

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

MINUTES OF JUNE 2, 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, J. Barker, M. Bouchard, M. Burns, G. Cardona, J. Cassman, B. Fitzpatrick, C. Fromson, G. Harrington, J. Hartnett, C. Harvey, E. Kay, J. Lipps, M. Martinez, N. McKenna, L. Millard, S. Murphy, M. Senatore, M. Simon, P. Thompson, S. van Hoften

Chair Perry Woodward called the meeting to order at 10:02 a.m. and led the Pledge of Allegiance.

PUBLIC COMMENT

Andy Chow, Redwood City, said there will be a big decision in Santa Clara County regarding a transportation expenditure, which will affect Caltrain. He has concerns about Santa Clara Valley Transportation Authority's (VTA) proposal and possible impacts. Caltrain is committing \$2 billion to electrify, and VTA is proposing \$1 billion for grade separations and improvements to Caltrain. There is no commitment from anyone that Caltrain will run at a transit frequency, such as every 15 minutes like Bay Area Rapid Transit (BART). If more than \$3 billion will be spent to upgrade Caltrain, voters should have the expectation that Caltrain will run every 15 minutes. He asked why there is a plan to build a duplicative rail line, which will be BART, between Santa Clara and San Jose. This portion will consume \$7 to \$13 million per year in operating cost because of duplicate operation.

Director Adrienne Tissier arrived at 10:06 a.m.

Mike Brady said the JPB is trying to get \$600 million from Proposition 1A for electrification, but needs \$1.2 billion. The JPB never submitted a first funding plan to the Legislature, unlike the Central Valley, which could get the money if they satisfy the other requirements. The JPB is in the process of paralyzing the peninsula because 20 trains per hour will cross 47 intersections between San Francisco and San Jose. Crossing arms will come down every three minutes and traffic will be worse. For years the JPB and California High-Speed Rail Authority (CHSRA) have told the residents of the peninsula that they have all the necessary agreements to build high-speed rail. Union Pacific (UP) has said the JPB and CHSRA do not have their permission to use high-speed rail. He asked what the JPB is doing about it. He said UP will insist on giant concrete walls along the corridor if they ever give permission to use high-speed rail. The walls will wreck the plans to observe the right of way.

Roland Lebrun, San Jose, said there was only one engine failure in May. There is no way to be proactive about this \$2 billion project. The Board needs multiple subcommittees and one technical advisory committee that are open to the public to alert Board members of issues before items come before the Board for action. He said

presentations are required to be available to the public 72 hours before the Board meeting per the Brown Act.

Jeff Carter, Millbrae, said crossing gates going down every three minutes is no different than cars stopping for stop lights every 90 seconds. This is not a valid argument to complain about gate down times.

CONSENT CALENDAR

- a) Approval of Minutes of April 7, 2016
- b) Approval of Minutes of May 5, 2016
- c) Acceptance of Statement of Revenues and Expenses for March 2016
- d) Acceptance of Statement of Revenues and Expenses for April 2016
- e) Authorize Execution of Contracts of More Than \$100,000 for Information Technology License Renewals, Maintenance Services and Professional Services for Fiscal Year (FY) 2017 for an Aggregate Not-to-Exceed Amount of \$500,000
- f) Authorize Execution of Contracts for Technology Related Products and Services to Vendors Under Cooperative Purchasing Programs for FY2017 for an Aggregate Not-to-Exceed Amount of \$1 Million

Public Comment

Roland Lebrun, San Jose, said the Statement of Revenues and Expenses for March 2016 shows the JPB did not use its reserves year to date mostly due to direct savings on fuel. This is true because the JPB is on target for over budgeting fuel by \$10 million. The Statement of Revenues and Expenses for April 2016 shows the reserves depleted by \$15 million between March and April. He asked for explanation.

Motion/Second: Tissier/Cisneros

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

CHAIRPERSON'S REPORT

Chair Woodward said Citizens Advisory Committee (CAC) applications are due June 3.

REPORT OF THE CAC

Jonathan Berk, CAC Member, said:

- The CAC is happy with the progress of the Customer Experience Taskforce.
- When Caltrain reports late trains, they regard anything within five minutes on time. At most, trains that are one minute late should be reported late.
- Budgeted operating revenues went up by the same amount as expenses and it was not clear in the explanation why that is.

REPORT OF THE EXECUTIVE DIRECTOR

Proclamation Declaring June 16, 2016 as National Dump the Pump Day

Jeremy Lipps, Social Media Officer, said June 16 is the 11th Annual Dump the Pump event, which is a nationwide campaign to promote public transit use and get people out of their cars. The JPB will use this opportunity to show their appreciation for the riders and thank them for using transit.

Motion/Second: Tissier/Cisneros

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

Caltrain Modernization (CalMod) Update

Jim Hartnett, Executive Director, said:

- Staff is working towards a recommendation for the July JPB meeting for a Limited Notice to Proceed (LNTN) for both the design build and vehicle contracts. The LNTN time period is planned to go through March 2017. The recommendation would be subject to the CHSRA approving the \$600 million agreement and the Seven-Party Supplemental Memorandum of Understanding (MOU) for \$113 million. CHSRA is currently scheduled to vote on those agreements in August.
- The Federal Transit Administration Core Capacity full funding grant agreement is planned for December 2016.
- The seven parties of the MOU have committed to provide additional funding sources to the project. In that agreement, there is approximately \$210 million identified and committed to from the various parties. The CHSRA will approve the MOU at their August meeting.
- There is a bilateral agreement being discussed with CHSRA that will cover the full CHSRA commitment for the \$713 million, \$600 million from the Proposition 1A funds and an additional \$113 million. Staff anticipates bringing an agreement for JPB approval in July with the LNTN award of contracts, which is conditioned on the CHSRA action in August.
- The Local Policy Makers Group (LPMG) met on May 26.
 - Nine members wanted one or two onboard restrooms per train set, and one member wanted no restrooms onboard.
 - An environmental scoping presentation was made by CHSRA staff. Several LPMG members asked for the scoping period to be extended by 30 days.
 - There was also a discussion about CHSRA's planned community working groups and the need for multi-stakeholder outreach processes.
 - There was a discussion about allowing the LPMG to appoint its own chair and vice chair and vote on recommendations to the JPB and CHSRA boards. This will be discussed more in June.
 - The presentations and audio recordings from the LPMG meetings are available on the Caltrain website.

Report of the Executive Director

Mr. Hartnett said:

- Caltrain and Operation Lifesaver will be conducting an education and enforcement event on International Grade Crossing Awareness Day, June 10.
- JPB participated in the Out of Darkness overnight walk, an event sponsored by American Foundation for Suicide Prevention.
- Special service
 - Sharks playoff service carried 2,200 additional riders
 - Giants home games in May carried 80,000 additional riders
 - Bay to Breakers service carried 8,000 riders
 - Beyoncé concert carried 2,000 riders
 - International soccer tournaments
 - San Jose Earthquakes games
 - Gay pride parade

- Opera at the Ballpark
- A Sunday service will run on Independence Day with extra supplemental evening service to accommodate fireworks attendees
- Ongoing capital projects include
 - Quint Street Bridge replacement project construction is expected to be completed by the end of June
 - San Mateo bridges replacement is expected to be completed by the end of July
 - San Francisco highway bridges contract is expected to be completed in winter 2016
 - Los Gatos Creek Bridge project will go out for bids this summer and fall, but due to environmental regulations, work within the creek's waterways is restricted from mid-June to mid-October

Public Comment

Roland Lebrun, San Jose, said he wrote a letter highlighting multiple issues with the MOU, with the project itself and the funding, specifically the \$600 million and the \$113 million. The moment CHSRA submits a funding plan for the \$600 million they will be back in court.

