

**Bicycle Advisory Committee**

**Correspondence as of  
August 24, 2017**

**Low, Lori**

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**From:** Shirley Johnson <dr\_shirley\_johnson@yahoo.com>  
**Sent:** Thursday, August 24, 2017 11:03 AM  
**To:** Caltrain, Bac (@caltrain.com)  
**Cc:** Janice Li; Board (@caltrain.com)  
**Subject:** Recommendations for bike storage on EMU cars

Dear Caltrain Bicycle Advisory Committee,

Thank you for volunteering to serve on the BAC to represent bike riders. I appreciate your time and effort to work with Caltrain staff to improve passenger experience for all passengers.

I am unfortunately unable to attend tonight's BAC meeting, but I would like to offer some comments about EMU bike space design for your consideration.

**Stacked Bikes Are the Best Use of Space**

Stacked bikes offer the greatest capacity on board trains. I strongly support stacked bikes to provide service to the greatest number of bikes-on-board passengers. While angled bike parking has the benefit of random access, it decreases capacity. I understand that stacking bikes in the appropriate order is a hassle, but it's much worse to be left behind on the platform due to insufficient bike capacity. Please think of your future bike riders - stacked bikes will allow more of them to ride Caltrain.

**Stacked Bikes Meet the Board's Directive for More Bike Capacity**

At its meeting on July 2, 2015, the Caltrain Board approved increasing bike capacity on electrified trains compared with what we have today. It is important to abide by that decision and not go backwards. With stacked bikes along with increased service levels, Caltrain can abide by the board's directive. Angle-bike-storage will not meet the board's directive.

**Seats Needed in Sight of Bike Racks to Prevent Theft**

It is imperative that bike riders be able to see their bikes to protect against theft. The bike car layout on the website shows no seats on the lower level of bike cars. When a similar layout was proposed several years ago, bike riders dubbed it "Stand or Steal" -- bike riders either stand in the bike car to guard their bikes (blocking aisles and doorways) or risk their bikes being stolen. We don't want Caltrain to become a thief magnet. Let's not go backwards by implementing a layout that was soundly rejected in the past.

**Best to Have Bike Racks in All Cars**

Bike racks in all cars have two huge benefits: faster boarding and enables seats near bike racks to help prevent bike theft. For faster boarding, it is better to allow passengers to distribute at all doors. If bike boardings are restricted to only two or three cars, there is the potential to cause boarding bottlenecks at those cars.

Thank you for your consideration.

Respectfully submitted,  
Shirley Johnson

**Low, Lori**

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**From:** Martinez, Martha  
**Sent:** Wednesday, August 09, 2017 5:05 PM  
**To:** Roland Lebrun  
**Cc:** Jeff Gee; Cassman, Joan (jcassman@hansonbridgett.com); Hartnett, Jim; MTC Commission; VTA Board Secretary; SFCTA Board Secretary; Board (@samtrans.com); CHSRA Board; SFCTA CAC; cacsecretary (@caltrain.com); Caltrain, Bac (@caltrain.com)  
**Subject:** RE: Ad Hoc Committee compliance with the Brown Act

Please see message below from Joan Cassman, Legal Counsel, in response to your email below.  
Martha Martinez  
Executive Officer,  
District Secretary/Executive Administration

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Dear Mr. Lebrun,

We have received your correspondence regarding the Peninsula Corridor Joint Powers Board's (JPB) compliance with the Brown Act (Cal. Gov. Code section 54950, et seq.), specifically related to the application of the Brown Act requirements to two new ad hoc advisory committees announced by the JPB Board Chair at the JPB Board meeting of August 3, 2017. I write in response to your contentions, which are in error.

Government Code section 54952 defines those local agency "legislative bodies" that are subject to the Brown Act. Under the law, the JPB Board of Directors is subject to the Brown Act, as is any "commission, committee, board, or other body of [the JPB], whether permanent or temporary, decisionmaking or advisory, *created by* charter, ordinance, resolution, or *formal action of a legislative body.*" (emphasis added).

First and foremost, the two new subcommittees were appointed by the JPB Board Chair and announced at the JPB Board meeting on August 3. There was no action of the Caltrain Board to create these subcommittees.

Second, the Brown Act is clear as to its applicability to standing committees that meet certain criteria and its non-applicability to ad hoc committees that meet other criteria. More specifically, the Brown Act applies to committees with:

- "continuing subject matter jurisdiction, or
- "a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body."

The Brown Act does *not* apply to committees that are:

- "advisory committees,
- "composed solely of the members of the legislative body that are less than a quorum of the legislative body."

