



BOARD OF DIRECTORS 2024

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EXECUTIVE DIRECTOR

AGENDA

PENINSULA CORRIDOR JOINT POWERS BOARD

Board of Directors Meeting

April 04, 2024, 9:00 am

Bacciocco Auditorium, 2nd Floor
1250 San Carlos Ave., San Carlos, CA

Members of the public may participate remotely via Zoom at <https://us06web.zoom.us/j/87581188408?pwd=OFNUYTVFdExlOXRkR2tQOENXQUhhUT09> or by entering Webinar ID: **875 8118 8408**, Passcode: **033088** 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>

Members of the public also may participate in person at: San Mateo County Transit District, Bacciocco Auditorium - Second Floor, 1250 San Carlos Ave., San Carlos, CA, or any other noticed location.

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 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.

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

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.

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

A double asterisk indicates that one or more Directors of the JPB serve on the governing board of a public agency with which the JPB proposes to contract. Under Government code section 1091(a)(9), this relationship is considered to be a noninterest but it must be disclosed.

April 04, 2024 - Thursday

9:00 am

-
1. Call to Order / Pledge of Allegiance
 2. Roll Call
 3. Consideration of requests, if any, of Directors to participate remotely due to Emergency Circumstances
 4. 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.
 5. Report of the Executive Director Informational
 6. Consent Calendar
Members of the Board may request that an item under the Consent Calendar be considered separately.

6.a. Meeting Minutes of March 7, 2024 Motion

Approved by the Finance Committee

6.b. Accept Statement of Revenues and Expenses for the Period Motion
Ending February 29, 2024

6.c. Renew Findings of an Emergency Regarding the North Channel Resolution
Embankment of the San Francisquito Creek Bridge Due to Erosion
Pursuant to Public Contract Code §22050*

6.d. Authorize Amendment 1 to Contract with Olson Remcho LLP for Resolution
General Counsel and Other Legal Services Including Execution of
Two One-Year Option Terms*

6.e. Award of Contract for On-Call Management of Soil, Hazardous Resolution
Waste and Other Environmental Compliance Services*

- | | |
|--|------------|
| 6.f. Authorization to Apply to CalPERS for a Successor Agency Contract | Resolution |
|--|------------|

Approved by the Technology, Operations, Planning, and Safety (TOPS) Committee

- | | |
|--|---------------|
| 6.g. Award of Contract for Electrified Rail Support Services* | Resolution |
| 7. State and Federal Legislative Update: Consideration of Position on Senate Bill 1031, The Connect Bay Area Act | Motion |
| 8. Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report | Informational |
| 9. Link21 Program Update | Informational |
| 10. Reports | |
| 10.a. Report of the Citizens Advisory Committee | Informational |
| 10.b. Report of the Chair | Informational |
| 10.c. Report of the Local Policy Maker Group (LPMG) | Informational |
| 10.d. Report of the Transbay Joint Powers Authority (TJPA) | Informational |
| 11. Correspondence | |
| 12. Board Member Requests | |
| 13. Date/Time of Next Regular Meeting: Thursday, May 2, 2024 at 9:00 am.
The meeting will be accessible via Zoom and in person at the San Mateo County Transit District, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA. | |
| 14. Adjourn | |

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 TOPS and AMP Committee: Two Wednesdays before the Board meeting, 1:30 pm and 3:30 pm respectively. The 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

Members of the Public may attend this meeting in person or remotely via Zoom. *Should Zoom not be operational, please check online at <https://www.caltrain.com/about-caltrain/meetings> for any updates or further instruction.

Public Comment*

Members of the public are encouraged to participate remotely or in person. Public comments may be submitted by comment card in person and given to the JPB Secretary. Prior to the meeting's call to order, public comment may be sent to publiccomment@caltrain.com 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://www.caltrain.com/about-caltrain/meetings>.

Oral public comments will also be accepted during the meeting in person or 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.



Executive Director's Monthly Report: March 2024

Executive Director Michelle Bouchard

Report prepared for April Board meeting; data current through February 2024.








Who We Are and What We Do

Caltrain Mission: Caltrain is a customer-focused rail system offering safe, reliable, accessible, and sustainable transportation service that enhances quality of life for all.

Caltrain Vision: To be a vital link in the statewide rail network by improving connectivity to other transit systems, contributing to the region's economic vitality, and partnering with local communities to ensure that diverse constituencies receive a world-class travel experience.



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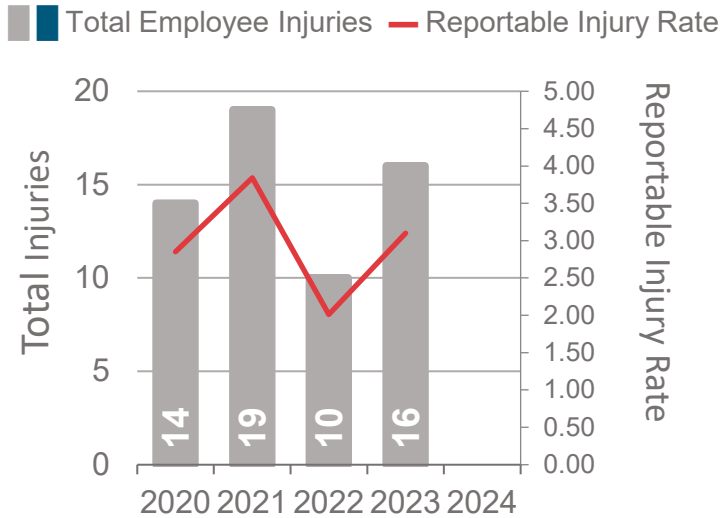
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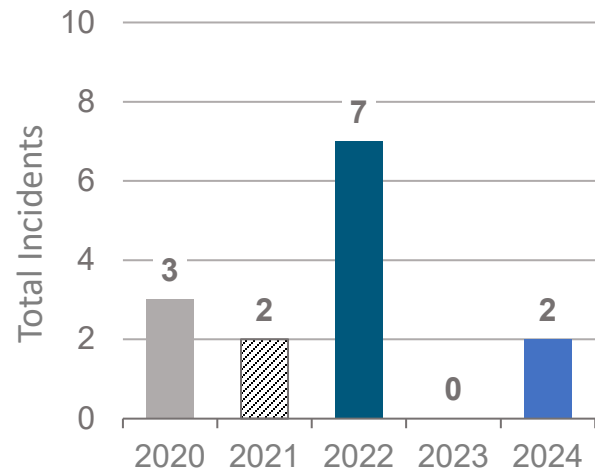


Safety Updates – Injuries and Incidents

Reportable Injury Trends



Reportable Rail Equipment Incidents



Reportable Injury Rates (RIR) are based on the number of railroad worker on duty injuries and illnesses per 200,000 employee-hours annually (equivalent of 100 full time employees). The national average RIR is 3.0 across all industries, per the U.S. Bureau of Labor Statistics. Caltrain’s cumulative RIR for calendar year 2023 was 3.24.

Strains or sprains constitute the majority (53%) of reportable injuries for Caltrain’s operator.

Reportable railroad accidents/incidents are divided into three groups: (1) Highway-Rail Grade Crossing; (2) Rail Equipment; (3) Death, Injury and Occupational Illness.

Reportable Rail Equipment Incidents from recent years peaked in 2022. There were no reportable incidents in 2023 but there have been 2 incidents thus far in 2024.

Days without a Reportable Injury as of 2/9/2024

Department	Days Without Injury	Date of Last Injury
Operations	99	11/3/2023
Maintenance of Equipment	96	11/6/2023
Maintenance of Way	3	2/7/2024
Other	1,354	5/27/2020





Safety Culture Engagement Efforts

Ongoing Safety Culture Transformation

- Caltrain recently onboarded a new cohort of Safety Champion volunteers to partner with the Safety Department and executives on the Safety Culture Steering Committee to promote, improve, and sustain a proactive safety culture. Safety Champions help create safety messaging, encourage safety concern reporting, model safe behaviors, and obtain feedback from peers.
- Chief Safety Officer issues regular correspondence to Caltrain employees about the importance of continuing to put Safety First and Always. Recent messages covered topics such as learning culture and safety moments.
- Caltrain recently launched a “Safety Leaders of the Quarter” recognition program to acknowledge and celebrate employees who are actively contributing to a positive safety culture. The inaugural Safety Leaders were recognized at Caltrain’s most recent All Hands Meeting. A new group of 9 Safety Leaders was selected and recognized in March 2024.

Recent Engagement Activities

- Attended APTA Mid-Year Safety and Risk Seminar
- Participated in Commuter Rail Safety Committee – presented Caltrain efforts on Roadway Worker Protection, Safety Culture and Grade Crossings
- Engaging cities along corridor to advance tree mitigation efforts
- Attended safety symposium in Pittsburgh, PA to present on Caltrain’s safety culture transformation and discuss best practices with industry peers

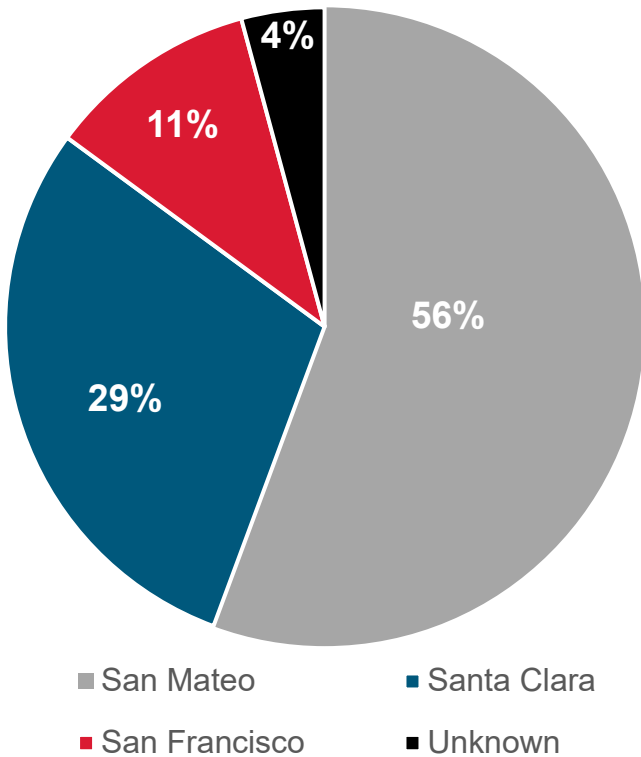




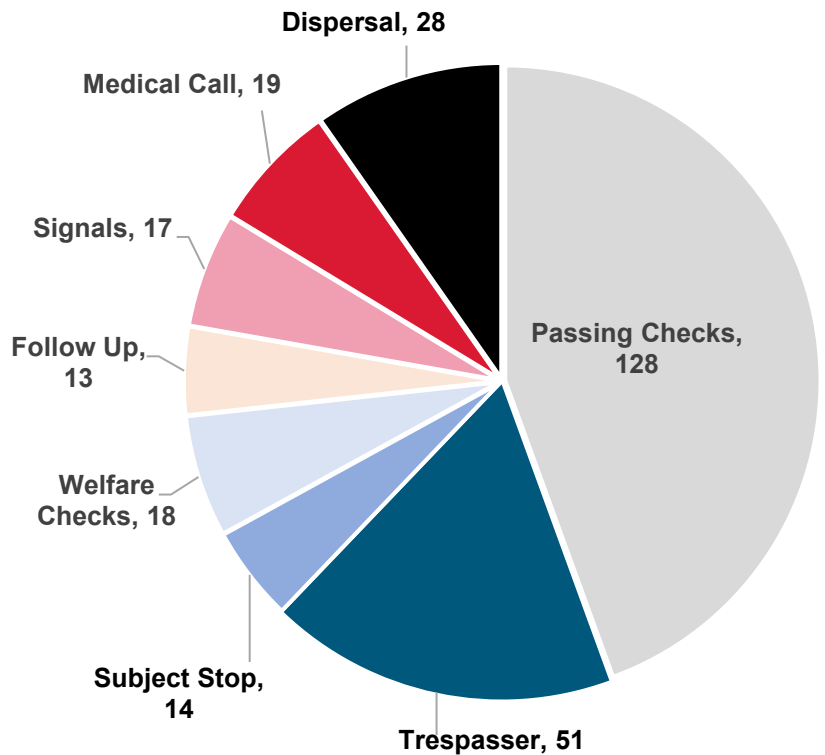
Security Update

The San Mateo County Sheriff’s Office Transit Police Bureau is Caltrain’s contracted law enforcement provider. The bureau is responsible for policing all Caltrain rail equipment, stations, right-of-ways and facilities throughout San Francisco, San Mateo, and Santa Clara counties.

Calls for Service by County – February 2024



Number of Calls by Category – February 2024¹



February 2024 Service Call Data

Overall Average Response Time: **25:05**
 Average Response Time for **Priority 1***: **25:57**
 Average Response Time for **Priority 2****: **22:16**

*Priority 1 Calls: *In Progress – Crimes Against Persons*
 **Priority 2 Calls: *Just Occurred – Crimes Against Persons/ In Progress – Property Crimes*

Footnote 1: Total calls for service totaled 409 in February across 15 categories. The pie chart shows the top 8 categories representing 288 calls or 70% of the total.

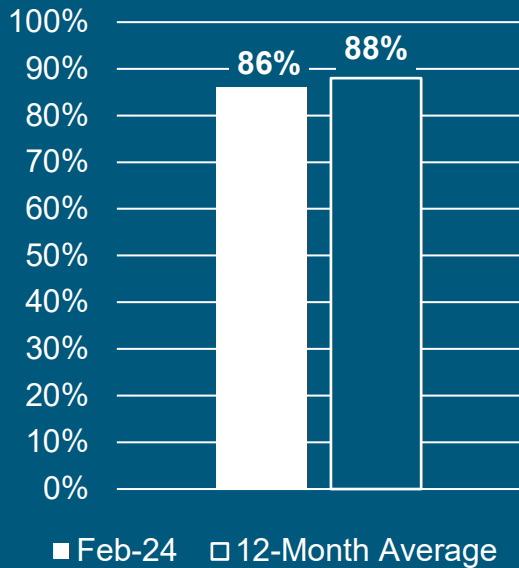




Performance at a Glance

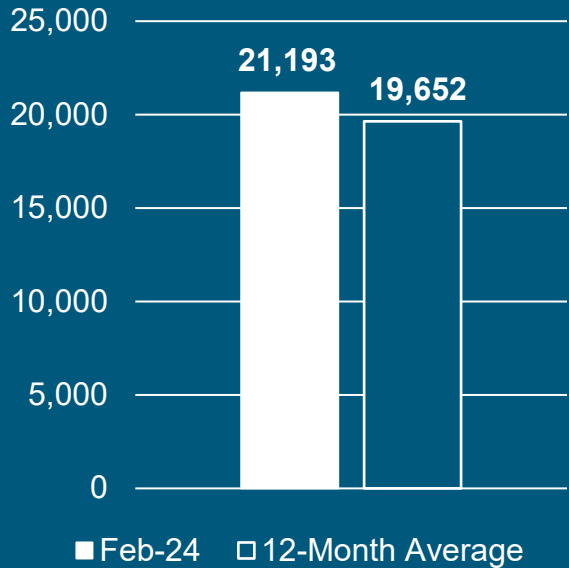
On-Time Performance

Percentage of trains arriving within six minutes of the scheduled time



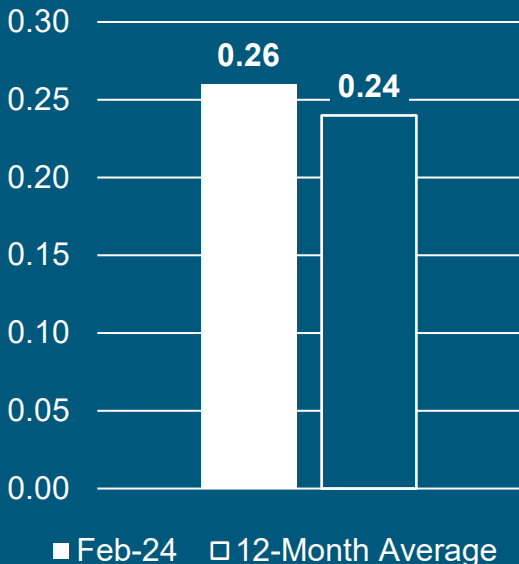
Average Daily Ridership

Average estimated weekday ridership



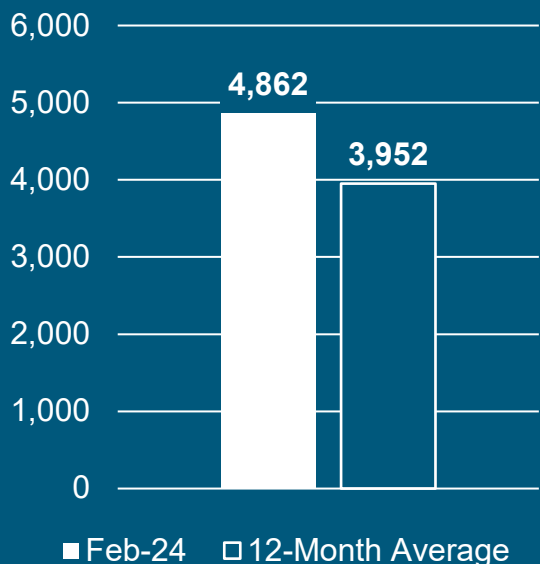
Farebox Recovery Ratio

Ratio of fare revenue to operating costs



Mean Distance Between Failures

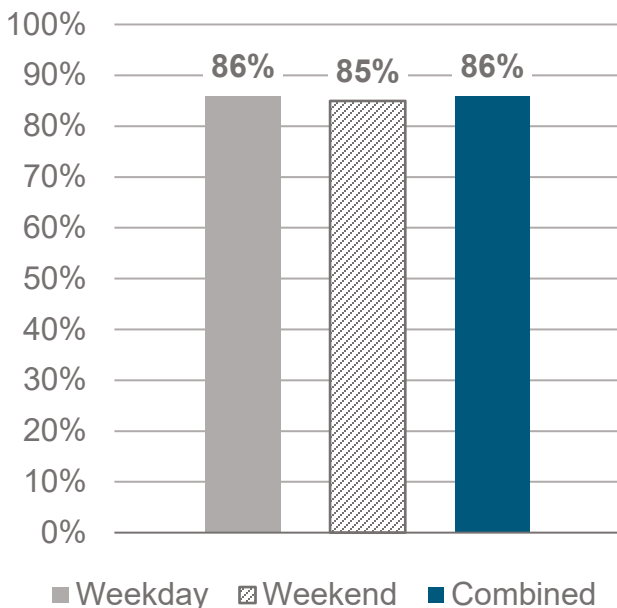
Average miles travelled by locomotives before maintenance/repair is required





On-Time Performance

Performance This Month (Feb-24)

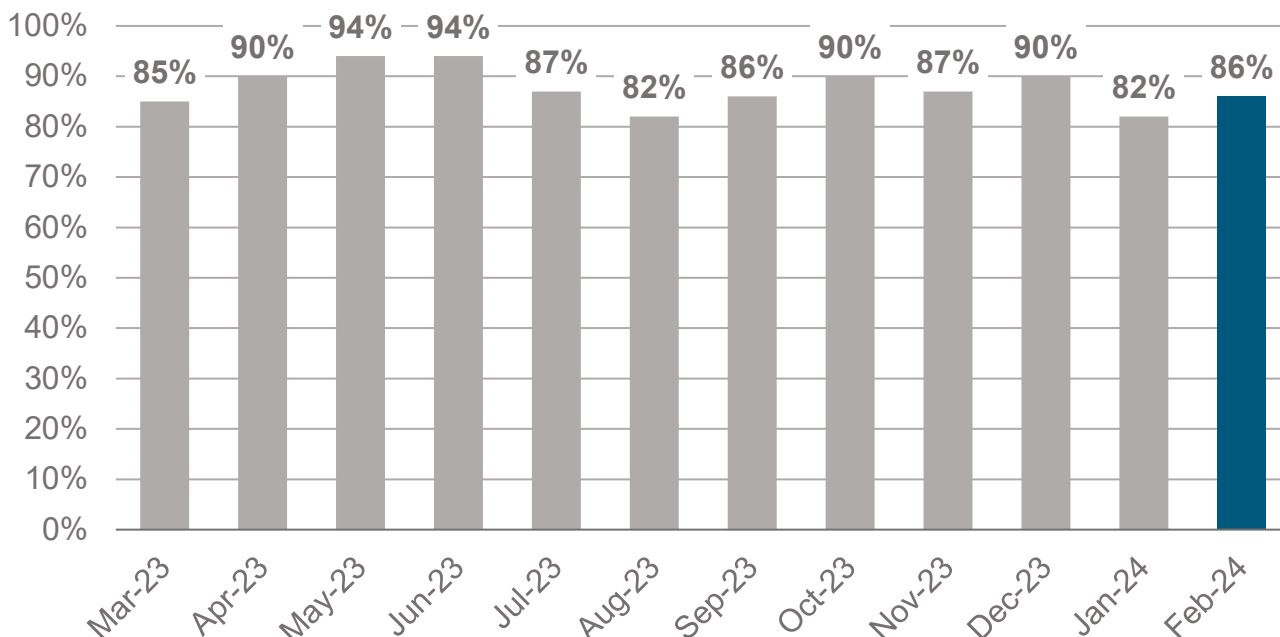


Trains are considered on-time if they arrive within six minutes of the scheduled arrival time at end-line locations (i.e. San Francisco, San Jose Diridon, Tamien, and Gilroy).

The on-time performance (OTP) goal for Caltrain is 95 percent. Combined OTP for the month of December was 86%.

Note that weekend OTP includes holidays.

Monthly On-Time Performance in the Past Year





Delays and Cancellations

Dec-23

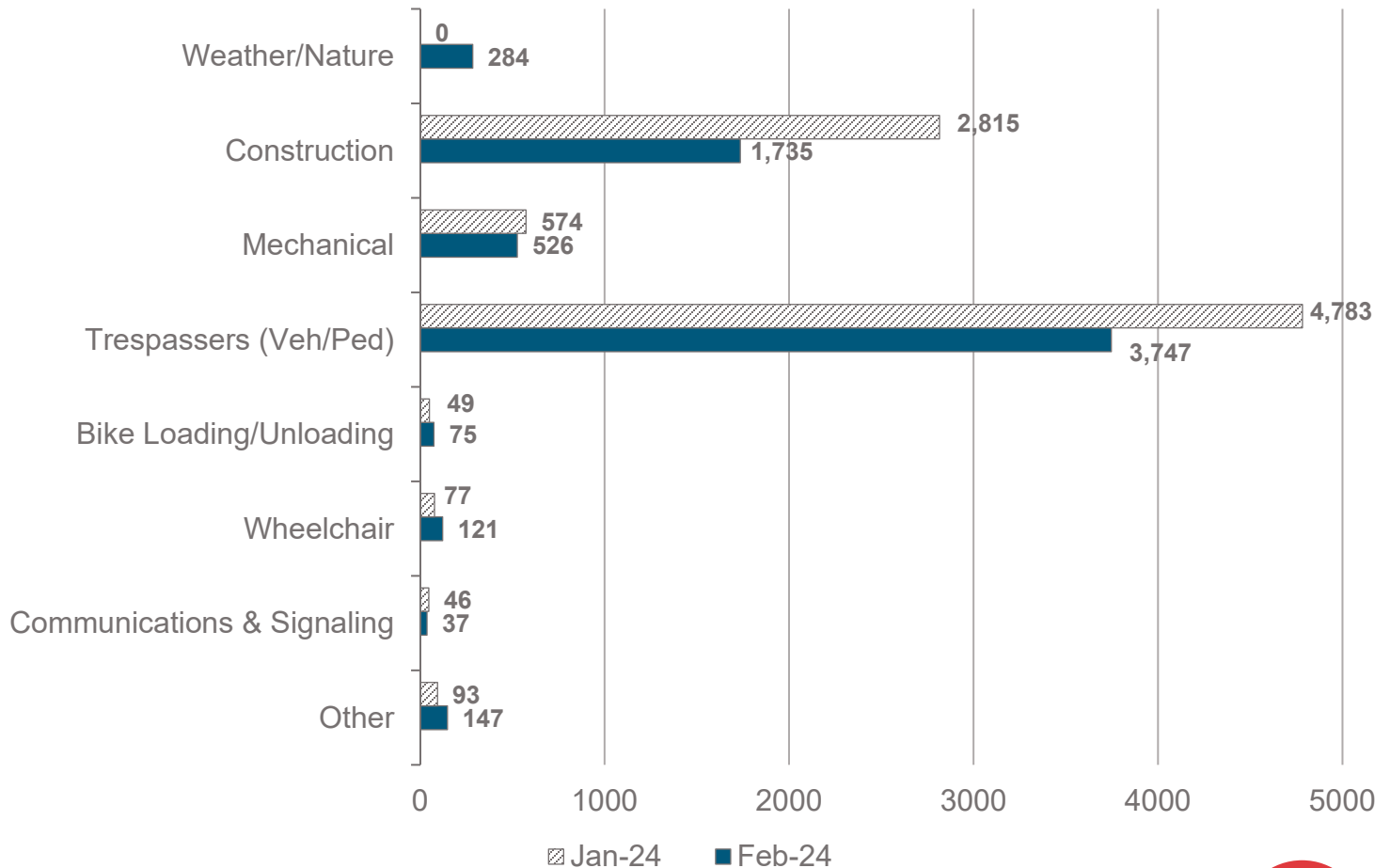
Jan-24

Feb-24

Number of Late Trains	238	448	335
Average Minutes Late for Late Trains	29	27	21
Number of Cancelled Trains	11	41	18

Trains are considered late if they arrive at their end-line destination six minutes or more after the scheduled time. Average Minutes Late represents the average difference in actual arrival time from the scheduled arrival time for late trains. Cancelled Trains includes trains forced to terminate mid-run, as well as those that are annulled before they begin to operate.

Reasons for Train Delays, by Minutes of Delay



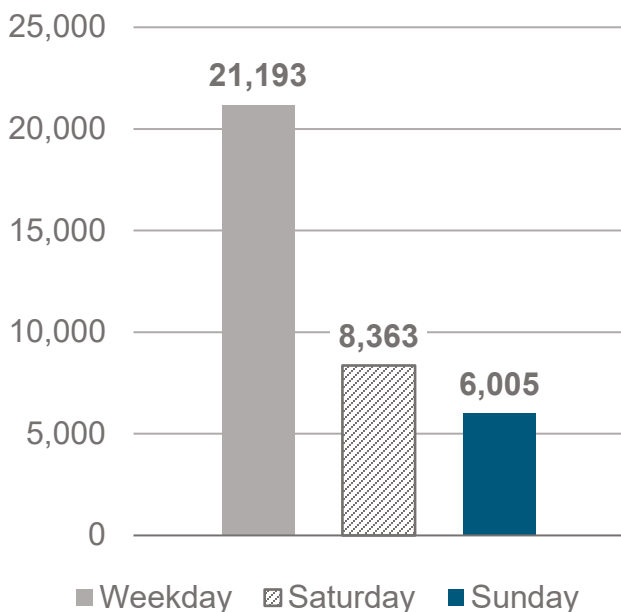
Note: "Other" includes special events and track defects.





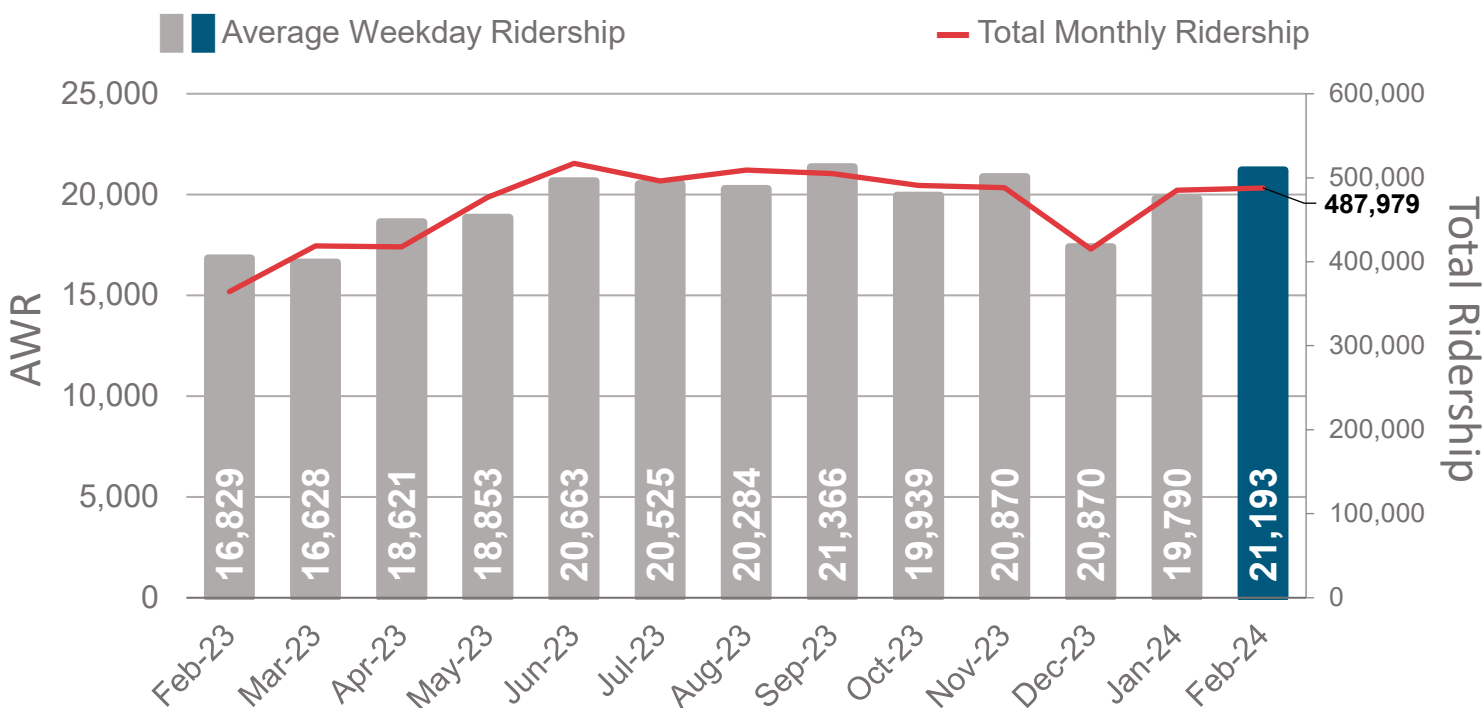
Ridership and Revenue

Average Daily Ridership (Feb-24)



Average weekday ridership (AWR) increased by approximately 26 percent compared to the same month in the prior year as riders continue to return to the Caltrain system for increased work and leisure travel.

Ridership in the Past Year



April 2020 through October 2023: Due to pandemic-induced changes in travel patterns, ridership estimates were calculated using a combination of Clipper tap data and limited conductor counts.

