



BOARD OF DIRECTORS 2024

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MICHELLE BOUCHARD
EXECUTIVE DIRECTOR

AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Board of Directors Meeting

September 05, 2024, 9:00 am

Bacciocco Auditorium, 2nd Floor

1250 San Carlos Ave., San Carlos, CA

and

San Bruno City Hall, Conference Room 138,

570 Linden Avenue, San Bruno, CA 94066

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

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

*67 if you do not want your telephone number to appear on the live broadcast. Callers may dial *9 to use the Raise Hand feature for public comment. Each commenter will be recognized to speak, and callers should dial *6 to unmute themselves when recognized to speak.

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

September 05, 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

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

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

4. General Counsel Report – Closed Session: Conference with Real Property Negotiator (Gov. Code § 54956.8)
 - Property: 2529 Broadway Redwood City, CA
 - Agency Negotiator: Nadine Fogarty, Director, Caltrain Real Estate and TOD; Brian Fitzpatrick, Director, Real Estate & Development; James Harrison, General Counsel
 - Negotiating parties: El Camino Real Holdings JV LLC
 - Matter under negotiation: Price and terms of payment
5. Closed Session: Conference with Real Property Negotiator (Gov. Code § 54956.8)
 - 5.a. Property: 375 Beale Street, San Francisco, CA
 - Agency Negotiator: Michelle Bouchard, Executive Director; Li Zhang, Chief of Commercial & Business Development; Nadine Fogarty, Director, Caltrain Real Estate and TOD; James Harrison, General Counsel
 - Negotiating parties: Bay Area Headquarters Authority
 - Matter under negotiation: Price and terms of payment

- 5.b. Property: 166 N. Rollins Road, Millbrae, CA
Agency Negotiator: Michelle Bouchard, Executive Director; Li Zhang, Chief of Commercial & Business Development; Nadine Fogarty, Director, Caltrain Real Estate and TOD; James Harrison, General Counsel
Negotiating parties: San Mateo County Transit District
Matter under negotiation: Price and terms of payment
- 5.c. Property: 153 Townsend Street, San Francisco, CA
Agency Negotiator: Michelle Bouchard, Executive Director; Li Zhang, Chief of Commercial & Business Development; Nadine Fogarty, Director, Caltrain Real Estate and TOD; James Harrison, General Counsel
Negotiating parties: Ellis Partners and China Basin Ballpark Company, LLC
Matter under negotiation: Price and terms of payment
- 5.d. Property: 305 Main Street, Redwood City, CA
Agency Negotiator: Michelle Bouchard, Executive Director; Li Zhang, Chief of Commercial & Business Development; Nadine Fogarty, Director, Caltrain Real Estate and TOD; James Harrison, General Counsel
Negotiating parties: Brugger Corporation
Matter under negotiation: Price and terms of payment
- 6. Closed Session: Public Employee Performance Evaluation: Executive Director (Gov. Code § 54957(b)(1))

PART III OF MEETING (REGULAR SESSION): 11:00 am estimated

- 7. General Counsel Report – Report Out from Above Closed Session (Verbal)
 - 8. 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.
 - 9. Report of the Executive Director Informational
 - 10. Consent Calendar
Members of the Board may request that an item under the Consent Calendar be considered separately.
 - 10.a. Meeting Minutes of August 1, 2024 Motion
- Approved by the Finance Committee**
- 10.b. Acceptance Statement of Revenues and Expenses for the Period Ending July 31, 2024 Motion
 - 10.c. Disposition of 58 Gallery Cars and 18 Diesel Locomotives Resolution

- | | |
|---|------------|
| 10.d. Authorize Execution of Contracts and Amendments for Information Technology Hardware, Software, Licenses, Maintenance Services and Professional Services, and Technology-Related Products and Services, Through Piggyback Contracts and Cooperative Purchasing Programs* | Resolution |
|---|------------|

Approved by the Technology, Operations, Planning, and Safety (TOPS) Committee

- | | |
|--|---------------|
| 10.e. Adopt Updated Caltrain Station Access Policy | Resolution |
| 10.f. Authorize Increase in Contract Change Order Authority for Mini-high Platform Project* | Resolution |
| 11. Proclamation Declaring September Railroad Safety & Suicide Prevention Month | Motion |
| 12. Adopt Policy Regarding Trees on or Adjacent to the Caltrain Right of Way | Resolution |
| 13. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report | Informational |
| 14. State and Federal Legislative Update | Informational |
| 15. Update Regarding Implementation of JPB Governance MOU | Informational |
| 16. Reports (Verbal) | |
| 16.a. Report of the Citizens Advisory Committee | Informational |
| 16.b. Report of the Chair | Informational |
| 16.b.i. Proclamation of Appreciation for Carl Guardino | Motion |
| 16.c. Report of the Local Policy Maker Group (LPMG) | Informational |
| 17. Correspondence | |
| 18. Board Member Requests | |
| 19. Date/Time of Next Regular Meeting: Thursday, October 3, 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. | |
| 20. 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 650-551-6108. Agendas are available on the Caltrain website at www.caltrain.com. Communications to the Board of Directors can be e-mailed to board@caltrain.com.

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

Date and Time of Board and Committee Meetings

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

Location of Meeting

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

Public Comment*

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

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

Accessible Public Meetings/Translation

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

Availability of Public Records

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



Executive Director's Monthly Report: August 2024

Executive Director Michelle Bouchard

Report prepared for September Board meeting; data current through July 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

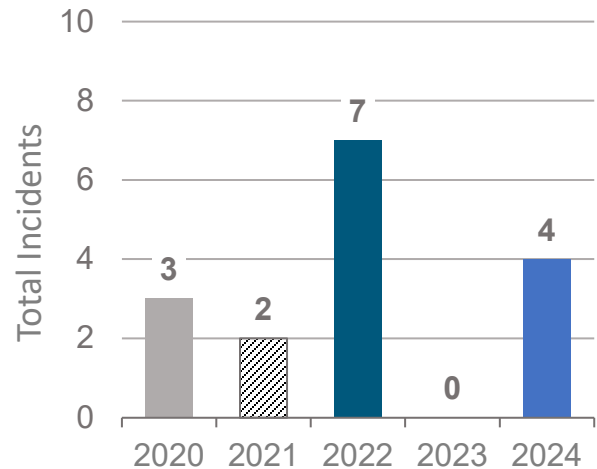
Reportable Injury Trends



Reportable 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 2.57.

Strains or sprains constitute the majority (52%) of reportable injuries for Caltrain’s operator.

Reportable Rail Equipment Incidents



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 8/1/2024

Department	Days Without Injury	Date of Last Injury
Dispatch	1,527	5/27/2020
Operations	64	5/29/2024
Maintenance of Equipment	20	7/11/2024
Maintenance of Way	169	2/14/2024
Other	1,527	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. A new group of Safety Leaders (the third cohort thus far) was selected and recognized in July 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
- Launched internal “Safety First and Always” campaign for employees to share at least one photo and story demonstrating the importance of Going Home Safely, Every Day
- Electric train environment communication
- Scheduled additional CPR/AED training classes for administrative staff

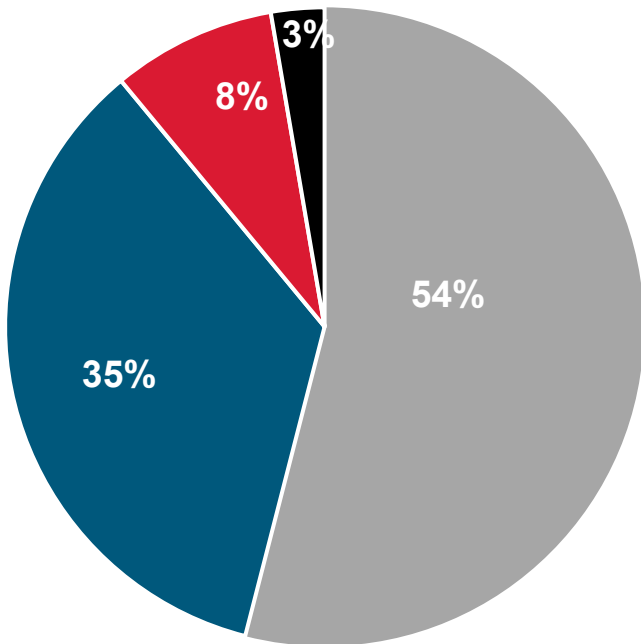




Security Update

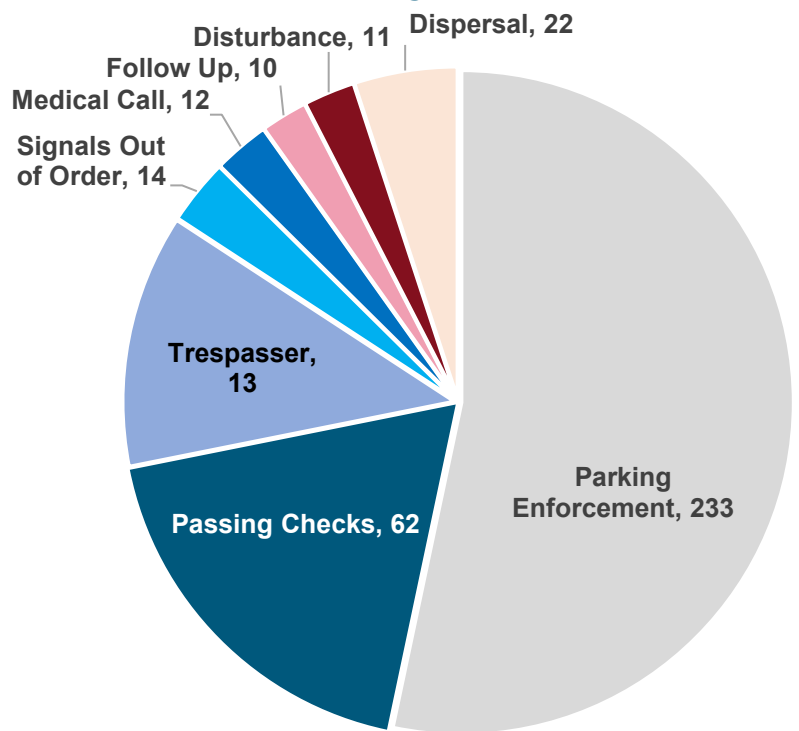
The San Mateo County Sheriff's Office Transit Police Bureau is Caltrain's contracted law enforcement provider. The bureau is responsible for policing all Caltrain rail equipment, stations, right-of-ways and facilities throughout San Francisco, San Mateo, and Santa Clara counties.

Calls for Service by County July 2024



- San Mateo
- Santa Clara
- San Francisco
- Unknown

Number of Calls by Category July 2024¹



July 2024 Service Call Data

Overall Average Response Time: **28:53**
 Average Response Time for **Priority 1***: **3:52**
 Average Response Time for **Priority 2****: **25:14**

*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 569 in July across 16 categories. The pie chart shows the top 8 categories representing 437 calls or 77% of the total.

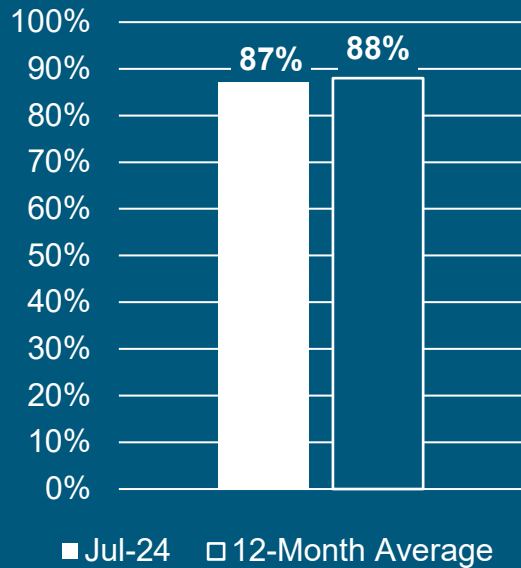




Performance at a Glance

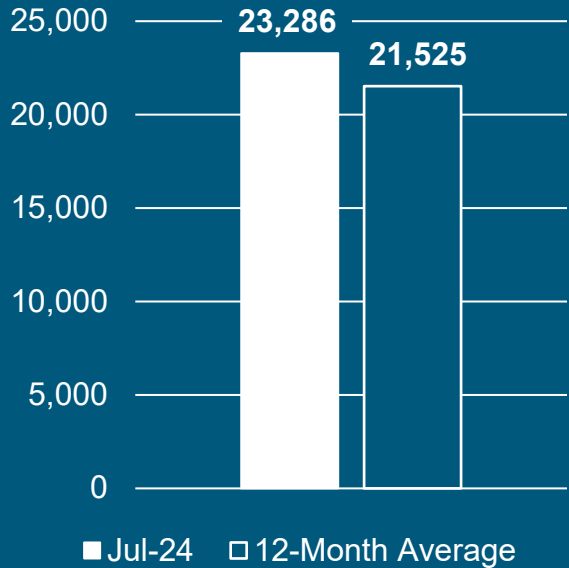
On-Time Performance

Percentage of trains arriving within six minutes of the scheduled time



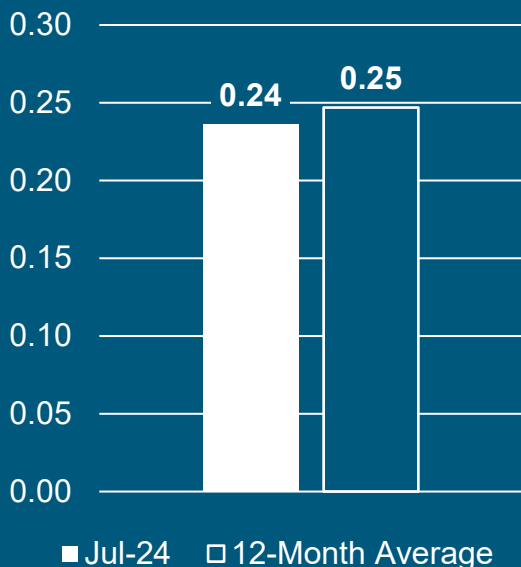
Average Daily Ridership

Average estimated weekday ridership



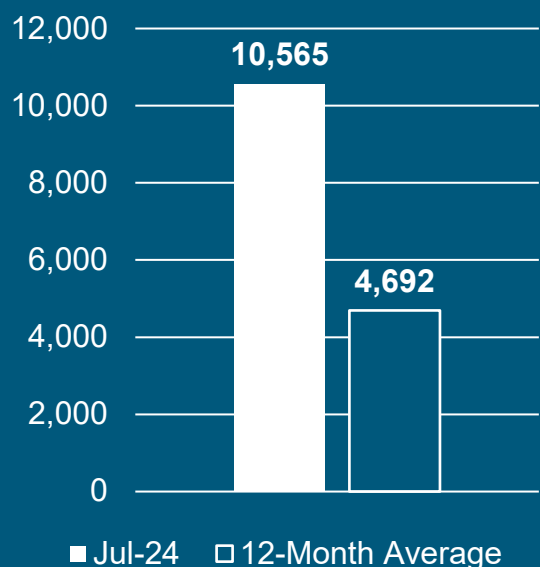
Farebox Recovery Ratio

Ratio of fare revenue to operating costs



Mean Distance Between Failures

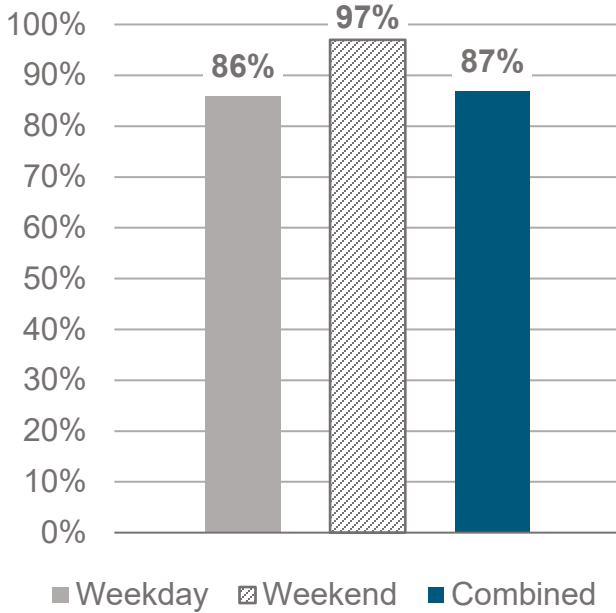
Average miles travelled by locomotives before maintenance/repair is required





On-Time Performance

Performance This Month (Jul-24)

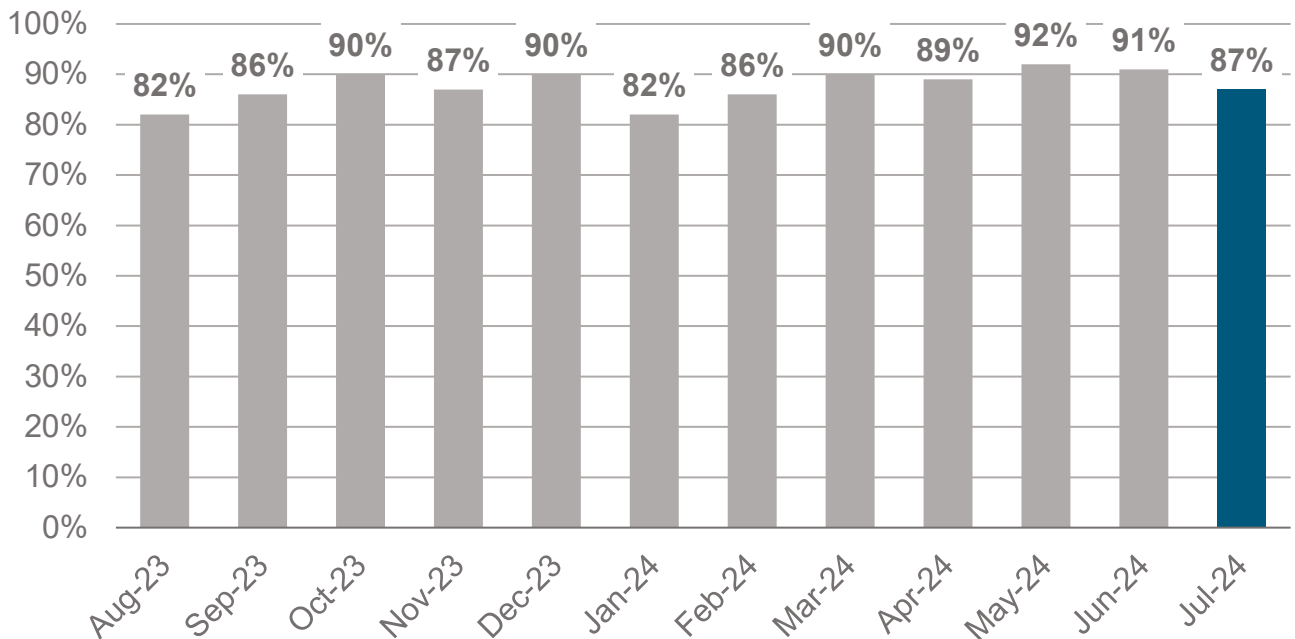


Trains are considered on-time if they arrive within six minutes of the scheduled arrival time at end-line locations (i.e. San Francisco, San Jose Diridon, Tamien, and Gilroy).

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

Note that weekend OTP includes holidays.

Monthly On-Time Performance in the Past Year





Delays and Cancellations

May-24

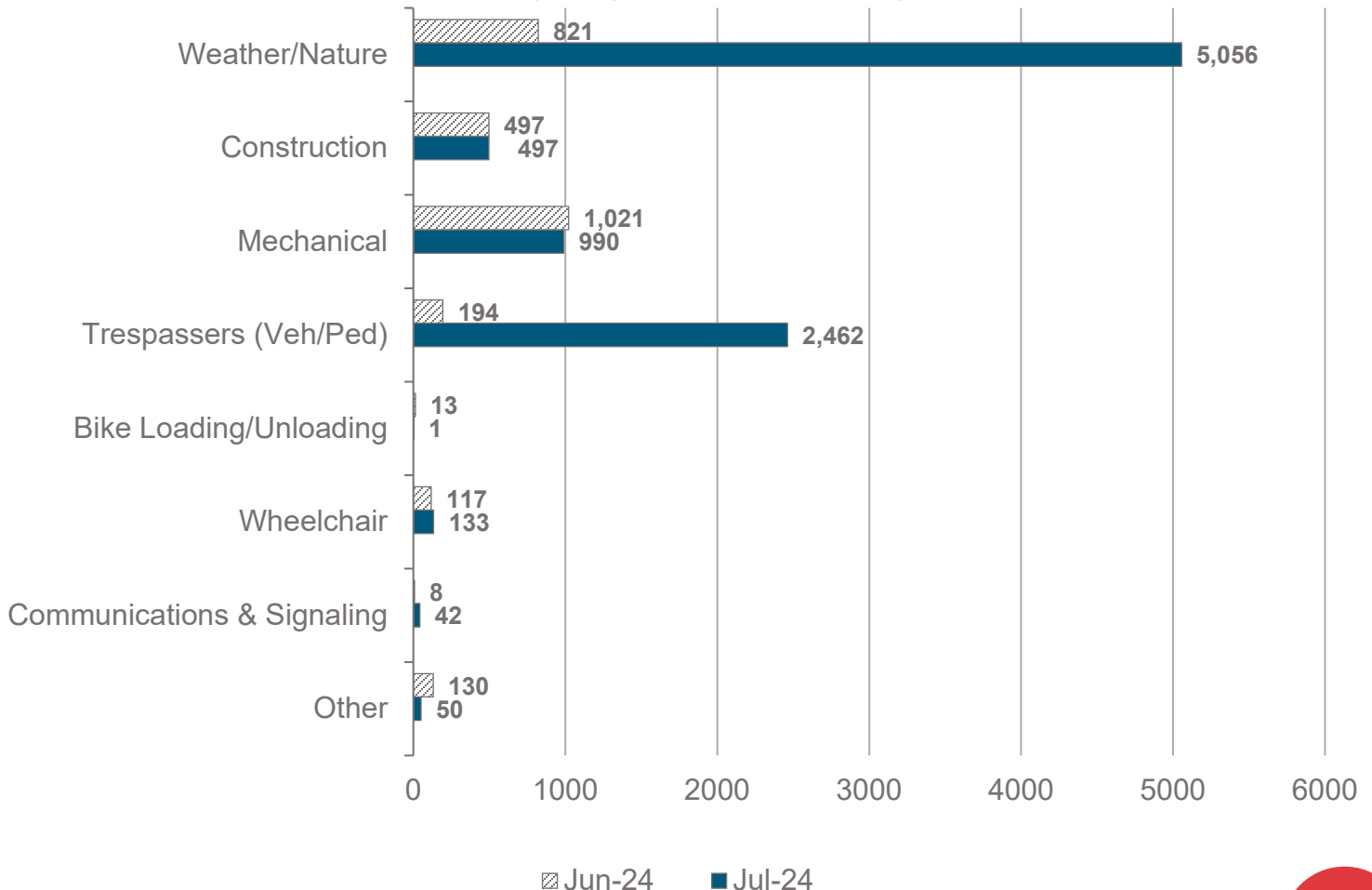
Jun-24

Jul-24

Number of Late Trains	200	216	326
Average Minutes Late for Late Trains	17	21	31
Number of Cancelled Trains	11	6	15

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



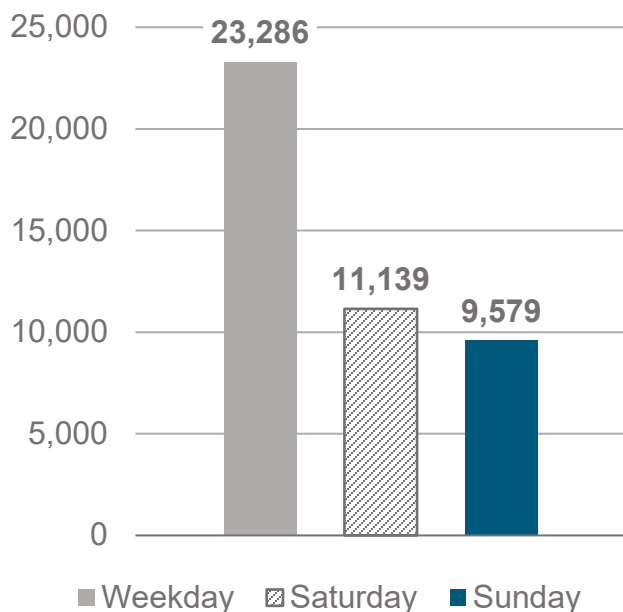
Note: "Other" includes special events and track defects.





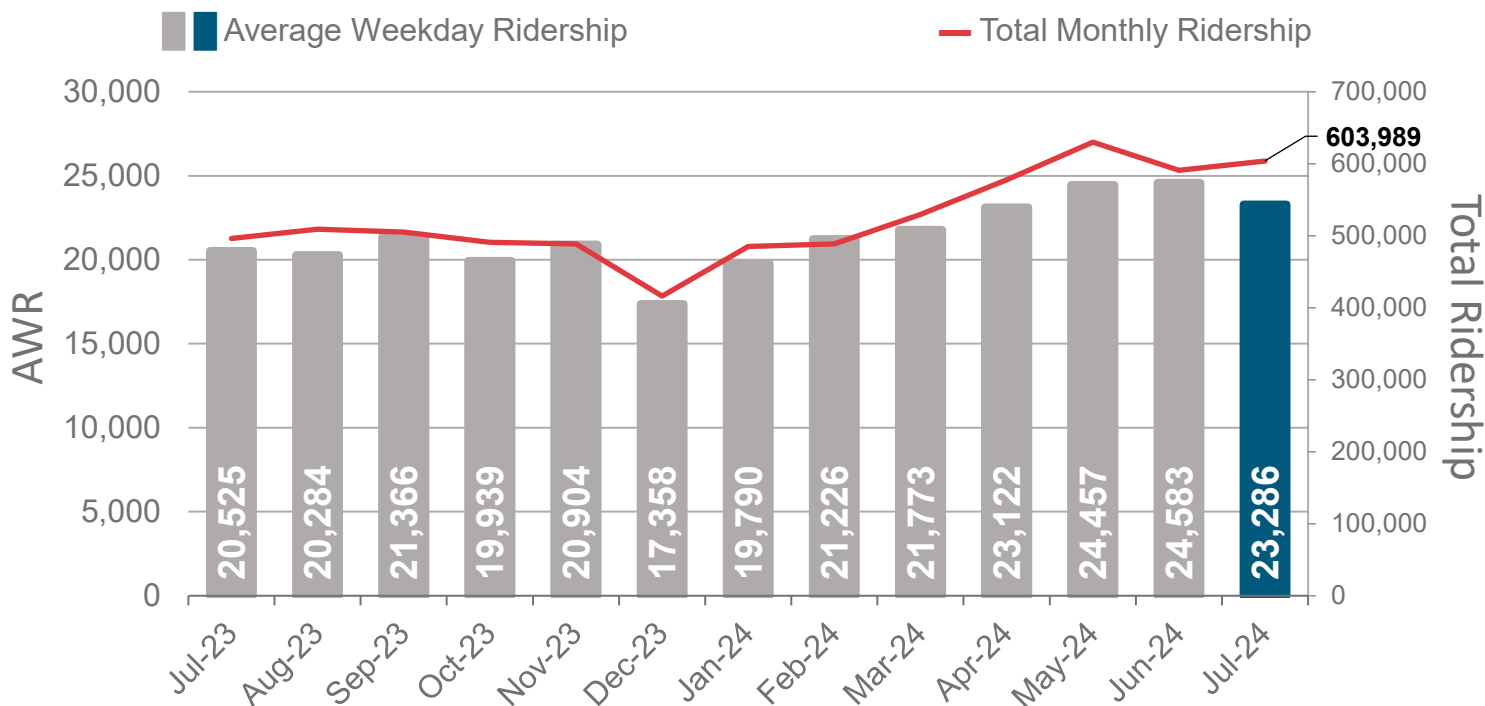
Ridership and Revenue

Average Daily Ridership (Jul-24)



Average weekday ridership (AWR) increased by approximately 13.5 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.

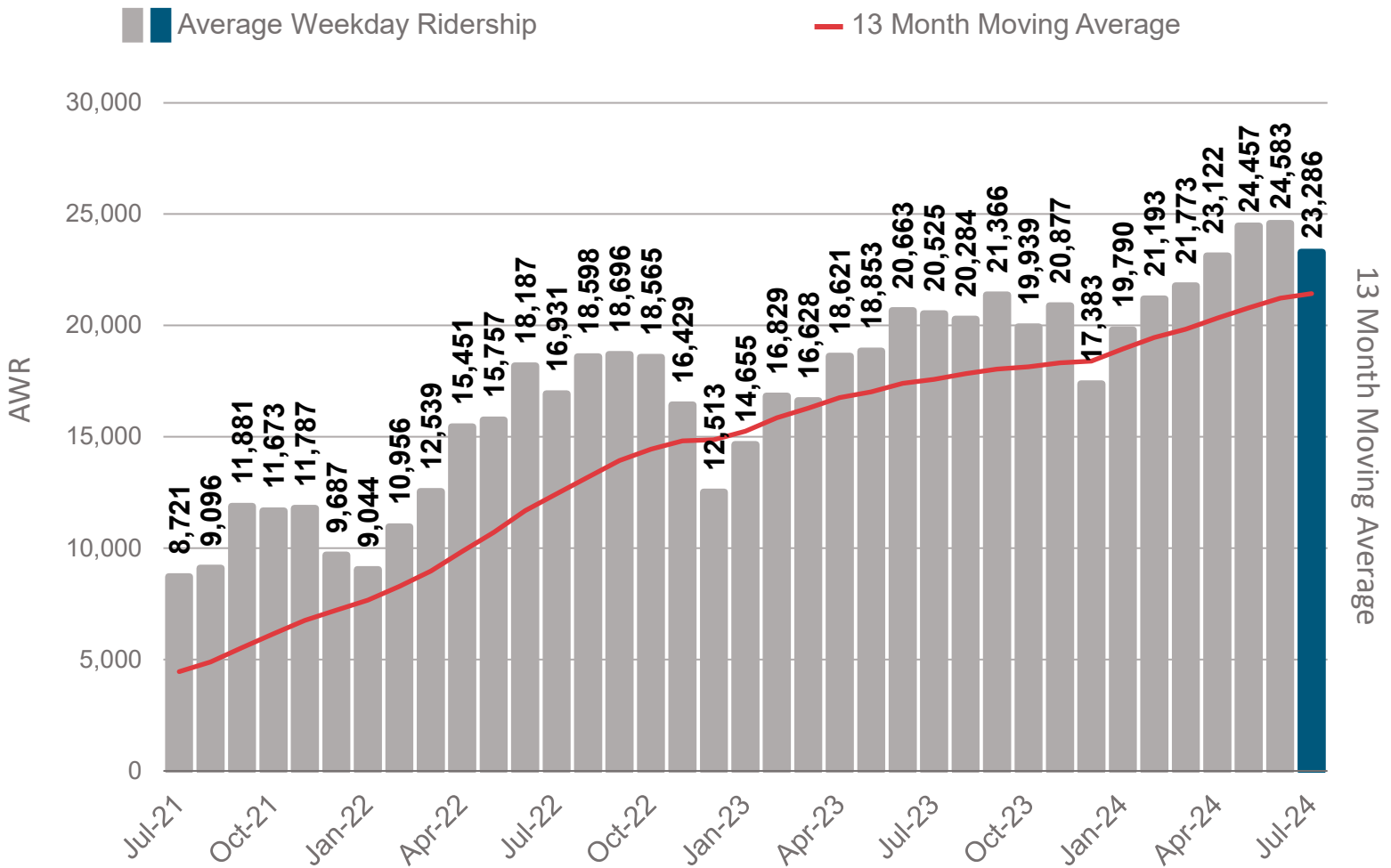
November 2023 on: Caltrain implemented a ridership estimation model that is based entirely on fare media sales data.





Ridership and Revenue

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



**Year Over Year AWR Increase
(July 2023 vs. July 2024) : 13%**





Ridership and Revenue

Special Service Ridership Report

San Francisco Station

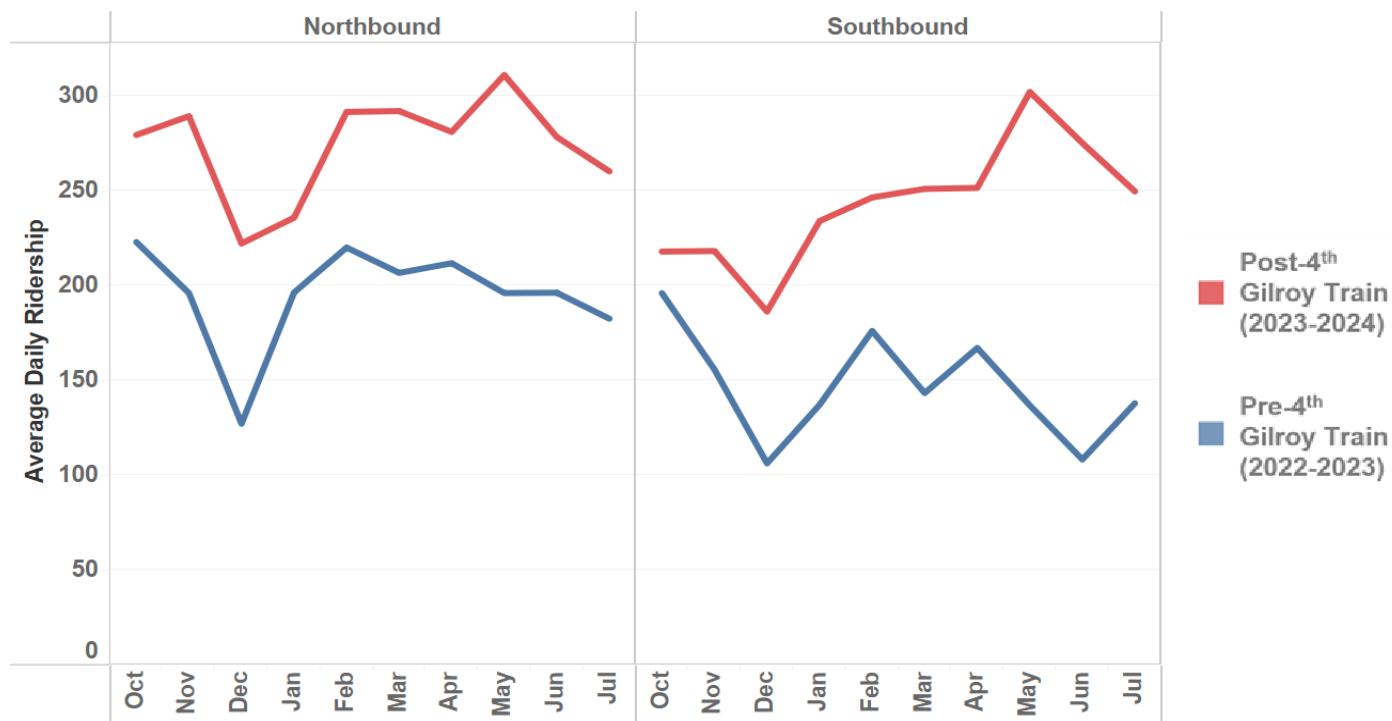
- Total Special Event ridership at San Francisco Station in July was 63,394, a 13.6% decrease compared to 2023 (73,337), and a 51.7% decrease from 2019 (131,347).
 - In July 2024 there were 12 events, compared to 16 in 2023, and 11 in 2019.

Mountain View Station

- Total Special Event ridership at Mountain View Station in July was 4,126, a 28.7% decrease compared to 2023 (5,788), and a 367.8% increase from 2019 (882).
 - In July 2024 there were 4 events, compared to 2 in 2023 (Taylor Swift concerts), and 1 in 2019.

South County Ridership Update

South County Service Average Daily Ridership* by Direction



*Includes ridership at Capitol, Blossom Hill, Morgan Hill, San Martin, and Gilroy stations

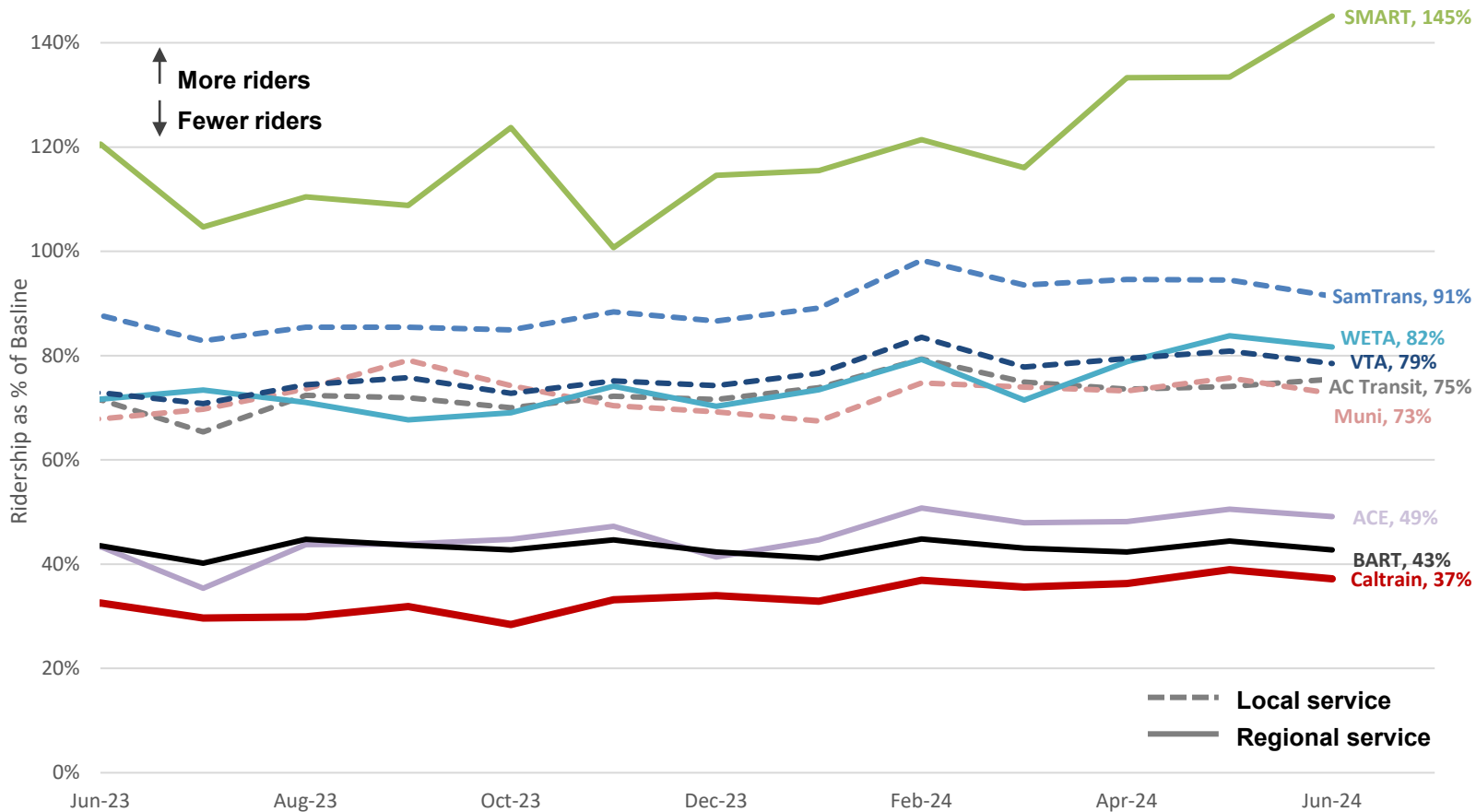




Public Transit Ridership Recovery in the Bay Area

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 Percent of Same Month in 2019



Notes:

- As of August 2024, ridership recovery percentages for each agency are calculated in comparison to the same month from 2019.
- 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.

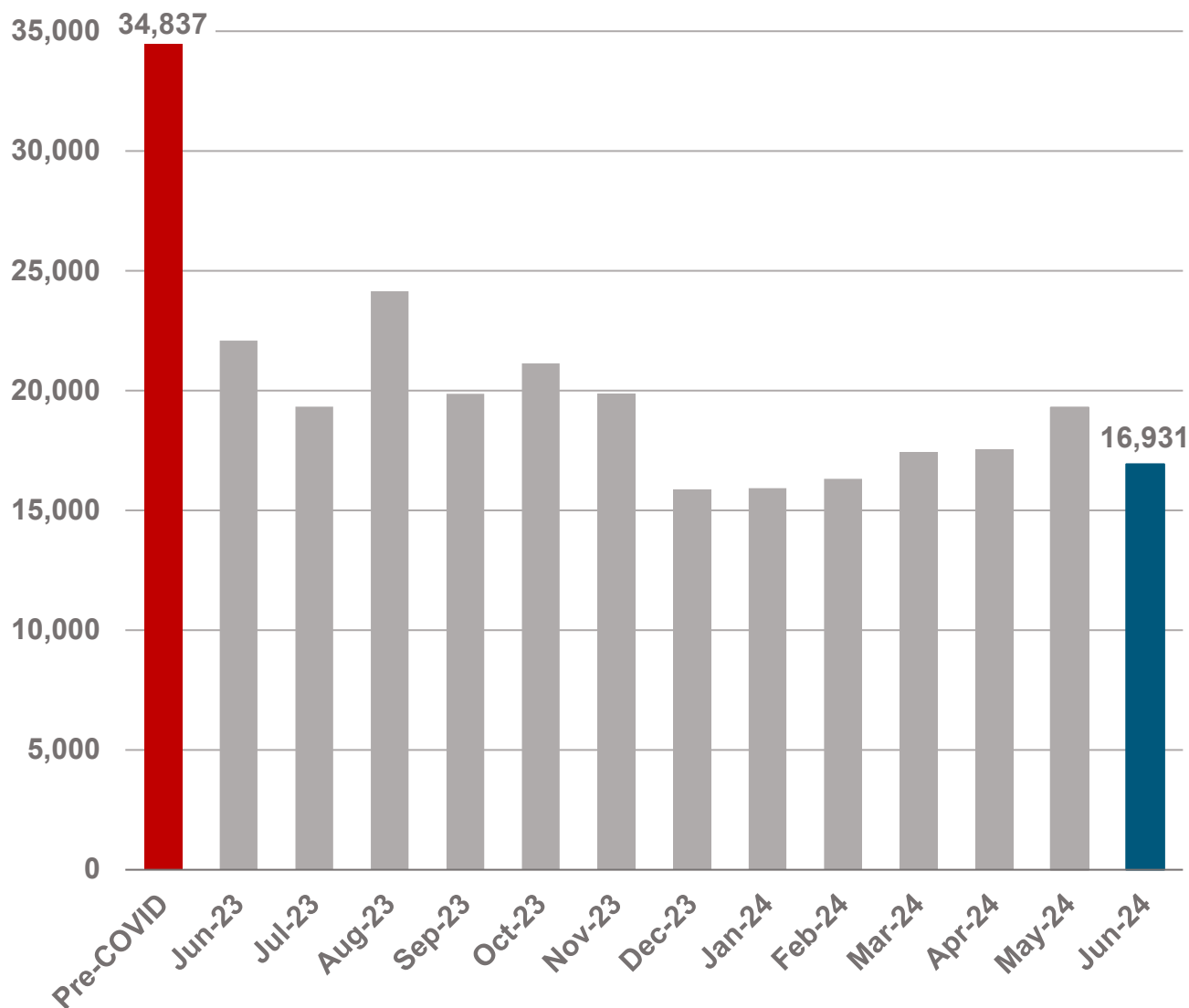
Total Monthly Ridership Estimates (in thousands)

Transit Operator	23-Jun	23-Jul	23-Aug	23-Sep	23-Oct	23-Nov	23-Dec	24-Jan	24-Feb	24-Mar	24-Apr	24-May	24-Jun
Muni	12,316	12,611	13,824	13,561	13,942	12,492	12,338	12,718	12,770	13,942	13,756	14,487	13,194
BART	4,645	4,376	5,010	4,706	4,963	4,456	4,046	4,258	4,338	4,617	4,677	4,918	4,562
AC Transit	2,909	2,859	3,458	3,521	3,699	3,278	3,045	3,245	3,303	3,484	3,490	3,492	3,071
VTA	2,077	2,060	2,326	2,395	2,511	2,264	2,118	2,253	2,238	2,397	2,419	2,545	2,238
SamTrans	762	723	861	904	949	851	786	817	816	906	891	957	794
Caltrain	517	496	509	505	491	488	485	488	489	530	578	630	591
WETA	201	216	240	236	198	214	175	150	160	155	171	216	232
SMART	67	66	72	69	71	65	67	66	62	67	80	85	81
ACE	49	43	59	55	63	54	42	57	58	60	63	71	55



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.

