

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

**MINUTES OF JANUARY 7, 2021**

**MEMBERS PRESENT:** C. Chavez, D. Davis (Chair), J. Gee, S. Heminger (Vice Chair), D. Pine, C. Stone, S. Walton, M. Zmuda

**MEMBERS ABSENT:** None

**STAFF PRESENT:** J. Hartnett, C. Mau, J. Cassman, S. Van Hoften, M. Bouchard, J. Funghi, K. Yin, D. Hansel, C. Fromson, R. Rios, B. Tietjen, L. Low, G. Martinez, M. Reggiardo, L. Leung, P. Skinner, J. Sharma, B. Shaw, 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.

Director Cindy Chavez arrived at 9:05 am.

**3. OATH OF OFFICE – SAN MATEO COUNTY REPRESENTATIVE, JEFF GEE**

Ms. Seamans administered an Oath of Office to Jeff Gee. Board members welcomed Director Gee back to the Board of Directors.

**4. GENERAL COUNSEL REPORT – REPORT OUT FROM CURRENT CLOSED SESSION AND PREVIOUS CLOSED SESSIONS OF DECEMBER 3, 2020**

General Counsel Joan Cassman stated no action was taken from the previous meeting's closed session on anticipated litigation and real estate negotiations.

Public Comment

Roland Lebrun, San Jose, commented on limiting litigation and real estate transactions until the new administrators are in place. He also commented on Director Gee, the California Fair Political Practices Commission (FPPC), and congratulated Director Davis.

**5. REPORT OF THE NOMINATING COMMITTEE (STONE, CHAVEZ, HEMINGER) - ELECTION OF 2021 OFFICERS**

Director Cindy Chavez reported that the Committee nominated Director Dev Davis for JPB Chair and Director Steve Heminger for Vice-Chair.

Motion/Second: Chavez/Stone

Ayes: Chavez, Davis, Gee, Heminger, Stone, Walton, Zmuda, Pine

Noes: None

Absent: None

Public Comment

Jeff Carter, Millbrae, welcomed back Director Gee and congratulated the new Chair and Vice-Chair.

Aleta Dupree, Oakland, congratulated Director Gee, Chair Davis, and Vice-Chair Heminger and expressed appreciation for the peaceful transfer of power.

Adina Levin, Friends of Caltrain, congratulated Director Gee, Chair Davis, and Vice-Chair Heminger.

**6. PUBLIC HEARING AND ADOPTION OF PROPOSED CHANGES TO BICYCLE PARKING FEES AND GO PASS PRICING**

Sebastian Petty, Deputy Chief of Planning, provided a presentation and information on bicycle e-locker fees.

Derek Hansel, Chief Financial Officer, spoke about GoPass changes and proposed staff changes to provide an additional 25 percent discount to reflect commuting uncertainty.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding advertising, financial impact of GoPass changes, and company deadlines for 2022 participation.

Public Comment

Aleta Dupree, Oakland, expressed support for e-lockers.

Cynthia Arteaga, San Jose, requested GoPass pricing structure clarification and extending the discount.

Adina Levin, Friends of Caltrain, thanked Caltrain for extending GoPass for covering contractors, nonprofits, etc., taking a step toward equity, and for moving forward with bicycle e-lockers.

Roland, San Jose, commented on charging for e-lockers, allowing free bikes onboard, and bicycle counters on electric multiple units (EMUs).

Matt Petrofsky, San Mateo, inquired about extending GoPass based on total number of employees in a single building.

Jeff Carter, Millbrae, expressed support for the bicycle e-locker program and requested GoPass statistics.

Motion/Second: Stone/Heminger

Ayes: Chavez, Gee, Pine, Stone, Walton, Zmuda, Heminger, Davis

Noes: None

Absent: None

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

Roland Lebrun, San Jose, commented on Valley Transportation Authority (VTA) budget surplus and made suggestions on Caltrain spending. He commented on three stations in south San Jose not receiving service.

Aleta Dupree, Oakland, commented on Clipper and fare integration, updating fare equipment and procedures, and continuing the conversation with Metropolitan Transportation Commission (MTC).

Vaughn Wolffe, Pleasanton, commented building a rail system that could accommodate hundreds of thousands of people daily.

Adrian Brandt, San Mateo County, commented on the Redwood junction area not allowing an efficient four track approach and recommended Caltrain take a more active role to accommodate the Caltrain Business Plan.

Hayden Miller thanked Caltrain for the new 30-minute frequency schedule and commented on single trackage signage causing confusion, and aligning BART and Caltrain schedules during the holidays.

Jeff Carter, Millbrae, expressed support for building four tracks to allow passing for express trains by local trains.

