

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

**Minutes  
June 6, 2013**

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** J. Averill, J. Cassman, A. Chan, E. Goode, G. Harrington, C. Harvey, R. Haskin, M. Lee, R. 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 he has seen the Predictive Arrival/Departure System (PADS) testing. He is pleased to hear voice announcements.

John Murphy, Healdsburg, asked for a simple modification to increase service and reduce overcrowding. He said capacity could be added by turning underused local trains into bullet trains. This would reduce overcrowding and make for a nicer ride. He has a petition with more than 200 signatures supporting this idea.

Director José Cisneros arrived at 10:04 a.m.

Roland LeBrun, San Jose, said last month Amtrak invited the consulting arm of Network Rail to join the Northeast Corridor Partner Forum. This is significant because Network Rail is responsible for the entire United Kingdom rail infrastructure, which has been rated as the most improved rail network in Europe. Mr. LeBrun said Metrolink has just placed an order for 10 locomotives that can travel at 125 miles per hour.

Ammon Skidmore, San Bruno, said it would be great to have later southbound bullet trains in the morning.

**CONSENT CALENDAR**

- a. Approval of Minutes of May 2, 2013
- b. Authorize Approval of Clipper Memorandum of Understanding Amendment No. 2 with the Metropolitan Transportation Commission

A motion (Lloyd/Woodward) to approve the Consent Calendar was unanimous.

## **CHAIRPERSON'S REPORT**

### **Appointment of Citizens Advisory Committee (CAC) Members**

Director Tom Nolan said San Francisco County recommends the appointment of Jonathan Berk.

Director Jerry Deal said San Mateo County recommends the reappointment of Adina Levin.

Director Perry Woodward said Santa Clara County recommends the reappointment of Cat Tucker.

A motion (Cisneros/Deal) to approve the CAC appointments to expire June 30, 2016 was unanimous.

## **REPORT OF THE CAC**

CAC Chair Kevin Gardiner said at its May 15 meeting, the CAC:

- Received an orientation on the relationship of the CAC to the Board and Staff Coordinating Council. Members want to set some goals on programs they would like to advocate for at the committee level.
- The CAC would like to review and comment on items before they go to the Board.
- Received an update on Caltrain Modernization Program (CalMod). The CAC is interested in how the Baby Bullet trains will be part of future operations or if there will be a change with electrification.

## **REPORT OF THE EXECUTIVE DIRECTOR**

### **Proclamation Proclaiming June 20<sup>th</sup> as "Dump the Pump Day"**

Michael Scanlon, Executive Director, said staff is asking the Board to adopt the proclamation proclaiming June 20<sup>th</sup> as "Dump the Pump Day." This will be the 8<sup>th</sup> Annual "Dump the Pump Day" sponsored by the American Public Transportation Association. Public Affairs staff is encouraging people to "break-up with the pump" and submit their best break-up lines via social media.

A motion (Lloyd/Cisneros) to proclaim June 20<sup>th</sup> as "Dump the Pump Day" was unanimous.

Mr. Scanlon reported:

- Key Caltrain Performance Statistics
  - Monthly Performance Statistics – April 2013 compared to April 2012
    - Total Ridership was 1,351,544, an increase of 12 percent.
    - Average Weekday Ridership was 50,678, an increase of 10.3 percent.
    - Total Revenue was \$5,944,476, an increase of 14.9 percent.
    - On-time Performance was 93.7 percent, same as last year.
    - Caltrain Shuttle Ridership was 6,758, a decrease of 15.8 percent.
  - Year-to-date Performance Statistics – April 2013 compared to April 2012
    - Total Ridership was 12,789,293, an increase of 11.4 percent.
    - Average Weekday Ridership was 48,235, an increase of 11.9 percent.

- Total Revenue was \$56,283,147, an increase of 16.2 percent.
- On-time Performance was 91.4 percent, a decrease of 2.1 percent.
- Caltrain Shuttle Ridership was 8,059, an increase of 11.7 percent.
- May on-time performance dipped below 90 percent due to fatalities, two abandoned cars on the tracks and a brush fire. On May 10 at 7:34 p.m. Train 314 struck a trespasser in Burlingame and on May 15 at 5:15 a.m. Train 102 struck a trespasser in South San Francisco. Both persons were killed and the incidents are under investigation.
- The annual On-board Passenger Counts full report has been posted to the website.
- The Bicycle Advisory Committee (BAC) met on May 16 and received a presentation on the annual passenger counts, an update on CalMod, and an update on the San Francisco Bicycle Facility. The next BAC meeting is July 18.
- Special service:
  - Bay to Breakers service carried almost 5,600 passengers to San Francisco in the morning and 1,700 extra passengers in the afternoon.
  - Through the first 18 home games, Giants ridership is at 110,000 extra rides or 6,400 per game.
  - San Jose Sharks had five playoff home games and an additional 1,100 riders were carried.
  - The San Jose Earthquakes will be hosting the Los Angeles Galaxy at Stanford Stadium on June 29 at 7:30 p.m. Caltrain will be making extra stops at the Stanford Station.

Director Malia Cohen arrived at 10:20 a.m.

- Gay Pride weekend is June 29-30 and extra capacity will be added for the weekend events.
- A Sunday schedule will operate on July 4. Extra service will be added for the evening fireworks in San Francisco.
- The Gilroy Garlic Train is coming back. Officials in Gilroy will be chartering a train the weekend of the Gilroy Garlic Festival, July 27 and 28. There will be one trip in each direction between San Jose and Gilroy and it will be timed to meet the regularly scheduled trains that arrive from San Francisco in the morning and depart San Jose in the afternoon.
- Over the Memorial Day weekend the cutover from the temporary shoofly at the San Bruno Grade Separation was completed.
- The PADS real-time information is on display at stations as testing continues. Information will eventually be put on the website.
- The annual customer satisfaction survey is currently being conducted and will help determine the payment of performance fees that may be due to the contract operator, Transit America Services, Inc.
- Public Affairs just launched "Peninsula Moves," a blog that covers all three business units. The blog is interactive and comments and questions can be submitted about transportation.
- The reading file contains the April Safety & Security Report.

### CalMod

Marian Lee, Executive Officer, Caltrain Modernization, said the technical team is continuing to work on the environmental evaluation of the project. Work continues on scoping the necessary expertise to supplement the Caltrain team with people that will work with staff and represent the JPB for program integration and oversight. It is staff's estimate over the next several months there will be a roll-out of a series of procurements to acquire these services. These are not the people who are going to build the system; they are the supplemental expertise staff needs to start thinking about project delivery.

Ms. Lee said progress is being made on the due diligence to drive staff recommendations on the project delivery method. There has been good support from sister and brother agencies throughout the country that have been working on different alternative delivery methods.

Ms. Lee said two draft planning studies are posted on the website, one concerning the future of the 4<sup>th</sup> and King rail yard, the other a preliminary study of the blended system impact in gate downtime and community traffic. Staff is currently in the process of obtaining public comments. Comments are due June 14 for both reports and staff hopes to have them finalized by the end of June. Ms. Lee said the studies were presented to the Local Policy Maker Group (LPMG) in December 2012 and May 2013 in coordination with staff who serve on the City/County Staff Coordination Group, the Peninsula Corridor Working Group, and Friends of Caltrain.

Ms. Lee said the key findings from these studies should not be over applied. The inputs to the analysis is based on speculative and "what if" scenarios. Examples of those factors are prototypical schedules, and assumptions of passing track locations. Decisions have not been made on these elements.

