

Amended to add item in red below, pages 46 to 56, as of 03/06/2024 at approx. 11:15 am



JPB Board of Directors
Meeting of March 7, 2024

Supplemental Reading File

<u>#</u>	<u>Subject</u>
1	Receive 2023 Caltrain Sustainability Report
2	Receive an Update on Diridon Station Business Case
3	Receive Fiscal Year 2024 Quarter 2 Capital Program Quarterly Report
4	Receive Update on Rail Activation Progress
5	Receive Update on San Francisco Railyards Preliminary Business Case
6	State and Federal Legislative Update
7	Receive Update on Crossing Optimization Project thru January 2024
8	Approval of Second Amendment to Ground Lease with HPS-San Mateo LLC
9	SB 925 text as of 3-5-24
10	SB 926 text as of 3-5-24
11	Update on Energy Procurement Strategy (EPS)

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Chief Caltrain Planning
Subject: **Receive 2023 Caltrain Sustainability Report**



Finance Committee
Recommendation



Technology, Operations, Planning,
and Safety Committee
Recommendation



Advocacy and Major Projects
Committee Recommendation

Purpose and Recommended Action

This report provides an informational summary of the 2023 Caltrain Sustainability Report that details Caltrain’s sustainability performance for fiscal years 2021 and 2022.

Discussion

Sustainability is a driving principle at Caltrain, both as an organization and a transit provider for the counties of San Francisco, San Mateo, Santa Clara, and the wider San Francisco Bay Area. Since the publishing of its first sustainability report in 2017, Caltrain has continued to improve its environmental performance, increasing efficiency in all tracked indicators. And with the imminent debut of electrified service later this year, greenhouse gas (GHG) and criteria air pollution (CAP) emissions will be reduced further than ever before.

Caltrain gauges the success of its sustainability program through the American Public Transportation Association (APTA) Sustainability Commitment Program. This program sets forth minimum thresholds Caltrain must meet to attain its certification level, currently silver. Caltrain tracks its sustainability performance quantitatively year-round and reports it to APTA to maintain its certification. The sustainability program also reports organizational performance (also required by APTA) biennially for public and stakeholder review. Starting in FY2024 Caltrain is launching a Strategic Sustainability Plan to help prioritize Caltrain’s specific sustainability actions going forward. This Plan will facilitate a process establishing organizational sustainability targets and goals in addition to those required by APTA.

This report, the Caltrain 2023 Sustainability Report, will be found at Caltrain’s Sustainability page [<https://www.caltrain.com/about-caltrain/sustainability>] and documents its progress for fiscal years 2021 and 2022. Given the unprecedented disruption created by the COVID-19 pandemic, staff examined Caltrain’s performance through pre- (FY2019) and post-pandemic (FY2022) lenses to extract more informative trends. When compared head-to-head, Caltrain achieved almost across the board reductions in all key performance indicators (KPIs) in the face of a global disruption, as detailed in the table below:

KPI	FY2019	FY2020	FY2021	FY2022	FY19–FY2022 % Change
GHG Emissions (MTCO ₂ e-Metric Tons of Carbon Dioxide Equivalent)	43,253	40,411	34,341	43,178	-0.2%
Criteria Air Pollution (tons)	804	755	641	814	1.2%
Facility Energy Use (kBtu)	26,561,511	23,039,505	23,824,798	20,114,212	-24.3%
Water Use (gallons)	14,780,343	14,533,797	17,941,372	14,215,769	-3.8%
Generated Waste (tons)	512	480	442	433	-15.4%

Reviewing generated greenhouse gas (GHG) emissions, Caltrain recorded a 0.2% decrease in FY2022 compared to FY2019. Caltrain produced slightly less emissions while also providing more overall service. Another KPI of interest is criteria air pollutants (CAPs), a byproduct of diesel fuel combustion and harmful to humans in significant concentrations, which increased 1.2% over this span. The organization continues to be efficient in how it powers and heats its facilities, reducing facility energy use by over 24%. Replacing older lightbulbs with more efficient, longer-lasting light emitting diode (LED) models helped reduce electricity usage almost 24% over this period. Conducting regular inspections of the boiler at CEMOF, the largest natural gas user, has improved operations and resulted in a 42% decrease in demand. Finally, Caltrain continues to make progress on reducing its waste footprint, recording a decrease in generated waste of over 15%.

Looking forward, Caltrain’s environmental impacts will be significantly reduced:

- Caltrain’s revenue fleet generates almost 99% of its GHG emissions; the transition to a majority electric multiple-unit (EMU) fleet will eliminate associated exhaust emissions.
- Air pollution will decrease substantially as much of the current diesel locomotive fleet is retired and replaced with EMUs.
- Future sustainability priorities and goals will be established and honed through the Strategic Sustainability Plan.
- Climate change and its effect on the Caltrain corridor (fleet, assets, operations, and customers) will be analyzed to mitigate impacts today and in the future.

Budget Impact

This informational item has no impact on the budget.

Prepared By:	Bo Baney	Principal Environmental Planner	(650) 508-7792
	Amelia Timbers	Environmental and Sustainability Planning Manager	(650) 508-7713

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Supervisors
Through: Michelle Bouchard, Executive Director
From: Marian Lee, Diridon Station Project Director
Subject: **Receive an Update on Diridon Station Business Case**



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 (“Caltrain”). The purpose of this informational report and accompanying presentation is to share progress on the Diridon Station Business Case since the previous update at the December 20, 2023, AMP meeting.

The report focuses on key station components that are critical to station design and explains how they fit into early station design concepts, with the intention of providing insight into the complexity, challenges, and tradeoffs of designing a station. The December AMP update focused on the historic station building as a key station component. This report provides an update on the remaining station components:

- Retail and commercial corridors
- Connection to Bay Area Rapid Transit (BART) Silicon Valley (BSV)
- VTA Light Rail Transit (LRT)
- Airport Connector
- Bus layover and pick-up/drop-off
- PG&E substation
- Caltrain’s maintenance facility

This report also includes an update on the governance work to set up an integrated project team to advance the planning and environmental phase and to prepare the project for delivery.

Staff shared this information with the Diridon Joint Policy Advisory Board (JPAB), which is staffed by the Santa Clara Valley Transportation Authority (VTA), on February 14, 2024. The JPAB provides policy guidance on Diridon Station area matters.

Discussion

Background

Caltrain, VTA, the City of San José, Metropolitan Transportation Commission (MTC), and the California High-Speed Rail Authority (CHSRA) (Partner Agencies) are working together on the

Diridon Station Business Case to plan for the transformation of San Jose’s downtown transit hub. 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 LRT and bus services. Diridon Station must also accommodate planned and expanded services in the region, including new California High-Speed Rail (CAHSR) and BART service, as well as expanded service for Caltrain, Capitol Corridor, and ACE. To effectively accommodate planned activity and future service needs, the station must be reconfigured, expanded, and upgraded to provide adequate capacity, functionality, and interconnectivity for passengers.

In 2020, the Diridon Integrated Station Concept (DISC) process produced the original Concept Layout, which is a spatial vision for future Diridon station redevelopment. Building on this concept, the Partner Agencies are developing more detailed station design alternatives through a Business Case process to better understand costs, benefits, risks, and potential implementation strategies. The Business Case seeks to develop alternatives to the original Concept Layout that provide much of the benefit with reduced impact and costs.

The first phase of the Business Case, which is targeted for completion by summer 2024, will identify two station design alternatives to discuss with the community at-large. In the next phase of work, the Partner Agencies will work with the community, further advance technical work, identify a preferred alternative, obtain environmental clearance, and develop a funding strategy for project delivery.

Station Design Alternatives

The alternatives development process is anchored to providing transit infrastructure needed to support future planned service levels at Diridon Station and to optimize the passenger experience. Three station design alternatives are currently being developed and technically evaluated:

- Elevated Station (Improved Concept Layout)
- At-Grade Station
- Stacked Station (Bi-Level)

The station design alternatives are currently at a conceptual level because the transit infrastructure analysis is not yet complete. However, these concepts provide context to how the individual station components, described below, can fit together.

Station Components

The project team has evaluated the following station components: retail and commercial corridors, a connection to Bay Area Rapid Transit (BART) Silicon Valley (BSV), VTA Light Rail Transit (LRT), Airport Connector, bus layover, pick-up/drop-off, the adjacent PG&E substation and Caltrain’s maintenance facility. Key findings are summarized below:

- Retail and Commercial Corridor: All station alternatives will provide well-placed commercial corridors with retail, restaurants, programmed space, and opportunities for both passengers and the public to gather.
- BSV Connection: VTA's BSV Project will extend BART service six miles from the Berryessa Transit Center into downtown San José, ending in the City of Santa Clara. It will include a

station in the Diridon area, located on the east side of the Caltrain tracks and directly south of Santa Clara Street. The Business Case team is coordinating with VTA BSV to ensure all station alternatives regardless of profile or elevation can forge a direct connection to BART, which is of utmost importance considering forecasted intermodal transfers. Pedestrian modeling will help identify time-saving benefits and costs of such a connection.

- LRT Station Location and Alignment: The LRT line traverses Diridon Station through a tunnel, with at-grade platforms on the west side of the station. All station alternatives will require some modification to LRT potentially including modifications to the tunnel, alignment, grade, and the station location to accommodate heavy rail infrastructure and improve intermodal connections.
- Airport Connector Location and Alignment: The City of San Jose is pursuing a personal rapid transit system through a public private partnership to provide a connection between Diridon Station and the Mineta San José International Airport. The Diridon Business Case station alternatives are considering two potential locations for the Airport Connector's connection to Diridon station: one on Cahill Street that is assumed to be stub-end and one on White Street that could enable a future extension.
- Bus Service and Pickup/Drop-off Location: Currently, the bus layover facility and pick up/drop off are located on the east side of the station. The station alternatives will prioritize keeping bus service on Santa Clara Street through a relocation of the layover facility to Santa Clara Street and Stockton Avenue. The designated pick up and drop off location will be adjacent to the bus layover facility, and both will provide a direct pedestrian connection to the station concourse and platforms.
- PG&E Substation: A PG&E substation is located adjacent to Diridon Station and restricts expansion of the rail infrastructure. The Business Case team is confirming the extent that some alternatives may encroach into the PG&E substation site and whether the facility could be rebuilt as a more compact substation on the same site. Further coordination with the City of San Jose and PG&E is necessary.
- Caltrain Maintenance Facility (CEMOF): The original Concept Layout suggested relocating CEMOF because the elevated tracks were not able to come back down to grade to connect to the facility. A UPRR grade variance could help with keeping CEMOF in place for elevated alternatives but is a significant project risk in terms of negotiating timeframes and costs. Thus, the Business Case team is investigating design solutions that avoid relocation and a UPRR design variance. Separating a CEMOF relocation or upgrade from the Diridon redevelopment project would help control cost.

Over the next few months, the project team will complete the transit infrastructure analysis and track/platform design, integrate the station components, and produce three optimized station design alternatives (elevated, at-grade, stacked). The alternatives will be presented at the May AMP meeting.

