

Peninsula Corridor Joint Powers Board
Board of Directors Meeting
1250 San Carlos Avenue, San Carlos CA 94070

Minutes
August 2, 2007

MEMBERS PRESENT: D. Gage, N. Ford, J. Hartnett, J. Hill, A. Lloyd, S. Maxwell,
F. Williams, K. Yeager

MEMBERS ABSENT: J. Cisneros (Chair)

MTC LIAISON PRESENT: S. Lempert

STAFF PRESENT: M. Bouchard, G. Cameron, J. Cassman, C. Cavitt, A. Chan,
B. Fitzpatrick, C. Harvey, R. Haskin, R. Lake, W. Likens,
I. McAvoy, M. Martinez, D. Miller, M. Scanlon, M. Simon

Vice Chair Jim Hartnett, called the meeting to order at 10:04 AM and led the Pledge of Allegiance.

PUBLIC COMMENT

Jeff Carter, Burlingame, asked if there were any surplus train cars available that could be utilized for overcrowding on some cars, especially for bicycles, until the new train cars arrive.

Mr. Carter said the new bicycle facility at 4th and Townsend Streets has opened. He asked if there was going to be a naming ceremony in honor of Cap Thomas who was a long-time advocate for the Caltrain bicycle program. Mr. Carter asked if there was any data available on the number of Caltrain riders who have to transfer to BART at San Bruno to get to SFO.

Vice Chair Hartnett said some of Mr. Carter's comments will be addressed in the Executive Director's report.

Doug DeLong, Mountain View, said Caltrain's success with the Baby Bullet is affecting on-time performance due to increased dwell times in boarding additional passengers and other mechanical issues. In addition to onboard announcements, he suggested a more comprehensive public education and awareness campaign to empower passengers as partners in the solution of such issues as getting riders to stand aside on the platform as riders exit the trains.

Barbara Arietta, Pacifica, said the Caltrain service for baseball games is so crowded after games that people sometimes wait until midnight to catch a train. She said people lie down in wheelchair spaces, which makes it difficult and dangerous to get to the vestibule to exit the train. She asked if cars could be added to incoming trains 373 and 275 and outbound train 194.

CONSENT CALENDAR

The Board approved the items under the Consent Calendar as follows:

- a) Approval of Minutes of June 7, 2007
- b) Acceptance of the Statement of Revenues and Expenses, May 2007
- c) Information on Statement of Revenue and Expense for the Period Ending June 30, 2007

- d) Approval and Ratification of the FY 2008 Insurance Program
- e) Authorization to File a Transportation Fund for Clean Air (TFCA) Discretionary Grant Application in Support of the Caltrain Shuttle Program in the Amount of \$1,034,355
- f) Authorization to Amend the Security Guard Services Contract with Cypress Security, Inc. in the Amount of \$123,000 for a Revised Contract Cost of \$667,777
- g) Authorizing the Executive Director to Execute Two Agreements for the Use of Two Communications Tower Sites as Required for the Microwave Project

CHAIRPERSON'S REPORT

Vice Chair Hartnett asked for a motion to recommend appointment of Jeff Shukis to the JPB Citizens Advisory Committee (CAC) for a term of three years to expire June 30, 2010.

A motion (Yeager/Williams) to appoint Mr. Shukis to the JPB CAC was passed.

MTC LIAISON REPORT

Sue Lempert said the Metropolitan Transportation Commission (MTC) is planning community workshops on the Regional Rail Plan at various locations to discuss the following issues:

- Recommendations for better coordination, funding and governance of regional rail service.
- Increased utilization of freight railroads and rights of way for passenger services.
- Separation of passenger and freight in high-volume corridors.
- Establishment of a single point of negotiation with the railroads for passenger access.
- Dumbarton rail service from Menlo Park to Union City and linkage to Central Valley service.

Director Art Lloyd said the Regional Rail Plan will be presented at the Congestion Management and Environmental Quality (CMEQ) meeting at 2:30 PM, August 6 at the San Mateo County Transit District Administrative Building.