Ms. Lee said at the May LPMG meeting there was a presentation on the scope of the 4<sup>th</sup> and King Study requested by the City and County of San Francisco. The city asked staff to look at potentially reducing or removing the 4<sup>th</sup> and King Station yard and to include this concept in the electrification environmental document. The city's overall purpose for this is to make space for development to support anticipated future growth. In response to this, staff embarked on a technical evaluation to assess if this is possible and, if so, to understand the magnitude of the operational implications to the system. The study is to be completed by August 2013. At that time, staff will need to discuss what the next steps are. The study is being fully funded by the City and County of San Francisco. This was presented to the LPMG and some of the Peninsula cities expressed concerns about where the 4<sup>th</sup> and King functions would be relocated and how that could impact their particular cities.

Ms. Lee said there also was a presentation on the blended system study. The group had a particular interest in the analysis of the changing gate downtimes associated with the future blended system and the locally interested topic was how that gate downtime impacted local traffic at the existing at-grade crossings.

Public Comment

Roland LeBrun, San Jose, said the current planning effort process was supposed to be completed last December. Six months later the process is barely halfway completed. This is a serious concern because the latest blended system capacity analysis contains a series of blunders including bullet trains that are no longer able to pass locals and rolling stock that cannot successfully blend. A "Plan B" needs to be devised because Caltrain cannot afford to wait for electrification that may not materialize in 2019. Mr. LeBrun said staff needs to decouple the electric multiple units (EMUs) procurement from electrification and accelerate the delivery of bi-mode EMUS capable of blending with High-speed Rail (HSR) if and when it gets here. A signaling system needs to be identified and procured that is capable of delivering 12 trains an hour on a primarily two-track blended system that would stop trains before they hit cars parked on the tracks. Mr. LeBrun said staff needs to follow Amtrak's example and retain the services of a world class team with a proven track record of delivering high-speed blended systems on-time and on budget.

Ed DeLanoy, San Carlos, said while he was on the CAC he was able to get some improvements made to evening Caltrain service.

**ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR MARCH 2013**

Gigi Harrington, Deputy CEO, said April revenue is over budget by \$3 million and there are \$2 million in savings on the expense side. The adopted budget is currently \$7 million over budget in fare revenue. Last week fuel was \$2.83 per gallon and year to date is \$3.14 per gallon. The fuel hedge provided the JPB \$469,000 through May.

Ms. Harrington said she executed a new fuel hedge on May 16 with Barclays. Half of the fuel portfolio was hedged at \$2.85 per gallon and the total premium cost was \$418,000, about \$200,000 less than last year. Ms. Harrington said she will provide the Board a formal report on the fuel hedge at the August meeting.

A motion (Tissier/Cisneros) to accept the April 2013 statement was approved unanimously.

**AUTHORIZE ADOPTION OF FISCAL YEAR (FY) 2014 OPERATING BUDGET IN THE AMOUNT OF \$119,973,096**

Ms. Harrington said the budget is unchanged from the preliminary budget presented at the May meeting.

Public Comment

Roland LeBrun, San Jose, said last month he expressed concern about the administration budget of \$16.5 million. This is an increase of 200 percent since 2008 and in that period farebox has only risen by 50 percent. He said there is \$7 million in administrative costs buried in the capital budget. An administration budget in excess of \$22 million is an opportunity to eliminate a need for stopgap funding in FY2015 by engaging the services of a firm with a proven track managing and expanding passenger rail operations while reducing administrative overheads. Mr. LeBrun would

ask the Board consider directing staff to issue a Request for Proposal (RFP) for Caltrain administration services at the earliest opportunity.

Jim Bigelow, Redwood City/San Mateo County/Menlo Park Chambers of Commerce, said the operating and capital budgets are great and show very clearly the implementation of the Communications-based Overlay Signal System (CBOSS) and electrification. Ms. Lee is doing an outstanding job in reaching out to the people along the line. He would urge the Board to approve both the operating and capital budgets.

Adina Levin, Friends of Caltrain, congratulated staff and the Board on adopting the FY2014 Operating Budget. She is glad to see the partners came up with their share to keep rolling stock maintenance in the FY2014 Capital Budget. She is glad to hear the Board wants to work on the FY2015 budget sooner rather than later. Ms. Levin said it would be good to do multiple year budgets.

