



BOARD OF DIRECTORS 2024

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EXECUTIVE DIRECTOR

AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Board of Directors Meeting

May 02, 2024, 9:00 am

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

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

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

Public Comments: Public comments may be submitted to publiccomment@caltrain.com prior to the meeting's call to order so that they can be sent to the Board as soon as possible, while those received during or after an agenda item is heard will be included into the Board's weekly correspondence and posted online at: <https://www.caltrain.com/about-caltrain/meetings>.

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

Note: All items appearing on the agenda are subject to action by the Board. Staff recommendations are subject to change by the Board.

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

May 02, 2024 - Thursday

9:00 am

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

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

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

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

4. Closed Session: Conference with Legal Counsel – Pending Litigation (§ 54956.9(d)(1))[Rogers v. Peninsula Corridor Joint Powers Board, San Mateo County Superior Court, Case No. 23-CIV-03335]

PART III OF MEETING (REGULAR SESSION): 9:45 am estimated

5. General Counsel Report – Report Out from Above Closed Session
6. Public Comment for Items Not on the Agenda
Comments by each individual speaker shall be limited to two (2) minutes. Items raised that require a response will be deferred for staff reply.
7. Report of the Executive Director Informational
8. Consent Calendar
Members of the Board may request that an item under the Consent Calendar be considered separately.
 - 8.a. Meeting Minutes of April 4, 2024 Motion

Approved by the Finance Committee

- 8.b. Accept Statement of Revenues and Expenses for the Period Ending March 31, 2024 Motion

- | | | |
|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|
| 8.c. | Renew Findings of an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to Public Contract Code §22050* | Resolution |
| 8.d. | Authorization of the Application for and Receipt of Annual Low Carbon Transportation Operations Program (LCTOP) funds for Ridership Recovery Service Enhancement | Resolution |
| 9. | Receive Energy Procurement Strategy Update and Authorize Application to California's Low Carbon Fuel Standard Program | Resolution |
| 10. | State and Federal Legislative Update and Consideration of Positions on Legislation:
HR 7039 (Johnson)
AB 1837 (Papan)
AB 2053 (Lee)
SB 1031 (Wiener and Wahab) | Motion |
| 11. | Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report | Informational |
| 12. | Receive Link21 Program Update | Informational |
| 13. | Reports | |
| 13.a. | Report of the Citizens Advisory Committee | Informational |
| 13.b. | Report of the Chair | Informational |
| 13.c. | Report of the Local Policy Maker Group (LPMG) | Informational |
| 13.d. | Report of the Transbay Joint Powers Authority (TJPA) | Informational |
| 14. | Correspondence | |
| 15. | Board Member Requests | |
| 16. | Date/Time of Next Regular Meeting: Thursday, June 6, 2024 at 9:00 am.
The meeting will be accessible via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA. | |
| 17. | Adjourn | |

Information for the Public

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

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

Date and Time of Board and Committee Meetings

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

Location of Meeting

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

Public Comment*

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

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

Accessible Public Meetings/Translation

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

Availability of Public Records

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



Executive Director's Monthly Report: April 2024

Executive Director Michelle Bouchard

Report prepared for May Board meeting; data current through March 2024.





Who We Are and What We Do

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

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



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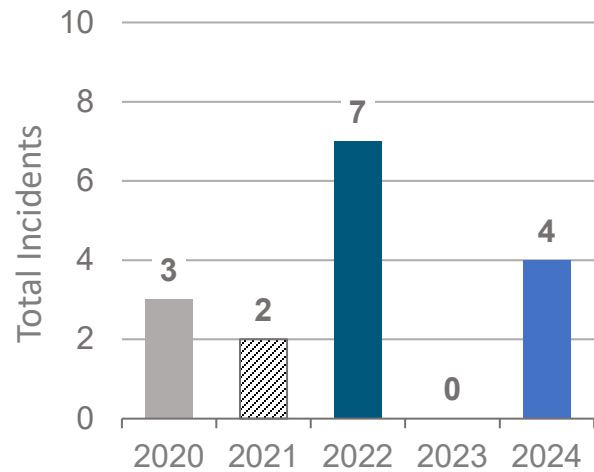


Safety Updates – Injuries and Incidents

Reportable Injury Trends



Reportable Rail Equipment Incidents



Reportable Injury Rates (RIR) are based on the number of railroad worker on duty injuries and illnesses per 200,000 employee-hours annually (equivalent of 100 full time employees). The national average RIR is 3.0 across all industries, per the U.S. Bureau of Labor Statistics. Caltrain’s cumulative RIR for calendar year 2024 is 2.23.

Strains or sprains constitute the majority (51%) of reportable injuries for Caltrain’s operator.

Reportable railroad accidents/incidents are divided into three groups: (1) Highway-Rail Grade Crossing; (2) Rail Equipment; (3) Death, Injury and Occupational Illness.

Reportable Rail Equipment Incidents from recent years peaked in 2022. There were no reportable incidents in 2023 but there have been 4 incidents thus far in 2024.

Days without a Reportable Injury as of 4/23/2024

Department	Days Without Injury	Date of Last Injury
Dispatch	1,427	5/27/2020
Operations	11	4/12/2024
Maintenance of Equipment	65	2/18/2024
Maintenance of Way	69	2/14/2024
Other	1,427	5/27/2020





Safety Culture Engagement Efforts

Ongoing Safety Culture Transformation

- Caltrain recently onboarded a new cohort of Safety Champion volunteers to partner with the Safety Department and executives on the Safety Culture Steering Committee to promote, improve, and sustain a proactive safety culture. Safety Champions help create safety messaging, encourage safety concern reporting, model safe behaviors, and obtain feedback from peers.
- Chief Safety Officer issues regular correspondence to Caltrain employees about the importance of continuing to put Safety First and Always. Recent messages covered topics such as learning culture and safety moments.
- Caltrain recently launched a “Safety Leaders of the Quarter” recognition program to acknowledge and celebrate employees who are actively contributing to a positive safety culture. The inaugural Safety Leaders were recognized at Caltrain’s most recent All Hands Meeting. A new group of 9 Safety Leaders was selected and recognized in March 2024.

Recent Engagement Activities

- Attended APTA Mid-Year Safety and Risk Seminar
- Participated in Commuter Rail Safety Committee – presented Caltrain efforts on Roadway Worker Protection, Safety Culture and Grade Crossings
- Engaging cities along corridor to advance tree mitigation efforts
- Attended safety symposium in Pittsburgh, PA to present on Caltrain’s safety culture transformation and discuss best practices with industry peers
- Met with technology companies to discuss GPS navigation safety enhancements for grade crossing areas

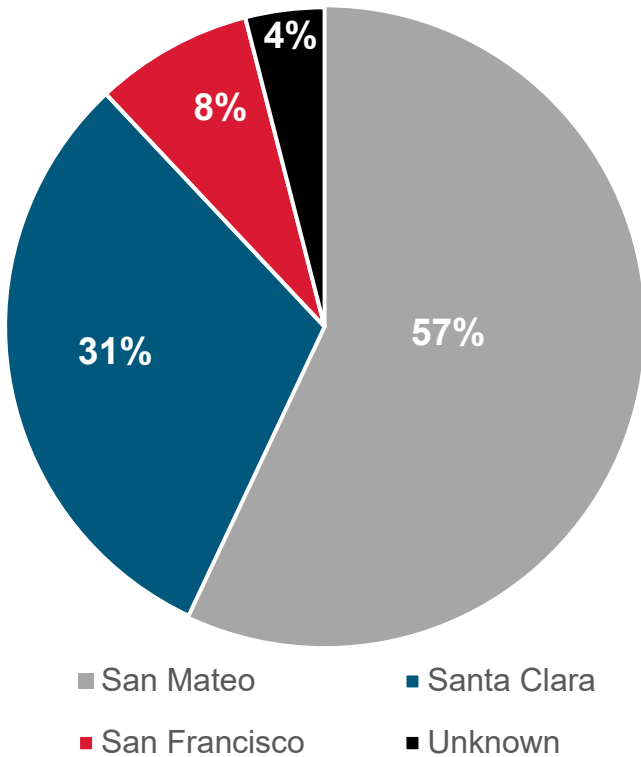




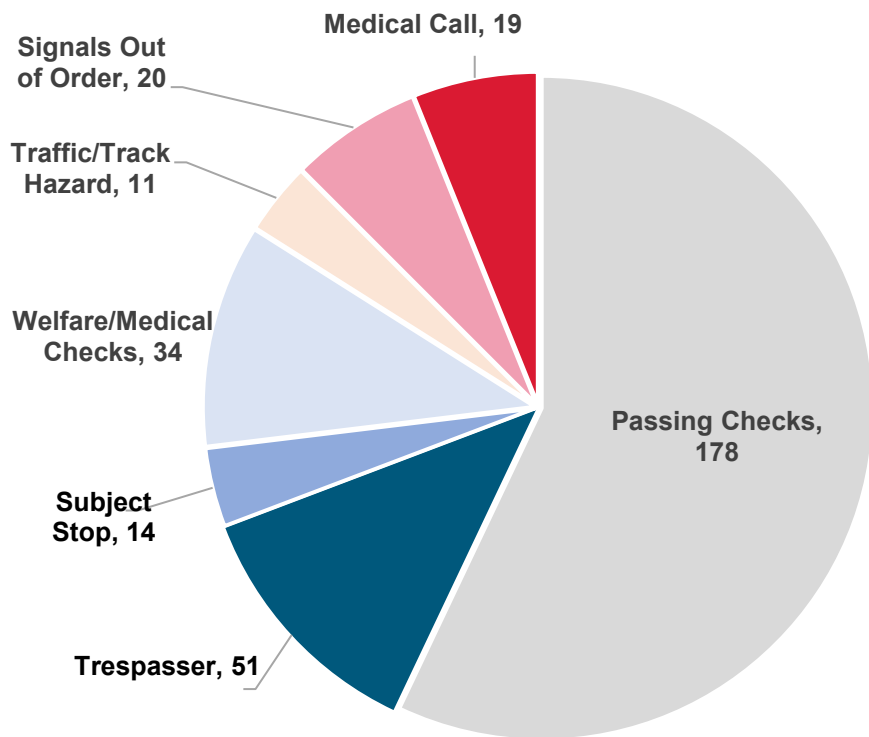
Security Update

The San Mateo County Sheriff’s Office Transit Police Bureau is Caltrain’s contracted law enforcement provider. The bureau is responsible for policing all Caltrain rail equipment, stations, right-of-ways and facilities throughout San Francisco, San Mateo, and Santa Clara counties.

Calls for Service by County March 2024



Number of Calls by Category March 2024¹



March 2024 Service Call Data

Overall Average Response Time: **19:40**

Average Response Time for **Priority 1***: **16:39**

Average Response Time for **Priority 2****: **15:06**

*Priority 1 Calls: *In Progress – Crimes Against Persons*

**Priority 2 Calls: *Just Occurred – Crimes Against Persons/ In Progress – Property Crimes*

Footnote 1: Total calls for service totaled 439 in March across 18 categories. The pie chart shows the top 7 categories representing 312 calls or 71% of the total.

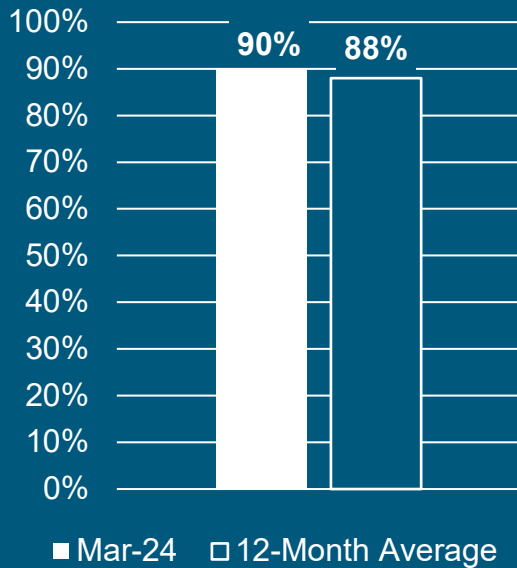




Performance at a Glance

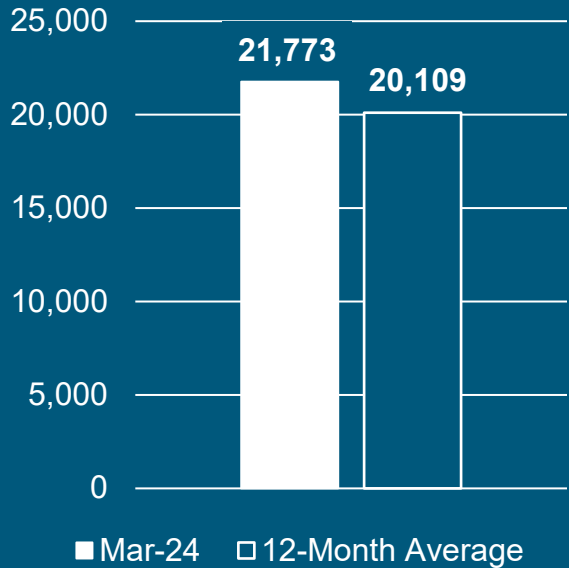
On-Time Performance

Percentage of trains arriving within six minutes of the scheduled time



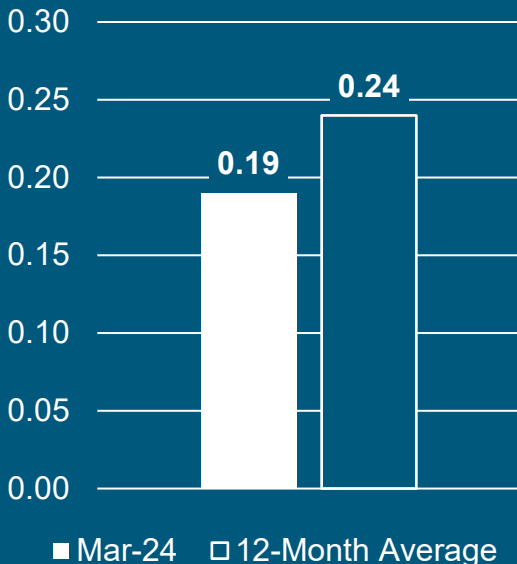
Average Daily Ridership

Average estimated weekday ridership



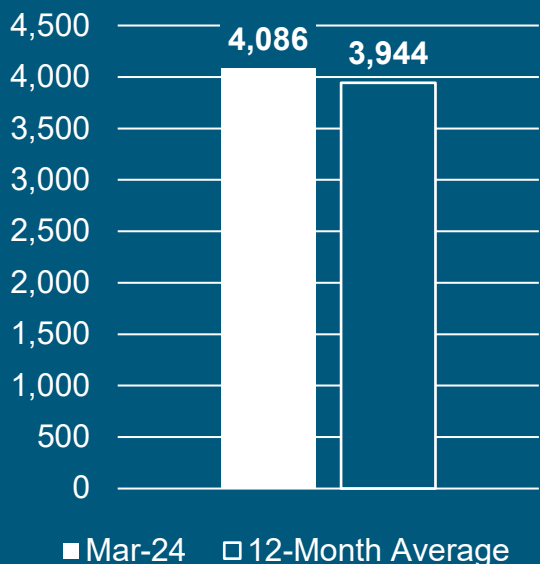
Farebox Recovery Ratio

Ratio of fare revenue to operating costs



Mean Distance Between Failures

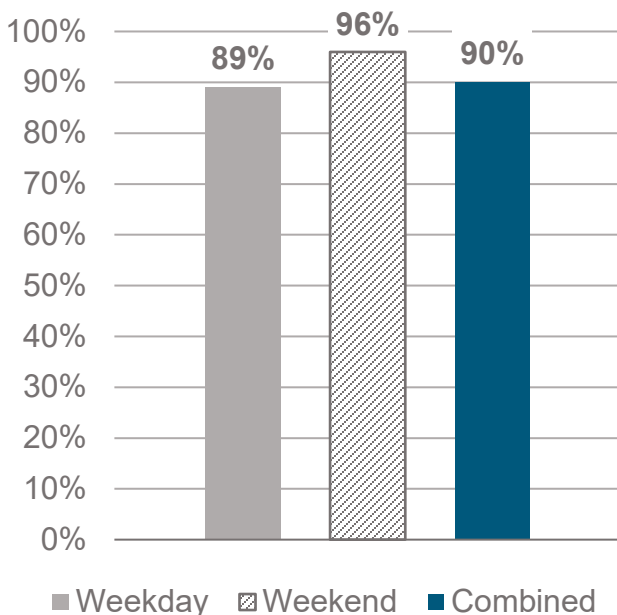
Average miles travelled by locomotives before maintenance/repair is required





On-Time Performance

Performance This Month (Mar-24)

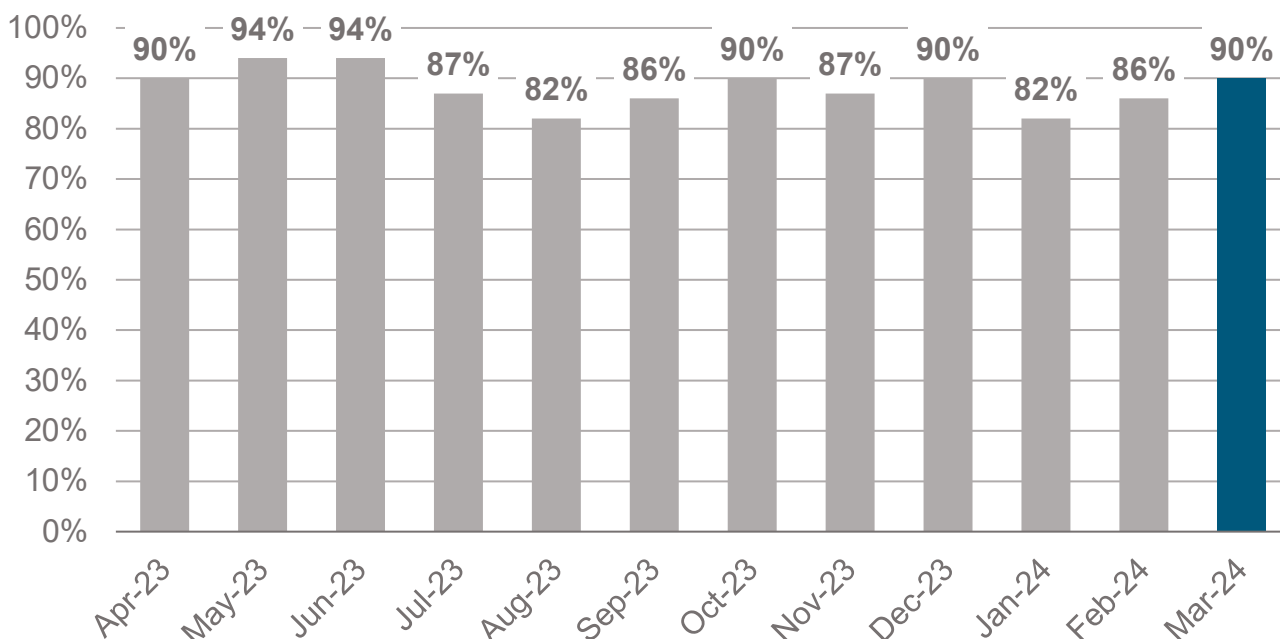


Trains are considered on-time if they arrive within six minutes of the scheduled arrival time at end-line locations (i.e. San Francisco, San Jose Diridon, Tamien, and Gilroy).

The on-time performance (OTP) goal for Caltrain is 95 percent. Combined OTP for the month of March was 90%.

Note that weekend OTP includes holidays.

Monthly On-Time Performance in the Past Year





Delays and Cancellations

Jan-24

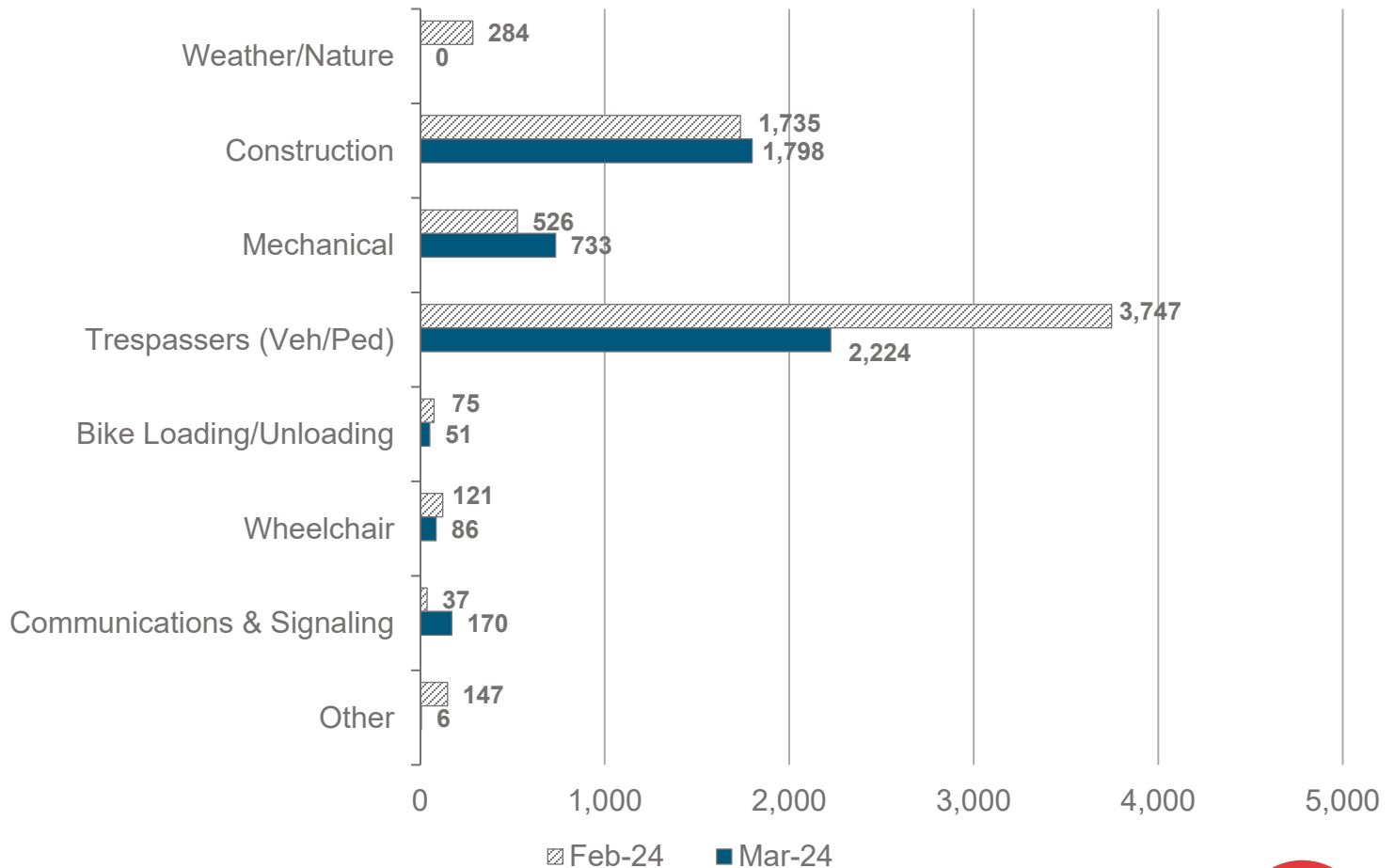
Feb-24

Mar-24

Number of Late Trains	448	335	257
Average Minutes Late for Late Trains	27	21	19
Number of Cancelled Trains	41	18	13

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

Reasons for Train Delays, by Minutes of Delay



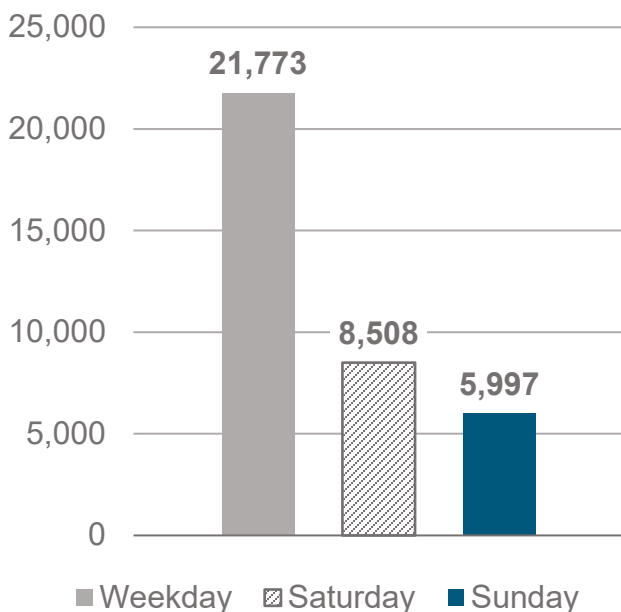
Note: "Other" includes special events and track defects.





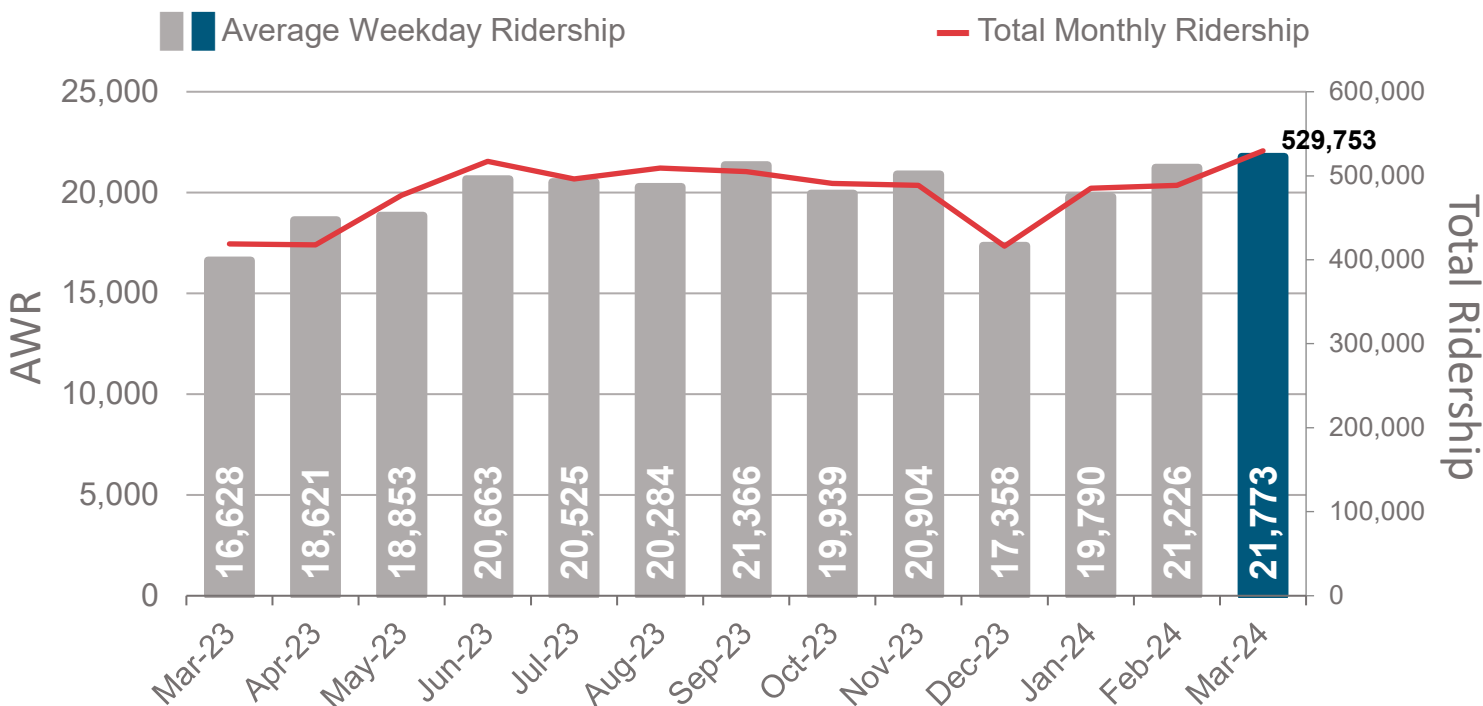
Ridership and Revenue

Average Daily Ridership (Mar-24)



Average weekday ridership (AWR) increased by approximately 28 percent compared to the same month in the prior year as riders continue to return to the Caltrain system for increased work and leisure travel.