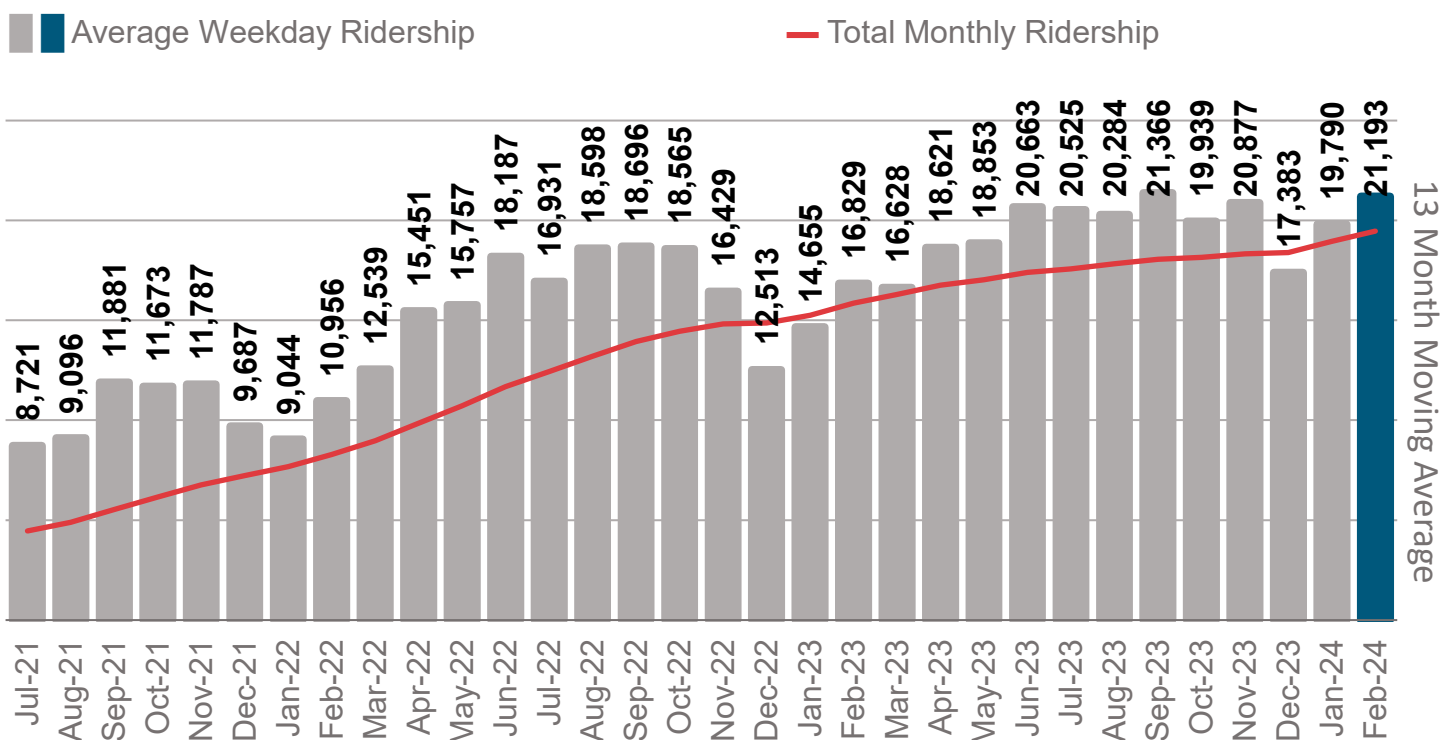
November 2023 on: Caltrain implemented a ridership estimation model that is based entirely on fare media sales data.





Ridership and Revenue

**Average Weekday Ridership & 13 Month Moving Average:
Fiscal Year 2022 to Present**



Year Over Year AWR Increase
(February 2023 vs. February 2024) : 26%





Ridership and Revenue

Special Service Ridership Report

San Francisco Station

- Golden State Warriors
 - Five regular season home games in February with post-game ridership boarding at San Francisco station of 1,758.
 - Season-to-date ridership boarding at San Francisco station was 13,571, a 4% increase compared to 2022 (13,086) and a 55% decrease compared to 2019 (30,480).

San Jose Diridon Station

- San Jose Sharks
 - Four regular season home games in February with post-game ridership boarding at San Jose Diridon station of 520.
 - Season-to-date post-game ridership is 5,674, an 83% increase compared to 2022 (3,089) and a 26% decrease compared to 2019 (7,762).

* Methodology Change: Prior to November 2023, special event ridership was reported in terms of “additional riders.” With the rollout of a new fare media sales-based estimation methodology, special event ridership is now reported in terms of total (gross) ridership on trains before and/or after special events. Gross ridership estimates are available for special events for which additional ridership was previously reported.

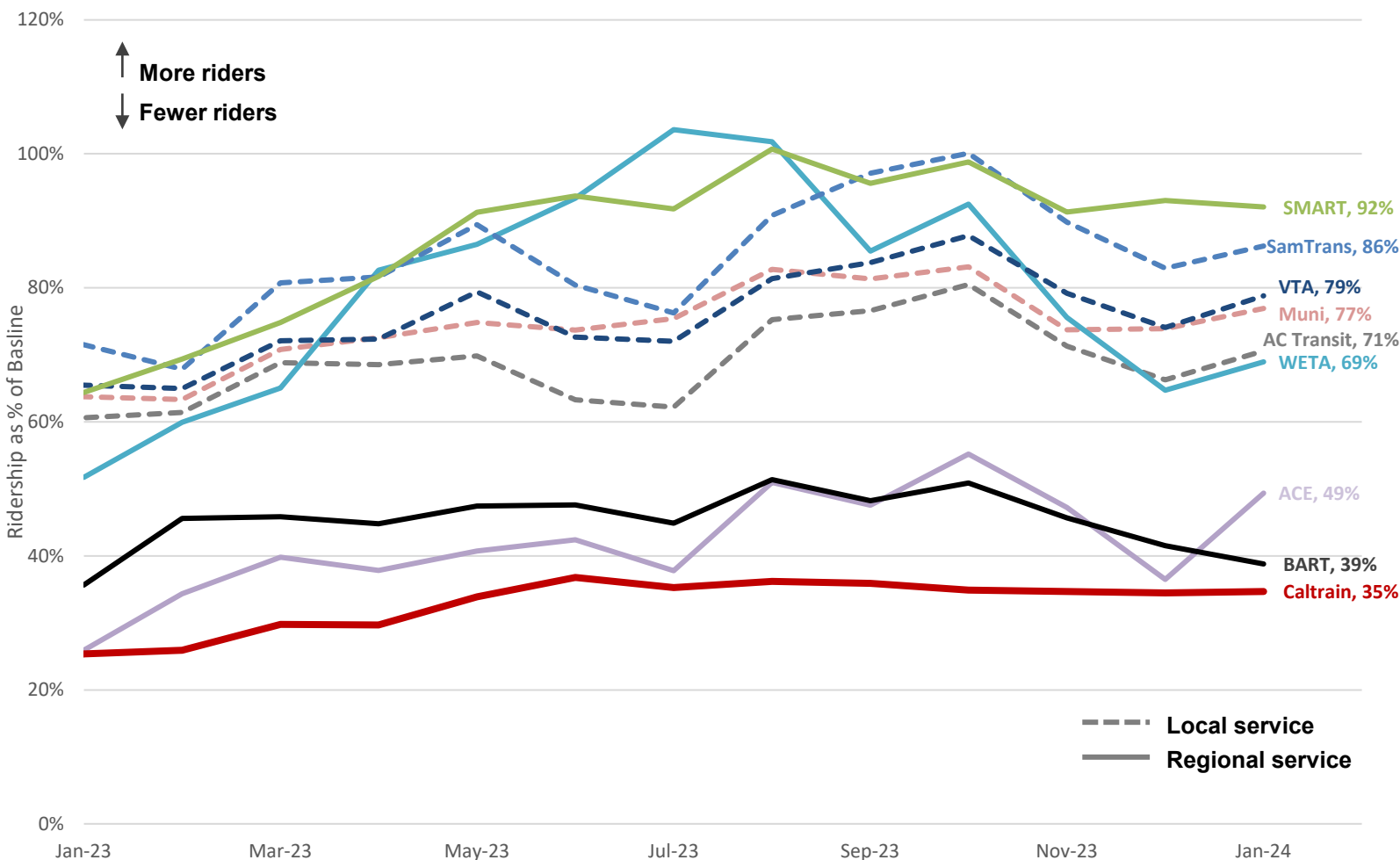




Public Transit Ridership Recovery in the Bay Area

The below chart represents total monthly ridership as a percentage of baseline (defined as total monthly ridership reported in February 2020).

Total Monthly Ridership as a Share of Pre-Pandemic Levels



Sources:

- Starting in November 2023, Caltrain ridership estimates use a fare media sales-based model. Prior to then, Caltrain ridership estimates were based on a combination of conductor counts & Clipper data
- Ridership data for all other agencies retrieved from the National Transit Database

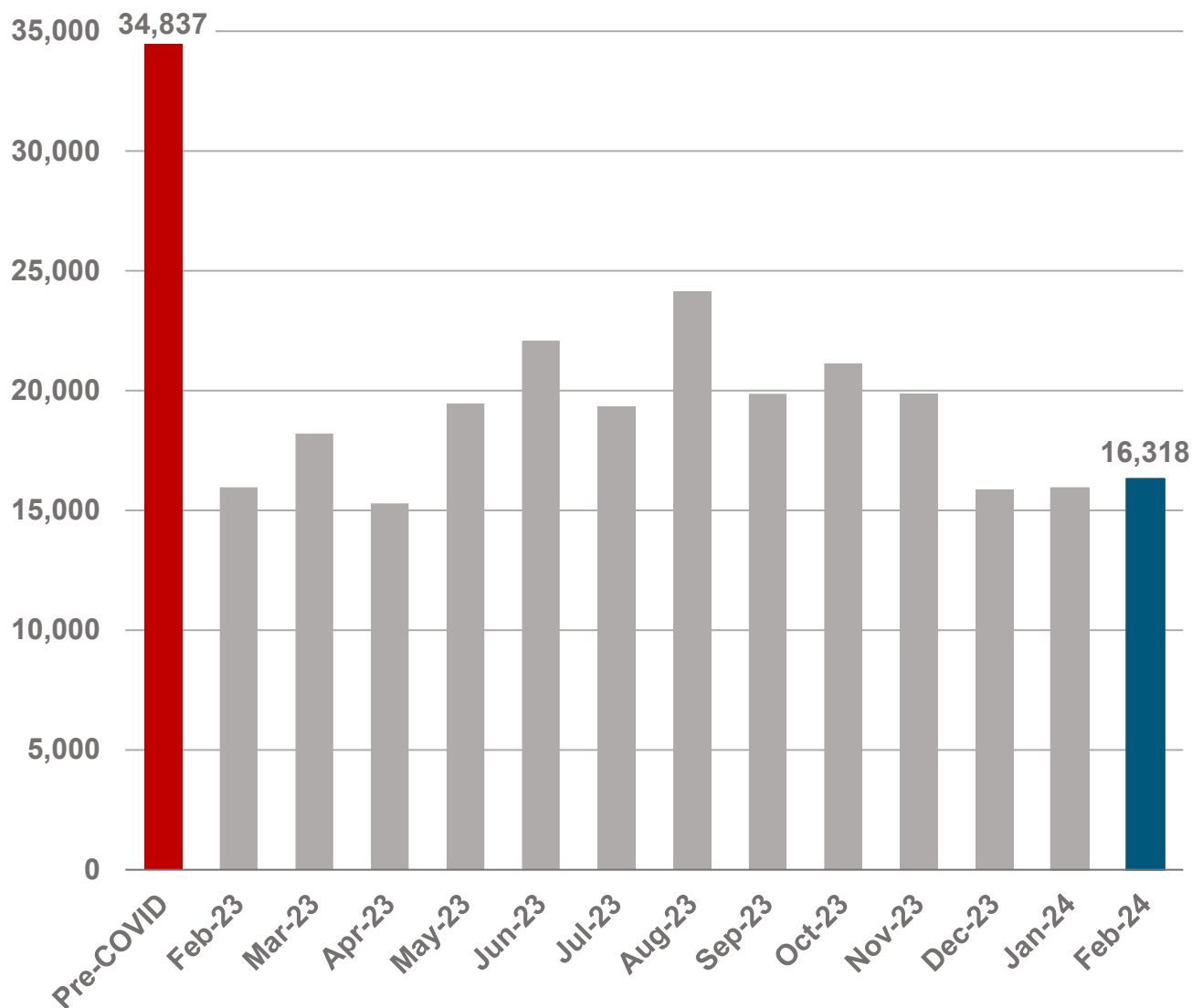
Total Monthly Ridership Estimates (in thousands)

Transit Operator	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24
Muni	10,500	10,430	11,659	11,951	12,320	12,136	12,420	13,629	13,390	13,688	12,271	12,167	12,665
BART	3,479	4,449	4,470	4,370	4,628	4,645	4,376	5,010	4,706	4,963	4,454	4,051	3,785
AC Transit	2,786	2,822	3,164	3,150	3,209	2,909	2,859	3,458	3,521	3,699	3,278	3,045	3,245
VTA	1,872	1,857	2,061	2,069	2,270	2,077	2,060	2,326	2,395	2,511	2,264	2,118	2,253
SamTrans	678	643	765	774	848	762	723	861	920	949	851	786	817
Caltrain	357	365	419	418	477	517	496	509	505	491	488	485	488
WETA	120	139	151	191	200	216	240	236	198	214	175	150	160
SMART	46	50	54	59	65	67	66	72	69	71	65	67	66
ACE	30	40	46	43	47	49	43	59	55	63	54	42	57



Ridership and Revenue

Monthly BART Transfers at Millbrae in the Past Year



BART Transfers at Millbrae represents the total number of BART-to-Caltrain and Caltrain-to-BART transfers, as measured by Clipper Card data.

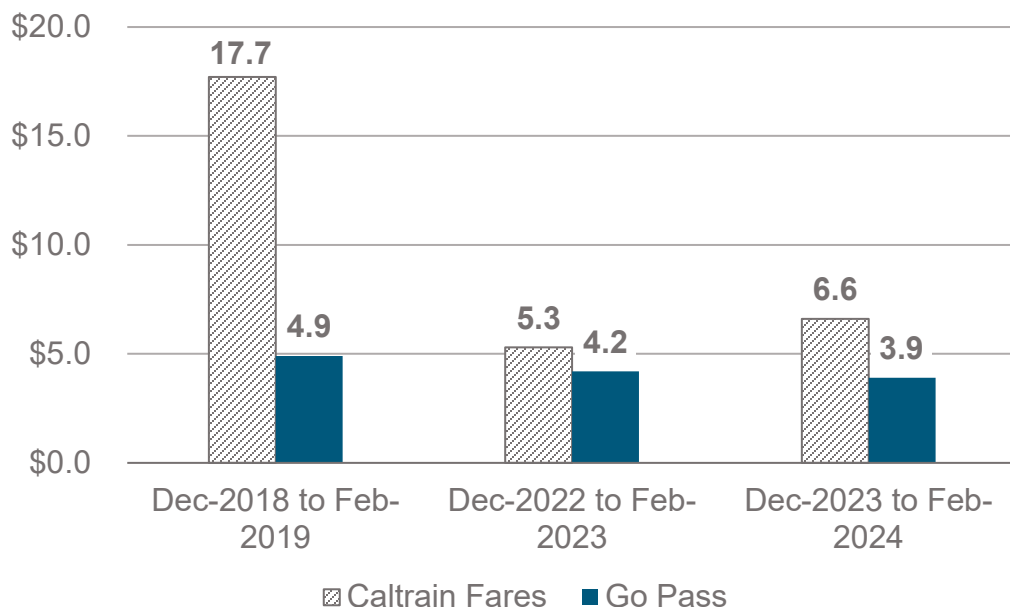
Pre-COVID data is provided for comparison purposes and represents average monthly transfers during the one-year period from March 2019 to February 2020.





Ridership and Revenue

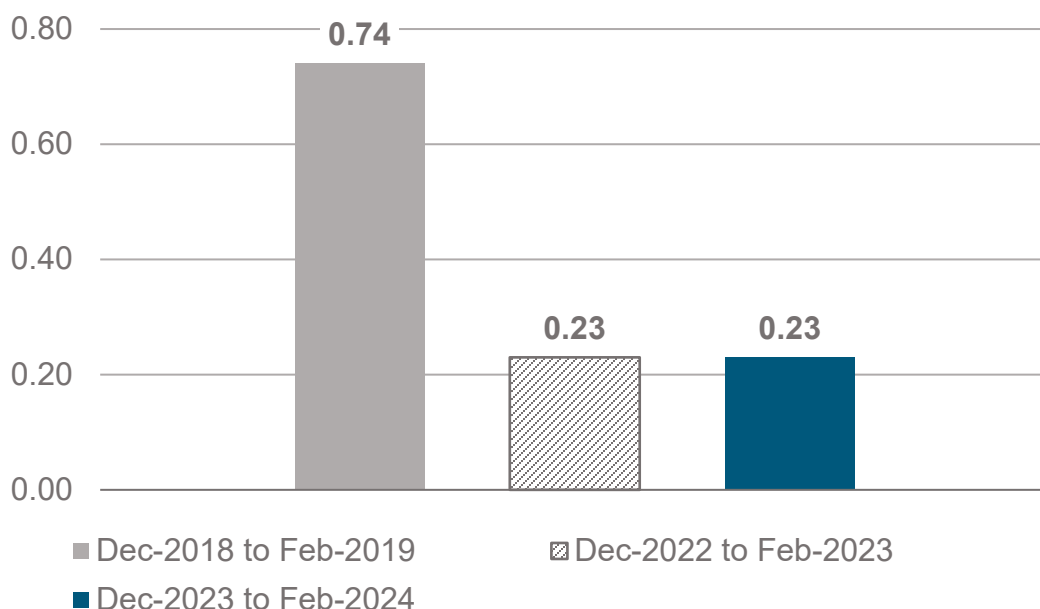
Total Fare Revenues (\$M) - Past 3 Months Comparison



Fare revenue comes in the form of one-way tickets, daily or monthly passes (“Caltrain Fares”), and the Go Pass program.

Fare revenue is generally more stable than ridership due to many riders paying for monthly passes, which provide consistent revenue regardless of usage.

Farebox Recovery Ratio (3-Month Rolling Average)



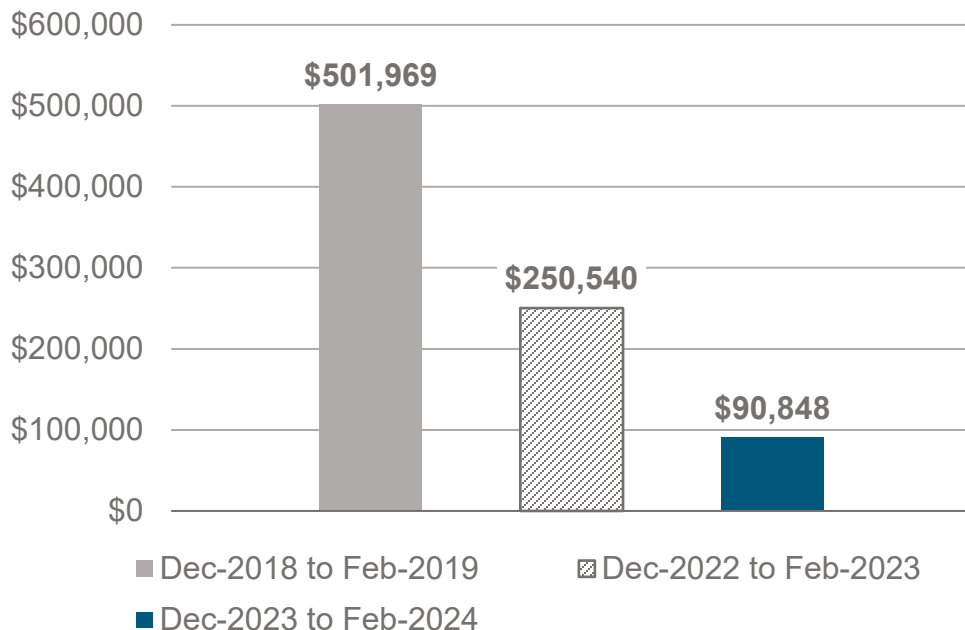
Farebox Recovery Ratio represents how much of the cost of providing service is covered by customer fares. A higher ratio indicates that a greater share of costs are covered by riders.





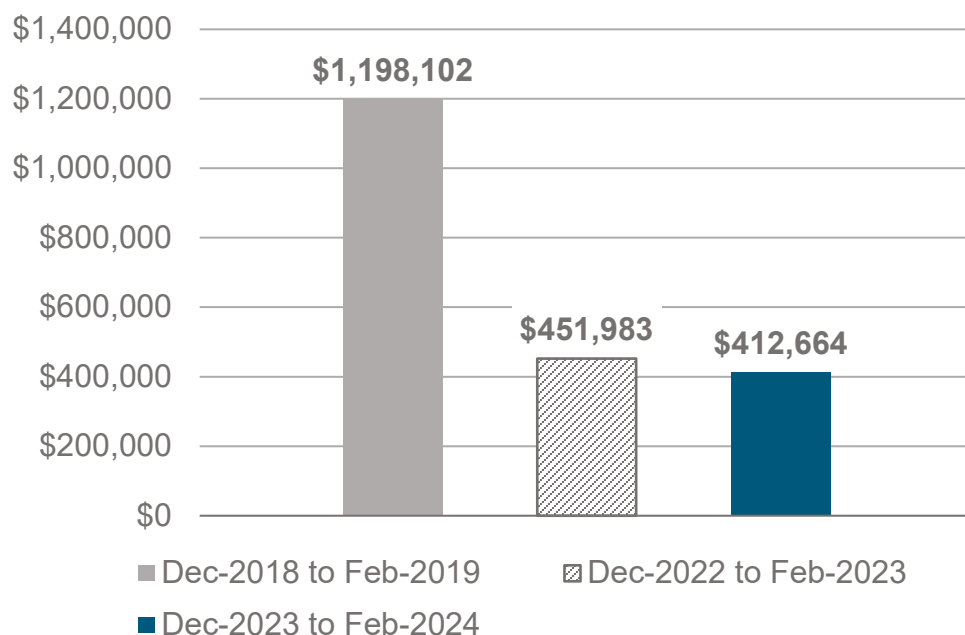
Ridership and Revenue

Advertising Revenue (3-Month Rolling Average)



Advertising Revenue declined substantially for transit agencies throughout the country with the onset of the COVID-19 pandemic.

Parking Revenue (3-Month Rolling Average)



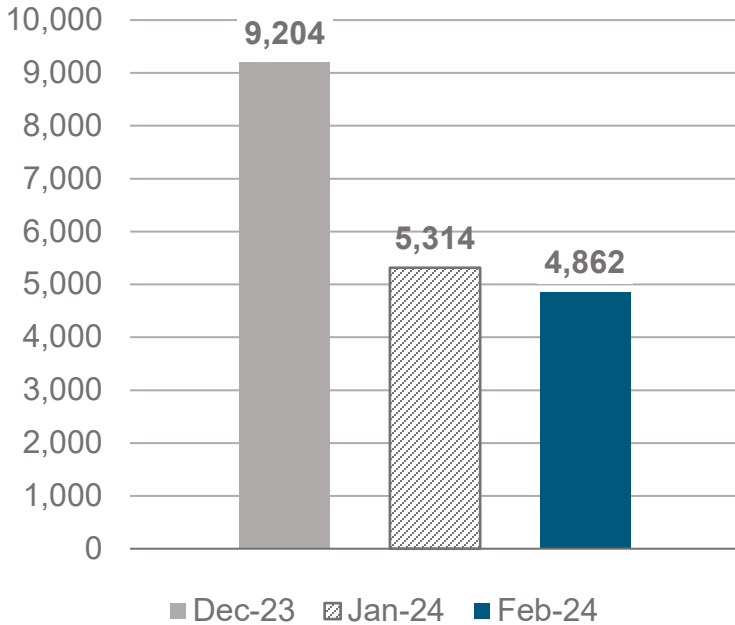
Parking Revenue is generated by purchases of daily and monthly parking permits for parking at Caltrain-owned lots.





Maintenance Performance

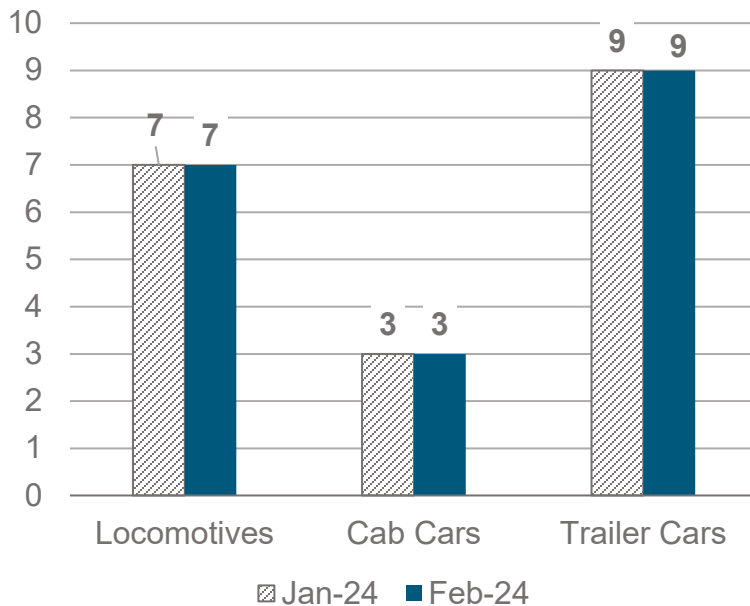
Mean Distance Between Failure (Locomotives)



Mean Distance Between Failure (MDBF) is a measure of fleet reliability that represents the average distance traveled by train cars before maintenance or repair is required. A higher value indicates an improvement in reliability. Data is measured in miles.

The graph to the left represents MDBF for all passenger locomotives in Caltrain’s fleet.

Equipment in Maintenance/Repair



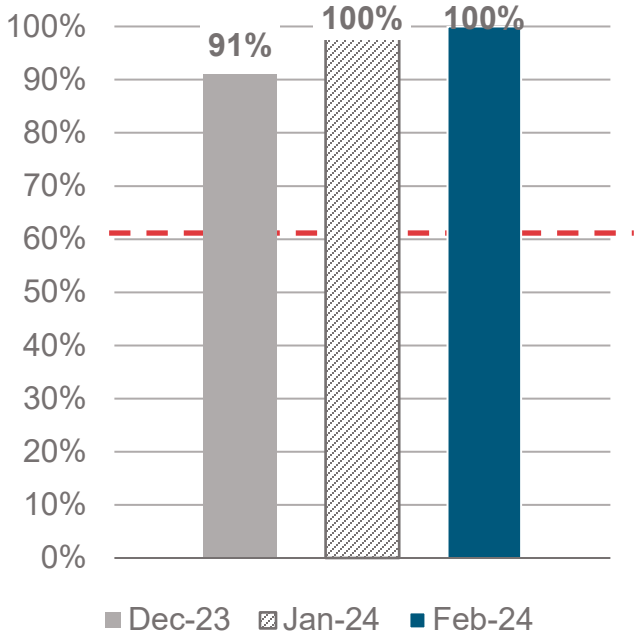
Equipment in Maintenance/Repair represents the number of locomotives and cars that are out of service on an average day each month due to routine and preventative maintenance or other repairs.





Maintenance Performance

Equipment Availability (Locomotives)

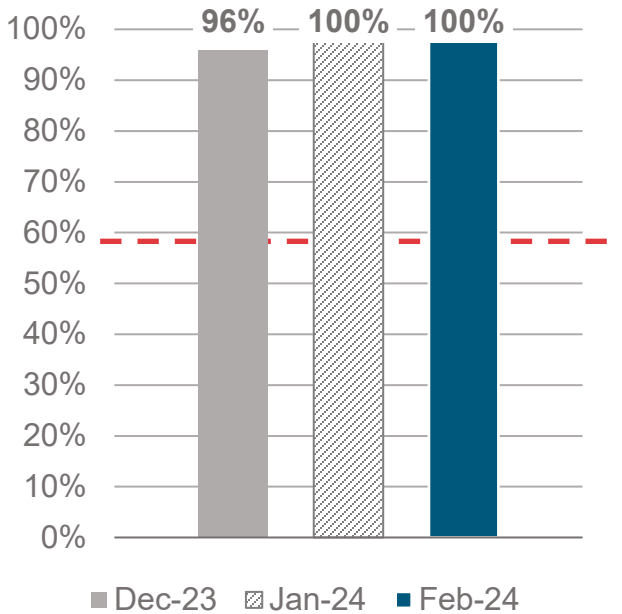


Equipment Availability is the number of cars or locomotives available for service on an average day each month as a percentage of the daily equipment required to run base service.

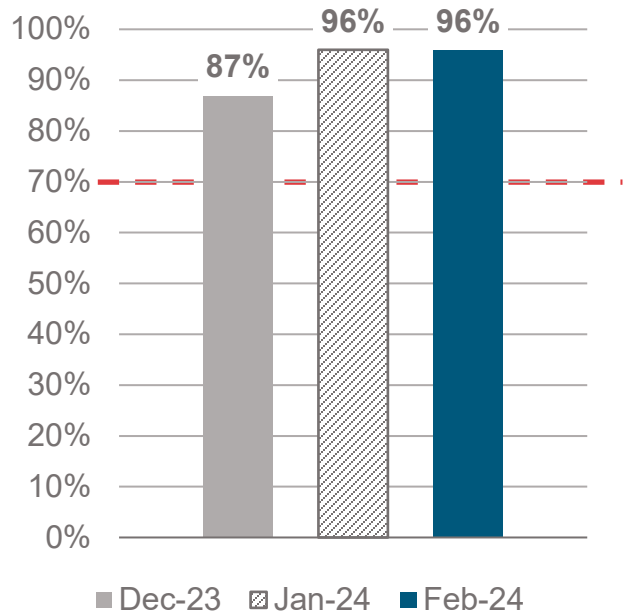
Caltrain currently owns 29 passenger locomotives, with 18 required daily; 36 cab cars, with 21 required daily; and 98 trailer cars, with 69 required daily.

The high average age of Caltrain’s current fleet, with around two-thirds being at the end of its useful life, significantly affects availability.

Equipment Availability (Cab Cars)



Equipment Availability (Trailer Cars)



Note: The dotted red line (- - - -) on each graph represents the target line (i.e., the percentage of each equipment type required to run base service on an average weekday).





Service and Program Updates

Caltrain Successfully Tests Electric Trains from Redwood City to San Jose

Caltrain has met another milestone in the electrification of its system, as it successfully tested electric trains and overhead wires between Redwood City and Mountain View for the first time. This will allow the agency to ramp up the testing of the new fleet as the launch of electrified service this fall grows closer.

Live run tests started at 20 miles per hour, to ensure the overhead wire and train are properly connected. Once the connection was successfully established, the train increased speed to the corridor's 79 mile per hour maximum limit. A total of 25 test runs were successfully completed during the weekend of March 9th.

Each of the 23 electric trainsets must complete 1,000 miles of testing before it is allowed to carry passengers. Initial tests were conducted between Santa Clara and College Park Stations on the Santa Clara Drill Track, but Caltrain has steadily been expanding the available testing area from San Jose to Mountain View. With this live run, testing can now take place from San Jose to Redwood City, further accelerating the process and keeping the launch of service on schedule for fall 2024.

Caltrain Retires 32 Diesel Passenger Cars as Electrification Nears

Caltrain has shipped 32 of its nearly 40-year-old gallery cars to Sonoma as the agency makes room for its new electric fleet. These gallery cars were not in service, and their retirement will not affect Caltrain service.

Caltrain currently has eight of the eventual 23 electric trainsets on its property. As additional electric trainsets make their way to Caltrain's Central Equipment Maintenance and Operations Facility (CEMOF), Caltrain had to begin relocating older vehicles to ensure there was enough room for both the new equipment and standard operations.





Communications and Marketing Update

Caltrain Communications and Marketing Campaigns for February 2024

- Press Release: "Caltrain Suspends Early Morning and Late-Night Train Service on Weekend of March 9-10 to Expedite Electrification Project"
- Press Release: "Caltrain to Run Modified Schedule for Presidents' Day"
- Caltrain Fare Promotions, 50% Off Parking
- Clipper Mobile (ongoing)
- 20% Off Caltrain Monthly Pass (ongoing)
- Clipper START (ongoing)

Digital Marketing Report

In February, Caltrain celebrated Black History Month and Rosa Parks' Day, nationally observed as Transit Equity Day. Electrification updates included hosting a Business Electric Train tour at San Jose Diridon, welcoming Trainsets 7 and 8, and announcing a March bus bridge. Caltrain partnered with SF Beer Week as the official transit partner, facilitating cross-promotional content to inform attendees about responsible drinking by not driving. The Digital Marketing Team organized and hosted a Valentine's Day Customer Appreciation Activation from San Carlos to Palo Alto, distributing customized Valentine's Day cards and flowers to riders, led by Stephanie Torres, Jamie Vizmanos, and Jeremy Lipps. At the annual APTA AdWheel Awards, Caltrain was honored with first place in Best Print Media Educational Initiative and Best Special Event Educational Initiative.

