

From: VTA Board Secretary
Sent: Monday, August 2, 2021 5:03 PM
To: VTA Board of Directors
Cc: VTA Board Secretary
Subject: VTA Information: Ridership for June 2021

VTA Board of Directors:

Attached is a memorandum from Chief Operating Officer David Hill regarding VTA ridership for June 2021.

Thank you.

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 N. First Street
San Jose, CA 95134
408.321.5680
board.secretary@vta.org



Date: July 29, 2021
Current Meeting: NA
Board Meeting: August 5, 2021

BOARD MEMORANDUM

TO: Santa Clara Valley Transportation Authority
Board of Directors

THROUGH: Carolyn Gonot, General Manager/CEO

FROM: David Hill, Chief Operating Officer

SUBJECT: VTA Ridership - June 2021

Policy-Related Action: NA

Government Code Section 84308 Applies: No

INFORMATION ITEM

EXECUTIVE SUMMARY:

- To present the bus and light rail ridership performance of the Santa Clara Valley Transportation Authority.

STRATEGIC PLAN/GOALS:

The report is an information item only.

BACKGROUND:

This report is routinely produced after each month. This report is for the month of June 2021.

CLIMATE IMPACT:

The report is an information item and will have no impacts to climate change.

DISCUSSION:

June 2021 total monthly ridership was 1,032,132, a 16.5% increase over June 2020. The increase was from bus alone as there was no service for light rail in June 2021. Bus ridership was up by 40.2% compared to June 2020. Additional service hours, relaxed statewide guidelines and increased bus capacities contributed to the overall ridership increase. Light rail service has been suspended since May 27th due to the May 26, 2021 incident at the Guadalupe yard.

June 2021 system ridership is approximately 65% less compared to pre-pandemic levels.

Ridership	June 2021	Compared to:				Calendar-Year-to-Date		
		June 2020	Percent Change	May-21	Percent Change	Current Jan'21-Jun' 21	Prior Jan' 20-Jun' 20	Percent Change
Bus	1,032,132	736,302	40.2%	918,344	12.4%	5,238,848	7,971,051	-34.3%
Light Rail	No service	149,498	-100.0%	189,811	-100.0%	987,694	1,995,991	-50.5%
System	1,032,132	885,800	16.5%	1,108,15	-6.9%	6,226,542	9,967,042	-37.5%

The boardings per total hour and boardings per revenue hour for bus for June are shown in the table below:

	Boardings per Total hour ¹			Boardings per Revenue hour ²		
	June 2021	June 2020	Percent Change	June 2021	June 2020	Percent Change
Bus	10.7	9.6	10.9%	11.4	10.5	8.7%

¹ Total hours – Includes revenue hours and deadhead hours (hours that a vehicle travels when out of revenue service).

² Revenue hours - Scheduled hours of service available to passengers for transport on the routes. Includes recovery/layover time.

From: VTA Board Secretary

Sent: Wednesday, August 4, 2021 2:33 PM

To: VTA Board of Directors

Subject: VTA Information: August 5, 2021 Board of Directors Special Closed Session Meeting Agenda Packet

Board of Directors:

You may now access the VTA Board of Directors Special Closed Session Meeting Agenda packet for the **Thursday, August 5, 2021, Meeting** on our [agenda portal](#).

The Special Closed Session Meeting will begin at 9:00 PM or at the conclusion of the August 5, 2021, Regular Board Meeting.

Thank you,

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone [408-321-5680](tel:408-321-5680)

From: VTA Board Secretary

Sent: Wednesday, August 4, 2021 4:07 PM

To: VTA Board of Directors

Subject: VTA Information: August 5, 2021 Board of Directors Updated Agenda Packet

The VTA Board of Directors agenda packet for the **Thursday, August 5, 2021, Meeting** has been updated to include additional information (presentations, materials and/or public comment) for the following items:

- **Agenda Item #3.**, Public Comment
- **Agenda Item #4.2**, Cerone and North Energy Service Master Agreements and Contract
- **Agenda Item #4.3**, Resolution of Necessity for VTA's BART Silicon Valley Phase II Project (Parcels B3109 and B3110)
- **Agenda Item #7.4**, Authorization to Issue a Request for Offer (RFO) at the Gilroy Transit Center for Affordable Housing Development
- **Agenda Item #7.5**, Silicon Valley Rapid Transit (SVRT) Update

Please note that a group photo will be taken during the meeting.

You may access the updated agenda packet/outline on our [agenda portal](#).

Thank you,

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone [408-321-5680](tel:408-321-5680)

From: VTA Board Secretary

Sent: Thursday, August 5, 2021 1:02 PM

To: VTA Board of Directors

Subject: VTA Information: August 5, 2021 Board of Directors Updated Agenda Packet #2

Board of Directors:

The VTA Board of Directors agenda packet for the **Thursday, August 5, 2021, Meeting** has been updated to include additional information (presentations, materials and/or public comment) for the following items:

- **Agenda Item #3.**, Public Comment
- **Agenda Item #7.2**, 2016 Measure B Highway Interchanges Program Category Prioritization and Project Selection Process
- **Agenda Item #7.4**, Authorization to Issue a Request for Offer (RFO) at the Gilroy Transit Center for Affordable Housing Development
- **Agenda Item #8.1**, General Manager's Report

You may access the updated agenda packet/outline on our [agenda portal](#).

Thank you,

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone **408-321-5680**

From: VTA Board Secretary

Sent: Friday, August 6, 2021 11:22 AM

To: VTA Board of Directors

Subject: VTA Information: August 5, 2021 Board of Directors Updated Agenda Packet #3

Board of Directors:

The VTA Board of Directors agenda packet for the **Thursday, August 5, 2021, Meeting** has been updated to include additional information (presentations, materials and/or public comment) for the following items:

- **Agenda Item #6.8**, Caltrain Update
- **Agenda Item #7.2**, 2016 Measure B Highway Interchanges Program Category Prioritization and Project Selection Process
- **Agenda Item #8.1. B**, Government Affairs Report

You may access the updated agenda packet/outline on our [agenda portal](#).

Thank you,

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone **408-321-5680**

From: VTA Board Secretary
Sent: Friday, August 6, 2021 4:32 PM
To: VTA Board of Directors
Subject: VTA Correspondence: Week ending August 6, 2021

VTA Board of Directors:

We are forwarding to you the following correspondence:

From	Topic
Roland Lebrun, Member of the Public	Comments pertaining to: 1) Caltrain Item 3.a- Systemic abuse of Government Code Section 54956.9(d)(4); 2) SMCTA & VTA response to SamTrans letter re: Caltrain ROW acquisition; 3) 7/26 Finance Committee Agenda: Gilroy Caltrain acquisition; 4) BART Silicon Valley Program Monthly Cost Report-June 2021; 5) SFCTA Item 4. July 13, 2021 Minutes Caltrain electrification oversight; and 6) CPUC Section 185032
Eugene Bradley, Silicon Valley Transit Users	Restoring Light Rail Shuttle Buses

Thank you.

Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B
San Jose, CA 95134-1927
Phone [408-321-5680](tel:408-321-5680)



Conserve paper. Think before you print.

From: Roland Lebrun

Sent: Thursday, August 5, 2021 9:33 AM

To: Caltrain Board <board@caltrain.com>

Cc: MTC Info <info@bayareametro.gov>; VTA Board Secretary <Board.Secretary@vta.org>; SFCTA CAC <cac@sfcta.org>; Caltrain CAC Secretary <cacsecretary@caltrain.com>; SFCTA Board Secretary <clerk@sfcta.org>

Subject: [EXTERNAL] Re: Item 3.a Systemic abuse of Government Code Section 54956.9(d)(4)

Dear Caltrain Board,

Kindly be advised that staff's response to the email below was to disable the ability to save the transcript which now puts this agency's transparency on par with the High Speed Rail Authority's, so I will be submitting a PRA for the archived transcript at the conclusion of every meeting until the issue is resolved.

Sincerely,

Roland Lebrun

The image is a screenshot of a Zoom Webinar recording. The main window displays a slide with the Caltrain logo and the text "Closed Session in Progress". Below this, it states "We will resume at approximately 10:25 am" and "August 5, 2021 Joint Powers Board". The slide also features an image of two Caltrain locomotives, numbered 925 and 921. To the right of the slide, a transcript sidebar is visible, showing a conversation between Brian Shaw and Dora Seamans. The transcript includes the following text:

09:04:12
And that concludes my remarks. Thank you and see you later.

09:04:18
Dora Seamans
Thank you.