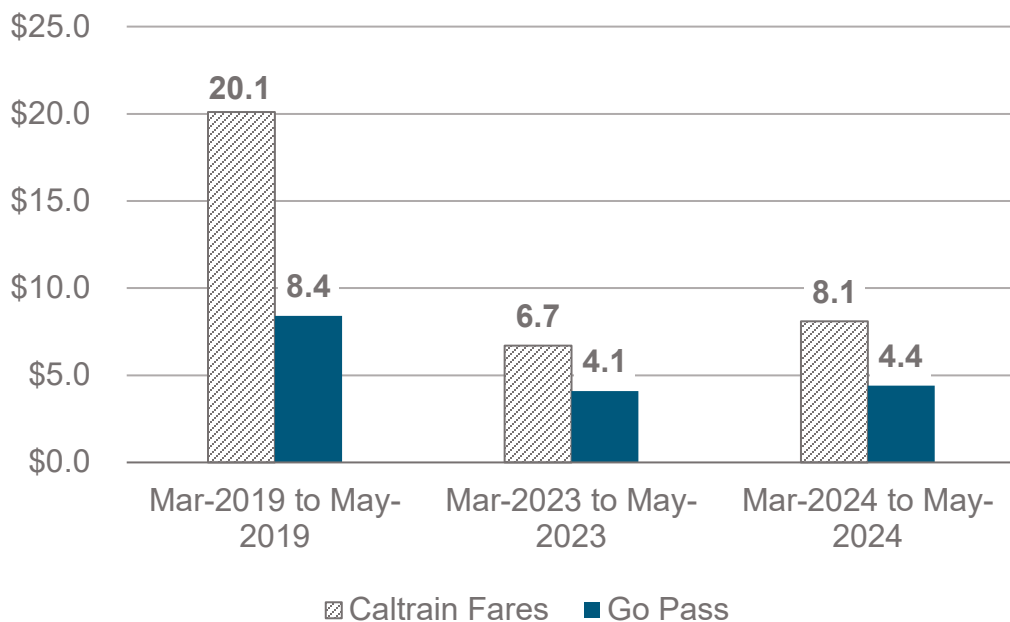
Pre-COVID data is provided for comparison purposes and represents average monthly transfers during the one-year period from March 2019 to February 2020.





Ridership and Revenue

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

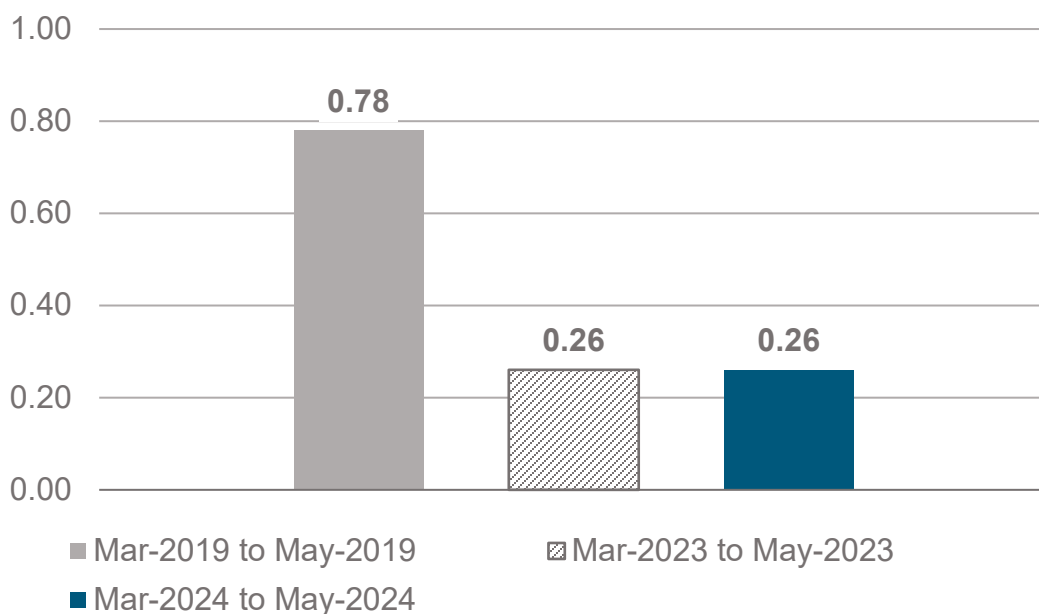


Note: Updated financials are not yet available due to ongoing year end close out activities for FY 2024.

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)



Note: Updated financials are not yet available due to ongoing year end close out activities for FY 2024.

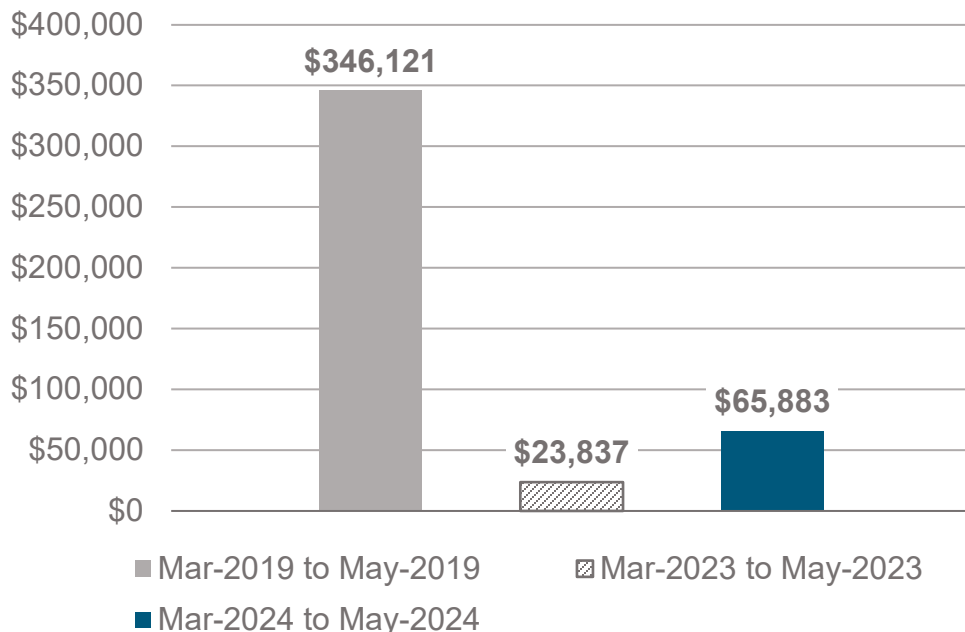
Farebox Recovery Ratio represents how much of the cost of providing service is covered by customer fares. A higher ratio indicates that a greater share of costs are covered by riders.





Ridership and Revenue

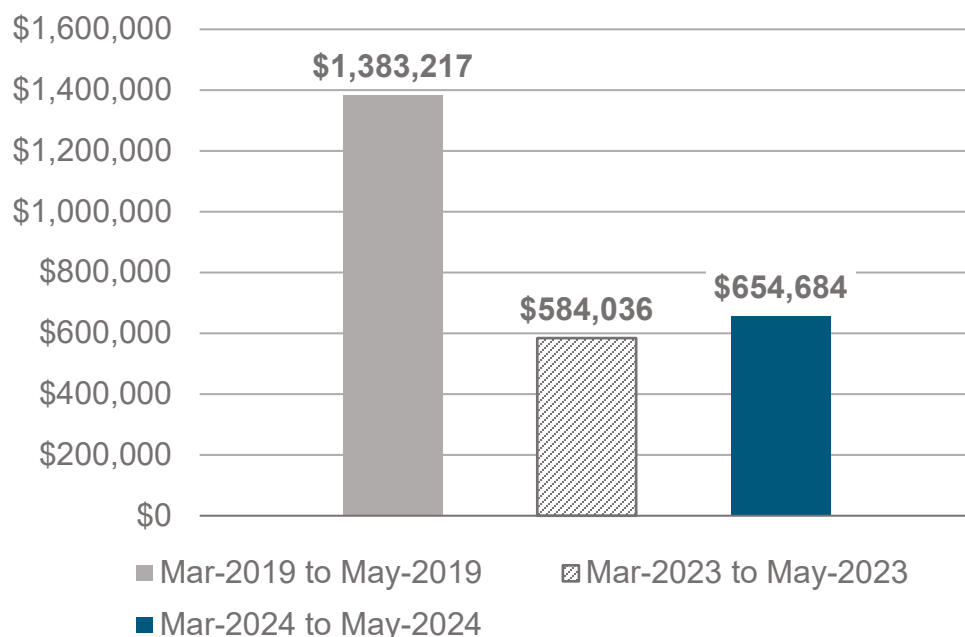
Advertising Revenue (3-Month Rolling Average)



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

Note: Updated financials are not yet available due to ongoing year end close out activities for FY 2024.

Parking Revenue (3-Month Rolling Average)



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

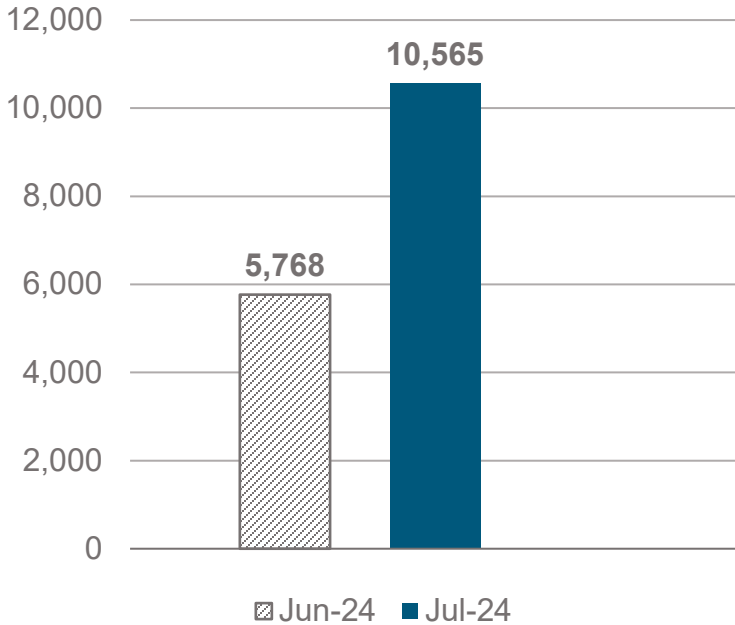
Note: Updated financials are not yet available due to ongoing year end close out activities for FY 2024.





Maintenance Performance

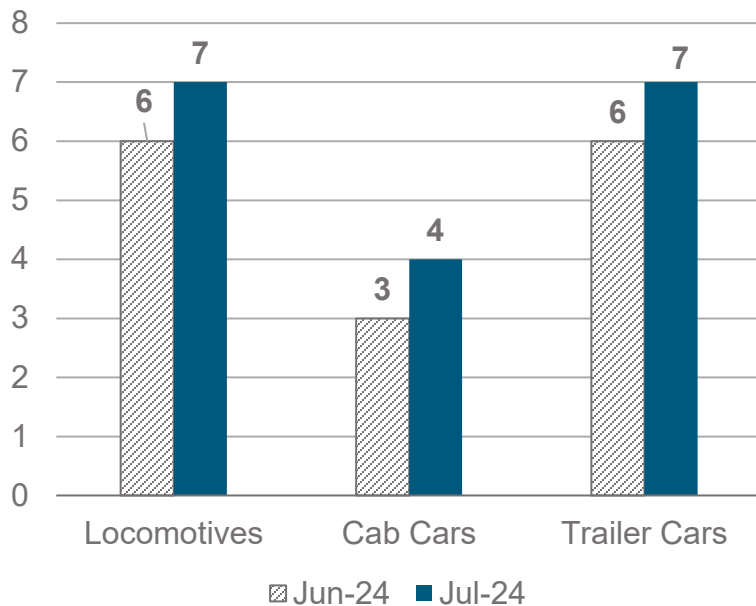
Mean Distance Between Failure (Locomotives)



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

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

Equipment in Maintenance/Repair



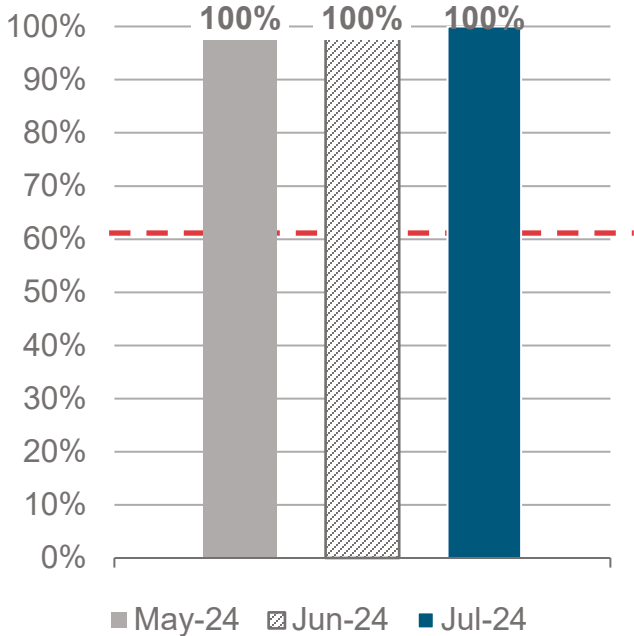
Equipment in Maintenance/Repair represents the number of locomotives and cars that are out of service on an average day each month due to routine and preventative maintenance or other repairs.





Maintenance Performance

Equipment Availability (Locomotives)

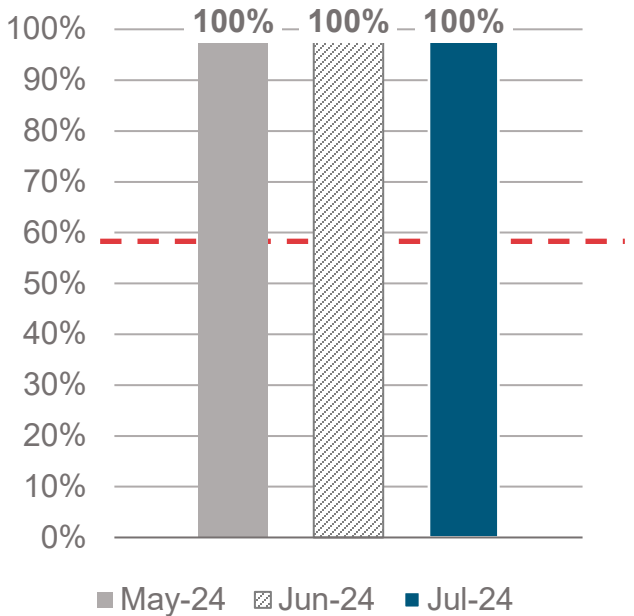


Equipment Availability is the number of cars or locomotives available for service on an average day each month as a percentage of the daily equipment required to run base service.

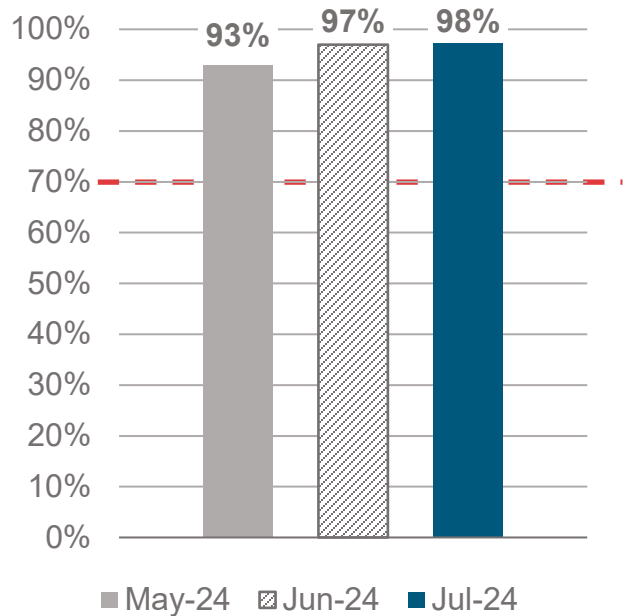
Caltrain currently owns 29 passenger locomotives, with 18 required daily; 36 cab cars, with 21 required daily; and 98 trailer cars, with 69 required daily.

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

Equipment Availability (Cab Cars)



Equipment Availability (Trailer Cars)



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





Service and Program Updates

Caltrain Welcomes First Passengers on New Electric Trains

On August 10, Caltrain debuted its cutting-edge electric fleet, hosting a VIP tour where participants boarded one of the new trains for its historical inaugural service. On August 11, a limited number of electric trains operated as part of regular passenger service. Additional electric trains are being introduced every week until the launch of the new schedule and full electrified service between San Francisco and San Jose beginning on Saturday, September 21.

Caltrain Releases Electrified Schedule

Caltrain has [released the schedule](#) designed for the new electric trains which will launch alongside fully electrified mainline Caltrain service on September 21. In addition to faster commute times and increased frequency, the schedule also features simplified service patterns, a new train numbering system and an expedited transfer at San Jose Diridon for South County riders.

Caltrain to Offer Free Fares on Opening Weekend of Electrified Service

Pursuant to the Caltrain Fare Structure (adopted under Resolution 2019-32), and FTA Circular 4702.1B, which grants the authority to implement special and promotional fare discounts lasting up to six months, Caltrain has authorized a promotional fare reduction that provides free fares on September 21 and 22, 2024. With celebrations planned at stations up and down the corridor during opening weekend, Caltrain is offering these free fares to provide current and potential customers the opportunity to experience the capabilities and amenities of the new electric trains, while also being able to participate in the exciting activation events celebrating this project completion milestone.





Communications and Marketing Update

Press Releases

Press Releases:

- Caltrain To Hold Public Hearing on Reduced Cost Youth Fares on July 22
- Can't Get No Satisfaction Stuck in Traffic, Take Caltrain to Rolling Stones at Levi's Stadium
- Sign Up for Caltrain Alerts July 8
- Caltrain Runs Weekend Schedule for July 4 with Special SF Fireworks Service

Communications Activities

Events

- Caltrain ran weekend service on the 4th of July
- On July 2, Caltrain ambassadors were present at Mountain View Station to help fans get to Copa America at Levi's Stadium
- July was Disability Pride Month, the digital communications team worked with our internal Employee Resource Groups to communicate messaging across our social platforms, focusing on our services.

Communications

The new text and email alert system was officially launched on July 8 to riders, providing direct access to their trains electronically. Previously this work had been completed manually from 7 a.m. to 7 p.m. by members of the Digital Media Team, providing updates on Twitter (x) @CaltrainAlerts.





Communications and Marketing Update

Messaging Highlights:

- Disability Pride Month
- Copa America – Caltrain Ambassadors @ Mountain View Station
- 4th of July Service
- Caltrain Alerts official launch – station outreach
- Additional service for Rolling Stones
- Diesel Remembrance weekly posts – tapping into nostalgia
- Finance Committee meeting – focusing on youth fare change

Social Metrics: (Year to Year)

Metric	July 2024	July 2023
Impressions	382,543	1,012,057
Engagements	17,039	47,679
Post Link Clicks	3,326	4,108

Note: An impression is anytime our content is seen in a user’s feed or browser. Engagement is any action taken, such as a click, like, retweet or comment. These data do not include any web metrics.





Capital Projects Update

Project: Guadalupe River Bridge Replacement

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
JPB has extended the MT-2 railroad bridge and will replace the MT-1 railroad bridge over the Guadalupe River in San Jose. The project is located north of Willow Street and east of State Route (SR) 87 between 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	33,510	32,084	12/31/26
Percentages	100.00%	52.6%	50.4%	

Project Highlights – Recent and Upcoming Work

July: JPB staff met with the Federal Transit Administration (FTA), National Marine Fisheries Service (NMFS), US Army Corps of Engineers (USACE), San Francisco Bay Regional Water Quality Control Board, California Department of Fish and Wildlife (CDFW) and Valley Water to discuss the project's proposed approach to amending permits and resuming construction.

August: JPB staff will work with the agencies listed above to determine when the project will be allowed to resume construction, and whether the project will be approved to perform construction at night. These decisions will inform the overall project approach, schedule, and budget.

Schedule - To adapt the project's construction approach to align with new environmental permits, prior environmental permits must be amended for overall consistency. The resulting construction approach, allowable work hours, timelines for amended permits, and resulting project schedule are the subject of ongoing discussions with environmental permitting authorities. At this time, it is apparent that project completion will be delayed. JPB staff will continue to work with environmental permitting authorities to determine the revised project approach and will provide an updated schedule to the Board.

Budget - Based on preliminary forecasts, the environmental permitting challenges above are likely to result in cost increases in excess of the current approved project budget. Anticipated drivers of cost increases are construction delays and extended overhead, including JPB's costs for environmental and construction oversight.

Funding - August Board approved fund swap from Federal Transit Administration (FTA) to Transit and Intercity Rail Capital Program (TIRCP) Reimbursed Bond Proceeds. Project Controls working with budgets to activate the funds.

Note: The Capital Projects information is current as of July 31, 2024, and is subject to change prior to the September 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	14,833	12,918	11,120	12/30/24
Percentages	100%	87.1%	75%	

Project Highlights – Recent and Upcoming Work

July: The Locomotive 928 has been tested and released for shipment. Installed HEP and generator of Locomotive 923.

August: The Locomotive 928 arrives at CEMOF, and TASI begins its 92-day inspection and preparation for service. Install main engine, trucks and hatches for Locomotive 923.

Note: The Board approved \$622,888 in August meeting and the fund has been activated. Therefore, the funding status light changed to green.

Note: The Capital Projects information is current as of July 31, 2024, and is subject to change prior to the September 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: 7 – Start-up/Turnover					
Project Costs (in thousands of dollars)					Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals		
Totals	6,870	5,948	5,717		12/31/2024
Percentages	100.00%	86.6%	82.2%		
Project Highlights – Recent and Upcoming Work					
<p>July: 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>August: 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 July 30, 2024, and is subject to change prior to the September 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)

	Current Budget	Committed to Date	Expended + Accruals	Estimated Completion
Totals	30,441	24,468	22,079	
Percentages	100.00%	77.2%	69.9%	

Project Highlights – Recent and Upcoming Work

July: A total of 13 EMU trains have been equipped with the Broadband equipment by Stadler to date. Nomad has validated the Stadler installation for 12 trains and have commissioned 10 trains. Nomad completed the construction for all 4 segments and is done with the civil work. Nomad completed and Factory Acceptance Test and Static Test.

August: Complete the dynamic system test and System Acceptance Test. Complete any punch list items from the trackside civil work.

Note: August Board approved fund swap from State Rail Assistance Program (SRA) to Transit and Intercity Rail Capital Program (TIRCP) Reimbursed Bond Proceeds. \$5.6M has been activated by budgets in the month of August. Funding status light changed to "Green".

Note: The Capital Projects information is current as of July 30, 2024, and is subject to change prior to the September 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>		●	●	●	●
Project Phase: 6 – Construction/Implementation					
Project Costs (in thousands of dollars)				Estimated Completion	
	Current Budget	Committed to Date	Expended + Accruals		
Totals	5,471	5,044	2,532	12/04/2024	
Percentages	100.00%	92.2%	46.3%		
Project Highlights – Recent and Upcoming Work					
<p>July: TASI completed the work at 5th Ave wiring the new signal gates. TASI ordered the gate foundations for 4th Ave.</p> <p>August: Stacey Witbeck will complete the sidewalk work at 5th Ave.</p> <p>Delay in schedule were attributed to delays in completion of predecessor scope of work required by TASI. Additional delays are not anticipated as the TASI crews are now being committed to the project.</p>					

Note: The Capital Projects information is current as of July 31, 2024, and is subject to change prior to the September 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	1,647	1055	11/21/2024
Percentages	100.00%	65.4%	41.9%	
Project Highlights – Recent and Upcoming Work				
<p>July: Stacy and Witbeck, Inc. work is currently on hold awaiting completion of City of Palo Alto work that is a predecessor to JPB work. CM Team is holding progress meetings as needed during this delay. A meeting was held with the city of Palo Alto and the contractor, and a plan was agreed to that Palo Alto will do some of the sidewalk work to allow Stacy Witbeck to perform their work.</p> <p>August: Stacy and Witbeck, Inc. will replace the track ties and install the concrete panels.</p>				

Note: The Capital Projects information is current as of July 31, 2024, and is subject to change prior to the September 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	2,312	2,038	06/15/2025
Percentages	100.00%	34.0%	30.0%	
Project Highlights – Recent and Upcoming Work				
<p>July: 90% of the VMS sign at Base stations are replaced. VMS replacement at Option 1 and Option 2 station has started.</p> <p>August: Complete base stations VMS replacement and continue with work at option 1 and option 2 stations.</p> <p>August Board approved fund swap with TIRCP Reimbursed Bond Proceeds Funds. Status light will change to green with next report.</p>				

Note: The Capital Projects information is current as of July 31, 2024, and is subject to change prior to the September 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	3,730	1,654	12/30/2025
Percentages	100.00%	41.5	18.4%	
Project Highlights – Recent and Upcoming Work				
<p>During the month of July 2024, due to the success of the temporary stabilization measures, the JPB Finance Committee motioned to recommend discontinuing the emergency declaration for the San Francisquito Creek Bridge. In anticipation that the full Board may approve the discontinuation of the emergency declaration, JPB staff developed a preliminary schedule for completing the permanent stabilization under non-emergency procedures, including the public issuance of a new construction solicitation.</p> <p>In August 2024, the full Board will consider the discontinuation of the emergency declaration, and JPB staff will adjust the project plan to align with the Board's decision. In parallel, JPB staff will continue coordination with the USACE to acquire the 404-permit necessary for the permanent stabilization project.</p>				

Note: The Capital Projects information is current as of July 31, 2024, and is subject to change prior to the September 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)

	Current Budget	Committed to Date	Expended + Accruals	Estimated Completion
Totals	10,128	7,614	3,782	
Percentages	100.00%	75.2%	37.3%	

Project Highlights – Recent and Upcoming Work

July: SWI Continues with construction activities. Budgets/Grants continues to work with Caltrans on Program Supplement (PS) for \$3.77M in LPP funds, will be paying construction invoices per the Pre-approval spending authority (PASA) until PS is executed and funds are activated.

August: Grants team will continue to work with Caltrans to execute program supplement agreement for LPP funds. Among other construction activities, SWI will perform track construction and connect the setout track to mainline track under a weekend single tracking outage Aug 23-26th. TASI will perform installation and testing of required signal components during the weekend outage.

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

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Mini-High Platforms

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
<p>The project scope will include installation of the precast platforms and modifications as needed to the existing infrastructure as needed to accommodate the installation. Grounding and bonding will be required at all of the stations within the areas that will be electrified.</p> <p>Project will allow for more efficient ADA access to passenger vehicles for patrons decreasing dwell time thus improving service for all passengers and reducing operating costs.</p>	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	7,271	1,392	1,093	09/17/2025
Percentages	100.00%	19.1%	15.0%	
Project Highlights – Recent and Upcoming Work				
<p>July: Submit shop drawings for platforms and handrails. Begin pre-casting the platforms.</p> <p>August: Complete pre-coordination with UPRR to line up flagging. Order temporary handrails.</p> <p>August Board approved addition TIRCP Reimbursed Bond Proceeds Funds to execute option for south Santa Clara County station and cover supplemental cost pressures. \$2.3M has been activated by budgets in the month of August 2024. Funding status light changed to "Green".</p>				

Note: The Capital Projects information is current as of July 31, 2024, and is subject to change prior to the September 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

Tasha Bartholomew, Manager, Media Relations
Robert Casumbal, Director, Marketing & Research
Jeremy Lipps, Manager, Digital Communications
Stephanie Torres, Social Media Specialist

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, Project Manager SOGR
Sam Sargent, Director, Strategy & Policy
Henry Flores, Director, Rail Vehicle Maintenance

Rail Design & Construction

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

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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 August 1, 2024

Members Present: Margaret Abe-Koga, Pat Burt, Jeff Gee, Rico E. Medina, Steve Heminger (Vice Chair), Devora “Dev” Davis (Chair)

Members Present via Teleconference: Monique Zmuda

Members Present: Ray Mueller, Shamann Walton

Staff Present: M. Bouchard, C. Fromson, J. Harrison, K. McCoy (Balfour Beatty Infrastructure, Inc.), P. Shrestha, D. Seamans, B. Shaw, M. Tseng

1. Call to Order/Pledge of Allegiance – Chair Davis called the meeting to order at 9:04 am and led the Pledge of Allegiance.

2. Roll Call

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

3. Consideration of requests, if any, of Directors to participate remotely due to Emergency Circumstances

Chair Davis noted Director Zmuda invoked AB2449 and attending the meeting remotely.

Public comments

Aleta Dupree commented on 166 N Rollins Road, Millbrae as being convenient to the Millbrae station and Ms. Bouchard’s work to bring the agency towards electrification.

Legal Counsel James Harrison noted closed session item 5 would be heard before item 4.

4. General Counsel Report – Closed Session: Conference with Real Property Negotiator (Gov. Code § 54956.8)

4.a. Property: 375 Beale Street, San Francisco, CA

4.b. Property: 166 N. Rollins Road, Millbrae, CA

4.c. Property: 153 Townsend Street, San Francisco, CA

4.d. Property: 801 Gateway Blvd, South San Francisco, CA

4.e. Property: 305 Main Street, Redwood City, CA.

5. Public Employee Performance Evaluation (Gov. Code § 54957(b)(1)) Title: Executive Director

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

James Harrison, Legal Counsel, reported that there were no reportable actions.

7. Public Comment for Items Not on the Agenda

Jeff Carter said the new VMS (visual messaging sign) at Millbrae station is easier to read.

Aleta Dupree, Team Folds, commented on her recent trip into San Francisco using Clipper mobile and encountered a courteous and professional fare inspector.

Adrian Brandt commented on the post special game social media posts with reports of overcrowding on trains.

Jean-Paul Torres commented on his riding experience yesterday after the ballgame at 4th and King station where there was overcrowding and the need for crowd control.

Chair Davis announced public comment would be reduced to one minute due to time constraints and concern with losing a quorum of the Board.

8. Report of the Executive Director

Michelle Bouchard, Executive Director, deferred item due to time constraints and noted presentation materials were available in the agenda packet.

9. Consent Calendar

9.a. Meeting Minutes of June 6, 2024

9.b. Accept Statement of Revenues and Expenses for the Period Ended May 31 and June 30, 2024

9.c. Approve and Ratify Fiscal Year 2025 Insurance Program *Approved by Resolution 24-42*

9.d. Terminate Findings of an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to Public Contract Code §22050 *Approved by Resolution 24-43*

9.e. Award of Contracts for On-Call Professional Support Services *Approved by Resolution 24-44*

9.f. Adopt Proposed Fare Structure Changes *Approved by Resolution 24-45*

9.g. Allocation of the TIRCP (Transit and Intercity Rail Capital Program) Reimbursed Funds and Amendment to Fiscal Year 2025 Capital Budget *Approved by Resolution 24-46*

9.h. Clipper BayPass Pilot Program Participation Agreement Amendment Approved by Resolution 24-47

9.i. Allocation of State Rail Assistance Funding for Operating Assistance Approved by Resolution 24-48

9.j. Award Pre-Construction Contract for Construction Manager General Contractor (CMGC) Services for Rengstorff Avenue Grade Separation Project *Approved by Resolution 24-49*

9.k. Adopt Policy Regarding Trees on or Adjacent to the Caltrain Right of Way (deferred)

9.l. State and Federal Legislative Update and Approval of Legislative Proposal: Support SB 925 (Wiener)

Chair Davis requested clarification on Item 9.k., Adopt Policy Regarding Trees on or Adjacent to the Caltrain Right of Way. She asked about a way to subsidize full tree removals from the right of way. Legal Counsel Harrison clarified that there are two elements in policy: Draft indicated \$250 incentive and discretion to allow subsidizing the removal of a tree on a joining property when necessary to preserve public safety. In addition, the TOPS (Technology, Operations, Planning, and Safety) Committee questioned the sufficiency of the incentive. The incentive was then adjusted to a range from \$250 to \$1,000 depending on type and health of tree being removed. Chair Davis removed item 9.k from the Consent Calendar for discussion and consideration at a future Board meeting.

Motion (excluded Item 9.k.)/Second: Medina/Burt

Ayes: Abe-Koga, Burt, Gee, Medina, Zmuda, Heminger, Davis

Noes: None

Absent: Mueller, Walton

10. Appointment of the Citizens Advisory Committee Alternate for San Francisco County

Vice Chair Heminger reported on a recent San Francisco CAC Alternate Representative vacancy, and the San Francisco County Board Members recommended Peter Wickman to a term expiring on June 30, 2026.

Motion/Second: Heminger/Zmuda

Ayes: Abe-Koga, Burt, Gee, Medina, Zmuda, Heminger, Davis

Noes: None

Absent: Mueller, Walton

11. Naming Rights Policy: 11.a. Adopt Amended Naming Rights Policy Approved by Resolution 24-50 and 11.b. Name EMU Train In Recognition of Extraordinary Contribution to Caltrain by: (i) Rep. Anna Eshoo and (ii) Speaker Emerita Nancy Pelosi and Rep. Jackie Speier Upon Announcement of Their Retirements were taken together.

Casey Fromson, Chief of Staff, provided the presentations, which included the following:

- Suggested policy updates to include a commemorative process, consistency with Caltrain mission and if a station is involved, there would be no interference with any navigation process
- May commemorate an individual based on significant achievements at the local, state, or national level, including contribution to the success of Caltrain and the announcement of their retirement or they have retired
- Leaders were chosen based on the direction of the Board, they have been members of the Congressional delegation, which are each positions of great influence and importance on the corridor, and their connection to the electrification project

Public comments

Aleta Dupree, Team Folds, expressed support for the three members of Congress being recognized and requested to exercise due care when naming.

Barbara Kilpatrick commented whether the naming policy can include sports teams.

Director Abe-Koga commented on laying out some of the criteria and supported naming the three members of Congress that have been extraordinary.

Motion/Second (11.a. Adopt Amended Naming Rights Policy): Gee/Abe-Koga

Ayes: Abe-Koga, Burt, Gee, Medina, Zmuda, Heminger, Davis

Noes: None

Absent: Mueller, Walton

Motion (11.b. Name EMU Train In Recognition of Extraordinary Contribution to Caltrain by:

(i) Rep. Anna Eshoo and (ii) Speaker Emerita Nancy Pelosi and Rep. Jackie Speier Upon Announcement of Their Retirements)/Second: Abe-Koga/Burt

Ayes: Abe-Koga, Burt, Gee, Medina, Zmuda, Heminger, Davis

Noes: None

Absent: Mueller, Walton

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

Pranaya Shrestha, CalMOD (Caltrain Modernization) Chief Officer; Casey Fromson, Chief of Staff; and Keith McCoy, Project Director, Balfour Beatty Infrastructure, Inc (BBI), provided the presentation that included the following information:

- Project timeline is on schedule and budget and September 21st celebration event
- 14 train sets delivered and next to complete 1,000-mile burn-in on September 24th
- Project contingency and shared risk pool started with \$90 million with \$34.90 million remaining. Outstanding risks include impedance bonds cable theft, open traction power system. Focus on punch list closeout of items with final safety acceptance in September
- Contract amendment to include when the closeout items will be completed and financial considerations
- Electrified service plan benefits include traveling faster, more frequent services, and positive change in greenhouse emissions
- Updated service schedule shared with sister agencies and to be provided to the public soon
- Rollout of electric trains and combined with diesel trains in mid-August. Running an all-electric train service with new, more frequent service schedule on September 21st
- Quarterly public celebrations are being planned
- Successful power testing, punch list now at 95.4 percent complete, and As Built at 68 percent completed

Public comments

Jay Adams commented on the number of bathrooms available on electric trains and inquired how many total trainsets are in entire fleet.

Jeff Carter commented on the overcrowding after ball games and lack of bathroom and bike space on new trains.

Aleta Dupree, Team Folds, commented on the need to focus on impedance bonds.

Adrian Brandt commented on wheel flat spots, requested removal, and staff to work with Stadtler to determine root cause.

Adina Levin, Friends of Caltrain and Seamless Bay Area, supported soft and full launch of electric service, celebrate improved transfers, and helpful to have connections information

Doug DeLong commented on deficiency of bathroom facilities, especially during postgame situations, and the possibilities of using bombardier train sets with diesel as postgame special trains to address overcrowding issues.

Chair Davis questioned the total trainsets in fleet and staff confirmed there are 19 trainsets.

13. Reports

13.a. Report of the Citizens Advisory Committee - Brian Shaw, Chair, provided the report, which included the following:

- Fare recommendations for youth fares, suggested marketing improvements on promotional products, and received fare enforcement update
- Flat spots on electric train wheels and plan for repairing damaged EMUs (electric multiple units)
- Introduced a new committee member and reappointed two members
- Public comment: did not find the new alert system to be useful for occasional riders
- Concerns about improving access to the challenging stations, consider pedestrian tunnels for equitable access, received safety update and QR (quick response) suggestion; need for frequent tree inspections, especially before storm season, and disappointment with the Wi-Fi delay on the new EMUs
- Began discussions for a Measure Oversight Committee, a subcommittee was proposed to review the audit with initial meetings planned for September and final approval of audit

Executive Director Michelle Bouchard clarified that Wi-Fi will not be ready for the soft launch but will be available for the launch on September 21, 2024.

13.b. Report of the Chair - Chair Davis looks forward to the inaugural ride on electrified system and noted that the closed session was extended due to detailed improvements to the employee performance review process and an ad hoc committee was formed.

13.b.i. Proclamation in Appreciation for Dora Seamans - the Board Members expressed their appreciation, gratitude, and best wishes.

Public comment

Jeff Carter expressed appreciation of Ms. Seamans' work, such as handling Board operations and public records requests, and wished her the best in future endeavors.

Adina Levin expressed gratitude for her service, supporting public feedback, and Board operations.

Aleta Dupree, Team Folds, expressed appreciation and gratitude in how Ms. Seamans accepted and welcomed her to the meetings and accurately reflected her in the minutes.

Manolo Gonzalez, Santa Clara Valley Transportation Authority (VTA) Staff Liaison, thanked Ms. Seamans for her collaboration and getting many things done behind the scenes.

Ms. Seamans appreciated the comments and recognition, noted the great work being done by the Board, agency, and team, and expressed her gratitude.

Motion/Second: Gee/Davis

Ayes: Abe-Koga, Burt, Gee, Medina, Zmuda, Heminger, Davis

Noes: None

Absent: Mueller, Walton

13.c. Report of the Local Policy Maker Group (LPMG) - Chair Burt had nothing to report.

13.d. Report of the Transbay Joint Powers Authority (TJPA) - Chair Gee reported that the project was approved to enter into the engineering phase resulting in a \$3.4 billion commitment from the Federal Government and are working on the next steps for the local funding plan. He noted that the Board selected him to serve another year as Chair.

14. Correspondence – Available online.

15. Board Member Requests – There were none.

16. Date/Time of Next Regular Meeting: Thursday, September 5, 2024 at 9:00 am.

17. Adjourn – The meeting adjourned at 12:05 pm.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Steiner, Chief Financial Officer
Subject: **Acceptance Statement of Revenues and Expenses for the Period
Ending July 31, 2024**

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

Action

Staff proposes that the Board of Directors (Board) accepts and enters into the record the Statement of Revenues and Expenses, and supplemental information for the period ending July 31, 2024.

This staff report provides a brief discussion of significant items and trends in the attached Statement of Revenues and Expenses through July 31, 2024. The columns have been designed to provide an easy comparison of current year-to-date actuals to information for the year-to-date budget, including dollar and percentage variances.

Total Revenues:

As of July 31, 2024, total revenues were \$16.3 million compared to \$17.4 million in the adopted budget, resulting in an unfavorable variance of \$1.1 million (6.6 percent).

The unfavorable revenue variance was primarily driven by the following:

- Low Carbon Fuel Standard (LCFS), Low Carbon Transit Operations Program (LCTOP),
- and State Rail Assistance (SRA) grants have not been awarded, resulting in unfavorable revenue of \$1.1 million (100 percent).

Total Expenses:

As of July 31, 2024, total expenses were \$15.7 million compared to \$16.8 million in the adopted budget, resulting in a favorable variance of \$1.0 million (6.4 percent).

The favorable expense variance was primarily driven by the following:

- Professional Services Expenses were \$0.02 million compared to \$1.2 million in the adopted budget, resulting in a favorable variance of \$1.0 million (98.3 percent).

The favorable expense Variance was also offset by unfavorable expenses, primarily driven by the following:


- Claims, Payments, and Reserves were \$1.2 million compared to \$0.1 million in the adopted budget, resulting in an unfavorable variance of \$1.0 million (971.5 percent).


Other Information: The Agency accounts for revenue and expense on a modified cash basis (only material revenues and expenses are accrued) on the monthly financial statement. As such, the variance between the current year actual and the budget may show noticeable variances due to the timing of expenses.

Budget Impact

Acceptance of the July 2024 Statement of Revenues and Expenses has no budget impact.