February Digital Marketing Highlights

- Black History Month
- Rosa Parks' Day – Transit Equity Day
- Business Electric Train – San Jose Diridon
- SF Beer Week - Caltrain Official Transit Partner
- 49ers Superbowl Content
- Valentine's Day Customer Appreciation Activation
- Caltrain awarded Best Print Media Educational Initiative and Best Special Event Educational Initiative at the APTA AdWheel Awards.
- Trainsets 7 and 8 arrived





Communications and Marketing Update

February Digital Marketing Highlights (continued)

- META HQ marketing activation
- March weekend bus bridge announced
- 2nd Board Meeting of the year
- Weekly “Throwback” post leading to the 160th celebration
- Continued promotion of the new fare rates – Extended
- New Trains, Faster Experience – Electrification Highlights
- Next Electric Train Tour: May 11th San Carlos
- Menlo Park Shuttle Study

Social Metrics: FEB 2023 / FEB 2024

Impressions: 1,743,271 / 1,166,697

Engagements: 39,069 / 33,655

Post Link Clicks: 11,318 / 6,295





Capital Projects Update

Project: Guadalupe River Bridge Replacement

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
JPB will 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 project is located just north of Willow Street and east of State Route (SR) 87 between the Tamien and San Jose Diridon stations.	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	63,699	30,081	26,392	02/16/25
Percentages	100.00%	47.2%	41.4%	
Project Highlights – Recent and Upcoming Work				
<p>Project activities in the month of February 2024, included the installation conduits and vaults for fiber optic utility relocations, the relocation of positive train control cabling from the MT1 bridge to the MT2 bridge, the installation of bird nesting deterrent measures on the MT1 bridge, the off-site fabrication of MT1 bridge girders, and on-site maintenance of erosion control measures.</p> <p>In March 2024, the project will continue with the installation conduits and vaults for fiber optic utility relocations, the relocation of positive train control cabling from the MT1 bridge to the MT2 bridge, the installation of bird nesting deterrent measures on the MT1 bridge, and the ongoing maintenance of erosion control measures. Pending concurrence from permitting authorities, work in the month of March 2024 may include minor demolition of the MT1 bridge.</p> <p>Safety: On 2/19/2024, a fire incident occurred at Walsh’s material storage location near the project site. No one was injured. Minimal materials were lost.</p> <p>The "Funding" status light will remain yellow until FY25 funding appropriated by the Board in June 2023 is activated.</p>				

Note: The Capital Projects information is current as of February 29, 2024, and is subject to change prior to the April 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: MP-36 Locomotive Mid-Life Overhaul Project

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
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.	●	●	●	●

Project Phase: 6 – Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	14,833	12,808	10,370	12/30/24
Percentages	100%	86.3%	69.9%	

Project Highlights – Recent and Upcoming Work

Approved the Final Acceptance of Locomotive 926. Prepared Locomotive 923 (last unit) for overhaul.

Inspect exterior paint of 928.

The schedule has been delayed due to part availability. Alstom is working with multiple vendors to procure the parts needed.

A potential budget shortfall has been identified. Team is actively tracking this item and will seek supplemental funding as part of the FY25 budget amendment if needed.

Note: The Capital Projects information is current as of February 29, 2024, and is subject to change prior to the April 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Bayshore Station Bridge Painting

Project Description		Status Summary			
		Safety	Schedule	Budget	Funding
<p>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 need 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.</p>		●	●	●	●
Project Phase: 6 – Construction/Implementation					
Project Costs (in thousands of dollars)					Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals		
Totals	6,870	5,787	5,566		12/31/2024
Percentages	100.00%	84.2%	81.4%		
Project Highlights – Recent and Upcoming Work					
<p>February: Continued to work with the team in completing final punch list items. In addition, continued to work with legal team to identify next steps and schedule for close-out phase. Obtained approval from the Management Committee for the Gate 6 & Schedule was re-baselined.</p> <p>March: Continue to work with the team in completing final punch list items. In addition, continue to work with legal team to identify next steps and schedule for close-out phase.</p>					

Note: The Capital Projects information is current as of February 29, 2024, and is subject to change prior to the April 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Broadband Wireless Communications

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
The project will design a broadband wireless communications system along the Caltrain corridor for the wayside train maintenance diagnostics and passenger Wi-Fi service. The project will investigate leveraging the existing infrastructure such as the Overhead Contact System (OCS) poles and JPB fiber network to communicate with passing trains. Wayside antennas may be mounted on the OCS poles at a constant interval to communicate with moving trains that will be equipped with radios and antennas.	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	30,441	17,623	16,480	
Percentages	100.00%	57.9%	54.1%	
9/30/24				
Project Highlights – Recent and Upcoming Work				
<p>February: Stadler completed the installation of the Wi-Fi equipment in two EMU trains, one in Salt Lake City and one in the San Jose CEMOF. All the trenching and antenna installation was completed in Segment 3 except for two locations where it had to be redesigned. The revised design for these 2 locations were approved and the contractor will go back to these locations at a future date. Began the trenching and antenna installation in Segment 2.</p> <p>March: Complete the construction in Segment 2. Perform fiber splicing and testing starting at the Control Points.</p> <p>The current activated funds are insufficient to cover the entire construction phase. The "Funding" status light will remain yellow until the remaining approved funds are activated.</p>				

Note: The Capital Projects information is current as of February 29, 2024, and is subject to change prior to the April 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: San Mateo Grade Crossing Improvements

Project Description		Status Summary			
		Safety	Schedule	Budget	Funding
This project will design and implement safety improvements including quad gates or exit gates at the 4th and 5th Ave grade crossings in San Mateo. This project will make the two grade crossings safer for the train, motorist and pedestrians.		●	●	●	●
Project Phase: 6 – Construction/Implementation					
Project Costs (in thousands of dollars)					Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals		
Totals	5,471	3,921	919		09/08/2024
Percentages	100.00%	71.7%	16.8%		
Project Highlights – Recent and Upcoming Work					
<p>February: Stacy and Witbeck, Inc (SWI) is not scheduled to resume work until March 2024 to allow for TASI installation work to be performed that is predecessor to remaining SWI work. Bi-weekly progress meetings are being held as needed. Resident Engineer, Office Engineer and field inspector continue, on an as-needed basis, to support project through the construction management support contract with TRC. Project manager and Government and Community affairs staff continue to coordinate community outreach efforts between City of San Mateo and JPB. TASI has mobilized on site to begin installation of signal scope.</p> <p>March: Will continue to meet with contractor to plan future work and coordinate work plan submittals. Continuing to meet bi-weekly with TASI to discuss status of the signal scope.</p>					

Note: The Capital Projects information is current as of February 29, 2024, and is subject to change prior to the April 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Churchill Avenue Grade Crossing

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
The scope includes the widening of the sidewalk to accommodate heavy bike and pedestrian traffic from local schools; relocate the pedestrian crossing gates due to the widened sidewalk; install new pavement marking and markers for vehicular traffic at the Churchill Avenue grade crossing in Palo Alto. Implement a total of 17 seconds of advance signal preemption time.	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	2,520	1,474	885	09/30/2024
Percentages	100.00%	58.5%	35.1%	
Project Highlights – Recent and Upcoming Work				
<p>Stacy and Witbeck, Inc. work is currently on hold awaiting completion of City of Palo Alto work that is a predecessor to JPB work. Resident Engineer, Office Engineer and field inspector continue to support project through the construction management support contract with TRC. Construction management team is holding bi-weekly progress meetings as needed during this delay. Project manager and Government and Community affairs staff continue to coordinate community outreach efforts between City of Palo Alto and JPB. Ongoing bi-weekly progress meetings being held with TASI for signal construction scope.</p> <p>Work is not likely to resume until June of 2024, pending further updates from the City of Palo Alto.</p> <p>The “Schedule” status light is yellow as the schedule has been delayed due to delays with City of Palo Alto work, which is impacting JPB's contractor from completing work as initially scheduled. The Project Manager will request approval of a revised schedule from the Management Committee in May 2024.</p>				

Note: The Capital Projects information is current as of February 29, 2024, and is subject to change prior to the April 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: Next Generation Visual Messaging Sign (VMS)

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
Full replacement of existing obsolete VMS at 22 selected stations between San Francisco and Tamien. The current VMS signs are no longer supported by the manufacturer and the predictive arrival and departure system (PADS) is becoming obsolete. Research will be done to determine whether it's best to replace the signs that will work with the current predictive arrival and departure system (PADS) or replace signs for the next generation passenger information system.	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	6,800	2,739	1,745	06/15/2025
Percentages	100.00%	40.3%	25.7%	
Project Highlights – Recent and Upcoming Work				
<p>February: Site Specific Work Plan (SSWP) for 4th King station was approved and Right to Work (RTW) was submitted. SSWP for Palo Alto station was under review.</p> <p>March: Obtain approval for SSWP for Palo Alto station work and prepare next SSWP for Mountain View and Santa Clara Stations.</p> <p>The “Funding” status light is yellow as there are insufficient activated funds to cover the entire construction phase. Activate the FY24 and FY25 approved budget.</p>				

Note: The Capital Projects information is current as of February 29, 2024, and is subject to change prior to the April 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: San Francisquito Creek Emergency Bank Stabilization

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
Stabilize and protect the northern bank of the San Francisquito Creek to prevent erosion from undermining the northern abutment of Caltrain's existing San Francisquito Creek Bridge, the northern foundations of the Alma Street Bicycle Bridge owned by the City of Palo Alto, and an existing drainage outfall owned by the City of Menlo Park.	●	●	●	●
Project Phase: 6 – Construction/Implementation				
Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	8,898	3,343	1,275	05/30/2025
Percentages	100.00%	37.2%	14.32%	
Project Highlights – Recent and Upcoming Work				
<p>During the month of February 2024, the JPB team monitored the performance of the temporary stabilization measures during multiple rain events, continued pursuit of a Section 404 Permit from the US Army Corps of Engineers, performed a baseline survey on the JPB San Francisquito Creek Bridge and track, performed a pre-activity site walk to prepare for archaeological coring's, and prepared encroachment permit extension applications for the City of Menlo Park and City of Palo Alto to support the permanent stabilization work.</p> <p>In the month of March 2024, JPB staff will continue coordination with permitting authorities in preparation for implementation of the permanent stabilization project during the 2024 dry season. On-site activities are anticipated to include routine visual inspections and archaeological coring's.</p>				

Note: The Capital Projects information is current as of February 29, 2024, and is subject to change prior to the April 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red





Capital Projects Update

Project: San Mateo Replacement Parking Track

Project Description	Status Summary			
	Safety	Schedule	Budget	Funding
<p>The project involves the preparation of an amendment to the previously-obtained environmental clearance report and final design of a "set out track" to replace the one that was removed in the Bay Meadows area to facilitate the construction of the 25th Ave. Grade Separation Project. The track, which will be located between 10th and 14th Aves., will be accessed from 9th Ave., approximately 1,000 feet in length and have a single switch.</p> <p>Electrification is not part of the base funding plan. Supplemental funding will be needed to electrify the replacement parking track.</p>	●	●	●	●

Project Phase: 6 – Construction/Implementation

Project Costs (in thousands of dollars)				Estimated Completion
	Current Budget	Committed to Date	Expended + Accruals	
Totals	10,128	1,375	914	05/31/2025
Percentages	100.00%	13.6%	9.0%	

Project Highlights – Recent and Upcoming Work

February: Held Pre-Construction conference with Stacy and Witbeck, Inc. to initiate the administrative period under LNTP. Reviewed Construction Management Service proposals and selected Construction Management team. Budgets/Grants continues to work with Caltrans on Program Supplement for \$3.77M in LPP funds.

March: Execute extension of City of San Mateo and TA funding agreement. Execute program supplement agreement for LPP funds. Issue NTP for start of construction once administrative period requirements are met.

The funding status light is yellow until the SMCTA and LPP funds for construction are activated.

Note: The Capital Projects information is current as of February 29, 2024, and is subject to change prior to the April 2024 Board meeting.

Statuses: ● – Green ● – Yellow ● – Red



Acknowledgements

This report is made possible by contributions from the following groups and individuals.

Caltrain Planning

Dahlia Chazan, Chief
Ted Burgwyn, Director, Rail Network and Operations Planning
Catherine David, Manager, Operations Planning
Nick Atchison, Planning Analyst III

Communications Division

Robert Casumbal, Director, Marketing & Research
Jeremy Lipps, Digital Communications Manager
Julian Jest, Manager, Market Research & Development

Finance Administration

Bruce Thompson, Manager, Fare Program Operations
Don Esse, Senior Operations Financial Analyst
Dapri Hong, Budget Analyst III

Rail Administration / Rail Operations & Maintenance

John Hogan, Chief Operating Officer
Patrice Givens, Administrative Analyst II
Graham Rogers, Business Operations Project Manager
Sam Sargent, Director, Strategy & Policy
Henry Flores, Director, Rail Vehicle Maintenance

Rail Design & Construction

Rob Barnard, Chief
Jonathan Tillman, Director Capital Programs Management
Robert Cheung, Project Controls Deputy Director
Sowmya Karipe, Project Controls Specialist

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Elizabeth Araujo, TASI
Margie Godinez, TASI
Sarah Doggett, MTC



**Peninsula Corridor Joint Powers Board
Board of Directors Meeting
1250 San Carlos Avenue, San Carlos, CA 94070**

DRAFT Minutes of March 7, 2024

Members Present: M. Abe-Koga, P. Burt, J. Gee, R. Medina, R. Mueller, S. Walton, M. Zmuda, S. Heminger (Vice Chair), D. Davis (Chair)

Staff Present: T. Bartholomew, M. Bouchard, D. Chazan, C. Fromson, J. Harrison, K. McCoy, BBI (Balfour Beatty Infrastructure, Inc.), D. Seamans, B. Shaw, P. Shrestha, A. Timbers, M. Tseng

1. Call to Order / Pledge of Allegiance

Chair Davis called the meeting to order at 9:02 am and led the Pledge of Allegiance.

2. Swearing in of VTA (Santa Clara Valley Transportation Authority) Appointed Representative - Margaret Abe-Koga was sworn into office.

3. Roll Call

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

4. Consideration of requests, if any, of Directors to participate remotely due to Emergency Circumstances - There were none.

5. General Counsel Report – Closed Session: Conference with Legal Counsel – Pending Litigation (§ 54956.9(d)(1))[Williams v. Peninsula Corridor Joint Powers Board, San Mateo County Superior Court, Case No. 22-CIV-03763]

6. General Counsel Report - Closed Session: Conference with Legal Counsel Anticipated Litigation: Significant exposure to litigation pursuant to Sections 54956.9(d)(2) and (e)(1) of the Government Code: Number of matter(s) to be discussed: 1

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

Legal Counsel James Harrison noted that there were no reportable actions.

Chair Davis reduced public comment time to one minute for each speaker.

8. Public Comment for Items Not on the Agenda

Jeff Carter, Millbrae resident, commented on looking forward to the ridership dashboard being available online and noticed fares were being checked more often.

Emil Lawrence commented on his two letters sent regarding his interaction with railway workers.

Aleta Dupree commented on being pleased with the appointment of Margaret Abe-Koga and supported continuing to work with Clipper.

Adrian Brandt commented on a collision with a vehicle in South San Francisco and recommended redoubling efforts on preventing all manner of grade crossing collisions.

Ryan Globus commented on his email regarding broken screens at Diridon Station.

Lilian Koenig commented that stations and Clipper cards are confusing for seniors and people with disabilities.

9. Report of the Executive Director

- Welcomed Director Abe-Koga; expressed appreciation for and thanked Director Chavez for her service and dedication to the railroad
- Introduced and acknowledged Transit America, Inc. (TASI) crew: Gabe Chavez Jr., Fabian Alcala, and Dominique Jolivet, for their involvement during the February 28th incident
- March 18th is National Transit Employee Appreciation Day - hosting events throughout the month at San Francisco and Diridon Stations for rider appreciation, featuring conductors and crew members on social media, and asking customers to submit positive experiences
- Nuria Fernandez announced her retirement from the FTA (Federal Transit Administration), she was previously the VTA GM/CEO (Santa Clara Valley Transit Authority General Manager/Chief Executive Officer), and acknowledged her great work
- National Transportation Safety Board (NTSB) released the final March 10, 2022 San Bruno incident report. Safety culture and new safety process procedures and tools were implemented to mitigate some of the causes. The report was initially scheduled to be heard by its board, but it was removed, and a short report was released on its website
- Recent rains resulted in an additional number of fallen trees on the right-of-way (ROW) - working with local communities on plans to identify tree in ROW and tree hazards
- Received two American Public Transportation Association (APTA) Add Wheel Awards for compelling communication campaigns and efforts and collaborating with a local artist who created posters for the public events
- May 11th event in San Carlos to highlight the EMU (electric multiple unit) and to continue to celebrate 160th anniversary of rail service
- MTC (Metropolitan Transportation Commission) work on regional measure, and at State level, is slated to flow through Senator Weiner's SB (Senate Bill) 925. The Board adopted principles to guide recommendations for language, which included ensuring Caltrain receives operating funding support when available, receive or be eligible for capital funding, support efforts that will improve the customer experience and support performance and accountability metrics, and stating that the consolidation of with another agency is not an option without Board approval
- Community funded projects earmarked in the House Appropriations Bill for a combined \$1 million towards implementing new safety crossing enhancement projects in several cities along the corridor

Public comments

Aleta Dupree commented on the importance in dealing with tree issues as well as the regional measure.

Adrian Brandt commented on his letter to the Board that was not included in the correspondence packet; averaging about six track intrusions per month and any funding received should be used for lighting at crossings as vehicle intrusions usually occur at night.

10. Consent Calendar

- 10.a. Meeting Minutes of February 1, 2024**
- 10.b. Accept Statement of Revenues and Expenses for the Period Ending January 31, 2024**
- 10.c. Renew Findings of an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to Public Contract Code §22050***
- 10.d. Award of Contract for Central Control Facility (CCF) Building Heating, Ventilation, and Air Conditioning (HVAC) Installation Project***
- 10.e. Adoption of the California Uniform Public Construction Cost Accounting Act**
- 10.f. Award of Contract for Construction Manager General Contractor Services for the Broadway Grade Separation Project***
- 10.g. Authorize Executive Director to Amend Contract with Turbo Data Systems, Inc. for Fare Evasion Citation Processing Services and Mobile Fare Enforcement Devices to Increase by \$500,100 to \$1,096,500***
- 10.h. Amendment #2 to the Memorandum of Agreement with Transbay Joint Powers Authority for 4th and King Yard Preparation in Support of the Downtown Rail Extension* ****
- 10.i. Approval of Update to Public Comment Process Policy for Fares and Major Service Changes**

Motion/Second: Walton/Medina

Ayes: Abe-Koga, Burt, Gee, Medina, Mueller, Walton, Zmuda, Heminger, Davis

Noes: None

Public comment

Jeff Carter commented on the Public Comment Process and how public comment was severely limited due to the packed agenda.

Adina Levin, Friends of Caltrain, thanked the Board Committee for proposing a revision for the staff recommendation on the Public Comment Process item.

Paul Wendt commented on the limited time for public comment, especially for complex issues.

11. Honoring International Women's History Month

Tasha Bartholomew, Media Relations Manager, provided highlights on the resolution, which included the following:

- Hosting a series of workshops on March 22nd with a keynote speaker followed by internal subject matter experts on careers, relevant skill sets, and interviewing
- Special employee spotlight feature on various social media platforms
- Leading efforts for women in transportation employee resource groups (ERG) to promote development and education throughout the agency by undertaking internal and external activities to attract, retain, empower, inform, inspire, and support female employees

Motion/Second: Gee/Walton

Ayes: Abe-Koga, Burt, Gee, Medina, Mueller, Walton, Zmuda, Heminger, Davis

Noes: None

12. Authorize Amendment to On-Call Transportation Planning and Consultant Support Services Contract*

Dahlia Chazan, Chief of Planning, provided the presentation that included the following:

- Summarized contract capacity with 70 work directives issues, leaving limited capacity
- Provided examples of how planning contracts are used
- Significant competition for quality staff amongst the consultant firms
- Proposed contract terms for two options prior to the original plan and added \$7.5 million
- Begun work to procure new transportation planning on-call service with the intent to have a contract in place before the proposed new capacity is utilized

Public comments

Jeff Carter supported approval and commented that level boarding is important as it allows shorter dwell times at stations.

Adrian Brandt commented on getting in-house staff is better than hourly contracted rates.

Adina Levin supported level boarding.

Director Zmuda reported that the Finance Committee reviewed the items and discussed with staff on their ability to do some work in-house, attract the correct type of positions, and evaluating, supervising, and approving contractors' work to completion.

Staff provided further clarification in response to Chair Davis's comments and questions that included the following:

- The likelihood that some of the work can be brought in-house and the number of current vacancies
- An estimated 30 percent of the contract amount are seconded staff due to specialized work

Motion/Second: Medina/Zmuda

Ayes: Abe-Koga, Burt, Gee, Medina, Mueller, Walton, Zmuda, Heminger, Davis

Noes: None

13. Adopt Caltrain Energy Policy

Ms. Bouchard noted that this item was heard at the Finance Committee a couple of times and wanted to highlight the changes made.

Amelia Timbers, Environmental Compliance Manager, provided the presentation that included the following:

- Energy becomes a significant expense once electrified. Set forth principles to help guide staff on energy-related matters and provide transparency to the public
- The policy is a foundation where consultants will seek procurement, such as products to purchase from which vendors and at what price
- The policy includes generation and consumption, but does not cover transmission and distribution
- Energy policy was built with six objectives - the first objective and primary goal is to get the most renewable energy and second-best choice is carbon-free energy
- Maximize revenue from LCFS (low carbon fuel standard). Consider cost-effective options. Utilities offer a range of programs to try to increase energy efficiency.
- Focused on programs that provide financial return
- Proactively working on resilience and seeking opportunities to make the system more resilient by pursuing the Caltrain climate vulnerability study

Director Gee left at 11:16 am

Public comments

Jeff Carter opined that the SFPUC (San Francisco Public Utilities Commission) should be considered and hydroelectric is renewable and supports communities along the line.

Vaughn Wolff commented on resilience and anticipation of new technologies.

Aleta Dupree commented on the policy as written is reasonable, aspiring for 100 percent renewable, and recommended engaging with BART (Bay Area Rapid Transit) and New York City MTA (Metropolitan Transportation Authority).

Adrian Brandt recommended exploring shorter train sets for cost savings.

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

- Update on the energy procurement strategy provided in the reading file
- Talking to the CCAs (Community Choice Aggregation) that are relevant to San Jose and South San Francisco
- Municipality utilities cannot be utilized
- Concerns with ranking renewable energy as first and carbon-free as second in priorities, and not being cost-effective, or have the lowest GHG (greenhouse gases) emissions

- Chair Davis, Director Burt, and Director Mueller to work with staff on prospective modifications of policy

Motion to approve staff recommendation regarding Energy Policy with the addition of Chair, Director Burt, and Director Mueller working with staff on prospective modifications of policy/Second: Burt/Mueller

Ayes: Abe-Koga, Burt, Medina, Mueller, Walton, Zmuda, Heminger, Davis

Noes: None

Absent: Gee

Director Mueller left the meeting at 11:50 am

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

Pranaya Shrestha, CalMod Chief Officer; Casey Fromson, Chief of Staff; and Keith McCoy, BBI (Balfour Beatty Infrastructure, Inc.) Project Director provided the presentation that included the following:

- OCS (overhead catenary system) construction completed, including San Francisco station, and drawdown of shared risk pool with an overall \$34.26 million remaining
- Impedance bond theft remains a challenge
- Three bus bridging remaining and getting the communication out. Noted impact to the San Francisco Giants games. Cities may see testing at night
- May 11th National Train Day combined with an electric train tour and the 160th year anniversary; smaller events planned with key stakeholders to ensure everyone knows about the benefits coming this year
- Storm damage impacted the project by about 30 more days. Substantial completion was scheduled for the end of March, but now towards the end of April
- Focused areas continue to be safety, with no incidents in January and February
- Traction power stations (PS) 2 and PS 1 have come online. PS 3 and PS 4 are to be brought online next week
- 16,000 total punch list items with 10,000 completed

Director Walton left the meeting at 12:00 pm

Public comment

Jeff Carter suggested the electric train to come on its own to May 11th event in San Carlos.

Aleta Dupree commented on the need to figure out impedance bonds theft and ensure corridor safety.

Adrian Brandt commented on the Burlingame OCS (overhead catenary system) damage in February and the missed opportunity for TASI (TransitAmerica Services, Inc.) to work alongside Balfour Beatty Infrastructure, Inc. to learn how to fix OCS damages.

The Board Members had a robust discussion, and staff provided further clarification in

response to the following Board comments and questions regarding the following:

- Process in the revised schedule without impacting the September date
- Process and collaborations with jurisdictions on tree damages
- Contract warranty remains during period of two years
- Bringing overhead catenary team onboard to observe BBI and need to develop a strike team approach

15. Receive Update on Customer Experience and Retention Strategy – Chair Davis deferred this item to next month with the Executive Director’s approval

16. Reports

16.a. Report of the Citizens Advisory Committee

Brian Shaw, Chair, provided an update on CAC discussions, which included the following:

- Public request for platform screens at Diridon Station to be repaired
- Received update on the Mini High project. Requested illustrative photographs of the platforms; report on the Customer Experience Task Force and focused on the VMS (visual messaging sign) signage improvements, content, and message prioritization
- Importance of consistent on-time train service, station cleanliness, safety, seating, and access to restrooms
- Revamp Go Pass program incentives for corridor employers; suggested improvements on wayfinding, distance-based fares, customer seating at stations, and accessibility to restrooms
- Update on fare enforcement and collection options, progress on tree removal at the Menlo Park Station, and impact of proposed grade separation projects on vehicle incursions and accidents
- Requested High-Speed Rail update and continued updates on Caltrain’s All Station Access Grant program; slated in March to have a strategic financial plan update, Measure RR annual audit, and an electrification update

16.b. Report of the Chair

Chair Davis reported on a February trip with the Executive Director to Denver, Colorado, to visit Regional Transportation District (RTD). They toured the maintenance facility and discussed the transition from capital project to operating, growing the pipeline for employees, and developing relationships with both high schools and middle schools.

16.b.i. Resolution of Appreciation for Cindy Chavez

Chair Davis noted that Director Chavez was on the Board for five years and participated fully in Board workings, was instrumental in governance discussions, the project labor agreement, and appreciated the time that she spent on the Board and the work that she put into helping strengthen the Board. She also noted

Director Chavez's work on Measure RR.

Motion/Second: Davis/Heminger

Ayes: Abe-Koga, Burt, Medina, Zmuda, Heminger, Davis

Noes: None

Absent: Gee, Mueller, Walton

16.c. Report of the Local Policy Maker Group (LPMG)

Chair Burt reported that the February meeting had two themes: the city specific fact sheets for electrification and service schedules pushed out to cities so they can take the lead role sharing service plans. He spoke on the need to have cities fully partner and help support using the new city partnership tool, drive and facilitate adoption of Go Passes and ridership, and the need to have different models for driving ridership. For March, there will be an upcoming workshop on corridor-wide crossing strategy in Redwood City.

Public comment

Jeff Carter supported the resolution for Director Chavez, appreciated the Chair's report on looking at Denver's facilities, and for having the JPB CAC minutes in the packet.

Adina Levin expressed gratitude to Director Chavez for her work.

17. Correspondence – Available In packets and online

18. Board Member Requests

Director Medina requested review and update to Things to Explore Around This Station webpage under Stations webpage as a school was listed that closed in 1989 and noted that schools should not be included.

19. Date/Time of Next Regular Meeting: Thursday, April 4, 2024 at 9:00 am

20. Adjourn – The meeting adjourned at 12:22 pm

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Accept Statement of Revenues and Expenses for the Period Ending February 29, 2024**

Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

Staff proposes that the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) accepts and enters into the record the Statement of Revenues and Expenses for the Period Ending February 29, 2024.

This staff report provides a brief discussion of significant items and trends in the attached Statement of Revenues and Expenses through February 29, 2024. 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 an easy comparison of year-to-date actuals to the budget including dollar and percentage variances.

Discussion

Annual Forecast: Staff are developing the annual forecast and will provide an update once it is available. Three line items, though not reflected in the following detailed tables, are expected to be materially different from budget by year end:

- 1) Go Pass (page 1, line 2) revenue is projected to be \$1.8M below budget as clients leaving the program.
- 2) Claims, Payments, and Reserves (page 2, line 28) expense is projected to be \$1.9M above budget due to large losses and more claims.
- 3) Wages and Benefits (page 2, line 36) expense is projected to be \$3.5M below budget due to vacant positions.

Year-to-Date Revenues: As of February year-to-date actual, the Grand Total Revenue (page 1, line 17) is \$0.4 million lower than the adopted budget. This is primarily driven by the decrease in Other Income (page 1, line 5) and Go Pass revenue (page 1, line 2) which is partially offset by the higher-than-expected Rental Income (page 1, line 4) and Measure RR revenue (page 1, line 11).

Year-to-Date Expenses: As of February year-to-date actual, the Grand Total Expense (page 2, line 51) is \$4.2 million lower than the adopted budget. This is primarily driven by the decreases in Wages and Benefits (page 2, line 36), Other Office Expense (page 2, line 41), Professional Services

(page 2, line 39), Rail Operator Service (page 2, line 22), Facilities and Equipment Maintenance (page 2, line 29), and Maintenance & Services-Building & Other (page 2, line 31) which is partially offset by the increase in Claims, Payments, and Reserves (page 2, line 28) and Insurance cost (page 2, line 27).

Budget Impact

There is no budget impact for February 2024.

Prepared By:	Li Saunders	Accountant II	650.622.7848
	Danny Susantin	Financial Reporting, Manager	650.622.8073

PENINSULA CORRIDOR JOINT POWERS BOARD					
STATEMENT OF REVENUE AND EXPENSE					
Fiscal Year 2024					
February 2024					
% OF YEAR ELAPSED 66.7%					
	JULY TO FEBRUARY				ANNUAL
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET
REVENUE					
OPERATIONS:					
1 Caltrain Fares	19,291,297	19,343,076	(51,779)	(0.3%)	29,936,000
2 Go Pass	10,744,208	11,176,000	(431,792)	(3.9%)	16,764,000
3 Parking Revenue	1,194,570	1,270,008	(75,438)	(5.9%)	1,905,015
4 Rental Income	1,330,945	684,328	646,617	94.5%	1,026,489
5 Other Income	3,299,332	4,360,840	(1,061,508)	(24.3%)	6,541,260
6					
7 TOTAL OPERATING REVENUE	35,860,352	36,834,252	(973,900)	(2.6%)	56,172,764
8					
CONTRIBUTIONS:					
9					
10 Operating Grants	8,676,877	8,533,960	142,917	1.7%	12,800,936
11 Measure RR	78,567,546	78,097,000	470,546	0.6%	118,400,000
12 Member Agency (VTA - Gilroy)	313,333	313,336	(3)	(0.0%)	470,000
13 LCTOP/SRA	4,605,802	4,605,664	138	0.0%	6,908,503
14					
15 TOTAL CONTRIBUTED REVENUE	92,163,558	91,549,960	613,598	0.7%	138,579,439
16					
17 GRAND TOTAL REVENUE	128,023,910	128,384,212	(360,302)	(0.3%)	194,752,203
18					

PENINSULA CORRIDOR JOINT POWERS BOARD							
STATEMENT OF REVENUE AND EXPENSE							
Fiscal Year 2024							
February 2024							
% OF YEAR ELAPSED 66.7%							
	JULY TO FEBRUARY				ANNUAL		
	CURRENT ACTUAL	ADOPTED BUDGET	\$ VARIANCE	% VARIANCE	APPROVED BUDGET		
19	EXPENSE					19	
20						20	
21	DIRECT EXPENSE:					21	
22	Rail Operator Service	69,039,279	69,782,882	(743,603)	(1.1%)	104,889,704	22
23	Security Services	5,402,795	5,524,589	(121,793)	(2.2%)	8,287,745	23
24	Shuttle Services	45,215	53,336	(8,121)	(15.2%)	80,000	24
25	Fuel and Lubricants*	10,264,778	10,140,872	123,906	1.2%	15,211,316	25
26	Timetables and Tickets	8,103	63,328	(55,225)	(87.2%)	95,000	26
27	Insurance	7,313,588	6,819,800	493,788	7.2%	10,229,703	27
28	Claims, Payments, and Reserves	3,349,336	880,000	2,469,336	280.6%	1,320,000	28
29	Facilities and Equipment Maintenance	4,761,711	5,430,376	(668,665)	(12.3%)	8,171,766	29
30	Utilities	1,808,861	1,805,936	2,925	0.2%	2,708,900	30
31	Maint & Services-Bldg & Other	524,837	1,189,736	(664,899)	(55.9%)	1,784,600	31
32						32	
33	TOTAL DIRECT EXPENSE	102,518,503	101,690,855	827,649	0.8%	152,778,734	33
34						34	
35	ADMINISTRATIVE EXPENSE					35	
36	Wages and Benefits	9,801,985	12,353,093	(2,551,108)	(20.7%)	17,877,158	36
37	Managing Agency Admin OH Cost	2,177,314	2,376,976	(199,662)	(8.4%)	3,565,453	37
38	Board of Directors	11,287	41,912	(30,625)	(73.1%)	62,875	38
39	Professional Services	5,740,900	6,644,108	(903,208)	(13.6%)	9,992,514	39
40	Communications and Marketing	242,783	295,152	(52,369)	(17.7%)	442,730	40
41	Other Office Expenses and Services	1,962,821	2,869,842	(907,021)	(31.6%)	4,307,066	41
42						42	
43	TOTAL ADMINISTRATIVE EXPENSE	19,937,088	24,581,083	(4,643,995)	(18.9%)	36,247,796	43
44						44	
45	TOTAL OPERATING EXPENSE	122,455,592	126,271,938	(3,816,346)	(3.0%)	189,026,530	45
46						46	
47	Governance	166,457	150,000	16,457	11.0%	225,000	47
48						48	
49	Debt Service Expense	1,888,953	2,314,080	(425,127)	(18.4%)	3,471,125	49
50						50	
51	GRAND TOTAL EXPENSE	124,511,002	128,736,018	(4,225,016)	(3.3%)	192,722,655	51
52						52	
53	Projected Contribution to Reserve					2,029,548	53
54						54	
55	NET SURPLUS / (DEFICIT)	3,512,909	(351,806)	3,864,714	(1098.5%)	-	55
56						56	
57	Reserve, Beginning Balance	26,878,850				26,878,850	57
58	Projected Contribution to Reserve	-				2,029,548	58
59	Reserve, Ending Balance	26,878,850				28,908,398	59
60						60	
61	* Fuel and Lubricants costs were decreased by a realized gain of \$681,358 from the fuel hedge program.					61	
62						62	



BOARD OF DIRECTORS 2024

DEVORA "DEV" DAVIS, CHAIR
 STEVE HEMINGER, VICE CHAIR
 PAT BURT
 CINDY CHAVEZ
 JEFF GEE
 RICO E. MEDINA
 RAYMOND MUELLER
 SHAMANN WALTON
 MONIQUE ZMUDA

MICHELLE BOUCHARD
 EXECUTIVE DIRECTOR

PENINSULA CORRIDOR JOINT POWERS BOARD

INVESTMENT PORTFOLIO

AS OF FEBRUARY 29, 2024

TYPE OF SECURITY	MATURITY DATE	INTEREST RATE	PURCHASE PRICE	MARKET RATE
Local Agency Investment Fund (Unrestricted) *	Liquid Cash	4.122%	375,789	375,789
County Pool (Unrestricted)	Liquid Cash	3.945%	585,044	585,044
Other (Unrestricted)	Liquid Cash	5.217%	120,593,975	120,593,975
Other (Restricted)	** Liquid Cash	5.023%	34,469,110	34,469,110
			\$ 156,023,917	\$ 156,023,917

Interest Earnings for February 2024 \$ 281,413.82
 Cumulative Earnings FY2024 1,726,784.61

* 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.

Farebox Revenues by Ticket Type	PENINSULA CORRIDOR JOINT POWERS BOARD													
	Previous Years					FY2024								
	FY2019	FY2020	FY2021	FY2022	FY2023	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	FY2024 Total YTD
REVENUE														
OPERATIONS:														
401400 (TVM)	18,431,265	11,165,620	2,458,837	6,836,440	6,838,317	701,507	580,909	427,973	542,427	429,650	414,419	409,800	398,044	3,904,729
401410 (Clipper)	54,621,910	37,970,696	2,924,987	7,764,755	15,493,238	1,584,242	1,688,849	1,283,054	1,964,018	1,537,081	1,331,257	1,526,512	1,563,600	12,478,612
401420 (Central)	64,908	20,799	309,748	39,911	58,267	1,068	-	7,861	8,407	2,619	251	2,732	4,123	27,061
401430 (Mobile App)	4,716,955	5,689,776	830,051	2,808,795	3,501,791	289,934	353,887	285,899	332,212	307,863	242,542	278,638	278,385	2,369,361
401500 (Gilroy)	1,903,941	1,542,171	178,759	449,281	706,203	58,850	58,850	75,084	64,261	64,261	64,261	64,261	61,705	511,535
401700 (Go-Pass)	22,929,136	19,705,372	25,737,533	15,337,175	16,728,021	1,362,537	1,337,709	1,370,632	1,375,408	1,349,604	1,426,899	1,256,768	1,264,651	10,744,208
total Farebox Revenue	102,668,114	76,094,433	32,439,915	33,236,357	43,325,839	3,998,139	4,020,204	3,450,502	4,286,733	3,691,078	3,479,630	3,538,712	3,570,507	30,035,505
Less: Go-Pass														
401700 (Go-Pass)	22,929,136	19,705,372	25,737,533	15,337,175	16,728,021	1,362,537	1,337,709	1,370,632	1,375,408	1,349,604	1,426,899	1,256,768	1,264,651	10,744,208
Revenues without Go-Pass	79,738,978	56,389,061	6,702,382	17,899,182	26,597,817	2,635,602	2,682,496	2,079,870	2,911,325	2,341,474	2,052,731	2,281,944	2,305,856	19,291,297
Tickets Sold						Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Total
TVM	2,354,393	1,465,876	315,378	755,674	802,158	78,363	74,658	69,149	55,296	52,840	51,726	52,299	47,968	482,299
Clipper	3,521,066	2,620,816	339,753	1,227,757	1,975,206	194,041	214,425	208,775	207,849	191,852	165,395	195,218	197,151	1,574,706
Central	9,167	5,044	-	4,032	6,440	100	231	484	717	-	478	231	-	2,241
Mobile	543,920	661,515	111,394	381,441	428,741	40,439	41,483	39,565	37,168	33,606	29,903	33,356	34,991	290,511
# of tickets sold (without go-pass)	6,428,546	4,753,251	766,525	2,368,904	3,212,545	312,943	330,797	317,973	301,030	278,298	247,502	281,104	280,110	2,349,757
AVG Revenue Per Ticket						Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-23	Feb-23	Total
TVM	\$ 7.83	\$ 9.05	\$ 7.80	\$ 9.05	\$ 8.52	\$ 8.95	\$ 7.78	\$ 6.19	\$ 9.81	\$ 8.13	\$ 8.01	\$ 7.84	\$ 8.30	\$ 8.10
Clipper	\$ 15.51	\$ 6.32	\$ 8.61	\$ 6.32	\$ 7.84	\$ 8.16	\$ 7.88	\$ 6.15	\$ 9.45	\$ 8.01	\$ 8.05	\$ 7.82	\$ 7.93	\$ 7.92
Central	\$ 7.08	\$ 9.90	\$ -	\$ 9.90	\$ 9.05	\$ 10.68	\$ -	\$ 16.24	\$ 11.72	\$ -	\$ 0.53	\$ 11.83	\$ -	\$ 12.08
Mobile	\$ 8.67	\$ 7.36	\$ 7.45	\$ 7.36	\$ 8.17	\$ 7.17	\$ 8.53	\$ 7.23	\$ 8.94	\$ 9.16	\$ 8.11	\$ 8.35	\$ 7.96	\$ 8.16
Total	\$ 12.40	\$ 11.86	\$ 8.74	\$ 7.56	\$ 8.28	\$ 8.42	\$ 8.11	\$ 6.54	\$ 9.67	\$ 8.41	\$ 8.29	\$ 8.12	\$ 8.23	\$ 8.21

Farebox Revenues by Ticket Type	PENINSULA CORRIDOR JOINT POWERS BOARD								
	July to February						Annual Budget		
	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024	FY2024	% of Budget	
REVENUE									
401400 (TVM)	12,274,497	10,224,191	1,227,138	4,082,197	4,239,282	3,904,729			
401410 (Clipper)	36,115,004	36,290,980	1,699,762	4,369,406	10,373,137	12,478,612			
401420 (Central)	35,878	42,121	-	27,937	34,522	27,061			
401430 (Mobile App)	2,646,875	5,386,754	391,046	1,599,120	2,259,653	2,369,361			
401500 (Gilroy)	1,292,730	1,388,579	108,864	256,564	466,424	511,535			
401700 (Go-Pass)	13,965,169	17,162,090	20,264,860	10,117,986	11,363,162	10,744,208			
total Farebox Revenue	66,330,153	70,494,713	23,691,669	20,453,212	28,736,180	30,035,505	46,700,000	64%	
Less: Go-Pass									
401700 (Go-Pass)	13,965,169	17,372,416	20,138,368	10,169,888	11,206,423	10,744,208	16,764,000	64%	
Revenues without Go-Pass	52,364,984	53,122,297	3,553,301	10,283,324	17,529,758	19,291,297	29,936,000	64%	
Tickets Sold									
TVM	1,596,233	1,374,080	175,704	444,650	542,036	482,299			
Clipper	2,298,237	2,478,299	172,186	677,791	1,268,403	1,574,706			
Central	4,448	4,920	-	2,757	3,148	2,241			
Mobile	296,398	624,895	56,521	214,448	283,102	290,511			
# of tickets sold (without go-pass)	4,195,316	4,482,194	404,411	1,339,646	2,096,689	2,349,757			
AVG Revenue Per Ticket									
TVM	\$ 7.69	\$ 7.44	\$ 6.98	\$ 9.18	\$ 7.82	\$ 8.10			
Clipper	\$ 15.71	\$ 14.64	\$ 9.87	\$ 6.45	\$ 8.18	\$ 7.92			
Central	\$ 8.07	\$ 8.56	\$ -	\$ 10.13	\$ 10.97	\$ 12.08			
Mobile	\$ 8.93	\$ 8.62	\$ 6.92	\$ 7.46	\$ 7.98	\$ 8.16			
Total	\$ 12.48	\$ 11.85	\$ 8.79	\$ 7.68	\$ 8.36	\$ 8.21			

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Robert Barnard, Chief, Rail Design & Construction
Subject: **Renew Findings of an Emergency Regarding the North Channel Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to Public Contract Code §22050**



Finance Committee
Recommendation



Technology, Operations, Planning,
and Safety Committee
Recommendation



Advocacy and Major Projects
Committee Recommendation

Purpose and Recommended Action

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

1. Renew findings previously adopted by the Board pursuant to California Public Contract Code section 22050(c)(2) (Resolution No. 2023-19) on March 29, 2023, and renewed at its subsequent meetings on May 4, 2023 (Resolution 2023-23), June 1, 2023 (Resolution 2023-38), August 3, 2023 (Resolution 2023-46), September 7, 2023 (Resolution 2023-56), October 5, 2023 (Resolution 2023-62), November 2, 2023 (Resolution 2023-68), December 7, 2023 (Resolution 2023-74), January 4, 2024 (Resolution 2024-01), February 1, 2024 (Resolution 2024-13), and March 7, 2024 (Resolution 2024-17) that an emergency exists at the north channel embankment of the San Francisquito Creek Bridge due to erosion and scouring caused by winter storms, and that immediate action is necessary to respond to the emergency; and
2. Continue to authorize emergency repairs of the north channel embankment of the San Francisquito Creek Bridge;
3. Continue to delegate authority to approve all plans and/or designs with regard to the emergency repairs to the Executive Director, or designee; and
4. Continue to authorize the Executive Director, or designee, to take all other actions required to respond to said emergency.

Discussion

Background Regarding Previous Findings Authorizing Emergency Repairs: The JPB owns and maintains the San Francisquito Creek Bridge, which is located in Menlo Park and Palo Alto between Control Points Alma (MP 29.98) and Mayfield (MP 33.50). In early January 2023, after a week of heavy rain, Caltrain Engineering staff inspected the Bridge and discovered that storms had eroded the soil on the creek bank supporting the northern abutment of the Bridge. Further

investigation showed that additional erosion resulting from future storms could undermine the abutment, bridge, and tracks.

The JPB has the authority to undertake emergency repairs pursuant to California Public Contract Code section 22050, which requires that the Board, by a four-fifths vote, make findings based on substantial evidence that the emergency will not permit delay resulting from a competitive solicitation of bids, and that action is necessary to respond to the emergency. Public Contract Code section 1102 defines an emergency as “sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services.” The Board made these findings at its March 29, 2023, meeting (Resolution 2023-19) and renewed these findings at its subsequent meetings on May 4, 2023 (Resolution 2023-23), June 1, 2023 (Resolution 2023-38), August 3, 2023 (Resolution 2023-46), September 7, 2023 (Resolution 2023-56), October 5, 2023 (Resolution 2023-62), November 2, 2023 (Resolution 2023-68), December 7, 2023 (Resolution 2023-74), January 4, 2024 (Resolution 2024-01), February 1, 2024 (Resolution 2024-13), and March 7, 2024 (Resolution 2024-17). Section 22050(c) requires the Board to review the emergency action at its next regularly scheduled meeting and at every subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action.

November 18, 2023, Emergency Declaration: On November 16, 2023, a team of three registered California professional engineers, including a fluvial geomorphologist experienced with the San Francisquito Creek, completed a technical memorandum titled "Overview of Temporary Emergency Stabilization Measures," which stated that, in regard to the creek bank supporting the north abutment of Caltrain’s rail bridge, "the existing bank is likely to erode and would not be stable during/after a large storm event."

On November 18, 2023, the Executive Director issued an emergency declaration, which concluded:

- a. The situation at that time necessitated immediate action because anticipated winter storms threatened the integrity of the bridge, creating the potential for a catastrophic failure of the bridge and the subsequent risks to public safety, infrastructure, and the environment; and
- b. The dry condition of the creek bed created a narrow window during which the JPB could implement emergency stabilization repairs to ensure the integrity of the bridge without risking the safety of workers or endangering aquatic life; and
- c. Given a prediction of severe winter storms and a risk of flash flooding and high creek flows at the San Francisquito Creek, attempting any work during the rainy season would have presented a substantial risk to the safety of workers, threatened endangered species, and increased the risk of a failed stabilization effort and a catastrophic failure of the bridge; and
- d. The situation at that time required that Caltrain take action within a time period less than the normal time needed to process regulatory applications under standard procedures.

Based on these findings, the Executive Director declared an emergency situation for the San Francisquito Creek Bridge and directed that all necessary and appropriate actions be taken to address the emergency, including the mobilization of resources and implementation of temporary creek bank stabilization measures.

The temporary stabilization measures have ameliorated the risk of the immediate collapse of the embankment. However, a continued risk to the Bridge exists, especially in light of long-term predictions of a “strong” El Nino winter for 2023-2024. Accordingly, the emergency will persist until permanent repairs can be completed in the Summer of 2024. Under state law, the Board must continue to review the situation at each meeting and renew findings until the emergency is resolved via the implementation of permanent stabilization measures during the dry-creek season in 2024.

Actions Taken

To date, JPB staff has:

1. Increased frequency of visual inspections of the Bridge and conducted immediate inspections during and/or after storms.
2. Retained on-call bench consultants (WSP, AECOM, Jacobs, and TRC), to assist the JPB in obtaining the required environmental permits, designing the bank stabilization, estimating the cost of the proposed work, and providing construction management services, respectively.
3. Engaged the U.S. Army Corps of Engineers, the Regional Water Quality Control Board, and the California Department of Fish and Wildlife and submitted all necessary applications for regulatory permits and approvals.
4. Met regularly with the City of Menlo Park, the City of Palo Alto, the San Francisquito Creek Joint Powers Authority, and Stanford University to coordinate the scope of the project and jointly review iterative design updates.
5. Jointly developed 15%, 35%, 65%, and 100% designs for the bank stabilization with input from the City of Menlo Park, City of Palo Alto, and regulatory agencies.
6. Jointly prepared and executed a trilateral project agreement by and between the JPB, the City of Menlo Park, and the City of Palo Alto to memorialize cost sharing arrangements and other responsibilities.
7. Obtained iterative and independent cost estimates from consultants and Walsh Construction to establish clear cost expectations and determine a fair and reasonable not-to-exceed construction budget.
8. Awarded a construction contract to Walsh Construction to implement the bank stabilization because Walsh has a crew onsite that specializes in emergency work and because of Walsh’s experience on JPB in-water construction projects, such as the Guadalupe River Bridge Replacement Project.
9. Obtained timely construction permits from the City of Menlo Park, City of Palo Alto, Regional Water Quality Control Board, and California Department of Fish and Wildlife.

10. In accordance with the Executive Director's November 18, 2023, emergency declaration, notified regulatory agencies of the temporary bank stabilization plan and JPB staff's intent to seek any relevant permits.
11. Obtained a second encroachment permit from the City of Menlo Park for the implementation of the temporary stabilization measures.
12. With Walsh Construction, implemented the emergency temporary bank stabilization measures to protect the San Francisquito Creek Bridge from 2023-2024 winter storms which could have otherwise threatened the integrity of the bridge.
13. Updated the project cost estimate to \$8,988,347 to account for the cost of the temporary bank stabilization, additional permitting efforts, and extended schedule for the permanent stabilization work.

Current Status

As of the date of this staff report:

1. An executed trilateral project agreement is in place between the JPB, the City of Menlo Park, and the City of Palo Alto.
2. JPB has 100% final construction drawings and specifications for the permanent bank stabilization design, which has been reviewed by all relevant stakeholders.
3. JPB has a construction contractor, Walsh Construction, under contract to implement the bank stabilization. The contract is based on a time-and-materials approach to compensation and therefore allows flexibility to adapt to changes in scope and schedule.
4. JPB staff has obtained the following permits:
 - a. California Department of Fish and Wildlife Streambed Alteration Agreement
 - b. Regional Water Quality Control Board Section 401 Water Quality Certification Permit
 - c. City of Palo Alto Encroachment Permit for the permanent stabilization project
 - d. City of Menlo Park Encroachment Permit for the permanent stabilization project
 - e. City of Palo Alto Noise Exception Permit for the permanent stabilization project
 - f. City of Menlo Park Heritage Tree Permit
 - g. City of Menlo Park Encroachment Permit for the temporary stabilization measures

JPB staff submitted a timely application for a Section 404 permit to the U.S. Army Corps of Engineers. As part of their ongoing review, the U.S. Army Corps of Engineers has determined it is necessary to seek the review of relevant historic preservation issues and approval from the State Historic Preservation Officer prior to issuing the permit. Due to the time needed for this process to be completed, JPB staff did not receive the essential Section 404 permit in time to construct the project before the end of the dry season on October 15, 2023.

5. Temporary stabilization measures are in place to protect Caltrain's San Francisquito Creek Bridge from 2023-2024 winter storms.

Ongoing and Future Activities

In the months ahead:

1. JPB staff will continue to coordinate closely with the U.S. Army Corps of Engineers to facilitate the issuance of the Section 404 permit for construction of the permanent bank stabilization during the 2024 dry season.
2. JPB staff will continue to monitor conditions around the foundations of the Caltrain rail bridge.
3. JPB staff have updated the project cost estimate and schedule and will update the project funding plan and contracts to align with recent implementation of temporary stabilization measures and the planned implementation of permanent stabilization measures in mid-2024.
4. During the 2024 dry season, JPB staff and Walsh Construction will remove the temporary bank stabilization measures and replace them with the permanent bank stabilization measures designed under the joint project between JPB, the City of Menlo Park, and the City of Palo Alto.
5. JPB staff will report regularly to the Board regarding the status of the project.

Budget Impact

The San Francisquito Creek Emergency Bank Stabilization Project has an approved budget of \$8,988,347 funded in part by Capital Contingency Funds, the San Mateo County Transportation Authority (SMCTA), the Cities of Palo Alto and Menlo Park, and project savings from recently completed projects. A funding source for \$2,520,222 of the \$8,988,347 has yet to be identified and may be included in a forthcoming FY25 budget amendment.

Prepared By:	Robert Barnard	Chief, Rail Design & Construction	650.508.7783
	Mike Boomsma	Project Manager	808.208.2355

00507704)

Resolution No. 2024-

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

* * *

**Renewing Findings of an Emergency Regarding the North Channel
Embankment of the San Francisquito Creek Bridge Due to Erosion Pursuant to
Public Contract Code §22050**

Whereas, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) previously authorized repair pursuant to California Public Contract Code section 22050 by a four-fifths vote of the Board on March 29, 2023 (Resolution 2023-19), making findings that: there was an emergency to repair the north channel embankment of the San Francisquito Creek Bridge due to erosion that threatened the integrity of the structure supporting the JPB's tracks; that the emergency did not permit a delay that would have resulted from a formal solicitation for bids; and that action is necessary to respond to the emergency; and

Whereas, Resolution 2023-19 also authorized emergency repairs of the north channel embankment of the San Francisquito Creek Bridge without adopting plans and specifications or giving notice to potential bidders; and

Whereas, California Public Contract Code Section 1102 defines an emergency as a "sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services"; and

Whereas, California Public Contract Code section 22050 authorizes the JPB to repair and take other immediate actions required to address an emergency, and requires that findings based on substantial evidence must be made that the emergency will not permit delay resulting from a

competitive solicitation of bids, and that the action is necessary to respond to the emergency, by a four-fifths vote of the Board; and

Whereas, Resolution 2023-19 delegated to the Executive Director, or designee the authority: to approve all plans and/or designs; to execute a contract with Walsh Construction II, LLC, to undertake emergency repairs of the north channel embankment at the San Francisquito Creek Bridge at a price that staff has determined is fair and reasonable; and to take all other actions required to respond to said emergency, provided that the Executive Director reports such actions to the Board at each monthly Board meeting until the emergency situation is resolved, with a final report to be made at the first Board meeting after the emergency is resolved; and

Whereas, pursuant to Public Contract Code section 22050(c), the Board must review the emergency action at its next regularly scheduled meeting and affirm by the passage of a four-fifths vote at every subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action; and

Whereas, the Board most recently renewed its findings via Resolution 2024-17 at its March 7, 2024, Board meeting; and

Whereas, following months of heavy rain in January 2023, assessments of the condition of the north embankment supporting the San Francisquito Creek Bridge Main Track 1 (MT-1) and Main Track (MT-2) by the Peninsula Corridor Joint Powers Board (JPB) revealed significant erosion on the slope of the embankment, threatening the integrity of the north approaching track structure; and

Whereas, the JPB consulted with the U.S. Army Corps of Engineers (USACE), the Regional Water Quality Control Board, and the California Department of Fish and Wildlife concerning

environmental permits for restoration activities to preserve the integrity of MT-1 and MT-2 tracks in light of the significant erosion of the northern embankment; and

Whereas, on November 16, 2023, a team of three registered California professional engineers, including a fluvial geomorphologist experienced with the San Francisquito Creek, completed a technical memorandum, which stated that, in regard to the creek bank supporting the north abutment of Caltrain's rail bridge, "the existing bank is likely to erode and would not be stable during/after a large storm event;"

Whereas, on November 18, 2023, the Executive Director issued an emergency declaration, which concluded:

- a. The situation at that time necessitated immediate action because anticipated winter storms threatened the integrity of the bridge, creating the potential for a catastrophic failure of the bridge and the subsequent risks to public safety, infrastructure, and the environment; and
- b. The dry condition of the creek bed created a narrow window during which the JPB could implement emergency stabilization repairs to ensure the integrity of the bridge without risking the safety of workers or endangering aquatic life; and
- c. Given a prediction of severe winter storms and a risk of flash flooding and high creek flows at the San Francisquito Creek, attempting any work during the rainy season would have presented a substantial risk to the safety of workers, threatened endangered species, and increased the risk of a failed stabilization effort and a catastrophic failure of the bridge; and

- d. The situation at that time required that Caltrain take action within a time period less than the normal time needed to process regulatory applications under standard procedures.

Based on these findings, the Executive Director declared an emergency situation for the San Francisquito Creek Bridge and directed that all necessary and appropriate actions be taken to address the emergency, including the mobilization of resources and implementation of temporary creek bank stabilization measures; and

Whereas, the temporary stabilization measures have ameliorated the risk of immediate collapse of the embankment, but these measures were designed to address the immediate risk of collapse. However, a continued risk to the San Francisquito Creek Bridge exists, especially in light of long-term predictions of a “strong” El Nino 2023-2024 winter. Accordingly, the emergency will persist until the implementation of permanent stabilization measures is completed during the dry-creek season in 2024; and

Whereas, there is a continued and ongoing emergency to repair the north channel embankment of the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB’s tracks, and because meteorologists predict a wet winter including storms that could result in additional erosion; and

Whereas, action is necessary to respond to this continued and ongoing emergency to prevent or mitigate loss or damage to life, health, property, or essential public services; and

Whereas, the time required to obtain competitive bids would have unduly delayed the JPB’s ability to make emergency repairs to these essential facilities, and substantial evidence supports the conclusions that the need for emergency actions cannot be delayed, and that the JPB has and must continue to act as expeditiously as possible to repair necessary facilities; and

Whereas, JPB staff have awarded a contract to Walsh Construction, which is also working on the Guadalupe River Bridge project, to undertake emergency repair work; and

Whereas, iterative comparison of independent cost estimates from consultants and Walsh Construction has provided clear cost expectations to assure fair and reasonable pricing.

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

1. Renews findings from March 7, 2024, that an emergency, as defined by Section 1102 of the California Public Contract Code, exists at the north channel embankment at the San Francisquito Creek Bridge due to erosion that threatens the integrity of the structure supporting the JPB's tracks; and
2. Renews findings, based on the substantial evidence presented by staff, that the emergency did not permit a delay that would have resulted from a formal solicitation for bids because the time required to obtain competitive bids would have unduly delayed the JPB's ability to make emergency repairs to these essential facilities, that action is necessary to respond to the ongoing emergency to prevent or mitigate loss or damage to life, health, property or essential public services, that the need for emergency actions cannot be delayed, and that the JPB has and must continue to act as expeditiously as possible to repair necessary facilities; and
3. Continues to authorize emergency repairs of the north channel embankment at the San Francisquito Creek Bridge without adopting plans and specifications or giving notice to potential bidders; and
4. Continues to delegate to the Executive Director, or designee, the authority: to approve all plans and/or designs; to amend the contract with Walsh Construction, to undertake

emergency repairs of the north channel embankment at the San Francisquito Creek Bridge at a price that staff has determined is fair and reasonable; and to take all other actions required to respond to said emergency, provided that the Executive Director reports such actions to the Board at each monthly Board meeting until the emergency situation is resolved, with a final report to be made at the first Board meeting after the emergency is resolved.

Be It Further Resolved that the Board of Directors has reviewed the emergency action taken on March 29, 2023, on May 4, 2023, on June 1, 2023, on August 3, 2023, on September 7, 2023, on October 5, 2023, on November 2, 2023, on December 7, 2023, on January 4, 2024, on February 1, 2024, and on March 7, 2024, to remediate emergency conditions at the embankment of the San Francisquito Bridge, and will continue to conduct such a review at every subsequent regularly scheduled meeting until the action is terminated to determine that there is a need to continue the action by a four-fifths vote pursuant to Public Contract Code section 22050(c).

Regularly passed and adopted this 4th day of April, 2024, by the following vote:

Ayes:

Noes:

Absent:

Chair, Peninsula Corridor Joint Powers Board

Attest:

JPB Secretary
(00505091)

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Casey Fromson, Chief of Staff
Subject: **Authorize Amendment 1 to Contract with Olson Remcho LLP for General Counsel and Other Legal Services Including Execution of Two One-Year Option Terms**

<input checked="" type="checkbox"/> Finance Committee Recommendation	<input type="checkbox"/> Technology, Operations, Planning, and Safety Committee Recommendation	<input type="checkbox"/> Advocacy and Major Projects Committee Recommendation
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Purpose and Recommended Action

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

1. Authorize Amendment No. 1 to Agreement 21-J-P-020 for General Counsel and Other Legal Services to increase the capacity amount by \$2,000,000, from \$10,000,000 to a new not-to-exceed total amount of \$12,000,000.
2. Exercise both of the two one-year option terms under the contract for continued provision of legal services through May 9, 2026.
3. Authorize any unused funds from the base term to rollover to the option terms.
4. Authorize the Executive Director or designee to execute the contract amendment with Olson Remcho LLP in a form approved by legal counsel.

Discussion

On August 6, 2020, the Board adopted Resolution 2020-42, which provides, in part: “That the JPB Board shall appoint an independent counsel (and shall not have the same counsel as any member agency) by January 31, 2021, to represent the JPB...”

In March 2020, the JPB retained Olson Remcho for special counsel services, and to prepare the July 2020 Report on Member Agencies’ Rights and Obligations under JPB Governing Documents. As pointed out in that report, the 1996 Joint Powers Agreement at Section 10 provides that the JPB shall designate its legal counsel.

After adoption of Resolution 2020-42, the JPB Governance Process Ad Hoc Committee on General Counsel Selection (Ad Hoc Committee) undertook to study how best to accomplish the appointment of an independent counsel. The Ad Hoc Committee objectives were threefold: first,

to comply with the language and intent of Resolution 2020-42 for appointment of independent counsel; second, to ensure the integrity, quality, and continuity of legal support for the JPB's programs and operations; and third, to develop a recommendation for appointment of an independent counsel for the Board's consideration at the November 2020 meeting.

At its November 2020 meeting, the Board received a presentation on the recommendations of the Ad Hoc Committee. After consideration and discussion, the Board supported the recommendation for the procurement of a law firm to provide a general counsel firm to advise the Board, and to manage the provision of legal services to the JPB.

On December 18, 2020, staff issued Request for Proposals (RFP) 21-J-P-020 for provision of general legal counsel services. Staff received proposals from three firms. On May 6, 2021, the JPB awarded a competitive procurement to Olson Remcho LLP to provide General Counsel and Other Legal Services for a three-year base term and up to two one-year option terms after a Selection Committee found them to be the highest-ranked, qualified proposer.

The scope of services for the contract is to advise and represent the JPB as general counsel, with responsibilities including:

- Serve as counsel at JPB Board and committee meetings; provide practical advice to assist the Board in achieving its policy goals and objectives.
- Advise the Board on good governance practices, including but not limited to JPB governing documents and rules of the Board, ethics laws, open meeting laws, conflicts of interest and gifts, as well as public records disclosure and retention requirements.
- Furnish day-to-day legal advice as needed; attend staff and other meetings such as management team meetings as requested.
- Coordinate with staff, consultants and other counsel in order to be familiar with matters arising before the Board.
- Oversee and manage the provision of other legal services provided to the JPB under contract or through the managing agency in areas including federal and state laws and regulations related to commuter rail, public transit/transportation law, construction law, federal and state grant requirements, environmental law, intellectual property, and public and private finance, litigation, and labor law.

The proposed contract amendment does not change the scope of services to be performed by Olson Remcho. Rather, it increases the awarded contract capacity to sufficiently cover and more accurately reflect the legal needs of the JPB, which have increased over time, especially during the past three years. Specifically, Caltrain has required significant legal support since May 2021 to advance major planning and construction projects, implement the governance memorandum of understanding, and resolve litigation matters. A summary report of legal expenses since the beginning of the contract is provided in Exhibit 1 below.

Exhibit 1 – General Counsel and Other Legal Services Contract Expense Summary

Expense Category	Legal Expenses by Contract Year			Totals Since Contract Inception
	Year 1 (5/10/21 – 5/9/22)	Year 2 (5/10/22 – 5/9/23)	Year 3 (5/10/23 – Present)	
Operations & Board Support	\$ 917,549	\$ 1,407,609	\$ 1,084,344	\$ 3,409,501
Capital Projects	\$ 235,074	\$ 407,735	\$ 467,454	\$ 1,110,262
Governance	\$ 446,757	\$ 193,496	\$ 151,156	\$ 791,408
Litigation	\$ 112,650	\$ 210,833	\$ 333,666	\$ 657,148
Third Party Costs ¹	\$ 220,356	\$ 20,501	\$ 54,362	\$ 295,219
Total	\$ 1,932,385	\$ 2,240,173	\$ 2,090,981	\$ 6,263,539

1. Third Party Costs reflect specialty legal services in areas such as environmental law, retirement law, etc. for which Olson Remcho engages external firms to provide requisite subject matter expertise.

Olson Remcho has served as JPB general counsel since May 10, 2021. The proposed contract amendment would extend their services for another two years until May 9, 2026.

Budget Impact

Staff previously completed a value and price analysis of the Olson Remcho proposed fees, and determined the fees are within market rates for similar services and compare favorably with the fees Olson Remcho charges agencies similar to the JPB. Olson Remcho’s rates remain fair and reasonable. Sufficient funding for this contract is available in the current adopted operating budget and will be included in future years’ operating budgets.

