



BOARD OF DIRECTORS 2022

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MICHELLE BOUCHARD
ACTING EXECUTIVE DIRECTOR

Agenda

Peninsula Corridor Joint Powers Board

June 02, 2022, 9:00 am

Due to COVID-19, this meeting will be conducted as a hybrid teleconference and in-person meeting pursuant to [Assembly Bill 361](#) (Government Code Section 54953). **Members of the public are encouraged to participate remotely but may participate in-person provided that they satisfy the safety protocols listed below.**

Directors, staff, and the public may participate remotely via Zoom at <https://zoom.us/j/91412776292?pwd=cVdKa01PK2FKdm1CSUwwZXR3RmlkUT09> or by entering Webinar ID: **914 1277 6292**, Passcode: **909765** 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>

Directors, staff and the public also may participate in person at: San Mateo County Transit District, Bacciocco Auditorium - Second Floor, 1250 San Carlos Ave., San Carlos, CA, provided they comply with the following safety protocols:

Please Note the Following COVID-19 Protocols for In-person Attendance:

1. Visitors experiencing the following symptoms of COVID-19 may not enter the building:
 - Cough
 - Shortness of breath
 - Muscle Pain
 - Sore Throat
 - Fever
 - Chills
 - Loss of taste or smell
2. Visitors must use the hands-free temperature scanners upon entry. An alert will occur and entrance will be prohibited if a temperature is measured at 100.4 or above.
3. Visitors must show proof of Covid-19 vaccination or a negative COVID-19 test (with results obtained within last 7 days). Masks will be required for visitors who do not show proof of full vaccination (defined as two weeks after the second dose in a two-dose series, such as for the Pfizer-BioNTech and Moderna vaccines, or two weeks after a single dose of the J&J/Janssen vaccine).

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

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

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 *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.

June 02, 2022 - Thursday

All items to which [Government Code section 84308](#) applies have been marked with an asterisk

PART I OF MEETING (CALL TO ORDER): 9:00 am

1. Call to Order / Pledge of Allegiance
2. Roll Call

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

3. General Counsel Report – Closed Session: Public Employee Performance Evaluation Pursuant to Government Code Section 54957(b)(1). Title: Executive Director.

PART III OF MEETING (REGULAR SESSION): 9:35 am estimated

4. General Counsel Report – Report Out from Above Closed Session
5. 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.
6. Consent Calendar
Members of the Board may request that an item under the Consent Calendar be considered separately.
 - 6.a. Approve Regular Meeting Minutes of May 5, 2022 Motion
 - 6.b. Renew Findings to Hold Meetings via Teleconference for 30 Days
Pursuant to Assembly Bill (AB) 361 Resolution
 - 6.c. Receive Caltrain Key Performance Statistics – April 2022 Informational

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Approved by the Finance Committee

6.d. Accept Quarterly Fuel Hedge Update	Informational
6.e. Authorize Execution of Agreement to Accept Funding and Act as Project Lead for the South Linden Avenue and Scott Street Grade Separation Project	Resolution
6.f. Authorize Execution of Change Order to Wabtec Railway Electronics for Crossing Optimization Work Under Contract No 18-J-T-49 and Completion of Crossing Optimization Project	Resolution
6.g. Execute Contracts for Technology-Related Products and Services through Piggybacking Contracts and Cooperative Purchasing Programs	Resolution
6.h. Execute Contracts for Information Technology Licenses, Maintenance Services, and Professional Services	Resolution
6.i. Report of the Acting Chief Financial Officer (CFO)	Informational
6.j. Accept Statement of Revenues and Expenses for the Period Ending April 30, 2022	Motion

Approved by the Work-Program-Legislative-Planning Committee

6.k. 50 Percent Off Promotional Campaign Update	Informational
6.l. State and Federal Legislative Update	Informational
6.m. Declare Cahill Extension Property as Exempt Surplus Land and Approve of Rail Corridor Use Policy Variance	Resolutions
6.n. Capital Projects Quarterly Status Report - 3rd Quarter Fiscal Year 2022	Informational
6.o. Update on Regional Fare Coordination and Integration Study	Informational
6.p. Metropolitan Transportation Commission (MTC)/Regional Update	Informational
6.q. COVID-19 Policy Status Update	Informational
7. Award of Contract to HNTB Corporation for Mountain View Transit Center Grade Separation and Access Project, and Adoption of a California Environmental Quality Act (CEQA) Determination and Addendum to the Mitigated Negative Declaration * (Gov. Code § 84308 applies)	Resolution

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

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| 8. Adopt Fiscal Year 2023 Proposed Operating and Capital Budgets
<i>(approved by Finance Committee)</i> | Motion |
| 9. Options for Imposing Mask Mandate | Motion |
| 10. Recognize Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Pride Month and Reaffirm a Commitment to Diversity, Equity, Access and Inclusion | Resolution |
| 11. Reports | |
| 11.a.Report of the Citizens Advisory Committee | Informational |
| 11.b.Report of the Chair | Informational |
| 11.c.Report of the Transbay Joint Powers Authority (TJPA) | Informational |
| 11.d.Report of the Executive Director | Informational |
| 12. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report
(pending) | Informational |
| 13. Correspondence | |
| 14. Board Member Requests | |
| 15. Date/Time of Next Regular Meeting: Thursday, July 7 at 9:00 a.m.
The meeting will be accessible via Zoom teleconference and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA. Please see the future meeting agenda for more information | |
| 16. Adjourn | |

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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 650.508.6242. 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 Finance Committee: Fourth Monday of the month, 2:30 pm; JPB WPLP Committee: Fourth Wednesday of the month, 3:00 pm. 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

Due to COVID-19, the meeting will be conducted both in person and via teleconference as per the information provided at the top of the agenda. *Should Zoom not be operational, please check online at <https://live-smctd-2021.pantheonsite.io/caltrain/about-caltrain/meetings> for any updates or further instruction.

Public Comment*

Members of the public are encouraged to participate remotely. 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://live-smctd-2021.pantheonsite.io/caltrain/about-caltrain/meetings>.

Oral public comments will also be accepted during the meeting 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.

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

Draft Minutes of May 5, 2022

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

MEMBERS ABSENT: D. Pine

STAFF PRESENT: M. Bouchard, G. Martinez, S. Petty, J. Harrison, A. Myles-Primakoff, P. Shrestha, B. Shaw, C. Mobley-Ritter, C. Fromson, J. Wasilco, A. Akin, N. Fogarty, A. Simmons, T. Bartholomew, L. Millard-Olmeda, C. Valbuena, B. Thompson, R. Hinchman, A. Van de Water, A. Rodriguez, S. Bullock, R. Sebez, D. Seamans, S. Wong, K. Scribner

1. Call to Order / Pledge of Allegiance

Chair Steve Heminger 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 of the Board was confirmed.

3. General Counsel Report – Closed Session

The Board convened into closed session at 9:05 am and reconvened back into regular session at 10:16 am

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

Ms. Seamans announced a quorum of the Board was present.

James Harrison, Legal Counsel, reported that there was no action from the closed session.

5. Public Comments for Items Not on the Agenda

Jeff Carter, Redwood City, commented on accessing the meeting at the new website versus old website.

Aleta Dupree, Oakland, commented on Clipper card usage.

6. Consent Calendar

- a. **Approve Regular Meeting Minutes of April 7, 2022**
- b. **Renew Findings to Hold Meetings via Teleconference for 30 Days Pursuant to AB 361**
- c. **Caltrain Key Performance Statistics – March 2022**
- d. **Report of the Chief Financial Officer (CFO)**

- e. Accept Statement of Revenues and Expenses for the Period Ended March 31, 2022**
- f. Fuel Hedge Update**
- g. State and Federal Legislative Update and Approval of Legislative Proposal: Support Assembly Bill (AB) 1944 (Lee)**
- h. Diridon Development Update**
- i. Metropolitan Transportation Commission (MTC)/Regional Update**

Motion/Second: Gee/Walton

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

Noes: None

Absent: Pine

7. Asian Pacific American Heritage Month Resolution

Tasha Bartholomew, Communications Manager, paid tribute to Asian Americans and Pacific Islanders for enriching the history of the United States and asked the Board to approve the resolution.

Public Comment

Aleta Dupree, Oakland, expressed support for this item.

Motion/Second: Davis/Gee

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

Noes: None

Absent: Pine

8. Fiscal Year 2023 Preliminary Operating and Capital Budgets

Michelle Bouchard, Acting Executive Director, provided the introduction for the finance discussions, which included feedback from special March 21st finance workshop meeting, Go Pass, and recapturing ridership.

Grace Martinez, Acting Chief Financial Officer, provided a presentation which included the following:

- Revenue and expenditure assumptions, including reducing non-management labor increase, total reduction in costs, hedged fuel cost, and no costs associated with Measure RR
- Staffing wages and benefits with new FTEs (full-time equivalent) positions including those related to governance
- Budget risk areas and overview with \$33.7 million additional local funding sourced from member agency funding and/or use of unrestricted funds or reserve funding
- Preliminary Capital Budget Projects
- Fiscal year (FY) 23 unrestricted funds & reserves, capital budget funding, use of restricted fund balance, and staff recommendations

Sebastian Petty, Deputy Chief Caltrain Planning, provided a presentation that included the following:

- Feedback from April 25th Finance Committee meeting
- Rationale for recommended approach and avoiding a downward spiral for the business environment of the railroad
- Approach to Service & Fares - maintain current service levels and rebuild ridership, especially with good, electrified service, and not increasing fares
- Approach to capital budget - state of good repair (SOG, enhancements & studies, and deferred capital maintenance
- FY23 Unrestricted Fund & Reserves - balancing use of unrestricted funds with member contributions
- FY23 Capital Budget – alternative approaches – greater use of the capital reserve account or defer priorities and projects, and potential cuts
- Next steps - Board guidance and input on overall approach, identify funding for FY 23 capital budget, and more detailed FY 23 workplan to accompany draft budget

Public Comment

Jeff Carter, Millbrae, commented on maintaining service levels, operating more trains with the same amount of labor, seeing member contributions on the capital budget, and member agencies contributing to BART.

Adrian Brandt, San Mateo County, commented on fuel costs, savings from cutting one train for the bottom line.

Adina Levin, Friends of Caltrain, commented on not cutting service, keeping Go Pass customers, looking at ridership recovery patterns, and the Diridon ceiling.

Aleta Dupree, Oakland, commented on importance of capital for bridge repair, bridge seismic sensitivity, keeping up critical repair, and the Diridon ceiling.

Ethan Mizzi commented on not cutting service or raising fares and keeping customers.

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

- Looking at electrification operating costs
- Budgeting for deferred maintenance and higher costs with increased deferred times
- Whether other agencies voted to contribute to Caltrain yet
- What are the proposed solutions so reserves do not get depleted
- Sticking with financial reserve policy currently in place, using capital reserves so member agency contributions can be lower and closer to \$2 million
- New Full Time Employee roles (FTEs)
- Level of contingency capital
- Asset management project reduction

Director Walton left at 11:00 am.

9. Postponement of Approved Fare Increases and 2023 Go Pass Pricing

Bruce Thompson, Acting Manager Fare Operations, provided the presentation, which included the following:

- Fare increases were first approved 2019, postponed in 2021, and recommendation to continue to postpone the two previously adopted 5 percent increase for Go Pass one year from 2023 to 2024 and 2025 to 2026
- Proposed fare change postponement timeline
- Providing incentives to new, former, and current Go Pass customers and continuing to offer discounts, the donation program, and wider distribution of passes to part-time and onsite contract staff

Public Comment

Aleta Dupree, Oakland, commented on fare increase timing.

Jeff Carter, Millbrae, commented on fare zones, same price for 2 miles as 25 miles, should get multi-ride tickets for discount, and wants fare capping.

Adrian Brandt, San Mateo County, commented on paying for two zones when you cross two zone boundaries.

Adina Levin, Friends of Caltrain, commented on individual riders trending toward lower incomes, Go Pass riders trending toward higher income, and increasing fares helping higher income riders.

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

- Whether this proposal defers fare reduction or fare increase for Clipper customers
- Whether a physical Clipper card is needed or fares can be on your phone
- Making it easier to get a youth Clipper card

Director Hendricks expressed not supporting holding off on fare increases.

Motion/Second: Chavez/Heminger

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

Noes: None

Absent: Pine, Walton

10. Adopt Code of Conduct for Public Meetings

Anna Myles-Primakoff, Legal Counsel, provided updates on the proposed Code of Conduct, which included the following:

- Background – set expectations, ensure decorum, and no slandering
- Proposed Code of Conduct was revised to reflect that standing is permitted in meeting room away from doorways

The Board had a discussion and staff provided further clarification in response to the Board members comments and questions regarding whether the Citizens Advisory Committee (CAC) was consulted and what feedback was incorporated.

Public comment

Aleta Dupree, Oakland, commented on the importance of this item to have a safe meeting in person or virtually, and commenters feeling safe despite any differences.

Jeff Carter, Millbrae, commented on safety, the time limit, allowing people to stand at the back of the room, and conducting the meeting in safe and efficient manner.

Adrian Brandt, San Mateo County, commented on bringing the item to Citizen's Advisory committee (CAC) and bringing policies first to the CAC if appropriate.

Motion/Second: Stone/Zmuda

Ayes: Chavez, Davis, Hendricks, Zmuda, Stone, Heminger, Zmuda

Noes: None

Absent: Pine, Walton

11. Downtown Rail Extension Project Update

This item was deferred to the next meeting.

12. REPORTS

a. Report of the Citizens Advisory Committee (CAC)

Brian Shaw, CAC Chair, provided a report with updates on maintenance vehicles on the track, Code of Conduct update, adding language for respect and behavior, fare change and Go Pass pricing, low income-riders, postponed electrification work, and a business intelligence presentation.

b. Report of the Chair

Chair Heminger reported on the passing of Norman Mineta, former San Jose mayor, United States Cabinet member, who helped and mentored many on transportation projects and inspired people to work together across party lines.

Board members expressed condolences for his family and remembered his kindness, philosophy, and community contributions.

c. Report of the Transbay Joint Powers Authority (TJPA)

This item was deferred to the next meeting.

d. Report of the Executive Director

Michelle Bouchard, Acting Executive Director, reported on the following and noted more details available in the online packet:

- Combined brief updates on Items 13 and 14 into this report -electrification is on schedule

- Working diligently on state and federal funding advocacy and with the delegation to fill the \$410 million gap
- Complex signal cutover is going well
- Worked with Transit America Services, Inc. (TASI) and staff regarding March Caltrain collision incident, this week is construction safety week, and the safety and ensuring people get home safely is the most important priority
- Vaccination rates have increased to 87 percent and masks continue to be strongly recommended
- Mask mandates may come back in other states and TASI employees are required to stay masked

Public Comment

Aleta Dupree, Oakland, commented on construction status, possible emission free service down to Gilroy, and foundations.

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

Provided in the Executive Director Report.

14. COVID-19 Policy Status Update

Provided in the Executive Director Report.

15. CORRESPONDENCE

Correspondence was available online.

16. BOARD MEMBER REQUESTS

There were none.

17. DATE/TIME OF NEXT REGULAR MEETING:

Thursday, June 2, 2022 at 9:00 am via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA (additional location, if any, to be determined).

18. ADJOURN

The meeting adjourned at 12:43 pm in memory of political pioneer and former Transportation Secretary Norman Y. Mineta.

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.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: James C. Harrison
General Counsel

Subject: Renew Findings to Hold Meetings via Teleconference for 30 Days Pursuant to Assembly Bill (AB) 361



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff recommends that the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB”):

1. Renew findings that: 1) there is a proclaimed state of emergency in California; and 2) local public health officials have recommended measures for social distancing; and 3) meeting in person would pose imminent risk to the health and safety of attendees; and
2. Approve meeting remotely via teleconference for the next 30 days, pursuant to AB 361 (Government Code section 54953) with the option for members of the Board and members of the public to attend Board meetings in-person if they provide proof of vaccination or a negative COVID-19 test taken within the seven days preceding the meeting.

Significance

On March 4, 2020, Governor Gavin Newsom declared a state of emergency, and issued subsequent executive orders suspending certain provisions of the Ralph M. Brown Act (the Brown Act) to allow local government agencies to meet remotely during the COVID-19 pandemic. His most recent executive order suspending provisions of the Act expired at the end of September; before its expiration, Governor Newsom signed Assembly Bill 361 (AB 361) into law on September 16, 2021, amending the Brown Act to permit local agencies to continue to use teleconferencing under certain conditions during a state of emergency.

AB 361 allows local agencies to make an initial determination to hold open meetings via teleconferencing when there is a proclaimed state of emergency and one of the following criteria described in section 54953(e)(1) of the Brown Act, as amended, is met:

1. State or local officials have imposed or recommended social distancing.
2. The local agency holds a meeting for the purposes of determining by majority vote if meeting in person would pose imminent health and safety risks to attendees.
3. The local agency holds a meeting after having determined by majority vote, as a result of the emergency, meeting in person would pose imminent risks to the health or safety of attendees.

Following the initial determination, a local agency must make the following findings by a majority vote every 30 days to renew the resolution and to continue to meet remotely: (1) the local agency has reconsidered the circumstances of the emergency; *and* (2) the state of emergency continues to directly impact the ability of the members to safely meet in person, *or* state or local officials continue to impose or recommend social distancing. Gov't Code § 54953(e)(3).

In February 2022, Governor Gavin Newsom issued Executive Orders ending certain emergency measures no longer required to address the pandemic, however, the Governor's declared state of emergency is still in place. Transmission in Santa Clara, San Francisco and San Mateo Counties is medium according to CDC metrics, and rising. While rates of COVID-19 infections and hospitalizations have recently declined, new variants continue to emerge, including variants with increased transmissibility. Though some COVID-19 restrictions are being rolled back at the state and local level, the California Department of Public Health continues to recommend that people who are at higher risk of severe illness from COVID-19 continue to protect themselves by staying at least six feet apart from people outside their households. And while masks are no longer required in all indoor spaces, the San Mateo County Health Department still recommends indoor masking for gatherings that include the elderly, immunocompromised individuals, or people who are not vaccinated.

Given the current and evolving conditions, staff recommends that the Board renew the resolution for Advisory, Committee, Regular and Special meetings to be conducted via teleconference for the next 30 days following this June 2, 2022, meeting with some modifications. Specifically, Staff recommends that while the remote meeting resolution is in effect, individual members of the Board and members of the public may opt to participate in-person at Board meetings if they adhere to all policies for attendance.

Board meetings will be held at the offices of the San Mateo County Transit District ("SamTrans") in the auditorium. Consistent with SamTrans workplace safety policy, Board members and members of the public will be required to show proof of vaccination (as defined by the California Department of Public Health) or proof of a negative COVID-19 test taken within the seven days preceding the meeting before entry into the building will be granted.

Board members and members of the public who do not wish to participate in-person or do not provide proof of vaccination or of a negative COVID-19 test from within the previous seven days may participate remotely. Committee and Advisory Committee meetings will continue to be conducted remotely.

If the Board does not renew the resolution, the Board, Committees, and Advisory Committees must meet in person and any member who participates via teleconference must notice the location from which the member participates, as required by the Brown Act (pending any amendments to the Act, as described in more detail below).

Budget Impact

There is no budget impact associated with receiving this report.

Background

A. Pending Legislation

Assemblymember Alex Lee and Assemblymember Cristina Garcia introduced Assembly Bill (AB) 1944 on February 10, 2022. If enacted, the bill would require local governments to livestream public meetings and to allow virtual public participation. The bill would also allow local governmental bodies meeting remotely to waive the requirement that agencies identify the address of the location from which members participate via teleconference. On May 4, AB 1944 passed out of the Local Government Committee and is now headed to the Assembly Floor.

The provisions of AB 1944 are similar to AB 339, which was introduced by Assemblymember Lee in 2021 and which would have applied to jurisdictions with more than 25,000 residents. The Legislature passed AB 339 in 2021, but Governor Gavin Newsom vetoed the bill over concerns that the bill would have limited meeting flexibility and increased operating costs for the affected cities, counties, and other governmental bodies. AB 1944 bill does not include an urgency clause; if no urgency clause is added, the earliest the bill could go into effect is January 1, 2023.

B. Public Health Guidance in Member Counties

The California Department of Public Health continues to refer California residents to guidance from the Centers for Disease Control and Prevention (CDC) on how to prevent the spread of COVID-19 and its variants, and the CDC continues to recommend social distancing as a measure for individuals and specifically vulnerable individuals to protect themselves and others from infection with COVID-19.

Similarly, the San Mateo County Health Officer has advised that San Mateo County residents should continue to follow the recommendations of the CDC. According to the City and County of San Francisco public health guidance, its guidelines will align with those of the CDC (except when local conditions require more restrictive measures). On September 21, 2021, the County of Santa Clara Public Health Officer issued a Recommendation Regarding Continued Remote Public Meetings of Governmental Entities and advised that public bodies continue to meet remotely to the extent possible. This recommendation has not changed since that time.

Prepared by: James C. Harrison and Anna Myles-Primakoff, Olson Remcho LLP

Resolution No. 2022-

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

* * *

Renew Resolution Adopting Findings that there is a Proclaimed State of Emergency and that Meeting in Person Poses Imminent Health and Safety Risks to Attendees and Authorizing Remote Teleconference Meetings for the Board and Committees for the Period of June 2, 2022 through July 2, 2022

Whereas, on March 4, 2020, Governor Gavin Newsom declared a State of Emergency in the State of California; and

Whereas, the Ralph M. Brown Act (the Brown Act), Government Code section 54953(e), was amended on September 16, 2021, to make provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

Whereas, the Board of Directors: adopted Resolution 2021-52, on October 7, 2021, finding that the requisite conditions were met for the Peninsula Corridor Joint Powers Board to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; renewed this finding at the November and December 2021 meetings of the JPB; adopted the requisite findings again at the January 2022 meeting; and renewed the resolution at the February, March, April and May meetings; and

Whereas, on May 5, 2022, the Board adopted Resolution No. 2022-20, which includes findings that there is a proclaimed state of emergency and that the criteria described in section

54953(e)(1) of the Brown Act have been met, including that state or local officials have imposed or recommended social distancing; and

Whereas, San Mateo County, Santa Clara County, and San Francisco County public health officials continue to recommend measures to promote social distancing including following the guidance of the Center for Disease Control which recommends social distancing; and

Whereas, the rates of transmission of COVID-19 and variants continue to pose risks for health of attendees at indoor gatherings involving individuals from different households with unknown vaccination status; and

Whereas, Staff recommends that the Board renew the resolution for Advisory, Committee, and Regular and Special meetings of the Board to be conducted via teleconference for the next 30 days following this June 2, 2022 resolution, and that while the remote meeting resolution is in effect, individual members of the Board and members of the public may opt to participate in-person at Board meetings; and

Whereas, Board meetings will be held at the offices of the San Mateo County Transit District ("SamTrans") in the board room, and SamTrans' workplace safety policy requires all individuals to show proof of vaccination (as defined by the California Department of Public Health) or proof of a negative COVID-19 test taken within the seven days preceding the meeting before entry into the building will be granted; and

Whereas, to help protect against the spread of COVID-19 and variants, and to protect the health and safety of the public, the Board of Directors wishes to take the actions necessary to comply with the Brown Act, as amended, to continue to hold its Board, Committee, and Advisory

Committee meetings remotely via teleconference pursuant to AB-361 with an option for in-person attendance at Board meetings for members of the Board and the public; and

Whereas, the Board of Directors will continue to give notice of the meeting and post agendas as otherwise required by the Brown Act and allow members of the public to access the meeting and give ample opportunity for public comment; and

Now, therefore, be it resolved that the Board of Directors has reconsidered the circumstances of the emergency and finds that the state of emergency continues to directly impact the ability of the members to safely meet in person and state or local officials continue to impose or recommend social distancing; and

Be it further resolved that the Board renews Resolution No. 2022-20 and approves meeting via teleconference for all Regular and Special Board, Committee, and Advisory Committee Meetings of the JPB for the 30 days following this resolution, in accordance with Government Code section 54953 and other applicable provisions of the Brown Act.

Regularly passed and adopted this 2nd day of June 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: David Santoro
Acting Chief Operating Officer (Rail)

Subject: **Caltrain Key Performance Statistics – April 2022**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff Coordinating Council recommends that the Board receive the Performance Statistics Report for April 2022.

Significance

Staff will provide monthly updates to the Caltrain Key Performance Statistics, Caltrain Shuttle Ridership, Communications and Marketing Promotions, and Digital Communications. It should be noted that this report reflects impacts from the COVID-19 pandemic.

Budget Impact

There is no budget impact.

Monthly Update

April 2022					
	Pre-Pandemic	Prior FY	Current FY	FY21 to FY22	Pre-Pandemic to FY22
	Apr. 2019	Apr. 2021	Apr. 2022	% Change	% Change
Total Ridership	1,593,266	124,522*	397,753	219.4%	-75.0%
Average Weekday Ridership	67,728	4,693*	15,451	229.2%	-77.2%
Total Farebox Revenue	\$ 9,573,402	\$ 1,424,960	\$ 2,512,619	76.3%	-73.8%
On-time Performance	93.6%	93.9%	91.4%	-2.7%	-2.4%
Average Weekday Caltrain Shuttle Ridership	8,458	143	291	103.5%	-96.6%
Fiscal Year to Date					
	Pre-Pandemic	Prior FY	Current FY	FY21 to FY22	Pre-Pandemic to FY22
	FY2019	FY2021	FY2022	% Change	% Change
Total Ridership	13,729,920	944,081*	2,905,131	207.7%	-78.8%
Average Weekday Ridership	59,972	3,659*	11,084	203.0%	-81.5%
Total Farebox Revenue	\$ 79,348,428	\$ 28,142,218	\$ 25,964,370	-7.7%	-67.3%
On-time Performance	93.9%	94.1%	92.9%	-1.3%	-1.1%
Average Weekday Caltrain Shuttle Ridership	7,334	968	261	-73.0%	-96.4%
* Adjusted after thorough review of data from past Fiscal Years					

RIDERSHIP

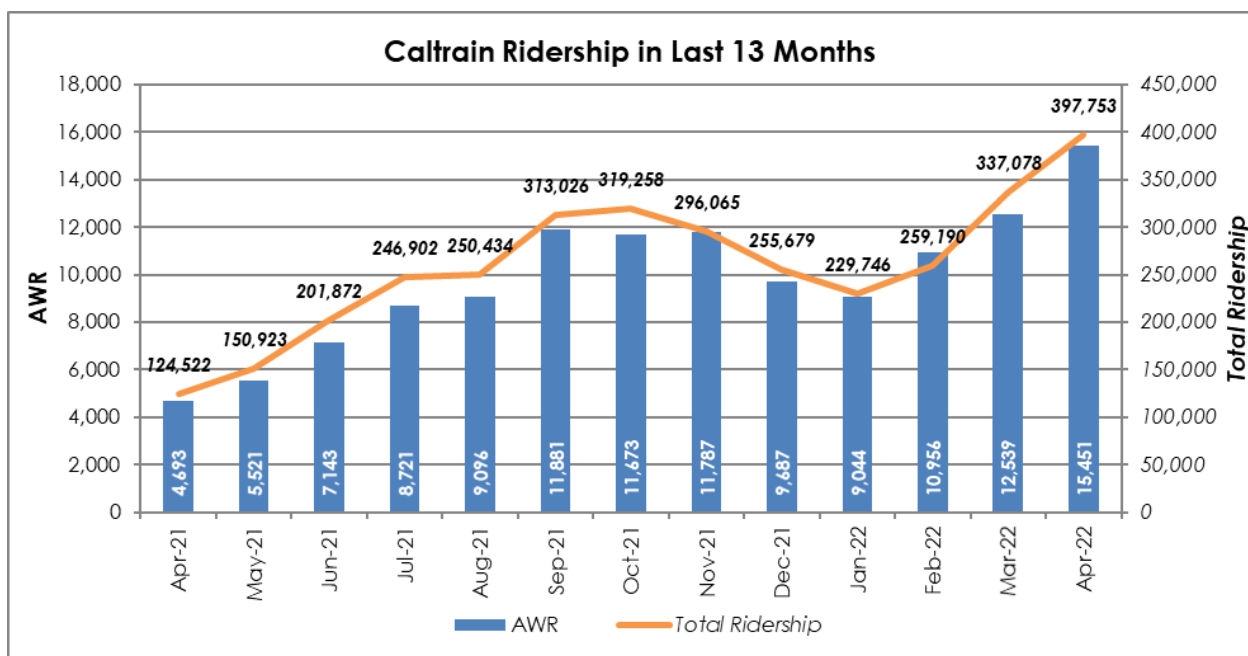
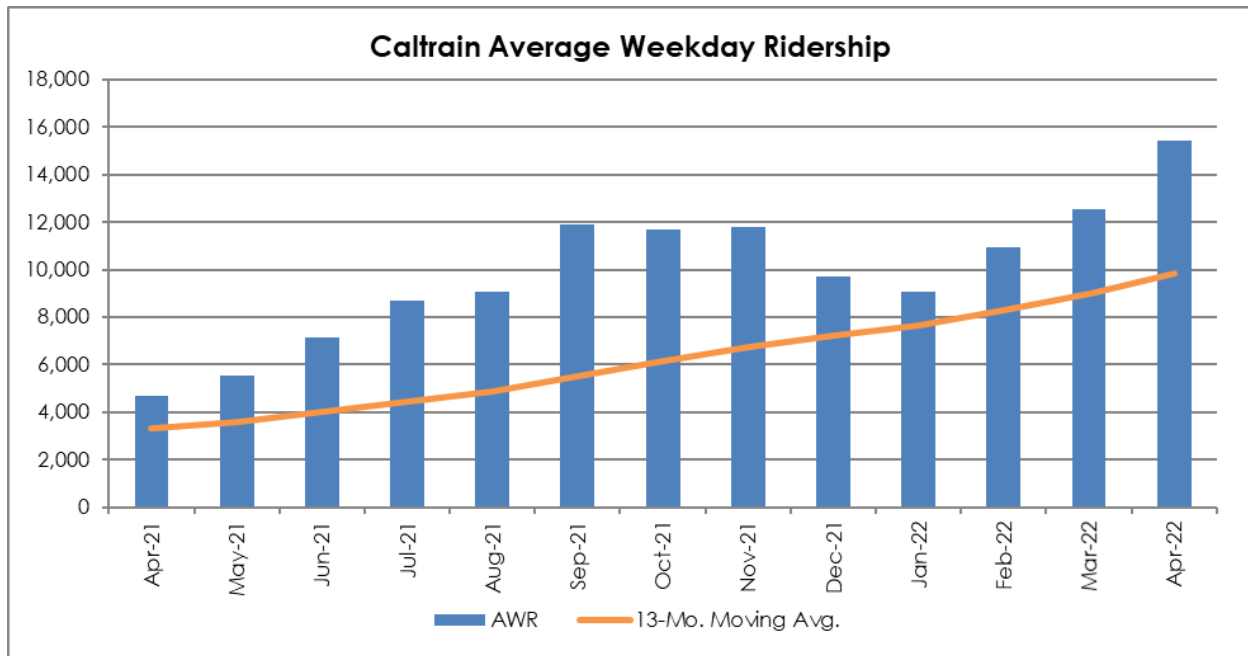
Since April 2020, ridership estimates have been developed using daily conductor counts at 14 key stations and Clipper tags at all stations due to significant impacts to ticket sales and usage patterns from the COVID-19 pandemic.

Both total and average weekday ridership (AWR) increased from the same month in the prior year as well as two prior months likely due to the receding impacts of the COVID-19 pandemic, including gradual introduction of return-to-office policies and increased leisure activities as well as opening of 2022 Major League Baseball regular season. It is estimated that the Giants home games could have potentially contributed approximately 43,000 additional boardings in April 2020 (approximately 4,300 per home game).

Ridership recovery continues to be stronger on weekends compared to weekdays, namely:

- Average Saturday ridership increased by 211 percent to 9,345 from 3,005 in April 2021. This is 67.0 percent of pre-pandemic baseline.
- Average Sunday ridership increased by 187 percent to 6,638 from 2,314 in April 2021. This is 68.9 percent of pre-pandemic baseline.

Observed trends in weekday and total ridership over the past 13 months are shown in the following graphs, exhibiting promising upward trends in overall ridership thus far in calendar year 2022.