Ridership in the Past Year



April 2020 through October 2023: Due to pandemic-induced changes in travel patterns, ridership estimates were calculated using a combination of Clipper tap data and limited conductor counts.

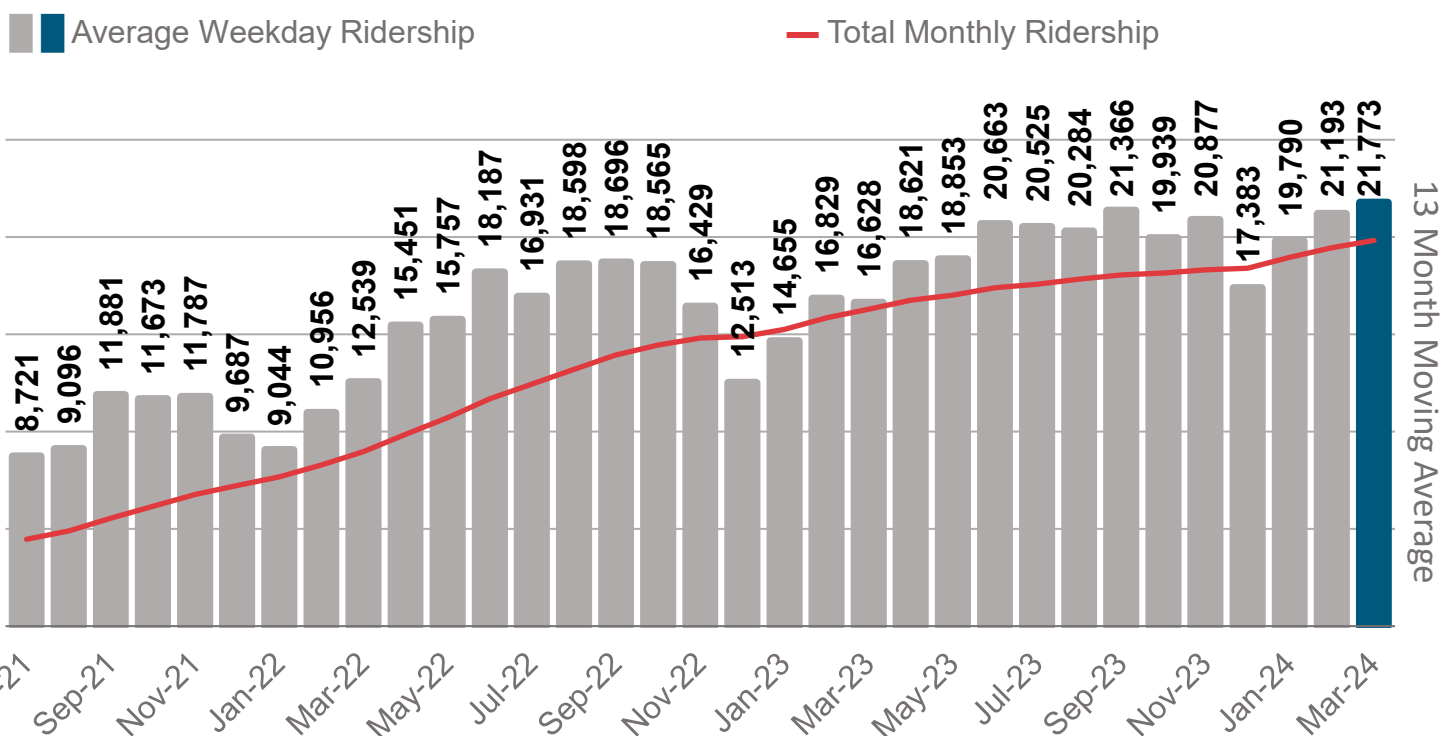
November 2023 on: Caltrain implemented a ridership estimation model that is based entirely on fare media sales data.





Ridership and Revenue

**Average Weekday Ridership & 13 Month Moving Average:
Fiscal Year 2022 to Present**



Year Over Year AWR Increase
(March 2023 vs. March 2024) : **31%**





Ridership and Revenue

Special Service Ridership Report

San Francisco Station

- San Francisco Giants
 - One pre-season game in March.
 - Gross ridership at San Francisco station was 3,898, a 14.6% increase compared to 2023 (3,401) and a 63.1% decrease from 2019 (10,564).
- Golden State Warriors
 - Five regular season home games in March with post-game ridership boarding at San Francisco station of 2,225.
 - Season-to-date ridership boarding at San Francisco station was 15,762, a 1.5% increase compared to 2022 (15,532) and a 51.6% decrease compared to 2019 (32,556).

Santa Clara Station

- San Jose Earthquakes
 - Three regular season games in March. Only two were counted.
 - Season-to-date ridership at Santa Clara station was 533, a 9.8% decrease from 2019 (591).
- Bay FC
 - One regular season game in March.
 - Gross ridership at Santa Clara station of 442.

San Jose Diridon Station

- San Jose Sharks
 - Four regular season home games in March with post-game ridership boarding at San Jose Diridon station of 723.
 - Season-to-date post-game ridership is 6,087, a 61.3% increase compared to 2022 (3,774) and a 34.9% decrease compared to 2019 (9,345).

* Methodology Change: Prior to November 2023, special event ridership was reported in terms of “additional riders.” With the rollout of a new fare media sales-based estimation methodology, special event ridership is now reported in terms of total (gross) ridership on trains before and/or after special events. Gross ridership estimates are available for special events for which additional ridership was previously reported.

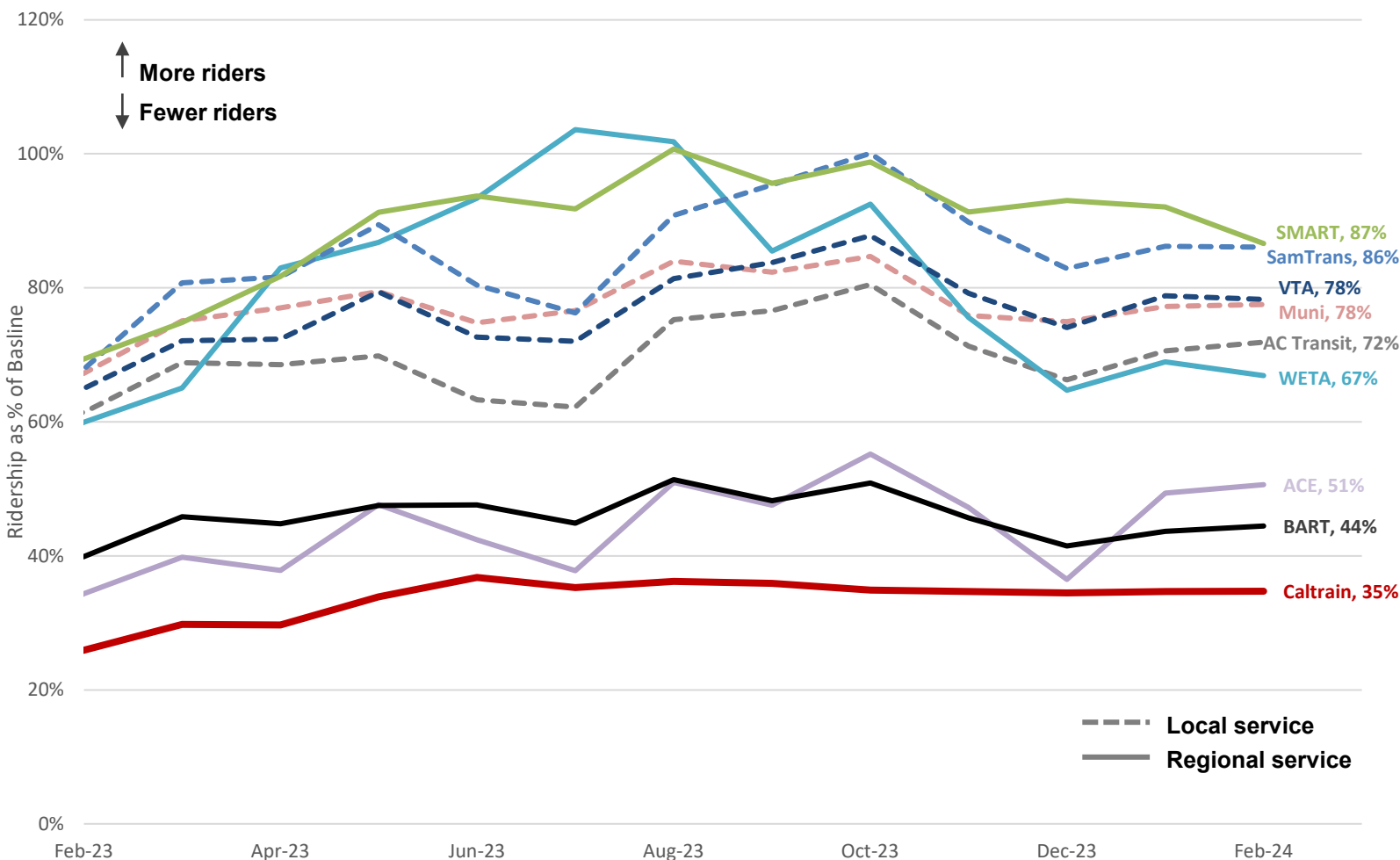




Public Transit Ridership Recovery in the Bay Area

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

Total Monthly Ridership as a Share of Pre-Pandemic Levels



Sources:

- Starting in November 2023, Caltrain ridership estimates use a fare media sales-based model. Prior to then, Caltrain ridership estimates were based on a combination of conductor counts & Clipper data
- Ridership data for all other agencies retrieved from the National Transit Database

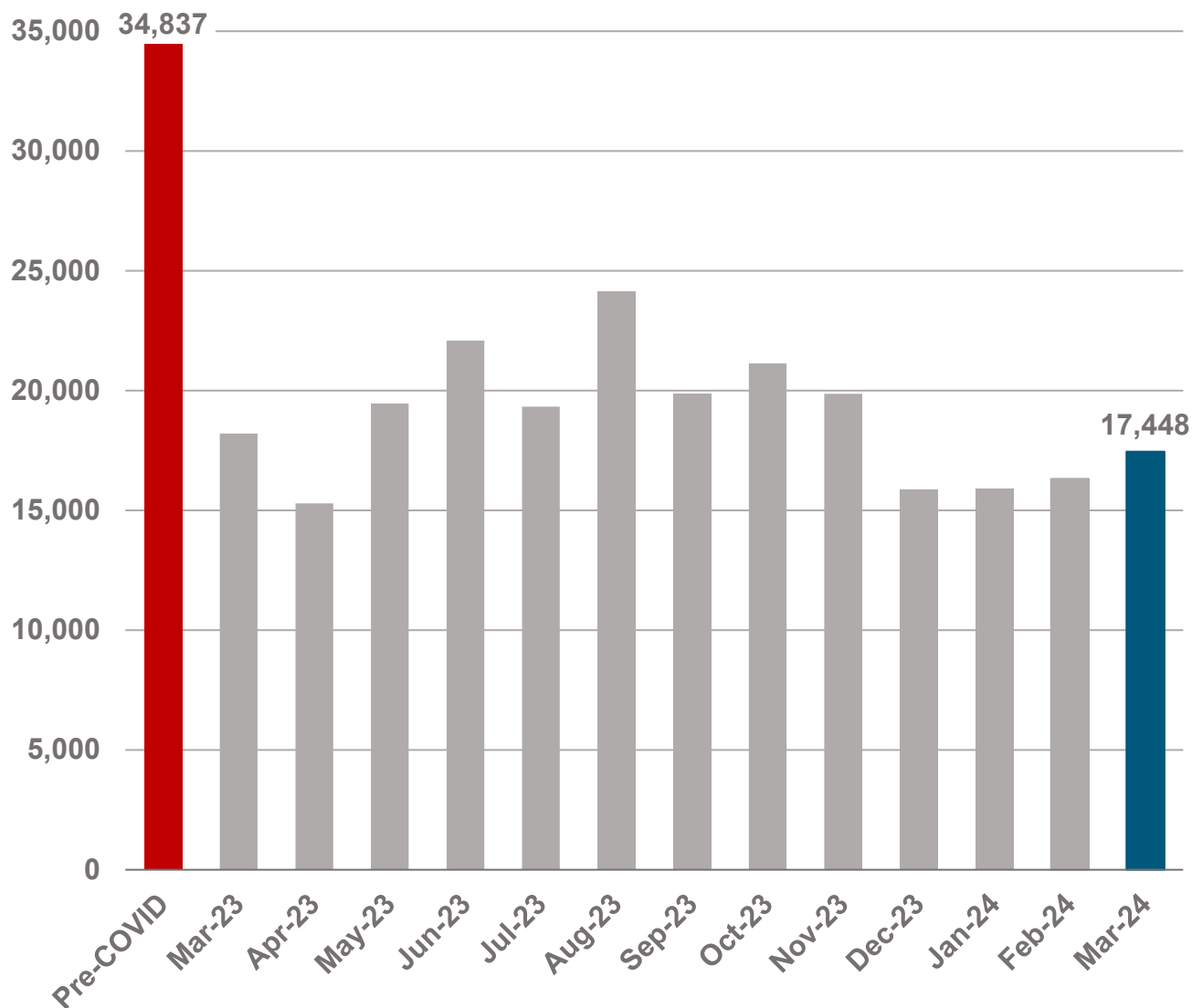
Total Monthly Ridership Estimates (in thousands)

Transit Operator	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24
Muni	11,067	12,363	12,678	13,078	12,316	12,611	13,824	13,554	13,942	12,492	12,344	12,716	12,764
BART	3,889	4,470	4,371	4,635	4,645	4,376	5,010	4,706	4,963	4,456	4,046	4,258	4,338
AC Transit	2,822	3,164	3,150	3,209	2,909	2,859	3,458	3,521	3,699	3,278	3,045	3,245	3,303
VTA	1,857	2,061	2,069	2,270	2,077	2,060	2,326	2,395	2,511	2,264	2,118	2,253	2,238
SamTrans	643	765	774	848	762	723	861	904	949	851	786	817	816
Caltrain	357	365	419	418	477	517	496	509	505	491	488	485	488
WETA	120	139	151	192	201	216	240	236	198	214	175	150	160
SMART	50	54	59	65	67	66	72	69	71	65	67	66	62
ACE	40	46	43	55	49	43	59	55	63	54	42	57	58



Ridership and Revenue

Monthly BART Transfers at Millbrae in the Past Year



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

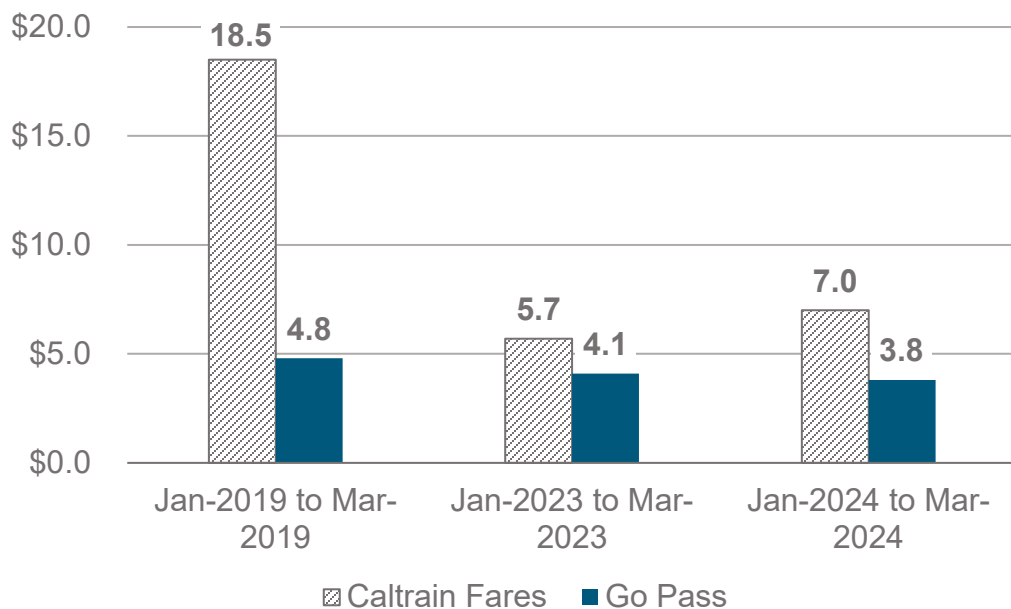
Pre-COVID data is provided for comparison purposes and represents average monthly transfers during the one-year period from March 2019 to February 2020.





Ridership and Revenue

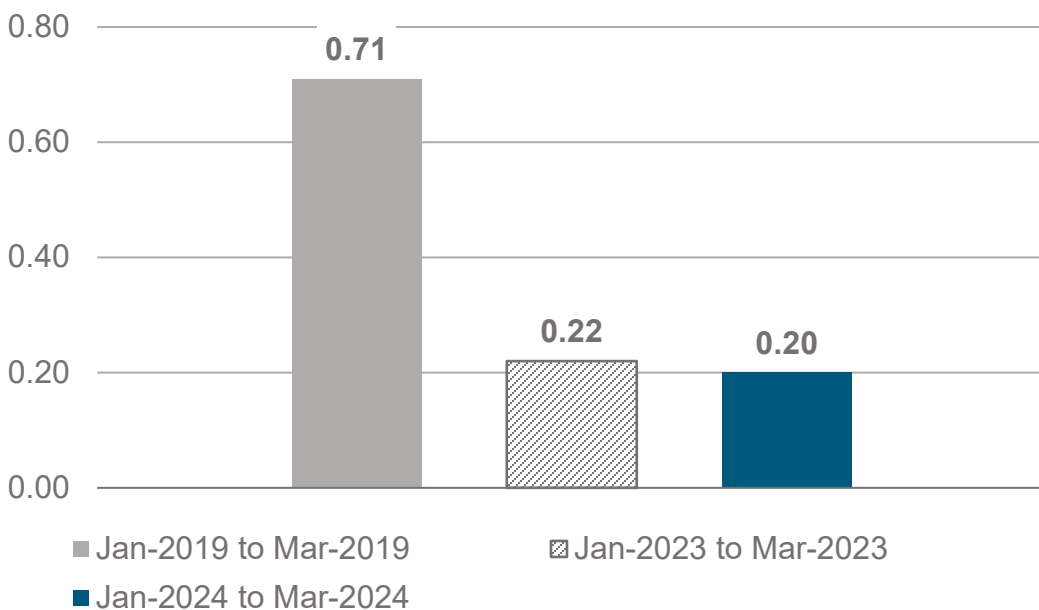
Total Fare Revenues (\$M) - Past 3 Months Comparison



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

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

Farebox Recovery Ratio (3-Month Rolling Average)



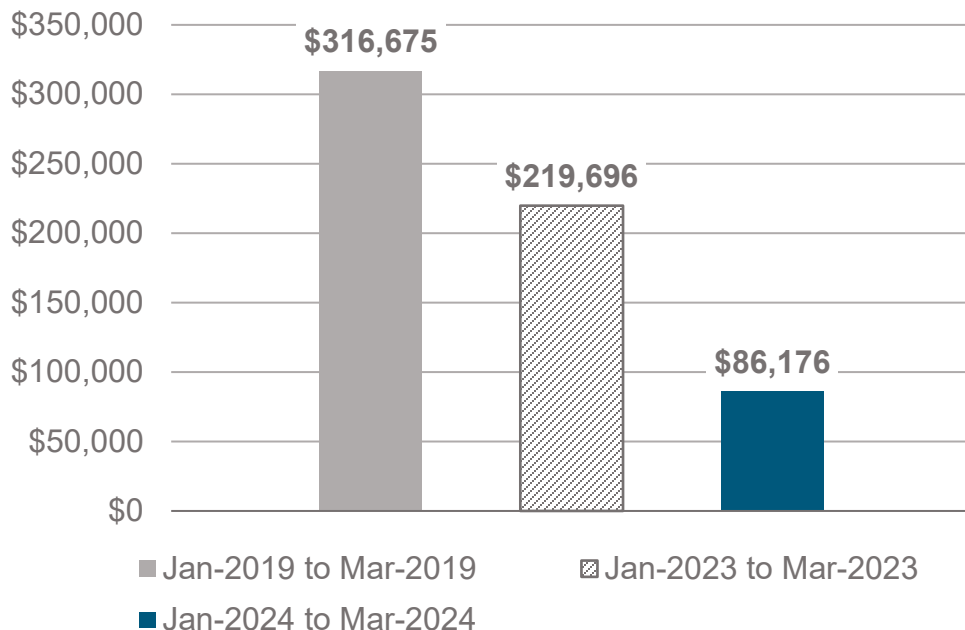
Farebox Recovery Ratio represents how much of the cost of providing service is covered by customer fares. A higher ratio indicates that a greater share of costs are covered by riders.





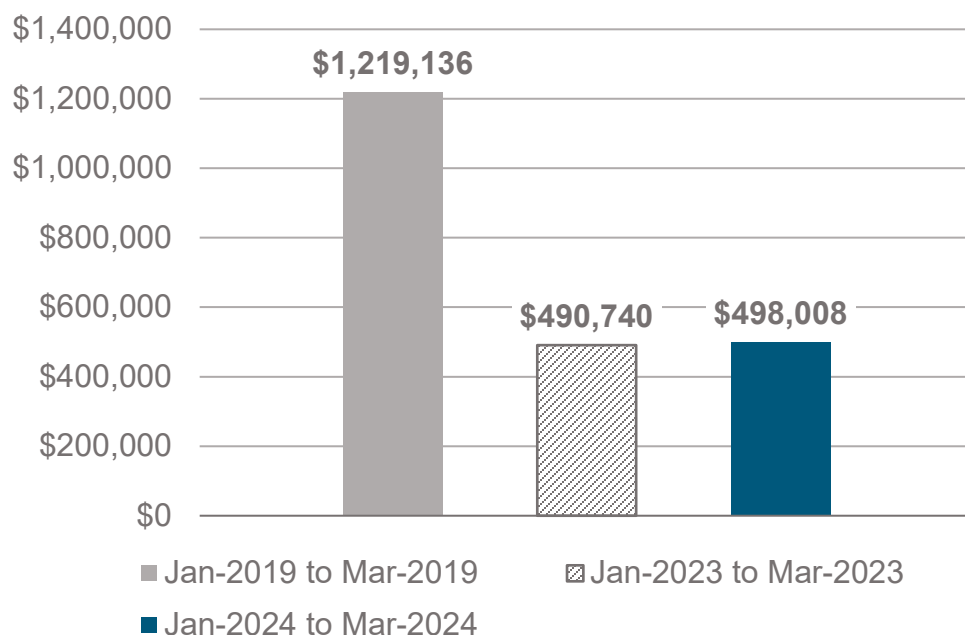
Ridership and Revenue

Advertising Revenue (3-Month Rolling Average)



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

Parking Revenue (3-Month Rolling Average)



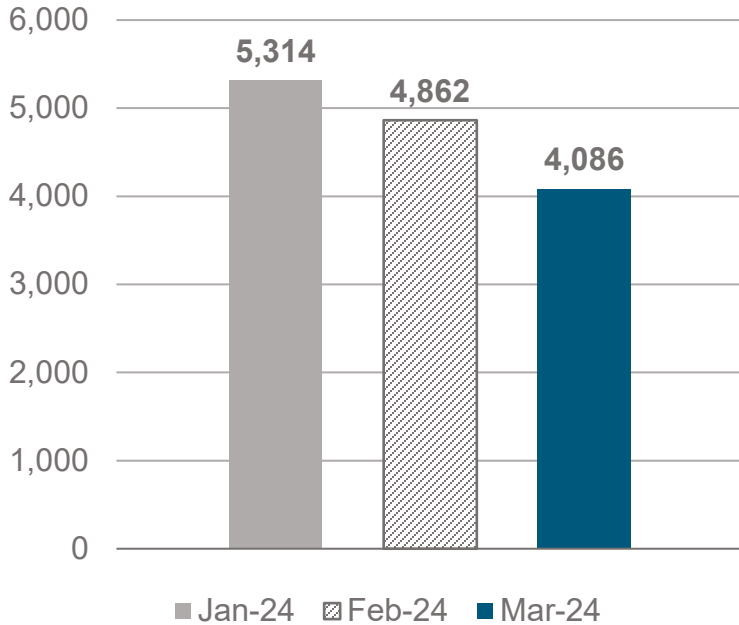
Parking Revenue is generated by purchases of daily and monthly parking permits for parking at Caltrain-owned lots.





Maintenance Performance

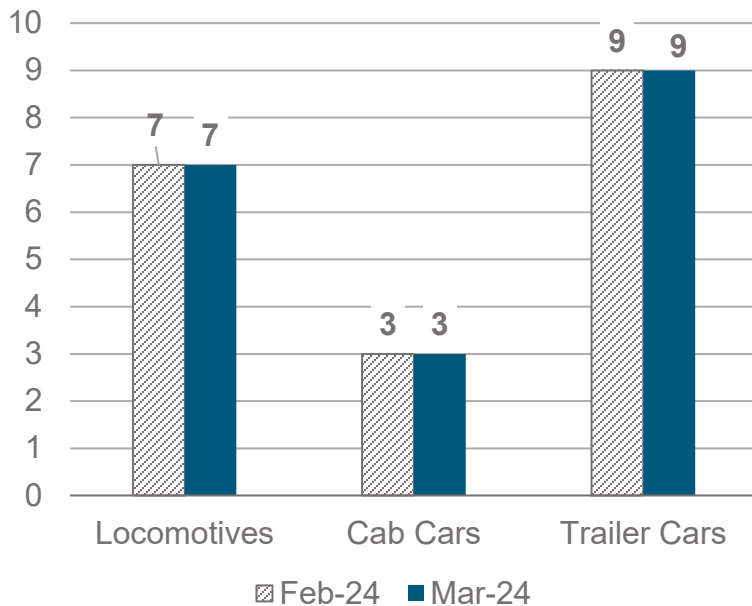
Mean Distance Between Failure (Locomotives)



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

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

Equipment in Maintenance/Repair



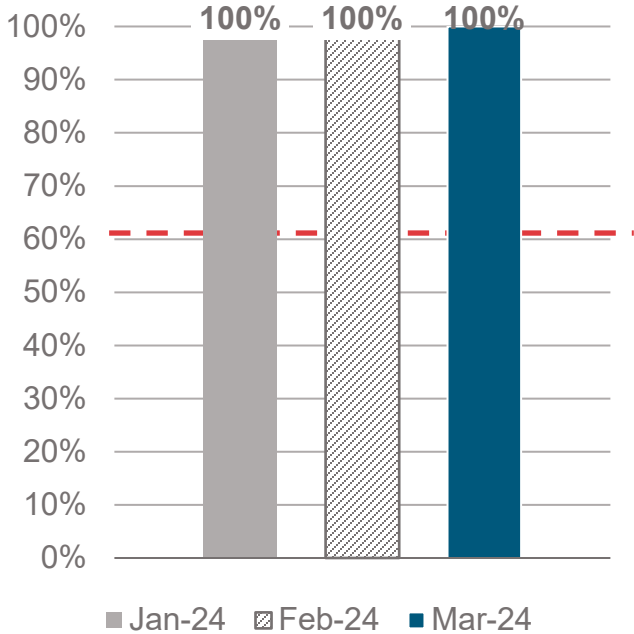
Equipment in Maintenance/Repair represents the number of locomotives and cars that are out of service on an average day each month due to routine and preventative maintenance or other repairs.