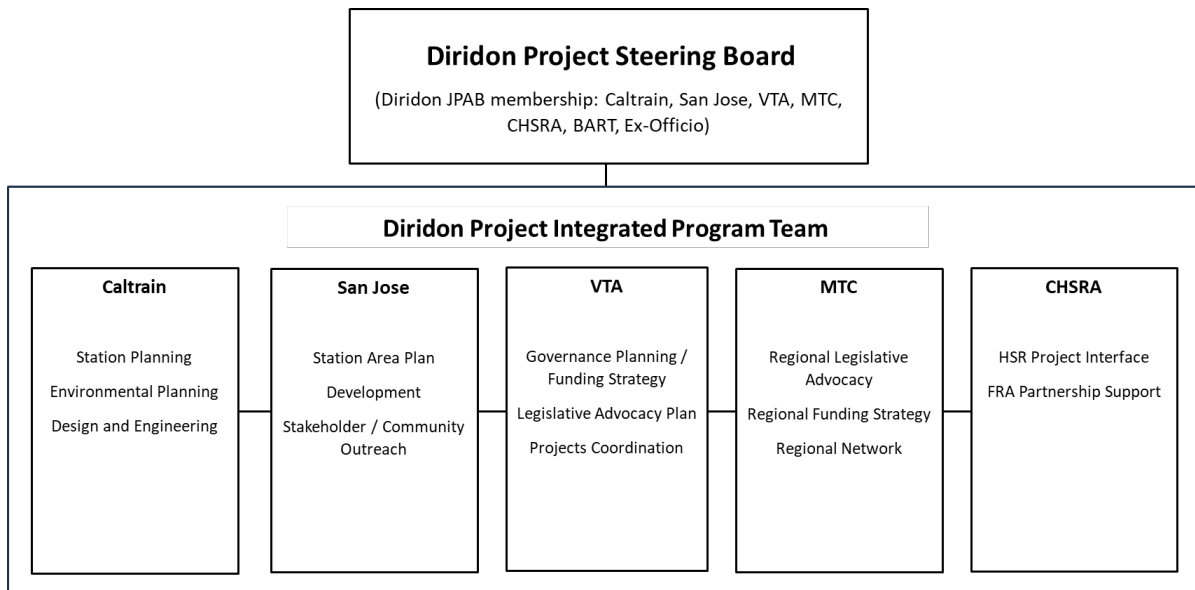
Governance Update

The project team has a clear goal of advancing the Diridon project from concept to delivery. To do this, it is critical that the organization of the project team is structured for success. There is consensus among the Partner Agencies to focus on two concurrent organizational efforts. The

first is to set up an Interim Integrated Program Team for the planning and environmental review phase of the project that includes clarity on the roles and responsibilities for the Partner Agencies. The second is to identify a long-term governance structure that will ensure project funding and delivery. This report is focused on the Interim Integrated Program Team proposal. Long-term governance options will be discussed at the May 2024 AMP meeting.

Although the Project Partners are currently working together closely, the project team organization needs to be restructured for the next phase to better define the agencies' roles and responsibilities. A restructuring will enable better decision-making and accountability and will support the project's advancement to funding and delivery. Unstructured partnerships are difficult to sustain and will slow progress.

The recommended Interim Integrated Program Team is below.



The intent of this structure is to clearly define the roles and responsibilities of the Partner Agencies. Caltrain, as the rail station and right-of-way owner, will lead the station and environmental planning for the project. The City of San Jose, as the local agency with land-use authority, will lead implementation of the station area plan, land use development decisions, and community partner and at-large outreach. VTA will lead the long-term governance and funding plan strategy, legislative advocacy plan, and project coordination in the station area, which aligns with VTA's role as the transportation authority for the County of Santa Clara. MTC, as the regional Metropolitan Planning Organization, will lead regional legislative advocacy and funding, and regional network coordination. Lastly, CHSRA will lead the high-speed rail project interface and support advancing the project through the Federal Railroad Administration partnership program.

The proposed Integrated Program Team is composed of staff/consultants from the Partner Agencies and will report to a strengthened Diridon JPAB, which is referenced as the Diridon Station Steering Board in the organization chart above. The JPAB currently functions as a policy advisory board (established by VTA) that meets quarterly to discuss transportation matters in

the Diridon Station area. It is recommended that the JPAB be redefined to steer the Diridon Station Project. The JPAB composition and scope of responsibility should allow more oversight capability to guide the Integrated Program Team and inform Partner Agency boards.

Next steps include developing a specific proposal regarding the Steering Board, preparing a Memorandum of Understanding (MOU) with clarity on the Integrated Program Team organization structure, as well as protocols for design review. The project team will develop a scope of work, budget, funding plan, staffing plan and identify a San Jose office for co-location of the Integrated Program Team for the next phase of work focused on community outreach and environmental planning. This information will be presented to AMP Committee in the summer.

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

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Robert Barnard, Chief, Rail Design and Construction
Subject: **Receive Fiscal Year 2024 Quarter 2 Capital Program Quarterly Report**

Finance Committee
Recommendation

Technology, Operations, Planning,
and Safety Committee
Recommendation

Advocacy and Major Projects
Committee Recommendation

Purpose and Recommended Action

Staff recommends the Board receives the Capital Projects Quarterly Status Report. It is being presented to the Board for informational purposes and is intended to better inform the Board of the capital program status. The full report and a summarized version are in the following link: <https://www.caltrain.com/about-caltrain/statistics-reports/quarterly-capital-program-status-report>.

Discussion

Staff prepares the Capital Projects Quarterly Status Report for the Board on a quarterly basis. The report is submitted to keep the Board advised as to the scope, budget, and progress of current ongoing capital projects.

Budget Impact

There is no impact on the budget.

Prepared By: Robert Cheung Deputy Director, Project Controls (650) 730-0296



Capital Program Quarterly Status Report and DBE Status Report



**2nd Quarter Fiscal Year 2024
(October to December 2023)**

Prepared for the March 07, 2024 Caltrain Board Meeting

Summary

Projects in Focus

Concerning (projects with red status lights)

1. 002088 - 25th Avenue Grade Separation

- **Schedule:** Project Closeout has been extended due to the impact of unanticipated environmental monitoring program and ROW survey. Project Manager to seek schedule re-baseline once the ROW survey scope is accurately defined.

2. 002146 - South San Francisco Station Improvement Project

- **Schedule:** UPRR track lost due to construction: Project is still addressing an obligation to Union Pacific Railroad (UPRR) to fund rebuilding of 4,200' of yard track that UPRR lost, due to construction of this project. As an alternative, UPRR will consider a monetary settlement with Caltrain to close out the obligation.

3. 100233 - MP-36 Locomotive Mid-Life Overhaul

- **Schedule:** The schedule has been delayed due to part availability. Alstom is working with multiple vendors to procure the parts needed.

4. 100240 - Ticket Vending Machines (TVM) Rehab

- **Schedule:** Phase 5 completion date has been extended due to contemplating a change order to reduce the number of TVMs to be upgraded in order to replace the chips in the TVMs that were upgraded in Phase 2 & 3. Project Manager to seek approval for Gate 6 & 7 at the January 2024 Management Committee meeting.

5. 100244 - Broadway Burlingame Grade Separation

- **Schedule:** Delay due to right-of-way acquisitions and utility relocations. Right-of-way acquisitions and utility relocations are currently forecasted to delay construction relative to the prior baseline schedule. JPB staff is assessing options to mitigate this delay and will provide updates in future months.

6. 100430 - CCF BCCF Virtualization

- **Schedule:** Project Schedule extended as the current fiber strike situation severely postponed the implementation schedule. Project will go to the Management Committee for approval of Gate 6 and to request schedule re-baseline in May 2024.

7. 100439 - Bayshore Station Overpass Pedestrian Bridge Rehab

- **Schedule:** The project was delayed due to obtaining approval to close the East and West Towers for the Contractor to conduct painting operations through continuous days. The project obtained Board approval on May 4, 2023 for passenger shuttle services to complete the East and West Towers. Opening of the station held on Monday, August 7, 2023. Project Manager to seek approval for Gate 6 & 7 at the February 2024 Management Committee meeting.

8. 100667 - Bernardo Avenue Undercrossing

- **Schedule:** The schedule has been delayed due to a delay in the handoff of the project from Sunnyvale to Caltrain. Caltrain to coordinate with the City of Sunnyvale once 35% design and environmental clearance are completed by the City.

- **Budget:** The EAC is higher than the initial estimate. The City of Sunnyvale and VTA are working together to identify additional funds to complete the construction.

9. 100668 - Mary Ave Grade Separation

- **Schedule:** The alternatives analysis and community outreach has taken longer than originally expected. The City will hand over the project to Caltrain once the conceptual (15% plans) study is complete and a new service agreement is in place. Caltrain will explore potential options to accelerate the project including alternative delivery methods.

10. 100686 - Middle Avenue Undercrossing

- **Schedule/Budget:** Redesign delayed project schedule: Caltrain worked with Menlo Park staff to redesign the locally preferred alternative to relocate the undercrossing ramps outside the operating railroad right of way. Menlo Park City Council approved the revised design at its July 11, 2023 meeting and the City has provided Caltrain with an updated cost estimate. Project is transitioning to Caltrain to advance into final design. Additional alternatives analysis and price escalation are factors contributing to higher costs. Project will re-baseline schedule and budget during final design.

11.100617 - Mountain View Transit Center Grade Separation & Access Project

- **Schedule:** Delay due to need for analyzing Value Engineering options: 65%-95% design is on hold at this time, as the project is conducting "Value Engineering (VE)" to make the project more affordable. Work on revised costs and schedules incorporating potential Value Engineering solutions. City of Mountain View to present feasible options to its City Council Members for further directions. March/April 24 time frame is when the project will go back to Management Committee to proceed from 65% to 95% design along with, scope, budget, and schedule changes.

12. 100762 - San Francisquito Creek North Bank Restoration

- **Schedule:** Timing of a Section 404 permit from the U.S. Army Corps of Engineers (USACE) did not enable construction during the 2023 dry season. Construction of permanent bank stabilization has been postponed until the 2024 dry season. An updated project schedule and budget will be considered by the Management Committee in early 2024, prior to the implementation of the permanent stabilization project.

Watching (projects with yellow status lights)

1. 002113 - Guadalupe River Bridges Replacement and Extension

Funding - The approved funding plan for the project relies on multiple sources including State of Good Repair (SOG) Federal grants. The projected timing for receipt and activation of funds from each source is anticipated to support the ongoing progress and timely completion of the project. The "Funding" status light will remain yellow until FY25 funding appropriated by the Board in May 2024 is activated.

Safety: On 10/26/23, a 40-foot tree fell across the tracks during a tree felling operation due to inadequate controls. There were no injuries or impacts to operations. However, handrails on both sides of the Guadalupe River Bridge were damaged. Investigation, reporting, and lessons learned are in progress.

2. 100233 - MP-36 Locomotive Mid-Life Overhaul

-**Budget/Funding:** A potential budget shortfall has been identified. Team is actively tracking this item and will seek supplemental funding as part of the FY25 budget amendment if needed.

3. 100403 - Broadband Wireless Communications System

- **Funding:** The current activated funds are insufficient to cover the entire construction phase. The "Funding" status light will remain yellow until the remaining funds are activated.

4. 100410 - Whipple Avenue Grade Separation Study

- **Schedule:** The project is temporarily paused as Caltrain and City Staff discuss next steps. The scope of work for the next phase of the project is to be determined but will likely include additional planning work.

5. 100449 - Next Generation Visual Messaging Sign (VMS)

- **Funding:** Insufficient activated Funds to cover the entire construction phase. Activate the FY24 and FY25 approved budget.

6. 100522 - Watkins Ave Grade Crossing Safety Improvements

- **Schedule:** Additional time is needed by the contractor to finish the project because of the delay in receiving the light poles and to complete the punchlist. Project Manager to seek approval for Gate 6 & 7 at the January 2024 Management Committee meeting.