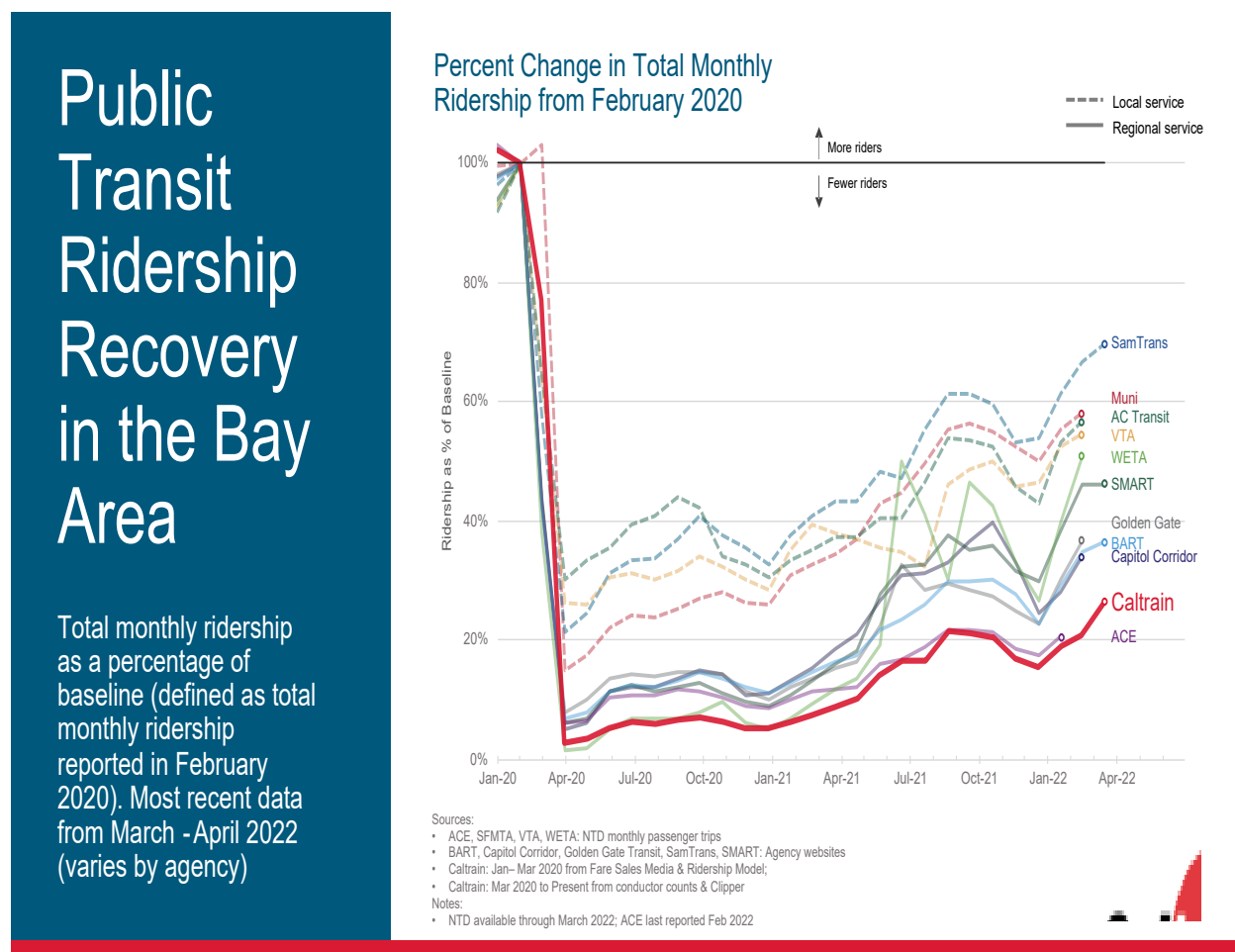


SHUTTLE AVERAGE RIDERSHIP

Shuttle AWR ridership for April 2022 was 291, an increase of 103.5 percent compared to 143 for April 2021. As of April 2022, eleven shuttle routes are operating.

REGIONAL RIDERSHIP RECOVERY

The following graph depicts pandemic-era ridership recovery for ten of the Bay Area transit agencies. It shows total monthly ridership as a percentage of baseline, which is defined here as the total monthly ridership reported by each agency in February of 2020. This graph will be included in the monthly performance report moving forward to track our ridership recovery compared to other regional and local transit agencies.



Caltrain ridership, which has returned to just 25% of its pre-pandemic baseline, is lagging behind other peer transit agencies in the Bay Area including Muni and VTA, both of which have seen ridership levels return to more than 50% of their respective baselines. There are likely several reasons for this disparity.

- Caltrain is highly dependent, even more so than its peer agencies, on the degree to which typical 9-to-5 commuters return to offices for work. A recent Bay Area Council survey found that only 23% of employers are currently requiring an in-office presence five days a week, while 44% of employees indicated they would only come into the office a maximum of three days of week in the future.
- Caltrain is more likely to lose trips to personal vehicles when customers decide to use an alternative transportation mode. According to the Metropolitan Transportation Commission, traffic congestion in the Bay Area is still less than before the pandemic,

particularly along the Peninsula. Pre-pandemic surveys showed that over half of Caltrain riders had access to a car, so until congestion significantly worsens, a large number of former Caltrain customers will continue to make car trips instead of taking the train.

- Other transit agencies, particularly those providing local bus service like SamTrans and SFMTA, provide a greater share of trips for essential workers who have continued to physically go into work throughout the pandemic.

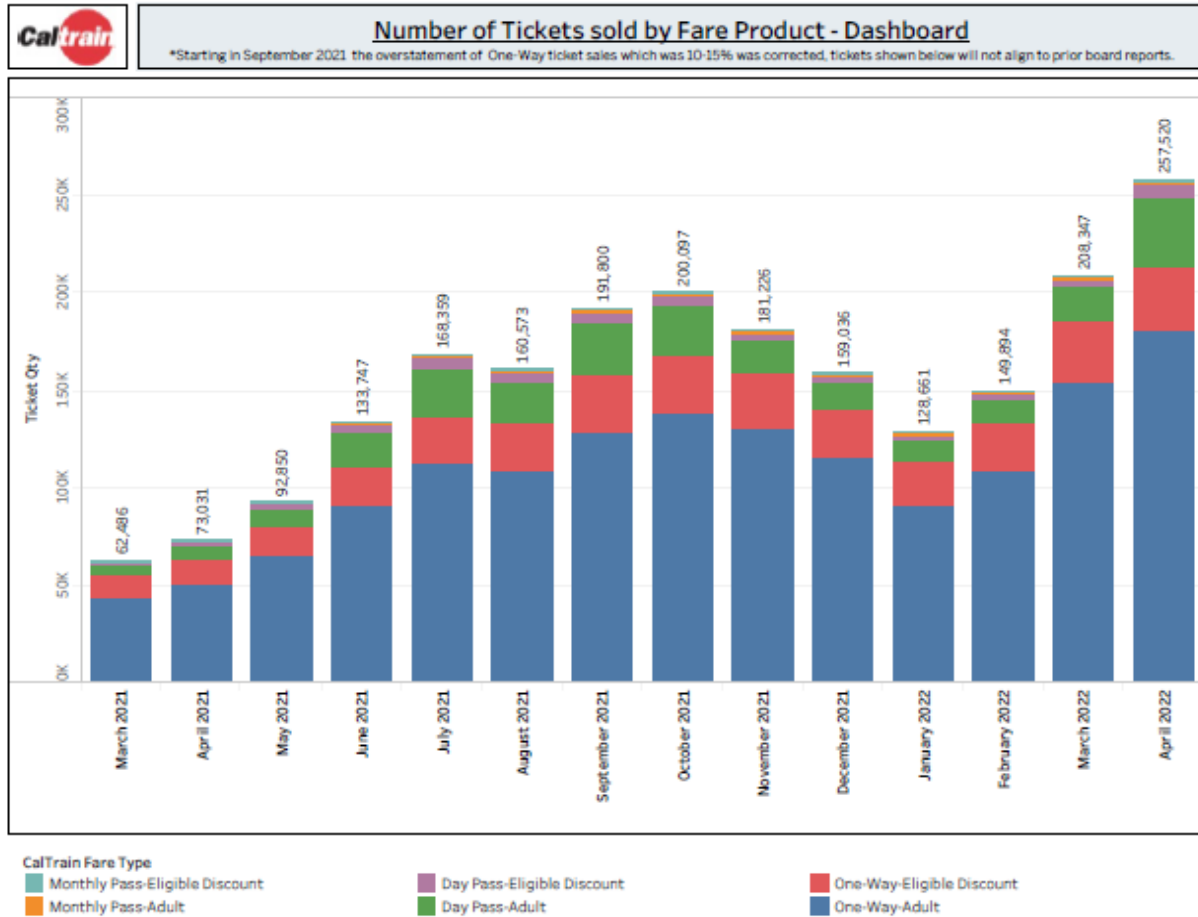
TICKET SALES

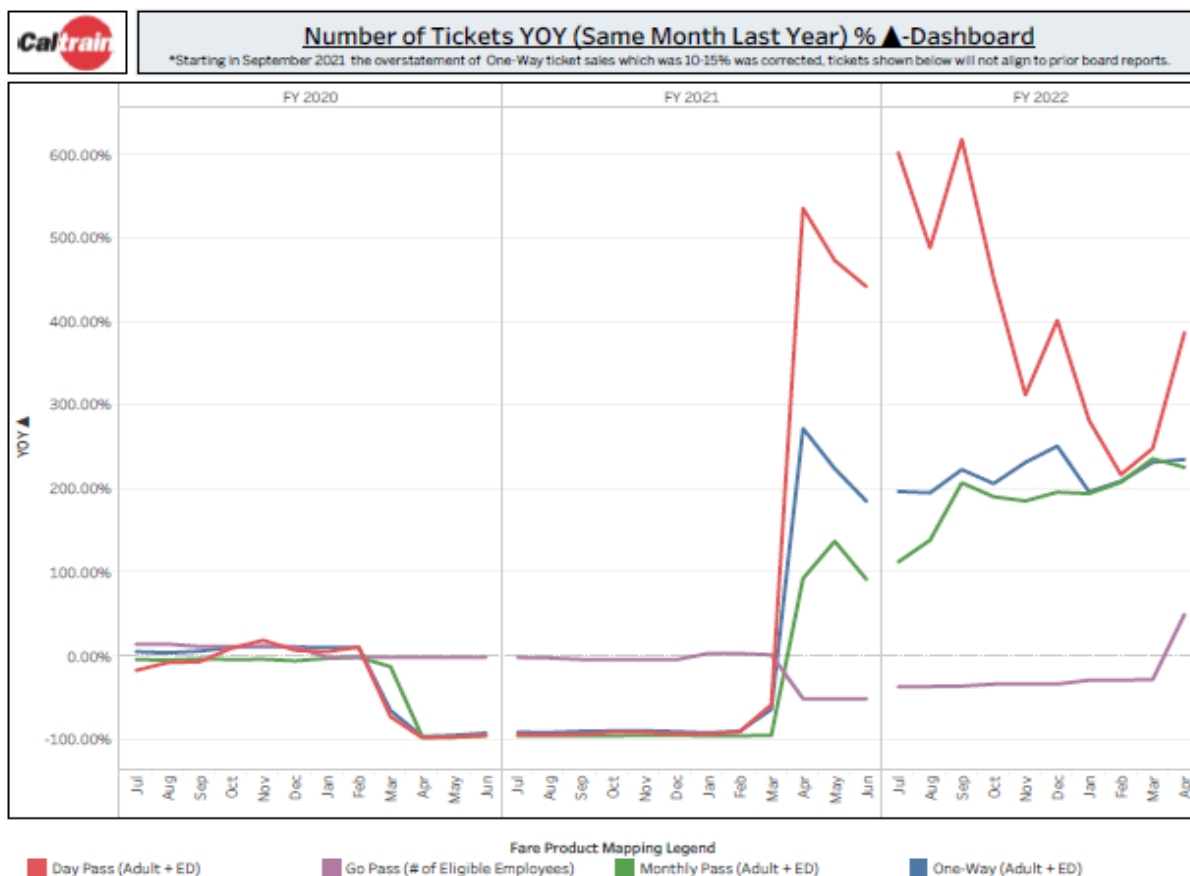
Other ticket sales and farebox revenue statistics trended as follows:

- Number of eligible Go Pass employees was 62,943 in April 2022 which was an increase from 42,014 in April 2021.
- Number of participating Go Pass companies was 45 in April 2022 which was an increase from 23 in April 2021.
- Total Farebox Revenue was \$2,512,619 in April 2022 which was an increase of 76.3% from \$1,424,960 in April 2021.

The significant increase in fare revenue was across all fare products, with Go Pass and Clipper seeing the biggest increases. In April 2022, a 50% discount was applied to all non-Go Pass fares, and the Giants baseball games helped to further drive increases in fare revenue.

Additional details on ticket sales are shown in the following graphs.

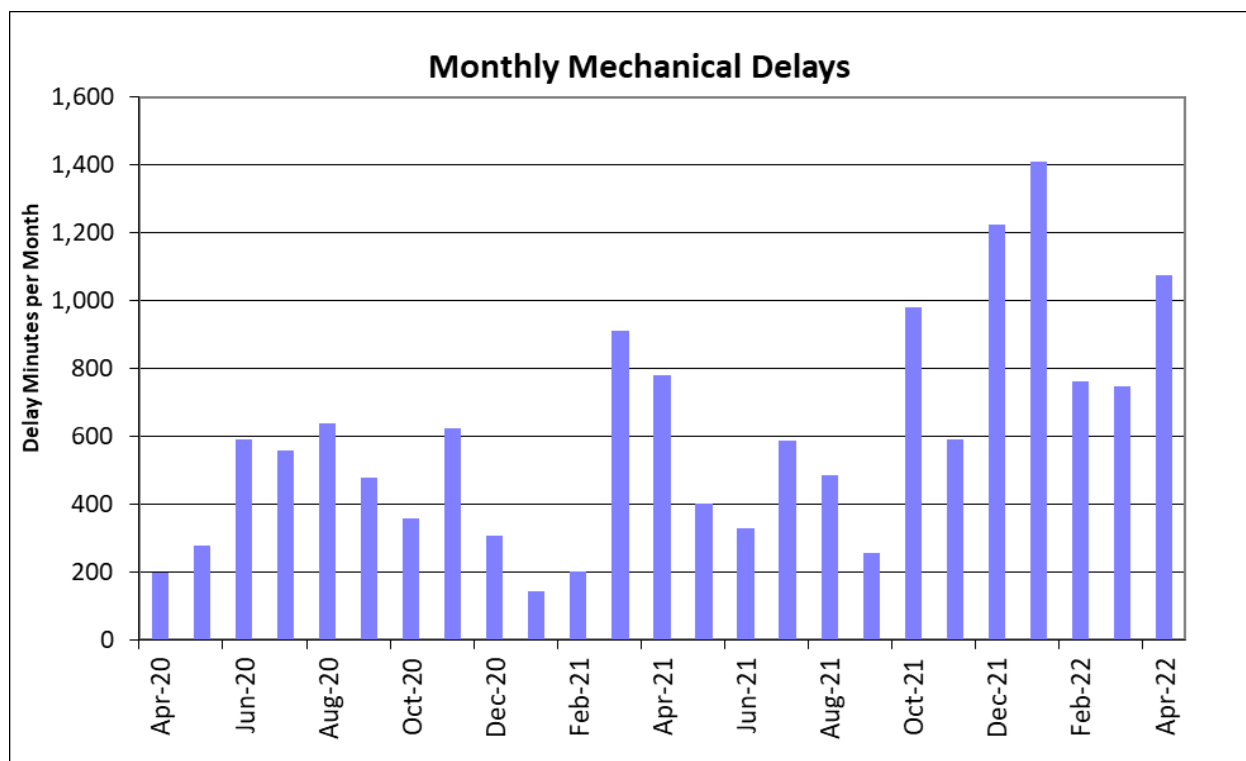
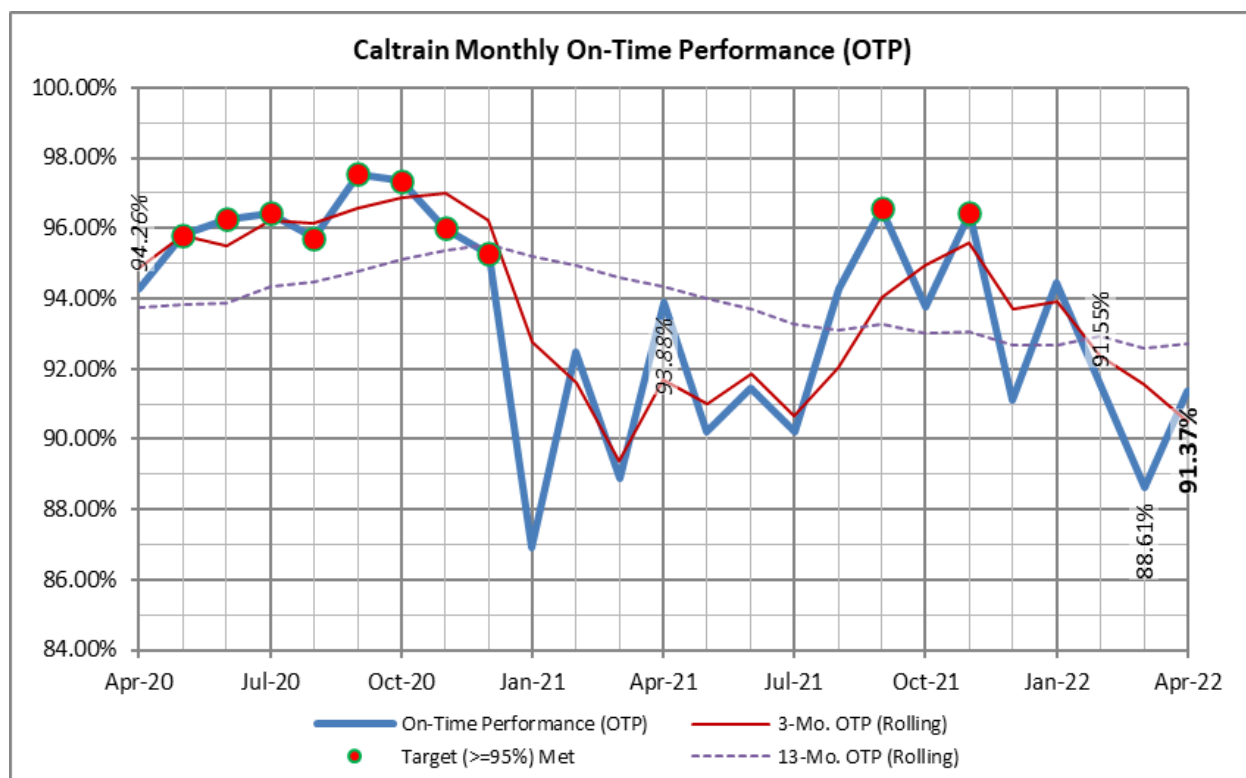




ON-TIME PERFORMANCE (OTP)

In April 2022, OTP was 91.4 percent compared to 93.9 percent in April 2021. The total OTP includes all train delays, terminations, and annulments for the month. Three of the largest causes of delays are capital project construction, mechanical issues, and incidents.

Trends on the past two years of OTP and monthly mechanical delays are shown in the following graphs.



Caltrain Communication and Marketing Campaigns for April 2022:

- Caltrain 50% off fare promotion
- Giants' return

- New website (launched April 26th)
- SSF Station grand opening
- EMU fresh content launched
- Warriors head to playoffs

Digital Communications Report:

The month of April heavily focused on the 50% off fare promotion, the Giants returning on April 5th for opening week, and the district wide website launch.

Prepared by:	Patrice Givens	Administrative Analyst II	650.508.6347
	Robert Casumbal	Director, Marketing & Research	650.508.7924
	Jeremy Lipps	Manager, Digital Communications	650.622.7845

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Finance Committee

Through: Michelle Bouchard
Acting Executive Director

From: Grace Martinez
Acting Chief Financial Officer

Subject: **Accept Quarterly Fuel Hedge Update**



Finance Committee
Recommendation



Work Program-
Legislative-Planning
Committee
Recommendation



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff proposes the Board to review, accept, and enter into the record the presentation providing an update on the implementation of a fuel hedging strategy for Caltrain.

Significance

The purpose of this presentation is to provide an update on the implementation and performance status of the Fuel Hedging Program (Program) established for Caltrain.

Under this program, the staff will continue to work with Linwood Capital, LLC in order to:

- Accumulate new fuel hedge contracts for the upcoming fiscal year as market conditions allow
- Maintain the size of the hedge in order to protect Caltrain's fuels budget against volatile price movements in the diesel fuel market.

Budget Impact

There is no impact on the budget.

Background

The Program implemented for Caltrain is designed to minimize large budget variances resulting from the volatility of diesel fuel prices. An effective hedging strategy can increase budget certainty and facilitate a more effective utilization of budgetary resources. The purpose of the Program is not to speculate on the price of fuel but to manage risk, particularly as that relates to Caltrain's annual budget.

- As of March 31st, the hedge program realized net gains of \$1,456,803.22 for the time period July 2021 through March 2022 – the first three quarters of FY 2022.
- Additionally, the hedge currently reflects unrealized gains of \$2,218,381.20 (+0.72/gallon on all gallons through December 2022). This assumes projected consumption of 266,666 gallons per month through June 2022 and 379,317 gallons per month from July 2022 through December 2022.
- Approximately 57% (52% after tax) of the anticipated fuel usage through December 2022 is hedged at an average price of \$1.89/gallon, excluding taxes and fees (\$2.66 with tax and fees) (versus a currently planned budget estimate of \$1.95/gallon, excluding taxes and fees) based on a 104 train/day schedule.
- The remaining un-hedged gallons through December 2022 have a projected cost of \$3.08/gallon as of 3/31/2022 excluding taxes and fees (\$3.96 with tax and fees).
- Weighted average projected cost of all gallons through December 2022 net of hedging excluding taxes and fees is \$2.43/gallon and including taxes and fees is \$3.24/gallon as of 3/31/2022.

Prepared By:	Ashok Deshmukh	Acting Manager, Treasury	650-508-6405
	Connie Mobley-Ritter	Director, Treasury	650-508-7765

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: Rob Barnard
Deputy Chief, Rail Development

Subject: **Authorize Execution of Agreement to Accept Funding and Act as Project Lead for the South Linden Avenue and Scott Street Grade Separation Project**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff recommends that the Board of Directors (Board):

1. Authorize the Executive Director or designee to execute agreements with the San Mateo County Transportation Authority, the City of South San Francisco and the City of San Bruno to accept funding and to act as project lead agency for the South Linden Avenue and Scott Grade Separation project.
2. Authorize the Acting Executive Director or designee to execute any necessary agreements or amendments and take any additional actions necessary to give effect to this resolution.

Significance

In the City of South San Francisco, the only remaining at-grade railroad crossing is located on South Linden Avenue. This crossing is at the epicenter of economic growth and, while today's traffic volume is moderate, it is forecasted to represent a major traffic bottleneck in the future.

In the City of San Bruno, the only remaining at-grade railroad crossing is located on Scott Street. East of the crossing are residential and light commercial/industrial uses. Immediately west are single- and multi-family residential homes, and further west, the Tanforan Shopping Center, anticipated to undergo redevelopment and revitalization. This crossing was also the site of a recent fatal collision between a train and bicyclist.

Having completed the Project Study Report (PSR) and 15% design in April 2021, the Cities of South San Francisco and San Bruno requested funds from the San Mateo County Transportation Authority (TA) and approached the JPB to act as the project lead agency to design, environmentally clear and eventually construct grade separations at these locations. In March 2022, the TA allocated \$4.95 million in Measure A funding for the preliminary engineering and environmental clearance of a grade separation at this location. The Cities of South San Francisco and San Bruno have also committed \$386,650 and \$163,350, respectively, (total \$550,000) as their local match to the Measure A funds.

For the JPB staff to proceed with the preliminary design and environmental clearance work, the JPB Board will need to consider authorizing the Executive Director to enter into an agreement with the TA and the Cities of South San Francisco and San Bruno to accept funding from the respective agencies and act as the project lead agency.

Budget Impact

There is no budget impact associated with this item. The funding to be provided by the TA and the two Cities are included in the proposed Fiscal Year 2023 Capital Budget. No JPB member agency funds are budgeted for this work

Background

In 2016, the TA approved a \$650,000 Measure A grant for planning and development of a Project Study Report (PSR) and 15% plans for the proposed Caltrain grade separations at South Linden Avenue and Scott Street in the Cities of South San Francisco and San Bruno, respectively. Additionally, the City of South San Francisco committed to a contribution of \$150,000 to pay for city staff time and the Peninsula Corridor Joint Powers Board's (JPB) consultant costs. The City of San Bruno contributed \$60,000 for the preparation of a traffic study. This process included extensive public outreach that led to the selection of a preferred alternative.

Of the four alternatives considered in the PSR, the Cities and their respective City Councils selected Alternative 1: Hybrid (Track Raised, South Linden Ave Lowered and Track Raised, Pedestrian/Bicycle Undercrossing at Scott Street). This alternative minimized property impacts, had the lowest cost and, the shortest construction period (two-three years). The recommendation for the Scott Street crossing results in the closure of the street to motor vehicles and the construction of a pedestrian and bicycle undercrossing.

Resolution No. 2022 –

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

*** * ***

**Authorizing Execution of Agreements to Receive Funding and
Act as Project Lead for the
South Linden Avenue and Scott Street Grade Separation Project**

WHEREAS, the City of South San Francisco and the City of San Bruno (together, “Cities”) desire to grade separate the at-grade crossings at South Linden Avenue in South San Francisco and Scott Street in San Bruno to improve safety and reduce traffic congestion (together, “Project”); and

WHEREAS, the Cities have requested Measure A Grade Separation Program category funding from the San Mateo County Transportation Authority (TA) to help fund the Preliminary Engineering and Environmental Clearance of the Project; and

WHEREAS, the total cost of the Preliminary Engineering and Environmental Clearance work is estimated to be \$5.5 million; and

WHEREAS, the TA has programmed and allocated \$4.95 million for the Preliminary Engineering and Environmental Clearance of the Project; and

WHEREAS, the City of South San Francisco and the City of San Bruno have budgeted \$386,650 and \$163,350, respectively, (total \$550,000) as their local match to the Measure A funds; and

WHEREAS, the Peninsula Corridor Joint Powers Board (JPB) and the Cities desire that the JPB serve as the lead implementing agency for the Project; and

WHEREAS, all Project-related costs incurred by the JPB will be paid for by the TA and the two Cities.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby:

1. Authorizes the Acting Executive Director or designee to execute agreements with the San Mateo County Transportation Authority, the City of South San Francisco and the City of San Bruno for the JPB to receive funding and act as lead implementing agency for the Project; and
2. Authorizes the Executive Director or designee to file any other required documentation and to take any other actions necessary to give effect to this resolution.

Regularly passed and adopted this 2nd day of June, 2022 by the following vote:

AYES:

NOES:

ABSENT:

Chair, Peninsula Corridor Joint Powers Board

ATTEST:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: Sherry Bullock
Rail Program Integration Director

Subject: **Authorize Execution of Change Order to Wabtec Railway Electronics for Crossing Optimization Work Under Contract No 18-J-T-49 and Completion of Crossing Optimization Project**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff and the Caltrain Modernization Program Change Management Board (“CMB”) recommend that the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board (“JPB”):

1. Approve an increase to the original Contract No. 18-J-T-49 with Wabtec Railway Electronics, Inc. (“Wabtec”), in an amount not to exceed \$4,903,222 for completion of Crossing Optimization work.
2. Establish additional contract contingency of 10% in the amount of \$490,322 and authorize the Acting Executive Director or designee to approve change orders up to the contingency amount.
3. Authorize the Acting Executive Director or designee to execute the contract amendment in a form approved by legal counsel, with full implementation of the agreed upon Funding Partners’ Oversight Protocol including monthly reports to the Board.

Significance

Contract No. 18-J-T-49 was executed with Wabtec on March 1, 2018 to allow the JPB to complete the Positive Train Control (“PTC”) project in a manner that is the most financially and technologically advantageous, and to comply with the federal PTC mandate for implementation of PTC. Wabtec has since obtained Federal Railroad Administration (“FRA”) PTC Revenue Service Demonstration (“RSD”) approval and Safety Certification in December 2020.

When executed in 2018, the Wabtec PTC Contract No. 18-J-T-49 included wireless crossing (aka Crossing Optimization) elements. However, these elements were temporarily put on-hold in early 2019 due to concerns regarding wireless crossing technology raised by the FRA in connection

with another project (Denver Eagle Project). The elements were also delayed in order to better correspond with the electrification program grade crossing solution that was designed after the award of the contract. Wabtec addressed the concerns raised by the FRA in 2019 and the product has been further developed since then. In February 2021, Staff worked with Wabtec and performed rail capacity, schedule management, and communication studies to further define the Concept of Operations of Crossing Optimization, which was reviewed by the FRA and is intended to improve grade crossing warning time performance by reducing crossing warning system activations and the amount of gate downtime at grade crossings resulting from Through Move and scheduled Station Stop trains. Implementing these improvements requires additional work and a corresponding increase in the contract amount.

Staff and Wabtec also conducted technical working sessions to determine the scope of new work to be added to the original scope of work described in Contract No. 18-J-T-49. Staff also developed a project implementation plan and schedule which is aligned with Caltrain Peninsula Corridor Electrification Project ("PCEP") signal and 2 speed check (2SC) crossing cutovers schedules. Once crossing optimization work is completed for all highway grade crossings, the 2SC system will become the backup system.

Staff and Wabtec negotiated the cost and schedule for the additional work to be performed from February 2021 through March 2024. Staff has analyzed Wabtec's price proposal and finds it to be fair and reasonable as compared to the Independent Cost Estimate prepared by the Staff for the same scope of work.

The change order in the amount of \$4,903,222 was reviewed by the Change Management Board (CMB) at its April 20,2022 meeting and was approved by unanimous vote.

Budget Impact

There is no Budget Impact for the change order to complete the Crossing Optimization. The Crossing Optimization Project will be funded through remaining funds in the existing Caltrain PTC program budget.

The PTC program budget is \$89,413,578 including \$47,033,392 for the Wabtec Contract (18-J-T-49). As of today there is \$11,992,362 left in the PTC Program after Caltrain received FRA PTC certification and performed the PTC portion of Contract closeout. A portion of the remaining PTC program budget of \$11,992,362 will be used for the crossing optimization effort.

Background

On March 1, 2018, the JPB approved a contract with Wabtec, in an amount not to exceed \$45,012,123, to complete the JPB's PTC System and a \$4,500,000 contingency (10% of approved contract amount) which allowed Staff to issue three contract amendments for a total of \$2,021,269 from the contingency. The contract amount included wireless crossing (aka Crossing Optimization) elements in the amount of \$2,976,840 within the original Contract amount \$45,012,123.

The change order for the additional work for Crossing Optimization is proposed for \$4,903,222 and includes the following work:

- Radio Frequency Study and PTC220 LLC Application Support
- Changes to Wayside Application logs and Plans for 43 crossings.
- Phased deployment to accommodate PCEP 2SC cutover schedule
- Dynamic Scheduling
- Overhead time extension from the original contract completion date of 06/30/2021 to 03/31/2024 for new added scope.

The table below depicts the total Wabtec Contract amount and approved Contract Authority:

Original Wabtec Contract Value (March 2018)	\$45,012,123
Wabtec Amendment #1-3 Executed to-date	\$2,021,269
Current Wabtec Contract Amount	\$47,033,392
Wabtec Crossing Optimization Change Order	\$4,903,222
Total Wabtec Contract Amount	\$51,936,514
Approved Wabtec Contract Authority (March 2018)	\$49,512,123
Wabtec Contract Authority Shortfall	(-\$2,424,391)

Staff has determined that the change order proposal is comprehensive, and the scope of work described therein is necessary to complete the Caltrain Crossing Optimization Project. Furthermore, Staff finds that the price proposal is reasonable. Staff believes that it is in best interest of the JPB, and in the public interest, that the JPB approve a contract change order to Wabtec to complete the Caltrain Crossing Optimization Project.

Prepared By: Sherry Bullock

Rail Program Integration Director

650.622.7866

Resolution No. 2022-

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

* * *

**Authorizing Execution of Change Order to Wabtec Railway Electronics for
Crossing Optimization Work Under Contract No 18-J-T-49 And Completion of
Crossing Optimization Project**

Whereas, Contract No. 18-J-T-49 was executed with Wabtec Railway Electronics Inc. (“Wabtec”) on March 1, 2018 to allow the Peninsula Corridor Joint Powers Board (“JPB”) to complete the Positive Train Control (“PTC”) project in a manner that is the most financially and technologically advantageous, and to comply with the federal PTC mandate. Wabtec has since obtained Federal Railroad Administration (“FRA”) PTC Revenue Service Demonstration (“RSD”) approval and Safety Certification in December 2020; and

Whereas, in February 2021, Staff worked with Wabtec and performed rail capacity, schedule management, and communication studies to further define the Concept of Operations of Crossing Optimization which is reviewed by the FRA and is intended to improve grade crossing warning time performance by reducing crossing warning system activations and the amount of gate downtime at grade crossings resulting from Through Move and scheduled Station Stop trains; and

Whereas, Staff and Wabtec also conducted technical working sessions to determine the scope of new work to be added to the original scope of work described in Contract No. 18-J-T-49 in order to implement Crossing Optimization. Staff also developed a project implementation plan and schedule which is aligned with Caltrain Peninsular Corridor Electrification Project (PCEP) signal and 2 speed check (2SC) crossing cutovers schedules. Once crossing optimization

work is completed for all highway grade crossings, the 2SC system will become the backup system; and

Whereas, the additional work for Crossing Optimization is budgeted for \$4,903,222 and includes the following:

- Radio Frequency Study and PTC220 LLC Application Support
- Changes to Wayside Application logs and plans for 43 crossings.
- Phased deployment to accommodate PCEP 2SC cutover schedule
- Dynamic Scheduling
- Overhead time extension from the original contract completion date of 06/30/2021 to 03/31/2024 for new added scope.