Prepared By: Maria Flores Procurement Administrator 650.622.7892
Graham Rogers Business Operations Project Manager 650.551.6169

Resolution No. 2024-

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

* * *

**Amendment 1 to Contract 21-J-P-020 with Olson Remcho LLP for General Counsel and Other
Legal Services Including Execution of Two One-Year Option Terms**

Whereas, pursuant to Resolution No. 2021-27, the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB) awarded a contract to Olson Remcho LLP to provide General Counsel and Other Legal Services for a three-year term for a total contract amount of \$6,000,000; and authorized up to two, additional one-year option terms for an additional not-to-exceed total of \$2,000,000 per option term, if deemed in the best interest of the JPB and approved by the Board; and

Whereas, additional compensation is now required to sufficiently cover and more accurately reflect the evolving legal needs of the JPB, which have increased over time due to major capital project support requirements, ongoing governance implementation workstreams, and litigation matters, among other areas; and

Whereas, staff recommends that the Board authorize an amendment to increase the not-to-exceed contract capacity amount by \$1,000,000 for the three-year base term, from \$6,000,000 to \$7,000,000; and

Whereas, staff recommends that the Board authorize the Executive Director to exercise both one-year option terms for a new not-to-exceed total of \$2,500,000 per option term; and

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the execution of Amendment 1 to Contract 21-J-P-020

adding \$1,000,000 of capacity to the base contract and an additional \$500,000 to each of the two one-year option terms; and

Be It Further Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board authorizes the Executive Director, or designee, to take any other actions necessary to give effect to the resolution.

Regularly passed and adopted this 4th day of April, 2024 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, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Award of Contract for On-Call Management of Soil, Hazardous Waste and Other Environmental Compliance Services**

Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

The contract for On-Call Management of Soil, Hazardous Waste and Other Environmental Compliance Services (Services) will provide the Peninsula Corridor Joint Powers Board (JPB) with a qualified and experienced environmental compliance consulting firm. The scope of services includes identifying applicable environmental compliance regulations; providing guidance on the timing, processes, scope, and adequacy of compliance work; reviewing plans; and managing associated environmental compliance documentation. The consulting firm will support staff with capital projects, third-party projects, operations, and coordination in response to spills and other related events.

Staff recommends that the Board of Directors (Board) of the JPB:

1. Award an on-call contract to Millennium Consulting Associates of Pleasanton, CA (MECA) to provide the Services for a total not-to-exceed amount of \$4 million for a five-year base term.
2. Authorize the Executive Director or designee to execute a contract with MECA in full conformity with the terms and conditions of the solicitation documents and negotiated agreement, and in a form approved by legal counsel.
3. Authorize the Executive Director or designee to exercise up to two one-year option terms with MECA for a total not-to-exceed additional amount of \$800,000, in the aggregate, if deemed in the best interest of the JPB.

Discussion

The JPB is engaged in a variety of capital projects, as well as operations-related activities, that require it to address potentially contaminated soil, hazardous materials, and compliance with other environmental regulations. The consultant will support JPB's Project Manager with documentation and reporting.

The Services will be utilized on an as-needed basis. Award of this contract will not obligate the JPB to purchase any specific level of service from MECA.

On June 1, 2023, the JPB issued a Request for Proposals (RFP), solicitation No. 23-J-P-060, for the On-Call Soil and Hazardous Waste Environmental Compliance Planning and Support Services (Previous Solicitation). The Previous Solicitation received a single proposal from MECA. The Selection Committee (Committee) determined MECA did not receive an adequate score for award of contract for the written proposal. On September 7, 2023, the Board rejected the single proposal received under the Previous Solicitation and authorized staff to re-advertise for the Services.

Staff conducted market research to get feedback from proposers who showed interest in the Previous Solicitation but did not submit a proposal. Prospective proposers responded that they were too busy to prepare the proposal by the due date, did not believe they met the RFP requirements, or preferred to partner with prime as a subconsultant. As a result, the JPB decided to re-advertise the Services and improve the solicitation package and contractor outreach. In addition, staff conducted a debriefing with MECA to review their experience and qualifications as detailed in their proposal, particularly areas that did not substantially align with the RFP requirements.

On September 25, 2023, the JPB issued a new RFP, solicitation No. 24-J-P-030, for the Services. This replacement RFP was re-advertised on the JPB's e-Procurement website. Staff held a pre-proposal meeting and two potential proposers attended. By the October 30, 2023 due date, the JPB received a single proposal from MECA.

The proposal from MECA was timely submitted and was found to be responsive to the requirements in the RFP.

A Selection Committee (Committee) composed of qualified staff from JPB's Rail Development Department reviewed and evaluated the proposal in accordance with the following weighted criteria:

Evaluation Criteria	Maximum Points
Qualifications and Experience of Firm	30 Points
Qualifications and Experience of Key Personnel	30 Points
Project Understanding of and Approach to Service Requirements	20 Points
Project Manager Experience	10 Points
Reasonableness of Cost	10 Points
Small Business Enterprise (SBE) Preference	5 Points
Total	105 Points

After review, evaluation, interview, and scoring, the Committee determined that MECA possesses the depth of experience and qualifications needed to successfully perform the Services.

Following negotiations with MECA, staff conducted a price analysis and determined that MECA's prices are fair and reasonable.

MECA is a certified Small Business Enterprise (SBE) and received the full five-point SBE preference.

Budget Impact

Work Directives issued under this contract will be funded by a mix of Federal, State, Regional and/or Local funds from current and future capital and/or operating budgets.

Prepared by: Cathie Silva	Procurement Administrator III	650.622.7857
Bonny O'Connor	Manager, Cap Projects & Env.	650.508.7944

Resolution No. 2024-

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

* * *

Awarding a Contract to Millennium Consultant Associates for On-Call Management of Soil, Hazardous Waste and Other Environmental Compliance Services for a Total Not-to-Exceed Amount of \$4 Million for a Five-Year Base Term, and Authorizing Two One-Year Option Terms for an Additional Not-to-Exceed Aggregate Amount of \$800,000

Whereas, on June 1, 2023, the Peninsula Corridor Joint Powers Board (JPB) issued Request for Proposals (RFP) number 23-J-P-060 for On-Call Soil and Hazardous Waste Environmental Compliance Planning and Support Services (Services); and

Whereas, on September 7, 2023, the JPB Board of Directors (Board) rejected the single, non-responsive proposal received in response to RFP 23-J-P-060, and authorized the Executive Director or designee to re-advertise the Services; and

Whereas, based on the feedback from interested proposers that did not submit a proposal, staff determined it was in the best interest of the JPB to improve the solicitation package and contractor outreach for re-issuance; and

Whereas, on September 25, 2023, the JPB issued a new RFP number 24-J-P-030 for the Services; and

Whereas, in response to the RFP, the JPB received one proposal, from Millennium Consultant Associates of Pleasanton, California (MECA); and

Whereas, a Selection Committee (Committee) composed of qualified staff reviewed, evaluated, and ranked MECA's proposal in accordance with the weighted criteria set forth in the RFP, and conducted an interview with the firm; and

Whereas, the Committee determined that MECA possesses the depth of experience and qualifications needed to successfully perform the Services; and

Whereas, staff and legal counsel reviewed MECA's proposal and determined it complies with the requirements of the RFP; and

Whereas, staff conducted a price analysis and determined that MECA's negotiated prices are fair and reasonable; and

Whereas, staff recommends that the Board of Directors (Board) award a contract to MECA to provide the Services for a five-year base term for a total not-exceed amount of \$4 million, and up to two one-year option terms for a total not-to-exceed additional aggregate amount of \$800,000.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to Millennium Consultant Associates of Pleasanton, California to provide On-Call Management of Soil, Hazardous Waste and Other Environmental Compliance Services for a five-year base term for a total not-exceed amount of \$4 million, and up to two one-year option terms for a total not-to-exceed additional aggregate amount of \$800,000; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to execute a contract on behalf of the JPB with MECA in full conformity with the terms and conditions of the solicitation documents and negotiated agreement, and in a form approved by legal counsel; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to execute up to two one-year option terms, if in the best interest of the JPB.

Regularly passed and adopted this 4th day of April, 2024 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, Executive Director
From: James Harrison, General Counsel
Subject: **Authorization to Apply to CalPERS for a Successor Agency Contract**

Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

Rail Division employees currently accrue pension and healthcare benefits through SamTrans' contracts with CalPERS. Since the execution of the Governance MOU, counsel for SamTrans and Caltrain have determined that Caltrain should have a separate contract with CalPERS for Rail Division employees. The California Public Employees Retirement Law permits an agency that establishes eligibility, both as a public entity and on a financial basis, to become a contracting agency with CalPERS. It further permits an agency that assumes certain functions of another agency, in whole or in part, to establish a successor agency contract to assume contractual responsibility for the accrued benefits of those employees. Staff recommends that the Peninsula Corridor Joint Powers Board (JPB or Caltrain), in close coordination with SamTrans, apply for a successor agency contract with CalPERS. Under a successor agency contract, Rail Division employees would be moved from the SamTrans plan to a new Caltrain plan, and Caltrain would continue its financial responsibility for providing pension benefits for those employees under this separate contract with CalPERS. CalPERS generally takes about three months to determine whether an applicant is eligible to contract with CalPERS, and after eligibility is determined, the contracting process usually takes approximately 9-12 months. Once a contract is negotiated, it will be subject to approval by the Board of Directors (Board) of the JPB.

Staff recommends that the Board:

1. Authorize the Executive Director or designee to apply to contract with CalPERS to assume contractual responsibility for providing pension benefits to Rail Division employees, and take all other necessary steps to secure a successor agency contract with CalPERS, subject to the Board's approval of the contract. These efforts will be pursued in close coordination with SamTrans.

Discussion

Government Code section 20508 permits an agency that assumes certain functions of another agency, in whole or in part, to become a contracting agency with CalPERS. This allows the successor agency to cover in its own contract with CalPERS the pension liabilities and

responsibilities previously included in the former agency's contract with CalPERS, even if the former agency continues to exist and provide other functions to serve the successor agency.

Since the execution of the Governance MOU, counsel for SamTrans and Caltrain have determined that Caltrain should have a separate contract with CalPERS for Rail Division employees. Both SamTrans and Caltrain have retained counsel specializing in CalPERS and retirement law matters and they have recommended that Caltrain seek a successor agency contract with CalPERS to assume the financial liabilities of, and continue providing pension benefits to, Rail Division employees.

Obtaining a successor agency contract with CalPERS involves two steps. First, Caltrain must apply to CalPERS for a determination that it is eligible to contract with CalPERS. Caltrain's application must demonstrate that it is a public agency and that it has a stable source of revenue outside of member agency contributions sufficient to absorb the costs of contracting with CalPERS. In order to satisfy the "public agency" requirement, Caltrain must qualify as a political subdivision or an agency or instrumentality of a political subdivision. Caltrain qualifies as a public agency under both definitions. With respect to the "stable source of revenue" requirement, farebox and Measure RR revenues establish an independent source of funds sufficient to meet its CalPERS obligations. Within approximately three months of receiving the eligibility application, CalPERS will determine whether Caltrain is eligible to contract with CalPERS. Caltrain's retirement law expert believes that there is a high likelihood that CalPERS will conclude that Caltrain is eligible to contract with CalPERS. If the Board approves moving forward to obtain its own CalPERS pension contract, Caltrain, in coordination with SamTrans, would submit the application for eligibility with CalPERS within approximately 30 days.

The second step in the process involves the negotiation and approval of a contract with CalPERS. This will include providing CalPERS with census data for all Rail Division employees who will be covered under Caltrain's contract and the selection of benefits. As part of that process, Caltrain and SamTrans agree that the Caltrain contract should mirror the SamTrans contract. CalPERS will use this information to prepare an actuarial valuation that will identify the expected contribution rate and assets and liabilities to be transferred from the SamTrans contract to the Caltrain contract. This process takes up to 90 days, and Caltrain and SamTrans would work together to provide CalPERS all necessary information.

In addition, prior to entering into the CalPERS contract, the member agencies will be required to amend the 1996 Joint Powers Agreement to provide that the member agencies are contractually obligated for Caltrain's pension liabilities, in the event of its dissolution, insolvency, or termination of its CalPERS pension contract. Given the value of Caltrain's assets, it is highly unlikely that this clause would ever be triggered. It is anticipated that this amendment could be accomplished as part of the other changes to the JPA required by the Governance MOU, and those changes could be made and approved by the member agencies while Caltrain and CalPERS are negotiating the successor agency contract.

Once these steps are completed, the Caltrain Board will be required to approve the CalPERS contract (i.e., the contract is not effective unless and until the Board approves it). Caltrain's

retirement law expert anticipates the entire process from start to finish will take approximately one year.

Budget Impact

Because Caltrain already pays for the benefits of the Rail Division employees and is responsible for the unfunded accrued liability associated with their benefits, this should not affect Caltrain's financial obligations.

Prepared By: James Harrison, General Counsel

Resolution No. 2024-

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

* * *

Authorizing PCJPB to Apply to CalPERS for a Successor Agency Contract

Whereas, Government Code section 20508 permits an agency that assumes certain functions of another agency, in whole or in part, to become a contracting agency with the California Public Employees' Retirement System (CalPERS). Government Code section 20508 further permits an agency that assumes certain functions of another agency, in whole or in part, to establish a successor agency contract to assume contractual responsibility for the accrued benefits of those employees; and

Whereas, Rail Division employees currently accrue pension and healthcare benefits through San Mateo County Transportation District's (SamTrans) contracts with CalPERS; and

Whereas, since the execution of the Governance Memorandum of Understanding (MOU), counsel for SamTrans and Caltrain have determined that the Peninsula Corridor Joint Powers Board (JPB or Caltrain) should have a separate contract with CalPERS for Rail Division employees; and

Whereas, staff accordingly recommend that Caltrain, in close coordination with SamTrans, apply for a successor agency contract with CalPERS; and

Whereas, obtaining a successor agency contract with CalPERS is a two-step process; and

Whereas, Caltrain must first apply to CalPERS for a determination that it is eligible to contract with CalPERS. Caltrain's application must demonstrate that it is a public agency and that it has a stable source of revenue outside of member agency contributions sufficient to absorb the costs of contracting with CalPERS; and

Whereas, Caltrain satisfies the “public agency” requirement because it is a political subdivision or an agency or instrumentality of a political subdivision; and

Whereas, Caltrain satisfies the “stable source of revenue” requirement because farebox and Measure RR revenues establish an independent source of funds sufficient to meet its CalPERS obligations; and

Whereas, the second step in the process involves the negotiation and approval of a contract with CalPERS. To streamline that process, Caltrain and SamTrans agree that the Caltrain contract should mirror the SamTrans contract; and

Whereas, CalPERS will then prepare an actuarial valuation that will identify the expected contribution rate and assets and liabilities to be transferred from the SamTrans contract to the Caltrain contract; and

Whereas, Caltrain and SamTrans would work together to provide CalPERS all necessary information; and

Whereas, under a successor agency contract, Rail Division employees would be moved from the SamTrans plan to a new Caltrain plan, and Caltrain would continue its financial responsibility for providing pension benefits for those employees under this separate contract with CalPERS; and

Whereas, prior to entering into the CalPERS contract, the member agencies will be required to amend the 1996 Joint Powers Agreement to provide that the member agencies are contractually obligated for Caltrain’s pension liabilities, in the event of its dissolution, insolvency, or termination of its CalPERS pension contract; and

Whereas, because Caltrain already pays for the benefits of the Rail Division employees and is responsible for the unfunded accrued liability associated with their benefits, there is no anticipated effect on Caltrain’s financial obligations.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby authorizes the Executive Director, or designee, to apply to contract with CalPERS to assume contractual responsibility for providing pension benefits to Rail Division employees, and take all other necessary steps to secure a successor agency contract with CalPERS, subject to the Board’s approval of the contract; and

Be It Further Resolved that these efforts to apply to contact with CalPERS and secure a successor agency contract will be pursued in close coordination with the San Mateo County Transportation District.

Regularly passed and adopted this 4th day of April, 2024 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, Executive Director
From: Kate Jordan Steiner, Chief Financial Officer
Subject: **Award of Contract for Electrified Rail Support Services**



Finance Committee
Recommendation



Technology, Operations,
Planning, and Safety
Committee Recommendation



Advocacy and Major
Projects Committee
Recommendation

Purpose and Recommended Action

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

1. Award a single-source contract to United Engineering & Construction Management of Los Angeles, California (United ECM) to provide Electrified Rail Support Services (Services) for a not-to-exceed total contract amount of \$1,694,335 for a two-year term.
2. Authorize the Executive Director or designee to execute a contract with United ECM in full conformity with the terms and conditions set forth in the negotiated agreement, and in a form approved by legal counsel.

Discussion

As the Peninsula Corridor Electrification Project (PCEP) nears completion, responsibility for the traction electrification system will be transferred from the electrification contractor to the JPB. Transit America Services, Inc. (TASI) will perform day-to-day operations and maintenance activities. As neither the JPB nor TASI has direct experience in the role of Owner's Engineer for electrified service, the JPB requires additional expertise to perform the requisite related functions.

Staff evaluated United ECM's experience, qualifications, and expertise to provide the Services and determined they aligned well with the scope of services requirements. United ECM has an experienced bench of employees who have worked on high-speed and electrified rail systems in Europe and are able to bring this experience to Caltrain's rail modernization implementation. In addition, their personnel worked with PCEP's design-build contractor, Balfour Beatty Infrastructure, Inc., during construction as the technical lead for Caltrain's traction power, Overhead Catenary System (OCS), and Supervisory Control and Data Acquisition (SCADA) systems, giving them unique insight into Caltrain's systems. Furthermore, United ECM's understanding of traction power systems, regulatory compliance, and best practices is commendable. Retaining the expertise of United ECM will significantly mitigate the risks of major disruptions to operations once electrified revenue service begins. Conversely, working with a new

firm that is unfamiliar with Caltrain’s traction power, OCS, and SCADA systems during the course of this work could present a substantial risk.

As electrified service begins, the JPB has an immediate need for experienced personnel with specialized expertise and knowledge of traction power systems. It will take time for the JPB to recruit full-time employees who have such specialized knowledge and skillsets. United ECM’s proposal demonstrates that it is uniquely-qualified to provide the necessary resources to oversee the PCEP contractor handover, and to train JPB staff to ensure safe and reliable operations as the agency transitions to electrified train service.

Staff conducted a price analysis of United ECM’s negotiated price proposal and determined that the price is fair and reasonable.

Budget Impact

Funds to support this contract will be incorporated in upcoming amendments to the JPB’s Fiscal Year 2025 operating budget and included in Fiscal Year 2026 budget proposal.

Prepared By:	Terry Loo	Procurement Administrator II	650.508.7730
	Graham Rogers	Business Operations Project Manager	650.551.6169

Resolution No. 2024-

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

* * *

Awarding a Contract to United Engineering & Construction Management for Electrified Rail Support Services for a Total Not-to-Exceed Amount of \$1,694,335

Whereas, the Peninsula Corridor Joint Powers Board (JPB) is completing the Peninsula Corridor Electrification Project (PCEP) and will begin running electric train revenue service in September 2024; and

Whereas, to support Caltrain's PCEP transition, there is an immediate need for experienced personnel with the specialized expertise and knowledge of traction power systems to help oversee the PCEP contractor handover and safe operation of the traction electrification system within the Caltrain rail network; and

Whereas, United Engineering & Construction Management of Los Angeles, California (United ECM) has worked with the PCEP design-build contractor, Balfour Beatty Infrastructure, Inc., during construction as the technical lead to successfully implement Caltrain's traction power system, and has consistently delivered high-quality work; and

Whereas, staff has determined that due to United ECM's specialized skill sets and unique knowledge of Caltrain's traction power system, an award of a single-source contract to United ECM is in the JPB's best interest; and

Whereas, staff has performed an analysis of United ECM's price proposal, engaged in negotiations, and determined that the agreed-upon price is fair and reasonable; and

Whereas, staff recommends that the Board of Directors (Board) award a contract to United ECM to provide Electrified Rail Support Services for a two-year term for a total not-to-exceed total amount of \$1,694,335.

Now, Therefore, Be It Resolved that the Board of Directors of the Peninsula Corridor Joint Powers Board hereby awards a contract to United Engineering & Construction Management of Los Angeles, California to provide Electrified Rail Support Services for a total not-to-exceed amount of \$1,694,335 for a two-year term; and

Be It Further Resolved that the Board authorizes the Executive Director or designee to execute a contract on behalf of the JPB with United ECM in full conformity with all the terms of and conditions set forth in the negotiated agreement, and in a form approved by legal counsel.

Regularly passed and adopted this 4th day of April, 2024 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, Executive Director
From: Casey Fromson, Chief of Staff
Subject: **State and Federal Legislative Update:
Consideration of Position on Senate Bill 1031, The Connect Bay Area Act**

Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

The 2024 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.

Staff proposes that the Board:

1. Receive the attached State and Federal Legislative Updates
2. Provide feedback and direction on staff recommendations regarding the important issues outlined in SB 1031

Discussion

The update will discuss the federal budget process, relevant state legislation, and status of the Bay Area regional transportation measure.

Budget Impact

None.

Prepared By: Devon Ryan Government & Community Affairs 650.730.6172
Officer
Isabella Conferti Government & Community Affairs 650.647.3498
Specialist



March 8, 2024

TO: Board of Directors, Peninsula Corridor Joint Powers Board (Caltrain)

FM: Matt Robinson, Michael Pimentel, and Alchemy Graham, Shaw Yoder Antwih Schmelzer & Lange
Mike Robson, Edelstein Gilbert Robson & Smith LLC

RE: **STATE LEGISLATIVE UPDATE – April 2024**

General Update

February 16 marked the bill introduction deadline for the Legislature; this means that all measures to be acted on in the second year of the 2023-24 legislative session that were not previously 2-year bills must be introduced in the form of a new bill by this deadline. The Legislature introduced a total of 2,124 new bills this year, with 674 of them being placeholder bills containing intent or otherwise non-substantive language. Deadlines for spot bills to be amended are approaching quickly – they must be amended by March 11 in the Assembly and March 20 in the Senate in order to continue through the Legislature this year.

On February 20, policy committees began to hear and vote on two-year bills, but we can expect policy committees to be in full swing in the upcoming weeks, and hearing newly introduced bills. For more information about key legislative and budget deadlines, see the adopted 2024 Legislative Calendar available [here](#).

Regional Measure Gets New Title and Bill Number

The effort to authorize the San Francisco Bay Area to propose a regional measure to fund transportation, dubbed **Connect Bay Area**, will now be ensconced in SB 1031 (Wiener). We expect the bill to have substantive language in print by March 20 in order to meet the deadline above. As far as what substance may be forthcoming, we believe the legislation will include various revenue mechanisms, funding priorities identified by MTC, identification of a governance structure / regional network manager, a minimum guarantee for transit operations, and a consolidation study. We will have more to report in our next report once the bill is in print.

California Transportation Commission Elects New Leaders, Speaker pro Tem McGuire Appoints New Commissioner

On March 6, the Senate Rules Committee voted to appoint Senator Dave Cortese to the California Transportation Commission. Prior to this assignment, Senator Cortese served as a member and former Chair of the Metropolitan Transportation Commission. He also served on the Valley Transportation Authority. Senator Cortese also spearheaded an effort to merge the Association of Bay Area Governments and Metropolitan Transportation Commission's efforts to advance smarter land-use policies for the entire Bay Area.

California to Operate the Country's First Hydrogen-Powered Intercity Trainsets

On February 14, Caltrans announced a \$127 agreement with Stadler Rail, Inc. for six hydrogen-powered passenger trainsets. As of the announcement, California has ordered a total of ten hydrogen-powered trainsets, nudging the state one step closer to achieving environmental and transportation objectives. The first trains are expected to enter revenue service in 2027 and will operate between Merced and Sacramento. These trainsets were purchased through the \$407 million made available to CalSTA to purchase clean bus and rail equipment and infrastructure. These funds are included within the [Governor's \\$10 billion multi-year ZEV package](#) to provide support in accelerating the transition to zero-emission technology.

Transit Transformation Task Force

On Thursday, February 29, the Transit Transformation Task Force held its second meeting in Sacramento, with much of the conversation focused on ideal areas of focus that the public transit industry must attain by 2030 in order to meet state environmental mandates. The discussion kicked off with moderators setting the tone and intention of the meeting and future Task Force meetings, asking that Task Force members endeavor to harbor “aspirational, unconstrained, positive, equitable, and focused” discussions meant to spark innovative ideas in transforming public transit.

Overall, the agenda included the following modules as topics for discussion:

- Review of Task Force’s goals and objectives (as outlined in SB 125)
- Review of CA’s (environmental) goals and implications for transit
- *Q: What challenges must we overcome / changes must we make to transit to reach these goals?*
- Review of case studies of how CA might transform transit ridership
- Preview of next steps, meeting schedule, and responsibilities of the Task Force and Technical Working Group

The Task Force is subject to the state’s open meeting requirements for state bodies, known as Bagley-Keene, and as such, all agenda materials will be available on [CalSTA’s website](#).

Bills of Interest

SB 925 (Wiener) Bay Area Transportation Regional Measure

This bill would state the intent of the Legislature to enact subsequent legislation to authorize the Metropolitan Transportation Commission to propose a revenue measure to the voters in its jurisdiction to fund the operation, expansion, and transformation of the Bay Area’s public transportation system, as well as other transportation improvements. **This effort will now be in SB 1031 (Wiener).**

SB 926 (Wahab) Bay Area Transit Consolidation

This bill would require the California State Transportation Agency to develop a plan to consolidate all transit agencies that are located within the geographic jurisdiction of the Metropolitan Transportation Commission. **This effort will now be in SB 1031 (Wiener).**

SB 960 (Wiener) Complete Streets Projects on the State Highway System

This bill would require all transportation projects funded or overseen by Caltrans to provide “comfortable, convenient, and connected complete streets facilities” unless exempt pursuant to the bill and would require the SHOPP asset management plan to prioritize the implementation of “comfortable, convenient, and connected facilities” for pedestrians, bicyclists, and transit users on all projects in the program. The bill would require the CTC to adopt 4-year and 10-year objective targets and performance measures reflecting state transportation goals and objectives, including for complete streets assets that

reflect the existence and conditions of bicycle, pedestrian, and transit facilities on the state highway system. The bill would require Caltrans and CTC to use the updated asset management plan and to guide the selection of transit priority projects for the SHOPP.

This bill would define “transit priority project” as a roadway design, operations, and enforcement action, treatment, or project that helps transit buses and other transit vehicles avoid traffic congestion, reduce signal delays, and move more predictably and reliably. The bill would require Caltrans to adopt a policy on transit priority projects for state and local highways and require Caltrans to take certain actions to streamline the approval of transit priority projects. The bill would require Caltrans to establish 4-year and 10-year targets for the fast and reliable movement of transit vehicles on state highways. Finally, this bill would require the Caltrans to establish a process to streamline the approval of pedestrian facilities, traffic calming improvements, bicycle facilities, and transit priority projects at locations where a local highway is above, below, or otherwise intersects with, a conventional state highway.

SB 1031 (Wiener) Bay Area Transportation Regional Measure / Transit Consolidation

While not yet amended, this bill will become the authorization legislation for the Bay Area regional transportation funding measure and will also include requirements for a transit consolidation study.

AB 1837 (Papan) Bay Area Transit Coordination

This bill, which is a spot bill, would state the intent of the Legislature to enact subsequent legislation to encourage coordination and collaboration among transit agencies in the San Francisco Bay area. Note that the spot bill deadline in the Assembly is approaching soon – on March 11. That said, this bill will need to be amended to include substantive language before this deadline to continue through the legislative process this year.

AB 2503 (Lee) CEQA Exemptions for Railroad Electrification

This bill would exempt from the requirements of CEQA railroad electrification projects and railroad siding projects.

AB 2824 (McCarty) Transit Employee Assaults

Currently a spot bill, this legislation will be amended to enhance penalties for individuals who commit assault or battery against a public transit operator or employee. This bill also allows transit agencies to prohibit individuals convicted of assault or battery from entering transit facilities and vehicles using a more streamlined process. This bill is sponsored by the California Transit Association.

