

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

Draft

**Minutes  
July 7, 2011**

**MEMBERS PRESENT:** J. Cisneros, J. Deal, S. Elsbernd (Chair), A. Kalra, A. Lloyd, A. Tissier, K. Yeager

**MEMBERS ABSENT:** L. Kniss

**STAFF PRESENT:** J. Cassman, C. Cavitt, A. Chan, G. Harrington, C. Harvey, R. Haskin, A. Hughes, R. Lake, M. Lee, M. Martinez, N. McKenna, D. Miller, S. Murphy, M. Scanlon, M. Simon

Chair Sean Elsbernd called the meeting to order at 10:04 a.m. Director José Cisneros led the Pledge of Allegiance.

JPB Secretary Martha Martinez administered the Oath of Office to Director Jerry Deal (City of Burlingame) representing the City Selection Committee/SamTrans.

**ELECTION OF 2011 VICE CHAIR**

Director Art Lloyd nominated Director Adrienne Tissier for vice chair. A motion (Lloyd/Yeager) in support of the nomination was approved unanimously by roll call.

**PUBLIC COMMENT**

Jerry Carlson, Atherton, asked about \$16 million received for the Positive Train Control (PTC) project and where the rest of the funds are going to come from to meet the 2015 deadline. He asked why PTC solutions used elsewhere in the world can't be used on this corridor.

Jeff Carter, Burlingame, said Sunday, June 26 was the annual Pride Parade and Giants game in San Francisco, and a bicycle race in Burlingame. He said Train 423 was packed and people could not get on. Mr. Carter said this seems to happen every year and gives people a negative impression of Caltrain. The trains leaving San Francisco in the late afternoon were very crowded and people could not get on at Millbrae who were transferring from BART to continue south.

Greg Conlon, Atherton, said he is concerned about safety and fatalities and there is a need for quad gates at Watkins Avenue.

Director Ash Kalra arrived at 10:11 a.m.

Pat Giorni, Burlingame, said the Board received seven letters for increasing bicycle capacity and only 26 complaints on bumping. She said this organization should be congratulated for being recognized in the *New York Times* for increasing bicycle capacity. She commended the conductors for asking people to fold up strollers and moving them out of the bike car. Ms. Giorni welcomed Director Deal to the Board.

## **CONSENT CALENDAR**

- a. Approval of Minutes of June 2, 2011

The Board approved the consent calendar (Tissier/Lloyd)).

## **CHAIRPERSON'S REPORT**

### **Resolution of Appreciation to Outgoing Board Member Nat Ford**

Chair Elsbernd presented outgoing Director Ford a Resolution of Appreciation and train plaque for his service on the Board. Chair Elsbernd said this is a real loss to this Board and the San Francisco Municipal Transportation Agency.

Director Ford thanked the Board and staff for the recognition, but this Board is more about the partnership of the three agencies.

A motion (Elsbernd/Lloyd) to approve the resolution was approved unanimously by roll call.

## **REPORT OF THE CITIZENS ADVISORY COMMITTEE (CAC)**

Chair Bruce Jenkins said the CAC received a presentation from Executive Officer, Public Affairs Mark Simon on what staff is doing in the area of mental health in the community and the role of public affairs. The CAC expressed their concern with negative press the media is portraying at this time.

## **REPORT OF THE EXECUTIVE DIRECTOR**

Executive Director Michael Scanlon reported:

- Director Ford's departure is a huge loss, he was a true team player and is extremely well respected throughout the industry.
- Welcomed Director Deal to the Board.
- Congratulated Director Tissier on being elected vice chair.
- Key Caltrain Performance Statistics
  - Monthly Performance Statistics – May 2011 compared to May 2010
    - a. Total Ridership was 1,142,838, an increase of 9.7 percent.
    - b. Average Weekday Ridership was 42,550, an increase of 6.3 percent.
    - c. Total Revenue was \$4,609,509, an increase of 16.4 percent.
    - d. On-time Performance was 90.1 percent, a decrease of 3.8 percent.
    - e. Caltrain Shuttle Ridership was 6,976, an increase of 24.8 percent.
  - Year-to-Date Performance Statistics – May 2011 compared to May 2010
    - f. Total Ridership was 11,484,247, an increase of 5.2 percent.
    - g. Average Weekday Ridership was 39,507, an increase of 5 percent.
    - h. Total Revenue was \$44,134,852, an increase of 13.4 percent.
    - i. On-time Performance was 93.2 percent, a decrease of 1 percent.
    - j. Caltrain Shuttle Ridership was 5,164, an increase of 6.3 percent.
  - On-time Performance (OTP) – May and June
    - k. May OTP was impacted by three categories: mechanical issues, signal problems and very large groups. Major mechanical issues caused 920 minutes in delays; crowds and school groups caused 998 minutes in delays and signal issues caused 660 minutes in delays.

- l. OTP for June is 88 percent compared to 94 percent the previous June. Staff looked at trains arriving within the 6-10 minute window and the on-time percentage rises to about 93.4 percent, but that is still under the goal of 5 minutes.
  - m. June OTP was impacted by three major delay categories: three fatalities caused more than 2,300 minutes in delays; mechanical issues with locomotives caused more than 1,000 minutes in delays and a major signal malfunction into the San Francisco yard caused 793 minutes in delays.
  - n. More people are riding and dwell times will increase.
- The monthly ridership reported is a methodology based on revenues and every February actual counts are taken. Staff found the methodology was very strong on the monthly estimates, but uncovered a mistake that has been going on for years in the February counts. The mistake was that bikes are counted separately and got added into the total ridership number. The discrepancy will be corrected and prior reports adjusted.
  - Fare and parking increases went into effect July 1.
  - The Bicycle Advisory Committee did not meet in June, but will be meeting in July.
  - Baseball ridership is up 14 percent over last year.
  - Special service was provided for the Earthquakes soccer match at Stanford and there were 800 additional riders.
  - The Fourth of July service carried an additional 2,400 riders.
  - Deputy CEO Gigi Harrington locked in the Fiscal Year (FY) 2012 fuel hedge at \$2.90 per gallon.
  - The agency received funding for the first phase of the Communications Based Overlay Signal System (CBOSS) in the amount of \$16 million. This funding is only for the design phase of a signal system that will enable Caltrain to provide a more robust and safer level of service. In the final analysis, most of technology for CBOSS/PTC will be off the shelf stuff that has to be integrated in a way to have the interoperability, both for High Speed Rail (HSR) and the other railroads that operate on portions of the right of way. One of the features of CBOSS is a non-funded mandate by the Federal government that requires all railroad systems have PTC in place by 2015. Through the American Public Transportation Association (APTA), staff is trying to get the date relaxed because there is no funding. While the system does a lot for Caltrain, it also enables HSR to operate in the corridor.
  - The reading file contains the Safety & Security Report, new timetable effective July 1 and the latest editions of *Track the Fun* and bike access brochure.

Acting Director of Caltrain Modernization Marian Lee said staff is currently conducting a Corridor Capacity Study. This study will look at how Caltrain and HSR will run and how many trains can be provided. To-date, staff has built a simulation model that allows for the running of various operation plans. These operation plans are being done with select infrastructure improvements and also testing out different speeds. She said the goal of this is to maximize the throughput and optimize operations. Staff is also examining gate down time with more traffic in the corridor and realized there will be impacts to the at-grade crossings. She said staff is looking at safety issues and assessing local traffic conditions to begin to understand if grade separations are necessary. Ms. Lee said she expects to have preliminary findings at the end of July and will be focusing on answering the question, "Can there be an acceptable operating plan that works for both Caltrain and HSR with a system that substantially fits in the right of way envelope." She said this is "a" scenario, not "the" scenario and there is more work to be done, but it will help answer the critical question. Ms. Lee said if the answer is yes, staff thinks it will be critical information in shaping what may be built on the right of way. Staff has been conducting the

Study with close coordination with HSR and their consultants. The Study has also been shared with stakeholders and staff has been meeting with them as requested.

#### Public Comment

Pat Giorni, Burlingame, said next week's California High Speed Rail Authority's (CHSRA) meeting has an agenda item update on the phased implementation/blended system approach to be incorporated on the Peninsula. She said CHSRA's Chief Executive Officer Roelof van Ark has asked the attorney general whether phased implementation/blended system approach is actually legal or whether it would violate Proposition 1A for the enabling legislation of AB3034.

Mr. Scanlon said he spoke with Mr. van Ark last week about the attorney general's opinion and next week's CHSRA meeting will be only an update. The question to the attorney general about what may or may not be consistent with Proposition 1A is better framed after the capacity analysis is done.

Roland Lebrun, San Jose, said the only way to achieve a blended system is for Caltrain and HSR to run at the same speed.

#### **ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR MAY 2011**

Ms. Harrington said revenues are over budget by \$3.7 million and there are savings in the expenses of about \$4.4 million. She said fuel is at \$3.15 per gallon and the current fuel hedge has been tripped every month since October. Ms. Harrington said 2.1 million gallons of fuel was locked in at \$2.90 per gallon for the FY2012 fuel hedge program.

A motion (Tissier/Deal) to accept the May 2011 statement was approved unanimously.

#### **AUTHORIZE APPROVAL AND RATIFICATION OF THE FISCAL YEAR 2012 INSURANCE PROGRAM FOR A TOTAL COST NOT-TO-EXCEED AMOUNT OF \$3,134,346**

Ms. Harrington said this is the yearly insurance program and the majority is for railroad liability. This is an increase from last year and one of the carriers was swapped out after an experience with them last fall.

A motion (Tissier/Deal) to approve and ratify the Fiscal Year 2012 Insurance Program was approved unanimously by roll call.

#### **ADOPTION OF FISCAL YEAR 2012 CAPITAL BUDGET IN THE AMOUNT OF \$60,726,816**

Director of Budgets and Grants April Chan presented the following:

- A preliminary budget of \$64.6 million was presented at the May Board meeting.
- At the June meeting, staff reported that San Mateo, Santa Clara Valley Transportation Authority and San Francisco could each contribute \$4 million, \$3.13 million and \$2.73 million, respectively.
- Each member will contribute equally \$2.73 million.
- Proposed funding sources are Federal, State and regional grants, additional bridge tolls from AB 664 and member agency contributions.

- With the recommended member contributions the Capital Budget would have to be reduced from \$64.6 million to \$60.6 million. Cuts would be made in the State of Good Repair program.
- Station postponements include an upgrade to the public announcement and visual messaging signs project at 22<sup>nd</sup> Street and Sunnyvale stations.
- Last year \$4.9 million was reduced from the rolling stock and this year another \$2.6 million will be reduced, which poses greater risks to reliability and availability of the fleet.

#### Public Comment

Jerry Carlson, Atherton, said there is a need for quad gates at Watkins Avenue in Atherton. He said there is a strong likelihood that a new library will be opened on Watkins Avenue and this will increase traffic in the area. He will be going to the San Mateo County Transportation Authority Board meeting and asking them for funding for this project too.

Greg Conlon, Atherton, said there is an elementary school on Watkins Avenue and that is another reason there is a need for quad gates at this location. He said he will be making an appeal to the California Public Utilities Commission (PUC) for sources of funding to install quad gates at this location.

Director Lloyd said Operation Lifesaver should look at this location for installation of quad gates.

Adina Levin, Friends of Caltrain, thanked the Board and staff for doing everything possible to get the Operating Budget in shape to continue running the trains, but the combination of the on-time performance and mechanical issues reflects the cuts in the Capital Budget. She said she is disappointed to see a reduction in maintenance because of the reduction in the overall Capital Budget.

Pat Giorni, Burlingame, said she is distressed to see the reduction in the Capital Budget and especially \$4 million being removed from State of Good Repair. She asked if there has been a reassessment of ridership and funding from the partners.

Roland Lebrun, San Jose, said he agrees with the City of Atherton, but quad gates are just a temporary solution. He said once the opinion of the attorney general is heard the Peninsula will qualify for Proposition 1A funding. Mr. Lebrun said once PTC is installed a train will not be able to hit anything on the track.

Director Ash Kalra said the Board shares the public's concern with scaling back on the State of Good Repair and overall Capital Budget. He asked if staff has any ideas going forward for increasing the funding for the Capital Budget from the partners.

Mr. Scanlon said there was quite a bit of discussion and the partners worked very diligently to find the funding. The Capital Budget is split one-third each among the partners and is not reflective of ridership. Mr. Scanlon said San Francisco looked at increasing their contribution by borrowing funds, but it would have long-term effects.

Director Tissier said the cuts today will cost more in the future because funds are not being spent now on rolling stock. She said there needs to be ongoing discussions with the partners to find equal sources of funding for both operating and capital. Director Tissier said ridership numbers need to be looked at since most riders are coming from outside San Mateo County.

Mr. Scanlon said the discussions are ongoing. San Mateo is not putting in \$4 million, but all the partners are putting in \$2.7 million. The capital and operating budgets are all within the Transit Sustainability Project discussions at the Metropolitan Transportation Commission. Mr. Scanlon said the Capital Budget is just as critical as the Operating Budget.

A motion (Kalra/Lloyd) to approve the Fiscal Year 2012 Capital Budget was approved unanimously by roll call.

**AUTHORIZE AMENDMENT TO THE AGREEMENT WITH THE SAN MATEO COUNTY TRANSIT DISTRICT TO UNDERWRITE A PORTION OF LAW ENFORCEMENT AND POLICE COMMUNICATIONS SERVICES FOR A SIX MONTH EXTENSION FOR A TOTAL COST NOT-TO-EXCEED AMOUNT OF \$1,400,000**

Ms. Harrington said this extends the current agreement with the San Mateo County Sheriff's office for police and security services for six months while staff renegotiates the contract. The current contract has expired and this extension will provide continued support during negotiations. The unit is based in this building and provides service from 5 a.m. -1 a.m., seven days a week. There are 13 employees who have specialized training to clear Caltrain incidents.

Chair Elsbernd asked if Santa Clara or San Francisco sheriffs have been approached for this contract. Ms. Harrington said no.

A motion (Lloyd/Cisneros) to authorize amendment with the San Mateo County Transit District to underwrite a portion of law enforcement and police communications services for a six month extension was approved unanimously by roll call.

**AUTHORIZE AWARD OF CONTRACT TO RAILHEAD CORPORATION TO PROCURE AND INSTALL DIGITAL VIDEO RECORDING SYSTEMS (DVRs) ON LOCOMOTIVES OR CAB CARS FOR A TOTAL NOT-TO-EXCEED COST OF \$967,676**

Director of Contracts and Procurement Cheryl Cavitt said Staff Coordinating Council is requesting the Board approve award of contract to Railhead Corporation for an initial installation of up to 20 DVRs on locomotives or cab cars. The installation of the cameras will provide safety critical information and aid in investigations along the right of way.

Director Kalra asked if local preference is ever considered. Mr. Scanlon said it is not possible when a contract includes Federal funds.

Mr. Scanlon said staff has received questions on retention of films from a legal perspective. Staff envisions the images captured will be recorded over, not archived. The only time the film will be kept is if there is an incident. Mr. Scanlon would like general counsel to slightly change the resolution to authorize him to award this contract at his discretion if the legal issues can be resolved, rather than award the contract now.

Legal Counsel David Miller said, to accommodate the executive director's request, the resolution will include the language that award of contract would be at the discretion of the Executive Director.

#### Public Comment

Roland Lebrun, San Jose, said there are a lot of requests from the public to have WiFi on the train and the command center could see what is actually happening if WiFi was on the trains because the film would go directly to the command center.

Greg Conlon, Atherton, said there was an article in the paper that YouTube would pick up these videos and then suicides would be shown.

Mr. Miller said staff is very concerned about this and that is one of the reasons the executive director wants to take this matter under review.

A motion (Tissier/Kalra) to authorize the Executive Director, at his discretion, to award a contract to Railhead Corporation to procure and install digital video recording systems on locomotives or cab cars was approved unanimously by roll call.

#### **LEGISLATIVE UPDATE**

Government Affairs Manager Seamus Murphy reported:

- The State budget maintains the terms of the gas tax swap and keeps the State Transit Assistance program at the funding levels that were requested. There were some line-item vetoes on the capital side that pertain to Caltrain. Caltrain's share of Proposition 1A connectivity funding is about \$42 million and \$4 million is appropriated by the Legislature. He said this is not part of the FY2012 capital budget so staff wasn't expecting to spend the funds, but the line-item veto did eliminate those funds so it doesn't preclude staff from spending the funds in future years as long as it is appropriated by the Legislature and signed by the governor.
- Support for the Caltrain Memorandum of Understanding was a separate \$1.1 million line item in the CHSRA administration budget, but the governor eliminated the line item and specifically directed CHSRA to fund the program out of the capital outlay portion of its budget. Staff has been in discussions with CHSRA on how that request can be accommodated.
- The deadline for legislation to make it through policy committee is July 8. Key bills include AB1164, by Assemblyman Rich Gordon, relates to the bond sale delays, which would allow Federal funding in the State Highway Account to support Proposition 1B projects and then have the funding reimbursed when Proposition 1B bonds are sold at a future date. He said AB145, that would have created a separate department of high speed trains, was amended to remove any provisions related to the establishment of that separate department.
- On the Federal level, House Transportation and Infrastructure Committee Chairman John Mica announced his proposal for the Surface Transportation Reauthorization bill. This bill is consistent with the funding reductions that the House Budget Committee approved earlier this year. This is a six-year bill at a \$230 billion level down from the \$290 billion SAFETU-LU bill.

#### **CORRESPONDENCE**

In the reading file

**BOARD MEMBER REQUESTS**

None

**GENERAL COUNSEL REPORT**

No report

**DATE/TIME/PLACE OF NEXT MEETING**

Chair Elsbernd said the August meeting will be cancelled and the the next meeting will be Thursday, September 1, 2011, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2<sup>nd</sup> Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

**ADJOURNED**

Adjourned at 11:17 a.m.