

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

MINUTES OF MARCH 3, 2016

MEMBERS PRESENT: J. Cisneros, M. Cohen, J. Gee, R. Guilbault, R. Peralez, J. Ramos, A. Tissier, P. Woodward (Chair), K. Yeager

STAFF PRESENT: J. Averill, M. Bouchard, J. Cassman, A. Chan, C. Fromson, G. Harrington, J. Hartnett, C. Harvey, E. Kay, M. Martinez, N. McKenna, M. Simon, P. Skinner, S. van Hoffen

Chair Perry Woodward called the meeting to order at 10:01 a.m. and led the Pledge of Allegiance.

PUBLIC COMMENT

Adam Marchacos, San Carlos, said he started a meditation center near the San Carlos Caltrain Station. The noise level at the station has increased over the last few months. The announcements are incessant and occur even when there is no one at the station. He asked how to eliminate the voices and who he could talk to make the announcements less intrusive to the people on the street. There is no standardization about when the horns are blown and the level of noise is inconsistent. Some are quiet and some just blare. Jim Hartnett, Executive Director, said staff will follow up with Mr. Marchacos.

Roland Lebrun, San Jose, said two locomotives blew up after the Super Bowl. These are two out of the 29 that should have been replaced. He asked what the plan is and if the Electric Multiple Unit (EMU) procurement will be accelerated. He said the train at Sunnyvale left people on the platform because it was too full. This was a bullet train. He asked why a five-car Gallery consist was being run when it should have been a six-car Bombardier consist. He said the public has not received a Quarterly Capital Project Report for over six months. This makes it impossible for the public to alert the Board of serious issues with projects getting out of control or other issues.

Jeff Carter, Millbrae, said he saw construction in the lobby. He said city halls and other places don't have anything like what is happening in the lobby of this building. The new timetable just came out, but another one will come out in the next few months with other minor adjustments. He asked what the adjustments are and when it will be available for public review. It looked like things went well during the Super Bowl. There were a lot of people using the train on Saturday, but not as many on Sunday. Caltrain handled it fairly well.

CONSENT CALENDAR

Public Comment

Roland Lebrun, San Jose, said on page 1 where he said "The investment portfolio last year had \$18 million in cash reserves and now has \$14 million" should read \$80 million and \$40 million. He asked if high-speed rail (HSR) expenditures are being front-ended because the Proposition 1A funds are being blocked in court.

- a) Approval of Minutes of February 4, 2016
- b) Acceptance of Statement of Revenues and Expenses for January 2016

Motion/Second: Cisneros/Gee

Ayes: Cisneros, Cohen, Gee, Guilbault, Peralez, Ramos, Yeager, Woodward

Absent: Tissier

CHAIRPERSON'S REPORT

None

REPORT OF THE CITIZENS ADVISORY COMMITTEE (CAC)

Jonathan Berk, CAC member, said:

- The CAC has a vacancy and the members are willing to help the Board fill the vacancy as soon as possible.

Director Adrienne Tissier arrived at 10:11 a.m.

- He has noticed some positive change since he reported customer service issues to the Board, but the CAC is still concerned about the issues.
- It does not make sense not to experiment with the expansion of express train service and he can't understand why it can't happen.
- The way Caltrain responds to breakdowns and emergencies has gotten better, but there is a long way to go and it is important that it become a high priority. Caltrain should respond to things in a way that makes the customer experience better, not worse.