09:04:20
Dora Seamans
And I believe we have a separate Link for that is that correct or can you walk us through the process. Yes there is a separate meeting link that was sent out Yesterday but I can resend it now.

09:04:35
Brian Shaw
So when everyone goes to that new meeting link you should close down out of this one if you're using the same device.

09:04:42
And then once the closed session concludes you may reuse your personalized link to resume an open session.

09:04:50
All right, and for the public, our estimated return time is 10:25am.

09:04:57
Thank you. All right, we're logging off now and we'll go into closed session.

Powered by Otter.ai

From: Roland Lebrun <ccss@msn.com>

Sent: Wednesday, August 4, 2021 11:36 PM

To: Caltrain Board <board@caltrain.com>

Cc: MTC Info <info@bayareametro.gov>; VTA Board Secretary <board.secretary@vta.org>; SFCTA CAC <cac@sfcta.org>; Caltrain CAC Secretary <cacsecretary@caltrain.com>; SFCTA Board Secretary <clerk@sfcta.org>

Subject: Item 3.a Systemic abuse of Government Code Section 54956.9(d)(4)

Dear Caltrain Board,

Further to PMOC Recommendation No. 6 - "*The PMOC has previously recommended that the JPB obtain a second opinion from a well-qualified construction attorney with substantial experience in defending complex contractor claims, particularly those related to schedule delays.*"

<https://www.caltrain.com/Assets/Caltrain+Modernization+Program/Documents/PMOC+Report/s/December+2020+-+FTA+Risk+Refresh+Report.pdf> (page 14 attached for your convenience), there is no sign of any "*well-qualified construction attorney with substantial experience in defending complex contractor claims, particularly those related to schedule delays*" and it is therefore unclear why the Board continues to ignore Vice-chair Heminger's recommendation to "*refer an item to one of the appropriate committees that can deal with it in public*" (full transcript below))and waste time "*dealing with these capital projects either in closed session, or in so-called ad hoc committees, neither of which meetings are public*".

[FTA Led Risk Refresh Report - caltrain.com](https://www.caltrain.com/Assets/Caltrain+Modernization+Program/Documents/PMOC+Report/s/December+2020+-+FTA+Risk+Refresh+Report.pdf)

Doc. No.: TO 69319520F300099.PCEP.CLIN2002.01 - 021 FTA Led Risk Refresh Report
Peninsula Corridor Electrification Project (PCEP) San Francisco to San Jose, CA
www.caltrain.com

July 1st Caltrain Board meeting transcript:

12:43:53 Does anyone have questions or comments, Director Heminger.

12:43:58 Thank you Madam Chair.

12:44:01 You know I'm willing to support the staff recommendation here reluctantly I must say, **but I also want to try to draw a broader lesson from this project, which I believe has doubled in costs since the original budget.**

12:44:17 From the electrification program, which is we disclosed, a month or so ago, is looking at a significant schedule delay and cost overrun anyone observing our closed session agenda today would see that we're still dealing with the aftermath of the positive

12:44:38 train control program, even though it's been in operation for some time now.

12:44:44 And I know that Michelle is aware of these issues but I think it's worth stating out loud that I think **we've got a pattern here, a systemic problem of delivering large capital projects.**

12:44:58 We are not alone in the United States or the world in public agencies wrestling with these issues.

12:45:05 *But I think we have to move ourselves toward the forefront of trying to identify some solutions.*

12:45:12 *I'm certainly glad that Rob is here and can bring his experience to bear.*

12:45:17 *But I think **one of our challenges, frankly, as a board has been that too often, we are dealing with these capital projects either in closed session, or in so-called ad hoc committees, neither of which meetings are public.***

12:45:35 *And I think that does some damage to our reputation and to our ability to be transparent to our constituents.*

12:45:46 *So, **I would like to request madam chair that you refer an item to one of the appropriate committees that can deal with it in public.** I sort of the lessons we have learned the challenges that we faced with the, with the capital projects that are either*

12:46:05 *finished are underway. And what potential solutions*

12:46:09 *we can fashion to reform our project delivery system, and that includes **involving the public eye and our stakeholders in a much more effective way than just hearing from us when we've got a problem and need more money.***

12:46:28 *So I make that request to you and hope that we could get that work started in the foreseeable future.*

12:46:37 *Certainly, and what's up committee I was what Michelle and I had in mind so we will do that at The Next Web committee meeting.*

12:46:48 *Thank you.*

Your prompt attention to this systemic lack of governance is appreciated.

Sincerely,

Roland Lebrun

CC

MTC Commissioners
SFCTA Commissioners
VTA Board of Directors
SFCTA CAC
Caltrain CAC
VTA PAC
VTA CAC

From: Roland Lebrun

Sent: Wednesday, August 4, 2021 11:37 PM

To: Caltrain Board <board@caltrain.com>

Cc: MTC Info <info@bayareametro.gov>; VTA Board Secretary <Board.Secretary@vta.org>; SFCTA CAC <cac@sfcta.org>; Caltrain CAC Secretary <cacsecretary@caltrain.com>; SFCTA Board Secretary <clerk@sfcta.org>

Subject: [EXTERNAL] Item 3.a Systemic abuse of Government Code Section 54956.9(d)(4)

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Sincerely,

Roland Lebrun

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MTC Commissioners
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Caltrain CAC
VTA PAC
VTA CAC

interconnection agreement is currently on-hold due to a disagreement between the JPB, PG&E, and Silicon Valley Power over a largely complete Single-Phase Study which looks at the impacts of the PCEP load on the local electric grid.

- The original budget for Electrification related work included scope for a Supervisory Control and Data Acquisition (SCADA) system. However, the SCADA scope was not included in the Electrification contract and a separate contract was awarded on a sole-source basis after the start of the project. *This work is underway and mostly complete.*
- The Electrification contract included an Option for construction of an Overhead Contact System within the four (4) existing tunnels. The JPB was unsuccessful in negotiating an acceptable Change Order with the Electrification contractor, and the work had to be added to the tunnel notching contract via modification. *This work is complete except for final integrated testing.*
- The PCEP did not assign responsibility for integration of the electrification, signals, SCADA, and EMU vehicles contracts and the JPB's PTC system to a single individual, consultant, or contractor, which leaves responsibility for this vital function resting with the JPB. Currently a single individual is leading this effort on a part-time basis along with other responsibilities.

3.2 PMOC Assessment of Project Delivery

The PCEP is using a combination of delivery methods. The Electrification work is being delivered using a design-build contract. The tunnel notching contract was competitively bid as was the CEMOF Modifications contract. The EMU procurement was a competitive two-step procurement. The tunnel contract is complete except for final integrated testing. The CEMOF modification contract is expected to be substantially complete in March 2021. The delivery of the first EMU trainset to the JPB is scheduled for July 2021. Substantial completion of the Electrification contract is currently projected for July 14, 2023. The PMOC's opinion is that the delivery plan for the PCEP was thoughtfully conceived and reasonable given the scope of the project.

One consequence of the delayed completion of the electrified railroad is the change in testing and acceptance of the EMU trainsets. Performance testing and acceptance of the first trainset was to be conducted on the JPB's system. Because the JPB's railroad is not currently electrified, and TS 1 is ready for dynamic testing, the JPB and Stadler arranged for dynamic testing to be conducted at the Association of American Railroads' (AAR) Transportation Technology Center, Inc. (TTCI) in Pueblo, Colorado. TS 1 is now being reassembled at the TTCI prior to starting the testing process. TS 1, as well as all subsequent trainsets, will be accepted after being delivered to the JPB's tracks and completing all contractual requirements.

- **PMOC Recommendation No. 4** – The PMOC recommends that the PCEP complete full integration of the Rail Activation and Testing and Commissioning schedules with the Master Project Schedule for more effective project management.
- **PMOC Recommendation No. 5** – The PMOC recommends that the JPB consider strategies for placing EMUs safely in service prior to the completion of all required signal modifications if that work continues to be delayed.
- **PMOC Recommendation No. 6** - The PMOC has previously recommended that the JPB obtain a second opinion from a well-qualified construction attorney with substantial experience in defending complex contractor claims, particularly those related to schedule delays. The second opinion should address the JPB's proposed approach to resolving the complex issues currently subject to the technically facilitated mediation process between the JPB and BBII.

