

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

MINUTES OF DECEMBER 7, 2017

MEMBERS PRESENT: J. Bruins, D. Davis, J. Gee (Chair), R. Guilbault, D. Pine, K. Yeager, M. Zmuda

MEMBERS ABSENT: C. Brinkman, G. Gillett

STAFF PRESENT: M. Bouchard, J. Cassman, , A. Chan, C. Fromson
C. Gumpal, D. Hansel, J. Hartnett, L. Larano, M. Martinez, C. Mau,
S. Murphy, J. Navarro, E. Scanlon, M. Simon, P. Sebastian, J. Le,
V. O'Brien

Chair Jeff Gee called the meeting to order at 10:03 a.m. and Rose Guilbault led the Pledge of Allegiance.

PUBLIC COMMENT

Bert Hill, San Francisco Bicycle Advisory Committee, San Francisco, provided a copy of their resolution adopted on October 23, 2017 that supports increased capacity in electrification trains and better car layout on the train. He said bicyclists need to be able to observe their bikes on the train and bicycle theft is a problem.

Jeff Carter, Millbrae, said that the construction structure in San Carlos are too close to the right of way and would like to assure that this would not cause any future constraint to adding passing tracks.

Cliff Barger, San Francisco, said that he researched and found there is more than one bike theft in 2016 that was reported by staff and the bike theft will get worse if there are no seats for bicyclist to watch their bikes.

Shirley Johnson, San Francisco, Bikes ONBoard, said she is alarmed that the new train layout on the electrified trains have no dedicated seats within view of bikes, this is an invitation for bicycle theft, the solution is distribute more bike space in more cars so seats can be within view of bikes.

Giuliano Carlini, Belmont, requested that his bicycle should be visible on these new proposed trains and not isolated in another car train.

Roland Lebrun, San Jose, said in the past he proposed a different configuration and now there are issues with seats, bathrooms, bikes and no one is considering alternatives. He reported an incident on Thanksgiving that signs did not indicate no train service and caused confusion for riders. He asked why staff is looking at configurations that have not been environmentally cleared.

Randy Hodnett, Atherton, said he objected the plan of using forty-six foot tall double track cantilever poles along tracks in Atherton instead of the thirty foot tall two outside poles. He said the forty-six foot tall poles would not come close to meeting the environmental requirement.

Nerissa Dexter, Atherton, submitted a list of sixty-five signatures from residents of Lloyd Park that are concerned about damage to their property and they object to the plan to install forty-six foot double-track cantilever poles in the neighborhood. She asked staff to deploy the thirty-foot poles and not the forty-six foot poles.

Jim Massey, Atherton, said the forty-six foot poles will impact the aesthetics and property value of the Atherton neighborhood. He requested that staff consider installing thirty-foot poles.

John Maulbetsgh, Atherton, requested action on the issue of installing large poles in Atherton. He said he was give information from staff that the decision of installing large poles was to preserve trees.

Drew, San Mateo, said he appreciates staff's continued effort to support his issues on the New Hillsdale Station.

Greg Greenway, Redwood City, said Caltrain signed an agreement with Union Pacific to set a process in place for transitioning the freight operations from Union Pacific as the operator. He will send a letter to staff on questions that are still open.

Roland Lebrun, San Jose, said the Statement of Revenue and Expenses report reflects staff wages and benefits are out of control.

CONSENT CALENDAR

- a. Approval of Minutes of November 2, 2017
- b. Acceptance of Statement of Revenues and Expenditures for October 2017
- c. Receive Key Caltrain Performance Statistics – October 2017
- d. Receive State and Federal Legislative Update
- e. Receive Capital Projects Quarterly Report – 1st Quarter Fiscal Year 2018
- f. Receive 2017 Customer Satisfaction Survey Key Findings
- g. Award of Contract to Wells Fargo Insurance Services USA, Inc. (Wells Fargo), San Francisco, CA, or its Anticipated Successor Firm, USI Insurance Services for Insurance Brokerage Services for a Firm-Fixed Cost of \$413,760 and for On-Call Insurance Brokerage Services for a Not-To-Exceed Amount of \$125,000 for a Five-Year Term by Resolution No. 2017-62
- h. Receive State Rail Assistance Program Funds As Set Forth in the Certification and Assurances and Applicable Statutes, Regulations and Guidelines by Resolution No. 2017-63
- i. Receive State of Good Repair Program, as Set Forth in the Certification and Assurances and Applicable Statutes, Regulations and Guidelines by Resolution No. 2017-64

Motion/Second: Yeager/Davis

Ayes: Bruins, Davis, Guilbault, Pine, Yeager, Zmuda, Gee

Absent: Brinkman, Gillett

CHAIRPERSON'S REPORT

Appointment of Nominating Committee for 2018 Officers

Chair Jeff Gee, appointed Directors Dev Davis, Dave Pine and Monique Zmuda.