Director Sophie Maxwell arrived at 10:15 AM

REPORT OF THE CITIZENS ADVISORY COMMITTEE (CAC)

Michael Kiesling, Chair of the CAC, reported that the Committee had a presentation on California High Speed Rail (HSR) at its July meeting. He said the draft environmental report is out with alignment alternatives to get from San Francisco, Oakland and San Jose to the Central Valley. Mr. Kiesling said two-thirds of the HSR budget was dropped at yesterday's budget negotiations in Sacramento. He hopes momentum for the project will continue into 2008 for passage of the November HSR bond issue.

REPORT OF THE EXECUTIVE DIRECTOR

Michael Scanlon reported on the following:

- Thanked Jeff Carter for notifying the Board that the 4th and Townsend bicycle facility was opened and said it is a pilot program that could not be named at this point.
- Thanked Doug DeLong for his comments concerning decreased on-time performance and involvement of passengers in solutions. There will be a full-systems approach with interim steps to address increased ridership that includes more cars with lower floors and more doors.
- Overcrowding on Caltrain has resulted from All-Star game activities and Barry Bond's effort to break Hank Arron's home run record.

- Performance Statistics for May 2007 compared to May 2006
 - a. Total Ridership was 1,002,759, an increase of 10.1 percent.
 - b. Average Weekday Ridership was 37,348, an increase of 9.7 percent.
 - c. Farebox Revenue was \$3,494,920, an increase of 19.4 percent.
 - d. On-time Performance was 91.3 percent, a decrease of 5.6 percent.
 - e. Caltrain Shuttle Ridership was 5,250, an increase of 9.5 percent.
- Performance Statistics for June 2007 compared to June 2006
 - a. Total Ridership was 980,333, an increase of 4.7 percent.
 - b. Average Weekday Ridership was 37,815, an increase of 6.5 percent.
 - c. Farebox Revenue was \$3,356,624, an increase of 9 percent.
 - d. On-time Performance was 93.3 percent, a decrease of 2.6 percent.
 - e. Caltrain Shuttle Ridership was 5,276, an increase of 10.5 percent.
- Year-to-Date Statistics for June 2007 compared to June 2006
 - a. Total Ridership was 10,980,802, an increase of 8.2 percent.
 - b. Average Weekday Ridership was 34,867, an increase of 8 percent.
 - c. Farebox Revenue was \$34,852,482, an increase of 14.8 percent.
 - d. On-time Performance was 95 percent, an increase of 0.3 percent.
 - e. Caltrain Shuttle Ridership was 5,003, an increase of 14.4 percent.
- Financial statistics for FY 2007 will be available in October with revenues expected to be over budget and expenses under budget.
- Anomalies affecting on-time performance statistics included a tree falling on the right of way in Atherton in May, a disruption of the communication system, and a fatality involving a vehicle on June 28.
- July station dwell times increased 33 percent due to increased ridership, passengers with bicycles and persons needing assistance.
- Caltrain's electrification project was described in the July issue of *Progressive Railroading*.

Mr. Scanlon asked Chief Communications Officer Rita Haskin to give a presentation on a children's book titled, *Timmy and Tammy's Train of Thought*. The locally produced book fits with Caltrain's safety efforts and includes a train that resembles a Caltrain car without the logo.

Ms. Haskin also presented a new series of video public service announcements, titled "Because.." which focus on the many excuses people give for ignoring railroad crossing arms. She said presentations of the announcements have been booked for Burlingame and San Mateo High Schools.

Vice Chair Hartnett said he had seen mothers pushing strollers across the Broadway grade crossing in Redwood City with the gates down, and emphasized the importance of rail safety education.

Ms. Haskin said upcoming public service announcements will address the issue of waiting at rail crossings.

Director Lloyd said he asks audiences during Operation Lifesaver presentations if their lives are worth the 60 seconds it takes for a train to pass.

Ms. Lempert suggested a letter be sent to PTA Coordinating Councils that can be sent home to parents in various languages, especially in areas of San Mateo where children must go through rail crossings to get to schools. Ms. Lempert said she could contact the new Peninsula Community Foundation and the Santa Clara Foundation regarding funding for this project.