From: Roland Lebrun

Sent: Wednesday, August 4, 2021 2:58 AM

To: Caltrain Board <board@caltrain.com>

Cc: VTA Board Secretary <Board.Secretary@vta.org>; SFCTA CAC <cac@sfcta.org>; Caltrain CAC Secretary <cacsecretary@caltrain.com>

Subject: [EXTERNAL] SMCTA & VTA response to SamTrans letter re Caltrain ROW acquisition

Dear Caltrain Board,

Please find attached a July 26, 2021, SMCTA/VTA joint response to a SamTrans letter dated June 22, 2021, related to the reimbursement of the Additional Compensation under the 2008 Amendment to the Real Property Ownership Agreement.

Sincerely,

Roland Lebrun

CC

VTA Board

VTA PAC

SFCTA CAC

VTA CAC

From: [Simpliciano, Sophia M](#)
To: [Mau, Carter](#)
Cc: [Board \(@samtrans.com\)](#); [Hendricks, Glenn \[HendricksCouncil@sunnyvale.ca.gov\]](#); [Baltao, Elaine \[board.secretary@vta.org\]](#); [MTABoard](#); [district6@sanjoseca.gov](#); [alfredo.pedroza@countyofnapa.org](#); [Elsbernd, Sean \(MYR\)](#); [Calvillo, Angela \(BOS\)](#); [wagstaffe@wvbrlaw.com](#); [tilly.chang@sfcta.org](#); [Evelynn.Tran@vta.org](#); [CLEVELAND-KNOWLES, SUSAN \(CAT\)](#); [REITZES, ROBIN \(CAT\)](#); [RUSSI, BRAD \(CAT\)](#); [Walton, Shamann \[shamann.walton@sfgov.org\]](#); [Gonot, Carolyn](#); [Gee, Natalie \[natalie.gee@sfgov.org\]](#); [Burch, Percy \(BOS\)](#); [Ledezma, Paola](#); [michelle.garza@vta.org](#)
Subject: CCSF VTA response_reimbursement of additional contributions
Date: Friday, July 30, 2021 3:10:48 PM
Attachments: [image001.png](#)
[image005.png](#)
[CCSF VTA 21.0726 SMCTD Reimbursement of Additional Contributions.pdf](#)
[Olsen Remch ppt.pdf](#)
[2020-42 JPB Resolution on Governance.pdf](#)

ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders.

Good afternoon.

Please note the attached letter and attachments from the City and County of San Francisco and Santa Clara VTA

Sophia Simpliciano

Executive Assistant to the Director of Transportation

jeffrey.tumlin@sfmta.com 415-646-2522

sophia.simpliciano@sfmta.com 415-646-2546

SFMTA reception 415-701-5600



San Francisco Municipal Transportation Agency
1 South Van Ness Avenue, 7th floor
San Francisco, CA 94103





July 26, 2021

Carter Mau
Acting General Manager/CEO
San Mateo County Transit District
1250 San Carlos Ave. – P.O. Box 3006
San Carlos, CA 94070-1306

Re: Reimbursement of Additional Contribution

Dear Mr. Mau:

We are in receipt of your letters to the City and County of San Francisco (“San Francisco”) and the Santa Clara Valley Transportation Authority (“VTA”), both dated June 22, 2021, related to the reimbursement of the Additional Compensation under the 2008 Amendment to the Real Property Ownership Agreement. We provide the following response.

As you and the San Mateo County Transit District (“SamTrans”) members of the Peninsula Corridor Joint Powers Board (“JPB”) are likely aware, following its November 2019 governance workshop, the JPB directed staff to hire special counsel to do a forensic review of the various historical documents related to Caltrain governance, including the agreements related to the Right-of-Way (“ROW”) transaction – the 1991 Real Property Ownership Agreement and the 2008 Amendment to the Real Property Ownership Agreement (“2008 RPOA”). The JPB retained the Olson Remcho firm to perform this work. Olson Remcho presented its report to the JPB in July 2020 and again in April 2021.

In April 2021, Olson Remcho reported to the JPB on the very issues you raise in your letter. For your convenience, please find attached the PowerPoint summary of the report on the Caltrain historical documents related to governance and the ROW transaction. The report summarized the 2008 RPOA under which the three Caltrain member agencies agreed to resolve the issue of reimbursing SamTrans for its initial advance of funds (the “Additional Contribution”) on behalf of San Francisco and VTA for purchasing the ROW – with the Metropolitan Transportation Commission (“MTC”) facilitating the reimbursement.

The report confirmed that under the 2008 RPOA, the total amount of the Additional Contribution owed to SamTrans was \$53.3 million, to be paid partly by San Francisco (\$2 million) and VTA (\$8 million) and partly by MTC (\$43.3 million) on behalf of San Francisco and VTA, using primarily funds from state fuel taxes. The parties also stated in the 2008 RPOA

that SamTrans could serve as managing agency as long as it chose to do so (presumably in exchange for forgiving \$38.2 million in debt from the ROW transaction).

The report further found that VTA has paid SamTrans in full, San Francisco has paid all but \$200,000 of its obligation, and MTC has paid \$23.7 million, leaving a remaining balance of \$19.8 million as yet unpaid.

As a result, there should be no question as to the amount owed SamTrans for its advance of funds to purchase the ROW. Yet in the last several weeks, SamTrans officials and advocates have been reported in the press asserting that \$82 million is still owed and even questioning whether the true amount exceeds \$100 million.

There also should be no question as to the commitment of San Francisco and VTA to reimburse the rightful amount owed to SamTrans. This commitment has been most recently memorialized by JPB Resolution No. 2020-42, which was adopted in August 2020 by a vote of 8-1 with Director Stone dissenting. That resolution states, in pertinent part, that "the JPB will initiate efforts to reimburse the SMCTD for its investment in Caltrain, including by engaging with MTC and other funding partners and, if the Caltrain sales tax measure is approved, by prioritizing the payment of the SMCTD investment by the JPB." Please find the Resolution attached.

To avoid any doubt, San Francisco re-affirms its commitment to comply with the terms of the 2008 RPOA, complete its outstanding payment of \$200,000 (or provide documentation that it has been paid directly or through a funds transfer or similar mechanism, which we are currently researching), and work with MTC to identify a source of funds for the \$19.8 million balance owed SamTrans as soon as possible.

We also want to remind you that in 2016, San Francisco, through the SFMTA Board and the Board of Supervisors, demonstrated its commitment to the future of the Caltrain ROW by approving an agreement authorizing a disbursement of up to \$39 million from the sale of current and future General Obligation bonds to fund the Communications-Based Overlay Signal System Positive Train Control Project and the Peninsula Corridor Electrification Project.

The voters of Santa Clara County and VTA substantially increased their commitment to Caltrain by devoting over \$1 billion in 2016 Measure B sales tax funding to system improvements. Since the funding became available in 2018, the VTA Board has allocated almost \$41 million.

San Francisco and VTA remain fully committed to the Caltrain governance review that is outlined in the same JPB resolution. Recent actions and statements by SamTrans call into question whether you share our view.

We hope this resolves your concern and look forward to further productive discussions regarding the future of Caltrain.

Sincerely,



Mayor London N. Breed
City and County of San Francisco



Supervisor Shamann Walton
President, San Francisco Board of Supervisors



Carolyn M. Gonot
General Manager/CEO
Santa Clara Valley Transportation Authority



Jeffrey P. Tumlin
Director of Transportation
San Francisco Municipal Transportation Agency

Enclosures: Olson Remcho powerpoint
JPB Resolution No. 2020-42

cc: SamTrans Board of Directors
Peninsula Corridor Joint Powers Board
SFMTA Board of Directors
Alfredo Pedroza, Board Chair, Metropolitan Transportation Commission
Sean Elsbernd, Chief of Staff, Office of the Mayor, City and County of San Francisco
Angela Calvillo, Clerk of the Board, San Francisco Board of Supervisors
Jim Wagstaffe, Partner, Wagstaffe, von Loewenfeldt, Bush & Radwick LLP
Tilly Chang, Executive Director, San Francisco County Transportation Authority
Evelynn Tran, Santa Clara VTA General Counsel
Susan Cleveland-Knowles, SFMTA General Counsel
Robin Reitzes, Deputy City Attorney, City and County of San Francisco
Brad Russi, Deputy City Attorney, City and County of San Francisco

Report on Member Agencies' Rights and Obligations Under JPB Governing Documents

Peninsula Corridor Joint Powers Board

Presentation by Olson | Remcho

April 1, 2021

Presentation Overview

1. History
2. Key Agreements
3. Detail on Key Agreements
4. Issues Covered in Report
5. Questions

Section 1: Corridor History

- 1863 – San Francisco and San Jose Railroad Company begins passenger service on the Peninsula
- 1870 – Southern Pacific Railway purchases railway
- 1970s – rail commuter business unprofitable and Southern Pacific wants out
- 1980 – State decides to subsidize Southern Pacific to keep operating passenger rail service
- 1988 – State ends subsidies and the three counties join together to save the railroad
- 1991 – the 3 counties form the Peninsula Corridor Joint Powers Authority and purchase the right-of-way, using Prop. 116 funds and funds advanced by SamTrans

Section 2: Overview of Key Agreements

- Joint Powers Agreement
 - Establishes the Joint Powers Authority and names the Joint Powers Board as the governing body.
- Purchase and Sale Agreement with SP
 - Describes the property purchased by the JPA as well as options that could be exercised either by the JPA or a member agency.
- Real Property Ownership Agreement
 - Governs use and distribution of property owned by the JPA and partner agencies.
 - Establishes two alternate methods for reimbursing SamTrans for advancing funds to purchase the right of way (“ROW”).