REPORT OF THE EXECUTIVE DIRECTOR

Mr. Hartnett said:

- Caltrain Modernization (CalMod) Update
 - The Local Policy Maker Group (LPMG) meets every month alternating between electrification and California High-speed Rail Authority (CHSRA) topics. They met on February 25 and received presentations on the Communications-based Overlay Signal System (CBOSS)/Positive Train Control project and the electrification quarterly update. The LPMG also discussed the need for coordinated grade separation planning efforts throughout the corridor. The LPMG will next meet on March 24.
 - The CHSRA business plan has been revised to shift the initial operating segment for HSR north from Bakersfield to San Jose rather than from Fresno to Los Angeles. It does not change the timing, schedule or status of State funding for the Caltrain electrification project, but it does reinforce the need to electrify the corridor to extend the project north to San Francisco in order to capture ridership demand, which is critical to the overall HSR project's success.
 - There was a belief the Proposition 1A bond funds would be available as of July 1, but the bonds have not yet been sold for electrification or other projects. The bond sale may be scheduled for the fall. Staff have had discussions with CHSRA, the State Department of Finance, the Metropolitan Transportation Commission (MTC), and Brian Kelly, Secretary

of Transportation. Mr. Kelly reiterated the State commitment to fund the project and that electrification is a State priority. MTC reiterated electrification is an important regional priority and expressed their support. The Federal government has expressed tremendous trust and confidence in the project. An application for Core Capacity Grant funds has been submitted and the Federal government has authorized the JPB to receive approximately \$73 million from prior-appropriated funds for the project. There is also a line item in the president's recommended budget for Core Capacity funding. It is subject to Congressional appropriation.

- The fare changes were effective February 28 including a 50-cent increase in the base Caltrain fare with a Clipper Card discount remaining at 15 percent, an increase in daily parking from \$5 to \$5.50 and monthly parking from \$50 to \$55.
- The Caltrain annual counts are underway and are anticipated to be completed in mid-March.
- The Caltrain timetable has been updated and finalized in an attempt to improve the customer experience and service reliability. The timetable will be effective April 4. There are no additional trains or station stops. The update is to conform to the reality of the actual service.
- All five six-car Bombardier trains sets will be updated on April 4 to have three bike cars increasing the bicycle capacity from 48 to 72 bikes.
- During Super Bowl week, Caltrain carried almost 67,000 additional riders, and on Super Bowl Sunday Caltrain carried over 9,000 additional riders.
- Eli Kay, the new Chief Financial Officer, was introduced.
- Director Raul Peralez was presented with a hard hat for his head-end trip on Caltrain.

Public Comment

Andy Chow, Redwood City, said he has not been riding frequently, but whenever he does he can feel the crowding is severe. The agency needs to address this situation and find a solution by mid-year. He said the JPB should add an additional car to every train to make all train sets six cars. The JPB should get new ticket vending machines. All tickets will be Clipper based, but it is difficult to get a new Clipper Card and add value, so this needs to be addressed. There should be better bike storage facilities such as electronic lockers. Bike riders want more capacity on the train, and that is difficult to do, but bike parking should be easy to address.

Roland Lebrun, San Jose, said Proposition 1A funds have to be matched. The problem is the JPB used the Federal Transit Administration (FTA) funding to do it, but the FTA funding was supposed to be dedicated to new rail cars. He recommended terminating the Memorandum of Understanding (MOU) and going to the FTA to ask for help to fund new trains. He said Michael Burns, Interim Chief Officer, Caltrain Planning/CalMod Program, has another contract with Honolulu Area Rapid Transit, so he is only working here 20 hours a week. He has not been at any meetings. There is an item for closed session about arbitration for 4th and King. He asked why the JPB is even thinking about electrifying this because it will be a waste of \$100 million. He said Hillsdale and Diridon should not be electrified yet, either.

Adina Levin, Friends of Caltrain, said in order to deliver a good Caltrain schedule in a blended system with CHSRA, the set of improvements needs to be refined from the

planning process that is underway and clarified in the business plan. The business plan does not include funding regarding capacity to make up for lost seats to provide platform compatibility, or the deferred investment in the downtown extension.