Prepared By:	Li Saunders	Accountant II	650.622.7848
	Danny Susantin	Financial Reporting, Manager	650.622.8073

	PENINSULA CORRIDOR JOINT POWERS BOARD				
	STATEMENT OF REVENUE AND EXPENSE				
	FISCAL YEAR 2025 AS OF JULY 2024				
					(In Thousands)
	YEAR-TO-DATE JULY TO JULY				ANNUAL
	BUDGET	ACTUAL	\$ VARIANCE	% VARIANCE	BUDGET
REVENUE					
OPERATIONS:					
Caltrain Fares	3,295	3,253	(42)	(1.3%)	35,923
Go Pass	1,537	1,274	(263)	(17.1%)	18,440
Parking Revenue	265	215	(50)	(18.9%)	2,218
Rental Income	88	136	48	54.8%	1,057
Other Income	502	811	310	61.8%	6,019
TOTAL OPERATING REVENUE	5,686	5,689	3	0.1%	63,658
CONTRIBUTIONS:					
Operating Grants	891	891	-	0.0%	10,688
Measure RR	9,672	9,713	41	0.4%	120,100
Member Agency (VTA - Gilroy)	43	-	(43)	(100.0%)	517
LCFS, LCTOP/SRA	1,147	-	(1,147)	(100.0%)	13,765
TOTAL CONTRIBUTED REVENUE	11,753	10,604	(1,149)	(9.8%)	145,070
GRAND TOTAL REVENUE	17,439	16,293	(1,146)	(6.6%)	208,728

	PENINSULA CORRIDOR JOINT POWERS BOARD				
	STATEMENT OF REVENUE AND EXPENSE				
	FISCAL YEAR 2025 AS OF JULY 2024				
	YEAR-TO-DATE JULY TO JULY				ANNUAL
	BUDGET	ACTUAL	\$ VARIANCE	% VARIANCE	BUDGET
EXPENSE					
DIRECT EXPENSE:					
Rail Operator Service	8,464	8,464	-	0.0%	105,902
OCS/TPS Maintenance	-	-	-	0.0%	25,000
Security Services	113	623	(510)	(449.4%)	8,572
Shuttle Services	7	6	1	13.2%	80
Fuel and Lubricants*	422	664	(241)	(57.1%)	5,069
Electricity	-	-	-	0.0%	19,495
Timetables and Tickets	8	-	8	100.0%	95
Insurance	938	835	103	11.0%	11,253
Claims, Payments, and Reserves	110	1,179	(1,069)	(971.5%)	1,320
Facilities and Equipment Maintenance	748	448	300	40.1%	9,000
Utilities	226	150	76	33.5%	2,709
Maint & Services-Bldg & Other	149	157	(8)	(5.1%)	1,789
TOTAL DIRECT EXPENSE	11,184	12,524	(1,340)	(12.0%)	190,282
ADMINISTRATIVE EXPENSE					
Wages and Benefits	2,936	2,544	392	13.3%	20,979
Managing Agency Admin OH Cost	295	266	29	9.8%	3,565
Board of Directors	5	1	4	85.3%	63
Professional Services	1,239	22	1,218	98.3%	10,874
Communications and Marketing	33	25	8	23.8%	394
Other Expenses and Services	420	118	302	71.9%	4,217
TOTAL ADMINISTRATIVE EXPENSE	4,928	2,976	1,952	39.6%	40,092
TOTAL OPERATING EXPENSE	16,113	15,500	612	3.8%	230,375
Debt Service Expense	647	184	463	71.6%	7,763
GRAND TOTAL EXPENSE	16,760	15,684	1,076	6.4%	238,138
Projected Contribution to Reserve					6,812
NET SURPLUS / (DEFICIT)	680	609	(71)	(10.4%)	(36,222)
Draw from Measure RR Reserve for PCEP					36,222
ADJUSTED NET SURPLUS / (DEFICIT)	680	609	(71)	(10.4%)	-
Reserve, Beginning Balance					28,908
Projected Contribution to Reserve					6,812
Reserve, Ending Balance					35,721

* Fuel and Lubricants costs were increased by a realized loss of \$0.3 from the fuel hedge program.



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 JULY 31, 2024

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (LAIF) (Unrestricted)	*	Liquid Cash	4.516%	384,089	384,089
California Asset Management Program (CAMP) (Unrestricted)		Liquid Cash	5.430%	43,158,015	43,158,015
County Pool (Unrestricted)		Liquid Cash	3.927%	596,298	596,298
Other (Unrestricted)		Liquid Cash	5.218%	37,750,990	37,750,990
Other (Restricted)	**	Liquid Cash	5.007%	29,272,429	29,272,429
				\$ 111,161,821	\$ 111,161,821
Interest Earnings for July 2024		\$	654,139.19		
Cumulative Earnings FY2025			654,139.19		

* 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					FY2025												
REVENUE	FY2020	FY2021	FY2022	FY2023	FY2024	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	FY2025 Total YTD
OPERATIONS:																		
401400 (TVM)	11,165,620	2,458,837	6,836,440	6,838,317	6,006,360	824,681												824,681
401410 (Clipper)	37,970,696	2,924,987	7,764,755	15,493,238	19,598,536	1,910,373												1,910,373
401420 (Central)	20,799	309,748	39,911	58,267	45,851	509												509
401430 (Mobile App)	5,689,776	830,051	2,808,795	3,501,791	3,826,334	430,855												430,855
401500 (Gilroy)	1,542,171	178,759	449,281	706,203	832,636	86,229												86,229
401700 (Go-Pass)	19,705,372	25,737,533	15,337,175	16,728,021	16,464,306	1,273,621												1,273,621
Total Farebox Revenue	76,094,433	32,439,915	33,236,357	43,325,839	46,774,023	4,526,269												-
Less: Go-Pass																		
401700 (Go-Pass)	19,705,372	25,737,533	15,337,175	16,728,021	16,464,306	1,273,621	-	-	-	-	-	-	-	-	-	-	-	1,273,621
Revenues without Go-Pass	56,389,061	6,702,382	17,899,182	26,597,817	30,309,717	3,252,648	-	-	-	-	-	-	-	-	-	-	-	3,252,648
Tickets Sold						Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Total
TVM	1,465,876	315,378	755,674	802,158	749,504	74,559												74,559
Clipper	2,620,816	339,753	1,227,757	1,975,206	2,495,108	238,149												238,149
Central	5,044	-	4,032	6,440	5,013	30												30
Mobile	661,515	111,394	381,441	428,741	477,212	47,850												47,850
# of tickets sold (without go-pass)	4,753,251	766,525	2,368,904	3,212,545	3,726,837	360,588	-	-	-	-	-	-	-	-	-	-	-	360,588
AVG Revenue Per Ticket						Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Total
TVM	\$ 9.05	\$ 7.80	\$ 9.05	\$ 8.52	\$ 8.01	\$ 11.06												\$ 11.06
Clipper	\$ 6.32	\$ 8.61	\$ 6.32	\$ 7.84	\$ 8.63	\$ 8.02												\$ 8.02
Central	\$ 9.90	\$ -	\$ 9.90	\$ 9.05	\$ 10.79	\$ 16.98												\$ 16.98
Mobile	\$ 7.36	\$ 7.45	\$ 7.36	\$ 8.17	\$ 7.53	\$ 9.00												\$ 9.00
Total	\$ 11.86	\$ 8.74	\$ 7.56	\$ 8.28	\$ 8.13	\$ 9.02	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 9.02

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Board of Directors
Through: Michelle Bouchard, Executive Director
From: Sam Sargent, Director, Strategy and Policy
Subject: **Disposition of 58 Gallery Cars and 18 Diesel Locomotives**

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

Purpose and Recommended Action

Peninsula Corridor Joint Powers Board (JPB) staff have identified 58 surplus gallery cars and 18 surplus diesel locomotives that have surpassed the end of their useful lives, in accordance with Federal Transit Administration (FTA) regulations and guidance. The new Stadler Electric Multiple Unit (EMU) trainsets purchased as part of the Peninsula Corridor Electrification Project (PCEP) will replace the surplus gallery cars and diesel locomotives when electrified revenue service begins in late September 2024.

Staff recommends, with the requisite approval from the Director of Contracts and Procurement, that the Board of Directors (Board) of the JPB authorize the Executive Director or designee to dispose of 58 surplus Nippon Sharyo gallery cars and 18 surplus General Motors-EMD F40PH-2 diesel locomotives, in accordance with JPB Procurement Policy.

Discussion

There are 93 gallery cars and 20 F40PH-2 diesel locomotives total in the Caltrain fleet that will be retired as a result of the completion of PCEP. These vehicles were built between 1985 and 1987 and have reached the end of their useful lives. 34 gallery cars and 2 diesel locomotives were previously disposed of via JPB action in January 2024. That equipment is currently stored in Sonoma County before final disposition.

The 58 gallery cars and 18 diesel locomotives that are the focus of this action represent the second and final tranche of vehicles to be disposed of as part of PCEP. This equipment is currently in revenue service but will be removed from service on Sunday, September 22 as part of the start of electrified mainline service. Nine diesel locomotives and 41 Bombardier passenger cars will remain in revenue service for Gilroy operations and fleet resiliency purposes.

If the proposed disposition is approved by the Board, staff will proceed with a procurement process to dispose of all 92 gallery cars. The 20 diesel locomotives may be disposed of

separately, as this equipment must be disabled in accordance with Carl Moyer Grant Program requirements without a waiver.

JPB Procurement Policy provides four methods of disposition for surplus or scrap items: (1) transfer or sale to other public agencies; (2) trade-in as part of a new procurement; (3) sale by auction, advertisement for sealed Bids, or negotiation; and (4) where appropriate, proper recycling, disposal, or donation to a non-profit entity. The Director of Contracts and Procurement, working closely with JPB Executive staff and members of the Finance, Legal and Rail Operations teams, are determining the best procurement method(s) for final disposal of the equipment.

The 58 gallery cars and 18 diesel locomotives will be removed from the Caltrain fleet roster on Sunday, September 22. Caltrain staff will continue to provide updates to the Board as the procurement processes progress.

Budget Impact

The current costs for transport and offsite storage of the surplus gallery cars and locomotives are covered through the FY24 and FY25 operating budgets. No additional budget impacts are anticipated and revenue from the disposition of the gallery cars and locomotives may offset costs.

Prepared By:	Kevin Yin	Director, Contracts and Procurement	650.622.7860
	Sam Sargent	Director, Strategy and Policy	650.730.6223

Resolution No. 2024 -

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

* * *

**A Resolution Authorizing the Disposition of Fifty-Eight Nippon Sharyo Gallery Cars and
Eighteen General Motors-EMD F40 Diesel Locomotives**

Whereas, fifty-eight Nippon Sharyo passenger gallery cars (“Gallery Cars”) have surpassed the end of their useful life and are due for replacement in accordance with Federal Transit Administration (FTA) transit asset disposition guidance; and

Whereas, eighteen General Motors-EMD F40 diesel locomotives (“Locomotives”) have surpassed the end of their useful life and are due for replacement in accordance with Federal Transit Administration (FTA) transit asset disposition guidance; and

Whereas, the Peninsula Corridor Joint Powers Board (“JPB”) will complete the Peninsula Corridor Electrification Project and replace the Gallery Cars and Locomotives with Stadler Electric Multiple Unit (“EMU”) trainsets for mainline revenue service in 2024; and

Whereas, JPB staff recommends that the Board of Directors authorize disposal of the remaining Gallery Cars and Locomotives not identified for Gilroy Service or spare ratio purposes once the EMU trainsets are delivered and placed in mainline revenue service.

Now, Therefore, Be It Resolved that the Board of Directors approves the resolution and authorizes the Executive Director or designee to dispose of fifty-eight Nippon Sharyo passenger gallery cars and eighteen General Motors-EMD F40 diesel locomotives in accordance with the District’s Procurement Policy.

Regularly passed and adopted this 5th day of September, 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: JPB Board of Directors
Through: Michelle Bouchard, Executive Director
From: David Covarrubias, Deputy Chief Financial Officer
Subject: **Authorize Execution of Contracts and Amendments for Information Technology Hardware, Software, Licenses, Maintenance Services and Professional Services, and Technology-Related Products and Services, Through Piggyback Contracts and Cooperative Purchasing Programs**

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

Purpose and Recommended Action

Approval of this contracting authority will allow the Peninsula Corridor Joint Powers Board (JPB) to pay for information technology hardware, software, licenses, maintenance and support in an amount greater than the approved threshold without bringing individual actions before the Board of Directors (Board) for approval. This delegation would not eliminate the requirement that all other procurement policies and procedures be followed.

Staff proposes the Finance Committee recommend that the Board of the JPB:

1. Determines that an independent JPB-initiated solicitation process for each purchase, lease and/or rental of new personal computers, computer and telecommunications equipment and services, digital reprographic equipment, hardware, software, licensing and maintenance agreements, computer peripherals and temporary technology consultants is unlikely to be in the JPB's best interest.
2. Authorizes the Executive Director or designee to execute contracts exceeding \$250,000 for:
 - a. Technology systems equipment and related services through JPB-approved cooperative purchasing programs and piggyback contracts to meet the JPB's technology equipment and services requirements, pursuant to the terms and conditions of each cooperative purchasing program vendor agreement or piggyback agreement, and to the extent that each cooperative purchasing program, each vendor agreement, and each piggyback contract fully complies with the JPB's statutory procurement authority and procurement policy;
 - b. New or additional software licenses or license renewals, maintenance, product support, or related professional services through original equipment

manufacturers, product licensors, or their authorized distributors or consultants to permit continued effective use and upkeep of JPB-owned information technology, hardware, and software;

- c. Professional and staff augmentation services for information technology, pursuant to the JPB's procurement authority and policy; and
 - d. Expansion or modification of previously competitively procured proprietary software from an original provider when the original provider is the only source of such software and/or related services.
3. Authorizes the Executive Director or designee to execute contracts that commit the JPB to multi-year service terms that exceed one fiscal year's allocated budget, with the understanding that each subsequent service year will be accounted for in the following fiscal year resolution's requested budget.
 4. Authorizes the Executive Director or designee to execute purchase orders, contracts, and other documents and actions to give effect to this proposed Resolution, including any agreements with other agencies' cooperative purchasing programs and piggyback purchasing for administrative fees for processing these purchases.
 5. Establishes an aggregate, not-to-exceed limit of \$3 million for Fiscal Year 2025 for contracts authorized pursuant to this proposed Resolution.
 6. Directs staff to provide a report to the Board of Directors on a quarterly basis advising of actions taken pursuant to the authority conferred by this proposed Resolution.

Discussion

The JPB has an ongoing need to refresh technology that supports all business operations. Some of the required equipment include:

- personal computers
- telecommunications equipment
- digital reprographic equipment
- computer peripherals
- server and network hardware
- software
- maintenance and support services
- installation and configuration services
- temporary technology consultants
- other related technology services

Recurring maintenance, support, and license agreements are, by their nature, repetitive and routine, and are required to ensure the continued and effective operation of information technology assets owned by the JPB. The sole source purchase of additional modules to

existing software or professional services to modify existing proprietary software will allow the JPB's changing business needs to be met in a timely manner.

Pursuant to the Procurement Policy adopted by the Board in 2023 (Resolution No. 2023-37), the Board must approve any purchase of goods and services exceeding \$250,000. Since 2010, the Board has granted the Executive Director authority to execute technology-related contracts and amendments that exceed this standard Board-approved contract authority threshold. Beginning in Fiscal Year (FY) 2024, the Board approved, via one resolution, both recurring contracts and cooperative agreements.

Delegating this authority expedites the JPB's ability to continue needed operations and services in the management of Caltrain and reduces the time and resources otherwise required to obtain individual approval of such support and license agreements.

Further, this authority provides the JPB with a cost-effective means to support its standardization policy and provide the latest technology and related services through cooperative purchasing programs and piggybacks. Contracts issued under this authority address the JPB's requirements for equipment, hardware, software, services, licensing, maintenance agreements, and programmed replacement of equipment that has reached the end of its useful life or has become unsuited to address the JPB's future needs.

On an annual basis, the equipment purchases and service contracts must be renewed. These renewals are usually routine and predictable, and generally were competitively procured previously. Software and hardware are typically sold with licenses and maintenance agreements that require periodic renewal. Failing to renew maintenance support results in loss of software updates, and problems obtaining resolution assistance and repair services typically needed to keep a product in good operating order. In some cases, the product may not be legally used if maintenance and license renewals have not been obtained.

The types of licensing and maintenance agreements contemplated are generally unobtainable under any other method because they are proprietary to the manufacturers of the software. Similarly, many manufacturers do not allow third parties to access source code or to provide services. As a result, professional services to upgrade, modify, or add to existing software must be performed by the original manufacturer.

Procurements relating to JPB assets requiring payment of recurring annual or multi-year maintenance services, support, and license fees over \$250,000 may need to be accommodated in FY 2025, outside of cooperative purchase agreements or other pre-existing contracts.

Contracts issued by governmental entities that allow other jurisdictions to use the contract they established are called "piggybacking contracts" because they allow another agency to "piggyback" on that governmental entity's solicitation process, contract terms and pricing. Contracts will be executed only with vendors whose contracts include piggybacking language on a basis that complies with the JPB's procurement authority and policy.

Various cooperative purchasing programs and piggyback purchasing are available to provide these products and services. Special districts (and joint powers authorities operating under their contracting restrictions) are given statutory permission to procure competitively priced goods and services arising out of these vendor agreements. The Federal government's General Services Administration (GSA) Schedules (also referred to as Multiple Award Schedules and Federal Supply Schedules) may also be utilized. By utilizing cooperative purchasing and piggyback contracts, the JPB saves considerable time and expense associated with independent procurements, which would be unlikely to yield more favorable pricing or service. The JPB, when possible, will use cooperative agreements or piggyback on contracts negotiated by other agencies. The use of these vehicles guarantees that the JPB will get the best pricing for the technologies they cover.

By approving this action, the Board would eliminate the need for issuance of contracts for new and recurring maintenance and continued operation of assets like these would need to be brought individually before the Board for approval.

The Executive Director or designee will provide a quarterly report to the Board with a summary of the contracts awarded under this delegated authority.

Budget Impact

These purchases will be funded by the current and future operating and/or capital budgets.

Prepared By:	Javier Peraza	Procurement Administrator III	650.508.7758
	Michael Salazar	IT Operations Manager	650.551.6196

Resolution No. 2024-

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

* * *

Authorizing Execution of Contracts and Amendments for Information Technology Hardware, Software, Licenses, Maintenance Services and Professional Services, and Technology-Related Products and Services Through Piggyback Contracts and Cooperative Purchasing Programs for an Aggregate Not-to-Exceed Amount of \$3 Million for Fiscal Year 2025

Whereas, the Peninsula Corridor Joint Powers Board (JPB) will require personal computers, computer peripherals, telecommunications equipment, reprographic equipment, servers, switches, maintenance agreements, software licensing, continuing product support and licenses, technology consulting, and other related services throughout Fiscal Year (FY) 2025 in order to replace equipment that has reached the end of its useful life and to meet the JPB's current and emerging technology needs; and

Whereas, the JPB desires to standardize procurement of the aforementioned equipment and services in the most cost-effective manner; and

Whereas, piggybacking on other agencies' procurements, as well as participating in cooperative purchasing consortia, allows the JPB to procure competitively priced technology systems equipment and related services; and

Whereas, the JPB's software license, maintenance, and support agreements for the information technology assets in use are, by their nature, repetitive and routine; and

Whereas, the JPB requires professional services necessary to expand or modify previously competitively procured proprietary software when an original provider is the only source of such services; and

Whereas, the JPB also requires Information Technology (IT) staff augmentation services to support IT specific projects; and

Whereas, the Executive Director recommends that the JPB participate in the above-mentioned programs, as well as additional cooperative purchasing programs and piggyback purchasing, to the extent such programs fully comply with the JPB's procurement authority and policy; and

Whereas, staff recommends that the Executive Director or designee be authorized to execute contracts that exceed \$250,000 with vendors under JPB-approved cooperative purchasing programs and piggyback purchasing to meet the JPB's personal computer/server, telecommunications, and other related technology equipment and professional service requirements for FY 2025, pursuant to the terms and conditions of each cooperative purchasing program's vendor agreements or piggyback agreement; and

Whereas, staff further recommends that the Executive Director or designee be authorized to execute contracts that exceed \$250,000 with original equipment manufacturers, product licensors, their authorized distributors and consultants, and IT professional services and staff augmentation to meet the JPB's technology requirements for FY 2025, pursuant to the JPB's statutory procurement authority and procurement policy; and

Whereas, finally, staff recommends capping the purchasing authority established by this Resolution at an aggregate, not-to-exceed amount of \$3 million for FY 2025.

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

1. Determines that an independent JPB-initiated solicitation process for each purchase, lease and/or rental of new personal computers, computer and telecommunications equipment and services, digital reprographic equipment, hardware, software, licensing and maintenance agreements, computer peripherals, and temporary technology consultants is unlikely to be in the JPB's best interest; and
2. Authorizes the Executive Director or designee to execute contracts exceeding \$250,000 for:
 - a. Technology systems equipment and related services through JPB-approved cooperative purchasing programs and piggyback contracts to meet the JPB's technology equipment and services requirements, pursuant to the terms and conditions of each cooperative purchasing program vendor agreement or piggyback agreement, and to the extent that each cooperative purchasing program, each vendor agreement, and each piggyback contract fully complies with the JPB's statutory procurement authority and procurement policy;
 - b. New or additional software licenses or license renewals, maintenance, product support, or related professional services through original equipment manufacturers, product licensors, or their authorized distributors or consultants to permit continued effective use and upkeep of JPB-owned information technology, hardware, and software;

- c. Professional and staff augmentation services for information technology, pursuant to the JPB's procurement authority and policy; and
 - d. Expansion or modification of previously competitively procured proprietary software from an original provider when the original provider is the only source of such software and/or related services; and
3. Authorizes the Executive Director or designee to execute contracts that commit the JPB to multi-year service terms that exceed one fiscal year's allocated budget, with the understanding that each subsequent service year will be accounted for in the following fiscal year resolution's requested budget; and
 4. Authorizes the Executive Director or designee to execute purchase orders, contracts, and other documents and actions to give effect to this resolution, including any agreements with other agencies' cooperative purchasing programs and piggyback purchasing for administrative fees for processing these purchases; and
 5. Establishes an aggregate, not-to-exceed limit of \$3 million for Fiscal Year 2025 for contracts authorized pursuant to this Resolution; and
 6. Directs staff to provide a report to the Board of Directors on a quarterly basis advising of actions taken pursuant to the authority conferred by this Resolution.

Regularly passed and adopted this 5th day of September, 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: JPB Board of Directors
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Chief, Caltrain Planning
Subject: **Adopt Updated Caltrain Station Access Policy**

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 Joint Powers Board (JPB) adopt the updated Caltrain Station Access Policy as shown in Attachment 1.

This staff report provides an overview of the attached Caltrain Station Access Policy Update and the development process.

Discussion

In May of 2010, the Peninsula Corridor Joint Powers Board adopted the *Caltrain Comprehensive Access Program Policy Statement (Access Policy Statement)*, which outlined the purpose and context for the document as a first step towards a more complete policy with next steps being:

- Strategic Plan
- Capital Improvement Program
- Monitoring Program

It established guiding principles and System-wide Access Priorities by mode. It also created a station typology categorization framework that is based on current primary access mode, density/dominant land-use, and Caltrain service level. The Access Policy Statement prescribes mode-shift priorities for future access improvements for each of these station typologies. The document also calls out examples of access strategies for each mode.

The Access Policy Statement has not been updated, and much has changed in the realm of transportation planning in almost 14 years. Caltrain’s need for access improvements remains. The purpose of the updated Station Access Policy is to provide Board direction and policy guidance for Caltrain staff and transparency for external partners to ensure access-related decisions and investments are aligned with Caltrain’s overall mission, vision, and core values. The update is also needed to align the Station Access Policy with other Caltrain policies adopted

since 2010, such as the Rail Corridor Use Policy (RCUP) and Caltrain's Transit-Oriented Development Policy both adopted in 2020.

Caltrain staff began the effort to update the Station Access Policy in October 2023 by conducting preliminary interviews with Caltrain staff to understand how an updated policy could help meet current needs and its relevance to other Caltrain initiatives. Staff also conducted interviews with several transit agency partners to provide context and discuss use cases for the updated Station Access Policy.

Findings from interviews and case studies, a review of Caltrain's current policies, existing conditions analysis, and input from internal stakeholders informed the Station Access Policy. We shared the goals and objectives throughout April with Caltrain committees and community groups for feedback, including Caltrain's Citizens Advisory Committee, the city/county staff coordinating group, a subcommittee of the Bicycle and Active Transportation Advisory Committee, the Local Policy Makers Group, Friends of Caltrain, and the San Francisco and Silicon Valley Bicycle Coalitions.

The attached Station Access Policy emphasizes Caltrain's vision of connecting communities, contributing to the region's economic vitality, and ensuring a world-class travel experience. The policy establishes Caltrain's priorities and goals to improve station access and is intended to be used and referenced by internal staff as well as agency partners and the surrounding communities. There are six goals with specific objectives to improve safety, customer experience, ridership growth, equity, sustainability, and partnerships. The policy also includes an access hierarchy that is an aspirational framework to guide station area planning and investment decisions. Finally, the policy document includes an implementation plan, that will support the application of the Station Access Policy. The full execution of the implementation plan will be contingent upon the availability of future funding. The policy is supported by an appendix that is included in Attachment 2 with a Station Access Toolkit that is a list of example action to help inform decision making when identifying possible access improvements. The appendix also includes a user manual that outlines how the policy may be used. Staff recommends that the Board adopt the Station Access Policy in Attachment 1.

Budget Impact

The Station Access Policy has no direct impact on the budget. The implementation plan will require funding, but staff is not seeking board approval for the implementation costs at this time.

Prepared By:	David Pape	Manager, Policy and Programming	650-418-6025
	Hannah Greenberg	Planner	650-647-3495

Resolution No. 2024-

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

* * *

Adopting the 2024 Update of the Caltrain Station Access Policy

Whereas, the Peninsula Corridor Joint Powers Board adopted the Caltrain Comprehensive Access Program Policy Statement in May of 2010 to improve station access and support ridership growth while prioritizing sustainable and cost-effective access modes; and

Whereas, an update to this policy is necessary to support decision making on access-related projects, align the policy with ongoing Caltrain and regional initiatives since 2010, and incorporate the latest industry best practices for access-related projects; and

Whereas, the work to update the Station Access Policy was informed by a review of Caltrain's current policies, an existing conditions analysis, case studies, and input from Caltrain staff and committee members;

Whereas, the Station Access Policy emphasizes Caltrain's vision of connecting communities, contributing to the region's economic vitality, and ensures a world-class travel experience;

Whereas, the Station Access Policy defines access as how individuals get to and from Caltrain stations;

Whereas, the Station Access Policy is a public statement on Caltrain's priorities and goals to improve station access;

Whereas, there are six goals in the Station Access Policy on safety, customer experience, ridership growth, equity, sustainability, and partnerships;

Whereas, the Station Access Policy includes an access hierarchy that is an aspirational framework to help guide station area planning and investment decisions;

Whereas, the Station Access Policy includes next steps that will support the application of the Station Access Policy, but the full execution of the next steps will be contingent upon the availability of future funding; and

Whereas, the updated Station Access Policy will be used as a tool in future and ongoing work adjacent to Caltrain stations across the corridor to improve how people get to and from Caltrain stations.

Now, Therefore, Be It Resolved; the Peninsula Corridor Joint Powers Board adopts the 2024 update of the Caltrain Station Access Policy.

Regularly passed and adopted this 5th day of September, 2024 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary



CALTRAIN STATION ACCESS POLICY

2024 UPDATE
Adopted DATE



Purpose

Caltrain is a customer-focused rail system. Our mission is to offer safe, reliable, accessible, and sustainable transportation service that enhances quality of life for all.

The Caltrain Station Access Policy supports Caltrain's vision of being a vital link in the regional and statewide rail network by improving connectivity to communities and 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.

The Station Access Policy focuses on enhancing access for existing customers and expanding access to new customers to support ridership growth and the railroad's fiscal health, as well as supporting access improvements necessary as part of Caltrain's electrification and modernization program.

This Station Access Policy provides a tool for both Caltrain staff and external partners to use in making access-related decisions and prioritizing investments that align with Caltrain's overall mission, vision, and core values.

Defining Access

Caltrain serves a diverse range of individuals and community types that have varying access needs. Individuals use a number of modes of transport to complete their journey to and from Caltrain stations: they walk, use a mobility device, ride a bicycle, use shared micromobility (e.g. bike share and scooter share), drive, are dropped off, take a bus or train operated by another agency, or in many cases combine various modes of transport.

Motivations for travel vary and are constantly evolving in response to commute patterns, jobs and housing trends, and desires for connectivity to major attractions and activity centers throughout the region. It is critical to meet a wide range of access needs and support all individual's access journey regardless of the motivation for travel.

Caltrain's Station Access Policy emphasizes:

- Safe, universally accessible, well-maintained, and seamless connections to Caltrain stations.
- Integration with the local station area and community context.
- Excellent customer experience for all individuals.



Intended Users of the Station Access Policy

Caltrain Riders and Community Members:

To collaborate with Caltrain to identify local and systemwide needs and define access priorities, including within equity-priority communities such as historically underserved low-income, minority, Limited-English proficient, riders with disabilities, and transit-dependent groups.



Caltrain Board and Staff:

To guide project identification, prioritization, and engagement with project stakeholders based on the Access Toolkit and User Manual.



Policy Makers and Regulatory Agencies:

To align local and regional plans and policies around Caltrain stations and properties with the Policy goals and objectives, detailed in the Goals and Objectives section.



Local and Regional Transportation Agencies:

To partner with Caltrain in the identification, funding, and delivery of access projects, including coordination and implementation of projects.



Local Jurisdictions:

To partner and coordinate with Caltrain in the identification, funding, and delivery of access projects when and where these projects fall outside of Caltrain's jurisdiction.



Developers, Contractors, and Third-Party Vendors:

To partner and support Caltrain in the funding, planning, design, construction, ongoing maintenance and performance evaluation of access improvements.



Goals & Objectives



Access Goal #1 Safe Routes To, From, and Through Stations

- **Operations:** Prioritize rider and maintenance investments to ensure safe and reliable train operations at Caltrain stations.
- **Connectivity:** Work with local jurisdictions to ensure safe and direct connections to, from, and through Caltrain stations and facilities.
- **Universal Design:** Incorporate Universal Design* principles to ensure safe access for all riders and respond to varying user needs.
- **Crime Prevention:** Embed Crime Prevention Through Environmental Design (CPTED) principles in design guidelines and criteria to ensure safe and secure access.



Access Goal #2 World-Class Customer Access Experience for All Users

- **Design Guidelines and Criteria:** Develop multimodal station design guidelines and criteria reflecting industry best practices that align with the Caltrain Access Hierarchy.
- **Project Delivery:** Ensure access needs and improvements are reflected in planning, design, construction, and maintenance activities.
- **Technology:** Leverage technology both at stations and online to help riders easily navigate the Caltrain system.
- **Wayfinding:** Provide a unified wayfinding system that provides clear and intuitive directions to diverse customers, reinforces Caltrain's Access Hierarchy, and aligns with regional initiatives.

*Universal design facilitates station access, system equity, and ease of movement for all users, especially people using wheelchairs or mobility devices, the elderly, people with children and strollers, and people carrying groceries or packages (National Association of City Transportation Officials).



Access Goal #3

Ridership Growth through Strategic Access Investments

- **Transit-Oriented Development:** Promote transit-oriented development at all stations Caltrain serves and in the surrounding station areas, providing direct access to Caltrain for residents and workers.
- **Multimodal Programs:** Promote first/last mile access options through collaborations to expand bike lockers, bikeshare, private shuttles, and other micromobility options.
- **Transfer Guidelines:** Establish and implement facility design guidelines and criteria for direct and convenient travel paths when transferring between modes.
- **Seamless Transit:** Partner with connecting transit operators to minimize transfer times and provide seamless connections.
- **Maximize Value:** Explore creative use of facilities to support both operations and maintenance and customer access needs.



Access Goal #4

Equitable Access Aligned with Diverse Community Needs

- **Community Engagement:** Build relationships with communities, including equity-priority communities, to understand needs and define access priorities.
- **Access Prioritization:** Prioritize investments that improve access for equity-priority communities.
- **Expanded Choices:** Collaborate with jurisdictions and partner agencies to deliver first/last mile connections to Caltrain that are tailored to meet the needs of local riders.
- **Adaptable Solutions:** Ensure multimodal design guidelines and criteria are flexible and adaptable to different communities and local contexts.
- **Partnerships:** Engage in strategic partnerships to improve regional access to housing and jobs at Caltrain stations and in surrounding station areas.



Access Goal #5

Healthy and Sustainable Modes of Access

- **Land & Capital Management:** Leverage land and capital assets to encourage transit-oriented development around stations and minimize vehicle-miles traveled.
- **Climate Resilience:** Ensure station facilities can withstand and operate in current conditions and are resilient for future weather and climate conditions.
- **Mode Shift:** Prioritize multimodal investments to encourage mode shift from automobiles and parking to more sustainable options.
- **Parking Management:** Consider vehicle parking management strategies such as vehicle parking pricing to leverage parking assets and encourage mode shift that reduces single occupancy vehicle trips.



Access Goal #6

Strategic Partnerships to Advance Station Access

- **Collaboration:** Partner with local jurisdictions in station area planning efforts to incorporate multimodal, connected street networks aligned with transit-supportive land uses.
- **Coordination:** Define roles and responsibilities for Caltrain and its stakeholders to identify, plan, construct, and maintain access related projects.
- **Review Processes:** Establish protocol for involvement with local jurisdictions and private entities on development plans, leveraging the project planning and entitlement process to deliver access investments.
- **Partnerships:** Cultivate partnerships to explore cost-sharing, data-sharing, and grant funding opportunities with other agencies and jurisdictions.
- **Facility and Resource Use:** Align permitted uses and resources at Caltrain stations with access needs, balancing between multimodal access, maintenance, and community needs.

Access Hierarchy


Caltrain stations are accessed through a combination of several modes including, walking, mobility devices, biking, shared micromobility, transit, drop off/rideshare, or private vehicle and parking. Caltrain supports universal design across all modes to ensure that Caltrain's stations are accessible to everyone.


The Access Hierarchy is the systemwide aspirational framework to guide station area planning and investment decisions. The Access Hierarchy is intended to be used as a tool for decision making and weighing the tradeoffs of access investments to ensure sustainable modes are the highest priority. The Access Hierarchy emphasizes walking, biking/shared micromobility, and transit facilities as the highest priority when considering proposed access improvements.





Next Steps


The next steps support the application of the Station Access Policy.


- 1**  **Disseminate the Station Access Policy Internally and Externally**


Within Caltrain and to the general public, local jurisdictions, stakeholders, and other agencies.
- 2**  **Identify Metrics and Measure Success**


Establish metrics to measure the success of the Station Access Policy.
- 3**  **Update the Caltrain Design Guidelines and Criteria**


Ensure that station design guidelines and criteria reflect the Station Access Policy.
- 4**  **Develop a Parking and Curbside Management Strategy**

Establish methodology to determine parking needs and curb management at stations.
- 5**  **Develop a Station Access Database**

Consolidate available data on stations and local transportation network conditions.
- 6**  **Document the Process for Access Improvements**

Establish a procedure for internal and external collaboration throughout the project life cycle.
- 7**  **Conduct Station Needs Assessments**


Perform an inventory of existing conditions at stations (standalone stations or systemwide).
- 8**  **Complete Project Identification, Evaluation, and Prioritization**

Develop station area access improvement plans using strategies from the Station Access Toolkit.
- 9**  **Deliver Projects and Review the Policy**

Advance projects, measure impacts, and update the Station Access Policy as needed.

 Short-Term

 Mid-Term

 Long-Term





CALTRAIN STATION ACCESS POLICY

Appendix
2024 UPDATE



Appendix

Station Access Toolkit

The Station Access Toolkit provides examples of actions to inform decision making that users of the Station Access Policy may select from when identifying possible access improvements. The Access Toolkit actions are organized into five categories:

1. Customer Experience
2. Active Transportation
3. Transit and Shuttles
4. Private Vehicles and Parking
5. Partnerships

Category #1

Customer Experience

Toolkit Actions

Improve customer comfort through enhancements such as landscaping, lighting, weather protection, seating, local information, and other placemaking strategies at stations.

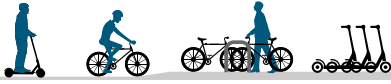
Improve ease of navigation to, from, and within stations, for example through intuitive design, clear sightlines, signage, translations of signage for Limited-English proficient communities, wayfinding for people with visual impairments, and other accessible wayfinding strategies.

Implement security improvements such as the application of Crime Prevention Through Environmental Design (CPTED) techniques, lighting, visibility enhancements, cameras, and other means to increase security presence.

Improve access to real-time arrival information at stations and through digital communications.

Category #2

Active Transportation



Toolkit Actions

Develop new or enhance existing pedestrian circulation areas (e.g. sidewalks, concourses, and plazas) within stations.

Ensure stations meet accessibility standards and work with stakeholders to apply universal design principles such as elevators, ramps, stairs, level boarding, and auditory and visual cues.

Coordinate with local jurisdictions to deliver local station area access improvements that meet universal design principles such as curb ramps, tactile and audio crossing cues, improved sidewalks, slower traffic speeds, shorter crossing distances, and increased crossing time.

Develop new or enhance existing bike and micromobility parking amenities, such as secure bike parking, bike share stations, scooter drop zones, and electric bike charging infrastructure.

Partner with local jurisdictions to encourage plans for low-stress active transportation facilities to Caltrain stations, such as traffic calming measures, crossing improvements, protected bike lanes, and curb extensions.

Work with local jurisdictions and project sponsors to ensure that grade separation projects adjacent to stations reflect multi-modal access needs.

Category #3

Transit and Shuttles



Toolkit Actions

Develop new or enhanced pick-up/drop-off facilities for transit and shuttles.

Work with transit agency partners to implement rail-to-rail and bus-to-rail opportunities that optimize transit stop placement, frequency, and routing for connecting transfer services.

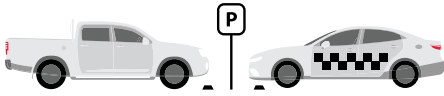
Coordinate schedules, station facility needs, and access to information with public and private transit operators to optimize transfers, including paratransit access, bus stops, waiting areas with shading and seating, and signage with real-time information.

Increase coordination with guaranteed ride home programs and other local micro-transit services to increase passenger awareness and usage.

Coordinate with local jurisdictions to deliver transit-priority improvements that improve transfer connectivity and travel times such as queue jumps, transit signal priority, and transit-only lanes.

Category #4

Private Vehicles and Parking



Toolkit Actions

Develop new or enhance delineated areas for rideshare passenger drop off and pickup.

Develop parking pricing to right-size parking to local market conditions and demand.

Implement parking management and enforcement practices such as paid parking, automated enforcement via license plate recognition, etc.

Identify stations where parking lots are underutilized and can be reduced and redeveloped into TOD and/or new access facilities (transit centers, bikeways, or bike parking, etc.).

Coordinate with other agencies, local jurisdictions, and/or adjacent property owners to consider sharing station parking.

Provide carshare facilities at stations.

Provide designated carpool/vanpool spaces at stations.

Category #5

Partnerships

Toolkit Actions

Explore fare incentive programs such as the GoPass and other partnerships that increase access to sustainable and affordable travel choices for equity-priority populations.

Strengthen relationships and membership in local Transportation Management Associations (TMAs) to promote Caltrain ridership and first/last mile access choices.

Coordinate with local institutions (e.g., colleges and healthcare campuses) to collect data and develop shuttle programs or other access projects that cater to these destinations.

Identify opportunities to support local parking cash out programs and other sustainable travel incentives.

Identify opportunities for public-private partnerships and other cost sharing agreements to deliver station area access improvements.

Formalize agreements, operating standards, and facility usage with third-party vendors that provide first/last mile access.

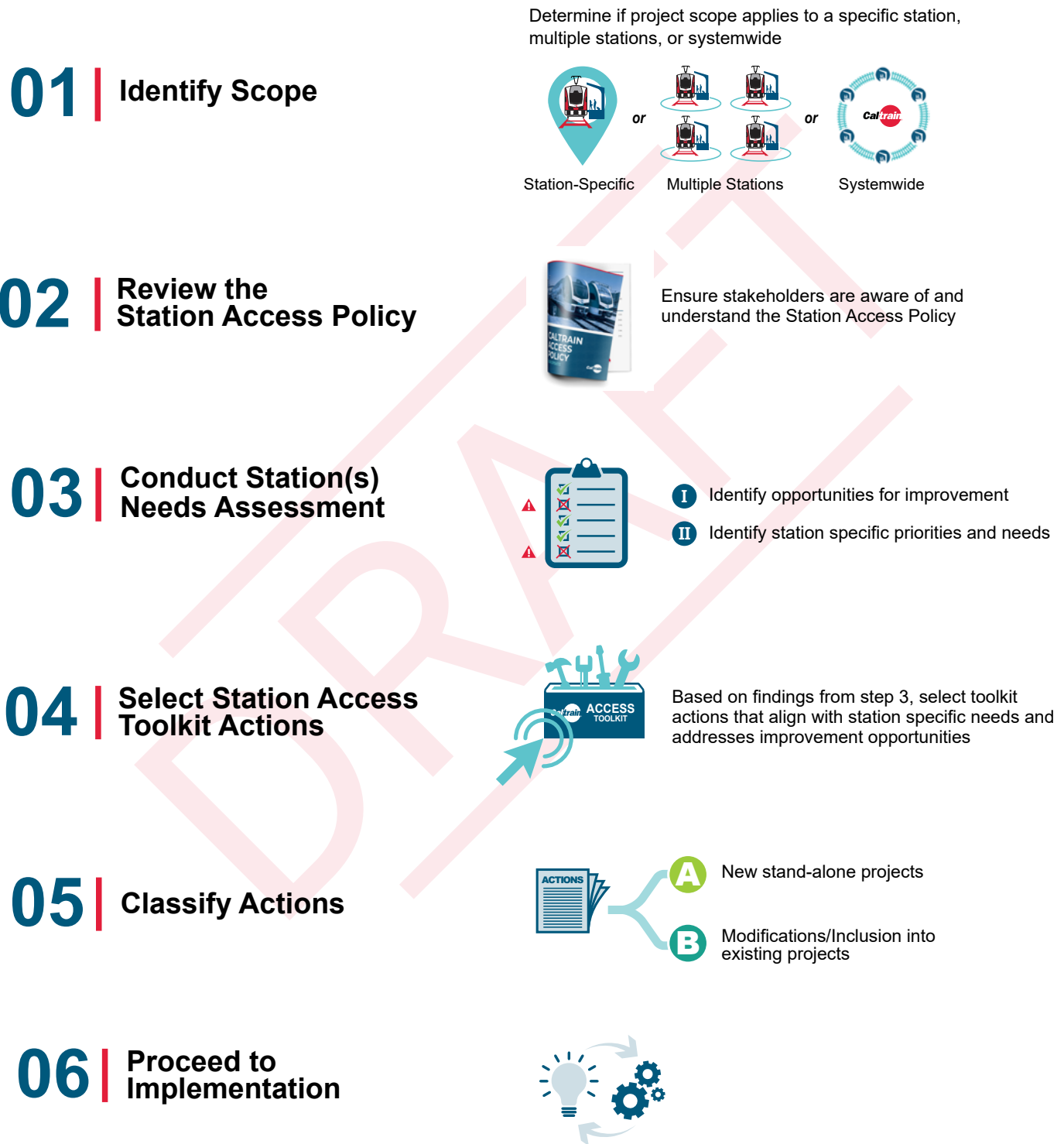
Partner with local jurisdictions to identify opportunities for placemaking and other station enhancements that promote community identity.

Collaborate with local communities, cycling advocacy groups and environmental groups to increase awareness of sustainable and affordable travel choices.

Formalize partnerships with advocacy groups, community-based organizations, and other non-governmental agencies to solicit community buy in and identify access priorities.

Applying the Station Access Policy

The six steps below outline how to use Caltrain's Station Access Policy to achieve the Goals and Objectives during the development of access-related projects.



List of Access Related Caltrain Policies and Programs

The following are adopted and ongoing Caltrain initiatives also relevant to access.