## **8. CONSENT CALENDAR**

- a. Approved Regular Meeting Minutes of December 3, 2020**
- b. Received Key Caltrain Performance Statistics – November 2020**
- c. Certified Results of Election on Measure RR Sales Tax**
- d. Adopted 2021 Legislative Program (as amended and stated on page 4)**
- e. Resolution of Appreciation for former Director Ron Collins**
- f. Resolution of Appreciation for former Director Jeannie Bruins**
- g. Accepted Statement of Revenues and Expenses for the Period Ended November 30, 2020**
- h. Awarded a Sole Source Agreement to Howard Permut LLC to Provide Governance Advisory Services in the Not-To-Exceed Amount of \$200,000**
- i. Authorization to Receive Funding and Amend the Fiscal Year 2021 Capital Budget to add \$4,125,000 for a Total of \$86,459,772 for the Atherton Caltrain Station Closure Project**
- j. On-Call Transportation Planning and Consultant Support Services Update**

Director Dave Pine and Director Chair Stone expressed appreciation for outgoing Director Ron Collins.

Director Chavez expressed concern for a strategy in Item 8d (page 3, second bullet) which stated "*Ensure that COVID relief funding is sub allocated through the region is based on revenue losses*" and the impacts on the regional partners.

**Motion/Second: Stone/Zmuda to approve the Consent Calendar excluding Item 8d**

Ayes: Chavez, Gee, Pine, Stone, Zmuda, Heminger, Davis

Noes: None

Absent: Walton

Public Comment

Roland Lebrun, San Jose, inquired about starting the Finance Meeting at 3 pm instead of its current 1:30 pm time due to conflict with other meetings. He opposed extensions of Kimley-Horn contracts, especially in regards to the high-speed rail platform in Redwood City.

Motion/Second: Stone/Pine **to approve Item 8d**

Ayes: Gee, Pine, Stone, Zmuda, Davis

Noes: Chavez, Heminger

Absent: Walton

Motion/Second: Zmuda/Davis **to rescind the previous motion and reconsider Item 8d**

Ayes: Chavez, Gee, Pine, Stone, Zmuda, Heminger, Davis

Noes: None

Absent: Walton

The Board members had a robust discussion and staff provided further information in response to the Board comments and questions regarding the strategy in Item 8d (2021 Legislative Program) to "*Ensure that COVID relief funding is sub allocated through the region is based on revenue losses*". The topics covered included: Caltrain's best interest, partner agency interests, the percentage of allocation relative to allocation received, the possibility of Caltrain still being at a deficit while other transit agencies were whole with a new formula, taking equity into consideration, Measure RR funds availability, and transit dependent ridership.

Motion/Second: Heminger/Zmuda as amended" ***Ensure that COVID relief funding is sub allocated through the region primarily based on revenue losses but also balanced with the needs of transit dependent riders.***

Ayes: Chavez, Gee, Pine, Stone, Zmuda, Heminger, Davis

Noes: None

Absent: Walton

**9. REPORT OF THE CHAIR**

Director Pine provided an update on the Governance Process Ad Hoc Committee. He stated that the award for General Counsel Services would occur late Spring and Howard Permut would assist in the governance process. He said they would learn more about the Regional Rail Study by MTC at the February workshop.

Director Pine summarized the events and actions taken by the Board in 2020, including new upcoming executive roles and Executive Director Hartnett's departure in April 2021.

Public Comment

Roland Lebrun, San Jose, commented on the legality of ad hoc committees and closed sessions, provided Caltrain Governance suggestions for Howard Permut, and stated that Caltrain should select the next Executive Director, not SamTrans.

Aleta Dupree, Oakland, commented on Executive Director Hartnett's future departure by commending his global leadership perspective and stating that he will be missed.

Board members thanked former Chair Pine for his leadership, generosity, and guidance through massive challenges.

## **10. REPORT OF THE EXECUTIVE DIRECTOR**

Jim Hartnett, Executive Director, provided an overview on ridership recovery and business strategy.

### **a. PENINSULA CORRIDOR ELECTRIFICATION PROJECT (PCEP) MONTHLY PROGRESS REPORT - NOVEMBER 2020**

John Funghi, CalMod Chief Officer, provided a progress report regarding electrification infrastructure and electric multiple unit (EMU) assembly. He noted that the first signal cutover operated successfully, signal duct bank work continues, foundation production decreased (25 out of 37 completed) with plans to bring on a second rig in January. Mr. Funghi stated that Balfour is expected to provide an updated monthly timeline and have advanced planning assistance to avoid supply chain issues. He noted that the construction work at their centralized maintenance and operation facility is nearing completion and they have \$160 million remaining in contingency that indicates a \$5 million shortfall in contingency.

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

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

Michelle Bouchard, Chief Operating Officer, announced the official safety certification from the Federal Railroad Administration (FRA). The team is now in maintenance mode and building out backup control center. She noted the PTC reports would now be updated in the Quarterly Capital Status Report.

Executive Director Hartnett praised the FRA for their approach and support.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding the completion of cutover work and contracting for maintenance.

## **REGIONAL TRANSIT COORDINATION UPDATE**

April Chan, Chief Officer, Planning and Grants, provided a presentation. She provided information on:

- Shared goals for Bay Area transit to provide a seamless experience and provide equity
- Current coordination efforts and sharing information to work better together
- MTC Blue Ribbon Task force action plans (and legislation for 2022)
- Existing funding streams for each agency
- Key Opportunities (e.g. efficiency) and challenges (e.g. funding)

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding staff ideal outcomes, funding, straw person proposals, how MTC ties into Caltrain, ideas being too broad, and governance problems with BART.