Ed DeLanoy, San Carlos, said he has always been distressed with running five car trains whether they are needed or not.

Director Tom Nolan asked when the budget process begins for next year. Mr. Scanlon said it has already begun. This year, because of the extraordinary increase in ridership and revenue, staff was able to present a balanced budget. Staff has presented the Board a snapshot of what appears to be a \$16 million deficit for FY2015. There is a sub-committee of the Board that will be reconvened to discuss the budget. Mr. Scanlon said the lowest common denominator is the ability of the San Mateo County Transit District (District) to put up about \$5.5 million, which translates into about \$17 million in partner agency subsidies. He said next year could be trouble unless a new source of funds is found. Staff did opinion surveys two years ago and clearly the climate was not right to seek a revenue source at that time. Mr. Scanlon said the three counties have to figure out how to pay for regional rail service. He said the District is in no position to up its share unless it gets additional revenues.

Director Nolan said adopting the FY2014 budget doesn't preclude the Board from possibly increasing fares mid-year.

Director Adrienne Tissier said she will do all she can at the Metropolitan Transportation Commission to fight for dollars for Caltrain because a long-term sustainable system of money is needed. The county is also looking at potentially giving some money to the District because there is a nexus between who is served at the county and who SamTrans serves.

Director Ash Kalra said part of the problem is everything seems to be going well right now so the legislators and public don't see the urgency for next year. He said there are elected officials on the Board and there should be a lobbying message for all three counties to reach out to Federal and State representatives to obtain a dedicated funding source.

Chair Yeager said there needs to be more communication with corporate citizens in the three counties. If Caltrain service was drastically cut to Giants games, Google or Apple, it would be felt. These are businesses that have more dollars than Caltrain will ever see and yet they benefit from the service. He said staff needs to engage them to understand the benefit of Caltrain and the need for the service.

Mr. Scanlon said raising fares and reducing service is not going to get the results needed. He said he still doesn't know why Caltrain cannot get some portion of the costs underwritten by the community at-large. Last month Director Kalra pointed out that 1 million miles are being saved on highways every day, and yet Caltrain has a 60 percent farebox recovery, and the system is being penalized because there is no dedicated fund to operate it.

A motion (Nolan/Tissier) to adopt the FY2014 Operating Budget in the amount of \$119,973,096 was approved unanimously.

**AUTHORIZE ADOPTION OF FISCAL YEAR 2014 CAPITAL BUDGET IN THE AMOUNT OF \$190,564,950**

Eva Goode, Manager, Budgets reported:

- At the May Board meeting staff presented a preliminary budget of \$66.7 million. At that time the member contribution was set at \$14.3 million or \$4.8 million per member.
- Since May member agencies have worked together to come up with \$3.8 million per partner contribution. The contribution coming from San Francisco is from their Proposition K funds.
- Budget adjustments include:
  1. \$118 million was added for the next phase of the CBOSS/Positive Train Control (PTC) Project.
  2. \$10.7 million was added for electrification.
  3. Both of the projects added will be funded through the Early Investment Program out of the total \$1.45 billion.
  4. Funds for an emergency back-up generator at the Central Control Facility were cut.
  5. The rolling stock State of Good Repair budget was reduced.
- Proposed FY2014 Funding sources are Federal, State, regional, and other funds.

Public Comment

Roland LeBrun, San Jose, said in the FY2014 Capital Budget, line item 1.15, Jerrold Bridge North Span Removal, doesn't make any sense since this bridge was just replaced. He asked why \$500,000 is being spent removing something that was just built. Mr. LeBrun said the Quarterly Capital Projects Report shows the Jerrold Bridge being completed. He said Caltrain should refrain from any construction activities in the Quint Street and Jerrold Avenue area because the San Francisco County Transportation Authority is currently in the process of designing the Oakdale Station.