7. 100676 - San Mateo Replacement Parking Track

- **Funding:** Additional funding is required to be activated to cover construction phase of the project. The project went to the Management Committee in November 2023 to request transfer of \$1.5M from 25th Ave project to this project. Worked with SMCTA to request amendment to the grant term for the funds. Transfer of the funds is underway by Budgets.

8. 100684 - Mini-High Platforms




- **Schedule:** The remaining un-activated funds for the project relies on FY25 approved budget. Await for the funds to be activated in July 2024.

9. 100785 - 4th & King Yard Preparation (4KY)

- **Schedule:** The separation of the project into two packages caused the delay. The separation allows Package B to go through procurement of a CM/GC contract while Package A will continue with design for a DBB contract. We are working with TIPA to develop an agreed upon, joint project schedule. We can look into rebaselining the schedule when it is complete.

Performance Summary

Table S1. Projects in each status light by performance category

Status Light	Safety	Schedule	Budget	Funding
 Green	97.2%	58.3%	91.7%	83.3%
 Yellow	2.8%	8.3%	2.8%	16.7%
 Red	0.0%	33.3%	5.6%	0.0%

(Percentage of projects in each status light by performance category)

Table S2. Summary of project changes from previous quarter

Status Changes	Projects	Pct. Projects
All green	16	44.4%
Improved	1	2.8%
Got worse	9	25.0%
Stayed the same (except all green)	10	27.8%
Total Projects	36	

Note: Table S1 and S2 do not include projects with deferred funding.

Table S3. Individual Projects

Project Number	Title	Safety		Schedule		Budget		Funding		Page
		Q1	Q2	Q1	Q2	Q1	Q2	Q1	Q2	
CONSTRUCTION/IMPLEMENTATION										
ROW Bridges										
002113	Guadalupe River Bridges Replacement and Extension	●	●	●	●	●	●	●	●	7
100439	Bayshore Station Overpass Pedestrian Bridge Rehab	●	●	●	●	●	●	●	●	14
100762	San Francisquito Creek North Bank Restoration	●	●	●	●	●	●	●	●	19
Stations										
100761	Level Boarding Roadmap (Study)	●	●	●	●	●	●	●	●	25
ROW Grade Crossings										
100426	Churchill Avenue Grade Crossing	●	●	●	●	●	●	●	●	29
100522	Watkins Ave Grade Crossing Safety Improvements	●	●	●	●	●	●	●	●	32
100566	San Mateo Grade Crossing Improvements	●	●	●	●	●	●	●	●	35
ROW Communications & Signals										
100403	Broadband Wireless Communications System	●	●	●	●	●	●	●	●	40
100432	Migration to Digital Voice Radio System	●	●	●	●	●	●	●	●	44
100449	Next Generation Visual Messaging Sign (VMS)	●	●	●	●	●	●	●	●	47
100572	Communication System SOGR	●	●	●	●	●	●	●	●	50
Fare Collection										
100240	Ticket Vending Machines (TVM) Rehab	●	●	●	●	●	●	●	●	54
Miscellaneous										
100233	MP-36 Locomotive Mid-Life Overhaul Project	●	●	●	●	●	●	●	●	60
100430	CCF BCCF Virtualization	●	●	●	●	●	●	●	●	64
100445	Automatic Passenger Counters at San Francisco 4th & King Station	●	●	●	●	●	●	●	●	68
100676	San Mateo Replacement Parking Track	●	●	●	●	●	●	●	●	72
100684	Mini-High Platforms	●	●	●	●	●	●	●	●	75
DESIGN (includes Preliminary and Final Design, and Procurement)										
Grade Separations										
002152	South Linden & Scott Grade Separation	●	●	●	●	●	●	●	●	79
100244	Broadway Burlingame Grade Separation	●	●	●	●	●	●	●	●	82
100482	Rengstorff Grade Separation	●	●	●	●	●	●	●	●	86
100617	Mountain View Transit Center Grade Separation & Access Project	●	●	●	●	●	●	●	●	90
Stations										
100459	22nd Street ADA Improvement	●	●	●	●	●	●	●	●	95
ROW Bridges										
100759	San Francisquito Creek Bridge Acoustic Monitoring System	●	●	●	●	●	●	●	●	99
ROW Communications & Signals										
100614	Predictive Arrival/Departure System (PADS) Replacement	●	●	●	●	●	●	●	●	103
Miscellaneous										
100780	MS4 Trash Management	●	●	●	●	●	●	●	●	107
100785	4th & King Yard Preparation (4KY)	●	●	●	●	●	●	●	●	110

Table S3. Individual Projects (Continued)

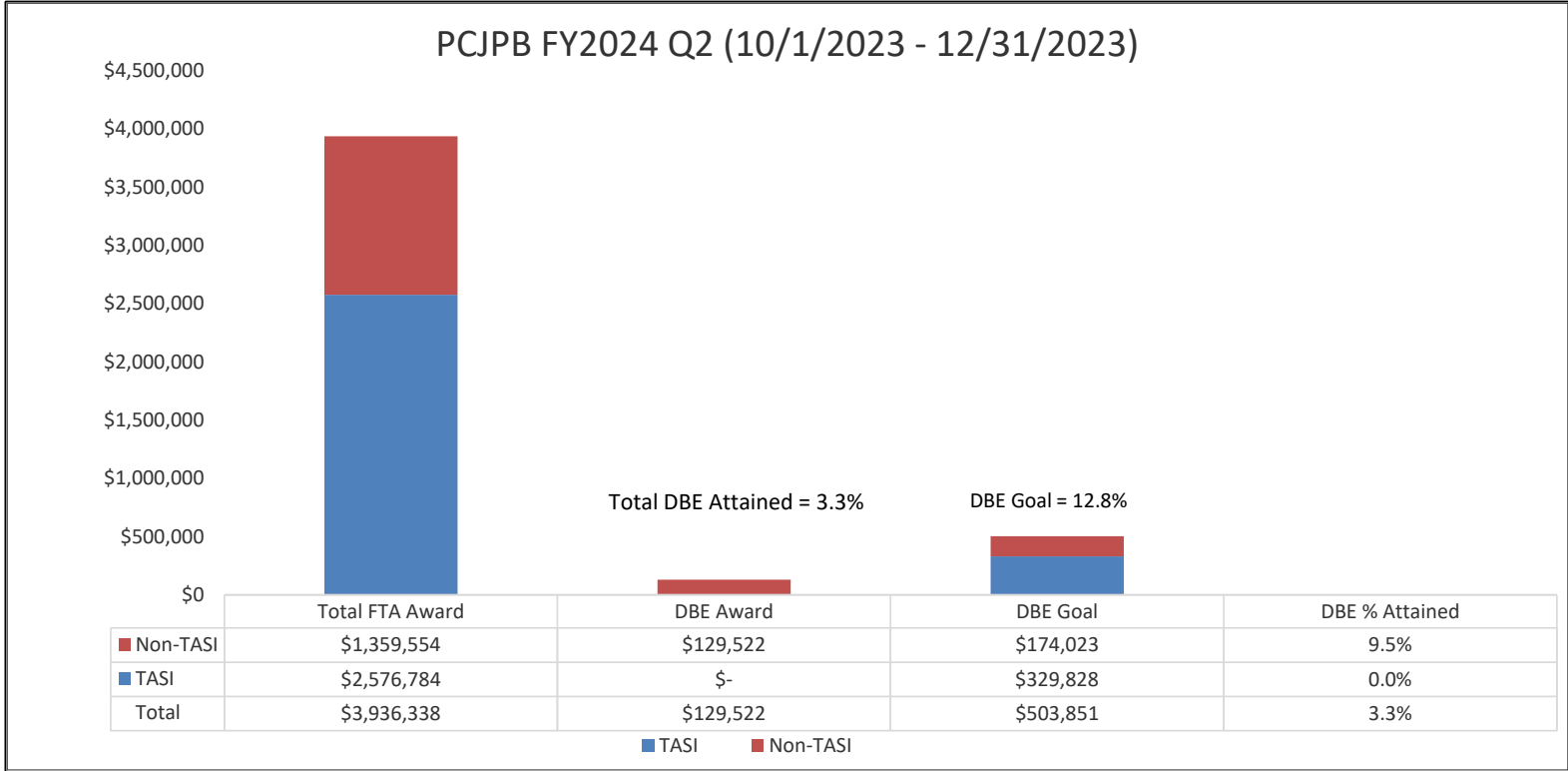
Project Number	Title	Safety		Schedule		Budget		Funding		Page
		Q1	Q2	Q1	Q2	Q1	Q2	Q1	Q2	
PLANNING (includes Initiation and Design to 15%)										
Grade Separations										
100410	Whipple Avenue Grade Separation Study	●	●	●	●	●	●	●	●	115
100667	Bernardo Avenue Undercrossing	●	●	●	●	●	●	●	●	117
100668	Mary Ave Grade Separation	●	●	●	●	●	●	●	●	119
100686	Middle Avenue Undercrossing	●	●	●	●	●	●	●	●	122
100687	Downtown Rail Extension (DTX)	●	●	●	●	●	●	●	●	125
100733	North Fair Oaks Bike and Pedestrian Crossing	●	●	●	●	●	●	●	●	128
100776	Connecting Palo Alto		●		●		●		●	132
ROW Bridges										
100427	San Francisquito Creek Bridge Conceptual Design & Community Engagement	●	●	●	●	●	●	●	●	136
CLOSEOUT (includes Start-up/Turnover and Closeout)										
Grade Separations										
002088	25th Avenue Grade Separation	●	●	●	●	●	●	●	●	141
Stations										
002146	South San Francisco Station Improvement	●	●	●	●	●	●	●	●	147
Projects with Deferred Funding										
ROW Grade Crossings										
100563	FY21-22 Grade Crossing Improvements									153
Miscellaneous										
100564	Enterprise Asset Management (EAM) Software System									157
100565	Update and Upgrade GIS System									160

Note: The Total EAC (Estimated at Completion) for the projects shown above is \$2,957,500,383.

Appendix A - Disadvantaged Business Enterprise (DBE)

Disadvantaged Business Enterprise (DBE)

PCJPB Award



Note: The overall triennial DBE goal for Federal Fiscal Year 2023-25 is 12.8%. The quarterly DBE attainment was 3.3% for both TASI and Non-TASI combined.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: John Hogan, Chief Operating Officer
Subject: **Receive Update on Rail Activation Management Program**

Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

This report is an informational item that provides an update on Caltrain’s **Rail Activation Management Program (RAMP)**, which is an ongoing effort to manage all revenue start-up activities for the transition from electrification construction to operations. It requires no action by the Board of Directors. The purpose of this month’s report is to review the updated RAMP scorecard, which tracks progress of critical activities essential for start of electric train service in Fall 2024, and to provide an overview of top risks as well as the Pre-Revenue Operations plan.

Discussion

1. Rail Activation Background and Scope:

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, 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).

A **Rail Activation Committee (RAC)** has been established to manage the successful launch of electrified revenue service following PCEP substantial completion by developing a guiding program for commissioning, systems integration, safety certification, testing, training, and overall resource planning. The RAC meets on a weekly basis, and its purpose is to:

- establish clear goals, roles and responsibilities to ensure readiness for electrified passenger service;
- develop a comprehensive understanding of all necessary start-up activities for revenue service; and
- ensure buy-in from full organization for the transition from construction to operations and maintenance.