Caltrain Bill Matrix as of 3/8/2024

Bill ID/Topic	Location	Summary	Position
<p>AB 6 Friedman D</p> <p>Transportation planning: regional transportation plans: Solutions for Congested Corridors Program: reduction of greenhouse gas emissions.</p>	<p>This is a two-year bill.</p>	<p>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 that each regional transportation plan also include a sustainable communities strategy prepared by each metropolitan planning organization in order to, among other things, achieve certain targets established by the State Air Resources Board for the reduction of greenhouse gas emissions from automobiles and light trucks in the region for 2020 and 2035, respectively. This bill would require the state board, after January 1, 2024, and not later than September 30, 2026, to establish additional targets for 2035 and 2045, respectively, as specified. This bill contains other existing laws.</p>	<p>Watch</p>
<p>AB 7 Friedman D</p> <p>Transportation: planning: project selection processes.</p>	<p>This is a two-year bill.</p>	<p>Existing law establishes within state government the Transportation Agency, which consists of the Department of the California Highway Patrol, the California Transportation Commission, the Department of Motor Vehicles, the Department of Transportation, the High-Speed Rail Authority, and the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun. The agency is under the supervision of the Secretary of Transportation, who has the power of general supervision over each department within the agency. The secretary, among other duties, is charged with developing and reporting to the Governor on legislative, budgetary, and administrative programs to accomplish coordinated planning and policy formulation in matters of public interest, including transportation projects. On and after January 1, 2025, and to the extent applicable, feasible, and cost effective, this bill would require the agency, the Department of Transportation, and the California Transportation Commission to incorporate specified goals into program funding guidelines and processes. This bill contains other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 761 Friedman D</p> <p>Local finance: enhanced infrastructure financing districts.</p>	<p>This bill is in the Senate Rules Committee, pending referral to policy committee.</p>	<p>Existing law establishes enhanced infrastructure financing districts to finance public capital facilities or other specified projects of communitywide significance. Existing law provides for the membership of the governing body of the district, referred to as the public financing authority. Existing law authorizes the legislative body of a city or a county to designate a proposed enhanced infrastructure financing district by adopting a resolution of intention to establish the proposed district which, among other things, is required to state that an enhanced infrastructure financing district is proposed and describe the boundaries of the proposed district. Existing law requires the public financing authority to direct the preparation of and adopt an infrastructure financing plan consistent with the general plan and any relevant specific plan, and consisting of, among other things, a financing section. Existing law requires that the financing section include a plan for financing the public facilities, a limit on the total number of dollars of taxes that may be allocated to the district pursuant to the plan, and a date, either not more than 45 years from the date on which the issuance of the bonds is approved for the plan on which the district will cease to exist, by which time all tax allocation to the district will end, or, where the district is divided into project areas, a date on which the infrastructure financing plan will cease to be in effect and all tax allocations to the district will end and a date on which the district's authority to repay indebtedness with incremental tax revenues will end, as specified. This bill, for plans proposed on or after January 1, 2024, would specify that for the purpose of development and construction of passenger rail projects in the County of Los Angeles where at least 75% of the revenue from the district is used for debt service on a federal Transportation Infrastructure Finance and Innovation Act loan, the date on which the district will cease to exist shall not be more than 75 years from the date of the issuance of bonds or approval of a loan, as specified. This bill would make legislative findings and declarations as to the necessity of a special statute for specified districts enacted primarily for the purpose of development and construction of zero-emission mass transit projects.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 817 Pacheco D</p> <p>Open meetings: teleconferencing: subsidiary body.</p>	<p>This bill is in the Senate Rules Committee, pending referral to the policy committee.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, each legislative body of a local agency to provide notice of the time and place for its regular meetings and an agenda containing a brief general description of each item of business to be transacted. The act also requires that all meetings of a legislative body be open and public, and that all persons be permitted to attend unless a closed session is authorized. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. Existing law authorizes the legislative body of a local agency to use alternate teleconferencing provisions during a proclaimed state of emergency (emergency provisions) and, until January 1, 2026, in certain circumstances related to the particular member if at least a quorum of its members participates from a singular physical location that is open to the public and situated within the agency’s jurisdiction and other requirements are met (nonemergency provisions). Existing law imposes different requirements for notice, agenda, and public participation, as prescribed, when a legislative body is using alternate teleconferencing provisions. The nonemergency provisions impose restrictions on remote participation by a member of the legislative body and require the legislative body to specific means by which the public may remotely hear and visually observe the meeting. This bill, until January 1, 2026, would authorize a subsidiary body, as defined, to use similar alternative teleconferencing provisions and would impose requirements for notice, agenda, and public participation, as prescribed. In order to use teleconferencing pursuant to this act, the bill would require the legislative body that established the subsidiary body by charter, ordinance, resolution, or other formal action to make specified findings by majority vote, before the subsidiary body uses teleconferencing for the first time and every 12 months thereafter. This bill contains other related provisions and other existing laws.</p>	<p>Support</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 914 Friedman D</p> <p>Electrical infrastructure: California Environmental Quality Act: review time period.</p>	<p>This is a two-year bill.</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 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 requires each state agency to establish, by resolution or order, time limits for completing the environmental review of a project where the state agency is the lead agency for the project, as specified. This bill, until January 1, 2031, would require a state agency, acting as the lead agency, to complete its environmental review for an electrical infrastructure project and to approve or deny the project within 2 years of the submission and acceptance of a complete application for the issuance of a lease, permit, license, certificate, or other entitlement for use for electrical infrastructure to the state agency. If the state agency fails to meet this deadline, the bill would require the state agency to submit to the Legislature a report setting forth the reasons that the review could not be completed within the time period and identifying potential impacts to the electrical system that could result from the delay. This bill contains other existing laws.</p>	<p>Watch</p>
<p>AB 1516 Kalra D</p> <p>Labor and Workforce Development Agency: working group: minimum wage.</p>	<p>This bill is in the Senate Rules Committee, pending referral to policy committee.</p>	<p>Existing law establishes the Department of Industrial Relations within the Labor and Workforce Development Agency to, among other things, foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. Existing law establishes the Division of Labor Standards Enforcement under the direction of the Labor Commissioner within the Department of Industrial Relations, and requires the division to ascertain the wages paid to all employees in this state, to ascertain the hours and conditions of labor and employment in the various occupations, trades, and industries in which employees are employed in this state, and to investigate the health, safety, and welfare of those employees. This bill would require the Labor and Workforce Development Agency to convene a working group to study and evaluate topics related to the minimum wage in California. The bill would require the working group to submit to the Legislature, on or before July 1, 2025, a report that outlines recommendations for raising the minimum wage for all workers in California.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 1837 Papan D</p> <p>San Francisco Bay area: public transportation.</p>	<p>This bill may be heard in Committee on February 16th.</p>	<p>Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. Existing law requires the commission to adopt rules and regulations to promote the coordination of fares and schedules for all public transit systems within its jurisdiction, as specified. This bill would state the intent of the Legislature to enact subsequent legislation to encourage coordination and collaboration among transit agencies in the San Francisco Bay area.</p>	<p>Watch</p>
<p>AB 1870 Ortega D</p> <p>Notice to employees: legal services.</p>	<p>This bill is in the Assembly Committee on Insurance.</p>	<p>Existing law establishes a workers' compensation system, administered by the Administrative Director of the Division of Workers' Compensation, to compensate an employee for injuries sustained in the course of employment. Employers who are subject to the workers' compensation system are generally required to keep posted in a conspicuous location frequented by employees and easily read by employees during the hours of the workday a notice that includes, among other information, to whom injuries should be reported, the rights of an employee to select and change a treating physician, and certain employee protections against discrimination. Existing law requires the administrative director to make the form and content of this notice available to self-insured employers and insurers. This bill would require the notice to include information concerning an injured employee ability to consult licensed attorney to advise them of their rights under workers' compensations laws, as specified. The bill would also make technical, nonsubstantive changes to these provisions.</p>	<p>Watch</p>
<p>AB 1879 Gipson D</p> <p>Electronic signatures.</p>	<p>This bill is in the Assembly Judiciary Committee.</p>	<p>Existing law authorizes, in any written communication with a public entity, the use of a digital signature, which is defined, in part, as a type of electronic signature, as defined. Under existing law, a digital signature has the same force and effect as the use of a manual signature if it complies with specified requirements and the public entity elects to use a digital signature. Existing law requires, at the option of the parties, the use or acceptance of a digital signature. This bill would require, at the option of the parties, the use or acceptance of an electronic signature, unless otherwise provided. Under the bill, a digital signature would also have the same force and effect as the use of a manual signature if it complies with the above-referenced requirements and the public entity's use of a digital signature is mandated. The bill would also make nonsubstantive changes to these provisions. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 1890 Patterson, Joe R</p> <p>Public works: prevailing wage.</p>	<p>This bill is in the Assembly Committee on Labor & Employment.</p>	<p>Existing law defines the term “public works” for the purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers’ compensation for public works projects. Existing law requires an entity awarding a public works contract, as specified, to provide notice to the Department of Industrial Relations. Existing law requires civil penalties to be imposed on an entity that fails to provide that required notice and authorizes the Labor Commissioner to issue a citation for civil penalties to an entity that fails to provide the required notice. This bill would additionally require the awarding body to provide notice to the department if there is a change in the identity of a contractor or subcontractor performing the project or, within 30 days, if the total amount of the contract change exceeds \$10,000. By creating new notification requirements for public agencies, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 1904 Ward D</p> <p>Transit buses: yield right-of-way sign.</p>	<p>This bill is in the Assembly Committee on Transportation.</p>	<p>Existing law authorizes a transit bus in the Santa Cruz Metropolitan Transit District and the Santa Clara Valley Transportation Authority to be equipped with a yield right-of-way sign on the left rear of the bus if the applicable entity approves a resolution requesting that this section be made applicable to it. Existing law requires the sign to be designed to warn a person operating a motor vehicle approaching the rear of the bus that the bus is entering traffic and be illuminated by a red flashing light when the bus is signaling in preparation for entering a traffic lane after having stopped to receive or discharge passengers. This bill would expand the authorization to equip transit buses, as described above, to apply to any transit agency if the transit agency approves a resolution that this authorization be made applicable to it. The bill would also authorize the yield right-of-way sign to be a static decal and would only impose the above-described design and illumination requirements on a sign that is a flashing light-emitting diode (LED) sign.</p>	<p>Watch</p>
<p>AB 1958 Berman D</p> <p>Santa Clara Valley Transportation Authority: board of directors.</p>	<p>This bill is in the Assembly Committee on Local Government.</p>	<p>Existing law creates the Santa Clara Valley Transportation Authority (VTA) with various powers and duties relative to transportation projects and services and the operation of public transit in the County of Santa Clara. Existing law vests the government of the VTA in a 12-member board of directors, appointed by the County of Santa Clara and the cities within the county, as specified. Existing law requires, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transportation issues. This bill would require, to the extent possible, the county and cities to appoint individuals to the board of directors who have expertise, experience, or knowledge relative to transportation or project management issues.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2090 Irwin D</p> <p>Office of Farm to Fork: food deserts: transportation.</p>	<p>This bill is in the Assembly Committee on Agriculture.</p>	<p>Existing law creates the Office of Farm to Fork within the Department of Food and Agriculture, and requires the office, to the extent that resources are available, to work with various entities, as prescribed, to increase the number of agricultural products available to underserved communities and schools in the state. Existing law requires the office, among other things, to identify distribution barriers that affect limited food access and work to overcome those barriers through various actions and to coordinate with school districts and representatives to, among other things, increase the? nutritional profile of foods provided in schools. This bill would also require the office to work with transportation agencies and to prioritize the department’s efforts in food deserts, as defined, throughout the state, especially counties that are most impacted by food insecurity, as defined. The bill would require the office to identify distribution barriers that affect limited food access and work to overcome those barriers by facilitating partnerships between statewide, regional, and local transportation agencies to address inadequate public transportation lines in urban and rural communities, with the aim of connecting all communities to adequate and nutritional food access, as provided. The bill would require the office to coordinate with school districts and representatives to assess access to school breakfast and lunch programs during scheduled academic calendar breaks and school closures.</p>	<p>Watch</p>
<p>AB 2192 Carrillo, Juan D</p> <p>Public agencies: cost accounting standards.</p>	<p>This bill may be heard in committee on March 9th.</p>	<p>Existing law, the Uniform Public Construction Cost Accounting Act, authorizes a public agency to elect to become subject to uniform construction cost accounting procedures. Existing law provides for the development of cost accounting standards and an alternative method for the bidding of public works projects by public entities. This bill would make nonsubstantive changes to the title provision of the Uniform Public Construction Cost Accounting Act.</p>	<p>Watch</p>
<p>AB 2233 Schiavo D</p> <p>Building standards: toilet compartments.</p>	<p>This bill is in the Assembly Committee on Business and Professions.</p>	<p>Existing law, the California Building Standards Law, establishes the California Building Standards Commission within the Department of General Services and sets forth its powers and duties, including approval and adoption of building standards and codification of those standards into the California Building Standards Code. Existing law also establishes that in the Department of General Services, there is a State Architect, appointed by the Governor, as specified, who is required to report directly to the Director of General Services. This bill would require the Division of the State Architect, as part of the next intervening edition of the California Building Standards Code adopted after January 1, 2025, to consider proposing for adoption building standards that lower the threshold of toilet compartments required for an ambulatory accessibly toilet compartment to be required in addition to a wheelchair accessible toilet compartment.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2266 Petrie-Norris D</p> <p>California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: vehicle eligibility.</p>	<p>This bill is in the Assembly Committee on Transportation.</p>	<p>Existing law establishes the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The state board, in this capacity, administers the California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project under which the agency issues a limited number of vouchers to incentivize the purchase and use of zero-emission commercial vehicles. This bill would require the state board to authorize a voucher issued under the program to be used for the acquisition of any zero-emission vehicle that meets specified requirements.</p>	<p>Watch</p>
<p>AB 2302 Addis D</p> <p>Open meetings: local agencies: teleconferences.</p>	<p>This bill is in the Assembly Committee on Local Government.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in specified circumstances if, during the teleconference meeting, at least a quorum of the members of the legislative body participates in person from a singular physical location clearly identified on the agenda that is open to the public and situated within the boundaries of the territory over which the local agency exercises jurisdiction, and the legislative body complies with prescribed requirements. Existing law imposes prescribed restrictions on remote participation by a member under these alternative teleconferencing provisions, including establishing limits on the number of meetings a member may participate in solely by teleconference from a remote location, prohibiting such participation for a period of more than 3 consecutive months or 20% of the regular meetings for the local agency within a calendar year, or more than 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year. This bill would revise those limits, instead prohibiting such participation for more than a specified number of meetings per year, based on how frequently the legislative body regularly meets. The bill, for the purpose of counting meetings attended by teleconference, would define a “meeting” as any number of meetings of the legislative body of a local agency that begin on the same calendar day. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2325 Lee D</p> <p>San Francisco Bay Area Rapid Transit District: officers: designation and appointment.</p>	<p>This bill is in the Assembly Committee on Local Government.</p>	<p>Existing law establishes the San Francisco Bay Area Rapid Transit District, governed by a board of directors, with specified powers and duties relative to the construction and operation of a rapid transit system. Under existing law, the officers of the district consist of the members of the board, a secretary, a general manager, a general counsel, a treasurer, a controller, and other officers, assistants, and deputies that the board may provide for by ordinance or resolution, as specified. Existing law requires the board to appoint, and authorizes the board to remove, the secretary, the general manager, the general counsel, the treasurer, and the controller. Existing law requires all other officers and employees of the district to be appointed by, and to serve at the pleasure of, the general manager. This bill would eliminate the treasurer and controller as specifically designated officers of the district and as positions subject to appointment and removal by the board. The bill would also eliminate specified qualifications applicable to the controller.</p>	<p>Watch</p>
<p>AB 2421 Low D</p> <p>Employer-employee relations: confidential communications.</p>	<p>This bill is in the Assembly Committee on Public Employment and Retirement.</p>	<p>Existing law that governs the labor relations of public employees and employers, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, provisions relating to public schools, provisions relating to higher education, and provisions relating to the the San Francisco Bay Area Rapid Transit District, prohibits employers from taking certain actions relating to employee organization, including imposing or threatening to impose reprisals on employees, discriminating or threatening to discriminate against employees, or otherwise interfering with, restraining, or coercing employees because of their exercise of their guaranteed rights. Those provisions of existing law further prohibit denying to employee organizations the rights guaranteed to them by existing law. This bill would also prohibit a local public agency employer, a state employer, a public-school employer, a higher education employer, or the district from questioning any employee or employee representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization’s representation.</p>	<p>Watch</p>
<p>AB 2431 Mathis R</p> <p>Taxation: Transactions and Use Tax Law: limit increase.</p>	<p>This bill is in the Assembly Committee on Local Government.</p>	<p>Existing law authorizes cities and counties, subject to certain limitations and approval requirements, to levy a transactions and use tax for general or specific purposes, in accordance with the procedures and requirements set forth in the Transactions and Use Tax Law, including a requirement that the combined rate of all taxes that may be imposed in accordance with that law in the county not exceed 2%. This bill would authorize a city, county, or city and county to impose a transactions and use tax at a rate of no more than an unspecified percentage that, in combination with other transactions and use taxes, would exceed the above-described combined rate limit of 2%, if certain conditions are met, including that the city, county, or city and county has reached the 2% rate limitation. The bill would specify that a transactions and use tax established pursuant to its provisions would not be considered for purposes of the 2% combined rate limitation.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2463 Alanis R</p> <p>Railroad employee safety.</p>	<p>This bill may be heard in committee March 15.</p>	<p>Existing law grants the Division of Occupational Safety and Health jurisdiction over the safety and health of railroad employees, as specified. Existing law authorizes a conductor to place a pusher engine ahead of the caboose, as defined, if conditions warrant it for the safety of the occupants of a caboose. This bill would make nonsubstantive changes to provisions relating to the above-described authority of a conductor.</p>	<p>Watch</p>
<p>AB 2503 Lee D</p> <p>California Environmental Quality Act: exemption: railroad electrification and railroad siding projects.</p>	<p>This bill is in the Assembly Committee on Natural Resources.</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 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. This bill would exempt from the requirements of CEQA railroad electrification projects and railroad siding projects. Because a lead agency would be required to determine the applicability of this exemption, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2553 Friedman D</p> <p>Housing development: major transit stops: vehicular traffic impact fees.</p>	<p>This bill may be heard in committee March 16.</p>	<p>Existing law, 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 exempts from its requirements residential projects on infill sites and transit priority projects that meet certain requirements, including a requirement that the projects are located within 1/2 mile of a major transit stop. CEQA defines “major transit stop” to include, among other locations, the intersection of 2 or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods. This bill would revise the definition of “major transit stop” to increase the frequency of service interval to 20 minutes. The bill would additionally define “major transit stop” to include a site in an urbanized area that is being served by an on-demand transit service at least 12 hours a day, 7 days a week. Because the bill would require a lead agency to make an additional determination as to whether a location is a major transit stop for purposes of determining whether residential or mixed-use residential projects are exempt from CEQA, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2626 Dixon R</p> <p>Advanced Clean Fleets regulations: local governments.</p>	<p>This bill is in the Assembly Committee on Transportation.</p>	<p>Existing law requires the State Air Resources Board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution that the state board has found necessary, cost effective, and technologically feasible. The California Global Warming Solutions Act of 2006 establishes the state board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from those sources. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would extend the compliance dates for local government set forth in the Advanced Clean Fleets Regulation by 10 years. The bill would prohibit the state board from taking enforcement action against a local government for violating the Advanced Clean Fleets Regulation if the alleged violation occurs before January 1, 2025. This bill contains other existing laws.</p>	<p>Watch</p>
<p>AB 2669 Ting D</p> <p>Toll bridges: tolls.</p>	<p>This bill is in the Assembly Committee on Transportation.</p>	<p>Existing law provides for the construction and operation of various toll bridges by the state, the Golden Gate Bridge, Highway and Transportation District, and private entities that have entered into a franchise agreement with the state. This bill would prohibit a toll from being imposed on the passage of a pedestrian, bicycle, or personal micromobility device over these various toll bridges.</p>	<p>Watch</p>
<p>AB 2712 Friedman D</p> <p>Automobile parking requirements: development projects.</p>	<p>This bill may be heard in committee March 16.</p>	<p>The Planning and Zoning Law requires each county and city to adopt a comprehensive, long-term general plan for its physical development, and the development of certain lands outside its boundaries, that includes, among other mandatory elements, a land use element. Existing law prohibits a public agency from imposing any minimum automobile parking requirement on any residential, commercial, or other development project that is located within 1/2 mile of public transit, as defined, unless the public agency makes written findings, within 30 days of the receipt of a completed application, that not imposing or enforcing minimum automobile parking requirements on the development would have a substantially negative impact on, among other things, the city's, county's, or city and county's ability to meet its share of the regional housing need for low- and very low income households. This bill would instead provide a public agency with 60 days from the receipt of a completed application to make those written findings.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2715 Boerner D</p> <p>Ralph M. Brown Act: closed sessions.</p>	<p>This bill is in the Assembly Committee on Local Government.</p>	<p>Existing law, the Ralph M. Brown Act, generally requires that all meetings of a legislative body of a local agency be open and public and that all persons be permitted to attend and participate. Existing law authorizes a legislative body to hold a closed session on, among other things, matters posing a threat to the security of essential public services, as specified. This bill would additionally authorize a closed session to consider or evaluate matters related to cybersecurity, as specified, provided that any action taken on those matters is done in open session. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2744 McCarty D</p> <p>Vehicles: pedestrian, bicycle, and vehicle safety.</p>	<p>This bill is in the Assembly Committee on Transportation.</p>	<p>Existing law authorizes the legislative body of a city to do any and all things necessary to lay out, acquire, and construct a section or portion of a street or highway within its jurisdiction as a freeway and to make an existing street or highway a freeway. Existing law authorizes a legislative body of a city, whenever this legislative body determines that it is necessary for the more efficient maintenance, construction, or repair of streets and roads within the city, to contract with the board of supervisors of any county for the rental of the county's equipment, as specified. This bill would, beginning on January 1, 2025, prohibit the addition of a right-turn or travel lane within 20 feet of a marked or unmarked crosswalk where there is not already a dedicated and marked right-turn or travel lane, and would prohibit vehicles from using this 20-foot area for right turns unless the area is already marked as a dedicated right-turn lane before January 1, 2025. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2813 Aguiar-Curry D</p> <p>Government Investment Act.</p>	<p>This bill may be heard in committee March 17.</p>	<p>Existing law, known as the Proposition 218 Omnibus Implementation Act, defines various terms and prescribes procedures and parameters for local jurisdictions to comply with specified provisions of the California Constitution. The Legislature adopted ACA 1 at the 2023–24 Regular Session of the Legislature, which, if approved by the voters, would amend and add provisions of the California Constitution to (1) create an additional exception to the 1% limit on the ad valorem tax rate on real property by authorizing a local jurisdiction 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, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction; and (2) authorize a local jurisdiction to impose, extend, or increase a sales and use tax to fund the construction, reconstruction, rehabilitation, or replacement of public infrastructure, affordable housing, or permanent supportive housing, if the proposition proposing that tax is approved by 55% of the voters in that local jurisdiction. Pursuant to the existing law described above, ACA 1 is scheduled to appear on the ballot at the November 5, 2024, statewide general election. This bill would authorize a local government that imposes a tax under ACA 1 to commit revenues to affordable housing programs, including downpayment assistance, first-time home buyer programs, and owner-occupied affordable housing rehabilitation programs. The bill would require a local government to ensure that any project that is funded with ACA 1 bonded indebtedness or ACA 1 special taxes to have an estimated useful life of at least 15 years or 5 years if the funds are for specified public safety buildings, facilities, and equipment. The bill would specify that a local government may commit revenues derived from ACA 1 bonded indebtedness or an ACA 1 special tax to projects or programs administered by a nonprofit organization for affordable housing or permanent supportive housing purposes. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>AB 2824 McCarty D</p> <p>Battery.</p>	<p>This bill may be heard in committee March 17.</p>	<p>Existing law provides that when a battery is committed against the person of an operator, driver, or passenger on a bus, taxicab, streetcar, cable car, trackless trolley, or other motor vehicle, as specified, and the person who commits the offense knows or reasonably should know that the victim is engaged in the performance of their duties, the penalty is imprisonment in a county jail not exceeding one year, a fine not exceeding \$10,000, or both the fine and imprisonment. Existing law also provides that if the victim is injured, the offense would be punished by a fine not exceeding \$10,000, by imprisonment in a county jail not exceeding one year or in the state prison for 16 months, 2, or 3 years, or by both that fine and imprisonment. This bill would make technical, nonsubstantive changes to this provision.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 2879 Fong, Vince R</p> <p>High-Speed Rail Authority: contracting.</p>	<p>This bill is in the Assembly Committee on Transportation.</p>	<p>The California High-Speed Rail Act creates the High-Speed Rail Authority, composed of 11 members, to develop and implement a high-speed rail system in the state, with specified powers and duties. The act authorizes the authority to enter into contracts with private or public entities for the design, construction, and operation of high-speed trains. The act requires the authority to appoint an executive director to administer the affairs of the authority as directed by the authority. This bill, notwithstanding the authority’s ability to delegate power to the executive director, would require any contract change order with a value greater than \$100,000,000 to be approved by the authority.</p>	<p>Watch</p>
<p>AB 3177 Carrillo, Wendy D</p> <p>Mitigation Fee Act: land dedications: mitigating vehicular traffic impacts.</p>	<p>This bill may be heard in committee March 18.</p>	<p>Existing law, the Mitigation Fee Act, imposes various requirements with respect to the establishment, increase, or imposition of a fee by a local agency as a condition of approval of a development project. Existing law requires a local agency that imposes a fee on a housing development for the purpose of mitigating vehicular traffic impacts to set the rate for the fee to reflect a lower rate of automobile trip generation if the housing development satisfies specified characteristics, including that the housing development is located within a 1/2 mile of a transit station. Existing law defines transit station for these purposes to mean a rail or light-rail station, ferry terminal, bus hub, or bus transfer station. This bill would instead require the housing development to be located within a 1/2 mile of a transit priority area for purposes of a local agency setting the rate for a mitigating vehicular traffic impacts fee to reflect a lower rate of automobile trip generation. The bill would define “transit priority area” as an area within 1/2 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan. The bill would also prohibit local agency from imposing a land dedication requirement, as defined, on a housing development for the purpose of mitigating vehicular traffic impacts or achieving an adopted level of service related to vehicular traffic. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>AB 3186 Petrie-Norris D</p> <p>Public works: prevailing wages: access to records.</p>	<p>This bill may be heard in committee March 18.</p>	<p>Existing law requires that, except as specified, not less than the general prevailing rate of per diem wages be paid to workers employed on public works and imposes misdemeanor penalties for a willful violation of this requirement. Existing law defines “public works,” for the purposes of regulating public works contracts, as, among other things, construction, alteration, demolition, installation, or repair work done under contract and paid for, in whole or in part, out of public funds. Existing law requires the Labor Commissioner to investigate allegations that a contractor or subcontractor violated the law regulating public works projects, including the payment of prevailing wages. Existing law requires each contractor and subcontractor on a public works project to keep accurate payroll records, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by the contractor or subcontractor in connection with the public work. Existing law requires any copy of records made available for inspection as copies and furnished upon request to the public or any public agency to be marked or obliterated to prevent disclosure of an individual’s name, address, and social security number but specifies that any copy of records made available to a Taft-Hartley trust fund for the purposes of allocating contributions to participants be marked or obliterated only to prevent disclosure of an individual’s full social security number, as specified. This bill would require each contractor and subcontractor performing work on any public works project and any covered entity, as defined for these purposes as a corporation, limited liability company, partnership, joint venture, or other legal entity, that develops or undertakes such project, to make specified records available upon request to the Division of Labor Standards Enforcement, to multiemployer Taft-Hartley trust funds, and to joint labor-management committees, as specified. The bill would also apply this requirement to contractors, subcontractors, and covered entities that are developing, undertaking, or performing work on a development project for which contractors are required to maintain and verify payroll records, as specified. The bill would subject a contractor, subcontractor, or covered entity, for failing to comply with the provisions of this act, to a penalty by the commissioner, as specified, and would deposit the penalties into a specified fund. This bill would require the Director of Industrial Relations to adopt rules to govern the release of those records, as specified. This bill contains other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 532 Wiener D</p> <p>San Francisco Bay area toll bridges: tolls: transit operating expenses.</p>	<p>This bill is dead.</p>	<p>Existing law creates the Metropolitan Transportation Commission (MTC) as a regional agency in the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates the Bay Area Toll Authority (BATA) as a separate entity governed by the same governing board as MTC and makes BATA responsible for the administration of toll revenues from the state-owned toll bridges in the San Francisco Bay area. Existing law requires the Department of Transportation to collect tolls on these state-owned toll bridges. Existing law requires those toll revenues to be deposited in the Bay Area Toll Account and requires BATA to control and maintain that account, as specified. This bill would, until December 31, 2028, require BATA to increase the toll rate for vehicles for crossing the state-owned toll bridges in the San Francisco Bay area by \$1.50, as adjusted for inflation. The bill would require the revenues collected from this toll to be deposited in the Bay Area Toll Account, would continuously appropriate moneys from this toll increase and other specified tolls, and would require moneys from this toll to be transferred to MTC for allocation to transit operators that provide service within the San Francisco Bay area and that are experiencing a financial shortfall, as specified. The bill would direct MTC to require each transit operator eligible to receive an allocation from the account to, on an annual basis, submit a 5-year projection of its operating needs, as specified. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 537 Becker D</p> <p>Open meetings: multijurisdictional, cross-county agencies: teleconferences.</p>	<p>This bill is in the inactive file.</p>	<p>Existing law, the Ralph M. Brown Act, requires, with specified exceptions, that all meetings of a legislative body, as defined, of a local agency be open and public and that all persons be permitted to attend and participate. The act generally requires for teleconferencing that the legislative body of a local agency that elects to use teleconferencing post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and have each teleconference location be accessible to the public. Existing law also requires that, during the teleconference, at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. Existing law, until January 1, 2026, authorizes the legislative body of a local agency to use alternative teleconferencing in certain circumstances related to the particular member if at least a quorum of its members participate from a singular physical location that is open to the public and situated within the agency's jurisdiction and other requirements are met, including restrictions on remote participation by a member of the legislative body. These circumstances include if a member shows "just cause," including for a childcare or caregiving need of a relative that requires the member to participate remotely. This bill would expand the circumstances of "just cause" to apply to the situation in which an immunocompromised child, parent, grandparent, or other specified relative requires the member to participate remotely. The bill would authorize the legislative body of a multijurisdictional, cross-county agency, as specified, to use alternate teleconferencing provisions if the eligible legislative body has adopted an authorizing resolution, as specified. The bill would also require the legislative body to provide a record of attendance of the members of the legislative body, the number of community members in attendance in the teleconference meeting, and the number of public comments on its internet website within 10 days after a teleconference meeting, as specified. The bill would require at least a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the territory over which the local agency exercises jurisdiction. The bill would require a member who receives compensation for their service, as specified, on the legislative body to participate from a physical location that is open to the public. The bill would require the legislative body to identify in the agenda each member who plans to participate remotely and to include the address of the publicly accessible building from which each member will participate via teleconference. The bill would prohibit a member from participating remotely pursuant to these provisions unless the remote location is the member's office or another location in a publicly accessible building and is more than 40 miles from the in-person location of the meeting. The bill would repeal these alternative teleconferencing provisions on January 1, 2026. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 904 Dodd D</p> <p>Sonoma-Marín Area Rail Transit District.</p>	<p>This bill is in the Senate Transportation Committee.</p>	<p>Existing law creates, within the Counties of Sonoma and Marin, the Sonoma-Marín Area Rail Transit District with specified duties and powers relative to the provision of a passenger and freight rail system within the territory of the district. Under existing law, the district is governed by a 12-member board of directors appointed by various local governmental entities. Existing law authorizes the board to submit to the voters of the district a measure proposing a retail transaction and use tax ordinance. This bill would also authorize those special taxes to be imposed by a qualified voter initiative. The bill would require the board of supervisors of the Counties of Sonoma and Marin to call a special election on a tax measure proposed by the district’s board of directors or a qualified voter initiative in their respective counties, as specified. To the extent that the bill would impose additional duties on a county elections official, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>SB 925 Wiener D</p> <p>San Francisco Bay area: local revenue measure: transportation improvements.</p>	<p>This bill is in the Senate Rules Committee, pending referral to policy committee.</p>	<p>Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. This bill would state the intent of the Legislature to enact subsequent legislation to authorize the Metropolitan Transportation Commission to propose a revenue measure to the voters in its jurisdiction to fund the operation, expansion, and transformation of the San Francisco Bay area’s public transportation system, as well as other transportation improvements.</p>	<p>Watch</p>
<p>SB 926 Wahab D</p> <p>San Francisco Bay area: public transportation.</p>	<p>This bill is in the Senate Transportation Committee.</p>	<p>Existing law creates the Metropolitan Transportation Commission as a local area planning agency for the 9-county San Francisco Bay area with comprehensive regional transportation planning and other related responsibilities. Existing law creates various transit districts located in the San Francisco Bay area, with specified powers and duties relating to providing public transit services. Existing law establishes the Transportation Agency, consisting of various state agencies 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. This bill would require the Transportation Agency to develop a plan to consolidate all transit agencies, as defined, that are located within the geographic jurisdiction of the Metropolitan Transportation Commission. This bill contains other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 955 Seyarto R</p> <p>Office of Planning and Research: Infrastructure Gap-Fund Program.</p>	<p>This bill is in the Senate Committee on Local Government.</p>	<p>Existing law establishes the Office of Planning and Research in the Governor’s office for the purpose of serving the Governor and the Governor’s cabinet as staff for long-range planning and research and constituting the comprehensive state planning agency. Existing law authorizes a local agency to finance infrastructure projects through various means, including by establishing an enhanced infrastructure financing district to finance public capital facilities or other specified projects of communitywide significance that provide significant benefits to the district or the surrounding community. This bill would require the office, upon appropriation by the Legislature, to establish the Infrastructure Gap-Fund Program to provide grants to assist local agencies in developing and constructing infrastructure projects. The bill would require the office to develop guidelines and criteria to implement the program.</p>	<p>Watch</p>
<p>SB 1011 Jones R</p> <p>Encampments: penalties.</p>	<p>This bill is in the Senate Committee on Public Safety.</p>	<p>Under existing law, a person who lodges in a public or private place without permission is guilty of disorderly conduct, a misdemeanor. Existing law also provides that a person who willfully and maliciously obstructs the free movement of any person on any street, sidewalk, or other public place is guilty of a misdemeanor. Under existing law, a nuisance is anything that is injurious to health or indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property. Existing law also provides that a nuisance is anything that obstructs the free passage or use of any public park, square, street, or highway, among other things. Under existing law, a public nuisance is a nuisance that affects the entire community, neighborhood, or a considerable number of persons. Existing law provides various remedies against a public nuisance, including abatement by any public body or officer authorized by law. This bill would prohibit a person from sitting, lying, sleeping, or storing, using, maintaining, or placing personal property upon a street or sidewalk if a homeless shelter, as defined, is available to the person. The bill would also prohibit sitting, lying, sleeping, or storing, using, maintaining, or placing personal property within 500 feet of a public or private school, open space, or major transit stop, as specified. The bill would specify that a violation of this prohibition is a public nuisance that can be abated and prevented, as specified. The bill would also provide that a violation of the prohibition may be charged as a misdemeanor or an infraction, at the discretion of the prosecutor. The bill would prohibit a person from being found in violation of the bill’s provisions unless provided notice, at least 72 hours before commencement of any enforcement action, as specified. By imposing criminal penalties for a violation of these provisions, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1031 Wiener D</p> <p>Legislative review of state agency action.</p>	<p>This bill is in the Senate Rules Committee.</p>	<p>Existing law requires a state agency, as specified, to notify the Joint Legislative Budget Committee not less than 60 days prior to the effective date on which the state agency will establish or change a federal aid allocation formula to a local agency. If the chairman of the committee informs committee members of his intention to waive the 60-day notification period, existing law permits the chairman to grant a waiver of that notification period after receipt of the notification. Under existing law, upon the request of the chairman or any member of the committee, the committee must schedule a hearing on the proposed allocation formula to be established or changed. This bill would make technical, nonsubstantive changes to those provisions to use gender-neutral language. This bill is the new legislative vehicle for the Metropolitan Transportation Commission’s regional measure.</p>	<p>Watch</p>
<p>SB 1098 Blakespear D</p> <p>Passenger and freight rail: LOSSAN Rail Corridor.</p>	<p>This bill is in the Senate Transportation Committee.</p>	<p>Existing law establishes the Department of Transportation in the Transportation Agency under the control of an executive officer known as the Director of Transportation. Existing law authorizes the Department of Transportation, subject to approval of the Secretary of Transportation, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in certain rail corridors, including the LOSSAN Rail Corridor. Existing law defines the LOSSAN Rail Corridor as the intercity passenger rail corridor between San Diego, Los Angeles, and San Luis Obispo. Pursuant to this authority, the department entered into an interagency transfer agreement with the LOSSAN Rail Corridor Agency to administer intercity passenger rail service in the LOSSAN Rail Corridor. This bill would require the Secretary of Transportation to provide strategic guidance, recommendations, and facilitate all necessary coordination, collaboration, and intervention when necessary between stakeholders, to ensure the performance of the LOSSAN Rail Corridor, as specified. This bill would also require the Secretary of Transportation, in consultation with the Director of Transportation, to submit a report to the Legislature on or before January 1, 2026, regarding the LOSSAN Rail Corridor that includes specified information, including certain recommendations made by the department and the California Transportation Commission, in consultation with the Secretary for Environmental Protection. The bill would also require the Secretary of Transportation to submit a report to the Legislature on or before January 1, 2027, and biennially thereafter, on the management of the LOSSAN Rail Corridor, as provided. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1206 Becker D</p> <p>GO-Biz: next generation batteries.</p>	<p>This bill is in the Senate Business, Professions and Economic Development Committee.</p>	<p>Existing law establishes the Governor’s Office of Business and Economic Development (GO-Biz), which serves the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. Existing law authorizes GO-Biz, until July 1, 2025, to undertake measures that are necessary or useful to prepare and submit an application to receive funding from the regional clean hydrogen hubs program established by the Secretary of the United States Department of Energy or to otherwise participate in the regional clean hydrogen hubs program. Existing law requires grants made from any funding received from the regional clean hydrogen hubs program to be used as specified. The California Renewables Portfolio Standard Program requires the Public Utilities Commission to establish a renewables portfolio standard, as defined, requiring all retail sellers, as defined, to procure a minimum quantity of electricity products from eligible renewable energy resources, as defined, so that the total kilowatthours of those products sold to their retail end-use customers achieves 25% of retail sales by December 31, 2016, 33% by December 31, 2020, 44% by December 31, 2024, 52% by December 31, 2027, and 60% by December 31, 2030. The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases. The act requires the state board to prepare and approve a scoping plan for achieving the maximum technologically feasible and cost-effective reductions in greenhouse gas emissions and to update the scoping plan at least once every 5 years. This bill would, until January 1, 2030, authorize GO-Biz to undertake measures that are necessary or useful to prepare and submit an application to receive funding from next generation battery hub programs, as defined. The bill would require that grants made from any funding received from next generation battery hub programs under its provisions support projects in California that advance progress toward resource adequacy goals and the targets of the scoping plan and the California Renewables Portfolio Standard Program. The bill would also require that grants made from any funding received from next generation battery hub programs under its provisions prioritize projects that meet any of the specified conditions, including that the project help reduce costs and increase access to batteries. Prior to the submission of any applications to receive funding from next generation battery hub programs, the bill would require a partnership entered into pursuant to the above-described provisions to adopt a community benefits plan that includes specified elements. The bill would require GO-Biz to submit a report to the relevant budget and policy committees of the Legislature on or before March 1, 2030, and annually thereafter, regarding the status of any partnership entered into pursuant to the above-described provisions.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1239 Grove R</p> <p>California Environmental Quality Act: exemption: railroad grade crossing closure.</p>	<p>This bill is in the Senate Committee on Environmental Quality.</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 (EIR) 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. Existing law, until January 1, 2025, exempts from CEQA the closure of a railroad grade crossing by order of the Public Utilities Commission if the commission finds the crossing to present a threat to public safety. Existing law makes this exemption inapplicable to any crossing for high-speed rail or any crossing for a project carried out by the High-Speed Rail Authority. Existing law requires the lead agency to file the notice of exemption with specified public entities. This bill would delete the January 1, 2025, sunset date, thereby applying these provisions permanently. Because the bill would impose additional duties on lead agencies with regards to the filing of the notice of exemption, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.</p>	<p>Watch</p>
<p>SB 1321 Wahab D</p> <p>Community Economic Resilience Fund Program.</p>	<p>This bill is in the Senate Committee on Labor, Public Employment and Retirement.</p>	<p>Existing law establishes within the Workforce Services Branch of the Employment Development Department the Community Economic Resilience Fund Program to build an equitable and sustainable economic recovery from the impacts of COVID-19 on California’s industries, workers, and communities, and to provide for the durability of that recovery by fostering long-term economic resilience in the overall transition to a carbon-neutral economy. Existing law requires the Labor and Workforce Development Agency, the Office of Planning and Research, and the Governor’s Office of Business and Economic Development, collectively referred to as the Inter-Agency Leadership Team, to administer the program, as described, and to develop policies for grant funds distributed under the program. Existing law requires the program to, among other things, provide financial support to establish and support high road transition collaboratives in designing region- and industry-specific economic recovery and transition strategies. This bill would require the program to also include a focus on the creation of quality jobs in sustainable industries with high-growth potential and on connecting members of disadvantaged communities with those jobs. This bill contains other existing laws.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1325 Durazo D</p> <p>Public contracts: best value procurement: equipment.</p>	<p>This bill is in the Senate Governmental Organization Committee.</p>	<p>Existing law imposes requirements on, and authorizes procedures for, public contracting for equipment and services, among other things, by local and state agencies. Existing law authorizes certain procurements to be facilitated through a lowest responsible bidder requirement. This bill would authorize a state or local agency, as defined, to award contracts through a best value procurement method, as describe, for the purchase of equipment with a base value of \$250,000 or more. The bill would require the agency to adopt and publish procedures and guidelines for evaluating the qualifications of the bidders to ensure the best value selections are conducted in a fair and impartial manner, as described. The bill would authorize the procedures and guidelines to include the adoption of a high road jobs plan policy that evaluates bidders' high road jobs plan commitments as part of the overall score for the public contract, as specified. This bill would require the solicitation document to include certain information and would direct the agency to use a scoring method based on price and the factors described in the solicitation document, as specified. The bill would require the agency to let any contract for these projects to the selected bidder that represents the best value or reject all bids. This bill contains other related provisions.</p>	<p>Watch</p>