In this case, the JPB Board Chair – not the Board itself – has appointed two "advisory committees" that are "composed solely of the members of the [JPB Board]," and that are comprised of "less than a quorum of the [Board]." The two ad hoc advisory committees were not "created by charter, ordinance, resolution, or formal action of a legislative body," and do *not* have "continuing subject matter jurisdiction" or "a meeting schedule fixed by charter, ordinance, resolution, or formal action of a legislative body."

Based on the letter and spirit of the law, and consistent with current and past practice of all other local governments with which I have been engaged, the two ad hoc advisory committees created by Chair Gee are not "legislative bodies" for purposes of the Brown Act.

Sincerely,

Roland Lebrun

CC:

MTC Commissioners

VTA Board of Directors

SFCTA Board of Directors

SamTrans Board of Directors

High Speed Rail Authority Board of Directors

VTA CAC

SFCTA CAC

Caltrain CAC

Caltrain BAC

SamTrans CAC

**Low, Lori**

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**From:** Roland Lebrun <ccss@msn.com>  
**Sent:** Wednesday, August 02, 2017 4:23 PM  
**To:** Board (@caltrain.com)  
**Cc:** VTA Board Secretary; SFCTA Board Secretary; Board (@samtrans.com); CHSRA Board; MTC Commission; SFCTA CAC; VTA Board Secretary; cacsecretary (@caltrain.com); Caltrain, Bac (@caltrain.com); cac@samtrans.com  
**Subject:** Re: Hillsdale Station Area Plan implementation issues

Resending original email with link to GGRF funding agreement (attachment exceeded \$14 MB message size)  
<https://drive.google.com/file/d/0B80uFwx71YrKWmJ2bTNaV3FRb1k/view?usp=sharing>

Sincere apologies for any duplicate message

HSR16-108 STD215\_Executed\_Redacted.pdf

drive.google.com

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**From:** Roland Lebrun <ccss@msn.com>  
**Sent:** Wednesday, August 2, 2017 4:06 PM  
**To:** Caltrain Board  
**Cc:** VTA Board Secretary; SFCTA Board Secretary; [board@samtrans.com](mailto:board@samtrans.com); CHSRA Board; MTC Commission; SFCTA CAC; VTA Board Secretary; Caltrain CAC Secretary; Caltrain BAC; [cac@samtrans.com](mailto:cac@samtrans.com)  
**Subject:** Hillsdale Station Area Plan implementation issues

Dear Chair Gee and Members of the Caltrain Board of Directors,

Further to my email and letter of July 5, I am pleased to report that the \$84M funding issue was resolved on July 18 (see attached funding agreement).

The purpose of the attached letter is to highlight further funding issues (\$16M unfunded change order) and multiple design issues affecting the legality of the Green House Gas Reduction (GGRF) agreement as follows:

- The project increases GHGs by tripling vehicular traffic capacity across the Caltrain tracks.
- The project fails to increase Caltrain Corridor capacity and, as such, does not deliver any reduction in GHGs.
- The project as currently designed puts Caltrain passengers in harm's way.
- The project unnecessarily increases noise/vibration impacts on adjacent buildings and tenants.
- The so-called "25th Avenue Grade Separation project" is actually a thinly disguised implementation of the \$230M Hillsdale Station Area Plan (PA 09-044) approved by the San Mateo City Council on April 18th 2011 <http://www.cityofsanmateo.org/DocumentView.aspx?DID=9079>

Hillsdale Station Area Plan, City of San Mateo Adopted

- 1) No identified source of funding for the Authority's \$84M other than the \$600M in Prop1A funds and \$113M in Cap&Trade currently allocated to the electrification project.
- 2) Disagreement between the Authority and SamTrans on the need for passing tracks (page 5).
- 3) Mandatory change order within 15 days of awarding the contract (page 2).
- 4) Mandatory modification decreasing the Authority's contribution from 75.72 % (page 2) to 46.67% of the total actual Project cost within 45 days of signing the agreement (page 3).