Staff has determined that the change order proposal is comprehensive, and the price proposal is reasonable. Staff believes that it is in best interest of the JPB, and in the public interest, that the JPB approve a contract change order to Wabtec to complete the Caltrain Crossing Optimization Project; and

Whereas, Staff and the Caltrain Modernization Program Change Management Board (CMB) recommend that the Board of Directors (“Board”) of the Peninsula Corridor Joint Powers Board:

1. Approve an increase to the original Contract No. 18-J-T-49 with Wabtec in an amount not to exceed \$4,903,222 for completion of Crossing Optimization work.
2. Establish an additional contract contingency of 10% in the amount of \$490,322 and authorize the Acting Executive Director or designee to approve change orders up to the contingency amount.

3. Authorize the Acting Executive Director or designee to execute the change order in a form approved by legal counsel, with full implementation of the agreed upon Funding Partners' Oversight Protocol including monthly reports to the Board.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby approve an increase to the original Contract No. 18-J-T-49 with Wabtec Railway Electronics, Inc. (Wabtec), in an amount not to exceed \$4,903,222 for completion of Optimization work; establish an additional contract contingency of 10% in the amount of \$490,322; and authorize the Executive Director or designee to approve change orders up to the contingency amount; and

Be It Further Resolved that the Acting Executive Director is authorized to take any actions necessary to give effect this resolution.

Regularly passed and adopted this 2nd day of June, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors

Through: Michelle Bouchard
Acting Executive Director

From: Mehul Kumar
Executive Officer, IT

Subject: **Execute Contracts for Technology-Related Products and Services through
Piggybacking Contracts and Cooperative Purchasing Programs**



Finance Committee
Recommendation



Work Program-
Legislative-Planning
Committee
Recommendation



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff recommends the Board of Directors (Board) authorize the Acting Executive Director, or designee, to enter into contracts greater than \$150,000 with vendors through piggybacking contracts and cooperative purchasing agreements, as required, for the purchase, lease and/or rental of computer and telecommunications equipment and related services, digital reprographic equipment, hardware, software, subscriptions, licensing, installation and configuration of telecommunications equipment, maintenance agreements, computer peripherals, and temporary technology consultants. Expenditures with vendors under these programs will not exceed the budgeted amount of \$1.5 million throughout Fiscal Year (FY) 2023. Cooperative agreements used may include, but are not limited to:

- California Integrated Information Network (CALNET)
- Sourcewell
- State of California Department of General Services (DGS)/California Multiple Award Schedule (CMAS)
- National Association of State Procurement Officials (NASPO) Valuepoint
- National Cooperative Procurement Partners (NCPPI)
- Federal General Services Administration (GSA)
- OMNIA Partners
- National Cooperative Purchasing Alliance (NCPA)
- The Interlocal Purchasing System (TIPS Purchasing Cooperative)

Significance

Approval of this contracting authority will provide the Peninsula Corridor Joint Powers Board (JPB) with a cost-effective means to support its standardization policy and provide the latest technology and related services through cooperative intergovernmental purchasing programs. Contracts issued under this authority will 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. A quarterly report indicating contracts awarded during the prior quarter will be submitted to the Board.

Budget Impact

Funds for these purchases are programmed in the proposed FY 2023 Operating and Capital Budgets.

Background

Given the rapidly changing technology of information system hardware, software, and related services, various cooperative purchasing programs and piggyback purchasing are available to provide these products and services. The JPB's procurement policy allows for the use of cooperative purchasing programs and piggyback purchasing. Special districts are given statutory permission to procure competitively-priced goods and services arising out of these vendor agreements. The Federal Government's own General Services Administration Schedules (also referred to as Multiple Award Schedules and Federal Supply Schedules) also can be utilized. By utilizing such cooperative purchasing programs and piggyback purchasing, the JPB saves considerable time and expense associated with independent procurements, which would be unlikely to yield more favorable pricing or service.

All vendors selected will hold valid agreements under the corresponding cooperative purchasing programs. Contracts will be executed only with vendors whose contracts were awarded under a cooperative buying agreement on a basis that complies with the JPB's procurement authority and policy, and will include the JPB's terms and conditions, as appropriate. Other cooperative purchasing consortia may be added to this program and utilized for the acquisition of technology items during FY 2023, but only to the extent each fully complies with the JPB's procurement authority and policy.

Contracts issued by individual governmental entities that allow other jurisdictions to use the contract they establish are called piggybacking contracts because they allow the agency to "piggyback" on the other governmental entities' 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.

Prepared By: Michael Salazar

IT Operations Manager

650-551-6196

Resolution No. 2022-

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

* * *

**Authorizing Execution of Contracts for Technology-Related Products and Services through
Piggyback Contracts and Cooperative Purchasing Programs for an Aggregate Not-To-Exceed
Amount of \$1.5 Million for Fiscal Year 2023**

Whereas, the Peninsula Corridor Joint Powers Board (JPB) will require new computer and telecommunications equipment, as well as software licenses, subscriptions, maintenance contracts, and services including but not limited to personal computers, networking devices, servers, digital reprographic equipment, computer peripherals and temporary technology consultants throughout Fiscal Year (FY) 2023, to fulfill new technology requirements, to support the JPB's standardization policy, and to replace technology equipment that has reached the end of its useful life; and

Whereas, in light of the need to standardize and purchase the aforementioned equipment and services in the most cost-effective manner, the JPB has determined that an independent JPB-initiated solicitation process for the procurements described above is unlikely to be in the JPB's best interest; and

Whereas, piggybacking on other agencies' procurements as well as participating in cooperative purchasing consortia including, but not limited to, the California Integrated Information Network (CALNET), the State of California Department of General Services (DGS)/California Multiple Award Schedule (CMAS), Sourcewell, the National Association of State Procurement Officials (NASPO) Valuepoint, the National Cooperative Procurement Partners

(NCP), the Federal General Services Administration (GSA), OMNIA Partners, (National Cooperative Purchasing Alliance (NCPA) and the Interlocal Purchasing System (TIPS Purchasing Cooperative), allows the JPB to procure favorably-priced technology systems equipment and related services; and

Whereas, staff recommends, and the Acting Executive Director concurs, 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 Acting Executive Director, or designee, be authorized to enter into contracts greater than \$150,000 with vendors under JPB-approved cooperative purchasing programs and piggyback purchasing to meet its personal computer, telecommunications equipment, and other related technology equipment and services requirements for FY 2023, pursuant to the terms and conditions of each program's vendor agreements, up to an aggregate not-to-exceed amount of \$1.5 million.

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

1. Determines that a Peninsula Corridor Joint Powers Board-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 procurement of technology systems equipment and related services through JPB-approved cooperative purchasing programs and piggyback contracts to meet its technology equipment and services requirements for Fiscal Year 2023 pursuant to the terms and conditions of each vendor agreement and to the extent that each cooperative purchasing program and each vendor agreement fully complies with the JPB's procurement authority and policy; and

3. Authorizes the Acting Executive Director, or designee, to enter into contracts greater than \$150,000 with vendors under the JPB-approved cooperative purchasing programs and piggyback purchasing up to an aggregate, not-to-exceed, amount of \$1.5 million for FY 2023; and

4. Authorizes the Acting Executive Director, or designee, to execute all necessary purchase orders, contracts and other documents to effectuate this resolution, including any agreements with other agencies' cooperative purchasing programs and piggyback purchasing for administrative fees for processing these purchases; and

5. Requests the Acting Executive Director, or designee, 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 2nd day of June, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors

Through: Michelle Bouchard
Acting Executive Director

From: Mehul Kumar
Executive Officer, IT

Subject: **Execute Contracts for Information Technology Licenses, Maintenance Services, and Professional Services**



Finance Committee
Recommendation



Work Program-
Legislative-Planning
Committee
Recommendation



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff recommends the Board of Directors (Board) authorize the Acting Executive Director, or designee, to enter into contracts greater than \$150,000 with original equipment manufacturers, product licensors and their distributors or consultants, directly and without the utilization of cooperative purchasing agreements, if not available, or competitive solicitations, if not applicable, to procure new software licenses, maintenance, and support services, recurring maintenance services, subscriptions and license renewals necessary to permit continued effective use and upkeep of information technology hardware and software used for Peninsula Corridor Joint Powers Board (JPB) management and oversight of Caltrain. The proposed action also will apply to contracts for the provision of single/sole source professional services necessary to expand or modify previously competitively procured proprietary software when an original provider is the only source of such services. Expenditures with manufacturers, vendors, and consultants under this authority will not exceed the budgeted amount of \$1.5 million throughout Fiscal Year (FY) 2023.

Significance

Approval of this contracting authority will allow the JPB to pay for new software licenses, maintenance and support services, recurring maintenance services, additional licenses, license renewal fees, and professional services for proprietary software greater than \$150,000 without bringing individual actions before the Board for approval. This delegation would not eliminate the requirement that other procurement policies and procedures be followed. A quarterly report indicating contracts awarded during the prior quarter will be submitted to the Board.

Recurring 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.

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.

Budget Impact

Funds for these purchases are programmed in the proposed FY 2023 Operating and Capital Budgets.

Background

Software and hardware are typically sold with licenses and maintenance agreements that require periodic renewal. Failing to renew maintenance support means 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.

It is not always possible to find cooperative purchasing agreements with contracts for the necessary maintenance support and license renewals. This is particularly true for transit industry-specific information technology products. 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 provide services. As a result, professional services to upgrade, modify, or add to existing software must be performed by the original manufacturer.

JPB assets requiring payment of recurring annual or multi-year maintenance services, support and license fees over \$150,000 that may need to be accommodated in FY 2023 outside of cooperative purchase agreements or other pre-existing contracts include, but are not necessarily limited to, documentation management and collaboration software for construction and engineering management, such as:

- ARINC
- Penta
- Ventek (Caltrain TVM upgrade)
- Carahsoft-Oracle Aconex

If the Board does not approve this action, 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.

Prepared By: Michael Salazar

IT Operations Manager

650-551-6196

Resolution No. 2022-

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

* * *

Authorizing Execution of Contracts for Information Technology Licenses, Maintenance Services and Professional Services for an Aggregate Not-To-Exceed Amount of \$1.5 Million for Fiscal Year 2023

Whereas, the Peninsula Corridor Joint Powers Board (JPB) will require continuing product licensing, support and maintenance services for information technology hardware and software throughout Fiscal Year (FY) 2023 to permit the continued effective use and upkeep of information technology assets owned by the JPB; and

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

Whereas, the JPB will also require 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, staff recommends that the Acting Executive Director, or designee, be authorized to execute contracts greater than \$150,000 with original equipment manufacturers, product licensors, and their authorized distributors and consultants to meet the JPB's technology requirements for FY 2023, pursuant to the JPB's procurement authority and policy, up to an aggregate not-to-exceed amount of \$1.5 million.

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

1. Authorizes the procurement of new software licenses, maintenance, and support services agreements for information technology, pursuant to the Peninsula Corridor Joint Powers Board's procurement authority and policy, in an aggregate not-to-exceed amount of \$1.5 million for Fiscal Year 2023; and

2. Authorizes the Acting Executive Director, or designee, to enter into contracts exceeding \$150,000 with original equipment manufacturers, product licensors, or their authorized distributors for recurring product support and additional licenses, and license renewals necessary to permit continued effective use and upkeep of JPB-owned information technology hardware and software; and

3. Authorizes the Acting Executive Director, or designee, to enter into contracts greater than \$150,000 with original equipment manufacturers, product licensors, or their authorized consultants for the provision of single/sole source professional services necessary to expand or modify previously competitively procured proprietary software when an original provider is the only source of such services; and

4. Authorizes the Acting Executive Director, or designee, to execute all necessary purchase orders, contracts, and other documents and to take such other actions as may be necessary to give effect to this Resolution; and

5. Requests the Acting Executive Director, or designee, 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 2nd day of June, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

Date: May 18, 2022

To: Finance Committee

Through: Michelle Bouchard
Acting Executive Director

From: Grace Martinez
Acting Chief Financial Officer

Subject: **May 23, 2022 Finance Committee Report of the Acting Chief Financial Officer**

Highlights

- The proposed preliminary operating budget shows a deficit (\$2.6M) but is proposed to be closed with anticipated surplus from Fiscal 2022. This is a reduction of \$1.6M from the deficit (\$4.2M) in the preliminary proposed budget presented to the Board in May. The decrease was mainly due to reduction in insurance (\$825k) resulting from moving the worker's comp insurance program from TASI to JPB. In addition, the governance costs were reduced by \$350k and other income, primarily parking citation was increased by 450k.
- The proposed preliminary capital budget shows a deficit of \$5.8M with anticipation that member agencies will provide additional contributions to close the gap. JPB Staff continues to have conversations with staff of each member agency to balance the capital budget for Fiscal 2023.
- The Staff Report on the Statement of Revenue and Expenses for the period ending April 30, 2022 follows. Insurance reserve was increased by \$2.5M for anticipated claims due to the fire incident on the railroads in March.
- The forecast for the JPB's Fiscal 2022 Operating Results is provided in the monthly financial report. The forecast is projecting to end the fiscal year with a surplus of \$8.4M.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: Grace Martinez
Acting Chief Financial Officer

Subject: **Accept Statement of Revenues and Expenses for the Period Ending April 30, 2022**



Finance Committee
Recommendation



Work Program-
Legislative-Planning
Committee
Recommendation



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff proposes that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) accept and enter into the record the Statement of Revenues and Expenses for the month of April 2022.

This staff report provides a brief discussion of significant items and trends on the attached Statement of Revenues and Expenses through April 30, 2022. The statement has been designed to follow the Agency-wide line item rollup as included in the approved budget. The columns have been designed to provide easy comparison of year-to-date current actuals to the budget including dollar and percentage variances.

Significance

Annual Forecast: The annual forecast was updated based on actual revenue and expense trends through April 2022. The forecast was derived by analyzing trends and reviewing details with cost center managers.

Forecast Revenues: Total revenue (page 1, line 19) is forecast \$81.0 million higher than budget. This is driven primarily by \$101.1 million more allocation from the American Rescue Plan Act (ARPA) than budgeted. Measure RR (page 1, line 13), is \$9.0 million higher than budget reflecting updated estimates that continue to show recovery from the pandemic. Other Income (page 1, line 5) is \$0.4 million higher than budget driven primarily by parking citation revenue. The revenue increase is partially offset by Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) (page 1, line 14) which is \$27.1 million lower than budget as funding was previously received in FY21. Farebox Revenue (page 1, line 1) is \$2.0 million lower than budget as ridership recovery has been slower than anticipated, Parking revenue (page 1, line 2) is \$0.3 million lower than budget and Shuttles Revenue (page 1, line 3) is \$0.3 million lower than budget due to lower shuttle service as routes have been reduced or suspended due to low ridership.

Forecast Expenses: Total Expense (page 2, line 54) is \$7.4 million lower than budget. The variance is primarily due to lower expense trends. Rail Operator Service (page 2, line 24) is \$3.8 million lower than budget due to resource constraints and vacancies. Shuttles Services (page 2, line 26) is \$0.7 million lower than budget due to reduction or suspended service as result of low ridership. Facilities & Equipment Maintenance (page 2, line 31) is lower than budget by \$1.5 million due to lower Clipper Operator Charges as a result of lower ridership and under-runs in other contract services. Wages & Benefits (page 2, line 38) is lower than budget by \$1.5M due primarily to vacancies. Professional Services (page 2, line 41) is lower than budget by \$1.0 million as a result of under-runs in consultant and legal services. Other Office Expenses and Services (page 2, line 43) is lower than budget by \$1.4 million due to reduction in Bank Fees and other services. Measure RR ballot Costs (page 2, line 49) is lower than budget by \$1.6 million. Governance costs (page 2, line 50) is lower than budget by \$1.0 million. This is partially offset by Fuel and Lubricants (page 2, line 27) which is higher than budget by \$2.6 million reflecting the updated service to 104 weekday trains and rising fuel prices due to supply concerns arising from the conflict abroad, and Claims, Payments, and Reserves (page 2, line 30) which is higher than budget by \$2.5M reflecting updates for recent claims.

The forecast also includes an \$80 million reserve of Measure RR funds to address significant capital requirements for the Electrification Program and to position the JPB to effectively compete for funds through a federal discretionary grant program that is intended to address the very kinds of revenue losses experienced by the JPB related to the COVID-19 pandemic. The reserve was approved at the November 2021 board meeting.

Year to Date Revenues: As of April year-to-date actual, the Grand Total Revenue (page 1, line 19) is \$49.6 million more than the approved budget. This is primarily driven by Measure RR (page 1, line 13) and ARPA fund (page 1, line 15), partially offset by CRRSAA fund (page 1, line 14). CRRSAA funding was received and reported as revenue in late FY21. However, it was not budgeted in FY21 as the amount of funding was unknown at the time of FY21 Budget adoption. Therefore the budget for CRRSAA funding was carried over and budgeted in FY22.

Year to Date Expenses: As of April year-to-date actual, the Grand Total Expense (page 2, line 54) is \$16.4 million lower than the approved budget. This is primarily due to decreases in Rail Operator Service (page 2, line 24), Facilities and Equipment Maintenance (page 2, line 31), Wages and Benefits (page 2, line 38), Professional Services (page 2, line 41), Other Office Expenses and Services (page 2, line 43), and Measure RR Ballot Costs (page 2, line 49). The decreases are partially offset by an increase in Claims, Payments, and Reserves (page 2, line 30).

Other Information: The Agency accounts for revenue and expenditures 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 expenditures.

Budget Impact

There are no budget amendments for the month of April 2022.

Prepared By: Thwe Han, Accountant II

650.508.7912

Jennifer Ye, Director, Accounting

650.622.7890

PENINSULA CORRIDOR JOINT POWERS BOARD							
STATEMENT OF REVENUE AND EXPENSE							
Fiscal Year 2022							
April 2022							
					% OF YEAR ELAPSED		83.3%
	JULY TO APRIL				ANNUAL		
	CURRENT ACTUAL	APPROVED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE
REVENUE							
OPERATIONS:							
1 Farebox Revenue	25,964,370	26,953,000	(988,630)	(3.7%)	34,639,000	32,639,000	(2,000,000)
2 Parking Revenue	957,428	1,280,000	(322,572)	(25.2%)	1,536,000	1,286,000	(250,000)
3 Shuttles	1,020,905	1,336,580	(315,675)	(23.6%)	1,603,900	1,315,667	(288,233)
4 Rental Income	1,340,561	993,720	346,841	34.9%	1,192,466	1,192,466	-
5 Other Income	1,812,957	1,320,500	492,457	37.3%	1,584,608	2,000,000	415,392
6							
7 TOTAL OPERATING REVENUE	31,096,221	31,883,800	(787,579)	(2.5%)	40,555,974	38,433,133	(2,122,841)
8							
CONTRIBUTIONS:							
9							
10 AB434 Peninsula & TA Shuttle Funding	414,308	932,750	(518,442)	(55.6%)	1,119,300	1,119,300	-
11 Operating Grants	5,353,779	5,454,560	(100,781)	(1.8%)	6,525,471	6,525,471	-
12 JPB Member Agencies	-	-	-	.0%	-	-	-
13 Measure RR	87,953,219	72,147,433	15,805,786	21.9%	86,576,919	95,621,811	9,044,892
14 CRRSAA*	-	27,115,922	(27,115,922)	(100.0%)	27,115,922	-	(27,115,922)
15 ARPA	77,164,334	14,849,883	62,314,451	419.6%	14,849,883	115,995,904	101,146,021
16							
17 TOTAL CONTRIBUTED REVENUE	170,885,639	120,500,548	50,385,091	41.8%	136,187,495	219,262,486	83,074,991
18							
19 GRAND TOTAL REVENUE	201,981,860	152,384,348	49,597,512	32.5%	176,743,469	257,695,619	80,952,150
*CRRSAA funding was received and reported as revenue in late FY21. However, it was not budgeted in FY21 as the amount of funding was unknown at the time of FY21 Budget adoption. Therefore the budget for CRRSAA funding was carried over and budgeted in FY22. A future FY22 budget action will be brought to the Board to clarify funding sources for the FY22 budget, including reserved funds from the FY21 actual results and/or additional funding made available from ARPA distributions.							
20							

PENINSULA CORRIDOR JOINT POWERS BOARD									
STATEMENT OF REVENUE AND EXPENSE									
Fiscal Year 2022									
April 2022									
					% OF YEAR ELAPSED		83.3%		
	JULY TO APRIL				ANNUAL				
	CURRENT ACTUAL	APPROVED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET	FORECAST	\$ VARIANCE		
21	EXPENSE							21	
22								22	
23	DIRECT EXPENSE:							23	
24	Rail Operator Service	74,464,814	80,498,327	(6,033,513)	(7.5%)	97,353,730	93,573,730	(3,780,000)	24
25	Security Services	5,658,557	5,760,362	(101,805)	(1.8%)	7,486,512	7,486,512	-	25
26	Shuttle Services	1,525,560	1,952,230	(426,670)	(21.9%)	2,723,200	2,067,849	(655,351)	26
27	Fuel and Lubricants*	8,078,633	8,695,710	(617,077)	(7.1%)	10,434,846	13,000,000	2,565,154	27
28	Timetables and Tickets	17,140	45,830	(28,691)	(62.6%)	55,000	55,000	-	28
29	Insurance	5,515,844	5,857,210	(341,366)	(5.8%)	5,857,210	5,857,210	-	29
30	Claims, Payments, and Reserves	3,020,551	683,340	2,337,211	342.0%	820,000	3,320,000	2,500,000	30
31	Facilities and Equipment Maintenance	4,310,751	6,457,060	(2,146,309)	(33.2%)	7,734,353	6,209,353	(1,525,000)	31
32	Utilities	1,898,941	2,127,170	(228,229)	(10.7%)	2,552,600	2,552,600	-	32
33	Maint & Services-Bldg & Other	978,367	1,400,295	(421,928)	(30.1%)	1,674,250	1,674,250	-	33
34								34	
35	TOTAL DIRECT EXPENSE	105,469,157	113,477,534	(8,008,377)	(7.1%)	136,691,701	135,796,504	(895,197)	35
36								36	
37	ADMINISTRATIVE EXPENSE							37	
38	Wages and Benefits	8,821,745	10,468,365	(1,646,620)	(15.7%)	12,301,799	10,801,799	(1,500,000)	38
39	Managing Agency Admin OH Cost	3,225,828	2,892,790	333,038	11.5%	3,470,871	3,470,871	-	39
40	Board of Directors	18,889	40,220	(21,331)	(53.0%)	48,275	48,275	-	40
41	Professional Services	4,346,035	7,366,210	(3,020,175)	(41.0%)	8,871,301	7,871,301	(1,000,000)	41
42	Communications and Marketing	251,694	270,410	(18,716)	(6.9%)	322,750	322,750	-	42
43	Other Office Expenses and Services	1,401,698	3,035,742	(1,634,044)	(53.8%)	3,655,020	2,305,020	(1,350,000)	43
44								44	
45	TOTAL ADMINISTRATIVE EXPENSE	18,065,889	24,073,737	(6,007,848)	(25.0%)	28,670,016	24,820,016	(3,850,000)	45
46								46	
47	TOTAL OPERATING EXPENSE	123,535,045	137,551,271	(14,016,226)	(10.2%)	165,361,717	160,616,520	(4,745,197)	47
48								48	
49	Measure RR Ballot Costs	5,357,846	7,000,000	(1,642,154)	(23.5%)	7,000,000	5,357,846	(1,642,154)	48
50	Governance	811,010	1,666,670	(855,660)	(51.3%)	2,000,000	1,000,000	(1,000,000)	49
51								51	
52	Debt Service Expense	2,119,693	1,984,790	134,903	6.8%	2,381,752	2,381,752	-	52
53								53	
54	GRAND TOTAL EXPENSE	131,823,594	148,202,731	(16,379,137)	(11.1%)	176,743,469	169,356,118	(7,387,351)	54
55								55	
56	NET SURPLUS / (DEFICIT)	70,158,266	4,181,617	65,976,649	1,577.8%	-	88,339,501	88,339,501	56
57								57	
58	Measure RR for Capital Reserve**					-	80,000,000		58
59	ADJUSTED NET SURPLUS / (DEFICIT)					-	8,339,501		59
* Fuel and Lubricants costs were reduced by a realized gain of \$1,822,964 from the fuel hedge program.									
** The \$80M capital reserve using Measure RR funds was used to address capital needs for the Electrification Program and approved at the November 2021 board meeting.									



BOARD OF DIRECTORS 2022

STEVE HEMINGER, CHAIR
CHARLES STONE, VICE CHAIR
DEVORA "DEV" DAVIS CINDY
CHAVEZ
JEFF GEE
GLENN HENDRICKS
DAVE PINE
SHAMANN WALTON MONIQUE
ZMUDA

MICHELLE BOUCHARD ACTING
EXECUTIVE DIRECTOR

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF APRIL 30, 2022

TYPE OF SECURITY		MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
-----		-----	-----	-----	-----
Local Agency Investment Fund (Unrestricted)	*	Liquid Cash	0.523%	88,261	88,261 561,643
County Pool (Unrestricted)		Liquid Cash Liquid	0.925%	561,643	156,769,037
Other (Unrestricted)		Cash	0.050%	156,769,037	7,417,414
Other (Restricted)	**	Liquid Cash	0.050%	7,417,414	-----
-----		-----	-----	-----	-----
				\$ 164,836,355	\$ 164,836,355

Interest Earnings for April 2022	\$ 7,918.45
Cumulative Earnings FY2022	\$ 41,984.95

* 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.

FY 2022

PENINSULA CORRIDOR JOINT POWERS BOARD											
<i>Farebox Revenues by Ticket Type</i>	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	Total
REVENUE											
OPERATIONS:											
401400 (TVM)	609,407	694,301	297,963	634,662	514,945	503,829	402,001	425,090	518,694	426,130	5,027,021
401410 (Clipper)	466,207	507,976	320,066	628,888	773,248	690,398	418,215	564,410	811,782	451,071	5,632,260
401420 (Central)	545	-	5,108	19,817	-	-	(8)	2,475	303	535	28,774
401430 (Mobile App)	203,051	217,349	138,764	249,286	239,150	220,698	148,995	181,828	270,431	179,642	2,049,193
401500 (Gilroy)	28,850	21,257	28,301	20,933	43,585	46,782	35,746	31,111	32,723	49,067	338,355
401700 (Go-Pass)	1,110,030	1,247,311	1,176,248	1,199,282	1,434,953	1,280,454	1,332,357	1,337,351	1,364,606	1,406,171	12,888,764
total Farebox Revenue	2,418,089	2,688,193	1,966,449	2,752,867	3,005,881	2,742,162	2,337,305	2,542,265	2,998,539	2,512,617	25,964,368
Less: Go-Pass											
401700 (Go-Pass)	1,110,030	1,247,311	1,176,248	1,199,282	1,434,953	1,280,454	1,332,357	1,337,351	1,364,606	1,406,171	12,888,764
Revenues without Go-Pass	1,308,059	1,440,882	790,201	1,553,585	1,570,928	1,461,707	1,004,949	1,204,914	1,633,933	1,106,445	13,075,604
Tickets Sold	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	Total
TVM	66,225	57,800	65,068	65,036	55,514	50,809	40,552	43,646	58,771	79,927	583,348
Clipper	75,041	77,163	94,859	99,959	96,607	83,449	68,589	82,124	115,540	132,301	925,632
Central	33	-	698	1,876	-	-	-	150	100	124	2,981
Mobile	27,060	25,610	31,175	33,226	29,105	24,778	19,520	23,974	33,935	45,168	293,551
# of tickets sold (without go-pass)	168,359	160,573	191,800	200,097	181,226	159,036	128,661	149,894	208,346	257,520	1,805,512
AVG Revenue Per Ticket	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	Total
TVM	\$ 9.20	\$ 12.01	\$ 4.58	\$ 9.76	\$ 9.28	\$ 9.92	\$ 9.91	\$ 9.74	\$ 8.83	\$ 5.33	\$ 8.62
Clipper	\$ 6.21	\$ 6.58	\$ 3.37	\$ 6.29	\$ 8.00	\$ 8.27	\$ 6.10	\$ 6.87	\$ 7.03	\$ 3.41	\$ 6.08
Central	\$ 16.50	\$ -	\$ 7.32	\$ 10.56	\$ -	\$ -	\$ -	\$ 16.50	\$ 3.03	\$ 4.31	\$ 9.65
Mobile	\$ 7.50	\$ 8.49	\$ 4.45	\$ 7.50	\$ 8.22	\$ 8.91	\$ 7.63	\$ 7.58	\$ 7.97	\$ 3.98	\$ 6.98
Total	\$ 7.77	\$ 8.97	\$ 4.12	\$ 7.76	\$ 8.67	\$ 9.19	\$ 7.81	\$ 8.04	\$ 7.84	\$ 4.30	\$ 7.24

**Peninsula Corridor Joint Powers Board
Staff Report**

To: JPB Work Program-Legislative - Planning Committee
Through: Michelle Bouchard
Acting Executive Director
From: Casey Fromson
Chief Communications Officer
Subject: **50 Percent Off Promotional Campaign Update**

☐ Finance Committee
Recommendation

☒ Work Program-
Legislative-Planning
Committee
Recommendation

☐ Staff Coordinating
Council Reviewed

☐ Staff Coordinating Council
Recommendation

Action

This item is information only.

Significance

The Caltrain 50% Off Promotion launched in April 2022. The attached presentation highlights the Marketing and Communications insights from the campaign.

Budget Impact

None

Background

Caltrain discounted all fares by 50% for the month of April. With many people returning to the office and weekday and weekend events increasing, Caltrain offered this incentive so customers can travel where they need to go conveniently and affordably. **The price reduction applied to all fares except the Go Pass.*

Prepared By: Robert Casumbal Director, Marketing and Market Research 650-508-6280

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: Casey Fromson
Chief Communications Officer

Subject: **State and Federal Legislative Update**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff proposes the Committee recommend the Board:

1. Receive the attached Federal and State Legislative Updates

Significance

The 2022 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.

Prepared By: Jadie Wasilco
Government & Community Affairs Manager

650.465.6301



May 13, 2022

TO: Caltrain Board of Directors

FM: Joshua W. Shaw, Matt Robinson & Michael Pimentel, Shaw Yoder Antwih Schmelzer & Lange
Mike Robson & Bridget McGowan, Edelstein Gilbert Robson & Smith LLC

RE: **STATE LEGISLATIVE UPDATE – June 2022**

General Update

The Legislature passed a critical legislative milestone on April 29 – the policy committee deadline. The Legislature will now turn to the fiscal committee deadline, a point in the legislative process where we see a narrowing of the number of active bills continuing to advance. This is due to the Appropriations Suspense hearing, where the Senate and Assembly Appropriations Committees will hear and decide the fate of hundreds of bills at once in order to meet the May 20 deadline for bills in their first house.

After the fiscal committee deadline, each house will have until May 27 to pass bills off the floor and out of the house they were introduced in.

2022-23 State Budget Update

The Governor released his May Revision of the 2022-23 State Budget today. Among its provisions, the budget maintains the same transportation funding package that was in his January budget proposal. He also proposes \$750 million towards incentive grants for transit and rail agencies to provide three months of free public transportation (with grant allocations based on 2019 fare revenues) as well as \$500 million in additional funds for the Active Transportation Program.

Following the presentation of the May Revision, the budget process will ramp up and subcommittees will meet to review the Governor's proposed budget and each house's competing budget proposals. The Legislature must adopt a final budget by June 15.

Last week, Caltrain staff held their quarterly debrief with the legislative staff for Caltrain delegation members to provide an overview of the status of PCEP including cost updates, project benefits, outstanding needs and the state and federal budget asks.

Bills with Action Taken

AB 2197 (Mullin) – PCEP Funding. This bill would appropriate \$260 million from the state's General Fund to the California State Transportation Agency for the purpose of closing the funding gap for the Caltrain Electrification Project. *Support.*

This bill has not yet been set for hearing.

AB 1944 (Lee) Public Meetings – This bill would make changes to the Brown Act to clarify that if a member of a legislative body elects to teleconference from a location that is not public, the address does not need to be identified in the notice and agenda or be accessible to the public. This bill would also require all public meetings of a legislative body using teleconferencing to provide a video stream accessible to members of the public and an option for members of the public to address the body remotely during the public comment period through an audio-visual or call-in option. *Support.*

The bill passed out of the Assembly Local Government Committee on May 4 and is pending on the Assembly Floor.

SB 922 (Wiener) – CEQA Exemptions for Transit. This bill would permanently extend statutory exemptions from the CEQA requirement for clean transportation projects, including charging and facilities for zero-emission rail, station-area improvements, and first/last mile connections for bike and ped. This bill is a follow up to SB 288 (Wiener, 2020) which Caltrain supported. *Support.*

The bill is now in the Assembly.

SB 942 (Newman) Low Carbon Transit Operations Program: Free or Reduced Fare Transit Program. This bill would provide California public transit agencies with the flexibility to use Low Carbon Transit Operations Program funds for free or reduced-fare transit programs on an ongoing basis. This flexibility will ensure the long-term sustainability and benefits of free youth ridership programs that expand access to public transit and create lifelong riders. *Support.*

The bill is now in the Assembly.

