

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

**Minutes  
March 7, 2013**

**MEMBERS PRESENT:** M. Cohen, J. Deal, A. Kalra, A. Lloyd, T. Nolan, A. Tissier, P. Woodward, K. Yeager

**MEMBERS ABSENT:** J. Cisneros

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

Chair Ken Yeager called the meeting to order at 10:00 a.m. and led the Pledge of Allegiance.

**PUBLIC COMMENT**

Jeff Carter, Millbrae, said the plastic bag ban in San Mateo County discriminates against people who use public transit as they don't have the luxury of a car.

Jerry Carlson, Vice Mayor, Atherton, said in the next capital budget there will be a funding item to study removing the hold-out rule at the South San Francisco, Burlingame and Atherton stations. It is crucial this budget item is approved so the safety hazard is removed at these locations. Mr. Carlson asked the Board to support Senator Jerry Hill's Senate Bill 557. Mr. Carlson said there was a story in the news recently about the nation's largest railroad switching from diesel to natural gas and he asked if this is a direction the California High Speed Rail Authority (CHSRA) and Caltrain should be pursuing.

Roland LeBrun, San Jose, said there are more people than parking spaces in the combined Santa Clara Valley Transportation Authority (VTA) and Caltrain parking lots on both sides of Highway 87 at the Tamien Station. The additional six trains in the Caltrain schedule now provide a viable service and people who live near Blossom Hill and Morgan Hill Caltrain stations are now driving to Tamien. A solution might be to ask VTA to run hourly service between Diridon and Gilroy stations with an additional stop at the Blossom Hill Caltrain Station.

Directors Adrienne Tissier and Ash Kalra arrived at 10:05 a.m.

**CONSENT CALENDAR**

- a. Approval of Minutes of February 7, 2013

A motion (Lloyd/Nolan) to approve the consent calendar was unanimous.

### **CHAIRPERSON'S REPORT**

No report.

### **REPORT OF THE CAC**

CAC Chair Kevin Gardiner said at its February 20 meeting, the CAC:

- Received a presentation on the Communications-Based Overlay Signal System.
- Had a goal-setting discussion on items for the year, including the increase in ridership and crowding, update on the dedicated funding and improved bike service.
- Would be interested to know what type of information the Board would like the CAC to discuss.

### **ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR JANUARY 2013**

Deputy CEO Gigi Harrington said revenues are over budget by about \$5 million and expenses are under budget by \$1 million. Last week fuel was \$3.18 per gallon and year to date is \$3.19 per gallon. The JPB received \$78,000 in February and year to date has received \$406,000 from the fuel hedge.

A motion (Tissier/Nolan) to accept the January 2013 statement was approved unanimously.

### **AUTHORIZE APPROVAL OF NEW AGREEMENT BETWEEN THE JPB AND CHSRA**

Executive Officer, Caltrain Modernization Marian Lee said this agreement is to replace the outdated agreement between the CHSRA and JPB. This item was presented to the Board in December and February and to the Local Policymaker Group (comprised of elected officials from the 17 cities and three counties). Comments were received on the original principles and staff shared the actual draft agreement with the public to get a second round of comments. Ms. Lee said in the document is an item that states "avoiding designing the blended system in a way that avoids adverse impacts," staff added "wherever feasible." The document discusses the commitment to keep regular commuter rail in operation when the blended system is being developed. Ms. Lee said the word "regular" was removed as there will be service changes. She said where it states "preserving freight service," staff removed the part that states "in a manner consistent with the existing Trackage Rights Agreement." That agreement is for a diesel corridor.

Ms. Lee said staff attended yesterday's CHSRA Board meeting where this item was on the agenda for action. The action was deferred for a future CHSRA meeting where there will be full Board attendance. The chair noted there is majority board support for the new agreement and he expects approval at the next CHSRA meeting. Ms. Lee said a copy of correspondence received from stakeholders is in the Board's reading file.

Director Malia Cohen arrived at 10:14 a.m.

Public Comment

Ben Tripousis, CHSRA, said he encourages the Board to support the new agreement. JPB and CSHRA staff worked collaboratively to develop a revised document that meets the goals set out by both JPB and CHSRA. The revised agreement will facilitate the development of the early investment projects, specifically corridor electrification and automated train signal systems, as well as pave the way for future high-speed service in the Peninsula Corridor. The CHSRA will seek approval of the agreement at their April 4 meeting.

Jeremy Dennis, Office of Assemblyman Rich Gordon, said Assemblyman Gordon supports the agreement. This agreement will not only create the framework for long desired and critical modernization of Caltrain, but it solidifies the blended approach that was developed by Congresswoman Anna Eshoo, Senator Joe Simitian and Assemblyman Gordon.