Sincerely,

Roland Lebrun

CC  
VTA Board of Directors  
SFCTA Board of Directors  
SamTrans Board of Directors  
High Speed Rail Authority Board of Directors  
Metropolitan Transportation Commission  
SFCTA CAC  
VTA CAC  
Caltrain CAC  
Caltrain BPAC

**Low, Lori**

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**From:** Roland Lebrun <ccss@msn.com>  
**Sent:** Wednesday, August 02, 2017 6:40 AM  
**To:** Board (@caltrain.com)  
**Cc:** VTA Board Secretary; SFCTA Board Secretary; Board (@samtrans.com); CHSRA Board; SFCTA CAC; cacsecretary (@caltrain.com); Caltrain, Bac (@caltrain.com); McKenna, Nancy  
**Subject:** Caltrain Board meeting Agenda item #10 Award \$3.5M SCADA contract to ARINC  
**Attachments:** July 2017 CBOSS status and recommendation for emergency course of action.pdf

Dear Chair Gee and Members of the Caltrain Board of Directors,

Further to the July 6th Board action to award ARINC a \$730K contract for "evaluation of CBOSS status"  
[http://www.caltrain.com/Assets/\\_Agendas+and+Minutes/JPB/Board+of+Directors/Agendas/2017/2017-07-06+JPB+Agenda.pdf](http://www.caltrain.com/Assets/_Agendas+and+Minutes/JPB/Board+of+Directors/Agendas/2017/2017-07-06+JPB+Agenda.pdf) (item #11 on page 135 of the packet),

I am requesting that the Board **defer awarding a \$3.5M sole source SCADA contract** to ARINC until the Board receives ARINC's "evaluation of CBOSS status".

#### **Background**

- ARINC is a **proprietary (non-interoperable)** collection of products.
- The attached July 22nd letter details the chronology of events that eventually led Metrolink to **scrap ARINC's CAD and BOS products following a 2 1/2 -year delay impact to their PTC implementation schedule.**

#### **Reason for recommendation**

Should Caltrain end up following Metrolink's path towards a successful PTC implementation, the \$3.5M spent on ARINC's SCADA system will have to be written off **with a resulting impact to the electrification schedule** (as well as the CBOSS implementation schedule).

Thank you in advance for considering this recommendation.

Sincerely,

Roland Lebrun

VTA Board of Directors  
SFCTA Board of Directors  
SamTrans Board of Directors  
High Speed Rail Authority Board of Directors  
MTC Commissioners  
VTA CAC  
SFCTA CAC  
Caltrain CAC  
Caltrain BAC  
SamTrans CAC

**Low, Lori**

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**From:** Roland Lebrun <ccss@msn.com>  
**Sent:** Wednesday, August 02, 2017 3:54 AM  
**To:** Board (@caltrain.com)  
**Cc:** MTC Commission; VTA Board Secretary; SFCTA Board Secretary; Board (@samtrans.com); CHSRA Board; SFCTA CAC; cacsecretary (@caltrain.com); Caltrain, Bac (@caltrain.com); cac@samtrans.com  
**Subject:** Caltrain August 3rd Board meeting item 8.a EMU procurement

Dear Chair Gee and Members of the Caltrain Board of Directors,

The intent of this email is to alert the Board to additional issues with the Stadler EMU procurement, specifically that an analysis performed by the High Speed Rail Authority consultants discovered that **these trains do not meet the RFP requirements in a 6-car configuration.**

*"The Stadler EMU KISS DD was used as the base Caltrain EMU (6-coach study reference EMU) in the first iteration of conceptual planning.*

*During the refinement process, various EMU models were tested including the TWINDEXX family of Bombardier Transportation against the RFP requirement:*

*The only EMU that met the All Stop 423 and LIM Type A 227 trip time requirement was the Stadler EMU KISS DD 4-coach option (8 axle powered) trainset.*

***It was ultimately decided to adapt an 8-coach TWINDEXX EMU with 10 MW performance for use in the study."***

[http://www.tillier.net/stuff/hsr/JSWG\\_2016\\_Year\\_End\\_Report\\_final\\_draft.pdf](http://www.tillier.net/stuff/hsr/JSWG_2016_Year_End_Report_final_draft.pdf) (PDF page 67).

**Please note that this information was known to the SamTrans EMU procurement consultants at least 6 months before the issuance of the Full Notice To Proceed (FNTP).**

I would like to take this opportunity to remind the Board that **these trains will never be able to meet Caltrain's present let alone future capacity needs** and that we have wasted a total of \$34.7M so far on this procurement [http://www.caltrain.com/Assets/\\_Agendas+and+Minutes/JPB/Board+of+Directors/Agendas/2017/2017-08-03+JPB+Agenda.pdf](http://www.caltrain.com/Assets/_Agendas+and+Minutes/JPB/Board+of+Directors/Agendas/2017/2017-08-03+JPB+Agenda.pdf) (Table 2.2 on page 69 in the packet).

**Please direct staff to terminate both the LTK Engineering and Stadler EMU contracts effective immediately** and reach out to another agency to re-issue the EMU procurement RFP on behalf of the JPB at the earliest opportunity.

Thank you in advance for your urgent attention to this matter.

Roland Lebrun.

