

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

**MINUTES OF DECEMBER 3, 2020**

**MEMBERS PRESENT:** D. Pine (Chair), D. Davis, J. Bruins, R. Collins, S. Heminger, C. Stone, S. Walton, M. Zmuda

**MEMBERS ABSENT:** C. Chavez

**STAFF PRESENT:** J. Hartnett, C. Mau, J. Cassman, S. Van Hoften, M. Bouchard, J. Funghi, K. Yin, D. Hansel, C. Fromson, S. Murphy, J. Funghi, D. Seamans, J. Brook, S. Wong

**1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

Chair Dave Pine called the meeting to order at 9:03 am and led the pledge of allegiance.

**2. ROLL CALL**

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

**3. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

Roland Lebrun, San Jose, commented on governance, availability of Project Monitoring Report (PMOC) reports and accessibility to the closed sessions.

Vaughn Wolffe, Pleasanton, commented on China's handling of COVID quarantines and testing, and encouraged use of quick response (QR) codes here.

Kevin Ma, Palo Alto, commented on fare integration studies, and the difficulty of transferring from VTA (Valley Transportation Authority) to Caltrain to Muni without getting multiple tickets.

Adina Levin, Friends of Caltrain, commented on equity and connectivity plans, the fare integration study, and encouraged regional cooperation and funding.

Adam Buchbinder, Campbell, expressed support for fare integration to relieve traffic congestion.

Raayan Mohtashemi, Hillsborough, expressed support for fare integration and the adopted equity policy.

Jeff Carter, Millbrae, commented on fare integration, high fares, and zone fares.

**4. CONSENT CALENDAR**

- a. Approved Regular Meeting Minutes of November 5, 2020**
- b. Received Key Caltrain Performance Statistics – October 2020**
- c. Received State and Federal Legislative Update**

- d. Accepted Statement of Revenues and Expenses for the Period Ended October 31, 2020**
- e. Accepted Comprehensive Annual Financial Reports for Fiscal Year Ended June 30, 2020**
- f. Awarded a Contract to Sposeto Engineering, Inc. for the Grade Crossing Improvements Project for a Total Amount of \$336,050**
- g. Authorized the Execution of Funding Agreements with the California Department of Transportation to Receive \$2,000,000 for the San Mateo Grade Crossing Improvements Project**
- h. Received Capital Projects Quarterly Report – 1<sup>st</sup> Quarter Fiscal Year 2021**
- i. Clipper Start Quarterly Update**

Public Comment

Roland Lebrun, San Jose, compared ridership percentages of Metrorail and BART with Caltrain ridership.

Motion/Second: Stone/Davis

Ayes: Bruins, Collins, Heminger, Stone, Walton, Davis, Pine

Noes: None

Absent: Chavez, Zmuda

**5. REPORT OF THE CHAIR**

Chair Pine provided an update on the Governance Process Ad Hoc Committee. He stated that internal staff have been finalizing a request for proposal (RFP) in procuring general counsel. They also discussed the cost of creating and running a new agency; there will be a special Board workshop in February to further discuss this and the ad hoc committee recommended retaining Howard Permut to provide assistance with the workshop and on an ongoing basis.

**a. Appointment of Nominating Committee for 2021 Officers**

Chair Pine appointed a nominating committee to select a new Chair and Vice Chair for the Board's January meeting. The nominating committee consisted of:

1. Director Charles Stone, representing San Mateo
2. Director Cindy Chavez, representing Santa Clara
3. Director Steve Heminger, representing San Francisco

**DIRECTOR JEANNIE BRUIN'S LAST MEETING**

Chair Pine announced that it was Director Jeannie Bruins' last day on the Caltrain Board. Board members and Executive Director Jim Hartnett acknowledged her service to the Board over the last several years and thanked her for her remarkable service.

Director Bruins described her experience serving the Board, reminded members not to lose sight of the incredible staff, requested to be kept abreast of electrified rail events, and thanked the public for their feedback.

**b. Local Policy Maker Group (LPMG)**

Director Jeannie Bruins stated that they met November 19<sup>th</sup> and heard updates on the passage of Measure RR, COVID near term service changes, the grade crossing activation system, and high speed rail's light maintenance facility in Brisbane. She reported on questions and comments from members and the public.

Public Comment

Roland Lebrun, San Jose, commented on the cost of the electrification project delays and expressed appreciation for Director Bruins and regret on her leaving.

Adina Levin, Friends of Caltrain, expressed appreciation for Director Bruins' service to Caltrain.

Vaughn Wolffe, Pleasanton, commented on Director Bruins' focus on Caltrain business only during Caltrain meetings.

Jeff Carter, Millbrae, commented on Director Bruins' leadership with the business plan.

Adrian Brandt, San Mateo County, commented on the dual speed check grade crossing system, constant warning times, and longer warning times.

Aleta Dupree, Oakland, praised Director Bruins' tough questions and service.

**6. REPORT OF THE EXECUTIVE DIRECTOR**

Jim Hartnett, Executive Director, spoke on fare integration and coordination. He expressed appreciation for the Board and to Ms. Bouchard and her team for the work done this year in this environment.

**a. PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP) MONTHLY PROGRESS REPORT**

John Funghi, CalMod Chief Officer, provided a progress report regarding electrification infrastructure and electric multiple unit (EMU) assembly. He noted that there were two foundations left in segment three, and seven left in segment four. Mr. Funghi stated that foundation completion dates have been pushed to 2022 due to switchgear manufacturing. He stated there would be an Anticipated Risk Report at the February Board meeting.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding contingency amounts and delays.

**b. CALTRAIN POSITIVE TRAIN CONTROL (PTC) PROJECT UPDATE – NOVEMBER 2020**

Michelle Bouchard, Chief Operating Officer, announced they were awaiting a conditional safety certification from the Federal Railroad Administration (FRA) and expect to provide a report on this at the January meeting.

Public Comment

Roland Lebrun, San Jose, commented on fare integration being Metropolitan Transportation Commission's (MTC's) responsibility rather than Samtrans, restoring fare ridership, constant wait times, and foundations.

Aleta Dupree, Oakland, commented on fare integration and winter weather affecting foundation work.

Doug DeLong, Mountain View, commented on a typo on the General Manager's report regarding the MP36 overhaul project and noted the foundation work occurring in San Jose on Bird Ave.

Adrian Brandt, San Mateo County, commented the unavailable May 2020 Project Monitoring Oversight Committee (PMOC) report on the PCEP Calmod website and the need to be honest about how going with PCEP is progressing.

Jeff Carter, Millbrae, commented on accelerating electrification.

## **7. REPORT OF THE CITIZENS ADVISORY COMMITTEE (CAC)**

Brian Shaw, Citizens Advisory Committee Chair, thanked Director Bruins and provided an update. He stated that they spoke about the nominating committee for appointing a Chair and Vice Chair for 2021, how Measure RR will affect Caltrain, and Board comments.

### Public Comment

Doug DeLong, Mountain View, pointed out that the full closure was regarding the 25<sup>th</sup> Avenue grade crossing and not the station.

Roland Lebrun, San Jose, commented on the May PMOC report obtained by Freedom of Information Act (FOIA), testing in Pueblo, and the new train ventilation dynamics.

## **8. ADOPTION OF THE THIRD AND FOURTH QUARTERS FISCAL YEAR 2021 OPERATING BUDGET AND AMENDMENT TO DECREASE THE CAPITAL BUDGET**

Derek Hansel, Chief Financial Officer, thanked his team for working on and being in fiscal year 2021 budget season for a year. He provided a presentation which included the budget overview, fiscal year 2021 revenue assumptions, proposed capital budget, and next steps, including service changes implemented in December.

Mr. Hansel noted that additional federal relief would be welcomed. He stated that they are heavily reliant on Measure RR, and they will need the approval of the JPB, Valley Transportation Authority (VTA), San Francisco Municipal Transportation Authority (SFMTA), and San Francisco Board of Supervisors (SF BOS) for borrowing as they need cash flow to get through the first quarter of fiscal year 2022, and because they will not see substantial Measure RR funds until September/October 2021.

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

- Measure RR funding generation per year
- Boosting ridership and restoring public confidence
- Member Agency contributions
- Working with TransitAmerica Services, Inc (TASI) over service plan budget
- Work role changes for conductors staffing trains
- The cost of borrowing against a line of credit
- Reserve amount and allocation with additional stimulus
- Firm used for Sales Tax Projection
- Ballot costs

- Grade separation funding

#### Public Comment

Roland Lebrun, San Jose, commented on governance cap, new auditing rules for CARES act, new federal auditing rules for CARES Act, and standard proposals for maintaining EMUS and diesels.