General Counsel Cassman pointed out that the Board could agendaize this topic for the next meeting or workshop for any in depth conversation.

#### Public Comment

Roland Lebrun, San Jose, compared transit agency pre-COVID ridership levels and commented on EMUs, and the last PTC presentation.

Doug DeLong, Mountain View, thanked Jim and Michelle, commented on the grade crossing study, Parsons previous progress reports, and current foundation progress.

Jeff Carter, Millbrae, commented on PTC completion, previous consultants and crossings.

Adina Levin, Friends of Caltrain, thanked Jim Hartnett and Director Pine for bringing stable funding to Caltrain through Measure RR. She commented on the transit network coordination increasing ridership and improving equity.

Andy Chow, Redwood City, commented on the new schedule saving him time and coordinating with BART for the weekends.

Ian Griffith, Seamless Bay Area, commented on system coordination, best alternatives for riders, and using funding with the correct structure.

Vaughn Wolffe, Pleasanton, commented on assigning technology and achieving State run hubs.

Adrian Brandt, San Mateo County, commented on addressing constant warning times with dual speed check.

Aleta Dupree, Oakland, commented foundations progress and taking train control to the next level.

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

Brian Shaw, Citizens Advisory Committee Chair, provided an update. He stated that he was appointed Chair and Adrian Brandt, Vice-Chair. Mr. Shaw reviewed CAC public comments regarding fares, transit recovery task force, and seamless transfer designs. He summarized CAC member comments regarding GoPasses for small businesses, ridership levels, air-flow safety, and multi-language signage. Mr. Shaw listed the agenda items for the next meeting January 20<sup>th</sup>.

### **12. REPORT OF THE FINANCE COMMITTEE**

#### **a. AUTHORIZING EXECUTION OF AMENDMENT FIVE TO THE CONTRACT FOR PROVISION OF RAIL OPERATIONS, MAINTENANCE AND SUPPORT SERVICES WITH TRANSITAMERICA SERVICES, INC. TO EXTEND THE CONTRACT FOR FIVE YEARS THROUGH JUNE 30, 2027**

Michelle Bouchard, Chief Operating Officer, provided the presentation on the five-year contract extension through June 2022 and the annual budget would determine the annual Transit America Services, Inc. (TASI) contract. Ms. Bouchard provided background information, which included TASI performance, considerations, negotiated terms with \$8 to \$10 million in savings per year, the contract extension process, and proposed modifications.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding inflation in the fee structure, floor and

ceiling for inflation, four-year extension instead of five, how competitive the industry is, and going out to bid.

Public Comment

Roland Lebrun, San Jose, commented on the Howard Permut contract, having five one-year extensions instead, and previous TASI incidents.

Adina Levin, Friends of Caltrain, commented on staff numbers, future efficiency, and service frequency.

Aleta Dupree, Oakland, commented on consistency and experience with a five-year extension.

Adrian Brandt, San Mateo County, commented on the performance measure tool, 50 percent target fare inspection, reducing labor requirement, and high inspection ratios.

Motion/Second: Zmuda/Stone

Ayes: Chavez, Gee, Pine, Stone, Zmuda, Heminger, Davis

Noes: None

Absent: Walton

**b. AWARD OF CONTRACT FOR FINANCIAL AUDIT SERVICES**

Grace Martinez, Deputy Chief Financial Officer, stated that they have concluded their search for new auditors as directed by the Board in August.

The Board members had a discussion and staff provided further clarification in response to the Board comments and questions regarding cost for audit services, \$150,000 for special projects, hiring additional staff to support this work, and rotating auditors every five to seven years.

Motion/Second: Pine/Heminger

Ayes: Chavez, Gee, Pine, Stone, Zmuda, Heminger, Davis

Noes: None

Absent: Walton

**13. INCREASE THE TOTAL PROJECT BUDGET AUTHORITY BY \$1,250,000 FOR THE MARIN AND NAPOLEON BRIDGE REPLACEMENT PROJECT (20-J-C-022)**

Gary Fleming, Deputy Chief, Rail Development, stated that large voids were found below the footing of the bridge; the response was to implement two phases, including upgrading the capacity of the micro-piles to replace the deteriorated woodpiles below the footing, and this has to be performed through a change order. Staff is requesting the Board authorize an increase in the total project budget to increase the change order authority.

Motion/Second: Stone/Zmuda

Ayes: Chavez, Gee, Pine, Stone, Zmuda, Heminger, Davis

Noes: None

Absent: Walton

**14. STATE AND FEDERAL LEGISLATIVE UPDATE**

Rescheduled to next meeting

**15. CORRESPONDENCE**

Correspondence was available online.

**16. BOARD MEMBER REQUESTS**

Director Heminger requested having a sub-regional conversation between BART and Caltrain in regards to transit coordination efforts as a topic at the next Board workshop.

**17. GENERAL COUNSEL REPORT**

There was none

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

Thursday, February 4, 2021 at 9:00 am via Zoom

**19. 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).