Director Jerry Hill said one of the major causes of fatalities with private airplane pilots is the rush to get home and suggested a rail safety announcement could deal with this danger.

Mr. Scanlon also reported:

- The first phase of fencing in the \$1 million project is complete with the installation of 3,000 feet in Burlingame with additional fencing scheduled for sites in San Bruno, San Mateo, Belmont, and Redwood City. A bid package for an additional \$1 million will authorize fencing in Sunnyvale, Menlo Park and San Francisco.
- Mr. Scanlon asked Chief Operating Officer Chuck Harvey to give a virtual tour of the 22-acre Centralized Equipment Maintenance And Operating Facility (CEMOF), which included photographs of the 52,000-square-foot main building, site map, service and inspection tracks, sound wall and engine load testing area, four storage tracks, employee tunnel entrance, central control facility, water treatment and train wash areas, locomotive maintenance area with removable barriers, car and locomotive maintenance area, employee lunch room and conference room, and control room.
- Caltrain hosted a Disadvantaged Business Vendor Fair on June 26.
- Chair Cisneros and Directors Hill and Williams were thanked for participating in the Burlingame Station renovation project ground-breaking.
- Director Hartnett was thanked for participating in Regional Rail meetings at the request of Chair Cisneros. Caltrain staff, with assistance of Legal Counsel David Miller, will be the lead agency at upcoming Regional Rail meetings in discussions with the Union Pacific Railroad to develop solutions for a robust level of service for the Dumbarton Rail Project.
- Caltrain hosted a meeting for HSR on June 27.
- AT&T Yellow Pages will be wrapping a train for five months for a fee of \$100,000. The San Francisco Public Utilities Commission is doing a Caltrain ad campaign for \$25,000, using the 4th and King Caltrain station to promote a water conservation program.
- Baseball ridership is up 25 percent from 2006. Caltrain carried 8,500 extra passengers on each of the three days of All-Star game activities.
- The Safety and Security Report is included in the Board reading file.

Ms. Lempert asked how much funding is in the state budget for HSR.

Mr. Scanlon said that HSR, like much of public transportation, is in serious financial trouble. He said the administration is talking about important issues of global warming and emission controls and at the same time taking money from public transportation to fund other areas of the state budget.

Director Lloyd said the Assembly is proposing to take \$15.5 million away from the San Joaquin Valley service out of Proposition 116 funding and transfer it to HSR. He said this is an example of “robbing Peter to pay Paul.”

Vice Chair Hartnett said he was proud of Mr. Scanlon’s tremendous effectiveness and the praise he received at the recent Regional Rail meetings.

APPROVAL OF FY 2008 CAPITAL BUDGET IN THE AMOUNT OF \$62,420,420

The resolution to adopt the FY 2008 Capital Budget was approved, by roll call.

Vice Chair Hartnett thanked Director of Capital Program Support April Chan for the comprehensive budget spreadsheet.

AUTHORIZATION TO APPOINT UNDERWRITERS IN CONNECTION WITH TAX-EXEMPT DEBT ISSUANCE TO FINANCE THE ACQUISITION OF RAIL CARS

Ms. Bouchard, Manager of Rail Transportation, spoke on behalf of Chief Financial Officer Virginia Harrington. Ms. Bouchard said this is the third item related to the financing of the rail cars that staff has brought to the Board. The first was in April when the Board authorized staff to proceed with a debt issuance for the rail car purchase; the second was in May when staff was authorized to use the bond proceeds to reimburse the JPB for certain expenditures that were incurred. At this time Caltrain is incurring some expenditures because of negotiations with Bombardier to take advantage of a gap in the production cycle that could lead to delivery of cars in about a year's time. She said this bond issuance will be combined with \$8.2 million in grant and local matching funds to complete the purchase and cover costs up to \$22 million.

Director Nathaniel Ford asked if this would require the approval of the San Francisco Board of Supervisors. Ms. Bouchard said it does require the approval of the three-member agency boards and those meetings are scheduled in the coming months. Mr. Miller said a public hearing and action will come before the three Boards.

Public Comment

Mr. Alex Cano, South San Francisco, said he is a Caltrain PCS Engineer with 30 years of operating experience and serves as local chairman for Division 65 for the Brotherhood of Locomotive Engineers (BLE). He referenced the January 2005 Metrolink derailment in Glendale in which a train operating in a cab-forward configuration had collided with a stalled SUV resulting in 11 fatalities and 200 injuries and a November 2005 Caltrain collision in San Mateo with a fully loaded lumber truck. Mr. Cano asked the Board not to purchase new cars from Bombardier and to consider purchase of the new Rotem cab car for push/pull service because they incorporate crash energy management technology, can double the speed at which all passengers can survive a train crash from 15 to 36 miles per hour and can reduce crumpling of the first car from 22 to two feet. He said Division 65 wants the Board to put the safety of its crews and traveling public first by purchasing the new Rotem cab car.

Mr. Shawn Morgan, South San Francisco, said he is the Legislative Representative for BLE Division 65, which primarily represents the engineers on Caltrain. He said after the Metrolink accident he came before the Caltrain Board to express the position that all trains should have a locomotive in the leading position on all trains to ensure crew and passenger safety during a collision. Mr. Morgan said it is obvious that Caltrain will remain a push/pull type commuter railroad in the foreseeable future. He said in the interest of crew and passenger safety, Caltrain should incorporate crash energy management systems into new cab car purchases.

Mr. Davy Dauchan, El Sobrante, said Caltrain has been dodging bullets with the Bombardier cab cars in South San Francisco at Linden Avenue and at the last southbound crossing in Redwood City. He said it is in the best interest that the safest rail car be used in service and the Rotem car is that car.

Mr. Martin Jaeger, Brisbane, said he is the President of the BLE. He said he was speaking on behalf of approximately 60 engineers that operate 96 trains daily on a safe and timely basis, representing hundreds and hundreds of years of experience running trains on the Peninsula. He said that if the tree that fell on the Atherton right of way had fallen during commuter hours, he guaranteed the Board would be looking closely at the cars being referenced today. Mr. Jaeger respectfully disagreed with Ms. Bouchard's assertion in her August 1 letter that Caltrain believes the proposal to purchase Bombardier cars "does not pose an extraordinary or unacceptable level

of safety of concern over safety.” Mr. Jaeger said the engineers would continue to work for the best and safest Caltrain possible.

Mr. Scanlon thanked the four BLE representatives for their comments. He suggested the appropriate place to address their comments is in a setting where Caltrain staff can better understand their concerns and where staff has an opportunity to share with them Caltrain’s vision. Mr. Scanlon said the rail car purchase is an interim step on the path to electric multiple units (EMUs). He said EMUs are safely operated all over the world in Asia and Europe. The American approach is to build heavy trains with buff strength to withstand anything and the Europeans have more of a collision-avoidance approach with crash-energy management. Mr. Scanlon said it is important to understand Caltrain’s proposal with the Federal Railroad Administration (FRA) and EMU technology and he would like to have the BLE representatives meet with Director of Rail Transportation Bob Doty to take them through the Caltrain 2025 vision and where Caltrain is headed.

Director Maxwell said it is important to consider what the BLE members are saying because they are on the ground in the trains. She said she wants to know the outcome of any meetings with the BLE and Caltrain staff and would rather not vote on anything until the BLE have been heard and that some kind of consensus has been reached.

Director Hill asked if Bombardier manufactured a different type of cab car that could be used.

Mr. Scanlon said Bombardier manufactures a cab car where the locomotive engineer is lower to the track compared to the Rotem and Caltrain cars.

Director Hill asked if Bombardier makes a different product that could be utilized in the same situation to meet some of the needs we are talking about.

Ms. Bouchard said the negotiation in particular is to exercise an option from New Mexico. An option was exercised by Utah and Dallas Area Rapid Transit recently and the significance of that is that in order for Caltrain to get the rail car purchase in an expedited time frame we cannot change the base vehicle design. She said Caltrain is not only purchasing from a particular company but also purchasing a particular design and we would have to, under this arrangement. Ms. Bouchard said the other option is to go the route of a competitive procurement.