Section 3 – The Joint Powers Agreement (JPA)

- The basic governing document that establishes the JPA that:
 - Describes its purpose, membership, powers and authority;
 - Manner of allocating operating and capital costs among the member agencies;
 - Designates SamTrans as managing agency; and
 - Created in 1991 and amended in 1994 and 1996.

1991 JPA

- First JPA established the Joint Powers Board.
- Had a 10-year term after which JPA would be in force on year to year basis until 2 or more member agencies withdraw.
- Designated SamTrans as managing agency subject to Board's authority to change designation of managing agency after SamTrans is reimbursed for funds it advanced for purchase of the right of way.

1994 JPA

- Amended allocation of capital and administrative costs among the member agencies.
- Provided for mediation by Metropolitan Transportation Commission if a party wished to withdraw.
- Addressed late payments from member agencies.

1996 JPA (Current Agreement)

- Made changes that VTA requested regarding appointment of its representatives to the JPB;
- Provides for appointment of members of the JPB, powers and duties of the JPB, allocation of operating and capital costs;
- Designated SamTrans as managing agency subject to the Board's authority to change designation of managing agency after SamTrans is reimbursed for funds it advanced for the purchase of the right of way.

Purchase Sale and Option Agreement – 1991

- Purchase of ROW Main Line
 - \$212M – \$120M from Prop. 116; \$82M from SamTrans; \$10M credit for construction of maintenance facility.
 - SamTrans as Tenant in Common to ROW in San Mateo County until reimbursed.
 - SP maintained right to operate freight service on Main Line.
- Purchase of Trackage Rights from Lick to Gilroy
 - \$8M (\$4M from Prop. 116; \$4M from VTA).
- Options to Purchase:
 - One half of the Lick-Gilroy Line – \$20M, with credit for \$8M paid for purchase.
 - Parking Lots and Grade Separations.
 - Dumbarton Branch, Vasona Branch I and II, San Bruno Branch, and Moffett Drill Track.

Real Property Ownership Agreement (RPOA) – 1991

- Describes ownership rights of the JPB and member agencies over Caltrain property
- Provides two methods to repay SamTrans' additional contribution to purchase of the ROW:
 - **Full reimbursement:** members use best efforts to find non-local funds to reimburse SamTrans for full amount of additional contribution (\$82 million), plus compound interest;
 - **Full participation:** VTA and SF may elect to use their own assets to pay their share of additional contribution, plus compound interest, based on mileage formula (VTA = \$34.7; SF = \$8.3 million; does not include interest).
- Gives SamTrans ownership rights over certain property until full reimbursement or full participation occurs

The RPOA Describes Four Kinds of Caltrain Property

- **ROW:** the Main Line from San Francisco to Lick, trackage rights for the Gilroy service, and other assets acquired pursuant to Purchase Agreement, except local option properties.
- **Local Option Property:** properties identified in the purchase and sale agreement with SP. Not directly tied to operation of the corridor service but were of interest to particular member agencies.
- **System Option Property:** properties to be acquired pursuant to the options established in the Purchase Agreement other than local option properties.
- **State Transferred Properties:** real property and other assets transferred from Caltrans to the JPB, including stations, facilities, equipment and inventory.

Real Property Ownership Agreement – Amended 2008

- By 2007, no payments had been made under the 1991 agreement to repay SamTrans.
- MTC conditioned release of certain State revenues on the member agencies coming to agreement that would provide for repayment.
- Because of compound interest, the amount needed for VTA and SF to repay SamTrans under the 1991 agreement had grown to \$91.5M.

Real Property Ownership Agreement – Amended 2008, Continued

- The parties agreed to reset the amount of the additional contribution attributable to VTA and San Francisco at \$53.3 million, to be paid partly by San Francisco (\$2 million) and VTA (\$8 million) and partly by MTC (\$43.3 million), using primarily funds from State gas taxes.
- The parties agreed that if repayment did not occur within 10 years, MTC would be authorized to identify other non-local funds to use as source of repayment.
- The parties also agreed that SamTrans could serve as managing agency for as long as it chose to do so in exchange for forgiving \$38.2M in debt.

Section 4 – Specific Issues Covered by the Report

- A. Property ownership
- B. ROW and reimbursement of SamTrans
- C. Caltrain management
- D. Gilroy service
- E. Allocation of operating and capital costs for Mainline
- F. Parties' rights to revise or terminate the JPA

A. Property Ownership

- JPB has title to:
 - ROW
 - Trackage rights between Lick and Gilroy
 - State Transferred Properties
 - Certain Parking Lots and Grade Separations
- VTA owns:
 - The Moffett Drill Track
 - The Vasona I and II branches

A. Property Ownership – Continued

- SamTrans shares title:
 - As tenant in common with JPB to ROW in San Mateo County until Full Reimbursement or Full Participation occur.
- SamTrans owns:
 - The Dumbarton and San Bruno branches.
 - Some parking lots and grade separations acquired pursuant to Purchase Agreement.

A. Property Ownership, Continued – SamTrans Equity Conversion Right

- SamTrans has right to convert Additional Contribution into ownership interest in all or part of ROW.
- If conversion occurs, VTA and SF have participation rights in management and development decisions based on their payment towards Additional Contribution.
- If conversion occurs, SamTrans required to license ROW to JPB at no cost.
- SamTrans has right to lease or encumber property as necessary or desirable to develop nonoperational assets without the approval of the JPB (with respect to property outside SM, right is limited to specified nonoperational assets in Mountain View, Sunnyvale, and Santa Clara).

A. Property Ownership, Continued – Other SamTrans Property Rights

- SamTrans has right to net revenue from nonoperational assets and State transferred properties until Full Reimbursement or Full Participation occur.
- SamTrans has right to veto sale of ROW, system option properties, and State transferred properties.

B. Repayments

- VTA has paid SamTrans \$8 million, as required by the 2008 RPOA.
- San Francisco has paid all but \$200,000 of the \$2 million to SamTrans as required by the 2008 RPOA.
- MTC has paid \$23.7 million of the \$43.3 million it was to pay SamTrans through population-based “spillover” funds.
- As a result, a total of \$19,788,913 has not been paid under the 2008 RPOA, \$19,588,913 of which was to come from MTC and \$200,000 of which was to come from San Francisco.
 - Full Reimbursement of the Additional Contribution has not occurred
- Under section 3.4, VTA and San Francisco have no legal obligation to participate in the Additional Contribution, but they may, “at their election,” undertake good faith efforts to pay an amount to SamTrans sufficient to achieve full participation.
 - To date, this has not occurred.
- Because SamTrans has not received all funds within 10 years, MTC is authorized to identify alternate sources of non-local funds to effect full reimbursement, but no funds have been identified.

C. Managing Agency

- SamTrans has right to serve as managing agency as long as it wishes, regardless of whether it is repaid for advancing funds for ROW purchase.
- Under 1996 JPA, the managing agency's General Manager shall be the Executive Director of the JPB, and its Finance Director shall serve as treasurer and controller of the JPB.
- Under 1996 JPA, JPB shall designate legal counsel and independent auditors.
- SamTrans is responsible for managing the operational and nonoperational assets; the JPB may delegate responsibility for the management of certain operational and nonoperational assets to another member agency.

D. Gilroy Service

- Operating costs: The 1996 JPA states that VTA shall be responsible for the net operating costs of the Gilroy Service. However, since 2001 the member agencies have shared those costs in the same manner as they share operating costs for the service between San Francisco and San Jose (no revised codification has been made in the JPA).
- Capital costs: Under the 1996 JPA, VTA is responsible for obtaining funding for all Gilroy Service capital projects.