Jeff Carter, Millbrae, said he has some concern with the agreement, including regular service versus operational service. Currently Caltrain is at capacity and more capacity is needed. He said we don't know what the future holds and the corridor should not be limited to two tracks and six trains per hour.

Jim Bigelow, Redwood City/San Mateo County and Menlo Park Chambers of Commerce and the San Mateo County Economic Development Association, said all entities strongly support the new agreement. It is very clear there is no four-track option from San Francisco to San Jose and it identifies minimizing the impact along the corridor. He acknowledged Director Tissier for her work at the Metropolitan Transportation Commission (MTC) in getting a funding package with the nine agencies.

Greg Greenway, Redwood City/San Mateo County Chamber of Commerce Board of Directors, said the chamber sent a letter of support of the new agreement and the agreement does a good job of addressing stakeholder concerns.

Roland LeBrun, San Jose, said what happened at the March 6 CHSRA meeting was a misunderstanding. Between now and the next meeting staff needs to work together to clarify the misunderstanding to ensure a unanimous vote at the April CHSRA meeting.

Adina Levin, Friends of Caltrain, said they support the agreement between Caltrain and CHSRA. An important issue is going to be the design of the system. She thanked Ms. Lee for disclosing there will be service changes and would encourage Caltrain to work with the communities on what the options are.

Director Kalra thanked the Board and staff for their continued support on this project and Ms. Lee and Mr. Tripousis for working with the community.

Mr. Scanlon said this new agreement speaks volumes of the evolution of the project. Yesterday there was push back from the most senior board member on CHSRA, but the member said once the majority speaks they will buy in.

A motion (Kalra/Nolan) to approve the new agreement between the JPB and CHSRA was approved unanimously.

**AUTHORIZE AWARD OF CONTRACT TO BALFOUR BEATTY RAIL, INC. FOR THE SIGNAL SYSTEM REHABILITATION PROJECT IN THE TOTAL AMOUNT OF \$989,420**

Director of Contracts and Procurement Cheryl Cavitt said award of contract to Balfour Beatty Rail will allow staff to continue to keep facilities in a state of good repair.

A motion (Tissier/Nolan) to award a contract to Balfour Beatty Rail, Inc. for the Signal System Rehabilitation Project in the total amount of \$989,420 was approved unanimously.

**ADOPTION OF CALTRAIN TRANSIT SUSTAINABILITY PROJECT (TSP) STRATEGIC PLAN**

Manager, Programming and Monitoring Melanie Choy said last month an overview was given on the TSP. MTC began developing the TSP in January 2010 to address transit operating and capital shortfalls by maximizing transit system cost efficiencies. One of the first TSP requirements is the adoption and submittal of a Strategic Plan to MTC by March 31, 2013. Ms. Choy said staff has prepared a Caltrain TSP Strategic Plan that establishes strategies and a monitoring program on how to achieve the MTC specified performance target. The key elements are cost-cutting and ridership growth achievements from previous years, Caltrain's baseline and TSP performance targets established by the MTC, and new and continued cost-cutting and ridership growth strategies.

A motion (Lloyd/Nolan) to adopt the Caltrain TSP Strategic Plan was approved unanimously.

Director Kalra left at 10:30 a.m.

**REPORT OF THE EXECUTIVE DIRECTOR**

Executive Director Michael Scanlon reported:

- Key Caltrain Performance Statistics
  - Monthly Performance Statistics – January 2013 compared to January 2012
    - Total Ridership was 1,232,312, an increase of 10.9 percent.
    - Average Weekday Ridership was 45,111, an increase of 9 percent.
    - Total Revenue was \$5,247,032, an increase of 13.6 percent.
    - On-time Performance was 94.2 percent, an increase of 0.2 percent.
    - Caltrain Shuttle Ridership was 7,695, an increase of 3.4 percent.
  - Year-to-date Performance Statistics – January 2013 compared to January 2012
    - Total Ridership was 8,959,793, an increase of 11.9 percent.
    - Average Weekday Ridership was 47,846, an increase of 11.9 percent.
    - Total Revenue was \$39,426,967, an increase of 17.2 percent.
    - On-time Performance was 90.4 percent, a decrease of 3.1 percent.
    - Caltrain Shuttle Ridership was 8,247, an increase of 19.5 percent.