The weekly RAC meetings also include a 2 to 4 week lookahead of upcoming activities to ensure items remain on track and deadlines do not slip.

Key RAMP focus areas included, but are not limited to:

- Safety and Security
 - System safety certification
 - Vehicle storage and disposition plans
 - Emergency preparedness
 - First responder training
 - Isolation protection services
- Revenue Service Readiness
 - Training, certification, and hiring
 - Operations & Maintenance plans
 - Legacy fleet retirement
 - Service planning
- Community Outreach
 - Public tours
 - Safety campaigns
 - Marketing
- Financial Plan
 - Start-up costs
 - Energy procurement strategy

2. Rail Activation Roles:

The RAC is led by a Director of Rail Activation and Transition with dedicated engineering and project management support.

Caltrain's Operations and Maintenance (O&M) department along with the JPB's rail service contractor, TransitAmerica Services, Inc. (TASI), are also heavily involved in the start-up efforts to ensure that the Electrification Program, once in revenue service, meets all Caltrain's benchmarks for safe, reliable, and efficient operations. To that end, Caltrain O&M staff participate in the RAC and work closely with the PCEP project team and contractors on development of the Overhead Contact System (OCS)/Traction Power System (TPS) maintenance program, training, and pre-revenue service planning.

Rail Activation is a collective effort that includes support from nearly every department and shared service function throughout the organization. These include Caltrain Planning, Design and Construction, Safety and Security, Human Resources, Finance, Budgets, Contracts and Procurement, Communications, Government and External Affairs, Information Technology, People and Culture and Real Estate and Grants.

3. *Next Steps:*

Upcoming RAMP activities include:

- Finalizing Pre-Revenue Operations & Maintenance plan and various Standard Operating Procedures.
- Determining detailed scheduled and list of activities for End-to-End testing.
- Finalizing mitigation strategies for potential Rail Activation risks.
- Creating detailed plan for stations enhancement prior to Revenue Service Date.
- Identifying comprehensive list of “start-up” costs needed to procure additional equipment, materials, and facilities as well as implement necessary modifications and mitigations for a successful transition from construction to operation.
- Finalizing fleet disposition plan for surplus equipment to accommodate the arrival of additional electric trainsets.

Budget Impact

Funds to support OCS and TPS maintenance and additional personnel hiring are included in JPB’s Fiscal Year 2024 and 2025 adopted operating budgets. However, as with any major construction project that will provide a new form of operating service, there is the potential that unexpected costs will be identified during the commissioning period and transition to operations. The RAC is currently identifying these various start-up cost requirements and associated funding sources for necessary Rail Activation activities that extend beyond the PCEP scope.

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**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Chief, Caltrain Planning
Subject: **Receive an Update on San Francisco Railyards Preliminary Business Case**

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”).

Discussion

On November 29th, 2023, the Committee received an update on the status of the SF Railyards Preliminary Business Case (PBC). Below is a summary of key information provided in the update:

- Prologis has presented an opportunity to bring housing, jobs, activation, and an improved passenger experience to the 4th & King Site through a robust Transit-Oriented Development (TOD). In 2021, Caltrain partnered with Prologis to initiate the PBC to evaluate the feasibility and measure the performance of options that could facilitate rail operations while enabling development.
- The PBC analysis began with understanding Caltrain’s core operating needs, which were used to create future operating scenarios that meet those needs and provide potential development area for Prologis.
- The PBC team has undertaken extensive technical work to evaluate options and test new configurations to carry Caltrain's service into the future, while looking for ways to facilitate development. Staff has also focused on how the scenarios being considered interface with other projects planned at the site (DTX, PAX, High Speed Rail). Staff will discuss several key points of understanding that have emerged from this analysis.

The PBC team has developed several alternative yard configurations (Alternatives), each of which conceptualizes a combination of rail facility improvements and mixed-use development. The PBC process will not define a preferred Alternative—the Alternatives are designed recognizing that the progress of The Portal (or DTX, the Downtown Extension) project is paramount and wholly impacts the design of the Railyards. The Alternatives explore all possible futures regarding the schedule of The Portal project and contemplate how phased

development can occur in any scenario. Each Alternative includes modernized Caltrain facilities and the ability to deliver the Board's Adopted Service Vision, while providing development opportunities at the site. PBC staff are coordinating closely with The Portal team to develop recommendations that minimize and consolidate disruption on the site and ensure that infrastructure expenditures at 4th & King are targeted to best benefit Caltrain's long-term needs.

The team is advancing additional technical work intended to measure each Alternative against a set of performance criteria, and to compare the relative benefits and tradeoffs of each Alternative. This analysis will support an informed assessment of whether the benefits of development, improved passenger experience, renewed rail infrastructure, and streamlined operation are sufficient to justify the cost and changes to Caltrain's operations.

In this briefing, the staff will review the Alternatives to show how commercial development and modernized rail operations could coexist on the site and discuss what we have learned from this process so far. Understanding the structure of the alternatives is also a prelude to the Committee's April meeting, where the staff will share the comparison of Alternatives, and how they perform against our goals and objectives for the site.

In May and June, we anticipate additional briefings with AMP to conclude the business case process and consider how we advance a continued Caltrain/Prologis partnership beyond the PBC.

Budget Impact

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

Prepared By: Dahlia Chazan

Chief, Planning

Phone: 650-730-6115

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Casey Fromson, Chief of Staff
Subject: **State and Federal Legislative Update**



Finance Committee
Recommendation



Technology, Operations, Planning,
and Safety Committee
Recommendation



Advocacy and Major Projects
Committee Recommendation

Purpose and Recommended Action

The 2024 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.

Staff proposes the Committee recommend the Board:

1. Receive the attached State and Federal Legislative Updates

Discussion

The update will discuss the federal budget process, relevant state legislation, and status of the Bay Area regional transportation measure.

Budget Impact

None.

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Caltrain Federal Report February 2024

Congressional Update

Bipartisan Budget Deal Reached, Continuing Resolution Passed

- House and Senate negotiators agreed on topline spending limits for fiscal year (FY) 2024 bills and an agreement on spending totals for each of the twelve bills, paving the way for final appropriations bills. The topline agreement sets defense spending at \$886.3 billion and nondefense at \$772.7 billion, a slight increase from last year.
- With an agreement, members will still need to negotiate over specific program funding and other policy riders. Republicans will likely seek conservative riders in the House, while Democrats will oppose them. In addition, it is unclear whether conservative House Republicans will refuse to move forward with the spending bills and potentially revolt against Speaker Mike Johnson, just as they did with former Speaker Kevin McCarthy.
- During the week of January 15, Congress passed an additional temporary stopgap measure to keep the government open through March. The bill extends the shutdown deadline until March 1 for the Agriculture, Energy and Water, MilCon-VA and Transportation-HUD spending bills. Funding for the remaining federal agencies expires on March 8.

House T&I Committee Holds Hearing on the State of Transportation

- On January 17, the House Committee on Transportation and Infrastructure (T&I) held a full committee [hearing](#) entitled: “The State of Transportation.” The purpose of this hearing was to examine the state of the nation’s transportation network/infrastructure, as well as its capabilities to move goods through supply chains effectively.
- Overall, the hearing focused largely on goods movement given the recent developments in the Red Sea. However, some Democratic members raised some transit issues during the hearing.
- Ranking Member of the T&I Committee Rick Larsen (D-WA) highlighted the billions provided to the transportation sector by the Infrastructure Investment and Jobs Act (IIJA). Overall, Democrats on the committee stressed the importance of transit in the Biden Administration’s efforts to lower greenhouse gas emissions. Additionally, they reiterated their belief that the federal government should do more in its power to make transit more affordable for Americans.

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Administration Update

DOT Announces \$4.9 Billion in Awards for Large-Scale Infrastructure Projects

- On January 25, the Department of Transportation (DOT) [announced](#) over \$4.9 billion in awards through two major competitive grant programs: the National Infrastructure Project Assistance (Mega) grant program and the Infrastructure for Rebuilding America (INFRA) grant program.
- The purpose of the Mega program is to fund large, complex infrastructure projects that are difficult to fund under traditional grant programs, whereas the INFRA program aims to fund large-scale infrastructure projects that improve the safety and reliability of people and freight in and across rural and urban areas.

DOT Releases 2021-2023 Progress Report

- On Wednesday, January 10, DOT released its [2021-2023 Progress Report](#) highlighting DOT's accomplishments under the Biden-Harris Administration. The report details the agency's improvements in road safety, rail safety, air travel consumer protection, infrastructure, climate/sustainability, and more. Highlights include:
 - DOT has funded repairs to 7,800 bridges and for improving 135,000 miles of roads
 - DOT has published the National Roadway Safety Strategy that has improved roadway safety planning for over 70% of the population; and DOT has funded safety improvements for 4,515 intersections.
 - DOT has funded over 2,900 zero-emission and low-emission buses
- DOT has previously issued its [2022-2026 Strategic Plan](#), which highlights the agency's goals/objectives to deliver safer, cleaner, and more modern transportation infrastructure.

FTA Releases Joint Development Circular

- FTA released a [joint development circular](#) providing recipients of FTA assistance with guidance on using the assistance for real property or joint development. The circular does not directly respond to a particular grant program but intends to serve as a guidance document for agencies. Additionally, the circular includes a change to fee collection for zero-emission vehicle charging equipment.

Round-Up of Open Grant Opportunities

FTA All Stations Accessibility Program

- [FTA All Stations Accessibility Program](#): The FTA's All Stations Accessibility Program (ASAP) supports upgrades to subway, commuter rail, and light rail systems in order to meet the Americans with Disabilities Act (ADA) standards. Caltrain submitted an application for the 22nd Street Station ADA Improvement Project in San Francisco. Funding decisions are expected in April.

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- [RAISE](#). \$1.5 billion available. All applications due by February 28, 2024.
- [Fiscal Year \(FY\) 2023 through FY 2026 Bridge Investment Program](#). \$9.7 billion available. All applications due March 19, 2024.
- [Buses and Bus Facilities Program](#). \$390 million available. All applications due April 25, 2024
- [Low- or No-Emission Program](#). \$1.1 billion available. All applications due April 25, 2024.

