

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

Minutes of June 1, 2023

Members Present: P. Burt, R. Mueller, R. Medina, S. Heminger, S. Walton, M. Zmuda,
D. Davis, J. Gee

Members Absent: C. Chavez

Staff Present: M. Bouchard, J. Harrison, T. Bartholomew, S. Bullock, C. Fromson,
K. Kelly, D. Seamans, M. Tseng

1. Call to Order / Pledge of Allegiance

Chair Jeff Gee called the meeting to order at 9:00 am and Director Heminger 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: Public Employee Performance Evaluation (Gov. Code § 54957(b)(1)) Title: Executive Director

5. General Counsel Report – Report Out from Above Closed Session

Chair Gee stated there were no reportable actions.

*The Board convened in closed session at 9:01 am
The Board reconvened in regular session at 10:00 am*

6. Public Comment for Items Not on the Agenda

Jeff Carter commented on adjusting the length of trains during special events, observed train 237 was standing room only on Memorial Day, and mentioned the Pride Parade occurring later in the month.

Doug Delong, Mountain View resident, commented on the appearance of the joint Zoom meeting locations and improving the video.

Aleta Dupree commented on the electrification infrastructure at Fourth and King station and referenced her experience with riding Capital Corridor and their open payment pilot program.

Adina Levin, Friends of Caltrain and Seamless Bay Area, commented on the open payment feature with Clipper 2.0 to be released next year, opportunity to dovetail with promotion of electric trains, and promotional signage for airport riders.

7. Report of the Executive Director

Ms. Bouchard's report included the following:

- Strengthening the safety culture with the core value of "Safety First and Always"; Executive Safety Committee to develop health and safety policies
- Provide more KPIs (key performance indicators) in safety reporting to be included in Executive Director's report and work on expanding the foul zone of the railroad
- Summer of Caltrain - three-month promotion for rider appreciation and to promote ridership
- Requested APTA (American Public Transportation Association) for external expertise and peer review around rail activation readiness
- Rolled back June's planned fare increase for six months

Ms. Bouchard introduced Leo Quinn, Chief Executive Officer (CEO) for Balfour Beatty Infrastructure, Inc. Chair Gee welcomed Mr. Quinn and noted he will join in person in June.

Mr. Quinn commented on being intimately involved with the project, supported Ms. Bouchard's comments on safety as a priority, and provided assurance around the project schedule.

The Board members thanked Mr. Quinn and his team for reviewing previous Board meeting videos concerning the project and bringing the project back on track. Mr. Quinn mentioned arriving in person on June 13 to review work.

8. Consent Calendar

8.a. Meeting Minutes of May 4, 2023

8.b. Capital Projects Quarterly Status Report – 3rd Quarter Fiscal Year 2023 Robert Barnard

8.c. Authorize the Executive Director to Execute a Service Agreement (Agreement) with the City of Palo Alto for Activities Undertaken in Support of the Connecting Palo Alto Project* - *Approved by Resolution 2023-36*

8.d. Accept Statement of Revenues and Expenses for the Period Ending April 30, 2023

8.e. Adoption of Revisions to the JPB Procurement Policy - *Approved by Resolution 2023-37*

8.f. 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 2023-38*

8.g. Approve Exclusive Negotiating Agreement and Agreement for Comprehensive Planning and Exchange of Easements with IQHQ at the South San Francisco Caltrain Station* - *Approved by Resolution 2023-39*

8.h. Authorization of the Application for and Receipt of Annual Cap and Trade Funding for Ridership Recovery Service Enhancement - *Approved by Resolution 2023-40*

- 8.i. Authorize Execution of Contracts and Amendments for Information Technology Licenses, Maintenance Services and Professional Services, and Technology-Related Products and Services Through Piggyback Contracts and Cooperative Purchasing Programs* - *Approved by Resolution 2023-41*
- 8.j. State and Federal Legislative Update and Approval of Legislative Proposal: Support AB 557 (Hart) and Support AB 1377 (Friedman)
- 8.k. Authorize Execution of Agreement with San Mateo County Transit District in Connection with Bus Bridge Services for the Caltrain Peninsula Corridor Electrification Project (PCEP) 2023 Weekend Closures** - *Approved by Resolution 2023-42*

James Harrison, Legal Counsel, noted that the three Caltrain Board Directors are also on the SamTrans Board, and therefore, disclosed non-interest for the purposes of conflict-of-interest law and noted that these Board Directors are eligible to vote on item 8.k.

Motion/Second: Davis/Walton

Ayes: Burt, Heminger, Medina, Mueller, Walton, Zmuda, Davis, Gee

Noes: None

Absent: Chavez

9. **Recognizing Lesbian, Gay, Bisexual, Transgender and Queer Pride Month and Reaffirming a Commitment to Diversity, Equity, Access, and Inclusion** - *Approved by Resolution 2023-43*

Tasha Bartholomew, Media Relations Manager, provided highlights from the resolution that included the following:

- Chalk muralist to work on Pride mural at Fourth and King Street Plaza in San Francisco
- Caltrain to advance equity, diversity, and inclusion in its policies, programs, and practices

Public comment

Jeff Carter noted Pride Parade at the end of the month, referenced last year's event where Millbrae station parking lot was filled, and commented on a presential candidate, Ron DeSantis.

Aleta Dupree commented on the importance in full inclusion and expressed full support.

Director Gee asked for the date of chalk art. Ms. Bartholomew responded that work should begin before the Pride Parade, and she will notify Board with exact date.

Motion/Second: Zmuda/Davis

Ayes: Burt, Heminger, Medina, Mueller, Walton, Zmuda, Davis, Gee

Noes: None

Absent: Chavez

10. Approval of Revised Settlement Authority Policy for General Liability Claims - Approved by Resolution 2023-44

James Harrison, Legal Counsel, provided the presentation on the recommendation that was referred from the Caltrain Finance Committee, which included the following:

- Background, current policy limits, and revised to \$100,000 to align with SamTrans settlement authority
- Proposed changes – authorize Executive Director (ED) to settle claims up to \$100,000

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

- Reasoning for proposal to exempt the Executive Director, Chief Financial Officer, and General Counsel
- Clarify when individuals are named in any claims and reason to keep current limit as is

Motion/Second: Zmuda/Davis

Ayes: Burt, Heminger, Medina, Mueller, Walton, Zmuda, Gee

Noes: Davis

Absent: Chavez

11. Adopt Fiscal Year 2024 and Fiscal Year 2025 Proposed Operating and Capital Budgets - Approved by Resolution 2023-45

Michelle Bouchard thanked and introduced Kathleen Kelly, interim Chief Financial Officer, for her service since this would be her last Board meeting. Ms. Kelly provided the presentation, which included the following:

- Main change since the May Board meeting was policy-wise for half a million dollars in revenue from VTA (Santa Clara Valley Transportation Authority) to cover the cost of the fourth train to Gilroy and Measure RR funds needs decreased for FY (fiscal year) 2025
- Farebox and parking revenues and GoPass in FY2023 stayed high
- FY 2025 Farebox revenue trend up with GoPass revenue as a significant source
- Parking revenue trend upwards as with fare revenue and looking at strategies
- FY2024 and FY2025 Expenses – administrative cost changes due to ten new FTE (full-time equivalent) on operating side related to planning, electrification, and safety and system engineering support
- Capital budget requests focused on capital expense requests, current unprogrammed balances for reprioritization, and capital commitments from all three funding partners for \$5 million dollars and prioritize programs to match available funding
- Projected funding sources – three-member agency contributions confirmed
- Capital Reserve Policy and proposal for Capital Endowment Fund to go to the Board in future

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

- Differences in costs between fuel and electricity and securing the best electrical rates
- Timing for review of the reserves for capital projects and operations and capital endowment plan proposals
- Two-year budget balanced and ability to contribute to reserves, capital deferral to achieve balancing, and potential future consequences
- Use of Measure RR funds operating expenses, proposal for Capital Endowment Funds, and CIP (Capital Improvement Plan) development
- Need for the State Legislature to take concerns of current financial conditions seriously and the need for funding for state of good repair

Public comment

Jeff Carter reiterated PG&E (Pacific Gas and Electric Company) rates are high, recommended exploring SFPUC (San Francisco Public Utilities Commission) for electricity service, and commented on the importance of state of good repair.

Aleta Dupree spoke in support of Measure RR funding and possible funding from the State and referenced the City of New York electricity funding for their transportation system.

Adina Levin expressed appreciation for a two-year balanced budget, three counties providing capital funding, 22nd Street project not included in list, and concern for the use of Measure RR funds for the operating budget.

Adrian Brandt commented on level boarding, high electricity costs, new trains have regenerative braking, and fare study to get distanced base equitable fares.

Motion/Second: Heminger/Walton

Ayes: Burt, Heminger, Medina, Mueller, Walton, Zmuda, Davis, Gee

Noes: None

Absent: Chavez

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

Sherry Bullock, Program Director of CalMod Program, provided the presentation which included the following:

- Project highlights – project eleven months for completion, findings for short circuit tests, safety and security update, project contingency, and shared risk pool
- Top Risks – increased crew size for wiring crew, subcontractor onsite to increase regulation work, and focusing on traction power

Casey Fromson, Chief Communications Officer, presented on the following:

- Current and future weekend shutdowns August through December and regular service other weekends with big events including the Bay to Breakers
- Communication to public on what to expect
- Public electric train tour at Diridon Station on July 29th with additional tours in Fall 2023

Keith McCoy, Senior Vice President of Operations and Program Director, Balfour Beatty Infrastructure Inc. (BBII), presented on the following:

- May highlights – working on solutions together and June targets and focus areas
- OCS (Overhead Catenary System) progress - at 104 percent of overall plan; OCS interim milestone management; TPS interim milestone management and being accountable

The Board clarified with staff that assessments will be made for having longer trains when there are large events (such as Giants games, expressed appreciation for the updates, and looked forward to a future in person meeting with the BBI CEO on June 13th.