CUSTOMER EXPERIENCE SURVEY RESULTS

Patrick Thompson, Market Research Specialist, presented:

- Objectives
 - Guide the Customer Experience Taskforce in choosing the priorities for future investments
 - Narrow the questions to be used in the upcoming Annual Customer Satisfaction Survey
- Methodology
 - Online survey
 - February 28 to March 20
 - Opt-in, not statistically valid
 - Various outreach methods
 - Response
 - 2,956
 - 92 percent completed the entire survey
- Service ratings (five-point scale: five = very important, one = not at all important)
 - More frequent service: 4.2
 - Trains with shorter commute times: 4.18
 - More shoulder peak service: 3.89
 - More frequent weekend or mid-day service: 3.33
 - Expanded service after 10:30 p.m.: 2.94
 - Expanded service between San Jose and Gilroy: 1.92
- Service Rankings
 - Top three priorities identified
 - More frequent service
 - Trains with shorter commute times
 - More shoulder peak service
- Communications ratings
 - Improved real-time updates onboard or at stations: 4.34

- Schedule and real-time information on a smartphone application: 4.33
 - Better directional signage at stations: 2.99
- Customer comfort/enjoyment ratings
 - Allowing food and drinks onboard: 3.3
 - Quiet car: 3.24
 - Increased bike storage and bike share facilities: 2.97
 - Pay as you go Wi-Fi: 2.68
 - Access to concessions at stations: 2.6
- Payment ratings
 - Improved ticket machines with Clipper integration: 3.82
 - A smartphone application with mobile ticketing: 3.65
 - Ability to pay for parking using mobile application: 3.27
- Rankings
 - Top priorities identified
 - Improved real-time updates
 - Schedule and real-time information available on a smartphone application
 - Improved ticket machines with Clipper integration
 - A smartphone application with mobile ticketing
- Value of service relative to the cost to customer
 - Ranked 5: 14 percent
 - Ranked 4: 28 percent
 - Ranked 3: 33 percent
 - Ranked 2: 12 percent
 - Ranked 1: 6 percent
 - Mean: 3.35
- Use of Transportation Network Company (TNC)
 - Yes: 43 percent
 - No: 55 percent
 - Not sure: 2 percent
- Electric train amenity ratings
 - Seating: 4.43
 - Standing/leaning room: 3.34
 - Onboard bathroom: 3.01
 - Bike storage: 3.01
 - Maximum seating (bathrooms at stations only): 2.81
 - Luggage storage: 2.36
- Electric train amenity rankings
 - Top priorities identified
 - Seating
 - Standing/leaning room
 - Bike storage
 - Onboard bathroom
- What customers like about diesel cars and want to keep on electric trains
 - 52 percent of respondents answered this question
 - 49 percent of comments related to seating
 - 15 percent single seats on second level, 9 percent seating with tables, 8 percent comfortable seats
 - 32 percent of comments were about onboard amenities

- 12 percent about having onboard bathrooms
- 27 percent of comments were about train design/features
 - 12 percent about having two levels
- What customers dislike about diesel cars and want to change on electric trains
 - 57 percent of respondents answered this question
 - 20 percent of comments related to seating
 - 18 percent of comments related to capacity
 - 7 percent not enough seats or cars, 6 percent too crowded, 5 percent not enough standing room
 - 17 percent of comments were about amenities
 - 7 percent no Wi-Fi, 5 percent lack of outlets, 4 percent air conditioning

Director Malia Cohen asked if riders wanted onboard bathrooms. Mr. Thompson said customers were asked to rate various amenities on the train. Bathrooms were middle of the road.

Mr. Thompson continued:

- Rider characteristics
 - 50 percent riding for four years or more, 34 percent for one to three years
 - 59 percent ride at least four days a week
 - 32 percent Go Pass users, 31 percent Caltrain Monthly Pass users
 - 82 percent traveling to or from work
- Demographics
 - 53 percent male
 - 71 percent between 25 and 54
 - 53 annual incomes of \$100,000 or more
 - 61 percent white, 20 percent Asian
- Additional comments
 - 1,182 respondents provided comments
 - 46 percent related to service
 - 20 percent more frequent trains or expanded service
 - 11 percent were positive comments
 - 9 percent were communications related
 - 8 percent were about announcements/messages/updates
- Next steps
 - Used Customer Experience Survey data to develop additional questions for the Customer Satisfaction Survey (June 2016)
 - Develop customer experience focus group

Public Comment

Jeff Carter, Millbrae, said demographics and household income statistics annoy him. The problem is some people say Caltrain is priced too low. A lot of people make less than \$100,000 and might not ride Caltrain because it costs too much. He asked how Go Pass ridership is calculated. Employers have to buy Go Passes for every employee whether the employees use them or not. He said the 2015 Customer Satisfaction Survey has onboard restrooms rated highest of all amenities. Staff is using scare tactics saying restrooms take up a lot of seats, which scares people into thinking they take up too much space. He does not think it is true. The Board needs to look at more restrooms.

