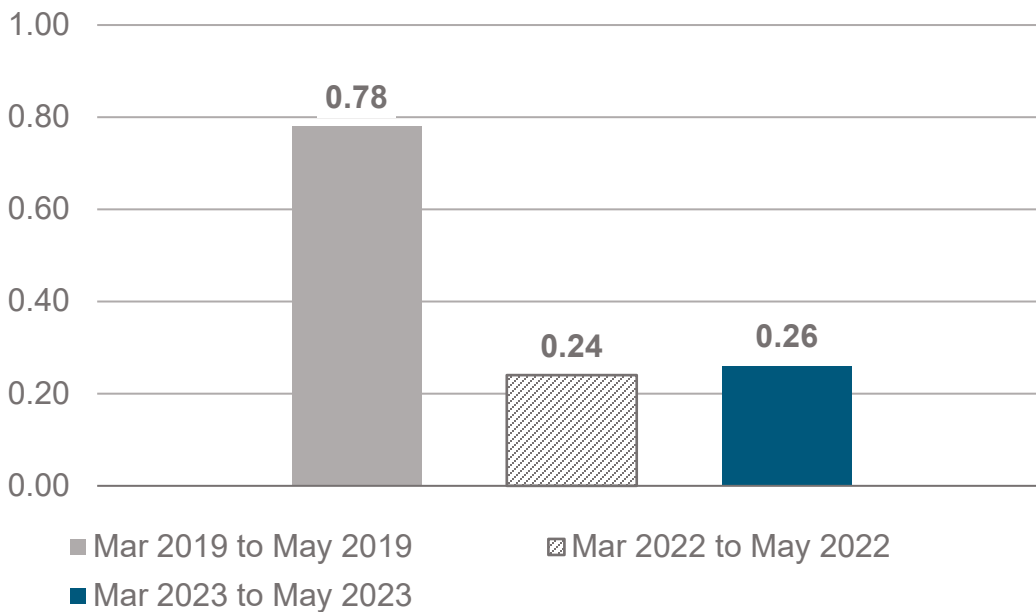


Fare revenue comes in the form of one-way tickets, daily or monthly passes (“Caltrain Fares”), and the Go Pass program.

Fare revenue is generally more stable than ridership due to many riders paying for monthly passes, which provide consistent revenue regardless of usage.

Note: Recent financials are not yet available due to ongoing year end close out activities for FY 2023.

Farebox Recovery Ratio (3-Month Rolling Average)



Farebox Recovery Ratio represents how much of the cost of providing service is covered by customer fares. A higher ratio indicates that a greater share of costs are covered by riders.

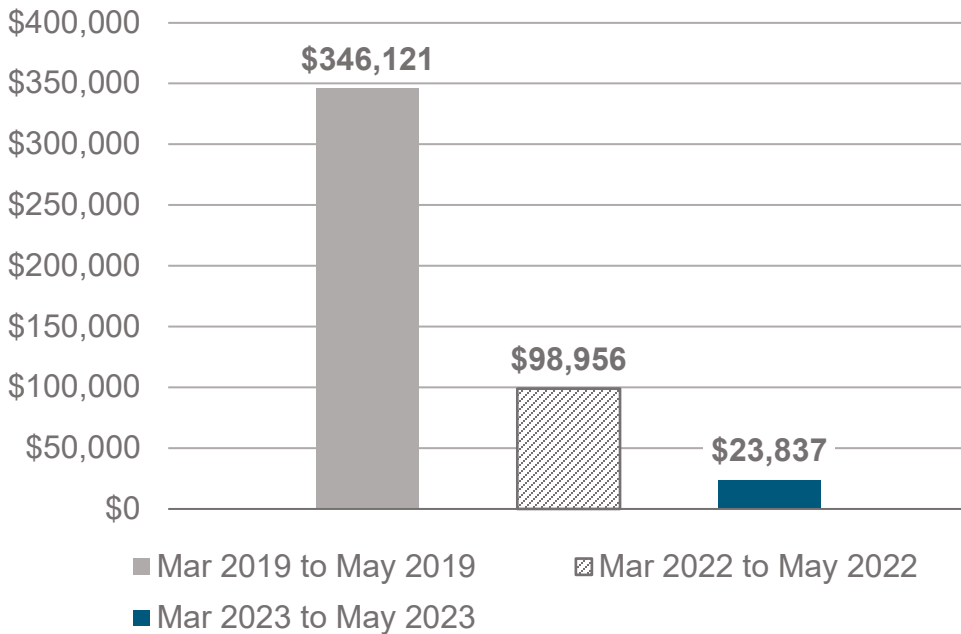
Note: Recent financials are not yet available due to ongoing year end close out activities for FY 2023.





Ridership and Revenue

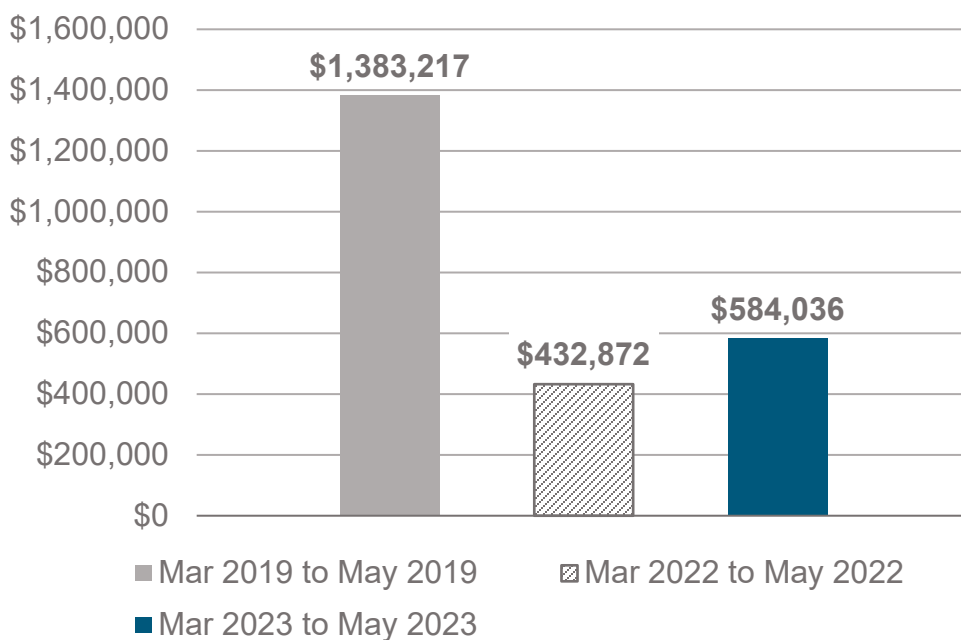
Advertising Revenue (3-Month Rolling Average)



Advertising Revenue declined substantially for transit agencies throughout the country with the onset of the COVID-19 pandemic.

Note: Recent financials are not yet available due to ongoing year end close out activities for FY 2023.

Parking Revenue (3-Month Rolling Average)



Parking Revenue is generated by purchases of daily and monthly parking permits for parking at Caltrain-owned lots.

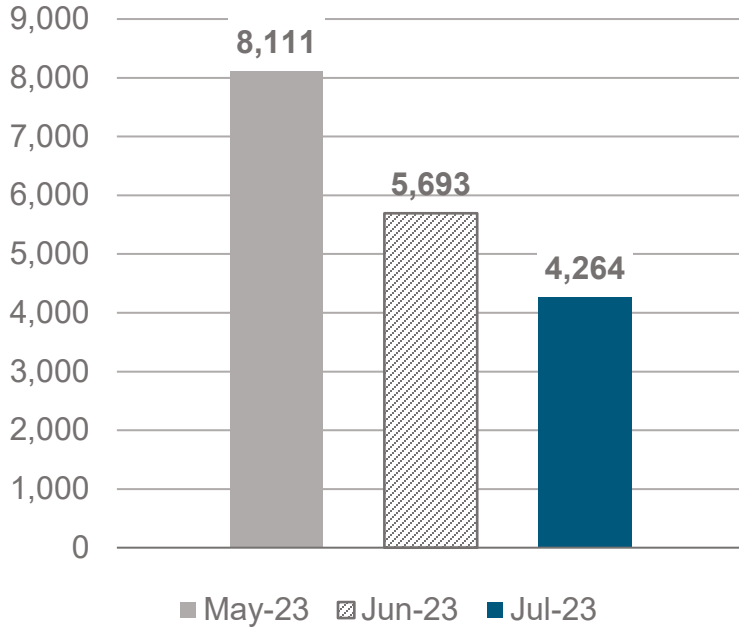
Note: Recent financials are not yet available due to ongoing year end close out activities for FY 2023.





Maintenance Performance

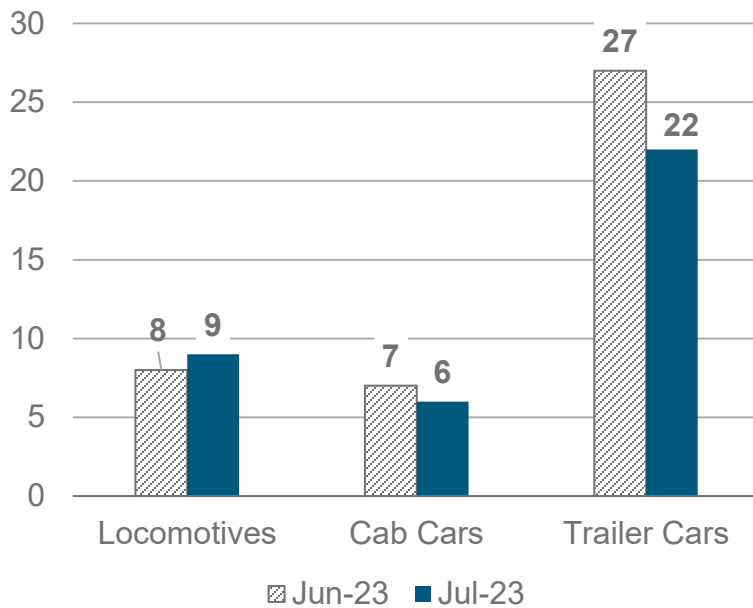
Mean Distance Between Failure (Locomotives)



Mean Distance Between Failure (MBDF) is a measure of fleet reliability that represents the average distance traveled by train cars before maintenance or repair is required. A higher value indicates an improvement in reliability. Data is measured in miles.

The graph to the left represents MDBF for all passenger locomotives in Caltrain’s fleet.

Equipment in Maintenance/Repair



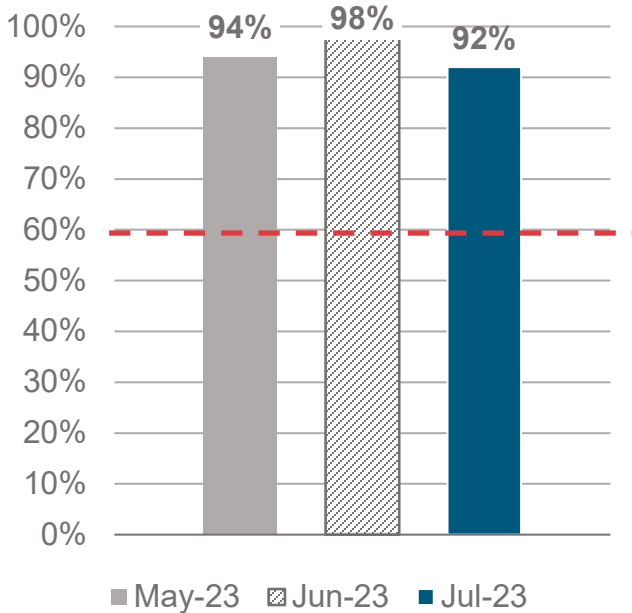
Equipment in Maintenance/Repair represents the number of locomotives and cars that are out of service on an average day each month due to routine and preventative maintenance or other repairs.





Maintenance Performance

Equipment Availability (Locomotives)

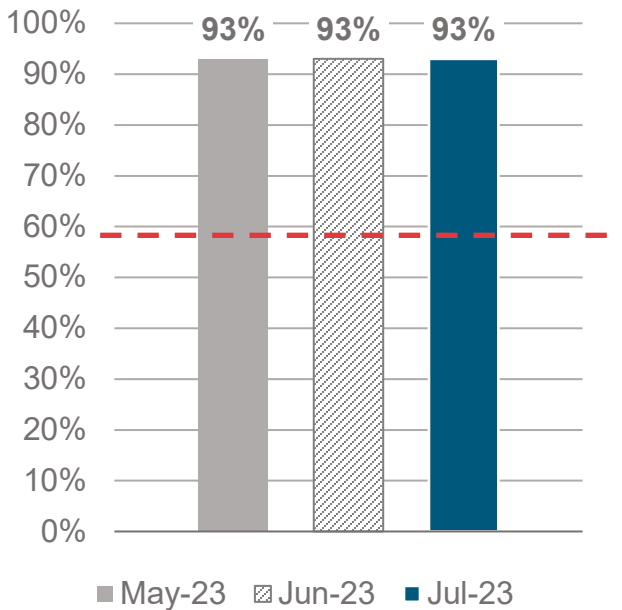


Equipment Availability is the number of cars or locomotives available for service on an average day each month as a percentage of the daily equipment required to run base service.

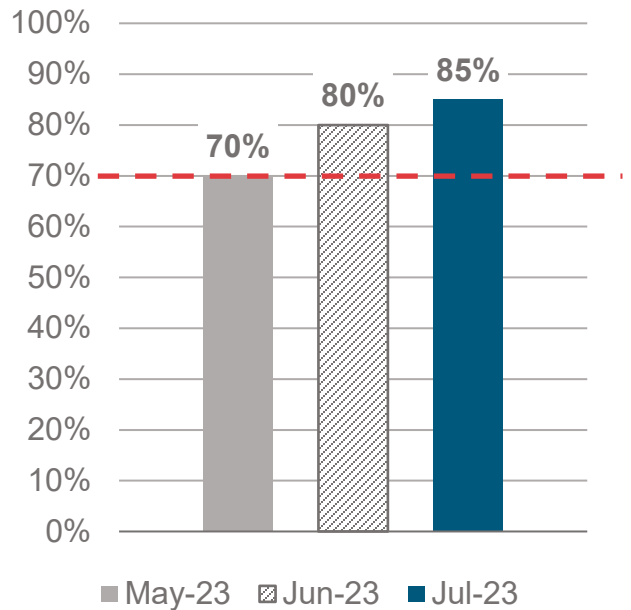
Caltrain currently owns 29 passenger locomotives, with 18 required daily; 36 cab cars, with 21 required daily; and 98 trailer cars, with 69 required daily.

The high average age of Caltrain’s current fleet, with around two-thirds being at the end of its useful life, significantly affects availability.

Equipment Availability (Cab Cars)



Equipment Availability (Trailer Cars)



Note: The dotted red line (- - -) on each graph represents the target line (i.e., the percentage of each equipment type required to run base service on an average weekday).





Service and Program Updates

Caltrain to Pilot First-in-the-Nation Bi-Level Dual Electric and Battery Powered Train to Expand Zero-Emission Service

The California Transportation Commission has approved the allocation of funds from an \$80 million award from the California State Transportation Agency for one Stadler battery-equipped electric multiple train unit (BEMU) and related maintenance, as well as charging infrastructure upgrades necessary for its service.

The BEMU will operate on the portion of the Caltrain corridor owned by Union Pacific and play a major role in allowing Caltrain to transition to fully electrified, zero emission service. The demonstration of the BEMU in-service will be the first time this bi-level technology is in operation on a commuter train anywhere in the United States.

Caltrain Introduces New Fare Product Promotions

Caltrain is introducing four new temporary fare products on September 1st, designed to appeal to the needs of potential riders. These products include the \$1 Youth Pass aimed at providing those 18 and under with affordable one-way rides, the Three Day Pass allowing unlimited rides for 3 days immediately upon purchase, the Group Day Pass which provides eligible parties of 4-6 with 15% discounts, and the Family Day Pass which can reduce the cost of travel for a family of 6 by 50%.

Also starting September 1st, Caltrain is reducing daily and monthly parking fees by 50% to \$2.75 and \$41.25 respectively.





Communications and Marketing Update

Caltrain Communications and Marketing Campaigns for July 2023

- Press Release: "Caltrain Reduces Weekday Train Service"
- Press Release: "Caltrain to Hold First Public Tour for New Electric Trains Saturday, July 29"
- Press Release: "Taylor Swift Fans Shake Off Traffic, Take Caltrain to Concert at Levi's Stadium"
- Press Release: "Caltrain Seeks Volunteers for Citizens Advisory Committee"
- Press Release: "Caltrain Suspends Train Service Between Hillsdale and Palo Alto on Weekends for Electrification Construction"
- Weekend Service Change
- Clipper Mobile (ongoing)
- 20% Off Caltrain Monthly Pass (ongoing)
- Clipper Start (ongoing)

Digital Communications Report

In July, our messaging strategy shifted away from weekend closures and placed emphasis on noteworthy events including the highly anticipated Electrification Public Tour, the Summer of Caltrain Events and additional service enhancements such as the Taylor Swift concert and various other musical performances. There were ongoing shutdowns between Hillsdale and Palo Alto during this period shared across all communication channels, including social media, web platforms, and mobile. The ongoing feedback we've received continues to highlight the positive reception of our improved frequency and communication efforts. The first Electrification public tour was held at San Jose Diridon on July 29th with over 4,200 attendees. The Summer of Caltrain Events extend into August and includes activities such as on-board Trivia, social media giveaways and both digital and in-person interactions.

July Digital Marketing Highlights

- Cali Classico – Chartered Train
- 4th of July, extra service and fireworks
- Grade Separations received additional funding
- Summer of Caltrain Campaign
- Caltrain Social Media Giveaway
- Bay Area Transit Wayfinding Survey
- Weekend Closures
- Taylor Swift at Levis Stadium – Extra Service
- First Public Train Tour – July 29
- Caltrain Reduces Train Service Announced 7/31 in effect all of August





Capital Projects Update

Project: Guadalupe River Bridge Replacement

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
JPB will replace the MT-1 railroad bridge and extend and seismically retrofit the MT-2 railroad bridge over the Guadalupe River in the City of San Jose, Santa Clara County, California. The project is located just north of Willow Street and east of State Route (SR) 87 between the Tamien and San Jose Diridon stations.	●	●	●	●

Project Phase: 6 – Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	63,699	20,071	17,970	02/16/25
Percentages	100.00%	33.3%	28.2%	

Project Highlights – Recent and Upcoming Work

Construction activities in the month of July 2023 included the completion of a temporary river diversion system, the relocation of fish from within the project site, the dewatering of the construction area, and the commencement of construction of 2-foot diameter cast-in-steel-shell (CISS) pile foundations supporting piers 4 and 5.

In August 2023, JPB anticipates the completion of 2-foot diameter CISS piles and pier caps for piers 4 and 5, the construction of 7-foot diameter cast-in-drilled-hole (CIDH) pile foundations for abutment 6, and the start of construction of columns for piers 5 and 6.

Funding status light will remain yellow until FY25 funding appropriated by the Board in May 2024 is activated. Schedule status light is yellow from mutual agreement with Contractor to delay NTP seven days plus recent challenges with bridge demolition, drilling, and installation of temporary river diversion system.

Note: The Capital Projects information is current as of July 31, 2023, and is subject to change prior to the September 2023 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Ticket Vending Machine (TVM) Upgrade

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
This project will upgrade the existing TVM Server and retrofit and refurbish existing TVM machines to include functions planned for the Clipper program. The new machines will be able to dispense new Clipper cards (excluding discount Clipper cards that require verification of eligibility) and allow customers to add value to existing Clipper cards. In addition, the scope was increased to include upgrades to the credit card reader and database.	●	●	●	●
Project Phase: 6 - Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	3,892	3,045	2,996	12/30/23
Percentages	100.00%	78.2%	77.0%	
Project Highlights – Recent and Upcoming Work				
<p>The vendor Ventek sent the TVM doors to the metal shop to have them retrofitted. The metal shop indicated the doors won't be ready until September 2023. Begin Phase 5, the final phase to upgrade the remaining 27 TVMs at the stations.</p> <p>Management Committee evaluated a potential Change Order that would have extended the project schedule.</p> <p>Added scope not approved. Yellow status light to be updated for next report.</p>				

Note: The Capital Projects information is current as of July 31, 2023, and is subject to change prior to the September 2023 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Broadband Wireless Communications

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
The project will design a broadband wireless communications system along the Caltrain corridor for the wayside train maintenance diagnostics and passenger Wi-Fi service. The project will investigate leveraging the existing infrastructure such as the Overhead Contact System (OCS) poles and JPB fiber network to communicate with passing trains. Wayside antennas may be mounted on the OCS poles at a constant interval to communicate with moving trains that will be equipped with radios and antennas.	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	28,820	12,334	8,218	9/30/24
Percentages	100.00%	42.8%	28.5%	
Project Highlights – Recent and Upcoming Work				
<p>Held bi-weekly meetings with the contractor Nomad Digital. Received the Stadler proposal for the installation of the Wi-Fi equipment in the EMU and the proposal is being reviewed and began negotiations. The final design package from Nomad has been delayed because of numerous comments on the intermediate design which need to be worked out before the final design.</p> <p>Receive the final design package.</p>				

Note: The Capital Projects information is current as of July 31, 2023, and is subject to change prior to the September 2023 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: MP-36 Locomotive Mid-Life Overhaul Project

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
<p>This project involves performing mid-life overhaul of six MP-36-3C Locomotives. The mid-life overhaul includes complete disassembly of the main diesel engine, overhauling by reconditioning re-usable main frame components and re-assembly with new engine components and replacement of Separate Head-End Power (SEP-HEP) unit and all electrical components of the SEP-HEP compartment. All areas of the locomotive car body, trucks, wheels and electrical components shall be reconditioned to like-new condition or replaced with new material. The project work is occurring off-site at the contractor's facility location. The 6 locomotives to be overhauled are Locomotive #'s 923, 924, 925, 926, 927 & 928. In order to maintain daily service, only 1 to 2 of these locomotives are released at a time for overhaul work that is expected to take approximately 8 months per locomotive. Due to this restriction, the overall completion of this work is expected to take approximately 4 years.</p>	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	14,833	12,699	7,264	
Percentages	100%	85.6%	49.0%	10/30/24
Project Highlights – Recent and Upcoming Work				
<p>Unit 924 is unreliable and shuts down. Locomotive only ran limited days in revenue service. Repair of Auxiliary Generator has proven effective. Unit 925 is at Mare Island. Accident repairs due to jack failure causing locomotive to drop. Repairs are underway. Traction motors and air compressor are on-site for installation. Unit 926 is 65% complete and progressing.</p> <p>Inspect 925 damage due to jack failure. Ship after repairs are complete and traction motors are installed. Inspect 926 progress.</p>				

Note: The Capital Projects information is current as of July 31, 2023, and is subject to change prior to the September 2023 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Bayshore Station Bridge Painting

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
This project will perform rehabilitation of the coatings of the existing steel pedestrian overpass bridge at the Bayshore Station in Brisbane. The bridge's paint coatings need rehabilitation due to surface rust. This work combined with a complete repainting of the bridge will bring the structure to a state of good repair.	●	●	●	●

Project Phase: 6 – Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	6,870	4,717	4,510	09/30/23
Percentages	100.00%	68.7%	65.6%	

Project Highlights – Recent and Upcoming Work

Continued to work with the Construction Management team to prepare and conduct weekly meetings with the Contractor Top Line Engineers. Continued to work with the Contractor in submitting a time impact analysis of the delays of the project in order to determine the extent of delays caused by the Owner or Contractor. Continued to work with PCEP team to identify OCS schedule to better align with the Bayshore Painting operations. Continued to work with Grants and Project Controls Team and resolved the LPP matching funds issue. Continued to work with the Contractor Top Line Engineers to expedite the painting operations at both the East and West Towers for anticipated reopening to the general public on August 7th, 2023.

Continue to work with Project Controls staff in updating the Work Plan for FY24-25 reconciliation.

Note: The Capital Projects information is current as of July 31, 2023, and is subject to change prior to the September 2023 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Watkins Ave Grade Crossing Safety Improvements

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
<p>The scope intended for this Project would include safety improvements at Watkins Ave include the following:</p> <ol style="list-style-type: none"> 1. Installation of quad or exit gates 2. Installation of new pedestrian gates 3. Pavement markers and markings 4. Sidewalk improvements including guard railing and fencing 5. Installation of new sidewalk lighting 6. Contribute to the Atherton station site improvements done by the Town of Atherton. 	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	4,161	2,517	1,523	01/31/2024
Percentages	100.00%	60.5%	36.8%	
Project Highlights – Recent and Upcoming Work				
<p>Held weekly construction meeting with the Contractor Granite Rock. The contractor began the electrical work by trenching and installing conduits across the road on Watkins for the new light poles.</p> <p>Finish construction and obtain substantial completion.</p>				

Note: The Capital Projects information is current as of July 31, 2023, and is subject to change prior to the September 2023 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red



Acknowledgements

This report is made possible by contributions from the following groups and individuals.

Caltrain Planning

Dahlia Chazan, Deputy Chief
Ted Burgwyn, Director, Rail Network and Operations Planning

Communications Division

Robert Casumbal, Director, Marketing & Research
Jeremy Lipps, Digital Communications Manager
Julian Jest, Manager, Market Research & Development

Finance Administration

Ryan Hinchman, Director, Financial Planning & Analysis
Bruce Thompson, Manager, Fare Program Operations
Dapri Hong, Budget Analyst III

Rail Administration / Rail Operations & Maintenance

John Hogan, Chief Operating Officer
Patrice Givens, Administrative Analyst II
Graham Rogers, Business Operations Project Manager
Sam Sargent, Director, Strategy & Policy
Henry Flores, Deputy Director, Rail Vehicle Maintenance
Vivek Nawani, Intern

Rail Development

Rob Barnard, Deputy Chief
Andy Robbins, Director Capital Program Delivery
Jonathan Tillman, Director Capital Programs Management
Robert Cheung, Project Controls Deputy Director
Sowmya Karipe, Project Controls Specialist

Additional Support

Caltrain Staff Coordinating Council
Don Esse, Senior Operations Financial Analyst
Margie Alexander, TASI
Sarah Doggett, MTC



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

Draft Minutes of August 3, 2023

Members Present: P. Burt, C. Chavez, R. Medina, M. Zmuda, J. Gee (Chair)
Members Absent: D. Davis (Vice Chair), S. Heminger, R. Mueller, S. Walton
Staff Present: M. Bouchard, C. Fromson, J. Harrison, T. Huckaby, M. Jones, K. McCoy
(Balfour Beatty), P. Shreshtha, D. Seamans, B. Shaw, M. Tseng

1. Call to Order / Pledge of Allegiance

Chair Jeff Gee called the meeting to order at 9:00 am and Director Medina led the pledge of allegiance.

2. Roll Call - District Secretary, Dora Seamans, confirmed there was a Board quorum present.

3. Consideration of requests, if any, of Directors to participate remotely due to Emergency Circumstances – There were no requests made.

4. Closed Session Conference: Conference with Legal Counsel – Pending Litigation (Gov. Code § 54956.9(d)(1)) [Abel Cuevas v. Peninsula Corridor Joint Powers Board, Santa Clara County Superior Court, Case No.: 21CV385375]

*The Board convened into closed session at 9:02 am
The Board reconvened back into regular session at 9:47 am*

5. General Counsel Report – Report Out from Above Closed Session – There were no reportable actions.

6. Public Comment for Items Not on the Agenda

Steven Rosati submitted a letter to the Board and spoke about cleaning up debris on both sides of tracks along the whole system from Gilroy to San Francisco before the grand opening of the new electric train and to consider volunteers to help perform this work.

Jeff Carter commented on his experience at the July 29th electrification event and thanked staff for the event.

Aleta Dupree commented on her experience using Clipper during transfers taken from Millbrae Station with BART (Bay Area Rapid Transit) and SamTrans and operating a single unified payment system, such as open payment on the capital corridor.

Martin Sommer, Palo Alto, referred to a formal claim on excessive Clipper reader noise at the Palo Alto University Avenue Station. He stated that since the installation of new visually

impaired Clipper card readers in April, readers have been beeping consistently and causing health issues for him and his wife. He requested the use of standard beacon technology for the visually impaired as an alternative.

Mark Turner, Mayor of Morgan Hill, thanked the Board for the approval of the fourth train to the South County and they will do their best to make sure there are plenty of riders.

7. Report of the Executive Director

Ms. Bouchard's report included the following:

- Continuing down the path for bringing a robust safety culture
- July 29 new electric train tours at a public event with 4,200 attendees at Diridon Station
- PCEP (Peninsula Corridor Electrification Project) meeting major milestones until in revenue service in September 2024
- Measure RR funds applied to the next two years to help push out the fiscal cliff
- Continue to advance major projects at Diridon and the downtown rail extension (DTX)
- Improved connection at Millbrae station, improving service at Gilroy, and in the planning process for electrified service and for a zero-emission corridor using battery EMUs (electric multiple unit)
- Dedication to equity for the Go Pass donation program
- Grade crossing improvements beyond grade separation projects, such as striping and pedestrian fencing to enhance safety at crossings

Public comments

Aleta Dupree commented on noticing the Bayshore Station covered in white sheets possibly due to painting and rehabilitation of the overpass and stated that state of good repair should always be a focus.

Adina Levin, Friends of Caltrain and Seamless Bay Area, expressed support and gratitude towards Ms. Bouchard's report on equity and ridership regrowth. She also commented on the Go Pass donation program attracting new riders and mentioned a word cloud showing types of new riders' titles, such as barista, deli clerk, janitor.

