

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

**Minutes  
December 1, 2011**

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

**MEMBERS ABSENT:** J. Cisneros, T. Nolan

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

Chair Sean Elsbernd called the meeting to order at 10:03 a.m. Director Ken Yeager led the Pledge of Allegiance.

**PUBLIC COMMENT**

Jeff Carter, Millbrae, wished the Board and staff Happy Holidays.

Roland LeBrun, San Jose, said he made two round trips on Caltrain this week using Clipper and was charged for a Day Pass each time. The Metropolitan Transportation Commission (MTC) rated the Dumbarton Rail Project as one of the lowest. The project needs to be scrapped and revisited so it can be built right.

Sam Dicker, San Francisco, said he has been riding his bike for over a year. He doesn't use the Warm Planet facility at Fourth and King in San Francisco for storing his bike, but for repairs.

Brady Kroupa, San Francisco, commutes daily to Palo Alto and rides his bike to the San Francisco Caltrain Station. He doesn't take his bike on the train, but stores it at Warm Planet. He said this is a great asset for bikers and appreciates the community feeling and service provided by this facility.

Ed DeLanoy, San Carlos, asked if the cost of the new contract operator will cause an increase in fares. He also suggested shorter trains will reduce the use and cost of fuel. He would like to see a feasibility study on the subject of shorter trains.

Pat Giorni, Burlingame, wished the Board and staff Happy Holidays. There were only 69 bump complaints this month which is down from last month. In October, when the Board rejected the bike facility proposal, it was asked if the Bicycle Advisory Committee (BAC) was asked for their input and staff said it would be on the November BAC agenda. This item was not on the November agenda. She asked what staff is looking for with the bike facility that Warm Planet does not offer.

Greg Conlon, Atherton, said Deputy CEO Chuck Harvey sent a letter to the mayor of Atherton on the Watkins Avenue grade crossing and he will be scheduling a meeting with Mr. Harvey and the mayor in the next couple of weeks.

Director Art Lloyd said that the cost of providing a switch crew and switch engine to reduce a consist from five to three cars is very expensive and there are no savings.

### **CONSENT CALENDAR**

- a. Approval of Minutes of November 3, 2011

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

### **CHAIRPERSON'S REPORT**

#### **Appointment of Nominating Committee for 2012 Officers**

Chair Elsbernd appointed Directors Tom Nolan, Lloyd and Liz Kniss to the nominating committee for 2012 officers.

A motion (Kalra/Yeager) to appoint Directors Nolan, Lloyd and Kniss to the nominating committee was approved by all.

#### **Appointment of Representative to the Transbay Joint Powers Authority (TJPA)**

Chair Elsbernd said he is appointing Director Lloyd as the JPB representative on the TJPA and Director of Caltrain Modernization Program Marian Lee as his alternate.

A motion (Tissier/Kalra) to approve the appointments to the TJPA was approved unanimously.

### **REPORT OF THE CITIZENS ADVISORY COMMITTEE**

CAC Chair Bruce Jenkins reported:

- Associate Operations Contract Administrator-Shuttles Mike Stevenson provided a comprehensive presentation on the shuttle program.
- Staff provided an updated on special service and performance numbers.
- CAC member Sepi Richardson resigned and will be recognized at the December meeting.

### **REPORT OF THE EXECUTIVE DIRECTOR**

#### **High Speed Rail Business Plan Presentation**

California High Speed Rail Authority (CHSRA) Board Member Jim Hartnett said California is on the move and High Speed Rail (HSR) is needed to keep people moving. The Business Plan that has been generated is something that represents a new approach to HSR in California to meet the needs of a growing population that cannot be done by building freeway miles or filling in the San Francisco Bay for new runways. We need to be more environmentally sensitive in how transportation needs are approached and HSR is part of that solution. The new Business Plan is a realistic one that lays it all out in a very plain and simple way. It talks about a new approach that is synergistic with Caltrain, Caltrain needs, and the needs of those in Southern California. It was discussed building HSR in sections and no section will be built unless there is sufficient money to build that section and pay for itself in terms of operation and maintenance costs. HSR has to work in a way that it blends with Caltrain and MetroLink in Southern California. It is really the only way the system can work in an efficient effective way from Los

Angeles to San Francisco, compliant with legal requirements of Proposition 1A and the needs of the communities.

Mr. Hartnett said the HSR Business Plan has a new emphasis beyond building in sections and blended approach. It has an emphasis on regional connectivity. There is an acknowledgement that HSR is not a stand-alone system. Beyond having a blended approach it is a system that has to connect with the rest of the transit system in the state. It is also a system that cannot be stand-alone in the sense of operating on its own without regard to the regional and local needs of transit systems. This is a dramatic change and a change many asked for. The CHSRA has not had a great history in terms of cooperation with regional and local transit agencies and communities. There was a turning point and it did not start with the new Business Plan that was released on November 1, but with the recognition that everyone is in this together and this project will only work if everyone is rowing in the same direction. It is not what track we share, but what monies we share and work together to get those funds. There needs to be a comprehensive ask to the State for transit funds that are available locally and regionally so we can show the Governor and Legislature that there is an integrated approach and it is the same for the Federal government. Looking at the Caltrain ridership statistics for the last month people like to ride, they have a choice and they chose Caltrain and it meets their needs. HSR can do that also and it is not because we have models that we think are workable and support the data that is evident in the Business Plan, but we know from examples from around the world that HSR works. It works in diverse places such as Spain, France and Japan and elsewhere. We are not trailblazers, we are behind and we need to recognize that we are behind. There is no time like the present to begin. There are always questions about why now and why not later. Later is not going to make it easier, it will make it more difficult and more costly. If we don't start now, we may lose the opportunity to ever start.

Mr. Hartnett thanked Caltrain for its tremendous input, not only for the blended system, but the whole workability and sustainability of HSR. There was a period of time where there was a growing adversarial relationship between Caltrain and HSR. There is a positive change and a lot more work to do, but this system can be successful and it has to have partners to work closely with.

Chair Elsbernd said he is very thankful that Mr. Harnett was appointed to the CHSRA.

Mr. Hartnett gave high kudos to Ms. Lee for her work.

Ms. Lee said staff is reviewing the HSR Business Plan and comments are due January 15. Staff is very appreciative of two key elements, the inclusion of a blended system and a discussion about needing early investments in existing transit systems to receive funds for HSR. Staff will be doing a more thorough review and will update the Board on the findings.

Ms. Lee said a few weeks back staff sent the Board an update on the next round of outreach with stakeholders. Staff has released a draft report of the Capacity Analysis to stakeholders and posted it on the Caltrain website. Comments on the Capacity Analysis are due on January 15. The second round of outreach focuses on additional planning efforts that build on the findings of the Capacity Analysis. The Capacity Analysis was a proof of concept and not a definitive service plan that would be implementing. Several more planning steps are necessary in order to define exactly what type of service will be provided and what the project will look like. In order

to do that, staff is embarking on two additional planning efforts. One has to do with additional analysis and the other has to do with grade crossings. One of the biggest variables that will guide what the blended system looks like will have to do with the determination of what to do with the grade crossings along the corridor. This study will look at the change in gate down time associated with the blended system and this will be paired with the understanding of impacts on local traffic. Staff is working on these efforts with city and county staff and during the month of December and January will continue to be in public venues and attend meetings, as requested, to talk about these efforts.

Ms. Lee said over the last two weeks staff has been receiving phone calls asking when the Caltrain electrification document will be certified. Staff had recommended that the certification of the Caltrain electrification project be put to the side while figuring out what the blended system will look like and the viability of the blended system.

Director Liz Kniss arrived at 10:36 a.m.

Executive Director Michael Scanlon reported:

- Key Caltrain Performance Statistics
  - Monthly Performance Statistics – October 2011 compared to October 2010
    - Total Ridership was 1,151,883, an increase of 2.3 percent.
    - Average Weekday Ridership was 42,618, an increase of 0.4 percent.
    - Total Revenue was \$4,809,157, an increase of 15.3 percent.
    - On-time Performance was 94.9 percent, an increase of 1.9 percent.
    - Caltrain Shuttle Ridership was 7,671, an increase of 31.9 percent.
  - Year-to-Date Performance Statistics – October 2011 compared to October 2010
    - Total Ridership was 4,760,978, an increase of 8.5 percent.
    - Average Weekday Ridership was 44,330, an increase of 7.2 percent.
    - Total Revenue was \$20,114,821, an increase of 23.9 percent.
    - On-time Performance was 93.2 percent, no change.
    - Caltrain Shuttle Ridership was 6,959, an increase of 28.8 percent.
- The BAC committee met on November 17. There was a brief discussion on the rejection of all bids for the operation of the bike parking facility at Fourth and King. Next meeting will be January 19.
- Staff is continuing to meet with the proprietor of Warm Planet Bikes to get a short-term solution while longer-term options are explored.
- Manager of Community Relations Todd McIntyre will be relocating to Washington, D.C. and his last day is December 16.
- There is significant unrest with the freight railroads and labor negotiations are underway. Caltrain service will not be affected except for possible suspension of service south of Tamien. Staff is working with the Santa Clara Valley Transportation Authority (VTA) and our bus contractor to set-up a bus bridge.
- The monthly Safety & Security Report is in the reading file.
- The rail operator contractor transition is continuing and taking more time than staff had hoped. Staff is working with the new contract operator and Amtrak with the shifting of personnel, permitting and regulatory plans.
- Special service ridership:
  - Sharks ridership for November is up 50 percent over last season.
  - Stanford football is up 88 percent.

- Cal Bears played five games at AT&T Park and there were 14,000 additional passengers.
- A Sunday schedule will operate on Christmas Day and a Saturday schedule on December 26.
- Additional service will be provided on New Year's Eve with trains leaving San Francisco at 12:45 a.m., 1:15 a.m., 1:45 a.m. and 2:15 a.m. and rides will be free after 11 p.m. A Saturday schedule will operate on January 2.

Mr. Harvey updated the Board on construction projects.

- The Santa Clara Project was done to improve safety and operational flexibility with completion in January 2012.
- The South Terminal Project is at the San Jose Diridon Station to improve the existing and future operational flexibility with the construction of two new 1,200 platforms, connect new Americans with Disability Act (ADA) ramps and stairs to existing pedestrian underpass and provide new turnouts and signal system. This project will be done in January 2012.

Mr. Scanlon wished everyone Happy Holidays and reminded the Board that staff will be participating at the Hometown Holidays event in Redwood City this weekend.

#### Public Comment

Jim Bigelow, Redwood City/San Mateo County Chamber, said the next 10 months for HSR is a very critical period of time. There needs to be a focus on what is the life of the diesel equipment operating on the corridor and encourage that the \$900 million for the regional connections be made available to help for electrification or other improvements to the HSR feeder systems. He hopes the Board is proactive on commenting on the HSR Business Plan.

Pat Giorni, Burlingame, said she is a very happy that Mr. Hartnett is on the CHSRA Board, however the Business Plan has changed somewhat. There is movement to possibly repeal it and send it back to the voters and Congress has said no HSR funding after 2013. She asked if Caltrain is working on a Plan B for electrification if HSR does not occur.

Jeff Carter, Burlingame, thanked Mr. Harnett for his presentation. He is concerned about the cost and large plans in the HSR Business Plan that are not necessary. He hopes the blended system does not sacrifice Caltrain service. Mr. Carter asked if Mr. Scanlon could expand on the problems with the transition to the new operator.

Greg Conlon, Atherton, said there are some things that need to be looked at including the additional traffic of 20 trains per hour in the peak and without grade separations or some other form of separation the traffic congestion on the Peninsula will be higher than it is now. He said trenching and tunneling needs to be looked at on the Peninsula because it is unfair and inconsistent to not do some of this in the residential and downtown areas.

Shirley Johnson, San Francisco Bicycle Coalition and BAC, thanked Mr. Scanlon for giving a report on the BAC. Staff told the BAC that both proposals received required funding, but the proposal from Warm Planet Bikes actually did not require funding from Caltrain. Warm Planet Bikes has been operating without a subsidy for over a year and is a very successful operation, but the operator saw that the building was too small to meet the growing needs of bicycle parking

customers. Caltrain needs to provide interim operating funding to keep the facility open. She is concerned the BAC was not involved in these discussions and has requested, since March, that Warm Planet be allowed to present to the BAC, but staff informed her that there were ongoing negotiations with the Request for Proposal (RFP) and then after the RFP was cancelled there were other negotiations. She is hopeful that the other negotiations means that staff is looking for interim operating funding to keep the facility opening.

Doug DeLong, Mountain View, congratulated Amtrak mechanical staff on the on-time performance for the month. He said Mr. Hartnett is a tremendous addition to the CHSRA.

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

Deputy CEO Gigi Harrington said revenues are about \$3 million over budget in October, of which \$2.8 million is farebox revenue. Expenses are within budget. Year-to-date fuel is \$3.13 per gallon and last week it was \$3.16 per gallon. The fuel hedge was tripped in October and a payment of \$9,000 was received.

A motion (Tissier/Lloyd) to accept the October 2011 statement was approved unanimously.

### **CALL FOR A PUBLIC HEARING ON FEBRUARY 2, 2012 TO CONSIDER CHANGES TO THE CODIFIED TARIFF**

Executive Officer Customer Service and Marketing Rita Haskin said Staff Coordinating Council (SCC) requests the Board set a public hearing for February 2, 2012 to address changes to the Codified Tariff which would include eliminating the 8-ride ticket, increasing the cost of one-way and Day Passes purchased through the ticket vending machines, extend the sales period of when a monthly pass can be loaded onto a Clipper card and increase the cost of the GO Pass. Details will be provided in January prior to three community meetings.