Roland Lebrun, San Jose, said this is the best survey he has seen from Caltrain. Free Wi-Fi service was not offered as a rating option on the survey because of the unlikelihood of it being an option for Caltrain to offer. Free Wi-Fi is available on Altamont Corridor Express, Capitol Corridor, and VTA. This needs to be resolved when the JPB procures new Electric Multiple Units (EMU). The survey says the most important amenity for the new EMUs is seating. The EMUs being selected need to be able to carry 948 seated passengers for an eight-car train set. If not, the 2012 Blended System Analysis needs to be revisited before the JPB can commit to the blended system.

Doug DeLong, Mountain View, said he is encouraged by the service rankings that the top priorities identified by respondents were more frequent service and trains with shorter commute times. The only way to achieve that with the existing infrastructure is if each train stops at fewer stations. If there were six trains per hour where three trains each stopped at more than one-third of the stations and covered all stations between them and ran twice per hour, this would have more capacity than the existing schedule. Each station that is currently only getting service once per hour would get it twice per hour, and high traffic stations would still get four to six trains per hour. This provides 20 percent more capacity. This might mean the Baby Bullet brand name would have to be blown up, but that is not ranked highly among respondents.

Adina Levin, Friends of Caltrain, asked if additional shoulder peak service would be a possibility to relieve overcrowding in the short term. More frequent service might be a challenge due to the electrification construction. She would like to see the number of people who use TNCs cut by station to see if public transportation improvements can be made to help people use public transit.

AUTHORIZE FINALIZATION OF CONTRACT NEGOTIATIONS FOR THE PROCUREMENT OF ELECTRIC MULTIPLE UNITS WITH ONE RESTROOM FOR EACH BI-LEVEL TRAINSET FOR THE PENINSULA CORRIDOR ELECTRIFICATION PROJECT

Michelle Bouchard, Chief Operational Officer, Rail, said the question is whether to have one restroom per train set or no restrooms onboard. Staff has looked at the issue and presented the fundamental tradeoffs at the last Board meeting. Staff is recommending moving forward with a single restroom on each new train. The cost of the feature is \$2.8 million and is contained in the price received by the car manufacturers. The basis of the recommendation comes from feedback received from outreach and surveys, 15 recent meetings at which staff solicited feedback, and from various other sources. The majority voted for a single restroom onboard the train. Customers would find onboard bathrooms useful in the event of a service disruption. Staff has considered disabled access as a result of this recommendation. The regulation says the train is not required to have a restroom onboard, but if there is one it must be accessible. The car containing the restroom will be well marked from the outside. Staff is working with the accessibility community on configuration issues.

Public Comment

Roland Lebrun, San Jose, asked what the point is of having the LPMG if staff is posing a resolution before the group has the opportunity to discuss the issue. The LPMG voted for two bathrooms. The consultants decided they would be procuring a Swiss train. He looked at that train and discarded it because it could not support Caltrain's seated

capacity requirements. These trains have fewer than 600 seats.

Jeff Carter, Millbrae, said it is shortsighted to have inadequate restroom capacity. He appreciates there will be at least one restroom, but the JPB should look at the option of having one for every two cars. The Board and staff don't ride the train and don't have to deal with intoxicated people, delays, accidents, or people relieving themselves on the train or at the stations. Bathrooms take up seats, but seats can be increased by adding cars. Each additional car will add 130 seats to each train. Caltrain needs more than six-car trains and more than six trains per hour. Staff did not make comparisons with Metrolink, Chicago Metra, or New York City Long Island Railroad, which all have bathrooms.

Michael Matthews, San Francisco, said he supports having one bathroom onboard. Getting off at a station to use a bathroom could add an hour to an already long trip. During service incidents customers can be stuck on the train between stations for more than an hour. Bathrooms would take up 1 to 2 percent of seated capacity, but with trains are 20 percent over capacity, this does not seem like a significant sacrifice. The cost to build and maintain external bathrooms is unclear, and it is unclear if cities would support it. It is the humane thing to do to have a bathroom onboard.

Howard Myerson, Mountain View, said he supports multiple bathrooms onboard.

Doug DeLong, Mountain View, said he supports having at least one restroom onboard. He asked if the engineer has to walk the length of the train to go to the bathroom and all customers have to wait, or if the engineer will have a restroom in the vehicle. He said he finds it curious that the estimated number of seats a restroom will cost keeps getting inflated. There should be at least two restrooms on each train.

Adina Levin, Friends of Caltrain, urged the Board to adopt the staff recommendation.

Director Tissier said this is a reasonable amenity that should be provided to the public and is a compromise by going with one bathroom versus none or two.

Director Joël Ramos asked how this information was gathered to get to the recommendation. He said he is concerned that customers are thinking about their current experience rather than the future experience where there will be better infrastructure, faster travel times, more frequent service, and more reliability with new engines. He is hoping this would lead to a place where there is less of a need for restrooms. Many people may be thinking about what it would be like today if there were no restrooms onboard. He asked if staff made that clear before soliciting feedback and if a survey talked about the actual tradeoffs that would be made.

Casey Fromson, Manager, Government Affairs, said staff made it clear that this would be in the context of an electrified system that will look and feel differently. Staff's original proposal was to have no bathrooms onboard because of the exact reasons Director Ramos mentioned. The overwhelming response was customers understood things would be different but for a variety of reasons there was still a great interest in having onboard bathrooms. There still will be diesel trains on the line, which have bathrooms, and the EMUs will have fewer bathrooms, so this is the compromise pairing

the information from the public with the technical information just received from the car builder.

Director Ramos said most of the ridership does not participate in these conversations. He asked if there was an effort to solicit the opinion from people who were left behind at stations because of capacity or to get a broader reach of people who have stopped riding Caltrain because they have been left behind in the past. Ms. Fromson said in addition to the meetings that were mentioned, there have been communications with the riders. Over the last three years there have been three surveys related to electrification including key parts about bathrooms and have yielded over 10,000 responses. To get responses, staff went to stations and spoke to customers directly, used social media, and have reached out to partners like Friends of Caltrain.

Director Ramos asked if the surveys and cross tabs could be provided to the Board members. Ms. Fromson said that information is available on the website and she will send a copy to the Board members.

Director Ramos said in the future when the Board goes to the public to solicit funding, he wants to make sure the system reflects the interests of the entire population and the JPB is building a system in a way that matches the economy and the direction Caltrain is headed, which is one that is requiring more capacity. He said he is reluctant to vote for this option because it is maintaining the status quo and not recognizing the need to increase capacity to meet the demand the system is going to require in the future while offering a different kind of ridership experience with restrooms at stations and having a faster travel time with more frequent and more reliable service. The trains are over capacity. Parents riding with children or elderly people who may not have the control they need are not the majority of the daily riders, and the Board needs to think about meeting the demand of the daily riders.

Director Tissier said people have been encouraged to ride trains and buses, but by 2030 the senior population will double, and these are people who will still want to take public transportation and will want to be comfortable doing it. She said she wished BART had bathrooms. As much as standing and seating is wanted, she thinks there will be a change in the population that will be riding public transportation. For the sake of the public, comfort needs to be considered as well as speed. Having done a lot of work in the senior community, she thinks that population has to be taken into consideration.

Director Ramos said it is important to have restrooms at every station and that they be maintained. With increased frequency in the future, customers would not have to wait an hour to catch the next train if they get off to use a station restroom. This is not for at least five years. In future Caltrain would be at place to have amenities at each station to accommodate this concern.

Director Peralez said the LPMG did not make a suggestion for two onboard restrooms, the opinions were mixed. Some members suggested one restroom, some said two, and one said none. He said it is a reality, especially where there is a large amount of riders such as after sporting events, that there are more than enough instances where individuals will need to use a restroom while onboard. Having one restroom per train satisfies the need and it is worth losing those seats for that one bathroom. He is not in

favor of two onboard bathrooms or one on every car, but he is in favor of one on each train. He is an advocate to have facilities at stations.