8. Consent Calendar

8.a. Meeting Minutes as of June 1, 2023

8.b. Appointment of the Citizens Advisory Committee Representative and Alternate

8.c. Renew Findings of an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to Public Contract Code §22050* - *Approved by Resolution 2023-46*

8.d. Information on Statement of Revenues and Expenses for the Period Ending May 31, 2023 and June 30, 2023

8.e. Award of Contract for Next Generation Visual Message Signs Project - *Approved by Resolution 2023-47*

- 8.f. Award of Contract for 2023 Grade Crossing Improvements Project - *Approved by Resolution 2023-48*
- 8.g. Approve Ground Lease Amendment with HPS-San Mateo, LLC* - *Approved by Resolution 2023-49*
- 8.h. Approve and Ratify Fiscal Year 2024 Insurance Program - *Approved by Resolution 2023-50*
- 8.i. Amendment No. 1 to MOU with Prologis for the Railyards Preliminary Business Case* - *Approved by Resolution 2023-51*
- 8.j. Authorize the Executive Director to Execute an Interim Agreement Between the Transbay Joint Powers Authority and the Peninsula Corridor Joint Powers Board to Support Advancement of the San Francisco Downtown Rail Extension Project* ** - *Approved by Resolution 2023-52*
- 8.k. Approve Execution of Stadler Electric Multiple Unit Option and Funding Plan* - *Approved by Resolution 2023-53*
- 8.l. Authorize the Execution of the Necessary Agreements and Amendments to Receive Funds to Support the Completion of Preliminary Design and CEQA/NEPA Environmental Clearance for the Bernardo Avenue Undercrossing Project* ** - *Approved by Resolution 2023-54*
- 8.m. Award of Contract for the Bike Parking Station Program* - *Approved by Resolution 2023-55*

In response to Chair Gee's request, Legal Counsel James Harrison clarified that agenda items with two stars designate items that involve a contract between the JPB and another government agency, in which one of our directors serves on both boards and under government code section 1090, is considered to be non-interests, meaning that directors are free to participate (vote) in the consideration of those items as long as it is disclosed.

Motion/Second: Chavez/Medina

Ayes: Burt, Chavez, Medina, Zmuda, Gee

Noes: None

Absent: Davis, Heminger, Mueller, Walton

Director Chavez commented on reports being clearer and better. She spoke about items 8.i. and 8.kj. being connected and being taken together at future committee meetings. She also expressed concern with item 8.j. on the value of including additional trains at this time and into the program and other parties need more education on this need, the complexities about the project is needed to better understand the need for increased train sets. She requested for a robust update on DTX before the end of the year, and as well as recommended to get an update on Link21 as they are all connected.

Chair Gee commented that the philosophy and principles of any system expansion will be applicable everywhere.

9. Draft 2023 Fare Change Recommendations

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

- Currently at 30 percent of pre-pandemic ridership and Gopass participation has declined
- New fare products as a pilot program to be released this Fall and available on a mobile app and at ticket vending machines
- MTC (Metropolitan Transportation Commission) leading the effort on Clipper Next Generation to be completed summer 2024 and future acceptance of open payments
- Standardized transfer discounts across the region – single ride Clipper card fare allows a discount of up to \$2.50 within two hours on transferred trips
- Potential growth strategies with the new fare products included family day, group day, and 3-day passes as well as flat \$1 student Clipper card per ride, and 50 percent off parking rates
- A public hearing is scheduled for the August Finance Committee meeting before going back to the Board

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

- Combine ridership strategies into the same report as the fare structure
- Keep up with technology changes/improvements - payment apps for tickets and parking
- For the Go Pass program, consider low-income residents, and decrease program participation group size to help increase ridership amongst smaller businesses
- Re-examine the business plan or prior scenarios provided to the Board due to decreases in ridership and population projections and shifts in working from home or in the office
- Need to partner with cities since no one has sufficient staff
- Focus on TMAs (Transportation Management Association) first, TDM (Transportation Demand Management) second, and then individual development agreements

Public comments

Adina Levin commented that open payment is scheduled to roll out with Clipper 2 next summer, free transfers will bring in new riders, and low-income riders will and likely need transfers and suggested doing focus groups to determine those needs.

Ryan Globus supported staff recommendations and open payments. He asked for consideration of fare capping when Clipper 2 comes out.

Chair Gee confirmed with General Counsel to continue the meeting with informational items after the loss of the Board quorum at approximately 11:30am

10. Update on Ridership Growth Action Plan and Near-Term Marketing Strategy

Taylor Huckaby, Deputy Chief of Communications, provided the presentation, which included the following:

- Customer acquisition strategy - the first of its kind, focused on non-rider audience in three parts: affiliations (promotions of specific fare products), atmosphere (brand campaigns), and activations (creative activations of existing assets)
- Remote work caused significant change and created a new normal
- Marketing campaigns launching new fare products with additional campaigns in Fall 2023 and Winter 2024
- Go Pass program engaging with new riders. The market research team is putting together surveys to understand rider needs
- New Director of Customer Experience joining on August 14

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

- Possibility of real-time feedback and tie-in with a loyalty program to understand how people prioritize their experiences with transit
- Need to re-examine the prior business plan, as projected growth was the basis of the business plan

Director Chavez left at 11:31 am

Public comments

Jeff Carter commented that service frequency is a major drive to increase ridership as well as good marketing. He commented on overcrowded trains during special events, such as at the Memorial Day and Pride Event, and seeing people leaving to go back into their cars.

Adina Levin supported integrating/connecting fares and ridership regrowth and focusing on Go Pass and a regional pass for ridership growth.

Vaughn Wolff commented on losing population as many riders have retired so it is almost impossible to have the same ridership as before.

Mr. Huckaby announced an online store launching in the Fall with Caltrain and SamTrans swag.

11. Peninsula Corridor Electrification Project (PCEP) Monthly Progress

Pranaya Shrestha, Chief Officer for CalMOD Program, provided the presentation, which included the following:

- Missed one major milestone that was due on July 31 but found a workaround to keep on track.
- Finished testing on segment 4 in San Jose; cutover of two speed check this month and finishing up the live run testing at our maintenance facility
- Energized traction power substation number one in the San Francisco area
- Short circuit testing is scheduled for October

Casey Fromson, Chief Communications Officer, provided a presentation, which included the following:

- Weekday service changes from August 7 through 25, with campaigns and outreach being conducted
- Over 4,200 people attended the electrification tour on July 29 and the next one in San Francisco, hopefully in September, and then one in San Mateo County

Keith McCoy, Project Director for Balfour Beatty Infrastructure, Inc, provided a presentation, which included the following:

- Overall, the project is still on track with acceptance on April 1, 2024
- Live run test in CEMOF in June had an issue in July, but back on track
- Punchlist had 3,000 items and at 64 percent complete
- Closeout plan has 2 tracks - substantial completion and final acceptance
- OCS (overhead catenary system) production has nine crews working on it and will increase to fourteen
- Path to completion changed with adjustments made and five short circuit tests to go

Chair Gee re-emphasized the three things that must be completed in August: cutovers, OCS, and TPS1.

Public comment

Jeff Carter commented on energy procurement for electrified trains and to consider using SFPUUC (San Francisco Public Utilities Commission) and Hetch Hetchy power for electrification.

12. Reports

12.a. Report of the Citizens Advisory Committee

Brian Shaw, Chair, provided an update on CAC discussions:

- Requested information on fares and phasing out issues for the zonal base fare program
- Need to have enough capacity to avoid overcrowding with the new four-car train sets
- Approved Measure RR report with an amendment to include ballot language in the appendix
- Requested updates on the storage facility plan with the additional security for the new EMUs and power regeneration capabilities when braking
- Overcrowding issues on five-car trains during stops for non-Stanford special events
- Concerns expressed on the progress of locomotive rehabilitation and the quality of work
- Quarterly Safety Update - suggested trespasser and vehicle strikes be reported by location to determine if there is a pattern of frequency or location of the incidents
- Consider allowing children to ride for free and provide marketing campaign talking points to the CAC and Board members to help disseminate information
- Received fare change report and asked for clarification on transfer discounts between the two-hour limit on transit connections

12.b. Report of the Chair

Chair Gee provided an update on the following:

- Attended an EMU construction tour prior to the June 13th meeting with Balfour Beatty Infrastructure, Inc. executive leadership and the need for project completion in accordance with plans and specifications
- Attended a July 6th press conference on behalf of the Board and three cities with California Secretary of Transportation to receive funding for the grade separation projects for the cities of Burlingame, Mountain View, and Palo Alto

12.c. Report of the Local Policy Maker Group (LPMG)

Director Burt noted there was no meeting in July and nothing to report.

12.d. Report of the Transbay Joint Powers Authority (TJPA)

Chair Gee reported that they received an update on the procurement strategies. They have a heavy lift with three: consider authorization to request entering the engineering phase for the project, the agreement between TJPA and the JPB, and a DTX governance blueprint.

13. Correspondence

Chair Gee noted it is posted (and available) online.

14. Board Member Requests

There were none.

15. Date/Time of Next Regular Meeting: Thursday, September 7, 2023 at 9:00 am.

16. Adjourn

Meeting adjourned at 12:04 pm.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Robert Barnard, Deputy Chief, Caltrain Design & Construction
Subject: **Renew Findings of an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to Public Contract Code §22050**

<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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Purpose and Recommended Action

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB):

1. Renew findings previously adopted by the Board pursuant to California Public Contract Code section 22050(c)(2) (Resolution No. 2023-19) on March 29, 2023, and renewed at its subsequent meetings on May 4, 2023 (Resolution 2023-23), June 1, 2023 (Resolution 2023-38), and August 3, 2023 (Resolution 2023-46) that an emergency exists at the north channel embankment of the San Francisquito Creek Bridge due to erosion and scouring caused by recent winter storms; that this emergency does not permit a delay resulting from a formal solicitation for bids, and that immediate action is necessary to respond to the emergency; and
2. Continue to authorize emergency repairs of the north channel embankment of the San Francisquito Creek Bridge;
3. Delegate authority to approve all plans and/or designs with regard to the emergency repairs to the Executive Director, or designee; and
4. Authorize the Executive Director, or designee, to take all other actions required to respond to said emergency.

Discussion

Background: The JPB owns and maintains the San Francisquito Creek Bridge, which is located in Palo Alto between Control Points Alma (29.98) and Mayfield (33.50). In early January 2023, after a week of heavy rain, Caltrain Engineering staff inspected the Bridge and discovered that storms had eroded the soil on the creek bank supporting the northern abutment of the Bridge. Further investigation showed that additional erosion resulting from future storms could undermine the abutment, bridge, and tracks.

Conditions Warranting an Emergency Declaration: The time required to obtain competitive bids would unduly delay the JPB's ability to make emergency repairs to these essential facilities, and given the erosion, the need for emergency actions cannot be delayed. The schedule for (1) preparing a design, (2) issuing an invitation for bids, (3) receiving proposals, (4) evaluating proposals, (5) awarding and executing a contract, and (6) mobilizing a contractor does not allow for construction to occur during the creek window ending October 15, 2023. The JPB must therefore continue to act as expeditiously as possible to repair necessary facilities to prevent or mitigate loss or damage to life, health, property, or essential public services.

Legal Basis for Emergency Declaration: The JPB has the authority to undertake emergency repairs pursuant to California Public Contract Code section 22050, which requires that the Board, by a four-fifths vote, make findings based on substantial evidence that the emergency will not permit delay resulting from a competitive solicitation of bids, and that action is necessary to respond to the emergency. Public Contract Code section 1102 defines an emergency as "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services." The Board made these findings at its March 29, 2023, meeting (Resolution 2023-19) and renewed these findings at its subsequent meetings on May 4, 2023 (Resolution 2023-23), June 1, 2023 (Resolution 2023-38), and August 3, 2023 (Resolution 2023-46). Section 22050(c) requires the Board to review the emergency action at its next regularly scheduled meeting and at every subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action by a four-fifths vote.

Actions Taken: To date, JPB staff has:

1. Increased frequency of visual inspections of the Bridge and conducted immediate inspections during and/or after storms.
2. Prepared and issued Work Directive Proposal Request packages to retain on-call bench consultants (WSP, AECOM, Jacobs, and TRC), to assist the JPB in obtaining the required environmental permits, designing the repair, estimating the cost of the proposed work, and providing construction management services, respectively.
3. Engaged the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife and submitted all necessary applications for regulatory permits and approvals.
4. Received confirmation from the City of Menlo Park and the City of Palo Alto that both cities request that the scope of the project address erosion around city assets, in addition to JPB's rail bridge.
5. Produced a 15 percent design, draft 35 percent design, final 35 percent design, draft 65 percent design, and final 65 percent design for the emergency restoration work.
6. Reduced the estimated cost of the project from \$10.4 million to \$6.5 million based on increasing clarity on the scope of the project and its design.
7. Selected Walsh Construction Company II, LLC to perform the repairs because Walsh has a crew onsite that specializes in emergency work and because of Walsh's experience on

JPB in-water construction projects, such as the Guadalupe River Bridge Replacement Project.

8. Met regularly with the City of Menlo Park, the City of Palo Alto, the San Francisquito Creek Joint Powers Authority, and Stanford University to coordinate the scope of the project and jointly review iterative design updates.
9. Met at the project site with the City of Menlo Park and the City of Palo Alto to review options for construction access and management of bicycle and pedestrian traffic.
10. Prepared and distributed a draft trilateral agreement between the JPB, the City of Menlo Park, and the City of Palo Alto.
11. Incorporated feedback from the City of Menlo Park and the City of Palo Alto on the draft trilateral agreement and distributed subsequent drafts for all parties to review.
12. Established a \$1,500 per day construction contract incentive for completing all permanent work within the San Francisquito Creek banks by October 15, 2023.

Ongoing and Future Activities:

1. As the design of the project progresses, JPB staff is obtaining independent construction cost estimates from consultants and the contractor. Iterative comparison of these estimates will provide clarity on construction cost expectations and inform the determination of a fair and reasonable not-to-exceed budget.
2. JPB will enter into a trilateral agreement with the City of Menlo Park and the City of Palo Alto to define cost sharing arrangements and other responsibilities.
3. JPB will obtain all necessary regulatory approvals from the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife to enable the timely start of construction.
4. By awarding this contract through an emergency procurement instead of a standard competitively bid process, the JPB will be able to complete the work on a timely basis in order protect public health and safety. Staff anticipate that work within the creek will be complete by October 15, 2023, and that all remaining work will be complete before the end of 2023.
5. JPB staff will report regularly to the Board regarding the status of the project.

Budget Impact

Staff intend to use contingency funds to support the emergency repairs. Project costs are expected to exceed available contingency funds. Therefore, additional funding sources are under consideration, including anticipated funding from other project stakeholders, namely the City of Menlo Park and City of Palo Alto.

Prepared By:	Robert Barnard	Deputy Chief, Design & Construction	650.508.7783
	Mike Boomsma	Project Manager	808.208.2355

(00493037)

Resolution No. 2023-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

**Renew Findings of an Emergency Regarding the North Channel Embankment
of the San Francisquito Creek Bridge Due to Erosion Pursuant to Public Contract
Code §22050**

Whereas, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) previously authorized repair pursuant to California Public Contract Code section 22050 by a four-fifths vote of the Board on March 29, 2023 (Resolution 2023-19), making findings that: there was an emergency to repair the north channel embankment of the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB's tracks; that the emergency does not permit a delay resulting from a formal solicitation for bids; and that action is necessary to respond to the emergency; and

Whereas, Resolution 2023-19 also authorized emergency repairs of the north channel embankment of the San Francisquito Creek Bridge without adopting plans and specifications or giving notice to potential bidders; and

Whereas, California Public Contract Code Section 1102 defines an emergency as "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services"; and

Whereas, California Public Contract Code section 22050 authorizes the JPB to repair and take other immediate actions required to address an emergency, and requires that findings based on substantial evidence must be made that the emergency will not permit delay resulting from a

competitive solicitation of bids, and that the action is necessary to respond to the emergency, by a four-fifths vote of the Board; and

Whereas, Resolution 2023-19 delegated to the Executive Director, or designee the authority: to approve all plans and/or designs; to execute a contract with Walsh Construction II, LLC, to undertake emergency repairs of the north channel embankment at the San Francisquito Creek Bridge at a price that staff has determined is fair and reasonable; and to take all other actions required to respond to said emergency, provided that the Executive Director reports such actions to the Board at each monthly Board meeting until the emergency situation is resolved, with a final report to be made at the first Board meeting after the emergency is resolved; and

Whereas, pursuant to Public Contract Code section 22050(c), the Board must review the emergency action at its next regularly scheduled meeting and affirm by the passage of a four-fifths vote that at every subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action; and

Whereas, the Board most recently renewed its findings via Resolution 2023-46 at its August 3, 2023, Board meeting; and

Whereas, following months of heavy rain in January 2023, assessments of the condition of the north embankment supporting the San Francisquito Creek Bridge Main Track 1 (MT-1) and Main Track (MT-2) by the Peninsula Corridor Joint Powers Board (JPB) revealed significant erosion on the slope of the embankment, threatening the integrity of the north approaching track structure; and

Whereas, the JPB consulted with the U.S. Army Corps of Engineers (USACE), the regional Water Quality Control Board, and the California Department of Fish and Wildlife concerning environmental permits for restoration activities to preserve the integrity of MT-1 and MT-2 tracks

in light of the significant erosion of the northern embankment which occurred as the result of the 2022-2023 winter storms; and

Whereas, there is a continued and ongoing emergency to repair the north channel embankment of the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB's tracks; and

Whereas, action is necessary to respond to this continued and ongoing emergency to prevent or mitigate loss or damage to life, health, property or essential public services; and

Whereas, the time required to obtain competitive bids will unduly delay the JPB's ability to make emergency repairs to these essential facilities, and substantial evidence supports the conclusions that the need for emergency actions cannot be delayed, and that the JPB has and must continue to act as expeditiously as possible to repair necessary facilities; and

Whereas, JPB staff have engaged Walsh Construction, which is currently working on the Guadalupe River Bridge project, about Walsh's capacity to undertake emergency repair work; and

Whereas, Walsh has a crew onsite that specializes in emergency work and has capacity to undertake the repair work, in addition to the Guadalupe River Bridge project, and is currently preparing an updated cost estimate; and

Whereas, JPB staff will obtain independent cost estimates from consultants and contractor estimates from Walsh Construction, so that iterative comparison of these estimates will provide clarity on cost expectation and assure fair and reasonable pricing.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby:

1. Renews findings from August 3, 2023, that an emergency, as defined by Section 1102 of the California Public Contract Code, exists at the north channel embankment at the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB's tracks; and
2. Renews findings, based on the substantial evidence presented by staff, that the emergency does not permit a delay resulting from a formal solicitation for bids because the time required to obtain competitive bids would unduly delay the JPB's ability to make emergency repairs to these essential facilities, that action is necessary to respond to the ongoing emergency to prevent or mitigate loss or damage to life, health, property or essential public services, that the need for emergency actions cannot be delayed, and that the JPB has and must continue to act as expeditiously as possible to repair necessary facilities; and
3. Continues to authorize emergency repairs of the north channel embankment at San Francisquito Creek Bridge without adopting plans and specifications or giving notice to potential bidders; and
4. Continues to delegate to the Executive Director, or designee, the authority: to approve all plans and/or designs; to execute a contract with Walsh Construction, to undertake emergency repairs of the north channel embankment at the San Francisquito Creek Bridge at a price that staff has determined is fair and reasonable; and to take all other actions required to respond to said emergency, provided that the Executive Director reports such actions to the Board at each monthly Board meeting until the emergency situation is resolved, with a final report to be made at the first Board meeting after the emergency is resolved.

Be It Further Resolved that the Board of Directors has reviewed the emergency action taken on March 29, 2023, on May 4, 2023, on June 1, 2023, and on August 3, 2023, to remediate emergency conditions at the embankment of the San Francisquito Bridge, and will continue to conduct such a review at every subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action by a four-fifths vote pursuant to Public Contract Code section 22050(c).

Regularly passed and adopted this 7th day of September, 2023 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary
(00493041)

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, CFO
Subject: **Accept Statement of Revenues and Expenses for the Period Ending July 31, 2023**

<input type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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Purpose and Recommended Action

Staff proposes that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) accept and enter into the record the Statement of Revenues and Expenses for the Period Ending July 31, 2023.

This staff report provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through July 31, 2023. The statement has been designed to follow the Agency-wide line-item rollup as included in the approved budget. The columns have been designed to provide an easy comparison of year-to-date current actuals to the budget including dollar and percentage variances.

Discussion

Annual Forecast: The annual forecast is currently the same as the budget and will be reviewed in a few months.

Year-to-Date Revenues: As of July year-to-date actual, the Grand Total Revenue (page 1, line 17) is \$0.9 million lower than the adopted budget. This is primarily driven by the decreases in Other Income (page 1, line 5) and LCTOP/SRA (page 1, line 13).

Year-to-Date Expenses: As of July year-to-date actual, the Grand Total Expense (page 2, line 51) is \$0.9 million lower than the adopted budget. This is primarily driven by decreases in Fuel and Lubricants (page 2, line 25), Facilities and Equipment Maintenance (page 2, line 29), Professional Services (page 2, line 39), and Other Office Expense and Services (page 2, line 41) which are partially offset by increases in Managing Agency Admin OH Cost (page 2, line 37).

Budget Impact

There are no budget impacts for July 2023.

Prepared By:	Thwe Han	Financial Reporting Accountant	650.508.7912
	Danny Susantin	Grants & Capital Accounting, Manager	650.622.8073

PENINSULA CORRIDOR JOINT POWERS BOARD									
STATEMENT OF REVENUE AND EXPENSE									
Fiscal Year 2024									
JULY 2023									
							% OF YEAR ELAPSED		
							8.3%		
	JULY				ANNUAL				
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE		
REVENUE									
OPERATIONS:									
1	Caltrain Fares	2,635,602	2,671,811	(36,209)	(1.4%)	29,936,000	29,936,000	-	1
2	Go Pass	1,362,537	1,397,000	(34,463)	(2.5%)	16,764,000	16,764,000	-	2
3	Parking Revenue	185,040	158,751	26,289	16.6%	1,905,015	1,905,015	-	3
4	Rental Income	109,692	85,541	24,151	28.2%	1,026,489	1,026,489	-	4
5	Other Income	247,428	545,105	(297,677)	(54.6%)	6,541,260	6,541,260	-	5
6									6
7	TOTAL OPERATING REVENUE	4,540,299	4,858,208	(317,909)	(6.5%)	56,172,764	56,172,764	-	7
8									8
9	CONTRIBUTIONS:								
10	Operating Grants	1,066,745	1,066,745	-	.0%	12,800,936	12,800,936	-	10
11	Measure RR	8,474,000	8,474,000	-	.0%	118,400,000	118,400,000	-	11
12	Member Agency (VTA-Gilroy)	-	39,167	(39,167)	(100.0%)	470,000	470,000	-	12
13	LCTOP/SRA	-	575,708	(575,708)	(100.0%)	6,908,503	6,908,503	-	13
14									14
15	TOTAL CONTRIBUTED REVENUE	9,540,745	10,155,620	(614,875)	(6.1%)	138,579,439	138,579,439	-	15
16									16
17	GRAND TOTAL REVENUE	14,081,044	15,013,828	(932,784)	(6.2%)	194,752,203	194,752,203	-	17
18									18

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
Fiscal Year 2024
JULY 2023

% OF YEAR ELAPSED 8.3%

	JULY				ANNUAL		
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE
19 EXPENSE							
20							
21 DIRECT EXPENSE:							
22 Rail Operator Service	8,625,804	8,625,804	-	.0%	104,889,704	104,889,704	-
23 Security Services	671,364	724,334	(52,969)	(7.3%)	8,286,045	8,286,045	-
24 Shuttle Services	5,785	6,667	(882)	(13.2%)	80,000	80,000	-
25 Fuel and Lubricants	872,853	1,267,609	(394,756)	(31.1%)	15,211,316	15,211,316	-
26 Timetables and Tickets	680	7,916	(7,236)	(91.4%)	95,000	95,000	-
27 Insurance	768,778	852,475	(83,697)	(9.8%)	10,229,703	10,229,703	-
28 Claims, Payments, and Reserves	19,338	110,000	(90,662)	(82.4%)	1,320,000	1,320,000	-
29 Facilities and Equipment Maintenance	544,711	678,797	(134,086)	(19.8%)	8,171,766	8,171,766	-
30 Utilities	225,262	225,742	(480)	(.2%)	2,708,900	2,708,900	-
31 Maint & Services-Bldg & Other	123,954	148,717	(24,764)	(16.7%)	1,784,600	1,784,600	-
32							
33 TOTAL DIRECT EXPENSE	11,858,530	12,648,061	(789,531)	(6.2%)	152,777,034	152,777,034	-
34							
35 ADMINISTRATIVE EXPENSE							
36 Wages and Benefits	2,494,179	2,434,502	59,677	2.5%	18,472,861	18,472,861	-
37 Managing Agency Admin OH Cost	439,270	297,122	142,148	47.8%	3,565,453	3,565,453	-
38 Board of Directors	-	5,239	(5,239)	(100.0%)	62,875	62,875	-
39 Professional Services	940,940	1,114,213	(173,273)	(15.6%)	9,484,775	9,484,775	-
40 Communications and Marketing	25,206	36,894	(11,688)	(31.7%)	442,730	442,730	-
41 Other Office Expenses and Services	287,491	402,621	(115,130)	(28.6%)	4,220,802	4,220,802	-
42							
43 TOTAL ADMINISTRATIVE EXPENSE	4,187,086	4,290,591	(103,504)	(2.4%)	36,249,496	36,249,496	-
44							
45 TOTAL OPERATING EXPENSE	16,045,616	16,938,651	(893,035)	(5.3%)	189,026,530	189,026,530	-
46							
47 Governance	-	18,750	(18,750)	(100.0%)	225,000	225,000	-
48							
49 Debt Service Expense	291,833	289,260	2,573	.9%	3,471,125	3,471,125	-
50							
51 GRAND TOTAL EXPENSE	16,337,449	17,246,661	(909,212)	(5.3%)	192,722,655	192,722,655	-
52							
53 Projected Contribution to Reserve					2,029,548	2,029,548	-
54							
55 NET SURPLUS / (DEFICIT)	(2,256,405)	(2,232,833)	(23,572)	1.1%	-	-	-
56							
57 Reserve, Beginning Balance	26,878,850				26,878,850		
58 Projected Contribution to Reserve	-				2,029,548		
59 Reserve, Ending Balance	<u>26,878,850</u>				<u>28,908,398</u>		
60							

* Fuel and Lubricants costs were decreased by a realized loss of \$19,223 from the fuel hedge program.



BOARD OF DIRECTORS 2023

JEFF GEE, CHAIR
DEVORA "DEV" DAVIS, VICE
CHAIR
PAT BURT
CINDY CHAVEZ
STEVE HEMINGER
RICO E. MEDINA
RAYMOND MUELLER
SHAMANN WALTON
MONIQUE ZMUDA

MICHELLE BOUCHARD
EXECUTIVE DIRECTOR

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF JULY 31, 2023

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted) *	Liquid Cash	3.305%	368,756	368,756
County Pool (Unrestricted)	Liquid Cash	3.414%	575,346	575,346
Other (Unrestricted)	Liquid Cash	4.756%	23,850,431	23,850,431
Other (Restricted) **	Liquid Cash	1.000%	29,988,995	29,988,995
			\$ 54,783,529	\$ 54,783,529

Interest Earnings for July 2023 \$ 195,824.21
Cumulative Earnings FY2024 195,824.21

* The market value of Local Agency Investment Fund (LAIF) is calculated annually and is derived from the fair value factor as reported by LAIF for quarter ending June 30th each year.

** Prepaid Grant funds for Homeland Security, PTMISEA and LCTOP projects, and funds reserved for debt repayment. The Portfolio and this Investment Report comply with the Investment Policy and the provisions of SB 564 (1995). The Joint Powers Board has the ability to meet its expenditure requirements for the next six months.