Caltrain Bill Matrix as of 2/9/2024

Bill ID/Topic	Location	Summary	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>This is a two-year bill.</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>Watch</p>
<p>AB 7 Friedman D</p> <p>Transportation: planning: project selection processes.</p>	<p>This is a two-year bill.</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, feasible, and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified goals into program funding guidelines and processes. This bill contains other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 761 Friedman D</p> <p>Local finance: enhanced infrastructure financing districts.</p>	<p>This bill is in the Senate Rules Committee, pending referral to policy committee.</p>	<p>Existing law establishes enhanced infrastructure financing districts to finance public capital facilities or other specified projects of communitywide significance. Existing law provides for the membership of the governing body of the district, referred to as the public financing authority. Existing law authorizes the legislative body of a city or a county to designate a proposed enhanced infrastructure financing district by adopting a resolution of intention to establish the proposed district which, among other things, is required to state that an enhanced infrastructure financing district is proposed and describe the boundaries of the proposed district. Existing law requires the public financing authority to direct the preparation of and adopt an infrastructure financing plan consistent with the general plan and any relevant specific plan, and consisting of, among other things, a financing section. Existing law requires that the financing section include a plan for financing the public facilities, a limit on the total number of dollars of taxes that may be allocated to the district pursuant to the plan, and a date, either not more than 45 years from the date on which the issuance of the bonds is approved for the plan on which the district will cease to exist, by which time all tax allocation to the district will end, or, where the district is divided into project areas, a date on which the infrastructure financing plan will cease to be in effect and all tax allocations to the district will end and a date on which the district's authority to repay indebtedness with incremental tax revenues will end, as specified. This bill, for plans proposed on or after January 1, 2024, would specify that for the purpose of development and construction of passenger rail projects in the County of Los Angeles where at least 75% of the revenue from the district is used for debt service on a federal Transportation Infrastructure Finance and Innovation Act loan, the date on which the district will cease to exist shall not be more than 75 years from the date of the issuance of bonds or approval of a loan, as specified. This bill would make legislative findings and declarations as to the necessity of a special statute for specified districts enacted primarily for the purpose of development and construction of zero-emission mass transit projects.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 817 Pacheco D</p> <p>Open meetings: teleconferencing: subsidiary body.</p>	<p>This bill is in the Senate Rules Committee, pending referral to the policy committee.</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 authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, in certain circumstances related to the particular member if at least a quorum of its members participates from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met (nonemergency provisions). Existing law imposes different requirements for notice, agenda, and public participation, as prescribed, when a legislative body is using alternate teleconferencing provisions. The nonemergency provisions impose restrictions on remote participation by a member of the legislative body and require the legislative body to specific means by which the public may remotely hear and visually observe the meeting. This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. 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 related provisions and other existing laws.</p>	<p>Support</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 914 Friedman D</p> <p>Electrical infrastructure: California Environmental Quality Act: review time period.</p>	<p>This is a two-year bill.</p>	<p>The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. CEQA requires each state agency to establish, by resolution or order, time limits for completing the environmental review of a project where the state agency is the lead agency for the project, as specified. This bill, until January 1, 2031, would require a state agency, acting as the lead agency, to complete its environmental review for an electrical infrastructure project and to approve or deny the project within 2 years of the submission and acceptance of a complete application for the issuance of a lease, permit, license, certificate, or other entitlement for use for electrical infrastructure to the state agency. If the state agency fails to meet this deadline, the bill would require the state agency to submit to the Legislature a report setting forth the reasons that the review could not be completed within the time period and identifying potential impacts to the electrical system that could result from the delay. This bill contains other existing laws.</p>	<p>Watch</p>
<p>AB 1516 Kalra D</p> <p>Labor and Workforce Development Agency: working group: minimum wage.</p>	<p>This bill is in the Senate Rules Committee, pending referral to policy committee.</p>	<p>Existing law establishes the Department of Industrial Relations within the Labor and Workforce Development Agency to, among other things, foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. Existing law establishes the Division of Labor Standards Enforcement under the direction of the Labor Commissioner within the Department of Industrial Relations, and requires the division to ascertain the wages paid to all employees in this state, to ascertain the hours and conditions of labor and employment in the various occupations, trades, and industries in which employees are employed in this state, and to investigate the health, safety, and welfare of those employees. This bill would require the Labor and Workforce Development Agency to convene a working group to study and evaluate topics related to the minimum wage in California. The bill would require the working group to submit to the Legislature, on or before July 1, 2025, a report that outlines recommendations for raising the minimum wage for all workers in California.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 1837 Papan D</p> <p>San Francisco Bay area: public transportation.</p>	<p>This bill may be heard in Committee on February 16th.</p>	<p>Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. Existing law requires the commission to adopt rules and regulations to promote the coordination of fares and schedules for all public transit systems within its jurisdiction, as specified. This bill would state the intent of the Legislature to enact subsequent legislation to encourage coordination and collaboration among transit agencies in the San Francisco Bay area.</p>	<p>Watch</p>
<p>AB 1870 Ortega D</p> <p>Notice to employees: legal services.</p>	<p>This bill is in the Assembly Committee on Insurance.</p>	<p>Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Employers who are subject to the workers' compensation system are generally required to keep posted in a conspicuous location frequented by employees and easily read by employees during the hours of the workday a notice that includes, among other information, to whom injuries should be reported, the rights of an employee to select and change a treating physician, and certain employee protections against discrimination. Existing law requires the administrative director to make the form and content of this notice available to self-insured employers and insurers. This bill would require the notice to include information concerning an injured employee ability to consult licensed attorney to advise them of their rights under workers' compensations laws, as specified. The bill would also make technical, nonsubstantive changes to these provisions.</p>	<p>Watch</p>
<p>AB 1879 Gipson D</p> <p>Electronic signatures.</p>	<p>This bill may be heard in Committee February 22nd.</p>	<p>Existing law authorizes, in any written communication with a public entity, the use of a digital signature, which is defined, in part, as a type of electronic signature, as defined. Under existing law, a digital signature has the same force and effect as the use of a manual signature if it complies with specified requirements and the public entity elects to use a digital signature. Existing law requires, at the option of the parties, the use or acceptance of a digital signature. This bill would require, at the option of the parties, the use or acceptance of an electronic signature, unless otherwise provided. Under the bill, a digital signature would also have the same force and effect as the use of a manual signature if it complies with the above-referenced requirements and the public entity's use of a digital signature is mandated. The bill would also make nonsubstantive changes to these provisions. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 1890 Patterson, Joe R</p> <p>Public works: prevailing wage.</p>	<p>This bill is in the Assembly Committee on Labor & Employment.</p>	<p>Existing law defines the term “public works” for the purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers’ compensation for public works projects. Existing law requires an entity awarding a public works contract, as specified, to provide notice to the Department of Industrial Relations. Existing law requires civil penalties to be imposed on an entity that fails to provide that required notice and authorizes the Labor Commissioner to issue a citation for civil penalties to an entity that fails to provide the required notice. This bill would additionally require the awarding body to provide notice to the department if there is a change in the identity of a contractor or subcontractor performing the project or, within 30 days, if the total amount of the contract change exceeds \$10,000. By creating new notification requirements for public agencies, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 1904 Ward D</p> <p>Transit buses: yield right-of-way sign.</p>	<p>This bill is in the Assembly Committee on Transportation.</p>	<p>Existing law authorizes a transit bus in the Santa Cruz Metropolitan Transit District and the Santa Clara Valley Transportation Authority to be equipped with a yield right-of-way sign on the left rear of the bus if the applicable entity approves a resolution requesting that this section be made applicable to it. Existing law requires the sign to be designed to warn a person operating a motor vehicle approaching the rear of the bus that the bus is entering traffic and be illuminated by a red flashing light when the bus is signaling in preparation for entering a traffic lane after having stopped to receive or discharge passengers. This bill would expand the authorization to equip transit buses, as described above, to apply to any transit agency if the transit agency approves a resolution that this authorization be made applicable to it. The bill would also authorize the yield right-of-way sign to be a static decal and would only impose the above-described design and illumination requirements on a sign that is a flashing light-emitting diode (LED) sign.</p>	<p>Watch</p>
<p>AB 1958 Berman D</p> <p>Santa Clara Valley Transportation Authority: board of directors.</p>	<p>This bill may be heard in committee February 29th.</p>	<p>Existing law creates the Santa Clara Valley Transportation Authority (VTA) with various powers and duties relative to transportation projects and services and the operation of public transit in the County of Santa Clara. Existing law vests the government of the VTA in a 12-member board of directors, appointed by the County of Santa Clara and the cities within the county, as specified. Existing law requires, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transportation issues. This bill would require, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transportation or project management issues.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2090 Irwin D</p> <p>Office of Farm to Fork: food deserts: transportation.</p>	<p>This bill may be heard in committee March 7th.</p>	<p>Existing law creates the Office of Farm to Fork within the Department of Food and Agriculture, and requires the office, to the extent that resources are available, to work with various entities, as prescribed, to increase the number of agricultural products available to underserved communities and schools in the state. Existing law requires the office, among other things, to identify distribution barriers that affect limited food access and work to overcome those barriers through various actions and to coordinate with school districts and representatives to, among other things, increase the nutritional profile of foods provided in schools. This bill would also require the office to work with transportation agencies and to prioritize the department's efforts in food deserts, as defined, throughout the state, especially counties that are most impacted by food insecurity, as defined. The bill would require the office to identify distribution barriers that affect limited food access and work to overcome those barriers by facilitating partnerships between statewide, regional, and local transportation agencies to address inadequate public transportation lines in urban and rural communities, with the aim of connecting all communities to adequate and nutritional food access, as provided. The bill would require the office to coordinate with school districts and representatives to assess access to school breakfast and lunch programs during scheduled academic calendar breaks and school closures.</p>	<p>Watch</p>
<p>SB 532 Wiener D</p> <p>San Francisco Bay area toll bridges: tolls: transit operating expenses.</p>	<p>This bill is dead.</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>Watch</p>

<p>SB 537 Becker D</p> <p>Open meetings: multijurisdictional, cross-county agencies: teleconferences.</p>	<p>This bill is in the inactive file.</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. 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. The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction. The bill would require a member who receives compensation for their service, as specified, on the legislative body to participate from a physical location that is open to the public. The bill would require the legislative body to identify in the agenda each member who plans to participate remotely and to include the address of the publicly accessible building from which each member will participate via teleconference. The bill would prohibit a member from participating remotely pursuant to these provisions unless the remote location is the member’s office or another location in a publicly accessible building and is more than 40 miles from the in-person location of the</p>	<p>Watch</p>
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Bill ID/Topic	Location	Summary	Position
		meeting. The bill would repeal these alternative teleconferencing provisions on January 1, 2026. This bill contains other related provisions and other existing laws.	
<p>SB 904 Dodd D</p> <p>Sonoma-Marín Area Rail Transit District.</p>	<p>This bill is in the Senate Rules Committee.</p> <p>May be acted upon on or after February 4th.</p>	<p>Existing law creates, within the Counties of Sonoma and Marin, the Sonoma-Marín Area Rail Transit District with specified duties and powers relative to the provision of a passenger and freight rail system within the territory of the district. Under existing law, the district is governed by a 12-member board of directors appointed by various local governmental entities. Existing law authorizes the board to submit to the voters of the district a measure proposing a retail transaction and use tax ordinance. This bill would also authorize those special taxes to be imposed by a qualified voter initiative. The bill would require the board of supervisors of the Counties of Sonoma and Marin to call a special election on a tax measure proposed by the district’s board of directors or a qualified voter initiative in their respective counties, as specified. To the extent that the bill would impose additional duties on a county elections official, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	Watch
<p>SB 925 Wiener D</p> <p>San Francisco Bay area: local revenue measure: transportation improvements.</p>	<p>This bill is in the Senate Rules Committee.</p> <p>May be acted upon on or after February 11th.</p>	<p>Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would state the intent of the Legislature to enact subsequent legislation to authorize the Metropolitan Transportation Commission to propose a revenue measure to the voters in its jurisdiction to fund the operation, expansion, and transformation of the San Francisco Bay area’s public transportation system, as well as other transportation improvements.</p>	Watch