Vaughn Wolffe, Pleasanton, commented on obtaining QR readers.

Jeff Carter, Millbrae, commented on advertising to increase ridership.

Adina Levin, Friends of Caltrain, commented on bringing riders back to transit, budget and capital, pushback for using Measure V funds to connect BART to Silicon Valley.

Aleta Dupree, Oakland, commented on weekday service and Clipper progress.

Doug DeLong, Mountain View, commented on using historical highway data to gauge when Caltrain ridership would recover.

Motion/Second: Davis/Stone moved to approve

Ayes: Bruins, Collins, Heminger, Stone, Walton, Zmuda, Davis, Pine

Noes: None

Absent: Chavez

### **9. AMENDMENT OF THE FINANCIAL RESERVE POLICY TO REQUIRE BALANCED BUDGETS**

Mr. Hansel stated that they used the existing financial reserve policy as a starting point and that the proposal is a requirement to bring forward a balanced periodic budget rather than balanced annual budget. He noted that they have tied it to the use of reserves.

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

- Whether the target of 10 to 15 percent is high enough
- How many months of operation Caltrain has with those percentages
- Why balancing has not occurred until now

Motion/Second: Bruins/Heminger moved to approve and amend the second bullet of the policy to remove "possible" from the line "provide the best viable ~~possible~~ transportation".

Ayes: Bruins, Collins, Heminger, Stone, Walton, Zmuda, Davis, Pine

Noes: None

Absent: Chavez

## **10. RECEIVE 2021 DRAFT LEGISLATIVE PROGRAM**

Casey Fromson, Director of Government and Community Affairs, stated that the draft program will be brought to the Board for comments before adoption. She stated that the legislative program establishes the principles that will guide the agencies legislative and regulatory advocacy efforts through the calendar year. Ms. Fromson noted that all the changes are in red in the packet.

### Public Comment

Adina Levin, Friends of Caltrain, commented on working at the regional level to streamline transit in the Bay Area and amending the bullet points to talk about positive benefits to fulfill goals adopted with equity and connectivity in addition to avoiding the negative impacts.

Vaughn Wolffe, Pleasanton, commented on QR codes and preparing for future pandemics.

Jeff Carter, Millbrae, inquired about the new service plan implemented in December.

Roland Lebrun, San Jose, commented on Google Maps not suggesting the Caltrain for commutes, transparency for closed sessions, and the parcels between Ice House Hill and Tank Farm.

## **11. CORRESPONDENCE**

Correspondence was available online.

## **12. BOARD MEMBER REQUESTS**

Director Heminger and Director Bruins requested looking at possibly increasing the reserve policy from its current 10 to 15 percent amount.

Director Stone requested agendaizing how VTA, SamTrans, and San Francisco Muni handle connecting with Caltrain.

## **14. GENERAL COUNSEL REPORT**

Joan Cassman, General Counsel, reported that they would be going into closed session to discuss the two agendaized matters. She noted that staff will not be requesting any action of the Board that would require a report out.

- a. Closed Session: Conference with Legal Counsel – Anticipated Litigation Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One potential case
- b. Closed Session pursuant to Government Code Section 54956.8: Conference with Real Property Negotiators  
Property: Parcels adjacent to Caltrain right-of-way in vicinity of Bayshore Station: San Francisco Property (APN 009-5102), San Mateo County Property (APNs 005-162-300, 005-162-320, 005-162-350, 005-162-360, 005-340-040, 005-340-090, 005-340-100, 005-350-070, 005-350-080).  
Agency Negotiators: Joan L. Cassman, General Counsel, Brian Fitzpatrick, Director

of Real Estate, and Gary Cardona, Manager, Capital Project Support & Property Management

Negotiating Parties: Visitacion Investment, LLC, a California Limited Liability Company (San Francisco property) and Oyster Point Properties, Inc., a California corporation (San Mateo County properties)  
Under negotiation: Price and terms of contract

**15. DATE/TIME OF NEXT REGULAR MEETING:**

Thursday, January 7, 2021 at 9:00 am via Zoom

**16. ADJOURN**

The meeting adjourned at 1:09 pm.

An audio/video recording of this meeting is available online at [www.Caltrain.com](http://www.Caltrain.com). Questions may be referred to the Board Secretary's office by phone at 650.508.6242 or by email to [Board@Caltrain.com](mailto:Board@Caltrain.com).