KEY CALTRAIN PERFORMANCE STATISTICS – JANUARY 2016

Michelle Bouchard, Chief Operating Officer, Rail, said:

- o Average weekday ridership in January was 56,012, a 3.4 percent increase over last January.
- o On-time performance (OTP) was 93.3 percent in January, an increase of 2 percent over last January. The removal of slow orders and single tracking due to completion of some of the San Mateo bridges replacements will improve the OTP.
- o February OTP was not as good due in part to a series of mechanical failures. Staff has met to decide how to troubleshoot, preclude, or identify root causes and address small problems that could become large problems if not immediately dealt with.

Public Comment

Roland Lebrun, San Jose, said putting band aids on 30-year-old machines for the next five to six years is not going to work. Ridership was growing at 10 percent compounded for the last three years and it started slowing down to 3 percent last year. Now it is down to 1 percent. Ridership cannot grow anymore. When people get left on the platform, with the low gas prices they will give up on Caltrain and start driving. On top of this the fares were just increased. If ridership starts dropping and the farebox starts dropping, he asked where it will leave Caltrain financially.

AUTHORIZE SUPPORT OF AN APPLICATION AND EXECUTION OF A FUNDING AGREEMENT WITH THE SAN MATEO COUNTY TRANSPORTATION AUTHORITY AND THE CITY/COUNTY ASSOCIATION OF GOVERNMENTS FOR UP TO \$2,912,680 FOR SAN MATEO COUNTY SHUTTLE PROGRAM FUNDS AND COMMIT UP TO \$1,753,420 IN MATCHING FUNDS FOR THE CALTRAIN SHUTTLE PROGRAM

Ms. Bouchard said this is for support of the bi-annual application for the San Mateo County portion of the Caltrain shuttles. These shuttles are a key last-mile connection that gets Caltrain riders to their final destinations. This application is slightly larger due to decreasing Bay Area Air Quality Management District contributions.

Motion/Second: Gee/Guilbault

Ayes: Cisneros, Cohen, Gee, Guilbault, Peralez, Ramos, Tissier, Yeager, Woodward

AUTHORIZE AWARD OF CONTRACT TO DV ELECTRIC, CO. FOR SANTA CLARA STATION CLOSED-CIRCUIT TELEVISION (CCTV) IMPROVEMENTS IN THE TOTAL AMOUNT OF \$116,000

Gigi Harrington, Deputy CEO, said this is to put CCTVs in the Santa Clara Caltrain Station. This location was identified through a threat and vulnerability assessment. The funding is from Proposition 1B. A normal competitive procurement was conducted. DV Electric, Co. is a small business enterprise.

Motion/Second: Cisneros/Gee

Ayes: Cisneros, Cohen, Gee, Guilbault, Peralez, Ramos, Tissier, Yeager, Woodward

AUTHORIZE AWARD OF CONTRACTS TO PROVIDE ON-CALL RAILROAD BUSINESS AND OPERATIONS SUPPORT SERVICES FOR AN AGGREGATE NOT-TO-EXCEED COST OF \$32,086,200 FOR SIX-YEAR TERMS

Ms. Harrington said this was a Request for Proposals (RFP) process and the proposers could apply for one role or multiple roles. The work will be issued on a work directive basis. The services are divided into four categories for specialized services and skills that the JPB does not have on staff.

Public Comment

Roland Lebrun, San Jose, said Parsons Brinckerhoff, Inc. should be dropped off the list because they are the CHSRA rail delivery partner and have a seven-year \$700 million contract, which is a conflict of interest. He said LTK Engineering Services should be removed because two years ago they took over the CBOSS project from AECOM through these on-call contracts and the Board were never notified that this happened. These same contracts were used by LTK Engineering Services to draft the RFP for the EMU procurement, which resulted in them being the sole bidder. The contract started as \$44 million and now it is up to \$65 million. Systra should be added to the list because they have unequaled signaling expertise including increasing line capacity and designing a signaling system that is capable of avoiding collisions when the tracks are obstructed. He said he would like to have a list of the staff on the evaluation committee so he can brief the Board on whether they were qualified to make this recommendation.