CC:  
MTC Commissioners  
VTA Board of Directors  
SFCTA Board of Directors  
SamTrans Board of Directors



**Low, Lori**

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**From:** Roland Lebrun <ccss@msn.com>  
**Sent:** Tuesday, August 01, 2017 11:14 AM  
**To:** Board (@caltrain.com)  
**Cc:** MTC Commission; VTA Board Secretary; SFCTA Board Secretary; Board (@samtrans.com); CHSRA Board; SFCTA CAC; cacsecretary (@caltrain.com); Caltrain, Bac (@caltrain.com); McKenna, Nancy  
**Subject:** Caltrain Board Item #12 New South San Francisco station project  
**Attachments:** South San Francisco response.pdf; South San Francisco station design issues.pdf; Santa Clara Caltrain station design issues.pdf; Item #12 New South San Francisco station project.pdf

Dear Chair Gee and Members of the Caltrain Board of directors,

Further to my letters of February 4th and March 4th 2015 (attached and below), I urge you to to review and address the following issues with this project:

- Apparent misappropriation of approximately \$21M in FTA section 5337 (SOGR) funding.
- Multiple safety issues introduced by a new island platform, including an at-grade pedestrian crossing over a future 110 MPH track.
- Failure to add passing tracks to allow more frequent stops at South San Francisco without impacts to current line capacity.
- Failure to utilize existing tracks to keep passengers away from non-stopping trains.

Thank you in advance for your urgent attention to these matters.

Sincerely,

Roland Lebrun

CC:  
MTC Commissioners  
VTA Board of Directors  
SFCTA Board of Directors  
SamTrans Board of Directors  
High Speed Rail Authority Board of Directors  
VTA CAC  
SFCTA CAC  
Caltrain CAC  
Caltrain BAC  
SamTrans CAC

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**From:** Roland Lebrun <ccss@msn.com>  
**Sent:** Wednesday, March 4, 2015 2:52 AM  
**To:** Caltrain Board  
**Cc:** [council@ssf.net](mailto:council@ssf.net); Mountain View City Council; SFCTA Board Secretary; VTA Board Secretary  
**Subject:** South San Francisco Station design issues

tracks inside an active station. Finally, with these track relocations the City of South San Francisco would not see increased east west connectivity improvements.

Your email, along with this response will be part of the April JPB Directors reading file.

Sincerely,

Seamus Murphy, Community and Government Affairs Director

**Seamus P. Murphy | Caltrain, SamTrans, SMCTA**

Director, Government & Community Affairs

1250 San Carlos Avenue | San Carlos, CA 94070

650.508.6388 | [murphys@samtrans.com](mailto:murphys@samtrans.com)

**Low, Lori**

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**From:** Roland Lebrun <ccss@msn.com>  
**Sent:** Monday, July 31, 2017 3:54 AM  
**To:** Board (@caltrain.com)  
**Cc:** VTA Board Secretary; SFCTA Board Secretary; SFCTA CAC; cacsecretary (@caltrain.com); Caltrain, Bac (@caltrain.com); MTC Commission  
**Subject:** Fw: Caltrain March 2014 Board Meeting  
**Attachments:** CBOSS PTC status.pdf; Item #11 Director, Project Delivery Services.pdf; Item #13 Vehicle Support Services.pdf; July 2017 CBOSS status and recommendation for emergency course of action.pdf

Dear Chair Gee and Members of the Caltrain Board of Directors,

Further to my email of March 5th 2014 (below) and the attached CBOSS PTC status letter which highlighted developing issues at Metrolink with the ARINC Computer Aided Dispatch (CAD) and Back Office System (BOS) and requested that the Caltrain Board give urgent attention to the matter, the attached July 2017 CBOSS status update highlights striking similarities with Caltrain's CBOSS interoperability issues and recommends the immediate appointment of a team capable of meeting the December 2018 Federal PTC implementation deadline.

Respectfully presented for your consideration and immediate action.

Sincerely,

Roland Lebrun

CC:

MTC commission  
VTA Board of Directors  
VTA CAC  
SFCTA Board of Directors  
SFCTA CAC  
Caltrain CAC & BAC

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**From:** Roland Lebrun <ccss@msn.com>  
**Sent:** Wednesday, March 5, 2014 10:35 AM  
**To:** Caltrain Board  
**Cc:** Erika Cheng; VTA Board Secretary  
**Subject:** Caltrain March 2014 Board Meeting

Dear chair Nolan and Members of the Caltrain Joint Powers Board of Directors,

The intent of the attached letters is to share multiple concerns with the administration of the Caltrain Modernization program as follows: