

JPB Board of Directors Meeting of May 4, 2023

Correspondence as of May 4, 2023

- <u>#</u> <u>Subject</u>
- 1 FW\_ Request for information pursuant to Government Code Section 6250 et seq

From: Roland Lebrun <ccss@msn.com>
Sent: Tuesday, May 2, 2023 6:01 PM
To: Transbay Info <info@tjpa.org>

Cc: Board (@caltrain.com) <board@caltrain.com>

Subject: Re: Request for information pursuant to Government Code Section 6250 et seq

**ATTENTION:** This email came from an external source. Do not open attachments or click on links from unknown senders.

Dear Sir or Madam,

Thank you for your detailed response and helpful suggestions.

I did complete a search of the 30% design documents you provided on January 26<sup>th</sup> and could not find any document corroborating Caltrain's assertion that "diesel trains cannot operate within the DTX tunnel or Salesforce Transit Center <u>due to insufficient space for ventilation in the event of a fire</u>", hence this PRA request.

I understand that you forwarded the PRA to Caltrain on April 27, 2023, and I look forward to their response in due course.

Thanks again.

## Roland Lebrun

From: Transbay Info <info@tjpa.org>
Sent: Tuesday, May 2, 2023 4:22 PM
To: Roland Lebrun <ccss@msn.com>

Subject: RE: Request for information pursuant to Government Code Section 6250 et seq

Dear Mr. Lebrun,

We are writing in response to your April 22, 2023, request to the Transbay Joint Powers Authority (TJPA) under the California Public Records Act.

Your request broadly asks TJPA to identify and retrieve any design documents that "corroborate" discussion in another public agency's staff report. The Public Records Act requires a public agency to make available non-exempt records in its files "upon a request for a copy of records that reasonably describes an identifiable record or records ...." (Govt Code 7922.530.) California courts have determined that a request for records must be clearly-framed, focused, and specific. The TJPA has determined that your request is vague, ambiguous, and does not reasonably identify with any particularity the record or records you are seeking.

In the interest of assisting you with making a focused and effective request for a specific record or records in the TJPA's files, however, please note:

- On January 26, TJPA provided you a complete set of 30% design documents for the DTX project (except to the extent exempt);
- The NEPA and CEQA environmental review of the Transbay Program, including DTX, is available on the TJPA website (<a href="www.tjpa.org">www.tjpa.org</a>). Those documents discuss, among other things, the plan to deliver electrified Caltrain service to the transit center and alternatives to that plan, as well design refinements, analysis of potentially significant environmental impacts, and adopted mitigation measures.
- In 1999, San Francisco voters adopted Proposition H, directing the San Francisco Mayor, Board of Supervisors, and all relevant city officers and agencies to pursue electrification of the Caltrain line for the purpose of eliminating diesel locomotive air pollution and minimizing noise impacts. You can locate these materials on the San Francisco Public Library website (www.sfpl.org).

Thank you for your continued interest in the Transbay Program.

425 Mission Street, Suite 250 San Francisco, CA 94105 415.597.4620 phone

www.tipa.org

From: Roland Lebrun <a href="mailto:ccss@msn.com">ccss@msn.com</a>
Sent: Saturday, April 22, 2023 7:20 PM
To: Transbay Info <a href="mailto:info@tjpa.org">info@tjpa.org</a>

**Cc:** Caltrain Board < board@caltrain.com >

Subject: Request for information pursuant to Government Code Section 6250 et seq

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Dear Sir or Madam,

Please refer to page 96 (Item #12 "Update on Stadler Contract Option and Rail Vehicle

Acquisition" attached for your convenience) of Caltrain's Monday April 24 Finance Committee meeting agenda (https://www.caltrain.com/meetings/2023/04/jpb-finance-committee) and provide copies of DTX design documents corroborating Caltrain's assertion that "diesel trains cannot operate within the DTX tunnel or Salesforce Transit Center due to insufficient space for ventilation in the event of a fire", including details of design restriction(s) preventing the operation of bilevel railcars propelled by an electric locomotive in the tunnel.

Thank you

Roland Lebrun