- Bicycle Parking Management Plan (2017)
- 2040 Service Vision (2019) and Business Plan (2020)
- Equity, Connectivity, and Growth Framework (2020)
- Rail Corridor Use Policy (2020)
- Transit-Oriented Development Policy (2020)
- Design Criteria (2024)
- ADA Transition Plan (Ongoing)
- Capital Improvement Plan Development Project (Ongoing)
- Corridor Crossings Strategy (Ongoing)
- Corridor Crossings Delivery Guide (Ongoing)
- At-Grade Crossings Safety Strategy (Ongoing)
- Level Boarding Roadmap (Ongoing)

DRAFT



**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Board of Directors
Through: Michelle Bouchard, Executive Director
From: Robert Barnard, Chief, Rail Design and Construction
Subject: **Authorize Increase in Contract Change Order Authority for Mini-high Platform Project**

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

Purpose and Recommended Action

The Peninsula Corridor Joint Powers Board (JPB) is currently constructing mini-high platforms at 13 stations along the corridor. Unforeseen conflicts with existing facilities, more complex access to the platforms at Belmont Station and Tamien Station for placing materials and equipment, a need to accelerate construction to provide these facilities prior to the start of electrified service, and other changes have required modifications to the planned work. These modifications are expected to cost an additional \$420,435, which is outside of the 10% contingency the Board of Directors (Board) authorized for this contract in January 2024, via Resolution No. 2024-09.

Staff recommends that the Board of Directors (Board) of the JPB authorize an increase in construction contract change order authority from \$352,438.20 to \$772,873.20 for an increase of \$420,435.

Discussion

On January 4, 2024, the JPB awarded contract 24-J-C-028 to Angotti & Reilly, Inc. for the construction of mini-high platforms at 13 stations and construction of wheel stops at the Hillsdale Station Parking Lot, with a total contract authority of \$3,876,820.20, including a base value of \$2,400,941, an option in the amount of \$1,123,441, and a 10% contingency of \$352,438.20.

Mini-high platforms improve service reliability by allowing passengers using wheelchairs to more efficiently board and alight the trains. These facilities eliminate the need for a time-consuming process that requires train operators to use a mechanical lift for this operation. This process delays the trains, impacting all passengers. The mini-high platforms provide easy access for patrons in wheelchairs to seamlessly board the trains.

During construction, staff became aware of unforeseen conflicts with existing facilities, more complex access to the platforms at Belmont Station and Tamien Station for placing materials and equipment, a need to accelerate construction to provide these facilities prior to the start of electrified service, and other changes that have required modifications to the planned work.

Staff obtained a preliminary cost proposal from Angotti & Reilly, in the amount of \$420,435, which exceeds the current authorized contract change order authority.

Budget Impact

In January 2024 the project budget was \$4,185,825 funded by the San Mateo County Transportation Authority (SMCTA), San Mateo County Transit District (SMCTD), Federal Transit Administration Section 5337, and Local Partnership Program (LPP) funds. In June 2024, the Board, via Resolution No. 2024-37, allocated \$2,432,318 in Transit Intercity Rail Capital Program (TIRCP) Reimbursed Bond Proceeds to fund the Option for installation of additional mini-high platforms at five stations in the Gilroy Service Area. In August 2024, the Board, via Resolution No. 2024-46, allocated \$578,000 in TIRCP Reimbursed Bond Proceeds to fund this contract change, increasing the total project budget from \$4,185,825 to \$7,196,143. The project has sufficient budget to support the change in construction contract.

Prepared By: Andrew Kleiber

Project Manager

510-282-4932

Resolution No. 2024 –

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

* * *

Authorize Increase in Contract Change Order Authority for Mini-high Platform Project

Whereas, on January 4, 2024, the Peninsula Corridor Joint Powers Board (JPB) awarded contract 24-J-C-028 to Angotti & Reilly, Inc. for the construction of mini-high platforms at 13 stations and construction of wheel stops at the Hilldale Station Parking Lot, with a total contract authority of \$3,876,820.20, including a base value of \$2,400,941.00 an Option in the amount of \$1,123,441.00, and a 10% contingency of \$352,438.20; and

Whereas, mini-high platforms improve service reliability by allowing passengers using wheelchairs to more efficiently board and alight the trains; and

Whereas, during construction, unforeseen conflicts with existing facilities, more complex access to the platforms at Belmont Station and Tamien Station for placing materials and equipment, a need to accelerate construction to provide these facilities prior to the start of electrified service, and other changes have required modifications to the planned work; and

Whereas, these changes and acceleration are expected to require an increase in construction contract change order authority from \$352,438.20 to \$772,873.20 for an increase of \$420,435.00; and

Whereas, there are sufficient funds within the project budget to complete this work.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the increase of change order authority from \$352,438.20 to \$772,873.20, for an increase of \$420,435.00.

Regularly passed and adopted this 5th day of September, 2024 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

Proclamation

IN HONOR OF RAILROAD SAFETY AND SUICIDE PREVENTION MONTH

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

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

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

Whereas, trains have become a routine part of daily life for many in this region, but it only takes a split second for someone to drop their guard and tragedy can strike; and

Whereas, suicide is a mental health issue with which Caltrain is all too familiar. Unfortunately, most of the deaths occurring on railroad tracks are ruled suicides; and

Whereas, every death by suicide on the rails impacts hundreds of people, including loved ones, Caltrain riders and staff onboard the train, as well as passengers at station platforms; and

Whereas, Caltrain partners with the San Francisco Department of Public Health, the San Mateo County Suicide Prevention Committee, StarVista, Project Safety Net, and the County of Santa Clara Behavioral Health Services, to publicize resources available for individuals in crisis to reduce deaths by suicide on the rails; and

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

Whereas, during the month of September, Caltrain staff will post both rail safety tips and suicide prevention resources on various social media platforms, and will participate with the Transit Police in a Rail Safety Blitz event to educate drivers and pedestrians at specified grade crossings with rail safety educational brochures.

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

Regularly passed and adopted this 5th day of September, 2024.



Chair, Peninsula Corridor Joint Powers Board

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Board of Directors
Through: Michelle Bouchard, Executive Director
From: Michael Meader, Chief Safety Officer
Subject: **Adopt Policy Regarding Trees on or Adjacent to the Caltrain Right of Way**

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

Purpose and Recommended Action

In 2023 and 2024, winter storms caused at least 30 trees and dozens of branches to fall on Caltrain’s Right of Way (ROW), damaging Caltrain’s infrastructure and threatening the safety of the railroad’s staff and the public. This safety risk will be more pronounced as Caltrain transitions to electrified service, due to the potential damage to the overhead catenary system (OCS). To address the risk, Caltrain has assessed the health of trees along its Corridor and undertaken a program to mitigate the risk from trees in its right of way (ROW) that threaten Caltrain service and public safety.

Caltrain has also worked with municipalities and the owners of private property adjacent to Caltrain’s ROW to identify trees on their property that present a dangerous condition. In line with these efforts, staff recommend that the Board of Directors (Board) of the JPB adopt a policy regarding trees on property adjacent to the Caltrain ROW that present a dangerous condition, included as Attachment 1 to this report and discussed in greater detail below. The policy provides regular tree assessments, notification to adjacent property owners of trees that pose a risk to public safety, and coordination with municipalities and private property owners to prune or remove dangerous trees and to replant new trees that comply with Caltrain’s guidelines.

Staff presented a proposed policy to the Technology, Operations, Planning and Safety Committee (TOPS), which requested that staff propose an increase to the proposed \$250 incentive for tree replacement and recommended Board approval of policy as revised. Staff included the revised policy, which provided for an incentive of up to \$1,000 per replacement tree, on the consent calendar. Chair Davis requested that the item be pulled from consent to allow for further discussion. Based on input from Chair Davis, staff has revised the policy to provide for Caltrain: (1) to remove an unsafe tree on private property with the owner’s consent or to reimburse the owner for the removal of the tree and (2) to plant a new tree on the owner’s property with the owner’s consent or to provide an incentive for the owner to plant a new tree, and if the owner declines, to plant a new tree in the proximity of the property, either on Caltrain property or on the property of the municipality in which the private property is located, provided the municipality consents.

REVISED FOLLOWING 8.1.24 JPB MEETING

Discussion

Background and Necessity for Adoption of Policy

Intense winter storms in 2023 and 2024 presented unprecedented challenges to Caltrain. These storms caused trees along the ROW to fall, resulting in construction and service delays and damage to Caltrain infrastructure. Large trees with shallow root systems and unhealthy trees present the greatest risk of falling.

Falling trees along the ROW present inherent risks to the transit riding public, particularly when considering Caltrain's transition to an electrified system. For example, during a February 2024 storm, a tree fell across two tracks and took down the OCS wires as a train was arriving near Burlingame Station. The wires wrapped around the train and necessitated the safe evacuation of all passengers and crew. Caltrain had to make immediate repairs to the OCS, the train, and other infrastructure, and also had to pay to remove the fallen tree from the ROW. Similar damage to the OCS wires would create a safety hazard and result in service delays when electric trains are in operation. A map of the corridor depicting the areas with the highest concentration of unsafe trees is attached as Attachment 2.

Accordingly, Caltrain has undertaken a tree risk assessment and maintenance program along the ROW, including the pruning or removal of trees that Caltrain's arborist determined presented a high risk to public safety. To date, Caltrain has conducted a thorough assessment of 39 miles of the Caltrain-owned Corridor, leaving 13 miles to go. Caltrain plans to conduct regular assessments, including a Corridor-wide assessment by an arborist every three years and staff have identified a need to have regular inspections from arborists. In addition, at Caltrain's direction, TASI has established an on-call bench of emergency tree removal contractors in the event a tree falls.

While Caltrain has the authority to assess and mitigate risk from trees on its own property as needed for public safety, it may not do so on private and municipal property adjacent to the ROW without the coordination or consent of the property owners. Thus, staff have engaged with municipalities to coordinate tree assessments and the removal of dangerous trees adjacent to the ROW. Staff anticipate meeting with all 18 municipalities on the alignment by the end of summer 2024. To date, Caltrain staff have met with staff from 10 municipalities. These meetings create relationships and foster dialogue regarding the respective tree polices of Caltrain and each city. Moreover, Caltrain Government Affairs staff are working with the cities to conduct outreach and inform the public regarding the need to assess, prune, and potentially remove dangerous trees adjacent to Caltrain's ROW.

Proposed Policy

The main purpose of the policy is to address potential safety risks posed by trees on property adjacent to Caltrain's property that present a dangerous condition and threaten Caltrain service and public safety by coordinating with municipalities and private property owners to assess tree risk along the Corridor and ensure that dangerous trees are pruned or removed, providing notice of dangerous trees to adjacent property owners, and coordinating with them to remove dangerous trees and replace them with trees that comply with Caltrain guidelines.

REVISED FOLLOWING 8.1.24 JPB MEETING

First, the policy provides that Caltrain will contract with arborists to continue its ongoing efforts to assess trees along the corridor as well as those outside the ROW that could impact the ROW or other facilities, with a primary focus on tree species that pose the greatest risk. These assessments will occur every three years and comply with Caltrain's August 2023 Vegetation Management Plan. To address trees outside of the ROW, Caltrain arborists will also coordinate with the arborists of municipalities or other government entities along the ROW to identify high risk trees. Thereafter, Caltrain will work with local governments and private landowners to develop joint mitigation plans that include identified trees, responsible party, and target dates for removal or pruning.

Second, Caltrain will notify local governments and private owners in writing regarding trees determined to pose a high risk to Caltrain's infrastructure, including the potential for liability for damage to Caltrain's infrastructure and public safety, if the property owner fails to address those risks.

Third, Caltrain will work with municipalities to remove and replace trees that have been identified by an arborist as posing a risk to public safety. Municipalities will be responsible for pruning, removing and replanting trees on their property and for ensuring that any removal or pruning complies with all applicable state and federal laws, including environmental and permitting requirements. Caltrain will work with private landowners to safely remove such trees, including through in-kind support and subsidies to assist private property owners to reduce the risk to public safety. Caltrain will also offer to replace such trees, either directly or by providing an incentive of up to \$1,000 per tree based on the type of tree, health of the tree, and any other relevant factors. If an owner of private property rejects Caltrain's offer to replace a tree on the owner's property, Caltrain will plant a new tree in the vicinity, either on its own property or on the property of the municipality in which the private property is located, provided the municipality consents. Replacement trees must comply with Electrical Safety Zone requirements in the Vegetation Management Plan and be planted in a location that does not pose a risk to Caltrain infrastructure. When Caltrain prunes or removes a tree, or plants a new tree, on private property, it will comply with all applicable laws.

Budget Impact

The costs of regular tree assessments, maintenance efforts, and coordination with municipalities are included in Caltrain's existing operating budget. The proposed policy would require Caltrain to assist with the pruning or removal of dangerous trees located on private property adjacent to the ROW and to replace those trees, either directly or through incentives. Staff estimate that the cost of removing a dangerous tree ranges from to \$2,500 to \$20,000, depending upon the size and type of tree and its location. Although the assessment is not complete, staff believe there are approximately a dozen dangerous trees located on private property adjacent to the ROW. The cost of planting a replacement tree varies widely depending upon the type and maturity of the tree. Staff propose an initial cap of \$1,000 per replacement tree for budget purposes. Based on these estimates, staff propose an initial budget cap of \$250,000 for FY 2025 for tree pruning, removal, and replacement on private property adjacent to the ROW, to be re-evaluated based on data collected after the first year the policy is in effect.

Prepared By:	Mike Meader	Chief Safety Officer	650.632.6821
	Robert Scarpino	Director, Rail Maintenance	650.508.7780

Resolution No. 2024-

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

* * *

Adopt Policy Regarding Trees Adjacent to the Caltrain Right of Way

Whereas, intense winter storms in 2023 and 2024 presented unprecedented challenges to Caltrain; and

Whereas, these storms caused trees along the Right of Way (ROW) to fall, resulting in construction and service delays and damage to Caltrain infrastructure. Caltrain's transition to an electrified system heightens the risks to the transit riding public; and

Whereas, a February 2024 storm exposed this safety risk, when extreme rain and wind caused a tree to fall across two tracks and take down the Overhead Catenary System (OCS) wires as a train was arriving near Burlingame Station. The wires wrapped around the train and necessitated the safe evacuation of all passengers and crew; and

Whereas, similar damage to the OCS wires could result in dayslong service delays when electric trains are in operation; and

Whereas, Caltrain has undertaken a tree risk assessment and maintenance program along the ROW, including the pruning or removal of trees that Caltrain's arborist determined presented a high risk to public safety; and

Whereas, Caltrain plans to conduct regular assessments, including a Corridor-wide assessment by an arborist every three years and staff have identified a need to have regular inspections from arborists. In addition, at Caltrain's direction, TASI has established an on-call bench of emergency tree removal contractors in the event a tree falls; and

REVISED FOLLOWING 8.1.24 JPB MEETING

Whereas, Caltrain may not assess, maintain, or remove trees as needed for public safety on private or municipal property adjacent to the ROW without the coordination or consent of the property owners; and

Whereas, staff have engaged with municipalities to coordinate tree assessments and the removal of dangerous trees adjacent to the ROW; and

Whereas, staff anticipate meeting with all 18 municipalities on the alignment by the end of summer 2024; and

Whereas, Caltrain Government Affairs staff are working with the cities to inform the public regarding the need to assess, prune, and potentially remove dangerous trees adjacent to Caltrain's ROW; and

Whereas, staff have drafted a proposed policy (Attachment 1), formalizing this proactive approach and providing greater detail on how Caltrain will address potential safety risks posed by trees adjacent to the ROW; and

Whereas, Caltrain shall provide written notice to property owners regarding risks trees on adjacent property pose to the public; and

Whereas, Caltrain will contract with arborists to continue to assess trees along the corridor and outside of the ROW that could impact Caltrain infrastructure. Such assessments will be on a minimum of a three-year cycle and shall comply with Caltrain's August 2023 Vegetation Management Plan; and

Whereas, Caltrain arborists will also coordinate with the arborists of municipalities or other government entities along the ROW to identify high risk trees; and

REVISED FOLLOWING 8.1.24 JPB MEETING

Whereas, Caltrain will work with local governments and private landowners to develop joint mitigation plans that include identified trees, responsible party, and target dates for removal or pruning; and

Whereas, Caltrain will notify local governments and private owners in writing regarding trees determined to be a high risk to Caltrain's infrastructure, and will work with landowners to safely remove such trees; and

Whereas, local governments and municipalities will be responsible for the removing, pruning or replacement of trees on their property and compliance with state and federal law; and

Whereas, Caltrain will also cooperate with the owners of private property adjacent to the Caltrain ROW, with both in-kind support and subsidies, to assist such owners with the pruning and removal of trees deemed to be a hazard to public safety, and the replacement of such trees; and

Whereas, Caltrain will offer to plant a new tree on behalf of a private property owner, or offer an incentive of up to \$1,000 per tree to a private property owner for each tree that is removed, based on the type and health of the tree and any other relevant factors; and

Whereas, replacement trees must comply with Electrical Safety Zone requirements in the Vegetation Management Plan and must be planted in a location that does not pose a risk to Caltrain infrastructure. If an owner of private property rejects Caltrain's offer to replace a tree on the owner's property, Caltrain shall plant a new tree in the vicinity, either on its own property or on the property of the municipality in which the private property is located, provided the municipality consents; and

REVISED FOLLOWING 8.1.24 JPB MEETING

Whereas, Caltrain shall comply with all applicable laws governing its pruning or removal of dangerous trees, and its planting of new trees, on private property; and

Whereas, the budget impact of this policy will turn on several factors, namely the number of trees needing replacement and pruning and the number of removals that will require replacement subsidies. However, staff estimate that total removal costs could be \$2,500 to \$20,000 per tree; and

Whereas, because Caltrain does not have the necessary data to effectively budget for the tree replacement incentives or subsidies, staff propose an initial budget cap of \$250,000 for FY 2025 for incentives and subsidies, to be re-evaluated based on data collected after the first year the policy is in effect.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board adopt the proposed policy regarding trees adjacent to the Caltrain Right of Way, attached to this resolution as Attachment 1.

Be It Further Resolved that an initial budget cap of \$250,000 shall apply for FY 2025 for incentives and subsidies, to be re-evaluated based on data collected after the first year the policy is in effect.

REVISED FOLLOWING 8.1.24 JPB MEETING

Regularly passed and adopted this 5th day of September 2024 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

Draft - Caltrain Tree Risk Mitigation Policy [9.5.24]
REVISED FOLLOWING 8.1.24 JPB Meeting

Purpose of Policy – Safety First and Always

Safety first and always is one of Caltrain’s core values. To ensure the safety of Caltrain’s employees, contractors, and passengers, Caltrain will conduct ongoing assessments of the risk posed by trees on property adjacent to the Right of Way (ROW) and address those risks pursuant to the policy set forth below.

The purpose of this policy is to address the potential safety risk posed by trees adjacent to Caltrain’s property and over which Caltrain does not have jurisdiction. Caltrain will work proactively with municipalities and private property owners, including by using financial incentives and subsidies, to eliminate the risk posed by trees falling on Caltrain’s electrification infrastructure or property. Caltrain will also protect itself against potential liability by providing written notice to property owners regarding the risks posed by trees on property adjacent to Caltrain’s ROW if the property owner fails to address those risks.

I. Tree Risk Assessment and Evaluation

Caltrain will contract with licensed, experienced arborists to conduct assessments of the trees along the Caltrain corridor on Caltrain property and outside Caltrain’s ROW if the trees have the potential to impact Caltrain’s ROW or facilities. Caltrain will initially schedule tree risk assessments on a three-year cycle. The Caltrain-contracted arborist will conduct the assessment in accordance with section 2.2.2 of Caltrain’s Vegetation Management Plan dated August 2023 (Exhibit A). The arborist will also coordinate with the designated arborists of any municipalities or other relevant government entities along the ROW to identify high risk trees. Once these assessments are completed, Caltrain will work with local governments and private landowners to develop joint mitigation plans that include identified trees, responsible party, and target dates for removal or pruning. Caltrain’s primary focus will be on eucalyptus, gum, and acacia trees, as they pose the greatest risk.

II. Removal and Pruning of Trees

Caltrain will notify local governments and private parties in writing regarding trees determined by the contracted arborist to pose a high risk to Caltrain’s infrastructure. Caltrain will work with adjacent landowners to safely remove high risk trees, as discussed below.

Local governments and municipalities will be responsible for the removal or pruning of trees on their property and the replacement of those trees, and Caltrain will coordinate with local governments and municipalities to mitigate the risk of trees harming Caltrain infrastructure. Local governments and municipalities are also responsible for ensuring that any removal or pruning complies with all applicable state and federal laws, including environmental and permitting requirements.

Caltrain will also cooperate with the owners of private property adjacent to the Caltrain ROW, including by offering to assist such owners with the pruning and removal of trees deemed to be a hazard to public safety and the replacement of such trees. Caltrain may offer both in-kind support and subsidies to assist private property owners in order to reduce the risk to public safety. Caltrain will comply with applicable laws with respect to Caltrain’s pruning or removal of trees on private property.

Draft - Caltrain Tree Risk Mitigation Policy [9.5.24]
REVISED FOLLOWING 8.1.24 JPB Meeting

III. Tree Replacement

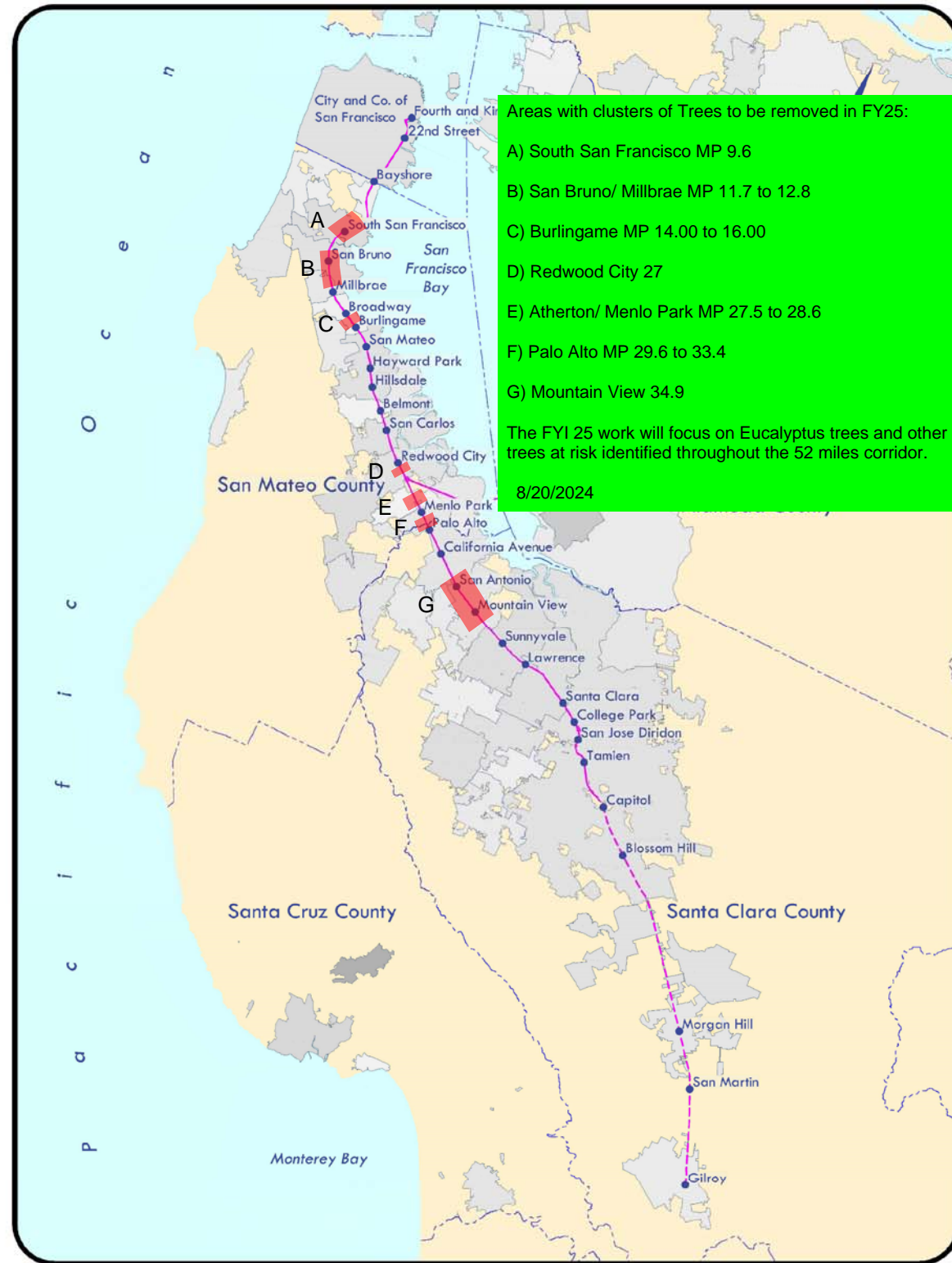
Caltrain will communicate with the owners of private property adjacent to Caltrain's ROW to identify the trees that pose a significant risk to Caltrain's infrastructure and safe operations. In order to incentivize adjacent property owners to address trees that pose a significant risk to Caltrain's ROW, Caltrain will offer to replace such trees, either directly or by providing incentives of \$250 to \$1,000 per tree based on the type of tree, health of the tree, and any other relevant factors, to replace each tree that is removed at Caltrain's request. Caltrain will comply with applicable laws governing Caltrain's replanting of trees on private property.

Replacement trees shall comply with Electrical Safety Zone requirements in Section 5 of the Vegetation Management Plan, Tree Planting for a Resilient ROW. In addition, replacement trees must be planted in a location determined not to pose a risk to Caltrain infrastructure.

If an owner of private property rejects Caltrain's offer to replace a tree on the owner's property, Caltrain shall plant a new tree in the vicinity, either on its own property or on the property of the municipality in which the private property is located, provided the municipality consents.

Exhibit A: Caltrain Vegetation Management Program (August 2023)

Tree Assessment CALTRAIN CORRIDOR



Draft Caltrain Vegetation Management Program

Caltrain Right-of-way San Francisco to San Jose

PREPARED FOR:
Caltrain & ICF Jones and Stokes

PREPARED BY:
HortScience | Bartlett Consulting
2550 Ninth Street Suite #112
Berkeley, CA

August 2023

Revision 2



Draft Caltrain Vegetation Management Program

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Vegetation Illustrations

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DRAFT Caltrain Tree Risk Management Program

Introduction and Overview

ICF Jones and Stokes (ICF) is working with the Peninsula Corridor Joint Powers JPB to implement environmental work throughout the ROW as it relates to the electrification project. HortScience | Bartlett Consulting, Divisions of The F.A. Bartlett Tree Expert Company (H|BC), is a subcontractor to ICF.

As a part of the environmental work, it became apparent that the JPB needed to develop a framework for tree risk assessment and mitigation for trees along 52 miles of track from San Francisco to San Jose. IFC and H|BC were asked to lead this work. The corridor encompasses 17 municipal jurisdictions and two unincorporated county jurisdictions and thousands of trees. Trees of certain species and/or sizes may be protected by local ordinances and specific rules vary by jurisdiction. Any tree, no matter its location, that could either fall into the ROW or onto energized conductors is subject to risk assessment and management. Trees of concern may be located 1) within the Caltrain ROW, 2) on private property, or 3) on public land.

Purpose

This Vegetation Management Plan includes guidelines for planting, pruning, and removal of trees and shrubs along the ROW owned or operated by Caltrain.

1. Scope of Work – Vegetation Management

1.1 Policy Statement

Caltrain strives to operate safely along its ROW. The vegetation management program employs best management practices as defined in the American National Standards Institute A300 (Part 9) Tree Risk Assessment and Utility Tree Risk Assessment manage vegetation that is within or has the potential to fail on to the tracks or Overhead Contact System (OCS) lines.

1.2 Inspection Interval

Caltrain will initially schedule tree risk assessments on a three-year cycle. Inspections shall assess the need for: a) scheduled maintenance for ESZ clearance; b) enhanced tree risk-based management; and c) mid-cycle pruning. The inspectors must consider the variables including tree species, condition, growth rate, and location.

Definitions

Term	Definition
ROW	Caltrain owned right-of-way.
OCS	Overhead Contact System
ESZ	Electrical Safety Zone. 10 ft. from an electrified component
Side Clearance	10 feet side clearance shall be measured from the conductor
Downward Vertical Clearance	No branches shall be below the ESZ
Brush and Vine Clearance	Remove any vines growing up poles or guy wires. Remove any brush exceeding 4 feet in height within a 5-foot-zone of any pole footing, guy wire footing, or other infrastructure
Overhead Vertical Clearance	No branches shall be above the ESZ

Arboriculturally Sound Tree Management

Remove trees if live foliage removal from obtaining required clearance cannot comply with the most recent edition of ANSI A300 Standard Part 1: Tree, Shrub, and Other Woody Plant Maintenance – Standard Practices (Pruning).

Cycle Breaking Non-compliant Trees

Pruning for 3-year clearance may not be possible for all trees, particularly those prone to vigorous watersprout or sucker growth following pruning. Trees that cannot hold compliance shall be removed or scheduled for mid-cycle pruning (see section 2.3.1 *Mid-Cycle Pruning*).

2.1 Scheduled Maintenance Pruning

2.1.1 – Electrical Safety Zone (ESZ) Clearance

The Electrical Safety Zone clearance relative to the typical line position is shown in Figure 1. Branches within the clearance zone shall be removed. Watersprouts and suckers shall be removed back to the parent branch and not sheared. Trees shall be pruned so that new growth will not encroach within the ESZ clearance within the 3-year inspection interval.

All pruning shall be done by a State of California Licensed Tree Contractor (C61/D49). All pruning shall be done by Certified Arborist or Certified Tree Worker in accordance with the Best Management Practices for Pruning (International Society of Arboriculture, 2002) and adhere to the most recent editions of the American National Standard for Tree Care Operations (Z133.1) and Pruning (A300).

All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Wildlife code 3503-3513 to not disturb nesting birds. To the extent feasible tree pruning and removal should be scheduled outside of the breeding season. Breeding bird surveys should be conducted prior to tree work. Qualified biologists should be involved in establishing work buffers for active nests.

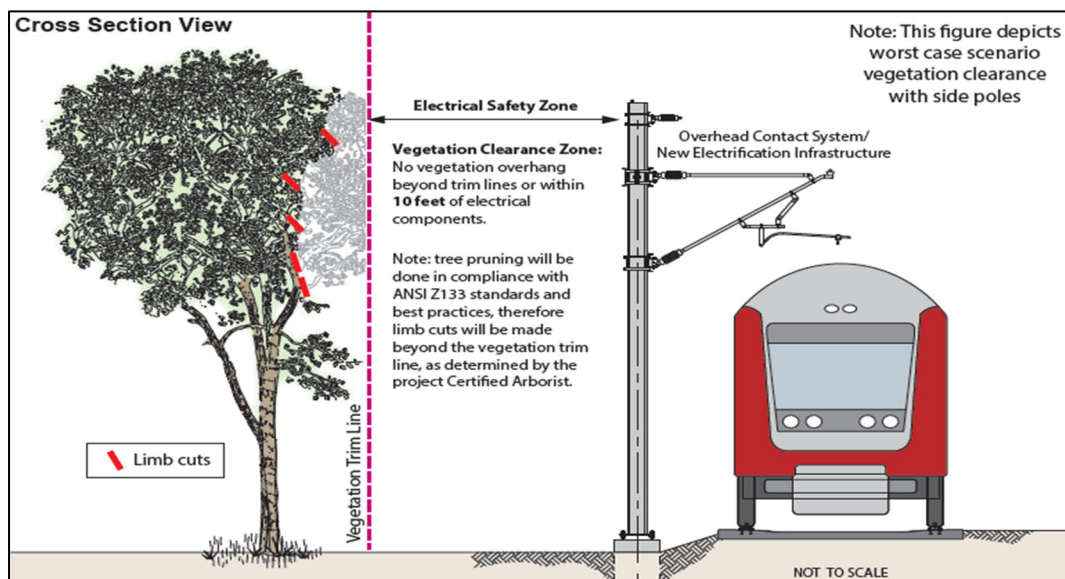


Figure 1: Cross-section view of Electrical Safety Zone clearance (*Peninsula Corridor Electrification project*).

2.2 Enhanced Tree Risk-Based Management

2.2.1 Tree Risk Policy Statement

Caltrain conducts risk-based hazard analysis as a regular part of every operation's safety approach. A risk-based tree management program is vital to Caltrain's effective and safe management of the 52 miles of track.

The JPB recognizes the inherent risk that trees pose to the right-of-way and acknowledges the importance of managing the tree resource to maintain the resilience of the Caltrain system. The JPB also recognizes the inherent benefits that the tree resource provides to the communities that Caltrain services including but not limited to noise and emission screening, carbon sequestration, aesthetic value, and ambient cooling. The JPB is committed to working with a combination of staff and contractors to manage the trees to lower the risk they pose while preserving the benefits they provide.

Failure of apparently defect-free trees does occur, especially during storm events. Wind forces, for example, can exceed the strength of defect-free wood causing branches and trunks to break. Rain can saturate soils, reducing its ability to hold roots. When coupled with strong winds, the saturated soil may cause defect-free trees to blow over. Although it is not possible to predict all tree failures, identifying those trees with observable defects is a critical component of enhancing public safety and safety throughout the ROW.

2.2.2 Risk Assessment Methodology

Tree Risk Assessments shall follow the methodology described in the current editions of the International Society of Arboriculture's Tree Risk Assessment Manual and the ISA Best Management Practices: Tree Risk Assessment and the recent edition of the ANSI A300 Standard Part 9: Tree, Shrub, and Other Woody Plant Maintenance – Standard Practices (Tree Risk Assessment a. Tree Failure).

A level 1 limited visual shall be performed from the Caltrain right-of-way (ROW). Assessment of risk shall be limited to trees with the potential to impact the ROW or Caltrain's facilities. Both trees outside of the ROW and trees inside of the ROW shall be assessed. Level 1 limited visual assessment of the trees from the Caltrain right-of-way will identify observable tree parts with a probable or imminent likelihood of failure and a moderate or high likelihood of impact to tracks or electrical lines.

If the level 1 inspection reveals an important defect in structure, a basic level 2 inspection shall be performed. During the Level 2 basic assessment for the identified trees, the consequences of a failure and impact will be evaluated to determine the risk associated with a certain tree part. The reference document for our assessment was the **Tree Risk Assessment Best Management Practices** (2nd Ed., International Society of Arboriculture, 2017). For both level 1 and level 2 risk assessments, the time frame shall be three years.

Tree risk assessment considers the likelihood of a tree failure striking people or property and the consequences of that failure. For each assessment, the following shall be performed:

1. Identifying the tree species.
2. Measuring the trunk diameter at a point 54 inches above grade.
3. Evaluating the health and structural condition using a scale of 1 – 5:
 - 5 - A healthy, vigorous tree, reasonably free of signs and symptoms of disease, with good structure and form typical of the species.
 - 4 - Tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.

3 - Tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that might be mitigated with regular care.

2 - Tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.

1 - Tree in severe decline, dieback of scaffold branches and/or trunk; most of foliage from epicormics; extensive structural defects that cannot be abated.

4. Commenting on the presence of defects in structure, insects or diseases and other aspects of development.
5. Identify the part of the tree most likely to fail and rate the likelihood for failure (improbable, possible, probable, imminent).
6. Identify what would be struck if that part failed (targets: Caltrain facilities).
7. Rate the likelihood that a target (Caltrain facilities) would be present at the time of failure (very low, low, medium, and high). This assessment considers the frequency with which a target is present, i.e., occupancy rate. Electrical conductors and the tracks themselves are considered to have a constant occupancy rate. The likelihood that the lines would be present at the time of a failure is high.
8. Assess the likelihood of the tree failure impacting the specific target (unlikely, somewhat likely, likely, very likely). **See Figure 2.**
9. Rate the consequences if a target were struck by that tree part (negligible, minor, significant, severe).
10. Assess tree risk by combining ratings for likelihood of failure and striking the target with those for the consequences of the failure (low, moderate, high, extreme). **See Figure 3.**
11. Describe treatments (i.e., pruning, tree removal) that would reduce the risk and assess the residual risk that would remain if that treatment were applied.
12. Where appropriate, recommend advanced assessments to inspect tree conditions that were not visible from a ground survey. Possible advanced treatments include internal decay detection, aerial inspection, and root collar excavation and inspection.

Matrix 1. Likelihood matrix.

Likelihood of Failure	Likelihood of Impact			
	Very low	Low	Medium	High
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

Figure 2: Matrix for assessing likelihood of failure and impact as a function of likelihood of failure (rows) and likelihood of impact (columns).

Matrix 2. Risk rating matrix.

Likelihood of Failure & Impact	Consequences of Failure			
	Negligible	Minor	Significant	Severe
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

Figure 3: Matrix for assessing tree risk rating as a function of likelihood of failure & impact (rows) and consequences of failure (columns).

Abatement work to reduce assessed tree risk may be combined with Scheduled Maintenance Pruning (see section 2.1), or Mid-Cycle Pruning (see section 2.3). Abatement work timelines, described below, will supersede scheduled or mid-cycle timelines.

2.2.2.1 Management of Low-Risk Trees

Trees with *low* assessed risk may still require Scheduled Maintenance Pruning (see section 2.1), or Mid-Cycle Pruning (see section 2.3).

2.2.2.2 Management of Moderate-Risk Trees

Trees with *moderate* assessed risk must be abated to bring the residual risk to *low*. Abatement must be completed within a specified timeframe from the time reported. They may still require Scheduled Maintenance Pruning (see section 2.1), or Mid-Cycle Pruning (see section 2.3).

If required work to reduce the residual risk to *low* cannot comply with the most recent edition of ANSI A300 Standard Part 1: Tree, Shrub, and Other Woody Plant Maintenance – Standard Practices (Pruning), the tree must be removed.

2.2.2.3 Management of High-Risk Trees

Trees with *high* assessed risk must be abated to bring the residual risk to *low*. Abatement must be completed within 1 month of reporting. They may still require

Scheduled Maintenance Pruning (see section 2.1), or Mid-Cycle Pruning (see section 2.3).

If required work to reduce the residual risk to *low* cannot comply with the most recent edition of ANSI A300 Standard Part 1: Tree, Shrub, and Other Woody Plant Maintenance – Standard Practices (Pruning), the tree must be removed.

2.2.2.4 Management of Extreme-Risk Trees

Trees with *extreme* assessed risk must be abated to bring the residual risk to *low*. Abatement must be completed as soon as possible. The assessor may not leave the site until the risk is abated or Caltrain personnel arrive to monitor the situation. They may still require Scheduled Maintenance Pruning (see section 2.1), or Mid-Cycle Pruning (see section 2.3).

If required work to reduce the residual risk to *low* cannot comply with the most recent edition of ANSI A300 Standard Part 1: Tree, Shrub, and Other Woody Plant Maintenance – Standard Practices (Pruning), the tree must be removed.

2.2.3 Dead and Dying Trees

Dead and dying trees tall enough to strike Caltrain facilities may present an elevated risk. Regardless of assessed risk level, dead and dying trees with line or track strike potential shall be removed or reduced to a height where the strike potential is eliminated.

2.3 Mid-Cycle Pruning

2.3.1 Vigorous Resprouting Trees

Pruning for 3-year clearance may not be possible for all trees, particularly those prone to vigorous watersprout or sucker growth. Trees that cannot hold compliance for 3 years shall either be removed or scheduled for mid-cycle pruning.

2.3.1.1 Inspection

Inspect and assess conditions of identified trees along the entire track 3 years into the Scheduled Maintenance Pruning Cycle (see section 2.1). Prioritize pruning and removals based on tree conditions or assessed risk.

2.3.1.2 Vigorous Resprouting Trees

Prune trees that will not hold ESZ clearance compliance until the next scheduled pruning cycle to the clearances defined in section 2.1.

2.3.1.3 Moderate, High, or Extreme Risk Trees

If a tree is identified during the Mid-Cycle Pruning Inspection that may present an elevated level or risk, a Tree Risk Assessment shall be conducted in accordance with the most recent standard of ANSI A300 Standard Part 9: Tree, Shrub, and Other Woody Plant Maintenance – Standard Practices (Tree Risk Assessment a. Tree Failure).

Abate any *extreme*, *high*, or *moderate*, risk trees as described in section 2.2 *Enhanced Risk Based Management*.

2.4 New Business, Electrification, and Capital Construction

2.4.1 New Construction for Electrification

Caltrain is expanding the electrification infrastructure along the 52 miles of track. Expansion of infrastructure has required pruning for clearance during installation and subsequently Scheduled Maintenance Pruning.

2.4.1.1 New Construction

Prune all branches for equipment clearance during construction. All pruning shall be done by a State of California Licensed Tree Contractor (C61/D49). All pruning shall be done by Certified Arborist or Certified Tree Worker in accordance with the Best Management Practices for Pruning (International Society of Arboriculture, 2002) and adhere to the most recent editions of the American National Standard for Tree Care Operations (Z133.1) and Pruning (A300).

Pruning shall not be conducted by construction personnel.

2.4.1.2 Scheduled Maintenance Pruning

Prune trees near new construction hold ESZ clearance compliance (if applicable) until the next scheduled pruning cycle to the clearances defined in section 2.1 or schedule for Mid-Cycle Pruning as described in section 2.3.

2.4.1.3 Moderate, High, or Extreme Risk Trees

If a tree is identified during construction that may present an elevated level or risk, a Tree Risk Assessment shall be conducted in accordance with the most recent standard of ANSI A300 Standard Part 9: Tree, Shrub, and Other Woody Plant Maintenance – Standard Practices (Tree Risk Assessment a. Tree Failure).

Abate any *extreme*, *high*, or *moderate*, risk trees as assessed to lower the residual risk to *low* as described in section 2.2 *Enhanced Risk Based Management*.

2.5 Tree Removal

2.5.1 Tree Removal

Remove trees where prescribed pruning cannot comply with the most recent edition of ANSI A300 Standard Part 1: Tree, Shrub, and Other Woody Plant Maintenance – Standard Practices (Pruning).

Trees to be removed shall be felled to fall away from Caltrain infrastructure, nearby trees, and to avoid pulling or breaking roots of trees to remain.

2.6 Stump Management

2.6.1 Stump Height

All stumps shall be cut as close to the ground as safely possible. Stump faces shall be cut parallel to the ground to avoid sharp points on the stumps.

2.6.2 Wildlife Snags

Snags are important habitat for wildlife and can be aesthetically incorporated into a landscape. Where they pose low risk to Caltrain infrastructure, neighboring property, and people, trees identified for removal may be preserved as snags. Wildlife snags must be approved by a Caltrain representative and monitored over time.

2.6.3 Herbicide Use on Resprouting Trees

Some species resprout from the base following tree removal. These sprouts are weakly attached, and may have a higher likelihood of failure in the future as the sprouts grow.

Vigorous resprouting cut stumps (all *Eucalyptus* species, all *Acacia* species, *Ailanthus altissima*, and vines) shall be treated with a Caltrain and JMP approved herbicide mixture in accordance with label directions and the most recent regulatory requirements.

3. Substation Perimeter Clearing

This section describes how vegetation will be managed around substations.

3.1 Brush Removal

3.1.1 Non-visually sensitive or non-landscaped substations

Remove all brush within 10 feet of the substation fence.

3.1.2 Visually sensitive or landscaped substations

Clear as far from the fence as practical as directed by a representative of Caltrain.

3.2 Tree pruning

Prune all branches to a minimum of 10 feet from the fence. Follow ESZ clearance guidelines for electrified equipment (see section 2.1).

3.3 Ornamental Screens and Landscaping

Ornamental trees and shrubs planted to provide visual screening shall not be removed.

4. Wood and Chip Disposal

4.1 Policy Statement

The contractor shall make every effort to minimize the amount of wood and wood chip disposal that requires hauling away from the site. This can be accomplished by; making agreements with property owners to leave logs and larger limbs at the site for use as firewood, blowing chips onto the ground in rural and unimproved natural locations with approval, and offering chips to property owners for use as mulch. All debris shall be disposed of in accordance with all local laws and regulations.

The tree contractor shall not sell any unwanted logs or chips.

4.2 Chips

Smaller limbs, branches, or cut brush shall be chipped, normally by chipping into a truck mounted chip box. In unimproved natural locations, chips may be blown on the ground to a depth no greater than 3 inches. Brush too small to be chipped may be lopped and scattered by cutting it into small pieces (less than 12 inches in length and 3 inches in diameter) and distributing it widely over the ground to a depth no greater than 12 inches. Lopped and scattered brush shall not present access issues to trees or infrastructure after distribution.

4.3 Logs

Logs from the tree trunks and larger limbs shall be cut into convenient handling lengths. No logs shall be split.

4.4 Debris Disposal

The tree owner shall be given first preference to utilize logs and / or chips. This agreement shall be made when work is scheduled.

4.4.1 Chips

Where chips cannot be left on-site, they shall be delivered to the nearest appropriate disposal site.

4.4.2 Logs

Logs shall be left at the work site in a safe location, not to pose a hazard to anyone, for a maximum of seven days. Any logs remaining after seven days shall be delivered to the appropriate disposal site.

5. Tree Planting for a Resilient ROW

5.1 Policy Statement

As Caltrain moves forward in creating and implementing the vision for the ROW, there is an opportunity to install trees better matched with the site and infrastructure. These trees will benefit the ROW in several ways including decreasing overall maintenance costs, complying with Caltrain's goal of a low-risk ROW, and providing benefits to the local communities in which they grow.

A key aspect in building a resilient urban tree population is a diverse plant palette composed of a wide range of species. Future planting efforts for the ROW must carefully select species, focusing on diversity and matching the trees with the program goals for the site itself. Caltrain will plant based on the following criteria (Illustrated in Figures 4, 5, and 6 and in the **Appendix**).

1. No tree planting within or under the ESZ.
 - a. The ESZ encompasses a 10-foot zone around any electrified element, including 10 feet horizontal on the ground, and all overhanging space within that area.
 - b. No trees shall be planted within 10 horizontal feet of the electrified element of OCS poles.
 - c. Where OCS poles are on the opposite side of the tracks, the limit would be defined by the 10 feet from the overhead power line over the track.
2. No tree planting where the mature tree height would fall on the OCS lines or the tracks.
 - a. Nominally, this means a tree 30 feet from the edge of the track should be 30 feet or less at maturity.
 - b. Functionally, this is defined as a 45-degree angle from the edge of track.
 - c. Since the track is often elevated above ground at various heights, the height of the zone defined by the 45-degree standard varies along the route.
 - d. Tree species should be selected that are compatible with the maximum height of the zone at their location.

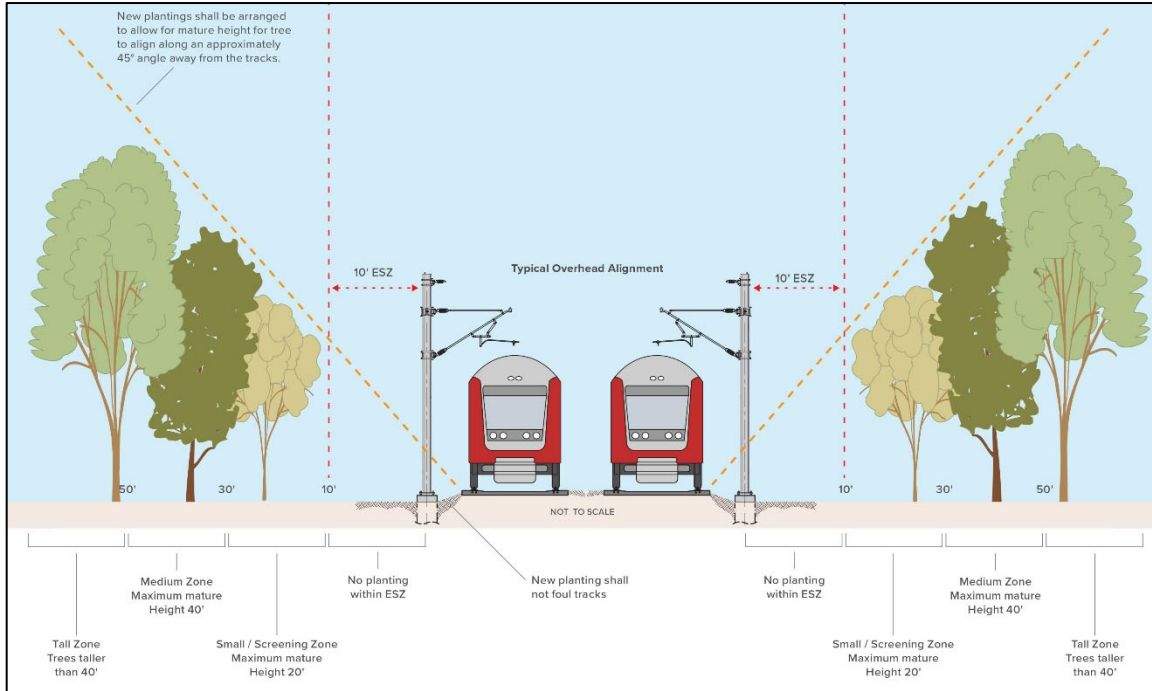


Figure 4. Cross-section view of Electrical Safety Zone planting distances and mature tree heights.

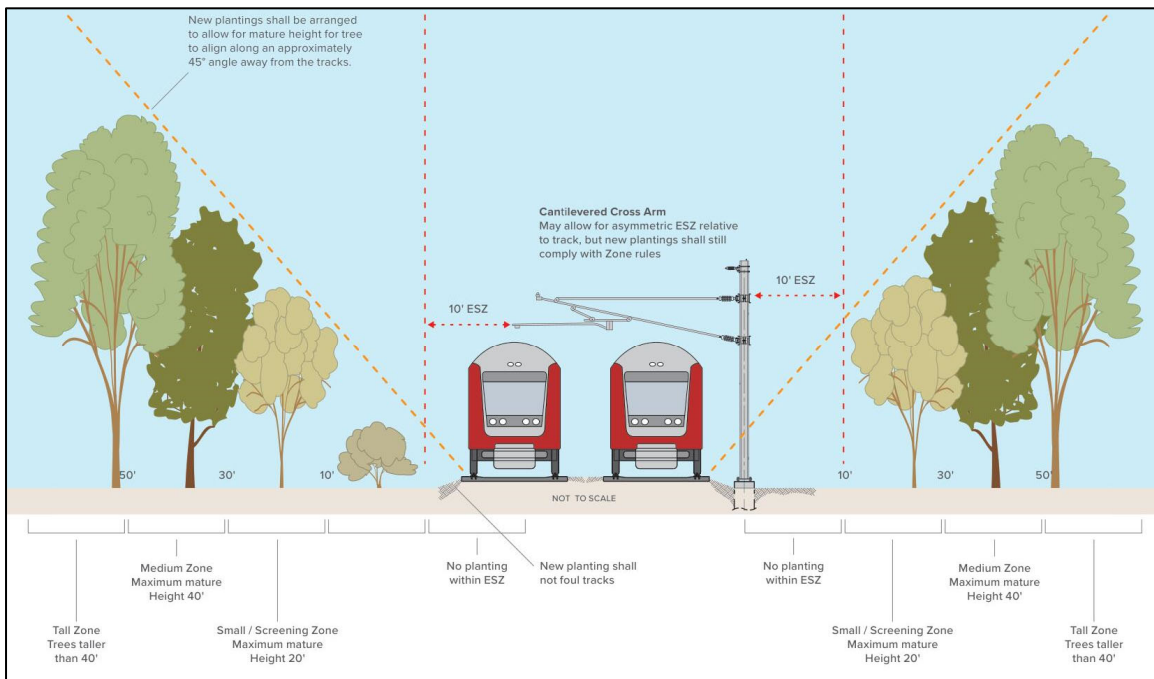


Figure 5: Visualization of ESZ and proposed mature planting heights near cantilevered crossarm alignment. Note asymmetric ESZ.

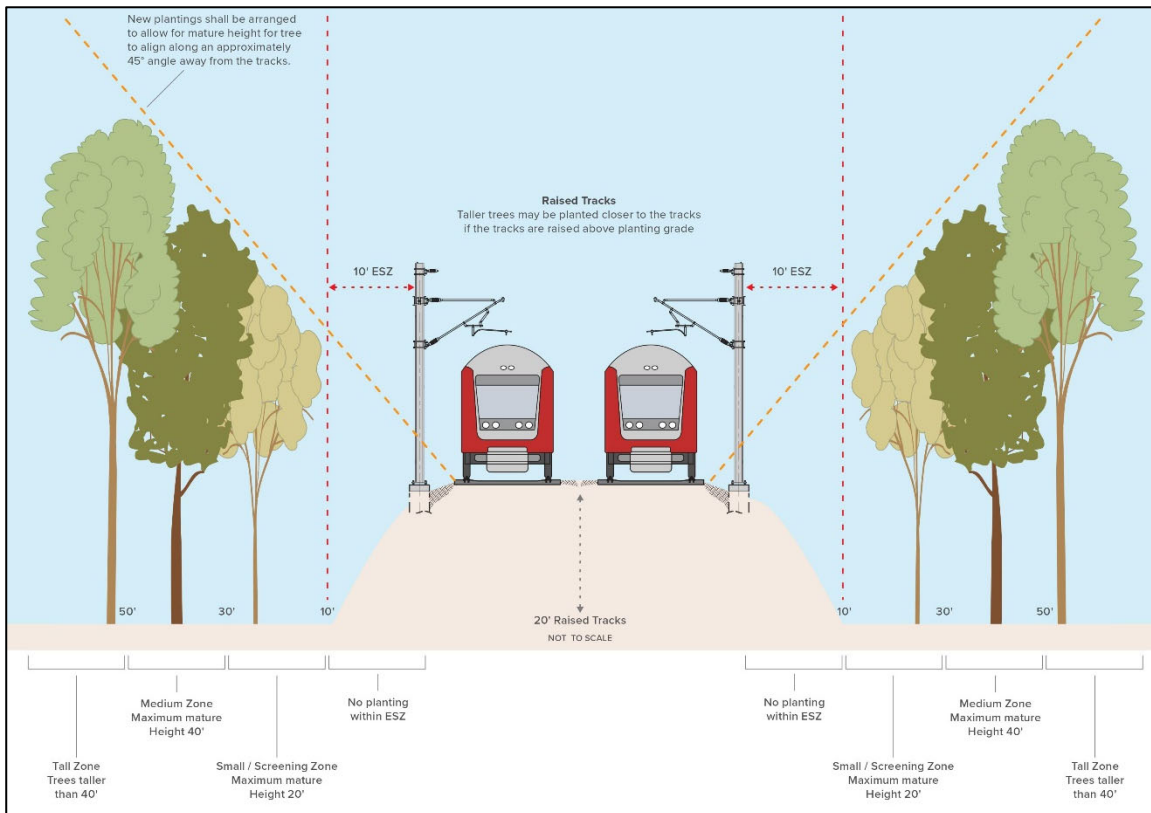


Figure 6. Cross-section view of Electrical Safety Zone planting distances and mature tree heights near raised tracks. Note that taller trees may be permitted near raised tracks.

A sustainable landscape is designed to be harmonious with its environment, resulting in a healthy ecosystem that supports social interaction and wildlife. Selection must match the mature size, species characteristics, and cultural requirements to the space available for their growth.

5.1.1 Tree Size

Choosing a species that will be too large for its space results in extensive pruning to control growth, large amounts of green waste, and a higher potential for conflict with nearby infrastructure. Common species in the ROW now, such as blue gum, red ironbark, or red river gum, are examples of species that are too large and should not be replanted.

Selecting a species too small for the available space misses an opportunity to have large trees and limits the benefits the tree will provide. There are several places along the ROW that may accommodate medium or large-maturing trees.

5.1.2 Species Characteristics and Cultural Requirements

Tree species selected for each planting location in the ROW should consider species characteristics and cultural requirements, including the following:

- Heat and cold
- Exposure (sun and shade)
- Soil drainage and aeration
- Soil pH, salinity
- Water requirements and drought tolerance

- Pest resistance
- Maintenance needs, especially pruning and irrigation
- Objectionable fruit/seed litter
- Invasiveness potential

Caltrain's ROW is a part of a dynamic urban forest over the entire extent of the San Francisco Peninsula, the needs of which are in flux and changing over time. Observing changes in how plants are performing over time and responding to those changes is fundamental to urban forest management. As new species are chosen for planting in the ROW, periodic monitoring will help tree managers to make key decisions regarding the success of the plantings.

6. Public Engagement

Caltrain is committed to cooperation with public and private stakeholders in the management of the trees in and near the ROW. Stakeholders include people who live and work in the communities and local government agencies. The following list provides options for consideration regarding public engagement.

- Engage with community members to educate on the need for tree removal and replacement and to gain an understanding of the process. This will help to build community support.
- Respond to maintenance inquiries.
- Provide information to neighbors on how to help care for trees near the ROW; allow them to lend a hand to a tree in need.
- Make information on the ROW management available on the web.
- Link to [trees are good](#) where general tree care information is available, and qualified arborists can be found.

These strategies may enhance participation in and commitment to maintaining risk associated with trees in and near the ROW into the future.



Darya Barar, Managing Consulting Urban Forester
ISA Certified Arborist No. WE-6757A & ISA Tree Risk Assessment Qualified
Registered Consulting Arborist #693



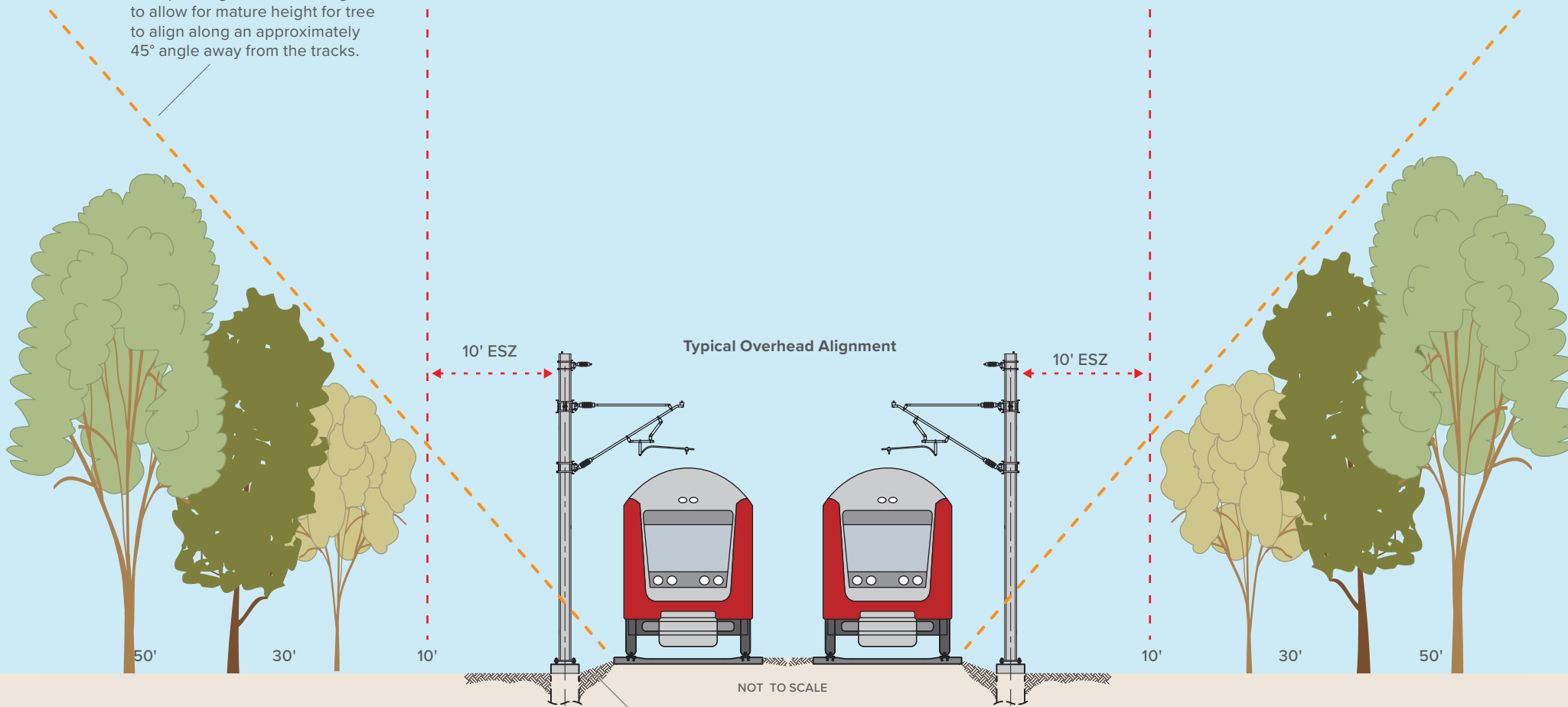
Ryan Suttle, Consulting Arborist & Urban Forester
ISA Board Certified Master Arborist, Utility Specialist No. WE-12647BU
ISA Tree Risk Assessment Qualified
ASCA Registered Consulting Arborist #813

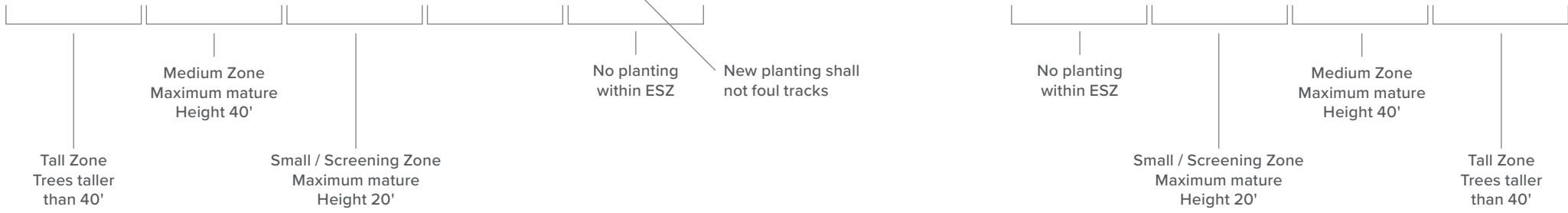
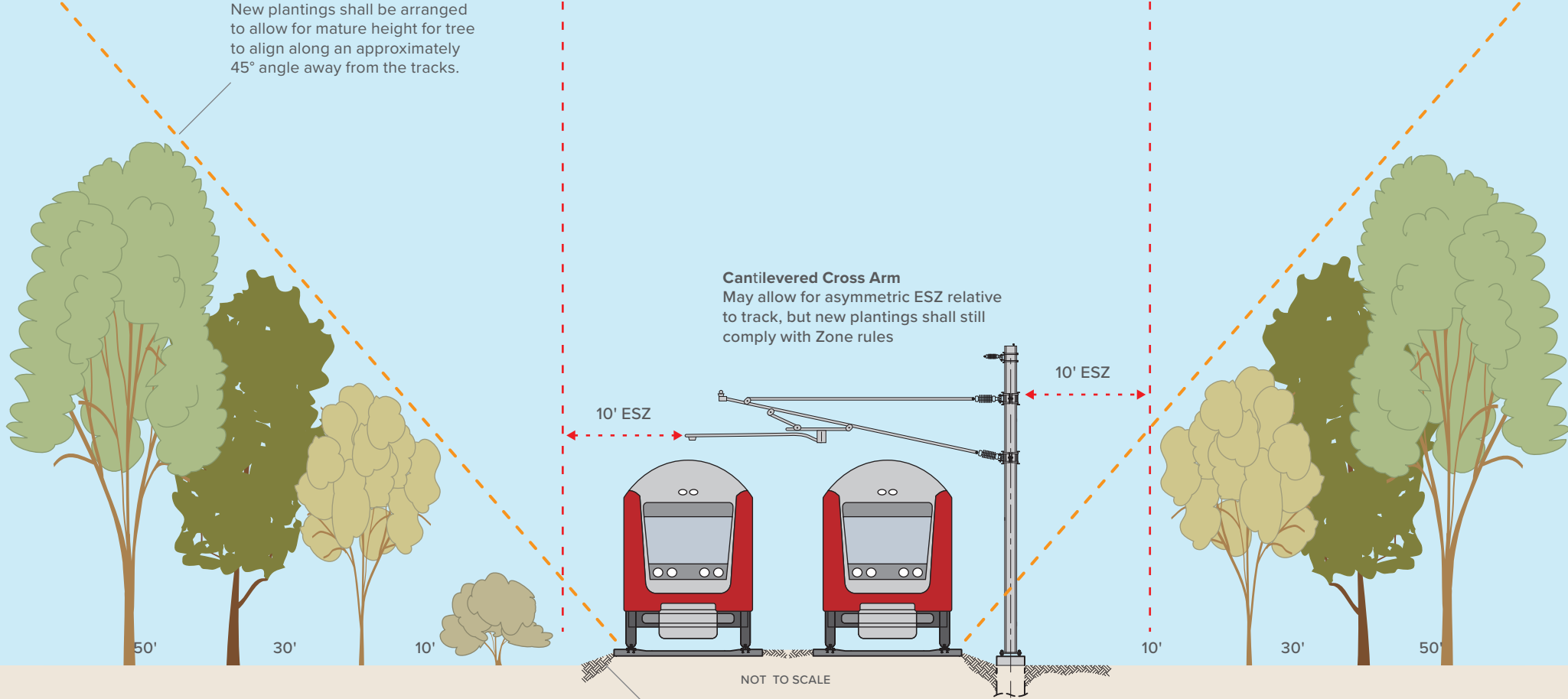
Attachments

Vegetation Illustrations

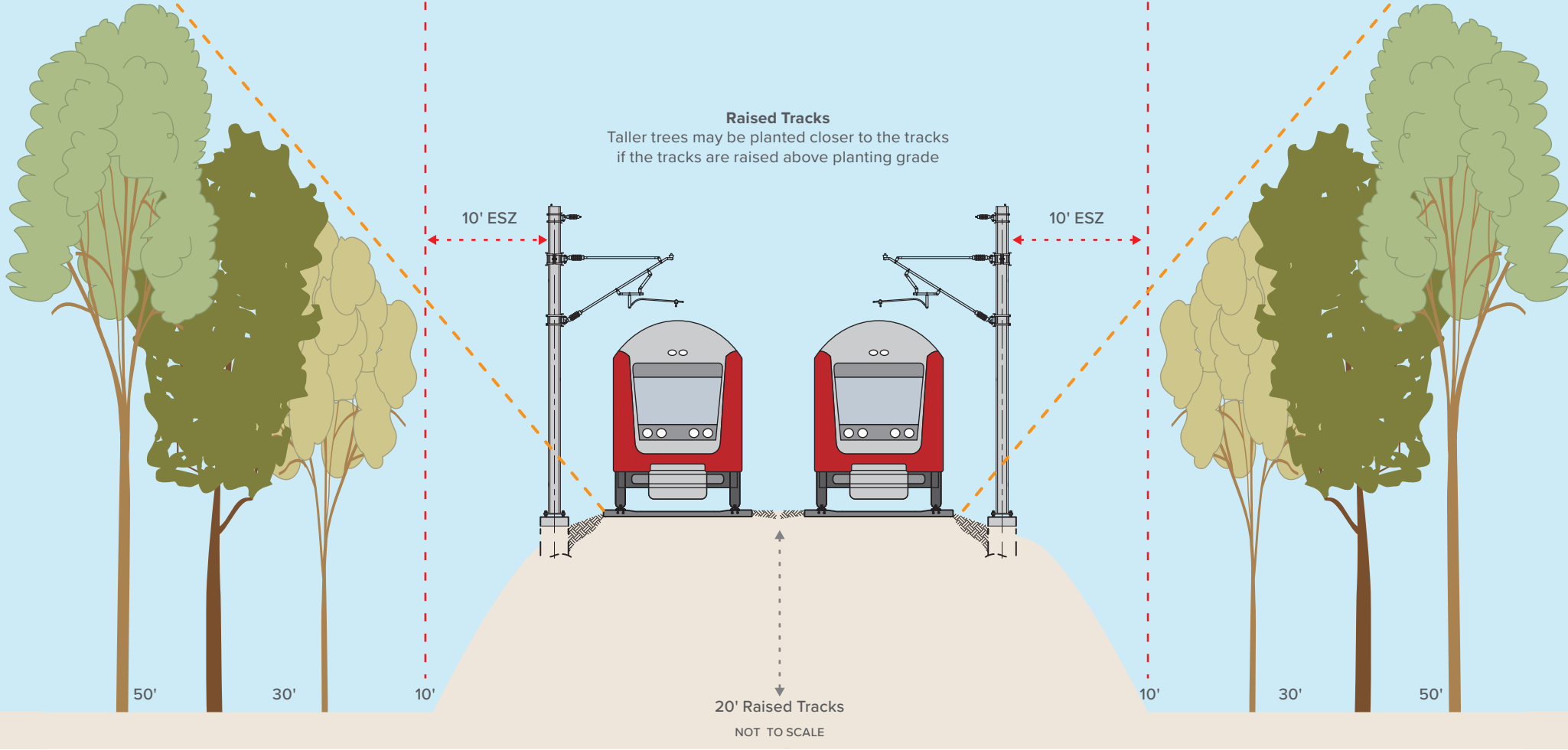
Tree Pruning Specifications

New plantings shall be arranged to allow for mature height for tree to align along an approximately 45° angle away from the tracks.





New plantings shall be arranged to allow for mature height for tree to align along an approximately 45° angle away from the tracks.





Tree Pruning Guidelines

Caltrain Vegetation Management Plan
August 2023

Qualifications

An ISA (International Society of Arboriculture) Certified Arborist or Tree Worker is to perform or supervise the pruning and must be present at all times. Tree care contractors must have a State of Calif. Contractor's License for Tree Service (C61-D49) and provide proof of workman's compensation and general liability insurance. Employees working in the Caltrain right-of-way must be RWP qualified and be wearing Caltrain-approved PPE.

Objectives

The following are general objectives:

1. Establish clearance from the Electrical Safety Zone (ESZ), defined as:
 - a. **ESZ:** Ten (10) feet in all directions from any electrified equipment.
 - b. **Side Clearance:** Ten (10) feet side clearances shall be measured from the electrified component.
 - c. **Downward Vertical Clearance:** No branches shall be below the ESZ.
 - d. **Overhead Vertical Clearance:** No branches shall be above the ESZ.
2. Maintain clearance described in item #1 for three years until the next inspection cycle. Actual clearance distances pruned must factor in response growth of trees, which may require additional clearance. If a three-year clearance is not obtainable while observing the below specifications, the tree must either be identified for mid-cycle pruning (see *Vegetation Management Plan section 2.3 Mid-cycle Pruning*) or removed.
3. Abate an elevated assessed level of risk to Caltrain facilities (*moderate, high, or extreme*) to a residual risk level of *low*. If residual risk is unable to be reduced to *low*, the tree must be removed.

Refer to the Caltrain Vegetation Management Program for additional information.

Specifications

1. All pruning shall be in accordance with the most recent editions of the Best Management Practices for Pruning (International Society of Arboriculture) and the American National Standard for Tree Care Operations (Z133.1) and Pruning (A300). The natural pruning system shall be used.
2. Interior branches shall not be stripped out, commonly known as lion's tailing.
3. Pruning of more than 25% of live foliage is discouraged, as that can cause damage to the tree. If more than 25% of the crown must be removed to clear the ESZ, the tree can be preserved if it does not present an elevated risk to Caltrain facilities.
4. Trees shall not be climbed with spurs for clearance or risk abatement pruning. Spurs may only be used when a tree will be removed.
5. Branch removal or reduction cuts are to be employed rather than heading cuts. Trees shall not be topped. Heading cuts shall only be employed in two situations:

- a. When removal or reduction cuts require entering a property in which permission to enter has been denied.
 - b. Removal or reduction cuts would require the removal of a tree.
6. Pruning operations shall be conducted in a manner that does not damage surrounding understory plants and structures.
7. Brush and logs shall be disposed of as described in the Caltrain Vegetation Management Program (see *section 4. Wood and Chip Disposal*).
8. Vehicles and equipment such as chain saws will be serviced and fueled only on paved surfaces, not on turf or other landscape material.
9. Where possible while in the tree, the arborist shall perform an aerial inspection to identify any defects in structure that require treatment. Any additional work needed shall be reported to Caltrain.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Board of Directors
Through: Michelle Bouchard, Executive Director
From: Pranaya Shrestha, Chief Officer, Caltrain Modernization Program
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

July 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 recovered from storm damages in early 2024. Caltrain is committed to deliver PCEP and achieve full electrified revenue service in September of 2024.

1.2 Program Cost and Budget

On December 6, 2021, the JPB adopted a new PCEP program budget of \$2,442,690,697. On January 31, 2023, Caltrain received a \$367 million funding award from California’s Transit and Intercity Rail Capital Program’s (TIRCP) Cycle 6 Existing Project Reserve, representing the remaining funding needed to complete the project. The project is now fully funded in the amount of \$2,442,690,697. As of July 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 July 2024, a total of \$21.18M has been drawn down from the Shared Risk Pool of \$50 million to-date. \$4,005,155.00 was drawn from the Shared Risk Pool this month.
- As of July 2024, a total of \$37.9M has been drawn from the project contingency of \$40 million. In July 2024, \$0 was drawn from project contingency.
- In July 2024, 0\$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 July 31, 2024, the overall project completion is 94.44%. Staff have completed 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. The PCEP has reached substantial completion on May 3rd, 2024. Caltrain is planning for soft launch in August 2024 and a full electrified Revenue Service by September 2024.

1.4 Change Management Board (CMB)

In July 2024, the following items were brought to the CMB approval for contingency drawdown:

- IRL 259 – Connection to Existing LV Power Supply
- Temporary Generators for LV Power in Segments 2 and 3

1.5 This Month's Accomplishments

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

- Electrification reached a substantial completion milestone on May 3rd, 2024.
- Completed FRA requested additional brake testing.
- Continued working with FTA/PMOC on OP54 review.
- Received FTA approval of Request for amendment of industry release of new PTC onboard software which is required for EMU electrified service.
- Close out punch list items.
- Continued to complete Substantial Completion Exception In-complete work.
- Continued to connect LV permanent power and coordinate remaining low voltage power drop applications with PG&E and utilized generators to support project testing.
- Continued to address impedance bonds cable theft issue and performed cable replacement to keep project testing schedule.
- Held Monthly CMB meeting for overall program status and provided schedule, budget, risks, and changes updates.
- 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.
- Received two more EMUs this month, and there is a total of 14 EMU trainsets delivered; 13 EMUs are on Caltrain property.
- Continued EMU burn-in and, Caltrain completed nine 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 finalized EMU Phasing plan from soft launch to full service
- Finalized spare parts list.
- Completed remaining three TPS training courses.
- Continued to close out NCRs and DVRs prior to Substantial Completion.

1.6 Upcoming work

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

- Complete system safety and security certification before August electrified service soft launch.
- Receive approval of OP54 from the FTA before soft launch.

- Continue to coordinate with Broadband Project, work with vehicle manufacturer, and monitor EMU production schedule that includes broadband equipment installation and testing.
- Receive FTA approval of Request for amendment of Caltrain specific EMU features.
- Close out punch list items.
- Receive PECP as-built record drawings
- Track spare part delivery status.
- Close out all permits.
- 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.
- Continue EMU acceptance testing (burn-in).
- 14 EMUs are required for September full EMU service.
- Perform close out effort including all punch list items, documentation, and financial contract close out for design build contract.
- Complete design build contract financial close out
- Complete recommendation of traffic mitigation effort

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

1.7 Critical Items

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

Table 1-1. Critical Issues and Actions

Critical Issues	Actions
<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. • Implement asphalt cover for impedance bonds that have been repeatedly stolen. – on-going • Purchased anti-theft cable – on-going. • Commenced permanent theft solution preliminary engineering effort

2.0 SAFETY

There was 1 reportable injury in July 2024, which brings the total to two reportable injuries for 2024. Overall, since the project’s construction started in 2017, the RIR is at 0.92, which remains below the national average of 2.5.

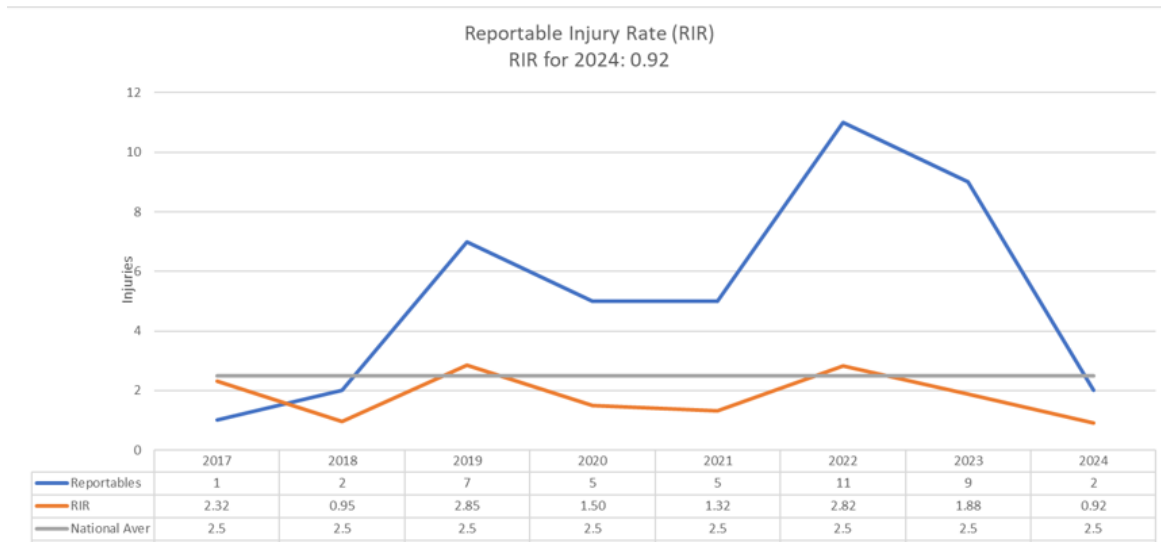


Figure 2-1. Project Reportable Injury Rate (RIR) by Year since 2017

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 total, 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** shows the schedule status of the major PCEP projects. The current schedule dates for this program schedule were based on BBII’s version “A” July 2024 Progress Schedule as well as the Stadler July 2024 EMU Progress Schedule. The Final Acceptance date of the BBII schedule is now calculating an early completion date of 9/3/2024 which is 5-days ahead of the allowed date of 9/8/2024. Stadler’s schedule shows the arrival at JPB of the 16th Trainset on 9/7/2024. Therefore, it is expected that the Revenue Service Date (RSD) can remain as September 21, 2024, depending on if the final Trainsets can be complete Burn-In prior to the RSD and generators are used until PG&E can provide permanent power drops. If the Burn-In of the final Trainsets can be completed prior to September 2024, then the Full Funding Grant Agreement (FFGA) Revenue Completion Date (RCD) of December 31, 2024, remains unchanged.

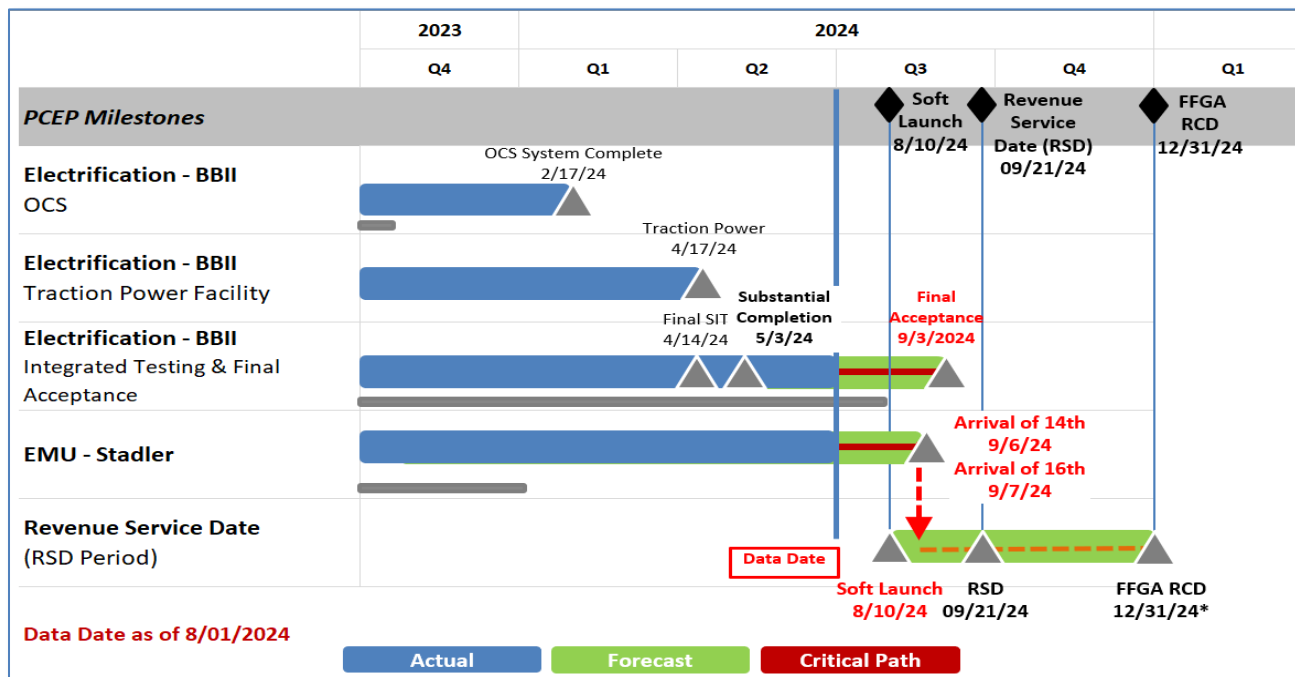


Figure 3-1. Master Program Summary Schedule

3.2 Critical Path Analysis

The current critical path now shifts to the submission and review of As-built documentation leading to Final Acceptance. BBI is currently preparing the final Test Dossiers for the traction power facilities. These final reports will address all previous comments from previous submittals, and include separate submittals for -1, TPSS 2, and PS-6/PS-1/PS-4.

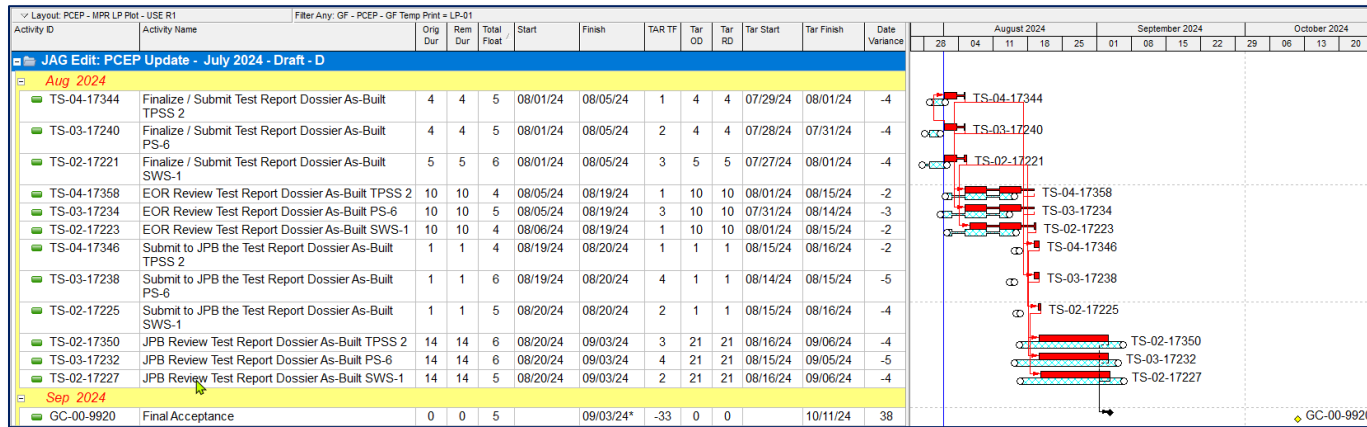


Figure 3-2. Critical Path Schedule

3.3 Schedule Contract Milestone Analysis

Figure 3-3. Contract Milestone Analysis

Contractor	Milestones	Reforecast Dates	Current Dates (July 2024)	Milestone Finish Date Variance	Total Float	Remarks
BBII	Scheduled Substantial Completion	5/8/2024	05/03/24 A	5		Completed
Stadler	14th Trainset Arrival at JPB Site	10/12/2023	9/6/2024	-330	1145	Stadler is striving to deliver 16 Trainsets by the end of September 2024. Trainset #311 was shipped to Salt Lake City for repairs. Its scheduled arrival date is shown as 2/14/2025 with Burn-In complete by 2/28/2024.
Stadler	16th Trainset Arrival at JPB Site	10/12/2023	9/7/2024	-331	1665	(Same as above)
BBII	Scheduled Final Acceptance	9/8/2024	9/3/2024	-5	-33	Based on draft July 2024 Update the Final Acceptance date is now 5-days ahead of schedule and is driven by As-built documentation.
JPB	Revenue Service Date (RSD)	9/26/2024	9/21/2024	5	N/A	Note: RSD may have to be with 15 Trainsets and one (1) spare.
JPB	FFGA Revenue Completion Date (RCD)	12/31/2024	12/31/2024	0	N/A	

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 July 31, 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	\$1,754,468,422	\$12,654,903	\$1,670,216,782	\$85,732,709	\$1,755,949,491	(\$1,481,069)
EMU	\$688,222,275	\$24,533,471	\$626,243,127	\$60,498,079	\$686,741,206	\$1,498,1069
PCEP TOTAL	\$2,442,690,697	\$37,188,374	\$2,296,459,909	\$146,230,788	\$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	\$1,091,178,881	\$4,077,932	\$1,047,368,919	\$42,809,962	\$1,090,178,881
EMU Procurement	\$556,072,601	\$564,986,271	\$21,778,080	\$517,935,307	\$47,349,539	\$565,284,846
Minor Construction Contracts (Tunnel, CEMOF, SCADA, Non-BBI OCS)	\$67,055,072	\$66,326,067	\$80,811	\$65,175,010	\$1,151,057	\$66,326,067
Real Estate Acquisition & Support	\$34,914,177	\$34,914,177	\$20,457	\$25,217,165	\$9,697,012	\$34,914,177
PG&E, Utilities**	\$132,088,994	\$128,868,191	\$3,944,283	\$130,646,345	\$535,383	\$131,181,728
Management Oversight & Support	\$312,699,697	\$321,974,670	\$2,347,943	\$312,445,823	\$9,528,847	\$321,974,670
TASI Support	\$114,488,767	\$145,146,219	\$3,106,442	\$136,193,250	\$9,076,337	\$145,269,587
Finance Charges	\$9,898,638	\$9,898,638	\$186,368	\$12,532,901	\$185,629	\$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	\$359,786	\$6,940,081	\$3,744,095	\$10,684,176
Environmental Mitigation	\$14,438,866	\$13,038,866	\$0	\$1,532,551	\$8,486,423	\$10,018,974
Caltrain Capital Overhead (ICAP)	\$48,217,887	\$47,217,887	\$1,286,272	\$34,181,556	\$13,036,332	\$47,217,887
Contingency	\$40,000,089	\$2,074,802	\$0	\$0	\$339,321	\$339,321
Total	\$2,442,690,697	\$2,442,690,697	\$37,188,374	\$2,296,459,909	\$146,230,788	\$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 July 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	\$3,946,031	\$7,806,406	-\$6,686,406
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	\$21,862	\$1,326,903	\$473,098
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	\$37,262	\$5,112,315	\$6,887,685
NA	Unidentified	\$54,179	\$0	\$0	\$54,179
	BBII Risk Pool Total	\$50,000,000	\$4,005,155	\$21,188,364	\$28,811,636

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	Un-Earned Milestone Incentive (Substantial Completion) - January	\$1,630,000
PG&E-042-BT-006	PG&E Equiv. One-Time Payment (EOTP) - First Reimb.	(\$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
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)
BT-060A	ICAP Adjustment Credits – 2023	\$1,000,000
BBII-053-CCO-255	Un-Earned Milestone Incentive (Substantial Completion) - February	\$1,370,000
BT-059	TASI - 4 th and King Updates for EMUs	(\$861,291)
BT-061	Outreach/Marketing Celebration Event and Media Buys	(\$540,000)
BBI-053-CCO-255	Un-Earned Milestone Incentive (Substantial Completion) - March	\$780,000
Remaining Contingency		\$2,074,801
PG&E-042 BT-006A	PG&E Equiv. One Time Payment (EOTP) - Final Reimbursement	(\$239,688)
BT-062	TASI GO-88 Crossing Improvements	(\$123,368)
STA-056-CCO-054	Americans with Disabilities Act (ADA) Ramp Extension	(\$298,575)
BBII-053-CCO-255-EAC4	Un-Earned Milestone incentive (Revenue Service) – August 2024	\$1,000,000
PG&E-042 BT-006D	PG&E Supplemental Agreement No. 4 – PCEP Share (EAC Update)	(\$1,104,400)
PG&E-042 BT-006E	PG&E Supplemental Agreement No. 2 – (EAC Update)	\$246,464
PG&E-042 BT-007	Power Utility for EMU Testing and Commissioning	(\$1,215,913)
Forecasted Remaining Contingency		\$339,321

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	(\$59,113,652)	(\$21,188,364)	(\$24,115,581)	(\$13,809,706)	(\$37,925,287)
Remaining Contingency	\$30,886,437	\$28,811,636	\$0	\$2,074,801	\$2,074,801
Pending Changes	(\$6,408,963)	(\$4,673,483)	\$0	(\$1,735,480)	(\$1,735,480)
Forecasted Remaining Contingency	\$24,477,474	\$24,138,153	\$0	\$339,321	\$339,321

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 as of July 2024..