Bills of Interest

AB 1919 (Holden) – Free Student Transit Passes. The bill would require transit agencies to offer free youth transit passes to all California residents, regardless of immigration status, under age 25 in order to be eligible for state funding under state various programs. For the purposes of calculating the ratio of fare revenue to operating costs, the free youth transit passes would count as full price fares. Upon appropriation by the Legislature, the bill would also create the Youth Transit Pass Pilot Program that would offset the costs to transit agencies offering free youth transit passes and would require the department to submit a report to the Legislature on the outcome of the program, the funding conditions associated with the program, the status of these programs statewide and whether the provisions of the bill led to reductions in GHG emissions and VMT. The bill would sunset on January 1, 2028.

Amendments in April added provisions clarifying that the provisions do not apply if the Controller determines that the funding provided by the Legislature (upon appropriation) to the Youth Transit Pass Pilot Program is not sufficient to cover the lost farebox revenue from offering free transit passes. The amendments also require that local authorities, school districts and colleges maintain their funding for free or reduce fare youth transit as provided in 2018-19.

The bill will be heard next in the Assembly Appropriations Committee on the Suspense File.

AB 2441 (Kalra) – Local Public Transit Agencies: New Technologies. This bill would add requirements for public transit employers relating to the introduction of new technologies the create new products, services, type of operation or eliminate jobs or job functions of the workforce. The bill would require a public transit employer to provide notice to the exclusive employee representative of its intention to

begin procuring, acquiring or deploying such technologies no less than 12 months in advance. The bill would also require these subjects be mandatory subjects of collective bargaining, including creating plans to train and prepare the affected workforce to fill new positions created by the technology.

The bill is in the Senate and was referred to the Senate Labor, Public Employment and Retirement Committee.

AB 2357 (Ting) – Surplus Land. This bill would change provisions of the Surplus Lands Act (SLA) regarding public noticing and penalties, and require the Department of Housing and Community Development (HCD) to maintain on its internet website a listing of all entities, including housing sponsors, that have notified HCD of their interest in surplus land for the purpose of developing low- and moderate-income housing.

The bill will be heard next in the Assembly Appropriations Committee on the Suspense File.

SB 917 (Becker) – Seamless. This bill would require the Metropolitan Transportation Commission (MTC) to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, establish open data standards, requires the region's transit agencies to comply with the established programs, requires MTC to indicate what steps are needed to comply, and if a transit agency does not comply and does not qualify for an exemption, makes that transit agency ineligible to receive a portion of state transit funding in an amount determined by MTC.

The bill will be heard next in the Senate Appropriations Committee on the Suspense File.

Grants

Transit and Intercity Rail Capital Program (\$500 million - \$600 million in Cycle 5) – The Transit and Intercity Rail Capital Program (TIRCP) provides grants from the Greenhouse Gas Reduction Fund to fund transformative capital improvements that will modernize California's intercity, commuter, and urban rail systems, and bus and ferry transit systems, to significantly reduce emissions of greenhouse gases, vehicle miles traveled, and congestion. Eligible projects include zero-emission vehicles and associate fueling or charging infrastructure of facility modifications.

Guidelines: Found [here](#)

Status: Funding cycle closed. [Project applications were due March 3, 2022.](#) CalSTA award announcement is expected in June 2022.

Applications Received: TIRCP received [50 applications](#) with all funding requests totaling \$3,949,662,335.

The CTC recently hosted a [series of workshops](#) for the three SB 1 programs it oversees – the Solutions for Congested Corridors Program (SCCP), Local Partnership Program (LPP), and the Trade Corridor Enhancement Program (TCEP). The CTC will solicit applications for the next round of funding in Summer 2022 and announce project awards in Summer 2023. As a reminder, in late-2020, the California Transportation Commission [awarded grants](#) for three SB 1 programs – the [Solutions for Congested Corridors Program](#), [Local Partnership Program](#), and the [Trade Corridor Enhancement Program](#).

Grade Separation Funding - Below is a list of the funding sources that we are aware of and/or that have been used to fund grade separations in the recent years. The funding sources below are managed across various state agencies and departments, including the Public Utilities Commission (PUC), the California State Transportation Agency (CalSTA), the California Transportation Commission (CTC), and Caltrans.

PUC Section 190 Grade Separation Program – The Program is a state funding program to grade separate crossings between roadways and railroad tracks and provides approximately \$15 million annually, transferred from Caltrans. Agencies apply to the PUC for project funding.

State Transportation Improvement Program – The STIP, managed by Caltrans and programmed by the CTC, is primarily used to fund highway expansion projects throughout the state, but also supports grade separations. The STIP is programmed every two years. The [2022 STIP](#), adopted in March 2022, includes \$796 million in new STIP funding capacity. Local agencies receive a share of STIP funding, as does the State. The STIP is funded with gasoline excise tax revenues.

Transit and Intercity Rail Capital Program – As discussed above, the TIRCP is managed by CalSTA and is available to fund rail and transit projects that reduce greenhouse gas emissions. The program receives funding from Cap and Trade and the recently created Transportation Improvement Fee to the tune of approximately \$500 million per year. The TIRCP is programmed over five years, with the most recent cycle beginning in May 2018. Caltrain received \$160 million for the CalMod project.

Proposition 1A – This \$9.9 billion Bond Act is the primary funding source for the high-speed rail project and has been used to fund a very limited number of grade separation projects in the past, including in the City of San Mateo.

Caltrain State Legislative Matrix

Item #6.l.
6/2/2022

May 13, 2022

PRIORITY BILLS			
Bill Number (Author)	Summary	Location	Position
AB 2197 (Mullin D) Caltrain Electrification: Funding	Existing law provides for the creation of the Peninsula Corridor Joint Powers Board, which operates Caltrain as the commuter rail service along the San Francisco Peninsula commute corridor. This bill would appropriate \$260,000,000 from the General Fund to the Transportation Agency for allocation to the Peninsula Corridor Joint Powers Board for the purpose of completing the Caltrain Electrification Project. Introduced: 2/15/2022	Assembly Transportation	Supported 3/3/2022
SB 922 (Wiener D) California Environmental Quality Act: exemptions: transportation-related projects.	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 bicycle transportation plans for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing to improve street and highway intersection operations, and related signage for bicycles, pedestrians, and vehicles under certain conditions. This bill would specify that the requirement that the bicycle transportation plan is for an urbanized area or urban cluster, as designated by the United States Census Bureau. The bill would extend the exemption to an active transportation plan or pedestrian plan in an urbanized area or urban cluster. The bill would define "active transportation plan" and "pedestrian plan." The bill would specify that individual projects that are a part of an active transportation plan or pedestrian plan remain subject to the requirements of CEQA unless those projects are exempt by another provision of law. This bill contains other related provisions and other existing laws. Amended: 5/11/2022	Assembly Desk	Supported 4/7/2022
SB 942 (Newman D) Low Carbon Transit	Existing law requires all moneys, except for fines and penalties, collected by the State Air Resources Board as part of a market-based compliance mechanism to be deposited into the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law	Assembly Desk	Supported 4/7/2022

<p>Operations Program: Free or Reduced Fare Transit Program</p>	<p>continuously appropriates specified portions of the annual proceeds in the fund to various programs, including 5% for the Low Carbon Transit Operations Program, which is administered by the Department of Transportation and provides operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility. Existing law requires each of those transit agencies to demonstrate that each expenditure of program moneys allocated to the transit agency reduces the emissions of greenhouse gases and does not supplant another source of funds, to use those moneys to provide transit operating or capital assistance, to use at least 50% of those moneys to benefit disadvantaged communities, and to submit specified information to the department before seeking a disbursement of those program moneys, as specified. This bill would authorize a transit agency that uses program moneys to fund a free or reduced fare transit program and that demonstrates compliance with the above-described requirements in its initial program application to continue to use those moneys to maintain that program on an ongoing basis without demonstrating continued compliance with those requirements. This bill contains other related provisions and other existing laws.</p> <p>Introduced: 2/8/2022</p>		<p>Item #6.l. 6/2/2022</p>
<p>AB 1944 (Lee D)</p> <p>Local government: open and public meetings.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2024, authorizes a local agency to use teleconferencing without complying with those specified teleconferencing requirements in specified circumstances when a declared state of emergency is in effect, or in other situations related to public health. This bill would require the agenda to identify any member of the legislative body that will participate in the meeting remotely. The bill would also require an updated agenda reflecting all of the members participating in the meeting remotely to be posted, if a member of the legislative body elects to participate in the meeting remotely after the agenda is posted. This bill would authorize, under specified circumstances and upon a determination by a majority vote of the legislative body, a member to be exempt from identifying the address of the member's teleconference</p>	<p>Assembly Third Reading</p>	<p>Supported 5/5/2022</p>

	<p>location in the notice and agenda or having the location be accessible to the public, if the member elects to teleconference from a location that is not a public place. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/18/2022</p>		Item #6.l. 6/2/2022
<p><u>SB 917</u> (<u>Becker</u> D)</p> <p>Seamless Transit Transformation Act.</p>	<p>Existing law creates the Metropolitan Transportation Commission, as a local area planning agency and not as a part of the executive branch of the state government, to provide comprehensive regional transportation planning for the region comprised of the City and County of San Francisco and the Counties of Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Solano, and Sonoma. This bill would require the commission to develop and adopt a Connected Network Plan, adopt an integrated transit fare structure, develop a comprehensive, standardized regional transit mapping and wayfinding system, develop an implementation and maintenance strategy and funding plan, and establish open data standards, as specified. The bill would require the region's transit agencies, as defined, to comply with those established integrated fare structure, regional transit mapping and wayfinding system, implementation and maintenance strategy and funding plan, and open data standards, as provided. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/18/2022</p>	Senate Appropriations Suspense File	Watch
<p><u>AB 1919</u> (<u>Holden</u> D)</p> <p>Free Youth Transit Pass Pilot Program: Eligibility for State Funding</p>	<p>Existing law declares that the fostering, continuance, and development of public transportation systems are a matter of state concern. Existing law authorizes the Department of Transportation to administer various programs and allocates moneys for various public transportation purposes. Under the Mills-Alquist-Deddeh Act, also known as the Transportation Development Act, revenues from a 1/4% sales tax in each county are available, among other things, for allocation by the transportation planning agency to transit operators, as specified. Existing law establishes the State Transit Assistance Program for the purpose of providing a source of state funding to eligible public transportation operators and other transportation agencies in order to support their local and regional transit operating and capital needs. Existing law establishes the Low Carbon Transit Operations Program to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility. Existing law conditions transit funding from certain programs on achieving specified ratios of fare revenues to operating costs. This bill would require local authorities, school districts, and colleges to maintain their funding for free or reduced fare youth transit as provided in the 2018-19 fiscal year. By imposing new transit funding requirements on local entities, the bill would impose a state-mandated local program. The bill would require transit agencies to offer free youth transit passes to all persons 25 years of age and under with California residency, regardless of</p>	Assembly Appropriations Suspense File	Watch

	<p>immigration status, in order to be eligible for state funding under the Mills-Deddeh Transit Development Act, the State Transit Assistance Program, or the Low Carbon Transit Operations Program, subject to a determination by the Controller that a legislative appropriation and the funding from local authorities, school districts, and colleges is sufficient to cover the lost farebox revenue as a result of offering free youth transit passes, as provided. These free youth transit passes would count as full-price fares for purposes of calculating the ratio of fare revenues to operating costs. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/6/2022</p>		Item #6.l. 6/2/2022
OTHER LEGISLATION			
<p><u>AB 1938</u> (<u>Friedman</u> D)</p> <p>Transit and Intercity Rail Recovery Task Force</p>	<p>Existing law establishes the Transportation Agency, which consists of various departments and state entities, including the California Transportation Commission and the Department of Transportation. Under existing law, the agency is under the supervision of an executive officer known as the Secretary of Transportation, who is required to develop and report to the Governor on legislative, budgetary, and administrative programs to accomplish comprehensive, long-range, and coordinated planning and policy formulation in the matters of public interest related to the agency. Existing law provides for the funding of public transit and intercity rail, including under the Transportation Development Act. This bill would require the secretary, on or before July 1, 2023, to establish and convene the Transit and Intercity Rail Recovery Task Force to include representatives from the department and various local agencies, academic institutions, and nongovernmental organizations. The bill would require the task force to develop a structured, coordinated process for early engagement of all parties to develop policies to grow transit and intercity rail ridership and improve transit and intercity rail operations for users of those services. The bill would require the secretary to prepare and submit a report of findings based on the task force's efforts to the appropriate policy and fiscal committees of the Legislature on or before January 1, 2025. The bill would require the report to include a detailed analysis of specified issues and recommendations on specified topics. The provisions of the bill would be repealed on January 1, 2028. This bill contains other existing laws.</p> <p>Amended: 3/7/2022</p>	Assembly Appropriations Suspense File	Watch
<p><u>AB 2061</u> (<u>Ting</u> D)</p> <p>Transportation electrification: electric vehicle charging</p>	<p>Existing law creates the Clean Transportation Program, administered by the State Energy Resources Conservation and Development Commission (Energy Commission), to provide, among other things, competitive grants and revolving loans to specified entities for those entities to develop and deploy innovative technologies that transform California's fuel and vehicle types to help attain the state's climate change policies. Existing law requires the Energy Commission to develop and adopt an investment plan to determine priorities and</p>	Assembly Appropriations	Watch

infrastructure.	<p>opportunities for the program. Existing law requires the Energy Commission, in consultation with the State Air Resources Board (state board), as part of the development of the investment plan, to assess whether charging station infrastructure is disproportionately deployed, as specified, and, upon finding disproportionate deployment, to use moneys from the Alternative and Renewable Fuel and Vehicle Technology Fund, as well as other mechanisms, including incentives, to more proportionately deploy new charging station infrastructure, except as specified. Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing boards. Existing law requires the PUC, in consultation with the Energy Commission and the state board, to direct electrical corporations to file applications for programs and investments to accelerate widespread transportation electrification to, among other things, reduce dependence on petroleum and reduce emissions of greenhouse gases to 40% below 1990 levels by 2030 and to 80% below 1990 levels by 2050. The PUC is required to approve, or modify and approve, programs and investments in transportation electrification, including those that deploy charging infrastructure, through a reasonable cost recovery mechanism, if certain requirements are met. Beginning July 1, 2023, this bill would require an entity that receives an incentive funded by a state agency or through a charge on ratepayers to install, own, or operate a charging station, in whole or in part, to report charging station uptime, as defined, to the Energy Commission. The bill would require the Energy Commission, in consultation with the PUC, to develop a formula to calculate uptime to provide consistent, standardized reporting of information. This bill contains other existing laws.</p> <p>Amended: 4/18/2022</p>		Item #6.l. 6/2/2022
<p>AB 2237 (Friedman D)</p> <p>Transportation planning: regional transportation improvement plan: sustainable communities strategies: climate goals.</p>	<p>Existing law establishes the Strategic Growth Council in state government. Existing law requires the council to develop and administer the Affordable Housing and Sustainable Communities Program to reduce the emissions of greenhouse gases through projects that implement land use, housing, transportation, and agricultural land preservation practices to support infill and compact development and that support related and coordinated public policy objectives, as specified. Existing law requires certain transportation planning agencies to prepare and adopt regional transportation plans directed at achieving a coordinated and balanced regional transportation system. Existing law requires each regional transportation plan to also include a sustainable communities strategy prepared by each metropolitan planning organization. Existing law requires the council, by January 31, 2022, to submit a report to the relevant policy and fiscal committees of the Legislature that includes, among other things, an overview of those sustainable communities strategies, an assessment of how implementation of those sustainable communities strategies will influence the configuration of the statewide integrated multimodal transportation system, and a review of the potential impacts and opportunities for coordination of specified</p>	Assembly Appropriations Suspense File	Watch

	<p>funding programs, including the Affordable Housing and Sustainable Communities Program. This bill would require the council, in consultation with the State Air Resources Board, the Department of Housing and Community Development, and the Transportation Agency, to convene a task force to review the roles and responsibilities of metropolitan planning organizations and to define “sustainable community.” This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/18/2022</p>		Item #6.l. 6/2/2022
<p>AB 2357 (Ting D)</p> <p>Surplus land.</p>	<p>Existing law prescribes requirements for the disposal of surplus land by a local agency, as defined, and requires, except as provided, a local agency disposing of surplus land to comply with certain notice requirements before disposing of the land or participating in negotiations to dispose of the land with a prospective transferee, particularly that the local agency send a notice of availability to specified entities that have notified the Department of Housing and Community Development of their interest in surplus land, as specified. Under existing law, if the local agency receives a notice of interest, the local agency is required to engage in good faith negotiations with the entity desiring to purchase or lease the surplus land. Existing law defines “exempt surplus land,” for which a local agency is not required to follow the requirements for disposal of surplus land, except as provided, as, among other things, surplus land that is subject to valid legal restrictions that are not imposed by the local agency and that would make housing prohibited, as specified. This bill would also require the department to maintain on its internet website a listing of all entities, including housing sponsors, that have notified the department of their interest in surplus land for the purpose of developing low- and moderate-income housing. This bill contains other related provisions and other existing laws.</p> <p>Amended: 4/5/2022</p>	Assembly Appropriations Suspense File	Watch
<p>AB 2438 (Friedman D)</p> <p>Transportation Funding: Alignment with State Plans & GHG Emissions Reduction Standards</p>	<p>Existing law provides for the funding of projects on the state highway system and other transportation improvements, including under the state transportation improvement program, the state highway operation and protection program, the Solutions for Congested Corridors Program, the Trade Corridor Enhancement Program, and the program within the Road Maintenance and Rehabilitation Program commonly known as the Local Partnership Program. This bill would require the agencies that administer those programs to revise the guidelines or plans applicable to those programs to ensure that projects included in the applicable program align with the California Transportation Plan, the Climate Action Plan for Transportation Infrastructure adopted by the Transportation Agency, and specified greenhouse gas emissions reduction standards. This bill contains other related provisions and other existing laws.</p>	Assembly Appropriations	Watch

	Amended: 3/21/2022		Item #6.l. 6/2/2022 Watch
<u>AB 2441</u> (<u>Kalra</u> D) Public Employment – Local Public Transit Agencies: New Technologies	<p>Existing law creates various transit districts and prescribes requirements applicable to their labor relations, including those that address the recognition and certification of exclusive employee representatives, unit determinations, and procedures for meeting and conferring on matter subject to collective bargaining. This bill would prescribe requirements for public transit employers in connection with the introduction of new technologies for public transit services that introduce new products, services, or type of operation, as specified, or that eliminate jobs or job functions of the workforce to which they apply. The bill would require a public transit employer to provide notice, as specified, to the applicable exclusive employee representative of its intention to begin any procurement process or a plan to acquire or deploy to new technologies for public transit services, as described above, not less than 12 months before commencing the process, plan, or deployment. The bill would also prescribe subjects in this regard that would be mandatory subjects of collective bargaining, including creating plans to train and prepare the affected workforce to fill new positions created by a new service or product.</p> <p>Introduced: 2/17/2022</p>	Senate L., P.E. & R.	
<u>AB 2449</u> (<u>Rubio</u> D) Open Meetings – Local Agencies: Teleconferences	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to observe and provide comment. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. This bill would authorize a local agency to use teleconferencing without complying with those specified teleconferencing requirements if at least a quorum of the members of the legislative body participates in person from a singular location clearly identified on the agenda that is open to the public and situated within the local agency's jurisdiction. The bill would impose prescribed requirements for this exception relating to notice, agendas, the means and manner of access, and procedures for disruptions. The bill would require the legislative body to implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with federal law. This bill contains other related provisions and other</p>	Assembly Third Reading	Watch

	existing laws. Introduced: 2/17/2022		Item #6.l. 6/2/2022
<u>ACA 1</u> <u>(Aguiar-Curry D)</u> Local Government Financing Affordable Housing & Public Infrastructure: Voter Approval	(1)The California Constitution prohibits the ad valorem tax rate on real property from exceeding 1% of the full cash value of the property, subject to certain exceptions.This measure would create an additional exception to the 1% limit that would authorize a city, county, city and county, or special district to levy an ad valorem tax to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, or the acquisition or lease of real property for those purposes, if the proposition proposing that tax is approved by 55% of the voters of the city, county, or city and county, as applicable, and the proposition includes specified accountability requirements. The measure would specify that these provisions apply to any city, county, city and county, or special district measure imposing an ad valorem tax to pay the interest and redemption charges on bonded indebtedness for these purposes that is submitted at the same election as this measure. This bill contains other related provisions and other existing laws. Introduced: 12/7/2020	Assembly Local Government	Supported 2021
<u>SB 1121</u> <u>(Gonzalez D)</u> State & Local Transportation System: Needs Assessment	Existing law requires the California Transportation Commission to adopt and submit to the Legislature an annual report summarizing its prior-year decisions in allocating transportation capital outlay appropriations, and identifying timely and relevant transportation issues facing the state. Existing law authorizes the report to also include a discussion of any significant upcoming transportation issues anticipated to be of concern to the public and the Legislature and requires the report to include specific, action-oriented, and pragmatic recommendations for legislation to improve the transportation system. This bill would require the commission to prepare a needs assessment of the cost to operate, maintain, and provide for the necessary future growth of the state and local transportation system for the next 10 years, as provided. As part of the needs assessment, the bill would require the commission to forecast the expected revenue, including federal, state, and local revenues, to pay for the cost identified in the needs assessment, any shortfall in revenue to cover the cost, and recommendations on how any shortfall should be addressed. The bill would require the commission to submit the needs assessment to the Legislature on or before January 1, 2024, and biennially thereafter. Amended: 4/6/2022	Senate Appropriations Suspense File	Watch
<u>SB 1161</u> <u>(Min D)</u> Transit operators:	Existing law creates various transit districts throughout the state, with specified powers and duties relative to providing public transit service. Existing law provides various provisions applicable to all public transit and transit districts. This bill would require the University of	Senate Appropriations	Watch

street harassment plans.	<p>California Institute of Transportation Studies to, on or before June 30, 2023, develop and make available to transit operators, as defined, a survey for the purpose of promoting consistency in the collection of specified survey data. The bill would require transit operators to, on or before June 30, 2025, develop and implement a plan to reduce the street harassment experienced by its riders, as specified, and to consider the safety concerns and needs of riders impacted by street harassment when planning, designing, and operating their systems. The bill would require transit operators to, on or before June 30, 2024, collect survey data for the purpose of informing the plan. The bill would require the plan to be developed in consultation with certain riders, and would require those transit operators to conduct outreach in multiple languages in order to reach limited-English-proficient persons impacted by street harassment, as specified. The bill would authorize these plans to include changes to policies, design, operations, or other aspects of transit systems, as specified. The bill would require the Transportation Agency to, on or before January 1, 2027, produce and submit a report containing certain information related to the implementation of these provisions to the Legislature and the Governor. To the extent the bill imposes additional duties on a local agency, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p> <p>Amended: 5/2/2022</p>		Item #6.l. 6/2/2022
<p>SB 1410 (Caballero D)</p> <p>California Environmental Quality Act: transportation impacts.</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 the lead agency 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 establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA. CEQA requires the Office of Planning and Research to prepare and develop proposed guidelines for the implementation of CEQA by public agencies and requires the Secretary of the Natural Resources Agency to certify and adopt those guidelines. CEQA requires the office to prepare, develop, and transmit to the secretary for certification and adoption proposed revisions to the guidelines establishing criteria for determining the significance of transportation impacts of projects within transit priority areas, as defined, that promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses. Existing law requires the office to recommend potential metrics to measure transportation impacts, as specified. CEQA authorizes the office to adopt guidelines establishing alternative metrics to the metrics used for traffic levels of service for transportation impacts outside transit</p>	Senate Appropriations	Watch

	<p>priority areas. This bill would require the office, by January 1, 2025, to conduct and submit to the Legislature a study on the impacts and implementation of the guidelines described above relating to transportation impacts. The bill would require the office, upon appropriation, to establish a grant program to provide financial assistance to local jurisdictions for implementing those guidelines. This bill contains other existing laws.</p> <p>Amended: 5/2/2022</p>		<p>Item #6.l. 6/2/2022</p>
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Caltrain Federal Report As of May 18, 2022

Office of Management and Budget Releases "Buy America" Guidance for Bipartisan Infrastructure Law

- On April 18, Office of Management and Budget (OMB) Director Shalanda Young issued a [memorandum](#) on Buy America provisions in the Infrastructure Investment and Jobs Act (IIJA). The guidance outlines the requirements for the procurement of materials used for infrastructure projects authorized under the new law. Under the act, eligible projects must utilize domestic sources for specific materials.
- The Buy America preference refers only to the materials used to build infrastructure projects, not tools, equipment, and supplies. Eligible goods covered under Buy America provisions are iron, steel, manufactured products, and construction materials.
- The head of a federal agency may choose to waive the Buy America requirement if applicants demonstrate that products cannot be sourced domestically. Specifically, applicants may present up to three waivers:
 - Public Interest Waiver - Sourcing domestic goods would be inconsistent with the public interest.
 - Non Availability Waiver - No domestic supply for materials needed to complete a project.
 - Unreasonable Cost Waiver - The use of steel, iron, and other manufactured goods will raise the project's cost by more than 25 percent.

Federal Judge Overturns Travel Mask Mandate

- On April 18, U.S. District Judge Kathryn Kimball Mizelle vacated the nationwide mask mandate for planes and trains. In her ruling, she ordered the CDC to remove the policy, allowing airlines and train operators to set their masking policies.
- Once the ruling was issued, all major airlines announced that they would no longer mandate the use of masks for domestic flights. In addition, Amtrak will not require passengers or employees to wear facial coverings but will continue to encourage their use.
- The Biden Administration announced that it would appeal Judge Mizelle's ruling, as they believe the CDC has the legal authority to issue the travel mask mandate. The CDC had previously extended the mask mandate until May 3, as it collected data from new variants.

Council on Environmental Quality Issues New NEPA Requirements

- On April 19, the White House Council on Environmental Quality (CEQ) announced the finalization of new National Environmental Policy Act (NEPA) regulations. The first tranche of regulations will be the first in several revisions to Trump-era CEQ orders, with additional guidance expected soon.
- NEPA applies to various issues, including approving projects with environmental impacts. Most notably, NEPA requires the completion of environmental impact reports for federal projects.
- The "Phase 1" regulations give agencies new authority over infrastructure projects. The regulations include three distinct segments:
 - Federal agencies must evaluate all relevant environmental impacts of the decisions they make. This includes considering direct, indirect, and cumulative effects on the environment.
 - Full authority is given to federal agencies to collaborate with communities on projects that minimize environmental and public health impacts. This rule would allow agencies to determine the "purpose and need" of a proposed project and any suitable alternatives. The previous rule prevented agencies from investigating alternative approaches to a project objective.
 - CEQ's regulations will be treated as a baseline for environmental review standards. This allows federal agencies to customize their procedures to accurately address the needs of their workers, the public, and stakeholders.

DHS Preparedness Announcement Includes Transit Security Funds

On May 13, Secretary of Homeland Security Alejandro Mayorkas announced \$1.6 billion for eight FY 2022 preparedness grant programs. These programs provide funding to help state and local officials prepare for, prevent, protect against, and respond to acts of terrorism and other hazards. The public safety programs are outlined in the public safety section below.

--Transit Security Grant Program: Competitive grant, exact awards to be announced later this year; \$93 million to owners and operators of public transit systems to protect critical surface transportation and the traveling public from acts of terrorism and to increase the resilience of transit infrastructure.

FTA Publishes Apportionments

- On April 28, the Federal Transit Administration (FTA) published their Apportionments notice in the [Federal Register](#) for Fiscal Year 2022. California's apportionment is \$1,968,211,766.
- These announcements detail changes that have been made to FTA programs that have been required or allowed by law such as the Bipartisan Infrastructure Law. They also specify how the FTA plans to administer these programs in FY 2022, as well as guidance on the administration of Community Project Funding.

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202-955-3000 | F 202-955-5564
Holland & Knight LLP | www.hklaw.com

Round-Up of Open Grant Opportunities

- [INFRA Grants](#): \$1.5 billion available. All applications due by May 23, 2022.
- [Rural Grants](#): \$300 million available. All applications due by May 23, 2022.
- [Mega Grants](#): \$1 billion available. All applications due by May 23, 2022.
- [Safe Streets for All](#): \$1 billion available. All applications due by September 15, 2022.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Work Program – Legislative – Planning Committee

Through: Michelle Bouchard, Acting Executive Director

From: Brian W. Fitzpatrick, Director
Real Estate & Development

Nadine Fogarty
Deputy Director, TOD & Real Estate Planning

Subject: **Declare Cahill Extension Property as Exempt Surplus Land and Approve Rail Corridor Use Policy Variance**



Finance Committee
Recommendation



Work Program-
Legislative-Planning
Committee
Recommendation



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB):

- 1) Approve a Rail Corridor Use Policy (RCUP) variance for use of property for a City of San Jose roadway extension.
- 2) Declare the property “exempt surplus land” for the purposes of the Surplus Land Act.

Significance

The JPB has been approached by the City of San Jose about its interest in acquiring a small strip (less than 5,000 square feet) of JPB-owned property (“Property”) for the purpose of a roadway extension. The proposed roadway extension is required to implement access and circulation improvements identified as part of the City of San Jose’s Diridon Station Area Plan (DSAP), adopted in May 2021. It will also facilitate development of Downtown West, a major mixed-use development project planned by the City of San Jose (City) and Google near the Diridon Station. Under the proposed transaction, the Property would be transferred directly from JPB to the City of San Jose, and the roadway would be constructed by Google and dedicated to the City of San Jose.

JPB’s RCUP, adopted by the Board in February 2020, governs use of JPB-owned property for non-railroad purposes. Under the policy, sale of property for a roadway does not qualify as a “compatible use” in this (or any) location along the Caltrain corridor, and thus requires Board approval of a RCUP Use Variance to proceed.

In addition, the Surplus Land Act of California governs the disposal of surplus land by local agencies, including the JPB (Gov. Code § 54220 *et seq*). Transfer of property from one agency to another for the agency's use is considered "exempt surplus land" under Surplus Land Act requirements. The Board is required to send a notice of exemption determination for any land that has been declared "exempt surplus land" to the California Department of Housing and Community Development (HCD) at least 30 days prior to disposition of the property. Staff have confirmed with HCD that the Property qualifies as "exempt surplus land" because the JPB proposes to transfer the property to another local, state, or federal agency for that agency's use (§ 54221(f)(1)(D)).

Budget Impact

No budget impact. If the Board subsequently authorizes sale of the property to the City, it will be sold at fair market value.

Background

As described above, the City would like to purchase a small strip of JPB-owned property for the purpose of a roadway extension of Cahill Drive (see Exhibit A). The Property is needed to extend Cahill Drive from its current terminus at West San Fernando Street to Park Avenue. The 4,612 square foot parcel is located at the edge of a parking lot for customers at the Diridon Caltrain Station and will impact 13 parking spaces.

The proposed roadway extension is required to facilitate development of Downtown West, a major mixed-use development project planned by the City and Google as part of the DSAP. DSAP envisions a multi-modal public circulation network throughout the area and enhanced connections to surrounding neighborhoods. The extension will provide improved access to Diridon Station and new development proposed as part of Google's Downtown West.

Under the proposed transaction, the property would be transferred directly from JPB to the City of San Jose, and the roadway and utility improvements would be constructed by Google and dedicated to the City of San Jose.

RCUP Use Variance

The RCUP guides use of JPB property in support of Caltrain's Long-Term Service Vision. It provides a policy framework for considering and approving the range of proposed uses of JPB-owned property, to ensure their compatibility with the railroad's current and future needs. The RCUP outlines a process to identify which properties are needed to support operations and future growth of the railroad, and which properties could potentially have other uses located on it, such as potential community or development project uses.

Under the RCUP, the Property is designated Property Use Zone 4 (Special Study Area), which includes property subject to an ongoing planning effort. In addition, it is included within the Service Vision Capital Project Overlay, which is an overlay applied on top of the various Property Use Zones to designate areas that may be needed for potential future capital projects to support achievement of Caltrain's Long-Term Service Vision. In this case, the property is

within the DSAP boundaries, as well as within the area studied as part of the Diridon Integrated Concept Plan.

The RCUP process requires a determination whether a proposed use is “compatible” or “not compatible” with the railroad’s current and future needs. Under the policy, sale of property for a roadway does not qualify as a “compatible use”, and thus requires a RCUP Use Variance to proceed. The Board may approve, approve with conditions, or reject the Use Variance. In this case, staff recommend approval of the Use Variance because it will aid in implementation of the DSAP and enhance access to Diridon Station from surrounding development. Moreover, construction of a roadway is not expected to preclude future implementation of DISC or Caltrain’s Long-Term Service Vision.

Surplus Land Act Exemption

The Surplus Land Act applies to local agencies generally, including joint powers authorities. Pursuant to the Act, local agencies generally must take steps to ensure that park districts, public school districts, or housing developers have the first opportunity to purchase agency-owned land before selling to another buyer. Before the JPB may take any action to dispose of land, consistent with existing policies or procedures for doing so, the Board of Directors must declare the land “surplus land” or “exempt surplus land” and make written findings regarding why the land meets the criteria in the Act.