Maintenance Performance

Equipment Availability (Locomotives)

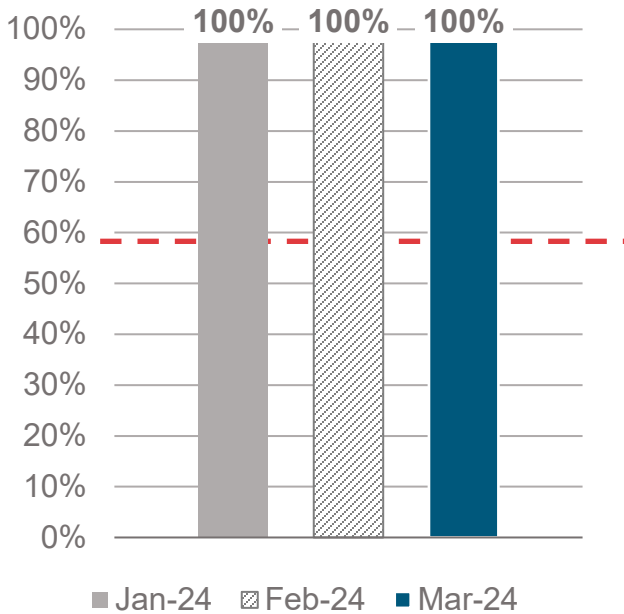


Equipment Availability is the number of cars or locomotives available for service on an average day each month as a percentage of the daily equipment required to run base service.

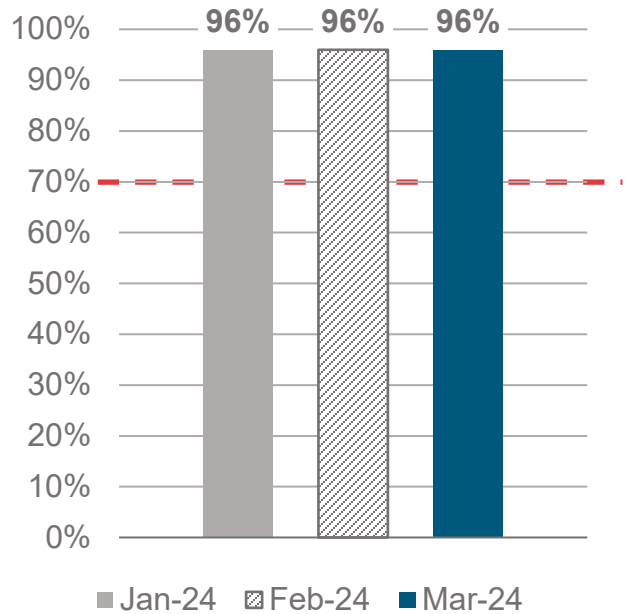
Caltrain currently owns 29 passenger locomotives, with 18 required daily; 36 cab cars, with 21 required daily; and 98 trailer cars, with 69 required daily.

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

Equipment Availability (Cab Cars)



Equipment Availability (Trailer Cars)



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





Service and Program Updates

Caltrain Celebrates Major Milestone of Electrification Project with Successful Energization and Testing of Full 51-Mile Caltrain Corridor

Caltrain, with its partners Pacific Gas and Electric Company (PG&E) and Balfour Beatty, has successfully energized and tested the full 51-mile Caltrain-owned corridor between San Francisco and San Jose. This milestone achievement in the Caltrain Electrification Project signifies major progress in expanding Caltrain's ability to test electric trains at full speed along the corridor and prepare for electrified revenue service in September 2024.

Caltrain Completes Integrated Testing Between San Francisco and San Jose

Caltrain has reached an important milestone in its Electrification Project by successfully completing integrated testing between San Francisco and San Jose. On the weekend of April 13-14, tests were conducted on the electric trains, overhead contact system, grounding, bonding, and existing infrastructure, specifically in the final segment from San Francisco to Millbrae.

The success of this testing allows Caltrain to stay on track for the full rollout of electrified passenger service in fall 2024. Each of the 23 electric trainsets must still complete 1,000 miles of testing before passenger service can begin.

Electric trains are quieter than Caltrain's current diesel fleet, so the public is advised to [pay close attention](#) when crossing the tracks and to always wait for the gate to fully rise before crossing.





Communications and Marketing Update

Caltrain Communications and Marketing Campaigns for March 2024

- Press Release: "Caltrain Retires 32 Diesel Passenger Cars as Electrification Nears"
- Press Release: "Caltrain Explores Options for New Headquarters"
- Press Release: "Take Caltrain to See the Battle of the Bay"
- Press Release: "Congressional Delegation Brings Funding Home to Improve Caltrain Crossings"
- Press Release: "Caltrain Successfully Tests Electric Trains from Redwood City to San Jose"
- Clipper Mobile (ongoing)
- 20% Off Caltrain Monthly Pass (ongoing)
- Clipper START (ongoing)

Digital Marketing Report

In Electrification updates, electric trains underwent full-speed testing. A March bus bridge was implemented on March 9th and 10th. Additionally, alongside SPUR, Caltrain hosted an electric train tour on 3/26 in San Francisco. Sporting Events were a significant focus for Caltrain ridership in March, marked by the return of baseball (SF Giants) and the debut of women's professional soccer club, BayFC. Caltrain celebrated Women's History Month by passing a proclamation at the March Board Meeting. This was followed by social media content and an internal event for staff to honor the women of the district.

March Digital Marketing Highlights

- Women's History Month
- Bad Bunny Chase Center Coverage
- During the March Board Meeting Engineer Gabe Chavez Jr, Conductor Fabian Alcala, and Conductor Dominique Jolivet were honored with certificates of appreciation and Safety Leader jackets for their help and guidance with an event that happened on the corridor on Feb. 28th.
- Weekly "Throwback" post leading to the 160th celebration
- Continued promotion of the new fare rates – Extended
- New Trains, Faster Experience – Electrification Highlights





Communications and Marketing Update

March Digital Marketing Highlights (continued)

- Next Electric Train Tour: May 11th San Carlos
- Caltrain Instagram surpassed 10k followers
- Electric trains tested running at full speed
- Proof of payment – social messaging
- Transit Employee Appreciation Day
- 12 Gallery car were retired the weekend of 3/23, social and in person coverage to capture historic event
- Giants Baseball season returns
- BayFC Home Opener 3/30
- SPUR Electric Train Tour
- Easter

Social Metrics: MAR 2023 / MAR 2024

Impressions: 1,015,315 / 1,338,796

Engagements: 25,828 / 64,752

Post Link Clicks: 6,236 / 5,182





Capital Projects Update

Project: Guadalupe River Bridge Replacement

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
JPB will replace the MT-1 railroad bridge and extend and seismically retrofit the MT-2 railroad bridge over the Guadalupe River in the City of San Jose, Santa Clara County, California. The project is located just north of Willow Street and east of State Route (SR) 87 between the Tamien and San Jose Diridon stations.				
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	63,699	31,136	27,553	
Percentages	100.00%	48.9%	43.3%	
02/16/25				
Project Highlights – Recent and Upcoming Work				
<p>In March 2024, activities included the execution of a Settlement Agreement with UPRR, execution of a Construction and Maintenance Agreement with UPRR, continuation of third-party fiber optic utility relocations, the continuation of positive train control cabling relocation from the MT1 bridge to the MT2 bridge, the off-site fabrication of precast girders for the MT1 bridge, and on-site maintenance of erosion control measures.</p> <p>In April 2024, the project will continue pulling and splicing cables for third-party fiber optic utility relocations, relocating positive train control cabling from the MT1 bridge to the MT2 bridge, and maintaining on-site erosion control measures. In addition, the project will install bird nesting deterrent measures on the MT1 bridge and survey monitoring equipment on the MT2 bridge. Pending concurrence from permitting authorities, work in the month of April 2024 may include minor demolition of the MT1 bridge outside of the river.</p> <p>Safety: On March 19, 2024, a car driven by an unknown driver swayed away from the driving lane of Highway 87 and collided into the adjacent project site fencing located next to the entrance gate (off the highway 87) and damaged the fence. No one was injured. A police report was filed. Initial investigation suggested that this was not associated with project work.</p> <p>The "Funding" status light will remain "Red" until FY24 funding appropriated by the Board in June 2023 is made available to the project.</p>				

Note: The Capital Projects information is current as of March 31, 2024, and is subject to change prior to the May 2024 Board meeting.

Statuses: – Green – Yellow – Red





Capital Projects Update

Project: MP-36 Locomotive Mid-Life Overhaul Project

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
<p>This project involves performing mid-life overhaul of six MP-36-3C Locomotives. The mid-life overhaul includes complete disassembly of the main diesel engine, overhauling by reconditioning re-usable main frame components and re-assembly with new engine components and replacement of Separate Head-End Power (SEP-HEP) unit and all electrical components of the SEP-HEP compartment. All areas of the locomotive car body, trucks, wheels and electrical components shall be reconditioned to like-new condition or replaced with new material. The project work is occurring off-site at the contractor's facility location. The 6 locomotives to be overhauled are Locomotive #'s 923, 924, 925, 926, 927 & 928. In order to maintain daily service, only 1 to 2 of these locomotives are released at a time for overhaul work that is expected to take approximately 8 months per locomotive. Due to this restriction, the overall completion of this work is expected to take approximately 4 years.</p>	●	●	●	●

Project Phase: 6 – Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	14,769	12,830	10,995	12/30/24
Percentages	100%	86.9%	74.4%	

Project Highlights – Recent and Upcoming Work

March: The propulsion equipment and HEP engine for 923 were stripped and the hatches and side panels were removed. Painted underframe and aft end hatches for 928 and installed flooring and continued testing of wiring.

April: Begin sand blasting and rust repairs of car body for 923. Install battery box, air tanks, air brake equipment and underframe equipment for 928.

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

A potential budget shortfall has been identified. Requested a \$300,000 supplemental funding as part of the FY25 budget amendment.

Note: The Capital Projects information is current as of March 31, 2024, and is subject to change prior to the May 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Bayshore Station Bridge Painting

Project Description		Status Summary			
		Safety	Schedule	Budget	Funding
<p>This project will perform rehabilitation of the coatings of the existing steel pedestrian overpass bridge at the Bayshore Station in Brisbane. The bridge's paint coatings need rehabilitation due to surface rust. This work combined with a complete repainting of the bridge will bring the structure to a state of good repair.</p>		●	●	●	●
Project Phase: 6 – Construction/Implementation					
Project Costs (in thousands of dollars)					Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals		
Totals	6,870	5,791	5,573		12/31/2024
Percentages	100.00%	84.3%	81.1%		
Project Highlights – Recent and Upcoming Work					
<p>March: Continued to work with the team in completing final punch list items. In addition, continued to work with legal team to identify next steps and schedule for close-out phase.</p> <p>April: Continue to work with the team in completing final punch list items. In addition, continue to work with legal team to identify next steps and schedule for close-out phase.</p>					

Note: The Capital Projects information is current as of March 31, 2024, and is subject to change prior to the May 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Broadband Wireless Communications

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
The project will design a broadband wireless communications system along the Caltrain corridor for the wayside train maintenance diagnostics and passenger Wi-Fi service. The project will investigate leveraging the existing infrastructure such as the Overhead Contact System (OCS) poles and JPB fiber network to communicate with passing trains. Wayside antennas may be mounted on the OCS poles at a constant interval to communicate with moving trains that will be equipped with radios and antennas.	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	30,441	19,222	18,125	
Percentages	100.00%	63.1%	59.5%	
9/30/24				
Project Highlights – Recent and Upcoming Work				
<p>March: Stadler continued the installation of the Wi-Fi equipment in the EMU trains in Salt Lake City and in the San Jose CEMOF. A total of 5 EMU trains have been equipped with the Broadband equipment to date.</p> <p>Continued the trenching and antenna installation in Segments 2. Began the fiber splicing for the Control Points and wayside radios. Wayside radio installation is 70% complete.</p> <p>April: Complete the construction in Segment 2 and begin the construction in Segment 1. Continue fiber splicing and testing of the fiber network.</p> <p>Delay in availability of remaining funds: The remaining activated funds are insufficient to cover the entire construction phase. The "Funding" status light will remain "Red" until the remaining funds are available to the project.</p>				

Note: The Capital Projects information is current as of March 31, 2024, and is subject to change prior to the May 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: San Mateo Grade Crossing Improvements

Project Description		Status Summary			
		Safety	Schedule	Budget	Funding
<p>This project will design and implement safety improvements including quad gates or exit gates at the 4th and 5th Ave grade crossings in San Mateo. This project will make the two grade crossings safer for the train, motorist and pedestrians.</p>		●	●	●	●
<p>Project Phase: 6 – Construction/Implementation</p>					
Project Costs (in thousands of dollars)					Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals		
Totals	5,471	3,999	985		09/08/2024
Percentages	100.00%	73.1%	18.0%		
<p>Project Highlights – Recent and Upcoming Work</p>					
<p>In March 2024, TASI has mobilized on site in preparation for SWI to re-mobilize in April. TASI progress has been impacted by weather and other high priorities on the railroad. Bi-Weekly progress meetings are being held with TASI. CM staff continue to support the project, on an as-needed basis and continue to hold weekly progress meetings with SWI to work through administrative and planning items.</p> <p>In April 2024, TASI & SWI will continue to coordinate construction work in April. Continuing to meet bi-weekly with TASI to discuss status of the signal scope.</p>					

Note: The Capital Projects information is current as of March 31, 2024, and is subject to change prior to the May 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Churchill Avenue Grade Crossing

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
The scope includes the widening of the sidewalk to accommodate heavy bike and pedestrian traffic from local schools; relocate the pedestrian crossing gates due to the widened sidewalk; install new pavement marking and markers for vehicular traffic at the Churchill Avenue grade crossing in Palo Alto. Implement a total of 17 seconds of advance signal preemption time.	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	2,520	1,581	931	09/30/2024
Percentages	100.00%	62.7%	36.9%	
Project Highlights – Recent and Upcoming Work				
<p>March & April: Stacy and Witbeck, Inc. work is currently on hold awaiting completion of City of Palo Alto work that is a predecessor to JPB work. Work is not likely to resume until late July or early August of 2024, pending further updates from the City of Palo Alto.</p> <p>The Schedule status light is yellow as the schedule has been delayed due to delays with City of Palo Alto work, which is impacting JPB's contractor from completing work as initially scheduled. The Project Manager will request approval of a revised schedule from the Management Committee in May 2024.</p>				

Note: The Capital Projects information is current as of March 31, 2024, and is subject to change prior to the May 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Next Generation Visual Messaging Sign (VMS)

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
Full replacement of existing obsolete VMS at 22 selected stations between San Francisco and Tamien. The current VMS signs are no longer supported by the manufacturer and the predictive arrival and departure system (PADS) is becoming obsolete. Research will be done to determine whether it's best to replace the signs that will work with the current predictive arrival and departure system (PADS) or replace signs for the next generation passenger information system.	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	6,800	2,756	1,877	06/15/2025
Percentages	100.00%	40.5%	27.6%	
Project Highlights – Recent and Upcoming Work				
<p>March: Site Specific Work Plan (SSWP) for Santa Clara, Mountain View and Palo Alto were approved. Right to Work (RTW) was submitted. VMS delivery status was updated.</p> <p>April: Perform fiber optical installation path verification at Palo Alto station and Santa Clara station. Obtain approval for SSWP for San Jose Diridon station.</p> <p>The “Funding” status light is yellow as there are insufficient activated funds to cover the entire construction phase. Activate the FY25 approved budget.</p>				

Note: The Capital Projects information is current as of March 31, 2024, and is subject to change prior to the May 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: San Francisquito Creek Emergency Bank Stabilization

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
Stabilize and protect the northern bank of the San Francisquito Creek to prevent erosion from undermining the northern abutment of Caltrain's existing San Francisquito Creek Bridge, the northern foundations of the Alma Street Bicycle Bridge owned by the City of Palo Alto, and an existing drainage outfall owned by the City of Menlo Park.	●	●	●	●

Project Phase: 6 – Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	8,988	3,345	1,380	05/30/2025
Percentages	100.00%	37.2%	15.4%	

Project Highlights – Recent and Upcoming Work

In March 2024, the JPB team monitored the performance of the temporary stabilization measures during multiple rain events, continued pursuit of a Section 404 Permit from the US Army Corps of Engineers, prepared to perform archaeological corings, and received encroachment permit modifications from the City of Menlo Park and City of Palo Alto to support the archaeological coring work.

In April 2024, the JPB team plans to monitor the performance of the temporary stabilization measures, perform archaeological coring at the permanent stabilization site, prepare a report concluding the results of the archaeological corings, and continue to pursue a Section 404 Permit from the US Army Corps of Engineers. Delays to archaeological corings and the potential need for a formal Section 7 consultation have increased the risk that the Section 404 Permit will not be obtained in time to construct the permanent stabilization during the 2024 dry season.

Note: The Capital Projects information is current as of March 31, 2024, and is subject to change prior to the May 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: San Mateo Replacement Parking Track

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
<p>The project involves the preparation of an amendment to the previously-obtained environmental clearance report and final design of a "set out track" to replace the one that was removed in the Bay Meadows area to facilitate the construction of the 25th Ave. Grade Separation Project. The track, which will be located between 10th and 14th Aves., will be accessed from 9th Ave., approximately 1,000 feet in length and have a single switch.</p> <p>Electrification is not part of the base funding plan. Supplemental funding will be needed to electrify the replacement parking track.</p>	●	●	●	●

Project Phase: 6 – Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	10,128	1,392	974	05/31/2025
Percentages	100.00%	13.7%	9.6%	

Project Highlights – Recent and Upcoming Work

March: In March 2024, the JPB issued full NTP to Stacy and Witbeck, Inc (SWI) to proceed with construction activities. SWI continued to complete administrative and planning activities in preparation for site mobilization in April.

April: In April 2024, SWI has mobilized to begin heritage tree removals, site clearing, and grading activities.

Additional funding is required to be activated to cover construction phase of the project. \$3.77M in LPP funds still need to be activated. Grants staff are working on the Program Supplement with Caltrans, will proceed with requesting Pre-approval Spending Authority (PASA).

Note: The Capital Projects information is current as of March 31, 2024, and is subject to change prior to the May 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red



Acknowledgements

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Caltrain Planning

Dahlia Chazan, Chief
Ted Burgwyn, Director, Rail Network and Operations Planning
Catherine David, Manager, Operations Planning
Nick Atchison, Planning Analyst III

Communications Division

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

Finance Administration

Bruce Thompson, Manager, Fare Program Operations
Don Esse, Senior Operations Financial Analyst
Dapri Hong, Budget Analyst III

Rail Administration / Rail Operations & Maintenance

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

Rail Design & Construction

Rob Barnard, Chief
Jonathan Tillman, Director Capital Programs Management
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Sowmya Karipe, Project Controls Specialist

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Elizabeth Araujo, TASI
Margie Godinez, TASI
Sarah Doggett, MTC
Victoria Moe, San Mateo County Sheriff's Office



**Peninsula Corridor Joint Powers Board
Board of Directors
1250 San Carlos Avenue, San Carlos, CA 94070**

DRAFT Minutes of April 4, 2024

Members Present: Margaret Abe-Koga, Pat Burt, Jeff Gee, Rico E. Medina, Ray Mueller (arrived at 9:06 am), Shamann Walton, Monique Zmuda, Devora “Dev” Davis (Chair),

Members Absent: Steve Heminger (Vice Chair)

Staff Present: M. Bouchard, C. Fromson, J. Harrison, K. McCoy (Balfour Beatty Infrastructure, Inc.), R. Mohtashemi (Senator Weiner’s Office), D. Ryan, D. Seamans, B. Shaw, P. Shrestha, M. Tseng

1. Call to Order/Pledge of Allegiance

Chair Davis called the meeting to order at 9:01 am and Director Walton led the Pledge of Allegiance.

2. Roll Call

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

3. Consideration of requests, if any, of Directors to participate remotely due to Emergency Circumstances – There were none.

4. Public Comment on Items not on the Agenda

Greg Conlon, Atherton resident and formerly president of CPUC (California Public Utilities Commission) in the 1990s and commented that he acquired \$1 million from CPUC for grade crossings. Mr. Conlon also commented on his concerns about the railroad-involved fatalities.

Aleta Dupree commented about her attendance at the electric train tour at 4th & King Station and looking forward to future events. She also commented about the advanced work of Clipper, testing Clipper 2, and Clipper as the leader of Clipper START program.

Carter Lavin, Transbay Coalition, commented on the Stronger Communities through Better Transit Act, House Bill H.R. 7039. Encouraged writing letter to Congresswoman Eshoo who is not yet a co-sponsor of bill and critical for transit operational funding be included in the five-year transportation plan.

Adrian Brandt commented that vehicle or trespassing codes were violated in order to become a victim and people are intentionally putting themselves in the path of oncoming trains. Urged to consider carefully what is really going on – safety versus mental health.

Adina Levin, Friends of Caltrain and Seamless Bay Area, supported Carter Lavin's comment on the bill and getting support now increases the likelihood for Federal support for operating funding.

Jay Adams commented on whether electric trains will be tested between Mountain View and San Francisco during weekend shutdowns on April 13-14 and 20-21.

Jeff Carter supported comments made by Adrian Brant about most fatalities are by suicide and seconded comments by Adina Levin regarding the funding bill.

Chair Davis thanked the public for their comments and reiterated Mr. Brandt's comment that deaths along corridor are tragic and rarely accidents.

5. Report of the Executive Director

Michelle Bouchard, Executive Director, provided updates, which included the following:

- Supported mental health groups along the Peninsula
- Thanked Congress Members Eshoo, Mullin, and the delegation who secured \$1 million in Federal funding to implement safety improvement to grade crossings in the corridor
- Kick-off Giants season – the train is the best way to get to the games. New Bay FC (Football Club) team here at PayPal Stadium and created joint swag in support
- Headquarter search – working with SamTrans to consider co-locating but also exploring other options. Last week, Caltrain issued an RFI (request for information) for potential new office space and expect to provide an update in May and a recommendation in June
- Supplemental Reading File contains a comparison of Caltrain and BART's (Bay Area Rapid Transit) respective ridership recovery and analysis of demographic differences; continue to review to understand how to grow ridership
- Regional Measure – thanked Board Members and Senator Weiner and his staff for support and discussions
- PCEP (Peninsula Corridor Electrification Project) – successful back-to-back tests of traction power system. Shipped 32 gallery cars to Sonoma, CA. A successful event with SPUR group resulting in positive reactions. The next major public event is scheduled on May 11th in San Carlos and we are working on a public EMU (electric multiple units) event in Palo Alto Station

Public comments

Aleta Dupree commented on looking forward to the train to the baseball Giants opener, hearing more about the new (headquarter) building, and good to have both agencies together.

Adrian Brandt commented on the Caltrain and BART comparison report in the reading file.

6. Consent Calendar

6.a. Meeting Minutes of March 7, 2024

6.b. Accept Statement of Revenues and Expenses for the Period Ending February 29, 2024

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

6.d. Authorize Amendment 1 to Contract with Olson Remcho LLP for General Counsel and Other Legal Services Including Execution of Two One-Year Option Terms*

6.e. Award of Contract for On-Call Management of Soil, Hazardous Waste and Other Environmental Compliance Services*

6.f. Authorization to Apply to CalPERS for a Successor Agency Contract

6.g. Award of Contract for Electrified Rail Support Services*

Motion/Second: Medina/Zmuda

Ayes: Abe-Koga, Burt, Gee, Medina, Mueller, Walton, Zmuda, Davis

Noes: None

Absent: Heminger

7. State and Federal Legislative Update: Consideration of Position on Senate Bill 1031, The Connect Bay Area Act

Casey Fromson, Chief of Staff, Devon Ryan, Government Affairs Officer, and Raayan Mohtashemi, Senator Weiner's Office Legislative Aide, provided the presentation that included the following:

- Received two community project awards from Congresswoman Eshoo and Congressman Mullin to support the Caltrain grade crossing improvements project to fund safety improvements at Whipple Avenue in Redwood City, Ravenswood Avenue in Menlo Park, and East Meadow Drive in Palo Alto
- Avoided government shutdown until October; President included \$25.4 billion for proposed budget
- AB (Assembly Bill) 1837 bill to codify Regional Network Management Council. Collection of all different transit agencies and MTC (Metropolitan Transportation Commission) to make decisions for regional transit
- FY (fiscal year) 2026 starts to see a deficit; \$25 million proposed from MTC would reduce the deficit to \$11 million, but no funding received yet
- Legislative program adopted in January focused on customer experiences, frequency, schedule, coordination, fair integration, seamless payment options, consistent signage, communication efforts
- SB (Senate Bill) 1031, sponsored by MTC, replaced SB925. \$750 million intended for some of the operator shortfalls
 - Provides MTC with more authority to control existing resources
 - Transit Demand Management (TDM) section of the bill require employers to

- purchase a universal pass or something equivalent
- Include language on assessment and plan to consolidate all Bay Area transit agencies
- Different funding sources: sales tax, partial tax, payroll tax, and vehicle registration fee
- Create a \$750 million annual minimum for transit service, and can be bonded against
- Intent to require MTC to consider need and geographic balance for distributing the revenues, but no further information provided
- Would require CalSTA (California State Transportation Agency) to enter into an agreement with a transportation institute (University of California Institute of Transportation studies or the Minnesota Transportation Institute at San Jose State) to conduct an assessment of the associated advantages and disadvantages of consolidating all the Bay Area transit agencies and it would need to be done by January 1, 2026. Funding not identified in bill
- TDM requires voter approval for employers with 50 or more employees located in proximity to transit to purchase universal passes for employees. No funding was identified for administration of the program, and no funding identified to backfill impacted agencies
- Bill would allow MTC the ability to withhold or condition existing and future STA (State Transit Assistance) and TDA (Transportation Development Act), also known as LTF (Local Transportation Funds), which agencies depend on for operations support
- The bill is a work in progress and staff have been working with MTC and the author's office on amendments

Mr. Mohtashemi noted that the bill is a work in progress and looking forward to continuing engagement with all stakeholders, including all transit operators.

Public comments

Vaughn Wolff commented that the current process is not working as there is no transit system allowing from point A to point B.

Greg Conlon commented on request from Congressman Mullin and Congresswoman Eshoo and suggested amending to include \$3 to 5 billion to bury or elevate tracks.

Carter Lavin, Transbay Coalition, encouraged to support bill and endorse the measure.

Aleta Dupree referenced City of New York consolidation of three systems to one.

Max Siegel, San Jose, urged to oppose unless amended.

Anthony Lazarus commented on considering how work patterns changed and the need to work together.

Jonathan Cole, Climate Action California, commented on the need for reliable, frequent, well coordinate public transits across the region, and urged to continue working with the bill's author.

Sandra Lang, Burlingame, urged bill's author to refine and clarify tax revenue authorization language and incorporate safety needs.

Adrian Brandt commented on need for a seamless approach and urged to work with Senator Weiner, his staff, and Senator Wahab to fine tune language.

Adam Hall, Transportation Solutions at San Jose State University, commented on the need to consolidate a lot of agencies and supports the bill.

Jordan Moldow commented on the need to rebuild ridership but need more frequency and encouraged to support bill.

Adina Levin, Friends of Caltrain and Seamless Bay Area, commented on the need for funding to continue and improve service, support bill and directions, and support staff recommendations to work with authors to amend language.

Ian Griffiths, San Francisco resident and Seamless Bay Area, supported staff recommendations to work with bill's authors and seek clarification within the bill.

Dan Bell inquired whether passage of the measure required two-third voter approval.

Lian Chikako Chang urged to adopt and support if amended and hold off on taking a position while working on amendments rather than risk progress by taking an opposed position.

Jeff Carter commented on transportation should be seamless and easy to use as it is difficult to use to get to multiple locations and supports staff recommendations.

Chair Davis reported a discussion with Senator Weiner, Ms. Bouchard, Ms. Fromson, and Mr. Mohtashemi that included the following:

- No direct Caltrain operation support in the bill, and that would be a condition of support
- Language needed in bill in holding Go Pass revenue harmless
- Deep concerns regarding consolidation as a foregone conclusion – open to assessment and additional paths (costs and risks)
- Timing of parts of the bill that goes into effect once the bill passes
- Senator Weiner as strong advocate for transit at the state level
- Facing severe revenue shortage in near future with no plan for moving forward with full electrification expansion

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

- Requires two-thirds voter approval
- No direct Caltrain operation support in the bill
- Clarification on Mr. Mohtashemi's role in drafting and amending the bill
- Any textual language for amendments and for MTC expansion of power
- Clarification on timelines/important dates for amendments. Most opportune time for amendments considered on the senate side
- Need for consolidation language to be removed, substantial amendments, and delineation of funding. If MTC cannot have a discussion, transit agencies should take a position
- Clarification on funding allocation and need to indicate specific amount versus range
- Justification for opposing the bill unless substantially amended. Include an explanation and possibility of changing position in the letter
- Concerned with consolidation language, timeline, not given the opportunity to be heard, and the difference between oppose unless amended versus support if amended

Director Abe-Koga left the meeting at 10:58 am

Chair Davis suggested to write a letter strongly opposing the bill unless amended, take an opposed unless amended position, or leave open ended.

Motion to oppose SB 1031 unless amended, and direct to staff to convey proposed amendments to drop consolidation and support coordination, drop expansion of MTC authority, and ensure equitable allocation of funding/Second: Mueller/Medina

Ayes: Burt, Gee, Medina, Mueller

Noes: Walton, Zmuda, Davis

Absent Abe-Koga, Heminger

The Board Members continued the robust discussion and staff provided further clarification in response to the following Board comments and questions regarding the following:

- Transportation Hearing as best chance for people to understand seriousness of issue and importance of amendments
- Funding allocation under expenditure plan
- Still have opportunity for feedback since Senator Weiner's position is unknown. Beneficial for staff to work with Senator's Office and not to take an opposed position
- Pleased with TDM measures for employers
- Consolidation assessment can range \$10 to \$20 million. Coordination has more benefits for riders. Potential costs for regional transportation to be seamless
- Concerns for expansion of MTC authority and short timeline for opportunity to weigh in

Motion to oppose bill at this time and likely at the next meeting if substantial amendments are not made in the month of April, with proposed amendments to drop consolidation and

support coordination, drop expansion of MTC authority, and ensure equitable allocation of funding/Second: Davis/Walton

Substitute Motion to defer action and schedule a special meeting in two weeks/Second: Burt/Mueller

Ayes: Burt, Gee, Medina, Mueller

Noes: Walton, Zmuda, Davis

Absent Abe-Koga, Heminger

Motion to oppose bill at this time and likely at the next meeting if substantial amendments are not made in the month of April, with proposed amendments to drop consolidation and support coordination, drop expansion of MTC authority, and ensure equitable allocation of funding/Second: Davis/Walton

Ayes: Walton, Zmuda, Davis

Noes: Burt, Gee, Medina, Mueller

Absent Abe-Koga, Heminger

Director Walton left the meeting at 11:33 am

Chair Davis noted that Director Abe-Koga would like to invoke AB2449 and waiting for her remote connection.

Motion to temporarily table item 7/Second: Medina/Gee

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

Noes: None

Absent Abe-Koga, Heminger, Walton

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

Pranaya Shrestha, CalMod Chief Officer, Casey Fromson, Chief of Staff, and Keith McCoy, Project Direct, BBI (Balfour Beatty Infrastructure, Inc), provided the presentation that included the following:

- No changes to revenue service or budget
- Two successful weekend short circuit testing
- Live run testing from end to end is scheduled later this month. Received fifth electric train 1,000-mile testing. 10 train sets onsite
- Approximately \$39 million remaining in project contingency pool
- Some punch list items to be completed after September launch, but no safety concerns
- Public event on May 11th and 160th years of passenger rail
- Completed four out of five short-circuit testing

- On target with completion of punch list items by the end of July

Public comments

Aleta Dupree commented on her experience on the bus bridge last year where it worked fine, need to keep working on impedance bond thefts, and looking forward to finishing testing and getting line fully ready for end-to-end operation.

Adina Levin commented on critical milestones coming up and hoped statuses of short circuit testing and live run tests can be posted via social media before next meeting.

Motion to table item 8 and return to item 7/Second: Gee/Mueller

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

Noes: None

Absent Abe-Koga, Heminger, Walton

Director Abe-Koga returned to meeting at 11:45 am

7. State and Federal Legislative Update: Consideration of Position on Senate Bill 1031, The Connect Bay Area Act – Continued

James Harrison, General Counsel, reported that Director Abe-Koga has invoked AB2449 under Just Cause circumstances and needs to disclose whether there is anyone 18 years of age or older in her presence. Director Abe-Koga disclosed her daughter is over 18 years of age.

Motion to oppose SB 1031 unless amended, and direct to staff to convey proposed amendments to drop consolidation and support coordination, drop expansion of MTC authority, and ensure equitable allocation of funding/Second: Mueller/Medina

Chair Davis confirmed to add support coordination language in letter.

Ayes: Abe-Koga, Burt, Gee, Medina, Mueller

Noes: Zmuda, Davis

Absent: Heminger, Walton

Motion to schedule special meeting on April 24, 2024/Second: Burt/Mueller

Director Burt commented on the rapid timeframe and having the special meeting will provide a better opportunity to have input earlier in the process subsequent to the Transportation Committee Meeting.

Director Medina noted that there is a MTC Workshop scheduled on April 24, 2024, which will result in Director Abe-Koga and staff's absence. Ms. Fromson reiterated MTC Workshop and Transportation Committee Meeting dates. Director Burt withdrew motion.

Director Abe-Koga left the meeting at 11:54 am

8. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report - Continued
Public comments

Adrian Brandt suggested for RFI (request for information) or RFP (request for proposal) for engineers to design a tamper detection circuit that could be added onto or built into impedance bonds.

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

- Request for costs associated for replacement of impedance bonds and what is being done to minimize theft
- Clarification on expenditures for shared risk pool versus project contingency
- Potential disruption of service with copper theft
- John Hogan, Chief Operating Officer, reported that two intrusion boxes coming used for vehicle incursions, but moving forward with other areas, such as people coming onto right-of-way

9. Link21 Program Update – Deferred

10. Reports

10.a. Report of the Citizens Advisory Committee – Brian Shaw, Chair, provided an update on CAC discussions, which included the following:

- Member Kline resigned. Four vacancies need to be filled
- Received Measure RR audit and review. Approved report and instructed staff to move forward
- Financial plan – provided suggestions for shorter trains for off-peak hours to save money, energy, labor, and to educate the public that electric trains may be quieter and cleaner, but not necessarily cheaper to run
- Next meeting agenda to include safety quarterly update, wayfinding report, and access policy

10.b. Report of the Chair – Chair Davis reported on event scheduled on Friday with legislators to introduce electrified trains. Previously done three to four times with legislative delegations, SPUR, and other groups in San Jose. Getting the word out about EMUs to ensure getting people interested. Attended Bay FC opener game where it was sold out. Saw line for Lyft after the game, so there is an opportunity there.

10.c. Report of the Local Policy Maker Group (LPMG) – Chair Burt reported quarterly in-person meeting in Redwood City. Focused on advancing corridor-wide crossing investment program. Useful to have a written report in more detail that would lay out recommendations.

10.d. Report of the Transbay Joint Powers Authority (TJPA) – Chair Gee reported still working on funding and concurrently working on shortlisting the major contractors for civil and tunnel track.

11. Correspondence – Available in agenda packet or online.

12. Board Member Requests – There were none.

13. Date/Time of Next Regular Meeting: Thursday, May 2, 2024 at 9:00 am.

14. Adjourn – The meeting adjourned at 12:06 pm.

DRAFT

PENINSULA CORRIDOR JOINT POWERS BOARD					
STATEMENT OF REVENUE AND EXPENSE					
Fiscal Year 2024					
March 2024					
% OF YEAR ELAPSED 75%					
	JULY TO MARCH				ANNUAL
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET
REVENUE					
OPERATIONS:					
1 Caltrain Fares	21,689,726	21,801,421	(111,695)	(0.5%)	29,936,000
2 Go Pass	12,011,253	12,573,000	(561,747)	(4.5%)	16,764,000
3 Parking Revenue	1,445,245	1,428,759	16,486	1.2%	1,905,015
4 Rental Income	1,473,196	769,869	703,327	91.4%	1,026,489
5 Other Income	4,170,281	4,905,945	(735,664)	(15.0%)	6,541,260
6					
7 TOTAL OPERATING REVENUE	40,789,701	41,478,994	(689,293)	(1.7%)	56,172,764
8					
CONTRIBUTIONS:					
9					
10 Operating Grants	9,743,622	9,600,705	142,917	1.5%	12,800,936
11 Measure RR	90,027,285	90,200,000	(172,715)	(0.2%)	118,400,000
12 Member Agency (VTA - Gilroy)	352,500	352,503	(3)	(0.0%)	470,000
13 LCTOP/SRA	5,181,527	5,181,372	155	0.0%	6,908,503
14					
15 TOTAL CONTRIBUTED REVENUE	105,304,934	105,334,580	(29,646)	(0.0%)	138,579,439
16					
17 GRAND TOTAL REVENUE	146,094,635	146,813,574	(718,939)	(0.5%)	194,752,203
18					

PENINSULA CORRIDOR JOINT POWERS BOARD							
STATEMENT OF REVENUE AND EXPENSE							
Fiscal Year 2024							
March 2024							
% OF YEAR ELAPSED 75%							
	JULY TO MARCH				ANNUAL		
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET		
19	EXPENSE					19	
20						20	
21	DIRECT EXPENSE:					21	
22	Rail Operator Service	77,653,125	78,946,583	(1,293,458)	(1.6%)	104,889,704	22
23	Security Services	6,039,156	6,215,375	(176,218)	(2.8%)	8,287,745	23
24	Shuttle Services	51,000	60,003	(9,003)	(15.0%)	80,000	24
25	Fuel and Lubricants*	11,329,932	11,408,481	(78,549)	(0.7%)	15,211,316	25
26	Timetables and Tickets	8,103	71,244	(63,141)	(88.6%)	95,000	26
27	Insurance	8,224,696	7,672,275	552,421	7.2%	10,229,703	27
28	Claims, Payments, and Reserves	4,769,454	990,000	3,779,454	381.8%	1,320,000	28
29	Facilities and Equipment Maintenance	6,659,885	6,109,173	550,712	9.0%	8,171,766	29
30	Utilities	1,974,515	2,031,678	(57,163)	(2.8%)	2,708,900	30
31	Maint & Services-Bldg & Other	570,793	1,338,453	(767,660)	(57.4%)	1,784,600	31
32						32	
33	TOTAL DIRECT EXPENSE	117,280,659	114,843,265	2,437,395	2.1%	152,778,734	33
34						34	
35	ADMINISTRATIVE EXPENSE					35	
36	Wages and Benefits	12,603,510	13,734,119	(1,130,608)	(8.2%)	17,877,158	36
37	Managing Agency Admin OH Cost	2,484,653	2,674,098	(189,445)	(7.1%)	3,565,453	37
38	Board of Directors	12,740	47,151	(34,412)	(73.0%)	62,875	38
39	Professional Services	6,636,234	7,462,969	(826,735)	(11.1%)	9,992,514	39
40	Communications and Marketing	262,488	332,046	(69,558)	(20.9%)	442,730	40
41	Other Office Expenses and Services	2,224,608	3,226,738	(1,002,130)	(31.1%)	4,307,066	41
42						42	
43	TOTAL ADMINISTRATIVE EXPENSE	24,224,233	27,477,121	(3,252,888)	(11.8%)	36,247,796	43
44						44	
45	TOTAL OPERATING EXPENSE	141,504,892	142,320,385	(815,494)	(0.6%)	189,026,530	45
46						46	
47	Governance	166,699	168,750	(2,051)	(1.2%)	225,000	47
48						48	
49	Debt Service Expense	2,099,221	2,603,340	(504,119)	(19.4%)	3,471,125	49
50						50	
51	GRAND TOTAL EXPENSE	143,770,811	145,092,475	(1,321,664)	(0.9%)	192,722,655	51
52						52	
53	Projected Contribution to Reserve					2,029,548	53
54						54	
55	NET SURPLUS / (DEFICIT)	2,323,824	1,721,099	602,725	35.0%	-	55
56						56	
57	Reserve, Beginning Balance	26,878,850				26,878,850	57
58	Projected Contribution to Reserve	-				2,029,548	58
59	Reserve, Ending Balance	26,878,850				28,908,398	59
60						60	
61	* Fuel and Lubricants costs were decreased by a realized gain of \$713,210 from the fuel hedge program.					61	
62						62	



BOARD OF DIRECTORS 2024

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

MICHELLE BOUCHARD
 EXECUTIVE DIRECTOR

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF MARCH 31, 2024

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (LAIF) <i>(Unrestricted)</i>	*	Liquid Cash	4.232%	375,789	375,789
California Asset Management Program (CAMP) <i>(Unrestricted)</i>		Liquid Cash	5.480%	77,094,458	77,094,458
County Pool <i>(Unrestricted)</i>		Liquid Cash	3.609%	585,044	585,044
Other <i>(Unrestricted)</i>		Liquid Cash	5.217%	39,453,407	39,453,407
Other <i>(Restricted)</i>	**	Liquid Cash	5.011%	31,597,361	31,597,361
				\$ 149,106,058	\$ 149,106,058

Interest Earnings for March 2024 \$ 754,838.28
 Cumulative Earnings FY2024 2,481,622.89

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

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

Farebox Revenues by Ticket Type	PENINSULA CORRIDOR JOINT POWERS BOARD														
	Previous Years					FY2024									
	FY2019	FY2020	FY2021	FY2022	FY2023	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	FY2024 Total YTD
REVENUE															
OPERATIONS:															
401400 (TVM)	18,431,265	11,165,620	2,458,837	6,836,440	6,838,317	701,507	580,909	427,973	542,427	429,650	414,419	409,800	398,044	482,837	4,387,566
401410 (Clipper)	54,621,910	37,970,696	2,924,987	7,764,755	15,493,238	1,584,242	1,688,849	1,283,054	1,964,018	1,537,081	1,331,257	1,526,512	1,563,600	1,574,020	14,052,632
401420 (Central)	64,908	20,799	309,748	39,911	58,267	1,068	-	7,861	8,407	2,619	251	2,732	4,123	4,327	31,388
401430 (Mobile App)	4,716,955	5,689,776	830,051	2,808,795	3,501,791	289,934	353,887	285,899	332,212	307,863	242,542	278,638	278,385	258,148	2,627,509
401500 (Gilroy)	1,903,941	1,542,171	178,759	449,281	706,203	58,850	58,850	75,084	64,261	64,261	64,261	64,261	61,705	79,096	590,631
401700 (Go-Pass)	22,929,136	19,705,372	25,737,533	15,337,175	16,728,021	1,362,537	1,337,709	1,370,632	1,375,408	1,349,604	1,426,899	1,256,768	1,264,651	1,267,045	12,011,253
total Farebox Revenue	102,668,114	76,094,433	32,439,915	33,236,357	43,325,839	3,998,139	4,020,204	3,450,502	4,286,733	3,691,078	3,479,630	3,538,712	3,570,507	3,665,474	33,700,979
Less: Go-Pass															
401700 (Go-Pass)	22,929,136	19,705,372	25,737,533	15,337,175	16,728,021	1,362,537	1,337,709	1,370,632	1,375,408	1,349,604	1,426,899	1,256,768	1,264,651	1,267,045	12,011,253
Revenues without Go-Pass	79,738,978	56,389,061	6,702,382	17,899,182	26,597,817	2,635,602	2,682,496	2,079,870	2,911,325	2,341,474	2,052,731	2,281,944	2,305,856	2,398,429	21,689,726
Tickets Sold						Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Total
TVM	2,354,393	1,465,876	315,378	755,674	802,158	78,363	74,658	69,149	55,296	52,840	51,726	52,299	47,968	53,472	535,771
Clipper	3,521,066	2,620,816	339,753	1,227,757	1,975,206	194,041	214,425	208,775	207,849	191,852	165,395	195,218	197,154	216,455	1,791,164
Central	9,167	5,044	-	4,032	6,440	100	231	484	717	-	478	231	349	756	3,346
Mobile	543,920	661,515	111,394	381,441	428,741	40,439	41,483	39,565	37,168	33,606	29,903	33,356	34,991	39,217	329,728
# of tickets sold (without go-pass)	6,428,546	4,753,251	766,525	2,368,904	3,212,545	312,943	330,797	317,973	301,030	278,298	247,502	281,104	280,462	309,900	2,660,009
AVG Revenue Per Ticket						Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-23	Feb-23	Mar-23	Total
TVM	\$ 7.83	\$ 9.05	\$ 7.80	\$ 9.05	\$ 8.52	\$ 8.95	\$ 7.78	\$ 6.19	\$ 9.81	\$ 8.13	\$ 8.01	\$ 7.84	\$ 8.30	\$ 9.03	\$ 8.19
Clipper	\$ 15.51	\$ 6.32	\$ 8.61	\$ 6.32	\$ 7.84	\$ 8.16	\$ 7.88	\$ 6.15	\$ 9.45	\$ 8.01	\$ 8.05	\$ 7.82	\$ 7.93	\$ 7.27	\$ 7.85
Central	\$ 7.08	\$ 9.90	\$ -	\$ 9.90	\$ 9.05	\$ 10.68	\$ -	\$ 16.24	\$ 11.72	\$ -	\$ 0.53	\$ 11.83	\$ -	\$ 5.72	\$ 9.38
Mobile	\$ 8.67	\$ 7.36	\$ 7.45	\$ 7.36	\$ 8.17	\$ 7.17	\$ 8.53	\$ 7.23	\$ 8.94	\$ 9.16	\$ 8.11	\$ 8.35	\$ 7.96	\$ 6.58	\$ 7.97
Total	\$ 12.40	\$ 11.86	\$ 8.74	\$ 7.56	\$ 8.28	\$ 8.42	\$ 8.11	\$ 6.54	\$ 9.67	\$ 8.41	\$ 8.29	\$ 8.12	\$ 8.22	\$ 7.74	\$ 8.15

Farebox Revenues by Ticket Type	PENINSULA CORRIDOR JOINT POWERS BOARD							
	July to March						Annual Budget	
	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	FY2024	% of Budget
REVENUE								
401400 (TVM)	13,556,475	10,475,115	1,412,784	4,600,891	4,725,183	4,387,566		
401410 (Clipper)	40,675,031	39,387,786	1,951,062	5,181,189	11,649,978	14,052,632		
401420 (Central)	40,434	42,569	-	28,240	40,085	31,388		
401430 (Mobile App)	3,083,906	5,594,402	460,711	1,869,551	2,524,874	2,627,509		
401500 (Gilroy)	1,441,321	1,512,573	120,698	289,288	520,436	590,631		
401700 (Go-Pass)	15,602,837	18,444,142	22,772,003	11,482,593	12,841,747	12,011,253		
total Farebox Revenue	74,400,004	75,456,587	26,717,258	23,451,751	32,302,303	33,700,979	46,700,000	72%
Less: Go-Pass								
401700 (Go-Pass)	15,602,837	18,654,468	22,645,511	11,534,494	12,685,007	12,011,253	16,764,000	72%
Revenues without Go-Pass	58,797,167	56,802,119	4,071,747	11,917,257	19,617,296	21,689,726	29,936,000	72%
Tickets Sold								
TVM	1,766,141	1,422,441	200,597	503,421	595,258	535,771		
Clipper	2,590,144	2,585,370	200,705	793,332	1,432,680	1,791,164		
Central	5,332	5,044	-	2,857	3,879	3,346		
Mobile	346,968	650,842	65,595	248,383	314,266	329,728		
# of tickets sold (without go-pass)	4,708,585	4,663,697	466,897	1,547,993	2,346,083	2,660,009		
AVG Revenue Per Ticket								
TVM	\$ 7.68	\$ 7.36	\$ 7.04	\$ 9.14	\$ 7.94	\$ 8.19		
Clipper	\$ 15.70	\$ 15.23	\$ 9.72	\$ 6.53	\$ 8.13	\$ 7.85		
Central	\$ 7.58	\$ 8.44	\$ -	\$ 9.88	\$ 10.33	\$ 9.38		
Mobile	\$ 8.89	\$ 8.60	\$ 7.02	\$ 7.53	\$ 8.03	\$ 7.97		
Total	\$ 12.49	\$ 12.18	\$ 8.72	\$ 7.70	\$ 8.36	\$ 8.15		

**Peninsula Corridor Joint Powers Board
Staff Report**

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



Finance Committee
Recommendation



Technology, Operations, Planning,
and Safety Committee
Recommendation



Advocacy and Major Projects
Committee Recommendation

Purpose and Recommended Action

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

1. Renew findings previously adopted by the Board pursuant to California Public Contract Code section 22050(c)(2) (Resolution No. 2023-19) on March 29, 2023, and renewed at its subsequent meetings on May 4, 2023 (Resolution 2023-23), June 1, 2023 (Resolution 2023-38), August 3, 2023 (Resolution 2023-46), September 7, 2023 (Resolution 2023-56), October 5, 2023 (Resolution 2023-62), November 2, 2023 (Resolution 2023-68), December 7, 2023 (Resolution 2023-74), January 4, 2024 (Resolution 2024-01), February 1, 2024 (Resolution 2024-13), March 7, 2024 (Resolution 2024-17), and April 4, 2024 (Resolution 2024-26) that an emergency exists at the north channel embankment of the San Francisquito Creek Bridge due to erosion and scouring caused by winter storms, and that immediate action is necessary to respond to the emergency; and
2. Continue to authorize emergency repairs of the north channel embankment of the San Francisquito Creek Bridge;
3. Continue to delegate authority to approve all plans and/or designs with regard to the emergency repairs to the Executive Director, or designee; and
4. Continue to authorize the Executive Director, or designee, to take all other actions required to respond to said emergency.

Discussion

Background Regarding Previous Findings Authorizing Emergency Repairs: The JPB owns and maintains the San Francisquito Creek Bridge, which is located in Menlo Park and Palo Alto between Control Points Alma (MP 29.98) and Mayfield (MP 33.50). In early January 2023, after a week of heavy rain, Caltrain Engineering staff inspected the Bridge and discovered that storms had eroded the soil on the creek bank supporting the northern abutment of the Bridge. Further

investigation showed that additional erosion resulting from future storms could undermine the abutment, bridge, and tracks.

The JPB has the authority to undertake emergency repairs pursuant to California Public Contract Code section 22050, which requires that the Board, by a four-fifths vote, make findings based on substantial evidence that the emergency will not permit delay resulting from a competitive solicitation of bids, and that action is necessary to respond to the emergency. Public Contract Code section 1102 defines an emergency as “sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.” The Board made these findings at its March 29, 2023, meeting (Resolution 2023-19) and renewed these findings at its subsequent meetings on May 4, 2023 (Resolution 2023-23), June 1, 2023 (Resolution 2023-38), August 3, 2023 (Resolution 2023-46), September 7, 2023 (Resolution 2023-56), October 5, 2023 (Resolution 2023-62), November 2, 2023 (Resolution 2023-68), December 7, 2023 (Resolution 2023-74), January 4, 2024 (Resolution 2024-01), February 1, 2024 (Resolution 2024-13), March 7, 2024 (Resolution 2024-17), and April 4, 2024 (Resolution 2024-26). Section 22050(c) requires the Board to review the emergency action at its next regularly scheduled meeting and at every subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action.

November 18, 2023, Emergency Declaration: On November 16, 2023, a team of three registered California professional engineers, including a fluvial geomorphologist experienced with the San Francisquito Creek, completed a technical memorandum titled "Overview of Temporary Emergency Stabilization Measures," which stated that, in regard to the creek bank supporting the north abutment of Caltrain’s rail bridge, "the existing bank is likely to erode and would not be stable during/after a large storm event."

On November 18, 2023, the Executive Director issued an emergency declaration, which concluded:

- a. The situation at that time necessitated immediate action because anticipated winter storms threatened the integrity of the bridge, creating the potential for a catastrophic failure of the bridge and the subsequent risks to public safety, infrastructure, and the environment; and
- b. The dry condition of the creek bed created a narrow window during which the JPB could implement emergency stabilization repairs to ensure the integrity of the bridge without risking the safety of workers or endangering aquatic life; and
- c. Given a prediction of severe winter storms and a risk of flash flooding and high creek flows at the San Francisquito Creek, attempting any work during the rainy season would have presented a substantial risk to the safety of workers, threatened endangered species, and increased the risk of a failed stabilization effort and a catastrophic failure of the bridge; and
- d. The situation at that time required that Caltrain take action within a time period less than the normal time needed to process regulatory applications under standard procedures.

Based on these findings, the Executive Director declared an emergency situation for the San Francisquito Creek Bridge and directed that all necessary and appropriate actions be taken to address the emergency, including the mobilization of resources and implementation of temporary creek bank stabilization measures.

The temporary stabilization measures have ameliorated the risk of the immediate collapse of the embankment. However, a continued risk to the Bridge exists, especially in light of long-term predictions of a “strong” El Nino winter for 2023-2024. Accordingly, the emergency will persist until permanent repairs can be completed. Under state law, the Board must continue to review the situation at each meeting and renew findings until the emergency is resolved via the implementation of permanent stabilization measures.

Actions Taken

To date, JPB staff has:

1. Increased frequency of visual inspections of the Bridge and conducted immediate inspections during and/or after storms.
2. Retained on-call bench consultants (WSP, AECOM, Jacobs, and TRC), to assist the JPB in obtaining the required environmental permits, designing the bank stabilization, estimating the cost of the proposed work, and providing construction management services, respectively.
3. Engaged the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife and submitted all necessary applications for regulatory permits and approvals.
4. Met regularly with the City of Menlo Park, the City of Palo Alto, the San Francisquito Creek Joint Powers Authority, and Stanford University to coordinate the scope of the project and jointly review iterative design updates.
5. Jointly developed 15%, 35%, 65%, and 100% designs for the bank stabilization with input from the City of Menlo Park, City of Palo Alto, and regulatory agencies.
6. Jointly prepared and executed a trilateral project agreement by and between the JPB, the City of Menlo Park, and the City of Palo Alto to memorialize cost sharing arrangements and other responsibilities.
7. Obtained iterative and independent cost estimates from consultants and Walsh Construction to establish clear cost expectations and determine a fair and reasonable not-to-exceed construction budget.
8. Awarded a construction contract to Walsh Construction to implement the bank stabilization because Walsh has a crew onsite that specializes in emergency work and because of Walsh’s experience on JPB in-water construction projects, such as the Guadalupe River Bridge Replacement Project.
9. Obtained timely construction permits from the City of Menlo Park, City of Palo Alto, Regional Water Quality Control Board, and California Department of Fish and Wildlife.
10. In accordance with the Executive Director’s November 18, 2023, emergency declaration, notified regulatory agencies of the temporary bank stabilization plan and JPB staff’s intent to seek any relevant permits.

11. Obtained a second encroachment permit from the City of Menlo Park for the implementation of the temporary stabilization measures.
12. With Walsh Construction, implemented the emergency temporary bank stabilization measures to protect the San Francisquito Creek Bridge from 2023-2024 winter storms which could have otherwise threatened the integrity of the bridge.
13. Updated the project cost estimate to \$8,988,347 to account for the cost of the temporary bank stabilization, additional permitting efforts, and extended schedule for the permanent stabilization work.
14. Extracted archaeological coring samples from the project site to support the preparation of Section 404 permit application materials for the U.S. Army Corps of Engineers.

Current Status

As of the date of this staff report:

1. An executed trilateral project agreement is in place between the JPB, the City of Menlo Park, and the City of Palo Alto.
2. JPB has 100% final construction drawings and specifications for the permanent bank stabilization design, which has been reviewed by all relevant stakeholders.
3. JPB has a construction contractor, Walsh Construction, under contract to implement the bank stabilization. The contract is based on a time-and-materials approach to compensation and therefore allows flexibility to adapt to changes in scope and schedule.
4. JPB staff has obtained the following permits:
 - a. California Department of Fish and Wildlife Streambed Alteration Agreement
 - b. Regional Water Quality Control Board Section 401 Water Quality Certification Permit
 - c. City of Palo Alto Encroachment Permit for the permanent stabilization project
 - d. City of Menlo Park Encroachment Permit for the permanent stabilization project
 - e. City of Palo Alto Noise Exception Permit for the permanent stabilization project
 - f. City of Menlo Park Heritage Tree Permit
 - g. City of Menlo Park Encroachment Permit for the temporary stabilization measures

JPB staff submitted a timely application for a Section 404 permit to the U.S. Army Corps of Engineers. As part of their ongoing review, the U.S. Army Corps of Engineers has determined it is necessary to seek the review of relevant historic preservation issues and approval from the State Historic Preservation Officer prior to issuing the permit. Due to the time needed for this process to be completed, JPB staff did not receive the essential Section 404 permit in time to construct the project before the end of the dry season on October 15, 2023.

5. Temporary stabilization measures are in place to protect Caltrain's San Francisquito Creek Bridge from 2023-2024 winter storms.

Ongoing and Future Activities

In the months ahead:

1. JPB staff will continue to monitor conditions around the foundations of the Caltrain rail bridge.
2. JPB staff will update the project funding plan and contracts to align with recent implementation of temporary stabilization measures and the planned implementation of permanent stabilization measures.
3. JPB consultants will analyze the coring samples extracted from the project site in mid-April and summarize the results of the analysis in a report.
4. JPB staff will submit additional documents, including the archaeological report, to the U.S. Army Corps of Engineers to supplement previously submitted permit application materials.
5. JPB staff will continue to coordinate closely with the U.S. Army Corps of Engineers to facilitate the issuance of the Section 404 permit for construction of the permanent bank stabilization.
6. JPB staff will continue to assess the likely timing of the issuance of the U.S. Army Corps of Engineers Section 404 permit and implications on the timing of the implementation of the permanent stabilization project.
7. JPB staff and Walsh Construction will remove the temporary bank stabilization measures and replace them with the permanent bank stabilization measures designed under the joint project between JPB, the City of Menlo Park, and the City of Palo Alto.
8. JPB staff will report regularly to the Board regarding the status of the project.

Budget Impact

The San Francisquito Creek Emergency Bank Stabilization Project has an approved budget of \$8,988,347 funded in part by Capital Contingency Funds, the San Mateo County Transportation Authority (SMCTA), the Cities of Palo Alto and Menlo Park, and project savings from recently completed projects. A funding source for \$2,520,222 of the \$8,988,347 has yet to be identified and may be included in a forthcoming FY25 budget amendment.

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

Resolution No. 2024-

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

* * *

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

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

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

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

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

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

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

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

Whereas, the Board most recently renewed its findings via Resolution 2024-26 at its April 4, 2024, Board meeting; and

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

Whereas, the JPB consulted with the U.S. Army Corps of Engineers (USACE), the Regional Water Quality Control Board, and the California Department of Fish and Wildlife concerning

environmental permits for restoration activities to preserve the integrity of MT-1 and MT-2 tracks in light of the significant erosion of the northern embankment; and

Whereas, on November 16, 2023, a team of three registered California professional engineers, including a fluvial geomorphologist experienced with the San Francisquito Creek, completed a technical memorandum, which stated that, in regard to the creek bank supporting the north abutment of Caltrain's rail bridge, "the existing bank is likely to erode and would not be stable during/after a large storm event;"

Whereas, on November 18, 2023, the Executive Director issued an emergency declaration, which concluded:

- a. The situation at that time necessitated immediate action because anticipated winter storms threatened the integrity of the bridge, creating the potential for a catastrophic failure of the bridge and the subsequent risks to public safety, infrastructure, and the environment; and
- b. The dry condition of the creek bed created a narrow window during which the JPB could implement emergency stabilization repairs to ensure the integrity of the bridge without risking the safety of workers or endangering aquatic life; and
- c. Given a prediction of severe winter storms and a risk of flash flooding and high creek flows at the San Francisquito Creek, attempting any work during the rainy season would have presented a substantial risk to the safety of workers, threatened endangered species, and increased the risk of a failed stabilization effort and a catastrophic failure of the bridge; and

- d. The situation at that time required that Caltrain take action within a time period less than the normal time needed to process regulatory applications under standard procedures.

Based on these findings, the Executive Director declared an emergency situation for the San Francisquito Creek Bridge and directed that all necessary and appropriate actions be taken to address the emergency, including the mobilization of resources and implementation of temporary creek bank stabilization measures; and

Whereas, the temporary stabilization measures have ameliorated the risk of immediate collapse of the embankment, but these measures were designed to address the immediate risk of collapse. However, a continued risk to the San Francisquito Creek Bridge exists, especially in light of long-term predictions of a “strong” El Nino 2023-2024 winter. Accordingly, the emergency will persist until the implementation of permanent stabilization measures is completed; and

Whereas, there is a continued and ongoing emergency to repair the north channel embankment of the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB’s tracks, and because meteorologists predict a wet winter including storms that could result in additional erosion; and

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

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

Whereas, JPB staff have awarded a contract to Walsh Construction, which is also working on the Guadalupe River Bridge project, to undertake emergency repair work; and

Whereas, iterative comparison of independent cost estimates from consultants and Walsh Construction has provided clear cost expectations to assure fair and reasonable pricing.

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

1. Renews findings from April 4, 2024, that an emergency, as defined by Section 1102 of the California Public Contract Code, exists at the north channel embankment at the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB's tracks; and
2. Renews findings, based on the substantial evidence presented by staff, that the emergency did not permit a delay that would have resulted from a formal solicitation for bids because the time required to obtain competitive bids would have unduly delayed the JPB's ability to make emergency repairs to these essential facilities, that action is necessary to respond to the ongoing emergency to prevent or mitigate loss or damage to life, health, property or essential public services, that the need for emergency actions cannot be delayed, and that the JPB has and must continue to act as expeditiously as possible to repair necessary facilities; and
3. Continues to authorize emergency repairs of the north channel embankment at the San Francisquito Creek Bridge without adopting plans and specifications or giving notice to potential bidders; and
4. Continues to delegate to the Executive Director, or designee, the authority: to approve all plans and/or designs; to amend the contract with Walsh Construction, to undertake

emergency repairs of the north channel embankment at the San Francisquito Creek Bridge at a price that staff has determined is fair and reasonable; and to take all other actions required to respond to said emergency, provided that the Executive Director reports such actions to the Board at each monthly Board meeting until the emergency situation is resolved, with a final report to be made at the first Board meeting after the emergency is resolved.

Be It Further Resolved that the Board of Directors has reviewed the emergency action taken on March 29, 2023, on May 4, 2023, on June 1, 2023, on August 3, 2023, on September 7, 2023, on October 5, 2023, on November 2, 2023, on December 7, 2023, on January 4, 2024, on February 1, 2024, on March 7, 2024, and on April 4, 2024, to remediate emergency conditions at the embankment of the San Francisquito Bridge, and will continue to conduct such a review at every subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action by a four-fifths vote pursuant to Public Contract Code section 22050(c).

Regularly passed and adopted this 2nd day of May, 2024, by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary
(00505091)

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Authorization of the Application for and Receipt of Annual Low Carbon Transportation Operations Program (LCTOP) funds for Ridership Recovery Service Enhancement**

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

Purpose and Recommended Action

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB or Caltrain) authorize the Executive Director or designee, to:

- 1) Apply for and receive \$2,619,704 in Fiscal Year 2024 (FY24) California Low Carbon Transportation Operations Program (LCTOP) funds from the California Department of Transportation (Caltrans), to help fund Ridership Recovery Service Enhancement; and
- 2) Take such actions as may be necessary to give effect to this resolution, including filing and executing required annual cap-and-trade funding applications, certifications and assurances, authorized agent forms, related amendments, and any other documentation required for the JPB to apply for and receive LCTOP funds.

Discussion

The LCTOP provides operational assistance as well as capital funding for expanded transit service to reduce greenhouse gas emissions and improve mobility. LCTOP is funded annually with 5 percent of the auction proceeds from the State’s cap-and-trade program, as required under California’s climate action law, Assembly Bill 32 (Division 25.5 of the California Health and Safety Code, sections 38500 et seq.). A project is eligible for LCTOP if there are operational expenditures that increase transit mode share. The JPB’s Ridership Recovery Service Enhancement project meets those eligibility requirements.

In Calendar Year (CY) 2021, Caltrain increased service from 92 weekday train trips per day to 104 weekday train trips. FY21-22 LCTOP funds were used for the purchase of 37 additional Electric Multiple Units (EMUs) to increase the capacity of the electrified Caltrain system. FY22-23 LCTOP funds were also used for the Ridership Recovery Service Enhancement project. The FY24 LCTOP funding will be used to continue the operation of 104 weekday train trips, providing improved service, attracting new riders, and supporting more equitable transportation options.

Budget Impact

Receipt of FY24 LCTOP funding of \$2,619,704 is included in the Adopted Fiscal Year 2025 (FY25) Operating Budget.

Prepared By: Ashley Thompson Principal Grants Analyst 650-508-6387

Resolution No. 2024-

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

* * *

**Authorization of the Application for and Receipt of Annual Low Carbon
Transportation Operations Program (LCTOP) funds for Ridership Recovery
Service Enhancement**

Whereas, the Peninsula Corridor Joint Powers Board (JPB) is an eligible project sponsor and may receive State cap-and-trade funding from the Low Carbon Transit Operations Program (LCTOP) now or sometime in the future for transit projects; and

Whereas, the statutes related to State-funded transit projects require a local or regional implementing agency to abide by various regulations; and

Whereas, Senate Bill 862 (2014) named the California Department of Transportation (Caltrans) as the administrative agency for the LCTOP; and

Whereas, Caltrans has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors, including the JPB; and

Whereas, the JPB wishes to use Fiscal Year (FY) 2024 LCTOP funds allocated to the JPB for the Ridership Recovery Service Enhancement; and

Whereas, the Ridership Recovery Service Enhancement is to maintain the operation of 104 weekday train trips, providing improved service, attracting new riders, and supporting more equitable transportation options; and

Whereas, staff recommends that the JPB Board of Directors authorize the Executive Director, or designee, to:

1. Apply for and receive \$2,619,704 in FY2024 LCTOP funds for operational assistance of the Ridership Recovery Service Enhancement; and
2. File and execute annual cap-and-trade funding applications, Certifications and Assurances, authorized agent forms, agreements, related amendments, and any other documents required for the JPB to apply for and receive LCTOP funding.

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

1. Authorizes the Executive Director, or designee, to apply for and receive from the California Department of Transportation \$2,619,704 in FY2024 LCTOP funds for the Ridership Recovery Service Enhancement, which will help fund the operation of 104 weekday train trips, providing improved service, attracting new riders, and supporting more equitable transportation options; and
2. Authorizes the Executive Director, or designee, to take such actions as may be necessary to give effect to this resolution, including filing and executing annual cap-and-trade funding applications, Certifications and Assurances, authorized agent forms, agreements, related amendments, and any other documentation that may be required for the JPB to apply for and receive LCTOP funds; and
3. Agrees to comply with all conditions and requirements set forth in the annual Certifications and Assurances, authorized agent forms and any applicable statutes, regulations and guidelines for all Low Carbon Transit Operations Program-funded transit projects.

Regularly passed and adopted this 2nd day of May, 2024 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Li Zhang, Chief of Commercial and Business Development
Subject: **Receive Energy Procurement Strategy Update and Authorize Application to California’s Low Carbon Fuel Standard Program**



Finance Committee
Recommendation



Technology, Operations, Planning, and
Safety Committee Recommendation



Advocacy and Major Projects
Committee Recommendation

Purpose and Recommended Action

Caltrain staff is currently implementing its Energy Procurement Strategy (EPS) in connection with the provision of electricity upon expected revenue service in September 2024. As part of the EPS, Caltrain will also look to capture credits through the California Air Resources Board’s (CARB) Low Carbon Fuel Standard Program (LCFS). Caltrain currently hopes to receive \$9M to \$10M annually through the LCFS Program based on current market conditions. In order to receive the credit, Caltrain will need to register for the LCFS Program, including completing all necessary steps and attestations to complete the application. Caltrain will also need to administer the program moving forward, including taking the necessary steps to sell the credits and ensure ongoing compliance with the LCFS Program.

Staff recommends that the Board:

1. Authorize the Executive Director or designee, and a Caltrain division chief or designee, as is necessary, to file an application to the CARB LCFS program on behalf of Caltrain, including taking all steps necessary to register, administer, and comply with, the LCFS program on behalf of Caltrain, including, but not limited to:
 - a. Signing and submitting all required paperwork,
 - b. Submitting any attestation(s) required for registration and annual reporting compliance,
 - c. Filing any quarterly and annual reports,
 - d. Retaining a third-party verifier for LCFS compliance, if necessary, and
 - e. Managing LCFS credit activity, including retaining third-party broker(s), entering into any sale or term of use agreements, including Leadership for Energy Automated Processing (LEAP) Master Agreements, and any steps necessary to receive and sell the credits under the LCFS program.
 - f. take any additional steps as required by CARB under existing and future rules and regulations.

Discussion

The LCFS Program is designed to decrease the carbon intensity of California's transportation fuel pool and provide an increasing range of low-carbon and renewable alternatives, which reduce petroleum dependency and achieve air quality benefits. The LCFS is a key part of a comprehensive set of programs in California to cut greenhouse gas (GHG) emissions and other smog-forming and toxic air pollutants by improving vehicle technology, reducing fuel consumption, and increasing transportation mobility options – all of which are keenly aligned with the objectives and outcomes of the Peninsula Corridor Electrification Project (PCEP).

Caltrain currently hopes to receive \$9M to \$10M annually through the LCFS Program with an assumption of \$5M in the first year of service in FY25. Because the credits are part of a market-based program, the future price of the credits can and will fluctuate along with the corresponding value to Caltrain. This estimate is preliminary and subject to change. Actual receipts will be dependent on a number of factors, including:

1. Successfully registering for the LCFS Program and corresponding energy efficiency designation by CARB.
2. Power content of the electric resources procured by Caltrain.
3. Actual electricity used by Caltrain.
4. Future market prices for the credits.
5. Successful administration of the LCFS program by Caltrain, including the sale of the credits in the market.
6. Changes and regulatory amendments to the LCFS program structure from CARB.
7. Ongoing compliance with the rules and requirements of the LCFS program, including quarterly and annual filings.
8. Ongoing maintenance of the LCFS Program by CARB.

In connection with the FY24-FY25 Bi-Annual Budget, Caltrain authorized the creation and retention of two new positions to help manage ongoing energy procurement, including but not limited to the administration of the LCFS Program. These positions, Manager of Energy and Senior Energy Analyst, are expected to be advertised shortly. In the interim, staff is working to identify internal resources and/or external support to start the registration process.

Caltrain will learn more about actual revenues from the LCFS Program as revenue service begins and actual electric consumption is known and documented, but in order to capture the opportunity, Caltrain will need to register for the LCFS Program prior to revenue service.

Budget Impact

Internal resources needed for the LCFS Program registration and management have already been funded in connection with the FY24-FY25 Bi-Annual Budget. Staff is seeking authorization to retain a third-party verification agent for LCFS quarterly compliance requirements, if

necessary, under the current or new CARB requirements, which are currently under review. It is estimated that third-party verification services, if necessary, would not exceed \$50,000.

Prepared by: R. Alexander Burnett, Principal, Bell Burnett & Associates

Resolution No. 2024-

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

* * *

**Authorizing Application to California Air Resource Board's Low
Carbon Fuel Standard Program (LCFS)**

Whereas, Peninsula Corridor Joint Powers Board (JPB or Caltrain) staff is currently implementing its Energy Procurement Strategy (EPS) in connection with the provision of electricity upon commencement of revenue service in September 2024; and

Whereas, as part of the EPS, Caltrain seeks to capture credits through the California Air Resources Board's (CARB) Low Carbon Fuel Standard Program (LCFS); and

Whereas, the LCFS Program is designed to decrease the carbon intensity of California's transportation fuel pool and provide an increasing range of low-carbon and renewable alternatives, which reduce petroleum dependency and achieve air quality benefits; and

Whereas, the LCFS is a key part of a comprehensive set of programs in California to cut GHG emissions and other smog-forming and toxic air pollutants by improving vehicle technology, reducing fuel consumption, and increasing transportation mobility options – all of which are aligned with the objectives and outcomes of the Peninsula Corridor Electrification Project; and

Whereas, staff estimates that Caltrain could receive as much as \$9,000,000 annually through the LCFS Program, with an assumption of \$5,000,000 in the first year of service in Fiscal Year 2025 (FY25); and

Whereas, to receive LCFS credits, Caltrain will need to register for the LCFS Program, including completing all necessary steps and attestations for the application, and will need to

administer the program moving forward, including taking any steps necessary to sell the credits and ensure ongoing compliance with the LCFS Program; and

Whereas, staff recommends that the Board of Directors (Board) of the JPB authorize the Executive Director or designee and a Caltrain division chief or designee to file an application to the CARB LCFS program on behalf of Caltrain, including taking steps necessary to register, administer, and comply with, CARB's LCFS program on behalf of Caltrain, including, but not limited to:

- a. Signing and submitting all required paperwork.
- b. Submitting any attestation(s) required for registration and annual reporting compliance.
- c. Filing any quarterly and annual reports.
- d. Retaining a third-party verifier for LCFS compliance, if necessary.
- e. Managing LCFS credit activity, including retaining third-party broker(s), entering into any sale or term of use agreements, including Leadership for Energy Automated Processing (LEAP) Master Agreements, and any steps necessary to receive and sell credits under the LCFS program.
- f. Take any additional steps as required by CARB under existing and future rules and regulations; and

Whereas, internal resources for the LCFS Program have already been funded in connection with the FY25 Budget; and

Whereas, staff recommend retaining a third-party verification agent for LCFS quarterly compliance requirements, if necessary, under the current or new CARB requirements, which are

currently under review. It is estimated that third-party verification services, if necessary, would not exceed \$50,000.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director or designee and a Caltrain division chief or designee to file an application to the CARB LCFS program on behalf of Caltrain, including taking steps necessary to register, administer, and comply with, CARB's LCFS program on behalf of Caltrain, including, but not limited to:

- a. Signing and submitting all required paperwork.
- b. Submitting any attestation(s) required for registration and annual reporting compliance.
- c. Filing any quarterly and annual reports.
- d. Retaining a third-party verifier for LCFS compliance, if necessary.
- e. Managing LCFS credit activity, including retaining third-party broker(s), entering into any sale or term of use agreements, including Leadership for Energy Automated Processing (LEAP) Master Agreements, and any steps necessary to receive and sell credits under the LCFS program, and
- f. Take any additional steps as required by CARB under existing and future rules and regulations.

Regularly passed and adopted this 2nd day of May, 2024 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Casey Fromson, Chief of Staff
Subject: **State and Federal Legislative Update and Consideration of Positions on Legislation:
HR 7039 (Johnson)
AB 1837 (Papan)
AB 2053 (Lee)
SB 1031 (Wiener and Wahab)**

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
2. Consideration of Positions on Legislation:
 - a. HR 7039 (Johnson) - Stronger Communities through Better Transit Act
 - b. AB 1837 (Papan) - SF Bay Area: Public Transit: Regional Network Management Council
 - c. AB 2053 (Lee) - CEQA: Exemption: Passenger Rail Projects
 - d. SB 1031 (Wiener and Wahab) - Connect Bay Area Act of 2024

Discussion

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

Budget Impact

None.

Prepared By: Devon Ryan Government & Community Affairs 650.730.6172
Officer

Isabella Conferti Government & Community Affairs 650.647.3498
Specialist



April 11, 2024

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

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

RE: **STATE LEGISLATIVE UPDATE – May 2024**

General Update

At the start of every legislative year, California legislators introduce hundreds of "spot bills" that indicate the Legislature's intent to amend statute or that would make non-substantive changes to state law. These spot bills are introduced to serve as vehicles for substantive language that is still being developed or reviewed by legislators, their staff, and/or bill sponsors.

This year, the deadlines for spot bills to be amended in the Senate and Assembly to include substantive language so they may be referred to policy committees were March 20 and March 11, respectively. Following these deadlines, substantive amendments to these spot bills began to come into print and these amended spot bills, some of which impact public transit agencies, add to the already hundreds of bills introduced in February. For more information about key legislative and budget deadlines, see the adopted 2024 Legislative Calendar available [here](#).

Governor and Legislature Reach Agreement on Early Action Budget Plan

On April 4, Governor Newsom, Senate President pro Tempore Mike McGuire, and Assembly Speaker Robert Rivas announced an agreement on roughly \$17 billion in early actions to *"significantly reduce the existing [budget] shortfall and best position California to responsibly address the budget in June."*

The agreement includes:

- \$3.6 billion in reductions (largely to one-time spending);
- \$5.2 billion in revenue and borrowing;
- \$5.2 billion in delays and deferrals; and
- \$3.4 billion in expenditure shifts from the General Fund to other state funds, including the Greenhouse Gas Reduction Fund.

Importantly, the agreement preserves the state's commitment to provide the full balance of the \$4 billion for the population-based Transit and Intercity Rail Capital Program (commonly referred to as AB 102 / SB 125 funding). However, like the Governor's proposed budget released in January, it would delay the appropriation of \$1 billion of the \$4 billion program by one fiscal year.

If the agreement is approved by the Legislature and signed into law by the Governor, as expected, the appropriation schedule for this funding will be as follows:

- FY 2023-24: \$2 billion (Already approved in FY 2023-24 budget and scheduled to be allocated to RTPAs no later than April 30, 2024)
- FY 2024-25: \$1 billion
- FY 2025-26: \$1 billion

The agreement does not impact the \$1.1 billion approved in the FY 2023-24 budget for the Zero-Emission Transit Capital Program.

The above analysis notwithstanding, it is worth noting that the agreement provides the Department of Finance with the ability to suspend the authority to expend any one-time funding provided in the Budget Acts of 2021, 2022, or 2023. No additional details on this authority are available at this time.

The main elements of the agreement went into print as [SB 106 \(Wiener\)](#) and [AB 106 \(Gabriel\)](#) and were passed by the Legislature on April 11 as AB 106. As these bills make adjustments to the Budget Acts of 2022-23 and 2023-24, but do not advance funding for the Fiscal Year 2024-25, these bills do not include the \$1 billion appropriation for the formula based TIRCP.

CalSTA Holds Third Transit Transformation Task Force Meeting

As of this writing, the third Transit Transformation Task Force is scheduled to take place on Monday, April 15 in San Diego, CA. On Friday, April 5, CalSTA distributed the agenda to be referenced during the meeting, which includes the following substantive discussion topics among others:

- Discussion of transit availability by geography and trip purpose; and
- Discussion of customer goals, metrics, and changes required to enable transformational increase in ridership.

The objective of this meeting is to discuss customer experiences and expectations and translate them into actionable goals. Task Force members will then engage in discussions to determine the measures required to deliver the service that riders expect; these measures will further inform future recommended actions for agencies to improve the services offered.

CalSTA Releases Draft Guidelines for TIRCP Cycle 7

On March 12, the California State Transportation Agency released the [draft guidelines for Cycle 7 of the Transit and Intercity Rail Capital Program \(TIRCP\)](#) for public and legislative review.

Comments on the draft guidelines were due no later than April 18. CalSTA expects to release final program guidelines and a call for projects on April 23.

Bills of Interest

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

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.

SB 1031 (Wiener) Bay Area Transportation Regional Measure / Transit Consolidation – OPPOSE UNLESS AMENDED

A combination of what was previously SB 925 (Wiener) and SB 926 (Wahab), this bill is the vehicle of the authorization legislation for the Bay Area regional transportation funding measure and includes requirements for a transit consolidation study.

AB 1837 (Papan) Bay Area Transit Coordination - RECOMMEND SUPPORT

This bill previously stated the intent of the Legislature to enact subsequent legislation to encourage coordination and collaboration among transit agencies in the San Francisco Bay area. It has since been amended to create the Regional Network Management Council to provide guidance on regional transit policies and actionable implementation plans for the San Francisco Bay Area.

AB 2503 (Lee) CEQA Exemptions for Railroad Electrification – RECOMMEND SUPPORT

This bill would expand existing CEQA exemptions to include public projects for the institution or increase of other passenger rail service, which will be exclusively used by zero emission trains on existing public rights-of-way or existing highway rights-of-way. This bill is targeted at providing a CEQA exemption for catenary power systems.

AB 2824 (McCarty) Transit Employee Assaults – WATCH

This bill would enhance penalties for individuals who commit assault or battery against a public transit operator or employee. This bill also allows transit agencies to prohibit individuals convicted of assault or battery from entering transit facilities and vehicles using a more streamlined process. This bill is sponsored by the California Transit Association.