Bill ID/Topic	Location	Summary	Position
<p>SB 1393 Niello R</p> <p>Advanced Clean Fleets Regulation Appeals Advisory Committee.</p>	<p>This bill is in the Senate Environmental Quality Committee.</p>	<p>Existing law requires the State Air Resources Board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution that the state board has found necessary, cost effective, and technologically feasible. The California Global Warming Solutions Act of 2006 establishes the state board as the state agency responsible for monitoring and regulating sources emitting greenhouse gases and requires the state board to adopt rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emission reductions from those sources. Pursuant to its authority, the state board has adopted the Advanced Clean Fleets Regulation, which imposes various requirements for transitioning local, state, and federal government fleets of medium- and heavy-duty trucks, other high-priority fleets of medium- and heavy-duty trucks, and drayage trucks to zero-emission vehicles. The Advanced Clean Fleets Regulation authorizes entities subject to the regulation to apply for exemptions from its requirements under certain circumstances. This bill would require the state board to establish the Advanced Clean Fleets Regulation Appeals Advisory Committee by an unspecified date for purposes of reviewing appeals of denied requests for exemptions from the requirements of the Advanced Clean Fleets Regulation. The bill would require the committee to include representatives of specified state agencies, other state and local government representatives, and representatives of private fleet owners, the electric vehicle manufacturing industry, and electrical corporations, as provided. The bill would require the committee to meet monthly and would require recordings of its meetings to be made publicly available on the state board’s internet website. The bill would require the committee to consider, and make a recommendation on, an appeal of an exemption request denial no later than 60 days after the appeal is made. The bill would require specified information relating to the committee’s consideration of an appeal to be made publicly available on the state board’s internet website. The bill would require the state board to consider a recommendation of the committee at a public meeting no later than 60 days after the recommendation is made. This bill contains other existing laws.</p>	<p>Watch</p>

Caltrain Federal Report March 2024

Congress Passes Minibus Appropriations Package

- On March 9, President Biden signed a six-bill fiscal year FY 2024 appropriations minibus. The minibus contains the Transportation-HUD, Energy-Water, Agriculture, Commerce-Justice-Science, Interior-Environment and Military Construction-VA bills. The six remaining bills must be passed or extended by March 22.
- The remaining six appropriations bills do face additional hurdles given unresolved issues over border policy and foreign aid funding to name a few. Given the end is in sight for FY 2024, Congress is slowly beginning its FY 2025 appropriations process. We expect the pace for FY 2025 requests will speed up greatly once the first six bills are passed.
- Rep. Eshoo and Rep. Mullin each secured \$500,000 in FY 2024 [community project funding requests](#) for the Caltrain Grade Crossing Improvements Project. This will fund safety improvements at several grade crossings across the corridor, including in Redwood City, Menlo Park and Palo Alto.
- Below are the key transportation funding levels in the minibus (all of these funding levels are on top of Bipartisan Infrastructure Law (BIL):
 - RAISE: \$345 million
 - FTA Capital Investment Grants: \$2.205 billion
 - New Starts: \$2,130,950,000
 - Expedited Project Delivery Pilot Program: up to \$52 million
 - FRA Federal-State Partnership Grants: \$100 million

President Biden Releases FY 2025 Budget Request

- On March 11, President Biden released his FY 2025 budget request to Congress. The proposal serves as an election-year outline of potential future scenarios if President Biden and his fellow Democrats secure victories in November.
- The budget request recommends \$25.4 billion for DOT. This includes:
 - \$62 billion for highways formula funding, consistent with the BIL
 - \$14.3 billion for transit formula funding, consistent with the BIL
 - \$2.4 billion for the Capital Investment Grant program.
 - \$800 million for both the RAISE and Mega grant programs

McConnell Stepping Down as Senate GOP Leader

- Senate Minority Leader Mitch McConnell (R-KY) announced he would step down as Senate Republican leader after years of service, where he secured key victories for

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Republicans. This unexpected move creates a turbulent nine-month leadership vacuum in the middle of two critical political battles: the 2024 presidential election and the fight for control of the Senate itself.

- The immediate consequence is a prolonged and potentially messy competition to fill the vacant leadership position. The next nine months could be a tumultuous period for Senate Republicans, potentially impacting their performance in the upcoming crucial elections.

Administration Update

DOT Announces \$150 Million in New Funding to Reduce Highway Congestion

- On Wednesday, February 21, the Federal Highway Administration (FHWA) announced \$150 million in available funding through the new Congestion Relief Program. Created by the Bipartisan Infrastructure Law, this program aims to invest in innovative, multimodal solutions to reduce highway traffic in the most congested metropolitan areas in the United States.
- Within this program, projects must be located in urbanized areas with populations greater than 1,000,000. All applications are due by April 22, 2024. For more information, please refer to the [Funding Opportunity Announcement via Grants.gov](#).

FTA Issues “Dear Colleague” Letters to Emphasize Importance of Adherence to NEPA Review Schedules and Improve Bus Procurement/Manufacturing

- The FTA released two “Dear Colleague” letters to transit entities to highlight [new actions to conduct timely NEPA reviews](#) on all FTA projects and [tools to assist transit agencies and Transit Vehicle Manufacturers \(TVMs\)](#) in the bus procurement and manufacturing processes. FTA’s letter on NEPA reviews specifically highlights new timeframes for environmental assessments (one year) and environmental impact statements (two years), and FTA’s commitment to adhering to these timelines. These new timelines were amended in the Fiscal Responsibility Act of 2023.

FTA Announces Apportionments for Urbanized Areas

- FTA announced \$9.9 billion in urbanized area formula dollars for transit. The funding will be distributed through various FTA formula grant programs for the next five months. The new apportionments reflect the Census Bureau’s new urbanized area boundaries and population figures released in December 2022.
- The FTA apportionments can be viewed [here](#).

Round-Up of Open Grant Opportunities

- [Fiscal Year \(FY\) 2023 through FY 2026 Bridge Investment Program](#). \$9.7 billion available. All applications due March 19, 2024.
- [Congestion Relief Program](#). \$150 million available. All applications due April 22, 2024.

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Pranaya Shrestha, Chief Officer
Subject: **Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report**

Finance Committee
Recommendation

Technology, Operations,
Planning, and Safety
Committee Recommendation

Advocacy and Major
Projects Committee
Recommendation

Purpose and Recommended Action

Staff Coordinating Council recommends the Board receive the Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report (MPR).

This report is provided for informational purposes only.

Discussion

The MPR is intended to provide funding partners, stakeholders, and the public a PCEP overview and an overall update on project progress. This document provides information on the scope, cost, funding, schedule, and project implementation.

Budget Impact

There is no impact on the budget.

Prepared By: Pranaya Shrestha

Chief Officer, Caltrain
Modernization Program

720.757.9191



Caltrain Modernization Program Peninsula Corridor Electrification Project (PCEP)



Executive Monthly Progress Report

February 29, 2024

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1.0 EXECUTIVE SUMMARY

1.1 Introduction

The Peninsula Corridor Electrification Project (PCEP) will upgrade 51 miles of diesel service to electrified service from San Francisco to San Jose (Tamien Station). The PCEP scope of work includes design and construction of an overhead contact system, traction power facilities, modification of the existing signaling and grade crossing protection system to make it compatible with the electrified railroad, substation improvements at Pacific Gas and Electric (PG&E) substations, and modifications at existing tunnels and Caltrain’s maintenance facility. It also includes the design, manufacturing, assembly, testing, and delivery of the Electric Multiple Units (EMUs).

Caltrain completed a thorough assessment of all aspects of the program including cost, schedule, risks, and organization after the global settlement in 2021. Caltrain re-baselined the program budget and schedule in December of 2021. Caltrain finished a schedule reforecast in March 2023 and is committed to deliver PCEP and achieve revenue service in September of 2024.

1.2 Program Cost and Budget

On December 6, 2021, the JPB adopted a new PCEP program budget of \$2,442,690,697. On January 31, 2023, Caltrain received a \$367 million funding award from California’s Transit and Intercity Rail Capital Program’s (TIRCP) Cycle 6 Existing Project Reserve, representing the remaining funding needed to complete the project. The project is now fully funded in the amount of \$2,442,690,697. As of February 2024, the project is on budget:

- The current project total cost at completion (EAC) is the same as the Board adopted budget of \$2.44 billion.
- As of February 2024, a total of \$15.75M has been drawn down from the Shared Risk Pool of \$50 million to-date. In February 2024, \$14,751.00 was drawn from the Shared Risk Pool.
- As of February 2024, a total of \$35.2M has been drawn from the project contingency of \$40 million. In February 2024, \$4,739,922 was drawn from project contingency.
- As of February 2024, \$4M was issued from the milestone incentive pool of \$15 million. The team has concluded evaluation of signal cutover milestone incentives and awarded \$4M in December 2023 to the design-build contractor.

1.3 Program Progress and Schedule

As of February 29, 2024, the overall project completion is 90.89%. The current program schedule was projecting a PCEP substantial completion date of April 2024 and Revenue Service by September 2024. Staff is implementing a 2023 path to completion with 31 weekend area focused bus bridges to maximize track access to allow system integration testing, signal cutovers, and proactive OCS construction productivity mitigations for the remaining PCEP work. Due to the February 3rd weekend windstorm, OCS wires located at Burlingame and San Antonio were damaged caused by fallen trees on the right of way. The PCEP team assessed the damage and its impact to the project. The storm repair and recovery plan are underway.

1.4 Change Management Board (CMB)

In February 2024, the following items were brought to the CMB approval for contingency drawdown:

- PG&E Substation Upgrades – Equivalent One-Time Payment (EOTP)
- TASI EMU Maintenance & Material (Pre-Revenue)

1.5 This Month's Accomplishments

The project team has completed the following notable activities for the month of February 2024:

- Completed all OCS regulation and Sectionalization. OCS construction is complete.
- Performed February 3rd weekend windstorm damage assessment and established storm repair plan.
- Revised PCEP project schedule to incorporate storm repair and recovery work.
- Completed Guadalupe live runs south of Diridon.
- Continued to connect LV permanent power and coordinate remaining low voltage power drop applications with PG&E and utilizing generators to support project testing.
- Continued to address impedance bonds cable theft issue and perform cable replacement to keep project testing schedule.
- Finalized bus bridge planning effort for Live Runs planned for 2024.
- Held Monthly CMB meeting for overall program status and provided schedule, budget, risks, and changes updates.
- Continued safety special task force working group, including TASI, Rail Operations, and PCEP to address communications, process, and procedure improvements.
- Continued providing PCEP progress updates to funding partners, leadership, elected officials, citizens, and business community.
- Adjusted short circuit test sequence and test dates due to storm repair. Obtained PG&E occurrence for March and April testing dates.
- Continued with project close out efforts and tracked all punch list items in a centralized database.
- Competed Certificate of Conformance (COC) for Milestone 1 limits (Diridon to San Antonio) and Drill Track.
- Continued EMU burn-in and Caltrain completed four EMU burn-in acceptance test on mainline.
- Continued broadband equipment on board installation and revised EMU delivery schedule that incorporated broadband equipment installation work. A total of 14 EMU trainsets will be delivered to Caltrain by August 2024.
- Continued Rail Activation effort and developed detailed RAC schedule and Pre-Revenue Service Plan.
- Completed OCS training.
- Continued Diesel fleet exist effort.
- Two more EMUs were delivered and there are a total of 8 EMU trainsets on Caltrain property.
- Continued joint punch list walks and identified punch list items and tracked them via a centralized database.

- Finalized Substantial Completion and Final Acceptance Checklist and issued revised project close out contract specification.

1.6 Upcoming work

For the next six months, the PCEP team has set additional goals as described below:

- Perform and complete storm repair work.
- Revise remaining short circuit testing dates due to OCS storm repair. Perform and complete the remaining 5 short circuit testing with support from PG&E.
- Continue operations planning, ambassador, and rail service planning for Segment 1 and 2 live runs.
- Complete remaining segments live runs with the EMU.
- Complete end to end full corridor live runs prior to substantial completion. Complete PTC Field Qualification testing using full corridor.
- Continue to coordinate with Broadband Project, work with vehicle manufacturer and monitor EMU production schedule that includes broadband equipment installation and testing.
- Continue bi-weekly project completion roadmap meeting with Design-Build Contractor Executives to address path to substantial completion.
- Plan for power contingency test after end-to-end runs with eight EMUs.
- Continue to coordinate with PG&E on low voltage power drop applications, and distribution line de-energization work.
- Complete all joint punch list walks for all remaining work.
- Hold Monthly CMB meeting for program status and change order approval.
- Commence full corridor OP54 with FTA/PMOC.
- Continue the system safety certification process by issuing Certification of Conformance.
- Continue EMU acceptance testing (burn-in).
- Two more trains are to be delivered by the end of March. The remaining to be delivered in 2nd and 3rd quarter of 2024 to support September Revenue Service.
- Finalize Substantial Completion and Final Acceptance Checklist and issue revised project close out contract specification.

The PCEP Project is currently on budget and on time for achieving Revenue Service in September of 2024.

1.7 Critical Items

As of February 2024, the top critical items and related actions are highlighted below.

Table 1-1. Critical Issues and Actions

Critical Issues	Actions
<p>Overhead Contact System (OCS) installation (regulation work) delay due to low productivity</p> <p>Note: The project OCS work was on hold from March 10, 2022, to March 28, 2022, during the safety stand down.</p> <p>Segment 2 OCS was damaged during high wind and heavy rainstorms in late December 2022 and early January 2023</p>	<ul style="list-style-type: none"> • Additional BBII OCS crew training for regulation and variance in the OCS design / installation due to re-design & accommodations to resolve foundation Differing Site Conditions (DSC) issues – Completed. • Hiring additional BBII OCS staff members to prevent schedule slippage and help in future installation planning – Completed. • Hold OCS construction scheduling recovery workshop for remaining OCS installation and testing – Completed. • Increase OCS crews and OCS wiring equipment to increase productivity – Completed. • More track access including weekend area closures for remaining Segments 1 and 2 OCS construction and testing. Weekend bus bridge construction started on February 11, 2023. • OCS storm repair work for Segment 2 is planned for September 2023 due to rainstorm and long lead time for materials. Completed • Bring on more regulating crews in May 2023. Mass will start regulating work in the first week of June 2023 – Completed. • Procure more equipment parts and ensure all equipment is performing well for construction – Completed. • Bring on equipment fitters and warehouse material manager on site – Completed. • Segment 2 damaged wire due to 2023 winter storms were repaired in August 2023– Completed. • Continue to address OCS quality issues through joints walks and field verification – on-going. • OCS Construction is complete except for Feb 3rd, 2024, weekend storm damage.
<p>Complete TPS Short Circuit Tests</p> <ul style="list-style-type: none"> • TPS 2 short circuit test delays drill track and Segment 4 mainline energization. TPS 2 Short circuit test was performed in May 2023 with some follow up actions. • TPS 1 Short Circuit Test is scheduled in February of 2024. 	<ul style="list-style-type: none"> • Perform comprehensive root cause analysis and develop corrective action plan – Completed. • Implement configuration change control process including design drawing, shop drawings, as-built version control to ensure all parties are using the same set of drawings for TPS2 testing – On-going. • Perform technical working groups including all vendors and EOR – On-going. • Weekly management team briefing on corrective action status – On-going. • Perform independent assessment of the TPS – Completed. • Develop SSWP for all work performed at TPS for Caltrain review and approval – On-going. • Perform field verification and pre-testing before short circuit re-test – Completed. • Perform load bank testing prior to short circuit re-test. – Completed. • Developed remaining short circuit tests required for system completion – completed. • Perform Short circuit tests – March, April of 2024
<p>Theft of impedance bond or grounding cables may delay segment live run testing because the system (or portions of the system) cannot be energized without impedance bonds</p>	<ul style="list-style-type: none"> • Monitor hot spot areas in segments 1, 3 and 4. Perform just in time replacement right before the testing. • Report Theft incidents with Transit PD • Enhance security with cameras and other monitoring systems. • Work with Communications on high voltage safety messages

Critical Issues	Actions
	<ul style="list-style-type: none"> • Distribute high voltage safety fliers to the homeless encampments. • Implement asphalt cover for impedance bonds that have been repeatedly stolen. – on-going • Purchase anti-theft cable – on-going.
<p>Server wind and rainy weather may cause more falling trees on the ROW and damage OCS.</p>	<ul style="list-style-type: none"> • Established tree mitigation special work force. • Trimming Caltrain ROW trees per tree mitigation plan as results of 2023 winter storm • Working with local jurisdiction urgently for tree trimming especially new Burlingame where most tree fallen incidents have occurred to minimize future incidents.

2.0 SAFETY

There were no reportable injuries in February 2024, keeping the total reportable injuries to 0 for the year, for both January and February. The Reportable Injury Rate (RIR) for 2023 YTD was 1.88. Overall, since the project’s construction started in 2017, the RIR is at 1.95, which remains below the national average of 2.5.



Figure 2-1. Project Reportable Injury Rate (RIR) by Year since 2017

2.1 Completed Work

Safety staff continues to coordinate with contractors to identify opportunities to improve safety performance. Organizational-wide safety briefings are being performed to ensure staff understand the application of post incident mitigation measures including rules and procedural changes designed to enhance safety. Project Safety continues to reinforce jobsite safety practices throughout the Caltrain alignment, investigate incidents, and identify mitigation measures to prevent re-occurrences. Safety project coordination meetings continue to be conducted monthly to promote a clear understanding of project safety requirements. In addition, Caltrain Safety continues weekly calls with the lead safety staff from Caltrain, PCEP, BBII, and TASI to discuss safety performance and ongoing initiatives. Caltrain initiated the 10’/10’ rule: 10’ from track and 10’ from overhead wires.

2.2 Upcoming Work

The Fire/Life Safety Committee continues to work with emergency responders along the Caltrain corridor on emergency preparedness in advance of energization. The safety team has updated the OCS and EMU emergency responder safety familiarization presentations to include voiceover features for use by the Fire Departments. The presentation will also be shared with other emergency responder jurisdictions through the project Fire/Life Safety Committee.

OCS and EMU First Responder was completed in October. In all 92 classes were given to emergency responders with a total number of 836 attendees.

Police Departments along the corridor are currently being scheduled by the Transit Police to receive this training also.

In addition to the 836 emergency responders trained, there were 242 third party and Tenant railroad employees trained, and 48 Burlingame Public Works for a total of 1126.

3.0 IMS PROGRAM SCHEDULE

3.1 Introduction

The Integrated Master Schedule (IMS) Program Summary Schedule depicted in Figure 3-1 Master Program Summary Schedule shows the schedule status of the major PCEP projects. The current schedule dates for this program schedule were based on BBII’s February 2024 Progress Schedule, as well as the Stadler February 2024 EMU Progress Schedule. The Revenue Service Date (RSD) is anticipated to remain as September 26, 2024, contingent upon the final four trainsets completing burn-in within one month of delivery in August 2024. If the completion of fourteen Trainsets can be completed prior to September 2024, then the Full Funding Grant Agreement (FFGA) Revenue Completion Date (RCD) of December 31, 2024, seems attainable.

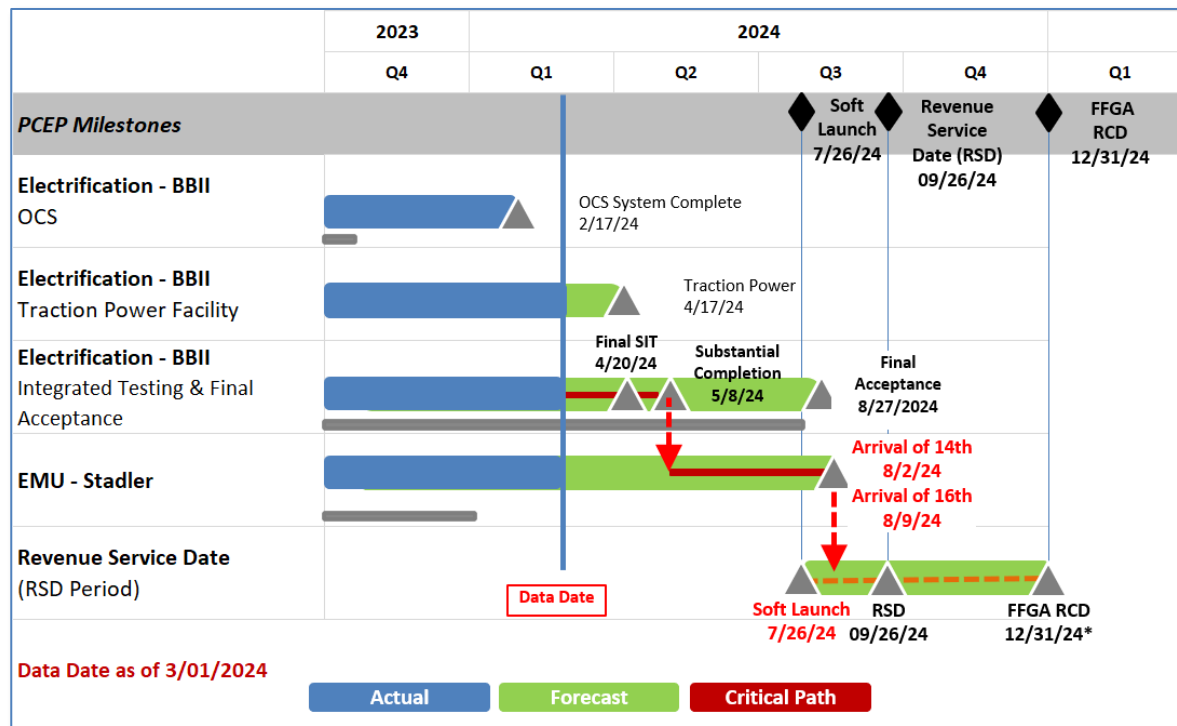


Figure 3-1. Master Program Summary Schedule

3.2 Critical Path Analysis

The current critical path has changed due to the Storm Damage on 2/4/2024. Once the critical Storm Damage impacts were repaired, the remaining Short Circuit Testing was calculated as critical. After completion of Short Circuit documentation, the Segment 1 and 2 Live Run Testing then followed. This path allows for seven days of Project Schedule Contingency, followed by an impacted Substantial Completion date of 5/8/2024. The critical path plot (shown below) represents the as submitted critical path to Substantial Completion for the BBII February 2024 Updated schedule.

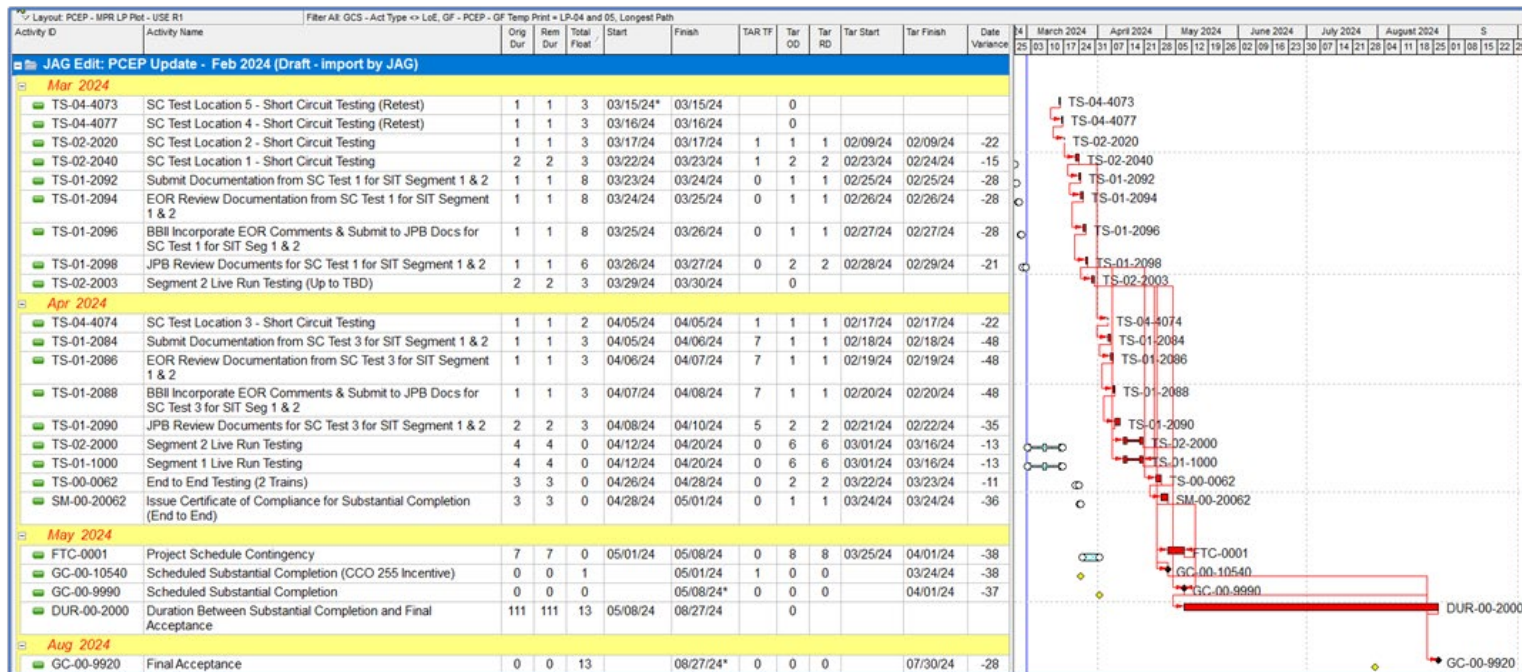


Figure 3-2. Critical Path Schedule

3.3 Schedule Contract Milestone Analysis

Contractor	Milestones	Reforecast Dates (Dec 2022)	Current Dates (Feb 2024)	Milestone Finish Date Variance	Total Float	Remarks
BBII	Segment 4 Completion (Final Short Circuit Test Report Delivered to JPB)	2/5/2023	5/31/2023	-115		Completed
BBII	System Integration Testing Start (Segment 4)	4/12/2023	6/5/2023	-54		Completed
BBII	Signal Cutovers and Systems Completion	8/20/2023	8/20/2023	0		Completed
BBII	Traction Power Substation #1 Energization	9/12/2023	8/26/2023	17		Completed
BBII	Completion of Milestone 1 (Segments 3 and 4)	5/28/2023	9/15/2023	-110		Completed
BBII	OCS Construction Completion	10/2/2023	2/16/2024	-137		Completed
BBII	OCS Construction Completion (Guadalupe Bridge)	10/25/2023	2/17/2024	-115		Completed
BBII	System Integration Testing Completion	11/18/2023	4/20/2024	-154	0	Short circuit test dates are revised due to storm repair and live runs dates and are adjusted accordingly. Short circuit retests are planned for March 15 & 16; March 22 & 23.
BBII	Scheduled Substantial Completion (Without Contingency)	12/17/2023	5/1/2024	-136	1	The Storm Damage of 2/4/2024 has caused an impact to Substantial Completion Milestones.
BBII	Scheduled Substantial Completion	4/1/2024	5/8/2024	-37	0	The Storm Damage of 2/4/2024 has caused an impact to Substantial Completion Milestones. (WITH 7-days of Contingency) equals 5/8/2024.
Stadler	14th Trainset Arrival at JPB Site	10/12/2023	8/2/2024	-295	-95	Delivery of the 14th Trainset by end of March 2024 is not able to be met due to damaged train. Trainset #311 was shipped to STL for assessment and repair. Currently, the extent of damage or time to repair and ship back to JPB are unknown until structure analysis is performed by Stadler.
Stadler	16th Trainset Arrival at JPB Site	10/12/2023	8/9/2024	-302	1195	Stadler is striving to deliver 16 trainsets by the end of September 2024.
BBII	Scheduled Final Acceptance	7/30/2024	8/27/2024	-28	13	Revised Contractual Final Acceptance Date is 9/8/2024. Thus, the as submitted Feb Update calculated and early completion (by 13-days).
JPB	Revenue Service Date (RSD)	9/26/2024	9/26/2024	0	N/A	
JPB	FFGA Revenue Completion Date (RCD)	12/31/2024	12/31/2024	0	N/A	

Figure 3-3. Contract Milestone Analysis

4.0 COST AND BUDGET

4.1 Introduction

This section presents an update on program cost and budget. On December 6th, 2021, the JPB adopted a new Program budget of \$2.44 billion. Table 4-1 depicts a summary level of program budget, costs, and estimate at completion based on the latest update of the Electrification and EMU projects as of February 29, 2024.