E. Allocation of Operating Costs for the Mainline

- Under the 1996 JPA: member agencies must subsidize operating costs in an amount equal to the a.m. boarding formula.
- The members' current practice: member agencies subsidize operating costs based on the all-day, mid-week boarding formula (no revised codification has been made in the JPA).
- JPB administrative costs are included in operating costs and shared in same manner.

E. Allocation of Capital Costs for the Mainline

- Current practice is consistent with 1996 JPA.
- To the extent other funds cannot be secured, member agencies share equally the costs of capital projects that replace or enhance existing service while costs for expansion projects are determined on a case-by-case basis.
- Capital contingency fund: member agencies shall contribute in equal amounts.

F. Amending or Terminating the JPA

- 1996 JPA can be amended any time by agreement of all parties.
- The JPA terminates if 2 or more parties withdraw.
- Disposition of property upon termination of the JPA will depend on whether SamTrans has been repaid for the funds it contributed to purchase of the right of way in 1991.

Questions

1 **RESOLUTION NO. 2020-42**

2 **BOARD OF DIRECTORS, PENINSULA CORRIDOR JOINT POWERS BOARD STATE OF CALIFORNIA**

3 **WHEREAS**, the Peninsula Corridor Joint Powers Board (JPB) is a joint exercise
4 of powers authority duly formed pursuant to the October 18, 1991 joint powers
5 agreement, as amended, between the City and County of San Francisco (CCSF), the
6 San Mateo County Transit District (SMCTD), and the Santa Clara Valley Transportation
7 Authority (VTA) (together, the "Member Agencies"); and

8 **WHEREAS**, the JPB operates the Caltrain passenger rail service between San
9 Francisco, California and Gilroy, California, currently serving 32 stations along the 77-
10 mile corridor; and

11 **WHEREAS**, the Joint Powers Agreement, as amended and restated on October
12 3, 1996 (1996 JPA) states in section 8[D] that "no action shall be taken by the JPB
13 except upon the affirmative vote of five or more of its members," but does not expressly
14 prohibit any higher voting threshold for Board action; and

15 **WHEREAS**, the 1996 JPA states in section 9 that the "The JPB shall have the
16 power to adopt such bylaws that it, in its sole discretion, may deem necessary or
17 desirable for the conduct of its business," and

18 **WHEREAS**, by a separate resolution, a regional measure ("Caltrain tax
19 measure") may be placed on the November 3, 2020, ballot in Santa Clara, San Mateo
20 and San Francisco Counties to impose a one-eighth of one percent (0.125%) retail
21 transactions and use tax for a period of thirty (30) years, throughout the three Counties
22 to enable Caltrain (or its successor agency) to fund operating and capital expenses of
23 the Caltrain rail service and support the operating and capital needs required to
24 implement the Service Vision adopted by the JPB on October 3, 2019, as part of the
25 Caltrain Business Plan; and,

26 **NOW, THEREFORE BE IT RESOLVED**, that JPB shall establish the following
27 rules or bylaws for its future conduct of business as follows:

- 1 a) That in each fiscal year beginning on July 1, 2021 the JPB may approve the
2 expenditure of up to \$40 million of revenue from the Caltrain tax measure for
3 operations or capital repair of Caltrain, with the approval of at least five (5)
4 members of the JPB;
- 5 b) That the JPB may expend an amount in excess of \$40 million of revenue from the
6 Caltrain tax measure in any fiscal year with the approval of at least six (6)
7 members of the JPB;
- 8 c) That the JPB shall be subject to the conditions described in (a) and (b), until such
9 time as the Joint Powers Agreement (JPA) has been amended to modify its
10 governance structure or procedures so that they are satisfactory to the three
11 Member Agencies. After that time, the JPB Board may allocate any and all sales
12 tax revenues for operating or capital expenditures with the approval of at least (5)
13 members of the JPB;
- 14 d) That it is the desire of the JPB that the modification of “governance structure or
15 procedures,” described above, will include amendments that enable the majority
16 of the JPB or successor governing board (or, if a larger regional rail authority is
17 created that includes Caltrain, a majority of that agency’s board), to appoint an
18 Executive Director to operate Caltrain provided that the parties have reached an
19 agreement to reimburse SMCTD for its investment in Caltrain.
- 20 e) That the JPB will recommend a governance structure or procedures to the three
21 Member Agencies no later than December 31, 2021.
- 22 f) That the JPB will initiate efforts to reimburse the SMCTD for its investment in
23 Caltrain, including by engaging with Metropolitan Transportation Commission and
24 other funding partners and, if the Caltrain sales tax measure is approved, by
25 prioritizing the payment of the SMCTD investment by the JPB.
- 26 g) That the JPB Board shall appoint an independent counsel (and shall not have the
27 same counsel as any member agency) by January 31, 2021 to represent the

1 JPB, and until such time the law firm of Olson Remcho LLP shall be available to
2 the Board for consultation upon request;

3 h) That the JPB Board shall appoint an auditor (and shall not have the same auditor
4 as SMCTD) by January 15, 2021.

5 i) On any agenda for a regularly scheduled meeting of the full JPB, with at least 7
6 calendar days prior notice in advance of the meeting, any item may be placed on
7 that board agenda for consideration by the JPB Board by the request of 2 or
8 more of the JPB members to the JPB Chair and General Manager.

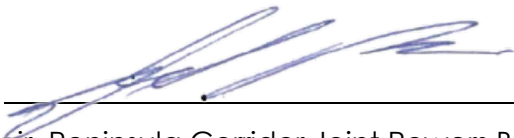
9

10 Regularly passed and adopted this 6th day of August, 2020 by the following
11 vote:

12 AYES: Bruins, Chavez, Collins, Heminger, Walton, Zmuda, Davis, Pine

13 NOES: Stone

14 ABSENT: None



Chair, Peninsula Corridor Joint Powers Board

ATTEST:



JPB Secretary

From: Roland Lebrun

Sent: Wednesday, August 4, 2021 12:32 AM

To: VTA Board Secretary <Board.Secretary@vta.org>

Cc: Rodriguez, Jessica <Jessica.Rodriguez@vta.org>

Subject: [EXTERNAL] Re: BART SILICON VALLEY (BSV) PROGRAM MONTHLY COST REPORT, JUNE 2021

Dear VTA Board,

Pursuant to Government Code Section 6250 et seq., please provide a copy of the BART SILICON VALLEY (BSV) PROGRAM MONTHLY COST REPORT, JUNE 2021.

Thank you in advance for your prompt attention to this matter.

Roland Lebrun

CC

VTA PAC

VTA CAC

From: Roland Lebrun

Sent: Monday, July 26, 2021 4:24 AM

To: SFCTA Board Secretary <clerk@sfcta.org>

Cc: MTC Info <info@bayareametro.gov>; Caltrain Board <board@caltrain.com>; VTA Board Secretary <Board.Secretary@vta.org>; SFCTA CAC <cac@sfcta.org>; Caltrain CAC Secretary <cacsecretary@caltrain.com>

Subject: [EXTERNAL] Item 4 July 13 2021 Minutes Caltrain electrification oversight

Dear Chair Mandelman and Commissioners.

Please allow me to start by once again thanking and congratulating your staff for the quality and the accuracy of SFCTA Board meeting minutes:

<https://www.sfcta.org/sites/default/files/2021-07/Minutes%2007%20July%2013.pdf>

The intent of this email is to substantiate the comment I made at the July 13th meeting that "*I hoped that the SFCTA **implement Director Heminger's recommendation** with the condition that any further Prop K allocations, they establish a structure that mimics the DTX governance structure including a monthly Executive Steering Committee meeting open to the public*"

July 1st Caltrain Board meeting transcript:

12:43:53 Does anyone have questions or comments, Director Heminger.

12:43:58 Thank you Madam Chair.

12:44:01 You know I'm willing to support the staff recommendation here reluctantly I must say, but **I also want to try to draw a broader lesson from this project, which I believe has doubled in costs since the original budget.**

12:44:17 From the electrification program, which is we disclosed, a month or so ago, is looking at a significant schedule delay and cost overrun anyone observing our closed session agenda today would see that we're still dealing with the aftermath of the positive

12:44:38 train control program, even though it's been in operation for some time now.

12:44:44 And I know that Michelle is aware of these issues but I think it's worth stating out loud that I think **we've got a pattern here, a systemic problem of delivering large capital projects.**

12:44:58 We are not alone in the United States or the world in public agencies wrestling with these issues.