Caltrain Bill Matrix as of 4/12/2024

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 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 participate 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 transit: Regional Network Management Council.</p>	<p>This bill is in the Assembly Committee on Transportation.</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 create the Regional Network Management Council as an 11-member council to represent the interests of its stakeholders, to provide leadership and critical input on regional transit policies, and to provide executive guidance on regional transit policies and actionable implementation plans in pursuit of transformative improvements in the customer experience San Francisco Bay area transit. The bill would require the commission to facilitate the creation of the council. By requiring the commission to facilitate the creation of the council, and requiring certain employees of specified local agencies to serve on the council, the bill would impose a state-mandated local program.</p>	<p>Recommend Support</p>
<p>AB 1870 Ortega D</p> <p>Notice to employees: legal services.</p>	<p>This bill is in the Assembly Appropriations Committee.</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's ability to consult a 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 has been ordered to the Consent Calendar.</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, including a digital 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 has been ordered to the Consent Calendar.</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 Senate Rules Committee, pending referral to policy committee.</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 is in the Senate Rules Committee, pending referral to policy committee.</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 is in the Assembly Appropriations Committee.</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 to increase the amount 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 require the office to also work with transportation agencies to increase the amount of agricultural products available to underserved communities and schools in the state, and to prioritize the department's efforts in food deserts, as defined, throughout the state, especially cities and counties that are most impacted by food insecurity, as defined. The bill would require the office to work to overcome those identified distribution barriers by also 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>AB 2192 Carrillo, Juan D</p> <p>Public agencies: cost accounting standards.</p>	<p>This bill is in the Assembly Committee on Local Government.</p>	<p>Existing law, the Uniform Public Construction Cost Accounting Act, authorizes a public agency, whose governing board has by resolution elected, to become subject to uniform construction cost accounting procedures. Existing law provides for the development of cost accounting standards and an alternative method for the bidding of public works projects by public entities. The act defines "public project" to include, among other things, construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility. This bill would define "public project" to additionally include installations involving any publicly owned, leased, or operated facility. This bill contains other existing laws.</p>	<p>Watch</p>
<p>AB 2204 Bennett D</p> <p>Green hydrogen.</p>	<p>This bill is in the Assembly Committee on Utilities & Energy.</p>	<p>Existing law establishes various programs relating to energy efficiency and conservation and clean energy, including a hydrogen program to provide financial incentives to eligible in-state hydrogen projects, as provided. This bill would require, on and after an unspecified date, all hydrogen produced or used in California to be green hydrogen that excludes the use of any fossil fuel as a feedstock or as an energy source in the production process and that complies with any applicable requirements to show the use of new and incremental renewable generation resources, temporal matching of renewable generation resources, and geographic deliverability of renewable energy resources.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2233 Schiavo D</p> <p>Building standards: toilet compartments.</p>	<p>This bill is in the Assembly Committee on Business & Professions.</p>	<p>Existing law, the California Building Standards Law, establishes the California Building Standards Commission within the Department of General Services and sets forth its powers and duties, including approval and adoption of building standards and codification of those standards into the California Building Standards Code. Existing law also establishes that in the Department of General Services, there is a State Architect, appointed by the Governor, as specified, who is required to report directly to the Director of General Services. This bill would require the Division of the State Architect, as part of the next intervening edition of the California Building Standards Code adopted after January 1, 2025, to propose for adoption building standards that lower the threshold of toilet compartments required for an ambulatory accessible toilet compartment to be required in addition to a wheelchair accessible toilet compartment.</p>	<p>Watch</p>
<p>AB 2266 Petrie-Norris D</p> <p>California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: vehicle eligibility.</p>	<p>This bill is in the Assembly Committee on Transportation. Hearing canceled at the request of the author.</p>	<p>Existing law establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The state board, in this capacity, administers the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project under which the agency issues a limited number of vouchers to incentivize the purchase and use of zero-emission commercial vehicles. This bill would require the state board to authorize a voucher issued under the program to be used for the acquisition of any zero-emission vehicle that meets specified requirements.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2302 Addis D</p> <p>Open meetings: local agencies: teleconferences.</p>	<p>This bill is in the Assembly Committee on Local Government.</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 specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets. The bill, for the purpose of counting meetings attended by teleconference, would define a “meeting” as any number of meetings of the legislative body of a local agency that begin on the same calendar day. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2325 Lee D</p> <p>San Francisco Bay Area Rapid Transit District: officers: designation and appointment.</p>	<p>This bill is in the Assembly Committee on Local Government.</p>	<p>Existing law establishes the San Francisco Bay Area Rapid Transit District, governed by a board of directors, with specified powers and duties relative to the construction and operation of a rapid transit system. Under existing law, the officers of the district consist of the members of the board, a secretary, a general manager, a general counsel, a treasurer, a controller, and other officers, assistants, and deputies that the board may provide for by ordinance or resolution, as specified. Existing law requires the board to appoint, and authorizes the board to remove, the secretary, the general manager, the general counsel, the treasurer, and the controller. Existing law requires all other officers and employees of the district to be appointed by, and to serve at the pleasure of, the general manager. This bill would eliminate the treasurer and controller as specifically designated officers of the district and as positions subject to appointment and removal by the board. The bill would also eliminate specified qualifications applicable to the controller.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2421 Low D</p> <p>Employer-employee relations: confidential communications.</p>	<p>This bill is in the Assembly Appropriations Committee.</p>	<p>Existing law that governs the labor relations of public employees and employers, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions relating to public schools, provisions relating to higher education, and provisions relating to the the San Francisco Bay Area Rapid Transit District, prohibits employers from taking certain actions relating to employee organization, including imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with, restraining, or coercing employees because of their exercise of their guaranteed rights. Those provisions of existing law further prohibit denying to employee organizations the rights guaranteed to them by existing law. This bill would also prohibit a local public agency employer, a state employer, a public school employer, a higher education employer, or the district from questioning any employee or employee representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization’s representation.</p>	<p>Watch</p>
<p>AB 2431 Mathis R</p> <p>Taxation: Transactions and Use Tax Law: limit increase.</p>	<p>This bill is in the Assembly Committee on Local Government.</p>	<p>Existing law authorizes cities and counties, subject to certain limitations and approval requirements, to levy a transactions and use tax for general or specific purposes, in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law, including a requirement that the combined rate of all taxes that may be imposed in accordance with that law in the county not exceed 2%. This bill would authorize a city, county, or city and county to impose a transactions and use tax at a rate of no more than an unspecified percentage that, in combination with other transactions and use taxes, would exceed the above-described combined rate limit of 2%, if certain conditions are met, including that the city, county, or city and county has reached the 2% rate limitation. The bill would specify that a transactions and use tax established pursuant to its provisions would not be considered for purposes of the 2% combined rate limitation.</p>	<p>Watch</p>
<p>AB 2455 Gabriel D</p> <p>Whistleblower protection: state and local government procedures.</p>	<p>This bill is in the Assembly Committee on Public Employment and Retirement.</p>	<p>Existing law authorizes a city, county, or city and county auditor or controller to maintain a whistleblower hotline to receive calls from persons who have information regarding fraud, waste, or abuse by local government employees, as specified. Existing law authorizes the county auditor to refer calls received on the whistleblower hotline to the appropriate government authority for review and possible investigation. During the initial review of a call, existing law requires the auditor, controller, or other appropriate governmental agency to hold in confidence information disclosed through the whistleblower hotline, as specified. Upon receiving specific information that an employee or local government has engaged in an improper activity, as defined, existing law authorizes a city or county auditor to conduct an investigative audit of the matter, as specified. This bill would expand the above-described duties and authorizations to the auditor’s or controller’s designee, as specified. The bill would recast information regarding fraud, waste, or abuse by local government employees as improper governmental activity, as defined, and expand its scope to include activity by a local agency, employee, or contractor or subcontractor. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2463 Alanis R</p> <p>Railroad employee safety.</p>	<p>This bill may be heard in committee March 15.</p>	<p>Existing law grants the Division of Occupational Safety and Health jurisdiction over the safety and health of railroad employees, as specified. Existing law authorizes a conductor to place a pusher engine ahead of the caboose, as defined, if conditions warrant it for the safety of the occupants of a caboose. This bill would make nonsubstantive changes to provisions relating to the above-described authority of a conductor.</p>	<p>Watch</p>
<p>AB 2503 Lee D</p> <p>California Environmental Quality Act: exemption: passenger rail projects.</p>	<p>This bill is in the Assembly Committee on Appropriations.</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, until January 1, 2030, exempts from its requirements certain transportation-related projects if specified requirements are met, including that a local agency, as defined, is carrying out the project and that the project will be completed by a skilled and trained workforce, as provided. CEQA includes within these exempt transportation-related projects a public project for the institution or increase of bus rapid transit, bus, or light rail service, which will be exclusively used by low-emission or zero-emission vehicles, on existing public rights-of-way or existing highway rights-of-way. Existing law requires the lead agency, if it determines that a transportation-related project is exempt from CEQA and determines to carry out the project, to file a notice of exemption with the Office of Planning and Research and the county clerk in which the project is located. This bill would expand that exemption from CEQA to include a public project for the institution or increase of other passenger rail service, which will be exclusively used by zero-emission trains, on existing public rights-of-way or existing highway rights-of-way. Because the bill would increase the duties of the county clerk, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Recommend Support</p>

Bill ID/Topic	Location	Summary	Position
AB 2553 Friedman D Housing development: major transit stops: vehicular traffic impact fees.	This bill is in the Assembly Committee on Housing & Community Development.	Existing law, 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 exempts from its requirements residential projects on infill sites and transit priority projects that meet certain requirements, including a requirement that the projects are located within 1/2 mile of a major transit stop. CEQA defines “major transit stop” to include, among other locations, the intersection of 2 or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. This bill would revise the definition of “major transit stop” to increase the frequency of service interval to 20 minutes. The bill would additionally define “major transit stop” to include a site in an urbanized area that is being served by an on-demand transit service at least 12 hours a day, 7 days a week. Because the bill would require a lead agency to make an additional determination as to whether a location is a major transit stop for purposes of determining whether residential or mixed-use residential projects are exempt from CEQA, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.	Watch
AB 2561 McKinnor D Local public employees: vacant positions.	This bill is in the Assembly Committee on Public Employment & Retirement.	Existing law, the Meyers-Milias-Brown Act (act), authorizes local public employees, as defined, to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on matters of labor relations. The act prohibits a public agency from, among other things, imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with specified employee rights guaranteed by the act. This bill would require each public agency with bargaining unit vacancy rates exceeding 10% for more than 90 days within the past 180 days to meet and confer with a representative of the recognized employee organization to produce, publish, and implement a plan consisting of specified components to fill all vacant positions within the subsequent 180 days. The bill would require the public agency to present this plan during a public hearing to the governing legislative body and to publish the plan on its internet website for public review for at least one year. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include findings that changes proposed by this bill address a matter of statewide concern.	Watch

Bill ID/Topic	Location	Summary	Position
<p>AB 2626 Dixon R</p> <p>Advanced Clean Fleets regulations: local governments.</p>	<p>This bill is in the Assembly Committee on Transportation.</p>	<p>Existing law requires the State Air Resources Board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution that the state board has found necessary, cost effective, and technologically feasible. The California Global Warming Solutions Act of 2006 establishes the state board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from those sources. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would extend the compliance dates for local government set forth in the Advanced Clean Fleets Regulation by 10 years. The bill would prohibit the state board from taking enforcement action against a local government for violating the Advanced Clean Fleets Regulation if the alleged violation occurs before January 1, 2025. This bill contains other existing laws.</p>	<p>Watch</p>
<p>AB 2661 Soria D</p> <p>Electricity: transmission facility planning: water districts.</p>	<p>This bill is in the Assembly Committee on Utilities & Energy.</p>	<p>Existing law vests the Public Utilities Commission (PUC) with regulatory authority over public utilities. Existing law requires the PUC to adopt a process for each load-serving entity, as defined, to file an integrated resource plan and a schedule for periodic updates to the plan to ensure that it meets, among other things, the state’s targets for reducing emissions of greenhouse gases and the requirement to procure at least 60% of its electricity from eligible renewable energy resources by December 31, 2030. Under existing law, after the load-serving entities have updated the integrated resource plans pursuant to the schedule adopted by the PUC, the PUC adopted an aggregated resource portfolio known as the preferred system plan. Existing law establishes an Independent System Operator (ISO) as a nonprofit public benefit corporation, and requires the ISO to ensure the efficient use and reliable operation of the electrical transmission grid consistent with the achievement of planning and operating reserve criteria, as specified. Existing law requires the PUC, in consultation with the State Energy Resources Conservation and Development Commission, to provide, not later than March 31, 2024, transmission-focused guidance to the ISO about resource portfolios of expected future renewable energy resources and zero-carbon resources. Existing law requires the guidance to include the allocation of those resources by region based on technical feasibility and commercial interest in each region. This bill would require the PUC to evaluate the potential for 10,000 to 30,000 megawatts of solar electrical generation located in the Central Valley beyond the amount of solar electrical generation described in the most recently adopted preferred system plan as of January 1, 2025. If the PUC determines that solar electrical generation to be cost effective, the bill would require the PUC to provide, no later than the March 31 immediately following that determination, transmission-focused guidance to the ISO that includes the solar electrical generation in the resource portfolios of expected future renewable energy resources and zero-carbon resources.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
AB 2669 Ting D Toll bridges: tolls.	This bill is in the Assembly Committee on Appropriations.	Existing law provides for the construction and operation of various toll bridges by the state, the Golden Gate Bridge, Highway and Transportation District, and private entities that have entered into a franchise agreement with the state. This bill would prohibit a toll from being imposed on the passage of a pedestrian, bicycle, or personal micromobility device over these various toll bridges, unless the bridge was under construction on or after January 1, 2025, and the tolls are used to fund the cost of constructing the bridge.	Watch
AB 2712 Friedman D Preferential parking privileges: transit-oriented development.	This bill is in the Assembly Committee on Local Government.	Existing law authorizes a local authority, by ordinance or resolution, to prohibit or restrict the stopping, parking, or standing of vehicles on certain streets or highways during all or certain hours of the day. Existing law authorizes the ordinance or resolution to include a designation of certain streets upon which preferential parking privileges are given to residents and merchants adjacent to the streets for their use and the use of their guests, under which the residents and merchants may be issued permits that exempt them from the prohibition or restriction of the ordinance or resolution. Existing law prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within 1/2 mile of public transit, as defined, unless the public agency makes written findings that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact on, among other things, the city's, county's, or city and county's ability to meet its share of the regional housing need for low- and very low income households. This bill, for a residential, commercial, or other development project that is exempt from minimum automobile parking requirements and located within a preferential parking area, would require the development project to be excluded from the boundaries of the preferential parking area and would prohibit the local authority, as defined, from issuing any permit to the residents, vendors, or visitors of the development project that grants preferential parking privileges. The bill would also authorize a local authority to issue permits to residents, vendors, and visitors of the development project that is within the boundaries of a preferential parking area if the local authority makes written findings that including the development project would not have a substantially negative impact on the preferential parking area, as specified. The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.	Watch
AB 2715 Boerner D Ralph M. Brown Act: closed sessions.	This bill is in the Assembly Committee on Local Government.	Existing law, the Ralph M. Brown Act, generally requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Existing law authorizes a legislative body to hold a closed session on, among other things, matters posing a threat to the security of essential public services, as specified. This bill would additionally authorize a closed session to consider or evaluate matters related to cybersecurity, as specified, provided that any action taken on those matters is done in open session. This bill contains other related provisions and other existing laws.	Watch

Bill ID/Topic	Location	Summary	Position
<p>AB 2744 McCarty D</p> <p>Vehicles: pedestrian, bicycle, and vehicle safety.</p>	<p>This bill is in the Assembly Committee on Transportation.</p>	<p>Existing law authorizes the legislative body of a city to do any and all things necessary to lay out, acquire, and construct a section or portion of a street or highway within its jurisdiction as a freeway and to make an existing street or highway a freeway. Existing law authorizes a legislative body of a city, whenever this legislative body determines that it is necessary for the more efficient maintenance, construction, or repair of streets and roads within the city, to contract with the board of supervisors of any county for the rental of the county’s equipment, as specified. This bill would, beginning on January 1, 2025, prohibit the addition of a right-turn or travel lane within 20 feet of a marked or unmarked crosswalk where there is not already a dedicated and marked right-turn or travel lane, and would prohibit vehicles from using this 20-foot area for right turns unless the area is already marked as a dedicated right-turn lane before January 1, 2025. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2751 Haney D</p> <p>Employer communications during nonworking hours.</p>	<p>This bill is in the Assembly Committee on Labor & Employment.</p>	<p>Existing law, including statutory provisions and orders of the Industrial Welfare Commission, as enforced by the Division of Labor Standards Enforcement, regulates the wages, hours, and working conditions of employees. Existing law makes it a crime for an employer to require or cause any employee to work for longer hours than those fixed or under conditions of labor prohibited by an order of the commission or to violate or refuse or neglect to comply with specified statutes on wages, hours, and working conditions or any order or ruling of the commission. This bill would require a public or private employer to establish a workplace policy that provides employees the right to disconnect from communications from the employer during nonworking hours, except as specified. The bill would define the “right to disconnect” to mean that, except for an emergency or for scheduling, as defined, an employee has the right to ignore communications from the employer during nonworking hours. The bill would require nonworking hours to be established by written agreement between an employer and employee. The bill would authorize an employee to file a complaint of a pattern of violation of the bill’s provisions with the Labor Commissioner, punishable by a specified civil penalty.</p>	<p>Watch</p>
<p>AB 2781 Irwin D</p> <p>Public contracting: state grants: prohibition.</p>	<p>This bill is in the Assembly Governmental Organization Committee.</p>	<p>Existing law governs the bidding and awarding of public contracts by public entities, as defined, and imposes additional requirements on state agencies when awarding contracts. This bill would require a state agency, as defined, to include, when awarding a contract for grant administration services, as defined, in the terms of the contract a provision that sets forth standards for resolving actual or perceived conflicts of interest for the contractor.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
AB 2813 Aguiar-Curry D Government Investment Act.	This bill is in the Assembly Committee on Local Government.	Existing law, known as the Proposition 218 Omnibus Implementation Act, defines various terms and prescribes procedures and parameters for local jurisdictions to comply with specified provisions of the California Constitution. The Legislature adopted ACA 1 at the 2023–24 Regular Session of the Legislature, which, if approved by the voters, would amend and add provisions of the California Constitution to (1) create an additional exception to the 1% limit on the ad valorem tax rate on real property by authorizing a local jurisdiction to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction; and (2) authorize a local jurisdiction to impose, extend, or increase a sales and use tax to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction. Pursuant to the existing law described above, ACA 1 is scheduled to appear on the ballot at the November 5, 2024, statewide general election. This bill would authorize a local government that imposes a tax under ACA 1 to commit revenues to affordable housing programs, including downpayment assistance, first-time home buyer programs, and owner-occupied affordable housing rehabilitation programs. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness or ACA 1 special taxes to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety buildings, facilities, and equipment. The bill would specify that a local government may commit revenues derived from ACA 1 bonded indebtedness or an ACA 1 special tax to projects or programs administered by a nonprofit organization for affordable housing or permanent supportive housing purposes. This bill contains other related provisions and other existing laws.	Watch
AB 2824 McCarty D Battery: public transportation provider.	This bill is in the Assembly Committee on Public Safety.	Existing law provides that when a battery is committed against the person of an operator, driver, or passenger on a bus, taxicab, streetcar, cable car, trackless trolley, or other motor vehicle, as specified, and the person who commits the offense knows or reasonably should know that the victim is engaged in the performance of their duties, the penalty is imprisonment in a county jail not exceeding one year, a fine not exceeding \$10,000, or both the fine and imprisonment. Existing law also provides that if the victim is injured, the offense would be punished by a fine not exceeding \$10,000, by imprisonment in a county jail not exceeding one year or in the state prison for 16 months, 2, or 3 years, or by both that fine and imprisonment. This bill would expand this crime to apply to an employee or contractor of a public transportation provider. By expanding the scope of an existing crime, this bill would impose a state-mandated local program.	Watch

Bill ID/Topic	Location	Summary	Position
<p>AB 2854 Irwin D</p> <p>Bradley-Burns Uniform Local Sales and Use Tax Law.</p>	<p>This bill is in the Assembly Appropriations Committee.</p>	<p>The Bradley-Burns Uniform Local Sales and Use Tax Law (Bradley-Burns) authorizes counties and cities to impose local sales and use taxes in conformity with the Sales and Use Tax Law. Existing law, on or after January 1, 2016, prohibits a local agency from entering into any form of agreement that would result, directly or indirectly, in the payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to any person, as defined, for any purpose, if the agreement results in a reduction in the amount of Bradley-Burns local tax revenues that, in the absence of the agreement, would be received by another local agency and the retailer continues to maintain a physical presence within the territorial jurisdiction of that other local agency, with specified exceptions. This bill would require a local agency, as defined, to annually provide specified information relating to each agreement resulting in the direct or indirect payment, transfer, diversion, or rebate of Bradley-Burns local tax revenues to the California Department of Tax and Fee Administration. The bill would additionally require the local agency to publish that information on its internet website. The bill would impose monetary penalties on any local agency that fails to provide information to the department or fails to publish information to its internet website. website, as prescribed. By expanding the duties of local 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 2879 Fong, Vince R</p> <p>High-Speed Rail Authority: contracting.</p>	<p>This bill is in the Assembly Appropriations Committee.</p>	<p>The California High-Speed Rail Act creates the High-Speed Rail Authority, composed of 11 members, to develop and implement a high-speed rail system in the state, with specified powers and duties. The act authorizes the authority to enter into contracts with private or public entities for the design, construction, and operation of high-speed trains. The act requires the authority to appoint an executive director to administer the affairs of the authority as directed by the authority. This bill, notwithstanding the authority’s ability to delegate power to the executive director, would require any contract change order with a value greater than \$100,000,000 to be approved by the authority.</p>	<p>Watch</p>
<p>AB 3177 Carrillo, Wendy D</p> <p>Mitigation Fee Act: land dedications: mitigating vehicular traffic impacts.</p>	<p>This bill is in the Assembly Committee on Housing & Community Development.</p>	<p>Existing law, the Mitigation Fee Act, imposes various requirements with respect to the establishment, increase, or imposition of a fee by a local agency as a condition of approval of a development project. Existing law requires a local agency that imposes a fee on a housing development for the purpose of mitigating vehicular traffic impacts to set the rate for the fee to reflect a lower rate of automobile trip generation if the housing development satisfies specified characteristics, including that the housing development is located within a 1/2 mile of a transit station. Existing law defines transit station for these purposes to mean a rail or light-rail station, ferry terminal, bus hub, or bus transfer station. This bill would instead require the housing development to be located within a 1/2 mile of a transit priority area for purposes of a local agency setting the rate for a mitigating vehicular traffic impacts fee to reflect a lower rate of automobile trip generation. The bill would define “transit priority area” as an area within 1/2 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 3186 Petrie-Norris D</p> <p>Public works: prevailing wages: access to records.</p>	<p>This bill is in the Assembly Committee on Labor & Employment.</p>	<p>Existing law requires that, except as specified, not less than the general prevailing rate of per diem wages be paid to workers employed on public works and imposes misdemeanor penalties for a willful violation of this requirement. Existing law defines “public works,” for the purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds. Existing law requires the Labor Commissioner to investigate allegations that a contractor or subcontractor violated the law regulating public works projects, including the payment of prevailing wages. Existing law requires each contractor and subcontractor on a public works project to keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by the contractor or subcontractor in connection with the public work. Existing law requires any copy of records made available for inspection as copies and furnished upon request to the public or any public agency to be marked or obliterated to prevent disclosure of an individual’s name, address, and social security number but specifies that any copy of records made available to a Taft-Hartley trust fund for the purposes of allocating contributions to participants be marked or obliterated only to prevent disclosure of an individual’s full social security number, as specified. This bill would require each contractor and subcontractor performing work on any public works project and any covered entity, as defined for these purposes as a corporation, limited liability company, partnership, joint venture, or other legal entity, that develops or undertakes such project, to make specified records available upon request to the Division of Labor Standards Enforcement, to multiemployer Taft-Hartley trust funds, and to joint labor-management committees, as specified. The bill would also apply this requirement to contractors, subcontractors, and covered entities that are developing, undertaking, or performing work on a development project for which contractors are required to maintain and verify payroll records, as specified. The bill would subject a contractor, subcontractor, or covered entity, for failing to comply with the provisions of this act, to a penalty by the commissioner, as specified, and would deposit the penalties into a specified fund. This bill would require the Director of Industrial Relations to adopt rules to govern the release of those records, as specified. This bill contains other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 532 Wiener D</p> <p>San Francisco Bay area toll bridges: tolls: transit operating expenses.</p>	<p>This bill is in the Assembly Appropriations Committee. Hearing canceled at the request of the author.</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>

Bill ID/Topic	Location	Summary	Position
<p>SB 537 Becker D</p> <p>Open meetings: multijurisdictional, cross-county agencies: teleconferences.</p>	<p>This bill has been ordered to 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 meeting. The bill would repeal these alternative teleconferencing provisions on January 1, 2026. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 904 Dodd D</p> <p>Sonoma-Marín Area Rail Transit District.</p>	<p>This bill is in the Senate Elections and Constitutional Amendments Committee.</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 transactions and use tax ordinance. This bill would also authorize those special taxes to be imposed by a qualified voter initiative if that initiative complies with certain requirements. 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>	<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 Senate Appropriations.</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 local agencies to develop and construct infrastructure projects, as defined. The bill would authorize the office to provide funding for up to 20% of a project’s total cost, subject to specified requirements, including, among other things, that the office is prohibited from awarding a grant to a local agency unless the local agency provides funding that has been raised through local taxes for at least 10% of the infrastructure project’s total cost. The bill would require the office to develop guidelines to implement the program that establish the criteria by which grant applications will be evaluated and funded. The bill would make these provisions operative January 1, 2027.</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 Committee on Public Safety.</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>

Bill ID/Topic	Location	Summary	Position
<p>SB 1031 Wiener D</p> <p>San Francisco Bay area: local revenue measure: transportation improvements.</p>	<p>This bill is in the Senate Committee on Transportation.</p>	<p>(1)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 authorize the commission to raise and allocate new revenue and incur and issue bonds and other indebtedness, as specified. In this regard, the bill would authorize the commission to impose a retail transactions and use tax, a regional payroll tax, a parcel tax, and a regional vehicle registration surcharge in all or a subset of the 9 counties of the San Francisco Bay area, in accordance with applicable constitutional requirements. The bill would require the parcel tax to be collected by counties and the other 3 taxes to be collected by specified state agencies, and would require the net revenues from those taxes to be remitted to the commission, as prescribed. The bill would require the revenue generated pursuant to these provisions to be used for transportation improvements in the San Francisco Bay area, including for various transit purposes, and would require the commission to distribute those revenues in accordance with specified requirements and expressions of legislative intent. By adding to the duties of local officials with respect to elections procedures for revenue measures on behalf of the commission, this bill would impose a state-mandated local program.</p> <p>(2)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 select a transportation institute, as defined, to conduct an assessment of the associated advantages and disadvantages of consolidating all of the transit agencies, as defined, that are located in the 9-county San Francisco Bay area, as specified. The bill would require that assessment to be completed on or before January 1, 2026, and would require, as part of that assessment, the transportation institute to provide recommendations on how to consolidate those transit agencies and to include certain information in the assessment. Based on the findings of the assessment, the bill would require the Transportation Agency, on or before January 1, 2027, to recommend a comprehensive plan to consolidate all of the transit agencies located in the San Francisco Bay area, as provided. The bill would establish the Bay Area Transit Consolidation Technical Assistance Fund in the State Treasury for the deposit of moneys that can be used for specified purposes, including paying for the cost of conducting the assessment and preparing the comprehensive plan, as specified. The bill would require the assessment and the comprehensive plan to be submitted to the Legislature upon completion.</p> <p>(3)Existing law requires the Metropolitan Transportation 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 revise and recast this provision by, among other things, providing that the commission is responsible for implementing a seamless transit rider experience across the San Francisco Bay area and requiring those rules and regulations to also promote the coordination of</p>	<p>Oppose Unless Amended</p>

Bill ID/Topic	Location	Summary	Position
		<p>mapping and wayfinding, real-time transit information, and other customer-facing operating policies, as specified. The bill would also declare that it is intent of the Legislature that the commission implement and sustain specified outcomes in undertaking these responsibilities. The bill would require the commission to submit an annual report to the Legislature on the status of those outcomes and the status of transit ridership in the San Francisco Bay area. By imposing additional duties on the commission, the bill would create a state-mandated local program. (4)Under existing law, a transit operator within the jurisdiction of the commission is not eligible to receive funding allocated by the commission pursuant to the State Transit Assistance Program unless it has complied with the above-described rules and regulations adopted by the commission.This bill would also make a transit operator ineligible to receive an allocation from the commission of the revenues generated by the new taxing authority authorized by the bill or to make a claim pursuant to the Transportation Development Act for an allocation of funds from a local transportation fund if the operator is not in compliance with those rules and regulations. (5)Existing law authorizes the commission and the Bay Area Air Quality Management District to jointly adopt a commute benefit ordinance that requires covered employers operating within the common area of the 2 agencies with a specified number of covered employees to offer those employees certain commute benefits, as specified.This bill would also authorize one of those commute benefit options to include an employer-provided regional transit pass.This bill would authorize the commission, as part of a measure to impose a tax described above, to propose a ballot measure that would require a covered employer that is located in proximity to transit to purchase a regional transit pass for each of its employees and to require a covered employer that is not located in proximity to transit to provide a subsidy to each of its employees corresponding in financial value to the regional transit pass, as specified. If the ballot measure is approved by the voters, the bill would require the commission and the district to update the ordinance accordingly. (6)The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.</p>	