Director Malia Cohen said many departments within San Francisco, the community, organizers, and active transit users have all weighed in on this process about the Quint Street Bridge and she supports the project moving forward.

A motion (Tissier/Nolan) to adopt the FY2014 Capital Budget in the amount of \$190,564,950 was approved unanimously.

**AUTHORIZE AWARD OF CONTRACT TO A. RUIZ CONSTRUCTION CO. & ASSOCIATES FOR THE SAN FRANCISCO YARD TRACK RECONFIGURATION PROJECT IN THE TOTAL AMOUNT OF \$737,728**

Cheryl Cavitt, Director, Contracts and Procurement, said staff is requesting the Board award a contract to A. Ruiz Construction. The contract is for reconfiguration of tracks in the yard at the San Francisco Station near 7<sup>th</sup> and Townsend streets and removal of tracks from Townsend Street. Ms. Cavitt said these construction items are designed to ease maintenance going forward.

A motion (Lloyd/Deal) to award a contract to A. Ruiz Construction Co. & Associates for the San Francisco Yard Track Reconfiguration Project was approved unanimously.

**AUTHORIZE AWARD OF CONTRACT TO THE RYAN COMPANY, INC. FOR THE WAYSIDE POWER AT DIRIDON STATION PROJECT IN THE TOTAL AMOUNT OF \$1,906,000**

Ms. Cavitt said this contract to The Ryan Company is to replace a substation, wayside power cabinets, and related electrical equipment that were destroyed by a lightning strike in 2009. This work will allow the trains in the station to be on ground power and not idle.

Ms. Cavitt said staff is in receipt of a timely filed protest by Blocka Construction, the second lowest bidder. Blocka alleged Ryan had not filled out its lobbying certification correctly. Ms. Cavitt said as part of a Federal requirement bidders are asked to certify whether they have lobbied the Federal government. Ryan signed the certification, but did not include the words "none" or "n/a" on the document. Ms. Cavitt said staff believes this is an immaterial omission, but did speak to legal counsel at the regional office of the Federal Transit Administration, who concurred it was an immaterial and correctable omission. Ms. Cavitt said since that time Ryan has submitted a lobbying certification where they put "n/a" and submitted a letter that clearly stated they had not lobbied the Federal government. Staff reviewed the protest filed by Blocka and provided a response denying their protest.

Chair Yeager said no member from Blocka was present to speak.

Chair Yeager said he is very pleased with this award of contract. He said it will help with the quality of life for many residents who live near the Diridon Station.

A motion (Nolan/Tissier) to authorize award of contract to The Ryan Company, Inc. for the Wayside Power at Diridon Station Project was approved unanimously.

**AUTHORIZE AWARD OF CONTRACT TO DUNBAR ARMORED, INC. FOR ARMORED CAR PICKUP AND DEPOSIT OF DAILY TRANSIT REVENUE FOR A TOTAL ESTIMATED COST OF \$1,259,415 FOR A THREE-YEAR BASE TERM**

Ms. Cavitt said this contract to Dunbar Armored is for pick-up and deposits of the daily ticket vending machine revenues at all the stations.

A motion (Lloyd/Deal) to authorize award of contract to Dunbar Armored, Inc. for armored card pickup and deposit of daily revenue was approved unanimously.

**UPDATE ON THE COMMUNICATIONS-BASED OVERLAY SIGNAL SYSTEM/POSITIVE TRAIN CONTROL PROJECT**

Ms. Harrington reported:

- An RFP was issued August 2010; contract was awarded October 2011 to Parsons Transportation Group (PTG); and a Notice to Proceed was issued in January 2012.
- This project complies with the PTC requirements in the Rail Safety Act of 2008.
- This is a full cradle-to-grave, integrated solution to be delivered by PTG from design, installation, testing and training.
- The Board authorized execution of Option 1 this past winter. Staff will be back to the Board in August for consideration of Option 2, which is the remaining sub-systems and procurement, installation, and training.
- Accomplishments include the completion of preliminary planning, and submittal of required documents to the Federal Railroad Administration. A new backup control facility was secured on May 17. Staff is continuing to work with the Union Pacific and tenants on interoperability, and commenced system and sub-system final design.
- Milestones are pushing for a December 2015 completion to be compliant with the Rail Safety Act.
- Total project cost is \$231 million.