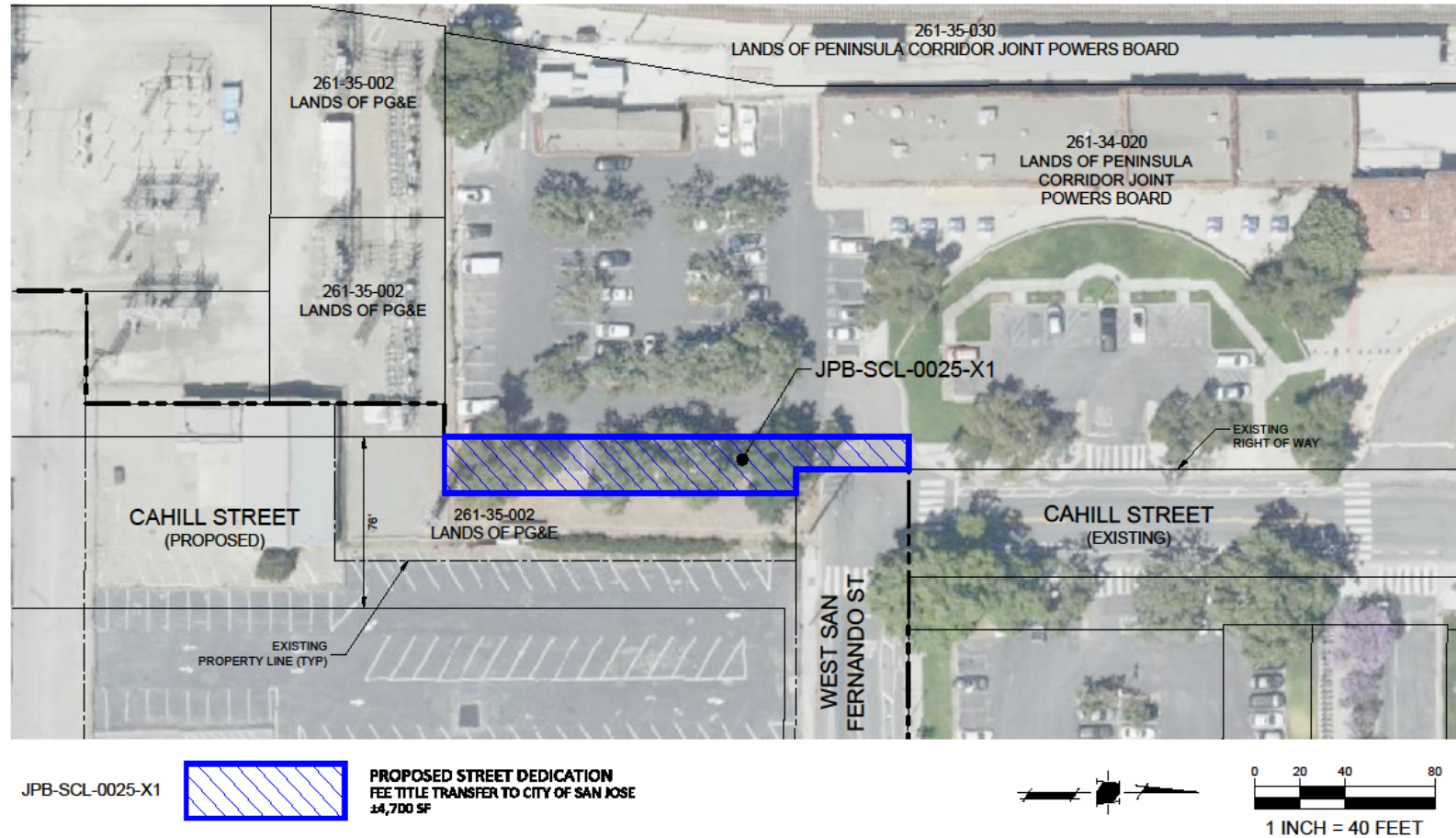
In this instance, the Property meets the criteria in the Act for exempt surplus land because the JPB proposes to transfer the parcel to another local government agency, in this case the City, pursuant to Government Code section 54221(f)(1)(D). HCD has reviewed the draft determination and confirmed that the Property meets the criteria for this exemption if transferred for this purpose.

Next Steps

If the Board approves the RCUP Use Variance and declares the property exempt surplus land, staff will provide the required notice to the HCD and proceed with negotiations with the City of San Jose. The final terms of sale of the Property will be subject to approval by the Board.

Prepared By:	Brian W. Fitzpatrick	Director, Real Estate & Property Development	(650) 508-7781
	Nadine Fogarty	Deputy Director, TOD & Real Estate Planning	(650) 208-6574

Exhibit A



Downtown West
APN 261-34-020

PLOTTED: 5/3/2022 11:18 AM S:\PROJECTS\571900\PL\EXHIBITS\20220502 571900 CAHILL CALTRAIN.DWG

CAHILL EXTENSION

HMH#5719.00 | Drawn: DM | Review: TG | Scale: 1" = 40' | Date: 05.02.22

HMH
1570 Oakland Road
San Jose, CA 95131
(408) 487-2200
HMHca.com

Resolution No. 2022-

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

* * *

**Authorize Approval of a Use Variance for Property Needed for the Cahill Street Extension in
San Jose**

Whereas, the Peninsula Corridor Joint Powers Board (“JPB”) owns property currently used as a parking lot adjacent to the Diridon Caltrain Station; and

Whereas, the City of San Jose (“City”) and Google are planning to develop Downtown West, a major mixed-use development project adjacent to the Diridon Station and consistent with the Diridon Station Area Plan (“DSAP”) adopted by the City; and

Whereas, the City has requested that Google construct a roadway extension to Cahill Drive which will require a small strip of JPB property (“Property,” as shown on Exhibit A); and

Whereas, the proposed roadway extension will facilitate improved circulation and access to Diridon station as envisioned in the DSAP; and

Whereas, the proposed property transfer was reviewed for compatibility with the Caltrain Rail Corridor Use Policy (“RCUP”) and found to be initially “incompatible” with the RCUP thus requiring additional detailed review through the RCUP’s Use Variance process; and

Whereas, the RCUP’s Use Variance review process determined that sale of the Property is compatible with current and future rail needs, including Caltrain’s Long-Term Service Vision; and

Whereas, Staff recommend approval of the Use Variance because it will aid in implementation of the DSAP and enhance access to Diridon Station from surrounding

development, and moreover, construction of a roadway is not expected to preclude future implementation of the Diridon Integrated Station Concept or Caltrain's Long-Term Service Vision;

Now, Therefore, Be It Resolved that the Peninsula Corridor Joint Powers Board hereby approves a Use Variance that will allow sale of the Property to the City of San Jose for use as a roadway extension.

Regularly passed and adopted this 2nd day of June, 2022 by the following vote:

Ayes:

Noes:

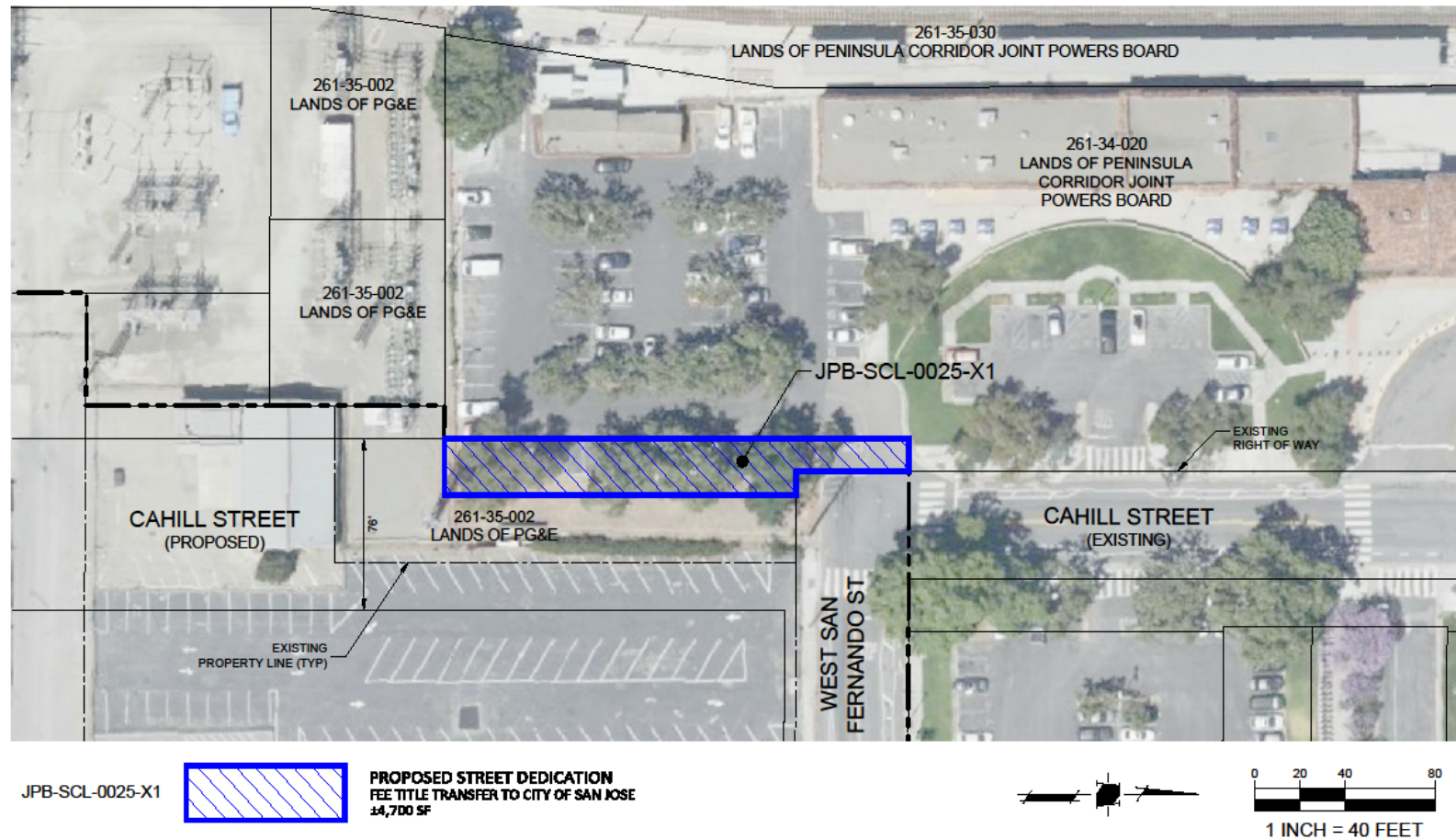
Absent:

Attest:

Chair, Peninsula Corridor Joint Powers Board

JPB Secretary

Exhibit A



Downtown West
APN 261-34-020

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CAHILL EXTENSION

HMH#5719.00 | Drawn: DM | Review: TG | Scale: 1" = 40' | Date: 05.02.22

HMH
1570 Oakland Road
San Jose, CA 95131
(408) 487-2200
HMH.ca.com

Resolution No. 2022-

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

* * *

**Declaring Certain Real Property Located at Diridon Station Exempt Surplus
Land Pursuant To The Surplus Land Act**

Whereas, the Peninsula Corridor Joint Powers Board (“JPB”) owns property currently used as a parking lot adjacent to the Diridon Caltrain Station; and

Whereas, the City of San Jose (“City”) and Google are planning to develop Downtown West, a major mixed-use development project adjacent to the Diridon Station consistent with the Diridon Station Area Plan (“DSAP”) adopted by the City; and

Whereas, the City has requested that Google construct a roadway extension to Cahill Drive which will require a small strip of JPB property (“Property,” as shown on Exhibit A),

Whereas, the Property will be transferred directly to the City; and

Whereas, JPB has determined via the Rail Corridor Use Policy (RCUP) process that the Property is not needed for railroad use and has agreed to allow a use variance allowing for sale of the property for use as a roadway extension (Resolution No. 2022-XX); and

Whereas, pursuant to the Surplus Land Act (Government Code Section 54220, et. seq.) “surplus land” is land owned in fee simple by any local agency for which the local agency’s governing body takes formal action in a regular public meeting declaring that the land is surplus and is not necessary for the agency’s use; and

Whereas, pursuant to the Surplus Land Act, land shall be declared either “surplus land” or “exempt surplus land,” as supported by written findings, before a local agency may take any action to dispose of it consistent with an agency’s policies and procedures; and

Whereas, pursuant to the Surplus Land Act, Government Code Section 54221(f)(1)(D), “exempt surplus land” includes surplus land that a local agency is transferring to another local, state, or federal agency for the agency’s use, or to a federally recognized California Indian tribe.”

Now, Therefore, Be It Resolved that the JPB hereby finds that the JPB-owned Property is exempt surplus land pursuant to Government Code Section 54221(f)(1)(D) because it is not needed for railroad use and will be transferred to the City for use as a roadway extension.

Be It Further Resolved that the JPB directs the Acting Executive Director or designee to transmit a copy of this Resolution to the California Department of Housing and Community Development no later than thirty (30) days prior to the disposition of the property and take any other actions as necessary to give effect to this resolution.

Regularly passed and adopted this 2nd day of June, 2022 by the following vote:

Ayes:

Noes:

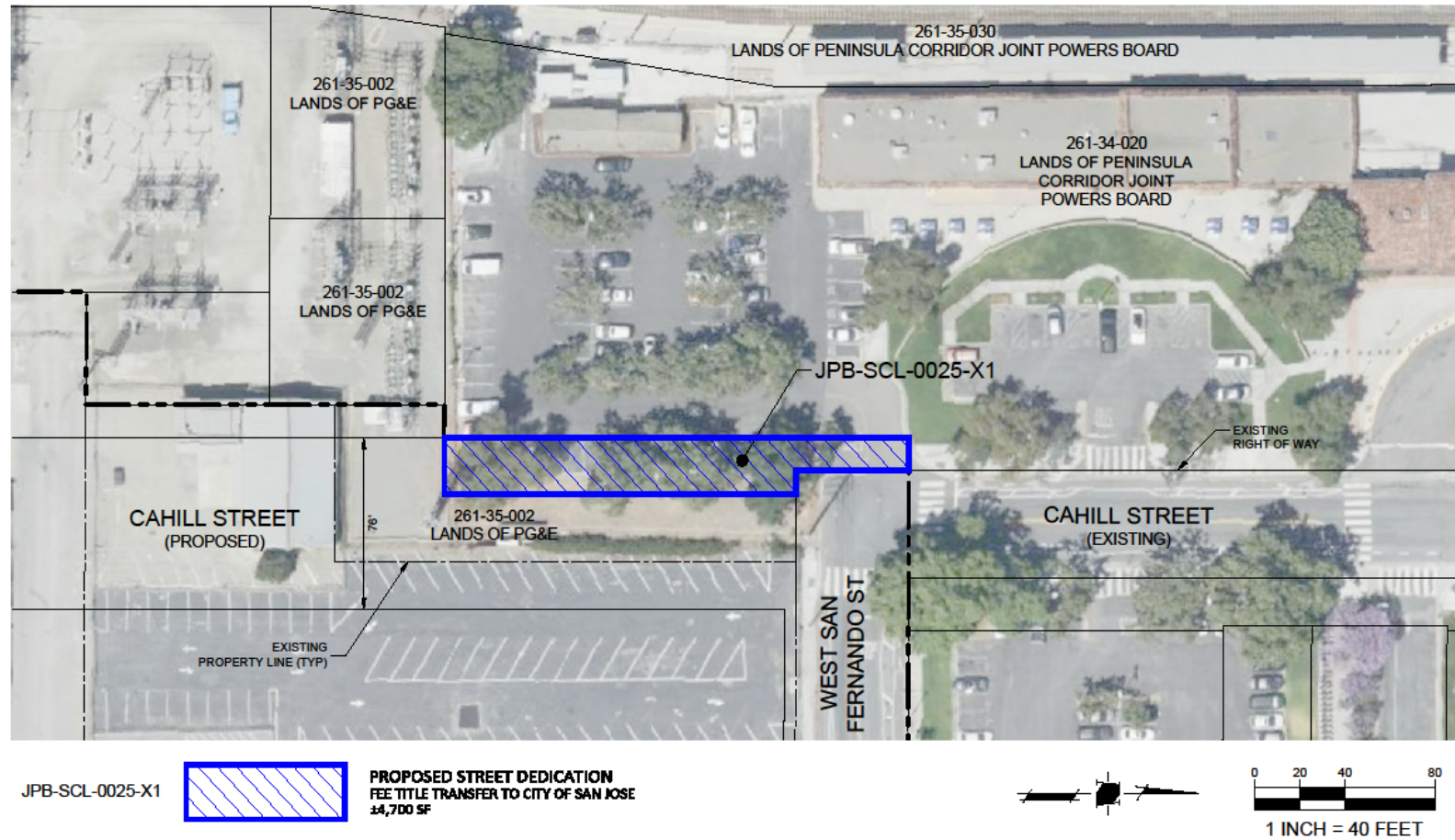
Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

Exhibit A



Downtown West
APN 261-34-020

CAHILL EXTENSION

HMH#5719.00 | Drawn: DM | Review: TG | Scale: 1" = 40' | Date: 05.02.22

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1570 Oakland Road
San Jose, CA 95131
(408) 487-2200
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**Peninsula Corridor Joint Powers Board
Staff Report**

To: Work – Program – Legislative – Planning Committee

Through: Michelle Bouchard
Acting Executive Director

From: Robert Barnard, Deputy Chief
Rail Development

Subject: **Capital Projects Quarterly Status Report – 3rd Quarter Fiscal Year 2022**



Finance Committee
Recommendation



Work Program-
Legislative-Planning
Committee
Recommendation



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff Coordinating Council recommends the Board receives the Capital Projects Quarterly Status Report. The report is in the following link:

<https://www.caltrain.com/about-caltrain/statistics-reports/quarterly-capital-program-status-report>

Significance

The Capital Projects Quarterly Status Report is submitted to keep the Board advised as to the scope, budget and progress of current ongoing capital projects.

Budget Impact

There is no impact on the budget.

Background

Staff prepares the Capital Projects Quarterly Status Report for the Board on a quarterly basis. The report is a summary of the scope, budget and progress of capital projects. It is being presented to the Board for informational purposes and is intended to better inform the Board of the capital project status.

Prepared By: Robert Cheung Deputy Director, Project Controls (650) 730-0296

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: Grace Martinez
Acting Chief Financial Officer

Subject: **Update on Regional Fare Coordination and Integration Study**



Finance Committee
Recommendation



Work Program-
Legislative-Planning



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

This report is for information only. No Board action is required at this time.

Significance

The Regional Fare Coordination and Integration Study (FCIS) was launched by the Bay Area's transit operators and the Metropolitan Transportation Commission (MTC) in 2020, with oversight from the Bay Area Fare Integration Task Force (FITF), to identify changes to the Bay Area's transit fare policies as a way to improve the passenger experience and grow transit ridership. In November 2021, the FITF adopted a Policy Vision Statement for fare integration that stems from the recommendations of the FCIS and serves as a policy roadmap to improved fare integration in the Bay Area. The first action in the statement is the deployment of an all-transit agency institutional/employer pass demonstration pilot in 2022 with a focus on educational institutions, affordable housing properties, and employers of various sizes, pending available resources.

Each of the Bay Area's public transit agencies are being asked to confirm their intent to participate in the pilot by June 30, 2022. Staff plans to confirm the JPB's intent to participate in the pilot, pending Board ratification at the July meeting. Based on Board input, staff will return to the Board at the July meeting to request approval to modify the Fare Structure so that this new institutional pass fare product is accepted as valid fare media on the Caltrain system during the pilot period, which is slated to begin in August 2022 and last at least 12 months. Caltrain currently has funding for the pilot to last 12-24 months, and Staff recommends that the pilot continue for the period approved by the FTA as long as funds are available. Due to the scale and significance of this pilot, the project team is actively seeking a waiver from the Federal Transit Administration (FTA) to allow this fare pilot to last more than 6-months. If the pilot is

considered successful, the Board will need to approve a Title VI analysis, based on data from the pilot before approving a permanent successor program.

Budget Impact

There is no budget impact associated with receiving this report. Caltrain's revenue statistics associated with the pilot program are presented in the Background section of this staff report.

Background

The Clipper Executive Board established a Fare Integration Task Force (FITF) to oversee and manage all aspects of the Fare Coordination and Integration Study (FCIS). After an 18-month effort, the recommendations from the FCIS were finalized and compiled in a report, which was adopted in the form of a policy vision statement by the FITF in fall 2021. The first action identified in the policy vision statement is to advance the development of a pilot, all-agency, institutional pass.

The objective of the pilot is to evaluate the degree to which an institutional transit pass covering the fare of all operators may increase transit ridership and better meet the needs of users and institutions, as compared to their current passes. The pilot is therefore focused on institutions already participating in a transit pass program and is designed to evaluate the benefits of expanding access to all agencies and to collect data that could be used as the basis of a revenue model for a potential permanent program.

The pilot is proposed to be structured in two phases:

- Pilot Phase 1 (Target of 8/2022): Public educational institutions and affordable housing properties, including San Francisco State University, San Jose State University, UC Berkeley, Santa Rosa JC, and MidPen Housing (three San Mateo properties)
- Pilot Phase 2 (2023): Employers in transit-rich locations such as downtown San Francisco, Oakland, and San Jose

During phase 1 of the pilot, up to 50,000 all-agency passes would be layered on top of each participating institution's existing transit pass at no additional cost to the institution. The existing business relationship between each participating institution and the current transit agencies they hold passes for will remain unchanged. None of the proposed Pilot Phase 1 institutions are current Caltrain GoPass customers (Caltrain's institutional pass product) but several are located within the broader Caltrain service area.

The MTC has identified up to \$85M of regional funds for Transit Transformation Action Plan near-term priorities, including \$28M for fare integration activities. Of this amount, approximately \$6M is targeted toward this institutional/employer pilot project. This funding will be used to backfill any foregone revenue associated with newly generated trips taken on transit as a result of this pilot. Based on 2019 Clipper data from users of existing institutional

fare projects at partner institutions, potential foregone revenue associated with the pilot is \$1.9M per year or \$3.8M over 2 years across all Bay Area transit agencies. To offset these potential impacts, \$4.5M is budgeted to make all transit operators whole for any adverse revenue impacts associated with phase 1. These funds would be distributed in two steps:

- MTC will distribute \$2.2M of funding among operators up-front based on their share of regional fare revenue in FY 2018-19 (minimum of \$5,000 to each transit operator)
- MTC will hold an additional \$2.2M in reserve as a “top up” to distribute in year 2 of the pilot based on actual year 1 results and estimated year 2 results

Caltrain is expected to receive \$230,000 in the first distribution of funds.

MTC will serve as lead agency for the Title VI process for the pilot program. The pilot project will operate as a “pilot” under Title VI, which requires that the Board of Directors approve Title VI analyses before any permanent successor program is launched. As noted earlier in the staff report, MTC and BART are working with FTA now to request permission for an initial pilot period lasting a minimum of 12 months for all participating agencies. Data from the pilot will inform Title VI analysis of any extension beyond 12 months and/or permanent program.

Prepared by:

Bruce Thompson	Manager, Fare Program Operations	650-551-6106
Sebastian Petty	Director of Special Projects	650-790 8858

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

Through: Michelle Bouchard
Acting Executive Director

From: Casey Fromson
Chief Communications Officer

Subject: **Metropolitan Transportation Commission (MTC)/Regional Update**

☐ Finance Committee
Recommendation

☐ Work Program-
Legislative-Planning
Committee
Recommendation

☐ Staff Coordinating
Council Reviewed

☐ Staff Coordinating Council
Recommendation

Action

None

Significance

The Metropolitan Transportation Commission (MTC) provides planning, funding, coordination, and technical assistance to cities, counties, transit agencies, and other partners to bring the region together. The California Legislature created the MTC in 1970 to plan and provide a cohesive vision for the Bay Area's transportation system. The Commission's scope over the years has expanded to address other regional issues, including housing and development.

MTC is actively considering several key policy and funding decisions that affect Caltrain, and staff wants to ensure the Board is apprised of these decisions as well as other regional efforts.

Budget Impact

No budget impact.

Background

Key Regional Items this Month:

Network Manager Business Case

The Advisory Committee for the MTC-led Network Manager Business Case met publicly on May 2, with Caltrain Acting Executive Director Michelle Bouchard participating along with other committee members.

May's meeting included two presentations from the study team. The first included a high-level summary of "existing conditions" within the region's transit system, including an overview of the Bay Area's complex institutional environment, regional ridership and travel patterns, and diverse funding streams. A full existing conditions report is anticipated to be forthcoming.

The second presentation focused on "Network Management Functional Areas and Key Accountabilities" exploring the potential scope of a network management entity and the extent to which specific transit accountabilities and authorities it might take on ranging across various aspects of planning, operations and capital delivery. This presentation generated a robust discussion with committee members articulating a variety of perspectives regarding the potential importance of various elements.

In addition to May's Advisory Committee meeting, staff has continued to engage directly with MTC and their consultant team as study work products advance. Specifically, staff has supported several in depth conversations with the study team related to the details of the operator-developed network manager proposal as well as discussions of general design principles for a network manager and evaluation criteria to be used in the business case process.

The next Advisory Committee meeting will occur on June 6 and staff will provide a written summary of materials and discussion in next month's report. Staff will continue to provide written updates on study progress and will return to the WPLP with a standalone item (similar to the one presented in February) at such time as the study reaches a major milestone or is otherwise ready for Board input.

Major Project Advancement Policy

Following an initial, high-level discussion at MTC's April Programming and Allocations Committee, MTC has provided additional detail and information regarding the Major Project Advancements Policy (MAP) in advance of the Commission's two-day workshop in late May focused on mega-projects. The MAP will be a regional policy to support implementation of Plan Bay Area 2050, aimed at delivering the next round of major transportation projects, building off the Bay Area's previous Regional Transit Expansion Program, MTC Resolution No. 3434. For large, regionally significant projects in Plan Bay Area 2050, the MAP will seek to achieve regional coordination on federal, state, and regional discretionary funding requests and develop MTC's role in risk management and ensuring consistency with regional policies.

Over the course of spring 2022, MTC has collected and updated information on transit projects that would be covered by the MAP – specifically projects that are included as named or programmatically eligible projects in the first half of Plan Bay Area (those projects that intend to be in construction prior to 2035). For Caltrain these eligible projects include the Electrification Project and DTX, as well as programmatic inclusion of grade separations and rail car replacements.

Projects designated in the second half of Plan Bay Area (including the reconstruction of the Diridon station) are not the current focus of the MAP effort. Initial analysis of projects by MTC

staff suggests that many funding categories may be oversubscribed- in part due to the inclusion of a large number of programmatically eligible transit projects such as grade separations and electrification of vehicle fleets.

MTC staff has begun developing an evaluation of the projects to inform sequencing of projects for oversubscribed funding programs. The evaluation will consist of scoring across several criteria, including metrics consistent with the five focus areas of Plan Bay Area 2050, which aim to make the Bay Area more affordable, connected, diverse, healthy and vibrant. The proposed evaluation criteria include funding, schedule, project dependency/connectivity metrics as well as PBA 2050 metrics (Benefit-Cost, Equity Score, and Guiding Principles Assessment). MTC intends to advance the MAP toward Commission action in late summer or early fall and the Policy will be a significant focus of the Commission's May workshop focused on mega projects.

Prepared By: Jadie Wasilco Caltrain Government & Community 650.465.6301
 Affairs Manager

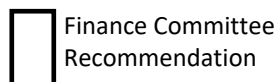
**Peninsula Corridor Joint Powers Board
Staff Report**

To: Joint Powers Board

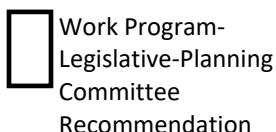
Through: Michelle Bouchard
Acting Executive Director

From: Robert Sebez
Acting Director, System Safety

Subject: **COVID-19 Policy Status Update**



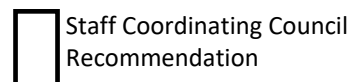
Finance Committee
Recommendation



Work Program-
Legislative-Planning
Committee
Recommendation



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

Action

Staff recommends that the Board of Directors (Board) receive this informational update regarding the Peninsula Corridor Joint Powers Board's (JPB) COVID-19 policy for contractors.

Significance

Current Policy

On March 7, 2022, staff issued an administrative policy requiring all contractors to verify that employees who work onsite at Caltrain facilities, including stations and trains, have either received a COVID-19 vaccination or submit to weekly testing to reduce transmission in the workplace and protect riders' safety. This policy does not apply to the employees of contractors who work primarily outdoors, although Transit America Services, Inc. (TASI) has made the decision to exceed testing requirements by including employees that primarily work outdoors.

The JPB has been working closely with leadership to ensure a successful implementation of the testing program and to further encourage employees to get vaccinated and boosted. Staff has been successful thus far implementing the new policy without reducing service. As of May 22nd, 2022, 75 percent of TASI employees working onsite for JPB are fully vaccinated; weekly COVID-19 testing for unvaccinated employees is ongoing.

Local COVID-19 Update

The Bay Area has seen a strong and steady incline of COVID-19 cases due to the highly transmissible Omicron BA 2 subvariant. San Mateo, San Francisco and Santa Clara counties are collectively reporting approximately 2,200 cases per day as of May 23rd. The case rates seen are similar to those of the 2020/2021 winter surge, however due to a number of factors including high vaccination rates, a corresponding increase in hospitalizations has not been observed.

Budget Impact

There is no budget impact associated with receiving this informational update.

Testing and Vaccination Update

As the contract operator has ironed out the logistics of the new testing policy, improvements in vaccination rates have continued. Since last reported, TASI has added 8 employees to the roster, all of whom have been fully-vaccinated. Additionally, two fully-vaccinated employees have left the roster. It should be emphasized that the customer-facing Operations Department has a vaccination rate of eighty-eight percent. The overall vaccination rate has improved by one percent since last reported.

A. Vaccination Rates

Department	Headcount	Unvaccinated Employees	Vaccinated Employees	Vaccination Rate
Finance	8	2	6	75%
Maintenance of Way	130	47	86	66%
Maintenance of Equipment	98	17	81	83%
Operations	186	23	163	88%
Management	82	41	41	50%
Overall	507	130	378	75%

CY-22 Month	Overall Vaccination Rate
January	61%
February	60%
March	69%
April	74%
May	75%

While improvement has slowed in May, vaccination rates continue to increase for the 4th month in a row.

B. Compliance

Department	Employees Unvaccinated	Employees Tested	Compliance Rate
Finance	2	2	100%
Maintenance of Way	47	47	100%
Maintenance of Equipment	16	15	94%
Operations	26	26	100%
Management	41	41	100%
Overall	130	129	99%

A major improvement can be observed with compliance to the testing plan for unvaccinated employees. TASI management has worked hard to enforce compliance with the program as the logistics to distribute the tests have been optimized. Each month all unvaccinated employees are delivered their allotment of self-test kits. Employees that do not produce a negative result at least once every 7 days will not be allowed to report to work. As a result of strict enforcement, compliance is nearly at 100%.

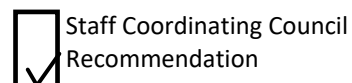
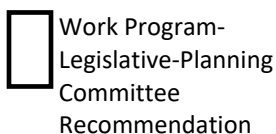
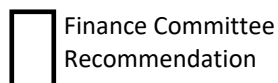
**Peninsula Corridor Joint Powers Board
Staff Report**

To: Work – Program – Legislative – Planning Committee

Through: Michelle Bouchard
Acting Executive Director

From: Grace Martinez
Acting Chief Financial Officer

Subject: **Award of Contract to HNTB Corporation for Mountain View Transit Center Grade Separation and Access Project, and Adoption of a California Environmental Quality Act (CEQA) Determination and Addendum to the Mitigated Negative Declaration**



Action

Staff recommends that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB):

1. Award a contract to HTNB Corporation of Oakland, California (HNTB) to provide (a) final design services (Services) for the Mountain View Transit Center Grade Separation and Access Project (Project) for a not-to-exceed amount of \$9,093,991 over a two-year base term, and (b) performance of Design Support During Utilities Relocation/Right of Way for a not-to-exceed amount of \$496,917 at the negotiated cost plus fixed fee.
2. Authorize the Acting Executive Director or designee to execute a contract with HNTB in full conformity with the terms and conditions set forth in the solicitation documents and negotiated agreement, and in a form approved by legal counsel.
3. Authorize the Acting Executive Director or designee to exercise options for HNTB to perform additional services for a total not-to-exceed amount up to \$3,654,451, as funding becomes available and if deemed in the best interest of the JPB.
4. Adopt the California Environmental Quality Act (CEQA) Determination and Addendum to the Mitigated Negative Declaration for the Project.

Significance

The Project will close the Caltrain grade crossing at Castro Street in Downtown Mountain View to vehicles, re-direct vehicular traffic from Castro Street to Shoreline Boulevard via a ramp from

West Evelyn Avenue, and modify traffic movements at the Central Expressway/Moffett Boulevard intersection. The Project will also provide new access to/from the Mountain View Transit Center and downtown Mountain View via a shared use pathway and vertical circulation for pedestrians and bicycles under the tracks and Central Expressway.

Construction will be confined to the railroad, City of Mountain View, Central Expressway rights-of-way and may require temporary construction easements to enter onto private property as required. Accommodations to maintain Caltrain service and traffic movements, including on Central Expressway, will be provided during staged construction of the Project.

Approval of the above actions will provide the JPB with a qualified firm to complete the final design, including plans, specifications, and estimates, for the Project. In addition, the actions would authorize the Acting Executive Director (or designee) to exercise options for HNTB to perform additional services, as funding becomes available and if deemed in the best interest of the JPB. The initial contract not-to-exceed amount will include funding for Design Support During Utilities Relocation/Right of Way, which was included as an option in the Request for Proposals (RFP). Other optional tasks which the JPB may add to the scope of work via task order are listed below.

Base Contract and Options	Services and Tasks	Not-To-Exceed Amounts
Base Contract	Final Design and Design Support During Utilities Relocation/Right of Way	\$9,590,908
	Base Contract	\$9,590,908
Option	Renderings	\$99,678
Option	Design Support During Procurement	\$250,381
Option	Design Support During Construction	\$2,161,166
Option	Construction Manager General Contractor Approach Design Support	\$1,143,226
	Subtotal Options	\$3,654,451
	Total Contract with Base plus all Options	\$13,245,359

The original project scope included a second Caltrain undercrossing, as well as an installation of a cycle track along West Evelyn Avenue. Those components have been removed from the augmented 35% design by the City of Mountain View and are not included in the HNTB scope of work.

Budget Impact

The Project was approved in Fiscal Year 2022 with a Board authorized amount of \$11.2 million and funding from the Santa Clara Valley Transit Authority (VTA).

Background

On January 11, 2022, the JPB issued an RFP, solicitation number 22-J-P-008, for the Services and advertised it a newspaper of general circulation and on the JPB procurement website. Staff held a pre-proposal video conference and 23 potential proposers attended. Five firms submitted proposals as follows:

1. AECOM Technical Services, Inc., Oakland, CA
2. HNTB Corporation, Oakland, CA
3. Kimley-Horn and Associates, Inc., San Jose, CA
4. Mott MacDonald Group Inc., San Jose, CA
5. PGH Wong Inc., San Francisco, CA

In accordance with federal and state law governing the procurement of architecture and engineering services, proposals were evaluated, scored and ranked solely on qualifications, with price being negotiated only with the highest-ranked firm. A Selection Committee, composed of qualified staff from JPB's Capital Program Delivery and Engineering Departments, with staff from the City of Mountain View serving as advisors, reviewed and scored the proposals in accordance with the following weighted criteria:

Company Qualifications, Experience & References	10 Points
Qualifications and Experience of Key Personnel	25 Points
Understanding the Required Scope of Work	30 Points
Project Management Plan	15 Points
Quality Management Plan	20 Points
Small Business Enterprise (SBE) Preference	5 Points

After the initial scoring of the technical proposals, the Committee determined HNTB to be the highest-ranked firm with the most qualified proposal and approach for the Services. The firm possesses the requisite experience and qualifications as defined in the solicitation documents. HNTB and its key subconsultants have experience with grade separation projects throughout California including: 1) San Bruno Grade Separation and Pedestrian Undercrossing; 2) South San Francisco Station Underpass; and 3) Santa Clara Pedestrian Underpass.

Staff successfully negotiated the prices with HNTB, conducted a cost analysis for the base contract and option services, and determined the prices to be fair, reasonable, and consistent with those paid by other public agencies in the Bay Area for similar services. The Office of Civil Rights assessed SBE preference submissions from all four firms. HNTB committed to utilizing SBEs for 25.98% of the required Services. HNTB received 3 points out of the 5 preference points in accordance with its level of SBE utilization. Staff will provide Project updates to the Board at future meetings and present Project construction contracts for approval following the requisite competitive processes.

To comply with the California Environmental Quality Act (CEQA), the City of Mountain View prepared an Initial Study and Mitigated Negative Declaration (MND) for the Project and filed a Notice of Determination for the Mountain View Transit Center Grade Separation and Access Project with the State Clearinghouse in 2019 (SCH Number 2019109063). Since that time, the City of Mountain View has prepared an augmented 35 percent design.

The JPB, as the lead agency for the final design and construction of the Project and the owner of the right-of-way, analyzed the augmented 35 percent design and made its own determination of environmental impacts. The JPB prepared the CEQA Determination and Addendum to the MND in conformance with CEQA Guidelines Section 15164 to determine whether and to what extent the previous MND remains sufficient to address the potential impacts of the Project. The Addendum addresses only the reduction in project scope from the MND adopted in 2019.

The CEQA Determination and Addendum to the MND demonstrated that there are no substantial changes proposed to the Project or in the circumstances in which the project will be undertaken that require major revisions of the MND. The CEQA Determination and Addendum to the MND concluded that the Project's effects can be mitigated so that that the Project will not have a significant effect on the environment. The CEQA Determination and Addendum to the MND are not required to be circulated for public review.

Prepared By:	Patrick Ng, Procurement Administrator II	650.622.8018
Project Managers:	Alvin Piano, Consultant, Capital Project Delivery	650.508.6447
	Hilda Lafebre, Deputy Director, Capital Projects and Environmental Compliance	650.622.7842

Resolution No. 2022 –

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

* * *

Awarding a Contract to HNTB Corporation for Mountain View Transit Center Grade Separation and Access Project Final Design Services for a Total Not-To-Exceed Amount of \$9,590,908 for a Two Year Term, and Adopting a CEQA Determination and Addendum to the Mitigated Negative Declaration

Whereas, on January 11, 2022, the Peninsula Corridor Joint Powers Board (JPB) issued a Request for Proposals (RFP), solicitation number 22-J-P-008, for Final Design Services for the Mountain View Transit Center Grade Separation and Access Project (Project); and

Whereas, in response to the RFP, the JPB received five proposals; and

Whereas, a Selection Committee (Committee) scored and ranked the proposals according to the qualifications-based evaluation criteria set forth in the RFP; and

Whereas, the Committee completed its evaluation process, and determined that HNTB Corporation of Oakland, California (HNTB) is the highest-ranked proposer and possesses the necessary qualifications and requisite experience to successfully perform the scope of services defined in the solicitation documents; and

Whereas, staff completed cost negotiations with HNTB, conducted a cost analysis for the base contract and optional services, and determined that HNTB has agreed to perform the specified services at fair and reasonable prices; and

Whereas, HNTB has pledged 25.98% Small Business Enterprise (SBE) participation, which has been verified by the Office of Civil Rights; and

Whereas, staff and legal counsel have reviewed HNTB's proposal and have determined that it complies with the requirements of the solicitation documents; and

Whereas, staff recommends that the Board of Directors (Board) award a contract to HNTB for the Project Final Design Services, including exercising the option for Design Support During Utilities Relocation/Right of Way at a total cost not-to-exceed \$9,590,908, and authorize the Acting Executive Director to exercise options for additional services at a total cost not-to-exceed \$3,654,451, if in the best interest of the JPB; and

Whereas, pursuant to the California Environmental Quality Act (CEQA), the City of Mountain View prepared an Initial Study and Mitigated Negative Declaration (MND) for the Project in 2019; and

Whereas, the City of Mountain View filed a Notice of Determination for the Project with the State Clearinghouse on December 17, 2019 (SCH Number 2019109063); and

Whereas, the City of Mountain View has prepared an augmented 35 percent design of the Project; and

Whereas, the JPB, as lead agency for final design and construction of the Project and the owner of the right-of-way, must analyze the augmented 35 percent design and make its own determination of environmental impacts; and

Whereas, a second Caltrain undercrossing and the cycle track along West Evelyn Avenue were analyzed in the MND for the Project but are not included in the augmented 35 percent design; and

Whereas, the JPB prepared a CEQA Determination and Addendum to the MND in conformance with CEQA Guidelines Section 15164 to determine whether and to what extent the MND remains sufficient to address the potential impacts of the Project; and

Whereas, the CEQA Determination and Addendum demonstrated that: (a) there are no substantial changes proposed to the Project or the circumstances in which the Project will be undertaken that require major revisions of the MND due to new or substantially increased significant environmental effects; (b) the proposed revisions do not require preparation of a new subsequent or supplemental MND; (c) the Project is consistent with the MND and would involve only minor changes; and (d) there has been no discovery of new information of substantial importance that would trigger or require major revisions of the MND due to significant environmental effects; and

Whereas, the CEQA Determination and Addendum concluded that the Project's effects can be mitigated to the extent that the Project would not have a significant effect on the environment; and

Whereas, the CEQA Determination and Addendum to the MND are not required to be circulated for public review.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract for the Mountain View Transit Center Grade Separation and Access Project Final Design Services to HNTB Corporation of Oakland, California for a total not-to-exceed amount of \$9,590,908, including exercising the option for Design Support During Utilities Relocation/Right of Way, for a two year term; and

Be It Further Resolved that the Board authorizes the Acting Executive Director or designee to execute a contract with HNTB Corporation in full conformity with the terms and conditions of the RFP and negotiated agreement, and in a form approved by legal counsel; and

Be It Further Resolved that the Board authorizes the Acting Executive Director or designee to exercise options for HNTB to perform additional services for a total not-to-exceed amount up to \$3,654,451, as funding becomes available and if deemed in the best interest of the JPB; and

Be It Further Resolved that the Board:

1. Hereby finds that, in light of the public safety imperative to replace the implement a grade separation of the Caltrain tracks and Castro Street at the intersection of Castro Street / Moffett Boulevard / Central Expressway, it is necessary to proceed with the Mountain View Transit Center Grade Separation and Access Project, with the understanding that the mitigation measures described in the MND will be implemented to avoid any significant effects on the environment; and
2. Hereby finds and declares that, based upon its independent judgment following review of the CEQA Determination and Addendum to the MND and consideration of the record of the Mountain View Transit Center Grade Separation and Access Project as a whole, there is no evidence before the Board that the proposed Mountain View Transit Center Grade Separation and Access Project will have a significant effect upon the environment; and
3. Hereby adopts the CEQA Determination and Addendum to the MND; and

Be It Further Resolved the JPB Secretary is directed to file a Notice of Determination promptly with the County Clerk of Santa Clara County and the State Clearinghouse; and

Be It Further Resolved the record of this action shall be maintained by the JPB Secretary at 1250 San Carlos Avenue in San Carlos, CA.

Regularly passed and adopted this 2nd day of June, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

TO: Joint Powers Board

THROUGH: Michelle Bouchard
Acting Executive Director

FROM: Grace Martinez
Acting Chief Financial Officer

SUBJECT: **Fiscal Year 2023 Proposed Operating and Capital Budgets**



Finance Committee
Recommendation



Work Program-
Legislative-Planning
Committee
Recommendation



Staff Coordinating
Council Reviewed



Staff Coordinating Council
Recommendation

ACTION

Staff proposes Finance Committee recommend the Board of Directors (Board):

1. Adopt the Peninsula Corridor Joint Powers Board's (JPB) Fiscal Year 2023 (FY2023) Operating Budget in the amount of \$179,192,330, a copy of which is attached as Attachment A;
2. Adopt the JPB's FY2023 Capital Budget in the amount of \$90,956,662, a copy of which is attached as Attachment B;
3. Direct the Acting Executive Director, or designee, to forward the budgets to the JPB member agencies and the Metropolitan Transportation Commission (MTC); and
4. Direct the Acting Executive Director, or designee, to take all actions necessary to apply for and receive Senate Bill 1 State of Good Repair, Local Partnership Program funds and other grants included in the proposed FY2023 Capital Budget, and take any other actions necessary to give effect to the above actions.

SIGNIFICANCE

After more than two years, the COVID-19 pandemic and its aftermath continue to have profound consequences for Caltrain. While ridership has steadily recovered through the spring of 2022, overall usage (and fare revenues) are still a fraction of pre-COVID levels. Caltrain was fortunate to receive substantial federal relief funding supporting operations in FY2021 and FY2022, however these funds will no longer be available for FY2023 and the railroad must balance its budget with other sources.

Caltrain (and rail in general) is a capital intensive, high fixed cost business. This means that

rail is very cost efficient at scale- when the high costs of operating and maintaining a corridor can be spread across many trains and riders. Conversely running fewer trains will result in savings but at the expense of disproportionately large impacts to service and revenue. Running fewer trains would also result in service levels dropping substantially at many stations and could deter users from returning to the system at a time when Caltrain is focused on rebuilding ridership and working to encourage the use of its service across many different markets.

At the recent Peninsula Corridor Joint Powers Board workshop held in March, Caltrain staff laid out a post-COVID business strategy focused on:

- Sustaining a competitive and attractive level of weekday service that:
 - Provides good value to existing individual and institutional (Go Pass) customers throughout the corridor
 - Standardizes train times and enhances connections with other operators
 - Continues improved off-peak and weekend services to address equity needs and build markets outside of standard commute hours
- Maintaining a commitment to equity and building ridership by holding fares constant
- Advancing organizational changes including reducing vacancies and completing the governance process
- Completing electrification while strengthening the overall capital program and advancing other projects and initiatives at the corridor and regional scale

Funding this strategy is challenging. While Caltrain is fortunate to have access to Measure RR funds, federal relief funding has been fully utilized in FY2022 and fare revenues are still greatly reduced from pre-COVID levels.

The preliminary FY2023 operating and capital budgets were presented to the Board at its May 2022 meeting. They relied on fully using anticipated Measure RR receipts to fund the operating budget. Also, the preliminary capital budget included a significantly reduced set of projects. Since that meeting and considering Board discussion, staff now presents this final budget based on the following additional steps:

- Reviewed and revised FY2022 operating budget line by line forecasts to determine FY2022 surplus amount to be carried forward
- Scrubbed FY2023 preliminary operating budget for additional savings
- Reviewed available capital funds from all sources for application to the capital budget
- Conducted meetings for a second time with member agencies to discuss and refine capital financial commitments

This final operating and capital budget also relies on the full use of anticipated Measure RR receipts to fund the operating budget and requires Board input on how to source a needed \$28.7 million which represents a reduction from the \$33.7 million in the preliminary capital budget. The subsequent sections highlight changes from the Preliminary to the Proposed budgets currently under consideration.

Changes from the FY2023 Preliminary Operating Budget to the FY2023 Proposed Operating Budget:

FY2022 Surplus increased from \$4.7 million to \$8.3 million resulting from the following changes in forecast:

- Other Income: increased by \$332K coming from Parking Citation, Miscellaneous Operating, and Non-Transit Revenues
- Shuttle Services Expense: reduced by \$90K
- Facilities and Equipment Maintenance: decreased by \$200K driven by Other Contract Services
- Wages and Benefits: reduced by \$1.5 million due to vacancies
- Professional Services: decreased by \$500K driven by Consultants
- Governance: lowered by \$1.0 million based on actuals

FY2023 Revenue increased by \$450K due to an upward adjustment in Other Income specifically coming from Parking Citation, Miscellaneous Operating, and Non-Transit Revenues.

On the expense side, TASI's Federal Employers Liability Act (FELA) Insurance will be combined with JPB's existing liability insurance reducing the Rail Operator Services by \$4.3 million while increasing the Insurance and Claims, Payments, and Reserves by \$3.0 million and \$500K, respectively. Combining the FELA insurance with JPB's existing liability insurance will yield a savings of \$826K.

FTEs equivalent to 0.6 were added for FY2023. This was offset by the additional vacancy savings applied in view of vacancies that may potentially persist in FY2023 and the later hiring dates projected for the Governance positions, resulting in a reduction on the Wages and Benefits by \$112K.

Professional Services increased by \$100K coming from the Environmental Management System Gap Analysis. Governance was reduced by \$350K based on updated projections for FY2023.

FY2023 Proposed Operating Budget Overview:

- The FY2023 Preliminary Operating Budget is one that reflects economic recovery and gradual emergence out of the pandemic.
- The budget reflects the consolidation of shuttle contracts under SamTrans, thereby zeroing out Shuttle Revenues and Expenses.
- There is a \$4.8M State Transit Assistance (STA) carryforward funds that is helping balance the budget.
- Measure RR revenues amount to \$114.3M, accounting for 65% of Total Revenues.

- There are no American Rescue Plan Act (ARPA) Funds for FY2023 as they will be claimed in FY2022.
- Fuel is going to be one of our most volatile expenses based on the current political climate.

Changes from the FY2023 Preliminary Capital Budget to the FY2023 Proposed Capital Budget:

- Advancement of \$3.3 million Local Partnership Program (LPP) Funding for the Guadalupe Bridges Replacement project
- Addition of \$3.2 million in available FY22 Federal Funds that couldn't be leveraged in FY22 capital budget due to lack of member agency capital funding
- Increase in the externally funded South Linden & Scott Grade Separation project in the amount of \$540,000
- Addition of SOGR Locomotive Project in the amount of \$1.5 million

FY2023 Proposed Capital Budget Overview:

The FY2023 Proposed Capital Budget now requires the identification of \$28.7 million in local funding to support the constrained project list and match anticipated federal funding. Staff recommends that this funding be sourced as follows:

- Use of \$21.7 million in projected unaudited unrestricted funds
- An additional \$7.0 million in member funding to the capital budget. This represents an obligation of \$2.3 million from each of the three member agencies.

Overview of available "Reserve" funding:

- *As noted above, Caltrain has funding available in reserve that can be utilized as part of the FY23 budget. This funding is as follows:*
 - *\$20.0 million dollars of remaining in a 'capital reserve' account that was established by the Board in FY22 using Measure RR funding*
 - *\$48.7 million in FY22 projected unaudited unrestricted ending fund balance*
 - *It should be noted that as a matter of best practice, the Agency should maintain a healthy level of unrestricted fund balance in its financial book of records.*
- *The Financial Reserve Policy adopted by the Board in 2017 directs the agency to maintain between 10% and 15% of its annual operating budget in reserves (or approximately \$18 to \$27 million for FY23). Funding this reserve amount out of the projected unrestricted \$48.7 million funds would leave the remaining projected unaudited unrestricted fund balance at \$21.7 million.*

- *Currently Caltrain does not have a formal policy for capital reserve. Staff will come back to the board with a draft to establish a capital reserve policy.*

FY2023 PROPOSED OPERATING BUDGET

Please refer to Attachment A – FY2023 Preliminary JPB Financial Statement- Preliminary Budget for a comparative schedule of the FY2023 Preliminary Operating Budget which shows the FY2021 Actual, FY2022 Forecast and the FY2023 Preliminary Operating Budget. The line numbers for each revenue and expense item detailed below refer to the corresponding line numbers on Attachment A.

Revenue Projections

Total revenues for FY2023 are projected at \$176.6 million, a decrease of \$81.1 million or 31.5% less than the FY2022 Forecast:

- Revenue from Operations for FY2023 is projected at \$51.0 million, an increase of \$12.6 million or 32.7% over the FY2022 Forecast.
- Revenue from Contributions for FY2023 is projected at \$125.6 million, a decrease of \$93.6 million or 42.7% lower than the FY2022 Forecast.

OPERATING REVENUE

Line 1 **Caltrain Fares:** \$30.2 million, an increase of \$12.6 million or 71.3% higher than the FY2022 forecast.

Farebox revenue includes fare receipts collected directly from rail passengers.

				FY2023	\$ Change	% Change
Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Caltrain Fares	6,702,382	25,039,000	17,639,000	30,219,000	12,580,000	71.3%

Caltrain Fares assumes a 36% recovery of Pre-COVID levels. Ridership recovery is assumed to continue to be slow due to remote work and potential COVID variants.

Line 2 **Go Pass:** \$16.3 million, an increase of \$1.3 million or 8.4% higher than the FY2022 forecast.

Caltrain Go Pass program allows companies, educational institutions, and residential complexes (Participants) to purchase annual unlimited ride passes for eligible employees, students, or residents (Users). Go Pass is not available for purchase by individuals and does not cover parking at Caltrain stations or travel on other transit systems. Go Pass has been sold on a calendar year basis.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Go Pass	25,737,533	9,600,000	15,000,000	16,260,000	1,260,000	8.4%

Go Pass reflects current customers signed up for calendar year 2022 amounting to approximately \$15.3 million plus an assumed 6% growth with continued signups and renewals.

Line 3 **Parking Revenue:** \$1.9 million, an increase of \$0.6 million or 47.4% higher than the FY2022 forecast.

Parking revenue includes fees at parking lots located in various passenger stations, with the largest being at the SAP Center adjacent to the San Jose Diridon station.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Parking Revenue	385,304	1,536,000	1,286,000	1,896,000	610,000	47.4%

Parking revenue estimates follow Caltrain Fares revenue trend projections.

Line 4 **Shuttle Revenue:** \$0, a decrease of \$1.3 million or 100% lower than the FY2022 forecast.

Shuttle Program funding comes from participating employers, the San Mateo County Transportation Authority (TA), and Bay Area Air Quality Management District (BAAQMD). This line item refers only to the revenue generated from participating local employers who provide rail passengers the last-mile connections between Caltrain stations and work sites.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Employer Share -						
SamTrans / JPB Shuttle Programs	1,022,510	1,603,900	1,315,667	-	(1,315,667)	-100.0%

For FY2023, shuttle service contracts will be consolidated under San Mateo County Transit District (SamTrans). Therefore, there will be no employer revenue for JPB as it will no longer provide contracted shuttle services.

Line 5 **Rental Income:** \$0.9 million, a decrease of \$0.3 million or 21.6% lower than the FY2022 forecast.

Rental income is derived from contract arrangements and lease negotiations for third-party use of properties owned by the JPB along the Caltrain right of way (ROW).

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Rental Revenue	1,124,691	1,192,466	1,192,466	935,357	(257,109)	-21.6%

Rental revenues are decreasing due to rent relief and cancellations.

Line 6 **Other Income:** \$1.7 million, a decrease of \$0.3 million or 16.2% lower than the FY2022 forecast.

Other Income consists shared track usage maintenance fees, permit fees, advertising income, interest on invested funds, and parking citation fees. Shared Track Maintenance Revenue is generated from the annual contract with Union Pacific Railroad (UPRR). Advertising Income includes income from train wraps, station ad cards, and digital displays. Construction permit fees from 3rd party contractors belong to the Other Non-Transit Revenue.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Parking Citation Program Revenue	138,890	-	247,665	255,100	7,435	0.0%
Misc. Operating Revenue	264,469	156,000	366,867	341,900	(24,967)	100.0%
Shared Track Maintenance Revenue	445,095	409,000	344,163	409,000	64,837	18.8%
Other Non-Transit Revenues	441,398	300,000	691,613	437,400	(254,213)	100.0%
Insurance Reimbursements	-	-	66,595	-	(66,595)	0.0%
Advertising Income	114,225	509,608	246,189	127,919	(118,270)	-48.0%
Other Interest Income	14,844	100,000	29,613	50,000	20,387	68.8%
Interest Income - LAIF	48,458	110,000	3,142	55,000	51,858	1650.4%
Interest Income - County Pool	6,659	-	4,153	-	(4,153)	-100.0%
Other Income	1,474,039	1,584,608	2,000,000	1,676,319	(323,681)	-16.2%

The decrease in Other Income is driven by the reduction in Other Non-Transit Revenues, and Advertising Income. FY2022 forecast for Other Non-Transit Revenues and Advertising Income increased based on actuals while FY2023 budget was retained at modest levels.

CONTRIBUTIONS

Line 10 **AB434 & TA Shuttle Funding:** \$0.04 million, a decrease of \$1.1 million or 96.4% lower than the FY2022 forecast.

Contributions for the service come from state and local sources. In 1991, through Assembly Bill (AB) 434, the State Legislature authorized a \$4.00 surcharge on cars and trucks to fund projects that reduce on-road motor vehicle emissions. AB434 revenues provide partial funding for the JPB shuttle program through a competitive grant process managed by BAAQMD. The TA also funds shuttle services with revenues from the Measure A San Mateo County-wide sales tax.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
AB434 - California Clean Air A	167,083	80,000	80,000	40,000	(40,000)	-50.0%
TA Contr-SM Cnty Caltrain Shut	977,598	1,039,300	1,039,300	-	(1,039,300)	-100.0%
AB434 & TA Shuttle Funding	1,144,681	1,119,300	1,119,300	40,000	(1,079,300)	-96.4%

For FY2023, shuttle service contracts will be consolidated under SamTrans and grant administration will be done by commute.org. This budget reflects the reassignment of grants to commute.org.

Line 11 **Operating Grants:** \$11.3 million, an increase of \$4.8 million or 73% higher than the FY2022 forecast.

State Transit Assistance (STA) revenue generated from the statewide sales tax on diesel fuel is allocated to the region's transit operators by formula. The formula allocates funds based on population, the amount of passenger fares, and local support revenues collected by transit operators. The State sends out projections assuming a growth rate and adjusts these throughout the year.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Operating Grants	13,325,611	6,525,471	6,525,471	11,288,161	4,762,690	73.0%

This budget is based on MTC estimates as of February 2022 which includes a carryforward from prior years in the amount of \$4.8 million.

Line 12 **JPB Member Agencies:** \$0, no change from FY2022 forecast.

JPB has three member agencies: the City and County of San Francisco, the San Mateo County Transit District and the Santa Clara Valley Transportation Authority. Contributions from the member agencies were previously calculated in accordance with an allocation methodology based on the average mid-weekday boarding data including Gilroy.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
JPB Member Agencies	27,940,231	-	-	-	-	0.0%

This budget assumes that there will be no member agency contributions for operations in FY2023. Operating obligations are expected to be met through Measure RR, Farebox Revenue, and Operating Grants.

Line 13 **Measure RR:** \$114.3 million, an increase of \$18.7 million or 19.5% higher than the

FY2022 forecast.

Measure RR is a 1/8 cent sales tax approved in November 2020 that provides Caltrain's first source of dedicated non-fare revenues.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Measure RR	-	86,576,919	95,621,811	114,300,000	18,678,189	19.5%

Measure RR is trending up primarily due to improvements seen in tax-generating groups such as autos/transportation, fuel/service stations, and restaurants/hotels. There is a strong demand for new and used cars despite inventory concerns. Improvements in the fuel service stations and restaurants/hotels are driven by rising prices and pent-up demand for travel.

Line 14 **CARES Act Funding:** No budget for FY2023.

Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding was provided by the federal government to transit agencies to supplement operating funds that were lost due to decreased ridership, tax revenue and other factors. It was also intended to address increased costs associated with pandemic related operations.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
CARES Act	41,509,536	-	-	-	-	0.0%

The CARES Act federal relief fund was fully utilized in FY2021.

Line 15 **CRRSAA Funding:** \$0, no change from FY2022 forecast.

Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA) funding is being provided by the federal government to transit agencies to address the issues identified above.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
CRRSAA	46,692,029	27,115,922	-	-	-	0.0%

A portion of the CRRSAA funding amounting to \$ \$27.1 million was assumed for FY2022. When the CRRSAA funding was received in late FY2021, the entire amount of \$46.7 million was reported as revenue, leaving zero for FY2022. Given this, the updated FY2022 forecast has zeroed out this line item.

Line 16 **ARPA Funding:** \$0, a decrease of \$116.0 million or 100% lower than the FY2022

forecast.

American Rescue Plan Act (ARPA) funding is being provided by the federal government to transit agencies to help resolve recovery.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
ARPA	-	14,849,883	115,995,904	-	(115,995,904)	-100.0%

The total amount of ARPA funds is \$116.0 million, received as two separate awards: \$77.2 million and \$38.8 million. No ARPA funds will be budgeted for FY2023 since the entire amount will be used for FY2022.

Expense Projections

Grand Total Expense for FY2023 projected at \$179.2 million, an increase of \$9.8 million or 5.8% over the FY2022 Forecast:

- Operating Expense for FY2023 projected at \$146.2 million, an increase of \$10.4 million or 7.7% over the FY2022 Forecast.
- Administrative Expense for FY2023 projected at \$30.0 million, an increase of \$5.2 million or 21.0% over the FY2022 Forecast.
- Long-term Debt Expense for FY2023 projected at \$2.6 million.

OPERATING EXPENSE

Line 24 **Rail Operator Service:** \$98.3 million, an increase of \$4.7 million or 5.0% higher than the FY2022 forecast.

The JPB contracts out for rail operator service with TransitAmerica Services, Inc. (TASI). TASI provides rail operations, maintenance, and support services in the following areas: Administration/Safety, Operations and Dispatch, Maintenance of Equipment, Maintenance of Track, Communications, Signals and Stations, Capital Construction Support and State of Good Repair (SOGR) maintenance. TASI is paid on a cost-plus-performance-fee contract structure.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Rail Operator Service	85,108,192	97,353,730	93,573,730	98,257,758	4,684,028	5.0%

In FY2022, the budget included an increase in the scheduled train service from 68 trains per weekday to 104 trains per weekday at the end of August 2021. For FY2023, the budget of \$98.3

million assumes 104 trains per weekday service for the full fiscal year, includes provisions for increases in labor burden and rates, restoration of the annual passenger count service and maintenance support for fiber, and funding to support the maintenance of 2 new stations at Hillsdale and South San Francisco.

This budget also reflects the effort of combining TASI's Federal Employers Liability Act (FELA) insurance with JPB's existing liability insurance. The initial budget of \$102.6 million is reduced by \$4.3 million as a result of said consolidation.

Line 25 **Security Services:** \$7.9 million, an increase of \$0.4 million or 6.0% higher than the FY2022 forecast.

Security services are provided through a law enforcement contract, a communications services contract with the San Mateo County Sheriff's Office (SMCSO), and a building security guard contract. The SMCSO contract supports Rail operations.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Security Services	6,752,598	7,486,512	7,486,512	7,935,381	448,869	6.0%

FY2023 Security Services budget reflects the projected annual contractual increases and overtime estimates.

Line 26 **Shuttles:** \$0.1 million, a decrease of \$2.0 million or 94.1% lower than the FY2022 forecast.

The Shuttle program provides last-mile connections for Caltrain passengers.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Shuttle Service	1,899,021	2,723,200	2,067,849	121,600	(1,946,249)	-94.1%

This budget reflects the consolidation of shuttle contracts under SamTrans.

Line 27 **Fuel and Lubricants:** \$17.5 million, an increase of \$4.5 million or 34.9% higher than the FY2022 forecast.

This line item covers the cost of diesel fuel for JPB locomotive operations, including the associated taxes. Starting in FY2021, Caltrain entered into a diesel fuel hedging program that helps manage exposure to changes in diesel fuel prices.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Fuel and Lubricants	7,205,280	10,434,846	13,000,000	17,539,232	4,539,232	34.9%

	FY22 Adopted Budget	FY23 Preliminary Budget
Hedged %	64%	65%
Price Per Gallon	\$1.71	\$2.96
Unhedged %	36%	35%
Price Per Gallon	\$2.40	\$3.41
Fuel Consumption (No. of Gallons)	3,962,405	4,551,803
Fuel Cost	\$7,759,974	\$14,183,476
Taxes	\$2,674,872	\$3,855,756
Subtotal	\$10,434,846	\$18,039,232
Fuel Hedge Realized Savings	-	(\$500,000)
Total	\$10,434,846	\$17,539,232

The FY2023 fuel budget assumes a 104-train service per weekday with a fuel consumption of 4.5 million gallons. It also assumes that 65.0% of the fuel portfolio is hedged at \$2.96/gallon and 35.0% is unhedged at \$3.41/gallon. This budget includes fuel savings of \$500K derived from the fuel hedge program.

Line 28 **Timetables and Tickets**: \$0.1 million, an increase of \$0.08 million or 146.1% higher than the FY2022 forecast.

Timetables and Tickets includes the cost of designing, updating, and printing of timetables, schedules, maps, and Caltrain tickets.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Timetables and Tickets	15,932	55,000	55,000	135,350	80,350	146.1%

Line 29 **Insurance**: \$9.3 million, an increase of \$3.4 million or 58.8% higher than the FY2022 forecast.

The Insurance budget includes premiums, deductibles, adjuster fees, broker fees, and other insurance costs. Rates reflect costs for property, casualty, and liability insurance.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Insurance	5,406,266	5,857,210	5,857,210	9,299,730	3,442,520	58.8%

In addition to JPB's existing liability insurance of \$6.3 million, the FY2023 Insurance budget now includes TASI's Federal Employer Liability Act (FELA) insurance of \$3.0 million. Note that TASI's FELA (insurance premium and claims) was previously budgeted under the Rail Operator Service for \$4.3 million.

Adjustments will be made as final insurance premium amounts are determined.

Line 30 Claims, Payments, and Reserves: \$1.3 million, a decrease of \$2.0 million or 60.2% lower than FY2022 forecast.

This budget item covers the cost of claims, reserves and payments, and the associated legal fees.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Claims Reserves & Payments	3,067,164	820,000	3,320,000	1,320,000	(2,000,000)	-60.2%

FY2022 forecast was adjusted upwards to reflect potential claims for incidents that transpired during said fiscal year. While FY2023 budget includes a combined level of reserves for JPB at \$820K and TASI's Federal Employers Liability Act (FELA) at \$500K. Note that TASI's FELA (insurance premium and claims) was previously budgeted under Rail Operator Service for \$4.3 million.

Line 31 Facilities and Equipment Maintenance: \$7.3 million, an increase of \$1.0 million or 16.9% higher than the FY2022 forecast.

This budget item covers expenses related to Clipper Operator charges, revenue collection services, ticket vending machines, data line services and other contract services.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Facilities and Equipment Maintenance	4,260,435	7,734,353	6,209,353	7,258,788	1,049,435	16.9%

This budget reflects increases in Other Contract Services relating to the rail systems maintenance and marketing support to increase ridership. Clipper Operator Charges also increased to reflect the assumed ridership recovery.

Line 32 Utilities: \$2.6 million, an increase of \$0.1 million or 2.5% higher than the FY2022 forecast.