#### Public Comment

Pat Giorni, Burlingame, said this is premature and putting a tariff on the paper ticket is unfair because there are no fareboxes on Caltrain or gates. Caltrain passengers have to tag on and off on the platform with their Clipper cards because there are no machines in the stations.

A motion (Lloyd/Yeager) to call for a public hearing was approved unanimously.

### **AUTHORIZE AWARD OF CONTRACT TO FIELD PAOLI ARCHITECTS TO PROVIDE CONCEPTUAL DESIGN AND COST FEASIBILITY FOR THE SAN BRUNO ARCHWAY FOR A FIXED PRICE OF \$190,000**

Director of Contracts and Procurement Cheryl Cavitt said SCC recommends the Board award a contract to Field Paoli Architects to provide a conceptual design and cost feasibility study services for the San Bruno archway contingent upon concurrence from the City of San Bruno and pursuant to a Memorandum of Understanding between the City of San Bruno and the JPB. Ms. Cavitt said, as of this morning, the City of San Bruno has not provided its concurrence yet. The city was involved in the development of the Statement of Work that was used in the solicitation and they did have a member present on the evaluation team.

A motion (Tissier/Kniss) to award a contract to Field Paoli Architects for conceptual design and cost feasibility for the San Bruno archway contingent of San Bruno's concurrence was approved unanimously by roll call.

**AUTHORIZE AWARD OF CONTRACT TO CENTRAL FENCE COMPANY FOR THE PROVISIONING OF FENCE ALONG THE CALTRAIN RIGHT OF WAY FOR A TOTAL ESTIMATED COST OF \$432,600**

Ms. Cavitt said SCC recommends the Board award a contract to the lowest responsive responsible bidder, Central Fence Company, for \$432,600.

Public Comment

Greg Conlon, Atherton, said fencing is one of the benefits that can be added to stop the suicide risks. He said there can never be too much fencing along the right away.

A motion (Lloyd/Kalra) to award a contract to Central Fence Company for the provisioning of fence along the Caltrain right of way was approved unanimously by roll call.

**AUTHORIZE AN AMENDMENT TO INCREASE THE CONTRACT AMOUNT WITH GARDA CL WEST, INC. BY \$456,096 AND EXTEND THE CONTRACT TERM TO A MONTH TO MONTH BASIS ENDING DECEMBER 31, 2012 FOR PROVIDING ARMORED CAR SERVICES**

Ms. Cavitt said SCC is requesting Board approval of an amendment to a contract with Garda CL West to extend for up to an additional one year services for collection, transportation, counting and deposit of cash receivers from the ticket vending machines.

A motion (Tissier/Kalra) to amend the contract with Garda CL West was approved unanimously by roll call.

**LEGISLATIVE UPDATE**

Government Affairs Manager Seamus Murphy reported:

State Update

First quarter payments from State Transit Assistance (STA) are a bit lower than expected. One of the reasons is the STA program is now subject to fluctuations in the sale of diesel fuel. Diesel fuels sales were a bit lower than expected in the first quarter. The California Transit Association noticed the payment did not reflect the increment in diesel fuel sales tax that was added as a result of the gas tax swap. There is about \$16 million statewide that was missing. The controller is working to address that now and will allocate, as part of the second quarter payment, and hopefully will still reach the statewide program goal of \$350 million.

Federal Update

The Senate has moved forward with mark-ups. The Senate committees are going to mark-up in December, but the House is going to delay any consideration of their authorization proposal until next year which is good news because the Senate bill maintains current funding levels and don't know what to expect out of the House version.

**QUARTERLY CAPITAL PROGRESS REPORT – 1<sup>ST</sup> QUARTER**

No discussion.

**CORRESPONDENCE**

No discussion.

**BOARD MEMBER REQUESTS**

None

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

The next meeting will be Thursday, January 5, 2012, 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.

**GENERAL COUNSEL REPORT**

**Closed Session: Conference with Leal Counsel – Existing Litigation – Pursuant to Government Code Section 54956.9(a): Robert Lightfoot v. City and County of San Francisco, et. al.**

Legal Counsel David Miller said the Board will convene in closed session to discuss a matter of existing litigation as permitted by the Brown Act.

Adjourned to closed session at 11:16 a.m.

Reconvened to open session at 11:34 a.m.

Mr. Miller said the Board met in closed session to hear a report on a matter of pending litigation, Robert Lightfoot versus the JPB. A report was presented by legal counsel and appropriate instructions have been given to legal counsel. A report will be presented at a future meeting and there is no action to be taken at this time.

**ADJOURNED**

Adjourned at 11:36 a.m.