- The natural gas project referenced during prior public comment is a small pilot project and he doesn't see it becoming sufficient to power trains compared to diesel.
- Title VI public meetings were held in Gilroy, Mountain View, San Carlos and San Francisco. Attendance has been minimal and no comments have been received. The last day to submit comments is March 29.
- Annual onboard passenger counts were just completed and staff will present the results in the Spring.
- Union Pacific will be working on rail ties in the Gilroy area the week of March 11. There may be service delays of up to 10 minutes.
- The Bicycle Advisory Committee will meet on March 21.
- Special service:
  - Giants FanFest was on February 9. An additional 5,400 riders were carried on three extra northbound trains and two extra southbound trains.
  - A modified Saturday schedule was operated on President's Day. Ridership was down slightly from last year with 2,200 riders in the morning.
  - In February the San Jose Sharks had five home games and an additional 2,000 riders were carried, a 15 percent increase over last year.
  - The World Baseball Classic will be held at AT&T Park March 17-19. Baseball service will be provided for the evening games.
  - Giants baseball returns with exhibition games on March 28 and 29 and the home opener on Friday, April 5 at 1:30 p.m.
- Field testing will be occurring the week of March 4 for the Predictive Arrival/Departure System.
- In partnership with VTA, staff will hold an open house at the Gilroy Caltrain Station on Saturday, March 23 from 11 a.m. – 2 p.m. An insert was included in Gilroy utility bills and post cards were mailed to residents in Morgan Hill and San Martin.
- Last summer the price of tickets purchased at the ticket vending machines (TVM) was increased 25 cents for a one-way trip. The purpose was to move people over to the Clipper Card with a goal of at least 50 percent of one-way tickets purchased via Clipper. The Board also authorized staff to increase the TVM zone price if the 50 percent wasn't reached by July 2013. The goal has not been reached, but staff recommends against the additional increase in favor of more outreach to customers. Staff will reevaluate possible increases in January 2014.
- Staff launched a Caltrain news Twitter account in January 2013 and there are more than 4,500 followers.
- The Reading File contains correspondence, the January Safety and Security Report, postcard on the Gilroy outreach event and a sheet of some recently received Tweets.

### Caltrain Modernization Program

Ms. Lee said the Notice of Preparation (NOP) for the Caltrain Electrification Environmental Impact Report was issued on January 31. The NOP was distributed to property owners within 300 feet of the right of way, libraries in the three counties, elected officials at the local, State and Federal level, transportation boards in the region, community groups as well senior city/county staff. Public scoping meetings have been held in San Carlos, Palo Alto and VTA and tonight in San Francisco. Total

attendance so far is over 100 participants with about 30 speakers. Written comments are being received until March 18. Staff will assess the comments and see if the scope should be modified.

#### Public Comment

Roland LeBrun, San Jose, asked if there could be bus service or Caltrain service so more people can attend the Gilroy event. Executive Officer, Customer Service and Marketing Rita Haskin said this is a ridership promotion with a focus on South County.

Adina Levin, Friends of Caltrain, said she attended a couple of the NOP meetings and there is a lot of discussion on grade separation. This is an opportunity to work with local cities, elected officials and MTC to start looking for funding.

### **LEGISLATIVE UPDATE**

#### State Update

Director, Government and Community Affairs Seamus Murphy said the Cap and Trade Program had their second auction and approximately \$500 million was generated. Staff is working with the Transportation Coalition for Livable Communities to support investments from the Cap and Trade revenues in public transit.

#### Federal Update

Mr. Murphy said sequestration is in effect and does not affect public transit in terms of the formula money received, but it does affect some programs that are part of the General Fund including the New Starts Program.

### **CAPITAL PROJECTS QUARTERLY STATUS REPORT – 2<sup>ND</sup> QUARTER FISCAL YEAR 2013**

No discussion.

### **CORRESPONDENCE**

No discussion.

### **BOARD MEMBER REQUESTS**

Director Tom Nolan thanked staff for providing him with a copy of the Caltrain Advertising Policy. He said San Francisco Municipal Transportation Agency (SFMTA) has been targeted by a group to put ads on buses that are very offensive, anti-Arab and anti-Islamic. The SFMTA has been advised the only way to prohibit these types of ads in the future is to adopt an Advertising Policy at a later date.

Chair Yeager requested today's meeting be adjourned in memory of Bimla Rhinehart, Executive Director of the California Transportation Commission, who passed away on March 5, and Santa Cruz Police Sergeant Loren "Butch" Baker and Detective Elizabeth Butler who were killed in the line of duty on February 26,

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

The next meeting will be Thursday, April 4, 2013, 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**

- a. Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(a): Jose A. Salazar and Aura Paredes v. Peninsula Corridor Joint Powers Board, Transit America, et al

Mr. Miller said as permitted by the Brown Act the Board will meet in closed session on a pending litigation matter.

Adjourned to closed session at 10:56 a.m.

Reconvened to open session at 11:05 a.m.

Mr. Miller said, as permitted by the Brown Act, the Board met in closed session to hear a report from legal counsel and staff on a lawsuit that has been filed. This was an informational report and no action is required at this time.

Adjourned at 11:06 a.m.