4.2 Program Budget and Cost

Table 4-1. Budget Summary by Project

Description of Work	Current Budget (A) ¹	Cost This Month (B) ²	Cost To Date (C) ^{3,4}	Estimate To Complete (D)	Estimate At Completion (E) = (C) + (D)	Variance at Completion (F) ⁵ = (A) – (E)
Electrification	\$1,754,673,622	\$9,108,961	\$1,622,610,438	\$131,316,235	\$1,753,926,673	\$746,949
EMU	\$688,017,075	\$2,346,267	\$567,223,401	\$121,540,622	\$688,764,024	(\$746,949)
PCEP TOTAL	\$2,442,690,697	\$11,455,227	\$2,189,833,839	\$252,856,857	\$2,442,690,697	\$0

1. Column A "Current Budget" includes re-baseline and executed change orders and awarded contracts.
2. Column B "Cost This Month" represents the cost of work performed this month.
3. Column C "Cost to Date" includes actuals (amount paid) and accruals (amount of work performed) to date.
4. Column F "Variance at Completion" includes forecasted transfer of contingency from EMU to Electrification project.

Table 4-2 depicts program budget, costs, and estimate at completion summarized by major elements of work. This budget table provides additional detail for the program and is broken down by major contracts for Electrification and EMU, minor contracts, real estate, utilities, project management oversight and other indirect support costs.

Table 4-2. Budget Summary by Major Elements

Description of Work	Re-Baseline Budget	Current Budget	Cost This Month	Cost To Date	Estimate To Complete	Estimate At Completion
Electrification	\$1,097,149,881	\$1,093,328,881	\$3,686,656	\$1,029,973,256	\$61,985,625	\$1,091,958,881
EMU Procurement	\$556,072,601	\$564,986,271	\$1,140,826	\$467,349,631	\$97,636,640	\$564,986,271
Minor Construction Contracts (Tunnel, CEMOF, SCADA, Non-BBI OCS)	\$67,055,072	\$68,091,194	\$0	\$64,996,591	\$1,329,477	\$66,326,067
Real Estate Acquisition & Support	\$34,914,177	\$34,914,177	\$37,357	\$24,949,469	\$9,964,709	\$34,914,177
PG&E, Utilities**	\$132,088,994	\$132,480,062	\$314,316	\$125,693,927	\$3,620,196	\$129,314,123
Management Oversight & Support	\$312,699,697	\$315,007,767	\$2,589,192	\$298,422,640	\$23,012,030	\$321,434,670
TASI Support	\$114,488,767	\$140,877,323	\$3,019,229	\$121,529,574	\$22,705,740	\$144,235,314
Finance Charges	\$9,898,638	\$9,898,638	\$398,046	\$12,204,723	\$513,807	\$12,718,530
Insurance	\$6,581,851	\$6,581,851	\$0	\$6,291,001	\$290,850	\$6,581,851
Other Required Projects & Services	\$9,084,176	\$10,484,176	\$17,430	\$6,176,601	\$4,507,575	\$10,684,176
Environmental Mitigation	\$14,438,866	\$13,038,866	\$0	\$1,307,851	\$8,711,123	\$10,018,974
Caltrain Capital Overhead (ICAP)	\$48,217,887	\$48,217,887	\$252,176	\$30,938,576	\$17,279,312	\$48,217,887
Contingency	\$40,000,089	\$4,783,603	\$0	\$0	\$1,299,774	\$1,299,774
Total	\$2,442,690,697	\$2,442,690,697	\$11,455,227	\$2,189,833,839	\$252,856,857	\$2,442,690,697

4.3 Program Shared Risk Pool and Contingency

Caltrain and Balfour Beatty Infrastructure, Inc. (BBII) continue implementing new mechanisms to ensure a collaborative approach to Project delivery. The management

team meets every week to review the issues log focusing on risk mitigation and issues resolution.

As part of the global settlement, a shared risk pool of \$50 million was established to manage risks and mitigation proactively and collaboratively with the design-build contractor. Table 4-3 shows the current shared risk drawdown for the current month and to-date as well as the remaining balance of the shared Risk Pool by Risk Category. Any shared risk items (27 Risk IDs listed below in Table 4-3) that are above \$250,000 require Change Management Board (CMB) approval.

Table 4-3. Shared Risk Pool Status as of February 2024

Risk ID	Risk Description	Risk Amount	Current Month	Executed to Date	Remaining Balance
1	Permanent Power Availability	\$268,572	\$0	\$178,365	\$90,207
2	Different Site Condition for OCS Foundation	\$3,500,000	\$0	\$1,303,894	\$2,196,106
3	Different Site Condition for Duct bank	\$2,800,000	\$0	\$435,798	\$2,364,202
4	Condition of existing Fiber backbone infrastructure	\$3,150,000	\$0	\$545,221	\$2,604,779
5	Availability of TASI Resource	\$5,777,820	\$0	\$0	\$5,777,820
6	Signal Cutover access and work window	\$5,607,150	\$0	\$0	\$5,607,150
7	Condition of existing signal system	\$538,572	\$0	\$507,167	\$31,405
8	EMI Nonconformance by EMU Vendor	\$750,000	\$0	\$13,184	\$736,817
9	Reed Street Cutover	\$90,000	\$0	\$111,765	-\$21,765
10	Availability of low voltage power for cutover testing	\$1,120,000	\$0	\$3,178,705	-\$2,058,705
11	Third party Permits	\$150,000	\$0	\$0	\$150,000
12	SCADA integration for the entire alignment	\$159,524	\$0	\$0	\$159,524
13	Tunnel OCS Compatibility	\$167,500	\$0	\$152,418	\$15,083
14	Supply chain issue due to COVID 19	\$300,000	\$0	\$28,923	\$271,077
15	End to end Systems integration commissioning	\$2,100,000	\$0	\$0	\$2,100,000
16	Existing Caltrain Operating systems interface and integration	\$1,400,000	\$0	\$71,920	\$1,328,080
17	Third party Approval	\$150,000	\$0	\$353,277	-\$203,277
18	Impact from Caltrain other capital or third-party projects	\$2,166,683	\$0	\$1,933,131	\$233,552
19	Track access delay for BBII Construction	\$1,800,000	\$0	\$1,172,376	\$627,624
20	Additional light Maintenance and Protection Needs	\$280,000	\$0	\$180,505	\$99,495
21	Crossing Protection	\$220,000	\$0	\$102,334	\$117,666
22	Power facilities	\$500,000	\$0	\$917,293	-\$417,293
23	NCR's	\$0	\$0	\$0	\$0
24	Potholing	\$1,700,000	\$0	\$107,547	\$1,592,453
25	Pre-Revenue Service Operational Testing	\$250,000	\$0	\$0	\$250,000
26	TRO Contingency	\$3,000,000	\$0	\$0	\$3,000,000
27	Contingency	\$12,000,000	\$14,451	\$4,458,376	\$7,541,624
NA	Unidentified	\$54,179	\$0	\$0	\$54,179
	BBII Risk Pool Total	\$50,000,000	\$14,451	\$15,752,198	\$34,247,803

In addition to the established Risk Pool with BBII, the Re-Baseline Budget includes a program contingency of \$40 million to cover non-BBII potential changes and unknowns. Table 4-4 provides a detailed status of approved transfers from contingency due to executed Contract Change Orders and approved Budget Transfers.

Table 4-4. Program Contingency Drawdown Balance

Change Order ID	Description	Contingency
PCEP Contingency Budget		\$40,000,088
STA-056-CCO-038	Allowance for Electric Power Cost at TTCI	(\$132,365)
STA-056-CCO-041	Manual Phase Break	(\$43,520)
STA-056-CCO-042	Stadler Project Time Extension	(\$8,021,124)
ARINC-061-CCO-005	Traction Power Facility SCADA Database Changes	(\$1,036,122)
PROV-070-CCO-056	Proven Tunnels Final Settlement	\$1,000,000
PROV-071-CCO-069	Proven CEMOF Final Settlement	(\$1,000,000)
BT-027D	Legal Support FY23 - PG&E Counsel	(\$200,000)
BT-029D	GFI Electrification FY23-24 Additional Staff	(\$2,108,070)
STA-056-CCO-053	Stadler – Passenger Convenience Outlets	(\$716,661)
BT-035C	TASI Support – Electrification (2023-2024) rev1	(\$22,039,703)
BBII 053-BT-CNPA	Non-PCEP Actuals-BBII Hist. Change Inc. PCEP Re-Baseline	\$2,191,000
BBI-053-CCO-255	Global Project Time Resolution (TRO)-Substantial Completion – January 2024	\$1,630,000
PG&E-042-BT-006	PG&E Equiv. One-Time Payment (EOTP) - First Reimbursement	(\$391,068)
BT-057	TASI – TASI EMU Maintenance & Material (Pre-Revenue)	(\$4,348,854)
Remaining Contingency		\$4,783,602
BT-058	Tunnel Leak Remediation (TASI Construction)	(\$562,851)
BT-035	TASI Support-Electrification (2023-2024)-Field Support to Sept 2024	(\$2,795,140)
MGMT-2024-02	Management Oversight – Update EAC	(\$6,426,903)
BBII-053-CCO-255-EAC2	Global Project Time Resolution (TRO)-Substantial Completion-February 2024	\$1,370,000
PG&E-042-BT-007A	PG&E Supplemental Agreement No. 4 – PCEP Share	\$1,600,000
PG&E-042-BT-007B	PG&E Supplemental Agreement No. 2 – EAC Variance	\$501,962
PG&E-042-BT-007C	PG&E Supplemental Agreement No. 2A – EAC Variance	\$1,509,909
PROV-063-CLOSE	South San Francisco Station Project OCS - Close Out	\$1,000,000
PROV-070-CLOSE	Proven Tunnels – Close out of Final Actuals	\$184,910
PROV-071-CLOSE	Proven CEMOF – Close out of Final Actuals	\$580,217
PG&E-042 BT-006	PG&E Equiv. One Time Payment (EOTP) - Final Reimbursement	(\$445,932)
Forecasted Remaining Contingency		\$1,299,774

Note: EAC Contingency reflects forecast contingency.

The total Program Contingency as of the December 2021 Re-Baseline Budget totaled \$90M including Allocated and Unallocated Contingency, and BBII Risk Pool. Table 4-5 summarizes the current remaining and forecasted contingency balance as of the monthly update.

Table 4-5. Overall Program Contingency

	Total E = (A+D)	Shared Risk Pool with BBII	Program Contingency		
		BBII Risk Pool (A)	Allocated (B)	Unallocated (C)	Subtotal D = (B+C)
PCEP Contingency	\$90,000,088	\$50,000,000	\$24,115,581	\$15,884,507	\$40,000,088
Drawn Contingency	(\$50,968,683)	(\$15,752,198)	(\$21,953,405)	(\$13,263,080)	(\$35,216,486)
Remaining Contingency	\$39,031,405	\$34,247,802	\$2,162,176	\$2,621,427	\$4,783,603
Pending Changes	(\$3,632,376)	(\$148,547)	(\$2,162,176)	(\$1,321,653)	(\$3,483,829)
Forecasted Remaining Contingency	\$35,399,029	\$34,099,255	\$0	\$1,299,774	\$1,299,774

4.4 Electrification Design Builder Contract Incentives

The Global Settlement with BBII also includes incentives based on Milestone completions and remaining contract incentives. Table 4-6 provides a status of Design-Build Contractor incentives Budgeted, Awarded, and remaining balance.

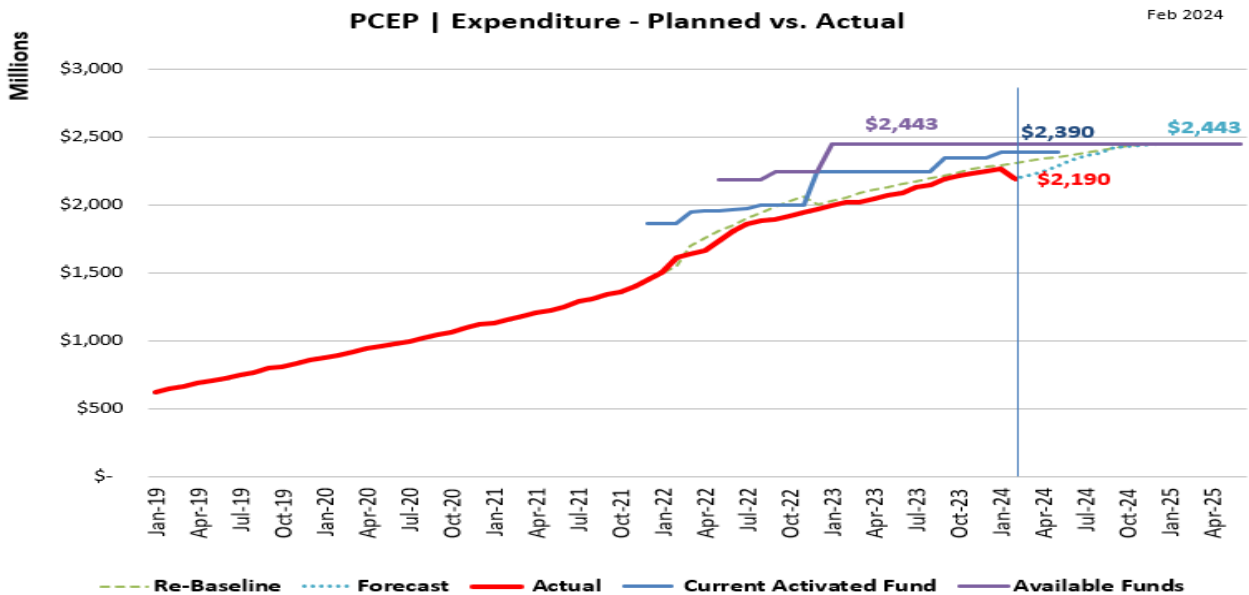
Table 4-6. BBII Incentives

Incentives	Budgeted	Awarded	Balance
Contract Incentive:			
Quality	\$1,250,000	\$1,000,000	\$250,000
Safety	\$2,500,000	\$1,000,000	\$1,500,000
Community Outreach	\$2,500,000	\$2,000,000	\$500,000
DBE	\$900,000	\$0	\$900,000
Total Contract Incentive	\$7,150,000	\$4,000,000	\$3,150,000
Milestone Incentive:			
Early Signal and Crossing Cutover	\$4,000,000	\$4,000,000	\$0
Early Project Substantial Completion (NTE)	\$8,000,000	\$0	\$8,000,000
Early Revenue Service	\$3,000,000	\$0	\$3,000,000
Total Milestone Incentive	\$15,000,000	\$4,000,000	\$11,000,000

4.5 Program Cash Flow and Funding

The remaining program expenditures are cash flowed in Figure 4-1. With the award of the full funding, the program does not expect any cash flow issues due to funding.

Figure 4.1. Expenditure – Funding Cash Flow



4.6 Issues

Table 4-7. Cost and Funding Issues Identified, and Actions Taken for February 2024

Issues	Actions
Late receiving of PG&E \$99 million reimbursement	<ul style="list-style-type: none">PG&E first reimbursement to planned to be made on February 23, 2024.

5.0 CHANGE MANAGEMENT

5.1 Introduction

The change management process establishes a formal administrative work process associated with the initiation, documentation, coordination, review, approval, and implementation of changes during the design, construction, or manufacturing of PCEP. The change management process accounts for the impacts of the changes and ensures prudent use of contingency.

5.2 Change Orders/Shared Risk Pool

5.2.1 Executed Shared Risk/CCO

The following Shared Risk items were executed in February 2024:

- Caltrain Fouling Distance was executed in 02/05/2024, for \$201,795.
- Orange Phase Break & end of Electrified Track Signs was executed on 02/06/2024, for \$14, 541.
- Track Access Delay for November 2023 was executed on 02/06/2024, for \$45,677.
- CCO-260 Contract Language Revision to Intermediate Milestone 1 was executed on 02/20/2024, at no additional cost.

5.2.2 The following items were brought to the CMB for contingency drawdown approval in February 2024:

- JM for PG & E Equivalent One-Time Payment (EOTP)
- JM for TASI EMU Pre-Revenue Service Maintenance and Material

5.2.3 Upcoming Change Orders or Shared Risk Items

- Test Train Passing CEMOF Isolation Limits
- Anti-theft Asphalt over Impedance Bonds – November and December 2023
- ROW G&B Theft Replacement Removed from IRL 313

5.3 Issues

Table 5-1. Change Management Issues Identified and Actions Taken for February 2024

Issues	Actions
None	• n/a

**Peninsula Corridor Joint Powers Board
Staff Report**

To: Board of Directors
Through: Michelle Bouchard, Executive Director
From: Dahlia Chazan, Chief, Planning
Subject: **Link21 Program Update**

Finance Committee Recommendation Technology, Operations, Planning, and Safety Committee Recommendation Advocacy and Major Projects Committee Recommendation

Purpose and Recommended Action

This report includes an informational update, provided by Link21 Program Staff, that requires no action by the Board of Directors (Board) of the Peninsula Corridor Joint Powers Board (JPB or Caltrain). The Link21 Program, also known as the new Transbay rail crossing, is jointly managed by San Francisco Bay Area Rapid Transit District (BART) and Capitol Corridor Joint Powers Authority (CCJPA).

Discussion

The Advocacy and Major Projects (AMP) Committee was briefed on Link21 by BART/CCJPA staff in February 2023. This briefing included an overview of the Link21 program, megaregional benefits, and an overview of Link21’s relation to the Caltrain corridor and service considerations.

Since then, the Link21 Program has evaluated several options for crossing the Bay between Oakland and San Francisco (the Transbay Corridor), which will lead to a crossing technology choice between a standard gauge crossing or BART gauge crossing. The standard gauge or BART decisions by Link21 would each have different implications and possibilities for the Caltrain corridor and future service. This informational update will include a review of key benefits and other considerations for the standard gauge (also known as Regional Rail) technology and BART technology crossing options. BART and CCJPA staff anticipate providing the staff recommendation for a crossing decision no later than June 2024. The BART and CCJPA boards are scheduled to take actions on the crossing decision in September 2024.

While the crossing decision is scheduled for this year, further work on project definition including the service plan, alignments, stations, and other improvements will take place over the next year (pre-environmental phase) during which Link21 will seek Caltrain involvement.

In May, Caltrain staff anticipate an additional presentation to AMP to consider a staff recommendation of principles for Caltrain’s engagement in the program following a technology decision.

Budget Impact

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

Prepared By: Dahlia Chazan

Chief, Planning

Phone: 650-730-6115

**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 MARCH 20, 2024

MEMBERS PRESENT: D. Albohm, A. Brandt, P. Leung (arrived at 5:57 pm), A. Lohe, S. Seebart, J. Torres, B. Shaw (Chair)

MEMBERS ABSENT: L. Klein, R. Kutler, D. Hernandez (Alternate), R. Jaques (Alternate), M. Pagee (Alternate)

STAFF PRESENT: A. Burnett (Bell, Burnett & Associates), J. Hogan, R. Nielsen (Brown Armstrong Accountancy Corporation), S. Sargent, D. Seamans, D. Sustain, A. To

Chair Brian Shaw called the meeting to order at 5:41 pm and led the Pledge of Allegiance. There were no committee members' requests to participate remotely due to emergency circumstances.

APPROVAL OF MEETING MINUTES OF February 21, 2024

Motion/Second: Seebart/Brandt

Ayes: Albohm, Brandt, Lohe, Seebart, Torres, Shaw

Noes: None

Absent: Klein, Kutler, Leung, ,

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Jeff Carter commented on YouTube drone videos on the new EMUs (electric multiple units) being tested, seeing more system testing, and having more ridership data available online.

CHAIRPERSON'S REPORT

Chair Shaw said Caltrain will be looking at a tree policy in April and John Hogan, Chief Operating Officer, would provide an overview in his staff report and an overview of tree maintenance on the agenda next month. He noted that Committee Member Klein had submitted his resignation earlier today and noted that Mr. Klein serves as Mayor of Sunnyvale and expressed appreciation and thanks for his many efforts and service on the CAC.

PUBLIC HEARING ON THE ANNUAL AUDIT OF MEASURE RR TAX REVENUE AND EXPENDITURES FOR FISCAL YEAR ENDED JUNE 30, 2023

a) Open Public Hearing – Chair Shaw opened the public hearing at 5:50 pm

b) Staff Report

Annie To, Accounting Director, and Danny Susantin, Manager, Financial Reporting, noted that the Measure RR audit went smoothly with the auditor providing a modified or clean opinion. Ryan Nielsen, Engagement Partner, Brown Armstrong Accountancy Corporation, provided the presentation on the scope and results of the audit, which included the following:

- Financial statements presented fairly in all material respects as of June 30, 2023, with internal controls and ensured funds are spent in compliance with the Measure RR
- Annual audit to ensure reasonably free from material misstatements, identified and assessed higher risk areas, and gained an understanding of the internal control systems
- Evaluated the appropriateness of accounting policies used and the reasonableness of any significant accounting estimates made, and issued the highest (unmodified) opinion

The Committee's comments, questions, and clarifications with staff included the following:

- Reflected only Measure RR funding and expenses projects during the past fiscal year
- During the year there was a \$73 million loss with higher expenditures than revenues
- Planning begins in May, audit from fall to December, and then break out Measure RR items
- Requested for audit presentation done earlier in the year in the future
- Missing Member Agency contributions (San Francisco, San Mateo, and Santa Clara counties)

c) Public Comment

Jeff Carter commented on missing member agencies' contributions and opined that since contributions are made to BART (Bay Area Rapid Transit), it seems unfair to not also have contributions to Caltrain.

d) Close Public Hearing – Chair Shaw closed the public hearing.

e) ~~Board~~ Committee Discussion

Staff are working on report production for future approval and asked for report acceptance.

Motion to accept receipt of the report/Second: Seebart/Torres

Ayes: Albohm, Brandt, Lohe, Seebart, Torres, Shaw

Noes: None

Absent: Klein, Kutler, Leung

STRATEGIC FINANCIAL PLAN (ALEX BURNETT – BELL, BURNETT & ASSOCIATES)

Alex Burnett, Bell, Burnett & Associates, provided the presentation, which included the following:

- Recent ridership statistics - recent growth from a relatively small base with some declines that can be attributed to electrification, bus bridges and expected service interruptions
- Caltrain has been the slowest to recover in comparison to other Bay Area transit agencies
- Reviewed financial assumptions that included the operating deficit and funding sources
- Electrification – assumed a one-time bump of 20 percent and predicated on increased amenities, faster service, and better trains, and thereafter a yearly 10 percent increase
- Historically one of the strongest transit agencies for farebox recovery (over 70 percent of the budget in 2019); Measure RR now accounts for 62 percent and farebox at 22 percent
- Current baseline assumption at 104 trains per day is below what was agreed upon in the full funding grant agreement with the FTA (Federal Transit Administration). Waiver received to

continue to provide the current level of service; projected to continue with 104 trains for the next five years, and then step up to the 128 trains by fiscal year 2031

- Single biggest cost is for labor and materials operations, then electricity – increasing over time as opposed Measure RR funds, likely to only to grow 2.5 percent
- Electric costs include supply and delivery costs; looking at community choice aggregation programs, Peninsula Clean Energy and San Jose Clean Energy, and delivery through PG&E (Pacific Gas and Electric)
- \$575 million deficit between now and FY (fiscal year) 2033; no deficit shown for two years due to significant one-time money being invested back to offset operating costs (\$60 million from Measure RR versus state reimbursement)
- Clarified in 2021, the Member agencies gave \$28 million for operations, and still contribute towards capital needed for state of good repair
- If ridership grew by at least 20 percent per year, by 2031-2032, Caltrain could be back to where it needed to be; if assumed 10 percent yearly increase with 50,000 riders, it would only cover 70 percent of the budget out of farebox and Measure RR
- Next steps to deliver electrification, focus on service, build ridership and farebox revenue; the funding strategy is multifaceted with very long lead times in years
- Geographic trends around transportation in the Bay Area; the San Francisco terminus is a challenge post COVID; long-term fare assumption is about 2 percent growth per year
- How to grow Go Pass and related to broader regional discussion around Bay Pass
- Expenses growing at about 8 percent per year and revenues at about 5 percent
- FTA may extend the waiver on service only if needed should ridership not recover enough
- Agencies that recovered the most are those with riders that have to work in office
- Energy strategy is an immediate priority; working on effective and needed agreements for September service; energy procurement (renewable or energy storage projects), partnering with other(s), and looking for additional, creative, or alternative funding
- Opportunities to procure the electricity as cheaply as possible and looking at other electric systems as models for possible costs (such as Denver, Colorado)
- Concentrate on being successful in September; moved 19 train cars up to Petaluma; had good short-circuit testing; had the right schedule with doubling trains on the weekend and running trains during the week – monitoring how things work and reacting appropriately

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

- Trains overstaffed as compared to other systems around the world, the same double-deck equipment, and roving fare inspectors – which are controllable expenses.
- Supported exploring Stadler's European systems that have a button on the outside of every door for users to push and then the train operator enables the door(s) to open which saves on air conditioning costs and level boarding to allow people to roll on and off as needed
- Solar energy, capital/storage costs, and the wholesale rate; noted the braking energy going from one train to the other through the catenary and the potential for energy savings, shorter trains should be used for less energy costs during off peak

- Speak with Congressional Office and looking into infrastructure and inclusion now; different ridership during midday and frequency of train service at stations; broad outreach to communities; ideas for restructuring Go Pass (such as a tiered or co-pass program); last mile shuttles; increasing weekend service from 32 to 66 or 64 trains; frequency drives ridership
- Speed increases the energy use; some high-speed rail systems reduced miles per hour for energy savings; frequency is more important than going as fast as possible; encouraged running tests; and trains are comparatively over powered
- Concerned with flat spots, trains out of service, and braking
- Need for discussion on electricity, diesel, and labor contracts costs given a billion dollars of accumulated deficit; consider different ways trains can and should be operated, powered, and cheaper to operate
- Staff is trying to negotiate a special green tariff (renewable and zero carbon content) and maximize revenue opportunity for tax credits; confirmed over lifecycle, invariably cheaper to run, but trains use a lot more electricity than buses
- Need to better educate people that electric trains will be quieter, cleaner but not cheaper to run; current constraints and impacts of getting people back into office; and, simplify the multifaceted strategy to help educate
- Amount of energy used directly proportional to weight of trains moving; example of seeing just 16-20 riders at night that could have fit into one car versus running 7 EMU cars; prioritize running fewer train cars off-peak (right-size), avoid needless acceleration and braking; buy 3-car train sets or figure out ways around it which may take years but long term, but smaller trains off-peak costs less
- Staff noted that the request to buy new trains or reconfigure/cut the train sets into smaller sets would be quite complicated given the FTA agreement and required FTA forms to explain any discrepancies, such as trains out of service, and how train sets are powered
- Commuter rail mindset, wanting regional transit, building for what is needed, capital and operating dollars are different, and having shorter trains/FLIRTs (Fast Light Intercity and Regional Trains) and KISS (Komfortabler Innovativer Spurtstarker S-Bahn-Zug meaning comfortable, innovative, sprint-capable suburban train)
- More frequency to get on the train; favored another plan to right-size operations (supply, equipment, labor contracts, and staffing)

Public Comment

Doug Delong, Mountain View, commented on the effects of COVID, and when Highway 101 opened up two more lanes, ridership went from 1,200 riders to 300 a day. He noted correlations between congested freeways and ridership and sending train cars up to Petaluma.

Jeff Carter supported shorter trains, crewing efficiencies, and transit funding has been poor compared to funding for airports and roads. He commented on electricity costs and real time data and supported employers buying monthly passes and to give out to employees at a discount rate as an alternative to Go Pass.

CMF commented on expanding ridership, Caltrain not being overstaffed, interested in a study on ridership versus 101 traffic, transit analysis to optimize, and noted online results seldom provide Caltrain nor commute.org as options.

A Committee Member noted the new 101 express lane to 380 as competition to Caltrain and he uses to go to San Francisco in the evenings due to poor service. He said BART ridership is down to 42 percent from pre-pandemic levels.

9. Staff Report (John Hogan)

- a) Customer Experience Task Force Update
- b) JPB CAC Work Plan Update
 - Tree Policy
 - HSR Update (Sam Sargent) - taken out of order first

Sam Sargent, Director, Strategy and Policy, provided an update that included the following: High-Speed Rail released 2024 draft business plan with formal comment ending April 8; continued need for close coordination on grant opportunities and cost estimations (particularly in Northern California), and ensured mutual understanding and coordination for large post electrification projects and service planning. Creation of Joint Technical Committee currently meets on a bi-monthly basis.

A Member spoke in support of a March 12 Senate hearing with Brian Kelly, the outgoing CEO as a way for viewers to gain an understanding where project was, is, and going and risks. He noted that they are looking at spending about \$5 billion when they reach the part of the line between San Jose and San Francisco.

Public Comment

Jeff Carter commented level boarding and how the current EMUs have double doors at different heights above the rail and asked what level HSR would be.

Mr. Hogan noted that the current policy for emails sent to the Board will be posted that week. For the tree update, he noted that Mike Meader, Chief Safety Officer, has been working with all the local cities and towns and concentrating on Burlingame now as they will be cutting down over 200 trees. Legal Counsel is working on a tree agreement for municipalities. They are finishing the environmental work to bring to the CAC before it goes to the Board.

Regarding some prior Committee Member comments, Mr. Hogan noted the following:

- Ride quality, rider safety (for never going to full power so people do not fall down) and figuring out acceleration and deceleration
- Current fleet's flat spots found when testing two new trains and working to figure out why
- Bussing updates, April 13 and 14 and April 20 and 21, and needed future shutdown to run an end-to-end test with eight trains all at the same time in early June with bussing to be provided

- Short circuit testing this weekend from Diridon to San Mateo
- One vehicle strike in February and six vehicles on the tracks; some mechanical delays but goal is zero; two trespasser strikes in the month

A Member expressed appreciation and noted the challenging process with a lot to get done to electrify an existing commuter rail line as opposed to entirely new rail lines.

Public Comment

Jeff Carter expressed appreciation on the tree policy, noted a lot of eucalyptus trees have been cut down, and working with cities to alleviate the issue of dangerous trees on the right-of-way.

Doug DeLong commented on fiber being across the right of way at Oak Avenue in Menlo Park, a feeder conductor as required from the CPUC (California Public Utilities Commission) that all utilities have shunt wires, one in place but the one appears to have been cut and not protected by a shunt wire. He asked if there was a waiver from the CPUC for that situation.

Committee Member comments, questions, and clarifications with staff included the following:

- 8-train load testing required to run them for 48 consecutive hours and that would allow staff to see how they run, stops and starts, crossovers, and running a lot of different tests
- A train yard incident in the yard where a train rolled, was stopped with relatively minor damages to two cars, but not covered under warranty; anything with extensive damage would be sent back to Stadler
- New train sets in the San Francisco yard, impedance bond theft, having solar-powered cameras connected to Wi-Fi, graffiti clean-up, and bus thefts
- Mutual benefit of sending cars to Petaluma and freeing up some space
- Redwood City bike pads, near the Perry Street lot where bike lockers used to be, looks bad and junky

COMMITTEE COMMENTS

A Committee Member requested set up for permanent microphone for guest speakers.

Mr. Hogan noted that a second monitor was being installed at Gilroy and a similar one can be seen at San Carlos.

In response to a Committee Member question, staff clarified that Casey Fromson is now the Rail Chief of Staff and her former position of Chief Communications Officer position is vacant.

DATE, TIME, AND LOCATION OF NEXT REGULAR MEETING

April 17, 2024 at 5:40 pm via Zoom teleconference or at the Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA.

ADJOURNMENT - Meeting adjourned at 8:20 pm. Member Brandt noted that there would be an EMU tour with SPUR next week and information is available on its website.