Farebox Revenues by Ticket Type	PENINSULA CORRIDOR JOINT POWERS BOARD						
	Previous Years					FY2024	
REVENUE	FY2019	FY2020	FY2021	FY2022	FY2023	Jul-23	FY2024 Total YTD
OPERATIONS:							
401400 (TVM)	18,431,265	11,165,620	2,458,837	6,836,440	6,838,317	701,507	701,507
401410 (Clipper)	54,621,910	37,970,696	2,924,987	7,764,755	15,493,238	1,584,242	1,584,242
401420 (Central)	64,908	20,799	309,748	39,911	58,267	1,068	1,068
401430 (Mobile App)	4,716,955	5,689,776	830,051	2,808,795	3,501,791	289,934	289,934
401500 (Gilroy)	1,903,941	1,542,171	178,759	449,281	706,203	58,850	58,850
401700 (Go-Pass)	22,929,136	19,705,372	25,737,533	15,337,175	16,728,021	1,362,537	1,362,537
total Farebox Revenue	102,668,114	76,094,433	32,439,915	33,236,357	43,325,839	3,998,139	3,998,139
Less: Go-Pass							
401700 (Go-Pass)	22,929,136	19,705,372	25,737,533	15,337,175	16,728,021	1,362,537	1,362,537
Revenues without Go-Pass	79,738,978	56,389,061	6,702,382	17,899,182	26,597,817	2,635,602	2,635,602
Tickets Sold						Jul-23	Total
TVM	2,354,393	1,465,876	315,378	755,674	802,158	78,363	78,363
Clipper	3,521,066	2,620,816	339,753	1,227,757	1,975,206	194,039	194,039
Central	9,167	5,044	-	4,032	6,440	-	-
Mobile	543,920	661,515	111,394	381,441	428,741	40,439	40,439
# of tickets sold (without go-pass)	6,428,546	4,753,251	766,525	2,368,904	3,212,545	312,841	312,841
AVG Revenue Per Ticket						Jul-23	Total
TVM	\$ 7.83	\$ 9.05	\$ 7.80	\$ 9.05	\$ 8.52	\$ 8.95	\$ 8.95
Clipper	\$ 15.51	\$ 6.32	\$ 8.61	\$ 6.32	\$ 7.84	\$ 8.16	\$ 8.16
Central	\$ 7.08	\$ 9.90	\$ -	\$ 9.90	\$ 9.05	\$ -	\$ -
Mobile	\$ 8.67	\$ 7.36	\$ 7.45	\$ 7.36	\$ 8.17	\$ 7.17	\$ 7.17
Total	\$ 12.40	\$ 11.86	\$ 8.74	\$ 7.56	\$ 8.28	\$ 8.42	\$ 8.42

Farebox Revenues by Ticket Type	PENINSULA CORRIDOR JOINT POWERS BOARD								
	July						Annual Budget		
REVENUE	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	FY2024	% of Budget	
401400 (TVM)	2,153,744	1,613,346	139,294	609,407	626,228	701,507			
401410 (Clipper)	4,747,996	5,200,254	226,443	466,207	1,129,007	1,584,242			
401420 (Central)	5,363	5,363	-	545	5,139	1,068			
401430 (Mobile App)	314,045	672,028	49,871	203,051	346,758	289,934			
401500 (Gilroy)	163,844	156,403	13,594	28,850	37,440	58,850			
401700 (Go-Pass)	1,569,464	1,489,523	2,524,374	1,110,030	1,417,118	1,362,537			
total Farebox Revenue	8,954,455	9,136,916	2,953,576	2,418,089	3,561,691	3,998,139	46,700,000	8%	
Less: Go-Pass									
401700 (Go-Pass)	1,569,464	1,489,523	2,524,374	1,110,030	1,417,118	1,362,537	16,764,000	8%	
Revenues without Go-Pass	7,384,992	7,647,393	429,202	1,308,059	2,144,573	2,635,602	29,936,000	7%	
Tickets Sold									
TVM	266,524	208,484	23,290	66,225	86,060	78,363			
Clipper	302,296	324,201	20,896	75,041	156,994	194,039			
Central	438	598	-	33	319	-			
Mobile	34,565	80,166	6,699	27,060	42,175	40,439			
# of tickets sold (without go-pass)	603,823	613,449	50,885	168,359	285,548	312,841			
AVG Revenue Per Ticket									
TVM	\$ 8.08	\$ 7.74	\$ 5.98	\$ 9.20	\$ 7.28	\$ 8.95			
Clipper	\$ 15.71	\$ 16.04	\$ 10.84	\$ 6.21	\$ 7.19	\$ 8.16			
Central	\$ 12.24	\$ 8.97	\$ -	\$ 16.50	\$ 16.11	\$ -			
Mobile	\$ 9.09	\$ 8.38	\$ 7.44	\$ 7.50	\$ 8.22	\$ 7.17			
Total	\$ 12.23	\$ 12.47	\$ 8.43	\$ 7.77	\$ 7.51	\$ 8.42			

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Authorize Rejection of Proposal for On-Call Soil and Hazardous Waste Environmental Compliance Planning and Support Services and Re-Solicit of RFP (Request for Proposal)**

<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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Purpose and Recommended Action

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) adopt a motion:

1. Rejecting a proposal received from Millennium Consultant Associates (MCA) of Pleasanton, CA; submitted in response to the Peninsula Corridor Joint Powers Board’s (JPB’s) solicitation for On-Call Soil and Hazardous Waste Environmental Compliance Planning and Support Services (Project), Request for Proposal (RFP) No. 23-J-P-060, for not receiving an adequate score for award of contract for the written proposal.
2. Authorizing the Executive Director or designee to re-solicit the Project and return to the Board with a recommendation for award of the contract upon completion of the re-solicitation and evaluation process.

Discussion

Staff released the solicitation for the Project on June 1, 2023. The solicitation was advertised on the JPB’s e-procurement website and notices were sent to interested proposers. The RFP was open for 40 days. A total of 11 firms downloaded the RFP from the website. Only one firm, MCA, submitted a proposal to the JPB.

The MCA proposal was timely submitted on July 11, 2023, and was found to be responsive.

The Selection Committee (Committee) composed of qualified staff reviewed and scored the proposal in accordance with the following weighted criteria:

- Qualifications and Experience of Firm 0-30 points
- Qualifications and Experience of Key Personnel 0-30 points
- Project Understanding of the Approach to Service Requirements 0-20 points

- Project Management Experience 0-10 points
- Reasonableness of Cost 0-10 points

After the review and evaluation, the Committee determined that the experience and qualifications detailed in MCA’s proposal did not substantially align with the requested scope of services and qualifications in the RFP. The proposal did not score at levels high enough to justify proceeding to the next step in the selection process. For this reason, the Committee unanimously recommends rejection of the proposal and issuance of a second solicitation to attract a more robust list of qualified candidates and to meet the JPB’s internal and external stakeholders’ objectives.

After the closing date and time of the RFP, staff reached out to the remaining firms that had stated their intent to propose to understand what prevented their participation. Staff will consider these reasons for the re-solicitation of this Project. Summarized responses include:

- Three firms did not have the bandwidth to prepare a proposal in time.
- Three firms did not believe they could meet the contract requirements.
- One firm did not understand how to complete the Cost Sheet requirement and didn’t file a question in time for clarification.
- One firm, partnered as a sub-consultant with MCA.

Budget Impact

The recommended action to reject the proposal will have no impact on the budget.

Prepared By:	Cathie Silva	Procurement Administrator III	650.622.7857
	Hilda Lafebre	Deputy Director, Project Management & Environmental Planning	650.622.7842

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Amendment 1 to Contract with Bell Burnett & Associates to Provide Additional Scope and Capacity for Financial Strategy Planning Consulting Services**

<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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Purpose and Recommended Action

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB):

1. Authorize Amendment No. 1 to Agreement 23-J-P-002 for Financial Strategy Planning Consulting Services to expand the scope of the services provided pursuant to the agreement and to increase the not-to-exceed contract capacity amount by \$500,000, from \$825,000 to \$1,325,000.
2. Authorize the Executive Director or designee to execute the contract amendment with Bell Burnett & Associates in a form approved by legal counsel.

Discussion

On November 3, 2022, the Board awarded a competitive procurement to Bell Burnett & Associates (BB&A) to provide Financial Strategy Planning Consulting Services for a two-year base term. The scope of services focuses primarily on developing an organizational strategy to address Caltrain’s structural operating deficit by evaluating current and future finances under different service scenarios and with respect to the impact of ongoing ridership recovery challenges as a result of the COVID-19 pandemic. BB&A facilitated a special workshop on Caltrain’s fiscal cliff analysis and strategic financial plan in April 2022, and they continue to support the agency’s short, medium, and longer-term strategic financial planning efforts.

A significant component of this ongoing financial planning effort focuses on anticipated impacts to service levels and expenses associated with the successful completion of the Peninsula Corridor Electrification Project (PCEP), which is scheduled for substantial completion by April 2024 and Revenue Service by September 2024. The required services may also include support relating to energy procurement, energy storage, and net metering, which could provide

additional revenue to the railroad once electrified service begins, as Caltrain will be generating significant energy that will be returned to the grid.

Caltrain has identified a new and immediate need for ad hoc commercial business advisory services, which fall outside the scope of the original agreement with BB&A. Specifically, Caltrain requires support in negotiating business terms and complex inter-agency agreements for the San Francisco Downtown Rail Extension project and Clipper BayPass program, both of which have significant implications for Caltrain's operating and funding models. Additional Caltrain focus areas that require a specialized commercial business perspective include coordination with Union Pacific and other tenants, procuring additional rail vehicles, advising on cost allocation plans and shared services arrangements, and risk management analysis of various regional, state, and federal initiatives.

BB&A is a management and strategic consulting firm serving public and private sector clients, with a singular focus on and expertise in the public transportation and utility sectors. Caltrain's desired scope of work for ad hoc commercial business advisory services requires a consulting firm with knowledge of regional public transportation trends and policies as well as demonstrated experience developing and implementing multifaceted business strategies, including but not limited to contract negotiations, economic valuation, and life-cycle analysis. Based on (1) the combination of the skills required; (2) BB&A's work with other California transit agencies on similar strategic commercial initiatives; (3) BB&A's familiarity with Caltrain's financial challenges and business plan; and (4) a survey of available firms' skillsets and experience, Caltrain staff has determined BB&A is uniquely suited to provide these services.

Budget Impact

Funds to support this contract are included in the JPB's Fiscal Year 2024 and 2025 adopted operating budgets.

Prepared By:	Cathie Silva	Procurement Administrator III	650.622.7857
	Graham Rogers	Business Operations Project Manager	650.551.6169

Resolution No. 2023-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

Amendment 1 to Contract 23-J-P-002 With Bell Burnett & Associates to Provide Additional Scope and Increase Capacity for Financial Strategy Planning Consulting Services

Whereas, pursuant to Resolution No. 2022-65, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) awarded a contract to Bell Burnett & Associates to provide Financial Strategy Planning Consulting Services for a two-year term for a total contract amount of \$750,000; and authorized one optional task for utility needs planning and execution for an additional amount of \$75,000; and also authorized an extension to the base contract term for up to 12 months, if needed and if deemed in the best interest of the JPB.; and

Whereas, JPB has identified a new and immediate need for ad hoc commercial business advisory services, which fall outside the scope of the agreement with Bell Burnett & Associates. For these additional services, the Consultant will focus resources on strategic initiatives to achieve revenue growth, including identifying commercially and financially beneficial arrangements to support the agency; and

Whereas, additional compensation is required to accommodate the expanded scope of services, which were not anticipated when the contract was awarded, and which include assisting in negotiating business terms and complex inter-agency agreements for major regional projects and other commercial proposals such as the San Francisco Downtown Rail Extension project and Clipper BayPass program; and

Whereas, staff recommends that the Board authorize an amendment to increase the not-to-exceed contract amount by \$500,000, from \$825,000 to \$1,325,000.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the execution of Amendment 1 to Contract 23-J-P-002 adding \$500,000 of capacity and additional scope to the Agreement; and

Be It Further Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board authorizes the Executive Director, or designee, to take any other actions necessary to give effect to the resolution.

Regularly passed and adopted this 7th day of September, 2023 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Board of Directors

THROUGH: Michelle Bouchard, Executive Director

FROM: Kate Jordan Steiner, Chief Financial Officer

SUBJECT: **Amend and Increase the Fiscal Year 2024 Caltrain Capital Budget by \$5,292,413 From \$510,153,014 to \$515,445,427 and Delegate Authority to Amend Capital Budget Under Specified Circumstances**

<input type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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Purpose and Recommended Action

Staff proposes that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) amend the Fiscal Year 2024 (FY24) Capital Budget, included as Attachment B, as follows:

1. Include \$5,018,239 for the San Francisco Downtown Extension Support Project; and
2. Include \$274,174 for the San Francisco Railyards Preliminary Business Case Project; and
3. Delegate authority to the Executive Director or designee to adjust the Capital Budget to reflect Caltrain’s acceptance of third party funding for capital projects when (a) the Board has authorized the Executive Director, or designee, to execute an agreement involving the receipt by Caltrain of third party funding for an existing capital project (b) the adjustment of the capital budget is limited to including the authorized third party funding in the previously approved Capital Budget; and (c) any adjustments to the Capital Budget made pursuant to this delegation of authority are reported to the Finance Committee on a monthly basis.

Discussion

Staff proposes an amendment to the FY24 Caltrain Capital Budget to include an additional \$5,292,413 for the above-mentioned projects, and as further discussed below. This budget increase is the result of agreements to provide funding toward the FY24 Caltrain Capital Budget.

Staff additionally proposes the Board authorize the Executive Director, or her designee, to adjust the Capital Budget under the following limited circumstances:

- a) the Board has authorized the Executive Director, or her designee, to execute an agreement involving the receipt by Caltrain of third party funding for an existing capital project;

- b) the adjustment of the capital budget is limited to including the authorized third party funding in the previously approved Capital Budget; and
- c) any adjustments to the Capital Budget made pursuant to this delegation of authority are reported to the Finance Committee on a monthly basis.

Staff requests this authority to establish a more efficient process for amending the Capital Budget under circumstances in which the Board has previously authorized Caltrain to accept third party funding for an existing capital project and the adjustment to the Capital Budget represents a ministerial act to reflect the increased authority to accept third party funding. This delegation will obviate the need for Finance Committee consideration and Board approval of a ministerial action.

Caltrain Support for the San Francisco Downtown Extension (DTX) Project

The project budget for Caltrain support of the DTX project was originally approved by the Board in FY22 with a partial budget of \$311,329. During adoption and amendment of the FY23 Capital Budget, \$4,019,545 was added to this project funded by (a) general capital funds (\$500,000) and (b) the Transbay Joint Powers Authority (TJPA) through a Letter of Agreement (LOA) between Caltrain and TJPA (\$3,519,545).

The LOA is set to expire on August 31, 2023. At the August Board meeting, the Board approved the authorization of an Interim Agreement between TJPA and Caltrain. The Interim Agreement is effective September 1, 2023, and includes a decision-making process and delivery roles for Caltrain and TJPA, a staffing plan, and a budget and reimbursement mechanism to support Caltrain's continued and enhanced engagement on the DTX Project in its role as first operator. The purpose of this item is to amend the Caltrain Fiscal Year 2024 Capital Budget to include the \$5,018,239 of reimbursable expenses in the Interim Agreement, increasing the total DTX project budget to \$9,349,113.

San Francisco Railyards Preliminary Business Case

In July 2019, JPB executed a Memorandum of Understanding (MOU) with Prologis 4th & King, LLC (Prologis) to fund the preparation of a Preliminary Business Case (PBC) for the 4th & King Railyards. The MOU allocates responsibilities for the completion of the PBC and requires Prologis to reimburse Caltrain for the technical work required for preparation of the PBC.

In late 2022, the project teams determined that an investigation of project phasing would be a valuable addition to help identify the sequence of steps necessary for a first phase of commercial development while ensuring Caltrain's ability to continue serving passengers. Prologis has approved the phasing scope and cost and has agreed to reimburse Caltrain for those costs. Amending the MOU will increase the project cost to \$4,676,623, including both the Caltrain contribution and Prologis reimbursement, and provide a vehicle for Caltrain to invoice Prologis for additional costs in the amount of \$274,174.

Delegation to the Executive Director

Caltrain frequently enters into agreements with funding partners for capital and planning projects. These funding agreements typically include estimated budgets, which are often revised and increased during the lifetime of the project. The Board has authorized the Executive Director, or designee, to execute funding agreements for the receipt of up to \$250,000 in third party funding. For amounts in excess of \$250,000, staff seeks Board approval for such agreements and under this proposal, staff will advise the Board of the resulting adjustment to the capital budget and seek Board approval as part of the Board’s consideration of the funding agreement. Staff proposes that the Board authorize the Executive Director, or designee, to adjust the Capital Budget to reflect additional third party funding allocated to Caltrain for existing capital projects under these circumstances, thereby obviating the need to seek additional Finance Committee approval for a ministerial act. Staff will report any adjustments to the Capital Budget made pursuant to this delegation to the Finance Committee on a monthly basis. This delegation will further streamline the meetings of the Finance Committee and the Board, and allow Caltrain project teams, consistent with Board approval, to accept more funding from partners as needed to accomplish project objectives.

Background

The Board adopted the FY24 Capital Budget on June 1, 2023 for a total amount of \$510,153,014. The proposed amendment described above would increase the FY24 Capital Budget from \$510,153,014 to \$515,445,427.

The Board adopted the FY24 Capital Budget on June 1, 2023 for a total amount of \$510,153,014. The proposed amendment described above would increase the FY24 Capital Budget from \$510,153,014 to \$515,445,427.

BUDGET IMPACT

The funding for this budget amendment shall be as follows:

Project	Funding Source	Amount
DTX Support Project	TJPA	\$5,018,239
SF Railyards Preliminary Business Case	Prologis	\$274,174
TOTAL		\$5,292,413

Prepared By:	Vergel Marinas	Senior Budget Analyst, Budgets	650-508-6230
	Claudette Valbuena	Manager, Budgets	650-508-6237

RESOLUTION NO. 2023-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

**Amend and Increase the Fiscal Year 2024 Caltrain Capital Budget by \$5,292,413 From
\$510,153,014 to \$515,445,427**

WHEREAS, pursuant to Resolution No. 2023-45 adopted on June 1, 2023, the Peninsula Corridor Joint Powers Board (JPB) adopted Fiscal Year 2024 (FY24) Capital Budget for a total authorized budget of \$510,153,014; and

WHEREAS, pursuant to Resolution No. 2023-52 adopted on August 3, 2023, the JPB has authorized the Executive Director to execute an Interim Agreement with the Transbay Joint Powers Authority (TJPA) that will provide additional funding of \$5,018,239 to the San Francisco Downtown Extension (DTX) Support Project; and

WHEREAS, pursuant to Resolution No. 2023-51 adopted on August 3, 2023, the JPB has authorized the execution of an Amendment to the Memorandum of Understanding (MOU) between JPB and Prologis that will provide additional funding of \$274,174 to the San Francisco Railyards Preliminary Business Case Project; and

WHEREAS, Caltrain frequently enters into agreements with funding partners for capital and planning projects. These funding agreements typically include estimated budgets, which are often revised and increased during the lifetime of the project. The Board has authorized the Executive Director, or designee, to execute funding agreements for the receipt of up to \$250,000 in third party funding, and for amounts in excess of \$250,000, Staff seeks Board approval for such agreements; and

WHEREAS, Staff proposes that the Board authorize the Executive Director, or designee, to adjust the Capital Budget to reflect additional third-party funding allocated to Caltrain for existing capital projects, thereby obviating the need to seek additional Board approval for a ministerial act. Staff will report any adjustments to the Capital Budget made pursuant to this delegation to the Finance Committee on a monthly basis. This delegation will further streamline the meetings of the Finance Committee and the Board, and allow Caltrain project teams, consistent with Board approval, to accept more funding from partners as needed to accomplish project objectives; and

WHEREAS, Staff recommends that the Board increase the total project authority for the San Francisco Downtown Extension (DTX) Support Project to \$9,349,113; and

WHEREAS, Staff recommends that the Board increase the total project authority for the San Francisco Railyards Preliminary Business Case Project to \$4,676,623; and

WHEREAS, Staff additionally recommends that the Board authorize the Executive Director, or designee, to adjust the Capital Budget under the following limited circumstances:

(a) the Board has authorized the Executive Director, or designee, to execute an agreement involving the receipt by Caltrain of third party funding for an existing capital project (b) the adjustment of the capital budget is limited to including the authorized third party funding in the previously approved Capital Budget; and (c) any adjustments to the Capital Budget made pursuant to this delegation of authority are reported to the Finance Committee on a monthly basis; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby approves an amendment to the FY2024 Capital Budget for a total authorized capital budget increase of \$5,292,413, from \$510,153,014 to \$515,445,427; and

BE IT FURTHER RESOLVED that the Board authorizes the Executive Director, or designee, to adjust the Capital Budget under the following limited circumstances: (a) the Board has authorized the Executive Director, or designee, to execute an agreement involving the receipt by Caltrain of third party funding for an existing capital project and for agreements in excess of \$250,000, staff has advised the Board of the resulting adjustment to the capital budget and obtained Board approval as part of the Board's consideration of the funding agreement; (b) the adjustment of the capital budget is limited to including the authorized third party funding in the previously approved Capital Budget; and (c) any adjustments to the Capital Budget made pursuant to this delegation of authority are reported to the Finance Committee on a monthly basis.

Regularly passed and adopted this 7th day of September 2023 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

Caltrain FY2024 ADOPTED CAPITAL BUDGET

Attachment B
Amendment 1
September 2023

Item #	PROJECT NAME	FY2024 ADOPTED CAPITAL BUDGET	Amendment 1	FY2024 AMENDED CAPITAL BUDGET	Federal Funds	STA SOGR	Member Agency Funds				Member Agency Funds	Others	Externally Funded / Stadler Cars	FY2024 ADOPTED CAPITAL BUDGET
							Santa Clara (Gen Funds)	Santa Clara (Measure B)	San Francisco (SFCTA)	San Mateo (SMCTA)				
i. SOGR														
Bridges														
1	Guadalupe Bridges Replacement	17,364,622		17,364,622	12,138,098	892,549			2,192,000		2,192,000	2,141,975	-	17,364,622
2	San Francisquito Creek Bridge Emergency North Channel Restorati	3,994,649		3,994,649						461,316	461,316	3,533,333	-	3,994,649
3	San Francisquito Bridge Acoustic Monitoring System	2,028,704		2,028,704						2,028,704	2,028,704	-	-	2,028,704
4	SOGR Structures	1,560,000		1,560,000	1,248,000	312,000					-	-	-	1,560,000
	Total Bridges	24,947,975	-	24,947,975	13,386,098	1,204,549	-	2,192,000	461,316	2,028,704	4,682,020	5,675,308	-	24,947,975
Right of Way														
5	SOGR MOW Track	4,100,543		4,100,543	2,957,273						-	1,143,270	-	4,100,543
6	SOGR MOW Track - Track Equipment	2,556,828		2,556,828		264,318			2,112,165	180,345	2,292,510	-	-	2,556,828
7	ROW Fencing	1,835,951		1,835,951						1,191,951	1,191,951	644,000	-	1,835,951
	Total Right of Way	8,493,322	-	8,493,322	2,957,273	264,318	-	-	2,112,165	1,372,296	3,484,461	1,787,270	-	8,493,322
Signal & Communications														
8	Signal SOGR FY24 and FY25	632,000		632,000	505,600	126,400					-	-	-	632,000
	Total Signal & Communications	632,000	-	632,000	505,600	126,400	-	-	-	-	-	-	-	632,000
Station & Intermodal Access														
9	Station SOGR Project	1,226,519		1,226,519					1,226,519		1,226,519	-	-	1,226,519
	Total Station & Intermodal Access	1,226,519	-	1,226,519	-	-	-	-	1,226,519	-	1,226,519	-	-	1,226,519
	Total SOGR	35,299,816	-	35,299,816	16,848,971	1,595,267	-	2,192,000	3,800,000	3,401,000	9,393,000	7,462,578	-	35,299,816
ii. LEGAL MANDATE														
10	MS4 Trash Management	200,000		200,000	-					200,000	200,000	-	-	200,000
	Total	200,000	-	200,000	-	-	-	-	-	200,000	200,000	-	-	200,000
iii. OPERATIONAL IMPROVEMENTS/ENHANCEMENTS														
11	Mini-High Platforms	460,000		460,000	-						-	460,000	-	460,000
12	Next Generation Visual Messaging Sign (VMS)	1,200,000		1,200,000					1,200,000		1,200,000	-	-	1,200,000
13	22nd Street ADA Access Improvements	447,198		447,198							-	447,198	-	447,198
14	San Mateo Replacement Parking Track	3,773,000		3,773,000							-	3,773,000	-	3,773,000
15	Support for Property Mapping	520,000		520,000						520,000	520,000	-	-	520,000
	Total	6,400,198	-	6,400,198	-	-	-	-	1,200,000	520,000	1,720,000	4,680,198	-	6,400,198
iv. PLANNING/STUDIES														
16	Capital Planning (CIP)	359,000		359,000	-					359,000	359,000	-	-	359,000
17	San Francisco Railyards TOD	806,000		806,000	-					-	-	806,000	-	806,000
18	Level Boarding Roadmap	520,000		520,000	-					520,000	520,000	-	-	520,000
19	Battery EMU R/D	1,352,000		1,352,000	-					-	-	1,352,000	-	1,352,000
20	DISC/Diridon Business Case	1,560,000		1,560,000	-				1,560,000		1,560,000	-	-	1,560,000
21	Rail Network and Operations Planning	1,248,000		1,248,000	-				1,248,000		1,248,000	-	-	1,248,000
22	DTX Funding	250,000		250,000	-						-	250,000	-	250,000
26	<i>DTX Support Project¹</i> <i>Total Project Budget (Post-Amendment): \$9,349,113</i>	-	5,018,239	5,018,239	-						-	5,018,239	-	5,018,239
27	<i>SF Railyards Preliminary Business Case²</i> <i>Total Project Budget (Post-Amendment): \$4,676,623</i>	-	274,174	274,174	-						-	274,174	-	274,174
	Total	6,095,000	5,292,413	11,387,413	-	-	2,808,000	-	-	879,000	3,687,000	7,700,413	-	11,387,413
v. STADLER CARS														
23	Stadler Cars	355,000,000		355,000,000	-						-	-	355,000,000	355,000,000
	Total	355,000,000	-	355,000,000	-	-	-	-	-	-	-	-	355,000,000	355,000,000

Caltrain FY2024 ADOPTED CAPITAL BUDGET

Attachment B
Amendment 1
September 2023

Item #	PROJECT NAME	FY2024 ADOPTED CAPITAL BUDGET	Amendment 1	FY2024 AMENDED CAPITAL BUDGET	Federal Funds	STA SOGR	Member Agency Funds				Member Agency Funds	Others	Externally Funded / Stadler Cars	FY2024 ADOPTED CAPITAL BUDGET
							Santa Clara (Gen Funds)	Santa Clara (Measure B)	San Francisco (SFCTA)	San Mateo (SMCTA)				
vi. EXTERNALLY-FUNDED GRADE SEPARATION PROJECTS														
24	Mountain View Transit Center Grade Separation	107,000,000		107,000,000							-	-	107,000,000	107,000,000
25	San Mateo Grade Separation	158,000		158,000							-	-	158,000	158,000
	Total	107,158,000	-	107,158,000	-	-	-	-	-	-	-	-	107,158,000	107,158,000
	Total	510,153,014	5,292,413	515,445,427	16,848,971	1,595,267	2,808,000	2,192,000	5,000,000	5,000,000	15,000,000	19,843,189	462,158,000	515,445,427

¹ \$5,018,239 is funded by Transbay Joint Powers Authority (TJPA) through an Interim Agreement between JPB and TJPA

² \$274,174 is funded by Prologis through an Amended Memorandum of Understanding (MOU) between JPB and Prologis

**PENINSULA CORRIDOR JOINT POWERS BOARD
STAFF REPORT**

TO: Board of Directors

THROUGH: Michelle Bouchard, Executive Director

FROM: Kate Jordan Steiner, Chief Financial Officer

SUBJECT: **Adopt Declaration of Official Intent to Reimburse Prior Expenditures**

<input type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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ACTION

Staff proposes that the Board of Directors (the “Board”) of the Peninsula Corridor Joint Powers Board (the “JPB”) adopt a Declaration of Intent of the Peninsula Corridor Joint Powers Board (Attachment A), as required by federal tax law, to allow the JPB to reimburse itself on a tax-exempt basis for capital expenses it incurred prior to the issuance of tax-exempt notes in connection with an existing credit facility.

DISCUSSION

The JPB expects to incur certain expenditures in connection with the issuance of certain subordinate notes (the “Notes”) for an existing credit facility. These expenditures include (i) certain improvements to the commuter rail service that services the Peninsula Corridor and is administered by the JPB, known as the Caltrain system (“Caltrain”), including improvements consisting of the electrification of Caltrain and the capital relating thereto, and (ii) paying costs of issuance of the Notes (collectively, the “Project”), and the proceeds of which will be used to finance such Project expenditures.

In order to use tax-exempt debt to reimburse cash-funded capital costs paid before the issue date of the tax-exempt debt, the tax laws require that the issuer adopt a resolution/declaration that makes clear that the issuer intends to issue tax-exempt debt in the future and that once that debt is issued, it will use proceeds of the debt to reimburse the costs originally financed with cash. Once the tax-exempt debt is issued and the reimbursement is completed, the proceeds used to reimburse the cash-funded capital expenditures will take on the same character as the original source of funds – i.e., the tax-exempt debt proceeds become cash for federal income tax purposes once the reimbursement is completed. The proposed declaration satisfies Section 1.150-2 of the Treasury Regulations, which requires the JPB to declare its reasonable official

intent to reimburse prior expenditures for the Project with the proceeds of tax-exempt indebtedness.

The Board expects that the JPB will pay certain expenditures in connection with the Project prior to the issuance of the Notes. The JPB will pay the expenditures directly with its own funds. The JPB reasonably expects that it will reimburse itself for the use of such funds with the proceeds of the Notes to be issued by the JPB or other authorized governmental issuer to finance the costs of the Project.

BUDGET IMPACT

The maximum amount of the Notes expected to be issued for the Project during the 2023-2024 fiscal year of the JPB is \$200,000,000. The Board previously approved the use of these credit facilities on August 5, 2021.

Prepared By: Nixon Peabody LLP
 Olson Remcho LLP

**RESOLUTION NO. 2023 -
BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS
BOARD
STATE OF CALIFORNIA**

* * *

Declaration of Intent of the Peninsula Corridor Joint Powers Board

WHEREAS, the Peninsula Corridor Joint Powers Board (the “JPB”), a joint exercise of powers entity duly organized and existing under and by virtue of the laws of the State of California pursuant to a Joint Powers Agreement, dated as of October 18, 1991 as amended and restated as of October 3, 1996, by and between the Santa Clara Valley Transit Authority, the City and County of San Francisco (“CCSF”) and the San Mateo County Transit District (“SamTrans”, and together with SCVTA and CCSF, the “Members”), expects to incur certain expenditures in connection with the Project (as defined below) and the related prior new issuance of certain subordinate notes (the “Notes”), the proceeds of which, will be used to finance such Project expenditures;

WHEREAS, the Section 1.150-2 of the Treasury Regulations require the JPB to declare its reasonable official intent to reimburse prior expenditures for the Project with the proceeds of tax-exempt indebtedness;

NOW, therefore, the Board of Directors, the governing board of the JPB, upon motion duly made and seconded, duly adopts the following Resolution:

Section 1. Project. The Project consists of (i) certain improvements to the commuter rail service that services San Francisco peninsula and is administered by the JPB, known as the Caltrain system (“**Caltrain**”), including improvements consisting of the electrification of Caltrain and the capital relating thereto, and (ii) paying costs of issuance of the Notes (collectively, the “**Project**”).