12:45:05 But I think we have to move ourselves toward the forefront of trying to identify some solutions.

12:45:12 I'm certainly glad that Rob is here and can bring his experience to bear.

12:45:17 But I think **one of our challenges, frankly, as a board has been that too often, we are dealing with these capital projects either in closed session, or in so-called ad hoc committees, neither of which meetings are public.**

12:45:35 And I think that does some damage to our reputation and to our ability to be transparent to our constituents.

12:45:46 So, **I would like to request madam chair that you refer an item to one of the appropriate committees that can deal with in public.** I sort of the lessons we have learned the challenges that we faced with the, with the capital projects that are either

12:46:05 finished are underway. And what potential solutions

12:46:09 we can fashion to reform our project delivery system, and that includes **involving the public eye and our stakeholders in a much more effective way than just hearing from us when we've got a problem and need more money.**

12:46:28 So I make that request to you and hope that we could get that work started in the foreseeable future.

12:46:37 Certainly, and what's up committee I was what Michelle and I had in mind so we will do that at The Next Web committee meeting.

12:46:48 Thank you.

Sincerely,

Roland Lebrun

CC

MTC Commissioners
Caltrain Board
VTA Board of Directors
SFCTA CAC
Caltrain CAC
VTA PAC
VTA CAC

From: Roland Lebrun

Sent: Wednesday, July 21, 2021 3:41 AM

To: budgetsub3@asm.ca.gov

Cc: MTC Info <info@bayareametro.gov>; CHSRA Board <boardmembers@hsr.ca.gov>; Caltrain Board <board@caltrain.com>; SFCTA Board Secretary <clerk@sfcta.org>; Kangl@scrra.net; ccjpaboard@capitolcorridor.org; VTA Board Secretary <Board.Secretary@vta.org>

Subject: [EXTERNAL] CPUC Section 185032

Dear Chair Bloom,

Further to recent High Speed Rail Authority actions impeding the advancement of High Speed and passenger rail in California, please introduce legislation amending CPUC Section 185032 (https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PUC§ionNum=185032.) as follows:

- (a): Terminate the Authority's *exclusive authorization and responsibility for planning, construction, and operation of high-speed passenger train service at speeds exceeding 125 miles per hour* in the State of California (delete entire subsection).
-
- (b): Clarify that the High Speed Rail Authority is specifically prohibited from planning and construction in rail corridors with a maximum authorized speed of 125 MPH or less.

Respectfully submitted for your consideration.

Roland Lebrun

MTC Commissioners

CHSRA Board of Directors

Caltrain Board of Directors

Metrolink Board of Directors

Capitol Corridor Board of Directors

SFCTA Commissioners

VTA Board of Directors

VTA PAC

From: Roland Lebrun

Sent: Wednesday, May 19, 2021 1:20 AM

To: budgetsub3@asm.ca.gov <budgetsub3@asm.ca.gov>

Cc: MTC Info <info@bayareametro.gov>; CHSRA Board <boardmembers@hsr.ca.gov>; Caltrain Board <board@caltrain.com>; SFCTA Board Secretary <clerk@sfcta.org>

Subject: Governor's May Revision Proposals on Transportation

Dear Chair Bloom and Committee Members,

Please consider approving the appropriation of \$4.2 billion Proposition 1A Bonds to the High Speed Rail Authority **subject to the following conditions:**

1) Restoration of all Authority Board and Committee meeting materials prior to January 1st 2018:

<https://hsr.ca.gov/about/board-of-directors/schedule/>

[Board Meeting Schedule & Materials - California High Speed Rail - California High-Speed Rail Authority | State of California](https://hsr.ca.gov/about/board-of-directors/schedule/)

Board Meeting Schedule & Materials. Meetings of the California High-Speed Rail Authority Board of Directors are held in Sacramento, CA and begin at 10:00 a.m. unless the agenda reflects otherwise. Meeting dates, times and locations are subject to change; check this website before making final plans to attend a specific meeting.

hsr.ca.gov

2) Restoration of all environmentally cleared documents including the program EIR alternatives analysis:

https://www.hsr.ca.gov/docs/programs/eir-eis/statewide_final_EIR_vol1ch2part3.pdf

[Content Not Available Online | California High-Speed Rail Authority | State of California](https://www.hsr.ca.gov/docs/programs/eir-eis/statewide_final_EIR_vol1ch2part3.pdf)

Home Content Not Available Online This content is not available online. However, you may make a request for content under the Public Records Act through the Public Records Act page. If you have any questions about the website or its contents, please contact the Authority at info@hsr.ca.gov.

www.hsr.ca.gov

3) Defunding of any further CEQA and/or NEPA environmental clearance efforts with the exception of the following sections:

- San Francisco to Gilroy
- Merced to Bakersfield
- Burbank to Anaheim

4) Allocation of \$5M to the Metropolitan Transportation Commission to study the alignment between Gilroy and Fresno and develop recommendations to the Legislature on next steps.

Thank you in advance for your consideration.

Roland Lebrun

CC

MTC Commissioners
CHSRA Board of Directors
Caltrain Board of Directors
SFCTA Commissioners
VTA Board of Directors
VTA PAC

From: Roland Lebrun

Sent: Monday, July 19, 2021 2:41 AM

To: Caltrain Board <board@caltrain.com>

Cc: MTC Info <info@bayareametro.gov>; VTA Board Secretary <Board.Secretary@vta.org>; Caltrain CAC Secretary <cacsecretary@caltrain.com>; cityclerk@cityofgilroy.org

Subject: [EXTERNAL] July 26 Finance Committee Agenda: Gilroy Caltrain station acquisition

Dear Chair Zmuda,

Further to VTA having declared its intention to turn the entire Gilroy Caltrain station and parking lot (attached) over to affordable housing development (<https://www.vta.org/projects/gilroy-transit-center-transit-oriented-development>), please direct staff to agendize a Finance Committee resolution to initiate negotiations for the acquisition of a 7.38-acre parcel (APN 841-13-017) hosting the Caltrain station building, parking lot and four siding tracks for overnight train storage and forward this resolution to the Caltrain Board for approval.



Background

The Gilroy Caltrain station is the southern bookend of the Board-adopted Caltrain Business Plan and was supported by 3 separate sales tax measures approved by the voters of Santa Clara County over the last 20 years as follows:

- **2000 Measure A**

- **Improve Caltrain: Double Track to Gilroy and Electrify from Palo Alto to Gilroy**
Extend the Caltrain double track from the San Jose Tamien Station through Morgan Hill to Gilroy. Provide VTA's funds for the partnership with San Francisco and San Mateo counties to electrify Caltrain from San Francisco to Gilroy.

- **Increase Caltrain Service, specifically**
Purchase new locomotive train sets for **increased Caltrain service in Santa Clara County from Gilroy to Palo Alto** and provide additional facilities to support the increased service.

- **2016 Measure B**

- **Caltrain Corridor Capacity Improvements—Estimated at \$314Million of Program Tax Revenues in 2017 dollars.**

To fund Caltrain corridor capacity improvements and increased service in Santa Clara County in order to ease highway congestion, including: **increased service to Morgan Hill and Gilroy, station improvements, level boarding, extended platforms, and service enhancements.**

- **2020 Measure RR**

1. To support the operation of Caltrain service levels throughout the corridor **from San Francisco to Gilroy;**

2. To support the expansion of Caltrain peak hour service from six trains per hour per direction to eight trains per hour per direction, **as well as the expansion of the Gilroy service to a minimum of five morning and five afternoon trains;**

Funding

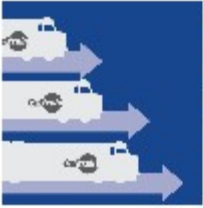
2016 Measure B has accumulated \$39.55M in Caltrain Corridor Capacity Improvements which can be matched 50/50 with Measure RR revenues for a total of approximately \$80M

FY21: \$10.2M (\$13.1M-\$2.9M)

FY22: \$12.34M

FY23: \$17.01M

Total: \$39.55M as follows:



CALTRAIN CORRIDOR CAPACITY IMPROVEMENTS

- No 2016 Measure B activities in April or May 2021.
- Allocation through FY21: \$13.1M.
- Expenditure through May 2021: \$2.9M.