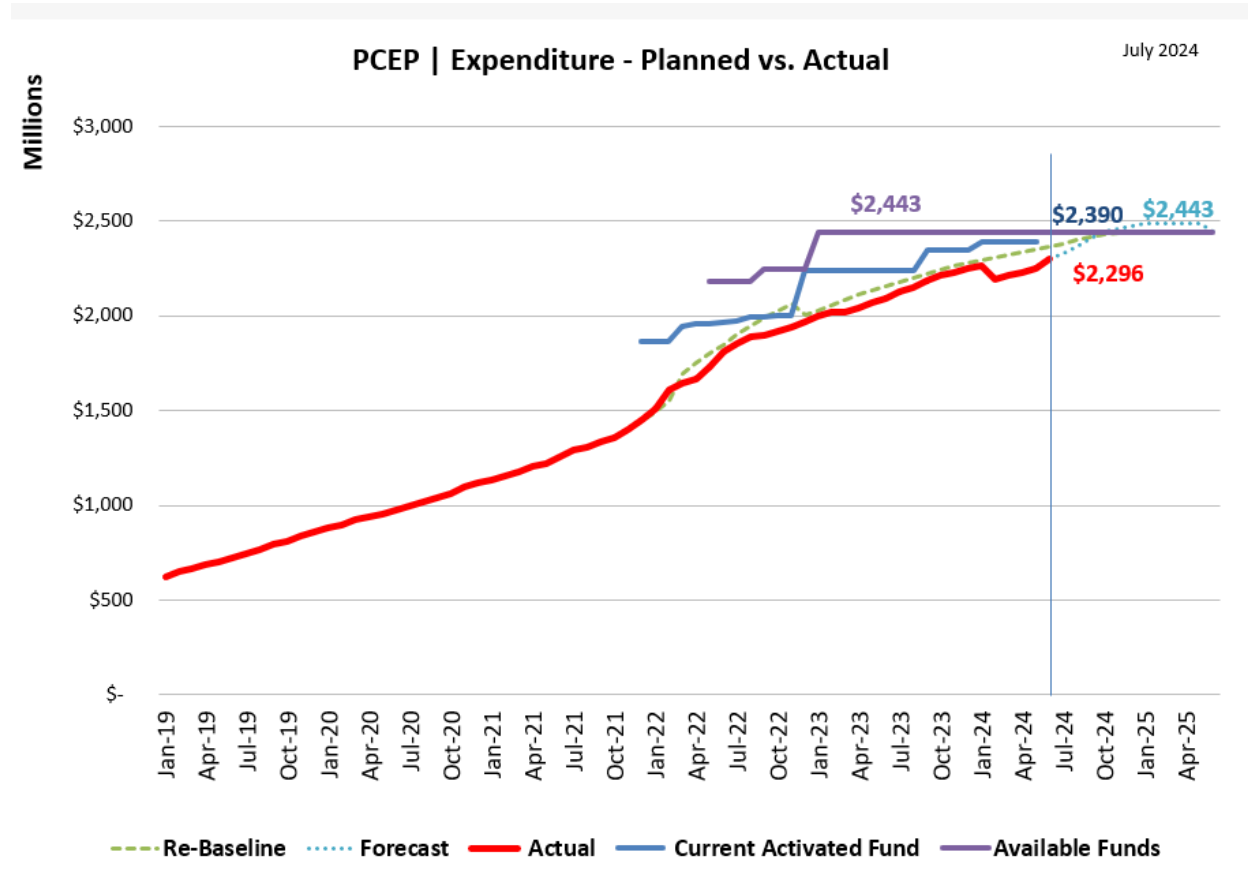
Table 4-6. BBII Incentives

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 July 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 July 2024:

- IRL 259 – Redesign Low Voltage Power Drops (Connection to Existing LV Power Supply)
- IRL 356 - Dudek Consulting Engineering Cultural Resource Clearance Evaluation Report For seven locations
- IRL 376 – Purchase of Corona Camera with GPS, Temperature and Resistive Humidity (RH) Sensors.
- IRL 372 – Segment 3 LV Power Connection to Support Cutover Locations – Not Included in Previous IRL until October 2023.
- IRL 373 – Segment 3 LV Power Connection to Support Cutover Locations – Not Included in Previous IRL until September 2023.
- IRL 377 – Track Access Delay (TAD) – April 2024
- IRL 378 – Segment 2 LV Power Connection to Support Cutover Locations – November 2023
- IRL 379 – Segment 2 LV Power Connection to Support Cutover Locations – December 2023
- IRL 380 – Segment 2 LV Power Connection to Support Cutover Locations – January 2024
- IRL 381 – Segment 2 LV Power Connection to Support Cutover Locations – February 2024
- IRL 382 – Segment 2 LV Power Connection to Support Cutover Locations – March 2024
- IRL 383 – Segment 3 LV Power Connection to Support Cutover Locations – October 2023
- IRL 384 – Segment 3 LV Power Connection to Support Cutover Locations – November 2023
- IRL 385 – Segment 3 LV Power Connection to Support Cutover Locations – December 2023
- IRL 386 – Segment 3 LV Power Connection to Support Cutover Locations – January 2024
- IRL 387 – Segment 3 LV Power Connection to Support Cutover Locations – February 2024
- IRL 392 – Phase Break Protection Scheme Hazard Analysis Study
- IRL 394 – Segment 2 LV Power Connection to Support Cutover Locations – April and May 2024
- IRL 396 – May 2024 Theft Cost Related to Right of Way (ROW) Theft

- Replacement of OCS Poles.
- IRL 404 – Segment 2 LV Power Connection to Support Cutover Locations – June 2024

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

- IRL 259 – Connection to Existing LV Power Supply
- Temporary Generators for LV Power in Segments 2 and 3

5.2.3 Upcoming Shared Risk Items or Change Orders

- Watkins Crossing Grounding Replacement

5.3 Issues

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

Issues	Actions
None	• n/a

**Peninsula Corridor Joint Powers Board
Staff Report**

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

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

Purpose and Recommended Action

The 2024 Legislative Program establishes the principles that will guide the legislative and regulatory advocacy efforts. Based on those principles, staff coordinates closely with our Federal and State advocates on a wide variety of issues that are considered in Congress and the State legislature. The attached reports highlight the recent issues and actions that are relevant to the Board.

Staff recommends the Board:

1. Receive the attached State and Federal Legislative Updates

Discussion

The update will discuss the federal budget process and relevant state legislation. It will also discuss the materials and scenarios shared at the Metropolitan Transportation Authority’s Transportation Revenue Measure Select Committee on August 26, 2024. The [agenda with associated materials](#) as well as the [video](#) of the Select Committee meeting are available. MTC Staff’s presentation is also attached in this report for reference.

Budget Impact

None.

Prepared By:	Devon Ryan	Government & Community Affairs Officer	650.730.6172
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August 9, 2024

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

FM: Matt Robinson, Michael Pimentel, and Alchemy Graham, Shaw Yoder Antwih Schmelzer & Lange

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

General Update

On August 5, the Legislature returned from its month-long Summer Recess, which means we are in the final few weeks of the 2023-24 Legislative Session. The Legislature will adjourn the session on August 31.

For the first two weeks of August, fiscal committees will be meeting, with the year's final suspense hearings in the Appropriations Committees of both houses taking place on August 15. During these two hearings, hundreds of bills will move to the Senate or Assembly Floor, or be held in the Committees, in which case they are done for the session. This comes just one day before the August 16 deadline for fiscal committees to meet and report on bills. Following the fiscal committee deadline, the Legislature will convene for only floor sessions.

As a reminder, Governor Newsom normally has 12 days to either sign, veto, or approve without signing a measure from the day it reaches his desk. This timeline is adjusted for measures that are presented to the Governor on or after September 1, which accounts for the flurry bills that pass out of the Legislature in the final days of session. In this case, the Governor has until September 30 to act on these measures.

After the election on November 5, the Legislature will convene for the 2025-26 Legislative Session on December 2 for the swearing-in of the newly elected members, and then promptly return to their districts until early January.

For more information about key legislative and budget deadlines, see the adopted 2024 Legislative Calendar available [here](#).

CalSTA's Transit Transformation Task Force Scheduled to Convene for Fifth Meeting

The Transit Transformation Task Force is scheduled to convene for their fifth meeting on August 29 in Los Angeles. At the time of drafting this report, the meeting documents have not yet been made available on CalSTA's website, but we expect to see those documents uploaded as we approach the meeting date. That said, the Task Force is subject to the state's open meeting requirements for state bodies, known as Bagley-Keene, and as such, all agenda materials will be available on [CalSTA's website](#).

High-Speed Rail Authority Appoints New CEO

On August 8, the California High-Speed Rail Authority's Board of Directors announced the selection of Ian Choudri as the new CEO of the Authority, whose appointment comes after Brian Kelly's retirement announcement in January. Choudri brings to the High-Speed Rail Authority over 30 years of experience in the transportation sector, including working on the technology and train control systems of two high-

speed rail projects in France and Spain. In his current role, Choudri serves as the Senior Vice President at HTNB Corporation, which is an infrastructure design firm that has taken on many state- and federal-level transportation infrastructure projects. Kelly's last day as CEO of the Authority is August 30.

Propositions Finalized for November 5 Election

As of July 3, all bonds slated to be voted on in the November election have been submitted to the Secretary of State by the Legislature. In total, California voters will take action on 10 propositions, including the climate and education bonds passed by the Legislature. Each proposition is highlighted below; as a reminder, Prop. 1 appeared on the March ballot as Governor Newsom's mental health bond.

- **Prop. 2:** \$10 billion education bond.
- **Prop. 3:** Reaffirm the right of same-sex couples to marry.
- **Prop. 4:** \$10 billion climate bond.
- **Prop. 5:** ACA 1 / ACA 10.
- **Prop. 6:** End indentured servitude in state prisons.
- **Prop. 32:** Raise the state minimum wage to \$18 an hour.
- **Prop. 33:** Allow local governments to impose rent controls.
- **Prop. 34:** Require certain health care providers to use nearly all revenue from Medi-Cal Rx on patient care.
- **Prop. 35:** Make existing tax on managed health care insurance plans permanent.
- **Prop. 36:** Increase penalties for theft and drug trafficking.

Bills of Interest

SB 925 (Wiener) City and County of San Francisco Merchandising Sales – SUPPORT

This bill would authorize the City and County of San Francisco to adopt an ordinance prohibiting the sale of specified merchandise on public property without a permit, if the ordinance includes specified written findings, including, among other things, that there has been a significant pattern of merchandise being the subject of retail theft and then appearing for sale on public property within the City and County of San Francisco. Pursuant to this bill, the ordinance would be required to be adopted by the City and County of San Francisco to, among other things, identify a local permitting agency that is responsible for administering a permit system. The bill would also authorize the ordinance to provide that selling merchandise without a permit is punishable as an infraction, and that subsequent violations after 2 prior convictions is an infraction or a misdemeanor punishable by imprisonment in the county jail not exceeding 6 months.

This bill was held in the Assembly Appropriations Committee and will not be moving further this session.

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

This bill would require the targets and performance measures adopted by the California Transportation Commission to include within the SHOPP asset management plan targets and measures reflecting state transportation goals and objectives, including for complete streets assets on the state highway system. This bill would also require Caltrans' performance report to include a description of complete streets facilities on each project, and to also incorporate complete streets elements into projects funded by the SHOPP. Lastly, this bill would require Caltrans to develop and adopt a project intake, evaluation, and encroachment permit review process for complete streets facilities that are sponsored by a local jurisdiction or transit agency. As a part of this process, Caltrans would be required to designate an encroachment permit manager in each district to oversee the review of complete streets facilities applications. Caltrans would then be required to produce a report on the project applications submitted for complete streets facilities.

On transit priority projects, this bill would require the Director of Transportation to, on or before July 1, 2027, adopt a transit priority policy to guide the implementation of transit priority facilities and transit stops on the state highway system. The bill would also require the Caltrans-prepared State Highway System Management Plan (SHSMP) to include specific and quantifiable accomplishments, goals, objectives, costs, and performance measures for complete streets facilities consistent with SHOPP asset management plan.

This bill is in the Assembly Appropriations Committee.

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

This bill would have served as the authorizing vehicle for the Metropolitan Transportation Commission to propose a revenue measure to the voters in its jurisdiction to fund the operation, expansion, and transformation of the San Francisco Bay area’s public transportation system, as well as other transportation improvements. This bill would have also charged the California State Transportation Agency with developing a plan to consolidate the 27 transit agencies in the San Francisco Bay Area. Recent amendments to the bill include an “enhanced coordination” component alongside the current consolidation component.

This bill is no longer moving forward this legislative session. However, Senators Wiener and Wahab have committed to engaging in conversations on the measure over the interim legislative recess and intend to reintroduce it in the 2025 legislative year.

AB 1837 (Papan) Bay Area Transit Coordination – SUPPORT

This bill would have created the Regional Network Management Council and would have required the Metropolitan Transportation Commission to facilitate the creation of the Council.

This bill is no longer moving forward this legislative session.

AB 2503 (Lee) CEQA Exemptions for Railroad Electrification – 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. This bill would exclude public projects for the institution or increase of passenger rail service, other than specified eligible light rail service, from being considered eligible projects under the provisions of the bill.

This bill is on the Senate Floor.

AB 2824 (McCarty) Transit Employee Assaults – WATCH

This bill would have enhanced penalties for individuals who commit assault or battery against a public transit operator or employee. This bill would have also allowed 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.

This bill is no longer moving forward this legislative session.

Caltrain Bill Matrix as of 8/9/2024

Bill ID/Topic	Location	Summary	Position
<p>AB 7 Friedman D</p> <p>Transportation: planning: project selection processes.</p>	<p>This bill is no longer moving forward this session.</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>
<p>AB 107 Gabriel D</p> <p>Budget Act of 2024.</p>	<p>This bill was signed by the Governor on June 26, 2024.</p>	<p>This bill would make appropriations for the support of state government for the 2024–25 fiscal year. This bill contains other related provisions.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 173 Committee on Budget Transportation budget trailer bill.</p>	<p>This bill was signed by the Governor on July 2, 2024.</p>	<p>Among other related provisions, relative to matters most salient to the Caltrain, this bill would require the Secretary of Transportation to coordinate with the Department of Transportation and the California Transportation Commission to identify available funding in state transportation programs that may be used to support grade separation projects that were previously awarded funding under specified transportation programs but had that funding reverted pursuant to the Budget Act of 2024. The bill would require the Transportation Agency to prioritize, and would authorize the agency to directly allocate, the funding identified by that process, as available and appropriate, for those grade separation projects that are at risk of losing or failing to secure federal and local funding commitments, or that are at risk of approved project schedule delays, or both. The bill would require the secretary to report to the Legislature, on or before April 30, 2025, on any funding that the Secretary identified for impacted grade separation projects.</p> <p>This bill would expand the requirements of the accountability program to the distribution of funds appropriated to the Transportation Agency in the Budget Act from the Greenhouse Gas Reduction Fund for purposes of the formula-based component of the Transit and Intercity Rail Capital Program. The bill would also require a regional transportation planning agency to submit an updated regional short-term financial plan and updated transit operator data to the Transportation Agency in order to receive moneys governed by the accountability program in the 2025–26 fiscal year, and to submit updated transit operator data to the Transportation Agency in order to receive moneys governed by the accountability program in the 2026–27 and 2027–28 fiscal years. The bill would authorize the Transportation Agency to modify the guidelines for the distribution of those funds for each of these 3 fiscal years by specified dates.</p> <p>This bill would appropriate \$100,000,000 from the General Fund to the Department of Transportation to support the Active Transportation Program with the funds to be allocated by the commission, as specified. Upon signature from the Governor, this bill would take effect immediately as a bill providing for appropriations related to the Budget Bill.</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 on the Senate Floor.</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, 2025, 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 (TIFIA) loan, the date on which the district will cease to exist shall not be more than 75 years from the date of the approval of a TIFIA loan, as specified. This bill contains other related provisions.</p>	<p>Watch</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 bill is no longer moving forward this session.</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>

Bill ID/Topic	Location	Summary	Position
<p>AB 930 Friedman D</p> <p>Local government: infrastructure financing districts: Reinvestment in Infrastructure for a Sustainable and Equitable California (RISE) districts: housing development: restrictive covenants.</p>	<p>This bill is on the Suspense File in the Senate Appropriations Committee.</p>	<p>Existing law authorizes certain local agencies to form a community revitalization authority within a community revitalization and investment area, as described, and authorizes an authority to, among other things, provide for low- and moderate-income housing and issue bonds, as provided. Existing law authorizes a community revitalization and investment plan to provide for the division of taxes within the plan area. This bill would authorize the legislative bodies of 2 or more specified local governments to jointly form a Reinvestment in Infrastructure for a Sustainable and Equitable California district (RISE district) in accordance with specified procedures. The bill would require at least one of the local governments to be a city or county within the proposed RISE district boundaries. The bill would authorize a local government that lacks the authority to levy a property tax to join a RISE district, by resolution, as specified. The bill would prohibit a RISE district from including territory within the jurisdiction of a participating local government unless the city or county where the territory is located is also a participating local government. The bill would require the Office of Planning and Research (OPR) to develop guidelines for the formation of RISE districts no later than November 30, 2026. The bill would provide for the establishment of a governing board of a RISE district with representatives of each participating local government. This bill contains other related provisions and 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 on the Suspense File in the Senate Appropriations 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 1870 Ortega D</p> <p>Notice to employees: legal services.</p>	<p>This bill was signed by the Governor on July 15, 2024.</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>Property taxation: filing.</p>	<p>This bill is on the Consent Calendar on the Senate Floor.</p>	<p>The California Constitution provides for the taxation of property and establishes the State Board of Equalization to administer those taxes. Existing property tax law, pursuant to constitutional authorization, sets forth procedures for imposing and collecting taxes on property in the state. Existing law requires a person owning taxable personal property, as specified, to file annually a signed property statement declared to be true under the penalty of perjury with the assessor. Existing law authorizes a property statement to be filed with the assessor through the United States mail, properly addressed with postage prepaid. This bill would instead authorize the statement to be filed through the United States mail provided it is mailed in a manner that includes a postmark and is properly addressed with postage prepaid, as specified. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 1890 Patterson, Joe R</p> <p>Public works: prevailing wage.</p>	<p>This bill is on the Senate Floor.</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, within 30 days, if there is a change in the identity of a contractor or subcontractor performing the project or, if the total amount of the contract change exceeds specified thresholds. The bill would exempt projects of awarding bodies operating labor compliance programs that are approved and monitored by the department and covered by a valid project labor agreement. 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 on the Senate Floor.</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 2192 Carrillo, Juan D</p> <p>Public agencies: cost accounting standards.</p>	<p>This bill is on the Consent Calendar on the Senate Floor.</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>

Bill ID/Topic	Location	Summary	Position
<p>AB 2302 Addis D</p> <p>Open meetings: local agencies: teleconferences.</p>	<p>This bill is on the Senate Floor.</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>

Bill ID/Topic	Location	Summary	Position
<p>AB 2325 Lee D</p> <p>San Francisco Bay Area Rapid Transit District: officers and employees: designation and appointment.</p>	<p>This bill was signed by the Governor on July 15, 2024.</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 positions of the treasurer and controller, would create the position of the chief financial officer subject to appointment and removal by the general manager, would transfer all of the duties previously assigned to the treasurer to the chief financial officer, and would make other related changes in this regard. The bill would authorize the general manager to designate other financial personnel to undertake any of the duties or responsibilities assigned to the chief financial officer.</p>	<p>Watch</p>
<p>AB 2421 Low D</p> <p>Employer-employee relations: confidential communications.</p>	<p>This bill is on the Suspense File in the Senate 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, and provisions relating to judicial employees, public schools, higher education, the San Francisco Bay Area Rapid Transit District, the Santa Cruz Metropolitan Transit District, the Sacramento Regional Transit District, and other public transit employees, prohibits employers from taking certain actions relating to employee organizations. This includes 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 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 judicial 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. The bill would provide that communications between an employee and their employee representative would not be confidential if, at any time, the representative was a witness or party to any of the events forming the basis of a potential administrative disciplinary or criminal investigation.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2455 Gabriel D</p> <p>Whistleblower protection: state and local government procedures.</p>	<p>This bill is on the Suspense File in the Senate Appropriations Committee.</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 government activity, existing law authorizes a city or county auditor to conduct an investigative audit of the matter, as specified. Existing law requires the identity of the individual or individuals reporting the improper government activity, and the subject employee or employees to be kept confidential. Existing law defines “fraud, waste, or abuse” to mean any activity by a local agency or employee that is undertaken in the performance of the employee’s official duties, as described, that is in violation of any local, state, or federal law or regulation relating to, among other things, corruption. This bill would also authorize a city, county, or city and county auditor or controller to maintain a whistleblower hotline to receive calls from persons who have information regarding improper governmental activity, and would recast information regarding fraud, waste, or abuse by local government employees as improper governmental activity. The bill would instead authorize a city or county auditor or controller, or auditor’s or controller’s designee, to conduct an investigative audit of the matter upon receiving specific information that an employee or local government has engaged in a fraud, waste, or abuse or improper governmental activity, as specified. The bill would also require the identity of the individual or individuals reporting the fraud, waste, or abuse, and the subject employee or employees to be kept confidential. The bill would expand the above-described duties and authorizations to the auditor’s or controller’s designee, as specified. The bill would revise the definition of “fraud, waste, or abuse” to also define “improper governmental activity,” and expand the scope of those terms to include activity by a local agency, employee, or contractor or subcontractor.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2503 Lee D</p> <p>California Environmental Quality Act: exemption: passenger rail projects.</p>	<p>This bill is on the Senate Floor.</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, located entirely within existing rail 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>Support May 2024</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2553 Friedman D</p> <p>Housing development: major transit stops: vehicular traffic impact fees.</p>	<p>This bill is on the Senate Floor.</p>	<p>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. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2561 McKinnor D</p> <p>Local public employees: vacant positions.</p>	<p>This bill is on the Suspense File in the Senate Appropriations Committee.</p>	<p>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 high vacancy rates for more than 180 days, at the request of the recognized employee organization, to promptly meet and confer with the representative of the recognized employee organization within 21 days about substantive strategies to fill vacancies and to hold a public hearing within 90 days about high vacancy rates and specified related matters. By imposing new duties on local public agencies, the bill would impose a state-mandated local program. The bill would also include related legislative findings. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2661 Soria D</p> <p>Electricity: Westlands Water District.</p>	<p>This bill is on the Senate Floor.</p>	<p>The California Water District Law provides for the establishment of water districts and authorizes a district to construct, maintain, and operate plants for the generation of hydroelectric energy and transmission lines for the conveyance of the hydroelectric energy. Existing law merged the former West Plains Water Storage District into the Westlands Water District, and provides for the operation of the Westlands Water District. This bill would authorize the Westlands Water District to provide, generate, and deliver solar photovoltaic or hydroelectric electricity and to construct, operate, and maintain works, facilities, improvements, and property necessary or convenient for generating and delivering that electricity. The bill would require the district to use the electricity for the district's own purposes, and the bill would authorize the district to sell surplus electricity to a public or private entity engaged in the distribution or sale of electricity. The bill would also authorize the district to construct, operate, and maintain energy storage systems and electric transmission lines, and to construct, operate, and maintain works, facilities, improvements, and property necessary or convenient for the operation of the energy storage system and electric transmission lines, within the boundaries of the district, as specified. The bill would require the district to report the amount of income, and the purposes for expenditure of that income, from these electricity facilities in a specified report. This bill contains other related provisions.</p>	<p>Watch</p>
<p>AB 2669 Ting D</p> <p>Toll bridges: tolls.</p>	<p>This bill is on the Suspense File in the Senate Appropriations Committee.</p>	<p>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.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2712 Friedman D</p> <p>Preferential parking privileges: transit-oriented development.</p>	<p>This bill is on the Senate Floor.</p>	<p>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 would, for purposes of its provisions, define "development project" to mean a residential, commercial, or other development project exempt from minimum automobile parking requirements, or subject to parking minimum reductions based on any other applicable law, located within the boundaries of the City of Los Angeles. This bill, for a development project that is 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 or visitors of the development project that grants preferential parking privileges. The bill would also provide that none of the above-described provisions prohibit local authorities from issuing permits to residents of developments projects that occupy deed-restricted units intended for specified households. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2715 Boerner D</p> <p>Ralph M. Brown Act: closed sessions.</p>	<p>This bill is on the Senate Floor.</p>	<p>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 with specified individuals on, among other things, matters posing a threat to the security of essential public services, as specified. This bill would additionally authorize a legislative body to hold a closed session with other law enforcement or security personnel and to hold a closed session on a threat to critical infrastructure controls or critical infrastructure information, as defined, relating to cybersecurity. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2813 Aguiar-Curry D Government Investment Act.</p>	<p>This bill was signed by the Governor on July 18, 2024.</p>	<p>(1)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. This bill, for purposes of ACA 1, would define “affordable housing” to include rental housing, ownership housing, interim housing, and affordable housing programs such as downpayment assistance, first-time homebuyer programs, and owner-occupied affordable housing rehabilitation programs, that are affordable to households earning up to 150% of countywide median income. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety facilities, infrastructure, and equipment. The bill would define “public infrastructure” to exclude the construction, reconstruction, rehabilitation, or replacement of a sports stadium or arena where the majority of the use of the facility is for private ticketed activities. The bill would prohibit ACA 1 bonded indebtedness from being used for the acquisition or lease of any real property that has, at the time of acquisition or lease, been improved with one to 4 dwelling units, except as specified. The bill would also prohibit any ACA 1 bonded indebtedness, when added to existing bonded indebtedness of a local government, from exceeding the applicable statutory limit on the maximum amount of bonded indebtedness that a local government is authorized to incur. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

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 on the Suspense File in the Senate 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, 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 Lackey R</p> <p>High-Speed Rail Authority: contracting.</p>	<p>This bill is in the Senate 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>

Bill ID/Topic	Location	Summary	Position
<p>AB 3177 Carrillo, Wendy D</p> <p>Mitigation Fee Act: land dedications: mitigating vehicular traffic impacts.</p>	<p>This bill is on the Senate Floor.</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 1/2 mile of a transit station, as specified. 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 transit priority area, as specified, 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 would prohibit a local agency from imposing a land dedication requirement, as defined, on a housing development to widen a roadway if the land dedication requirement is for the purpose of mitigating vehicular traffic impacts, achieving an adopted traffic level of service related to vehicular traffic, or achieving a desired roadway width. The bill, notwithstanding that prohibition, would authorize a local agency to, among other things, impose a land dedication requirement on a housing development if the housing development is not located in a transit priority area and the housing development has a linear street frontage of 500 feet or more. 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 Senate Rules Committee, pending referral to policy committee. Given that this did not pass by the deadline, it will likely not be moving forward this session.</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 an owner or developer, as defined, undertaking any public works 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 an owner or developer that undertakes a development project that includes work subject to the requirements of public works. The bill would subject an owner or developer, 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>ACA 10 Aguiar-Curry D</p> <p>Local government financing: affordable housing and public infrastructure: voter approval.</p>	<p>This bill was signed by the Governor on June 27, 2024.</p>	<p>Assembly Constitutional Amendment No. 1 of the 2023–24 Regular Session (ACA 1) would, if adopted by the people, amend Section 4 of Article XIII A, Section 2 of Article XIII C, and Section 3 of Article XIII D of, and would add Section 2.5 of Article XIII C to, the California Constitution, relative to local finance. Under these provisions, ACA 1 would condition the imposition, extension, or increase of a sales and use tax or transactions and use tax imposed in accordance with specified law or a parcel tax by a local government for the purposes of funding the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, including downpayment assistance, or permanent supportive housing, or the acquisition or lease of real property for those purposes, on the proposition proposing that tax being approved by a majority vote of the membership of the governing board of the local government and by 55% of its voters voting on the proposition and the proposition includes specified accountability requirements. ACA 1 would also make conforming changes. This measure would remove the above-described provisions of ACA 1 relating to special taxes and make conforming changes in other provisions of ACA 1. The measure would direct the Secretary of State to make those amendments in ACA 1. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>SB 532 Wiener D</p> <p>Parking payment zones.</p>	<p>This bill is on the Assembly Floor.</p>	<p>Existing law allows a local authority to establish parking meter zones and fix the rate of fees for those zones by ordinance. Existing law prohibits a local authority from requiring payment of parking meter fees by a mobile device, as specified. This bill would instead authorize, in the City and County of San Francisco, a local authority to require payment of parking fees by a mobile device, if it meets certain requirements, such as adopting an accessible and equitable parking cash payment plan that does not utilize parking meters or payment centers in parking payment zones to provide reasonably accessible alternative means for payment of parking fees using cash. The bill would also authorize the local authority in the City and County of San Francisco to operate the above-described parking zone, for 5 years following the creation of the first zone, or until January 1, 2033, whichever is sooner. The bill would specify that a civil fine for parking in a zone that requires payment by mobile device and lacks a parking meter is 1/2 of the civil fine for failing to pay for metered parking. The bill would require a local authority to consult with specified stakeholders in the development of the plan and would require a local authority that adopts a plan to provide to its governing body and the Legislature, as specified, an evaluation of the plan to determine the plan’s impact on equity, accessibility, and costs.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 537 Becker D</p> <p>City or County of Los Angeles: memorial to forcibly deported Mexican Americans and Mexican immigrants.</p>	<p>This bill is in the Assembly Governmental Organization Committee.</p>	<p>Existing law provides for various memorials and monuments on the grounds of the State Capitol. Existing law requires the Department of General Services to maintain state buildings and grounds. Existing law, the Apology Act for the 1930s Mexican Repatriation Program, makes findings and declarations regarding the unconstitutional removal and coerced emigration of United States citizens and legal residents of Mexican descent, between the years 1929 and 1944, to Mexico from the United States during the 1930s “Mexican Repatriation” Program. Existing law expresses the apology of the State of California to those individuals who were illegally deported and coerced into emigrating to Mexico and requires that a plaque to commemorate those individuals be installed and maintained by the Department of Parks and Recreation in an appropriate public place in the City or County of Los Angeles. This bill would authorize a nonprofit organization representing Mexican Americans or Mexican immigrants to enter into a memorandum of understanding to plan, construct, and maintain a memorial to Mexican Americans and Mexican immigrants who were forcibly deported from the United States during the Great Depression, as provided. The bill would require the memorial to be located at an appropriate public place in the City or County of Los Angeles. The bill would require the nonprofit organization to enter into a memorandum of understanding with either the Department of General Services, if the nonprofit organization proposes to locate the memorial on state property, or the City of Los Angeles or the County of Los Angeles, depending on which local jurisdiction owns the site where the nonprofit organization proposes to locate the memorial. The bill would require the nonprofit organization to submit a plan for the memorial to the department or the appropriate local jurisdiction for its review and approval. By imposing various requirements on local jurisdictions, this bill would create a state-mandated local program. The bill would require these provisions to be funded exclusively through private sources. 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 Sonoma-Marín Area Rail Transit District.</p>	<p>This bill is on the Suspense File in the Assembly Appropriations 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. The bill would delete a provision that limits the district, in the County of Sonoma north of the City of Healdsburg, to locating commuter stations only within incorporated areas. The bill would require the district to obtain coverage for the district and its employees under the appropriate federal and state workers' compensation, unemployment compensation, and disability and unemployment insurance laws, instead of only under laws of this state. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 925 Wiener D</p> <p>City and County of San Francisco: merchandising sales.</p>	<p>This bill is on the Suspense File in the Assembly Appropriations Committee.</p>	<p>Under existing law, knowingly buying or receiving stolen property or property that has been obtained in any manner constituting theft or extortion, as specified, is punishable as either a misdemeanor or a felony if the value of the property exceeds \$950. Existing law authorizes a local authority to, by ordinance or resolution, adopt requirements regulating the time, place, and manner of sidewalk vending if the requirements are directly related to objective health, safety, or welfare concerns. Existing law prohibits a local authority from regulating sidewalk vendors, except in accordance with certain provisions. This bill, until January 1, 2030, would authorize the City and County of San Francisco to adopt an ordinance prohibiting the sale of specified merchandise on public property without a permit, if the ordinance includes specified written findings, including, among other things, that there has been a significant pattern of merchandise being the subject of retail theft and then appearing for sale on public property within the City and County of San Francisco. The bill would require an ordinance adopted by the City and County of San Francisco to, among other things, identify a local permitting agency that is responsible for administering a permit system. The bill would authorize the ordinance to provide that selling merchandise without a permit is punishable as an infraction, and that subsequent violations after 2 prior convictions is an infraction or a misdemeanor punishable by imprisonment in the county jail not exceeding 6 months. By creating a new crime, the bill would impose a state-mandated local program. This bill would require, if an ordinance is adopted, the City and County of San Francisco to submit a report to the Legislature by January 1, 2029, that includes specified information, including, among other things, the list or lists of merchandise that the City and County of San Francisco determined was a common target of retail theft. The bill would require the City and County of San Francisco to administer a public information campaign for at least 30 calendar days prior to the enactment of the ordinance, including public announcements in major media outlets and press releases. This bill contains other related provisions and other existing laws.</p>	<p>Support</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 no longer moving forward this session.</p>	<p>Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would 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, until January 1, 2041, 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, except as specified, in accordance with applicable constitutional requirements. The bill would prohibit a tax or surcharge described above from being imposed for a period of time of more than 30 years. 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 commission, in consultation with county transportation authorities, to develop an expenditure plan for the expenditure of the revenues expected to be generated by the tax or surcharge, together with other federal, state, and local funds expected to be available for transportation improvements, as specified. The bill would require, before the election on the tax or surcharge, the expenditure plan to be approved by county transportation authorities representing counties meeting certain criteria, as provided. 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 allocate those revenues in accordance with specified requirements. This bill contains other related provisions and other existing laws.</p>	<p>Oppose Unless Amended April 2024</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 on the Suspense File in the Assembly Appropriations Committee.</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 contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>SB 1321 Wahab D</p> <p>Employment Training Panel: employment training program: projects and proposals.</p>	<p>This bill is on the Suspense File in the Assembly Appropriations Committee.</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. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1325 Durazo D</p> <p>Public contracts: best value procurement: goods.</p>	<p>This bill is on the Suspense File in the Assembly Appropriations Committee.</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>
<p>SB 1434 Durazo D</p> <p>Unemployment insurance: benefit and contribution changes.</p>	<p>This bill is no longer moving forward this session.</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 on the Suspense File in the Assembly Appropriations Committee.</p>	<p>Existing law prohibits driving a vehicle upon a highway at a speed greater than is reasonable or prudent. Existing law also prohibits driving a vehicle in excess of an established speed limit. 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. This bill, the Negligent Operator Treatment (NOT) in California Act, would, commencing on January 1, 2027, prohibit excessively speeding, defined as driving a vehicle at a speed that exceeds the posted speed limit by 26 miles per hour or more on a highway with a posted speed limit for passenger vehicles of 55 miles per hour or less. The bill would provide that a conviction for excessively speeding is punishable as an infraction and one point shall be assessed against a driver’s record for a first violation and 2 points for any subsequent violation that occurs within 3 years after a previous violation for which the driver was convicted. This bill contains other existing laws.</p>	<p>Watch</p>

Caltrain Federal Report August 2024

Congressional Update

Appropriations Update

- Congress left Washington to begin its August recess after making only some progress on appropriations. For FY25, members are under strict domestic spending limits imposed by the Fiscal Responsibility Act, which raised the federal debt ceiling through January 2, 2025. Congress must pass all appropriation bills or a temporary stopgap measure by September 30 to keep the government open.
- Before leaving for the August recess, the House was only successful in passing five of twelve appropriations bills (Defense, Homeland Security, Military Construction-VA, Interior-Environment, and State-Foreign Operations). The House failed to pass its Legislative Branch bill when some Republicans joined nearly all Democrats in voting it down 205-213. Additionally, House leadership pulled down the remaining votes in July due to a lack of support for the remaining bills scheduled for a vote.
- The Senate successfully marked up all its bills except the FY25 Homeland Security bill. When Senators return after Labor Day Weekend, they will work to mark up the Homeland Security legislation and potentially pass appropriations bills on the Senate floor.

Senate Appropriations Marks-Up Transportation-HUD Appropriations Bill

- As aforementioned, the Senate Appropriations Committee marked up the FY 2025 Transportation-HUD Appropriations bill. The Senate **bill provides \$110 billion** in total funding for the Department of Transportation, of which \$81.6 billion is from obligation limitations and \$28.5 billion is from discretionary funding. It provides about \$3.7 billion more in funding for transportation than the House bill.
- Some key funding investments:
 - RAISE - additional \$550 million to raise the program to the FY 24 levels with the FY24 bill language.
 - Capital Investment Grants - provides \$2.262 billion in General Funds over and above the \$1.6 billion Advance Appropriations. The General Fund levels in the Senate are approximately \$1.5 billion above the House levels.
- Member Directed Funding - The House provides \$1.5 billion for "earmarks" while the Senate provides \$941 million.

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Rep. Graves Casts Doubt on Rail Safety Bill Prospects

- House Transportation and Infrastructure Committee Chair Rep. Sam Graves (R-MO) indicated that the House will not advance rail safety legislation this Congress. The Chairman cited the remaining legislative days and stated that he believes the legislation is unnecessary.
- Additionally, the rise of JD Vance, the sponsor of the original Senate bill and President Trump's running mate, did not change the Chairman's stance on rail safety legislation

Administration Update

President Biden Steps Down from Campaign; Endorses Vice President Harris as Democratic Nominee

- On July 21, President Biden announced that he will no longer seek a second presidential term. This announcement comes after weeks of public pressure from leaders in the Democratic Party to step down due to concerns with his age and fitness to lead the country in a second term.
- In conjunction with this announcement, President Biden publicly endorsed Vice President Kamala Harris to be the Democratic nominee. The Biden campaign has also officially renamed the campaign as "Harris for President".
- Weeks after President Biden's decision, Vice President Harris announced Minnesota Governor Tim Walz would serve as her running mate. The Vice President also closely considered Pennsylvania Governor Josh Shapiro and Arizona Senator Mark Kelly.

President Trump Selects JD Vance as VP Candidate

- On July 15, President Trump announced Senator JD Vance (R-OH) as his Vice Presidential candidate. The junior Senator from Ohio, a previous critic of President Trump, has served in the U.S. Senate since 2022.
- Senator Vance rose to fame with the 2016 publication of his memoir, *Hillbilly Elegy*, and has become a strong champion of President Trump's political agenda.

Round-Up of Open Grant Opportunities

- [Charging and Fueling Infrastructure \(CFI\) Discretionary Grant Program ROUND 2](#). \$1.3 billion available. All applications due August 28, 2024.
- [Railroad Crossing Elimination Grant Program](#). \$1.1 billion available. All applications due September 23, 2024.
- [Reconnecting Communities Pilot \(RCP\) Program](#). \$607 million available. All applications due September 30, 2024.

Transportation Revenue Measure Select Committee

August 26, 2024





Questions for Committee Discussion

Item #14.
9/5/2024

2

- 1. What is your impression of Scenario 1** including the balance between funding county needs and funding proposed for sustaining and transforming transit?
- 2. What is your impression of Scenario 2** and which funding mechanism would you support to raise \$1.5 billion per year?
- 3. Are there changes to the scenarios that could help build regional consensus?**
- 4. Instead of a single regional measure, what could it look like to have a coordinated strategy of operator-led local measures?**

Key Factors in Designing the Scenarios

Transit Funding Needs

- ▶ Post-pandemic remote work trends have fundamentally changed travel behavior and reduced transit ridership
- ▶ Commute-focused operators have lost the most fare revenue.
- ▶ Fare revenue is largest source that has declined among operators.
- ▶ Potential for improvement moving forward, including:
 - ▶ Ridership and fare growth, especially with implementation of the Transit Transformation Action Plan
 - ▶ Growth in non-fare revenues sources, or the addition of new funding sources.
 - ▶ Potential efficiencies that reduce operating costs, such as transit priority lanes.



Key Factors in Designing the Scenarios

Transit Transformation

- Ridership will grow by transforming the rider experience.
- New operational funding and one-time capital funds are needed to fully implement the transformative actions identified in the *Bay Area Transit Transformation Action Plan*.