Section 2. Reimbursement. The Board of Directors expects that the JPB will pay certain expenditures in connection with the Project prior to the new issuance of the Notes. The JPB will pay the expenditures directly with its own funds, or with funds advanced by one or more of the Members. The JPB reasonably expects that it will reimburse itself or the Members for the use of such funds with the proceeds of the Notes to be issued by the JPB or other authorized governmental issuer to finance the costs of the Project. The maximum amount of the Notes expected to be issued for the Project during the 2023-2024 fiscal year of the JPB is \$200,000,000. This statement of official intent to reimburse constitutes a declaration of official intent under Section 1.150-2 of the Treasury Regulations.

Section 3. Effective Date. This Resolution shall take effect from after its adoption.
Regularly passed and adopted this 7th day of September 2023 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Adoption of the Fiscal Year 2024-2028 Caltrain Fare Structure and Approval of Associated Title VI Equity Analysis**

<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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Purpose and Recommended Action

Staff recommends the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) adopt two updated Fare Structures:

1. One effective January 1, 2024 upon Board approval of the proposed changes outlined below (Pre-Clipper Next Generation Fare Structure)
2. One effective upon Clipper next generation execution (Post-Clipper Next Generation Fare Structure)

Staff have undertaken a study to analyze and develop a revised Fare Structure accommodating Caltrain rider needs, post-pandemic ridership challenges, and regional fare changes; resulting in recommended changes to Caltrain’s existing fare products and programs. These recommendations are consistent with the agency’s forthcoming strategic financial plan and the adopted fiscal year (FY) 2024-2025 budgets.

The First Fare Structure recommended for adoption proposes the following changes:

- Effective January 1, 2024 (FY25):
 - adopt Clipper START as a permanent fare category and
 - reduce minimum group travel discount size from 25 to 15 people;
- Effective March 1, 2024, after completion of current fare promotions, align all Clipper START pricing to match eligible discount (ED) pricing, and change ED day pass pricing to 2x one-way fare price;
- Effective July 1, 2025 (FY26), an increase to the Base fare by \$0.25 from \$3.75 to \$4.00 for adult and \$1.75 to \$2.00 for ED;
- Effective July 1, 2026 (FY27), an increase to the Zone upgrade by \$0.25 from \$2.25 to \$2.50 for adult and \$1.00 to \$1.25 for ED;

- Effective July 1, 2027 (FY28), an increase to the Base fare by \$0.25 from \$4.00 to \$4.25 for adult (the increase in Base Fare will apply only to adult fares due to rounding rules for ED fare);
- FY24-FY28: Monthly Pass Multiplier remains priced at 24 trips (12 roundtrips);

Go Pass Changes in the first recommended fare structure:

- Effective January 1, 2024, reduce the current Go Pass price of \$342 per pass to \$275 per pass;
- Effective January 1, 2024, allow discounts within the Go Pass program for students at schools enrolled in the program, and for residents at affordable housing projects enrolled in the program (discount may be up to 80 percent off the regular Go Pass price).

During the Caltrain Board of Directors meeting on August 3, 2023, staff was requested to analyze whether a change in the minimum eligible users for Go Pass could be integrated into the recommendation. Staff conducted a sensitivity analysis of the potential revenue loss to the 2023 Go Pass program if the number of minimum eligible users was reduced. The analysis estimates a small negative fiscal impact (approx. \$61,000 (0.4 percent) of total Go Pass revenue) associated with reducing the minimum eligible users. Any negative fiscal impact is expected to be offset by increased revenue from the higher ridership driven by increased availability of the Go Pass. Staff recommends reducing the minimum eligible users from 84 to 20 to engage new smaller organizations for which the 84 minimum eligible users was cost prohibitive. This recommendation is anticipated to have minimum fiscal impact in the 2023 calendar year and has the potential to increase new participation in the Go Pass program and overall ridership.

- Effective January 1, 2024 reduce the current Go Pass required amount of minimum eligible users from 84 to 20.

The Second Fare Structure recommended for adoption will take effect upon execution of the Clipper next generation project. Staff recommends the following additional changes:

- Free or Reduced Cost Transfers Regional Transit Pilot Program
 - The Pilot Program will provide a transfer discount up to the region's highest local transit fare to Clipper riders (excluding pass products) transferring to Caltrain within two hours of the first boarding; and
- Open Payment Acceptance
 - Customer may purchase a Caltrain One-Way ticket at all Clipper Stand Alone Validators with a credit card and will effectively pay the same price as riders who use Clipper.

Discussion

Background: In May of 2022, the Board adopted an updated Fare Structure that included the following schedule of fare changes:

- Effective July 1, 2023 (FY24), an increase to the Base fare of \$.50;
- Effective July 1, 2023 (FY24), an increase to the Monthly Pass Trip Multiplier from 12 days (24 trips) to 15 days (30 trips);
- Effective July 1, 2025 (FY26), an increase to the Zone Upgrade from \$2.25 to \$2.50 for Adult riders and a Zone Upgrade increase from \$1.00 to \$1.25 for ED riders;
- Effective July 1, 2027 (FY27) an increase to the Base fare of \$.50;
- Effective July 1, 2028 (FY29) a reduction of the Clipper discount on Adult fares from \$.55 to \$.25; and

Participation in Clipper START, the regional means-based fare program was through June 30, 2023, based on the Metropolitan Transportation Commission's (MTC) previous end date for the pilot.

Temporary Changes: Caltrain experienced significant decline in ridership due to the Covid-19 pandemic. To recover lost ridership, in May 2022 the Board postponed previously adopted fare increases and postponed the fare increases scheduled to take effect in July 2023. In addition, MTC has extended the Clipper START pilot program for two additional years, through June 30, 2025, with the possibility of a permanent program continuing after completion of the pilot.

Pursuant to the (a) Caltrain Fare Structure adopted in Resolution 2019-32, and (b) Federal Transit Administration FTA Circular 4702.1B which grant the authority to implement special and promotional fare discounts lasting up to six months; on May 24, 2023 Caltrain's Executive Director authorized a promotional fare reduction, postponing the approved May 2022 fare changes to alleviate the economic effects of the Covid-19 pandemic on riders, incentivize Caltrain ridership, and potentially increase overall fare revenue.

The promotional fare reduction delayed previously adopted fare changes scheduled to take effect on July 1, 2023, so that the prices in effect on June 30, 2023 would remain in effect until December 31, 2023. The fare changes adopted in May 2022 will now begin on January 1, 2024, unless a new Fare Structure is adopted by the Board this fall.

Staff presented the recommended fare changes to the Caltrain Citizens Advisory Committee (CAC) on Wednesday, July 19, 2023. Staff also presented to the Caltrain Board of Directors on August 3, 2023. These items were informational only. Public outreach was held in August, which included a public meeting on August 21, 2023.

Equity Analysis of Fare Changes

Caltrain performed a Title VI Equity Analysis for the recommended fare changes in the revised Fare Structures using 2022 systemwide ridership and rider demographic information collected in the 2022 Caltrain Triennial Customer Survey. JPB's Title VI Disparate Impact policy establishes a 10 percent threshold difference for determining whether a fare adjustment has an

adverse impact on minority populations compared to non-minority populations. Similarly, the Disproportionate Burden threshold to determine if a fare adjustment has an adverse impact on low-income populations compared to non-low-income populations is also established at 10 percent.

The findings of the analysis confirms that there is no Disparate Impact on minority populations, and no Disproportionate Burden on low-income populations for all recommended fare changes. The percentage difference between the minority cost change and non-minority cost change for FY26-FY28 is less than 1 percent, falling well within the 10% Disparate Impact threshold. The percentage difference between the low-income cost change and non-low-income cost change is also within the 10 percent Disproportionate Burden threshold, at under 1 percent. The analysis can be located at www.caltrain.com/meetings/2023/08/jpb-finance-committee.

Budget Impact

There is no anticipated impact to the FY2024-2025 budgets. The small adjustments to Clipper START and eligible discount prices could reduce fare revenue by up to \$40,000; however, it is likely the small price reductions could increase ridership, and potentially increase fare revenue. The reduction of the Go Pass minimum eligible users from 84 to 20 could reduce fare revenue by up to \$61,000 based on Calendar 2023 enrollment; however, it is likely the reduction could increase participants, and potentially increase total fare revenue.

Prepared By: Bruce Thompson Manager of Fare Programs 650-551-6106

Resolution No. 2023-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

**Adoption of the Fiscal Year 2024-2028 Caltrain Fare Structure and Approval
of Associated Title VI Equity Analysis**

Whereas, on May 6, 1992, by Resolution No. 1992-31, the Board of the Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) adopted a Codified Tariff, setting forth the rate structure for the Caltrain service; and

Whereas, the JPB has previously amended the Codified Tariff to modify fares in order to implement policy and administrative changes in the Caltrain service; and

Whereas, the JPB is committed to the principles underlying its Caltrain Fare Policy, adopted on December 6, 2018, by Resolution 2018-49, including financial sustainability, equity, customer experience, and ridership; and

Whereas, the JPB revised the Fare Structure (which replaced the Codified Tariff) on September 5, 2019, by adopting Resolution 2019-32, in order to increase Go Pass prices every other year, reduce the Clipper® Discount, increase base and zone fares (alternating every other year), and participate in the regional means-based fare pilot program (Clipper START); and

Whereas, in light of the COVID-19 pandemic, on September 3, 2020, the JPB adopted Resolution 2020-47, postponing the previously approved fare increases, which were to take effect on April 1 and July 1, 2020, until after Fiscal Year 2020-2021; and

Whereas, on June 4, 2020, by Resolution No. 2020-21, the JPB extended the duration of the 2020 Go Pass participant agreements through March 2021 to compensate for their users' loss of use of Caltrain for the duration of state and local shelter-in-place orders; and

Whereas, on June 4, 2020, by adopting Resolution 2020-30, the JPB increased the Caltrain discount associated with Clipper START from 20 percent to 50 percent off single-ride, adult Clipper fares; and

Whereas, on January 7, 2021, the JPB adopted Resolution 2021-01 to reduce the 2021 Go Pass pricing to reflect the shortened program year and continued commute pattern changes caused by COVID-19; to give added flexibility to Go Pass program participants by permitting them to offer otherwise unused 2021 Go Passes to on-site contractors, part-time employees, and graduate and post-doctoral students and to donate unused passes to qualified not-for-profit organizations, and to decrease the 2022 Go Pass price for the Go Pass program participants purchasing passes for at least the last six months of 2021; and

Whereas, on June 3, 2021, by adopting Resolution 2021-33, the JPB, based on the public comment it had received, extended the temporary 20 percent discount on Monthly Pass products, postponed two scheduled 5 percent increases in the Go Pass price, postponed a reduction of the Clipper discount, delayed scheduled increases to the full-price base fare and zone charge, and extended Clipper START; and

Whereas, on May 5, 2022, the Board of the Peninsula Corridor Joint JPB adopted an updated Fare Structure via Resolution 2022-22 that postponed previously approved fare increases and included a schedule of fare changes, including increases to the Base fare, an

increase to the Zone Upgrade, postponement of two Go Pass price increases, and a reduction of the Clipper discount on Adult fares; and

Whereas, due to the COVID-19 Pandemic, Caltrain experienced significant declines in ridership; and

Whereas, the Metropolitan Transportation Commission has extended the Clipper START pilot program for two additional years, through June 30, 2025, with the possibility of a permanent program continuing after completion of the pilot; and

Whereas, the Caltrain Fare Structure as adopted in Resolution 2019-32, and Federal Transit Administration FTA Circular 4702.1B, grant the Executive Director the authority to implement special and promotional fare discounts lasting up to six months; and

Whereas, pursuant to the Fare Structure, Caltrain's Executive Director authorized a promotional fare reduction on May 24, 2023, postponing the Board-approved May 2022 fare changes, to alleviate the economic effects of the COVID-19 pandemic on riders, incentivize Caltrain ridership, and potentially increase overall fare revenue; and

Whereas, the promotional fare reduction delayed the previously adopted fare changes that were scheduled to take effect on July 1, 2023, so that the prices in effect on June 30, 2023, would remain in effect until December 31, 2023. The fare changes adopted in May 2022 will now begin on January 1, 2024, unless a new Fare Structure is adopted by the Board; and

Whereas, under Title VI of the Civil Rights Act of 1964 and implementing regulations, including FTA Circular 4702.1B, the JPB is required to perform a Title VI Equity Analysis in conjunction with most fare changes to assess whether they will result in disparate impacts or disproportionate burdens on minority or low-income populations, respectively, and on April 4,

2013, the Board adopted Resolution No. 2013-21, which established Disparate Impact and Disproportionate Burden Policies to set thresholds for when fare or major service changes are deemed to have disproportionate effects on minority or low-income populations; and

Whereas, Staff presented the recommended fare changes to the Caltrain Citizens Advisory Committee (CAC) on Wednesday, July 19, 2023. Staff presented to the Caltrain Board of Directors on August 3, 2023. Public outreach regarding changes to the Fare Structure was held in August, which included a duly noticed public hearing at the August 21, 2023, Finance Committee Meeting; and

Whereas, Caltrain performed a Title VI Equity Analysis for the recommended fare changes in the revised Fare Structures on September 7, 2023, and the findings confirmed that there is no Disparate Impact on minority populations, and no Disproportionate Burden on low-income populations for all recommended fare changes; and

Whereas, staff recommends that the Board adopt two updated Fare Structures: one that will go into effect upon Board approval, and another that will go into effect upon Clipper next generation execution; and

Whereas, staff have undertaken a study to analyze and develop a revised Fare Structure with consideration for Caltrain rider needs, post-pandemic ridership challenges, and regional fare changes, resulting in recommended changes to Caltrain's existing fare products and programs that are consistent with the agency's forthcoming strategic financial plan and the adopted fiscal year (FY) 2024-2025 budgets; and

Whereas, the first fare structure recommended for adoption proposes the changes as detailed in Attachment A (Caltrain Fare Structure Prior to Clipper 2.0), including the following changes:

- Adoption of Clipper START as a permanent fare category;
- Reduce the minimum group travel discount size from 25 to 15 people;
- Align all Clipper START pricing to match eligible discount (ED) pricing, and change ED day pass pricing;
- Scheduled increases to the Base fare, ED, and Zone Upgrade;
- Maintaining the Monthly Pass Multiplier priced at 24 trips (12 roundtrips);
- Reduce the current Go Pass price of \$342/pass down to \$275/pass; and
- Reduce the current Go Pass required amount of minimum eligible users from 84 to 20; and
- Allow discounts within the Go Pass program for students at schools enrolled in the program and for residents at affordable housing projects enrolled in the program (up to 80% off of the regular Go Pass price); and

Whereas, the second fare structure recommended for adoption proposes the changes as detailed in Attachment B (Caltrain Fare Structure After Execution of Clipper 2.0), including the following changes:

- Free or Reduced Cost Transfers Regional Transit Pilot Program: a transfer discount for Clipper riders (excluding pass products) transferring to Caltrain within two hours of the first boarding; and

- Open Payment Acceptance: Customer may purchase a Caltrain One-Way ticket at all Clipper Stand Alone Validators with a credit card; and

Whereas, Staff presented the recommended fare changes to the Caltrain Citizens Advisory Committee (CAC) on Wednesday, July 19, 2023. Staff presented to the Caltrain Board of Directors on August 3, 2023. Public outreach was held in August, which included a duly noticed public hearing at the August 21, 2023 Finance Committee Meeting; and

Whereas, there is no estimated impact to the FY2024-2025 budgets. The small adjustments to Clipper START and eligible discount prices could reduce fare revenue by up to \$40,000; however, it is likely the small price reductions could increase ridership, and potentially increase fare revenue. The reduction of the Go Pass minimum eligible could reduce fare revenue by up to \$60,000; however, it is likely the reduction could increase participants, and potentially increase fare revenue.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby:

1. Finds pursuant to Title VI of the Civil Rights Act of 1964 that the fare changes enacted hereby will not have a disparate impact on minority populations or a disproportionate burden on low-income populations;
2. Adopts an updated Fare Structure to be effective immediately upon adoption, as detailed in Attachments A (Caltrain Fare Structure Prior to Clipper 2.0), including the following changes:
 - Effective January 1, 2024:
 - Adopt Clipper START as a permanent fare category;

- Reduce the minimum group travel discount size from 25 to 15 people;
 - Reduce the current Go Pass price of \$342/pass down to \$275/pass;
 - and
 - Allow discounts within the Go Pass program for students at schools enrolled in the program and for residents at affordable housing projects enrolled in the program (discount may be up to 80% off of the regular Go Pass price).
- Effective March 1, 2024: Align all Clipper START pricing to match eligible discount (ED) pricing, and change ED day pass pricing to 2x one-way fare price
 - Effective July 1, 2025: increase the Base fare by \$0.25 from \$3.75 to \$4.00 for adult fare and \$1.75 to \$2.00 for ED
 - Effective July 1, 2026: increase the Zone upgrade by \$0.25 from \$2.25 to \$2.50 for adult fare and \$1.00 to \$1.25 for ED
 - Effective July 1, 2027: increase the Base fare by \$0.25 from \$4.00 to \$4.25 for adult fare
 - Monthly Pass Multiplier remains priced at 24 trips (12 roundtrips) through June 30, 2028;
3. Adopts an updated Fare Structure to be effective upon the execution of Clipper next generation, as detailed in Attachment B (Caltrain Fare Structure After Execution of Clipper 2.0): including the following additional changes:

- Provide a transfer discount up to the region’s highest local transit fare to Clipper riders who transfer to Caltrain within two hours of their first boarding as part of the Free or Reduced Cost Transfers Regional Transit Pilot Program (excludes pass products)
- Permit customers to purchase a Caltrain One-Way ticket at all Clipper Stand Alone Validators with a credit card; and

Be It Further Resolved That the Board of Directors directs the Executive Director, or designee, to sign any agreements or other documents, or take any other actions required, to give effect to this resolution.

Regularly passed and adopted this 7th day of September, 2023 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary
(00493502-2)

Pre-Clipper Next Generation Fare Structure

Adopted – May 6, 1992

Last Revised – September 7, 2023

Effective – January 1, 2024

PENINSULA CORRIDOR JOINT POWERS BOARD STATE OF CALIFORNIA

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CALTRAIN FARE STRUCTURE

This document establishes the fare structure for use of Caltrain passenger rail service, which operates between San Francisco and Gilroy, California. For pricing, refer to Section V, Fare Chart.

I. FARE CATEGORIES

A. Full Fare

Full Fares apply to all customers except those who qualify for an Eligible Discount Fare or Clipper START.

B. Eligible Discount Fare

Customers qualifying for the Eligible Discount Fare receive at least a 50% discount off of full fares. A customer qualifies for the Eligible Discount Fare by meeting or possessing any one or more of the requirements below. Proof of age or appropriate identification may be necessary when ticket is requested by the conductor or fare inspector.

1. Aged 65 years or older.
2. Aged 18 years or younger.
3. Disabled Person Placard Identification Card issued by the California State Department of Motor Vehicles (DMV).
4. Medicare Card.
5. Regional Transit Connection (RTC) Discount Card for persons with disabilities, including Clipper® cards that are designated as RTC Discount Cards. A personal care attendant travelling with an RTC Discount Card holder can pay the Eligible Discount Fare if the RTC Discount Card is marked with an attendant symbol.
6. Valid transit discount card issued by another California transit agency, which is equivalent to the RTC Discount Card.

C. Clipper START Means-Based Fare Program

Caltrain's participation in the Regional Means based Clipper Start program, administered by the Metropolitan Transportation Commission (MTC), provides discounted fares for eligible participants who meet income thresholds as defined by MTC. For information on program details, eligibility criteria, or to apply, visit www.clipperstartcard.com. Customers

qualifying for a Clipper START Fare receive at least a 50% discount compared to Clipper full fares.

D. Clipper Bay Pass Pilot Program - Regional All Agency Pass

Available to passengers who are selected to participate in the Clipper Bay Pass Pilot Program, part of the Regional Fare Coordination and Integration Study administered by the Bay Area Integration Task Force. Clipper Bay Pass is managed by MTC and Bay Area Rapid Transit (BART) in close coordination with regional transit operators and Caltrain

E. Sworn Peace Officers

Uniformed and non-uniformed, sworn peace officers showing proper identification are allowed to ride Caltrain without paying a fare.

F. Children Four Years or Younger

One child aged four years or younger accompanied by a paying adult, including Go Pass users, may ride Caltrain without paying a fare. Additional children traveling with the same adult are required to pay a fare.

G. Special Promotional Fares

From time to time, the Executive Director may authorize the establishment of special or promotional fares.

H. Group Travel Discount

A 10 percent discount on regular cash fares is provided to fare-paying groups of 15 or more passengers that pre-purchase through the Caltrain Group Travel program.

II. FARE TYPES

A. One-Way Ticket

Valid for use within four hours of the date and time sold. One-way Tickets are honored for one-way passage away from the point of origin, including stopovers/transfers, within the zone(s) indicated on such tickets.

B. Day Pass

Valid for use on a single day, through the last train on the service day on which sold. Day passes are honored for unlimited travel within the zone(s) indicated on the ticket.

C. Monthly Pass

Valid for use for the calendar month for which issued. Monthly Passes are honored for unlimited weekday trips between the zone(s) indicated on such passes. On Saturdays, Sundays and holidays, Monthly Passes are honored for unlimited trips between all zones..

D. Zone Upgrade Ticket

Valid for use within four hours of the date and time sold. Zone Upgrade Tickets are valid only when accompanying a Monthly Pass or a valid paper One-way Ticket or Day Pass, and cannot be used alone. The Zone Upgrade Ticket will be honored for one-way passage for additional zones purchased beyond the original ticket's zone limits. The Zone Upgrade Ticket's validity period does not supersede the original ticket's validity period.

E. Go Pass

Valid for use within the calendar year for which issued. The Go Pass is an annual transit pass sold to schools, employers, and residential, commercial, and mixed-use development complexes. Go Pass participants are subject to the terms of agreements between the JPB and each Go Pass participant.

The Go Pass program may offer a discount of up to a maximum of 80 percent off of the regular Go Pass price for a) students enrolled in the program through a school; and b) residents of affordable housing projects enrolled in the program. For schools, the Go Pass may also be valid and issued for an academic year rather than a calendar year.

The Go Pass is administered via a Clipper Card accompanied by a valid participant-issued photo identification card or a sticker affixed to the above-mentioned identification cards. The Go Pass is honored for unlimited trips between all zones. Go Pass users are eligible to purchase a Monthly Parking Permit.

III. FARE PAYMENT

A. Ticket Vending Machines

Customers may purchase the following Caltrain fare products at Caltrain stations via the ticket vending machines: (i) One-way Ticket; (ii) Day Pass; and (iii) Zone Upgrade.

Customers may also purchase select Clipper products, add value to Clipper cards, and purchase Adult Clipper Cards at upgraded Ticket Vending Machines. Cash, credit and debit cards are accepted. Ticket machines may also offer customers the opportunity to add value to their Clipper Cards.

B. Mobile Ticketing Application Program

Customers may purchase the following fare products via the Caltrain Mobile App: (i) One-way Ticket; (ii) Day Pass; and (iii) Zone Upgrade. Credit and debit cards, PayPal, Google Pay and Apple Pay are accepted.

C. Clipper

Customers may purchase the following fare products via the Clipper regional transit fare payment system: (i) One-way Ticket; (ii) Monthly Pass. Customers paying with Clipper for a One-way ride receive a 55-cent discount on Full Fares compared to paper and mobile tickets. Customers qualifying for an Eligible Discount Fare receive at least a 50% discount compared to Clipper full fares.

The Clipper card, which is issued and administered by MTC, is valid for use on public transit services throughout the San Francisco Bay Area. MTC may establish fees and a cash minimum associated with the use of a Clipper card.

D. JPB staff is empowered to distribute fare media through other means (e.g. a website) without amendment of this document.

IV. DESCRIPTION OF ZONES

The zone designations for Caltrain service are:

<u>Zone 1</u> San Francisco 22 nd Street Bayshore South San Francisco San Bruno	<u>Zone 2</u> Millbrae Broadway* Burlingame San Mateo Hayward Park Hillsdale Belmont San Carlos Redwood City	<u>Zone 3</u> Menlo Park Palo Alto Stanford Stadium^ California Avenue San Antonio Mountain View Sunnyvale
<u>Zone 4</u> Lawrence Santa Clara College Park# San Jose Diridon	<u>Zone 5</u> Capitol# Blossom Hill#	<u>Zone 6</u> Morgan Hill# San Martin# Gilroy#

* Weekend service only

^ Football/Other Select Levy Stadium events only

Weekday service only

V. GENERAL CONDITIONS

A. Conditions of Use

Tickets and passes are non-transferable. Tickets mutilated, altered or changed in any way, or used in any manner other than in accordance with the provision of this Fare Structure shall be forfeited.

B. Enforcement

Passengers must have a valid ticket before boarding to ride Caltrain. Fares will be enforced by a Proof-of-Payment system as adopted and amended from time to time by the JPB. Proof of fare payment must be carried at all times while on Caltrain and must be presented for inspection upon request. Passengers without valid fare are subject to written warnings and citations with monetary penalties as authorized by California law.

C. Stopovers/Transfers

Stopovers and transfers are permitted within zones indicated on tickets provided travel is completed within the ticket's validity period. For One-way Tickets, travel can only continue and be completed in the original direction of travel. One-way Tickets cannot be used to reverse direction.

D. Delays

When a customer holding a valid ticket is delayed because of washout, wreck or other obstruction to tracks, public calamity, an act of God or of the public enemy so that the validity period of a passenger's ticket has expired, such ticket's validity may be extended by the conductor or fare inspector to the extent of such delay.

E. Refunds

1. One-way, Day Pass, and Zone Upgrade Tickets

One-Way, Day Pass and Zone Upgrade Tickets are not subject to refund.

2. Go Passes

Fees paid for Go Passes are subject to refund only in case of termination of a contract between the JPB and the Go Pass participant. The JPB will refund the pro-rated portion of the Go Pass fee paid by the participating entity (equivalent to the number of unused months), less an administration fee, within 30 days of the contract termination date, provided that within 10 working days of the effective termination date, all undistributed Go Passes issued to the participating entity are returned to the JPB and the participating entity verifies in writing that it has made every good faith effort to collect or destroy all Go Passes that it distributed.

3. Monthly Passes

Unused Monthly Passes may be returned for a full refund prior to the date the passes first become valid.

Monthly Passes returned for a refund during the validity period will be refunded for the difference between the fare paid and the value of the transportation furnished. The value of transportation furnished will be considered to be the value of two one-way fares per weekday up to the date the pass is returned.

VI. FARE PRICES

Updated Fare Table on next page:

Zones Travelled	Fare Type	Payment Option	Category	Current	Eff 3/1/2024	Eff 7/1/2025	Eff 7/1/2026	Eff 7/1/2027	
1	One-way	Ticket Machine, Mobile App	Adult	\$3.75	\$3.75	\$4.00	\$4.00	\$4.25	
			Eligible Discount	\$1.75	\$1.75	\$2.00	\$2.00	\$2.00	
		Clipper	Adult	\$3.20	\$3.20	\$3.45	\$3.45	\$3.70	
			Clipper START	\$1.60	\$1.60	\$1.70	\$1.70	\$1.70	
	Day Pass	Ticket Machine, Mobile App	Adult	\$7.50	\$7.50	\$8.00	\$8.00	\$8.50	
			Eligible Discount	\$3.75	\$3.50	\$4.00	\$4.00	\$4.00	
	Monthly Pass	Clipper	Adult	\$76.80	\$76.80	\$82.80	\$82.80	\$88.80	
			Eligible Discount	\$38.40	\$38.40	\$40.80	\$40.80	\$40.80	
	2	One-way	Ticket Machine, Mobile App	Adult	\$6.00	\$6.00	\$6.25	\$6.50	\$6.75
				Eligible Discount	\$2.75	\$2.75	\$3.00	\$3.25	\$3.25
Clipper			Adult	\$5.45	\$5.45	\$5.70	\$5.95	\$6.20	
			Clipper START	\$2.70	\$2.60	\$2.70	\$2.95	\$2.95	
Day Pass		Ticket Machine, Mobile App	Adult	\$12.00	\$12.00	\$12.50	\$13.00	\$13.50	
			Eligible Discount	\$6.00	\$5.50	\$6.00	\$6.50	\$6.50	
Monthly Pass		Clipper	Adult	\$130.80	\$130.80	\$136.80	\$142.80	\$148.80	
			Eligible Discount	\$62.40	\$62.40	\$68.40	\$70.80	\$70.80	
3		One-way	Ticket Machine, Mobile App	Adult	\$8.25	\$8.25	\$8.50	\$9.00	\$9.25
				Eligible Discount	\$3.75	\$3.75	\$4.00	\$4.50	\$4.50
	Clipper		Adult	\$7.70	\$7.70	\$7.95	\$8.45	\$8.70	
			Clipper START	\$3.85	\$3.60	\$3.70	\$4.20	\$4.20	
	Day Pass	Ticket Machine, Mobile App	Adult	\$16.50	\$16.50	\$17.00	\$18.00	\$18.50	
			Eligible Discount	\$8.25	\$7.50	\$8.00	\$9.00	\$9.00	
	Monthly Pass	Clipper	Adult	\$184.80	\$184.80	\$190.80	\$202.80	\$208.80	
			Eligible Discount	\$86.40	\$86.40	\$92.40	\$100.80	\$100.80	
	4	One-way	Ticket Machine, Mobile App	Adult	\$10.50	\$10.50	\$10.75	\$11.50	\$11.75
				Eligible Discount	\$4.75	\$4.75	\$5.00	\$5.75	\$5.75
Clipper			Adult	\$9.95	\$9.95	\$10.20	\$10.95	\$11.20	
			Clipper START	\$4.95	\$4.60	\$4.70	\$5.45	\$5.45	
Day Pass		Ticket Machine, Mobile App	Adult	\$21.00	\$21.00	\$21.50	\$23.00	\$23.50	
			Eligible Discount	\$10.50	\$9.50	\$10.00	\$11.50	\$11.50	
Monthly Pass		Clipper	Adult	\$238.80	\$238.80	\$244.80	\$262.80	\$268.80	
			Eligible Discount	\$110.40	\$110.40	\$116.40	\$130.80	\$130.80	
5		One-way	Ticket Machine, Mobile App	Adult	\$12.75	\$12.75	\$13.00	\$14.00	\$14.25
				Eligible Discount	\$5.75	\$5.75	\$6.00	\$7.00	\$7.00
	Clipper		Adult	\$12.20	\$12.20	\$12.45	\$13.45	\$13.70	
			Clipper START	\$6.10	\$5.60	\$5.70	\$6.70	\$6.70	
	Day Pass	Ticket Machine, Mobile App	Adult	\$25.50	\$25.50	\$26.00	\$28.00	\$28.50	
			Eligible Discount	\$12.75	\$11.50	\$12.00	\$14.00	\$14.00	
	Monthly Pass	Clipper	Adult	\$292.80	\$292.80	\$298.80	\$322.80	\$328.80	
			Eligible Discount	\$134.40	\$134.40	\$140.40	\$160.80	\$160.80	
	6	One-way	Ticket Machine, Mobile App	Adult	\$15.00	\$15.00	\$15.25	\$16.50	\$16.75
				Eligible Discount	\$6.75	\$6.75	\$7.00	\$8.25	\$8.25
Clipper			Adult	\$14.45	\$14.45	\$14.70	\$15.95	\$16.20	
			Clipper START	\$7.20	\$6.60	\$6.70	\$7.95	\$7.95	
Day Pass		Ticket Machine, Mobile App	Adult	\$30.00	\$30.00	\$30.50	\$33.00	\$33.50	
			Eligible Discount	\$15.00	\$13.50	\$14.00	\$16.50	\$16.50	
Monthly Pass		Clipper	Adult	\$346.80	\$346.80	\$352.80	\$382.80	\$388.80	
			Eligible Discount	\$158.40	\$158.40	\$164.40	\$190.80	\$190.80	

Zone Upgrade Table

Zone Upgrade			
Payment Option	Category	Current	Eff. 7/1/2026
Ticket Machine, Mobile App	Adult	\$2.25	\$2.50
	Eligible Discount	\$1.00	\$1.25

Go Pass Pricing

Go Pass		
	Current	Eff. 1/1/2024
Minimum Cost	\$28,728.00	\$5,500.00
Per Eligible Rider*	\$342.00	\$275.00

Post-Clipper Next Generation Fare Structure

Adopted – May 6, 1992

Last Revised – September 7, 2023

Effective – TBD by Metropolitan Transportation Commission, upon Clipper Next Generation Going Live

PENINSULA CORRIDOR JOINT POWERS BOARD STATE OF CALIFORNIA

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CALTRAIN FARE STRUCTURE

This document establishes the fare structure for use of Caltrain passenger rail service, which operates between San Francisco and Gilroy, California. For pricing, refer to Section V, Fare Chart.