<http://santaclaravta.iqm2.com/Citizens/FileOpen.aspx?Type=6&ID=1825>

	FY2022	FY2023
Need/Capacity-based Programs		
BART Phase II	-	
Caltrain Corridor Capacity	\$ 12.34	\$17.01
County Expressways	-	
SR 85 Corridor	-	
Highway Interchanges	Board action December 2021	
Caltrain Grade Separations		
TOTAL	\$29.35	

<http://santaclaravta.iqm2.com/Citizens/FileOpen.aspx?Type=4&ID=10447&MeetingID=3389>

Thank you in advance for your support of the acquisition of this critical piece of Caltrain infrastructure.

Roland Lebrun

CC

City of Gilroy Mayor and Council
 MTC Commissioners
 VTA Board of Directors
 VTA PAC
 VTA CAC
 Caltrain CAC

Attachments:
 Gilroy station building and parking lot

VTA TOD Portfolio
SCC Assessor map











VTA Transit-Oriented Development Portfolio





May 2019

Dear Current and Future VTA Partners;

VTA is pleased to present this book that provides information on properties it owns throughout Santa Clara County that the VTA Board of Directors has designated as available for Transit-Oriented Development (TOD).

VTA's goals for TOD projects, as set forth in the Board-adopted policy, include:

- Revenue generation to fund other VTA transit investments and operations;
- Increased ridership on VTA transit services; and
- Catalyze the creation of Transit-Oriented Communities that provide amenities for transit riders and residents and attract TOD to privately-owned land around transit stations.

We seek to create mixed-use and mixed-income developments through public-private partnerships, with experienced developers who enter into long-term ground leases with VTA. The VTA Board has also established objectives to incorporate affordable housing development in TOD projects, and to create apprenticeship opportunities for construction careers.

We will work with developers to define an optimal approach to retention of transit parking and replacement parking.

Please note that many of these sites were acquired for federally-funded transportation projects, and therefore have a federal interest. Development on these sites is subject to approval pursuant to *Federal Transit Administration Guidance on Joint Development*, FTA Circular C 7050.1A, dated August 25, 2014 and Revision 1 dated December 29, 2016.

VTA's Real Estate & TOD Department is responsible for working with interested developers, local jurisdictions, community members, and other stakeholders to realize the full potential of the properties described in this book. We welcome the opportunity to discuss your thoughts and interests on the enclosed sites, as well as VTA's TOD Program. Please feel free to contact:

Ms. Jessie O'Malley Solis
TOD Manager
408.321.5950
Jessie.O'MalleySolis@vta.org

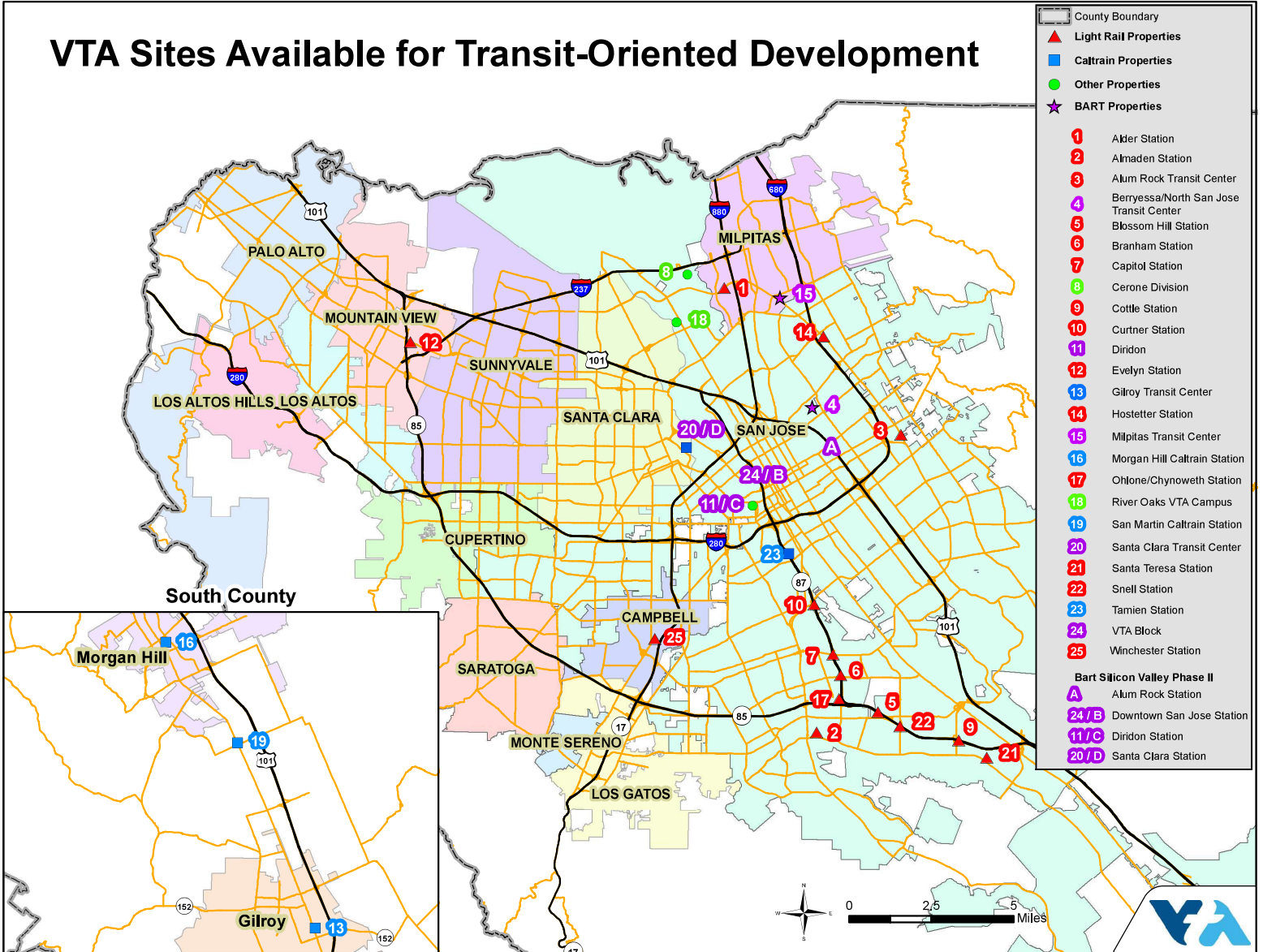
We hope to speak with you soon!

Sincerely,

A handwritten signature in blue ink that reads 'Ron Golem'.

Ron Golem
Director, Real Estate & TOD

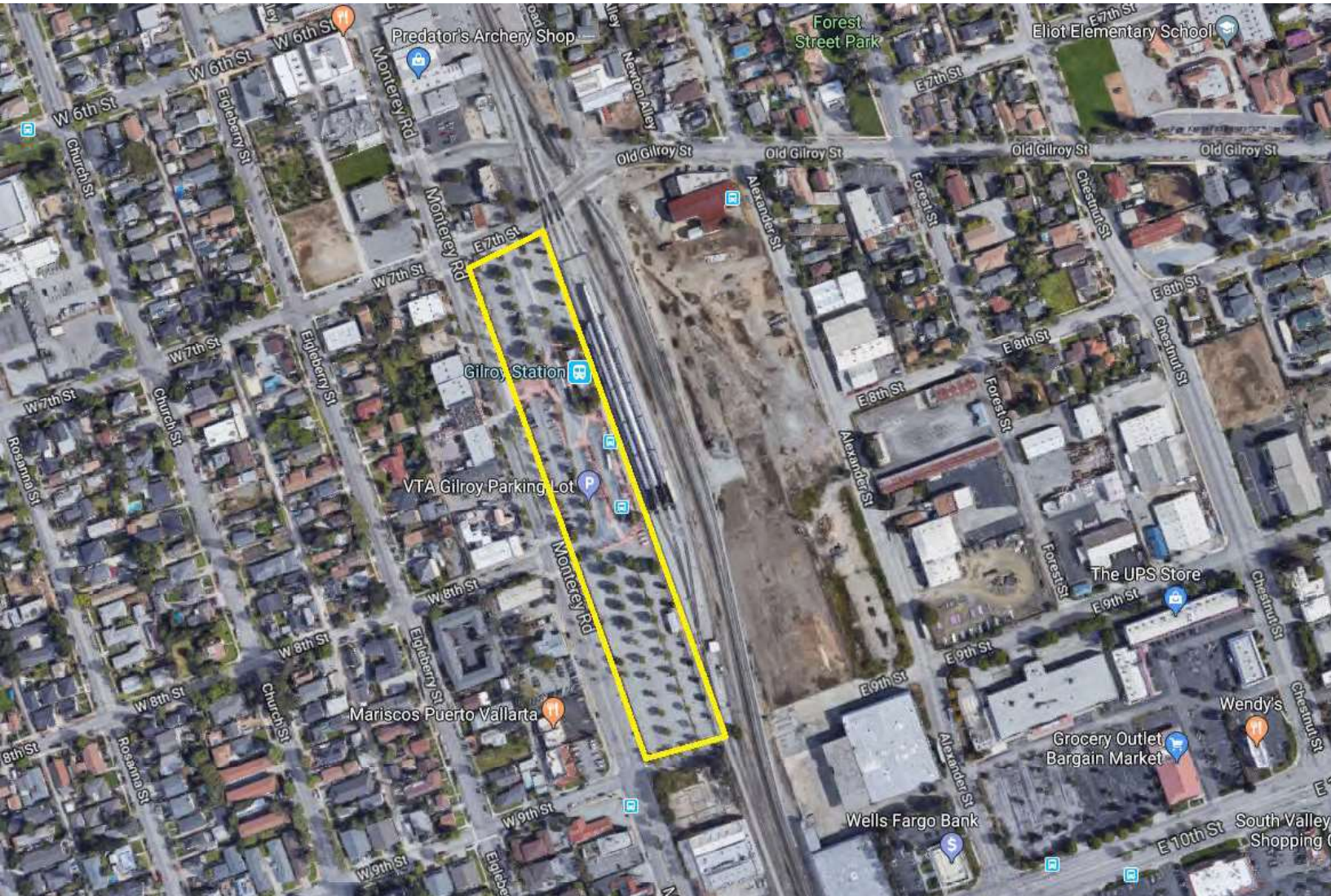
VTA Sites Available for Transit-Oriented Development