This item covers the cost of gas & electricity, telephone, water & sewer, and trash. The budget also includes maintenance costs of data circuits, radio license fees, and spectrum lease.

				FY2023	\$ Change	% Change
Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Utilities	2,009,538	2,552,600	2,552,600	2,617,600	65,000	2.5%

The increase is due to an uptrend in water & sewer utility cost.

Line 33 **Maintenance & Services – Building & Other:** \$1.8 million, an increase of \$0.1 million or 4.8% higher than the FY2022 forecast.

This item covers the cost of building maintenance services, printing and information services, and repair and maintenance of computers and office equipment.

				FY2023	\$ Change	% Change
Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Maintenance & Services - Bldg & Other	1,385,569	1,674,250	1,674,250	1,754,100	79,850	4.8%

The budget reflects an increase in the building maintenance service cost for certain stations.

ADMINISTRATIVE EXPENSE

Line 37 **Wages & Benefits:** \$14.0 million, an increase of \$3.2 million or 29.3% higher than the FY2022 forecast.

The San Mateo County Transit District (District) serves as the managing agency for the JPB. Wages & Benefits reflects staffing costs for an anticipated 74.3 FTEs for the operating budget which includes 69.2 existing FTEs and 5.1 new FTEs.

				FY2023	\$ Change	% Change
Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Wages & Benefits	9,550,977	12,301,799	10,801,799	13,963,830	3,162,031	29.3%

Operating

FY2023 FTE	Admin	Bus	CalMod	Comm	Exec	Finance	Planning	Rail	Total
Non-Represented	4.5	1.1	-	18.7	0.5	8.0	3.0	33.5	69.2
New FTEs	1.0	-	-	0.8	1.7	-	0.6	1.1	5.1
Total Operating	5.5	1.1	-	19.5	2.1	8.0	3.6	34.5	74.3

Fringe benefit costs are applied to actual staff wages as a calculated rate. The District aggregates all estimated annual fringe benefit costs of employees associated with a particular agency (payroll taxes, pension, medical, dental and vision premiums, life insurance, long-term disability, unemployment, and paid time-off). This total is then divided by the total projected wages for that agency for the upcoming year to arrive at a fringe benefit rate that is charged

on a periodic basis against payroll costs. Variances are trued up annually.

FY2022 forecast was decreased due to vacancies. FY2023 budget assumes a universal wage increase, a \$1.0K lumpsum payment aligned with SamTrans Amalgamated Transit Union Collective Bargaining Agreement, and a fringe benefit rate of 36.32% compared to the FY2022 fringe benefit rate of 44.44%. There are 5.1 new FTEs included in the budget, and vacancy savings have been assumed based on hiring dates and attrition. The budget also reflects an increase in JPB's share of the total CalPERS ER Funded Cost and the Total Retiree Medical.

Line 38 **Managing Agency Admin OH Cost:** \$3.6 million, an increase of \$0.1 million or 2.7% higher than the FY2022 forecast.

Managing Agency Administrative Overhead (OH) Cost reflects the cost of District personnel dedicated to the Caltrain business (as opposed to Caltrain operations).

Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023	\$ Change	% Change
				PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Managing Agency Admin OH Cost	3,510,418	3,470,871	3,470,871	3,565,453	94,582	2.7%

The Indirect Cost Allocation Plan (ICAP) calculates the indirect cost rate used to recover overhead costs related to agency indirect administrative overhead and capital projects. The District procured the assistance of an outside consulting firm to develop a methodology that equitably allocates the costs incurred by the District for services and functions shared by the different agencies administered by District staff. The consultant team is selected for its experience and knowledge in developing allocation methodologies for governmental and public entities.

The ICAP is prepared in accordance with the principles and guidelines set forth in the Office of Management and Budget (OMB) Circular A-87 "Cost Principles for State, Local and Indian Tribal Governments" and ASMB C-10 "Cost Principles and Procedures for Developing Cost Allocation Plans and Indirect Cost Rates for Agreements with the Federal Government."

The ICAP calculates two components:

- Agency Indirect Administration (AIA) – a pool of costs that cannot be directly attributed to a specific agency.

This consists of labor and non-labor support functions that benefit each of the four agencies managed or supported by the District. Examples include the time charged by the Payroll Department to process the biweekly payroll or the time charged by the Human Resource Department to post recruitments on industry websites. Based on specific statistics, these costs are distributed to each department. For example, the payroll department costs are distributed to each department based on the number of FTEs. The District incurs all of the AIA costs and then recovers appropriate shares of the costs from the District's Operating and Capital budgets, the JPB Operating and Capital budgets, the TA budget and the SMCELJPA budget.

- Capital Overhead – a pool of project support costs that cannot be directly attributed to a specific capital project.

A capital overhead rate is calculated for each agency. An example of a capital overhead cost would be the time charged by an administrative assistant who supports multiple capital project engineers. The capital overhead costs are tracked and included in the ICAP rate and is charged to each capital project.

In mid-FY2021, the ICAP methodology was changed to more appropriately allocate these costs across the range of projects served – staff anticipates that this approach will continue. In prior years, the ICAP rate was applied to pre-defined labor costs. The new methodology applies the ICAP rate to all labor and non-labor costs. The methodology does not change how much ICAP in total is paid, but rather how the total ICAP is allocated to different projects.

Line 39 **Board of Directors:** \$57.3 thousand, an increase of \$9.0 thousand or 18.6% higher than the FY2022 forecast.

This covers director compensation, seminars and training, and meetings for the Board of Directors.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Board of Directors	26,998	48,275	48,275	57,275	9,000	18.6%

Line 40 **Professional Services:** \$9.3 million, an increase of \$1.4 million or 18.2% higher than the FY2022 forecast.

This covers the cost of consultants for legal services, audit services, legislative advocacy and technical services.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Legal Services	1,813,687	2,814,850	2,814,850	2,600,000	(214,850)	-7.6%
Annual Audit Services	65,460	78,000	78,000	68,000	(10,000)	-12.8%
Legislative Advocate	152,344	169,200	169,200	175,200	6,000	3.5%
Consultants	3,136,773	5,809,251	4,809,251	6,462,555	1,653,304	34.4%
Professional Services	5,168,264	8,871,301	7,871,301	9,305,755	1,434,454	18.2%

The increase in FY2023 budget for consultants reflects the cost for a pilot trash reduction project which is part of the state regulatory requirement to reduce trash in storm drains, environmental management system gap analysis, and executive and finance consulting services. This is also impacted by increase in rates. Legal Services decreased as \$200K has been reallocated to Governance.

Line 41 **Communications and Marketing**: \$0.4 million, an increase of \$0.1 million or 25.1% higher than the FY2022 forecast.

This covers the cost of promotional advertising for fares, schedule changes, and the mobile app.

Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023 PRELIMINARY BUDGET	\$ Change FY23 Preliminary to FY22 Forecast	% Change FY23 Preliminary to FY22 Forecast
Communications and Marketing	234,816	322,750	322,750	403,730	80,980	25.1%

FY2023 budget reflects an increase in marketing support for ongoing special events, electrification, and branding projects. It also includes the cost for the ambassador program, in addition to outreach and public hearings.

Line 42 **Other Office Expense and Services**: \$2.7 million, an increase of \$0.4 million or 18.2% higher than the FY2022 forecast.

This covers bank and transaction fees, software maintenance and licenses, recruitment costs, seminar and training, business travel, dues and subscriptions, and leases on properties along Caltrain's right of way in support of commuter services. The ROW leases include facilities for radio transmission antennas and real estate for storage of train equipment and spare parts.

Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023 PRELIMINARY BUDGET	\$ Change FY23 Preliminary to FY22 Forecast	% Change FY23 Preliminary to FY22 Forecast
Other Office Expense and Services	1,487,493	3,655,020	2,305,020	2,724,996	419,976	18.2%

The increase in FY2023 budget is due to bank fees that are aligned with the assumed ridership recovery and the recurring software monthly service fee for Wabtec.

Line 45 **Measure RR Ballot Costs**: \$0, a decrease of \$5.3 million or 100% lower than the FY2022 forecast.

Description	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023 PRELIMINARY BUDGET	\$ Change FY23 Preliminary to FY22 Forecast	% Change FY23 Preliminary to FY22 Forecast
Measure RR Ballot Costs	-	7,000,000	5,357,846	-	(5,357,846)	100.0%

The Measure RR Ballot Costs was a one-time activity in FY2022 to cover costs incurred by the counties of San Francisco, San Mateo, and Santa Clara to put the Measure RR ballot up for a vote in FY2021 elections. Since this activity is completed, no budget is expected for FY2023.

Line 46 **Governance**: \$0.4 million, a decrease of \$0.7 million or 65% lower than the FY2022 forecast.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Governance	-	2,000,000	1,000,000	350,000	(650,000)	-65.0%

This item covers ongoing Governance related costs that include staff costs, consultant support, legal consultation, and specialized financial analysis.

Line 48 **Debt Service Expense**: \$2.6 million, an increase of \$0.2 million or 8.4% higher than the FY2022 forecast.

This covers the cost and principal retirement of debt incurred for the acquisition and rehabilitation of passenger rail cars, for the acquisition of real property, and for maintenance of a revolving line of credit.

	FY2021	FY2022	FY2022	FY2023	\$ Change	% Change
Description	ACTUAL	BUDGET	FORECAST	PRELIMINARY BUDGET	FY23 Preliminary to FY22 Forecast	FY23 Preliminary to FY22 Forecast
Long-term Debt Expense	2,882,955	2,381,752	2,381,752	2,581,752	200,000	8.4%

The increase is due to the Letters of Credit obtained from Wells Fargo to fund working capital.

LINES 58-60 Reserve:

The financial reserve policy adopted by the board effective September 1, 2017, stated “the JPB will maintain *an Operating Reserve of at least 10 percent of the annual operating budget, and that the JPB shall strive to reserve up to 15 percent of the annual operating budget when possible*”. The opening balance of the reserve is \$16 million. Staff is proposing to add \$11 million to the FY23 Operating Reserve to have an ending balance of \$27 million (15% of operating budget of \$180 million).

FY2023 PROPOSED CAPITAL BUDGET - \$90,956,662

*includes Externally Funded Projects (EFP) of \$40,570,377

i. STATE OF GOOD REPAIR (SOGR) - \$28,587,366

BRIDGES - \$9,702,066

1. Guadalupe Bridge - \$9,642,066

Replace the Guadalupe River Bridge in San Jose, damaged by weather and arson. The project will remove the MT1 Guadalupe River Bridge, including piers and abutments, and replace it with a new railroad bridge. Construction of the new railroad bridge may require protection or relocation of the underground utilities in the right-of-way and/or

attached to the existing bridge. This project also includes MT-2 seismic retrofitting, removal of 42 feet of existing MT-2 span and south abutment and its extension to 90-foot spans. The work also includes interim channel widening of the Guadalupe River to reduce scour and risk to both bridges.

2. San Francisquito Creek Bridge Replacement - \$60,000

Rehabilitate the San Francisquito Bridge and replace with highly reliable structures to improve track alignment and operational safety and minimize future costly maintenance repairs. The project entails a preliminary design feasibility report to be used for environmental scoping and assessment tasks. It will also require public outreach to affected communities.

RIGHT OF WAY - \$9,800,000

3. SOGR Track - \$7,000,000

The System Wide Track Rehabilitation Program covers the work required to keep the Caltrain railroad in a state of good repair. The type and scope of work scheduled for each fiscal year is based on the condition of the railroad and on the inspections and the tests performed throughout the year.

4. Track Tie Replacement - \$500,000

The Track Tie Replacement Project aims to do a major tie replacement program along the entire railroad by using concrete ties throughout the alignment.

5. SOGR Right of Way - \$800,000

The intent of this project is to maintain the ROW in a state of good repair. As the dynamics change surrounding JPB property, the agency needs to adjust as necessary to address issues. In some instances, the JPB needs to provide better access for the Contract Operator; in others, the JPB must restrict access to other areas to eliminate continual problems.

6. Right of Way Fencing - \$1,500,000

The project will continue to install vandal-resistant fencing at key locations along the JPB main line rail corridor to deter trespassing. This work plan is intended to span four years, picking up where the last three-year contract was successfully completed.

SIGNALS & COMMUNICATIONS - \$5,585,300

7. SOGR Signal & Communications - \$3,000,000

This project is part of an annual request to maintain the Caltrain communication and signal and crossing systems in a state of good repair. Projects typically repair and replace communication systems that beyond their useful life and/or vandalized. Typical scopes of work include, but are not limited to, new Base Stations, new Visual Message Signs, station network cables, repair of microwave dishes, etc. For signal and crossing systems, the type and scope of work scheduled for each fiscal year are based on the condition of the signal systems, the inspections, and the tests performed throughout the year.

8. SOGR Fiber Optic - \$2,585,300

The System Wide Fiber Optics State of Good Repair Project covers the work required to maintain the reliability and consistency of the fiber optics infrastructure. The type and scope of work scheduled for each fiscal year are based on the condition of the system, the inspections, and the tests performed throughout the year.

ROLLING STOCK - \$1,500,000

9. SOGR Locomotive FY23 - \$1,500,000

Implement urgent repairs including: in-frame overhaul, cab refurbishment, toilet, HVAC, batteries, contactor, controller, SEP-HEP replacement, and F40 Dynamic Brake System upgrade/refurbishment.

STATION AND INTERMODAL ACCESS - \$2,000,000

10. SOGR Facilities - \$1,000,000

The SOGR Facilities project covers the work required to maintain the reliability and safety of Caltrain's stations, facilities, and related assets. The type and scope of work scheduled for each fiscal year are based on the condition of the facilities, the inspections, and maintenance performed throughout the year. Typical scope of work includes replacement of outdated facilities such as, but not limited to, wheelchair lifts and station shelters.

11. SOGR Historical Stations - \$1,000,000

This project will be part of an annual request for work towards the preservation of the six Caltrain historic stations to keep them in a state of good repair. This project will typically restore station amenities that are beyond their useful life and/or vandalized. Typical scopes of work include, but are not limited to, new restrooms, roofs, windows, lighting, doors, interior and exterior walls made of brick, stone, stucco, wood and other surfaces. HVAC, plumbing and electrical upgrades are included as well.

ii. LEGAL MANDATES AND REQUIRED ENHANCEMENTS - \$75,000

12. CCTV End of Life Equipment - \$75,000

This project will replace and install CCTV equipment and provide ongoing maintenance.

iii. OPERATIONAL IMPROVEMENTS / ENHANCEMENTS - \$55,819,296

13. PADS Replacement - \$1,060,000

Development and implementation of a new real-time passenger information system at the Central Control Facility (CCF), the Backup Central Control Facility (BCCF) and at the stations.

- 14. Next Generation Visual Messaging Sign - \$2,700,000**
Research, design and acquisition of Visual Messaging Signs to replace the current ones that have reached end of life and are no longer supported by the manufacturer.
- 15. BCCF Virtualization Project - \$1,200,000**
To migrate the datacenters supporting rail operations to a single virtual platform. This project will design and build virtualized private cloud infrastructure and server farm to support Caltrain operational systems and provide an efficient and scalable architecture with enhance redundant capabilities.
- 16. Broadband Communication - \$5,193,586**
Design a broadband wireless communication system along the Caltrain corridor for the wayside train maintenance diagnostics and passenger Wi-Fi service. The project will entail assessment of existing infrastructure and the construction of the broadband system.
- 17. Caltrain VoIP - \$222,000**
Migration to digital radio system for a state-of-the-art train/wayside communication system to improve performance and reliability.
- 18. Technology Refresh Assessment - \$325,000**
The purpose of this project is to analyze, scope, and plan software upgrade projects that are early in the development cycle and do not have defined funding. This funding will allow IT department to conduct detailed analysis of existing systems and develop requirements for replacement systems.
- 19. GIS System - Update & Upgrade - \$2,000,333**
Implement a Geographic Information Software (GIS) that will centralize, modernize, map, and integrate existing tools and resources. This powerful digital mapping tool will enable delivery of a comprehensive and accurate data about Caltrain's assets and right of way.
- 20. Enterprise Asset Management Software System - \$1,048,000**
Procure a base EAM system with the following core capabilities: asset registry, asset condition and assessment, work request, work planning and management, warranty management, materials management, planning and budgeting, and management reporting.

Asset information is currently stored in various disparate systems and some by the Rail Contract Operator (TASI). The industry best practice is to centralize asset data within a single EAM system to maintain data consistency and analysis. Implementation of an EAM system is in accordance with Transit Asset Management (TAM) Plan of Caltrain.

The EAM system is required to enable Caltrain and the other agencies to maintain its assets in a database which promotes seamless data collection, analysis, and reporting.

This will allow responsible personnel to write work orders against assets for the performance of maintenance and the state of good repair projects; to maintain a parts inventory; to assign labor to perform maintenance activities, as well as to perform other asset management functions.

21. Backup Central Control Facility (BCCF) Office Remodel - \$1,000,000

This is the office remodel of the Backup Central Control Facility including dry wall, electrical circuit, plumbing, flooring, HVAC, lighting, insulation, fire sprinkler system, and lighting. Also included is the purchase of computers and office furniture and fixtures.

22. Support for Property Mapping - \$500,000

The funds for this project will be used for developing a more accurate record of agency-owned property. Specific tasks will include field survey work, resolution of property boundaries, and creation of maps and legal descriptions.

23. South Linden & Scott Grade Separation - \$5,500,000 (Externally Funded Project)

This project will cover the Preliminary Engineering and Environmental Clearance for a grade separation at the South Linden Avenue in South San Francisco and Scott Street in San Bruno. The grade separation will enhance operational reliability, improve safety, and decrease future traffic delays due to growth in vehicular traffic, increased frequency of Caltrain service, and upcoming High Speed Rail service. It will also

24. Mary Ave/Sunnyvale Ave Grade Separation - \$18,898,000 (Externally Funded Project)

This grade separation project will improve connectivity and safety for vehicular traffic and pedestrians at Mary and Sunnyvale Avenues. It will also reduce noise impacts associated with at-grade crossings by providing grade separated traffic pathways.

25. Rengstorff Grade Separation - \$8,715,436 (Externally Funded Project)

The project proposes to replace existing at-grade train crossing at Rengstorff Avenue with a grade separated crossing in the City of Mountain View. In 2014, the City of Mountain View completed a Final Report for Rengstorff Avenue Grade Separation Design Concepts. Of the three design concepts that were presented, the City was in favor of the Complete Street Concept which includes a Rengstorff Avenue Underpass and the construction of a new elevated pedestrian walkway parallel to the Caltrain tracks connecting Crisanto Avenue to the commercial area east of Rengstorff Avenue. The grade separation will require the lowering of approximately 1,200 feet of Rengstorff Avenue and connecting roadways, including Central Expressway.

26. Middle Ave Undercrossing - \$400,000 (Externally Funded Project)

Middle Ave Undercrossing project is a proposed bicycle and pedestrian undercrossing that would improve safety and connectivity in the area around Middle Avenue in Menlo Park. The project would serve a new Stanford development, which is adjacent to Middle Avenue, as well as middle school children in the area.

27. Bernardo Ave Undercrossing - \$4,990,000 (Externally Funded Project)

This project will provide a separated pedestrian and bicycle pathway that connects the North and South Bernardo Avenue, improving connectivity and safety for pedestrians and cyclists. It will expand on the uncrossing feasibility study completed in 2004. It is in the initial stages of conceptual design, with multiple design alternatives in development and under consideration.

28. San Mateo Grade Crossing Improvements - \$2,066,941 (Externally Funded Project)

This project will design and implement quad gates or exit gates at the 4th and 5th Avenue grade crossings in San Mateo, improving safety for train commuters, motorists, and pedestrians.

iv. PLANNING/STUDIES - \$3,650,000

29. DTX Support - \$500,000

Provides support, engagement, and coordination with San Francisco partners for the continued development of the Downtown Extension (DTX) project. Activities include, but are not limited to, engineering design review and coordination, financial planning, ridership modelling, and support for activities required to DTX to successfully move through FTA Capital Investment Grant (CIG) program.

30. Redwood City Corridor Planning - \$1,000,000

This project advances work in Redwood City and integrates grade separation and station planning. Scope of work includes building on and integrating work initiated through the Whipple Avenue Grade Separation and Redwood City Transit Hub Planning.

31. Rail Network and Operations Planning - \$200,000

This project will fund continued research that will guide the development of efficient train schedules that match supply of service with current and anticipated demand. Contrary to pre-pandemic years when ridership levels were consistent, numerous factors have created uncertainty regarding future travel patterns. Research is needed to tailor service during the post-pandemic recovery phase, as well as to enable planning for a mixed fleet service after electrification project is completed.

32. Transit-Oriented Development Studies - \$750,000

This project will provide technical support to advance TOD projects and exploration of corridor-wide TOD strategies designed to maximize ridership and revenue potential from real estate assets and station areas. Technical studies include environmental assessment, hazmat testing, traffic studies, title research, and market and feasibility analysis. This project will also facilitate other activities include TOD planning, land use approvals, and other real estate efforts at locations having TOD potential.

33. Electric Multiple Unit (EMU) Hybridization - \$350,000

Supports Caltrain's emerging partnership with Stadler and the State of California around the development of a hybridized EMU capable of off-wire operation. A dedicated project manager and engineering support will lead Caltrain's participation in R&D

efforts. Substantial additional funding is expected to come from the state but Caltrain will incur initial costs to advance this work.

34. San Francisco Corridor and Stations Planning - \$250,000

This project includes Caltrain support, engagement, and coordination with San Francisco partners for the continued development of key projects in San Francisco such as Pennsylvania Avenue Extension and South East Rail Station Study.

35. SF Railyards Preliminary Business Case - \$250,000

Staff and consultant support in developing the preliminary business case where key elements specific to transportation needs at the railyards will be investigated to ensure Caltrain's requirements are met.

36. Caltrain Access Policy Update - \$100,000

Scope includes a review of the existing access policy, investigation of national and international best practices, stakeholder engagement, and policy development focused on pedestrian, cyclist, and parking access to and along the corridor.

37. Capital Planning Technical Support - \$250,000

Rail program development support to assist with a variety of capital planning projects, as needed and determined by the Capital Improvement Program development process.

v. DTX Funding - \$1,500,000

38. DTX Funding - \$1,500,000

This is a funding contribution to be requested of Caltrain as part of the local match for federal FTA funding toward the DTX project. Caltrain's contribution will be matched with contributions from other DTX partners, including the San Francisco County Transportation Authority, Metropolitan Transportation Commission, and California High Speed Rail Authority.

vi. Capital Contingency Funds - \$1,325,000

39. Capital Contingency Funds - Engineering - \$330,000

This contingency supports unforeseen capital expenditure related to the delivery of capital projects/programs.

40. Capital Contingency Funds - Rail - \$660,000

This contingency supports unforeseen capital expenditure related to rail operations.

41. Capital Project Development - \$335,000

This contingency supports planning and engineering study activities.

Prepared By: Claudette Valbuena Budget Analyst III
Ladi Millard-Olmeda Director, Budgets

650-508 6237
650-508 7755

Attachment A

PENINSULA CORRIDOR JOINT POWERS BOARD
STATEMENT OF REVENUE AND EXPENSE
PROPOSED BUDGET
FY2023

	FY2021 ACTUAL	FY2022 BUDGET	FY2022 FORECAST	FY2023 PROPOSED BUDGET	FY2023 Proposed to FY2022 Forecast \$ variance	FY2023 Proposed to FY2022 Forecast % variance	
	A	B	C	D	E = D - C	F = E / C	
REVENUE							
OPERATIONS:							
1 Caltrain Fares	6,702,382	25,039,000	17,639,000	30,219,000	12,580,000	71.3%	1
2 Go Pass	25,737,533	9,600,000	15,000,000	16,260,000	1,260,000	8.4%	2
3 Parking Revenue	385,304	1,536,000	1,286,000	1,896,000	610,000	47.4%	3
4 Shuttles	1,022,510	1,603,900	1,315,667	-	(1,315,667)	-100.0%	4
5 Rental Income	1,124,691	1,192,466	1,192,466	935,357	(257,109)	-21.6%	5
6 Other Income	1,474,039	1,584,608	2,000,000	1,676,319	(323,681)	-16.2%	6
7 TOTAL OPERATING REVENUE	36,446,459	40,555,974	38,433,133	50,986,676	12,553,543	32.7%	7
8							8
9 CONTRIBUTIONS:							9
10 AB434 Peninsula & TA Shuttle Funding	1,144,681	1,119,300	1,119,300	40,000	(1,079,300)	-96.4%	10
11 Operating Grants	13,325,611	6,525,471	6,525,471	11,288,161	4,762,690	73.0%	11
12 JPB Member Agencies	27,940,231	-	-	-	-	0.0%	12
13 Measure RR	-	86,576,919	95,621,811	114,300,000	18,678,189	19.5%	13
14 CARES	41,509,536	-	-	-	-	0.0%	14
15 CRRSAA	46,692,029	27,115,922	-	-	-	0.0%	15
16 ARPA	-	14,849,883	115,995,904	-	(115,995,904)	-100.0%	16
17 TOTAL CONTRIBUTED REVENUE	130,612,088	136,187,495	219,262,486	125,628,161	(93,634,325)	-42.7%	17
18							18
19 GRAND TOTAL REVENUE	167,058,547	176,743,469	257,695,619	176,614,837	(81,080,782)	-31.5%	19
20							20
21 EXPENSE							21
22							22
23 OPERATING EXPENSE:							23
24 Rail Operator Service	85,108,192	97,353,730	93,573,730	98,257,758	4,684,028	5.0%	24
25 Security Services	6,752,598	7,486,512	7,486,512	7,935,381	448,869	6.0%	25
26 Shuttle Services	1,899,021	2,723,200	2,067,849	121,600	(1,946,249)	-94.1%	26
27 Fuel and Lubricants	7,205,280	10,434,846	13,000,000	17,539,232	4,539,232	34.9%	27
28 Timetables and Tickets	15,932	55,000	55,000	135,350	80,350	146.1%	28
29 Insurance	5,406,266	5,857,210	5,857,210	9,299,730	3,442,520	58.8%	29
30 Claims, Payments, and Reserves	3,067,164	820,000	3,320,000	1,320,000	(2,000,000)	-60.2%	30
31 Facilities and Equipment Maintenance	4,260,435	7,734,353	6,209,353	7,258,788	1,049,435	16.9%	31
32 Utilities	2,009,538	2,552,600	2,552,600	2,617,600	65,000	2.5%	32
33 Maint & Services-Bldg & Other	1,385,569	1,674,250	1,674,250	1,754,100	79,850	4.8%	33
34 TOTAL OPERATING EXPENSE	117,109,995	136,691,701	135,796,504	146,239,539	10,443,035	7.7%	34
35							35
36 ADMINISTRATIVE EXPENSE							36
37 Wages and Benefits	9,550,977	12,301,799	10,801,799	13,963,830	3,162,031	29.3%	37
38 Managing Agency Admin OH Cost	3,510,418	3,470,871	3,470,871	3,565,453	94,582	2.7%	38
39 Board of Directors	26,998	48,275	48,275	57,275	9,000	18.6%	39
40 Professional Services	5,168,264	8,871,301	7,871,301	9,305,755	1,434,454	18.2%	40
41 Communications and Marketing	234,816	322,750	322,750	403,730	80,980	25.1%	41
42 Other Office Expenses and Services	1,487,493	3,655,020	2,305,020	2,724,996	419,976	18.2%	42
43 TOTAL ADMINISTRATIVE EXPENSE	19,978,967	28,670,016	24,820,016	30,021,039	5,201,023	21.0%	43
44							44
45 Measure RR Ballot Costs	-	7,000,000	5,357,846	-	(5,357,846)	-100.0%	45
46 Governance	-	2,000,000	1,000,000	350,000	(650,000)	-65.0%	46
47							47
48 Debt Service Expense	2,882,955	2,381,752	2,381,752	2,581,752	200,000	8.4%	48
49							49
50 GRAND TOTAL EXPENSE	139,971,917	176,743,469	169,356,118	179,192,330	9,836,212	5.8%	50
51							51
52 PROJECTED SURPLUS/(DEFICIT)	27,086,630	-	88,339,501	(2,577,493)			52
53 Measure RR for Capital Reserve			80,000,000				53
54 Draw from FY2022 surplus			-	2,577,493			54
55 ADJUSTED PROJECTED SURPLUS/(DEFICIT)			8,339,501	-			55
56							56
57 Reserve, Beginning Balance				16,115,624			57
58 FY23 set aside				10,763,226			58
59 Reserve, Ending Balance				26,878,850			59
60							60



FY2023 PROPOSED CAPITAL BUDGET

Attachment B

Item #	PROJECT NAME	FY2023 PROPOSED CAPITAL BUDGET
i. SOGR		
Bridges		
1	Guadalupe Bridges Replacement	9,642,066
2	San Francisquito Creek Bridge Replacement	60,000
Total Bridges		9,702,066
Right of Way		
3	SOGR Track	7,000,000
4	Track Tie Replacement	500,000
5	SOGR ROW	800,000
6	ROW Fencing	1,500,000
Total Right of Way		9,800,000
Signal & Communications		
7	SOGR Signal & Communications	3,000,000
8	SOGR Fiber Optic	2,585,300
Total Signal & Communications		5,585,300
Rolling Stock		
9	SOGR Locomotive FY23	1,500,000
Total Rolling Stock		1,500,000
Station & Intermodal Access		
10	SOGR Facilities	1,000,000
11	SOGR Historical Stations	1,000,000
Total Station & Intermodal Access		2,000,000
Total SOGR		28,587,366
ii. LEGAL MANDATES AND ELECTRIFIED SERVICE RAIL PROGRAM INTEGRATION		
12	CCTV End of Life Equipment	75,000
Total		75,000
iii. OPERATIONAL IMPROVEMENTS/ENHANCEMENTS		
13	PADS Replacement	1,060,000
14	Next Generation Visual Messaging Sign (VMS)	2,700,000
15	BCCF Virtualization Project	1,200,000
16	Broadband Communication (100403)	5,193,586
17	Caltrain VoIP	222,000



FY2023 PROPOSED CAPITAL BUDGET

Attachment B

Item #	PROJECT NAME	FY2023 PROPOSED CAPITAL BUDGET
18	Technology Refresh Assessment	325,000
19	GIS System - Update & Upgrade	2,000,333
20	Enterprise Asset Management Software System	1,048,000
21	Backup Central Control Facility (BCCF) Office Remodel	1,000,000
22	Support for Property Mapping	500,000
23	South Linden & Scott Grade Separation*	5,500,000
24	Mary Ave/Sunnyvale Ave Grade Separation*	18,898,000
25	Rengstorff Grade Separation*	8,715,436
26	Middle Ave Undercrossing*	400,000
27	Bernardo Ave Undercrossing*	4,990,000
28	San Mateo Grade Crossing Improvements*	2,066,941
Total		55,819,296

iv. PLANNING/STUDIES		
29	DTX Support	500,000
30	Redwood City Corridor Planning	1,000,000
31	Rail Network and Operations Planning	200,000
32	Transit-Oriented Development Studies	750,000
33	Electric Multiple-Unit (EMU) Hybridization	350,000
34	San Francisco Corridor and Stations Planning	250,000
35	SF Railyards Preliminary Business Case	250,000
36	Caltrain Access Policy Update	100,000
37	Capital Planning Technical Support	250,000
Total		3,650,000

v. DTX FUNDING		
38	DTX Funding	1,500,000
Total		1,500,000

vi. CAPITAL/CONTINGENCY FUNDS		
39	Capital Contingency Funds - Engineering	330,000
40	Capital Contingency Funds - Rail	660,000
41	Capital Project Development	335,000
Total		1,325,000

Total		90,956,662
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* Project is externally funded and relies on separate, project-specific funding plan.

FY2023 Caltrain Capital Budget Summary (000s)*

Project	Reduced Capital Budget Request	Federal Funding	Unrestricted Funds	STA SOGR	LPP	Total	Deficit
SOGR Projects - Federal Eligible	23.59	16.87	0.62	1.54	3.29	22.32	(1.27)
SOGR Projects - Other	5.00	-	3.50	-	-	3.50	(1.50)
Legal Mandates	0.08						
Operational Improvements	15.25						
Planning/Studies	3.65						
DTX Funding	1.50						
Capital Contingency	1.33						
Non-SOGR Projects Total	21.80	-	17.58	-	-	17.58	(4.22)
Total	50.39	16.87	21.70	1.54	3.29	43.40	(6.99)

(2.33) Per Partner Obligation

*Does not include Externally funded capital projects in the amount of \$40.6M.

