

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

MINUTES OF AUGUST 5, 2021

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

MEMBERS ABSENT: C. Stone, S. Walton

STAFF PRESENT: M. Bouchard, D. Hansel, J. Harrison, , S. Petty, K. Yin, J. Funghi, B. Shaw, R. Rios, A. Simmons, B. Tietjen, R. Barnard, L. Leung, T. Burgwyn, T. Bartholomew, D. Seamans, S. Wong

1. CALL TO ORDER / PLEDGE OF ALLEGIANCE

Chair Dev Davis called the meeting to order at 9:00 am and led the pledge of allegiance.

2. ROLL CALL

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

Public Comment

Roland Lebrun, San Jose, commented on closed sessions item 3a and 3b.

3. GENERAL COUNSEL REPORT – CLOSED SESSION:

- 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: Conference with Legal Counsel – Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): JPB v. Parsons, et al, San Mateo County Superior Court, Case No. 17CIV00786**
- c. **Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): JPB v. Golden Bay Fence Plus Iron Works, Inc., City & County of San Francisco, Caltrans, San Francisco County Superior Court, Case No. Case No. CGC-19-573781**

*The Board convened in closed session at 9:05 am
The Board reconvened in regular session at 10:30 am*

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

4. GENERAL COUNSEL REPORT – REPORT OUT FROM ABOVE CLOSED SESSION

General Counsel James Harrison stated that there were no reportable actions.

5. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Aleta Dupree, Oakland, commented on passing the Pride Resolution last month.

Marie Blankley, Gilroy Mayor, requested agendaing Valley Transportation Authority (VTA) lot acquisition to maintain the parking necessary to accommodate housing and to generate more ridership in the Gilroy transit center.

Adina Levin, Friends of Caltrain, commented on preliminary fare study, low cost transfers, and equitable access.

Adrian Brandt, San Mateo County, commented on regional fares, universal fares, coordinated schedules, and mandatory vaccinations for employees.

Jeff Carter, Millbrae, commented on fare integration and costly transfers.

Roland Lebrun, San Jose, commented on Gilroy parking, new Caltrain positions, and meeting transcripts.

6. CONSENT CALENDAR

- a. Approve Regular Meeting Minutes of July 1, 2021 and Special Meeting Minutes of June 25, 2021**
- b. Receive Key Caltrain Performance Statistics – June 2021**
- c. Appointment of the Citizens Advisory Committee Representative**
- d. Authorize the Executive Director to Execute a Change Order to the Peninsula Corridor Electrification Project (PCEP) Contract with Balfour Beatty, Inc. for Removal and Disposal of Contaminated Soil for a Total Not-To-Exceed Amount of \$2,800,000**
- e. Award of Contract for On-Call Ambassador Services**
- f. Amendment to Increase the Fiscal Year 2022 Capital Budget by \$2.0 Million for the Caltrain San Francisco Railyards Preliminary Business Case**
- g. Report of the Chief Financial Officer (CFO)**
- h. Staff Report on Statement of Revenues and Expenses for the Period Ended June 30, 2021**
- i. Redwood City Planning and Real Estate Update**
- j. State and Federal Legislative Update**
- k. Upcoming Marketing Efforts Related to Increasing Ridership**

Public Comment

Roland Lebrun, San Jose, commented on the amount of extra amount of excavation, on call consultants in Redwood City, and invoicing the High Speed Rail Authority.

Motion/Second: **Chavez/Zmuda moved to approve with an amendment to 6e (On-Call Ambassador Services) to receive annual updates on outreach activities.**

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

Noes: None

Absent: Stone, Walton

Director Monique Zmuda recognized and thanked the new Citizens Advisory Committee members on behalf of San Francisco.

7. REPORTS

a. Report of the Citizens Advisory Committee (CAC)

Brian Shaw, CAC Chair, reported that the San Francisco and Santa Clara County positions were filled and San Mateo County positions were open. He summarized public comments on real time ridership reporting, the new schedule, baby bullet, and new fare options. Mr. Shaw summarized member comments on baby bullet trains midday, distance based fares, COVID cleaning costs, and ridership numbers.

b. Report of the Chair

Chair Davis stated that the next Special Governance meeting would be August 20 and it would cover legal and financial analysis for the self-directed options.

c. Report of the Local Policy Maker

Director Jeff Gee reported on discussion on the August service restoration, marketing efforts, electrification construction, high speed rail funding, interest in the new Caltrain schedule, and the Gilroy parking lot. The next meeting would be August 26.

d. Report of the Transbay Joint Powers Authority

Director Jeff Gee noted that the Board welcomed a new downtown extension (DTX) project manager, Alfonso Rodriguez, the upcoming appointment of new chief financial officer (CFO), Franklin Wong, the recruitment for a new executive director, , and the new START program.

e. Report of the Executive Director

i. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report – July

Michelle Bouchard, Acting Executive Director, reported on the following:

- Update on vaccination rates, masks being required, and looking at mandatory testing options for administrative staff
- August 30 service change accompanied by marketing and communications campaign and a 50 percent off month-long fare promotion (in conjunction with BART)
- Monitor the Federal bill closely to advocate for the corridor
- The State budget proposal includes significant program for transit/rail in California
- Metropolitan Transportation Commission (MTC) approved the first tranche of American Rescue Plan (ARP) for \$41 million for Caltrain, and the second tranche expected later this Fall

- 25th Avenue Grade Separation project – 31st Avenue has opened and the ribbon cutting be to in September.

