



SAN JOAQUIN
REGIONAL
RAIL COMMISSION

Chair, **Leo Zuber**, City of Ripon
Vice Chair, **Nancy Young**, City of Tracy
Commissioner, **Lisa Craig**, City of Lodi
Commissioner, **Jose Nuño**, City of Manteca

Executive Director, **Stacey Mortensen**

Commissioner, **Miguel Villapudua**, San Joaquin County
Commissioner, **Kimberly Warmesley**, City of Stockton
Commissioner, **Melissa Hernandez**, City of Dublin
Commissioner, **Lily Mei**, City of Fremont

SAN JOAQUIN REGIONAL RAIL COMMISSION REGULAR BOARD MEETING

Friday, March 3, 2023 – 8:00 am

Robert J. Cabral Station
South Hall Meeting Room
949 East Channel Street
Stockton, CA 95202

Conference Call Locations 📞

1719 Monte Diablo Avenue
Stockton, CA 95203

Dublin City Hall
100 Civic Plaza
Dublin, CA 94568

Call-In Information: +1 (332) 249-0500 Phone Conference ID: 288-290-019#

Microsoft Teams Link: [Click here to join the meeting](#)

Members of the public may attend the meeting at the above address, or may observe the meeting by dialing **+1 (332) 249-0500** with Phone Conference ID: 288-290-019# or log-in using a computer, tablet or smartphone on Microsoft Teams using link: [Click here to join the meeting](#)

Please note that all members of the public will be placed on mute until such times allow for public comments to be made. If a person wishes to make a public comment during the meeting, to do so they must either 1) use Microsoft Teams and will have the option to notify SJRRC staff by alerting them via the “Chat” function or they can 2) contact SJRRC staff via email at publiccommentssjrrc@acerail.com in which staff will read the comment aloud during the public comment period. Emailed public comments should be limited to approximately 240 words as comments will be limited to two (2) minutes per comment.

This Agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans with Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact San Joaquin Regional Rail Commission (SJRRRC) staff, at (209) 944-6220, during regular business hours, at least twenty-four hours prior to the time of the meeting.

All proceedings before the Commission are conducted in English. Anyone wishing to address the SJRRRC Board is advised to have an interpreter or to contact SJRRRC during regular business hours at least 48 hours prior to the time of the meeting so that SJRRRC can provide an interpreter. Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available upon request in both English and Spanish for public inspection at the Office of the Executive

Director located at 949 East Channel Street, Stockton, California, 95202 during normal business hours or by calling (209) 944-6220. The Agenda is available on the San Joaquin Regional Rail Commission website: www.sjrcc.com.

1. Call to Order, Pledge of Allegiance, Roll Call,

Chair Zuber

Roll Call: Hernandez, Mei, Craig, Nuño, Villapudua, Warmesley, Vice Chair Young, Chair Zuber

Ex- Officios: Nguyen, Clifford, Agar, Zwahlen

2. Public Comments

Persons wishing to address the Commission on any item of interest to the public regarding rail shall state their names and addresses and make their presentation. Please limit presentations to two minutes. The Commission cannot take action on matters not on the agenda unless the action is authorized by Section 54954.2 of the Government Code. Materials related to an item on the Agenda submitted to the Board of Directors after distribution of the agenda packet are available for the public inspection in the Commission Office at 949 E. Channel Street during normal business hours. These documents are also available on the San Joaquin Regional Rail Commission website at <https://www.sjrcc.com/events/> subject to staff's ability to post the documents prior to the meeting.

3. Consent Calendar

- | | | |
|-----|---|--------------------|
| 3.1 | Minutes of SJRRC Board Meeting February 3, 2023
(Regular and Special Voting Members) | ACTION |
| 3.2 | Rail Commission/ACE Monthly Expenditure | INFORMATION |
| 3.3 | ACE Monthly Fare Revenue | INFORMATION |
| 3.4 | ACE Ridership | INFORMATION |
| 3.5 | ACE On-Time Performance | INFORMATION |
| 3.6 | Washington Update | INFORMATION |
| 3.7 | Update on Silicon Valley and Tri-Valley Outreach Contracts
Activities | INFORMATION |
| 3.8 | Approve a Resolution of the Board of Commissioners of the San
Joaquin Regional Rail Commission Adopting a Policy Allowing
the Public to Attend Public Meetings Remotely
(Regular and Special Voting Members) | ACTION |
| 3.9 | StopWaste Green and Accessibility Resources | INFORMATION |

- | | | |
|-----------|--|---------------|
| 4. | Approve a Resolution of the Board of Commissioners of the San
Joaquin Regional Rail Commission Approving an Agreement with the
City of Stockton for Plan Check Fees for the Stockton Diamond Grade
Separation Project for an Amount Not-To-Exceed \$806,875.47 and
Authorizing the Executive Director to Negotiate, Award, and Execute
Any and All Agreements and Documents Related to the Project
including Approving any and all Amendments thereto within Her
Spending Authority
(Bryan Pennino) (Regular Voting Members Only) | ACTION |
|-----------|--|---------------|

5. **North Valley Rail Study (Sacramento – Marysville/Yuba City – Chico) Update** INFORMATION
(Dan Leavitt)

6. **Valley Rail Program Schedule Update** INFORMATION
(Stacey Mortensen/Laurence Farrell)

7. **ACE Test Ride Program Update** INFORMATION
(Carmen Setness)

8. **Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission to Create an Ad Hoc Performance Review Committee of Two (2) Regular Voting Members to Perform the Tasks assigned to it in the Executive Director Performance Evaluation Schedule** ACTION
(Dan Schroeder)(Regular Voting Members Only)

9. **Board Member Comments**

10. **Ex-Officio Comments**

11. **Executive Director's Report**

12. **CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: Six (6) Claims
(Regular Voting Members Only)

13. **Adjournment**

The next regular meeting is scheduled for:
April 7, 2023 – 8:00 am

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of March 3, 2023

Item 3.1

ACTION

Minutes of SJRRC Board Meeting February 3, 2023

The meeting of the San Joaquin Regional Rail Commission was held at 8:00 a.m., February 3, 2023, via teleconference, videoconference, or in person.

1. Call to Order, Pledge of Allegiance, Roll Call

Vice Chair Zuber called the meeting to order at 8:00 a.m. and led the audience in the Pledge of Allegiance.

Commissioners Present: Hernandez, Mei, Nuño, Villapudua, Warmsley, Young, Vice Chair Zuber

Commissioners Absent: None

Ex-Officio Members Present: Mr. Dumas, Mr. Dial, Mr. Baxter, Ms. Zwahlen

Vice Chair Zuber welcomed the new Commissioners to the Rail Commission Board and commented that they will be part of one of the greatest construction endeavors that has been around in years.

2. Public Comments

Mr. Barnbaum commented on the closure of the 59th Street Station for the light rail, low floor car modernization project from the Sacramento Regional Transit District. Mr. Barnbaum commented that this is the pilot station of the project and there will be phased construction at the other station, including Sacramento City College which is a major connection hub starting in 2027 for ACE and the San Joaquins. Mr. Barnbaum commented that more information and details on the future construction activities can be found at SacRT.com.

3. Consent Calendar

- | | | |
|-----|---|--------------------|
| 3.1 | Minutes of SJRRC Board Meeting December 2, 2022
(Regular and Special Voting Members) | ACTION |
| 3.2 | Minutes of SJRRC Special Meeting January 6, 2023
(Regular and Special Voting Members) | ACTION |
| 3.3 | Rail Commission/ACE Monthly Expenditure | INFORMATION |
| 3.4 | ACE Monthly Fare Revenue | INFORMATION |
| 3.5 | ACE Ridership | INFORMATION |
| 3.6 | ACE On-Time Performance | INFORMATION |
| 3.7 | Washington Update | INFORMATION |
| 3.8 | Update on Silicon Valley and Tri-Valley Outreach Contracts Activities | INFORMATION |
| 3.9 | Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission (SJRRC) Determining to Conduct Meetings of the SJRRC Board of Commissioners Using Teleconferencing Pursuant to Government Code 54953 as Amended by AB 361 for the Period February 4, 2023 to March 5, 2023 | ACTION |

- 3.10 (Regular and Special Voting Members) **ACTION**
Accept Independent Auditors Financial Report for Fiscal Year 2021-22
(Regular and Special Voting Members)

M/S/C (Young/Hernandez) to Approve Items 3.1-3.10 of the Consent Calendar. Passed and Adopted by the San Joaquin Regional Rail Commission on the 3rd day of February 2023 by the following vote to wit:

AYES: 6 Hernandez, Nuño, Warmesley, Villapudua, Young, Vice Chair
Zuber
NOES: 0
ABSTAIN: 0
ABSENT: 1 Mei

4. **Approve a Resolution of the Board of Commissioners Approving an Agreement with Mott MacDonald Group for Consulting Services for the Near Zero Locomotive Program for an Amount Not-To-Exceed \$655,303 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority** **ACTION**
(Regular and Special Voting Members)

Mr. Brian Schmidt and Ms. Autumn Gowan gave a presentation on this item.

There were no comments on this item.

M/S/C (Young/Warmesley) to Approve a Resolution of the Board of Commissioners Approving an Agreement with Mott MacDonald Group for Consulting Services for the Near Zero Locomotive Program for an Amount Not-To-Exceed \$655,303 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority

Passed and Adopted by the San Joaquin Regional Rail Commission on the 3rd day of February 2023 by the following vote to wit:

AYES: 6 Hernandez, Nuño, Villapudua, Warmesley, Young, Vice
Chair Zuber
NOES: 0
ABSTAIN: 0
ABSENT: 1 Mei

5. **Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting the Transit Asset Management Plan Update** **ACTION**
(Regular and Special Voting Members)

Mr. Brian Schmidt gave a presentation on this item.

Commissioner Nuño inquired about the frequency of the TAM Plan update, and inquired if things are taken into account, such as ridership, for forecasting.

Mr. Schmidt confirmed that the TAM plan is updated every four years for FTA purposes, and explained that ridership is taken into account as it pertains to the condition of the equipment. Mr. Schmidt further explained that with more ridership, there is more cleaning needed on the equipment and also the condition of the stations is taken into consideration with the parking lots, pavement, lighting, platform painting, are all taken into consideration as well.

Commissioner Nuño commented that these are all good examples, and explained that as other stations come online, these will also impact the TAM Plan in the future.

M/S/C (Nuño/Villapudua) to Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting the Transit Asset Management Plan Update

Passed and Adopted by the San Joaquin Regional Rail Commission on the 3rd day of February 2023 by the following vote to wit:

AYES:	6	Hernandez, Nuño, Villapudua, Warmesley, Young, Vice Chair Zuber
NOES:	0	
ABSTAIN:	0	
ABSENT:	1	Mei

6. **Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing the Executive Director to Execute and Submit Any and All Grant Applications, Agreements, Certifications, and Assurances and any other documents necessary to Obtain Financial Assistance Provided by the California State Transportation Agency Under the Transit and Intercity Rail Capital Program (TIRCP)**
(Regular Voting Members Only)

ACTION

Mr. Dan Leavitt gave a presentation on this item.

Mr. Michael Barnbaum congratulated staff for the award received January 31st and the number of stations located in Sacramento on the list to receive TIRCP funding is fantastic. Mr. Barnbaum further commented on the unanimous approval for this item at the January 27th SJJPA meeting, and encouraged for the same from the Rail Commission board.

M/S/C (Warmesley/Young) to Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Authorizing the Executive Director to Execute and Submit Any and All Grant Applications, Agreements, Certifications, and Assurances and any other documents necessary to Obtain Financial Assistance Provided by

the California State Transportation Agency Under the Transit and Intercity Rail Capital Program (TIRCP)

Passed and Adopted by the San Joaquin Regional Rail Commission on the 3rd day of February 2023 by the following vote to wit:

AYES: 5 Nuño, Villapudua, Warmesley, Young, Vice Chair Zuber

NOES: 0

ABSTAIN: 0

ABSENT: 0

- 7. Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission to Appoint a Member and an Alternate of the Rail Commission Board Who are Residents of San Joaquin County to Serve on the Governing Board of the San Joaquin Joint Powers Authority (Regular Voting Members Only)**

ACTION

Executive Director Ms. Stacey Mortensen gave a presentation on this item.

Commissioner Young volunteered for the primary position on the San Joaquin Joint Powers Authority Board since she has already happily served as alternate on this board.

Vice Chair Zuber thanked Commissioner Young for volunteering as the primary representative. Vice Chair Zuber inquired if this had to be a member that lives in the County.

Ms. Mortensen confirmed that it would have to be a regular voting member that lives in the County.

Commissioner Villapudua volunteered to be the alternate representative on the San Joaquin Joint Powers Authority board.

M/S/C (Warmesley/Villapudua) to Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission to Appoint a Member and an Alternate of the Rail Commission Board Who are Residents of San Joaquin County to Serve on the Governing Board of the San Joaquin Joint Powers Authority

Passed and Adopted by the San Joaquin Regional Rail Commission on the 3rd day of February 2023 by the following vote to wit:

AYES: 5 Nuño, Villapudua, Warmesley, Young, Vice Chair Zuber

NOES: 0

ABSTAIN: 0

ABSENT: 0

8. Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commissioners Appointing the Following Two Representatives Positions to the San Joaquin Regional Rail Commission Station/Facilities Development Committee;

- **One from Sacramento Regional Transit District**
 - **One from San Joaquin Regional Rail Commission**
- (Regular Voting Members Only)

Executive Director Ms. Stacey Mortensen gave a presentation on this item.