Bill ID/Topic	Location	Summary	Position
<p>SB 926 Wahab D</p> <p>San Francisco Bay area: public transportation.</p>	<p>This bill is in the Senate Rules Committee.</p> <p>May be acted upon on or after February 12th.</p>	<p>Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. Existing law establishes the Transportation Agency, consisting of various state agencies 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. This bill would require the Transportation Agency to develop a plan to consolidate all transit agencies, as defined, that are located within the geographic jurisdiction of the Metropolitan Transportation Commission. This bill contains other existing laws.</p>	<p>Watch</p>
<p>SB 955 Seyarto R</p> <p>Office of Planning and Research: Infrastructure Gap-Fund Program.</p>	<p>This bill is in the Senate Rules Committee.</p> <p>May be acted upon on or after February 22nd.</p>	<p>Existing law establishes the Office of Planning and Research in the Governor’s office for the purpose of serving the Governor and the Governor’s cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. Existing law authorizes a local agency to finance infrastructure projects through various means, including by establishing an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community. This bill would require the office, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to assist local agencies in developing and constructing infrastructure projects. The bill would require the office to develop guidelines and criteria to implement the program.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1011 Jones R</p> <p>Encampments: penalties.</p>	<p>This bill is in the Senate Rules Committee.</p> <p>May be acted upon on or after March 7th.</p>	<p>Under existing law, a person who lodges in a public or private place without permission is guilty of disorderly conduct, a misdemeanor. Existing law also provides that a person who willfully and maliciously obstructs the free movement of any person on any street, sidewalk, or other public place is guilty of a misdemeanor. Under existing law, a nuisance is anything that is injurious to health or indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. Existing law also provides that a nuisance is anything that obstructs the free passage or use of any public park, square, street, or highway, among other things. Under existing law, a public nuisance is a nuisance that affects the entire community, neighborhood, or a considerable number of persons. Existing law provides various remedies against a public nuisance, including abatement by any public body or officer authorized by law. This bill would prohibit a person from sitting, lying, sleeping, or storing, using, maintaining, or placing personal property upon a street or sidewalk if a homeless shelter, as defined, is available to the person. The bill would also prohibit sitting, lying, sleeping, or storing, using, maintaining, or placing personal property within 500 feet of a public or private school, open space, or major transit stop, as specified. The bill would specify that a violation of this prohibition is a public nuisance that can be abated and prevented, as specified. The bill would also provide that a violation of the prohibition may be charged as a misdemeanor or an infraction, at the discretion of the prosecutor. The bill would prohibit a person from being found in violation of the bill's provisions unless provided notice, at least 72 hours before commencement of any enforcement action, as specified. By imposing criminal penalties for a violation of these provisions, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>



February 9, 2023

TO: Board of Directors, Peninsula Corridor Joint Powers Board (Caltrain)

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

RE: **STATE LEGISLATIVE UPDATE – February and March 2024**

General Update

January 31 marked the two-year bill deadline for the Legislature, meaning bills introduced in the first year of the two-year session had to move from the first house to the second house by the deadline. For new bills for consideration in 2024, legislators have until February 16 to introduce them. Policy committees, as well as budget subcommittees, should pick up steam in mid-March. For more information about key legislative and budget deadlines, see the adopted 2024 Legislative Calendar available [here](#).

New Leader in State Senate

On February 5, 2024, a new leader in the California State Senate was sworn in. Senate President pro Tempore Mike McGuire (D-Healdsburg) took the gavel from current Senate President pro Tempore Toni Atkins (D-San Diego) during the day's floor session. Shortly after taking over as pro Tem, Senator McGuire announced his leadership team and committee chairs. We note several relevant appointments below:

- Senate Majority Leader - Senator Lena A. Gonzalez (D-Long Beach)
- Senate Transportation Committee Chair - Senator Dave Cortese (D-San Jose)
- Senate Appropriations Committee Chair - Senator Anna M. Caballero (D-Merced)
- Senate Budget and Fiscal Review Committee Chair - Senator Scott D. Wiener (D-San Francisco)
- Senate Budget Subcommittee #2 on Resources, Environmental Protection and Energy Chair Senator Josh Becker (D-Menlo Park)
- Senate Budget Subcommittee #5 on Corrections, Public Safety, Judiciary, Labor and Transportation Chair Senator Aisha Wahab (D-Hayward)
- Senate Local Government Committee (New Committee) Chair - Senator María Elena Durazo (D-Los Angeles)

The full list of leadership appointments, committee chairs, and committee rosters is available [here](#).

Metropolitan Transportation Commission Approves Pursuit of Regional Transportation Measure, Identifies Framework for Investment

On January 24, the Metropolitan Transportation Commission (MTC) voted to pursue state legislation to enable Bay Area voters to consider a new regional transportation measure as early as November 2026.

With this action, MTC also approved a framework for the enabling legislation, which outlines funding categories and potential revenue options, and which aims to generate \$1 billion annually. Funding categories included in this framework include: transit transformation, focused on sustaining and expanding transit service and supporting the transition to zero-emission technologies; safe streets, focused on bike and pedestrian infrastructure, safe routes to transit, and fixing potholes; connectivity, focused on relieving bottlenecks in the transportation network; and climate resilience, focused on funding planning, design, and/or construction activities that protect transportation infrastructure from climate change.

California Transportation Commission Elects New Leaders, Speaker Rivas Appoints New Commissioner

At its January meeting, the California Transportation Commission elected Carl Guardino as its Chair and Darnell Grisby as its Vice Chair. Guardino was appointed by Governor Arnold Schwarzenegger to a four-year term on the Commission in 2007, reappointed twice by Governor Jerry Brown, and in 2019 and 2023, Governor Gavin Newsom appointed him to his fourth and fifth consecutive four-year terms. He has served as Commission Vice Chair since 2022. Grisby was appointed by Governor Gavin Newsom to a four-year term on the Commission in 2021.

On February 1, Assembly Speaker Robert Rivas (D-Salinas) appointed Robert Tiffany to a four-year term on the Commission. Tiffany is a former Supervisor for the County of San Benito and replaces Commissioner Joe Lyou, an appointee of former Assembly Speaker Anthony Rendon (D-Lakewood), whose term expired in 2024.

Transit Transformation Task Force

As we previously reported, on December 19, 2023, CalSTA convened the [Transit Transformation Task Force](#) for its kick-off meeting. The meeting, which was open to the public and industry stakeholders, featured member introductions, an update on Task Force structure and schedule, and public comment. The Task Force will next convene on February 29, 2024. The Task Force is charged with delivering a report of findings and recommendations to the Legislature by October 31, 2025. The Task Force is subject to the state's open meeting requirements for state bodies, known as Bagley-Keene, and as such, all agenda materials will be available on [CalSTA's website](#).

Bills of Interest

SB 925 (Wiener) Bay Area Transportation Regional Measure

This bill would state the intent of the Legislature to enact subsequent legislation to authorize the Metropolitan Transportation Commission to propose a revenue measure to the voters in its jurisdiction to fund the operation, expansion, and transformation of the Bay Area's public transportation system, as well as other transportation improvements.

SB 926 (Wahab) Bay Area Transit Consolidation

This bill would require the California State Transportation Agency to develop a plan to consolidate all transit agencies that are located within the geographic jurisdiction of the Metropolitan Transportation Commission.

SB 960 (Wiener) Complete Streets Projects on the State Highway System

This bill would require all transportation projects funded or overseen by Caltrans to provide "comfortable, convenient, and connected complete streets facilities" unless exempt pursuant to the bill and would require the SHOPP asset management plan to prioritize the implementation of "comfortable, convenient, and connected facilities" for pedestrians, bicyclists, and transit users on all projects in the program. The bill would require the CTC to adopt 4-year and 10-year objective targets and performance

measures reflecting state transportation goals and objectives, including for complete streets assets that reflect the existence and conditions of bicycle, pedestrian, and transit facilities on the state highway system. The bill would require Caltrans and CTC to use the updated asset management plan and to guide the selection of transit priority projects for the SHOPP.

This bill would define “transit priority project” as a roadway design, operations, and enforcement action, treatment, or project that helps transit buses and other transit vehicles avoid traffic congestion, reduce signal delays, and move more predictably and reliably. The bill would require Caltrans to adopt a policy on transit priority projects for state and local highways and require Caltrans to take certain actions to streamline the approval of transit priority projects. The bill would require Caltrans to establish 4-year and 10-year targets for the fast and reliable movement of transit vehicles on state highways. Finally, this bill would require the Caltrans to establish a process to streamline the approval of pedestrian facilities, traffic calming improvements, bicycle facilities, and transit priority projects at locations where a local highway is above, below, or otherwise intersects with, a conventional state highway.

AB 1837 (Papan) Bay Area Transit Coordination

This bill, which is a spot bill, would state the intent of the Legislature to enact subsequent legislation to encourage coordination and collaboration among transit agencies in the San Francisco Bay area.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Acting Executive Director
From: Sherry Bullock, CalMod Program Director
Subject: **Receive Update on Crossing Optimization Project thru January 2024**

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”).

Staff will provide monthly updates covering Crossing Optimization-related activities during the previous month and a preview of activities anticipated to take place during the current month.

Discussion

The Caltrain Crossing Optimization Project provides an advanced technology solution to improve grade crossing warning time performance. This will be accomplished by reducing crossing warning system activations and the amount of gate down time at grade crossings resulting from Through Move and scheduled Station Stop trains. This solution is integrated with Caltrain Positive Train Control (PTC) system, which has been operational since September 2019. The project is being implemented using a design-build approach and includes the following deliverables:

- Crossing Optimization Concept of Operations
- Rail capacity, schedule management and communication studies
- Optimization crossing functional design.
- Proof of concept demonstration
- Testing and Commissioning of Optimized Crossing system

MONTHLY UPDATE

1. Project Schedule - Major Milestones for Crossing Optimization Implementation as of January 31, 2024:

<u>Key Project Activity</u>	<u>No of Crossing</u>	<u>Planned Completion</u>	<u>Progress as of 12/31/2023</u>	<u>Progress On Track?</u>	<u>Note</u>
220MHZ Study and Approval	n/a	Completed	Completed	Completed	
Crossing Group #1 Pilot Cutover Auzerais, Virginia Street, Center Street, Santa Paula, Mission, 16h street	6	4/27/2022	Completed	Completed	
Crossing Group #2 Cutover Broadway, Morrell Pd and Oak Grove	3	03/09/2023	Completed	Completed	
Crossing Group #3 Cutover Howard Ave, Peninsula Ave, North Lane and Baywater Ave	4	04/23/2024	In Planning	On Track	Group 3-4-5
Crossing Group #4 Cutover Bellevue, First Ave, Villa Terrace Ave, Second Ave	4	04/23/2024	In Planning	On Track	Group 3-4-5
Crossing Group #5 Cutover Third Ave, Fourth Ave, Fifth Ave, Ninth Ave	4	04/23/2024	In Planning	On Track	Group 3-4-5
Crossing Group #6 Cutover Alma St., Churchill Ave	2	05/13/2024	In Planning	On Track	Group 6-8
Crossing Group #7 Cutover Whipple, Brewster, Broadway, Maple St.	4	06/18/2024	In Planning	On Track	Group 7-9-12
Crossing Group #8 Cutover Rengstorff, Castro St., Mary Ave, Sunnyvale Ave	4	05/13/2024	In Planning	On Track	Group 6-8
Crossing Group #9 Cutover Encinal, Glenwood, Oak Grove, Ravenwood Ave.	4	06/18/2024	In Planning	On Track	Group 7-9-12
Crossing Group #10 Cutover South Linden, Scott Street	2	07/16/2024	In Planning	On Track	Group 10-13 Cutover
Crossing Group #11 Cutover East Meadow Drive, Charleston Rd	2	12-16-2023	Completed	Completed	
Crossing Group #12 Cutover Main St., Chestnut St. Fair Oaks Lane, Watkins Ave.	4	06/18/2024	In Planning	On Track	Group 7-9-12
Crossing Group #13 Cutover Mission Bay and 16 th Street	2	07/16/2024	In Planning	On Track	Group #10 & 13 Cutover
Crossing Optimization Final Acceptance		September 2024		Revised	Revised due to group 13 cutover date