James Harrison, Caltrain Legal Counsel, reported the following:

- Employers may mandate vaccinations
- Caltrain and Samtrans are considering potential policies requiring vaccination or testing of administrative employees
- TASI is considering adopting a policy requiring either proof of vaccination or proof of negative testing
- The JPB does not have the authority to mandate rider vaccination but can mandate masks

John Funghi, CalMod Chief Officer, provided updates, which included the following:

- 71 foundations completed in July and 397 left to complete at the end of the year
- Gantry structure work completed in South San Francisco
- Balfour Beatty Inc. (BBI) returned to grade crossing
- Stadler testing dynamic train testing completion expected in October

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

- Lagging schedule update and being consistent with schedule at ad hoc committees
- Chair Davis announced disbanding the PCEP Ad Hoc Committee with future discussions to be held at the WPLP (Work Program-Legislative-Planning) Committee
- Whether Stadler requires employee vaccination and if it could quantify current COVID impact to schedule
- Whether Caltrain has the authority to require vaccinations or testing of employees and contractors
- Federal employees required to show vaccination or testing status

Public Comment

Roland Lebrun, San Jose, commented on DTX not connecting to East Bay, Stadler Electric Cars, three minute warning times, a dedicated capital project committee, and the 50 percent discount promotion.

Adina Levin, Seamless Bay Area, commented on the executive director updates, the regional significance for downtown extension (DTX), and rescheduling the previous governance workshop.

Jeff Carter, Millbrae, commented on an electrification progress web link at the front of the web page.

Aleta Dupree, Oakland, commented on foundations, reduced fare promotions, Veteran fares, and vaccinations.

Doug DeLong, Mountain View, commented on testing in segment 4, switchgear enclosure at the San Jose station, numbering of power cubicles, and vaccinations.

8. APPROVAL OF MEASURE RR INTERIM FINANCING TRANSACTIONS AND RELATED TRANSACTION DOCUMENTS

Derek Hansel, Chief Financial Officer, provided the presentation, which included the following:

- New revolving credit agreements and existing credit agreements
- The three components of the 2021 Financing Plan, the approval schedule, and currently only seeking approval for component one (since all three agencies must approve each component before the JPB does so)
- Components two and three are anticipated to be brought before the Board later in the Fall as required
- Reviewed agreement parameters

Public Comment

Aleta Dupree, Oakland, commented on stable sources of revenue and Clipper.

Roland Lebrun, San Jose, inquired on cost of the origination fee for the new line of credit.

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

- When and how often the line of credit is used
- The length of time needed to complete all of these transactions
- How long the agreement is good for, consider increasing the parameters given the cheaper lines of credit
- When there will be bond financing
- Whether Measure RR funds have been received

Motion/Second: Gee/Hendricks

Ayes: Gee, Hendricks, Pine, Zmuda, Heminger, Davis

Noes: None

Absent: Chavez, Stone, Walton

Director Cindy Chavez left at 11:57am

9. UPDATE ON SERVICE RESTORATION

Ted Burgwyn, Director of Rail Network and Operations Planning, provided the presentation. He spoke about the service planning strategy, ongoing constraints, August 2021 service expansion (including weekdays), key peak hour metrics, Millbrae BART connection, Gilroy service, financial implications, overall benefits, future considerations, and next steps.

Public Comment

Adina Levin, Friends of Caltrain, thanked staff and commented on better connections to local transit and BART, and missed evening and weekend schedules with the new schedule.

Jeff Carter, Millbrae, commented on new schedule objectives, midday and evening service, including Broadway as a stop on weekdays, seeing bullet service on the weekends, long boarding times, and fares zones.

Roland Lebrun, San Jose, commented on project Caltrain express infrastructure at Lawrence and Bayshore, baby bullets service at Tamien and Diridon, traffic is 90 percent of pre-COVID during the week and 120 percent of pre-COVID on the weekends, and capitalizing on baby bullets then.

Vaughn Wolffe, Pleasanton, commented on trains from the East Bay, going from Berkeley to the peninsula, and getting 40 to 60 percent people out of cars by 2040.

Aleta Dupree, Oakland, commented on hourly service, the number of stops, getting from San Francisco to San Jose if all stops made, and frequency at smaller stations.

T commented on post giant game trains regardless of game length so people are not stranded in San Francisco.

Ryan Globus, San Jose, commented on the midday schedule running every 30 minutes, improvement for the weekend schedule noting it can take over 1 hour 40 minutes to get to San Francisco, four bullets on the weekend, and frequent service on the weekend before electrification.

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

- What the am and pm peak hours will be and what time in morning and evening baby bullets will run
- When expanding service, expand later into each am and pm hour
- How soon could weekend bullet service be added back given electrification work
- What is the potential for having end of game train(s)
- Having masks and vaccines are factors for increasing ridership
- Systematically speaking with employers on the peninsula regarding current employee schedules
- Service adjustment and connections and syncing up service with BART
- Getting more service onto rail to bring ridership back and getting ahead of demand

10. CORRESPONDENCE

Correspondence was available online.

11. BOARD MEMBER REQUESTS

Director Glenn Hendricks requested an analysis of the legal, labor, and practical ramifications of a vaccine mandate, different from a mask mandate, for employees and contractors.

Director Steve Heminger requested a report about how close the actual Measure RR revenues are to the financial estimates later in the year.

12. GENERAL COUNSEL REPORT

There was no report.

13. DATE/TIME OF NEXT REGULAR MEETING:

Thursday, September 2, 2021 at 9:00 am via Zoom (additional location, if any, to be determined).

14. ADJOURN

The meeting adjourned at 12:35 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.