Motion/Second: Cisneros/Tissier

Ayes: Cisneros, Cohen, Gee, Guilbault, Peralez, Ramos, Tissier, Yeager, Woodward

AUTHORIZE DELEGATION OF AUTHORITY (DOA) TO THE EXECUTIVE DIRECTOR TO EXECUTE CONTRACTS WITH VALUES OF UP TO \$100,000

Peter Skinner, Manager, Grants and Fund Programming, said this action will provide delegated authority to the Executive Director for various grant agreements, funding agreements, MOUs, interagency agreements, and cooperative agreements valued up to \$100,000 per contract. There has been a long-standing DOA for the executive director to execute procurement contracts and certain limited-term real estate agreements, but he does not have the authority to enter into small-value contracts. This action will streamline the approval process. To ensure transparency, the Board will receive a summary of these agreements entered into on a quarterly basis in their Reading File or as an information item on the agenda.

Director Joël Ramos asked what the process was to arrive at \$100,000 and why the amount is not bigger. He wants to make sure the authority has been given to move the projects along as quickly as possible. He said \$100,000 does not go very far. He said he would not want staff to come to the Board all the time for things that seem relatively trivial. Mr. Skinner said the amount is based on the delegated authority for procurement contracts. He looked at other types of small dollar-value agreements with other agencies and the majority were well under \$100,000. Staff thought it would be best to stick with the existing DOA limits. He said the Board can always revisit this if a number of larger agreements come in. Based on the types of agreements the JPB enters into on an annual basis, this seems to be a reasonable amount.

Director Ramos said staff should keep in mind the potential to increase this amount to expedite these agreements.

Motion/Second: Tissier/Cisneros

Ayes: Cisneros, Cohen, Gee, Guilbault, Peralez, Ramos, Tissier, Yeager, Woodward

LEGISLATIVE UPDATE

Casey Fromson, Acting Manager, Government Affairs, provided the following update:

State

Assembly Bill 2013 would raise the minimum threshold required for bidding contracts to \$100,000 and for supplies and equipment to \$150,000. The reason is because the current cost of preparing the bills is excessive of the amount of the contract level.

Senate Bill 824 would create flexible spending to allow transit agencies to roll over Cap and Trade funding allocations from one year to the next.

Federal

The Caltrain electrification project is the only project in California that is part of the Core Capacity Program, so there is tremendous support from the Federal delegation for this project.

CORRESPONDENCE

No discussion.

BOARD MEMBER REQUESTS

None

DATE/TIME/PLACE OF NEXT REGULAR MEETING

The next meeting will be Thursday, April 7, 2016, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

GENERAL COUNSEL REPORT

Public Comment

Roland Lebrun, San Jose, thanked the JPB concerning parcel numbers 434-26-019 and 434-26-026 for collaborating with the city of San Jose and considering the connection to Alma Avenue, which is currently the only way to connect to the Guadalupe Bike Trail and Three Creeks Trail western alignment. He said the arbitration regarding the option to purchase San Francisco Caltrain Station is open litigation. The expectation from public for open litigation items is the court and case number are disclosed. He said staff should look at the CHSRA agenda and follow that example.

Recessed to closed session at 10:54 a.m.

Reconvened to open session at 11:39 a.m.

Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): Town of Atherton, et al vs. Peninsula Corridor Joint Powers Board. Case No. CIV532457

Closed Session: Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8

Property: APN 434-26-019 and APN 434-26-026

Agency Negotiators: Joan L. Cassman and Brian W. Fitzpatrick

Negotiating Parties: JPB and Union Pacific Railroad

Under Negotiation: Price and Terms of Contract

Closed Session: Conference with Legal Counsel - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): Arbitration Regarding Option to Purchase San Francisco Caltrain Station

Closed Session: Conference with Legal Counsel - Anticipated Litigation Pursuant to Government Code Section 54956.9(d)(4): One Potential Case

Joan Cassman, Legal Counsel, said there are no reportable actions relative to the four items discussed in closed session.

Adjourned at 11:39 a.m.