I. FARE CATEGORIES

A. Full Fare

Full Fares apply to all customers except those who qualify for an Eligible Discount Fare or Clipper START.

B. Eligible Discount Fare

Customers qualifying for the Eligible Discount Fare receive at least a 50% discount off of full fares. A customer qualifies for the Eligible Discount Fare by meeting or possessing any one or more of the requirements below. Proof of age or appropriate identification may be necessary when ticket is requested by the conductor or fare inspector.

1. Aged 65 years or older.
2. Aged 18 years or younger.
3. Disabled Person Placard Identification Card issued by the California State Department of Motor Vehicles (DMV).
4. Medicare Card.
5. Regional Transit Connection (RTC) Discount Card for persons with disabilities, including Clipper® cards that are designated as RTC Discount Cards. A personal care attendant travelling with an RTC Discount Card holder can pay the Eligible Discount Fare if the RTC Discount Card is marked with an attendant symbol.
6. Valid transit discount card issued by another California transit agency, which is equivalent to the RTC Discount Card.

C. Clipper START Means-Based Fare Program

Caltrain's participation in the Regional Means based Clipper START program, administered by the Metropolitan Transportation Commission (MTC), provides discounted fares for eligible participants who meet income thresholds as defined by

MTC. For information on program details, eligibility criteria, or to apply, visit www.clipperstartcard.com. Customers qualifying for a Clipper START Fare receive at least a 50% discount compared to Clipper full fares.

- D. Clipper Bay Pass Pilot Program - Regional All Agency Pass**
Available to passengers who are selected to participate in the Clipper Bay Pass Pilot Program, part of the Regional Fare Coordination and Integration Study administered by the Bay Area Integration Task Force. Clipper Bay Pass is managed by MTC and Bay Area Rapid Transit (BART) in close coordination with regional transit operators and Caltrain
- E. Free or Reduced Cost Transfers-Regional Transit Pilot Program**
The Free or Reduced Cost Transfers Regional Transit Pilot Program is part of the Regional Fare Coordination and Integration Study. It is managed by MTC and BART in close coordination with regional transit operators and Caltrain. The Pilot Program will provide a transfer discount up to the region's highest local transit fare to Clipper riders (excluding pass products) transferring to Caltrain within two hours of the first boarding.
- F. Sworn Peace Officers**
Uniformed and non-uniformed, sworn peace officers showing proper identification are allowed to ride Caltrain without paying a fare.
- G. Children Four Years or Younger**
One child aged four years or younger accompanied by a paying adult, including Go Pass users, may ride Caltrain without paying a fare. Additional children traveling with the same adult are required to pay a fare.
- H. Special Promotional Fares**
From time to time, the Executive Director may authorize the establishment of special or promotional fares.
- I. Group Travel Discount**
A 10 percent discount on regular cash fares is provided to fare-paying groups of 15 or more passengers that pre-purchase through the Caltrain Group Travel program.

II. FARE TYPES

A. **One-Way Ticket**

Valid for use within four hours of the date and time sold. One-way Tickets are honored for one-way passage away from the point of origin, including stopovers/transfers, within the zone(s) indicated on such tickets.

B. **Day Pass**

Valid for use on a single day, through the last train on the service day on which sold. Day passes are honored for unlimited travel within the zone(s) indicated on the ticket.

C. **Monthly Pass**

Valid for use for the calendar month for which issued. Monthly Passes are honored for unlimited weekday trips for the number of zones purchased. On Saturdays, Sundays and holidays, Monthly Passes are honored for unlimited trips between all zones.

D. **Zone Upgrade Ticket**

Valid for use within four hours of the date and time sold. Paper Zone Upgrade Tickets are valid only when accompanying a Monthly Pass or a valid paper One-way Ticket or Day Pass, and cannot be used alone. The Zone Upgrade Ticket will be honored for one-way passage for additional zones purchased beyond the original ticket's zone limits. The Zone Upgrade Ticket's validity period does not supersede the original ticket's validity period. Zone Upgrade tickets on Clipper will be available for use with a valid Clipper monthly pass and be automatically applied when month pass users travel exceed the number of purchased zones.

E. **Go Pass**

Valid for use within the calendar year for which issued. The Go Pass is an annual transit pass sold to schools, employers, and residential, commercial, and mixed-use development complexes. Go Pass participants are subject to the terms of agreements between the JPB and each Go Pass participant.

The Go Pass program may offer a discount of up to a maximum of 80 percent off of the regular Go Pass price for a) students enrolled in the program through a school; and b) residents of affordable housing projects enrolled in the program. For schools, the Go Pass may also be valid and issued for an academic year rather than a calendar year.

The Go Pass is administered via a Clipper Card accompanied by a valid participant-issued photo identification card or a sticker affixed to the above-mentioned identification cards. The Go Pass is honored for unlimited trips between all zones. Go Pass users are eligible to purchase a Monthly Parking Permit.

III. FARE PAYMENT

A. **Ticket Vending Machines**

Customers may purchase the following Caltrain fare products at Caltrain stations via the ticket vending machines: (i) One-way Ticket; (ii) Day Pass; and (iii) Zone Upgrade.

Customers may also purchase select Clipper products, add value to Clipper cards, and purchase Adult Clipper Cards at upgraded Ticket Vending Machines. Cash, credit and debit

cards are accepted. Ticket vending machines may also offer customers the opportunity to add value to their Clipper Cards.

B. Mobile Ticketing Application Program

Customers may purchase the following fare products via the Caltrain Mobile App: (i) One-way Ticket; (ii) Day Pass; and (iii) Zone Upgrade. Credit and debit cards, PayPal, Google Pay and Apple Pay are accepted.

C. Clipper

Customers may purchase the following fare products via the Clipper regional transit fare payment system: (i) One-way Ticket; (ii) Monthly Pass (iii) Zone Upgrade. Customers paying with Clipper for a One-way ride receive a 55-cent discount on Full Fares compared to paper and mobile tickets. Customers qualifying for an Eligible Discount Fare receive at least a 50% discount compared to Clipper full fares.

The Clipper card, which is issued and administered by MTC, is valid for use on public transit services throughout the San Francisco Bay Area. MTC may establish fees and a cash minimum associated with the use of a Clipper card.

D. Open Payments

Customer may purchase a Caltrain One-Way ticket at all Clipper Stand Alone Validators at Caltrain stations. Customers paying using open payment will be charged the Clipper Full fare

E. JPB staff is empowered to distribute fare media through other means (e.g. a website) without amendment of this document.

IV. DESCRIPTION OF ZONES

The zone designations for Caltrain service are:

<u>Zone 1</u> San Francisco 22 nd Street Bayshore South San Francisco San Bruno	<u>Zone 2</u> Millbrae Broadway* Burlingame San Mateo Hayward Park Hillsdale Belmont San Carlos Redwood City	<u>Zone 3</u> Menlo Park Palo Alto Stanford Stadium^ California Avenue San Antonio Mountain View Sunnyvale
<u>Zone 4</u> Lawrence Santa Clara College Park# San Jose Diridon	<u>Zone 5</u> Capitol# Blossom Hill#	<u>Zone 6</u> Morgan Hill# San Martin# Gilroy#

* Weekend service only

^ Football/Other Select Levi's Stadium events only

Weekday service only

V. GENERAL CONDITIONS

A. Conditions of Use

Tickets and passes are non-transferable. Tickets mutilated, altered or changed in any way, or used in any manner other than in accordance with the provision of this Fare Structure shall be forfeited.

B. Enforcement

Passengers must have a valid ticket before boarding to ride Caltrain. Fares will be enforced by a Proof-of-Payment system as adopted and amended from time to time by the JPB. Proof of fare payment must be carried at all times while on Caltrain and must be presented for inspection upon request. Passengers without valid fare are subject to written warnings and citations with monetary penalties as authorized by California law.

C. Stopovers/Transfers

Stopovers and transfers are permitted within zones indicated on tickets provided travel is completed within the ticket's validity period. For One-way Tickets, travel can only continue and be completed in the original direction of travel. One-way Tickets cannot be used to reverse direction.

D. Delays

When a customer holding a valid ticket is delayed because of washout, wreck or other obstruction to tracks, public calamity, an act of God or of the public enemy so that the validity period of a passenger's ticket has expired, such ticket's validity may be extended by the conductor or fare inspector to the extent of such delay.

E. Refunds

1. One-way, Day Pass, and Zone Upgrade Tickets
One-Way, Day Pass and Zone Upgrade Tickets are not subject to refund.
2. Go Passes
Fees paid for Go Passes are subject to refund only in case of termination of a contract between the JPB and the Go Pass participant. The JPB will refund the pro-rated portion of the Go Pass fee paid by the participating entity (equivalent to the number of unused months), less an administration fee, within 30 days of the contract termination date, provided that within 10 working days of the effective termination date, all undistributed Go Passes issued to the participating entity are returned to the JPB and the participating entity verifies in writing that it has made every good faith effort to collect or destroy all Go Passes that it distributed.
3. Monthly Passes
Unused Monthly Passes may be returned for a full refund prior to the date the passes first become valid.

Monthly Passes returned for a refund during the validity period will be refunded for the difference between the fare paid and the value of the transportation furnished. The value of transportation furnished will be considered to be the value of two one-way fares per weekday up to the date the pass is returned.

VI. FARE PRICES

Updated Fare Table on next page

Zones Travelled	Fare Type	Payment Option	Category	Current	Eff 7/1/2025	Eff 7/1/2026	Eff 7/1/2027
1	One-way	Ticket Machine, Mobile App	Adult	\$3.75	\$4.00	\$4.00	\$4.25
			Eligible Discount	\$1.75	\$2.00	\$2.00	\$2.00
		Clipper, Open Payment	Adult	\$3.20	\$3.45	\$3.45	\$3.70
			Clipper	Clipper START	\$1.60	\$1.70	\$1.70
	Day Pass	Ticket Machine, Mobile App	Adult	\$7.50	\$8.00	\$8.00	\$8.50
			Eligible Discount	\$3.50	\$4.00	\$4.00	\$4.00
		Clipper	Adult	\$76.80	\$82.80	\$82.80	\$88.80
			Eligible Discount	\$38.40	\$40.80	\$40.80	\$40.80
2	One-way	Ticket Machine, Mobile App	Adult	\$6.00	\$6.25	\$6.50	\$6.75
			Eligible Discount	\$2.75	\$3.00	\$3.25	\$3.25
		Clipper, Open Payment	Adult	\$5.45	\$5.70	\$5.95	\$6.20
			Clipper	Clipper START	\$2.60	\$2.70	\$2.95
	Day Pass	Ticket Machine, Mobile App	Adult	\$12.00	\$12.50	\$13.00	\$13.50
			Eligible Discount	\$5.50	\$6.00	\$6.50	\$6.50
		Clipper	Adult	\$130.80	\$136.80	\$142.80	\$148.80
			Eligible Discount	\$62.40	\$68.40	\$70.80	\$70.80
3	One-way	Ticket Machine, Mobile App	Adult	\$8.25	\$8.50	\$9.00	\$9.25
			Eligible Discount	\$3.75	\$4.00	\$4.50	\$4.50
		Clipper, Open Payment	Adult	\$7.70	\$7.95	\$8.45	\$8.70
			Clipper	Clipper START	\$3.60	\$3.70	\$4.20
	Day Pass	Ticket Machine, Mobile App	Adult	\$16.50	\$17.00	\$18.00	\$18.50
			Eligible Discount	\$7.50	\$8.00	\$9.00	\$9.00
		Clipper	Adult	\$184.80	\$190.80	\$202.80	\$208.80
			Eligible Discount	\$86.40	\$92.40	\$100.80	\$100.80
4	One-way	Ticket Machine, Mobile App	Adult	\$10.50	\$10.75	\$11.50	\$11.75
			Eligible Discount	\$4.75	\$5.00	\$5.75	\$5.75
		Clipper, Open Payment	Adult	\$9.95	\$10.20	\$10.95	\$11.20
			Clipper	Clipper START	\$4.60	\$4.70	\$5.45
	Day Pass	Ticket Machine, Mobile App	Adult	\$21.00	\$21.50	\$23.00	\$23.50
			Eligible Discount	\$9.50	\$10.00	\$11.50	\$11.50
		Clipper	Adult	\$238.80	\$244.80	\$262.80	\$268.80
			Eligible Discount	\$110.40	\$116.40	\$130.80	\$130.80
5	One-way	Ticket Machine, Mobile App	Adult	\$12.75	\$13.00	\$14.00	\$14.25
			Eligible Discount	\$5.75	\$6.00	\$7.00	\$7.00
		Clipper, Open Payment	Adult	\$12.20	\$12.45	\$13.45	\$13.70
			Clipper	Clipper START	\$5.60	\$5.70	\$6.70
	Day Pass	Ticket Machine, Mobile App	Adult	\$25.50	\$26.00	\$28.00	\$28.50
			Eligible Discount	\$11.50	\$12.00	\$14.00	\$14.00
		Clipper	Adult	\$292.80	\$298.80	\$322.80	\$328.80
			Eligible Discount	\$134.40	\$140.40	\$160.80	\$160.80
6	One-way	Ticket Machine, Mobile App	Adult	\$15.00	\$15.25	\$16.50	\$16.75
			Eligible Discount	\$6.75	\$7.00	\$8.25	\$8.25
		Clipper, Open Payment	Adult	\$14.45	\$14.70	\$15.95	\$16.20
			Clipper	Clipper START	\$6.60	\$6.70	\$7.95
	Day Pass	Ticket Machine, Mobile App	Adult	\$30.00	\$30.50	\$33.00	\$33.50
			Eligible Discount	\$13.50	\$14.00	\$16.50	\$16.50
		Clipper	Adult	\$346.80	\$352.80	\$382.80	\$388.80
			Eligible Discount	\$158.40	\$164.40	\$190.80	\$190.80

Zone Upgrade Table

Zone Upgrade			
Payment Option	Category	Current	Eff. 7/1/2026
Ticket Machine, Mobile App, Clipper	Adult	\$2.25	\$2.50
	Eligible Discount	\$1.00	\$1.25

Old Go Pass Pricing

Go Pass	
	Eff. 1/1/2024
Minimum Cost	\$5,500.00
Per Eligible Rider	\$275.00

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Casey Fromson, Chief Communications Officer
Subject: **State and Federal Legislative Update and Approval of Legislative Proposal:
Support SB 410 (Becker)**

Staff Coordinating Council Reviewed Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

Staff proposes the Committee recommend the Board:

1. Receive the attached State and Federal Legislative Updates
2. Approve Legislative Proposal:
 - a. Support SB 410 (Becker)

Discussion

The 2023 Legislative Program establishes the principles that will guide the legislative and regulatory advocacy efforts. Based on those principles, staff coordinates closely with our Federal and State advocates on a wide variety of issues that are considered in Congress and the State legislature. The attached reports highlight the recent issues and actions that are relevant to the Board.

Budget Impact

None.

Prepared By: Devon Ryan Government & Community Affairs 650.730.6172
Officer



August 11, 2023

TO: Caltrain Board of Directors

FM: Matt Robinson & Michael Pimentel, Shaw Yoder Antwih Schmelzer & Lange
Mike Robson & Bridget McGowan, Edelstein Gilbert Robson & Smith LLC

RE: **STATE LEGISLATIVE UPDATE – September 2023**

General Update

We are approaching the closing weeks of the first year of a two-year session. The Legislature recently wrapped up with the second policy committee deadline in which bills were required to pass out of policy committees in the second house by July 14. The Legislature returned from summer recess on August 14.

The Legislature must meet the fiscal committee deadline on September 1, where all fiscal bills must pass out of the Appropriations Committee in the second house in order to keep moving. After that, the Legislature will have two weeks to pass the remaining bills off the floor in the second house and in many cases, the floor of the house of origin for concurrence, before session adjourns on September 14.

After Session adjourns on September 14, the Governor will have until October 14 to sign the bills on his desk. The Legislature will remain on recess until Session reconvenes on January 3.

Bills with Recommended Action

SB 410 (Becker) – Powering Up Californians Act. This bill would require the California Public Utilities Commission (CPUC) to set targets for investor-owned utilities for energization time periods to give more certainty on the time to connect to the grid as well as reporting requirements. The bill passed out of the Assembly Utilities and Energy Committee on July 13 and will go to the Assembly Appropriations Committee next. ***Recommend Support***

Bills with Action Taken

ACA 1 (Aguiar – Curry) – Local Government Financing. Assemblymember Aguiar-Curry reintroduced ACA 1, which would reduce the voter-approval threshold from 2/3 to 55% for cities and counties to issue bonds or raise taxes for public infrastructure and affordable housing projects. Caltrain supported this measure in 2021. The bill passed out of the Assembly Local Government Committee in July and was re-referred to the Appropriations Committee. ***Support.***

AB 463 (Hart) - Public Transit Electricity Prioritization. This bill would require the California Public Utilities Commission (CPUC) to consider the impacts of stopping electrical service to the operation of public transit vehicles when establishing priorities for electrical services that provide public benefits. This bill was held in the Assembly Appropriations Committee so it will not move further. **Support.**

AB 557 (Hart) - AB 361 Sunset Extension. This bill would remove the sunset established in AB 361 (R. Rivas) as well as increase the time period when the Board must renew the findings of an emergency or need for social distancing from 30 days to 45 days. This bill passed out of two policy committees in the Senate with clarifying amendments and is now on the Senate Floor. **Support.**

AB 1377 (Friedman) - Homeless Housing, Assistance, and Prevention Program. This bill would require applicants for the Homeless Housing, Assistance, and Prevention Program to include data and a narrative summary of steps taken to improve the delivery of housing and services to people experiencing homelessness on transit properties in their jurisdiction. The bill passed out of two policy committees in the Senate and is now pending a hearing in the Senate Appropriations Committee. **Support.**

Bills of Interest

AB 96 (Kalra) – Local Public Transit Agencies: New Technologies. Assemblymember Kalra reintroduced a version of AB 2441 from last year, which was ultimately vetoed by the Governor. The bill imposes requirements on public transit employers relating to the introduction of new technologies that could eliminate job functions and requires public transit employers to provide notice to employee representatives prior to procuring, acquiring or deploying these technologies and subject this to collective bargaining, among other requirements. The bill is on the Senate Floor.

AB 610 (Holden) - Free Youth Transit Passes. This bill would, upon appropriation of moneys by the Legislature, create the Student Transit Pass Pilot Program for the purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free student transit passes to persons attending public educational institutions, and persons 18 years of age or younger, providing free transit service to holders of those passes, and administering and participating in the program. Grants would be awarded based on the aggregate enrollment of students at eligible educational institutions within the county served by those transit agencies. The bill would authorize a transit agency to submit a grant application in partnership with one or more public educational institutions and would also authorize grant funds to be used to maintain, subsidize, or expand an existing fare free program.

This bill passed out of the Senate Transportation Committee unanimously and will go the Senate Appropriations Committee next.

AB 817 (Pacheco) – Open Meeting Flexibility for Subsidiary Bodies. This bill allows subsidiary bodies to use teleconferencing without regard to a state of emergency if they meet certain requirements. Subsidiary bodies are bodies that serve in an advisory capacity and do not take final action on specified items. This bill was not heard in the Assembly Local Government Committee and will not move further this year.

AB 1379 (Papan) - Teleconference Flexibilities. AB 1379 expands various flexibilities for local agencies under the Brown Act including, but not limited to, relaxing requirements for posting teleconference

locations, relaxing certain quorum requirements, removing the existing January 1, 2026 sunset date of flexibilities in current law, removing restrictions that prohibit members from participating remotely for more than two meetings a year, among other changes. The bill also requires that a legislative body have at least two meetings a year where members are in person at a single designated location. Like AB 817, this bill was not heard in the Assembly Local Government Committee and will not move further this year.

SB 532 (Wiener) Bridge Toll Increase. This bill would increase the toll for vehicles for crossing toll bridges in the San Francisco Bay area by \$1.50 until December 31, 2028, and require the revenues collected from this toll to be used by MTC for allocation to transit operators that provide service within the San Francisco Bay area and experiencing an operations funding challenge. Any transit operator seeking an allocation would be required to submit a 5-year projection of its operating need. This bill passed out of the Assembly Transportation Committee on July 5 and was referred to the Assembly Appropriations Committee. On August 21st, Senator Wiener announced a pause on the bill. Instead of continuing through the legislative process this year, Senator Wiener and Assemblymember Wilson will convene a working group of Bay Area legislators over the fall to determine what transit funding proposals to pursue in the next legislative session.

SB 537 (Becker) - Teleconference Flexibilities. This bill was amended to provide a narrow exemption under the Brown Act for certain legislative bodies to participate in meetings via teleconferencing outside of a declared state of emergency without posting the physical location of members, but still requiring a quorum to be present at a meeting location within the jurisdiction and would only allow remote participation without posting the specific location for members participating from a public location more than 40 miles from the in-person meeting location. The bill would define “legislative body” to mean a board, commission, or advisory body of an appointed multijurisdictional cross county agency and defines “multijurisdictional” to mean a legislative body that includes representatives from more than one county, city, city and county, special district, or a joint powers entity. The bill would expand the circumstances of “just cause” under the AB 2449 (Rubio) authorization to apply to the situation in which an immunocompromised child, parent, grandparent, or other relative requires the member to participate remotely. On July 12, the bill passed out of the Assembly Local Government Committee with various committee amendments that are not yet in print.

Grants

On August 17, the California Transportation Commission (CTC) approved allocations of CalSTA Transit and Intercity Rail Capital Program (TIRCP) awards to Caltrain which included \$367M directed towards the Electrification Project and \$80M directed towards a battery-equipped electric multiple unit (BEMU) pilot demonstration project.

TIRCP and Zero-Emission Transit Capital Program (ZETCP) guidelines were released for comment. More information including a timeline can be found here. SB 125 guides the distribution of \$4 billion in General Fund through TIRCP on a population-based formula to regional transportation planning agencies (RTPAs), such as MTC for the Bay Area, which will have the flexibility to use the money to fund transit operations or capital improvements. The transportation budget trailer bill also establishes the \$1.1 billion Zero-Emission Transit Capital Program to be allocated RTPAs on a population-based formula and another formula based on revenues to fund zero-emission transit equipment and operations. SB 125 also includes an accountability program to govern distribution of these funds.

Grade Separation Funding - Below is a list of the funding sources that we are aware of and/or that have been used to fund grade separations in the recent years. The funding sources below are managed across various state agencies and departments, including the Public Utilities Commission (PUC), the California State Transportation Agency (CalSTA), the California Transportation Commission (CTC), and Caltrans.

PUC Section 190 Grade Separation Program – The Program is a state funding program to grade separate crossings between roadways and railroad tracks and provides approximately \$15 million annually, transferred from Caltrans. Agencies apply to the PUC for project funding.

State Transportation Improvement Program – The STIP, managed by Caltrans and programmed by the CTC, is primarily used to fund highway expansion projects throughout the state, but also supports grade separations. The STIP is programmed every two years. The 2022 STIP, adopted in March 2022, includes \$796 million in new STIP funding capacity. Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

Proposition 1A – This \$9.9 billion Bond Act is the primary funding source for the high-speed rail project and has been used to fund a very limited number of grade separation projects in the past, including in the City of San Mateo.

State Legislative Matrix 8/4/2023

Bill Number (Author)	Summary	Location	Position
<p>AB 6 (Friedman D)</p> <p>Transportation planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions.</p>	<p>Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires that each regional transportation plan also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. This bill would require the state board, after January 1, 2024, and not later than September 30, 2026, to establish additional targets for 2035 and 2045, respectively, as specified. This bill contains other existing laws.</p> <p>Amended: 3/16/2023</p>	<p>Senate 2 year</p>	<p>Watch</p>
<p>AB 7 (Friedman D)</p> <p>Transportation: planning: project selection processes.</p>	<p>Existing law establishes within state government the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish coordinated planning and policy formulation in matters of public interest, including transportation projects. On and after January 1, 2025, and to the extent applicable and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified principles into their existing program funding guidelines and processes.</p> <p>Amended: 6/28/2023</p>	<p>Senate Appropriations</p>	<p>Watch</p>
<p>AB 96 (Kalra D)</p> <p>Public employment: local public transit agencies: autonomous transit vehicle technology.</p>	<p>Existing law creates various transit districts and prescribes requirements applicable to their labor relations, including those that address the recognition and certification of exclusive employee representatives, unit determinations, and procedures for meeting and conferring on matters subject to collective bargaining. This bill would require a public transit employer, at least 10 months before beginning a procurement process to acquire or deploy any autonomous transit vehicle technology for public transit services that would eliminate job functions or jobs of a workforce, to provide written notice to the exclusive employee representative of the workforce affected by the autonomous transit vehicle technology of its determination to begin that procurement process. The bill would require the public transit employer and exclusive employee</p>	<p>Senate Third Reading</p>	<p>Watch</p>

	<p>representative, upon written request by the exclusive employee representative, to commence collective bargaining within a specified time period on certain subjects, including creating plans to train and prepare the affected workforce to fill new positions created by the autonomous transit vehicle technology.</p> <p>Amended: 6/15/2023</p>		Item #10. 9/7/2023
<p>AB 241 (Reyes D)</p> <p>Vehicular air pollution: Clean Transportation Program: vehicle registration and identification plate service fees: smog abatement fee: extension.</p>	<p>Existing law, until January 1, 2024, increases the smog abatement fee on certain vehicles by a specified amount and requires the revenues generated by the increase to be deposited in the Air Quality Improvement Fund and the Alternative and Renewable Fuel and Vehicle Technology Fund. Existing law, until January 1, 2024, increases vehicle registration fees and certain service fees for identification plates by specified amounts. Existing law requires the revenue generated by the increase in those fees to be deposited in the Alternative and Renewable Fuel and Vehicle Technology Fund and either the Air Quality Improvement Fund or the Enhanced Fleet Modernization Subaccount, as provided. This bill would extend the increases in those charges to July 1, 2035. This bill contains other related provisions.</p> <p>Amended: 6/26/2023</p>	Assembly Third Reading	Watch
<p>AB 457 (Patterson, Joe R)</p> <p>Surplus Land Act: exempt surplus land: leases.</p>	<p>Existing law prescribes requirements for the disposal of surplus land, as defined, by a local agency, as defined. Existing law requires land to be declared surplus land or exempt surplus land, as supported by written findings, before a local agency takes any action to dispose of it consistent with the agency’s policies or procedures. Existing law requires any local agency disposing of surplus land to send, prior to disposing of that property or participating in negotiations to dispose of that property with a prospective transferee, a written notice of availability of the property pursuant to prescribed procedures. Under existing law, the disposal of exempt surplus land is not subject to these requirements. Existing law defines “exempt surplus land” for these purposes to include, among other things, surplus land that a local agency is transferring to another local, state, or federal agency for the agency’s use. This bill would expand that definition of “exempt surplus land” to include a parcel that (1) is identified in the local agency’s circulation element or capital improvement program for future roadway development, (2) is no larger than 2 acres, (3) is zoned for retail commercial use, and the use of the parcel is consistent with the underlying zoning, and (4) abuts a state highway right-of-way. This bill would become operative only if SB 747 of the 2023–24 Regular Session is enacted and takes effect on or before January 1, 2024. This bill contains other related provisions.</p> <p>Amended: 6/29/2023</p>	Senate Third Reading	Watch
<p>AB 463 (Hart D)</p> <p>Electricity: prioritization of service: public transit vehicles.</p>	<p>Existing law vests the Public Utilities Commission with regulatory authority over public utilities, including electrical corporations and gas corporations. Existing law requires the commission to establish priorities among the types or categories of customers of every electrical corporation and every gas corporation, and among the uses of electricity or gas by those customers, to determine which of those customers and uses provide the most important public benefits and serve the greatest public need, and to categorize all other customers and uses in order of descending priority based on these standards. Existing law requires the commission, in establishing those priorities, to consider, among other things, the</p>	Assembly 2 year	Support

	<p>economic, social, and other effects of a temporary discontinuance in electrical or gas service to certain customers or for certain uses, as specified. If an electrical or gas corporation experiences a shortage of capacity or capability and is unable to meet all demands by its customers, existing law requires the commission to order that service be temporarily reduced by an amount that reflects the established priorities for the duration of the shortage. This bill would require the commission, in establishing those priorities, to also consider the economic, social equity, and mobility impacts of a temporary discontinuance in electrical service to the customers that rely on electrical service to operate public transit vehicles. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/6/2023</p>		<p>Item #10. 9/7/2023</p>
<p>AB 480 (Ting D) Surplus land.</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined, and requires, except as provided, a local agency disposing of surplus land to comply with certain notice requirements before disposing of the land or participating in negotiations to dispose of the land with a prospective transferee, particularly that the local agency send a notice of availability to specified entities that have notified the Department of Housing and Community Development of their interest in surplus land, as specified. Under existing law, if the local agency receives a notice of interest, the local agency is required to engage in good faith negotiations with the entity desiring to purchase or lease the surplus land. Existing law requires a local agency to take formal action in a regular public meeting to declare that land is surplus and is not necessary for the agency’s use and to declare land as either “surplus land” or “exempt surplus land,” as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency’s policies or procedures. This bill would exempt a local agency, in specified instances, from making a declaration at a public meeting for land that is “exempt surplus land” if the local agency identifies the land in a notice that is published and available for public comment at least 30 days before the exemption takes effect. This bill contains other related provisions and other existing laws.</p> <p>Amended: 7/3/2023</p>	<p>Senate Appropriations 8/14/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair</p>	<p>Watch</p>
<p>AB 557 (Hart D) Open meetings: local agencies: teleconferences.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency’s jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would revise the authority of a legislative body to hold a teleconference meeting under those abbreviated teleconferencing procedures when a declared state of emergency is in effect.</p>	<p>Senate Third Reading</p>	<p>Support</p>

	<p>Specifically, the bill would extend indefinitely that authority in the circumstances under which the legislative body either (1) meets for the purpose of determining whether, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or (2) has previously made that determination. The bill would also extend the period for a legislative body to make the above-described findings related to a continuing state of emergency to not later than 45 days after the first teleconferenced meeting, and every 45 days thereafter, in order to continue to meet under the abbreviated teleconferencing procedures. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/19/2023</p>		<p>Item #10. 9/7/2023</p>
<p><u>AB 610 (Holden D)</u></p> <p>Youth Transit Pass Pilot Program: free youth transit passes.</p>	<p>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. Upon the appropriation of moneys by the Legislature, this bill would create the Youth Transit Pass Pilot Program, administered by the department, for purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free youth transit passes to persons attending certain educational institutions, providing free transit service to holders of those passes, and administering and participating in the program, as specified. The bill would authorize a transit agency to submit a grant application in partnership with one or more educational institutions and would also authorize grant funds to be used to maintain, subsidize, or expand an existing fare-free program, as provided. The bill would authorize a transit agency with an existing fare-free program that enables a person 18 years of age or younger to use a transit agency's bus and rail services without paying any additional fare or charge to submit an application without an educational institution partner, as provided. The bill would require the department to submit a report to specified committees of the Legislature on or before January 1, 2027, on, among other things, the outcomes of the program and the funding conditions associated with offering free youth transit passes, the status of transit pass programs statewide, and whether these provisions led to reductions in the emissions of greenhouse gases and vehicle miles traveled, as provided. The bill would repeal its provisions as of January 1, 2028. This bill contains other existing laws.</p> <p>Amended: 7/3/2023</p>	<p>Senate Appropriations</p>	<p>Watch</p>
<p><u>AB 744 (Carrillo, Juan D)</u></p> <p>California Transportation Commission: data, modeling, and analytic software tools procurement.</p>	<p>Existing law establishes the California Transportation Commission in the Transportation Agency. Existing law vests the California Transportation Commission with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. Upon the appropriation of funds by the Legislature, this bill would require the commission to acquire public domain or procure commercially available or open-source licensed data, modeling, and analytic software tools to support the state's sustainable transportation, congestion management, affordable housing, efficient land use, air quality, and climate change strategies and goals, as provided. This bill would authorize the commission to provide a direct allocation of funding to local agencies for the above purposes, and would require</p>	<p>Senate Appropriations</p> <p>8/14/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair</p>	<p>Watch</p>

	<p>state and local agencies that receive the funds or access to data, modeling, and analytic software tools to submit reports to the commission no later than August 1, 2026, regarding their use of the data, modeling, and analytic software tools. The bill would require the commission, based on those reports, to submit a report to the Legislature no later than June 1, 2027, regarding the use of the data, modeling, and analytic software tools by state and local agencies. This bill would authorize the commission to establish best practices for use of data in transportation planning and to identify data elements that should be made available to state and local agencies for transportation planning. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/21/2023</p>		<p>Item #10. 9/7/2023</p>
<p>AB 756 (Papan D)</p> <p>Department of Transportation: contaminated stormwater runoff: salmon and steelhead trout bearing surface waters.</p>	<p>Existing law vests the Department of Transportation with full possession and control of all state highways. This bill would require the department, in consultation with the State Water Resources Control Board, the Department of Toxic Substances Control, and the Department of Fish and Wildlife, to develop a programmatic environmental review process to prevent 6PPD and 6PPD-quinone from entering salmon and steelhead trout bearing surface waters of the state. The bill would require the department's 6PPD and 6PPD-quinone programmatic environmental review process to include, among other specified components, a pilot project at a particular highway crossing over the San Mateo Creek to study the effectiveness and cost effectiveness of installing and maintaining bioretention and biofiltration comparatively along department rights-of-way to eliminate the discharge of 6PPD and 6PPD-quinone into surface waters of the state, as specified. The bill would require, no later than December 31, 2026, the Director of Transportation to submit a report to the Legislature describing the department's strategy to eliminate the discharge of 6PPD and 6PPD-quinone by the department to all salmon and steelhead trout bearing surface waters of the state. This bill contains other related provisions.</p> <p>Amended: 3/2/2023</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p>AB 761 (Friedman D)</p> <p>Transit Transformation Task Force.</p>	<p>Existing law establishes the Transportation Agency, which consists of various departments and state entities, including the California Transportation Commission and the Department of Transportation. Under existing law, the agency is under the supervision of an executive officer known as the Secretary of Transportation, who is required to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, and coordinated planning and policy formulation in the matters of public interest related to the agency. Existing law provides for the funding of public transit, including under the Transportation Development Act. This bill would require the secretary, on or before July 1, 2024, to establish and convene the Transit Transformation Task Force to include representatives from the department, the Controller's office, various local agencies, academic institutions, nongovernmental organizations, and other stakeholders. The bill would require the task force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit ridership and improve the transit experience for all users of those services. The bill would require the secretary, in consultation with the task force, to prepare and submit a report of findings based on the task force's efforts to the appropriate policy and</p>	<p>Senate 2 year</p>	<p>Watch</p>

	<p>fiscal committees of the Legislature on or before January 1, 2025. The bill would require the report to include a detailed analysis of specified issues and recommendations on specified topics. The provisions of the bill would be repealed on January 1, 2028. This bill contains other existing laws.</p> <p>Introduced: 2/13/2023</p>		Item #10. 9/7/2023
<p>AB 817 (Pacheco D)</p> <p>Open meetings: teleconferencing: subsidiary body.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. This bill would authorize a subsidiary body, as defined, to use alternative teleconferencing provisions similar to the emergency provisions indefinitely and without regard to a state of emergency. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter. This bill contains other existing laws.</p> <p>Amended: 3/16/2023</p>	Assembly 2 year	Watch
<p>AB 819 (Bryan D)</p> <p>Crimes: public transportation: fare evasion.</p>	<p>Existing law makes it a crime, punishable as an infraction and subsequently as a misdemeanor, for an adult to evade payment of a fare of a public transportation system, the misuse of a transfer, pass, ticket, or token with the intent to evade the payment of a fare, or the unauthorized use of a discount ticket, as specified. Under existing law, a 3rd or subsequent violation of fare evasion or other listed associated violations is a misdemeanor and punishable by a fine of up to \$400 or by imprisonment in a county jail for a period of not more than 90 days, or both. This bill would no longer categorize as a misdemeanor a 3rd or subsequent violation, by an adult, of evading the payment of a fare of a public transportation system, the misuse of a transfer, pass, ticket, or token with the intent to evade the payment of a fare, or the unauthorized use of a discount ticket, and would make a 3rd or subsequent violation punishable only by a fine of up to \$400.</p> <p>Introduced: 2/13/2023</p>	Senate Third Reading	Watch
AB	Existing law establishes the California Transportation Commission in the	Senate Third Reading	Watch

<p>832 (Cervantes D)</p> <p>California Transportation Commission: membership.</p>	<p>Transportation Agency. Existing law vests the California Transportation Commission with various powers and duties relative to the programming of transportation capital projects and allocation of funds to those projects pursuant to the state transportation improvement program and various other transportation funding programs. Under existing law, the commission consists of 13 members, including 9 members appointed by the Governor with the advice and consent of the Senate, one member appointed by the Speaker of the Assembly, and one member appointed by the Senate Committee on Rules, as specified. Existing law requires the Governor, in appointing those members to the commission, to make every effort to ensure, among other things, the commission has a diverse membership with expertise in transportation issues, taking into consideration factors, including, but not limited to, socioeconomic background and professional experience, which may include experience working in, or representing, disadvantaged communities. This bill would require that at least one of those Governor-appointed members of the commission have expertise in transportation issues and professional experience that includes experience working in, or representing, disadvantaged communities.</p> <p>Amended: 3/1/2023</p>		<p>Item #10. 9/7/2023</p>
<p>AB 837 (Alvarez D)</p> <p>Surplus land: exempt surplus land: sectional planning area.</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency. Existing law defines terms for these purposes, including, among others, “surplus land” to mean land owned in fee simple by any local agency for which the local agency’s governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use. Existing law defines “exempt surplus land” to mean, among other things, surplus land that a local agency is exchanging for another property necessary for the agency’s use and surplus land that a local agency is transferring to another local, state, or federal agency for the agency’s use. Existing law provides that an agency is not required to follow the requirements for disposal of surplus land for “exempt surplus land,” except as provided. This bill would provide, until January 1, 2024, that land that is subject to a sectional planning area, as described, is not subject to the above-described requirements for the disposal of surplus land if specified conditions are met. The bill would, commencing April 1, 2025, and annually thereafter, require a local agency that disposes of land pursuant to these provisions submit a specified report to the Department of Housing and Community Development. The bill would make a local agency that disposes of land in violation of these provisions liable for a civil penalty, as specified. This bill contains other related provisions.</p> <p>Amended: 5/1/2023</p>	<p>Senate 2 year</p>	<p>Watch</p>
<p>AB 980 (Friedman D)</p> <p>Active Transportation Program: report.</p>	<p>Existing law establishes the Active Transportation Program in the Department of Transportation for the purpose of encouraging increased use of active modes of transportation, such as biking and walking. Existing law requires the California Transportation Commission to develop guidelines and project selection criteria for the program and authorizes the commission to amend the adopted guidelines after conducting at least one public hearing. This bill would require an applicant that receives funding under the program for a project to, within one year of completing the project, submit a report to the commission describing how the project met active transportation goals.</p>	<p>Assembly 2 year</p>	<p>Watch</p>

	Amended: 3/13/2023		Item #10. 9/7/2023
AB 1335 (Zbur D) Local government: transportation planning and land use: sustainable communities strategy.	Existing law requires specified designated transportation planning agencies to prepare and adopt a regional transportation plan directed at achieving a coordinated and balanced regional transportation system, as described. Existing law requires the plan to include specified information, including a sustainable communities strategy prepared by each metropolitan planning organization, and requires each transportation planning agency to adopt and submit, every 4 years, an updated plan to the California Transportation Commission and the Department of Transportation. Existing law requires the sustainable communities strategy to include specified information, including an identification of areas within the region sufficient to house all the population of the region over the course of the planning period of the regional transportation plan, as specified, and an identification of areas within the region sufficient to house an 8-year projection of the regional housing need for the region, as specified. This bill would additionally require each metropolitan planning organization to include in the sustainable communities strategy the total number of new housing units necessary to house all the population of the region over the course of the planning period of the regional transportation plan, as specified, and the total number of new housing units necessary to house the above-described 8-year projection, as specified. By imposing additional duties on metropolitan planning organizations, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws. Amended: 6/22/2023	Senate Appropriations	Watch
AB 1377 (Friedman D) Homeless Housing, Assistance, and Prevention Program: Round 3.	Existing law establishes, among various other programs intended to address homelessness in this state, the Homeless Housing, Assistance, and Prevention program for the purpose of providing jurisdictions with one-time grant funds to support regional coordination and expand or develop local capacity to address their immediate homelessness challenges informed by a best-practices framework focused on moving homeless individuals and families into permanent housing and supporting the efforts of those individuals and families to maintain their permanent housing. Existing law provides for the allocation of funding under the program among continuums of care, cities, counties, and tribes in 4 rounds, which are to be administered by the Interagency Council on Homelessness. Existing law, beginning with round 3 of the program, requires applicants to provide specified information for all rounds of program allocations through a data collection, reporting, performance monitoring, and accountability framework, as established by the council. This includes data on the applicant's progress towards meeting their outcome goals, to be submitted annually, for each year of the program, and other information if the applicant has not made significant progress towards those goals. This bill would also require data and a narrative summary of specific and quantifiable steps that the applicant has taken to improve the delivery of housing and services to people experiencing homelessness or at risk of homelessness, on transit facilities owned and operated by a transit agency, as defined. This bill contains other existing laws. Amended: 6/12/2023	Senate Appropriations 8/14/2023 10 a.m. - 1021 O Street, Room 2200 SENATE APPROPRIATIONS, PORTANTINO, ANTHONY, Chair	Support
AB 1379 (Papan D)	Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that	Assembly 2 year	Watch

<p>Open meetings: local agencies: teleconferences.</p>	<p>all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. This bill, with respect to those general provisions on teleconferencing, would require a legislative body electing to use teleconferencing to instead post agendas at a singular designated physical meeting location, as defined, rather than at all teleconference locations. The bill would remove the requirements for the legislative body of the local agency to identify each teleconference location in the notice and agenda, that each teleconference location be accessible to the public, and that at least a quorum of the members participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The bill would instead provide that, for purposes of establishing a quorum of the legislative body, members of the body may participate remotely, at the designated physical location, or at both the designated physical meeting location and remotely. The bill would require the legislative body to have at least 2 meetings per year in which the legislative body's members are in person at a singular designated physical meeting location. This bill contains other existing laws.</p> <p>Amended: 3/23/2023</p>		<p>Item #10. 9/7/2023</p>
<p>AB 1475 (Fong, Vince R)</p> <p>Transportation Agency: performance dashboard.</p>	<p>Existing law establishes the Transportation Agency, which has the power of general supervision over specified state entities. Existing law requires the agency to develop and report on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, coordinated planning and policy formation in the matters of public interest related to the agency. This bill would require the agency to create and maintain on its internet website a performance dashboard that, for every project overseen by the Department of Transportation, provides metrics, fiscal information, and operational information, as specified. The bill would require the agency to update the dashboard quarterly, using publicly available information. The bill would authorize the department to partner with other state or local agencies to collect the data required to be included in the performance dashboard.</p> <p>Amended: 4/10/2023</p>	<p>Assembly 2 year</p>	<p>Watch</p>
<p>AB 1525 (Bonta D)</p> <p>Transportation projects: priority populations.</p>	<p>Existing law establishes within state government the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish</p>	<p>Assembly 2 year</p>	<p>Watch</p>

	<p>coordinated planning and policy formulation in matters of public interest, including transportation projects. This bill would require the agency, the Department of Transportation, and the California Transportation Commission, on or before July 1, 2025, to jointly develop and adopt criteria and an evaluation process for purposes of jointly evaluating each agency, Department of Transportation, or California Transportation Commission project, as defined, to, among other things, determine if the project would be located in a priority population, address an important need of a priority population, and provide a direct, meaningful, and assured benefit to a priority population, as specified. The bill would require the agency, the Department of Transportation, and the California Transportation Commission, on and after July 1, 2025, to jointly evaluate all new proposed projects by the criteria, and, on or before July 1, 2026, and annually thereafter, to jointly submit a report to the Legislature that evaluates how projects funded during the prior year impacted priority populations, as specified. The bill would require the agency, the California Transportation Commission, and the Department of Transportation, on or before July 1, 2026, and triennially thereafter, to jointly establish a percentage, of at least 60%, of moneys allocated for agency, Department of Transportation, or California Transportation Commission projects, excluding administrative costs, to be allocated for projects that are located in priority populations, address an important need of priority populations, and provide at least 5 direct, meaningful, and assured benefits, or additional co-benefits, to priority populations, and would require those entities to allocate moneys consistent with that established percentage.</p> <p>Amended: 4/19/2023</p>		<p>Item #10. 9/7/2023</p>
<p>ACA 1 (Aguiar-Curry D)</p> <p>Local government financing: affordable housing and public infrastructure: voter approval.</p>	<p>The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions. This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws.</p> <p>Amended: 7/13/2023</p>	<p>Assembly Appropriations</p>	<p>Support</p>
<p>SB 84 (Gonzalez D)</p> <p>Air quality programs: funding.</p>	<p>Existing law creates the Enhanced Fleet Modernization Program to provide compensation for the retirement and replacement of passenger vehicles and light-duty and medium-duty trucks that are high polluters. Existing law requires the Bureau of Automotive Repair to administer the program and the State Air Resources Board to adopt the guidelines for the program. Existing law requires the guidelines to ensure vehicle replacement or a mobility option be an option for</p>	<p>Senate Inactive File</p>	<p>Watch</p>

	<p>all motor vehicle owners and may be in addition to compensation for vehicles retired. Existing law creates the Enhanced Fleet Modernization Subaccount in the High Polluter Repair or Removal Account and makes available, upon appropriation, all moneys in the account to establish, implement, and administer the program. This bill would require the guidelines to ensure each replacement vehicle in the program be either a plug-in hybrid or zero-emission vehicle unless the state board makes a specified determination in consultation with the State Energy Resources Conservation and Development Commission, as specified. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/18/2023</p>		<p>Item #10. 9/7/2023</p>
<p>SB 229 (Umberg D)</p> <p>Surplus land: disposal of property: violations: public meeting.</p>	<p>Existing law prescribes requirements for the disposal of land determined to be surplus land by a local agency. Those requirements include a requirement that a local agency, before disposing of a property or participating in negotiations to dispose of that property with a prospective transferee, send a written notice of availability of the property to specified entities, depending on the property's intended use, and send specified information in regard to the disposal of the parcel of surplus land to the Department of Housing and Community Development. Existing law, among other enforcement provisions, makes a local agency that disposes of land in violation of these disposal provisions, after receiving notification of violation from the department, liable for a penalty of 30% of the final sale price of the land sold in violation for a first violation and 50% for any subsequent violation. Under existing law, except as specified, a local agency has 60 days to cure or correct an alleged violation before an enforcement action may be brought. This bill would require a local agency that has received a notification of violation from the department to hold an open and public session to review and consider the substance of the notice of violation. The bill would require the local agency's governing body to provide prescribed notice no later than 14 days before the public session. The bill would prohibit the local agency's governing body from taking final action to ratify or approve the proposed disposal until a public session is held as required. By imposing new duties on local agencies, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Amended: 2/23/2023</p>	<p>Assembly Appropriations</p>	<p>Watch</p>
<p>SB 410 (Becker D)</p> <p>Powering Up Californians Act.</p>	<p>Existing law vests the Public Utilities Commission (PUC) with regulatory authority over public utilities, including electrical corporations. Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission), in collaboration with the State Air Resources Board, the PUC, and other relevant stakeholders, to annually gather from state agencies, as provided, specified entities' fleet data for on-road and off-road vehicles in the medium- and heavy-duty sectors and share that data with electrical corporations to help inform electrical grid planning efforts, as specified. Existing law requires electrical corporations, as part of their distribution planning processes, to consider that produced fleet data, and other available data, to facilitate the readiness of their distribution systems to support the state's anticipated level of electric vehicle charging, as specified. This bill, the Powering Up Californians Act, would require the PUC to establish, on or before September 30, 2024, reasonable average and maximum target energization time periods, as defined,</p>	<p>Assembly Appropriations</p>	<p>Recommend Support</p>

	<p>certain reporting requirements so that electrical corporation performance can be tracked and improved, and a procedure for customers to report energization delays to the PUC, as provided. The bill would require the PUC to require the electrical corporation to take any remedial actions necessary to achieve the PUC’s targets and would require all reports to be publicly available, among other reporting requirements. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/19/2023</p>		<p>Item #10. 9/7/2023</p>
<p>SB 411 (Portantino D)</p> <p>Open meetings: teleconferences: neighborhood councils.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill, until January 1, 2028, would authorize an eligible legislative body to use alternate teleconferencing provisions related to notice, agenda, and public participation, as prescribed, if the city council has adopted an authorizing resolution and 2/3 of an eligible legislative body votes to use the alternate teleconferencing provisions. The bill would define “eligible legislative body” for this purpose to mean a neighborhood council that is an advisory body with the purpose to promote more citizen participation in government and make government more responsive to local needs that is established pursuant to the charter of a city with a population of more than 3,000,000 people that is subject to the act. The bill would require an eligible legislative body authorized under the bill to provide publicly accessible physical locations for public participation, as prescribed. The bill would also require that at least a quorum of the members of the neighborhood council participate from locations within the boundaries of the city in which the neighborhood council is established. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/24/2023</p>	<p>Assembly Local Government</p>	<p>Watch</p>
<p>SB 434 (Min D)</p> <p>Transit operators: street harassment survey.</p>	<p>Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit service. Existing law provides various provisions applicable to all public transit and transit districts. Existing law requires the Mineta Transportation Institute at San Jose State University to, on or before December 31, 2023, develop and make available on its internet website a survey for the purpose of promoting consistency in the collection of specified survey data to inform efforts to improve the safety of riders and reduce street harassment on public transit. This bill would require a transit operator, as defined, upon appropriation of funds by the Legislature, to collect and publish specified survey data for the purpose of informing efforts to improve the safety of riders and reduce street harassment on public transit on or before December 31, 2024. The bill would require a transit operator to conduct</p>	<p>Assembly Appropriations</p>	<p>Watch</p>

	<p>outreach activities with subpopulations of riders who are underrepresented in surveys and impacted by street harassment to gain insight into the perspectives of these riders based on their experiences. The bill would authorize a transit operator to collect survey data in multiple languages to reach limited-English-proficient riders impacted by street harassment, as provided. The bill would require a transit operator to publish and make publicly available on its internet website the survey data collected pursuant to these provisions and promptly notify the Governor and the Legislature of publication of the survey data. The bill would provide that specified information collected by a transit operator in the 5 years before the effective date of this bill is deemed to be survey data collected by the transit operator for purposes of the bill, and that specified outreach activity conducted by a transit operator in the 5 years before the effective date of this bill is deemed to be outreach activities conducted by the transit operator for purposes of the bill. To the extent the bill imposes additional duties on a local agency, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Amended: 3/16/2023</p>		<p>Item #10. 9/7/2023</p>
<p>SB 532 (Wiener D)</p> <p>San Francisco Bay area toll bridges: tolls: transit operating expenses.</p>	<p>Existing law creates the Metropolitan Transportation Commission (MTC) as a regional agency in the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates the Bay Area Toll Authority (BATA) as a separate entity governed by the same governing board as MTC and makes BATA responsible for the administration of toll revenues from the state-owned toll bridges in the San Francisco Bay area. Existing law requires the Department of Transportation to collect tolls on these state-owned toll bridges. Existing law requires those toll revenues to be deposited in the Bay Area Toll Account and requires BATA to control and maintain that account, as specified. This bill would, until December 31, 2028, require BATA to increase the toll rate for vehicles for crossing the state-owned toll bridges in the San Francisco Bay area by \$1.50, as adjusted for inflation. The bill would require the revenues collected from this toll to be deposited in the Bay Area Toll Account, would continuously appropriate moneys from this toll increase and other specified tolls, and would require moneys from this toll to be transferred to MTC for allocation to transit operators that provide service within the San Francisco Bay area and that are experiencing a financial shortfall, as specified. The bill would direct MTC to require each transit operator eligible to receive an allocation from the account to, on an annual basis, submit a 5-year projection of its operating needs, as specified. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/29/2023</p>	<p>Paused for this year</p>	<p>Watch</p>
<p>SB 537 (Becker D)</p> <p>Open meetings: multijurisdictional, cross-county agencies: teleconferences.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the</p>	<p>Assembly Local Government</p>	<p>Watch</p>

	<p>members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2024, authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency or in other situations related to public health that exempt a legislative body from the general requirements (emergency provisions) and impose different requirements for notice, agenda, and public participation, as prescribed. The emergency provisions specify that they do not require a legislative body to provide a physical location from which the public may attend or comment. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows “just cause,” including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of “just cause” to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/24/2023</p>		<p>Item #10. 9/7/2023</p>
<p>SB 617 (Newman D)</p> <p>Public contracts: progressive design-build: local and regional agencies: transit.</p>	<p>Existing law, until January 1, 2029, authorizes local agencies, defined as any city, county, city and county, or special district authorized by law to provide for the production, storage, supply, treatment, or distribution of any water from any source, to use the progressive design-build process for up to 15 public works projects in excess of \$5,000,000 for each project that treats, pumps, stores, or conveys water, wastewater, recycled water, advanced treated water, or supporting facilities. Existing law defines “progressive design-build” as a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project. Existing law requires the selected entity and its general partners or joint venture members to verify specified information under penalty of perjury. Existing law requires local agencies to report to the Legislature by January 1, 2028, regarding the use of the progressive design-build process, as specified. This bill, until January 1, 2029, would similarly authorize a transit district, municipal operator, consolidated agency, joint powers authority, regional transportation agency, or local or regional agency, as described, to use the progressive design-build process for up to 10 public works projects in excess of \$5,000,000 for each project. The bill would, similarly, require information to be provided under penalty of perjury and would require submission of a similar report to the Legislature. The bill would specify that this authority to use the progressive design-build process does not include inspection services for projects on, or interfacing with, the state highway system. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/28/2023</p>	<p>Assembly Appropriations</p>	<p>Watch</p>

<p>SB 670 (Allen D)</p> <p>State Air Resources Board: vehicle miles traveled: maps.</p>	<p>Existing law designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution and the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. Existing law imposes various requirements related to transportation planning, including a requirement that certain transportation planning agencies prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires each regional transportation plan to include, among other things, a sustainable communities strategy prepared by each metropolitan planning organization, as specified, which is designed to achieve certain targets for 2020 and 2035 established by the state board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region. This bill would require the state board, in consultation with the Office of Planning and Research and the Department of Transportation, to develop a methodology for assessing and spatially representing light-duty vehicle miles traveled and to develop maps accordingly to display average light-duty vehicle miles traveled per capita in the state at the local, regional, and statewide level, as provided. The bill would require the state board to adopt the methodology no later than January 1, 2025, and to publish the maps no later than 6 months after the methodology is adopted. The bill would require the state board to update the methodology and maps at least once every 4 years. The bill would require the state board to make the methodology and the maps publicly available on its internet website. Under certain circumstances, the bill would require the state board, in consultation with the Office of Planning and Research, to provide technical assistance with regard to the usage and interpretation of the statewide map to a local agency requesting assistance.</p> <p>Amended: 4/27/2023</p>	<p>Senate 2 year</p>	<p>Item #10. 9/7/2023</p> <p>Watch</p>
<p>SB 747 (Caballero D)</p> <p>Land use: economic development: surplus land.</p>	<p>Existing law authorizes a city, county, or city and county, with the approval of its legislative body by resolution after a public hearing, to acquire, sell, or lease property in furtherance of the creation of an economic opportunity, as defined. Existing law specifies the Legislature's intent regarding those provisions. This bill would authorize a city, county, or city and county, in addition to a sale or lease, to otherwise transfer property to create an economic opportunity. The bill would make related, conforming changes. The bill would additionally state the Legislature's intent is to ensure that residents of the state have access to jobs that allow them to afford housing without the need for public subsidies. This bill contains other related provisions and other existing laws.</p> <p>Amended: 6/30/2023</p>	<p>Assembly Appropriations</p>	<p>Watch</p>

Federal Report for Caltrain August 2023

Congress in Recess for Month of August

- The House and Senate are in recess for the month of August. The House will return on September 12, and the Senate will return on September 5.

House and Senate Advance Respective Funding Bills

- Before Congress recessed for the month of August, the House and Senate Appropriations Committees advanced their respective appropriations bills. Lawmakers must pass a federal budget or a continuing resolution (CR) before the end of the fiscal year, September 30th, to keep the government open. Conservative members of the House Republican caucus may demand deeper spending cuts, which could lead to a government shutdown.
- The funding in the House and Senate Transportation/HUD (THUD) Appropriations bills are vastly different. The House bill provides \$21.9 billion for the Department of Transportation (DOT), and the Senate includes \$28.3 billion. The Senate bill includes additional funding for several programs on top of the Infrastructure Investment and Jobs Act (IIJA): \$4 million for Low-No Emission Bus Grants; \$81.9 million for bus grants, \$800 million for the RAISE grant program, and \$13.99 billion for transit formula program. The House bill does not include additional funding for transit programs.