Public Comment

Mr. Cano said that he was rebuffed when he tried to set up an appointment with the JPB.

Vice Chair Hartnett thanked Mr. Cano for coming to speak at the Board meeting.

Director Forrest Williams said the Board should determine the issues with the rail cars that concern the BLE, understand how to solve the problems and then proceed with the solution to address the concerns, but not necessarily at this particular venue. He said the Board should proceed as recommended by staff with the idea that we are only authorizing someone to investigate what we have set in place.

Director Gage said we have a vision for future years and some legislative work has to be done in order to get the trains that will absorb the shock. He said he recalled it takes about two years to manufacture cars and the current purchase can be done in less time than that. Mr. Gage said

Caltrain is trying to address some timing problems and the only way to do this is to add more cars so that people are not stranded or take too long to load and unload.

Director Maxwell said the Board needs to make sure the BLE concerns are being addressed, and make sure the BLE feels the Board is listening to their concerns.

Mr. Scanlon said the Board is not purchasing any rail cars today but appointing an underwriter in connection with the proposed financing of the project. He added that six of the eight cars proposed for purchase are not cab cars. Mr. Scanlon said the BLE members work for a contractor but Caltrain is prepared to meet with them and Amtrak management regarding their concerns. Mr. Scanlon said Caltrain is working very closely with the FRA and the Rotem locomotive is inconsistent with the direction the Board and Caltrain are heading. If the BLE spent some time with Mr. Doty, Mr. Scanlon said he would be surprised if they didn't come away with a better feeling. Mr. Scanlon said their safety and the safety of Caltrain riders is as important to Caltrain as it is to them.

Vice Chair Hartnett said the Board would receive a report on the results of the discussions.

The resolution was approved, seven to one, Director Maxwell voting no.

ISSUANCE OF PURCHASE ORDERS TO VENDORS UNDER COOPERATIVE PURCHASING AGREEMENTS FOR FY2008 FOR AN AGGREGATE NOT-TO-EXCEED AMOUNT OF \$1,500,000

Director Williams asked if the triangulization of signals would allow for more rapid identification of problems.

Chuck Harvey said that part of the Caltrain 2025 plan includes looking at communication and signaling systems in total and upgrading that, including microwave and a backbone of fiber along the right of way corridor, will improve the redundancy.

A resolution (Gage/Williams) to authorize the cooperative purchasing agreements was approved, by roll call.

AUTHORIZING AWARD OF A CONTRACT TO CRA INTERNATIONAL, INC. FOR A DISADVANTAGED BUSINESS ENTERPRISE (DBE) AVAILABILITY/UTILIZATION STUDY NOT-TO-EXCEED COST OF \$65,904

A resolution (Ford/Lloyd) to award the contract to CRA International, Inc. was approved, by roll call.

CORRESPONDENCE

Available in the reading file.

BOARD MEMBER REQUESTS

None.

REPORT OF LEGAL COUNSEL

Legal Counsel David Miller said the Board, at its last meeting, authorized an action to award a contract for CEMOF on the fixed fuel island. In the course of that discussion, the Board approved execution of a change order in addition, if necessary, to remove hazardous materials. It was mentioned at that time that Caltrain would be engaged with Union Pacific (UP) and that UP would remove the hazardous soil. Mr. Miller reported that those negotiations were not fruitful and Caltrain has arranged through the existing contractor Shimmick, who has been on the site, to remove the hazardous materials on UP's account. Caltrain has had communications with UP through its counsel and will be meeting with UP on September 7, in the hope of discussing and resolving all issues involving CEMOF including the incremental cost that has been incurred from this dirt removal.

DATE/TIME OF NEXT MEETING

Thursday, September 6, 2007, 10 AM at San Mateo County Transit District Administrative Building, 1250 San Carlos Avenue, San Carlos CA 94070.

ADJOURNED

The meeting adjourned at 11:25 AM.