

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

MINUTES OF JUNE 4, 2020

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

MEMBERS ABSENT: None

STAFF PRESENT: J. Hartnett, C. Mau, J. Cassman, M. Bouchard, A. Chan, J. Funghi, D. Hansel, S. Murphy, M. Jones, S. Petty, D. Seamans, S. Wong

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Dave Pine called the meeting to order at 9:01 am and led the pledge of allegiance.

2. ROLL CALL

District Secretary Seamans confirmed for the record that all Board Members were in attendance.

3. GENERAL COUNSEL REPORT

a. Closed Session: Conference with Legal Counsel – Anticipated Litigation. Initiation of litigation pursuant to Government Code Section 54956.9(d)(4): One potential case

Joan Cassman, General Counsel, explained that the Board would convene in Closed Session for a matter of anticipated litigation.

Public Comment

Roland LeBrun, San Jose, commented on procedures for adjourning to closed session, Brown Act violations, Wabtec, and Parson's Transportation Group. He also commented on separating gate warning time contracts from electrification contracts.

The meeting adjourned to closed session at 9:07 a.m.

The meeting reconvened into open session at 10:29 a.m.

3. GENERAL COUNSEL REPORT, CONTINUED

b. Report from May 7, 2020 Closed Session

Ms. Cassman reported that the Board received an update and no action was taken.

c. Report from Closed Session during Part I of Meeting

Ms. Cassman reported that the Board received an update and no action was taken on this anticipated litigation matter.

4. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Roland LeBrun, San Jose, commented on reaching out to BART to provide Caltrain administrative services, appointing an interim chief executive, and to look for a new building for Caltrain in Mountain View or Sunnyvale station.

Adina Levin, Friends of Caltrain, commented on the regional transit recovery task force, an integrated regional approach to transit safety, and safety communication.

Raymond Chang, San Francisco, commented on reducing excessive idling at the Fourth and King station.

Andy Chow, Redwood City, commented on his current experience riding Caltrain, remote workers' concerns, and discount incentives.

Aleta Dupree, Oakland, expressed support for audible public Zoom comments, updating Clipper mobile app, updating vending machines for contact-less payment, Caltrain as a life-line, and keeping the Clipper differential.

5. CONSENT CALENDAR

- a. Approve Meeting Minutes of May 7, 2020**
- b. Receive Key Caltrain Performance Statistics – April 2020**
- c. Receive State and Federal Legislative Update**
- d. Accept Support Barack Obama Boulevard Rename**
- e. Award Capital Projects Quarterly Status Report – 3rd Quarter Fiscal year 2020**
- f. Caltrain Business Plan – Update Covering April 2020**
- g. Provide an Extension of the Current Go Pass Term for all Current Go Pass Participants Impacted by the COVID-19 Mandatory Shelter-in-Place Order**
- h. Award of Contract for Law Enforcement Services**
- i. Award of Contracts for Provision of Investment Management and Custody and Safekeeping Services**
- j. Execution of Contracts for Information Technology Licenses, Maintenance Services, and Professional Services**
- k. Execution of Contracts for Technology-Related Products and Services through Piggybacking Contracts and Cooperative Purchasing Programs**
- l. Authorize Amendments to Contracts for On-Call Railroad Business Operations and Systems Support Services**
- m. Authorize Amendment to On-Call Electrification Support Services Contract for the Peninsula Corridor Electrification Project (PCEP)**
- n. Authorize Amendment to On-Call Program Management Support Services Contract for the Peninsula Corridor Electrification Project (PCEP)**
- o. Caltrain Business Plan - Update Covering May 2020**

Chair Pine thanked the Finance Committee for their review and pulled Item 5h (Law Enforcement Services) from the calendar for further discussion.

Motion/Second: Davis/Zmuda moved approval of the consent calendar (Items 5a to 5o with the exclusion of Item 5h)

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

Noes: None

Absent: None

Regarding Item 5h, Concepcion Gayotin, Procurement Manager, provided a presentation on the procurement process; highlights included the request for proposal, law enforcement agency outreach, the agreement for a 5-year base term, 19 total

personnel, JPB taking on 78 percent of the contract, and the San Mateo County Transit District (SMCTD) taking on 22 percent of the contract.

Vickie O'Brien, Safety and Security Deputy Director, explained the scope of work and details; highlights included personnel, operating costs, services for special events, and important contract provisions.

Board members had a discussion and staff provided further clarification in response to the Board comments and questions; topics included resolution revision, cost & personnel adjustment flexibility, and comparing operation and personnel costs.

Public Comment

Roland LeBrun, San Jose, commented on having multiple one-year options, South San Jose transit support, and multiple-tiered (private, then county) security.

Motion/Second: Stone/Davis moved approval of the updated Item 5h for Contracts for Law Enforcement Services

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

Noes: None

Absent: Bruins, Chavez

6. ADOPTION OF FISCAL YEAR 2021 INTERIM OPERATING BUDGET AND FISCAL YEAR 2021 CAPITAL BUDGET

Derek Hansel, Chief Financial Officer, presented the proposed interim budgets; highlights included challenges, mitigating measures, proposed actions, finalizing member agency investments, key assumptions, operating revenues, operating expenses, proposed capital budget, and capital funding sources. Next steps included presentation of the preliminary Fiscal Year 2021 budget to the July Finance Committee and August JPB meeting.

Board members had a discussion and staff provided further clarification in response to the Board comments and questions, which included the following: overtime freezes; insurance placeholder in the budget differing from the line item amount; positive train control litigation; the amount of uncommitted capital budget; refilling essential positions when employees who leave; CARES funding tranche coverage; status of the current contract between employees and the district; status of fund balance in August; participation in additional federal funding efforts.

Public Comment

Roland LeBrun, San Jose, commented on line 21 of the budget, Metrolink Peer Review, and capital funding budget.

Aleta Dupree, Oakland, commented on the budget, ticket vending machine projects, and the importance of incentivizing Clipper.

Adina Levin, Friends of Caltrain, commented on federal funding, the second tranche of CARES act funding, and means based fares.

Director Shamann Walton left the meeting at 11:28 am.

Motion/Second: Heminger/Davis

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

Noes: None

Absent: Walton

7. REPORT OF THE CHAIR

a. Report of the Governance Ad-Hoc Committee

Chair Pine reported on the meeting May 29th that allowed members to ask additional questions regarding the Remcho Law firm foundational agreements, amendments, and reports. He said there were additional questions on the amounts of the amendments and extending Samtrans' rights to serve as the managing agency. Chair Pine reported that the next steps would be to finalize the report this month, discuss accountability measures in evaluating the CEO (chief executive officer) of Caltrain, codifying actions taken this year, and discussing how a new CEO would be hired. He stated that a comprehensive report would be made available to the public as part of the Board's July meeting packet.

In response to Director Jeannie Bruins' request to receive the report in advance of the July meeting, Chair Pine replied that they would like members to receive the report in advance and that it would be an information item to review the work done to date.

b. Report of the Local Policy Maker Group (LPMG)

Director Bruins reported that they met on May 28th with record attendance using Zoom and highlights included the following: the staff report on ridership projects and funding; Caltrain pursuing SB 797 positioning for ballot; LPMG members commenting on the sales tax amount; other measures on the November ballot; how large employers were managed; Go Pass survey; furloughed Caltrain workers; BART's 15-point plan for re-opening; a regional approach to safety; update on Caltrain Business Plan; recovery planning; Caltrain electrification project; a high speed rail update. Director Bruins recommended using Zoom for this particular body going forward.

Public Comment

Roland Lebrun, San Jose, commented on receiving next month's Governance ad-hoc report at the same time as the Board.

8. REPORT OF THE EXECUTIVE DIRECTOR

Jim Hartnett, Executive Director, reported that the report was in the packet. He commended Michelle Bouchard and the organization for their dedicated service, and stated that the Blue Ribbon Task Force (Federal Funding committee) will be meeting June 8th and near the end of June for Metropolitan Transportation Commission (MTC) recommendation.

Michelle Bouchard, Chief Rail Operating Officer, reported agile action in an uncertain future by Caltrain and Transit America Services, Inc. (TASI) workers, ridership decreases, regional and national coordination, future re-opening plans, and critical recovery framework.

Director Chavez left the meeting at 12:01 pm.

a. COVID-19 Status Update

Sebastian Petty, Director of Policy Development, outlined the near and mid-term outlook for response and recovery. He displayed the phases of the crises (triage, surviving, preparing for the next reality), and summarized the near term outlook for service, operating funding and operating costs. Mr. Petty presented the current financial outlook, plans for initial re-opening (expansion from 42 to 70 trains per weekday), pausing and pivoting the Caltrain Business Plan, recovery planning, and next steps.

Board members had a discussion and staff provided further clarification in response to Board comments and questions; topics included skip stop service, ride duration comparisons between skip stop service and baby bullets, definition of peak hours, and equity and connectivity growth strategies.

b. Caltrain Positive Train Control (PTC) Project Update – June 2020

Ms. Bouchard stated that the project was progressing well, they would be submitting their safety plan at the end of this month for certification, and the end of this year is the federal deadline. She explained that they were working to identify options to support operations and maintenance from more than one group and would be more self-reliant after three to five years.

Board members had a discussion and staff provided further clarification in response to a Board question about reducing the budget for this item in future quarter reports.

Public Comment

Roland LeBrun, San Jose, commented on governance, the one-eighth sales tax measure, decrease in riders, customer confidence, possible filtration systems, bus usage, lock-stepping with BART's schedule, and working with employers to eliminate peak through flex commuting.

Jeff Carter, Millbrae, commented on providing raw data for charts and statistics presented in the Caltrain Key Performance Statistics in the consent calendar, and Clipper statistics.

Doug DeLong, Mountain View, lauded Ms. Bouchard's recovery process in the PTC (positive train control) implementation, and commented on unintended frequent braking issues between Control Point (CP) Stockton and CP Coast.

Von commented on capacity improvement versus skip stop, the mismatch in suggesting BART solutions for Caltrain (, and the possible disadvantages of sales tax revenues.

Drew, San Mateo, commented on expanding peak hour assumptions for later shifts in multiple industries.

Adina Levin, Friends of Caltrain, commented on connecting connectivity needs to equity.

Director Dev Davis left the meeting at 12:36 pm.

9. REPORT OF THE FINANCE COMMITTEE

Director Zmuda stated that they were doing diligent work.
Chair Pine commended the Committee for digging into the reports.

10. INCREASE DISCOUNT FOR CALTRAIN MEANS BASED FARE PILOT PROGRAM

Derek Hansel, Chief Financial Officer, presented the staff proposal to increase the discount to 50 percent through Clipper START for 18 months. He said the next steps would be to enter into a funding agreement with Metropolitan Transportation Commission (MTC) which would be subsidizing up to 10 percent of the fare revenue, and launching around late summer of 2020. Mr. Hansel stated that the four participants in the program (BART, MTC, SF Municipal Transportation Agency, and Golden Gate Transit) would be observing ridership recovery and shelter in place orders.

Board members expressed their support for this effort.

Public Comment

Edwardo Lalo-Gonzalez, San Mateo County Youth Leadership Institute, expressed support for this program, commented on referencing other levels of poverty besides the federal poverty level and suggested Caltrain consider other transit bus passes as fare.

Doug DeLong, Mountain View, expressed support for this proposal.

Roland Lebrun, San Jose, expressed support for the means based fare pilot program, but also expressed concerns for this proposal. He commented on farebox bonds and concerns with overcrowding.

Adina Levin, Friends of Caltrain, expressed support for this discount, commented on broadening Caltrain's ridership and honoring other transit passes to un-crowd local buses.

Ian Griffith, Seamless Bay Area, expressed support for this discount and commented on changing fare policy for low-income commuters, and crowding on current Samtrans buses running parallel to Caltrain.

Adrian Brandt, San Mateo County, expressed support of the proposal and encouraged distance-based fares.

Jeff Carter, Millbrae, expressed support for this proposal and suggested a Clipper accumulator system and distance-based fares.

Aleta Dupree, Oakland, expressed support for this proposal and its Clipper-based system (regional efforts).

Hailey Courier, Transform, expressed support for this proposal and suggested extending the discount to everyone and encouraged Caltrain to accept bus passes.

Cliff Barar expressed support for the fare discount and suggested extending the discount to accept other transit passes.

Motion/Second: Bruins/Collins

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

Noes: None

Absent: Chavez, Walton, Davis

Director Bruins left the meeting at 1:04 pm.

11. MONTHLY PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP) REPORT – OCS (OVERHEAD CONTACT SYSTEM) FOUNDATION COMPLETION STATUS

John Funghi, CalMod Chief Officer, provided the presentation. He stated areas where Balfour Beatty Infrastructure (BBI) were under performing, explained the PCEP contract completion schedule, and listed important program milestone dates, including foundation and poles dates. He stated that Stadler achieved a significant milestone by putting trainset one on the test track.

Public Comment

Roland LeBrun, San Jose, commented on the prototype in Salt Lake City and grade crossing elevation.

Aleta Dupree, Oakland, commented on increased production, depth of process of foundations, and project completion.

Adrian Brandt, San Mateo County, expressed concern regarding constant grade warning times with Balfour Beatty's dual speed check solutions that may potentially cause longer rider wait times.

Director Stone left the meeting at 1:08 pm.

12. REPORT OF THE CITIZENS ADVISORY COMMITTEE (CAC)

Brian Shaw, CAC Chair, provided an update. He reported that their May meeting included discussions on grade crossing, the status of solar powered lights, painting one of the intersections red, the new type of crossing technology, and the hazard analysis report. He stated that public comment included comments on grade separation hazards in San Mateo, the new electric multiple unit (EMUs), placement of power outlets at passenger knees, signs inside cars to indicate current stations, signs outside be high enough to read, train cars have labelling so passengers can spot bike cars, etc., COVID delays in manufacturing, and Caltrain door replacement. Mr. Shaw reported that public comment included level boarding at 25 inches and concerns with one bathroom per train. He stated that the next meeting is June 17th where they would discuss distance based fares.

Director Collins left the meeting at 1:14 pm.

13. CORRESPONDENCE

Correspondence was made available on line.

14. BOARD MEMBER REQUESTS

Director Zmuda requested the status of any fund balance (if any) for the upcoming nine month budget for the August Board meeting.

Director Bruins requested considering using Zoom for future productive LPMG meetings.

14. GENERAL COUNSEL REPORT

None.

15. DATE/TIME OF NEXT REGULAR MEETING: Thursday, July 9, 2020 at 9:00 am, via Zoom or at San Mateo County Transit District Administrative Building, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA

16. ADJOURN

The meeting adjourned at 1:21 pm.

An audio/video recording of this meeting is available online at 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.