Fares & Payment
Simpler, consistent, and equitable fare and payment options



Free Local Transfers
\$2.75 Discount for Regional Transfers

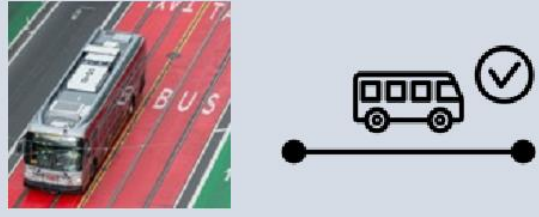
Customer Information
Make transit easier to navigate and more convenient



Regional Mapping & Wayfinding Project



Transit Network
Transit services managed as a unified, efficient, and reliable network



BusAID & IDEA TSP

Accessibility
Transit services for older adults, people with disabilities, and those with lower incomes are coordinated efficiently



Near-term improvements to paratransit user experience

Key Factors in Designing the Scenarios

County Funding Needs

Counties rely on sales taxes for local transportation needs. Some are expiring within 10 years of 2026:

- **2034:** San Mateo County
- **2035:** Contra Costa County
- **2036:** Santa Clara County

If sales tax is used as the funding source there is need for flexible county funding as early as 2034 (in case local measures are not renewed).



Two Scenarios for Consideration

Scenario 1: Core Transit Framework

30-year, 1/2-cent Sales Tax

- ▶ Includes Alameda, Contra Costa, SF & San Mateo Counties
- ▶ Opt-in for other counties, with required contribution to Transit Transformation and funding for operating gaps, subject to negotiation with MTC.
- ▶ **Generates \$540 million/year** in the four base counties, approx. \$1 billion/year in all nine

Scenario 2: Go Big Framework

30-year

- ▶ All 9 Bay Area counties
- ▶ **Generates \$1.5 billion/year** through either a \$0.28 per square foot parcel tax or a 0.54% payroll tax.*

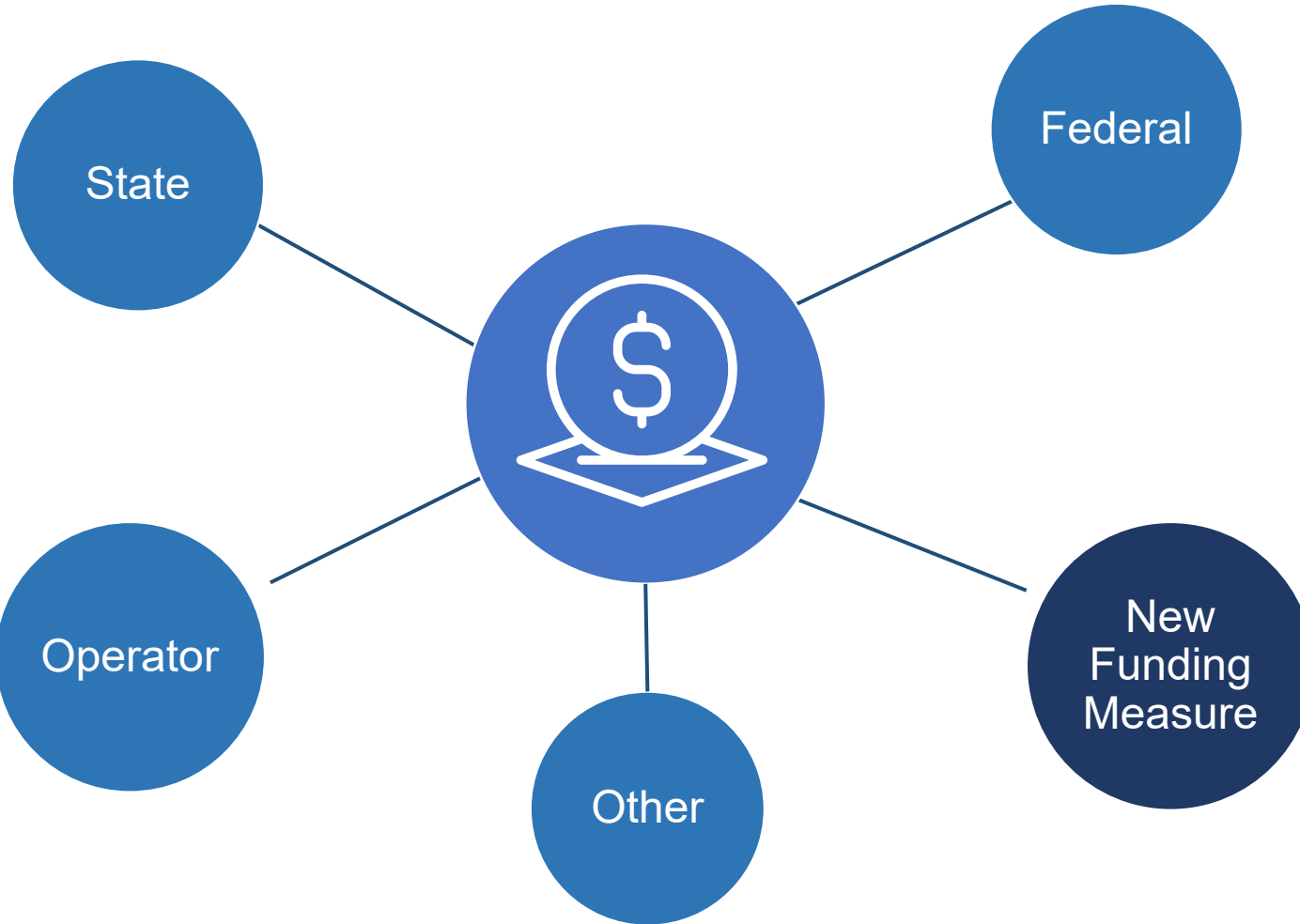
**Data for scenarios provided by NBS (parcel tax) based on July 2023 assessment data and Sperry Consulting (payroll tax) based on 2022 taxable wages and 2022 taxable sales.*

Important Context for Reviewing Scenarios

- ▶ These are **policy frameworks** based on the best available information at the time the analysis was developed.
- ▶ As more current information is provided from transit agencies and verified, MTC will incorporate it into the analysis.
- ▶ Feedback should be focused on the underlying concepts and frameworks, understanding that modest funding changes may occur as data is updated.

Neither scenario completely addresses challenges: Long-term solutions will contain many elements

SB 125 TASK Force identifying and evaluating potential new revenue sources



CONGRESS is beginning to explore increasing and expanding federal transit operating assistance. (H.R. 3744/S. 1330)

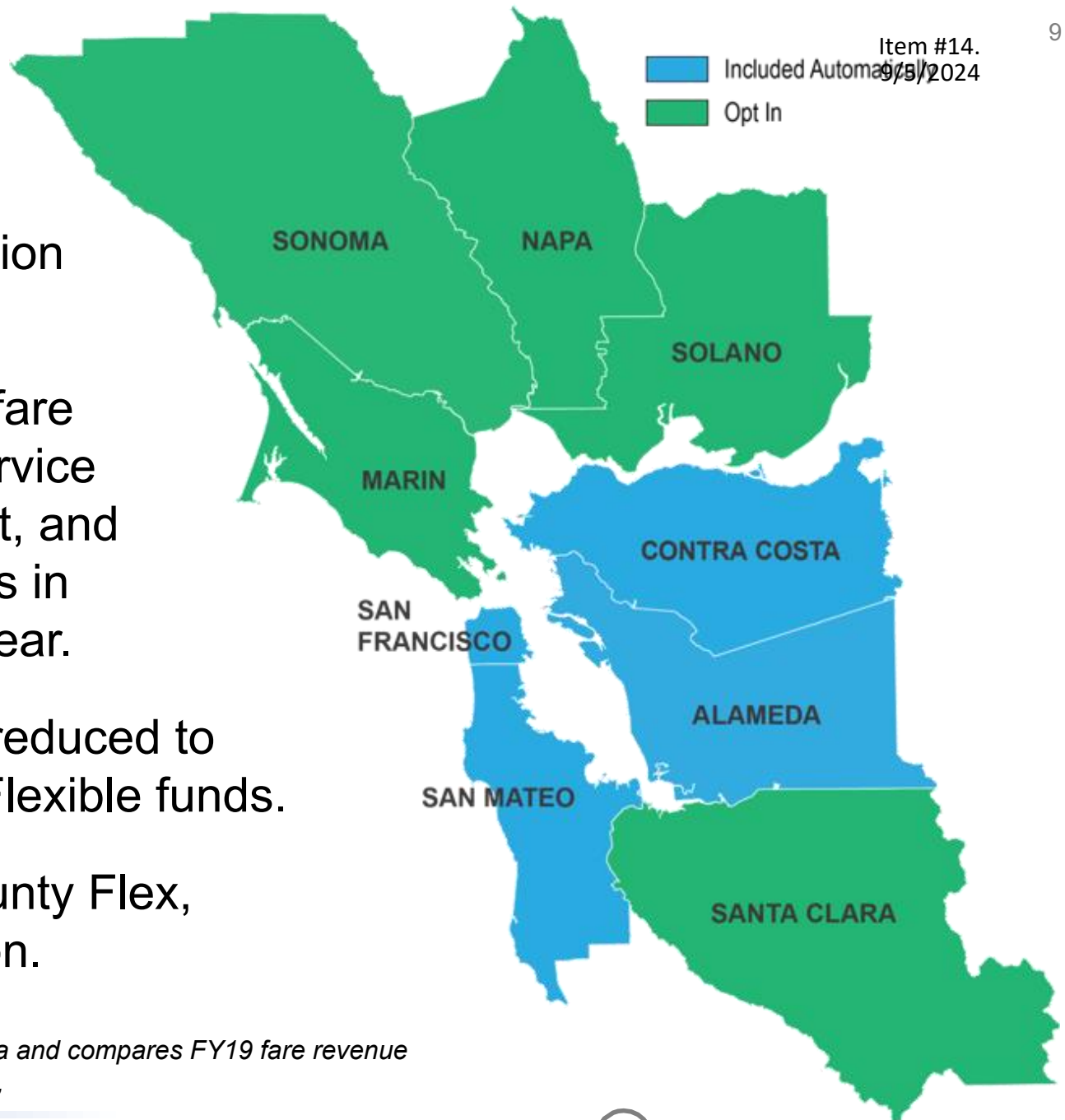
TRANSIT OPERATORS exploring fare increases and other local revenues (parking fees and fines); ongoing service adjustments & improvements

BAY AREA VOTERS via a transportation revenue measure

Core Transit Scenario

- 10% per year for Transit Transformation to grow ridership for entire measure.
- **Years 1- 8:** Funding to offset loss of fare revenue* since 2019 and mitigate service impacts at BART, Caltrain, AC Transit, and Muni, plus funding for small operators in AL and CC counties. At \$490M per year.
- **Years 9-15:** Transit operating funds reduced to \$220M/year. Remainder to County Flexible funds.
- **Years 16-30:** All funding shifts to County Flex, except 10% for Transit Transformation.

* Estimates of fare losses are based on operator provided claim data and compares FY19 fare revenue (indexed at 2% annually) to FY24 or FY 25 budgeted fare revenue,



Core Transit Scenario: Timelines at a Glance

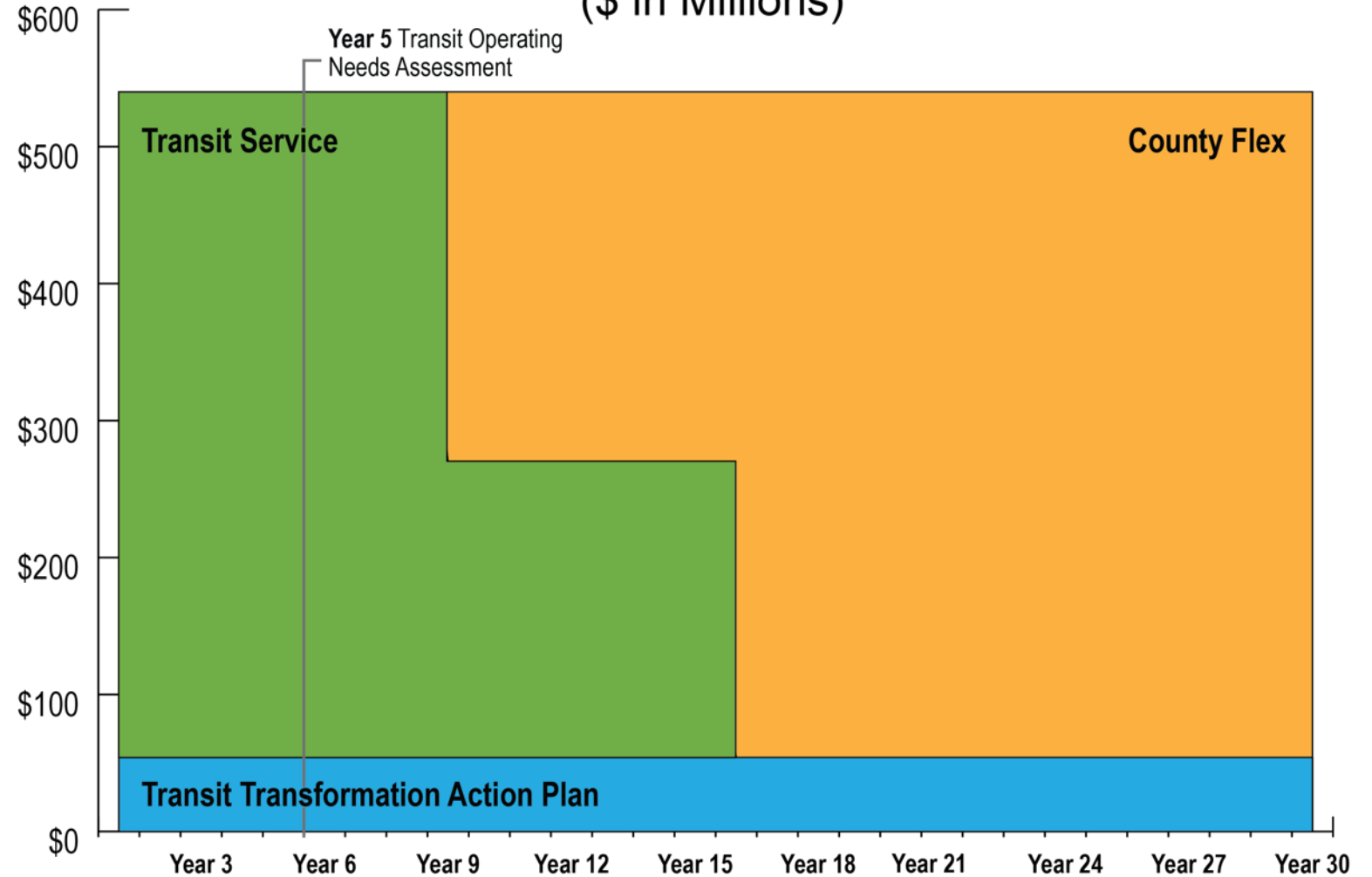
<p>Years 1-8</p>	<p>Offset Fare Revenue Loss* from Decreased Ridership at BART, Caltrain, AC Transit and Muni and creates a runway to:</p> <ul style="list-style-type: none"> • Reduce operating costs with transit priority on local streets and express lanes • Grow local sources (e.g. parking revenues in SF) • Seek support for additional funding from the state and federal levels • Transit operating needs reviewed at Year 5, with potential reduction if fewer funds needed
<p>Years 9-15</p>	<p>Dedicated Funding to Transit Operations Scaled Down, County Flex Starts</p> <ul style="list-style-type: none"> • 40% of annual funding directed to transit operations, 50% to County Flex • Transit service an eligible expenditure within county flex • No dedicated transit operations funding for Muni in Years 9-30, but SF may use County Flex funds of approximately \$50 million/year to support transit.
<p>Years 16-30</p>	<p>Direct support for transit service ends</p> <ul style="list-style-type: none"> • 90% of funding sent directly to counties for any Plan Bay Area-eligible use • Transit service remains an eligible expenditure of County Flex

* Estimates of fare losses are based on operator provided claim data and compares FY19 fare revenue (indexed at 2% annually) to FY24 or FY 25 budgeted fare revenue. Funds for Muni are limited to revenues generated in S.F.

Focus on transit service in first 8 years followed by increasingly robust county flexibility.

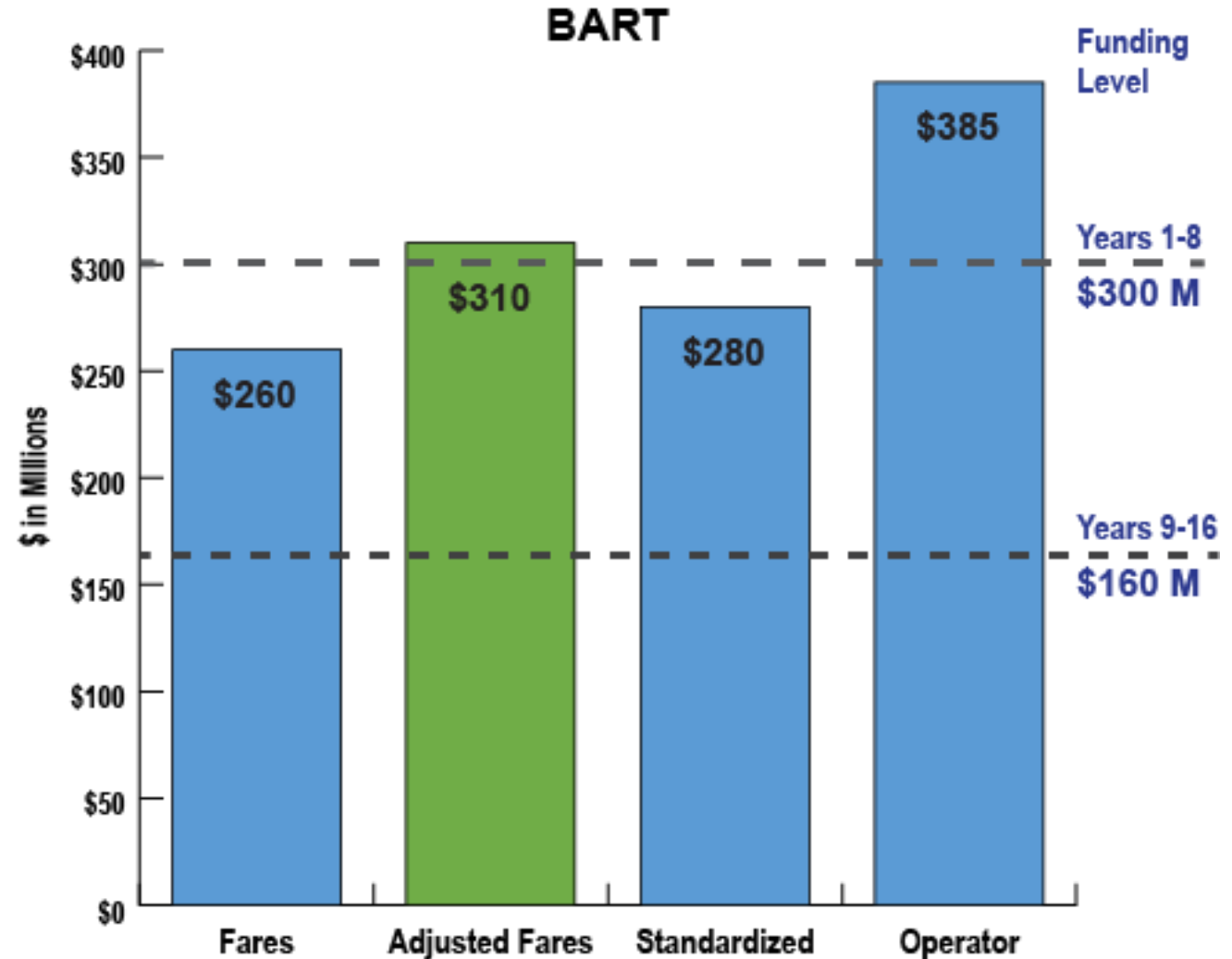
This approach protects transit service in near term as agencies develop a post-pandemic revenue model

Core Transit Scenario: 30-Year Funding Distribution
(\$ in Millions)



Scenario 1: BART Funding

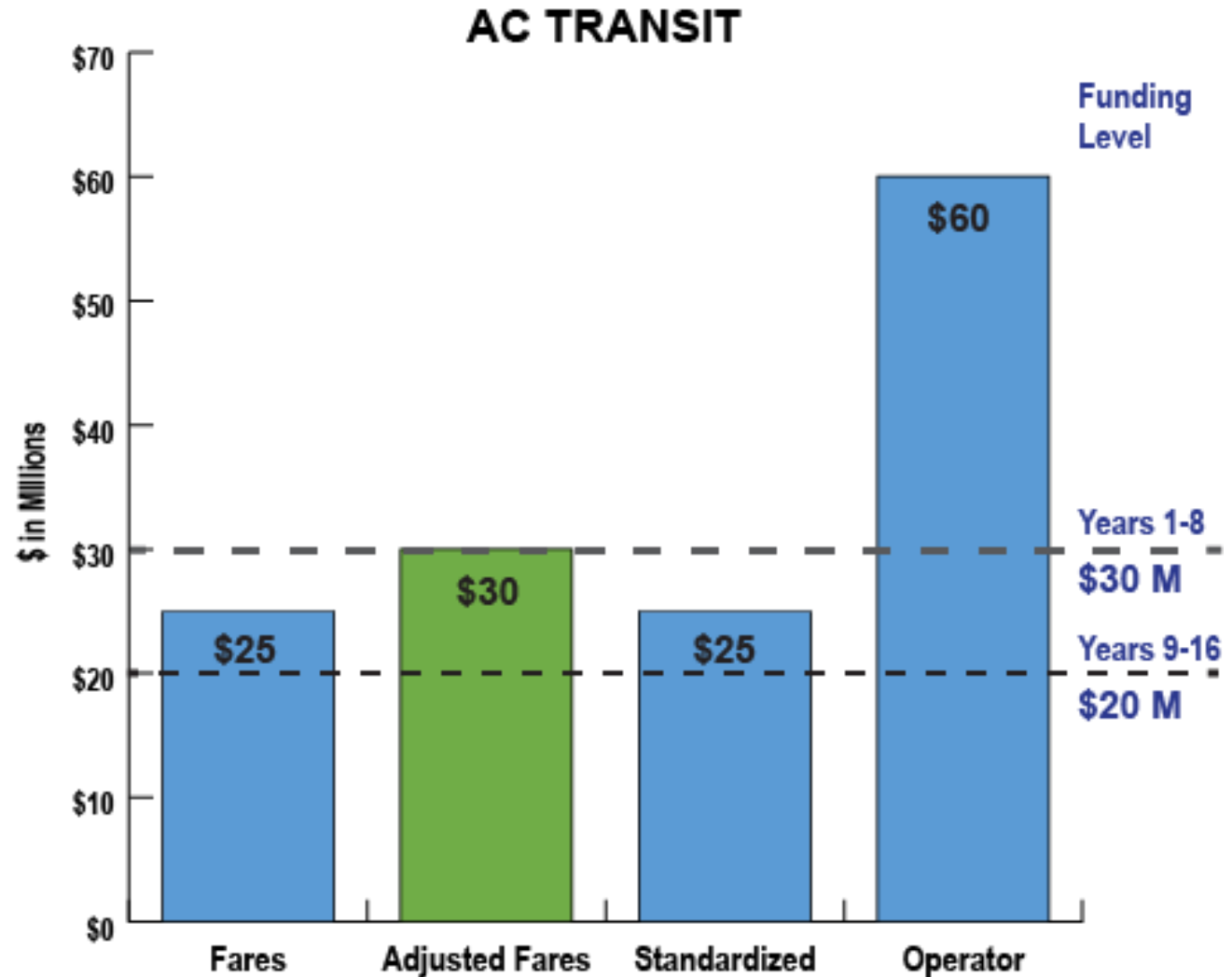
The vast majority of BART's overall funding gap is due to fare revenue losses.



Note: "Operator" denotes operator provided forecasts of FY 2026-27 based on the most recent information provided to MTC in August of 2024.

Scenario 1: AC Transit Funding

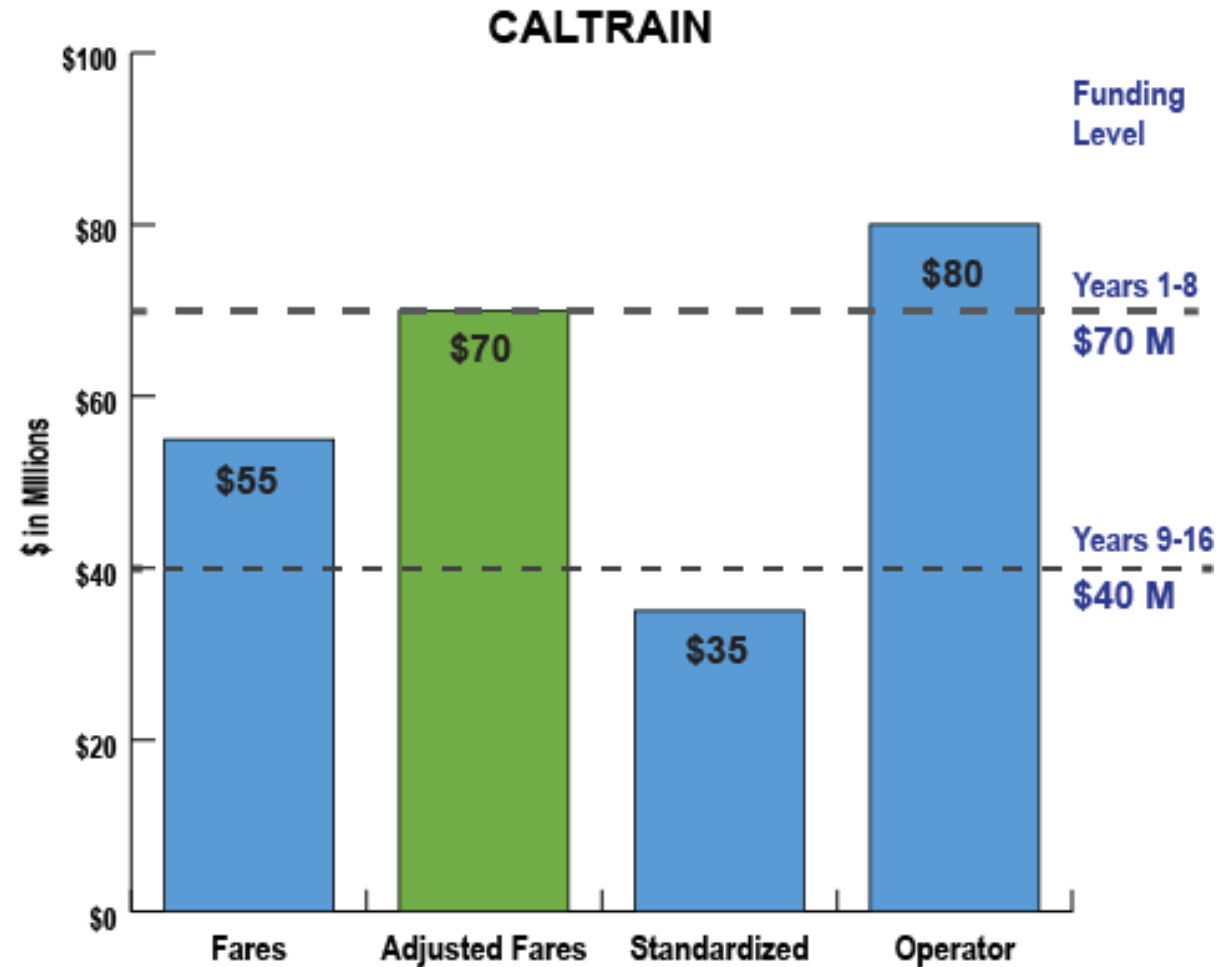
AC Transit's operator reported funding gap anticipates lower service levels than once existed.



Note: "Operator" denotes operator provided forecasts of FY 2026-27 based on the most recent information provided to MTC in August of 2024.

Scenario 1: Caltrain Funding

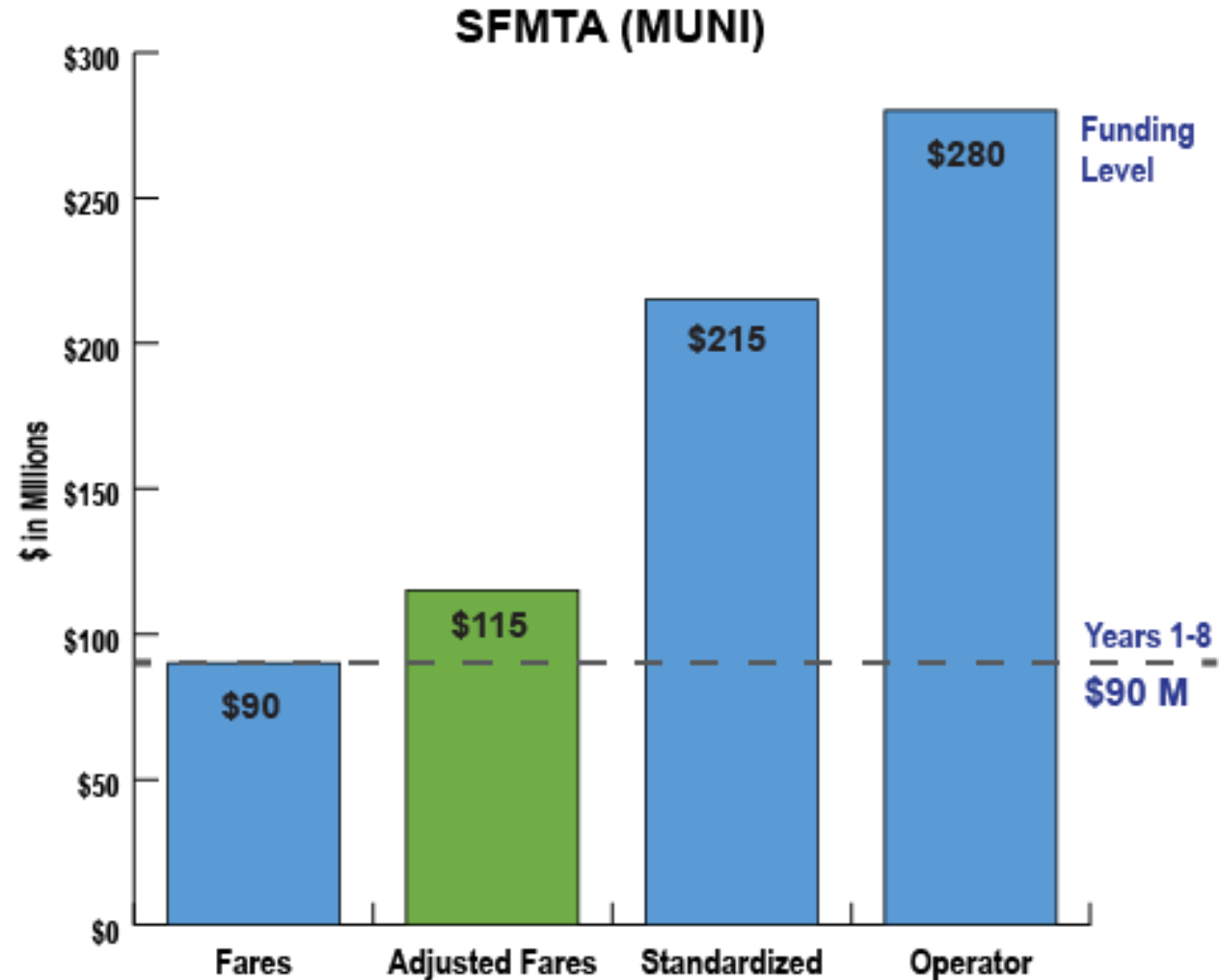
Prior to the pandemic, fares accounted for about 73% of Caltrain's budget. Changing travel patterns have reduced these fare revenues significantly.



Note: "Operator" denotes operator provided forecasts of FY 2026-27 based on the most recent information provided to MTC in August of 2024.

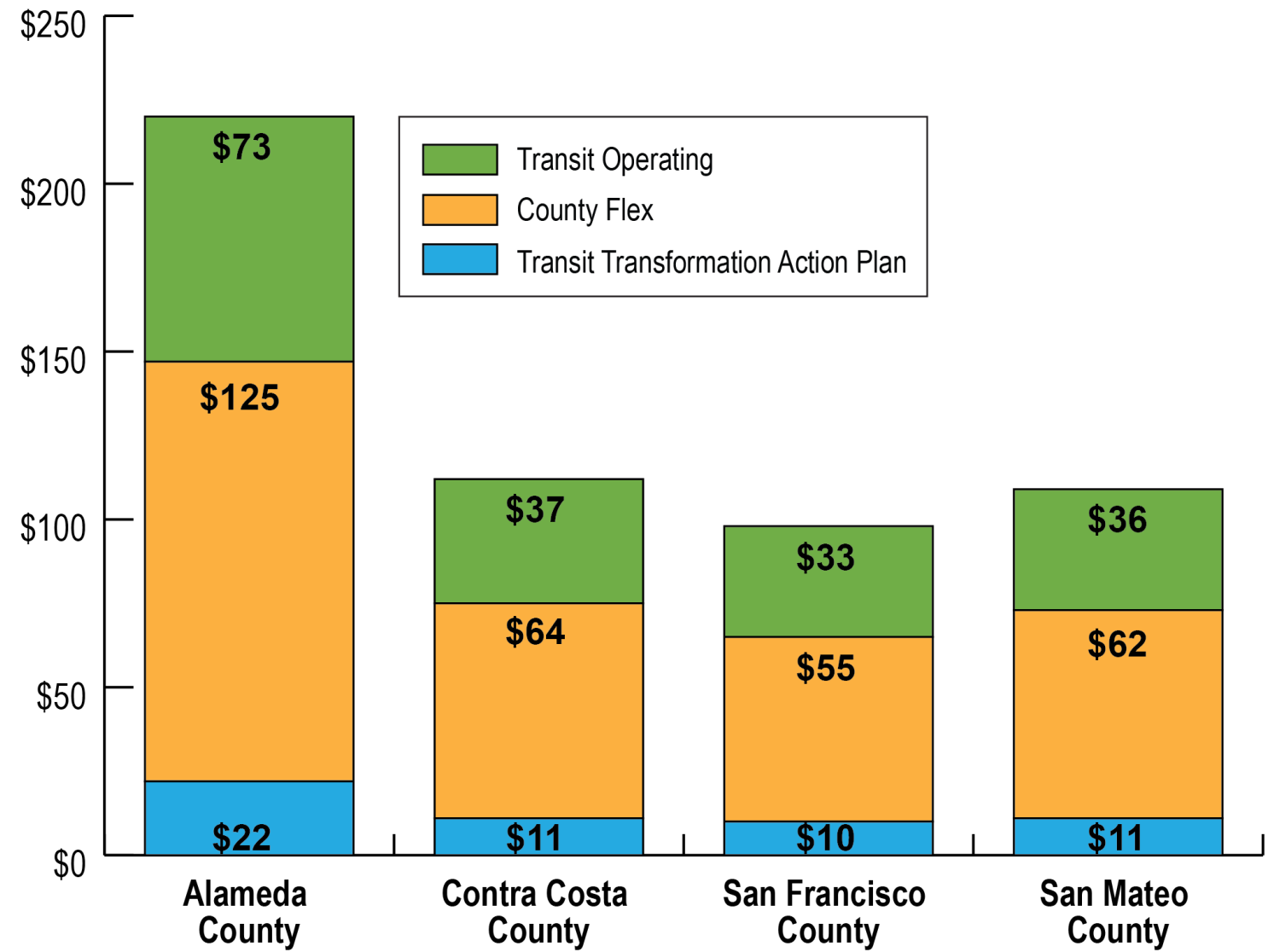
Scenario 1: SF Muni Funding

In addition to fare revenue, Muni receives a large portion of funding from parking and the city's General Fund. Those sources, as well as fares, have been significantly impacted since the pandemic.



Note: SFMTA eligible to receive up to \$50M/year Years 9-16 from county flex. "Operator" denotes operator provided forecasts of FY 2026-27 based on the most recent information provided to MTC in August of 2024. \$280M represents a midpoint of SFMTA's current forecast range.

Core Transit Framework: 30-year average funding by county



Transit Transformation provided 10% for life of measure

Transit Operating receives 90% in first eight years, but averages 33% over life of measure.

County Flex receives 57% over life of measure.

Note: Sales tax revenue projections based on information provided by Sperry Consulting

Core Transit Framework: Opt-In Provisions

- ▶ Santa Clara, Marin, Sonoma, Napa and Solano counties have opportunity to opt in.
- ▶ Minimum commitments:
 - ▶ Transit Transformation at 10% annually
 - ▶ Transit operating support to help close gaps for local operators as well as multi-county operators in that county, taking into consideration existing contractual agreements and subject to agreement with MTC.
- ▶ Remaining funds are at discretion of county for **any county transportation priority, including local road repairs**, as long as aligned with Plan Bay Area 2050+ (and successor plans).
- ▶ Must opt-in before legislation finalized.

Scenario 2: Go Big Framework

MTC received requests from Senator Weiner's office, Voices for Public Transportation and several labor organizations to analyze a framework that:

- Provides at least \$1.5 billion per year, ideally from a progressive funding source.
- Covers all nine Bay Area counties.
- Provides transit operating funding aimed to sustain 2023 transit service levels for the life of the measure.
- Beyond those provisions, the requests varied.
- Scenario 2 provides a framework with this higher level of investment funded by either a parcel tax and payroll tax.



Scenario 2: Go Big Framework Expenditures

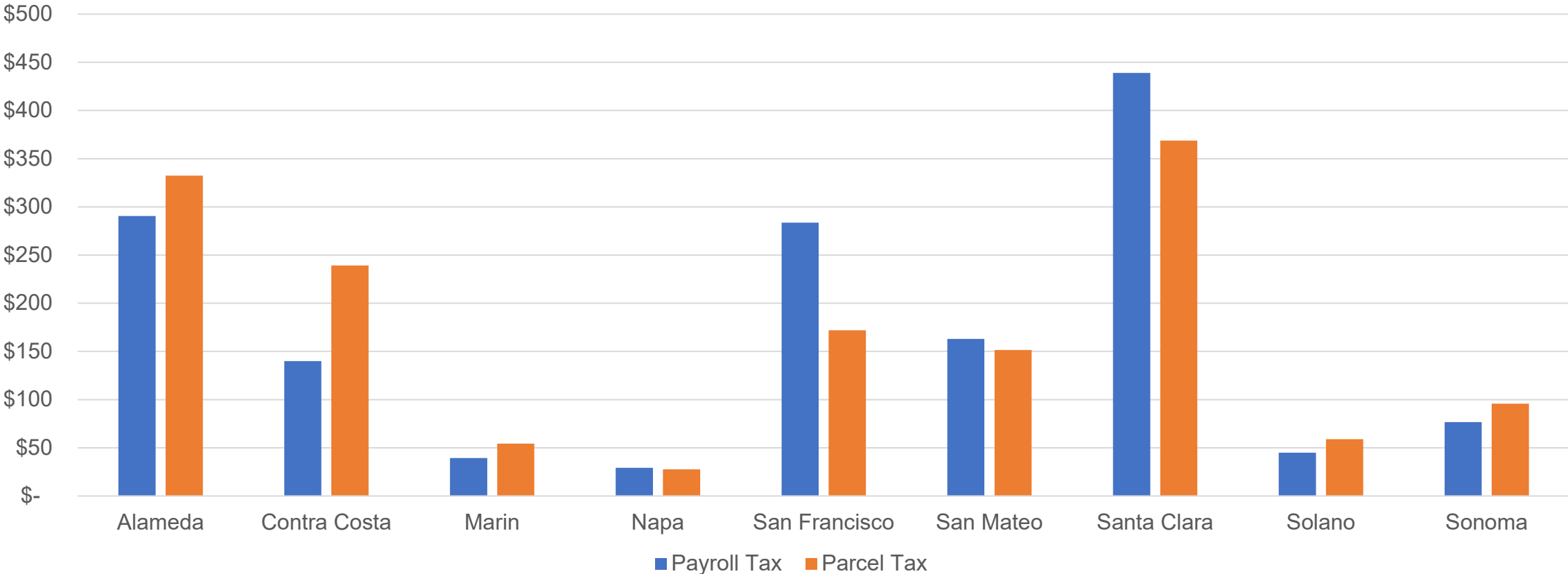
Annual Expenditures proposed:

- ▶ **20% for Transit Transformation (\$300 million)**
 - ▶ \$150 million is allocated at the regional level.
 - ▶ \$150 million is suballocated to counties each year. Counties can spend on any project in T2050+ or Transit Transformation.
- ▶ **50% for transit improvements (\$750 million) with aim of accommodating 2023 service levels**
- ▶ **30% for County Flex (\$450 million)**
 - ▶ Expenditures must align with Plan Bay Area 2050+ or successor plan.
 - ▶ Transit service is an eligible expense

Scenario 2: Revenue Generation by County (Payroll and Parcel Tax Comparison at \$1.5B)

Dollars in millions

Equivalent to a 3/4-cent sales tax



Note: Based on a \$0.28 per square foot parcel tax assessed on building area and a 0.54% payroll tax for 30 years. Data for scenarios provided by NBS (parcel tax info based on July 2023 assessment data) and Sperry Consulting (payroll tax info based on 2022 taxable wages).

Years 1-10, each operator receives funding to cover the operator-reported funding gap to help sustain 2023 Service Levels. This totals 50% of all revenues or \$750 million per year.

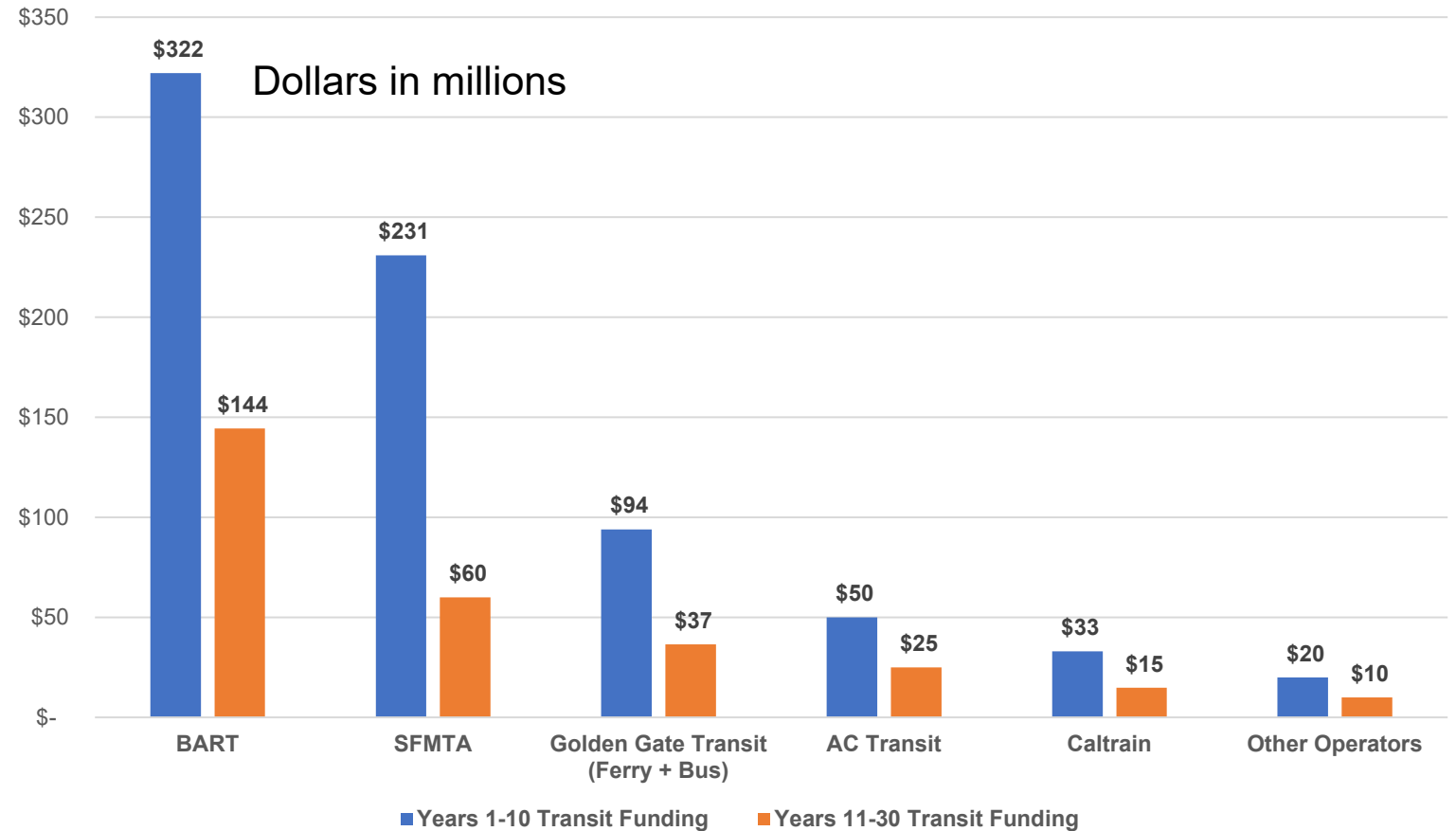
Years 11-30, transit funding is sustained at \$750 million* but less funding is dedicated to offset deficits, and more funds are available to invest in transit enhancements by operators not facing funding gaps.