Considerations for a Potential Transactions and Use Tax Ballot Measure

Joan Cassman, Legal Counsel, reported that Senate Bill (S.B.) 797 provides a new potential independent funding source for the JPB in the form of a regional 1/8 percent transactions and use tax across all three counties served by Caltrain, even if the new tax would exceed the 2 percent cap for sales taxes in any or all of the counties or the cities within the three counties and JPB can only impose the tax with the affirmative votes of a combined 2/3 of the voters in the three counties. Staff noted that before an election can be called, the following actions are required:

- o 2/3 vote of the JPB Board to call the election;
- o 2/3 vote of each of the Boards of Supervisors in San Francisco, San Mateo and Santa Clara Counties authorizing the election; and
- o simple majority (50 percent+1) votes of each of the Boards of Directors of the San Francisco Municipal Transportation Agency (SFMTA), Santa Clara Valley Transportation Authority (SCVTA) and San Mateo County Transit District (SMCTD) authorizing the election.

The timing of a potential JPB regional sales tax ballot measure, taking into account:

- o the time required to prepare a plan for how tax revenues would be used to support Caltrain;
- o other local funding measures that the Authorizing Agencies may be contemplating and the relative timing and prioritization of such measures vis a vis a JPB measure;
- o how much time is required to secure approval from the Authorizing Agencies, based on the legislative processes of each board, and
- o election schedules and political viability; and
- o Options and preferences for how the tax revenues raised through a potential measure should be used, such as whether the revenues from a potential measure would supplement or replace any or all of the JPB member agencies' contributions.
- o Direct staff to provide the support required for such meeting(s) and potential Ad-Hoc Committee.

Public Comment

Jeff Carter, Millbrae, said S.B. 797 should not replace the member agency contributions.

Roland Lebrun, San Jose, said he is going to Metropolitan Transportation Commission and inform them that S.B. 797 tax should be implemented across all nine Bay Area counties.

Chair Gee announced that Director Rose Guilbault has resigned from the JPB Board and the SamTrans Board elected Director Charles Stone.

CITIZENS ADVISORY COMMITTEE (CAC) REPORT

Brian Shaw, Chair, CAC, said the committee approved the 2018 meeting calendar. They received a presentation on Customer Satisfaction Survey Key Findings. Concerns were reduction in satisfaction with ticket vending machine, better bathroom cleaning service. They also received a report on the Fare Enforcement Program. Concerns are not having the fines too low and escalating fines for repeating offenders.

REPORT OF THE EXECUTIVE DIRECTOR

The written report is in the agenda packet.

Peninsula Corridor Electrification Project Quarterly Report

Liria Larano provided a quarterly update on key highlights on the scope, project implementation and work segments. The Report includes two tables, the risk and mitigation monitoring and reporting log, as requested by the Board.

Derek Hansel, Chief Financial Officer, provided a verbal report on expenses and cash flow. He said staff continues to process reimbursement of funds to clear the backlog. The Board requested an accounting dashboard and a policy for cash on hand. Mr. Hansel will provide a report at February's meeting.

Mr. Hartnett provided a report on the Dumbarton Corridor Plan that was adopted by the SamTrans Board. The Study recommends both operational and infrastructure improvements on Highway 84 and the Dumbarton Rail Bridge that will be phased over time. It also recommends short-, medium- and long-term transportation improvements that contribute to the ultimate vision for a multi-modal corridor. He said the potential bicycle/pedestrian multi-use path in the Dumbarton rail right-of-way from Redwood City to East Palo Alto, which was not previously recommended due to right-of-way constraints, will not be eliminated at this phase of the study. Additional planning and conceptual design work in the form of a Technical Refinement will explore creative solutions and answer key questions received throughout the stakeholder and public outreach process.

Resolution of Appreciation for Mark Simon

Mr. Hartnett presented Mark Simon with a Resolution of Appreciation for his retirement.