Bill ID/Topic	Location	Summary	Position
<p>SB 1098 Blakespear D</p> <p>Passenger and freight rail: LOSSAN Rail Corridor.</p>	<p>This bill is in Senate Committee on Transportation.</p>	<p>Existing law establishes the Department of Transportation in the Transportation Agency under the control of an executive officer known as the Director of Transportation. Existing law authorizes the Department of Transportation, subject to approval of the Secretary of Transportation, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in certain rail corridors, including the LOSSAN Rail Corridor. Existing law defines the LOSSAN Rail Corridor as the intercity passenger rail corridor between San Diego, Los Angeles, and San Luis Obispo. Pursuant to this authority, the department entered into an interagency transfer agreement with the LOSSAN Rail Corridor Agency to administer intercity passenger rail service in the LOSSAN Rail Corridor. This bill would require the Secretary of Transportation to provide guidance and recommendations to, and coordination between, stakeholders as necessary to ensure the performance of the LOSSAN Rail Corridor, as specified. This bill would also require the Secretary of Transportation, in consultation with the Director of Transportation, the California Transportation Commission, the Secretary for Environmental Protection, and the Secretary of the Natural Resources Agency, to submit a report to the Legislature on or before January 1, 2026, regarding the LOSSAN Rail Corridor that includes specified information. The bill would also require the Secretary of Transportation, in coordination with stakeholders responsible for operating rail services along the LOSSAN Rail Corridor, to submit a report to the Legislature on or before January 1, 2027, and biennially thereafter, on the performance of the LOSSAN Rail Corridor, as provided. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1206 Becker D</p> <p>GO-Biz: next generation batteries.</p>	<p>This bill is in the Senate Business, Professions, and Economic Development Committee.</p>	<p>Existing law establishes the Governor’s Office of Business and Economic Development (GO-Biz), which serves the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. Existing law authorizes GO-Biz, until July 1, 2025, to undertake measures that are necessary or useful to prepare and submit an application to receive funding from the regional clean hydrogen hubs program established by the Secretary of the United States Department of Energy or to otherwise participate in the regional clean hydrogen hubs program. Existing law requires grants made from any funding received from the regional clean hydrogen hubs program to be used as specified. The California Renewables Portfolio Standard Program requires the Public Utilities Commission to establish a renewables portfolio standard, as defined, requiring all retail sellers, as defined, to procure a minimum quantity of electricity products from eligible renewable energy resources, as defined, so that the total kilowatthours of those products sold to their retail end-use customers achieves 25% of retail sales by December 31, 2016, 33% by December 31, 2020, 44% by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would, until January 1, 2030, authorize GO-Biz to undertake measures that are necessary or useful to prepare and submit an application to receive funding from next generation battery hub programs, as defined. The bill would require that grants made from any funding received from next generation battery hub programs under its provisions support projects in California, including, but not limited to, in the San Francisco Bay area and the Sacramento Valley, that advance progress toward resource adequacy goals and the targets of the scoping plan and the California Renewables Portfolio Standard Program. The bill would also require that grants made from any funding received from next generation battery hub programs under its provisions prioritize projects that meet any of the specified conditions, including that the project help reduce costs and increase access to batteries. Prior to the submission of any applications to receive funding from next generation battery hub programs, the bill would require a partnership entered into pursuant to the above-described provisions to adopt a community benefits plan that includes specified elements. The bill would require GO-Biz to submit a report to the relevant budget and policy committees of the Legislature on or before March 1, 2030, and annually thereafter, regarding the status of any partnership entered into pursuant to the above-described provisions. This bill contains other related provisions.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1239 Grove R</p> <p>State vehicle fleet: zero-emission vehicles: raw materials: child labor.</p>	<p>This bill is in the Senate Committee on Governmental Organization.</p>	<p>Existing law requires the Department of General Services, beginning no later than the 2024–25 fiscal year, to ensure that at least 50% of the light-duty vehicles purchased for the state vehicle fleet each fiscal year are zero-emission vehicles, except as provided. This bill would require the department to require a supplier of zero-emission vehicles purchased for the state vehicle fleet to certify that the raw materials used in the manufacturing of the zero-emission vehicles, including, but not limited to, cobalt and lithium, come from mining operations that are free of child labor. The bill would require a supplier of zero-emission vehicles purchased for the state vehicle fleet to provide to the department the locations where the raw materials used in the production of the zero-emission vehicles were mined and the average hourly wage of the workers that mined the raw materials, and would require the department to post on its internet website that information provided by the supplier and a list of the zero-emission vehicles purchased for the state vehicle fleet that are certified to be made with raw materials that come from mining operations that are free of child labor.</p>	<p>Watch</p>
<p>SB 1260 Niello R</p> <p>High-speed rail: independent review: High-Speed Rail Authority Inspector General.</p>	<p>This bill is in the Senate Committee on Transportation.</p>	<p>The Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. The California High-Speed Rail Act creates the High-Speed Rail Authority to develop and implement a high-speed train system in the state, with specified powers and duties. Existing law defines Phase 1 of the high-speed train system as the corridor of the high-speed train system between San Francisco Transbay Terminal and Los Angeles Union Station and Anaheim, and requires the authority to include information on Phase 1 as part of a biennial business plan, as provided. This bill would require the inspector general to conduct an independent review of the economic and financial justification for the high-speed rail project, including a review and assessment of a specified benefit-cost analysis submitted by the High-Speed Rail Authority to the United States Department of Transportation. The bill would also require the inspector general to conduct an independent review of the ability of the high-speed rail project to operate without subsidy before the Legislature recommits to the full Phase 1 system. The bill would require the inspector general to consult with industry experts for these reviews, as provided. This bill contains other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1321 Wahab D</p> <p>Employment Training Panel: employment training program: projects and proposals.</p>	<p>This bill is in the Senate Committee on Labor, Public Employment, & Retirement.</p>	<p>Existing law establishes the Employment Training Panel within the Employment Development Department and sets forth its powers and duties with respect to certain employment training programs. Existing law declares the intent of the Legislature that the purpose of provisions relating to the panel is to establish an employment training program to promote a healthy labor market in a growing, competitive economy and to fund only projects that meet specified criteria, including promoting the retention and expansion of the state’s manufacturing workforce. Existing law requires the panel, in funding projects that meet the above-described criteria, to give funding priority to projects that meet specified goals, including promoting the retention and expansion of the state’s manufacturing workforce. This bill would also include in the above-described project criteria, among other things, assisting existing apprentice, certification, or other training programs in updating training to reflect new technologies or methods, or to address gaps in existing training. The bill would also include in the above-described goals, among other things, meeting the standards established by the Division of Apprenticeship Standards for high-quality training programs. The bill would authorize projects developed pursuant to the above-described provisions to use program funding, upon appropriation by the Legislature, to provide training through apprenticeship programs approved by the Division of Apprenticeship Standards and training at joint-labor management training centers.</p>	<p>Watch</p>
<p>SB 1325 Durazo D</p> <p>Public contracts: best value procurement: goods.</p>	<p>This bill is in the Senate Committee on Local Government.</p>	<p>Existing law imposes requirements on, and authorizes procedures for, public contracting for equipment and services, among other things, by local and state agencies. Existing law authorizes certain procurements to be facilitated through a lowest responsible bidder requirement. This bill would authorize a public entity, as defined, to award contracts through a best value procurement method, as described, for the purchase of goods with a base value of \$250,000 or more. The bill would require the public entity to adopt and publish procedures and guidelines for evaluating the qualifications of the bidders to ensure the best value selections are conducted in a fair and impartial manner, as described. The bill would authorize the procedures and guidelines to include the adoption of a high road jobs plan policy that evaluates bidders’ high road jobs plan commitments as part of the overall score for the public contract, as specified. This bill would require the solicitation document to include certain information and would direct the public entity to use a scoring method based on price and the factors described in the solicitation document, as specified. The bill would require the public entity to let any contract for these projects to the selected bidder that represents the best value or reject all bids. The bill would also authorize a public entity to award all contracts for the purchase of municipal fleets by using a best value procurement method, as specified. This bill contains other related provisions.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1393 Niello R</p> <p>Advanced Clean Fleets Regulation Appeals Advisory Committee.</p>	<p>This bill is in the Senate Committee on Environmental Quality.</p>	<p>Existing law requires the State Air Resources Board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution that the state board has found necessary, cost effective, and technologically feasible. The California Global Warming Solutions Act of 2006 establishes the state board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from those sources. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would require the state board to establish the Advanced Clean Fleets Regulation Appeals Advisory Committee by an unspecified date for purposes of reviewing appeals of denied requests for exemptions from the requirements of the Advanced Clean Fleets Regulation. The bill would require the committee to include representatives of specified state agencies, other state and local government representatives, and representatives of private fleet owners, the electric vehicle manufacturing industry, and electrical corporations, as provided. The bill would require the committee to meet monthly and would require recordings of its meetings to be made publicly available on the state board's internet website. The bill would require the committee to consider, and make a recommendation on, an appeal of an exemption request denial no later than 60 days after the appeal is made. The bill would require specified information relating to the committee's consideration of an appeal to be made publicly available on the state board's internet website. The bill would require the state board to consider a recommendation of the committee at a public meeting no later than 60 days after the recommendation is made. This bill contains other existing laws.</p>	<p>Watch</p>
<p>SB 1434 Durazo D</p> <p>Unemployment insurance: benefit and contribution changes.</p>	<p>This bill is in the Senate Labor, Public Employment, & Retirement Committee.</p>	<p>Existing law provides for unemployment compensation benefits for eligible individuals in the state who are unemployed through no fault of their own. Existing law excludes from the definition of "wages," for purposes of the unemployment insurance law, remuneration in excess of \$7,000 paid to an individual by an employer during any calendar year, with respect to employment. This bill would change the amount of remuneration that is excluded from the definition of "wages," to \$____ on and after January 1, 2025, but before January 1, 2027, and to \$____ on and after January 1, 2027. The bill would require an annual cost of living increase to the \$____ amount on and after January 1, 2028, and each January 1 thereafter. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1509 Stern D</p> <p>Negligent Operator Treatment (NOT) in California Act.</p>	<p>This bill is in the Senate Committee on Appropriations.</p>	<p>Existing law prescribes various speed limits for the operation of vehicles, and generally prohibits a person from driving a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of, the highway, and in no event at a speed that endangers the safety of persons or property. Existing law requires that specified convictions, violations, and traffic-related incidents count as points against a driver's record for purposes of suspension or revocation of the privilege to drive, and generally provides that traffic convictions involving the safe operation of a motor vehicle result in one violation point. This bill, the Negligent Operator Treatment (NOT) in California Act, would specify that a conviction of driving a vehicle at a speed that exceeds the posted speed limit by 26 miles per hour or more results in 2 violation points.</p>	<p>Watch</p>

Caltrain Federal Report April 2024

Congressional Update

Change in Appropriations Committee Leadership

- In March, House Appropriations Committee Chair Kay Granger (R-TX) officially stepped down from her position as House Appropriations Committee Chair, urging Republicans to swiftly elect her successor. Granger, who will not seek reelection next year, aims to complete her term in the House and transition into a "Chair Emeritus" role.
- Granger's decision follows the House's passage of a significant \$1.2 trillion funding package, addressing funding needs for the fiscal year 2024 that began five months ago. This likely marks her final major spending agreement as Congress heads toward a presidential election. Anticipating the ongoing work on spending bills for the next fiscal year, Granger emphasized the importance of a smooth transition.
- Out of a handful of candidates, Rep. Tom Cole (R-OK) was elected as Chair of the House Appropriations Committee, officially replacing Rep. Granger. Before serving as Chair of the full Committee, Rep. Cole was Chair of the Transportation-HUD Appropriations Subcommittee. The new Chairman has vowed to prioritize fiscal responsibility while addressing critical national needs. Replacing Cole as Chair of the Transportation-HUD Subcommittee is Rep. Steve Womack (R-AR).

Administration Update

DOT Announces Over \$5 Billion in Available for Significant Infrastructure Projects

- On March 28, DOT announced \$5.1 billion in funding through their Mega, Rural, and INFRA discretionary grant programs. These programs are some of the largest competitive grant opportunities funded by the Infrastructure Investment and Jobs Act (IIJA).
- The Mega program includes \$1.7 billion in available funding to invest in large, complex projects difficult to fund through other federal grant programs. An example of a Mega project includes a highway or bridge project on the National Multimodal Freight Network.
- The INFRA program includes \$2.7 billion in funding to support multimodal freight/highway projects of regional significance to improve safety/accessibility. Examples of INFRA projects include a freight intermodal, freight rail, or freight project

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within the boundaries of a public or private freight rail, water (including ports), or intermodal facility and that is a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility.

- All applications are due by May 6, 2024. For more information, please refer to the [Mega](#) and [Infra](#) announcements via Grants.gov.

FTA Announces Final FY 2024 Apportionments

- On April 4, the Federal Transit Administration (FTA) announced [\\$20.5 billion in final formula funding for to support public transit in communities nationwide](#). The formula funding is specified for states, urbanized areas, and tribal governments. The FY 2024 apportionments reflect the U.S. Census Bureau's new urbanized area boundaries and population figures released in December 2022. The state of California is receiving a total of \$2.011 billion, and the San Francisco-Oakland urbanized area is receiving around \$432 million.
- On April 18, FTA will host a [webinar](#) to discuss the effect of the FY 2024 consolidated appropriations bills on the final apportionment figures.

H.R.7039 - Stronger Communities Through Better Transit Act - *Recommend Support*

- This bill requires the Department of Transportation (DOT) to establish a grant program to support operating projects for public transportation and related service improvements, particularly in under-served communities and areas of persistent poverty.
- This bill was introduced in the House on January 18th.

Round-Up of Open Grant Opportunities

- [Congestion Relief Program](#). \$150 million available. All applications due April 22, 2024.
- [Mega Grants](#). \$1.7 billion available. All applications due May 6, 2024.
- [INFRA Grants](#). \$2.7 billion available. All applications due May 6, 2024.
- [Consolidated Rail Infrastructure and Safety Improvements Grant Program](#). \$2.3 billion available. All applications due May 28, 2024.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Pranaya Shrestha, Chief Officer
Subject: **Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report**

Finance Committee
Recommendation

Technology, Operations,
Planning, and Safety
Committee Recommendation

Advocacy and Major
Projects Committee
Recommendation

Purpose and Recommended Action

Staff Coordinating Council recommends the Board receive the Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report (MPR).

This report is provided for informational purposes only.

Discussion

The MPR is intended to provide funding partners, stakeholders, and the public a PCEP overview and an overall update on project progress. This document provides information on the scope, cost, funding, schedule, and project implementation.

Budget Impact

There is no impact on the budget.

Prepared By: Pranaya Shrestha

Chief Officer, Caltrain
Modernization Program

720.757.9191



Caltrain Modernization Program Peninsula Corridor Electrification Project (PCEP)



Executive Monthly Progress Report

March 31, 2024

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1.0 EXECUTIVE SUMMARY

1.1 Introduction

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

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

1.2 Program Cost and Budget

On December 6, 2021, the JPB adopted a new PCEP program budget of \$2,442,690,697. On January 31, 2023, Caltrain received a \$367 million funding award from California’s Transit and Intercity Rail Capital Program’s (TIRCP) Cycle 6 Existing Project Reserve, representing the remaining funding needed to complete the project. The project is now fully funded in the amount of \$2,442,690,697. As of March 2024, the project is on budget:

- The current project total cost at completion (EAC) is the same as the Board adopted budget of \$2.44 billion.
- As of March 2024, a total of \$16.96M has been drawn down from the Shared Risk Pool of \$50 million to-date. In March 2024, \$1,206,943.00 was drawn from the Shared Risk Pool.
- As of March 2024, a total of \$30.4M has been drawn from the project contingency of \$40 million. In March 2024, \$562,851.00 was drawn from project contingency.
- As of March 2024, \$4M was issued from the milestone incentive pool of \$15 million. The team has concluded evaluation of signal cutover milestone incentives and awarded \$4M in December 2023 to the design-build contractor.

1.3 Program Progress and Schedule

As of March 31, 2024, the overall project completion is 91.55%. The current program schedule was projecting a PCEP substantial completion date of April 2024 and Revenue Service by September 2024. Staff is implementing a 2023 path to completion with 31 weekend area focused bus bridges to maximize track access to allow system integration testing, signal cutovers, and proactive OCS construction productivity mitigations for the remaining PCEP work. Due to the February 3rd weekend windstorm, OCS wires located at Burlingame and San Antonio were damaged caused by fallen trees on the right of way. The PCEP team assessed the damage and its impact to the project. The storm repair and recovery plan are underway.

1.4 Change Management Board (CMB)

In March 2024, the following item was brought to the CMB approval for contingency drawdown:

- Tunnel Leak Remediation

1.5 This Month's Accomplishments

The project team has completed the following notable activities for the month of March 2024:

- OCS construction is complete.
- Performed and completed storm repair work.
- Completed four out of five short circuit testing successfully.
- Completed operations planning, ambassador, and rail service planning for Segment 1 and 2 live runs testing in April.
- Completed live runs from San Antonio to Millbrae
- Continued to connect LV permanent power and coordinate remaining low voltage power drop applications with PG&E and utilizing generators to support project testing.
- Continued to address impedance bonds cable theft issue and perform cable replacement to keep project testing schedule.
- Held Monthly CMB meeting for overall program status and provided schedule, budget, risks, and changes updates.
- Continued safety special task force working group, including TASI, Rail Operations, and PCEP to address communications, process, and procedure improvements.
- Continued providing PCEP progress updates to funding partners, leadership, elected officials, citizens, and business community.
- Continued with project close out efforts and tracked all punch list items in a centralized database.
- Two EMUs were delivered and there is a total of 10 EMU trainsets were delivered and 9 EMUs are on Caltrain property.
- Continued EMU burn-in and Caltrain completed five EMU burn-in acceptance tests on mainline.
- Continued broadband equipment on board installation and revised EMU delivery schedule that incorporated broadband equipment installation work. A total of 14 EMU trainsets will be delivered to Caltrain by August 2024.
- Continued Rail Activation effort and developed Pre-Revenue Service Plan.
- Continued joint punch list walks and identified punch list items and tracked them via a centralized database.
- Continued safety certification for segments 1 and 2
- Continued to finalize spare parts list and warranty items list.
- Continued to finalize TPS training materials and courses.
- Finalized Substantial Completion and Final Acceptance Checklist and issued revised project close out contract specification.
- Commenced OP54 reviews with FTA/PMOC
- Finalized Substantial Completion and Final Acceptance Checklist and issue revised project close out contract specification.

1.6 Upcoming work

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

- Complete all short circuit tests.
- Complete all corridor live runs with the EMU.
- Energize PS7.
- Complete end to end full corridor live runs prior to substantial completion.
- Electrification reaches a substantial completion milestone.
- Complete PTC Field Qualification testing using full corridor.
- Continue to coordinate with Broadband Project, work with vehicle manufacturer and monitor EMU production schedule that includes broadband equipment installation and testing.
- Plan for power contingency test after end-to-end runs with eight EMUs.
- Continue to coordinate with PG&E on low voltage power drop applications, and distribution line de-energization work.
- Hold Monthly CMB meeting for program status and change order approval.
- complete full corridor OP54 review with FTA/PMOC.
- Complete system safety certification process by issuing Certification of Conformance.
- Continue EMU acceptance testing (burn-in).
- Two more trains are to be delivered in May 2024. The remaining to be delivered by August of 2024 to support September Revenue Service.
- Perform close out effort including all punch list items, documentation, and financial contract close out for design build contract.

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

1.7 Critical Items

As of March 2024, the top critical items and related actions are highlighted below.

Table 1-1. Critical Issues and Actions

Critical Issues	Actions
<p>Complete TPS Short Circuit Tests</p> <ul style="list-style-type: none"> TPS 2 short circuit test delays drill track and Segment 4 mainline energization. TPS 2 Short circuit test was performed in May 2023 with some follow up actions. 	<ul style="list-style-type: none"> Perform comprehensive root cause analysis and develop corrective action plan – Completed. Implement configuration change control process including design drawing, shop drawings, as-built version control to ensure all parties are using the same set of drawings for TPS2 testing – On-going. Perform technical working groups including all vendors and EOR – On-going. Weekly management team briefing on corrective action status – On-going. Perform independent assessment of the TPS – Completed. Develop SSWP for all work performed at TPS for Caltrain review and approval – On-going. Perform field verification and pre-testing before short circuit re-test – Completed. Perform load bank testing prior to short circuit re-test. – Completed. Developed remaining short circuit tests required for system completion – completed. Perform Short circuit tests – March, April of 2024
<p>Theft of impedance bond or grounding cables may delay segment live run testing because the system (or portions of the system) cannot be energized without impedance bonds</p>	<ul style="list-style-type: none"> Monitor hot spot areas in segments 1, 3 and 4. Perform just in time replacement right before the testing. Report Theft incidents with Transit PD Enhance security with cameras and other monitoring systems. Work with Communications on high voltage safety messages Distribute high voltage safety fliers to the homeless encampments. Implement asphalt cover for impedance bonds that have been repeatedly stolen. – on-going Purchase anti-theft cable – on-going.
<p>Server wind and rainy weather may cause more falling trees on the ROW and damage OCS.</p>	<ul style="list-style-type: none"> Established tree mitigation special work force – on going Trimming Caltrain ROW trees per tree mitigation plan as results of 2023 winter storm Working with local jurisdiction urgently for tree trimming especially new Burlingame where most tree falling incidents have occurred to minimize future incidents. – on -going

2.0 SAFETY

There were no reportable injuries in March 2024, keeping the total reportable injuries to 0 for the year, for January, February, and March. The Reportable Injury Rate (RIR) for 2023 YTD was 1.88. Overall, since the project’s construction started in 2017, the RIR is at 1.95, which remains below the national average of 2.5.



Figure 2-1. Project Reportable Injury Rate (RIR) by Year since 2017

2.1 Completed Work

Safety staff continues to coordinate with contractors to identify opportunities to improve safety performance. Organizational-wide safety briefings are being performed to ensure staff understand the application of post incident mitigation measures including rules and procedural changes designed to enhance safety. Project Safety continues to reinforce jobsite safety practices throughout the Caltrain alignment, investigate incidents, and identify mitigation measures to prevent re-occurrences. Safety project coordination meetings continue to be conducted monthly to promote a clear understanding of project safety requirements. In addition, Caltrain Safety continues weekly calls with the lead safety staff from Caltrain, PCEP, BBII, and TASI to discuss safety performance and ongoing initiatives. Caltrain initiated the 10’/10’ rule: 10’ from track and 10’ from overhead wires.

2.2 Upcoming Work

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

OCS and EMU First Responder was completed in October. In all 92 classes were given to emergency responders with a total number of 836 attendees.

Police Departments along the corridor are currently being scheduled by the Transit Police to receive this training also.

In addition to the 836 emergency responders trained, there were 242 third party and Tenant railroad employees trained, and 48 Burlingame Public Works for a total of 1126.

3.0 IMS PROGRAM SCHEDULE

3.1 Introduction

The Integrated Master Schedule (IMS) Program Summary Schedule depicted in Figure 3-1 Master Program Summary Schedule shows the schedule status of the major PCEP projects. The current schedule dates for this program schedule were based on BBII’s February 2024 Progress Schedule, as well as the Stadler February 2024 EMU Progress Schedule. The Revenue Service Date (RSD) is anticipated to remain as September 26, 2024, contingent upon the final four trainsets completing burn-in within one month of delivery in August 2024. If the completion of fourteen Trainsets can be completed prior to September 2024, then the Full Funding Grant Agreement (FFGA) Revenue Completion Date (RCD) of December 31, 2024, seems attainable.

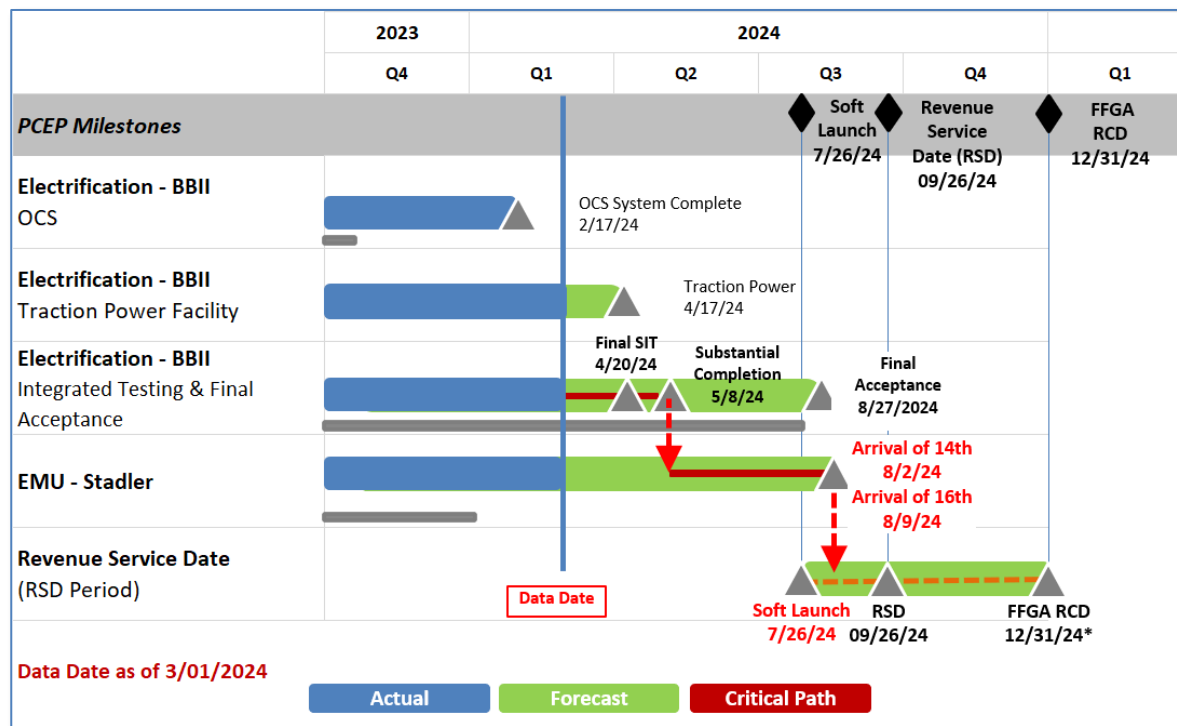


Figure 3-1. Master Program Summary Schedule

3.2 Critical Path Analysis

The current critical path has changed due to the Storm Damage on 2/4/2024. Once the critical Storm Damage impacts were repaired, the remaining Short Circuit Testing remains as critical. After completion of Short Circuit documentation, the Segment 1 and 2 Live Run Testing then followed. This path allows for seven days of Project Schedule Contingency, followed by an impacted Substantial Completion date of 5/8/2024. The critical path plot (shown below) represents the as submitted critical path to Substantial Completion for the BBII February 2024 Updated schedule.