Public Comment

Roland LeBrun, San Jose, said constant warning time (CWT) is a piece of technology that makes it possible to maintain a constant warning time between gates coming down and the actual arrival of the train regardless of the train speed. The problem is CWT has to use small currents in the rails to determine the train position and speed. He said CWT, as it exists today, will no longer work once the tracks are electrified. He asked why there was no CWT functionality in the CBOSS presentation. Mr. LeBrun said he would like staff to provide him with a copy of the CBOSS RFP, including questions and answers from the qualified bidders, and preferably without having to go through a Public Records Request.

Jeff Carter, Millbrae, asked why CBOSS/PTC can't be a "one size fits all" and have more commonalities between all rail tenants operating on the Caltrain line.

## **LEGISLATIVE UPDATE**

### State Update

Seamus Murphy, Director, Government and Community Affairs, said last month the governor issued his May budget revise and there were no changes to any of the transportation proposals and the core funding is secure. Mr. Murphy said there was a \$500 million loan proposed in the January budget to the General Fund. In the May Revision it was noted this loan was of Cap and Trade revenue generated by the auctions and is to be repaid in FY2015. None of this funding is eligible for transportation projects and services. Mr. Murphy said the Cap and Trade revenue being generated now is being used to repay utility ratepayers for increased costs associated with Assembly Bill (AB) 32 implementation. When the emissions credits related to the fuel sector are sold those funds will be eligible for transportation projects and services. He said by FY2015 the region will have some Cap and Trade revenue to implement the Sustainable Communities Strategy required by Senate Bill 375 and AB32. Mr. Murphy said legislation is being proposed to authorize the expenditure of those funds and the draft Cap and Trade Revenue Expenditure Plan that the Air Resources Board released last month would allow for a broad range of investments, including transit operations.

Mr. Murphy said AB797 is the District/Santa Clara Valley Transportation Authority co-sponsored bill that would authorize Construction Manager/General Contractor project delivery to those agencies. He said San Francisco already has this authority and, by extension, Caltrain would be granted the authority. This is a project delivery approach that offers some benefits as far as streamlining, better cost predictions, and better constructability assurance. This bill passed out of the Assembly and will be heard in the Senate.

Mr. Murphy said there has been a dispute between the U.S. Department of Labor (DOL) and the governor over whether the governor's pension reform law that was passed last year interferes with Federal collective bargaining protections. As a result of this dispute, the DOL has not approved any Federal grants for California transit agencies this year. Mr. Murphy said AB160 has been introduced in the Legislature that would exempt all California transit employees from the State's Pension Reform Law.

### Federal Update

Mr. Murphy said a number of congressional hearings have been held involving rail issues and the reauthorization of rail funding programs at the Federal level, which needs to occur before the existing authorization expires. Most of the conversation is about Amtrak funding, but has potential and will likely start to include issues like PTC mandate and HSR.

Legal Counsel David Miller said as 13c and pension legislation issues relate to this agency, the JPB will be taking a position that there are no adverse effects on collective bargaining and the JPB itself does not directly have a workforce it employs.

## **CAPITAL PROJECTS QUARTERLY STATUS REPORT – 3<sup>RD</sup> QUARTER FISCAL YEAR 2013**

Ms. Harrington said this is an informational item. There were no questions.

**CORRESPONDENCE**

No discussion.

**BOARD MEMBER REQUESTS**

None

**GENERAL COUNSEL REPORT**

No report.

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

The next meeting will be Thursday, August 1, 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.

Adjourned at 11:28 a.m.