13

GILROY TRANSIT CENTER

Monterey Highway @ 7th Street, Gilroy, CA 95020



SITE DETAILS

APN: 841-13-001, 017-020

Acreage: 7.8

Title: VTA

Transit: Caltrain, Bus, Future HSR

Current Use: Park & Ride Lot

Zoning: Downtown Specific

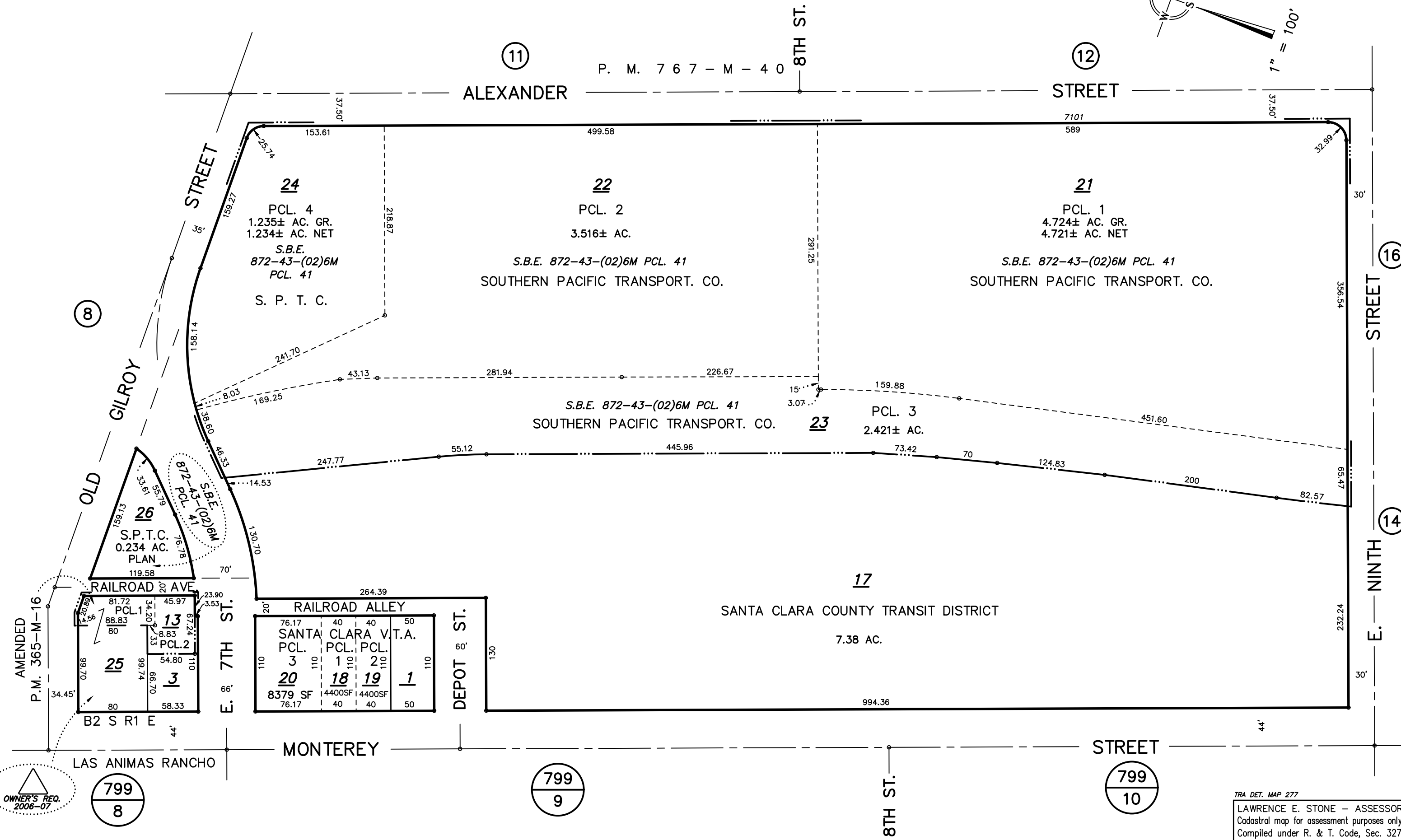
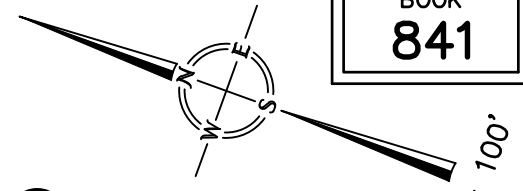
Plan Historic District

General Plan: Downtown

Specific Plan Historic District

School District: Gilroy

Unified



AMENDED
P.M. 365-M-16
OWNER'S REQ.
2006-07

TRA DET. MAP 277
LAWRENCE E. STONE — ASSESSOR
Cadastral map for assessment purposes only.
Compiled under R. & T. Code, Sec. 327.
Effective Roll Year 2021-2022

From: Eugene Bradley

Sent: Monday, August 2, 2021 11:44 AM

To: VTA Board Secretary <Board.Secretary@vta.org>; Gonot, Carolyn <Carolyn.Gonot@vta.org>; Hill, David <David.Hill@vta.org>; Customer.Service <SVC.CUST@vta.org>

Subject: [EXTERNAL] THANK YOU for restoring light rail shuttle buses today

Dear Ms. Gonot, Mr. Hill, VTA Board Members, Customer Service, and Staff:

On behalf of the Silicon Valley Transit Users, I want to thank you for restoring light rail shuttle buses between downtown San Jose (Paseo de San Antonio) and Milpitas BART station in both directions. It is understood service will start on Monday, with weekday service running every half hour from 5:30am-7:30pm. On weekends and holidays, buses will run hourly from 7am-7pm. It is also understood these shuttle buses will not charge fares, and will run until light rail service can be fully and safely restored.

These shuttle buses will help transport more than 4,000 riders of light rail - the calculated ridership before the horror of May 26. After VTA stopped running shuttle buses that ran in place of light rail from May 27-June 1, these riders had few or no affordable alternatives to light rail service. We've heard stories from some light rail riders who have had to walk up to two miles and travel an additional hour to reach their destinations after the shuttle buses that previously ran June 1 were stopped for staffing reasons. One woman I spoke to has had to spend over \$1,000 in June on service from ride-hailing companies due to lack of shuttle buses. Restoring shuttle buses for the light rail system - even on a limited schedule - helps restore travels options for these people.

Simultaneously, these shuttle buses running in place of the light rail system will also allow light rail personnel to get the necessary emotional help and training needed to restore service. This in addition to allowing light rail infrastructure to be fully inspected, and repaired or replaced as needed.

Thank you once again for restoring light rail shuttle bus service. This at least marks the start of the healing process from May 26. As always, your written response to our thoughts is appreciated.

Eugene Bradley

Founder & CEO, Silicon Valley Transit Users

<http://www.svtransitusers.org/>

phone/text (408)888-2208