Over 30 years, each county receives at least 75% in benefit relative to its contributions.**

*See note below chart.

**Based on Clipper AM boarding data from FY 2022-23

Scenario 2: Dedicated Annual Transit Operating Funding Levels by Operator



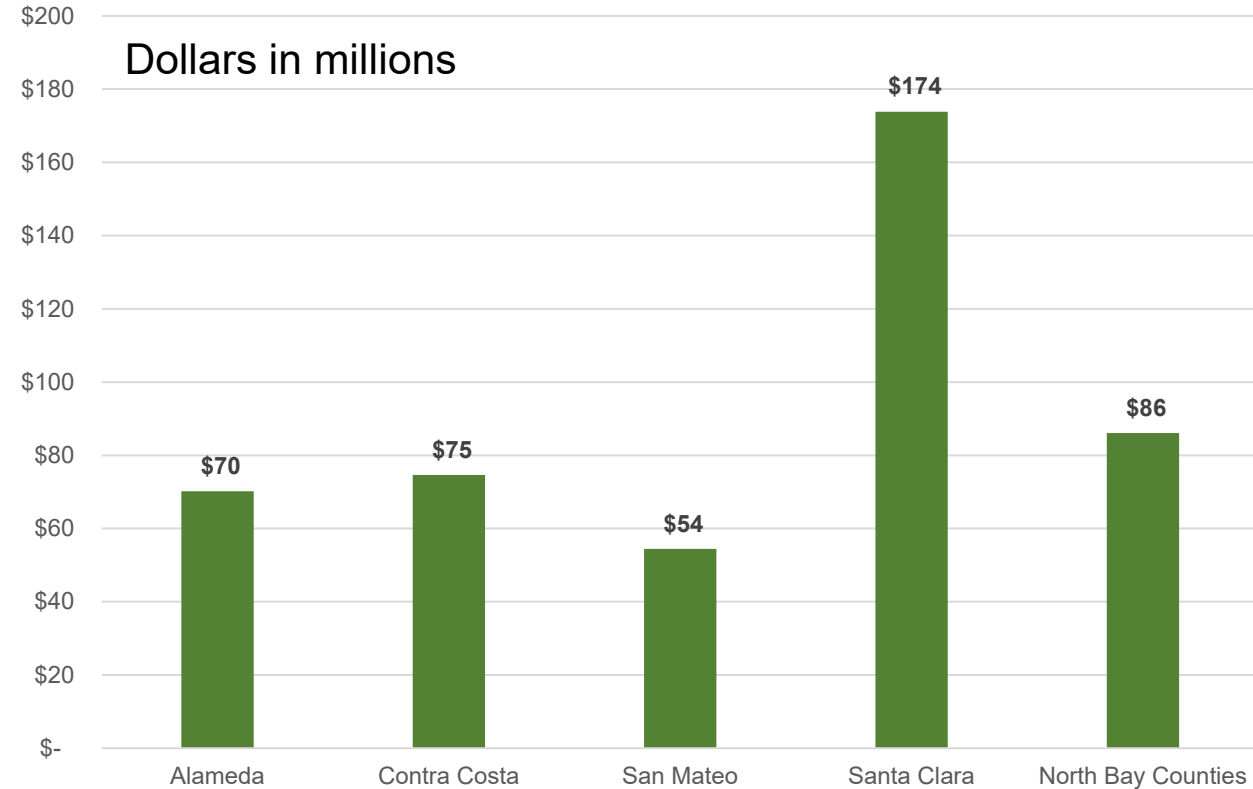
Note: In 2023, operator-reported funding gaps for FY 2026-27 were \$750 million. Equivalent to 50% of a potential \$1.5B measure, this amount is used as the funding target to sustain 2023 service levels, though recent information (as indicated in Scenario 1) show the deficit forecast has climbed substantially.

Annual County Transit Improvements for Years 11-30

In Years 11-30, funds would be available for County Transit Improvements.

This phase aims to address 50% of transit operating gap, with remainder (if any) available for other County Transit Improvements, County Flex and County Transit Transformation.

S.F. has no County Transit Improvement funding remaining after initial funding for transit operating gap, but would receive County Flex.

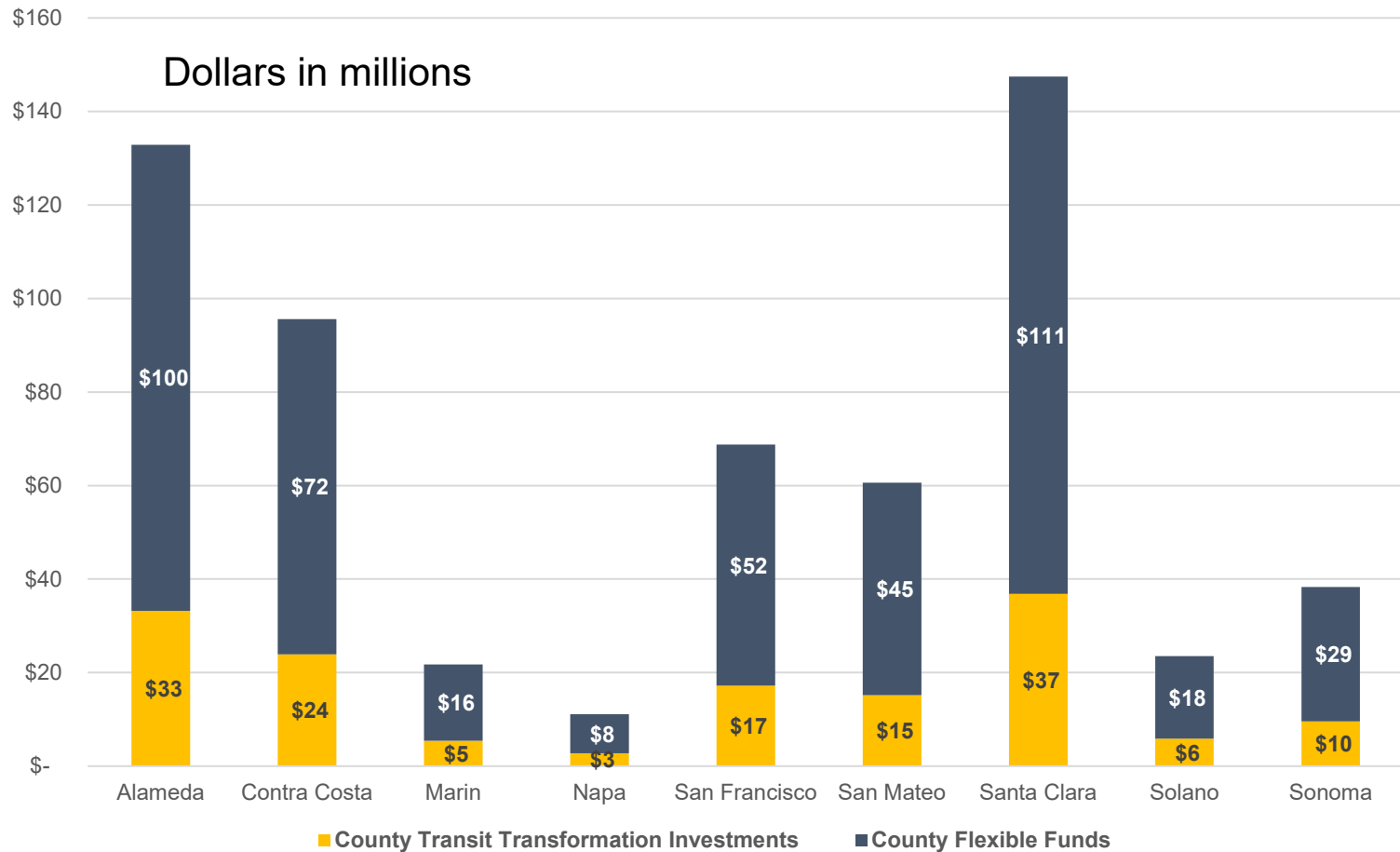


County Transit funds could support frequency boosts from Draft Transit 2050+ at Santa Clara VTA, SamTrans, and small operators across the region as well as Transit Priority projects to improve bus speeds.

Annual County Flex and County Transit Transformation Funding

Scenario 2 provides significant County Flex to each county to support the highest priorities for the county in a given year.

The 30% annual revenue stream for County Flex could serve as a local match for a variety of capital projects as well as a supplement to local street and road repairs and bike/ped funding.



Alternative Framework: **Separate Measures**

- ▶ Another potential framework is to not pursue a single, regional measure.
- ▶ Rather, the four agencies facing substantial operating funding gaps could each pursue their own funding measures.
- ▶ MTC could play a supportive role, especially in working to manage a single bill that includes any necessary legislative authorizations.
- ▶ This framework would not provide a source of funding to advance Transit Transformation at a regional level.

Separate Measures, by Agency

Agency	Counties Included in Calculation	Sales Tax to cover "adjusted fares" funding gap	Sales tax to cover operator-reported funding gap
AC Transit	Alameda, Contra Costa	0.05%	0.09%
BART	Alameda, Contra Costa, SF	0.36%	0.45%
Caltrain	SF, San Mateo, Santa Clara	0.07%	0.08%
Muni	SF	0.58%	1.43%

- ▶ Agencies may consider a wide variety of funding sources, though some sources would require legislative authorization.
- ▶ Rates shown at left are illustrative. The calculations assume that the measures would cover current agency geographies, though some agencies may choose a smaller geography (as AC Transit has done in the past.)
- ▶ BART could seek authorization just in its 3-county district **or** in all counties that provide service.

Note: Assumed sales tax revenue generation based on information provided by Sperry Consulting. Operator reported column is based on August 2024 operator reported deficit.

Questions for Committee Discussion

- 1. What is your impression of Scenario 1, including the balance between funding county needs and funding proposed for sustaining and transforming transit?**
- 2. What is your impression of Scenario 2 and which funding mechanism would you support to raise \$1.5 billion per year?**
- 3. Are there changes to the scenarios that could help build regional consensus?**
- 4. Instead of a single regional measure, what could it look like to have a coordinated strategy of operator-led local measures?**



MEMORANDUM

TO: Peninsula Corridor Joint Powers Board

FROM: James C. Harrison & Thomas A. Willis

DATE: August 30, 2024 **(REVISED)**

RE: Update Regarding Implementation of JPB Governance MOU

INTRODUCTION

This memorandum describes counsel and staff's efforts, along with the member agencies, to implement the Governance Memorandum of Understanding executed by the Peninsula Corridor Joint Powers Board ("JPB"), the Santa Clara Valley Transportation Authority ("VTA"), the San Mateo County Transit District ("SMCTD"), and the City and County of San Francisco ("CCSF") on August 5, 2022 ("MOU"). We last updated the Board regarding the implementation of the Governance MOU on November 2, 2023.

The MOU authorizes the JPB to appoint its own Executive Director, creates five new Caltrain direct service positions in the areas of grants, finance, real estate, and government and community affairs, and delegates sole authority to the Executive Director over the selection, hiring, annual goal setting, performance review, compensation, and termination of the railroad's employees, subject only to SMCTD's salary ordinance and employee manual and policies. The MOU also provides for the reimbursement of SMCTD for its initial investment in the purchase of the Caltrain Right of Way ("ROW") and for the conveyance of SMCTD's tenancy-in-common interest in the ROW in San Mateo County to Caltrain once SMCTD receives a payment of \$19.6M from the Metropolitan Transportation Commission ("MTC"). The MOU also requires VTA and CCSF to pay SMCTD a total of \$15.2M for assigning some of the Managing Agency rights to the JPB and for the delay in repayment of SMCTD's initial contribution. The MOU establishes a series of steps the parties must take to implement the governance changes and reimburse SMCTD. These actions and their status are discussed below.

BACKGROUND

A. Events Leading to the MOU

In 1991, SMCTD contributed \$82M towards the purchase of the ROW. As a result of its initial investment in Caltrain, SMCTD obtained certain real property interests and the right to serve as Managing Agency of Caltrain until it was repaid. The Member Agencies' rights and obligations are set forth in a 1996 Joint Powers Agreement ("JPA") and a 1991 Real Property Ownership Agreement ("RPOA").

In 2008, the Member Agencies and the JPB entered into an amendment to the RPOA (“2008 RPOA”) to provide for the repayment of CCSF’s and VTA’s portion of SMCTD’s initial contribution in the amount of \$53.3M. As part of this agreement, SMCTD agreed to forgo certain interest payments, and in exchange, the parties agreed that SMCTD could serve as Managing Agency of Caltrain, under the direction of the SMCTD General Manager, until it no longer wished to serve in that role. The 2008 RPOA, which relied upon state gas tax spillover funds to repay SMCTD, also provided that if SMCTD was not repaid within ten years, MTC would be authorized to identify alternative sources of non-local funds to repay SMCTD. The 2008 RPOA specified that SMCTD would reconvey its interest as a tenant in common to the ROW in San Mateo County to the JPB and relinquish certain other real property interests upon repayment. As of 2018, SMCTD had been repaid approximately \$33.5M of the agreed-upon sum of \$53.3M, leaving \$19.8M outstanding.

On August 6, 2020, in conjunction with adopting a resolution to place Measure RR on the ballot, the JPB adopted Resolution No. 2020-42 to express the Board’s desire to modify Caltrain’s governance structure to allow the JPB to appoint the Caltrain Executive Director (“ED”). The resolution also expressed the JPB’s intent to initiate efforts to reimburse SMCTD for its investment in Caltrain, including by engaging with MTC, and by prioritizing payment of the SMCTD investment, if the voters approved Measure RR.

Following the passage of Measure RR, the JPB considered various governance proposals. After numerous public meetings, the JPB adopted a term sheet on March 3, 2022, outlining a proposed governance structure and providing for the repayment of SMCTD’s initial investment in the ROW. Following the JPB’s approval of the term sheet, the JPB and the member agencies engaged in extensive negotiations that resulted in the execution of the MOU on August 5, 2022.

B. The MOU

As discussed above, the MOU provides for the JPB to appoint its own Executive Director, provides the Executive Director with authority over Caltrain operations and the railroad’s employees, and provides for the reimbursement of SMCTD for its investment in Caltrain. Specifically, the MOU:

Governance Changes

- Establishes a separate, permanent Caltrain ED who reports exclusively to, and takes direction from, the JPB, which exercises authority over the selection, hiring, annual goal setting, performance review, compensation, and termination of the Caltrain ED;
- Establishes that the Caltrain ED, as authorized by the JPB, shall have sole authority over the selection, hiring, annual goal setting, performance review,

compensation, and termination of the railroad's employees, subject only to SMCTD's salary ordinance and employee manual and policies;

- Establishes five new Caltrain direct services positions: (1) Chief of Staff; (2) Director of Government and Community Affairs; (3) Director of Budgets and Financial Analysis; (4) Director of Real Estate; (5) Director of Grants and Funds Management.¹ The Executive Director, as authorized by the JPB, has sole authority over the selection, hiring, annual goal setting, performance review, compensation, and termination of the individuals holding these positions, subject only to SMCTD's salary ordinance and employee manual and policies. The MOU prohibits the JPB from replacing a shared services position with a direct services position, unless SMCTD agrees, provided that such agreement may not be unreasonably withheld²;
- Specifies that the role of the Managing Agency, as modified by the MOU, is to support the JPB through the employment of all staff directly supporting the railroad and the Caltrain ED and through the provision of fully or partially shared services in the areas of Human Resources, Contracts and Procurements, Information Technology, Civil Rights, Accounting and Treasury, Communications, Government and External Affairs, Finance and Budgets, Real Estate, and Grants;
- Provides for indemnification by JPB and SMCTD for actions for which they are responsible;
- Provides a timeline for negotiation of amendments to the RPOA and JPA to conform to the MOU and to address inconsistencies, ambiguities, and uncodified practices;
- Provides that changes to the JPA and RPOA shall be limited to conforming the agreements to the MOU and addressing inconsistencies, ambiguities, and uncodified practices;
- Provides a timeline for the JPB to document the assets it owns; and
- Provides a timeline for the JPB and SMCTD to negotiate and execute an agreement that governs the provision of fully and partially shared services.

¹ To date, Caltrain has filled three of these positions (Chief of Staff, Director of Real Estate, and Director of Government and Community Affairs) and is in the process of recruiting for the two remaining positions.

² SamTrans and Caltrain relied upon this provision to add a Caltrain Chief Safety Officer as a direct service position in February 2023.

Reimbursement of SMCTD

- Establishes that MTC will repay SMCTD \$19.6M for the outstanding balance owed pursuant to the 2008 RPOA.³ Upon repayment, SMCTD shall reconvey to the JPB its interest in the ROW, release other specified interests it has under the RPOA, and release any claims it may have against CCSF and VTA for repayment of the outstanding balance owed under the RPOA and 2008 RPOA; and
- Establishes that CCSF and VTA will pay a total of \$15.2M to SMCTD to compensate SMCTD for the delay in payment of the outstanding balance owed under the 2008 RPOA and for SMCTD's agreement to assign certain Managing Agency rights to the JPB. These payments must be made into escrow by August 4, 2023, or the governance changes described above will revert to the terms of JPA, RPOA, and 2008 RPOA, and other specified terms of the MOU will be void.

IMPLEMENTATION OF THE MOU

Under the MOU, the parties are required to take a number of steps to implement the governance changes and reimburse SMCTD. We describe the status of these actions below.

A. MTC Payment of \$19.6M to SMCTD and Reconveyance of Title to JPB

MTC agreed to pay SMCTD \$19.6M for the outstanding balance owed pursuant to the 2008 RPOA. On September 19, 2023, MTC made a final payment of \$7M to SMCTD, thereby satisfying its commitment under the MOU to pay SMCTD a total of \$19.6M.

Upon full payment of the balance by MTC: (1) SMCTD must reconvey to the JPB all of its interest in title to the ROW; (2) SMCTD's equity conversion interest in the ROW will be extinguished; (3) all ownership of the ROW will vest with the JPB, which shall have sole authority over the management, acquisition, and disposition of real property, except it cannot transfer or sell substantially all of the ROW without Member Agency approval; and (4) SMCTD will be deemed to have released any claim that it may have against CCSF and VTA under the RPOA and 2008 RPOA for SMCTD's initial investment in Caltrain.

Release: After MTC completed its payment to SMCTD, SMCTD executed a Waiver and Release of claims against CCSF and VTA.

Reconveyance: As a result of its investment of \$82 million into the purchase of the right of way from Southern Pacific, SamTrans obtained a tenancy in common interest in that portion of the ROW located in San Mateo County. The ROW includes "[a]ll real property and

³ The MOU also required CCSF to pay \$200,000 to SMCTD for the outstanding balance under the 2008 RPOA but CCSF repaid that amount early in the process.

other assets to be acquired by the JPB and SamTrans pursuant to the Purchase Agreement other than the Local Option Properties.” As a result, the deeds recorded in San Mateo County for the ROW following the 1991 purchase identify SMCTD as a tenant in common. In addition, SMCTD became a tenant in common in certain system option properties (grade separation parcels and parking lots) purchased pursuant to the 1991 Purchase Agreement. Finally, SMCTD became a tenant in common with respect to certain real property in Millbrae that was the subject of a property swap with BART.

In order for SMCTD to convey its interest to Caltrain as required by the MOU, SMCTD and Caltrain first had to request an exemption from a requirement under federal law to obtain the prior approval of the Surface Transportation Board (STB). The STB issued its decision on May 20, 2024, concluding that SMCTD’s conveyance of its tenancy in common interest to Caltrain was exempt. The decision became final on June 19, 2024. Since then, counsel for SMCTD and the JPB have been working with SMCTD’s surveyor and real estate team to identify the affected parcels and to complete the documentation necessary for SMCTD to convey title to the JPB. Because of complexities associated with the parcels that were subject to a property swap with BART, the reconveyance will likely happen in two tranches, with the first tranche to include the real property acquired from Southern Pacific and the second tranche to include the BART parcels and certain other parcels acquired after 1991. The parties expect the first tranche to be transferred by the end of September, with the second tranche to be transferred before the end of the year.

Equity Conversion Interest and JPB Real Property Rights: SMCTD’s equity conversion right has been extinguished as a result of the final payment from MTC, and the JPB now has sole authority over the management, acquisition, and disposition of real property, except that it cannot transfer or sell substantially all of the ROW without Member Agency approval.

B. CCSF and VTA Payment of \$15.2M to SMCTD

CCSF and VTA agreed to pay SMCTD \$6,080,000 and \$9,120,000 respectively (for a total of \$15.2M) by August 4, 2023, or the governance changes discussed above would revert to the terms in place before the MOU. The payments were to be made into escrow and will be released to SMCTD upon (1) receipt of the full \$15.2M and (2) SMCTD providing written notification to the escrow agent that either it has received the \$19.6 million from MTC or that MTC has satisfied its commitment to pay \$19.6 million. If VTA and CCSF did not make those payments, the MOU provisions related to JPB’s right to hire and direct the Executive Director and the Executive Director’s authority to oversee the railroad’s employees would have been eliminated.

VTA and CCSF made their respective payments prior to the August 4, 2023, deadline, and SMCTD has now received all of the payments required by the MOU. The provision in the MOU providing for reversion of certain terms in the event of nonpayment is now void.

C. RPOA Amendment

The MOU required counsel for the parties to negotiate and finalize a Revised RPOA by December 4, 2022, and to present the Revised RPOA to the JPB and Member Agency Boards for approval at their next regularly scheduled meetings *after* MTC paid \$19.6M to SMCTD. MTC completed its payment of \$19.6M to SMCTD on September 19, 2023. Thus, under the schedule established by the MOU, the JPB and Member Agency Boards should have reviewed and approved the Revised RPOA at their next regularly scheduled meetings following September 19, 2023. However, the MOU makes clear that the failure of the parties to agree to a revised RPOA by that time does not affect the validity of the MOU, which takes precedence over conflicting provisions in the RPOA.

The MOU required the counsel for the parties to negotiate revisions to the RPOA that would: (1) conform the RPOA with the terms of the MOU, (2) resolve inconsistencies between the RPOA and JPA, (3) clarify any ambiguities in the RPOA and JPA, and (4) codify certain current practices that are inconsistent with the JPA.

Although counsel for the parties met the interim deadlines for exchanging drafts and comments, including the distribution of a final Revised RPOA by December 4, 2022, they were unable to agree on a final Revised RPOA.

Nonetheless, counsel continued to negotiate after the December 2022 deadline. In summary, on March 30, 2023, counsel for the JPB circulated a version of the Revised RPOA, which was accepted by counsel for VTA and CCSF but rejected by counsel for SMCTD.

Then, in an attempt to bridge the gap with SMCTD, counsel for JPB negotiated separately with SMCTD's counsel, proposing an alternative format acceptable to SMCTD. Instead of restating the RPOA in its entirety, the new proposal retained the original RPOA and proposed revisions in the form of specific amendments to the RPOA. After further negotiations, counsel for the JPB and SMCTD agreed to an amended RPOA and circulated a draft to counsel for VTA and CCSF on October 25, 2023. However, on November 15, 2023, counsel for both VTA and CCSF rejected the amended RPOA and suggested the parties instead pause the negotiations over the RPOA and turn to negotiating revisions to the JPA. SMCTD agreed with that approach.

As a result, the RPOA has not been revised as required by the MOU. Instead, counsel agreed to incorporate the remaining relevant provisions of the RPOA into an amended JPA.

D. Joint Powers Agreement Amendment

The MOU required counsel for the parties to negotiate revisions to the 1996 JPA that would (1) conform the JPA with the MOU; (2) resolve any inconsistencies between the JPA, the RPOA, the 2008 RPOA and the MOU; (3) clarify ambiguities in those Agreements; and

(4) codify certain current practices that are inconsistent with the JPA. **The MOU also stated that it did not constitute an opportunity to re-negotiate the JPA in its entirety.**

The MOU required the parties to negotiate and finalize those revisions over a six-month period that was to begin once the Member Agencies approved the revised RPOA, which would have occurred at their next respective meetings after September 19, 2023, if the parties had approved the Revised RPOA based on the timeline set forth in the MOU. Thus, under the terms of the MOU, the revised JPA should have been completed and approved in approximately April 2024 (i.e., six months after the Member Agency meetings in October 2023). However, the MOU makes clear that the failure of the parties to agree to a revised JPA by that time does not affect the validity of the MOU, which takes precedence over conflicting provisions in JPA.

Following the Member Agencies' decision to shift their focus from the Revised RPOA negotiations to JPA negotiations, counsel for the JPB, at the request of the Member Agencies, prepared draft amendments to the JPA to: (1) conform the JPA to the MOU; (2) address ambiguities in the JPA; and (3) incorporate relevant provisions from the RPOA into the JPA and resolve inconsistencies between the two agreements. Rather than attempting to address the requirement in the MOU to amend the JPA to incorporate certain "uncodified practices," counsel for the JPB requested that counsel for the Member Agencies identify those issues that they thought needed to be addressed as part of the JPA negotiations. JPB counsel circulated a draft of the revised JPA on April 11, 2024, and the parties exchanged comments and their own proposals on May 6. Counsel for the Member Agencies and the JPB met on May 20. Counsel discussed the proposed amendments, and counsel for the Member Agencies requested historical financial data related to member contributions, Measure RR revenues, sources of Caltrain revenue, reserves, and Gilroy service. The JPB provided the Member Agencies with responsive information on July 3, 2024. Counsel are scheduled to meet on September 26 to resume their discussions.

Although the parties have not definitively stated their positions on a number of issues, we believe the following areas will require significant negotiations to reach agreement on a revised JPA:

- 1. SMCTD as Managing Agency.** Under the 2008 RPOA, the parties agreed that SMCTD "is designated as the managing agency of the JPB and will serve in that capacity unless and until it no longer chooses to do so. The parties also agree to incorporate this agreement in a formal amendment of the JPA at a future date." The MOU includes a recital stating that SMCTD "shall remain as the Managing Agency for Caltrain, as modified by the terms of this Agreement," and the MOU defines the roles of Managing Agency to be "to support the JPB through the employment of all staff directly supporting the railroad and the Caltrain ED and through the provision of fully or partially shared services . . ." During JPA negotiations, SMCTD objected to proposed edits to the JPA deleting language describing the authority of the Managing Agency and adding language expanding the JPB's role to assume authority formerly delegated to the Managing Agency. For

example, JPB counsel proposed deleting a reference to the Managing Agency's authority to oversee the ownership, operation, and maintenance of the ROW and adding the same language to the description of the JPB's responsibilities. VTA proposed amending the JPA to **appoint SMCTC as Managing Agency for the term of the JPA (which would be established in the amended JPA), but to permit the JPB to replace SMCTD as Managing Agency on one year's notice given at the end of any fiscal year following completion of a specified year of the term, to be determined in the amended JPA. If the JPB did not exercise this authority, SMCTD would remain as Managing Agency unless and until it no longer chooses to do so, in which case it must provide a minimum of one year's written notice to the JPB.** In a June 25, 2024, letter, SMCTD requested that VTA withdraw the proposal. VTA has informed SMCTD that it is preparing a response to SMCTD's letter. The issues concerning the role of the Managing Agency may need to be resolved before any of the other issues can be resolved.

- 2. Operating and administrative costs.** Under the 1996 JPA, Member Agencies agreed to share in the operating and administrative costs based on county of origin a.m. peak boarding formula, adjusted annually. Member Agencies are required to contribute towards Caltrain's operating and administrative costs on a monthly basis. However, between 2013 and 2022, the Member Agencies agreed to share those costs based on a mid-week, all-day boarding formula, adjusted annually, and since 2022, the Member Agencies have not contributed to operating and administrative costs, citing the availability of Measure RR funds.

As part of the preliminary negotiations, JPB counsel proposed that Member Agencies agree to fund any operating budget shortfalls (i.e., any difference between the cost of annual operations less all revenue, such as Measure RR funds, farebox and other revenues) on a fixed, proportional basis. Counsel for the Member Agencies have not taken a position on this proposal. However, in the staff reports accompanying the resolutions to place Measure RR on the ballot, VTA and CCSF took the position that the voters' adoption of Measure RR would relieve the Member Agencies of the obligation to contribute to the operating costs of the JPB. **SMCTD disagrees with the position taken by VTA and CCSF.**

- 3. Funding capital projects.** Under the JPA, capital projects are categorized as either (1) "replacing" or "enhancing" the PCS assets, in which case the Member Agencies share equally in those costs, or (2) "expanding" PCS assets, in which case the proportional share is determined on a case-by-case basis. In addition, under the 1996 JPA, the JPB determines the annual amount for the capital contingency fund, which covers unanticipated but necessary capital improvements, and the Member Agencies contribute equally to those costs.

During JPA negotiations, counsel for the JPB proposed that the JPA be revised to include a clearer description of how capital projects are funded, one that is in keeping with

current practice. Specifically, counsel for the JPB suggested that the JPA make clear that local capital projects, such as grade-separations and bicycle/pedestrian overpasses and underpasses, continue to be funded by the local jurisdictions in which the projects are located, while systemwide capital projects, such as state of good repair projects, continue to be funded by Caltrain through a capital program to which the Member Agencies contribute to the extent other sources of funding are not available. JPB counsel further suggested that in order for Caltrain and the Member Agencies to better plan such expenditures that the JPA establish a process for a rolling, six-year capital expenditure budget and require the Member Agencies to fund the budget on a two-year basis. Counsel for the Member Agencies have not yet taken a position on this proposal.

- 4. Gilroy service.** Under the JPA, VTA is responsible for the net operating costs of Gilroy service. However, since 2001, Gilroy service costs have been included in the operating budget, together with all other operating costs. Under the JPA, VTA is also responsible for obtaining funding for all Gilroy service capital projects.

During JPA negotiations, counsel for the JPB noted that Caltrain believes Gilroy service is part of Caltrain's integrated and unified commuter service and Measure RR's enabling legislation specifically stated that funds would be used in part for the Gilroy service. Therefore, JPB counsel proposed that the JPA be revised to be consistent with current practice and Measure RR, so that the costs of the Gilroy service are included with other operating costs.

- 5. Budget approval process.** Under the JPA, the Caltrain operating budget is required to be adopted by March 31 every year and approved by both the JPB Board and the Member Agencies. The annual capital budget must be approved by the JPB Board by March 31 every year. In practice, both the operating and capital budgets are approved later than March and the Member Agencies do not approve the operating or capital budget.

SMCTD and JPB counsel proposed that the Member Agency approval of the operating and capital budget be deleted from the revised JPA and that the JPB be required to approve the budget by June 30. VTA and CCSF have not yet taken a position on this issue.

- 6. CalPERS fiscal responsibility provision.** As discussed below, if Caltrain enters into a successor agency contract with CalPERS for the railroad's employees, CalPERS will require the revised JPA to include a provision whereby the Member Agencies agree to be responsible for Caltrain's pension liabilities if Caltrain is dissolved or becomes insolvent. SMCTD has proposed that the Member Agencies agree to share any future pension liabilities equally, in the event that Caltrain has insufficient assets to satisfy those obligations. VTA and CCSF have not yet taken a position on this issue.

E. Shared Services Agreement

SMCTD has functioned as Caltrain’s Managing Agency since Caltrain’s inception, but other than the Joint Powers Agreement and the MOU, SMCTD and Caltrain do not have an agreement that establishes the terms of SMCTD’s provision of shared services. The Governance MOU redefined the role of Managing Agency, established new Caltrain direct services positions in the areas of real estate, grants, finance, and government and community affairs, and required that SMCTD and Caltrain negotiate a shared services agreement to “define the scope of partially and fully shared services and how those services will be periodically evaluated and adjusted by mutual agreement.” Staff for SMCTD and Caltrain met on several occasions to discuss the framework for a shared services agreement, including the use of department-level work plans prepared by Caltrain to assist SMCTD in determining the appropriate level of shared services resources required to serve Caltrain. JPB counsel prepared a draft shared resources agreement and provided it to counsel for SMCTD for input, and each Caltrain department prepared a work plan for Fiscal Year 2025. Staff for the two agencies are currently meeting to refine those work plans and the shared services agreement and expect to present a draft shared services agreement to the boards of the JPB and SamTrans by the end of the year.

F. JPB Assets

The MOU requires the JPB to document the assets it owns no later than three months after payment of the \$15.2M into escrow by VTA and CCSF, or by November 2023. As we previously reported to the Board, JPB and SMCTD staff have compiled an inventory of the JPB’s assets, which fall into two categories: capital assets and real property.

The major categories of capital assets include:

- Rolling stock
- Structures, Bridges, and Tunnels
- TVMs and Clipper add-value machines
- Stations and station improvements
- Yard improvements
- Track work/rehab
- Signal optimization/signal interlocking systems
- Non-revenue vehicles
- Yard equipment, tanks & fuel storage
- Signage and signage replacement
- Grade crossing improvements
- ROW fencing and lighting
- Bike lockers

All equipment and property with a cost greater than \$5,000 and a useful life of more than one year is capitalized and assigned an asset number that can be tracked by project identification number, funding sources, general ledger account numbers, asset categories, etc. Every month, staff update the Net Book Value by taking the original purchase price and deducting the total depreciation. At the end of each fiscal year, staff review and verify the assets and update the capital list. Staff calculate depreciation for capital items monthly on a straight-line basis in the accounting system, based on the useful life.

Staff have also compiled a matrix identifying real property owned by the JPB, as well as maps depicting the JPB's real property ownership and interests.

G. CalPERS

During the course of negotiations over governance issues, counsel for the JPB and Member Agencies determined that in order to ensure that the Caltrain ED and railroad employees remain eligible to participate in CalPERS to the same extent and with the same benefits they have through SMCTD's contract with CalPERS, the JPB should apply for a successor agency contract with CalPERS. On April 4, 2024, the JPB Board authorized staff to apply to CalPERS to become a successor agency to SamTrans for the purpose of providing benefits to the railroad's employees. On June 28, 2024, the JPB filed an application with CalPERS. Since then, CalPERS has requested that Caltrain complete a financial questionnaire, which is currently being drafted by the JPB's special counsel on CalPERS matters. We expect CalPERS to determine whether Caltrain is eligible to contract with CalPERS by the end of October. CalPERS' eligibility determination is based on whether Caltrain demonstrates it is a public agency, under both state and federal standards, and has a stable source of revenue outside of Member Agency contributions sufficient to absorb the costs of contracting with CalPERS. We believe Caltrain meets this test.

Once CalPERS determines Caltrain is eligible to contract with CalPERS, Caltrain and CalPERS will begin contract negotiations. As part of that process, Caltrain and SMCTD agree the Caltrain contract should mirror the SMCTD contract. CalPERS will use this information to prepare an actuarial valuation to identify the expected contribution rate and assets and liabilities CalPERS will transfer from the SMCTD contract to the Caltrain contract. This process takes approximately nine months to a year, and the contract will be subject to approval by the Caltrain Board. In addition, we anticipate Caltrain may become the contracting or sponsoring employer for purposes of other benefits, including health benefits through CalPERS, provided to Caltrain staff. Again, SMCTD and Caltrain agree these benefits should mirror the benefits employees currently receive under the SMCTD-sponsored benefit programs.

**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 AUGUST 21, 2024

MEMBERS PRESENT: D. Albohm, R. Kutler, P. Leung, A. Lohe, M. Pagee (Alternate), R. Sarathy, A. Brandt (Vice Chair), B. Shaw (Chair)

MEMBERS ABSENT: D. Hernandez (Alternate), S. Seebart

STAFF PRESENT: T. Burgwyn, J. Hogan, J. Navarrete, B. Tietjen

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

VOLUNTEERS FOR THE MEASURE RR OVERSIGHT COMMITTEE APPOINTMENT

Vice Chair Brandt and Members Sarathy and Seebart were nominated to participate in the Measure RR Oversight Committee.

CONSIDERATION OF REQUESTS

There were none.

APPROVAL OF MEETING MINUTES OF JUNE 19, 2024, AND JULY 17, 2024

June 19, 2024

Motion/Second: Brandt/Pagee
Ayes: Albohm, Pagee, Brandt, Shaw
Abstain: Kutler, Sarathy, Leung, Lohe
Absent: Hernandez, Seebart

July 17, 2024

Motion/Second: Kutler/Pagee
Ayes: Kutler, Lohe, Pagee, Sarathy, Brandt, Shaw
Abstain: Albohm, Leung
Absent: Hernandez, Seebart

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Steve Ferrari, San Jose, former CAC member, expressed his satisfaction with the new electric train service and commented about unclear signage at the San Jose station, specifically on tracks 6 through 9, going down the ramp, and the importance of adhering to the new aggressive train schedules to help increase ridership.

Jeff Carter commented on his positive experience riding the new EMU (Electric Multiple Unit) train, a potential issue where the door closure announcement repeats twice, and inquired about the upcoming schedule and the automatic passenger counters.

CMF expressed appreciation for the Citizens Advisory Committee's oversight and emphasized the need to partner with staff as the electrification project concludes and efforts to rebuild ridership begins.

Aleta Dupree expressed her enjoyment of the electric train tour and recent rides on the new electric trains. She raised concerns about two emergency stops, confusion with repeating door announcements, and the accessibility of the power outlets.

CHAIRPERSON'S REPORT

Chair Shaw reported that next month's agenda may change in an effort to keep the agendas to three items.

ELECTRIFICATION UPDATE

Brent Tietjen, External Affairs Manager, provided the presentation which included the following:

- Electric train testing
- Public outreach safety campaign
- Electrified service plan benefits
- Soft launch and project celebration

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

- Equity priority stations are low-income or minority areas
- Concerns about crossings staying down too long when long trains arrive and the visibility of outlets on the trains, with suggestions for better signage

Public Comment

Jeff Carter inquired about the status and location of automatic passenger counters on the trains.

Aleta Dupree suggested using language onboard the trains to reduce confusion with door announcements.

CMF commented about the echo on the trains when using non-automated announcements, restroom cleaning schedule, the confusion with the bike capacity alert as riders are unsure which bike car is at capacity, and where to queue for boarding.

Doug DeLong commented about the attendance of elected officials and expressed concerns regarding single restrooms on each train and shared a negative experience.

CALTRAIN-BART SCHEDULE COORDINATION

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

- Electrification service plan overview
- BART (Bay Area Rapid Transit) service changes
- Millbrae transfer optimization and other regional agency connections

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

- Transit connectivity and scheduling
- Concerns about the impact of reducing limited midday trains and the need for better coordination with other transit services and the ongoing efforts to improve transfer efficiency
- Benefits of frequent service

Public Comment

Jeff Carter acknowledged improved cooperation between BART and Caltrain, commented on the challenges with transferring between platforms at Millbrae, and recommended running additional trains for special events like Giants games.

Adina Levin thanked staff at Caltrain and other agencies for their efforts to improve transfers and regional connections, suggested providing more information on bus improvements, as lower-income riders often use buses for first and last mile connections, and commented on the need for a coordinated schedule between Caltrain and BART and a clear funding plan to enhance service levels and connections.

Aleta Dupree supported clock face scheduling and regional rail formats and commented about challenges with transfers at the Millbrae station between Caltrain and BART.

STAFF REPORT

John Hogan, Chief Operating Officer and Theodore Burgwyn, Director, Rail Network and Operations Planning, provided the report that included the following:

- Automatic Passenger Counting (APC) System – visual counting and validation
- Restroom issues – Ensure restroom availability and location at stations
- PTC (positive train control) initializing and station rehabilitation completion

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

- Reason for one restroom on trains
- Information displays from Diridon to Gilroy
- Flat spots on trains
- Mini high platforms and train step deployment

Public Comment

Aleta Dupree commented concerns regarding the lack of restrooms on trains and the importance of proper maintenance.

Doug DeLong suggested staff to continue to use Bombardier sets for special events.

CMF commented about Clipper machines not functioning at Bayshore station and suggested staff use a reporting app which allows passengers to report issues directly by submitting photos and location details.

Kris Linqvist commented on the automatic passenger counting systems, suggesting that modern, secure methods exist to route network traffic through different Wi-Fi networks.

DATE, TIME, AND LOCATION OF NEXT REGULAR MEETING

September 18, 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 8:23 pm

DRAFT

Proclamation

RESOLUTION OF APPRECIATION FOR CARL GUARDINO

Whereas, Carl Guardino has been an ardent supporter and advocate for Caltrain, playing a pivotal role in the preservation and future sustainability of the system; and

Whereas, Carl Guardino was instrumental in the securing the enabling legislation for and eventual passage of Measure RR in 2020, providing a dedicated funding source for Caltrain and helping secure the agency's financial future, ensuring continued service and improvement for generations to come; and

Whereas, Carl Guardino has been a staunch advocate for the electrification of Caltrain, recognizing its environmental, operational, and technological benefits, and has championed efforts to modernize the system, resulting in the imminent launch of electric service; and

Whereas, through his leadership and vision, Carl Guardino has helped Caltrain move towards a greener future, drastically reducing greenhouse gas emissions and creating a more efficient, reliable, and sustainable transit system for the Peninsula and beyond; and

Whereas, in his role serving on the California Transportation Commission (CTC) for five consecutive four-year terms since 2007, including as current Commission Chair, Carl Guardino has advanced the mobility needs of all Californians and was instrumental in securing: (1) an \$80 million funding award from the California State Transportation Agency for one battery-equipped electric multiple unit train so that Caltrain can eventually operate zero-emission trains on the portion of the corridor from Tamien Station in San Jose to Gilroy, which does not yet have overhead electrified lines; and (2) additional funding for the Electrification Project to close a funding gap; and

Whereas, Carl Guardino has been a voice of unity, collaboration, and innovation, rallying public and private support for transformative projects that will increase Caltrain's capacity, enhance regional mobility, and improve quality of life for riders; and

Whereas, his dedication to public transportation and his commitment to the success of Caltrain have left an indelible mark on the agency and the entire region, contributing to the success of key initiatives that will benefit the public for decades; and

Now, Therefore, Be It Resolved that the Peninsula Corridor Joint Powers Board (Caltrain) of Directors does hereby recognize and honor Carl Guardino for his outstanding leadership, dedication, and contributions to Caltrain, the electrification project, and the community he has so diligently served.

Regularly passed and adopted this 5th day of September, 2024.



Chair, Peninsula Corridor Joint Powers Board