Public comment

Aleta Dupree commented on the remaining eleven poles to complete and referenced BART (Bay Area Rapid Transit) buying electricity in open market.

Adrian Brandt expressed support for the prior speaker's comment on checking with BART for their electricity purchases. He also commented on the wireless crossing optimization system and two-speed check activation increased downed gate times.

Doug DeLong expressed appreciation for the details on short circuit testing.

Adina levin commented on the construction progress and the procurement and installation of software for electronic schedule communication, such as in google maps, to riders.

The Board members had a discussion and staff provided further clarification in response to the following Board comments and questions regarding the regulation status in OCS progress since the last meeting and reviewing state of construction on June 13th.

13. Update on Implementation of Governance Memorandum of Understanding (MOU)

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

- Background, MOU Terms (appointment of its own Executive Director, five new direct reports and managing agency role), and negotiated shared services agreement
- MTC
- Timeline for negotiation of amendments, ongoing discussions, indemnification, and Managing Agency role to support JPB through partial or fully shared services
- MOU terms included the following:
 - MTC (Metropolitan Transportation Commission) has paid \$12.6 million to the SMCTD (San Mateo County Transit District) and has allocated the remaining \$7 million for payment expected this summer (for a total \$19.6 million)
 - City/County of San Francisco (CCSF) and VTA to compensate SMCTD for \$15.2 million for its initial investment by August 4th
 - Revision of the RPOA (real property ownership agreement) – parties to continue efforts to reach agreement
 - Shared Services Agreement – parties have been meeting to discuss terms

- Authority of Caltrain ED (Executive Director) has authority over Rail Division employment decisions subject to compliance with SMCTD's policies

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

- Codify the MOU through supplement to SamTrans employment policies so the role of Executive Director over the rail division and employees are spelled out
- Clarification of two triggers – MTC's payment triggers the presentation of a revised real property ownership agreement

Public comment

Aleta Dupree referenced BART, Metrolink, and a JPA (joint powers authority) regarding managing agencies and wants SamTrans and Caltrain to work together to implement the MOU.

Director Walton left at 11:34 am

14. Reports

14.a. Report of the Citizens Advisory Committee

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

- Three positions open for reappointment or new member(s)
- Distanced based fares – understand staff's position and the equity point to make it more accessible for low-income and minority riders
- Customer issues at Bayshore Station with inconsistent messaging on where to get off trains, riders being overcharged, and need for printed schedules
- Impacts of tree removals during storms
- PG&E (Pacific Gas and Electric Company) electricity sourcing
- Fare enforcement update - data needed to understand patterns and effectiveness of the process, revenue from citations and transit, and police response times
- Cameras at crossings with intrusion detection would notify police but would not stop intruders climbing through holes in the fence
- For June, update on whistle microphones, two-speed checks, and corridor crossing strategies

14.b. Report of the Chair

Chair Gee provided the following updates:

- Ongoing talks with BART (Bay Area Rapid Transit) on the 20-minute frequency schedule change
- Quality of life issues affecting transit properties and request for future update

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

Director Burt provided an update on LPMG discussions, which included the following:

- The May in-person workshop was highly valued by participants, focused on corridor-wide crossing strategy; they broke up into working groups based on geography and discussion included sharing different experiences, priorities/challenges for grade separations, and problem solving
- LPMG as a vehicle to help cities understand how to drive ridership and how to include cities and towns that may not physically touch corridor to hear their voices and interests too

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

Chair Gee reported on the following:

- Budget completed and he thanked member agencies for their financial contributions
- Chair of TJPA appointed an ad hoc committee to assist their Executive Director on the Master Cooperative Agreement

Vice Chair Davis left at 12:15 pm

Director Burt commented on level boarding, its effects on performance, and suggested further Board consideration due to its impact on system-wide performance.

Public comment

Adina Levin commented on level boarding, the Downtown Extension Portal project, TJPA update, and advocacy at the state level for fiscal gap funding for operational challenges.

Adrian Brandt commented on the level crossing strategy and including train horn quiet zones as part of that strategy since that is a benefit of grade separations.

Aleta Dupree commented on level boarding, referenced experience riding Capital Corridor, and spoke in support of more accessibility for those with mobility challenges.

Jeff Carter cited example with a bridge at Candlestick Park with stairs at the end that slowed people down. He noted that when a ramp was installed, it easier and quicker without people having to step up or down and similar to level boarding.

15. Correspondence

Chair Gee noted the correspondence was available online.

16. Board Member Requests

There were no Board Member requests.

17. Date/Time of Next Regular Meeting: Thursday, August 3, 2023 at 9:00 am.

18. Adjourn

Meeting adjourned at 12:21 pm