DOT Announces Over \$13 Million Available for Transit-Oriented Development

- On August 7, the Department of Transportation (DOT) announced \$13.7 million in federal funding available through the Federal Transit Administration's (FTA) Pilot Program for Transit-Oriented Development (TOD) Planning. This program will support local planning and investment near transit hubs to make communities both accessible via transit and walkable.
- To apply for funding, applicants must be existing FTA grant recipients. Transit project sponsors and land use planning authorities must partner to conduct the planning work of any project.
- All applications are due by October 10, 2023. More information on the TOD program can be found [here](#).

DOT Launches Project Delivery Center for Excellence

- On July 31, DOT launched the Project Deliver Center for Excellence, a national center created to help recipients of federal infrastructure funds deliver projects in a timely, efficient, and effective fashion. The center will be located at the DOT Volpe Center in Cambridge, MA.
- Initial projects for the center include: simplifying the contracting process for newer grant recipients, providing a central repository for best practices for project delivery/cost containment, and collaboration with the American Society of Civil Engineers (ASCE) and the Association of Consulting Engineering Companies to develop and distribute templates and model language for transportation construction contracts. More information about the Project Deliver Center for Excellence can be found [here](#).

Joint Office of Energy and Transportation Launches New EV Working Group

- On August 3, the Joint of Office of Energy and Transportation (Joint Office) announced the formation of the Electric Vehicle Working Group (EVWG). The purpose of the EVWG is to make recommendations to the Secretaries of Energy and Transportation on implementing the widespread adoption of EVs nationwide and solidifying America's place as a leader in clean energy jobs and manufacturing.
- The EVWG includes EV industry leaders, as well as leaders from the Department of Energy (DOE), Department of Transportation (DOT), Environmental Protection Agency (EPA), Council on Environmental Quality (CEQ), General Services Administration (GSA), and U.S. Postal Service (USPS). Mayor John Giles of Mesa, AZ was among those selected to serve on the EVWG.
- More information about the EVWG, including a full list of members, can be found [here](#).

New Government Accountability Office (GAO) Report Shows Lag in State and Local Tracking of Greenhouse Gas (GHG) Emissions Due to Traffic

- On August 4, the GAO released a [new report](#) entitled: "Climate Change: State and Local Efforts to Reduce Greenhouse Gas Emissions from Vehicles." This report was originally ordered by the House and Senate Appropriations Committees in the FY 2022 THUD Appropriations bill. The report is based on a sampling of ten state transportation departments, ten metropolitan planning organizations (MPOs), interviews with multiple federal agencies and stakeholder groups, and a questionnaire returned by 39 of the 50 states.

- More than half of the states that responded indicated they had not developed a greenhouse gas inventory or forecast for the transportation sector. Reasons states cited for this include the type of traffic in their state (i.e., lack of congestion), other state priorities, and lack of federal or state regulations. Moreover, several MPOs cited difficulties in analyzing GHG emissions due to lack of staff capacity.

DOT Announces \$20 Million in Grants Through Areas of Persistent Poverty Program

- On July 20, DOT announced \$20 million in awards through the Areas of Persistent Poverty (AoPP) Program. This program provides funding to economically distressed communities to improve public transportation. Funding was distributed to state and local governments, transit agencies, and nonprofit organizations to conduct the AoPP Program's objectives.
- DOT selected 47 communities located within census-defined low-income communities to receive funding through the AoPP Program. Recipients will use funding to further study the expansion of transit access within their respective areas.

Round-Up of Open Grant Opportunities

- [PROTECT Program](#). \$848 million available. All applications due August 18, 2023.
- [MPDG Program](#). \$5.575 billion available. All applications due August 21, 2023.
- [Neighborhood Access and Equity \(NAE\) Program](#). \$3.1 billion available. All applications due September 28, 2023.
- [Reconnecting Communities Pilot \(RCP\) Program](#). \$198 million available. All applications due September 28, 2023.
- [Pilot Program for Transit-Oriented Development \(TOD\) Planning](#). \$13 million available. All applications due October 6, 2023.
- [SMART Grants](#). \$100 million available. All applications due October 10, 2023.

Resolution No. 2023-

**Board of Directors, Peninsula Corridor Joint Powers Board
State of California**

* * *

Hispanic Heritage Month

Whereas, from September 15, 2023, through October 15, 2023, the United States celebrates Hispanic Heritage Month; and

Whereas, Hispanic Americans have called the San Francisco Peninsula home for hundreds of years and have been instrumental in shaping the history and culture of the region; and

Whereas, Hispanic Americans have had a profound influence through a strong commitment to family, faith, and community, an enduring work ethic, and their many contributions to society; and

Whereas, many Hispanic Americans are regular Caltrain riders, with a survey from 2022 indicating that 17 percent of Caltrain riders are of Hispanic origin; and

Whereas, Caltrain prides itself as a system that is open and welcoming to everyone; and

Whereas, access to transportation is a fundamental civil right, that allows individuals to move freely and communities to grow and thrive, which therefore must be provided to everyone in a just and equitable manner; and

Whereas, San Francisco Peninsula will continue to grow as a vibrant, multicultural community, and the history and culture of all people that live in it should be honored and celebrated; and

Now, Therefore, Be It Resolved that the Peninsula Corridor Joint Powers Board (Caltrain) of Directors does hereby recognize Hispanic Heritage Month and celebrate Hispanic heritage and culture in the United States and the immense contributions of the Latinx community.

Regularly passed and adopted this 7th day of September, 2023 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

District Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board
Through: Michelle Bouchard, Executive Director
From: Casey Fromson, Chief Officer, Communications
Subject: **Proclamation Declaring September Railroad Safety & Suicide Prevention Month**

<input type="checkbox"/> Staff Coordinating Council Reviewed	<input type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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Purpose and Recommended Action

Staff Coordinating Council (SCC) recommends the Board adopt the proclamation designating September as “Railroad Safety & Suicide Prevention Month.”

Discussion

The proclamation for “Railroad Safety & Suicide Prevention Month” reaffirms the JPB’s commitment to provide safe and efficient train service between San Francisco and Gilroy. It is an opportunity to highlight the promotion and advancement of safety and prevention on the right of way through enhanced safety measures and increased public awareness. Safety is a clear priority for the rail agency. Unfortunately, approximately 70% of the deaths occurring on the Caltrain corridor are ruled suicides. In an effort to try to prevent suicides, Caltrain coordinates with regional mental health, and suicide prevention and awareness organizations to help eliminate the stigma associated with seeking help for depression or mental illness. In addition, Caltrain is committed to examining other ways in which Caltrain can help prevent suicides on the right of way.

During September, Caltrain will be pushing out rail safety messaging through the website and news media to ensure our riders, residents and other stakeholders are aware of how to stay safe while walking or driving near the train tracks or visiting one of our many stations. Caltrain also will be promoting rail safety and suicide prevention messaging on our various social media platforms throughout the month, using #CaltrainSafe and #railsafety.

During the month of September, Caltrain staff will be involved in several activities including a Rail Safety Blitz on Sept. 19, with Transit Police, at specified grade crossings that have experienced high levels of incidents; hosting a Rail Safety Booth at the second electric train set

public tour in San Francisco on Sept. 23; and giving rail safety and suicide prevention presentations to Caltrain's Citizens Advisory Committee (CAC) and Bicycle and Active Transportation Advisory Committee (BATAC). This year to date, Caltrain has experienced approximately 10 incidents along the rail corridor. The proclamation reiterates the three E's (Education, Engineering and Enforcement) of our ongoing "Don't Shortcut Life" rail safety campaign, in partnership with California Operation Lifesaver (CAOL) and National Operation Lifesaver (OLI).

Also during the month of September, Caltrain will be recognizing National Suicide Prevention Month as part of this effort by participating in social media campaigns with local mental and behavioral health organizations in San Francisco County, the San Mateo County Suicide Prevention Committee, Santa Clara County Suicide Prevention Advisory Committee, Project Safety Net (Palo Alto) and Crisis Text Line. Caltrain staff is planning to host a two-part Lunch & Learn webinar for staff called *Be Sensitive, Be Brave*, which infuses culture and diversity in workshops focusing on mental health and suicide prevention on Sept. 14 and 21.

Budget Impact

There is no impact on the budget associated with receiving this informational update. Caltrain's ability to further enhance its existing suicide prevention and safety program is contingent on the availability of funding dedicated to that purpose.

Prepared By: Tasha Bartholomew Manager, Media Relations 650.508.7927

Proclamation

IN HONOR OF RAILROAD SAFETY & SUICIDE PREVENTION MONTH

WHEREAS, Caltrain operates 104 weekday trains between San Francisco and Gilroy, serving the Peninsula Rail Corridor, and the communities of San Francisco, San Mateo, and Santa Clara counties; and

WHEREAS, safety on the Caltrain right of way has been and remains a continuing priority along a rail system that traverses several communities and includes more than 50 at-grade public vehicular and pedestrian crossings; and

WHEREAS, the Peninsula Corridor Joint Powers Board works continuously with essential partners, including the Federal Railroad Administration, California Department of Transportation, California Public Utilities Commission and California Operation Lifesaver to improve railroad safety, to prevent accidents and to educate the public about safety around railroad tracks; and

WHEREAS, trains have become a routine part of daily life for many in this region, but it only takes a split second for someone to drop their guard and tragedy can strike. Typical Caltrain trains can take almost a mile to stop, even when emergency brakes are applied; and

WHEREAS, safety is a clear priority for the rail agency; and

WHEREAS, unfortunately, approximately 70% of the deaths occurring on railroad tracks are ruled suicides; and

WHEREAS, suicide is a public health issue with which Caltrain is all too familiar. Every death by suicide on the rails impacts hundreds of people, including loved ones, Caltrain riders and staff onboard the train, as well as passengers at station platforms; and

WHEREAS, Caltrain partners with local public health agencies to publicize resources available for individuals in crisis in an effort to reduce deaths by suicide on the rails; and

WHEREAS, Caltrain is committed to exploring opportunities to help reduce the number of suicides along the right of way; and

THEREFORE, BE IT RESOLVED, that the Peninsula Corridor Joint Powers Board (Caltrain), in support of safety efforts locally, regionally, and statewide, joins in proclaiming September as "Railroad Safety & Suicide Prevention Month" and commends local, State, and Federal officials, industry, and citizen efforts to improve railroad safety.



Chair, Peninsula Corridor Joint Powers Board



Caltrain Modernization Program Peninsula Corridor Electrification Project (PCEP)



Executive Monthly Progress Report

July 31, 2023

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1.0 EXECUTIVE SUMMARY

1.1 Introduction

The Peninsula Corridor Electrification Project (PCEP) will upgrade 51 miles of diesel service to electrified service from San Francisco to San Jose (Tamien Station). The PCEP scope of work includes design and construction of an overhead contact system, traction power facilities, modification of the existing signaling and grade crossing protection system to make it compatible with the electrified railroad, substation improvements at Pacific Gas and Electric (PG&E) substations, and modifications at existing tunnels and Caltrain’s maintenance facility. It also includes the design, manufacturing, assembly, testing, and delivery of the Electric Multiple Units (EMUs).

Caltrain completed a thorough assessment of all aspects of the program including cost, schedule, risks, and organization after the global settlement in 2021. Caltrain re-baselined the program budget and schedule in December of 2021. Caltrain finished a schedule reforecast in March 2023 and is committed to deliver PCEP and achieve revenue service in September of 2024.

1.2 Program Cost and Budget

On December 6, 2021, the JPB adopted a new PCEP program budget of \$2,442,690,697. On January 31, 2023, Caltrain received a \$367 million funding award from California’s Transit and Intercity Rail Capital Program’s (TIRCP) Cycle 6 Existing Project Reserve, representing the remaining funding needed to complete the project. The project is now fully funded in the amount of \$2,442,690,697. As of July 2023, the project is on budget:

- The current project total cost at completion (EAC) is the same as the Board adopted budget of \$2.44 billion.
- As of July 2023, a total of \$9.8M has been drawn down from the Shared Risk Pool of \$50 million. In July 2023, \$1.76M was drawn from the Shared Risk Pool.
- As of July 2023, a total of \$11.54M has been drawn from the project contingency of \$40 million. In July 2023, there was no draw from project contingency.
- As of July 2023, no new awards have been made from the Project incentive pool of \$18.5 million.
- As of July 2023, no incentive was issued from the milestone incentive pool of \$15 million.

1.3 Program Progress and Schedule

As of July 31, 2023, the overall project completion is 85.58%. The current program schedule is projecting a PCEP substantial completion date of April 2024 and Revenue Service by September 2024. Staff is implementing a 2023 path to completion with 31 weekend area focused bus bridges to maximize track access to allow system integration testing, signal cutovers, and proactive OCS construction productivity mitigations for the remaining PCEP work.

1.4 Change Management Board (CMB)

In July 2023, no items were brought to the CMB for approval:

1.5 This Month’s Accomplishments

The project team has completed the following notable activities for the month of July 2023:

- Held public EMU tour events in Diridon with an outstanding turnout.
- Measured monthly project schedule against the reforecast that reflects the path to completion with 31 focused area weekend closures. The reforecast schedule does not change the Project completion date. Interim milestones have been developed and measured against the reforecast schedule.
- Continued to coordinate low voltage power drop applications with PG&E and utilizing generators to support project testing and cutovers.
- Continued bi-weekly project completion road map meeting with Design-Build Contractor Executives to monitor OCS productivities and addressed TPS findings. Additional third-party crews have been working on regulations since June 2023.
- Completed operations planning, ambassador, and rail service planning effort for Segments 1 and 2 OCS construction weekend area closures for July.
- Completed service plan and special train schedule for August Segment 1 Signal cutover bus bridge.
- Drill track has been energized and used for Operator refresh training.
- Issued Temporary use permit for Segment 4 which enables Segment 4 Live run testing.
- Continued Operator’s refresher training at the Drill Track.
- Held Monthly CMB meeting for program status and change order approval.
- Continued to work with FRA on Submitted Programmatic Agreement (PA) amendment review and approval.
- Continued safety special task force working group, including TASI, Rail Operations and PCEP to address communications, process, and procedure improvements.
- Continued providing PCEP progress updates to funding partners, leadership, elected officials, citizens, and business community.
- Continued Rail Activation effort on taking on isolation and protection service post completion of Milestone 1.
- Planned for TPS 1 energization with PG&E in August.
- Performed pretesting and all prep work for Segment 1 last cutover which includes the last two crossings.
- Received FRA Test request conditional approval and prepared for EMU PTC testing on mainline.
- Completed TPS documentation audit, field validation and test audit.

1.6 Upcoming work

For the next six months, the PCEP team has set additional goals as described below:

- Continue bi-weekly project completion road map meeting with Design-Build Contractor Executives to address path to substantial completion.
- Continue operations planning, ambassador, and rail service planning minor issues efforts for remaining weekend area closures for last quarter of 2023

- Continue to coordinate with PG&E on low voltage power drop applications, and distribution line de-energization work.
- Complete EMU PTC testing on mainline and achieve 79mph runs.
- Energize TPS1 by August 26, 2023 for both lines.
- Complete Segments 4 and 3 Live runs with the EMUs.
- Complete live runs and energize CEMOF for EMU commissioning.
- Complete Segments 4 and 3 joint punch list walks.
- Hold FTA Quarterly progress meeting.
- Hold Monthly CMB meeting for program status and change order approval.
- Continue and complete certification of compliance for Milestone 1 limits which will provide 20 miles electrified line for EMU burn-in in fall of 2023.
- Complete EMU revenue service maintenance program and diesel fleet exit plan.
- Continue work with FTA and complete Programmatic Agreement (PA) amendment and finalize burial agreement and treatment plan.
- Confirm remaining short circuit tests timeline with PG&E

The PCEP Project is currently on budget and on time for achieving Revenue Service in September of 2024.

1.7 Critical Items

As of July 2023, PCEP has completed Segment 1 Phase 1 signal cutover, fulfilled the \$410M funding gap, and has adequate RWIC to support field construction. The top critical items and related actions are highlighted below.

Table 1-1. Critical Issues and Actions

Critical Issues	Actions
<p>Overhead Contact System (OCS) installation delay due to low productivity</p> <p>Note: The project OCS work was on hold from March 10, 2022, to March 28, 2022, during the safety stand down.</p> <p>Segment 2 OCS was damaged during high wind and heavy rainstorms in late December 2022 and early January 2023</p>	<ul style="list-style-type: none"> • Additional BBII OCS crew training for regulation and variance in the OCS design / installation due to re-design & accommodations to resolve foundation Differing Site Conditions (DSC) issues – Completed. • Hiring additional BBII OCS staff members to prevent schedule slippage and help in future installation planning – Completed. • Hold OCS construction scheduling recovery workshop for remaining OCS installation and testing – Completed. • Increase OCS crews and OCS wiring equipment to increase productivity – Completed. • More track access including weekend area closures for remaining Segments 1 and 2 OCS construction and testing. Weekend bus bridge construction started on February 11, 2023. • OCS storm repair work for Segment 2 is planned for August/September 2023 due to rainstorm and long lead time for materials. • Bring on more regulating crews in May 2023. Mass will start regulating work in the first week of June 2023 – Completed. • Procure more equipment parts and ensure all equipment is performing well for construction – Completed. • Bring on equipment fitters and warehouse material manager on site – Completed.

Critical Issues	Actions
<p>Complete TPS Short Circuit Tests</p> <ul style="list-style-type: none"> • TPS 2 short circuit test delays drill track and Segment 4 mainline energization. TPS 2 Short circuit test was performed in May 2023 with some follow up actions. • TPS 1 Short Circuit Test is scheduled for October 21st. 	<ul style="list-style-type: none"> • Perform comprehensive root cause analysis and develop corrective action plan – Completed. • Implement configuration change control process including design drawing, shop drawings, as-built version control to ensure all parties are using the same set of drawings for TPS2 testing – On-going. • Perform technical working groups including all vendors and EOR – On-going. • Weekly management team briefing on corrective action status – On-going. • Perform independent assessment of the TPS – Completed. • Develop SSWP for all work performed at TPS for Caltrain review and approval – On-going. • Perform field verification and pre-testing before short circuit re-test – Completed. • Perform load bank testing prior to short circuit re-test. – Completed. • Developed remaining short circuit tests required for system completion – on going.
<p>Theft of impedance bond or grounding cables may delay segment live run testing because the system (or portions of the system) cannot be energized without impedance bonds</p>	<ul style="list-style-type: none"> • Monitor hot spot areas in segments 1, 3 and 4. Perform just in time replacement right before the testing. • Report Theft incidents with Transit PD • Enhance security with cameras and other monitoring systems. • Work with Communications on high voltage safety messages • Distribute high voltage safety fliers to the homeless encampments.

2.0 SAFETY

There were no reportable injuries in July 2023. The Reportable Injury Rate (RIR) for 2023 YTD is currently 1.37. Overall, since the project’s inception, the RIR is at 1.62, which remains below the national average. Please note that the chart below was updated for the current year.

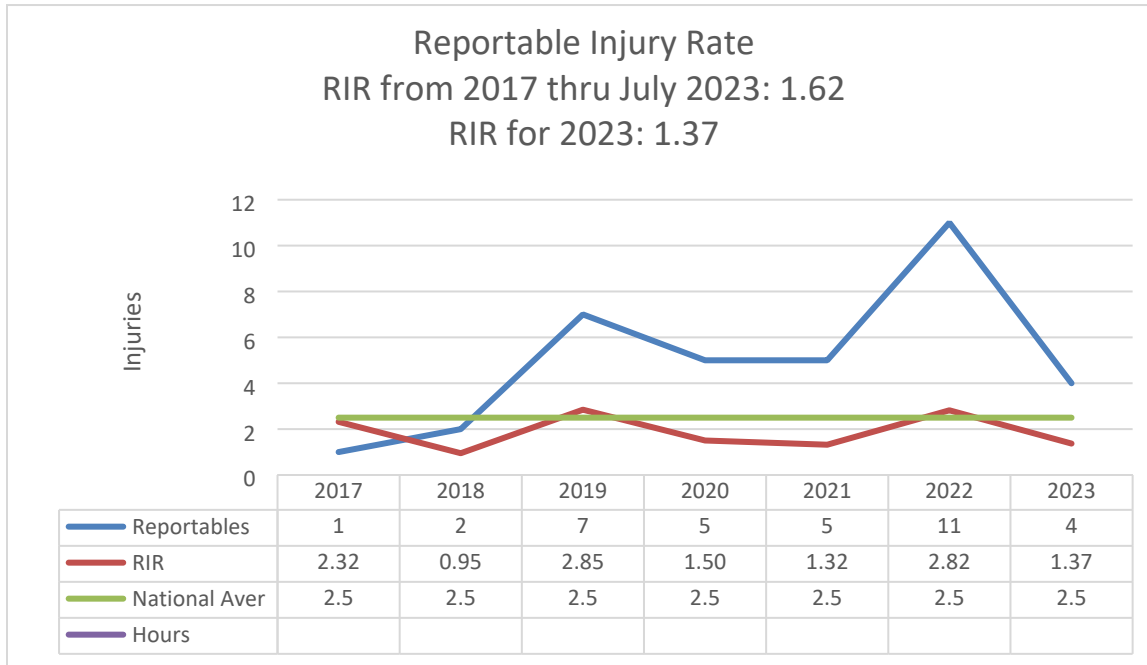


Figure 2-1. Project Reportable Injury Rate (RIR) by Year

Completed Work

Safety staff continues to coordinate with contractors to identify opportunities to improve safety performance. Organizational-wide safety briefings are being performed to ensure staff understand the application of post incident mitigation measures including rules and procedural changes designed to enhance safety. Project Safety continues to reinforce jobsite safety practices throughout the Caltrain alignment, investigate incidents, and identify mitigation measures to prevent re-occurrences. Safety project coordination meetings continue to be conducted monthly to promote a clear understanding of project safety requirements. In addition, Caltrain Safety continues weekly calls with the lead safety staff from Caltrain, PCEP, BBII, and TASI to discuss safety performance and ongoing initiatives.

Upcoming Work

The Fire/Life Safety Committee continues to work with emergency responders along the Caltrain corridor on emergency preparedness in advance of energization. The safety team has updated the OCS and EMU emergency responder safety familiarization presentations to include voiceover features for use by the Fire Departments. The presentation will also be shared with other emergency responder jurisdictions through the project Fire/Life Safety Committee.

OCS and EMU First Responder training is currently scheduled for So. San Francisco, San

Mateo, Redwood City, San Carlos, Belmont, Burlingame, Millbrae, Hillsborough, San Bruno, and San Francisco fire departments in August, September, October, and November.

Police Departments along the corridor are currently being scheduled for electrification safety familiarization training in August.

3.0 IMS PROGRAM SCHEDULE

3.1 Introduction

The Integrated Master Schedule (IMS) Program Summary Schedule depicted in

Figure 3-1. Master Program Summary Schedule Figure 3-1 shows the schedule status of the major PCEP projects. The current schedule dates for this program schedule were based on BBII’s July 2023 Progress Schedule as well as the Stadler July 2023 EMU Progress Schedule. The Revenue Service Date (RSD) remains as September 26, 2024, and Full Funding Grant Agreement (FFGA) Revenue Completion Date (RCD) remains December 31, 2024.

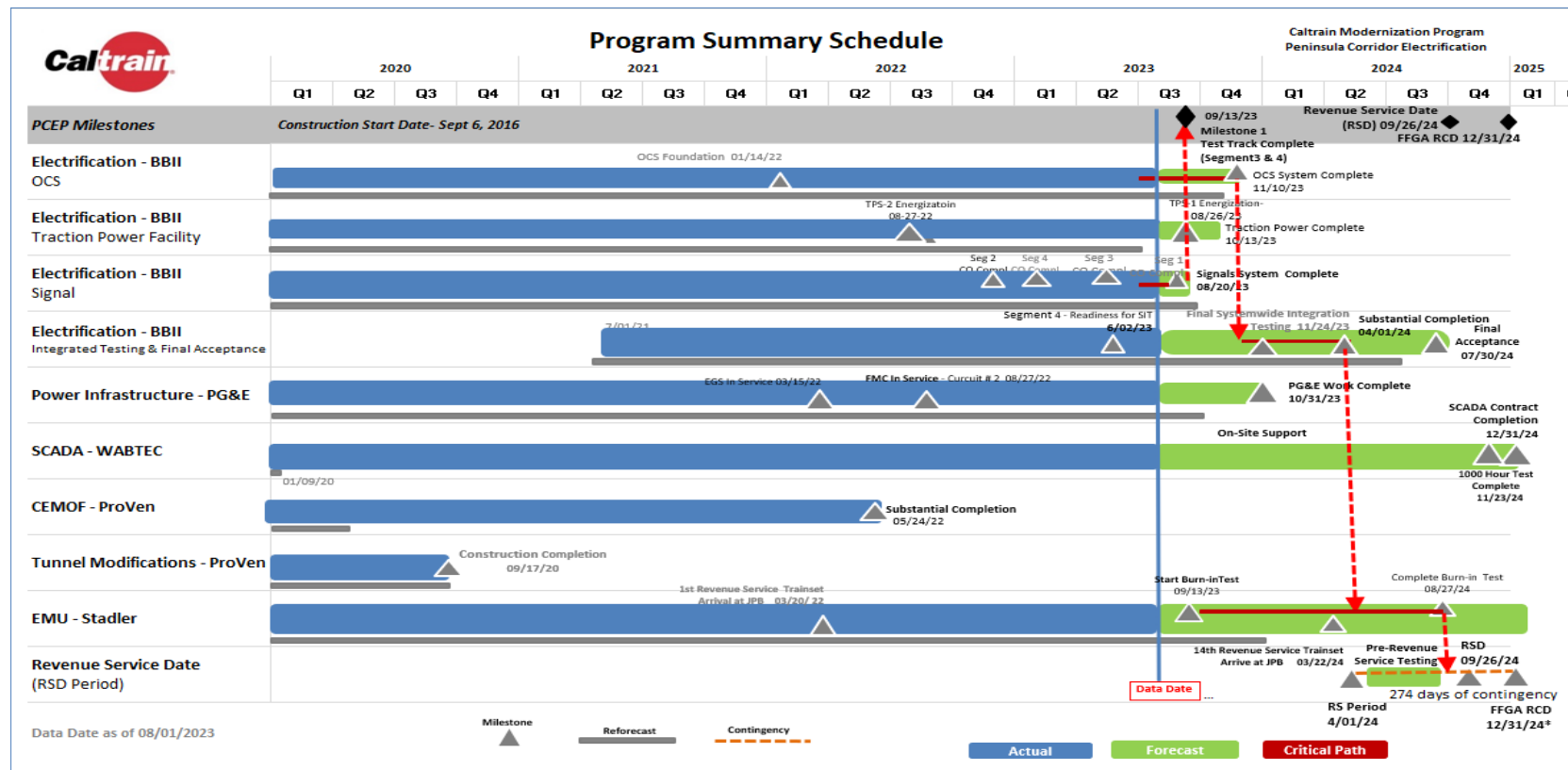


Figure 3-1. Master Program Summary Schedule

3.3 Schedule Contract Milestone Analysis

The current forecast for Substantial Completion of the project has moved out nine (9) days to April 10, 2024. The revised Milestone No. 1 is now forecasted to be completed on July 31, 2023. The Revenue Service Date and Revenue Completion Date remain the same as September 26, 2024, and December 31, 2024, respectively. Contractor still claims that they are being delayed by PG&E in obtaining the required designs for installing the permanent low voltage power. However, this path can be easily mitigated through the continued use of generators to provide low voltage power. The main challenge for the Contractor is to complete the requirements for Milestone No. 1 and facilitate the live run testing of the EMU trainsets.

Contractor	Milestones	Reforecast Dates (Dec 2022)	Current Dates (July 2023)	Milestone Finish Date Variance	Total Float	Remarks
BBII	Segment 4 Completion (Final Short Circuit Test Report Delivered to JPB)	05-Feb-23	31-May-23A	-115	N/A	Delayed by the failed short circuit testing which has delayed the EMU live runs within Segment 4. Note: This finish date does not include the Guadalupe Bridge scope of work.
BBII	System Integration Testing Start (Segment 4)	10-Apr-23	05-Jun-23A	-56	N/A	JPB Continues to perform SIT testing in Segment 3 and 4.
BBII	Signal Cutovers and Systems Completion	20-Aug-23	20-Aug-23	0	90	
BBII	Traction Power Substation #1 Energization	12-Sep-23	26-Aug-23	17	20	
BBII	Completion of Milestone 1 (Segments 3 and 4)	28-May-23	13-Sep-23	-107	-107	Delayed by the failures in the Segment 3 and 4 integrated testing and delays in issuing the certificate of compliance for Milestone 1. This milestone signifies that all of the structural and short circuit testing is complete, and this segment is ready for live run testing.
BBII	OCS Construction Completion	25-Oct-23	10-Nov-23	-16	36	Delayed by Segment 2 High Pot Testing (MP 26 Dumbarton to MP 29 Alma) and Punch List work.
BBII	System Integration Testing Completion	18-Nov-23	17-Dec-23	-29	5	Delayed by SC Test 4 – TPS 2 Short Circuit Test and Segments 1 and 2 Live Run Testing
Stadler	14th Trainset Arrival at JPB Site	12-Oct-23	04-Mar-24	-144	14	Delayed by Stadler experiencing multiple problems obtaining parts and subassemblies from their Suppliers. They are still committed to deliver the first 14 Trainsets by 22-Mar-24.
BBII	Scheduled Substantial Completion	01-Apr-24	01-Apr-24	0	0	
BBII	Scheduled Final Acceptance	30-Jul-24	30-Jul-24	0	0	
JPB	Revenue Service Date (RSD)	26-Sep-24	26-Sep-24	0	N/A	
JPB	FFGA Revenue Completion Date (RCD)	31-Dec-24	31-Dec-24	0	N/A	

Figure 3-3. Contract Milestone Analysis

4.0 COST AND BUDGET

4.1 Introduction

This section presents an update on program cost and budget. On December 6, 2021, the JPB adopted a new Program budget of \$2.44 billion. Table 4-1 depicts a summary level of program budget, costs, and estimate at completion based on the latest update of the Electrification and EMU projects as of July 31, 2023.