Resolution No. 2021-

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

* * *

**Adoption Of The Fiscal Year 2023 Operating Budget In The Amount Of \$179,192,330
And The Fiscal Year 2023 Capital Budget In The Amount Of \$90,956,662**

Whereas, the Joint Powers Agreement of the Peninsula Corridor Joint Powers Board (JPB) requires the Board of Directors (Board) to approve annual Operating and Capital Budgets; and

Whereas, the adoption of an Operating Budget is necessary for obtaining both Federal and State funds to support the Peninsula Commute Service operation known as Caltrain; and

Whereas, the adoption of a Capital Budget complements the JPB's strategic planning process; and

Whereas, the Staff recommends that the Board adopt the Fiscal Year 2023 (FY2023) Operating Budget shown as Attachment A, and the FY2023 Capital Budget shown as Attachment B; and

Whereas, the local match funding component of the FY2023 Capital Budget, as proposed, includes funds from the JPB's three member agencies (the City and County of San Francisco, the San Mateo County Transit District and Santa Clara Valley Transportation Authority); and

Whereas, the FY2023 Capital Budget includes funds from the Senate Bill 1 State of Good Repair Program and the Local Partnership Program; and

Whereas, the amount of anticipated funding from the Senate Bill 1 State of Good Repair Program for the FY2023 Capital Budget is estimated to be \$1,536,744.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby adopts the Fiscal Year 2023 Operating Budget, a copy of which is attached hereto and incorporated herein as Attachment A, in the amount of \$179,192,330; and

Be It Further Resolved that the Board adopts the FY2023 Capital Budget in the amount of \$90,956,662, attached hereto and incorporated herein as Attachment B, with the understanding that the three JPB member agencies will allocate funds for the FY2023 Capital Budget; and

Be It Further Resolved that the Acting Executive Director, or designee, is requested to forward a copy of the FY2023 Operating Budget and Capital Budget to the JPB member agencies at the earliest practicable date; and

Be It Further Resolved that the Acting Executive Director, or designee, is directed to submit these budgets to the Metropolitan Transportation Commission, together with a copy of this resolution, at the earliest practical date; and

Be It Further Resolved that the Board of Directors approves the Senate Bill 1 (S.B. 1) State of Good Repair Program projects included in the FY2023 Capital Budget as shown in Attachment B; and

Be It Further Resolved that the Board of Directors (1) authorizes the Acting Executive Director, or designee, to submit a request for S.B. 1 State of Good Repair and Local Partnership Program funds and to execute any related grant applications, forms, and agreements and (2) agrees to comply with all conditions and requirements set forth in the Certification and Assurances and applicable statutes, regulations, and guidelines for all State of Good Repair and Local Partnership Program-funded transit capital projects; and

Be It Further Resolved that the Board authorizes the Acting Executive Director, or designee, to take such additional actions as may be necessary to give effect to this resolution, including executing funding agreements and amendments, and submitting required documents to granting agencies to receive the funding identified in the Capital Budget.

Regularly passed and adopted this 2nd day of June 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors

Through: Michelle Bouchard
Acting Executive Director

From: James Harrison
General Counsel

Subject: **Options for Imposing Mask Mandate**

<input type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Work Program-Legislative-Planning Committee Recommendation	<input type="checkbox"/> Staff Coordinating Council Reviewed	<input type="checkbox"/> Staff Coordinating Council Recommendation
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Action

Staff recommends that the Board of Directors (Board) receive this update regarding the Peninsula Corridor Joint Powers Board's (JPB) options for imposing a mask mandate on Caltrain passengers and provide direction to staff regarding potential efforts to address the risk of COVID-19 transmission and other safety risks to Caltrain's passengers and staff.

Significance

Neither the federal government, the state government, nor the three counties in which Caltrain provides service currently require that public transit passengers wear masks to prevent COVID-19 transmission. In the absence of federal, state, or county mask mandates, most Bay Area transit agencies, including Caltrain, SFMTA, SamTrans, and VTA, are strongly recommending, but not requiring, that passengers wear masks. In addition, Caltrain requires that its conductors wear masks.

On April 28, 2022, the Bay Area Rapid Transit (BART) Board of Directors approved a temporary amendment to BART's Code of Conduct to require riders to wear masks in paid areas of the system with limited exceptions. BART's board took this action pursuant to Public Utilities Code section 99170(a)(6), which authorizes BART to issue citations to passengers who violate a notice, prohibition, instruction, or direction that is intended to provide for the safety and security of BART's passengers. BART's mask mandate will expire on July 18, 2022, unless it is extended by BART's Board of Directors.

Unlike BART, Caltrain does not have statutory authority to issue citations to passengers who violate safety protocols issued by the JPB. Instead, Caltrain's authority, which is described in Public Utilities Code section 99850, is limited to certain proscribed conduct, such as fare evasion, smoking, and unruly behavior. Therefore, while the JPB could adopt a policy requiring

passengers to wear masks, it does not have the authority to enforce such a requirement through the issuance of citations.

Given the current lack of public health orders requiring masks on public transit and the lack of statutory authority to enforce its own mask mandate, the JPB has three options with respect to masks:

- (1) Continue to follow state/county guidance and strongly recommend that passengers wear masks without imposing a mask mandate;
- (2) Impose a mask mandate but without the power to enforce the requirement through the issuance of citations; or
- (3) Work with the Legislature and other transit agencies to expand the authority of transit agencies to issue citations to include health and safety protocols issued by the transit agency, similar to BART's authority.

Because Caltrain does not have the authority to enforce a mask mandate, imposing such a requirement is unlikely to be more effective in encouraging compliance than Caltrain's current policy. In addition, the imposition of a mask mandate would put Caltrain's conductors in the awkward position of being responsible for ensuring compliance with the requirement but without the authority to issue sanctions for failure to comply. Furthermore, the imposition of a mask mandate by Caltrain is likely to cause confusion among Caltrain passengers who use other transit systems, given that those systems (other than BART) do not require passengers to wear masks. Based on these concerns, staff recommends that Caltrain continue to strongly recommend that passengers wear masks, rather than imposing a mask mandate at this time, and that the Board authorize staff to work with other transit agencies and the Legislature to expand enforcement authority to include health and safety protocols. Staff seeks direction from the Board on the preferred option and will prepare a draft policy accordingly.

Budget Impact

There is no budget impact associated with receiving this update.

Background

On April 18, 2022, a federal District Court enjoined the Centers for Disease Control and Prevention's (CDC) from enforcing its January 29, 2021 Order requiring masks on public transportation conveyances and at transportation hubs. Although the CDC is appealing the order, it revoked its mask mandate. Consistent with the CDC's change in policy, the Transportation Security Administration also stopped enforcing its mask-related Security Directives.

On April 20, 2022, the California Department of Public Health (CDPH) suspended California's public transit mask mandate in alignment with the CDC's action. The CDC and CDPH continue to recommend that people wear masks on public transportation.

Currently, the three counties in which Caltrain operates do not require masks on public transit.

Consistent with other public transit agencies, Caltrain strongly recommends, but does not require, passengers to wear masks.

Prepared By: James C. Harrison General Counsel 916-442-2952

Resolution No. 2022-

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

* * *

**Recognizing Lesbian, Gay, Bisexual, Transgender and Queer Pride Month and Reaffirming a
Commitment to Diversity, Equity, Access and Inclusion**

Whereas, the Peninsula Corridor Joint Powers Board (Caltrain) cherishes the value and dignity of every person and appreciates the importance of equality, freedom, and acceptance; and

Whereas, Caltrain denounces prejudice and unfair discrimination based on age, gender identity, gender expression, race, color, religion, marital status, national origin, sexual orientation, or physical attributes as an affront to our fundamental principles; and

Whereas, Caltrain serves a diverse population that continues to experience bias, discrimination, and unequal outcomes and treatment in numerous sectors including housing, employment, education, health and safety, and criminal justice; and

Whereas, Caltrain recognizes the long history of inequity in its own transit industry that has excluded, targeted or oppressed people due to their color, race, national origin, gender identity or expression, income, housing status, sexual orientation, disability status, and immigration status; and

Whereas, Caltrain acknowledges that Pride Month for Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ+) people and communities began in June 1969 on the one-year anniversary of the Stonewall Uprising in New York City, when LGBTQ+ people and allied friends

rose and fought against constant police harassment and discriminatory laws that have since been declared unconstitutional; and

Whereas, Caltrain will continue to strive to make our transportation services and programs accessible and open to all individuals and to protect the most vulnerable among us; and

Whereas, Caltrain believes that working to ensure the public sector serves the public good, and advances equity, diversity and inclusion in its policies, programs and practices, is critical to the success of our transportation services, and benefits our communities and our society; and

Whereas, Caltrain commits to providing an inclusive community for employees and those within its service area by eradicating discrimination, harassment, bullying, and hate speech, and by standing in solidarity with LGBTQ+ people and all those who have historically been marginalized for any reason; and

Whereas, in honor of Pride Month, the Board of Directors recognizes the resilience and determination of LGBTQ+ people who are fighting to live freely and authentically, and rededicates the District to its mission of providing mobility programs in a manner that upholds the dignity of all people; and

Now, Therefore, Be It Resolved; that the Caltrain Board of Directors celebrates Pride Month for LGBTQ+ people and communities, and reaffirms its commitment to diversity, equity, access, and inclusion; and

Regularly passed and adopted this 2nd day of June, 2022 by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary

**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 MAY 18, 2022

MEMBERS PRESENT: A. Brandt, R. Jaques (Alternate), L. Klein, P. Leung (arrived at 6:12pm), B. Shaw (Chair), JP. Torres, D. Tuzman

MEMBERS ABSENT: P. Flautt (Vice Chair), R. Kutler, M. Pagee (Alternate), E. Shapiro

STAFF PRESENT: C. Harvey, G. Martinez, L. Millard-Olmeda, J. Navarrete, S. Petty, B. Thompson, C. Valbuena

Due to COVID-19, this meeting was conducted as a teleconference pursuant to the provisions of the Governor's Executive Orders N-25-20 and N-29-20, which suspends certain requirements of the Ralph M. Brown Act.

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

APPROVAL OF MINUTES OF APRIL 20, 2022

Meeting minutes will be edited to reflect Chair Brian Shaw called the meeting to order.

Motion/Second: Klein / Torres

Ayes: Brandt, Shaw, Tuzman

Abstain: None

Absent: Flautt, Kutler, Leung, Shapiro

PUBLIC COMMENT

Jeff Carter, Millbrae, via Zoom Q&A, commented on the new website. He advised that it is difficult to locate both, the public meetings link and the schedule for the Bay to Breakers event. He then commented about his experience at the Millbrae station during single tracking and reported that he did not hear station announcements nor see visual messaging regarding the single tracking and had observed several passengers on the wrong platform.

CHAIRPERSON'S REPORT

Chair Brian Shaw reported that there are three available seats on the Citizen's Advisory Committee and suggested that anyone interested in serving, apply on the Caltrain website.

COMMITTEE COMMENTS

Member Adrian Brandt stated that he is interested in ridership after more employees return to work. He then shared details regarding a Ballot Measure in Santa Cruz, a Senate Bill Measure with Seamless Bay Area, and details regarding a Santa Clara City Council study session where VTA presented the proposed plans for additional BART stations, one which would be adjacent to Caltrain platforms in San Jose. Lastly, he encouraged the public to apply for the open seats on the Citizen's Advisory Committee.

Member David Tuzman shared his positive experience with commuting to work. He shared the ease of commuting during midday service and making transit connections. He then mentioned the improvements with the new website and that he has enjoyed the real-time tracking system. Lastly, he shared that it was unfortunate that his workplace decided not to coordinate their shuttles with Caltrain's temporary construction schedule in May. He then asked whether there will be any other upcoming schedule changes.

Member Jean-Paul Torres shared his concern regarding trains single tracking and stated that passengers have trouble identifying the correct platform to board the train. He also stated that he is pleased with the new website.

PUBLIC COMMENT

None

BUSINESS INTELLIGENCE UPDATE

Bruce Thompson, Acting Manager – Fare Operations, presented the Business Intelligence Update. The full presentation can be found on caltrain.com.

Committee Comments:

Member Tuzman asked whether staff is looking at providing access to the public, other transit agencies or federal agencies to aggregate the data. Mr. Thompson stated that staff is not there yet and will take it under consideration.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, stated that he would like this data available to the public. He then suggested using Clipper and TVM data to obtain origin, destination, and zone data. Lastly, Jeff asked why there is a huge difference between revenue per Clipper and revenue per TVM.

FY2023 PRELIMINARY OPERATING AND CAPITAL BUDGETS

Grace Martinez, Acting CFO, and Sebastian Petty, Director, Special Projects, presented the FY2023 Preliminary Operating & Capital Budgets. The full presentation can be found on caltrain.com.

Committee Comments:

Member Brandt asked how much additional member contribution will be required for the constrained budget, and how much will be required for the unconstrained budget. Mr. Petty responded that for the constrained budget, Caltrain will require approximately \$5M from each of the members and stated that there is no other clear source beyond member funding. Member Brandt then asked whether there is no real path to the unconstrained budget and Mr. Petty confirmed. Member Brandt then shared his concerns with the constrained budget scenario. He recommended staff to carefully look at the contract negotiations and think about productivity and crewing.

Member Larry Klein asked whether there is a plan in the upcoming years for both unfunded projects and the transition to the electrification operating budget. Mr. Petty responded that Caltrain is working on a long-term Capital Improvement Plan. He then addressed the operating cost trajectory for the railroad and stated that with the current low ridership, staff is compelled to focus on bringing riders back. Mr. Klein recommended to plan for the long-term operation.

Member Jean-Paul Torres asked whether there are any legislative talks on trying to leverage the state's surplus to cover capital projects. Mr. Petty confirmed that Caltrain is engaged in those conversations.

Member Tuzman asked what the member agency contributions were in the past and then asked what constitutes a capital expense for staff. Mr. Petty responded that the member contribution, within the past decade, was in the range of \$5M per year. Mr. Petty then explained what a capital expense is for staff.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, stated that with the current ridership, Caltrain should keep good service levels and fares low. He then recommended a review of train staffing levels to help reduce cost. Jeff provided several recommendations, including moving from zone fares to point to point fares to help increase ridership and revenue.

STAFF REPORT UPDATE

Chris Harvey, Manager, Rail Operations reported (The full report can be found on caltrain.com):

On-time Performance (OTP) –

- **April:** The April 2022 OTP was 91.4% compared to 93.9% for April 2021.
 - **Vehicle Strike** – There was one vehicle strike on April 14 at the Broadway crossing in Burlingame, resulting in a non-fatality. There were 13 trains delayed and 1 train annulled.
 - **Trespasser Strikes** – There was one trespasser strike on April 24 near Rengstorff Avenue in Mountain View, resulting in a non-fatality. There were 2 trains delayed.

- **Vehicle on Tracks** – On April 7, there was one vehicle on the tracks that caused train delays.
- **Mechanical Delays** – In April 2022, there were 1075 minutes of delay due to mechanical issues compared to 780 minutes in April 2021.
- **March:** The March 2022 OTP was 88.6% compared to 88.9% for March 2021.
 - **Vehicle Strike** – A collision involving a train and on-track equipment occurred on March 10 and 13 people were injured.
 - **Trespasser Strikes** – There were two trespasser strikes on March 18 and March 21, one resulting in a fatality. The strike on the 18th was a fatality at Fair Oaks Lane, which caused 7 trains to be delayed and 1 train to be terminated. The strike on the 21st was a NON-fatality at Rengstorff Avenue, which caused 8 trains to be delayed.

Mr. Harvey mentioned that the temporary weekday schedule will end on May 20 and will be back to normal, running 104 trains, on May 23. He then followed up on earlier comments and shared that staff is looking at opportunities to improve the wayfinding signage, during single tracking, throughout the line, beginning with the Millbrae station. Mr. Harvey then stated that at this time, there are no major upcoming schedule changes, however staff is looking at evaluating potential options for future temporary construction schedules.

Committee Comments:

Member Brandt said that Caltrain needs to have a better focus on its customers. He stated that Caltrain has been single tracking for a while now and passenger communication should no longer be a problem, at this stage. He also recommended staff do a better job with notifying the public of schedule changes. Member Brandt then suggested staff not to remove the benches from stations without proper replacements as it had been done at 4th & King station. Lastly, he mentioned that the soap dispensers at 4th & King were not working properly and had been vandalized. Mr. Harvey responded that the benches at the 4th & King station have since been re-installed. He then stated that staff is looking into vandal proof soap dispensers for the 4th & King station. Member Brandt requested staff to ensure locomotives use hotel power to avoid idling at the 4th and King station.

Public Comments:

Jeff Carter, Millbrae, via Zoom Q&A, shared his appreciation for possible wayfinding improvements during single tracking at the stations. He suggested looking at the Bayshore station after the Millbrae station. He then stated that if budget allows, he would like to see the Visual Messaging System replaced.

JPB CAC Work Plan

June 15, 2022

- Caltrain Website update
- Brainstorming sessions for Conductor iPhone applications
- All Bay Area Regional Transit Pass

July 20, 2022

- CAC role in Measure RR oversight update
-

August 17, 2022

-
-

September 21, 2022

-
-

October 19, 2022

-
-

November 16, 2022

-
-

December 21, 2022

-
-

Suggested Items:

- Go Pass cost per ride factors – requested by Chair, Brian Shaw on 6/19/19
- San Mateo County Climate Action Plan – requested by Member Rosalind Kutler on 10/16/19
- MTC Means-Based Discount Fare program update
- Caltrain connections with other agencies – requested by Member Rosalind Kutler on 12/18/19 and Alternate Member Rob Jaques on 12/15/21
- Update on grade crossing pilot six months after installation – requested by Member, Patrick Flautt on 12/18/19
- Operating Costs – requested by Member Adrian Brandt on 2/13/20
- Rail Corridor Use Policy – requested by Member Anna Dagum on 10/21/20
- Industry Safe Functionality

- Blue Ribbon Task Force
- Clipper Data Availability
- Construction Obstacles
- Wireless Solution Technology – requested by Member Adrian Brandt on 12/8/21
- Redwood City Station Development - requested by Member Adrian Brandt on 12/8/21
- Dual speed check installation/Constant Warning, Downtown Extension, elevated four track station, future Dumbarton Rail extension and the Google campus being planned at the Diridon station, PCEP project wireless overlay system and level boarding and the status of fully vaccinated staff - requested by Member Adrian Brandt on 12/15/21
- Transit Oriented Development & historic station preservation outreach - requested by Member Patricia Leung on 12/15/21
- Equity evaluation on the most recent schedule change and Go Pass qualification requirements - requested by Member Rosalind Kutler on 12/15/21
- Staffing structure, Governance Update, Visual Messaging Display rollout plan, Equity Plan implementation/update and periodic updates from Government Affairs regarding funding sources and how infrastructure bills may impact Caltrain - requested by Member David Tuzman on 12/15/21
- Caltrain Wayfinding improved, specifically with single tracking - requested by Member Jean-Paul Torres on 12/15/21
- Conductor's communication tools and how they may interface with the public. Regional trip planning and availability for riders that do not have access to mobile devices - requested by Alternate Member Melody Pagee on 12/15/21
- Distance-based fares on Caltrain. Deep dive on it from a practical standpoint - requested by Chair, Brian Shaw on 12/15/21
- iPhones for Conductors
- Constant Warning
- Engineering Standards

DATE, TIME, AND LOCATION OF NEXT REGULAR MEETING:

The next meeting will be June 15, 2022, at 5:40 pm, via Zoom (additional location, if any, to be determined).

Adjourned at 7:32 pm.



Memorandum

BOARD OF DIRECTORS 2022

STEVE HEMINGER, CHAIR
CHARLES STONE, VICE CHAIR
DEVORA "DEV" DAVIS
CINDY CHAVEZ
JEFF GEE
GLENN HENDRICKS
DAVE PINE
SHAMANN WALTON
MONIQUE ZMUDA

MICHELLE BOUCHARD
ACTING EXECUTIVE DIRECTOR

Date: May 24, 2022
To: Board of Directors
From: Michelle Bouchard, Acting Executive Director
Subject: June 2, 2022, JPB Board Meeting Executive Director's Report

- **On-time Performance**

- **Through May 23:** The preliminary May 2022 OTP was 75.7% compared to 90.2% for May 2021.
- **April:** The April 2022 OTP was 91.4% compared to 93.9% for April 2021.

Vehicle Strike – There was one vehicle strike on April 14 at the Broadway crossing in Burlingame, resulting in a non-fatality. There were 13 trains delayed and 1 train annulled.

- **Trespasser Strikes** – There was one trespasser strike on April 24 near Rengstorff Avenue, Mountain View, resulting in a non-fatality. There were 2 trains delayed.

- **CAC Meeting** – The Citizens Advisory Committee met on Wednesday, May 18, via teleconference. Bruce Thompson, Acting Manager – Fare Operations, provided a presentation on Business Intelligence. Grace Martinez, Acting CFO, and Sebastian Petty, Director – Special Projects, provided a presentation on the FY2023 Preliminary Operating & Capital Budgets. Chris Harvey, Manager – Rail Operations, provided the Staff Report. The next CAC meeting is scheduled for Wednesday, June 15, via teleconference.

- **BATAC Meeting** – The Bicycle & Active Transportation Advisory Committee met on Thursday, May 19, via teleconference. David Pape, Planning Administrator provided a presentation on 22nd Street Study. Steve Rainey, Palo Alto Transportation Management Association & Justine Burt, Palo Alto TMA provided a presentation on Palo Alto Bike Love Pilot. Lori Low, Government & Community Affairs Officer provided the Staff Report. The next Bicycle & Active Transportation Advisory Committee is scheduled for Thursday, July 21, via teleconference.
- **Special Event Service**

Services Performed:

Following is a summary of special event services provided.

- **San Jose Sharks** – In April, total post game additional riders boarding at San Jose Diridon was 393. The average additional ridership per game for April was 56, a decrease of 35% compared to March 2022 (86). Total pre and regular season additional ridership was 3,003. Average pre and regular season additional ridership per game was 68, a decrease of 69% compared to 2019/2021 (221).

- **San Francisco Giants** – The SF Giants hosted fourteen games in May.

In April average additional ridership per game, boarding and alighting at San Francisco station, was 4,297, an 851% increase compared to April 2021 (452). In April 2021, Oracle Park was operating under a limited attendance capacity. Total additional ridership for April was 42,973.

Caltrain will provide one post-game express train for evening games on weekdays and weekends. The train departs San Francisco 15 minutes after the last out or when full, making its first stop to Millbrae followed by local stops to San Jose Diridon. Fans wishing to reach stations between San Francisco and Millbrae should take a regularly scheduled train. Staff will continuously monitor the service throughout the season and make adjustments to accommodate the crowd as needed.

- **Golden State Warriors** – The Warriors hosted five playoffs games through May 20.

Pre and Regular Season:

In April, total additional ridership for the regular season was 291. Average additional ridership per game was 146, a decrease of 52% compared to March 2022 (306). Total additional ridership for the pre and regular season

was 12,716. Average additional ridership per game was 289, a decrease of 29% compared to 2019 (405).

Playoffs: Total additional ridership for the playoff games was 1,113. Average additional ridership per game was 371, an increase of 21% compared to March 2022 (306).

- **Bay to Breakers** – On Sunday May 15, Caltrain provided two pre-race trains in the early morning to accommodate the event goers.

Services Scheduled:

- **San Francisco Giants** – The SF Giants will host thirteen regular season games in June.
- **Golden State Warriors** – The Warriors may host more playoff games in May & June.
- **Memorial Day Holiday Service** – On Monday, May 30, Caltrain will operate a Weekend Schedule in observance of the Memorial Day holiday.
- **SF Pride Parade** – On June 26, Caltrain will operate two additional pre-parade train service and will deploy extra southbound service if extra capacity is necessary.
- **Independence Day Holiday** – On Monday, July 4, Caltrain will operate a Weekend schedule in observance of the Independence Day holiday. Additional southbound post-fireworks train service will be provided if extra capacity is necessary for those attending the festivities in San Francisco. The last southbound will depart San Francisco at 12:05 a.m.

• Capital Projects

The Capital Projects information is current as of May 13, 2022, and is subject to change between May 13 and June 2, 2022 (Board Meeting).

- **South San Francisco Station Improvements:** This project replaces the existing side platforms with a new centerboard platform, construction of a new connecting pedestrian underpass to the two new plazas in downtown South San Francisco to the west and the shuttle area to east.

New Ramps, the West Plaza, and the pedestrian underpass were opened to passengers on January 13, 2022. Shuttle service was moved from the parking lot to its new permanent location on Poletti Way on January 24, 2022. The parking lot was patched, resealed and re-stripped. The ribbon cutting ceremony that was delayed due to COVID precautions was held on April 8, 2022. Decorative stainless steel panels will be installed when the material arrives, on the “Art Wall” within the pedestrian tunnel. Replacement variable message signs on the station platforms, to replace those that were water-damaged, will also be installed when the units arrive on-site. Other minor “punch list” work items remain which will be completed over the next several months to close out the project.

- **Burlingame Broadway Grade Separation Project:** This project will grade separate the railroad alignment at Broadway, between Carolan and California Avenues, in the City of Burlingame and remove the current at-grade crossing. As part of this project, the Broadway Station will become elevated and the hold-out rule at this station will be eliminated, improving operational efficiency. Currently, the project is funded for the design phase through local funds (San Mateo County Transportation Agency Measure A and the City of Burlingame). The City of Burlingame is the project sponsor with Caltrain acting as the lead agency for implementation.

The current schedule forecasts advertisement for the construction contract by late-2023. Construction is scheduled to occur from early 2025 to mid-2028. The team is evaluating the potential use of the Construction Manager/General Contractor (CM/GC) project delivery approach, to address project risk and site constraints. If CM/GC is chosen, the schedule for the construction contract may accelerate.

- **Guadalupe River Bridge Replacement:** JPB proposes to replace the MT-1 railroad bridge and extend and seismically retrofit the MT-2 railroad bridge over the Guadalupe River in the City of San Jose, Santa Clara County, California. The proposed project is located just north of Willow Street and east of State Route (SR) 87 between the Tamien and San Jose Diridon stations.

The total project cost is estimated at approximately \$52.2 million and has reached 100% design completion. Bid advertisement is expected in May 2022 with expected Board award in Summer, 2022.

The primary issue facing this project is the resolution of budget issues with Union Pacific Railroad (UPRR). Per the Trackage Rights Agreement, a binding arbitration hearing was held in December 2021. A preliminary ruling was rendered by the Arbitration Panel with certain matters still pending resolution.

- **Rengstorff Avenue Grade Separation:** JPB in partnership with the City of Mountain View propose to grade separate the existing at-grade Caltrain tracks from the roadway crossing at Rengstorff Avenue in the City of Mountain View. This project will help improve public safety for pedestrians, cyclists, vehicles, and trains while improving the overall traffic flow and travel reliability.

The project entails constructing a new fully depressed intersection, major grading work, new paving and bicycle lanes with special barriers, retaining walls, new elevated railroad tracks and pedestrian bridges, utility relocation, drainage and pump station facilities, and landscaping.

The 35% design is currently under review after submittal in April 2022. An RFP for Final Design services and another potentially for a CM/GC contractor is anticipated in late 2022. The preliminary total budgeted cost is approximately \$280 million. Most of the funds will come from the City of Mountain View (thru VTA-Measure “B” sales tax), State, Federal, local, and other grants.

Construction is expected to start in early 2025, pending securing funds and completion in late 2027.

- **Ticket Vending Machine (TVM) Upgrade:** This project will upgrade the existing TVM Server and retrofit and refurbish existing TVM machines to include functions planned for the Clipper program. The new machines will be able to dispense new Clipper cards (excluding discount Clipper cards that require verification of eligibility) and allow customers to add value to existing Clipper cards. In addition, the scope was increased to include upgrades to the credit card reader and database.

Phase 1 was completed in October 2020 to develop a prototype Clipper TVM. Phase 2 for retrofitting 12 additional TVM's was completed in March 2021. The completion of Phase 3 for 27 TVM's that was expected in April 2022 has been extended to May due to supply chain issues. Phase 4 for upgrading another 27 TVM's commenced in March 2022 with completion expected by the end of 2022. Phase 5 funds to upgrade the remaining 27 TVM's (contained in the FY22 Capital Budget) are not yet available.

- **Clipper Next Gen Validators Site Preparation:** This project will prepare the stations with electrical power for the installation of the Clipper Next Gen Validators to be installed by MTC/Cubic. The contract was awarded to BECI Electric at the February 2022 JPB Board meeting. The contractor completed the administrative period in late April. Construction has started with an anticipated completion by late 2022.

- **Mary and Evelyn Avenue Traffic Signal Preemption Project:** This project will perform upgrades to train approach warning systems at Mary Avenue and Evelyn Avenue crossings in Sunnyvale. The project will improve vehicle safety at the at-grade crossings by increasing traffic signal advance warning times for approaching trains in order to clear vehicles at the crossings.

JPB completed their portion of construction in June 2021. The City's contractor completed their construction at the end of April 2022. Integrated testing with the City of Sunnyvale's traffic controller began in May and will continue through June.

- **Churchill Avenue Grade Crossing Improvements:** This project will improve safety, pedestrian and bicycle access to the Churchill Avenue crossing in the City of Palo Alto. The project scope includes widening sidewalks, associated relocation of pedestrian gates, and installing new vehicle pavement markings and markers. This project is coordinated with the City of Palo Alto's own design for the crossing.

The project began in December 2019. The 100% design was received in October 2021. JPB's Issue for Bid documents are awaiting the California Public Utilities Commission (CPUC) approval of the City of Palo Alto's portion of the contract documents so that advertisement for bids can proceed. Construction forecast to occur from Fall 2022 to Fall 2023.

- **Broadband Wireless Communications:** This project will provide wireless communication systems to enhance railroad operations and maintenance capabilities and provide Wi-Fi capability for passengers. This project is funded through a Transit and Intercity Rail Capital Program (TIRCP) grant.

Proposals were received at the end of December 2021 and were reviewed by an Evaluation Committee at Caltrain and followed by interviews with shortlisted proposers. System demonstrations of their proposed systems within the Caltrain corridor were conducted in April and May, and is being followed by contract negotiations. Contract award is anticipated in the Summer of 2022. Design and Construction is planned from September 2022 until June 2024.

- **Bayshore Station Bridge Painting:** 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 are in need of 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.

Bids were received on January 14, 2022, and an evaluation by JPB was completed. Award of the construction contract was completed in April 2022. The contractor is currently in the 60-day administrative period prior to commencement of construction. Construction is expected to commence in Spring/Summer 2022 and complete in late 2022.

- **Mountain View Transit Center Grade Separation and Access:** The purpose of the Mountain View Transit Center (MVTC) Grade Separation and Access Project is to improve safety at Castro Street in the city of Mountain View by replacing the existing at-grade crossing at Castro Street with a grade-separated pedestrian and bicycle underground crossing.

JPB Environmental Planning group obtained environmental clearance for the Project through the California Environmental Quality Act (CEQA). A Board action for CEQA adoption will be done concurrently with the approval and award of the Final Design Contract in mid-2022.

In Summer 2022, staff will seek authorization from the Board to proceed with the Construction Manager/General Contractor (CM/GC) alternative contract delivery method that is expected to accomplish the following objectives: 1) reduce project costs, 2) expedite the project's schedule, and 3) provide contracting flexibility and options not available through the traditional design-bid-build method.

Staff will also seek Board authorization to enter into a new cooperative agreement with the City of Mountain View and VTA to increase the budget for the CM/GC pre-construction services and other associated items. Upon execution of the cooperative agreement, staff will seek Board authorization to amend the project budget and FY23 capital budget.

- **Watkins Avenue Grade Crossing Improvements:** This project includes the design and construction of four quadrant ("quad") gates at the Watkins Avenue Grade crossing located in Atherton, California. This project is related to the executed Memorandum of Understanding (MOU) regarding the 'Town of Atherton Station Closure' between the Town and Caltrain.

In July 2021, a work directive was issued to the design consultant to complete the final design activities. JPB staff including, Engineering and Maintenance, conducted a kick-off meeting with Town of Atherton staff regarding scope, schedule, and input for the conceptual design. The 100% design is now in progress for completion in the Summer 2022.

The current schedule forecast reflects a construction period from January 2023 to December 2023, which complies with executed MOU terms. The

Town of Atherton has submitted to the Federal Railroad Administration a Notice of Intent to expand the existing Fair Oaks Lane Quite Zone to include Watkins Avenue.

- **San Mateo Grade Crossing Improvements:** This project will install four quadrant (“quad”) gates at the grade crossings at 4th and 5th Avenues in San Mateo. The 100% design is complete; awaiting the City of San Mateo to finish their design in Spring 2022. Procurement is scheduled to begin following integration of the City’s design into the bid documents for procurement with construction planned for 2023.
- **MP-36 Locomotive Mid-Life Overhaul Project:** 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.

The first vehicle #927 was shipped to the vendor’s (Alstom) facility at Mare Island (Vallejo) in July 2020 for overhaul. Its return to Caltrain was delayed from early-2021 until the end of December 2021 due to COVID-19 related impacts to the vendor’s supply chain, availability of testing staff due to travel restrictions, and an increase in the scope of needed repairs. Vehicle #927 is currently undergoing acceptance testing by Alstom and TASI at CEMOF in San Jose. The 927 has been conditionally accepted by the JPB and is currently running in service. The 927 has been testing in service and has reached final acceptance status by the JPB and is now in full service. Vehicle #924 was shipped in early November 2020 to the vendor to make room in the CEMOF facility construction project and is 28% completed, it has been completely stripped, and both the main and HEP engines are being overhauled. The 924 is being prepped for sand-blasting and painting. Vehicle # 925 has most recently been prepared and inspected at CEMOF for delivery to Alstom’s facility in Mare Island for overhaul. The 925 has arrived at the Alstom facility in Mare Island and is ready to begin its over-haul. The 925 is currently being stripped and dis-assembled and is 4% completed. Henry Flores, Deputy Director of Rail Vehicle Maintenance is the Project Manager.