

Peninsula Corridor Joint Powers Board (JPB) Summary Meeting of November 2, 2023

The Board met in Closed Session on Conference with Legal Counsel – Threat to Public Services or Facilities Pursuant to Government Code Section 54957(a). Consultation with: JPB, Director of Information Technology (IT) - There were no actions to report.

Report of the Executive Director - Michelle Bouchard, Executive Director, provided updates which included the following:

- Team continues to support electrification activity and other events throughout the region
- Caltrain showcased its passenger train car at the APTA Expo in Orlando. Thanked partners at Stadler; Caltrain had the only passenger rail car on the showroom floor and received nationwide coverage of the PCEP program
- Completed planned partial weekend shutdowns. Now, with normal weekend service until the end of the year and will start weekend shutdowns again at the beginning of the year
- Families can take advantage of the family fare promotion that started in September
- TOD (Transit Oriented Development) project at Tamien station will bring 555 new housing units near public transit
- Support MST bus line ribbon cutting in Gilroy. Critical service connecting Salinas to Gilroy
- Last week, MTC (Metropolitan Transportation Commission) received information item on how to allocate \$1.1 billion from the state for capital and operating needs. Additional \$300 million in discretionary funding as well. MTC staff recommended projected \$25 million for Caltrain
- SamTrans planned to redevelop its headquarters (HQ), but is pursuing other options. Searching for a new HQ in San Mateo County within a ¼-mile walk of a rail transit station
- Staff met on October 19th to discuss the HQ plan and facilitated co-location options. Caltrain is engaging a consultant to assist in exploring and analyzing its options and will report back as work progresses

JPB Board of Directors Received and Approved the Following Items:

- Meeting Minutes of October 5, 2023
- Approval of the 2024 JPB Caltrain Board Meeting Calendar
- Appointment of the Citizens Advisory Committee Representatives
- Accept Statement of Revenues and Expenses for the Period Ending September 30, 2023
- 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*
- Approve Project Labor Agreement Policy
- Award of Contract for Insurance Brokerage Services*
- Authorize Use of Construction Manager General Contractor (CMGC) Project Delivery Method Pursuant to Public Utilities Code Section 103395 for the Middle Avenue Pedestrian and Bicycle Undercrossing Project

Item 8.f. Approve Project Labor Agreement Policy was pulled from Consent Calendar by Director Chavez. She commented on being interested in moving PLA from \$10 million to \$2 million threshold and provided the following reasons for the decrease:

- VTA (Santa Clara County Valley Transportation Authority) and the Santa Clara Valley Water District all have PLAs with \$2 million thresholds with significant projects such as VTA's rail projects, the county's hospital and jail projects, and Valley Waters dam projects
- Working towards a predictable threshold for developers and contractors and would like to include Caltrain by having that same threshold
- Understood concerns raised at the Finance Committee about the potential burden on staff to implement the policy. Administrative process can be low in demand once the initial documents and frameworks are created
- \$2 million is a proven policy threshold by VTA brought forward with the specific dollar threshold and meets this goal for continuity. A number that can be chosen to start with

Sam Sargent, Director, Strategy and Policy, provided the presentation, which included the following:

- Engagement with peers showed a threshold range from \$10 million to \$1 million. Some thresholds were attached to projects, such as AC Transit (Alameda-Contra Costa Transit District), and some to specific sales tax measures, such as LA Metro (Los Angeles Metro Rail)
- Section 3 of the draft PLA policy does have a provision for modifying that threshold, but would not do that until completing the Capital investment plan (CIP)

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

- Decreasing threshold to \$2 million is comparable to regional transportation agencies. Average threshold amount would be effective for local contractors in the workforce and allow for opportunities for better partnerships
- Concerns with a \$2 million dollar threshold to start with is too low due to the various projects, governance changes, and Capital Improvement Plan (CIP)
- PLA Section 3 drafted states to keep \$10 million in place until modified by the Board but no earlier than completion by CIP
- Motion carried to substitute and lower threshold to \$2 million

American Indian (Native American) Heritage Month – Tasha Bartholomew, Media Relations Manager, provided highlights on the resolution, which included the following:

- Tribute to the many contributions Native Americans have made to our country over the centuries
- Reflect on Native American history and culture to provide all Americans with the opportunity to hear about and appreciate the many contributions of Native Americans
- Maintain diverse and vibrant cultures and traditions, and hold a deeply rooted sense of community

Approve Three-Year Contract Extension with Outfront Media for Advertising Services – Taylor Huckaby, Deputy Chief of Communications, provided the presentation, which included the following:

- Contract is for station ads and screen wraps
- Ad revenue is highly localized, independent of economic factors
- Had 2 large advertisers (Google and Alaska Airlines) advertise in 2022. Significant downturn in revenue as the economy has faltered
- Research revealed that other agencies either deferred or waved their Minimum Annual Guarantee (MAG) during the pandemic, including Walmart, La Metro, Marta, and VTA, as they all experienced similar sharp declines in revenue

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- Justification for a three-year extension to allow enough ridership data to keep a 60/40 revenue split
- Leverage increasing ridership for more favorable contract terms. Extension by 3 years provides 18 months of post-electrification ridership data starting in September 2024
- Review advertising at all stations in three years

Update Regarding Implementation of JPB Governance MOU

James Harrison, General Counsel, provided the presentation, which included the following:

- Tentative agreement with VTA and CCSF (City and County of San Francisco)
- Develop an inventory of capital assets and real property owned and in the process of reviewing compilation for completeness and accuracy
- A key issue identified and oversight during the governance process was security and safety. FRA (Federal Railroad Administration) requires that a safety officer report directly to the executive officer of the agency

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

- Clarification for Safety Officer reporting to Safety Director; Safety Rail employees report to SamTrans Safety Director
- Timelines in the MOU for approval of the RPOA (Real Property Ownership Agreement), shared services agreement, and the JPA (Joint Powers Agreements), but the failure to meet those timelines does not affect the validity of the MOU

Peninsula Corridor Electrification Project (PCEP) Monthly Progress Report - Pranaya Shrestha, CalMod Chief Officer, provided the presentation that included the following information:

- Substantial completion by the end of the year not met due to continued overhead catenary system issues
- Developed a comprehensive list of open items. Met with BBI (Balfour Beatty Infrastructure, Inc.) They will provide a schedule to finalize completion
- Found a solution for impedance bond cable theft and implemented in the entire corridor

Casey Fromson, Chief Communications Officer, provided the presentation that included the following information:

- Weekend shutdowns completed for the remainder of the year
- Additional shutdowns planned for early 2024

Keith McCoy, Project Director for Balfour Beatty Infrastructure, Inc, provided a presentation, which included the following:

- Focus areas have remained the same. OCS (overhead catenary system) progress – 87 percent on regulation. One of big challenges is getting regulation completed.
- Short circuit plan for short circuit testing shifted to February
- Traction power is tied directly to OCS. If OCS is behind, traction power will be behind

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- Few additional staff hired for closeout
- Tentatively 3 more weekend shutdowns
- Found software glitches and have been addressed

Monthly Reports were provided on the following items:

- Report of the Citizens Advisory Committee – Brian Shaw, Chair, provided an update on CAC discussions, which included the following:
 - Accelerate working with BART on the fare study and implementation
 - A fare coordination and integration study released in 2021 showed that distance-based fares are capable of increasing ridership
 - Four percent of fare evaders caught are being cited, which shows there is a problem
 - Proposal to amend CAC bylaws to change agenda order. Bringing to next month's meeting for approval
 - Received annual Brown Act training and adopt a Code of Conduct in order to implement reasonable rules regarding the conduct of the public during meetings
 - Learned that remote participation under AB2449 is prohibited unless there is an in-person quorum. Members may not participate remotely for a period of more than three consecutive months or 20 percent, which is two meetings every year
 - Received safety quarterly update. Report shows incursion occurs after dark and need for better lighting
 - Two items dropped off the CAC workplan – Go Pass cost-per-ride information and Clipper Data Availability. Will review and get back on workplan
- Report of the Chair - Chair Gee
 - Secretary of Labor, Stewart Knox, was here yesterday visiting San Francisco
 - Extended invite to visit Redwood City on Sunday for the Dia de los Muertos event

- Report of the Local Policy Maker Group (LPMG) – Chair Burt
 - Had a thorough report on safety by Mike Meader, Chief Safety Officer. An extensive program and has evolved over time.
 - Update on corridor strategy and looking at the next phase of which model the Board will adopt the after first of the year
 - In-person workshop in Mountain View on November 30th and open to public
 - Second deep dive on corridor crossing study and hoping to provide the Board with input on which model to pursue

- Report of the Transbay Joint Powers Authority (TJPA) - Chair Gee
 - The board authorized and approved the release of the first package for the Civil and Tunnel Progressive Design build in October and approved RFQ (Request for Quote) for contractors
 - Upcoming items to be asking for the RM3 (Regional Measure 3) funds for TJPA DTX (downtown extension) and Right of Way (ROW) acquisition