4.2 Program Budget and Cost

Table 4-1. Budget Summary by Project

Description of Work	Current Budget (A) ¹	Cost This Month (B) ²	Cost To Date (C) ³	Estimate To Complete (D)	Estimate At Completion (E) = (C) + (D)	Variance at Completion (F) = (A) – (E)
Electrification	\$1,749,139,439	\$28,041,235	\$1,600,937,884	\$153,735,738	\$1,754,673,622	(\$5,534,183) ⁴
EMU	\$693,551,258	\$7,607,941	\$523,954,475	\$164,062,599	\$688,017,075	\$5,534,183
PCEP TOTAL	\$2,442,690,697	\$35,649,176	\$2,124,892,359	\$317,798,338	\$2,442,690,697	\$0

1. Column A "Current Budget" includes re-baseline and executed change orders and awarded contracts.
2. Column B "Cost This Month" represents the cost of work performed this month.
3. Column C "Cost to Date" includes actuals (amount paid) and accruals (amount of work performed) to date.
4. Column F "Variance at Completion" includes forecasted transfer of contingency from EMU to Electrification project.

Table 4-2 depicts program budget, costs, and estimate at completion summarized by major elements of work. This budget table provides additional detail for the program and is broken down by major contracts for Electrification and EMU, minor contracts, real estate, utilities, project management oversight and other indirect support costs.

Table 4-2. Budget Summary by Major Elements

Description of Work	Re-Baseline Budget	Current Budget	Cost This Month	Cost To Date	Estimate To Complete	Estimate At Completion
Electrification	\$1,097,149,881	\$1,097,149,881	\$22,533,741	\$966,442,897	\$130,590,984	\$1,097,033,881
EMU Procurement	\$556,072,601	\$564,269,610	\$6,491,594	\$433,040,007	\$131,946,264	\$564,986,271
Minor Construction Contracts (Tunnel, CEMOF, SCADA, Non-BBI OCS)	\$67,055,072	\$68,091,194	\$120,909	\$64,896,820	\$2,427,637	\$67,324,457
Real Estate Acquisition & Support	\$34,914,177	\$34,914,177	\$45,534	\$24,441,878	\$10,472,299	\$34,914,177
PG&E, Utilities	\$132,088,994	\$132,088,994	\$453,591	\$205,635,029	-\$77,375,634	\$128,259,394
Management Oversight & Support	\$312,699,697	\$315,007,767	\$2,793,549	\$278,704,328	\$36,303,439	\$315,007,767
TASI Support	\$114,488,767	\$114,488,767	\$1,783,806	\$103,081,127	\$33,447,342	\$136,528,469
Finance Charges	\$9,898,638	\$9,898,638	\$0	\$9,454,384	\$444,254	\$9,898,638
Insurance	\$6,581,851	\$6,581,851	\$0	\$6,291,001	\$290,850	\$6,581,851
Other Required Projects & Services	\$9,084,176	\$10,484,176	\$159,526	\$5,220,260	\$5,463,916	\$10,684,176
Environmental Mitigation	\$14,438,866	\$13,038,866	\$755	\$1,249,839	\$11,589,027	\$12,838,866
Caltrain Capital Overhead (ICAP)	\$48,217,887	\$48,217,887	\$1,266,170	\$26,434,788	\$21,783,099	\$48,217,887
Contingency	\$40,000,089	\$28,458,888	\$0	\$0	\$10,414,861	\$10,414,861
Total	\$2,442,690,697	\$2,442,690,697	\$35,649,176	\$2,124,892,359	\$317,798,338	\$2,442,690,697

4.3 Program Shared Risk Pool and Contingency

Caltrain and Balfour Beatty Infrastructure, Inc. (BBII) continue implementing new mechanisms to ensure a collaborative approach to Project delivery. The management team meets every week to review the issues log focusing on risk mitigation and issues resolution.

As part of global settlement, a shared risk pool of \$50 million was established to manage risks and mitigation proactively and collaboratively with the design-build contractor. Table 4-3 shows the current shared risk drawdown for the current month and to-date as well as the remaining balance of the shared Risk Pool by Risk Category. Any shared risk items (27 Risk IDs listed below in Table 4-3) that are above \$250,000 require Change Management Board (CMB) approval.

Table 4-3. Shared Risk Pool Status as of July 2023

Risk ID	Risk Description	Risk Amount	Current Month	Executed to Date	Remaining Balance
1	Permanent Power Availability	\$268,572	\$0	\$178,365	\$90,207
2	Different Site Condition for OCS Foundation	\$3,500,000	\$0	\$1,217,412	\$2,282,588
3	Different Site Condition for Duct bank	\$2,800,000	\$0	\$435,798	\$2,364,202
4	Condition of existing Fiber backbone infrastructure	\$3,150,000	\$48,031	\$402,275	\$2,747,725
5	Availability of TASI Resource	\$5,777,820	\$0	\$0	\$5,777,820
6	Signal Cutover access and work window	\$5,607,150	\$0	\$0	\$5,607,150
7	Condition of existing signal system	\$538,572	\$372,416	\$507,167	\$31,405
8	EMI Nonconformance by EMU Vendor	\$750,000	\$0	\$13,184	\$736,817
9	Reed Street Cutover	\$90,000	\$0	\$0	\$90,000
10	Availability of low voltage power for cutover testing	\$1,120,000	\$0	\$1,744,137	-\$624,137
11	Third party Permits	\$150,000	\$0	\$0	\$150,000
12	SCADA integration for the entire alignment	\$159,524	\$0	\$0	\$159,524
13	Tunnel OCS Compatibility	\$167,500	\$0	\$0	\$167,500
14	Supply chain issue due to COVID 19	\$300,000	\$0	\$28,923	\$271,077
15	End to end Systems integration commissioning	\$2,100,000	\$0	\$0	\$2,100,000
16	Existing Caltrain Operating systems interface and integration	\$1,400,000	\$0	\$71,920	\$1,328,080
17	Third party Approval	\$150,000	\$14,233	\$353,277	-\$203,277
18	Impact from Caltrain other capital or third-party projects	\$2,166,683	\$191,719	\$888,836	\$1,277,846
19	Track access delay for BBII Construction	\$1,800,000	\$289,420	\$671,352	\$1,128,648
20	Additional light Maintenance and Protection Needs	\$280,000	\$0	\$164,531	\$115,469
21	Crossing Protection	\$220,000	\$0	\$102,334	\$117,666
22	Power facilities	\$500,000	\$845,576	\$845,576	-\$345,576
23	NCR's	\$0	\$0	\$0	\$0
24	Potholing	\$1,700,000	\$0	\$107,547	\$1,592,453
25	Pre-Revenue Service Operational Testing	\$250,000	\$0	\$0	\$250,000
26	TRO Contingency	\$3,000,000	\$0	\$0	\$3,000,000
27	Contingency	\$12,000,000	\$0	\$2,088,739	\$9,911,261
NA	Unidentified	\$54,179	\$0	\$0	\$54,179
	BBII Risk Pool Total	\$50,000,000	\$1,761,396	\$9,821,373	\$40,178,627

In addition to the established Risk Pool with BBII, the Re-Baseline Budget includes a program contingency of \$40 million to cover non-BBII potential changes and unknowns. Table 4-4 provides a detailed status of approved transfers from contingency due to executed Contract Change Orders and approved Budget Transfers.

Table 4-4. Program Contingency Drawdown Balance

Change Order	Description	Current Budget Contingency	EAC Contingency
Project Contingency		Previously Reported Balance	\$36,480,012
			\$16,687,827
STA-056-CCO-042	Stadler Project Time Extension	(\$8,021,124)	
BT-035C	TASI Support – Electrification (2023-2024) rev0 estimate (replaced with rev1)		\$15,000,000
BT-035C	TASI Support – Electrification (2023-2024) rev1		(\$22,039,702)
PROV-070-CLOSE	Proven Tunnels – Close out of Final Actuals		\$184,910
PROV-071-CLOSE	Proven CEMOF – Close out of Final Actuals		\$581,827
	PROJECT CONTINGENCY REMAINING BALANCE	\$28,458,888	\$10,414,861

Note: EAC Contingency reflects forecast contingency.

The total Program Contingency as of the December 2021 Re-Baseline Budget totaled \$90M including Allocated and Unallocated Contingency, and BBII Risk Pool. Table 4-5 summarizes the current remaining and forecasted contingency balance as of the monthly update.

Table 4-5. Overall Program Contingency

	Total E = (A+D)	Shared Risk Pool with BBII	Program Contingency		
		BBII Risk Pool (A)	Allocated (B)	Unallocated (C)	Subtotal D = (B+C)
PCEP Contingency	\$90,000,088	\$50,000,000	\$24,115,581	\$15,884,507	\$40,000,088
Drawn Contingency	(\$21,362,574)	(\$9,821,373)	(\$8,521,124)	(\$3,020,077)	(\$11,541,201)
Remaining Contingency	\$68,637,514	\$40,178,627	\$15,594,457	\$12,864,430	\$28,458,888
CMB Approved	(\$18,044,027)	\$0	(\$13,432,281)	(\$4,611,745)	(\$18,044,027)
Forecasted Remaining Contingency	\$50,593,488	\$40,178,627	\$2,162,176	\$8,252,685	\$10,414,861

4.4 Electrification Design Builder Contract Incentives

The Global Settlement with BBII also includes incentives based on Milestone completions and remaining contract incentives. Table 4-5 provides a status of Design-Build Contractor incentives Budgeted, Awarded, and remaining Balance.

Table 4-6. BBI Incentives

Incentives	Budgeted	Awarded	Balance
Contract Incentive:			
Quality	\$1,250,000	\$1,000,000	\$250,000
Safety	\$2,500,000	\$1,000,000	\$1,500,000
Community Outreach	\$2,500,000	\$2,000,000	\$500,000
DBE	\$900,000	\$0	\$900,000
Total Contract Incentive	\$7,150,000	\$4,000,000	\$3,150,000
Milestone Incentive:			
Early Signal and Crossing Cutover	\$4,000,000	\$0	\$4,000,000
Early Project Substantial Completion (NTE)	\$8,000,000	\$0	\$8,000,000
Early Revenue Service	\$3,000,000	\$0	\$3,000,000
Total Milestone Incentive	\$15,000,000	\$0	\$15,000,000

4.5 Program Cash Flow and Funding

The remaining program expenditures are cash flowed in Figure 4-1. With the award of the full funding, the program does not expect any cash flow issues due to funding.

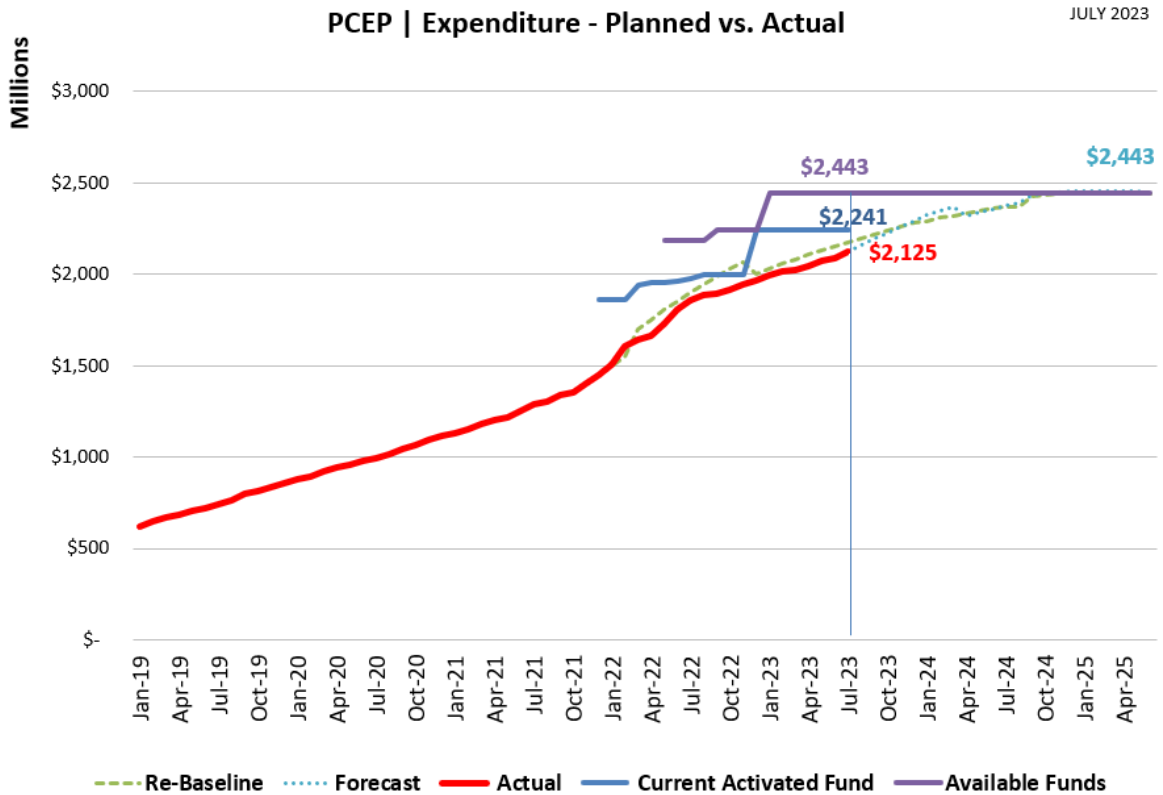


Figure 4.1. Expenditure – Funding Cash Flow

4.6 Issues

Table 4-7. Cost and Funding Issues Identified, and Actions Taken for July 2023

Issues	Actions
Late receiving of PG&E \$99 million reimbursement	<ul style="list-style-type: none">• Work with PG&E to project reimbursement date.

5.0 CHANGE MANAGEMENT

5.1 Introduction

The change management process establishes a formal administrative work process associated with the initiation, documentation, coordination, review, approval, and implementation of changes during the design, construction, or manufacturing of PCEP. The change management process accounts for the impacts of the changes and ensures prudent use of contingency.

5.2 Change Orders/Shared Risk Pool

5.2.1 Executed Shared Risk

The following Shared Risk items were executed in July 2023:

- Additional Step and Touch Potential Testing was executed on July 24, 2023, for \$116,184.
- SIA Beam Painting at SF Caltrain Station was executed on July 24, 2023, for \$14,233.
- Track Access Delays September 2022 was executed on July 11, 2023, for \$50,506.
- Track Access Delays October 2022 was executed on July 20, 2023, for \$24,724.
- Additional G&B at Santa Clara Station was executed on July 25, 2023, for \$75,535.
- TPS-2 PG & E Punchlist Request was executed on July 18, 2023, for \$94,258.
- De-coupling of the Pre-check Alarm was executed on July 18 for \$217,544.
- Track Access Delays November 2022 was executed on July 20, 2023, for \$22,072.
- Relocation of Aerial Utilities at Stanford (Construction Only) was executed on July 24, 2023 for \$154,873.
- CCO-042 Stadler Time Extension and Added Work was executed on July 6, 2023, for \$10,694,832.
- Contaminated Fiber Splice Enclosure at WPC-1 CT-0.37 was executed on July 11, 2023, for \$18,331.
- Contaminated Fiber Splice Enclosure at PS-1 CT-1.09 was executed on July 12, 2023, for \$18,311.
- TPS-1 Battery Enclosure and Materials was executed on July 12, 2023, for \$385,906.
- Contaminated Fiber Splice Closure at Intermediate Signals 16-1 & 16-2 CT-1.70 was executed on July 12, 2023, for \$11,369.
- TPS-2 Battery Enclosure and Materials was executed on July 13, 2023, for \$365,401.
- CCO 259 – Assessment of 580 Dubuque Development Impact was executed on July 13, 2023, for \$313,610.
- Track Access Delays December 2022 was executed on July 18, 2023, for \$34,956.
- Track Access Delays January 2023 was executed on July 24, 2023, for \$74,414.
- Track Access Delays for February 2023 was executed on July 24, 2023, for \$13,877.
- Track Access Delays for March 2023 was executed on July 24, 2023, for

\$69,371.

5.2.2 CMB Approved Items

- No items to report for this period.

5.2.3 Upcoming Change Orders/Shared Risk Items

- Isolation and Protection for Railroad
- EMU Convenience Outlet Modification
- Debris Pile Removal at FDN 46.1-19
- Tap Settings Change (to 26.5kv)
- Pole Recoloring at 4th & King Station
- 4th & King Flagpole Removal

5.3 Issues

Table 5-1. Change Management Issues Identified and Actions Taken for July 2023

Issues	Actions
Segment 4 Maintenance Option in the existing BBII Contract was never exercised. Maintenance of OCS/TPS for Milestone 1 limits (Diridon to San Antonio) will be needed once Milestone 1 is complete and once Caltrain is using it for EMU burn in under 25kV.	<ul style="list-style-type: none"> • Define EMU testing and burn in work schedule – Completed. • BBII provides isolation and protection through September 2023. • Develop evaluation criteria for TASI Maintenance Service proposals. • Perform transition between BBII and TASI on isolation and protection service.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Deputy Chief, Caltrain Planning
Subject: **San Francisco Downtown Rail Extension (DTX): Relation to Other San Francisco Rail Projects**

Staff Coordinating Council Reviewed Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

This report includes an informational update that requires no action by the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB” or “Caltrain”).

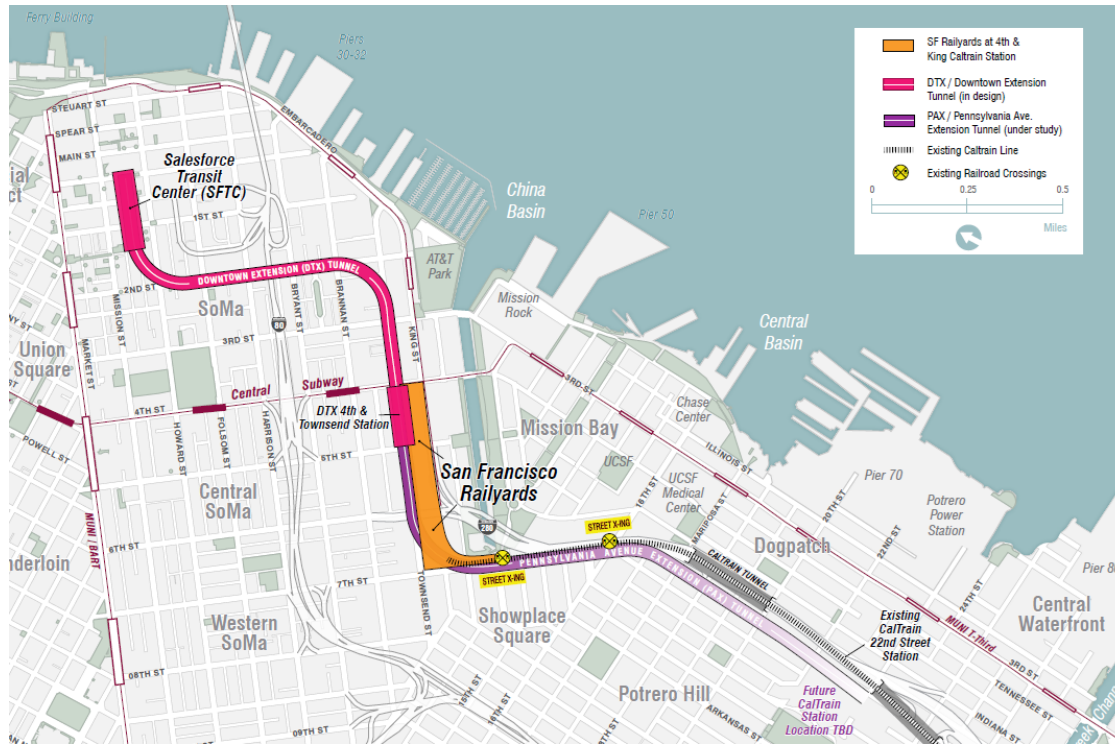
The San Francisco Downtown Rail Extension Project (“DTX” or “The Portal”) will connect Caltrain’s regional rail system and the future California High-Speed Rail Authority’s statewide system to the Salesforce Transit Center in downtown San Francisco. There are several projects that are interrelated and dependent on the DTX project, including projects that would also occupy some or all of Caltrain’s 4th and King railyard. The purpose of this informational update is to outline the relationship between DTX and the following projects: 4th and King Yard DTX Preparation (included in DTX scope); Railyards Preliminary Business Case; California High Speed Rail; Pennsylvania Avenue Extension; and the Link21 new transbay rail crossing.

Discussion

The Transbay Joint Powers Authority (“TJPA”) is seeking funding for DTX through the Federal Transit Administration (“FTA”) Capital Investment Grants Program New Starts program. DTX received its FTA Environmental Record of Decision in July 2019. The project is implementing an accelerated master work plan to support potential Full Funding Grant Agreement approval in 2025. Caltrain is committed to supporting the TJPA in the implementation of the accelerated work plan. TJPA’s latest schedule shows the project opening for service in 2032.

The 4th and King Yard Preparation work is part of the DTX project, while the Railyards Preliminary Business Case, California High Speed Rail; Pennsylvania Avenue Extension, and Link21 are separate projects in which Caltrain has varying levels of involvement. The interrelation of these four projects to DTX is outlined below.

Map of Major San Francisco Rail Projects



4th and King Yard Preparation

The DTX project has identified the need for substantial work to occur in Caltrain’s right-of-way at the 4th and King railyard prior to and during the project’s main civil construction. It is required to connect the above-grade Caltrain mainline to the new tunnel serving a new, underground 4th and Townsend station and the remainder of the DTX. This work is referred to as “4th and King Yard Preparation”, formerly known as Mainline and Terminal Work. It includes track realignment, utility relocation, building relocation, and other site work at the railyard. Caltrain is overseeing design work commissioned by TJPA to advance this sitework. The design is incorporating a multi-stage construction program to allow Caltrain to maintain continuous operations during the construction period.

In March 2023, the Caltrain Board approved the Memorandum of Agreement (“MOA”) to authorize reimbursement from TJPA to Caltrain for oversight of the design of the 4th and King Yard Preparation. TJPA anticipates reaching a 30% design level by January 2024, which will provide a more comprehensive understanding of the operational and cost implications of the sitework. The Interim Agreement recently approved by JPB and the TJPA Board of Directors indicates that an agreement focused on the 4th and King Yard Preparation will be developed and presented to both boards for consideration in 2024.

Railyards Preliminary Business Case

The San Francisco Railyards Preliminary Business Case (“Railyards PBC”) is a partnership between Prologis (as property owner) and Caltrain (as holder of a perpetual transportation

operating easement) to explore the potential for a public-private partnership to redevelop the 4th and King Railyards. This redevelopment would include upgraded rail and passenger facilities, along with significant commercial development. The Railyards PBC will provide a structured, evidence-based framework to evaluate development concepts using goals, objectives, and evaluation criteria identified for the SF Railyards site. The project team is also working to better understand future operations, storage, and maintenance needs around the 4th and King/future 4th and Townsend station areas. This includes identifying service needs, vehicles, and maintenance facility assumptions in alignment with the potential timing of future development. Finally, the team is conducting a phasing analysis to assess the viability of a first phase development project that could proceed in parallel with DTX construction.

California High Speed Rail

The California High Speed Rail Authority (“CHSRA”) is responsible for the planning, design, construction, and operation of a high-speed rail system that will connect the mega-regions of the state. Between San Francisco and San Jose, the CHSRA’s trains will share the rail corridor that is primarily owned and operated by Caltrain. DTX will extend both Caltrain and future high-speed rail service to Salesforce Transit Center. CHSRA is a DTX project partner: the agency was added to the TJPA Board in 2017 and serves on the project’s Executive Steering Committee (“ESC”). CHSRA is supporting efforts to complete technical work and secure funding to build the DTX. They are closely involved in the analysis of the DTX infrastructure requirements to ensure it aligns with CHSRA’s design and service requirements.

Pennsylvania Avenue Extension

The Pennsylvania Avenue Extension (“PAX”) is a proposed grade separation of the existing at-grade rail crossings at 16th Street and Mission Bay Drive, intended to facilitate travel to the Mission Bay District. The PAX project, led by San Francisco County Transportation Authority (SFCTA), is in the early planning stages and would occur after DTX. The DTX tunnel design includes a below-grade tunnel stub box at the west end of the Caltrain railyard to connect to the future PAX tunnel extension, which would extend south of the DTX tunnel past the existing railyards, generally following the alignment of Pennsylvania Avenue. Caltrain staff continues to stay engaged in the PAX project as work progresses.

Link21

Led by BART and the Capitol Corridor Joint Powers Authority, Link21 is a program of projects to integrate and improve the connections between BART and regional rail systems in Northern California. A major project within the Link21 Program is a new transbay passenger rail crossing between Oakland and San Francisco. In Spring 2024, the program will recommend that the crossing will be either a regional rail (standard gauge) crossing or BART crossing. Link21 has developed six draft concepts for the new transbay crossing through data gathering, technical studies, a market analysis, and public and stakeholder input. Four of the concepts are focused on providing a standard gauge rail crossing, and two include a new BART crossing. All the regional rail concepts provide a direct connection to the eastern end of the train box in the Salesforce Transit Center, using existing knock-out panels similar to those that will allow the DTX to reach the western end of the Transit Center. This would convert the Transit Center from

a stub-end station to a through-running station. Link21 currently envisions opening a transbay crossing for service as early as 2040.

Caltrain staff meets with Link21 program leadership on a monthly basis, to support our partner's work and to ensure that the interests of the JPB are represented during the planning phases of the project.

Budget Impact

This informational item has no impact on the budget.

Prepared By: Gwen Buckley

Principal Planner

650-722-6827

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Deputy Chief, Caltrain Planning
Subject: **Diridon Station Business Case Update**

<input checked="" type="checkbox"/> Staff Coordinating Council Reviewed	<input type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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Purpose and Recommended Action

This report includes an informational update that requires no action by the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB” or “Caltrain”). At the March 29 Caltrain AMP Committee meeting, staff presented an overview of the Diridon Station Business Case scope and timeline and introduced the approach to the governance work as part of the Business Case. The purpose of this informational report and accompanying presentation is to share progress on the Diridon Station Business Case since the March update, including initial findings on the governance assessment.

Discussion

Caltrain, the City of San José, the Metropolitan Transportation Commission, Santa Clara Valley Transportation Authority (VTA), and the California High-Speed Rail Authority (Partner Agencies) are working together on the Diridon Station Business Case to plan for the transformation of San Jose’s downtown transit hub.

Background

Diridon Station is integral to California’s transportation network. It currently serves Caltrain, Capitol Corridor, Altamont Corridor Express (ACE), and Amtrak passenger rail, as well as VTA light rail and bus services. It is also a key part of planned and expanded services in the region, including new California High-Speed Rail and Bay Area Rapid Transit (BART) service, as well as the service expansion of Caltrain, Capitol Corridor, and ACE. To effectively accommodate such planned activity and future service needs, the station must be reconfigured to provide adequate capacity, functionality, and interconnectivity for passengers to easily use the new and expanded services alongside the existing.

In 2020, the Diridon Integrated Station Concept (DISC) process produced the Concept Layout, which is a spatial vision for future Diridon station redevelopment. For the Concept Layout to be realized, a series of separate but interrelated capital projects (i.e., Program of Projects) would also need to be carried out. The most significant of these are: (1) a potential relocation of the Caltrain Maintenance Facility (CEMOF); (2) potential modifications to the historic station; and (3) a potential relocation/reconfiguration of PG&E Substation A, which is within the footprint of

the Concept Layout. Each of these would be considered a major project on its own. Given the complexity, cost, and time required to carry out this Program of Projects, a central focus of the Business Case is to reexamine the feasibility of the Program of Projects and better understand costs, risks, and potential implementation strategies.

Business Case Update

Caltrain is leading the Partner Agencies in a Business Case to inform decision-making and help define a feasible, fundable, and implementable program that can be advanced to the environmental phase of study. The Business Case will identify the current status of the contingent and adjacent projects in the Program of Projects to define the scale of the Concept Layout relative to cost and schedule, priorities, and tradeoff considerations.

Since the project kicked off in early 2023, the Partner Agencies have agreed on a problem statement, vision statement, and have updated project goals and objectives to form the foundation of the project's evaluation process. The evaluation criteria are currently under development and will be used to compare program alternatives against a set of base case project investments to ascertain the costs of infrastructure elements, quantify measurable benefits, assess investment tradeoffs, and establish a value proposition for investment. As part of the alternative development, the Business Case team is also assessing the constraints and opportunities of the Program of Projects.

The Business Case is also exploring a range of potential organizational and governance options for future phases of the program, from planning to implementation and operation. The work is evaluating the advantages and disadvantages of existing and new organizational types and analyzing how the Partner Agencies' existing assets and capacities align with the program needs. Some initial findings indicate that the Partner Agencies have the authority and experience necessary to deliver planning and environmental-related tasks for a Diridon station redevelopment. However, funding is a significant constraint and there is no single agency focused on and accountable for program advancement. A formal decision-making structure would help solidify Partner relationships, oversight, and funding expectations. The next step for the governance assessment is to identify specific governance options and implementation considerations, including decision-making frameworks for all phases of project development.

The Business Case is currently on target to narrow a list of program alternatives to two and deliver a governance recommendation by the summer of 2024. If funded, the second phase of the Business Case will then commence with six months of additional analysis to deliver a full business case for the "best" program. This will include the economic and strategic case for the program as well as a financial and deliverability analysis.

Budget Impact

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

Prepared By:	Gwen Buckley	Principal Planner	650-722-6827
	Melissa Reggiardo	Manager, Caltrain Planning	650-868-9925