Vice Chair Zuber inquired if SacRT has recommended that Supervisor Patrick Hume continue to serve on the Committee and appointed Hume as their representative and that Mayor Pro Tem Craig has volunteered to fill the Northern position on the Committee.

Ms. Mortensen confirmed that this was correct and consulted with general counsel, Daniel J. Schroeder if the Rail Commission can take one motion to appoint both members.

General Counsel Daniel J. Schroeder confirmed that the action for the appointments can be taken in one motion.

Commissioner Young inquired if Vice Chair Zuber was the representative for the Rail Commission board and if Commissioner Craig will be the other representative from the Rail Commission Board, and that Supervisor Pat Hume will be a representative on the Station/Facilities Development Committee (Committee) from SacRT.

Ms. Mortensen explained that this was correct, and that Commissioner Craig volunteered to be on the Committee, and that the Rail Commission needs to officially approve Supervisor Hume's appointment to the Committee since the Rail Commission established the Committee by Ordinance.

Mr. Barnbaum inquired about the possibility of regular voting members and non-voting Ex-Officio members from the Sacramento County and Elk Grove County area to be appointed to the Committee as they look towards construction and expansion of ACE revenue service into Sacramento County.

M/S/C (Young/Warmsley) to Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commissioners Appointing the Following Two Representatives Positions to the San Joaquin Regional Rail Commission Station/Facilities Development Committee;

- **One from Sacramento Regional Transit District**
- **One from San Joaquin Regional Rail Commission**

Passed and Adopted by the San Joaquin Regional Rail Commission on the 3rd day of February 2023 by the following vote to wit:

AYES: 5 Nuño, Villapudua, Warmesley, Young, Vice Chair Zuber
NOES: 0
ABSTAIN: 0
ABSENT: 0

9. Election of Officers
(Regular Voting Members Only)

ACTION

Executive Director Ms. Stacey Mortensen gave a presentation on this item.

Commissioner Young commented that continuity, historical context, and having the expertise and knowledge are taken into consideration in the appointments on a board, and that Vice Chair Zuber earned the position as chair in the time served on the board.

Vice Chair Zuber suggested to nominate Commissioner Young as the Vice Chair, as they both served on the board for some time and work well together and know how things are supposed to go on the Rail Commission Board.

Commissioner Young accepted the nomination and commented that they both got to work well together in the process of evaluating the Executive Director on the Ad Hoc Committee.

M/S/C (Nuño/Villapudua) to Appoint Vice Chair Zuber as Chair of the San Joaquin Regional Rail Commission Board and to Appoint Commissioner Young as Vice Chair of the San Joaquin Regional Rail Commission Board.

Passed and Adopted by the San Joaquin Regional Rail Commission on the 3rd day of February 2023 by the following vote to wit:

AYES: 5 Nuño, Villapudua, Warmesley, Young, Vice Chair Zuber
NOES: 0
ABSTAIN: 0
ABSENT: 0

10. Realtor and Developer Outreach Update

INFORMATION

Mr. Rene Gutierrez gave a presentation on this item.

Mr. Vaughn Wolffe recommended that staff update the maps of the different counties that was dated 2019 as San Joaquin County has changed especially regarding the traffic.

Commissioner Hernandez thanked Mr. Gutierrez for the great presentation.

Commissioner Hernandez commented that there are two big development projects happening in the Pleasanton area, with developers Brookfield and Trumark. Commissioner Hernandez recommended coordinating with the cities for outreach on the individual city's social media pages. Commissioner Hernandez commented that Dublin has the Backyard Brief newsletter, and recommended that staff write something up for the newsletter, and they would be happy to put out that information there as well.

Mr. Gutierrez thanked Commissioner Hernandez for the recommendation and commented that staff will follow up and will meet in the Dublin community as well.

Commissioner Nuño inquired if one of these meetings is planned in Manteca, not just with the realtors but also with the public, possibly at a city council meeting.

Mr. Gutierrez commented that staff could set up that meeting. Mr. Gutierrez commented that last September staff was part of the Lathrop/Manteca Economic Development Tour. Mr. Gutierrez commented that staff is welcome to any other recommendations to be out in the community and thanked Commissioner Nuño for the suggestion.

Commissioner Mei thanked Mr. Gutierrez for the outreach and planning. Commissioner Mei commented that all of the cities in Northern California are updating their housing elements and one of the key elements of planning is transportation. Commissioner Mei encouraged staff to reach out to the cities so they are able to highlight and encourage the connection between the outreach that staff is doing and with the developers and builders that are reaching out to the cities. Commissioner Mei commented that this will be shared with the Union City and Newark Mayors as they work closely together looking at the future of the Capitol Corridor and other ways to connect with ACE.

Mr. Barnbaum recommended outreach with the Sacramento Association of Realtors, the Downtown Sacramento Partnership and possibly presentations of the train services to the Elk Grove City Council Board of Supervisors, and Sacramento City Council, as looking toward expansion of rail service to Sacramento County.

11. Board Member Comments

Vice Chair Young welcomed the new members to the Rail Commission Board.

Chair Zuber inquired about the end of the State of Emergency on February 28th, and if the March meeting will be anticipated to be an in-person meeting for everybody.

General Counsel, Daniel J. Schroder, presented the in-person meeting requirements for the Rail Commission, as the legislation of AB-361 to allow for remote meetings will not be able to be utilized without a proclamation of a State of Emergency, as the proclamation of the State of Emergency will be rescinded after February 28, 2023. Mr. Schroeder commented that meetings will go back

to in-person as of March 1, 2023 and will be returning to the strict rules regarding board members that would like to join the meetings telephonically. Mr. Schroeder explained that the legislature recently enacted AB2449 to create a very limited instance in which a board member can appear telephonically for a board meeting without posting all of the notices, as required in the Brown Act, under very limited circumstances.

Ms. Mortensen inquired if a board member is travelling on government business, what is an example of an acceptable public place to attend the meeting.

Mr. Schroeder explained under AB2449, if travelling for government business, the Brown Act requirements would not apply and the board member would be able to call in from any location without needing to post and make available to the public. Mr. Schroeder confirmed that this is acceptable under AB2449 for just cause, up to twice a year.

Commissioner Warmley commented that the virtual participation option for the public is critical, especially as it relates to communities that have difficulty accessing the in-person meeting. Commissioner Warmley advised for the board to continue to evaluate and pass a resolution if appropriate, to ensure that the community and residents have the ability to join these meetings virtually.

Ms. Mortensen agreed with the virtual meeting option for the public and inquired if an emergency item would be necessary for the next meeting in March or if direction from the board would be sufficient.

Mr. Schroeder explained that they can take direction for the March meetings to remain as they are for the public with the option to attend virtually, and an item can be added to the March meeting Agenda to adopt a policy for the virtual attendance option going forward for the public.

Commissioner Hernandez commented that the many committees have made it accessible for the residents and board members and that it is important to be green as well. Commissioner Hernandez commented that Stop Waste in Alameda County has done an amazing job and offered to connect staff with the Stop Waste Executive Director, Tim Burrows, to explore the options of giving the board members and the residents the flexibility for attending meetings.

Chair Zuber confirmed that staff will follow through with the connection to Executive Director Tim Borrows.

Commissioner Nuño commented that travelling is gearing back up and at one time hotel lobbies were an option that worked out well at one time. Commissioner Nuño commented that the option would be beneficial for both the public and board members to be able to attend remotely. Commissioner Nuño inquired if it is a requirement in the Rail Commission by-laws for all in-person board meetings to take place in Stockton at the Cabral Station, or are they able to be rotated and moved around to different locations.

Mr. Schroeder explained that the Rail Commission by-laws state that all regular meetings of the Rail Commission will be held at a time and place within San Joaquin County as specified by resolution, and there is a resolution that specifies Cabral Station in Stockton. Mr. Schroeder explained that the board could easily determine a different meeting location and staff would be prepare a resolution to be passed by the board to allow for a specific meeting place for the next meeting. Mr. Schroeder explained that if the Rail Commission wants to hold a special meeting, this can be held anywhere in San Joaquin County.

Commissioner Nuño thanked Mr. Schroeder for the clarification and suggested to the board to have the option to be able to see other communities and see other transit centers.

Commissioner Mei supported the option to occasionally visit other stations to have better insight on the different stations.

Mr. Michael Barnbaum commented in favor of having the accessibility for the public to be able to attend the meetings remotely. Mr. Michael Barnbaum commented in hopes of the future option to have the recorded meetings available on Youtube, so those that have scheduling conflicts can watch recorded meetings later on.

Mr. Vaughn Wolffe commented that the board should consider the idea of reserving the public participation within a territorial range, as in experience with other boards, members of the public that live thousands of miles away are able to call in and add additional time to the meetings despite not living within the community.

Mr. Schroeder commented that ex-officio's are not voting members on the Commission and therefore can attend remotely if the Board shall make that available for all members of the public.

Commissioner Warmsley commented that it is exciting to have the opportunity to join the Rail Commission board and work closely with the Commissioners and for the future of the Rail Commission board.

12. Ex-Officio Comments

Mr. Steve Dial of SJCOG congratulated the Rail Commission for being awarded \$142 million from the TIRCP and wished everyone a good weekend.

Mr. Ken Baxter of SJRTD welcomed the new Commissioners to the Rail Commission Board and congratulated Chair Zuber and Vice Chair Young on their appointments. Mr. Baxter offered to be of any assistance to the new board members and to the Commissioners. Mr. Baxter congratulated the Rail Commission on their recent success with the TIRCP Grant, and commented that SJRTD recently provided a support letter and worked with Dan Leavitt on Round 2 of the TIRCP process, and wished the Rail Commission the best on this Valley Rail Expansion project that was awarded the TIRCP funds. Mr. Baxter commented that SJRTD worked with the San Joaquin Office of Emergency Services to evacuate 64 people from the Arbor home area in Acampo from January 15th to January 17th due to the recent atmospheric rivers

and flooding. Mr. Baxter commented that staff worked overtime and quickly deployed buses to ensure safe transport of these individuals to the Lodi Grape Festival grounds where they received assistance from the Red Cross. Mr. Baxter commented that on Wednesday January 11th, SJRTD hosted its first annual human trafficking awareness and prevention event and the Downtown Transit Center, and representatives from the Women's Center, Youth and Family Services, and Stockton Police Vice Unit presented topics and prevention methods. Mr. Baxter commented that SJRTD's system-wide ridership has improved and is at 59% of pre-Covid ridership. Mr. Baxter commented that SJRTD's Bus Rapid Transit Program is providing the best recovery rate right now for ridership at 73% of pre-Covid ridership.

Mr. Tom Dumas of Caltrans congratulated the new board members on the Rail Commission Board. Mr. Dumas commented that Caltrans' Sustainable Transportation Planning Grants are out, and project applications are due March 9th. Mr. Dumas offered assistance for anyone that has any questions. Mr. Dumas commented that this year there is an additional \$50 million in the Climate Adaptation Planning Grant Program that may be helpful to a lot of people, especially in light of the severe weather that has happened recently.

Executive Director Ms. Stacey Mortensen commented that the StanCOG members had to leave at about 9:00am.

13. Executive Director's Report

Ms. Mortensen reported that the recent weather event caused problems in the Niles Canyon mudslide area that people probably have seen on TV or in updates from Ms. Mortensen or from Director of Rail Services, Ms. Tamika Smith. Ms. Mortensen expressed appreciation to Ms. Smith and Mr. John Paul Zanaska of Herzog, the Rail Commission's contracting group, for working diligently to get other trains to assist and get passengers to their destinations. Ms. Mortensen commented in appreciation of the cooperation from LAVTA and SJRTD that were immediately there with buses ready for the passengers. Ms. Mortensen commented that Union Pacific has been working with Alameda County, local cities and San Francisco County who own the property in the Niles Canyon area, and have already assessed and started to remedy the hillside to prepare for future weather impacts. Ms. Mortensen commented that the bike car was not able to be brought back when another train was connected to bring passengers back to Pleasanton, and staff had a detailed organization system to store the bikes for four days and get them on the train back to the passengers at their designated stations. Ms. Mortensen followed up with Commissioner's Young inquiry of ACE Saturday Service from the January 6th Rail Commission meeting and commented that staff has looked at Saturday Service and found that the data for the interest in Saturday Service is outdated. Ms. Mortensen commented that Mr. David Lipari has included questions regarding Saturday Service in the ACE Passenger Survey that will be coming out shortly, in order to determine the interest. Ms. Mortensen commented that staff will report on the updated data following the passenger survey. Ms. Mortensen commented that the Rail Commission has partnered with the City of Stockton to jointly submit their One Voice project for upgrading the Martin Luther King Jr. Boulevard, old Caltrans right of way, where the rail lines go over, to make it a better place for vehicles, pedestrians, bicycles, strollers, and

scooters. Ms. Mortensen commented that the SJCOG process this year limiting everyone to one project for the OneVoice trip worked out well, and that hopefully the comments presented are helpful to the project sponsors.

Commissioner Warmley commented that this project is important and needed, as historically the investment was not there for that area.

Ms. Mortensen commented that the Rail Commission and the City of Stockton are excited to have that project presented to the COG board for adoption at the February SJCOG meeting. Ms. Mortensen commented that SJRTD board member, Les Fong is putting together a substantial Disadvantaged Business workshop and training to allow businesses to understand how to get into the queue, how to get materials in advance, and how to get on lists to know of upcoming projects and have adequate time to prepare. Ms. Mortensen commented that the Rail Commission will be a primary partner in this effort.

Vice Chair Young thanked Ms. Mortensen for the follow-up for the ACE Saturday Service.

14. Adjournment

Chair Zuber adjourned the meeting at 9:38 am.

The next regular meeting is scheduled for:
March 3, 2023 – 8:00 am

**San Joaquin Regional Rail Commission
Altamont Corridor Express
Operating and Capital Expense Report
December 2022
50% of Budget Year Elapsed**

OPERATING EXPENSES	SJRRC FY 22-23 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE	ACE FY 22-23 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE
Project Management, Services & Supplies Subtotal	\$ 3,266,866	\$ 1,679,882	51%	\$ 5,791,735	\$ 1,469,816	25%
Contracted Services Subtotal	\$ 530,530	\$ 228,860	43%	\$ 27,769,943	\$ 10,782,870	39%
Shuttle Services				\$ 1,792,856	\$ 896,428	50%
TOTAL OPERATING EXPENSES	\$ 3,797,396	\$ 1,908,742	50%	\$ 35,354,534	\$ 13,149,114	37%

OPERATING EXPENSES	SJRRC - CONTRACTED SERVICES FY 22-23 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE	SJRRC - TRACC FY 22-23 ALLOCATION	EXPENSE TO DATE	% SPENT TO DATE
Project Management, Services & Supplies Subtotal	\$ 200,000	24,084	12%	\$ 112,205	-	0%
Contracted Services Subtotal	\$ 5,425,000	\$ 239,824	4%	\$ 1,501,491	-	0%
TOTAL CONTRACTED SERVICES EXPENSES	\$ 5,625,000	\$ 263,909	5%	\$ 1,613,696	-	0%

CAPITAL PROJECTS	CAPITAL FY 22-23 ALLOCATION	EXPENSE TO DATE	SPENT TO DATE
SAN JOAQUIN RAIL COMMISSION			
1 East Channel Street Improvements	500,000	708	0%
2 Robert J. Cabral Station Expansion	2,500,000	148,707	6%
TOTAL CAPITAL PROJECT SJRRC	\$ 3,000,000	\$ 149,415	5%

ALTAMONT CORRIDOR EXPRESS			
1 SJ COG Loan Repayment	1,118,012	1,118,012	100%
2 A1 & A2 Bond Repayment	1,775,164	492,200	28%
3 UPRR Capital Access Fee	3,242,516	1,621,258	50%
4 UPRR Capitalized Maintenance Projects	4,000,000	867,457	22%
5 UPRR Safety Improvement Fund	500,000	-	0%
6 Valley Rail - Stockton to Natomas	29,700,000	2,446,840	8%
7 Valley Rail - Lathrop to Ceres/Merced	27,700,000	3,716,516	13%
8 Valley Rail - Ceres to Turlock	750,000	-	-
9 Stockton Diamond Grade Separation	36,000,000	2,883,164	8%
10 Locomotive Simulator Purchase	1,000,000	-	0%
11 Charger Locomotives	500,000	-	-
12 Platform Extension Projects	3,500,000	146,417	4%
13 Cabral Station Track Extension	23,000,000	5,517,376	24%
14 Positive Train Control	700,000	239,081	34%
15 Rail Cars - (5) passenger rail cab cars (12) passenger coach cars (4) Option Coach	5,500,000	-	0%
16 Phase 2 Wi-Fi Installation	1,200,000	-	-
17 Railcar Midlife Overhaul	7,130,166	942,096	13%
18 Locomotive Conversion	1,739,328	-	0%
19 Rail Maintenance Facility Expansion	25,654,435	4,058,989	16%
20 Newark-Albrae Siding Connection	1,470,000	-	0%
21 Facility Upgrades and Capital Improvements	199,260	-	0%
22 Tracy ACE Station Improvements	1,500,000	9,429	1%
23 Capital Spares	1,000,000	107,355	11%
24 Network Integration	1,041,578	-	0%
25 Short Range Transit Plan	46,123	-	0%
26 The Rail Academy of Central California (TRACC)	3,100,000	-	0%
TOTAL CAPITAL PROJECTS ACE	\$ 183,066,582	\$ 24,166,191	13%
TOTAL CAPITAL PROJECTS SJRRC & ACE	\$ 186,066,582	\$ 24,315,605	13%

Status of FY 22/23 Capital Projects - Notes as of February 2023

SAN JOAQUIN RAIL COMMISSION

- 1 East Channel Street Improvements - SJRRRC received \$2 million from the San Joaquin Council of Governments' Measure K funds to improve the pedestrian and bicycle access along Channel Street between the Downtown Transit Center and Cabral Station. The project received an additional \$4 million from SJCOG's Regional Active Transportation Program in Fall 2021. Final design for the project is being completed, but construction is delayed in order for the City to complete its utility undergrounding in the project area. Construction is anticipated to begin in Spring 2023.
- 2 Robert J. Cabral Parking Lot Expansion -Project will construct a new parking lot at the site of the old Western Pacific depot in Stockton, as well as reconstruct the building. Environmental work has been completed and design is underway for the parking lot and building reconstruction. Design will be completed the 2nd quarter of 2023 with construction starting in the Fall.

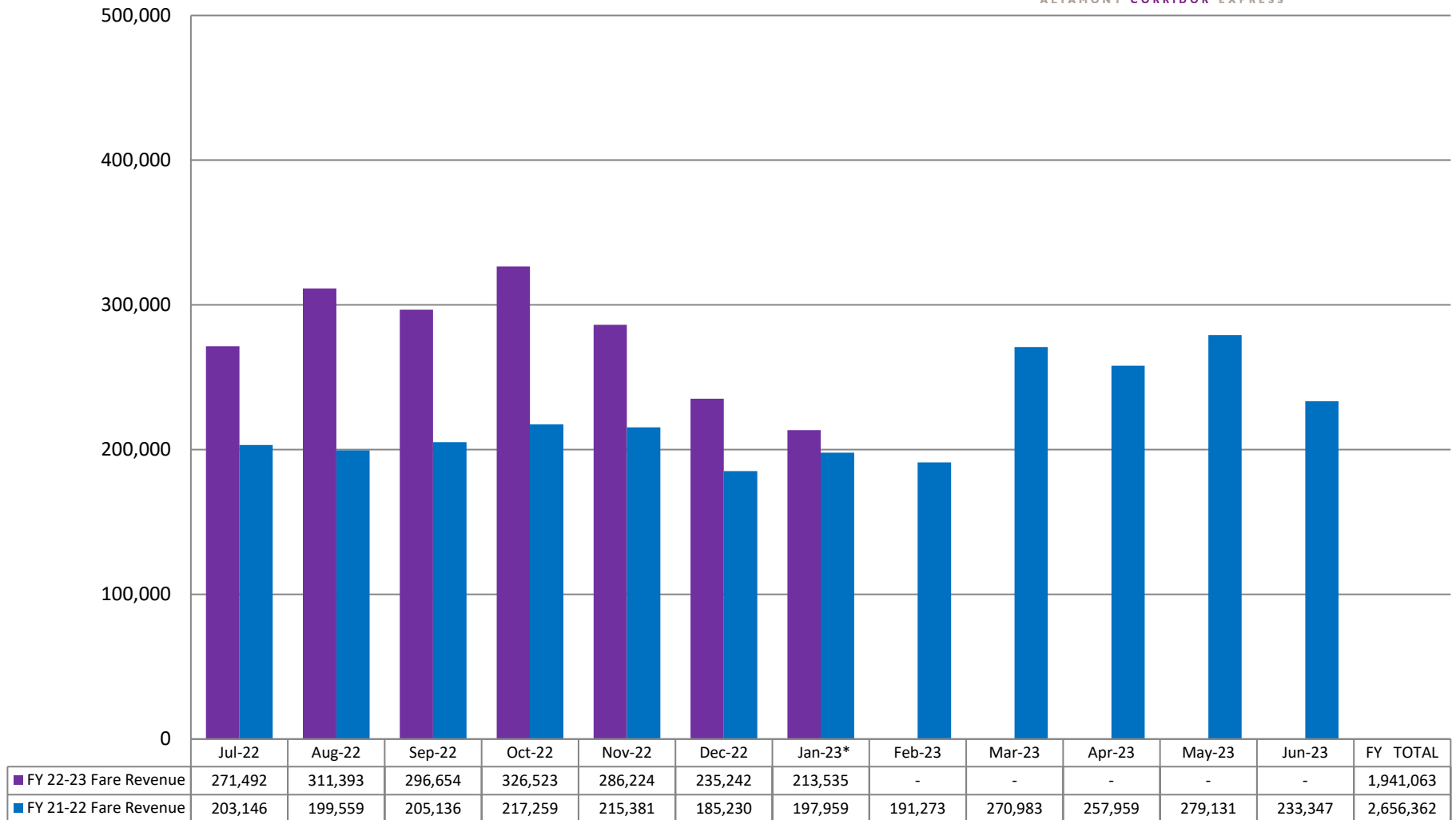
ALTAMONT CORRIDOR EXPRESS

- 1 SJ COG Loan Repayment - Annual payment made July 1, 2022 per SJCOG amended loan agreement.
- 2 Bond Repayments - Bond repayments are made bi-annually, payments FY 22-23 are due in November 2022 and May 2023.
- 3 UPRR Capital Access Fee - Payment for calendar year 2022 paid in two installments in July 2022 and January 2023.
- 4 UPRR Capitalized Maintenance Projects - Multi-year project is budgeted at \$4,000,000 for the year. Invoices are received throughout the year.
- 5 UPRR Safety Fund - Ongoing project.
- 6 Valley Rail Natomas to Stockton - A Notice of Preparation for the Elk Grove Station EIR was released on August 4, 2021 for a 30-day public comment period. The Elk Grove Station EIR Admin Draft was released in December 2021 with the public comment period ending January 18th, 2022. Plans, Specifications, and Estimates and Right of Way activities for various individual projects along the corridor is ongoing. These projects include stations, layover facilities, and trackwork.
- 7 Valley Rail Lathrop to Ceres/Merced - The Environmental Impact Report (EIR) was certified in August 2018. Final design is currently underway for individual projects along the corridor. Preparation of a project level EIR for Ceres to Merced is underway. The project level Draft EIR for Ceres to Merced was released for public review on April 22nd, 2021 and comments were due June 7th, 2021. The Final EIR was approved at the December 3 2021 Board Meeting. PS&E and Right of Way activities for various individual projects along the corridor is ongoing.
- 8 Valley Rail Ceres to Turlock - The project delivers in full the ACE Extension to Turlock, which is an interim phase of SJRRRC's planned Ceres to Merced extension. This project extends ACE services approximately 10 miles south to the Turlock Station and constructs the layover track, which is critical for integrating Turlock in the greater regional and statewide rail network, providing direct city-center-to-city-center connections within the San Joaquin Valley.
- 9 Stockton Diamond Grade Separation - The project will grade separate the existing UPRR and BNSF lines creating an uninterrupted flow of rail traffic through the crossing. Project Approval (PA) and Environmental Document (ED) services for the project are currently underway. The Final EIR was adopted by the Board on June 4th, 2021. The California Transportation Commission approved the project for Future Consideration of Funding at their June 23-24, 2021 meeting and allocate funding for the final design and right of way phases. Right of Way appraisals are ongoing with property acquisitions and transfer to soon begin. The design phase is proceeding and construction is expected to start in June 2024. SJRRRC is meeting with the City of Stockton on a regular basis to facilitate design reviews.
- 10 Locomotive Simulator Purchase - SJRRRC is in communication with Herzog to develop a cost estimate for a Request for Proposal (RFP) for the project. SJRRRC expects to award contract in the 4th quarter of the 2022/2023 fiscal year.
- 11 Charger Locomotives - The two option Charger Locomotive units will begin construction in early 2023 with completion in late 2024. Progress payments are being processed to allow for construction.
- 12 Platform Extension Projects - Design documents for the project are at 90%. The Consultant is revising structural design elements to comply.
- 13 Cabral Station Track Extension - Construction is ongoing for the project. The current focus is Potholing to confirm subsurface utility locations.
- 14 Positive Train Control - Staff continues to work with UPRR, Caltrain, FRA and all Passenger Rail Partners on software updates and system improvements.
- 15 Rail Cars - A contract with Bombardier was Approved at the April 2020 SJRRRC Board meeting. Additionally, an option order was approved by the Board at the December 2020 meeting for 4 additional coaches. This is a Multi-year project for the procurement of five (5) passenger rail cab cars and 16 passenger coach cars. Delivery of the first cars is scheduled for Spring 2023. Delays to the delivery are associated with supply chain issues and illness due to the Covid-19 Pandemic and the need to repaint the entire car order due to systemic paint production failure.
- 16 Phase 2 Wi-Fi Installation - Consultant contract was awarded at the February 2022 Board Meeting. WiFi installation will begin after the new Bi-level passenger cars are conditionally accepted, which will be after the cars are repainted by the manufacturer.
- 17 Railcar Midlife Overhaul - Midlife overhauls of ACE's existing fleet of 30 railcars is underway. Currently 6 railcars are at 90% completed overhaul, awaiting passenger information system installation. The remaining 24 cars are approximately 30% complete in overhaul, awaiting paint and other rail overhaul work.
- 18 Locomotive Conversion - Decommissioning of two State owned locomotives is complete. Staff is working with the State of California on a scope of work for the conversion of the two units. The Near Zero Locomotive Study will be brought before the Board for consideration at the February 2023 Commission Meeting. The project is awaiting project funding approval in the Federal Transportation Improvement Plan (FTIP).
- 19 Rail Maintenance Facility Expansion - This project is in construction on schedule. Construction is scheduled to be completed by Summer 2023. Rain has caused delays in the project, however the delays are not affecting the completion date at this time.
- 20 Newark-Albrae Siding Connection - Consultant contract awarded at the October 2022 Board Meeting. The Scope of Services for the Project includes, but is not limited to: Project Approval/Environmental Documents (PA&ED) or Preliminary Design, Project Specifications and Estimates (PS&E). Final Design and Permits, Preliminary Engineering (PE), Environmental Clearance and Final Design for federal projects, and Design Support during Construction. The Notice to Proceed is to be issued in February 2023. The design is expected to take between 18 months to 24 months to complete. The key requirement in design is clearance due to the wetland proximity to the project.
- 21 Facility Upgrades and Capital Improvements - Currently ongoing
- 22 Tracy ACE Station Improvements - Plans are 100% complete and submitted for permit. The project is awaiting federal funding approval in TrAMS for a grant amendment to complete the National Environmental Policy Act (NEPA) Categorical Exclusions.
- 23 Capital Spares - Preventative Maintenance is ongoing.
- 24 Network Integration - All network intergration deliverables have been completed and submitted to Caltrans.
- 25 Short Range Transit Plan - Per MTC guidelines, the FY2022-2027 SRTP will be presented to the SJRRRC board in January for approval. Once approved, the final draft of the SRTP will be submitted to MTC.
- 26 The Rail Academy of Central California (TRACC) - The Rail Academy will provide the youth of Stockton and the surrounding region the opportunity to gain marketable skills and position them for successful careers in the transportation industry. The first cohort will occur at the ACE Rail Maintenance Facility in August 2023.

Fare Revenue



Item 3.3



% of Budget Year Elapsed: 58%

FY 22-23 % of Budgeted Fare Revenue Received to Date: 45.4%

Projected Annual Fare Revenue (includes Amtrak Thruway Service): \$4,275,000.00

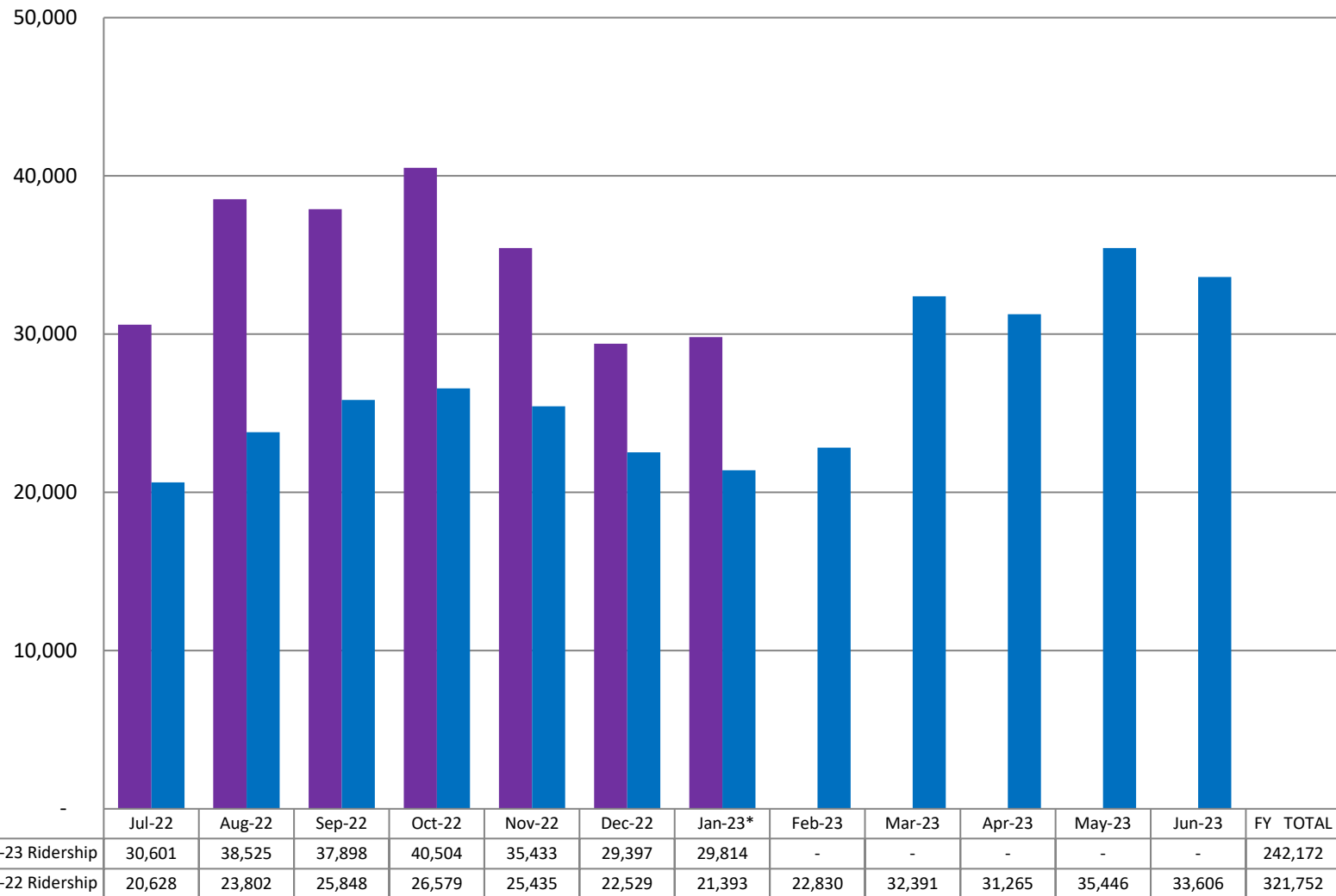
*Service Disruption: January 17th and 18th

Canceled Service: January 19th and 20th

Ridership

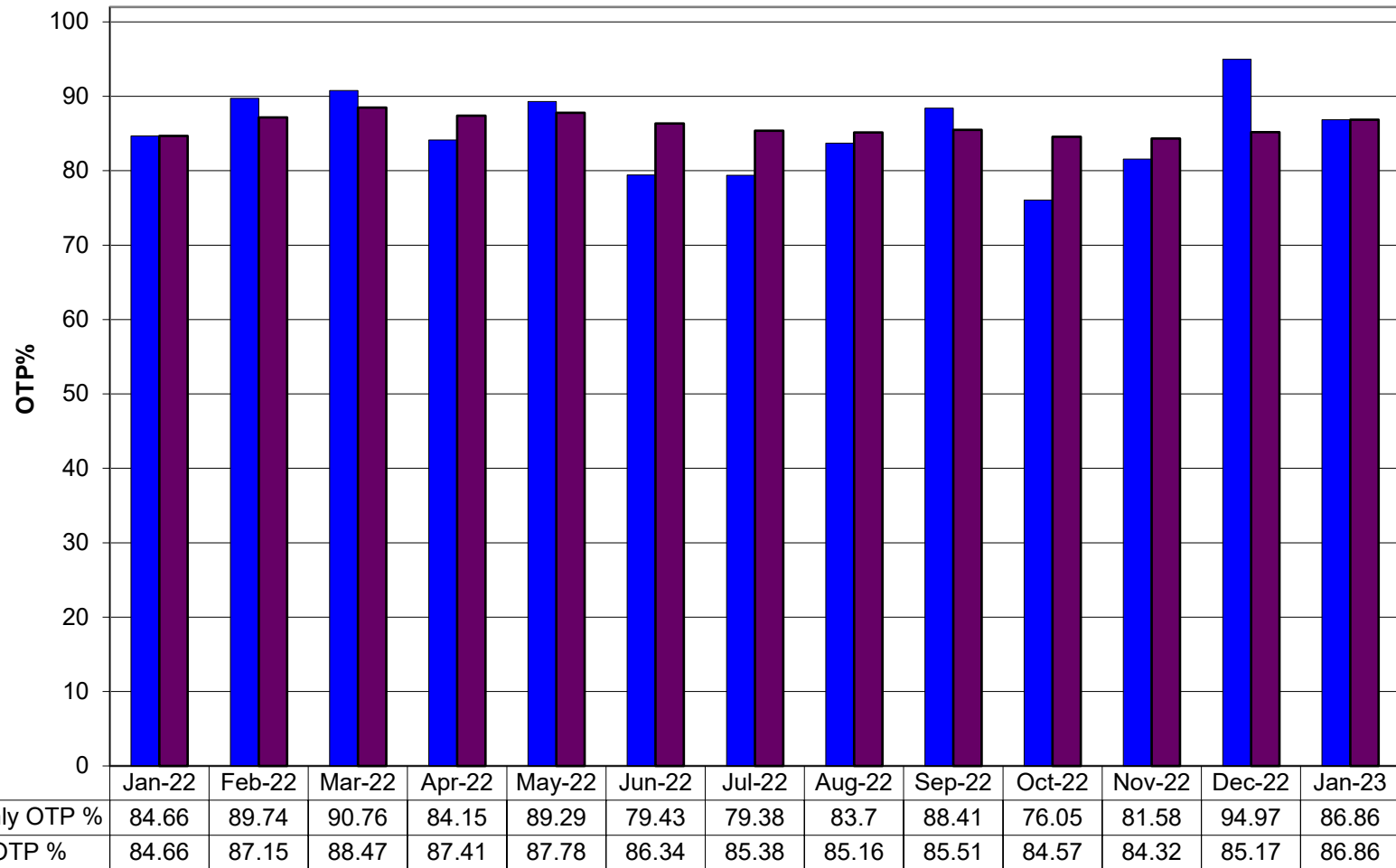


Item 3.4



*Service Disruption: January 17th and 18th
 Canceled Service: January 19th and 20th

ACE ON TIME PERFORMANCE



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Buchanan Ingersoll & Rooney PC
1700 K Street, NW, Suite 300
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T 202 452 7900

TO: San Joaquin Regional Rail Commission (SJRRRC)
FROM: TG&A Staff
SUBJECT: Monthly Progress Report for FEBRUARY 2023
DATE: February 22, 2023

THE BIDEN ADMINISTRATION/EXECUTIVE BRANCH

February 8, 2023. President Joe Biden released new [state-by-state fact sheets](#) that outline infrastructure progress since enactment of the [IIJA](#). Each state fact sheet also provides anticipated funding allocations by category over the five years. The White House press release notes that the “Administration has announced nearly \$200 billion in funding and over 20,000 projects or awards, which are highlighted in a [new map](#) showcasing all projects and funding awards in all 50 states and territories.”

February 7, 2023. President Joe Biden delivered his second State of the Union Address (full address remarks [here](#)) to a packed joint session of Congress in the House chamber, and before a newly-controlled Republican House. The 72-minute address outlined the President’s accomplishments and upcoming priorities and legislative agenda. Regarding transportation the President noted, “Now we’re coming back because we came together to pass the Bipartisan Infrastructure Law [[Infrastructure Investment and Jobs Act](#)], the largest investment in infrastructure since President Eisenhower’s Interstate Highway System. Already, we’ve funded over 20,000 projects, including at major airports from Boston to Atlanta to Portland. These projects will put hundreds of thousands of people to work rebuilding our highways, bridges, railroads, tunnels, ports and airports, clean water, and high-speed internet across America.”

January 30, 2023. The Biden Administration issued a [Statement of Administration Policy](#) (SOAP) announcing a plan to extend the COVID-19 national emergency and public health emergency (PHE) emergency declarations through May 11, 2023, and then end both emergencies on that date. See [Notice: Major Disaster Declarations](#) Federal Register [here](#), i.e. “*all COVID–19 major disaster declarations and the nationwide emergency declaration will close effective May 11, 2023. Eligibility of work and costs reimbursable through Public Assistance funding will end on this date.*” The PHE was first declared in January 2020 under the Trump Administration and has been renewed by 90 days every time since it was due to expire. Another consequence of terminating the health emergency is that it will end the Title 42 policy at the border. The SOAP also said, “The Administration strongly opposes enactment of H.R. 382 and H.J. Res. 7, which would be a grave disservice to the American people.” [Both of those bills have passed the House of Representatives.]

BIDEN 2023 TRANSPORTATION-RELATED NOMINATIONS/CONFIRMATIONS

Since the January 2023 report, there are no relevant changes in status to transportation-related nominees. **A full 2022/2023 listing of “Nominations” is available from TG&A upon request.**

APPROPRIATIONS/BUDGET

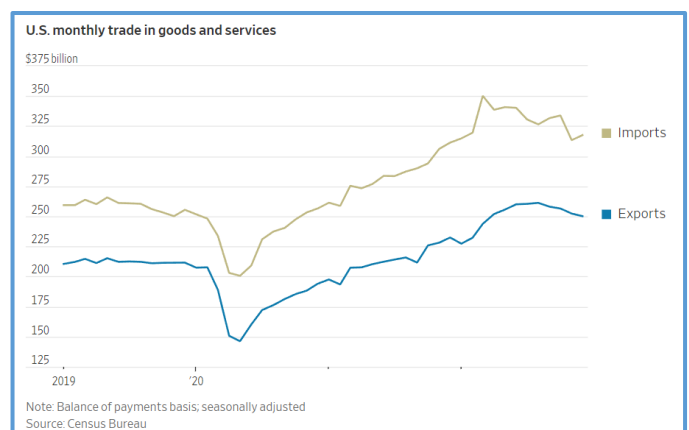
OVERALL STATUS. According to an Office of Management and Budget Memo, the Biden Administration will send its proposed FY 2024 Budget to Capitol Hill on March 9, 2023, after the statutory deadline of the first Monday in February (2/6/23). The White House typically delivers its budget after the State of the Union address, which was February 7, 2023.

The President's budget marks the beginning of the Congressional budget process and budget season. Meanwhile, President Biden and House Speaker Kevin McCarthy (R-CA) continue to discuss debt-ceiling negotiations. The Treasury Department has transmitted that it can avoid default until early June by taking extraordinary accounting measures. House Republicans want to trim government spending in exchange for a vote to increase the debt limit while President Biden is calling for an increase in the limit without any preconditions. See McCarthy address on debt limit ceiling [here](#).

February 15, 2023. The Congressional Budget Office (CBO) released a document entitled, "[Federal Debt and the Statutory Limit, February 2023](#)." The CBO projects that, if the debt limit is not raised or suspended, the government's ability to issue additional debt—other than to replace maturing securities—will be exhausted between July and September 2023. If the debt limit is not raised or suspended, the Treasury will not be authorized to issue additional debt other than to replace maturing securities. That restriction would ultimately lead to delayed payments for some government activities, a default on the government's debt obligations, or both. Congress has several months to reach an agreement on lifting the debt limit to avoiding a default.

February 11, 2023. The US Department of Treasury issued its [Monthly Treasury Statement Receipts and Outlays of the United States Government For FY 2023 Through January 31, 2023](#). The government scored a **\$39 billion deficit in the month of January 2023** with **total January receipts reaching \$447 billion** against January **outlays of \$486 billion**. The FY 2023 cumulative deficit for the four-month period ending in January is \$460 billion. [See CBO January 2023 Monthly Budget Review [here](#) also talking about FY 2023 cumulative deficit.] The WSJ notes that, "The Treasury's spending on interest on the debt is up 41 percent to \$198 billion in the first four months of this fiscal year compared with \$140 billion in the same period last year, according to a Congressional Budget Office estimate of spending through January." **Updated News:** On February 15, the CBO released its "[The Budget and Economic Outlook: 2023 to 2033](#)" noting that the federal deficit totals \$1.4 trillion in 2023, and averages \$2.0 trillion per year from 2024 to 2033. Real GDP growth comes to a halt in 2023 and then rebounds, averaging 2.4 percent from 2024 to 2027. Debt is on course to reach a record 118 percent of GDP by 2033. The deficit amounts to 5.3 percent of gross domestic product (GDP) in 2023, swells to 6.1 percent of GDP in 2024 and 2025, and then declines in the two years that follow. And, three major federal trust funds – the **Highway Trust Fund (HTF)**, Medicare Hospital Insurance, and Social Security Old-Age and Survivors Insurance – will be exhausted within the next decade. That is, the CBO projects that the HTF will run out of money in 2028.

February 7, 2023. The U.S. Census Bureau and the U.S. Bureau of Economic Analysis (BEA) [announced](#) the largest trade deficit (imports exceeded exports) on record last year. For 2022, the goods and services deficit was \$948.1 billion, up \$103.0 billion from \$845.0 billion in 2021 (a 12 percent increase). The deficit was in response to surge in goods imported ranging from crude oil to consumer items like pharmaceuticals and household products. In December 2022 the deficit expanded to \$67.4 billion. Analysts have noted that trade has been a swing factor in GDP growth over the last year, bogging it down in the early months of 2022 but providing a boost later on in the year. [*US imports of goods from China totaled \$536.8 billion in 2022, a 6.3 percent increase from the prior year and close to the record \$538.5 billion reached in 2018.*] See nearby WSJ chart, and full BEA News Release [here](#).



SELECTED CONGRESSIONAL HEARINGS/BUSINESS

With the exception of the Senate Committee on Energy and Natural Resources, the leadership of the House and Senate transportation-related committees have named their subcommittee chairs/ranking members. See nearby leadership chart.

22-Feb-23		Leadership of Transportation-Related Committees of the 118 th Congress (1st Session)						
TAI GINSBERG & ASSOCIATES, LLC								
House Committees (Republican Majority)		Chairman/Chairwoman		Ranking Member		Selected House Republican (Majority) Leadership		
APPROPRIATIONS		Kay Granger	R-TX	Rosa DeLauro	D-CN	Kevin McCarthy	House Speaker	R-CA
Sub. on Commerce, Justice and Science		Hal Rogers	R-KY	Matt Cartwright	D-PA	Steve Scalise	Majority Leader	R-LA
Sub. on Energy & Water Development		Chuck Fleischmann	R-TN	Marcy Kaptur	D-OH	Tom Emmer	Majority Whip	R-MN
Sub. On Homeland Security		Dave Joyce	R-OH	Henry Cuellar	D-TX	Elise Stefanik	Conference Chairman	R-NY
Sub. on Transportation/HUD		Tom Cole	R-OK	Mike Quigley	D-IL	Gary Palmer	Policy Committee Chairman	R-AL
						Richard Hudson	National Republican Cong. Committee Chairman	R-NC
BUDGET		Jodey Arrington	R-TX	Brendan Boyle	D-PA	Mike Johnson	Conference Vice-Chairman	R-LA
ENERGY AND COMMERCE		Cathy McMorris Rodgers	R-WA	Frank Pallone, Jr.	D-NJ			
Sub. on Energy, Climate and Grid Security		Jeff Duncan	R-SC	Diana DeGete	D-CO			
Sub. on Environment, Manufacturing and Critical Minerals		Bill Johnson	R-OH	Paul Tonko	D-NY			
HOMELAND SECURITY		Mark Green	R-TN	Bennie Thompson	D-MS			
Sub. on Emergency Management and Technology		Anthony D'Esposito	R-NY	Troy Carter	D-LA			
Sub. on Transportation and Maritime Security		Carlos Gimenez	R-FL	Shri Thanedar	D-MI			
TRANSPORTATION AND INFRASTRUCTURE		Sam Graves	R-MO	Rick Larsen	D-WA	Selected House Democratic (Minority) Leadership		
Sub. on Aviation		Garret Graves	R-LA	Steve Cohen	D-TN	Hakeem Jeffries	Minority Leader	D-NY
Sub. On Coast Guard/Maritime Transportation		Daniel Webster	R-FL	Salud Carbajal	D-CA	Katherine Clark	Minority Whip	D-MA
Sub. on Highway/Transit		Rick Crawford	R-AR	Elanor Holmes Norton	D-DC	Pete Aguilar	Caucus Chairman	D-CA
Sub. on Railroads/Pipelines/Hazardous Materials		Troy Nehls	R-TX	Donald Payne Jr.	D-NJ	Ted Lieu	Caucus Vice-Chairman	D-CA
Sub. on Water Resources/Environment		David Rouzer	R-NC	Grace Napolitano	D-CA	James Clyburn	Assistant Leader	D-SC
WAYS AND MEANS		Jason Smith	R-MO	Richard Neal	D-MA	Jan Schakowsky	Senior Chief Deputy Whip	D-IL
						Joe Neguse	Chairman Policy / Communications	D-CO
Senate Committees (Democrat Majority)		Chairman/Chairwoman		Ranking Member		Selected Senate Democratic (Majority) Leadership		
APPROPRIATIONS		Patty Murray	D-WA	Susan Collins	R-ME	Chuck Schumer	Majority Leader/Chair of the Conference	D-NY
Sub. on Transportation/HUD		Brian Schatz	D-HI	Cindy Hyde-Smith	R-MS	Dick Durbin	Majority Whip	D-IL
Sub. on Homeland Security		Christopher Murphy	D-CT	Katie Britt	R-AL	Debbie Stabenow	Chair Policy and Communications Committee	D-MI
Sub. on Energy & Water Development		Dianne Feinstein	D-CA	John Kennedy	R-LA	Amy Klobuchar	Chair of Steering Committee	D-MN
BANKING, HOUSING AND URBAN AFFAIRS		Sherrod Brown	D-OH	Tim Scott	R-SC	Elizabeth Warren	Vice-Chair of Conference	D-MA
Sub. on Housing, Transportation & Community Development		Tina Smith	D-MN	Cynthia Lummis	R-WY	Mark Warner	Vice-Chair of Conference	D-VA
						Bernie Sanders	Chair of Outreach	I-VT
BUDGET		Sheldon Whitehouse	D-RI	Chuck Grassley	R-IA			
COMMERCE, SCIENCE AND TRANSPORTATION		Maria Cantwell	D-WA	Ted Cruz	R-TX			
Sub. on Aviation Safety, Operations and Innovation		Tammy Duckworth	D-IL	Jerry Moran	R-KS			
Sub. on Oceans, Fisheries, Climate Change & Manufacturing		Tammy Baldwin	D-WI	Dan Sullivan	R-AK			
Sub. on Surface Transportation, Maritime, Freight and Ports		Gary Peters	D-MI	Todd Young	R-IN			
ENERGY AND NATURAL RESOURCES		Joe Manchin	D-WV	John Barrasso	R-WY			
Sub. on Energy		TBA		TBA				
Sub. on Water and Power		TBA		TBA				
ENVIRONMENT AND PUBLIC WORKS		Tom Carper	D-DE	Shelley Moore Capito	R-WV	Selected Senate Republican (Minority) Leadership		
Sub. on Transportation and Infrastructure		Mark Kelly	D-AZ	Kevin Cramer	R-ND	Mitch McConnell	Minority Leader	R-KY
Sub. on Fisheries, Wildlife, and Water		Alex Padilla	D-CA	Cynthia Lummis	R-WY	John Thune	Minority Whip	R-SD
FINANCE		Ron Wyden	D-OR	Mike Crapo	R-ID	John Barrasso	Conference Chair	R-WY
HOMELAND SECURITY & GOVERNMENT AFFAIRS		Gary Peters	D-MI	Rand Paul	R-KY	Joni Ernst	Chair of the Republican Policy Committee	R-IA
						Shelley Moore	Vice Chairwoman Conference	R-WV
						Steve Daines	Chairman of the National Republican Senatorial Committee	R-MT

February 1, 2023. The House Committee on Transportation and Infrastructure held their first hearing in 2023 to discuss and receive testimony on, “The State of Transportation Infrastructure and Supply Chain Challenges.” [Committee Link and Testimony](#).

SELECTED CONGRESSIONAL “TRANSPORTATION-RELATED” BILLS – FEBRUARY

SENATE BILLS			
S 135	J. Lankford (R-OK) “Prevent Government Shutdowns Act of 2023.” Authorize an automatic CR at current spending levels until lawmakers can reach an agreement on appropriations and create other incentives for the timely completion of appropriations work. Introduced 1/30/23.	SJ Res TBA	D. Fischer (R-NB) The EPA finalized its rule on new emission standards for heavy duty vehicles on 12/20/22. The rule would go into effect on March 27, 2023. The Resolution “disapproves” of the rule and says that “such rule shall have no force or effect.” Introduced 2/9/23.
S 259	M. Cantwell (D-WA) A bill to ensure transparent and competitive transportation fuel markets in order to protect consumers from unwarranted price increases. Introduced 2/2/23.		
HOUSE BILLS			
HR 838 Press Release	D. LaHood (R-IL) “Freight RAILCAR Act.” Legislation to incentivize investment in safer freight railcar manufacturing in the US via a tax credit to encourage replacement of outdated railcars. Re-introduced 2/6/23.	HR 832	J. Garcia (D-IL) To direct the Secretary of Transportation to strengthen and advance certain disadvantaged businesses. Introduced 2/6/23.
HR 812	A. Ogles (R-TN) “To repeal the Inflation Reduction Act of 2022.” Introduced 2/2/23.	H.J. Res 7	P. Gosar (R-AZ) Terminates the National Emergency declared on 3/13/202. Passed the House on 2/1/23 by a vote of 229 to 197.
HR 497	J. Duncan (R-SC) To eliminate the COVID–19 vaccine mandate on health care providers furnishing items and services under certain Federal health care programs. Passed the House on 1/31/23 by a vote of 227 to 203.	HR 382	B. Guthrie (R-KY) “Pandemic is Over Act.” Terminates the Public Health Emergency declared on 1/31/20 upon enactment. Passed the House on 1/31/23 by a vote of 220-210.

FEDERAL REGISTER NOTICES OF FUNDING OPPORTUNITY (NOFOs)/GRANT AWARDS

See **Addendum A. - Calendar Year NOFO/AWARDS SCORECARD** – at end of report.

Selected/Anticipated Transportation-Related NOFO Announcement Dates in 2023

(As of February 6, 2023 - Hyperlink)

See [White House](#) Document on [Open/Upcoming NOFOs](#)

Note: US DOT NOFO publication/closing dates for 2022 can be found [here](#). See **US DOT Federal Transportation Funding: FY 2023 Disc. Grant Preparation Checklist for Prospective Applicants** [here](#).

Month	Notice of Funding Opportunity (NOFO)	Operating/Admin. Office
Winter/Spring 2023	Promoting Resilient Operations for Transformative, Efficient/Cost Saving Transportation (PROTECT) Pgm.	FHWA
April 2023	Safe Streets and Roads for All Grant Program	US DOT/Office of the Secretary
April 2023	Electric or Low Emitting Ferry Pilot Program	FTA
May 2023	Transit-Oriented Development Planning	FTA
Spring 2023	Mega Grant Program	US DOT/Office of the Secretary
Spring 2023	The INFRA Grants Program	US DOT/Office of the Secretary
Spring 2023	The Rural Surface Transportation Grant	US DOT/Office of the Secretary
Spring 2023	Thriving Communities	FHWA/Office of the Secretary
Spring 2023	Interstate Rail Compacts	FRA
Late Spring 2023	Reconnecting Communities Pilot Program	FHWA/Office of the Secretary
Late Spring 2023	Neighborhood Access and Equity Grants	FHWA/Office of the Secretary
July 2023	All Stations Accessibility Program	FTA
July 2023	State of Good Repair/Rail Vehicle Replacement Program	FTA
Summer 2023	Bridge Investment Program	FHWA
Summer 2023	Railroad Crossing Elimination Grant Program	FRA

Fall 2023	Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program	FRA
Fall 2023	Strengthening Mobility and Revolutionizing Transportation (SMART) Grants Program	Office of the Secretary
Fall 2023	Regional Infrastructure Accelerators Demonstration Program	US DOT
Fall 2023	Transportation Access Pilot Program	FHWA
Fall 2023	Building Resilient Infrastructure and Communities Program	DHS/FEMA
Winter 2023	Innovative Coordinated Access and Mobility Program	FTA

February 8, 2023. The Federal Railroad Administration (FRA) [extended the NOFO application period](#) (and [here](#)) for the FY 2022 Corridor Identification and Development Grant Program to March 27, 2023. The original application due date was March 20, 2023.

February 3, 2023. The US Department of Treasury announced the release of [Local Assistance and Tribal Consistency Fund](#) (LATCF) payments to counties. The LATCF provides \$1.5 billion in two equal payments of \$750 million for FYs 2022 and 2023 to “eligible revenue sharing counties” under the American Rescue Plan Act (ARPA). [*Eligible revenue sharing counties were required to request funding by January 31, 2023 at 11:59 PM Alaska Standard Time (AKST).*] See [here](#) for FY 2022 and FY 2023 Allocations.

February 2, 2023. The Federal Railroad Administration (FRA) issued a [Notice of Funding Opportunity/Extension and Supplemental Funding Notice](#) ([here](#) and [here](#)) adding funding and extending the application submittal period for its FY 2022 NOFO for the Federal-State Partnership for Intercity Passenger Rail Program (FSP Program) for projects NOT located on the Northeast Corridor published in the Federal Register on December 7, 2022 ([here](#)). The total funding available for awards under this NOFO is up to \$4,566,300,000 made available by IIJA supplemental appropriations, the Appropriations Act, and the Consolidated Appropriations Act, 2023. After the funding set aside for FRA award and project management oversight and the planning and development activities, **up to \$4,464,000,000 in funding made available for FY 2022 and FY 2023** is made available for FSP Program awards – the original amount made available was \$2.283 billion. **Applications are due April 21, 2023** – the original application due date was March 7, 2023.

February 1, 2023. The US DOT [announced](#) \$800 million in grant awards for 510 projects through the new Safe Streets and Roads for All (SS4A) Grant Program. The US DOT is awarding [473 Action Plan Grants](#) and [37 Implementation Grants](#) in this first round of the program. The SS4A program was established by the IIJA and is a discretionary program that is to provide \$5-6 billion in grants over FYs 2022 – 2026. The SS4A program supports local initiatives to prevent death and serious injury on roads and streets, commonly referred to as “Vision Zero” or “Toward Zero Deaths” initiatives. The Federal share of the cost of an SS4A project is not to exceed 80 percent.

January 31, 2023. The US DOT announced awards of nearly \$1.2 billion from the National Infrastructure Project Assistance (Mega) discretionary grant program for nine projects across the nation. The Mega Program is authorized to support large, complex projects that are difficult to fund by other means and for projects that are likely to generate national or regional economic, mobility, or safety benefits. The IIJA made up to \$5 billion available for the Mega program for the period of FY 2022 through 2026. For this application cycle, the US DOT received applications requesting approximately \$30 billion in funding, more than the \$1 billion in funding made available for FY 2022. See White House Press Release [here](#). See MEGA FY 2023 Combined Fact Sheet [here](#) and additional Mega program details [here](#). [*The US DOT sought applications through a NOFO published in the Federal Register on March 25, 2022 and applications were due on May 23, 2022.*] See nearby Mega Awards table.

FY 2022 MEGA Grant Awards				
31-Jan-23				
No	Project Name	State	Sponsor	Award Amount
1	Watsonville-Cruz Multimodal Corridor Program	CA	CA DOT	30,000,000
2	Metra UP North Rebuild: Fullerton to Addison	IL	Metra Commuter Railroad	117,000,000
3	Brent Spence Bridge Corridor Project	OH/KY	KY/OH DOT	250,000,000
4	I-10 Calcasieu River Bridge Replacement Project	LA	LA DOT	150,000,000
5	Improvements to the I-10 Freight Corridor	MS	MS DOT	60,000,000
6	Strengthening Transportation Evacuation Resilient Lifeline by Improving the Network's Grid (STERLING)	NC	NC DOT	110,000,000
7	Hudson Yards Concrete Casing – Section 3 (HYCC-3)	NY	Amtrak	292,171,053
8	I-44 & US-75 Corridor Improvements Project	OK	OK DOT	85,000,000
9	Roosevelt Boulevard Multimodal Project	PA	City of Philadelphia	78,000,000
Grand Total FY 2022 MEGA Awards:				1,172,171,053

OTHER TRANSPORTATION-RELATED FEDERAL REGISTER NOTICES

February 9, 2023. The Office of Management and Budget (OMB) published a [Proposed Rule: Notification of Proposed Guidance](#) proposing revisions that are limited in scope and support implementation of the Build America, Buy America Act provisions of the IIJA; and to clarify existing requirements. That is, the rule would subject all federally funded infrastructure projects to domestic preference requirements that are materially similar to the Buy American Act requirements applicable to many federal procurements. For purposes of this rulemaking, “infrastructure project” is “any activity related to the construction, alteration, maintenance, or repair of infrastructure in the United States regardless of whether infrastructure is the primary purpose of the project.” The Buy America applies to federal-aid highway and transit projects. **Comments are due March 13, 2023.**

February 2, 2023. The Federal Highway Administration (FHWA) published a [Notice/Request for Information](#) on what strategies, programmatic adjustments or regulatory changes could help improve safety on U.S. highways. US DOT proposes to significantly reduce fatalities and serious injuries on the nation’s highways, roads, and streets through the development of a National Roadway Safety Strategy (NRSS). Included in the announcement is a new Request for Information seeking input on ways to improve safety and design standards for roads to facilitate the development of Complete Streets that serve all road users and a new waiver ensuring States and Metropolitan Planning Organizations can afford certain Complete Streets activities by removing financial barriers. See US DOT Roadway Safety Call to Action [here](#). See FHWA press release [here](#). **Comments must be received on or before March 6, 2023.**

February 1, 2023. The Federal Railroad Administration (FRA) issued a [Notice of Availability and Request for Comments Notice](#) (and [here](#)) wherein Amtrak is asking the FRA to approve its request to conduct regression testing of its FRA-certified ACSES II positive train control (PTC) system on its PTC-equipped track. FRA is to consider comments received by April 3, 2023.

January 31, 2023. The US DOT Office of the Secretary issued a [Notice](#) that took two actions that help in the transition to the new construction materials standard. First, for DOT awards obligated on or after the effective date of the final waiver, DOT is waiving the Build America, Buy America Act (BABA) construction materials requirements for any contracts entered into before November 10, 2022. Second, DOT is waiving the BABA construction materials requirements for any contracts entered into before March 10, 2023, that result from solicitations published before May 14, 2022.

For contracts executed after May 14, 2022, the waiver does not apply to any construction materials that a contractor or subcontractor takes delivery of on or after October 1, 2024. [*The limited waiver is intended to implement the new construction materials requirement in a way that does not delay delivery of projects in sufficiently advanced stages. US DOT previously issued a temporary waiver of BABA for construction materials in May 2022 – [here](#).*] The waiver is applicable to awards that are obligated on or after January 30, 2023. For awards that are obligated on or after November 10, 2022, but prior to January 30, 2023, this waiver is applicable to expenditures for construction materials incurred on or after January 30, 2023.

OTHER REPORTS/NOTICES/NEWS ARTICLES

February 21, 2023. In response to the Norfolk Southern derailment in East Palestine, Ohio, the [US DOT is calling for a three-pronged push to hold the freight rail industry accountable and improve safety](#). The reforms demand that railroads take several actions, including requiring the owners of tank cars to expedite the phase-in of safer (DOT 117) tank cars and to offer paid sick leave for rail workers; call on Congress to increase maximum fines that US DOT can issue to rail companies for violating safety regulations up from the current maximum fine of \$225,455; and state that US DOT will advance the train crew size rule and initiate a focused safety inspection program on routes over which trains with large volumes of hazardous material travel. See [US DOT Fact Sheet](#) on “Steps Forward on Freight Rail Industry Safety & Accountability.” See Federal Response to East Palestine, Ohio [here](#). See US DOT [letter to Norfolk Southern](#).

UPCOMING CONGRESSIONAL CALENDAR – MARCH

March						
Sun.	Mon.	Tues.	Wed.	Thurs.	Fri.	Sat.
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22 Ramadan (begins)	23	24	25
26	27	28	29	30	31	

Both chambers in session
 House only in session
 Senate only in session

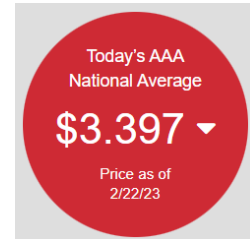
UPCOMING DEADLINES/EVENTS

February 11-14	2023 NACo Legislative Conference ;
February 27-March 1	Commuter Rail Coalition Washington Fly-in ;
February 28	AASHTO Washington Briefing ;
March 1-3	NASAO 2023 Washington Conference ;
March 2	TRB Webinar: Strategies to Reduce Highway Traffic Noise ;
March 12-14	APTA Legislative Conference (Washington D.C.);
March 13	ARTBA Transpo. Policy Briefing & Reception - CONEXPO-CON/AGG (Las Vegas);
March 14-16	FTA Drug/Alcohol Program National Conference (San Diego, CA);
March 14	Creating Growth In Freight Rail (Chicago, IL);
March 15	APTA High-Speed Rail Seminar ;
March 20-23	AASHTO Executive Institute ;
March 22-23	Commuter Rail Coalition Board Mtg. (Pompano Beach, FL);
March 27-30	AASHTO RE: Source Technical Exchange Conference (Fort Worth, TX);
April	APTA Legal Affairs Seminar (Portland, OR);

April	APTA Mobility Conference (Minneapolis, MN);
May 9-10	TRB Road Weather and Winter Maintenance Conference (Wash. D.C.);
May 15-17	ARTBA 2023 Annual Federal Issues Program ;
May 17	Annual Railroad Day on Capitol Hill (North American Rail Industry);
May 15-19	2023 Infrastructure Week;
May 19-21	APTA Transit CEOs Seminar (Houston, TX);
June 4-6	TRB Innovations in Travel Analysis/Planning Conference (Indianapolis, IN);
June 11-14	APTA Rail Conference (Pittsburgh, PA);
June 19-27	AASHTO Leadership Institute ;
July 11-13	ARTBA 35th Annual Public/Private Partnerships Transportation Conf. (Wash. D.C.);
July 15-18	APTA Transit Board Members/Board Administrators Seminar (Birmingham, AL).

SCUTTLEBUTT/ICYMI

February 22, 2023. The Automobile Association of America (AAA) national average gas price can be found [here](#) (price per gallon as of 2/22/23). One month ago the average price for regular gas was \$3.415 and one year ago the average price was \$3.531.



February 13, 2023. A Transportation Cooperative Research Program (TCRP) team is seeking to learn how state transportation departments, metropolitan planning organizations and transit agencies foster and integrate transit service information (often in the form of GTFS feeds) for public use. As part of a study, [Statewide Approaches to the Development of Comprehensive Transit Information Systems](#), TCRP is [surveying staff](#) at the state, regional, and local levels and identifying state or regional efforts for follow-up case studies.

February 8, 2023. The American Transportation Research Institute (ATRI) released its Annual List of [Top 2023 100 Truck Bottlenecks](#), highlighting the most congested bottlenecks for trucks in the nation. ATRI notes that, “Measuring the performance of freight movement across our nation’s highways is critical to understanding where and at what level investments should be made.” Click [here](#) for an Executive Summary. See nearby table for the top 10 truck bottlenecks.

February 8, 2023. Senator Bernie Sanders (I-VT) sent a [letter](#) to six Class I Railroads (Canadian Pacific Railway, Canadian National railway, Kansas City Southern, BNSF Railway, Union Pacific Railroad, and Norfolk Southern Corporation) requesting that they provide, “at least seven paid sick days for all of your employees.” The request comes after CSX, on February 7, 2023, reached agreements with the [Brotherhood of Maintenance of Way Employees Division](#) (BMWED) and the Brotherhood of Railway Carmen (BRC) to retroactively provide aforementioned employees with 4 paid sick days on an annual basis (based on 100 percent rate of pay and in conjunction with the ability to take up to 3 paid personal leave days per year for paid sick time off). The CSX/rail labor agreement will collectively represent 5,000 rail workers.

February 7, 2023. The US DOT/Federal Highway Administration (FHWA) have discovered a discrepancy in their financial management systems which could negatively affect federal highway contract authority. The \$3.5 billion discrepancy dates back at least 18 years (2005) between the different accounting systems used by the Federal Highway Administration and the US DOT. As a temporary measure, FHWA informed state departments of transportation that it is rationing access to pre-IJA contract authority to ensure they use no more than the \$1.2 billion recorded in Delphi for project funding as the agency looks for ways to fully reconcile the two different balances in the coming months. Functionally, if FHWA writes down contract authority balances in FMIS, that will be the same thing (from a state point of view) as if Congress has passed a law rescinding that money. It will be taken off the state books and impact ongoing or planned infrastructure projects.

February 3, 2023. In a joint petition, CN, CSX Transportation, Inc., Union Pacific Railroad Company and Norfolk Southern Railway Company filed a [Renewed Petition For Stay](#) before the Surface Transportation Board (STB) regarding the [STB's Final Rule's](#) requirement that Class I railroads commit to the Arbitration Program (an arbitration program that the STB has found to be "a better approach" for handling small rate disputes) within 20 days of its effective date (the Opt-In Deadline). The aforementioned parties request said stay of the Final Rule and to continue such a stay until the latter of final resolution of all petitions for reconsideration and judicial appeals of the Final Rule. Recall that the STB [denied](#) an earlier [December 29, 2022 request for a stay](#) of the Final Rule from the aforementioned parties on January 24, 2023.

Addendum A. – Calendar Year NOFO/AWARDS SCORECARD. An Excel spreadsheet with “hot-links” is available from TG&A upon request.

SELECTED TRANSPORTATION NOTICE OF FUNDING OPPORTUNITIES (NOFOs) &/OR AWARDS (TG&A SCORECARD for CY 2023)										
2/22/2023										
	NOFO TITLE	TYPE (NOFO / AWARD)	NOFO ISSUANCE DATE	NOFO URL	NOFO \$s MADE AVAILABLE	APPLICATION DEADLINE	NOFO \$ AWARDS	AWARDS URL	AWARDED - DATE	COMMENTS
EDA										
FAA										
FHWA										
	FY 2022 Bridge Investment Program	NOFO/AWARD	6/10/2022	NOFO URL	2,360,000,000	7/25 - 9/8/22	2,087,150,000	AWARD URL	1/4/2023	Award Press Release.
	FY 2023 Admn. of the Dwight David Eisenhower Transpo. Fellowship Pgm. (DDETFP)	NOFO	2/18/2023	NOFO URL	1,000,000	3/24/2023	TBD	TBD	TBD	Institution of Higher Education (IHE) of Minority Serving Institutions
	FY 2022-2026 D. D. Eisenhower Transportation Fellowship Pgm. Graduate Fellowship	NOFO	2/22/2023	NOFO URL	1,000,000	4/7/2023	TBD	TBD	TBD	\$1 million per year (FYs 2022-2026).
FRA										
	FY 2023 Northeast Corridor Commission (NECC) Project	NOFO	1/20/2023	NOFO URL	6,000,091	2/2/2023	TBD	TBD	TBD	
	FY 2022 Corridor Identification and Development Grant Program (Updated NOFO)	NOFO	1/14/2023	NOFO URL	365,000,000	3/27/2023	TBD	TBD	TBD	FR Notice 12/20/2022
	FY 2022 Federal-State Partnership for Intercity Passenger Rail Program (FSP) for projects NOT located on the Northeast Corridor (Updated NOFO)	Updated NOFO	2/2/2023	NOFO URL	4,566,300,000	4/21/2023	TBD	TBD	TBD	FR Notice 3 February 2023
FTA										
	FY 2023 Areas of Persistent Poverty Program	NOFO	1/6/2023	NOFO URL	20,041,870	3/10/2023	TBD	TBD	TBD	
	FY 2023 Low or No Emission Grant Program	NOFO	1/26/2023	NOFO URL	1,221,350,117	4/13/2023	TBD	TBD	TBD	
	FY 2023 Grants for Buses and Bus Facilities Program	NOFO	1/26/2023	NOFO URL	469,445,424	4/13/2023	TBD	TBD	TBD	
	FY 2022 Ferry Grant Programs (3 Separate Programs Combined)	NOFO/AWARD	7/8/2022	NOFO URL	294,500,000	9/6/2022	384,354,926	AWARD URL	1/26/2023	List of Awards
	FY 2022 Safe Streets and Roads for All (SS4A) Grant Program	NOFO/AWARD	5/16/2022	NOFO URL	1,000,000,000	9/15/2022	800,000,000	AWARD URL	2/1/2023	473 Action Plan Awards and 37 Implementation Grant Awards
	FY 2021 Mobility, Access, Transpo. Insecurity-Creating Links/Opportunity Demo.	NOFO/AWARD	8/8/2022	NOFO URL	6,000,000	10/11/2022	6,000,000	AWARD URL	2/8/2023.	
MARAD										
	2023 Port Infrastructure Development Program (PIDP)	NOFO	12/31/2022	NOFO URL	662,203,512	4/28/2023	TBD	TBD	TBD	Full NOFO Published on 2/8/23.
	FY 2023 Small Shipyard Grants Program	NOFO	1/17/2023	NOFO URL	20,800,000	2/27/2023	TBD	TBD	TBD	Maritime NOFO
NHTSA / FMCSA										
	FY 2023 High Priority Program – Innovative Technology Deployment	NOFO	2/1/2023	NOFO URL	2,000,000	4/3/2023	TBD	TBD	TBD	
	FY 2023 Commercial Motor Vehicle Operator Safety Training Program	NOFO	2/1/2023	NOFO URL	3,200,000	4/3/2023	TBD	TBD	TBD	
	FY 2023 Commercial Driver's License Program Implementation	NOFO	2/1/2023	NOFO URL	70,400,000	4/3/2023	TBD	TBD	TBD	
	FY 2023 High Priority Program – Commercial Motor Vehicle	NOFO	2/1/2023	NOFO URL	43,300,000	4/3/2023	TBD	TBD	TBD	
OPERATION LIFESAVER										
US DHS/ FEMA										
	FY 2022 Assistance to Firefighters Grants	NOFO	1/9/2023	NOFO URL	324,000,000	2/10/2023	TBD	TBD	TBD	AFG Grants.Gov Reference
	FY 2022 Assistance to Firefighters Grants (SAFER) Program	NOFO	2/6/2023	NOFO URL	360,000,000	3/17/2023	TBD	TBD	TBD	
	FY 2022 AFG Program, Fire Prevention and Safety Grants Program (FP&S)	NOFO	2/22/2023	NOFO URL	36,000,000	3/31/2023	TBD	TBD	TBD	
US DOT										
	FY 2023 National Infrastructure Investments (Local/Reg. Proj. Asst.) - RAISE Grants	NOFO	12/1/2022	NOFO URL	2,275,000,000	2/28/2023	TBD	TBD	TBD	NOFO updated 1/6/23 to reflect added FY '23 Omnibus funding of \$800 million. See Related Documents Tab.
	University Partnership Program	NOFO	1/20/2023	NOFO URL	590,000	2/27/2023	TBD	TBD	TBD	
	FY 2022 National Infrastructure Project Assistance (Mega Projects)	NOFO/AWARD	3/25/2022	NOFO URL	1,000,000,000	5/23/2022	1,172,171,053	AWARD URL	1/31/2023	

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of March 3, 2023

STAFF REPORT

Item 3.7

INFORMATION

Update on Silicon Valley and Tri-Valley Outreach Contracts Activities

Background:

As a public agency with forward-thinking plans and initiatives, an important aspect of outreach efforts is 'Stakeholder Engagement.' Local, committed stakeholders are vital to promote the service, improve local presence, increase funding for the service, and activate communities to ride the train. Stakeholder education meetings, presentations, and partnerships will be a key component to the outreach efforts. Stakeholders can be classified as elected officials, agency staff, community leaders, organizations, businesses, and local media.

To accomplish continued engagement of key stakeholders, the San Joaquin Regional Rail Commission (Rail Commission) has retained a local, embedded grassroots Outreach Consultant/Team for the Silicon Valley (which includes the Tri-Cities area of Fremont, Newark, and Union City) and another for the Tri-Valley (Livermore/Dublin/Pleasanton) area. Outreach consultants have been an important component of the Rail Commission's approach to stakeholder engagement. The Outreach Consultant/Teams will focus their efforts on stakeholder engagement and strategic partnerships.

There are several key groups, chambers, partnerships, agencies, universities, and organizations within the Silicon Valley and Tri-Valley areas that are an essential component of awareness and messaging multiplication. The Silicon Valley and Tri-Valley Outreach Consultant/Teams will be leveraging their contacts, Rail Commission contacts, and placing emphasis on new stakeholder acquisition. Stakeholders will be engaged to share Altamont Corridor Express (ACE) content and support ACE service initiatives.

At the June 4, 2021, Board Meeting, the Rail Commission Board approved contracts for ACE Silicon Valley Outreach Services (Winter Consulting) and ACE Tri-Valley Outreach Services (California Gold Advocacy Group). The Rail Commission Board also requested that staff provide monthly summaries to the Board of the work done under these contracts.

Winter Consulting, led by Corinne Winter, assists SJRRC with Silicon Valley outreach and stakeholder engagement focused in Santa Clara County and the Tri-City (Fremont, Union City, and Newark) part of southern Alameda County. California Gold Advocacy Group, primary consultant Guy Houston performs outreach in Tri-Valley communities of Dublin, Pleasanton, Livermore, and the surrounding communities in Contra Costa County along the 580-680 Corridor.

Silicon Valley Outreach Summary for Winter Consulting (January 19, 2023 – February 23, 2023)

Business and community leader relationships are a mechanism to increase current and future ridership, and to create champions for ACE service in the Bay Area. Engagement events for the first half of 2023 are currently being coordinated and planned.

- Met with Rene Gutierrez to plan ACE engagement 1/19
- Bay Area Council (BAC) Goods Movement Subcommittee Meeting 2/7
- BAC BART Roundtable 2/16
- Realtor developer engagement via email with ACE staff in Fremont, San José, Santa Clara

Relevant activities covered under separate contracts:

- SoCo Study coordination and planning with project team and Union City

Realtor/Developer Outreach:

Rail Commission staff distributed the ACE Realtor/Developer flyer to Silicon Valley cities' Economic Development staff and shared the ACE 10-trip media toolkit with Public Information Officers to post on applicable City media platforms.

Tri-Valley Outreach Summary for California Gold Advocacy Group (January 19, 2023 – February 23, 2023)

Made requests for letters of support from Tri-Valley agencies, organizations and elected officials for the SJRRC 2023 RAISE application (due February 28).

Realtor/Developer Outreach:

Rail Commission staff distributed the ACE Realtor/Developer flyer to Tri-Valley cities' Economic Development staff and shared the ACE 10-trip media toolkit with Public Information Officers to post on applicable City media platforms.

Fiscal Impact:

There is no fiscal impact.

Recommendation:

This is an informational item. There is no action requested.

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of March 3, 2023

STAFF REPORT

Item 3.8

ACTION

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting a Policy Allowing the Public to Attend Public Meetings Remotely

Background:

The San Joaquin Regional Rail Commission (Rail Commission) is committed to preserving and nurturing public access and participation in meetings of the Board of Commissioners. Meetings of the Rail Commission's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business.

The Rail Commission has fully considered and determined that offering a remote attendance option for the public to participate in Rail Commission board meetings via teleconference and/or videoconference is consistent with its mission to serve the community. If videoconferencing is used to conduct a meeting, the public notice for the meeting will inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, and identify the physical location where the public can attend in accordance with the Ralph M. Brown Act.

Staff is recommending that the board direct the Executive Director and Rail Commission staff to take all actions necessary to carry out the intent and purpose of the remote attendance option policy, including conducting open and public meetings in accordance with applicable provisions of the Brown Act.

Fiscal Impact:

There is no fiscal impact.

Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Adopting a Policy Allowing the Public to Attend Public Meetings Remotely.

RESOLUTION SJRRC-22/23-

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL
RAIL COMMISSION ADOPTING A POLICY ALLOWING THE PUBLIC TO ATTEND PUBLIC
MEETINGS REMOTELY**

WHEREAS, the San Joaquin Regional Rail Commission (Rail Commission) is committed to preserving and nurturing public access and participation in meetings of the Board of Commissioners; and

WHEREAS, all meetings of the Rail Commission's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Rail Commission has fully considered and determined that offering a remote attendance option for the public to participate in Rail Commission board meetings via teleconference and/or videoconference is consistent with its mission to serve the community; and

WHEREAS, if videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, and identify the physical location where the public can attend in accordance with the Ralph M. Brown Act; and

WHEREAS, the Executive Director and Rail Commission staff are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with applicable provisions of the Brown Act; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Adopts a Policy Allowing the Public to attend Public Meetings Remotely.

PASSED AND ADOPTED, by the Board of Commissioners this 3rd day of March 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

SAN JOAQUIN REGIONAL RAIL
COMMISSION

STACEY MORTENSEN, Secretary

LEO ZUBER, Chair

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of March 3, 2023

STAFF REPORT

Item 3.9

INFORMATION

StopWaste Green and Accessibility Resources

Background:

At the February 2023 board meeting, the board suggested that staff explore options for giving board members and the public flexibility for attending meetings, in an effort to be greener. Staff contacted StopWaste, a public agency reducing waste in Alameda County, per Commissioner Hernandez's recommendation. StopWaste provided the guidelines and best practices listed below:

Alameda County General Services Agency (ACGSA) has a Green & Healthy Meetings & Events certification program, which includes a meeting checklist that might be helpful. It is available here:

- [Alameda County Green and Healthy Event Certification.pdf - Google Drive](#)
- The checklist includes guidelines for paper use, food, transit, waste reduction (nametag reuse), vegetarian food options, finger food, etc. and includes some "healthy" items like a break in the middle of the meeting. There are resources for making board packets and signatures digital, which reduces paper waste. ACGSA has a policy that can be adopted.

Resources on accessibility:

- Accessibility across ability levels: <https://accessibility.cornell.edu/event-planning/accessible-meeting-and-event-checklist/>.
- Accessibility in our county includes equity, which may mean providing translation of materials and proceedings, compensating when possible for attendance, holding meetings at times of day many are available including evenings, offering food and offering childcare. The following is a resource from the National League of Cities: <https://www.nlc.org/article/2022/06/20/making-public-meetings-accessible-to-all/>.

Best practices StopWaste implements to prevent waste and for "green" meetings:

- Switch to reusable foodware, like cups and plates, for all meetings.
- Make all three bins -- compost, recycle, and landfill available in meeting rooms.
- Order just enough food from caterers so that there is minimal waste, and opt out of them providing plates, utensils, etc.
- 98% of board members receive the board agenda electronically.
- Board meetings are hybrid. Board members can attend meetings in person via teleconference.

Fiscal Impact:

There is no fiscal impact.

Recommendation:

This is an informational item. There is no action requested.

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of March 3, 2023

STAFF REPORT

Item 4

ACTION

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with the City of Stockton for Plan Check Fees for the Stockton Diamond Grade Separation Project for an Amount Not-To-Exceed \$806,875.47 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority

Background:

The Stockton Diamond Grade Separation Project (Stockton Diamond) will construct a grade separation of the Burlington Northern Santa Fe (BNSF) and Union Pacific (UP) rail lines to reduce rail congestion and allow passenger and freight rail traffic to flow uninterrupted through the crossing. Construction work will be required within the City of Stockton's Right of Way (ROW). An Encroachment Permit (similar to a building permit) must be obtained from the City of Stockton in order to allow for construction within the City's Right of Way. The first step in the process is to submit plans to the City for review and comment. Submittal of these plans requires the pre-payment of a Plan Check fee. Once the plans are reviewed, revised, and approved, the Rail Commission will be required to pay the balance of the Encroachment Permit fee, which would be the total fee for the Encroachment Permit less this Plan Check fee.

Fiscal Impact:

Project	Stockton Diamond
Capital Project Budget Line Item	Stockton Diamond
Phase for this Agreement/Amendment	Right of Way
Funding Sources for this Phase	Measure K, SB132, ITIP
Budget for this Phase	\$29,286,243
Encumbrances for this Phase	\$25,000
Budget Remaining for This Phase	\$29,261,243
Agreement/Amendment Amount	\$806,875.47
Budget Remaining For this Phase if Approved	\$28,454,367.53

Recommendation:

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission Approving an Agreement with the City of Stockton for Plan Check Fees for the Stockton Diamond Grade Separation Project for an Amount Not-To-Exceed \$806,875.47 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority.

RESOLUTION SJRRC-22/23-

RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL RAIL COMMISSION APPROVING AN AGREEMENT WITH THE CITY OF STOCKTON FOR PLAN CHECK FEES FOR THE STOCKTON DIAMOND GRADE SEPARATION PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$806,875.47 AND AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE, AWARD, AND EXECUTE ANY AND ALL AGREEMENTS AND DOCUMENTS RELATED TO THE PROJECT INCLUDING APPROVING ANY AND ALL AMENDMENTS THERETO WITHIN HER SPENDING AUTHORITY

WHEREAS, the Stockton Diamond Grade Separation (Stockton Diamond) Project will construct a grade separation of the Burlington Northern Santa Fe (BNSF) and Union Pacific (UP) rail lines to reduce rail congestion and allow passenger and freight rail traffic to flow uninterrupted through the crossing; and

WHEREAS, an Encroachment Permit (similar to a building permit) must be obtained from the City of Stockton in order to allow for construction within the City's Right of Way; and

WHEREAS, the first step in the process is to submit plans to the City for review and comment; and

WHEREAS, submittal of these plans requires the pre-payment of a Plan Check fee; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby Approves an Agreement with the City of Stockton for Plan Check Fees for the Stockton Diamond Grade Separation Project for an Amount Not-To-Exceed \$806,875.47 and Authorizing the Executive Director to Negotiate, Award, and Execute Any and All Agreements and Documents Related to the Project including Approving any and all Amendments thereto within Her Spending Authority

PASSED AND ADOPTED, by the Board of Commissioners this 3rd day of March 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

SAN JOAQUIN REGIONAL RAIL
COMMISSION

STACEY MORTENSEN, Secretary

LEO ZUBER, Chair

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of March 3, 2023

STAFF REPORT

Item 5

INFORMATION

North Valley Rail Study (Sacramento – Marysville/Yuba City – Chico) Update

Background:

The Rail Commission is involved in many different rail planning and expansion efforts in northern California. To facilitate the most productive agency planning workshop this next year, the Board approved the proposed list of concepts below to be presented at upcoming Rail Commission meetings to include educational information items on these efforts.

- Status of Valley Rail North and South
- Status of Valley Link
- Southern Alameda County (SOCO) Rail Study
- Status of High-Speed Rail Expansion to Merced
- Scope of Merced Intermodal Track Connection Project
- Status of Potential Service to Union City Multimodal Station
- Status of Valley Rail Expansion North to Yuba County
- Status of Cross Valley Rail Program in the Southern Central Valley
- Connecting Shuttles and Thruway Bus Programs
- The Rail Academy of Central CA (TRACC)
- Opportunities for Transitioning Rolling Stock to Near Zero and Zero Emissions

At the March 3, 2023 meeting, Dan Leavitt will provide an update on the North Valley Rail Study (Sacramento – Marysville/Yuba City – Chico).

Fiscal Impact:

There is no fiscal impact.

Recommendation:

This is an informational item. There is no action requested.

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of March 3, 2023

STAFF REPORT

Item 6

INFORMATION

Valley Rail Program Schedule Update

Background:

Several factors are impacting the overall schedule and delivery of the various projects associated with the Valley Rail Program. The general construction supply chain impacts (both pricing and availability) are well understood across many different industries and are being discussed nationally and globally in many different project delivery forums. However, two other factors are having a more significant impact on the program:

- **The Addition of the Stockton Diamond/Stockton Wye Mega Project:**

The Stockton Diamond/Wye project removes the congested bottleneck where the Union Pacific and BNSF Railroads cross at grade in Downtown Stockton. This \$300M Mega project is required to allow future passenger train expansion and avoid complete traffic gridlock on the streets surrounding the two major freight rail lines. The project is supported by agencies in the Central Valley, Sacramento and the Bay Area and is viewed as a critical goods movement, economic development and air quality improvement for Northern CA. However, the scale of the project requires significant review and approval by both UP and BNSF Railroads. UP and BNSF have a finite quantity of resources for project review and approval. Support to the demanding Stockton Diamond project, therefore, reduces the resources available for the Valley Rail program and leads to delays in design review and approval. Additionally, utility relocation on the Stockton Diamond project causes similar delays. Estimates for coordination relocation increased from two weeks to two months with design preparation additionally increasing five months in total time. These time increases, compounded with an intense utility review process, increase the review requirements for UP and BNSF, thereby leading to program delays across all programs.

- **Significant Simultaneous Reviews and Approvals Required by the host Railroads:**

The Valley Rail schedules for project delivery assumed engineering review and approval times consistent with historical project timelines when the Commission was implementing 2-3 projects at a time. In FY 22/23 the Valley Rail Program had 29 active projects with multiple submittals to UP and BNSF Railroads. This number is expected to increase to 42 in FY 23/24.

Over the course of the last several months, independent engineers have been working on a more realistic schedule based upon the number of projects, the finite ability of the host Railroads to perform reviews at six different milestones during project engineering and the complexity of the specific projects. This schedule estimate contains no optimism bias and is focused on starting service only when the initial endpoint stations (Natomas and Ceres) are completed.

Staff will present an updated Valley Rail Program schedule at the Friday meeting.

Fiscal Impact:

There is no fiscal impact.

Recommendation:

This is an informational item. There is no action requested.

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of March 3, 2023

STAFF REPORT

Item 7

INFORMATION

ACE Test Ride Program Update

Background:

The Altamont Corridor Express (ACE) Test Ride program existed prior to the pandemic, and has since allowed staff to strategically leverage the program as a part of the ridership recovery plan to help recapture and increase ridership post COVID-19. The Test Ride program provides non-train users with the experience of commuting via train, versus commuting in their cars. The desired outcome is that this experience will convert drivers and new Bay Area transplants into a regular train rider.

Potential first-time riders can easily apply for the program by visiting the ACE website at www.acerail.com or by downloading the ACE Rail mobile ticketing app on their device. Applicants can receive their four (4) one-way tickets via the ACE Rail mobile ticketing app or, as traditional, paper tickets.

The Test Ride Program is increasing Mobile App adoption for new riders and paperless ticketing and allows for easier accessibility for interested participants.

This Program allows interested community members to experience the benefits of riding the train, as opposed to driving, and historically has been an effective way to gain permanent ACE passengers. The free opportunity to beat traffic, utilize Wi-Fi and relax onboard really sells itself.

Information collected from the program is used to help generate follow-up surveys distributed to past participants to help staff improve the process and program.

Fiscal Impact:

There is no fiscal impact.

Recommendation:

This is an informational item. There is no action requested.

SAN JOAQUIN REGIONAL RAIL COMMISSION

Meeting of March 3, 2023

STAFF REPORT

Item 8

ACTION

Approve a Resolution of the Board of Commissioners of the San Joaquin Regional Rail Commission to Create an Ad Hoc Performance Review Committee of Two (2) Regular Voting Members to Perform the Tasks assigned to it in the Executive Director Performance Evaluation Schedule

Background:

Per the Executive Director's (Director) employment contract with San Joaquin Regional Rail Commission (Rail Commission), the Commissioners shall conduct an annual performance evaluation of the Director. The annual evaluation shall include review of accomplishment of objectives and goals and evaluate changing the base annual salary.

In 2020, the Commissioners adopted an Executive Director Performance Evaluation Schedule (Schedule)(see attached) that commences the Director's Annual Performance Evaluation in March with the Commissioners creating an Ad Hoc Committee (Committee) and appointing two (2) Regular Voting Commissioners to the Committee. The Committee will perform the tasks assigned in the Schedule, including recommending any changes to the Schedule and evaluation forms at the Rail Commission's April 7, 2023 regular meeting.

Fiscal Impact:

There is no fiscal impact.

Recommendation:

Create an Ad Hoc Performance Review Process Committee of Two (2) Regular Voting Members to Perform the Tasks assigned to it in the Executive Director Performance Evaluation Schedule.

RESOLUTION SJRRC-22/23-

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE SAN JOAQUIN REGIONAL
RAIL COMMISSION TO CREATE AN AD HOC PERFORMANCE REVIEW PROCESS
COMMITTEE OF TWO (2) REGULAR VOTING MEMBERS TO PERFORM THE TASKS
ASSIGNED TO IT IN THE EXECUTIVE DIRECTOR PERFORMANCE EVALUATION
SCHEDULE**

WHEREAS, the San Joaquin Regional Rail Commission and Executive Director entered into an Agreement on July 1, 1998; and

WHEREAS, the agreement outlines the employee shall receive an annual performance review. Such review shall include review of Employee's accomplishment of objectives and goals established by Employer; and

WHEREAS, in 2020, the Commissioners adopted an Executive Director Performance Evaluation Schedule ("Schedule") establishing the procedure for conducting the Executive Director's annual performance evaluation; and

WHEREAS, the Schedule requires the Commissioners to create an Ad Hoc Performance Review Committee comprised of two Regular Voting Commissioners which would perform the tasks assigned to it in the Schedule; and

NOW THEREFORE, BE IT RESOLVED that the Board of Commissioners of the San Joaquin Regional Rail Commission hereby create an Ad Hoc Performance Review Committee Comprised of the following Two (2) Regular Voting Members to perform the tasks assigned to it in the Executive Director Performance Evaluation Schedule attached hereto:

PASSED AND ADOPTED, by the Board of Commissioners this 3rd day of March 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

SAN JOAQUIN REGIONAL RAIL
COMMISSION

STACEY MORTENSEN, Secretary

LEO ZUBER, Chair

Executive Director Performance Evaluation Schedule

1. At each March SJRRC meeting, the Regular Voting Commissioners shall appoint 2 Regular Voting members to the Ad Hoc Performance Review Committee.
2. Before the April SJRRC meeting, the Ad Hoc Committee shall meet to review the evaluation process and evaluation form. Any changes to the process or form will be presented to the Regular Voting Commissioners for approval at its April SJRRC meeting.
3. A self-evaluation form will be provided to the Executive Director by legal counsel immediately following the April SJRRC meeting. The Executive Director will also be provided a copy of their prior year's self-evaluation and the prior year's evaluation summary. The Executive Director shall return the completed self-evaluation form to legal counsel within 5 days after the April SJRRC meeting.
4. Legal counsel will provide each Regular and Special Voting Commissioner the evaluation form immediately following the April SJRRC meeting. Each Commissioner will also be provided a copy of the prior year's evaluation form they filled out together with the prior year's evaluation summary and the Executive Director's completed self-evaluation form.
5. The deadline for return of the completed Commissioners evaluation forms to legal counsel is the third Friday of April.
6. The Ad Hoc Committee will meet and review the returned evaluation forms and approve an evaluation summary, including mean average of ratings, by the fourth Friday of April.
7. Legal counsel will send copies of the evaluation summary to each Regular and Special Voting Commissioner by no later than the Tuesday before the May SJRRC meeting.
8. At each May SJRRC meeting, the Regular and Special Voting Commissioners will hold a closed session performance evaluation of the Executive Director.
9. Following the May SJRRC meeting, but prior to the June SJRRC meeting, the Chair, or if the Chair is unavailable, the Vice Chair, will meet with the Executive Director and share the current evaluation summary and any other evaluation information as authorized by the Commissioners, as well as discuss any proposed changes to the Executive Director's contract.
10. At each June SJRRC meeting, the Regular and Special Voting Commissioners will hold a closed session regarding any proposed change to the Executive Director's contract. Any changes to the Executive Director's contract will be subject to approval of a majority of the Regular Voting Members.