Director Jeff Gee said one restroom per train is reasonable and humane. Redwood City doesn't have restrooms at the stations. Having one per train is not unreasonable. The only way to address capacity is more and longer trains. The \$2.8 million is far less than station improvements up and down the right of way because there are about 30 other stations that would need restrooms. Until that happens, one onboard restroom is reasonable.

Director Ramos said the logic he used is recognizing that this is a problem today even with onboard restrooms. Public urination will be a problem whether restrooms are onboard or not. He would like to assume the Board could respond to the humane need by getting restrooms at stations and still meet the capacity needs.

Chair Woodward said after years of discussing and vetting this issue, one onboard bathroom is a reasonable compromise.

Motion/Second: Tissier/Gee

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

Noes: Cisneros, Ramos

KEY CALTRAIN PERFORMANCE STATISTICS APRIL 2016

Ms. Bouchard said:

- Average weekday ridership (AWR) was 61,548, a 5.4 percent increase.
- Year-to-date AWR ridership was 59,519, a 3.5 percent increase.
- On-time performance (OTP) was 88.9 percent, a 0.2 percent decrease.
- The schedule was changed on April 4 to promote more reliability. April was rough due to the combination of heat restrictions, trespasser incidents, and mechanical failures. May was a great month for mechanical performance. The contract operator and JPB staff have been working hard to keep the locomotives in a state of good repair. The capital budget contains money for mid-life rebuilds and other important component work needed to keep the locomotives running. Looking at OTP without the incidents that affect normal operation, OTP is looking at close to 96 percent for regularly scheduled trains as a result of the schedule change.

Public Comment

Roland Lebrun, San Jose, said padding was just added to the timetable and trains still do not arrive on time. He would like to know what the problem is and what the JPB is going to do about it.

AUTHORIZE ADOPTION OF THE FY2017 OPERATING BUDGET IN THE AMOUNT OF \$146,392,029

Eli Kay, Chief Financial Officer, said staff presented a balanced preliminary budget in May. No changes have been made. The proposed budget is \$146.4 million, an increase of \$7.2 million or 5.2 percent over last year. The budget is balanced primarily due to an anticipated increase in farebox revenue and some use of reserves as well as prior savings. This budget highlights the need to secure a dedicated source of revenue

to support operations. Staff is working closely with member agencies and other funding partners to explore a number of options for the creation of additional revenue. Staff is confident that this budget is reflecting expected record ridership and provides for necessary operational improvements.

Chair Woodward said this budget has VTA contributing \$8.9 million. He said the VTA budgeted \$8.3 million for its member contribution and asked where the other \$600,000 is coming from. Mr. Kay said he will have to get back to the Board on this issue.

Public Comment

Roland Lebrun, San Jose, said the cost of the Caltrain managing agency is atrocious at 16 percent. His recommendation to replace the managing agency has not changed. Moving forward, Caltrain needs to provide faster more frequent service. If the San Mateo County Transit District (District) is not willing to provide it, the Board should reach out to the private sector, which could have hybrid trains delivered and ready by 2018.

Jeff Carter, Millbrae, said he is pleased to see there is budget for additional railcars to address the capacity issue. He asked if there is any indication that Caltrain can run additional service during shoulder peak periods. He asked for the status on the fare study and if there will be any public input or review of it.

Mr. Hartnett said staff will have to circle back with the Board on the issue of VTA's contribution, but the Board could adopt the budget now with the VTA's contribution at \$8.3 million reflected in VTA's proposed budget and staff could come back to the Board with an adjustment, if necessary.

Director Ramos asked if expanded shoulder peak service can be done. Ms. Bouchard said staff needs to be careful about changing or increasing service in any way that would reduce construction work windows for electrification. Staff recognizes there are acute capacity crunches in some areas. It was important to get the data from the annual counts and staff is working on assimilating that information and coming up with ideas to alleviate capacity concerns. This may not result in additional frequency in terms of additional trains, which are not allowed for in this budget, but there are other things such as stopping patterns and types of trains to could help with these issues in the immediate term.

Motion to adopt the budget with VTA's contribution at \$8.3 million.

Motion/Second: Ramos/Cohen

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

AUTHORIZE ADOPTION OF THE FY2017 CAPITAL BUDGET IN THE AMOUNT OF \$250,948,910

Mr. Kay said in May staff presented a preliminary budget in the amount of \$253.8 million with the CalMod Program making up the largest share at about 83 percent of the budget. The budget included a total contribution request of \$19.5 million from the three members, or \$6.5 million each. The members had committed to \$5 million each, making the budget \$4.5 million short. Adjustments were made and the budget was reduced, but additional funding was identified in the process from prior year savings. The total net change is a \$3 million reduction. Specific projects affected were deferral

of some grade crossing improvements, station paintings, and other non-critical information technology projects. The budget is still on target to meet Caltrain's 10-year Capital Improvement Plan focused on maintaining the assets in a state of good repair, enhancing the reliability of the system, and delivering the CalMod Program.

Public Comment

Roland Lebrun, San Jose, said the JPB bought 16 Bombardier cars from Metrolink two years ago. Five have been deployed, but 11 of the cars have been parked in San Jose or San Francisco for the last two years. He said the Board approved the funding and asked why the cars are just sitting there and are not deployed to help with the capacity crunches. The budget shows that the cost of electrification between San Jose and San Francisco is between five and 10 times the cost of electrification on the East Coast. The cost of the new EMU railcars is \$8.5 million each. This is between \$5 million and \$6 million more than any other option.

Motion/Second: Cohen/Guilbault

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

AUTHORIZE ADOPTION OF THE OVERALL DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL OF 14 PERCENT FOR FEDERAL TRANSIT ADMINISTRATION-ASSISTED CONTRACTS FOR FEDERAL FY2017-2019

John Barker, Manager, Civil Rights Programs, said the overall goal proposed for the next three Federal fiscal years is 14 percent.

Public Comment

Roland Lebrun, San Jose, said the Capital Projects Quarterly Status Report shows that out of \$12.5 million worth of awarded contracts, \$400,000 worth of DBE contracts were awarded. Last time the target was 12 percent, but DBE attainment was actually 3.1 percent. This has to do with governance and the way this agency is run.

Director Cohen said the Board should be pushing the envelope and being aggressive regionally and across the country when it comes to the fulfillment of DBE contracts.

Motion/Second: Tissier/Yeager

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

AUTHORIZE ENROLLMENT IN THE CLEANPOWERSF, PENINSULA CLEAN ENERGY, AND SILICON VALLEY CLEAN ENERGY COMMUNITY CHOICE ENERGY PROGRAMS

Michelle Senatore, Sustainability Planner, said staff recommendation has not changed since this was presented last month. Staff recommends the default, budget neutral option, which achieves higher renewable energy content and lower greenhouse gas emissions.

Motion/Second: Cisneros/Ramos

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

AUTHORIZE EXECUTION OF A REAL ESTATE COOPERATIVE AGREEMENT WITH THE DISTRICT TO PROVIDE RIGHT OF WAY SERVICES AND EMINENT DOMAIN PROCEEDINGS IN CONNECTION WITH FUTURE CAPITAL PROJECTS

Brian Fitzpatrick, Manager, Real Estate and Property Development, said this agreement is necessary because the JPB does not have the power to condemn; it comes through its member agencies, in this case the District. The District just participated in providing these services for the successful completion of the San Bruno Grade Separation Project. This will allow the District to take this action with future projects.

Public Comment

Roland Lebrun, San Jose, said the real estate consultant contracts for the electrification project, which was budgeted at \$650,000, is actually \$3.6 million. He would like to know how much of the \$3.6 million was spent with DBEs.

Director Cohen asked for an answer to that question. Mr. Hartnett said staff will get back to the Board with an answer.

Motion/Second: Cisneros/Cohen

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

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

Gigi Harrington, Deputy CEO/Chief Administrative Officer, said this was requested at the last meeting. A peer review is underway now and staff would like to provide the recommendations of the peer review at a later date. Chair Woodward said this item will be postponed until a later meeting.

Public Comment

Roland Lebrun, San Jose, said the Board just spent \$50 million for 50 miles of fiber between San Jose and San Francisco. Staff said they were redoing it because the JPB will start seeing revenue from the fiber. He would like a status on the revenue generation from the fiber when this comes back to the Board.

CAPITAL PROJECTS QUARTERLY STATUS REPORT – 3RD QUARTER FY2016

Ladi Millard, Director Budgets, said the report is included in the Reading File.

Public Comment

Roland Lebrun, San Jose, said there is no sign of the expenditure on EMUs, but consultants have been working on it for three years. The Board just approved \$68 million in the capital budget, but staff will not be buying railcars in FY2017. The electrification itself is of more concern because the Board just approved \$114 million for electrification, but he does not know where the money will come from or what staff will be doing with it. The report states this will be the last electrification update to be included in the quarterly status report, and people should refer to the CalMod Quarterly Report for details. Mr. Lebrun said this is totally unacceptable.

LEGISLATIVE UPDATE

Federal

Casey Fromson said the House Transportation, Housing and Urban Development bill identified \$100 million for the electrification project. The Senate has already approved their bill. The House needs to take it to the floor for a vote.

State

Mike Robson, Edelstein Gilbert Robson and Smith LLC, said the JPB is sponsoring two bills. Assembly Bill (AB) 2030 deals with raising the monetary threshold for contracting for supplies and equipment so formal bids don't have to be prepared for low-amount supply and equipment contracts. AB 1889 deals with repealing an obsolete reference to the Peninsula Rail District, which is an unnecessary law.

Matt Robinson, Shaw/Yoder/Antwih, Inc., said Cap and Trade is at the forefront of the discussion regarding transportation funding because it is the only new source of revenue from the State. The recent auction brought in \$500 million lower than expected, which may have an impact on the transportation budget requests. Formula programs are continuously appropriated and there is no anticipated negative impact.

CORRESPONDENCE

No discussion.

BOARD MEMBER REQUESTS

None

DATE/TIME/PLACE OF NEXT REGULAR MEETING

The next meeting will be Thursday, July 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, said parcel 264-15-066 is on the west side of the creek and is an affordable housing parcel. It is something nice that was done for people who could not afford to live within walking distance of Diridon. It is on the opposite side of the creek where the trail is. There is plenty of room for the tail track behind Orchard Supply Hardware.

Joan Cassman, Legal Counsel, said the Board will meet in closed session to discuss several items, the Atherton lawsuit, a California Environmental Quality Act challenge to the electrification project, a matter of anticipated litigation, as well as two items regarding real estate property interests required for the Los Gatos Bridge Replacement project.

Recessed to closed session at 11:52 a.m.

Directors Cohen and Ken Yeager left at 12:10 p.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 Legal Counsel – Anticipated Litigation Pursuant to Government Code Section 54956.9(d)(4): One potential case

Closed Session: Conference with Real Property Negotiators Joan L. Cassman, General Counsel, Brian W. Fitzpatrick, Manager, Real Estate and Property Development, and Gary Cardona, Senior Real Estate Officer, pursuant to Government Code Section 54956.8: Property Location: 377 Royal Ave., San Jose, CA 95126 (including 655, 661 and 667 Auzerais Ave., 365 and 379 Royal Ave., and 720 W. San Carlos Ave.) APN 264-15-064; APN 264-15-065 Parties: National Retail Properties, LP; Under negotiation: Price and terms of contract.

Closed Session: Conference with Real Property Negotiators Joan L. Cassman, General Counsel, Brian W. Fitzpatrick, Manager, Real Estate and Property Development, and Gary Cardona, Senior Real Estate Officer, pursuant to Government Code Section 54956.8: Property Location: 809 Auzerais Avenue, San Jose, CA; APN 264-15-066; Common Area Lot E, as shown on the final map of Tract No. 9805, filed for record on November 17, 2006, in Book 809 of Maps at pages 1 through 4, inclusive, in the official records of the county of Santa Clara, State of California. Parties: KB Homes South Bay, Inc. Under negotiation: Price and terms of contract.

Reconvened to open session at 12:30 p.m.

Ms. Cassman said no action was taken on any closed session item.

Adjourned at 12:30 p.m.