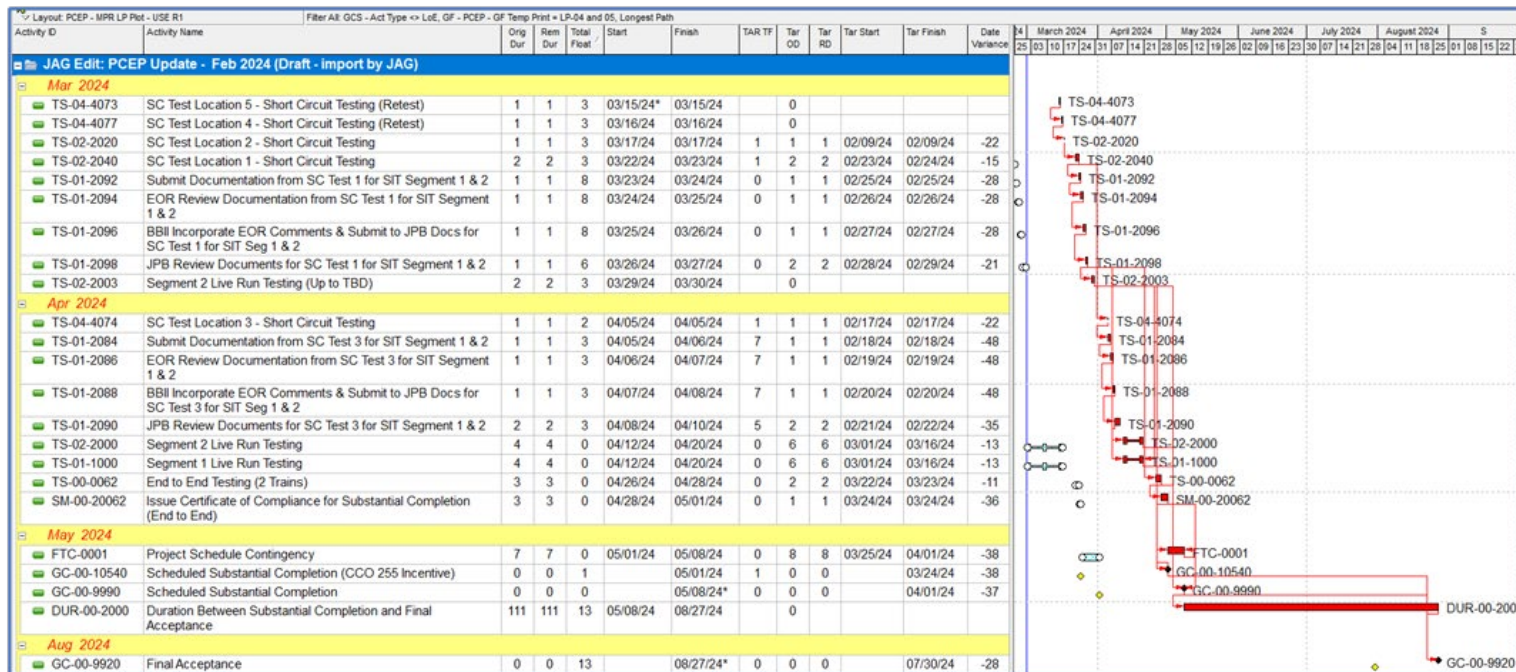


Figure 3-2. Critical Path Schedule

3.3 Schedule Contract Milestone Analysis

Contractor	Milestones	Reforecast Dates (Dec 2022)	Current Dates (Feb 2024)	Milestone Finish Date Variance	Total Float	Remarks
BBII	Segment 4 Completion (Final Short Circuit Test Report Delivered to JPB)	2/5/2023	5/31/2023	-115		Completed
BBII	System Integration Testing Start (Segment 4)	4/12/2023	6/5/2023	-54		Completed
BBII	Signal Cutovers and Systems Completion	8/20/2023	8/20/2023	0		Completed
BBII	Traction Power Substation #1 Energization	9/12/2023	8/26/2023	17		Completed
BBII	Completion of Milestone 1 (Segments 3 and 4)	5/28/2023	9/15/2023	-110		Completed
BBII	OCS Construction Completion	10/2/2023	2/16/2024	-137		Completed
BBII	OCS Construction Completion (Guadalupe Bridge)	10/25/2023	2/17/2024	-115		Completed
BBII	System Integration Testing Completion	11/18/2023	4/20/2024	-154	0	Short circuit test dates are revised due to storm repair and live runs dates and are adjusted accordingly. Short circuit retests are planned for March 15 & 16; March 22 & 23; April 5/6
BBII	Scheduled Substantial Completion (Without Contingency)	12/17/2023	5/1/2024	-136	1	The Storm Damage of 2/4/2024 has caused an impact to Substantial Completion Milestones (No contingency)
BBII	Scheduled Substantial Completion	4/1/2024	5/8/2024	-37	0	The Storm Damage of 2/4/2024 has caused an impact to Substantial Completion Milestones. (WITH 7-days of Contingency) equals 5/8/2024.
Stadler	14th Trainset Arrival at JPB Site	10/12/2023	8/2/2024	-295	-95	Delivery of the 14th Trainset by end of March 2024 is not able to be met due to damaged train. Trainset #311 was shipped to STL for assessment and repair. Currently, the extent of damage or time to repair and ship back to JPB are unknown until structure analysis is performed by Stadler.
Stadler	16th Trainset Arrival at JPB Site	10/12/2023	8/9/2024	-302	1195	Stadler is striving to deliver 16 trainsets by the end of September 2024.
BBII	Scheduled Final Acceptance	7/30/2024	8/27/2024	-28	13	Revised Contractual Final Acceptance Date is 9/8/2024. Thus, the as submitted Feb Update calculated and early completion (by 13-days).
JPB	Revenue Service Date (RSD)	9/26/2024	9/26/2024	0	N/A	
JPB	FFGA Revenue Completion Date (RCD)	12/31/2024	12/31/2024	0	N/A	

Figure 3-3. Contract Milestone Analysis

4.0 COST AND BUDGET

4.1 Introduction

This section presents an update on program cost and budget. On December 6th, 2021, the JPB adopted a new Program budget of \$2.44 billion. Table 4-1 depicts a summary level of program budget, costs, and estimate at completion based on the latest update of the Electrification and EMU projects as of March 29, 2024.

4.2 Program Budget and Cost

Table 4-1. Budget Summary by Project

Description of Work	Current Budget (A) ¹	Cost This Month (B) ²	Cost To Date (C) ³	Estimate To Complete (D)	Estimate At Completion (E) = (C) + (D)	Variance at Completion (F) ⁵ = (A) – (E)
Electrification	\$1,754,673,622	\$9,768,882	\$1,632,379,320	\$121,547,353	\$1,753,926,673	\$746,949
EMU	\$688,017,075	\$14,617,950	\$581,841,351	\$106,922,673	\$688,764,024	(\$746,949)
PCEP TOTAL	\$2,442,690,697	\$24,386,832	\$2,214,220,671	\$228,470,026	\$2,442,690,697	\$0

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

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

Table 4-2. Budget Summary by Major Elements

Description of Work	Re-Baseline Budget	Current Budget	Cost This Month	Cost To Date	Estimate To Complete	Estimate At Completion
Electrification	\$1,097,149,881	\$1,093,328,881	\$4,284,305	\$1,034,257,561	\$57,701,320	\$1,091,958,881
EMU Procurement	\$556,072,601	\$564,986,271	\$12,751,532	\$480,101,163	\$84,885,108	\$564,986,271
Minor Construction Contracts (Tunnel, CEMOF, SCADA, Non-BBI OCS)	\$67,055,072	\$66,326,067	\$7,662	\$65,004,253	\$1,321,815	\$66,326,067
Real Estate Acquisition & Support	\$34,914,177	\$34,914,177	\$129,822	\$25,079,291	\$9,834,886	\$34,914,177
PG&E, Utilities**	\$132,088,994	\$128,868,191	\$197,352	\$125,891,280	\$3,422,844	\$129,314,123
Management Oversight & Support	\$312,699,697	\$315,007,767	\$3,436,796	\$301,859,436	\$19,575,234	\$321,434,670
TASI Support	\$114,488,767	\$141,440,174	\$3,017,270	\$124,546,844	\$20,599,375	\$145,146,219
Finance Charges	\$9,898,638	\$9,898,638	-\$434,541	\$11,770,182	\$948,348	\$12,718,530
Insurance	\$6,581,851	\$6,581,851	\$0	\$6,291,001	\$290,850	\$6,581,851
Other Required Projects & Services	\$9,084,176	\$10,484,176	-\$7,403	\$6,169,198	\$4,514,978	\$10,684,176
Environmental Mitigation	\$14,438,866	\$13,038,866	\$0	\$1,307,851	\$8,711,123	\$10,018,974
Caltrain Capital Overhead (ICAP)	\$48,217,887	\$48,217,887	\$1,004,036	\$31,942,611	\$15,275,276	\$47,217,887
Contingency	\$40,000,089	\$9,597,750	\$0	\$0	\$1,388,869	\$1,388,869
Total	\$2,442,690,697	\$2,442,690,697	\$24,386,832	\$2,214,220,671	\$228,470,026	\$2,442,690,697

4.3 Program Shared Risk Pool and Contingency

Caltrain and Balfour Beatty Infrastructure, Inc. (BBII) continue implementing new mechanisms to ensure a collaborative approach to Project delivery. The management

team meets every week to review the issues log focusing on risk mitigation and issues resolution.

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

Table 4-3. Shared Risk Pool Status as of March 2024

Risk ID	Risk Description	Risk Amount	Current Month	Executed to Date	Remaining Balance
1	Permanent Power Availability	\$268,572	\$0	\$178,365	\$90,207
2	Different Site Condition for OCS Foundation	\$3,500,000	\$0	\$1,303,894	\$2,196,106
3	Different Site Condition for Duct bank	\$2,800,000	\$0	\$435,798	\$2,364,202
4	Condition of existing Fiber backbone infrastructure	\$3,150,000	\$0	\$545,221	\$2,604,779
5	Availability of TASI Resource	\$5,777,820	\$0	\$0	\$5,777,820
6	Signal Cutover access and work window	\$5,607,150	\$0	\$0	\$5,607,150
7	Condition of existing signal system	\$538,572	\$0	\$507,167	\$31,405
8	EMI Nonconformance by EMU Vendor	\$750,000	\$0	\$13,184	\$736,817
9	Reed Street Cutover	\$90,000	\$0	\$111,765	-\$21,765
10	Availability of low voltage power for cutover testing	\$1,120,000	\$681,670	\$3,860,375	-\$2,740,375
11	Third party Permits	\$150,000	\$0	\$0	\$150,000
12	SCADA integration for the entire alignment	\$159,524	\$0	\$0	\$159,524
13	Tunnel OCS Compatibility	\$167,500	\$0	\$152,418	\$15,083
14	Supply chain issue due to COVID 19	\$300,000	\$0	\$28,923	\$271,077
15	End to end Systems integration commissioning	\$2,100,000	\$0	\$0	\$2,100,000
16	Existing Caltrain Operating systems interface and integration	\$1,400,000	\$0	\$71,920	\$1,328,080
17	Third party Approval	\$150,000	\$0	\$353,277	-\$203,277
18	Impact from Caltrain other capital or third-party projects	\$2,166,683	\$0	\$1,933,131	\$233,552
19	Track access delay for BBII Construction	\$1,800,000	\$63,024	\$1,235,400	\$564,600
20	Additional light Maintenance and Protection Needs	\$280,000	\$0	\$180,505	\$99,495
21	Crossing Protection	\$220,000	\$0	\$102,334	\$117,666
22	Power facilities	\$500,000	\$0	\$917,293	-\$417,293
23	NCR's	\$0	\$0	\$0	\$0
24	Potholing	\$1,700,000	\$0	\$107,547	\$1,592,453
25	Pre-Revenue Service Operational Testing	\$250,000	\$0	\$0	\$250,000
26	TRO Contingency	\$3,000,000	\$0	\$0	\$3,000,000
27	Contingency	\$12,000,000	\$462,249	\$4,920,625	\$7,079,375
NA	Unidentified	\$54,179	\$0	\$0	\$54,179
	BBII Risk Pool Total	\$50,000,000	\$1,206,943	\$16,959,141	\$33,040,859

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

Table 4-4. Program Contingency Drawdown Balance

Change Order ID	Description	Contingency
PCEP Contingency Budget		\$40,000,088
STA-056-CCO-038	Allowance for Electric Power Cost at TTCI	(\$132,365)
STA-056-CCO-041	Manual Phase Break	(\$43,520)
STA-056-CCO-042	Stadler Project Time Extension	(\$8,021,124)
ARINC-061-CCO-005	Traction Power Facility SCADA Database Changes	(\$1,036,122)
PROV-070-CCO-056	Proven Tunnels Final Settlement	\$1,000,000
PROV-071-CCO-069	Proven CEMOF Final Settlement	(\$1,000,000)
BT-027D	Legal Support FY23 - PG&E Counsel	(\$200,000)
BT-029D	GFI Electrification FY23-24 Additional Staff	(\$2,108,070)
STA-056-CCO-053	Stadler – Passenger Convenience Outlets	(\$716,661)
BT-035C	TASI Support – Electrification (2023-2024) rev1	(\$22,039,703)
BBII 053-BT-CNPA	Non-PCEP Actuals-BBII Hist. Change Inc. PCEP Re-Baseline	\$2,191,000
BBI-053-CCO-255	Global Project Time Resolution (TRO)-Substantial Completion – January 2024	\$1,630,000
PG&E-042-BT-006	PG&E Equiv. One-Time Payment (EOTP) - First Reimbursement	(\$391,068)
BT-057	TASI – TASI EMU Maintenance & Material (Pre-Revenue)	(\$4,348,854)
BT-058	Tunnel Leak Remediation (TASI Construction)	(\$562,851)
PROV-070-CLOSE	Proven Tunnels – Close out of Final Actuals	\$184,910
PROV-071-CLOSE	Proven CEMOF – Close out of Final Actuals	\$580,217
PG&E-042-BT-007A	PG&E Supplemental Agreement No. 4 – PCEP Share	\$1,600,000
PG&E-042-BT-007B	PG&E Supplemental Agreement No. 2 – EAC Variance	\$501,962
PG&E-042-BT-007C	PG&E Supplemental Agreement No. 2A – EAC Variance	\$1,509,909
PROV-063-CLOSE	South San Francisco Station Project OCS - Close Out	\$1,000,000
Remaining Contingency		\$9,597,749
BT-035	TASI Support-Electrification (2023-2024)-Field Support to Sept 2024	(\$2,844,754)
MGMT-2024-02	Management Oversight – Update EAC	(\$6,426,903)
BBII-053-CCO-255-EAC2	Global Project Time Resolution (TRO)-Substantial Completion-February 2024	\$1,370,000
BT-059	4 th and King Updates for EMUs	(\$861,291)
PG&E-042 BT-006	PG&E Equiv. One Time Payment (EOTP) - Final Reimbursement	(\$445,932)
BT-060A	ICAP Adjustment Credits – 2023	\$1,000,000
Forecasted Remaining Contingency		\$1,388,869

Note: EAC Contingency reflects forecast contingency.

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

Table 4-5. Overall Program Contingency

	Total E = (A+D)	Shared Risk Pool with BBII	Program Contingency		
		BBII Risk Pool (A)	Allocated (B)	Unallocated (C)	Subtotal D = (B+C)
PCEP Contingency	\$90,000,088	\$50,000,000	\$24,115,581	\$15,884,507	\$40,000,088
Drawn Contingency	(\$47,361,480)	(\$16,959,141)	(\$21,953,405)	(\$8,448,934)	(\$30,402,339)
Remaining Contingency	\$42,638,608	\$33,040,859	\$2,162,176	\$7,435,573	\$9,597,749
Pending Changes	(\$8,357,428)	(\$148,547)	(\$2,162,176)	(\$6,046,705)	(\$8,208,881)
Forecasted Remaining Contingency	\$34,281,180	\$32,892,312	\$0	\$1,388,869	\$1,388,869

4.4 Electrification Design Builder Contract Incentives

The Global Settlement with BBII also includes incentives based on Milestone completions and remaining contract incentives. Table 4-6 provides a status of Design-Build Contractor incentives Budgeted, Awarded, and remaining balance.

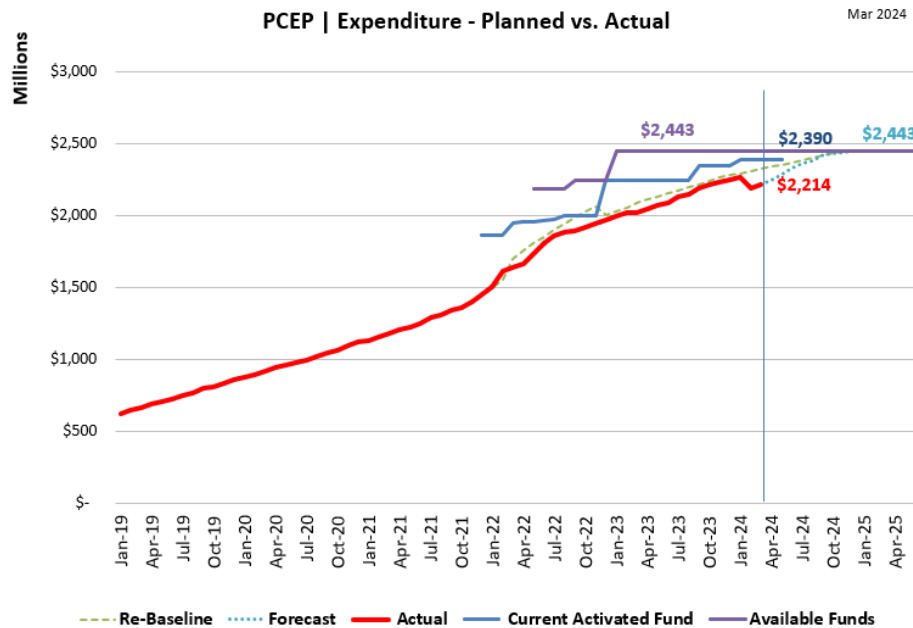
Table 4-6. BBII Incentives

Incentives	Budgeted	Awarded	Balance
Contract Incentive:			
Quality	\$1,250,000	\$1,083,333	\$166,667
Safety	\$2,500,000	\$1,700,000	\$800,000
Community Outreach	\$2,500,000	\$2,225,000	\$275,000
DBE	\$900,000	\$0	\$900,000
Total Contract Incentive	\$7,150,000	\$5,008,333	\$2,141,667
Milestone Incentive:			
Early Signal and Crossing Cutover	\$4,000,000	\$4,000,000	\$0
Early Project Substantial Completion (NTE)	\$8,000,000	\$0	\$8,000,000
Early Revenue Service	\$3,000,000	\$0	\$3,000,000
Total Milestone Incentive	\$15,000,000	\$4,000,000	\$11,000,000

4.5 Program Cash Flow and Funding

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

Figure 4.1. Expenditure – Funding Cash Flow



4.6 Issues

Table 4-7. Cost and Funding Issues Identified, and Actions Taken for March 2024

Issues	Actions
None	• n/a

5.0 CHANGE MANAGEMENT

5.1 Introduction

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

5.2 Change Orders/Shared Risk Pool

5.2.1 Executed Shared Risk/CCO

The following Shared Risk items were executed in March 2024:

- Caltrain Fouling Distance was executed in 02/05/2024, for \$201,795.
- Anti-Theft Asphalt Over Impedance Bonds (Week Ending 11/19, 12/3, and 12/17)
- Theft Removed From IRL-313
- Segment 2 – LV Power Connections Not Available to Support Cutover – 10/2023
- Segment 2 - LV Power Connections Not Available to Support Cutover – 09/2023
- Segment 2 - LV Power Connections Not Available to Support Cutover – 08/ 2023
- Segment 2 - LV Power Connections Not Available to Support Cutover – 07/ 2023
- Track Access Delay (TAD) – December 2023
- Track Access Delay (TAD) - January 2024
- Guadalupe Creek Bridge Replacement And SR-87 Theft Replacement

5.2.2 The following item was brought to the CMB for contingency drawdown approval in March 2024:

- Tunnel Leak Remediation

5.2.3 Upcoming Change Orders or Shared Risk Items

- Watkins Crossing Grounding Replacement

5.3 Issues

Table 5-1. Change Management Issues Identified and Actions Taken for March 2024

Issues	Actions
None	• n/a

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Chief, Planning
Subject: **Receive Link21 Program Update**

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, provided by Link21 Program Staff, that requires no action by the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB or Caltrain). The Link21 Program, also known as the new Transbay rail crossing, is jointly managed by San Francisco Bay Area Rapid Transit District (BART) and Capitol Corridor Joint Powers Authority (CCJPA).

Discussion

The Advocacy and Major Projects (AMP) Committee was briefed on Link21 by BART/CCJPA staff in February 2023. This briefing included an overview of the Link21 program, megaregional benefits, and an overview of Link21's relation to the Caltrain corridor and service considerations.

Since then, the Link21 Program has evaluated several options for crossing the Bay between Oakland and San Francisco (the Transbay Corridor), which will lead to a crossing technology choice between a standard gauge crossing or BART gauge crossing. The standard gauge or BART decisions by Link21 would each have different implications and possibilities for the Caltrain corridor and future service. This informational update will include a review of key benefits and other considerations for the standard gauge (also known as Regional Rail) technology and BART technology crossing options. BART and CCJPA staff anticipate providing the staff recommendation for a crossing decision no later than June 2024. The BART and CCJPA boards are scheduled to take actions on the crossing decision in September 2024.

While the crossing decision is scheduled for this year, further work on project definition including the service plan, alignments, stations, and other improvements will take place over the next year (pre-environmental phase) during which Link21 will seek Caltrain involvement.

In May, Caltrain staff anticipate an additional presentation to AMP to consider a staff recommendation of principles for Caltrain's engagement in the program following a technology decision.

Budget Impact

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

Prepared By: Dahlia Chazan

Chief, Planning

Phone: 650-730-6115

**CITIZENS ADVISORY COMMITTEE (CAC)
PENINSULA CORRIDOR JOINT POWERS BOARD (JPB)
SAN MATEO COUNTY TRANSIT DISTRICT ADMINISTRATIVE BUILDING
Bacciocco Auditorium, 2nd Floor
1250 San Carlos Avenue, San Carlos CA 94070**

DRAFT MINUTES OF APRIL 17, 2024

MEMBERS PRESENT: D. Albohm, A. Brandt, R. Kutler, P. Leung, A. Lohe, J. Torres, B. Shaw (Chair), D. Hernandez (Alternate), R. Jaques (Alternate) M. Pagee (Alternate)

MEMBERS ABSENT: S. Seebart

STAFF PRESENT: T. Burgwyn, J. Hogan, M. Meader, J. Navarrete, D. Pape, S. Sargent

Chair Brian Shaw called the meeting to order at 5:40 pm and led the Pledge of Allegiance.

CONSIDERATION OF REQUESTS

There were none.

APPROVAL OF MEETING MINUTES OF MARCH 20, 2024

Motion/Second: Albohm/Leung

Ayes: Brandt, Lohe, Torres, Shaw, Hernandez, Jaques

Abstain: Kutler, Pagee

Absent: Seebart

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Jeff Carter commented on the new EMU.

Doug DeLong commented on the energization of the full corridor and the theft problem.

CHAIRPERSON'S REPORT

Chair Shaw reported that agenda item number eight will need to be postponed and tentatively moved to the May meeting. He also reported that he will not be present in May and that Vice Chair Brandt will step in on his behalf for both the CAC and the Board meeting. Lastly, he reported that member Torres will be stepping down and asked the alternate members to attend future meetings to ensure a quorum.

SOUTH COUNTY SERVICE UPDATE

Ted Burgwyn, Director, Rail Network and Operations Planning, provided the presentation, which included the following:

- South county service ridership since the addition of the fourth daily round trip train
- South county service reliability and rail operation and maintenance updates to mitigate outages

- South county service next steps

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

- Clarification of the south county survey including ridership of service in the afternoons
- PTC (Positive Train Control) initialization clarification
- Cross platform transfer
- Locomotive overhauls

Public Comment

Jeff Carter commented on the south county ridership.

CALTRAIN WAYFINDING

Chair Brian Shaw announced that Lisa Peabody, Director, Customer Experience was unable to attend the meeting to provide the Caltrain Wayfinding presentation.

ACCESS POLICY UPDATE

David Pape, Principal Planner, and Hanna Greenberg, Planning Analyst, provided the presentation which included the following:

- Project overview and approach for the access policy update
- Access policy draft goals and objectives
- Next steps to include a draft access policy and implementation plan to be presented for feedback in July 2024

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

- Clarification on maximizing parking assets
- Elevator access, equitable and standard design options were discussed
- Questions regarding how to identify priorities with underserved communities
- Request to emphasize leisure/weekend ridership

John Hogan, Chief Rail Operations Officer provided the following information:

- Reported that there is a meeting regarding pay-by-plate feature the following day

SAFETY QUARTERLY UPDATE / TREE MAINTENANCE

Mike Meader, Chief, Safety Officer, provided the presentation, which included the following:

- Safety core values, culture enhancements and safety dashboard
- Grade crossings
- Tree removal/maintenance
- Partnering and outreach as EMU revenue service approaches

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

- Clarification on the tree maintenance program
- Explained how customers may report safety concerns. Mr. Meader reported that staff is exploring a transit watch app
- Further discussed trespasser strike analysis, vehicle track incursions, and grade crossing enhancements. Request to include data of vehicle at fault incursions and driver citations
- Comments on the safety card
- Safety moments/briefing explained
- Request to compare data across properties and datasets to identify patterns to uncover root cause for potential resolutions

Public Comment

Jeff Carter commented on tree removal partnership with the cities. He also commented on the safety card verbiage and grade crossing issues. Lastly, he requested data across properties for comparison.

Doug DeLong commented on the railroad notification on the Global Positioning System maps.

STAFF REPORT

- a) Customer Experience Task Force Update
- b) JPB CAC Work Plan Update
- c) Legislative update – SB1031 overview

John Hogan, Chief Rail Operations Officer provided the following information:

- Provided partner data from other properties for comparison
- Reported that on time performance that include pedestrian strikes, vehicle incursions, and vehicle strikes increased compared to March 2023 to ninety percent
- Mechanical delays decreased by half compared to the previous year and may be due to reducing to four car trains, however staff is looking at increasing trains during Giants games.
- Fare enforcement efforts have improved
- Mentioned EMU testing and a few EMU updates

Sam Sargent, Director of Strategy and Policy, provided a legislative update and provided an overview of SB1031.

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

- Fare enforcement data for March and conductor politeness during the process
- Questioned ownership of public pay phone located at Redwood City against A-1 Rents

- Discussed cable theft and prevention plans
- Adjusted on time performance review
- Digital display pilot at San Carlos, one of the monitors was vandalized and will not be replaced. Plans to continue pilot at Gilroy
- Legislative update and overview of SB1031 and request to include CAC recommendation to the Board, if possible

Public Comment

Jeff Carter notified staff that Pride, at the end of June may have high ridership. He also commented on the legislative update.

COMMITTEE COMMENTS

Member Brandt commented on the legislative SB1031 update and mentioned his concerns. He also reported on the Palo Alto Rail Committee meeting.

Member Jaques commented on the south county update and requested staff to confirm how the Gilroy service is being funded and whether it is being funded by VTA. He also mentioned that BART will be holding a retirement ceremony for the legacy fleet.

DATE, TIME, AND LOCATION OF NEXT REGULAR MEETING

May 15, 2024, at 5:40 pm, via Zoom teleconference or at the Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA.

ADJOURNMENT

Meeting adjourned at 8:08 pm