Approved by Resolution No. 2017-60

Motion/Second: Guilbault/Yeager

Ayes: Bruins, Davis, Guilbault, Pine, Yeager, Zmuda, Gee

Absent: Brinkman, Gillett

Public Comment

Shirley Johnson, San Francisco, Bikes ONboard San Francisco, said cameras will not work on trains, it allows you to watch someone steal your bike; running after them is not a

good idea. She suggested spreading bike spaces amongst other train cars so bikes are not stacked in front of emergency exit windows.

Roland Lebrun, San Jose, said funding for Dumbarton Rail was available eight years ago, but the issue was moving the tracks and connecting to East Bay. He suggested staff work hard and not have the same issue.

Adina Levine, Friends of Caltrain, said she remembers the Dumbarton Rail Bridge project back in 2006 but during that time the project did not have enough funding. She hopes that now the state and local support for the Dumbarton Corridor project will be successful.

CALTRAIN BUSINESS PLAN UPDATE AND SCOPE

Sebastian Petty, Senior Policy Advisor, provided a report on the draft Business Strategy Principles and draft Caltrain Business Plan Scope of work that will help guide the further development of the Caltrain Business Plan. He said staff continued conversations with corridor stakeholders to raise awareness of the Business Plan effort. Notable outreach has included discussion with local, state and federal elected officials.

Public Comment

Vaughn Wolfe, Pleasanton, commended staff on the report of the Business Plan.

Jeff Carter, Millbrae, advised staff to get away from the idea of commuter rail as it means infrequent service, too many conductors and high fares. Caltrain is more about transit service. Trains are crowded and someone needs to address the current service. Caltrain is a public service and not for a profit business.

Adina Levine, Friends of Caltrain, said her concern is the statement of strategy on the report. It seemed timid and generic. Staff should consider using better statements on direction and goals.

Roland Lebrun, San Jose, said there should have been a website or webcast for the public to see the stakeholder workshop meeting. He said you have to build the capacity to the train station design.

Andy Chow, Redwood City, said the report should include a broader scenario so the Board can provide better evaluation.

AUTHORIZATION TO RECEIVE FUNDING AND ACT AS PROJECT LEAD FOR THE REDWOOD CITY GRADE SEPARATION PROJECT AND AMEND THE FISCAL YEAR 2018 CAPITAL BUDGET FROM \$70,473,295 TO \$71,323,295

Motion/Second: Bruins, Davis

Ayes: Bruins, Davis, Guilbault, Pine, Zmuda, Gee

Absent: Brinkman, Gillett, Yeager

AWARD OF CONTRACT TO J. POWERS RECRUITING, INC. OF SACRAMENTO, CALIFORNIA TO PROVIDE TECHNICAL RECRUITING SERVICES FOR A NOT-TO-EXCEED AMOUNT OF \$5.6 MILLION FOR A FIVE-YEAR TERM

Veena Ramachandran, Domain Experts Corporation, Sunnyvale, said she sent a protest letter requesting the Board reject this award to a single party and ask staff to adhere to the spirit and letter of the Request for Proposal (RFP) and award to a pool of well scored vendors. She said she was told by staff that her presence is not required at the Board of Director's meeting as the meeting is open to the public and unsure why she could not attend.

Joan Cassman, Legal Counsel, said that staff responded to the protest letter stating that in accordance with ground rules of the solicitation, the completed evaluation process for the subject services and determined only one firm, J. Powers Recruiting, Inc. was in competitive range. Therefore staff is recommending an award of contract for the services. She said the public has the opportunity to attend the meeting but not required or demanded to be present.

Public Comment

Roland Lebrun, San Jose, said this issue should have been discussed at a committee level, settled and resolved before the Board meeting. He said the wages and benefits for consultants are out of control; they are not sustainable and have to stop.

Juliet Nogales-Deguzman, Manager Employee Services, Human Resources, said there would be fifteen positions per year at an estimated \$75k per position and per year at the five year contract. She also noted that the proposal to the contractor was a lesser amount than the published amount.

The Board requested the item be brought back to the Board at their next meeting with the justification for the five year term and provide the lower proposed amount awarded to the firm.

Item #10 Caltrain Fare Study Update and Item #13 Receive Proposal to Create a New Civil Infraction Process for Fare Evasion will be presented next month.

DATE/TIME/PLACE OF NEXT REGULAR MEETING

Thursday, January 4, 2018, 10:00 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

Adjourned at 12:46 p.m.