2. Cost – Spend vs Budget with Actuals and Accruals through January 31, 2024

Crossing Optimization Budget and Cost (As of Jan 31, 2024)

	(A)	(B)	(C)	(D)		(E)	(F) = (C - E)	(G) = (D / E)
Project Cost Analysis	Original Budget (US\$MM)	Approved Changes (Contractor) (US\$MM)	Project Current Budget (US\$MM)	Expended and Accruals To-Date (US\$MM)	To-Go (US\$MM)	Estimated at Completion (EAC) (US\$MM)	Variance at Completion (US\$MM)	% Expended of EAC
Crossing Contractor - WABTEC	\$ 7.88		\$ 7.88	\$ 6.30	\$ 1.58	\$ 7.88	\$ (0.00)	79.89%
Program Mngt. & Admin Costs	\$ 2.73		\$ 2.73	\$ 1.35	\$ 1.38	\$ 2.64	\$ 0.09	51.23%
Project Contingency	\$ 0.92		\$ 0.92		\$ 0.92	\$ 0.84	\$ 0.09	0.00%
ICAP	\$ 0.45		\$ 0.45	\$ 0.27	\$ 0.18	\$ 0.41	\$ 0.04	65.08%
Potential Changes			\$ -		\$ -	\$ -	\$ -	
Total Crossing Optimization Project	\$ 11.99	\$ -	\$ 11.99	\$ 7.92	\$ 4.07	\$ 11.77	\$ 0.21	67.25%

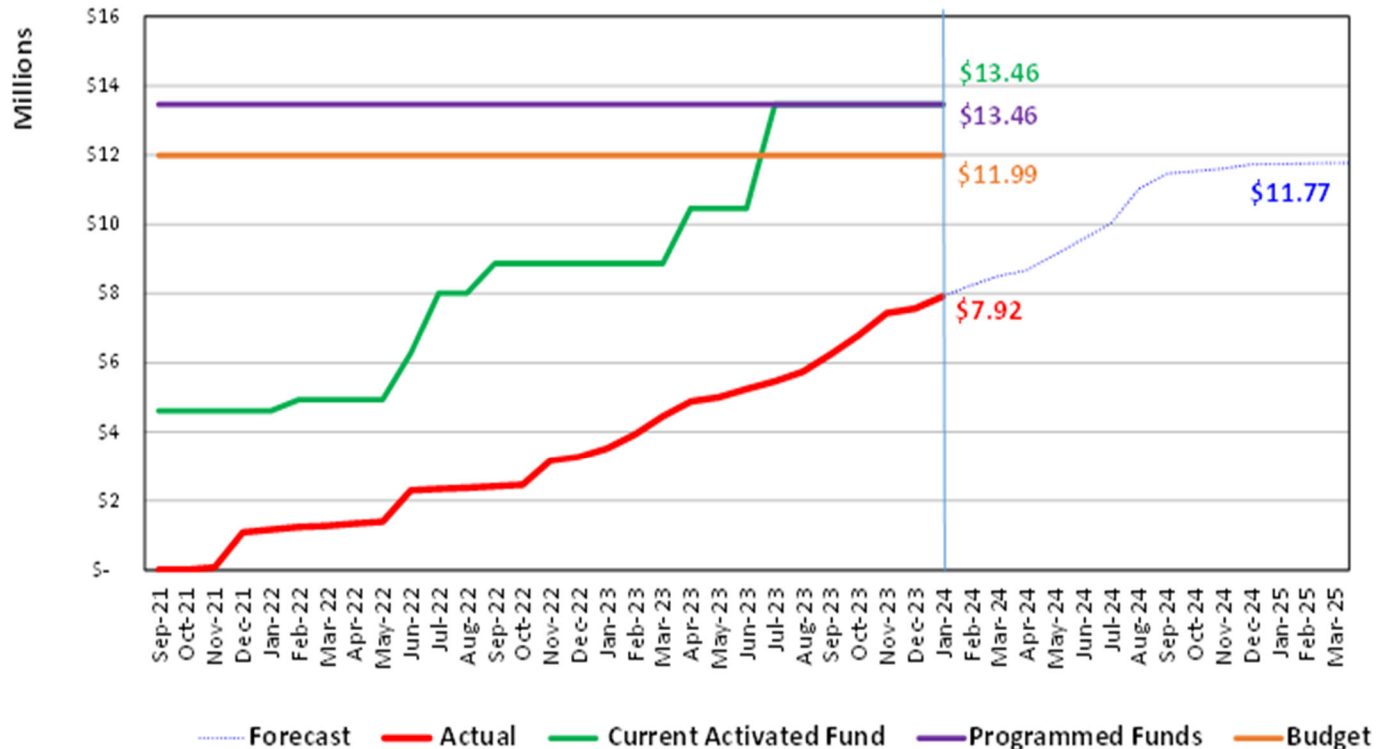
Note:

- 1). Expended and Accruals To-Date is through January 31, 2024;
- 2). Program Mngt. & Admin Costs includes JPB project oversight costs, TASI support and Other Direct Costs for Crossing project delivery;

3. Cost Curve:

JANUARY 2024

Crossing Optimization | Expenditure - Planned vs. Actual



4. Major Activities for January 2024:

- Completion of Wayside Software, PTC Subdiv File update and lab testing.
- Ongoing development of Slot Plan solution and update.
- Ongoing development of Schedule Management (nearside station stop) system.
- Wayside Software, PTC Subdiv File update and lab testing for group #10.
- Continued CPUC GO-88B submittal process & closeout for completed crossings.

5. Upcoming Key Activities in February 2024:

- Planning for April 16-23rd cutover of Groups 3-4-5.
- Progress remaining development activities.
- Submit SSWP to confirm track access.
- Start coordination meetings with support personnel including operations.
- Review remaining group cutover schedule and coordinate with Rail Operations and PCEP.
- Complete remaining GO-88B applications & start closeout for completed locations.

6. Change Management:

- In June 2022, the JPB approved change order for not to exceed \$4,903,222 to Wabtec contract No. 18-J-T-49 for completion of the crossing optimization work. The Project executed contract Amendment 4 in September 2022.
- In November 2022, the parties executed a \$0 change order (Amendment 5) to modify the payment schedule.
- There have been no further change orders since November 2022.
- Contract extension will be needed due to the remaining group cutover schedule.

7. Risk Management:

The following are top five risks for implementation of crossing optimization project:

Risk Descriptions	Mitigation Actions
1. Delays and last-minute changes in PCEP subdiv data required to be included in a crossing optimization subdiv may impact the schedule and cutover dates – Closed.	PCEP Cutover was completed in August 2023 for all signal and crossings
2. Late Receive PCEP Cutover plans and software may impact crossing optimization cutover schedule - Closed	PCEP Cutover was completed in August 2023 for all signal and crossings
3. Lack of track access to perform the crossing optimization cutovers in sequential days due to PCEP OCS Construction and testing delays in Segments 1 and 2, area closures bus bridge weekend and other Caltrain projects and maintenance occupying the tracks	<ul style="list-style-type: none">• Map crossing optimization cutover dates with PCEP path to completion schedule and work with Rail Ops to avoid conflicts and find suitable work windows. Crossing Optimization cutover dates were pushed to later dates since May of 2023 due to PCEP construction needs.

Risk Descriptions	Mitigation Actions
	<ul style="list-style-type: none"> • Attend weekly Operations planning meeting including track access planning – On going. • Propose 2024 cutover schedule for the remaining groups and coordinate with all parties to ensure timely execution of the field work. – January 2024

8. FRA Coordination Status:

- o On-going bi-weekly coordination calls with FRA Test Monitor
- o Received Test Request Approved
- o Test Plan Approved
- o Continue development of combined Safety Case update (Crossing Optimization & PCEP 2SC)
- o Continued coordination on site specific test plan and results submission.

Budget Impact

There is no budget impact.

Prepared By: Sherry Bullock, Director of Rail Integration - 650.622.7866



BOARD OF DIRECTORS 2024

DEVORA "DEV" DAVIS, CHAIR
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MICHELLE BOUCHARD
EXECUTIVE DIRECTOR

Date: March 4, 2024

To: JPB Board of Directors

Through: Michelle Bouchard, Executive Director

From: James Harrison, General Counsel
Nadine Fogarty, Director, Caltrain Real Estate and TOD

Subject: Approval of Second Amendment to Ground Lease with HPS-San Mateo LLC

In December 2022, the Peninsula Corridor Joint Powers Board (JPB) entered into a long-term ground lease with HPS - San Mateo, LLC (HPS) for development of a residential transit-oriented development (TOD) at the Hayward Park Caltrain Station. The ground lease provisions include an early termination option, which allowed the developer to terminate the lease if it is unable to obtain financing for the project within nine months of the effective date of the ground lease (September 2023).

In August 2023, HPS requested an extension to the early termination option to provide the developer additional time to assemble financing for their project, given challenging financial market conditions. The JPB authorized the Executive Director, or designee, to approve a first Ground Lease Amendment (First Amendment) to provide a six-month extension to the early termination option. This First Amendment was approved in September 2023. The JPB also approved the potential for three additional six-month extensions, if requested by HPS and approved by the Executive Director in the Executive Director's discretion. As part of each amendment, the ground lease milestones are adjusted to allow HPS to continue to pay the Preliminary Term rent until the early termination option period has passed. In addition, the ground lease rents are to be adjusted upward at the time of each extension based on the Consumer Price Index (CPI), to account for the time value of money. Per the JPB resolution, in the event that additional extensions are requested, staff will develop a recommendation to the Executive Director based on an independent assessment of market conditions and information about the status of comparable planned apartment projects, and shall provide a report to the

PENINSULA CORRIDOR JOINT POWERS BOARD

1250 San Carlos Avenue
San Carlos, CA 94070 (650) 508-6200

Board if any additional extensions are requested including the staff recommendation and the Executive Director's decision regarding the request.

In February 2024, HPS requested a second extension to the early termination option. Staff commissioned Colin Elliott of C.H. Elliott & Associates, a real estate advisor, to conduct an independent assessment of the requested second extension. His evaluation concludes that given that most comparable development projects are currently on hold as developers wait for interest rates to come down and for market conditions to improve, it is reasonable for HPS to request the extension. Furthermore, he suggests that if the JPB were to solicit a new development partner the timeline for development would be extended, given that this would necessitate negotiating a new ground lease.

Based on the analysis and conclusions described above, staff recommended that the Executive Director approve a second Ground Lease Amendment (Second Amendment) extending the early termination option for an additional 6 months. Given that the CPI has remained flat over the last 6 months, no rent increases are warranted. The Executive Director approved this extension on March 1, 2024. The C.H. Elliott assessment is attached, and a copy of the agreement will be available upon your request.

