

From: VTA Board Secretary
Sent: Wednesday, May 13, 2020 12:47 PM
To: VTA Board of Directors
Subject: Letter from ATU, Local 265

VTA Board of Directors:

Please see attached letter from John Courtney, President and Business Agent, Amalgamated Transit Union (ATU), Local 265.

Thank you.

VTA Office of the Board Secretary
Santa Clara Valley Transportation Authority
3331 North First Street, Building B-1
San Jose, CA 95134-1927
Phone: 408-321-5680





AFL-CIO

AMALGAMATED TRANSIT UNION LOCAL 265

1590 La Pradera Drive
CAMPBELL, CALIFORNIA 95008-1533

PHONE (408) 874-0900
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1902 Charter Seal

May 4, 2020

VTA Board of Directors
Santa Clara Valley Transportation Authority
3331 North First Street, Building B-1
San Jose, CA 95134

SCVTA RECEIVED

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BOARD SECRETARY

Dear Board Members:

Amalgamated Transit Union (ATU) Local 265 and our members on the front lines understood the severity of the COVID-19 pandemic very early into this unprecedented crisis. Because of our coordinated efforts, the Union and VTA, working together, successfully implemented forward-looking safety measures protecting our essential workers and our ridership. We believe these dramatic efforts flattened the curve and saved lives in Santa Clara County.

ATU Local 265 would like to thank our courageous ATU members, VTA staff and the SCVTA Board of Directors for all your efforts to protect the health and livelihoods of these front-line workers.

We are writing now to start a conversation to keep and maintain the highest level of safety and service for our ridership and members. The CARES Act was signed into law on March 27, and Bay Area transit agencies received \$1.3 billion in Federal operating and safety funding to respond to COVID19. ATU lobbied Congress vigorously to secure a total of \$25 billion nationally, and VTA has received \$73 million in MTC's allocation of the first 60 percent. (Had the transit trade association, APTA, had its way with its ask for \$16 billion, VTA's allocation would have been reduced by a third, to just \$47 million.)

As you know, Congress intended that these funds be used for **“reimbursement for operating costs to maintain service and lost revenue due to the coronavirus public health emergency, including the purchase of personal protective requirement, and paying the administrative leave of operations personnel due to reductions in service.”** In other words, the key purposes of the transit funding in the CARES Act were (1) to assist transit agencies in maintaining service and avoiding layoffs during the pandemic, and (2) to protect the health and lives of our transit workers and riders.

Despite this intent, the Metropolitan Transportation Commission (MTC) distributed the first “traunch” of these funds using a formula that does VTA, its riders and its workers an injustice. It penalizes us in two ways:

First, it distributes funding disproportionately to agencies with high fares, at the expense of agencies like VTA that serve lower-income riders of color unable to pay those fares. Our position is that the distribution of the COVID funds should be based on each agency’s Operating and Labor costs and not pre-COVID farebox recovery as outlined in the flawed formula that was used for the first round.

And second, it penalizes us for our forward thinking approach from the onset of the Corona virus crisis.

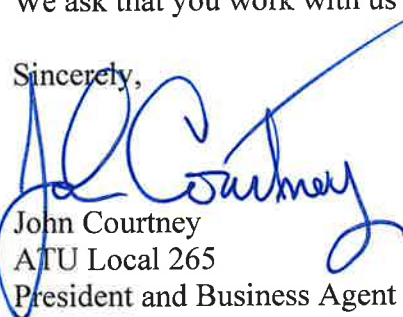
ATU Local 265, other unions and labor councils across the region, and many others including transit rider and advocacy groups, have asked MTC to create, with just 5 percent of the federal emergency funding, a COVID-19 Response Fund. (See attached letter.). This fund would be available to all transit agencies, on the basis of their need to address the pandemic, through measures that would include providing:

- a. A full array of PPE (personal protective equipment) for every transit worker
- b. A mask for every rider
- c. Hazard pay for transit workers
- d. Rear-door boarding on all buses
- e. State-of-the-art sanitizing to disinfect all transit vehicles

While MTC did not take this step, and factored farebox recovery very significantly into the first phase of fund allocation, it will begin to allocate the remaining 40 percent in the coming month. Our union and its worker and rider partners across the Bay Area will continue to lobby to make sure that these COVID relief funds are distributed fairly, and used both to preserve transit service and jobs and to ensure the safety of our workers and riders. In particular, we will continue to fight to protect the lives of the courageous ATU members on the frontline and our underserved communities who are especially at risk of infection and death.

We ask that you work with us to secure the funding that is necessary to achieve these goals.

Sincerely,



John Courtney
ATU Local 265
President and Business Agent

Enclosure: Letter to MTC

CC: Nuria Fernandez, VTA General Manager

(Resubmitted April 21 to include additional organizations)

April 20, 2020

BY ELECTRONIC MAIL

Scott Haggerty, Chair (district1@acgov.org)

Therese McMillan, Executive Director (tmcmillan@bayareametro.gov)

Bay Area Metro Center

375 Beale Street

San Francisco, CA 94105

Re: Agenda Item 7 (f):
Emergency FTA Transit Operating Support in the Federal CARES Act

Dear Chair Haggerty and Ms. McMillan:

With local tax revenues plummeting, the availability of \$1.3 billion in federal funding “to prevent, prepare for, and respond to COVID-19” (FTA guidance [here](#)) gives our Bay Area regional transportation agency the opportunity to protect the health and lives of millions of residents when local governments lack the financial ability to do so.

In our initial letter (attached), we asked that MTC promptly allocate these emergency funds to transit agencies “**based on each agency’s respective needs** for funding to ensure that frontline workers and transit-dependent riders have access to healthy and safe transit service throughout and beyond the pandemic.”

Four days after receiving that letter, MTC staff issued a proposed distribution of the first 60% of the Bay Area’s \$1.3 billion share of federal emergency transit funds. Staff asserts that the principle guiding that distribution is to “Distribute funding in a manner that best **addresses operators’ needs arising from the COVID-19 crisis.**”

Shockingly, however, the actual distribution staff proposes does not specifically identify or sufficiently address the needs arising from the crisis. Staff, instead, proposes to divide the first 60% of the funding -- nearly \$800 million -- on the basis of three factors that have nothing to do with the COVID-19-related needs of transit agencies, workers or riders. Two of those factors, in fact, are based directly or indirectly on the pre-pandemic farebox revenue collected by each agency.

Our goals during and after this pandemic must be (a) to provide essential workers and transit-dependent riders with safe transit service to access essential workplaces and services, and to save the lives of transit workers and riders alike, and (b) to ensure that all transit workers continue to receive full pay and benefits despite reduced service levels.

To do so, and to faithfully implement staff’s own principle, 5% of the funds should be distributed to a COVID-19 Response Fund, and the remainder should be distributed to transit agencies in

proportion to each agency's share of either labor costs or "of the total budgeted FY 2019-20 operating costs for systems across the Bay Area" (i.e., staff's first proposed factor). The details and rationale for our proposed distribution are as follows:

1. Create a COVID-19 Response Fund with 5% of Phase 1 Federal Revenues.

This fund will be made available to every agency based on its actual need for funding to address the health and safety issues facing transit workers and riders during the pandemic and its aftermath. As FTA notes, this was the purpose of the emergency funding. Our entire region is counting on MTC to deploy these emergency resources in a way that flattens the curve and saves the lives of our courageous frontline workers, and the millions who depend on them.

Eligible uses of the Bay Area COVID-19 Response Fund should include:

- a. **PPE for all transit workers**, including masks, gloves, disinfecting wipes, and hand sanitizer; and plexiglass dividers on vehicles to protect transit drivers
- b. **Masks for every rider who needs one**, to protect riders and drivers, and the larger community
- c. **Disinfecting all transit vehicles to state-of-the-art standards of virus protection** (including hiring new workers, training them in state-of-the-art sanitizing methods, and outfitting them with hazard suits, N95 masks, gloves, and goggles)
- d. **Hazard pay** for our heroic transit workers
- e. Recovery of **fares foregone due to rear-door boarding**
- f. Meeting the **specific needs of especially vulnerable populations**, including people with disabilities, seniors and paratransit riders

If any money remains in this Fund after all needs are met, it can be reallocated as part of Phase 2. If there is a shortfall, it can be augmented as part of that second Phase.

2. Distribute the remaining funding on the basis of total *operating budgets or labor cost*, not farebox.

The bulk of the funds should be distributed solely on the basis of each agency's operating or labor costs, without consideration of pre-COVID farebox recovery. There are two reasons:

Keep our transit workers on the payroll: Operating budgets or labor costs are the best indicator of the actual cost for each agency to keep its workers on the payroll over the coming months. The jobs and benefits of our courageous transit workers must be protected during this crisis, and funds should be distributed in proportion to that specific need. This will also support the system's eventual recovery by ensuring sufficient staff is still on payroll.

Equity: Distribution based on farebox recovery disproportionately benefits high-fare systems, at the expense of low-fare systems that carry disproportionate numbers of riders of color, transit-dependent riders, and essential workers. (In some cases, high-fare systems that previously carried the highest number of riders now carry fewer riders than low-fare systems.)

3. If MTC withholds 1% for “regional transit programs,” those funds should be prioritized for pandemic assistance

This is not the time for MTC to take nearly \$8 million off the top of the distribution with no pandemic-related specifics for its use. MTC must be transparent in its use of these funds and accountable to spending them to meet needs arising from the COVID-19 pandemic. MTC should focus its resources on providing free inter-system transfers, and identifying and filling gaps in lifeline transit service needed to provide essential workers and transit-dependent riders with access to critical destinations (e.g., hospitals, social services, grocery stores, etc).

In this historic crisis, the leadership of our regional transportation agency will literally spell the difference between life and death for workers and residents across the Bay Area. We urge you to take this opportunity to direct 5% of these emergency transit funds to address the crisis, especially at a time when local government resources are stretched so thin.

Sincerely,

Sara Greenwald
350 Bay Area

ACCE Action
(Alliance of Californians for Community Empowerment)

Elizabeth Ortega-Toro, Executive Secretary-Treasurer
Alameda Labor Council

Arturo Aguilar, Chairman, California Conference Board
Amalgamated Transit Union

Yvonne Williams, President/Business Agent
Amalgamated Transit Union, Local 192

John Courtney, President/Business Agent
Amalgamated Transit Union, Local 265

Miguel Navarro, Jr., President/Business Agent
Amalgamated Transit Union, Local 1574

Shane Weinstein, President/Business Agent
Amalgamated Transit Union, Local 1575

Sylvia Chi, Policy Director
Asian Pacific Environmental Network (APEN)

Tim Frank, Executive Director
Center for Sustainable Neighborhoods

Letter to MTC on COVID-19 Response Fund
April 20, 2020
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Peter Cohen and Fernando Martí, Co-Directors
Council of Community Housing Organizations

Abigail Gutmann-Gonzalez and Keith Brower Brown, Co-Chairs
Democratic Socialists of America, East Bay Chapter

Kate O'Hara, Executive Director
East Bay Alliance for a Sustainable Economy (EBASE)

Gloria Bruce, Executive Director
East Bay Housing Organizations

Nathaniel Arnold, President
East Bay Urban Alliance

Rev. Dr. Ray Pickett, Chair
Genesis Leadership Council

Teri Shore, Regional Director, North Bay
Greenbelt Alliance

Hana Creger, Environmental Equity Program Manager
Greenlining Institute

Debra Ballinger, Executive Director
Monument Impact

Leticia Romero, President
North Bay Organizing Project

Keith Brown, President
Oakland Education Association

Chione Flegal, Managing Director
PolicyLink

Richard Marcantonio, Managing Attorney
Public Advocates Inc.

Monica Mallon, Transit Lead
Silicon Valley Youth Climate Action

Danielle Platt, Political Team Lead
Sunrise Bay Area

Letter to MTC on COVID-19 Response Fund
April 20, 2020
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Hayley Currier, Policy Advocacy Manager
TransForm

Bob Allen, Director of Policy and Advocacy Campaigns
Urban Habitat

Derecka Mehrens, Executive Director
Working Partnerships USA

cc: MTC Commissioners

Encl: Letter of April 13, 2020

From: VTA Board Secretary
Sent: Thursday, May 14, 2020 5:22 PM
To: VTA Board of Directors
Subject: VTA Information: Ridership for March 2020

VTA Board of Directors:

Attached is a memorandum from Chief Operating Officer David Hill regarding VTA ridership for March 2020.

Thank you.

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



TO: VTA Board of Directors

THROUGH: Nuria I. Fernandez, General Manager/CEO

FROM: David Hill, Chief Operating Officer

DATE: May 13, 2020

SUBJECT: VTA Ridership for March 2020

March 2020 total monthly system ridership for bus and light rail was 1,873,078, a decrease of 37.5% over March 2019. Bus ridership was down by 35.5% compared to March 2019. Light Rail ridership was down by 44.2% compared to March 2019. March 2020 total monthly ridership was down by 32.3% compared to February 2020. Ridership change from February to March typically averages +11.0%.

Ridership	Mar-2020	Compared to:				Calendar-Year-to-Date		
		Mar-19	Percent Change	Feb-20	Percent Change	Current Jan'20-Mar'20	Prior Jan' 19-Mar'19	Percent Change
Bus	1,483,371	2,298,811	-35.5%	2,156,683	-31.2%	5,796,272	6,475,474	-10.5%
Light Rail	389,707	698,931	-44.2%	610,633	-36.2%	1,688,583	1,986,124	-15.0%
System	1,873,078	2,997,742	-37.5%	2,767,316	-32.3%	7,484,855	8,461,598	-11.5%

March 2020 ridership was significantly impacted by the shelter-in-place order due to the Corona Virus Disease (COVID-19). The typical weekday ridership immediately declined, at least 50%, when the shelter-in-place order took effect on March 17, 2020 and continued to drop in subsequent weeks. Light rail service was also suspended effective March 26, 2020.

Ridership	March 1-16	March 17-31*
Bus	1,001,539	481,832
Light Rail	308,199	81,508
System	1,309,738	563,340

*Shelter-in-place took effect March 17, 2020; Light rail service suspended starting March 26, 2020.

The boardings per total hours and boardings per revenue hours for bus and rail are shown in the table below:

	Boardings per Total hours ¹			Boardings per Revenue hours ²		
	Mar-2020	Mar-2019	Percent Change	Mar-2020	Mar-2019	Percent Change
Bus	11.6	18.4	-37.1%	12.5	20.1	-38.0%
Light Rail	26.9	53.6	-49.8%	28.5	56.6	-49.6%

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

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

From: VTA Board Secretary
Sent: Friday, May 15, 2020 4:57 PM
To: VTA Board of Directors
Subject: VTA Correspondence: Week ending May 15, 2020

VTA Board of Directors:

We are forwarding to you the following correspondence:

From	Topic
Roland Lebrun, Member of the Public	Comments regarding: 1) restoring Caltrain ridership; and 2) Caltrain PCEP

Thank you.

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



From: Roland Lebrun

Sent: Monday, May 11, 2020 11:15 AM

To: Caltrain Board <board@caltrain.com>

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

Subject: Restoring Caltrain ridership

Dear Chair Pine and Board members,

Further to SamTrans staff's catastrophic decision to achieve physical distancing through the termination of the popular Baby Bullet service and the ensuing disappearance of 98% of the Caltrain ridership, the purpose of the attached letter is to:

- 1) Follow up on Director Collins' request for the implementation of rigid physical distancing protocols on trains.
- 2) Propose a schedule focused on restoring ridership during the pandemic.

Thank you in advance for your consideration

Roland Lebrun

cc

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

Dear Chair Pine and Board members,

Further to SamTrans staff's catastrophic decision to achieve physical distancing through the termination of the popular Baby Bullet service and the ensuing disappearance of 98% of the Caltrain ridership, the purpose of this letter is to:

- 1) Follow up on Director Collins' request for the implementation of **rigid physical distancing protocols** on trains.
- 2) Propose a schedule focused on restoring ridership during the pandemic.

Background

Caltrain currently operates two kinds of railcars:

"Gallery" cars with a single high entrance door and two single rows of seats on the upper deck.



"Bombardier" cars with dual door entrances at opposite ends and 2+2 seating on both the upper and lower decks.



Physical Distancing

- 6-foot distancing on Gallery car upper decks is physically impossible, making it mandatory to **close off all Gallery car upper decks during the pandemic.**
- 6-foot distancing is achievable on the remaining 2+2 seating by **eliminating every isle seat and every other window seat** for a 75% reduction in capacity (6 out of every 8 seats).
- **Stair access must be restricted to a single direction** (either up or down).
- Face masks must be worn at all times (no exceptions). **Transit Police will carry spares for passengers needing assistance.**
- **Standees will not be allowed on any train except in the Gallery bicycle storage areas** (maximum 8 standees per bicycle car: total 16 standees).
- Conductors will walk the trains between stations to ensure that all protocols are being adhered to and may request Transit Police assistance.

Revised Schedule

- Hourly local (all stops) **Gallery trains** will continue during hours of operations.
- **Hourly Bullet Bombardier trains** will make stops at San Jose, Sunnyvale, Mountain View, Palo Alto, Redwood City, San Mateo, Millbrae and San Francisco **during all hours of operations.**
- Buses will be timed to provide connections with Bullet trains.
- Bullet service frequency will be increased to match demand.
- **Hourly local service will be terminated if it interferes with Bullet traffic.**
- **Two Bombardier trains will be on standby at Redwood Junction during peak to relieve overcrowding as necessary.**

Respectfully submitted for your consideration.

Roland Lebrun

From: Roland Lebrun

Sent: Wednesday, May 6, 2020 11:07 AM

To: Caltrain Board <board@caltrain.com>

Cc: Steve Stamos, Clerk of the Board <clerk@sfcta.org>; VTA Board Secretary <Board.Secretary@vta.org>; MTC Info <info@bayareametro.gov>; CHSRA Board <boardmembers@hsr.ca.gov>; SFCTA CAC <cac@sfcta.org>; Caltrain CAC Secretary <cacsecretary@caltrain.com>

Subject: Item 6.c PCEP Monthly Progress Report

Dear Chair Pine and Board members,

Please find attached comments and suggestions for resolving bottlenecks in the Stadler EMU procurement.

I hope that you find this information useful.

Roland Lebrun

cc:

SFCTA Commissioners

VTA Board

MTC commissioners

CHSRA Board of directors

SFCTA CAC

Caltrain CAC

Dear Chair Pine,

As you should be aware by now, the Caltrain Electrification Project (PCEP) has been spinning out of control for over a year and shows every sign of a repeat of the CBOSS PTC project which is now 5 years late and will result in a write-off of approximately \$200M of scarce taxpayer dollars.

I believe that the issues pertaining to the electrification of the tracks are generally well understood and addressed. Having said that, I hope that you will consider a set of proposals focused on the elimination of bottlenecks in the EMU procurement schedule followed by another set of recommendations to accelerate the resolution of the Constant Warning Time (CWT) issue at a later date.

Stadler EMU procurement key issues

- Testing of Trainset No. 1 stopped **in February**.
- The Stadler test track has yet to be electrified.
- The Stadler test track does not have PTC.
- Neither JPB nor Stadler test tracks are capable of testing EMUs at 110 MPH.
- Assembly of trainsets 2-4 has been delayed by disruptions in the supply chain.
- Final Design Reviews (FDRs) are incomplete.
- **The FRA has not approved the crashworthiness waiver.**
- **SamTrans staff are proposing to rebaseline the schedule by another 6 months** (total two-year delay so far).

TTCI status

TTCI remains fully operational in support of our customers and the industry. Our testing facility and headquarters in Pueblo, CO is following all CDC guidelines and taking strict precautions to protect the health and safety of staff and contractors while ensuring continued service. Mission-critical staff are operating on-site at our headquarters, and other TTCI employees are addressing client and industry needs remotely. TTCI business functions remain uninterrupted, including customer testing projects and our support of the industry's strategic research initiatives

<https://www.ttcitech.com/covid19>

Recommendations:

- Ship Trainset No. 1 to Pueblo on 5/29 as scheduled
- **Transfer EMU testing and certification management to TTCI**
- Complete assembly of trainsets 2-4 with materials on hand
- **Suspend all shell manufacturing/shipping from Switzerland until the FRA and TTCI have reviewed and approved the alternate crashworthiness design standards**

Respectfully submitted for your consideration.

Roland Lebrun

PS. I had initially hoped to review the March Program Management Oversight Committee (PMOC) report before writing this letter but there is no sign of the report as of today May 6 2020, so I referred to the March PCEP monthly status report for the time being.

Excerpts from March PCEP Monthly Progress Report

“The program critical path runs through the manufacturing and testing of EMU trainsets”

“Salt Lake City-based testing of Trainset No. 1 has been halted since key Stadler and sub-supplier personnel cannot travel. The current delay is estimated at a day for each day of COVID-19 restrictions.”

“Stadler and some sub-suppliers have submitted excusable delay notices. – Stadler has material for about 3 trainsets, but the disrupted supply chain will likely create shortages and delays. – Stadler and project oversight and administration unaffected.”

“FDRs remain to be completed for three systems. These software-based systems include ‘Train Control,’ ‘Monitoring and Diagnostics,’ and ‘Car Control.’ **Completion is scheduled for early ‘2020 and must be performed before design conformance Type Testing commences in April 2020.**”

“Two waiver requests remain with the FRA for review and disposition. One pertains to train alternate crashworthiness design standards”

“Re-baseline Stadler trainset delivery and testing schedule on Caltrain property to **2/26/2021**” (originally 6/25/2019)

<https://www.caltrain.com/Assets/Caltrain+Modernization+Program/Documents/MPR/20-03+March+2020+Monthly+Progress+Report.pdf>