315 Montgomery Street, Suite 910
San Francisco, CA 94104
Phone: 415 217 7001
Fax: 415 217 7002

C. H. ELLIOTT & ASSOCIATES
STRATEGIC REAL ESTATE SERVICES

Memo

To: Nadine Fogarty & Brian Fitzpatrick **From:** Colin Elliott

Phone: 650-208-6574 **Date:** 2/27/2024

Re: Hayward Park, San Mateo, CA **cc:**

In December 2022, the Peninsula Corridor Joint Powers Board (JPB) entered into a long-term ground lease with HPS - San Mateo, LLC (HPS) for development of a transit-oriented development (TOD) at the Hayward Park Caltrain Station. The ground lease provisions included an early termination option, which allowed the developer to terminate the lease if it was unable to obtain financing for the project within nine months of the effective date of the ground lease. In August 2023 the JPB approved an amendment to the ground lease, which included a six-month extension to the early termination option, as well as the potential for three additional six-month extensions, if requested by HPS and approved by the Executive Director in the Executive Director's discretion. HPS has now requested another six-month extension, and you need to make a recommendation to the Executive Director based on an independent assessment of market conditions and information about the status of comparable planned apartment projects.

My research and discussions with investors, developers and brokers in the market indicate that it is still very difficult to obtain financing for a development project. This is due to a combination of factors, including:

1. Lenders are reluctant to take on additional risk due to stress in their existing portfolios, particularly with a significant number of loans coming due in the next 3 years that were taken out when interest rates were much lower.
2. Capitalization rates for stabilized properties have increased, thereby reducing market values. The 4th Quarter PwC Investor Survey indicated that capitalization rates for apartment buildings in the overall Pacific Region now range from 3.5% to 6.5% with an average of 5.04% compared to a range of 3.25% to 5.00% and an average of 4.15% a year ago. That indicates about an 18% drop in value on average, if all other variables are the same.
3. Continued softening of rents in the market – Marcus & Millichap are forecasting a 1.1% drop in rents in the area in 2024.
4. Construction costs remain high.

As a result of the above factors, even for an existing well located multi-family property with an experienced borrower, who has a track record and good relationships with lenders, the financing underwriting terms will be onerous, including lower than normal Loan to Value Ratio, higher Debt Coverage Ratio, high interest rate, and the lender will probably want it to be a recourse loan. The upward movement of capitalization rates, mentioned above, is a double hit because it also affects the appraisal that the lender will have done and therefore lowers the amount that can be lent.

C-PACE (Commercial Property Assessed Clean Energy) lending is growing and is a possibility for developments, but senior lenders don't like it and it counts against the overall Loan to Value Ratio. A C-PACE loan cannot be more than 30% of the stabilized value.

Examples of projects that have recently run into trouble as a result of the market conditions are:

1. **San Leandro's Shoreline/Monarch Bay project** – the developer just defaulted on a \$24.8 million bridge loan that the City granted in December 2022 to help the developer secure longer term financing and begin construction on the first 206 units. No work has commenced.
2. **Moderna Lake Merritt** – the developer of a new 173 unit project completed in March 2022 and located by Lake Merritt in Oakland, handed back the keys last month to its investor/lender partner.

In summary, most development projects are currently on hold as developers wait for interest rates to come down and for market conditions to improve. Consequently, it is reasonable for HPS - San Mateo, LLC to request another six-month extension to the early termination option. And JPB is better off staying with HPS for the time being, since any potential replacement developer is unlikely to be in a better position to finance the project, and would require time to do its due diligence and financial analysis, and negotiate a ground lease.

Let me know if you have any questions or require any additional information.

Colin Elliott

Introduced by Senator Wiener

January 11, 2024

An act relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 925, as introduced, Wiener. San Francisco Bay area: local revenue measure: transportation improvements.

Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services.

This bill would state the intent of the Legislature to enact subsequent legislation to authorize the Metropolitan Transportation Commission to propose a revenue measure to the voters in its jurisdiction to fund the operation, expansion, and transformation of the San Francisco Bay area's public transportation system, as well as other transportation improvements.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 subsequent legislation to authorize the Metropolitan Transportation
- 3 Commission to propose a revenue measure to the voters in its
- 4 jurisdiction to fund the operation, expansion, and transformation

- 1 of the San Francisco Bay area's public transportation system, as
- 2 well as other transportation improvements.

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Introduced by Senator WahabJanuary 12, 2024

An act to add Section 13978.9 to the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 926, as introduced, Wahab. San Francisco Bay area: public transportation.

Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services.

Existing law establishes the Transportation Agency, consisting of various state agencies 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.

This bill would require the Transportation Agency to develop a plan to consolidate all transit agencies, as defined, that are located within the geographic jurisdiction of the Metropolitan Transportation Commission.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 13978.9 is added to the Government
2 Code, to read:

3 13978.9. (a) For purposes of this section, “transit agency” has
4 the same meaning as “public transportation operator” as defined
5 in subdivision (b) of Section 99312.2 of the Public Utilities Code.

6 (b) The Transportation Agency shall develop a plan to
7 consolidate all transit agencies that are located within the
8 geographic jurisdiction of the Metropolitan Transportation
9 Commission, as described in Section 66502.

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Bell Burnett &
Associates

MEMORANDUM

TO: MICHELLE BOUCHARD, CALTRAIN
FROM: Bell Burnett & Associates (BB&A)
DATE: March 5, 2024
RE: Update on Energy Procurement Strategy (EPS)

The purpose of this memorandum is to provide Caltrain with an update on the Energy Procurement Strategy (EPS). In recent developments,

- We are in active discussion with Peninsula Clean Energy (PCE) regarding potential power procurement of 100% green 0% carbon intensity product.
- We continue to work with San Jose Clean Energy (SJCE). We will use the progress with PCE to see if a comparable strategy is replicable with SJCE.
- We are in regular contract with PG&E. We have several material open business issues with PG&E specific to how energy will be metered and billed, but we are making good progress with them thus far.
- We have met with both Palo Alto and Santa Clara and are scheduled to meet with Stanford. As outlined below, both Palo Alto and Santa Clara expressed willingness to keep the dialogue open, but any opportunities seem long-term in nature.
- We are on schedule to provide a more fulsome update to the Board in the April/May timeframe. That said, there are several questions that have been raised, and we wanted to both outline these questions and provide preliminary thoughts in response as we work toward the April/May update. Several of these questions are longer-term in nature but remain important in the overall strategy, even if long-term in nature.

Question 1: What are the immediate power procurement priorities?

The most immediate question is the provision of electricity upon the September 2024 in service date. Caltrain's two traction power stations are located in San Jose and South San Francisco, as you know. This results in the default energy suppliers being San Jose Clean Energy for San Jose and Peninsula Clean Energy for South San Francisco. PG&E will provide the energy delivery in both cases. This means that nothing has to be done in order to have power for service, other than the physical connection and testing. The CCA's will provide the power; PG&E will deliver it, and a joint invoice for the respective costs will be sent to Caltrain monthly by PG&E. We do not need a contract for this to happen. However, we want to put in place contracts and/or agreements as to key terms with a target of June 30 for two reasons:

1. We want to have input in the power content of the energy delivered as both a policy and compliance matter to maximize Low Carbon Fuel Standard (LCFS) revenues from the California Air

Resources Board (CARB). This means we want an agreement in place on the specific type of energy (Green with no carbon content as defined by CARB LCFS rules) that Caltrain uses.

2. There are several open technical and business issues with PG&E in how the energy will be measured. We want an agreement prior to in service since this can potentially generate meaningful savings on Caltrain's electric costs, depending on the ultimate actual usage. We also want to provide sufficient time to implement any steps that may be necessary to help mitigate costs if possible.

Question 2: Can Caltrain buy power from a local publicly owned utility like Palo Alto or Santa Clara?

No, not at this time. Buying power from Palo Alto or Santa Clara is presently not an option since neither of the traction substations are located in their service areas, and there is no physical connection to the substations within either municipal utility. We met with both the cities of Palo Alto and Santa Clara to see what opportunities may present themselves regarding power procurement.

Because the traction power stations are not physically connected to or in the respective service territory of either Palo Alto or Santa Clara, our options are limited. Caltrain could try and physically connect to either of the municipal systems. This would likely be a very long lead time, require substantial capital investment, and likely not be operationally or financially feasible at this time from Caltrain's, Palo Alto's or Santa Clara's perspectives. The decision to place the traction power stations in San Jose and South SF was made a long time ago.

Notwithstanding these challenges, we agreed to stay in contact with Palo Alto and to continue to explore ideas even if bigger picture or long-lead time strategies could benefit both parties. We had a similar conversation with Santa Clara, and their interest was tempered. They indicated that they have a meaningful lead time and waitlist to add load in their service territory.

Question 3: Can Caltrain participate in the wholesale market and buy power from whoever it wants?

No, not at this time. Caltrain does not have the legal authority to participate in the wholesale market currently. In order to buy power from the wholesale market – and assuming that Caltrain wanted to do this – there may be three options that may merit additional review to assess their ultimate feasibility as circumstances evolve.

1. California does provide direct access for a small set of customers whereby those customers can choose their individual power supplier ("Direct Access"). Customers are chosen via a lottery, which takes place each summer. Our understanding is that both CCA and bundled PG&E customers are allowed to participate in the Direct Access Lottery. However, there is a cap on the number of customers that are eligible to participate in the Direct Access program which was last increased in 2021. In the most recent lottery year, 2022, no PG&E customers were eligible for the lottery as PG&E is at its cap. Our understanding is that there are no current plans within the State to increase the Direct Access cap. Any expansion to the cap may also require approval in the State legislature.
2. We have also had high-level discussions with legal counsel if any of the respective legal authorities of any of the Caltrain members could somehow benefit Caltrain in energy procurement, including any flexibility that might exist to procure power in the open market. Caltrain's rights, authorities

and restrictions are currently governed by Samtrans, which does not have the ability to participate in the wholesale market, under the current JPA agreement. The question would be if Caltrain can access potentially the rights and authorities of the City and County of San Francisco, which has broader rights in energy procurement and delivery since they already operate a municipal utility.

This approach would likely require an amendment to the existing JPA Agreement but would also require a more detailed legal analysis. As with Palo Alto and Santa Clara, San Francisco does not have interconnection points located in its service areas and Caltrain would need to explore what legal authority, capital investment, if any, and/or policy appetite San Francisco might have to provide direct access to Caltrain, if it is eventually legally permissible.

3. Caltrain could seek enabling legislation – similar to BART – that would allow Caltrain to purchase power in the wholesale market. This strategy would require legislation that may generate significant political opposition from the incumbent providers. Other public entities have attempted this approach unsuccessfully in the past. Even if legislation could theoretically be passed, the implementation of a wholesale energy procurement strategy is very complicated, time intensive and carries significant risk. There are material resource and compliance risks, in addition to operational considerations, that would need to be carefully reviewed prior to implementation. A thoughtful risk mitigation strategy would need to be developed and implemented. As is the case with BART, who is a member of Northern California Power Agency (NCPA), it is likely that significant outside support would be needed.

We would also caution that “wholesale market access” is not a panacea. Municipal utilities, and BART, have been able to procure power at lower rates, in no small part, because they have working on power procurement a long time, and have invested directly and indirectly through joint action agencies in their own resources and power supply. This is not an observation simply about expertise but in resource and portfolio management. Municipal utilities certainly have access to different tools, like tax-exempt debt, that help in lowering rates, but maybe more importantly, these publicly owned utilities have been building and procuring power over a host of different market environments with a host of different strategies, and these investments have ultimately paid off in terms of lower rates. Caltrain does not have an intrinsic better ability to buy power at lower rates in the wholesale market, compared to a CCA for example, but municipal utilities in California do have lower rates driven by the investments they have made over time. Caltrain’s ability to access these lower rates will require a physical connection to the respective utility, the legal authority to access the wholesale market, and/or new enabling legislation along with the policy willingness to do so.