

**SAN MATEO COUNTY TRANSPORTATION AUTHORITY
1250 SAN CARLOS AVENUE, SAN CARLOS, CA 94070**

MINUTES – SEPTEMBER 3, 2009

MEMBERS PRESENT: R. Foust (Chair), R. Gordon, C. Groom, J. Lee, K. Matsumoto,
R. O’Mahony, J. Vreeland

MEMBERS ABSENT: None

STAFF PRESENT: J. Cassman, G. Harrington, C. Harvey, J. Hurley, R. Lake, M. Lee,
M. Martinez, N. McKenna, D. Miller, S. Murphy, M. Scanlon,
M. Simon

Chair Rosanne Foust called the meeting to order at 5:02 p.m., and led the Pledge of Allegiance.

CONSENT CALENDAR

- a. Acceptance of Statement of Revenues and Expenses for July 2009
- b. Authorized an Amendment to the Lease with Enterprise Rent-a-Car for Property Located at 345 El Camino Real in Redwood City

A motion (O’Mahony/Groom) to approve the Consent Calendar was passed.

APPROVAL OF MINUTES OF AUGUST 6, 2009

On page four of the minutes, in the second to last line of the third paragraph, “TA beyond,” should read, “JPB beyond.”

With this correction, a motion (Gordon/Lee) was passed to approve the minutes.

PUBLIC COMMENT

None

Chair Foust expressed get-well wishes to TA CAC member Jim Bigelow after his recent surgery.

CITIZENS ADVISORY COMMITTEE (CAC) REPORT

Chair Pat Dixon said, at its September 1, 2009 meeting, the CAC approved TA items on the Belmont bike/pedestrian overcrossing; amendment to lease with Enterprise Rent-a-Car; allocation of \$300,000 to the City/County Association of Governments (C/CAG) for shuttles; and reviewed the Capital Projects Status Report – 4th Quarter FY2009.

Chair Foust thanked the CAC for their consideration and thoughtful decision-making on TA issues.

CHAIRPERSON’S REPORT – ROSANNE FOUST

- a. Policy Discussion: Request for Funding for South San Francisco Ferry Service:
Board members received the Water Emergency Transportation Authority (WETA) business plan.

Director Karyl Matsumoto said she is in favor of the ferry service because it would benefit South San Francisco but as a TA Board member she wants to make sure everything is explored. The

South San Francisco City Council has asked WETA questions, but they are still not answered. She doesn't want the ferry to operate for a year or two and find the city stuck with a ferry terminal that no one wants.

Executive Director Michael Scanlon said no action was required on the business plan. He suggested TA and WETA staff meet with Director Matsumoto to address her concerns and have Director Matsumoto report on outcomes at the October board meeting.

Director Matsumoto said she is privy to some facts that are inconsistent in the business plan concerning the premises WETA used regarding operations, shuttles and traffic. She asked if a representative from the Peninsula Congestion Relief Alliance (Alliance) could attend the offline session because of shuttle issues. Mr. Scanlon replied absolutely.

Chair Foust said the Board would definitely like to have as much information as possible, and requested that the issue be added to the agenda and that Director Matsumoto report at the October board meeting.

Mr. Scanlon said Executive Officer for Planning and Development Marian Lee will be the staff aide to organize the meeting with WETA and the Alliance prior to the October board meeting. The Board was asked to submit their questions about the business plan to Director Matsumoto.

SAMTRANS LIAISON REPORT – KARYL MATSUMOTO

Director Matsumoto said there was an exhaustive public hearing on service changes and fare increases at the August 12 board meeting. Board members met individually with staff to address concerns expressed at the public hearing. Recommendations for service and fare changes will be presented to the public at the September Board meeting.

Director Jim Vreeland arrived at 5:17 p.m.

FINANCE

Authorize Funding Agreement Amendment with the City and County Association of Governments (C/CAG) and Allocation of \$300,000 for the C/CAG Shuttle Program for Fiscal Year 2010

Chair Foust noted there is a revised staff report in the board reading file, which modifies the explanation in the background section of the report to address previous years' allocations to the shuttle program allocation of \$300,000. There is no change to the action.

Director of TA Program Joe Hurley said the TA is partnering with C/CAG. The shuttles connect residents to Caltrain stations. The local jurisdictions are responsible for funding 50 percent of program costs and the TA, in partnership with C/CAG, funds the balance. The action today is to extend the funding agreement and to add \$300,000 to the agreement to cover the TA program share. Mr. Hurley said C/CAG Executive Director Rich Napier wanted to express his appreciation for the TA's continued partnership and support for this program.

A motion (Gordon/O'Mahony) to authorize the funding agreement amendment and allocation was approved.

Authorize the Programming and Allocation of Measure A Funds from the Pedestrian and Bicycle Program Category in the Amount of \$596,696 to the Belmont US 101 Ralston Avenue Bicycle/Pedestrian Overcrossing Project and Amend the Capital Budget

Ms. Lee provided the following details:

- The allocation for the project would come from the new Measure A Pedestrian/Bicycle Program.
- The TA's Strategic Plan and Expenditure Plan state the purpose of this program is to fund specific projects that will encourage bicycling and walking in the county, and the \$9.5 million project is identified as a candidate project in the 2004 voter-approved Expenditure Plan.
- The project is identified as the third highest priority project in the Countywide Bike Plan.
- The project is generally located along Ralston Avenue over Highway 101 and makes connections to the Belmont Caltrain Station, Belmont Sports Complex, Bay Trail, Oracle and Redwood Shores area.
- The project map is a section of the Countywide Bike Plan. It depicts how these types of projects support the county's future bike and pedestrian network that will encourage commuter and recreational use of these facilities.
- In terms of process, the TA Strategic Plan notes that a call for projects will be issued for this program. This project is being considered for funding before the TA call for projects because the City of Belmont, with support from C/CAG and Caltrans, was able to secure a one-time funding opportunity of \$4.5 million from the American Recovery and Reinvestment Act (ARRA). ARRA funds require a complete funding plan and construction contract award by the end of 2009.
- If funding is provided to Belmont, in the short-term, sales tax money within this program will be reduced from approximately \$1.8 million to \$1.2 million for one year. In the longer-term, however, this project brings \$9 million of funding from elsewhere to the TA Measure A Bike/Pedestrian Program.
- The CAC supports the project. The CAC did note that future bicycle and pedestrian projects should be used for both recreational and commuter purposes. They also noted that geographic equity throughout the county should be considered in making funding decisions. The TA will address these concerns in developing the selection criteria for the call for projects process.

Ms. Lee said the interim Belmont Public Works Director Karen Borrmann is available to answer questions.

Director Matsumoto said she serves on both the C/CAG Board and the Bicycle and Pedestrian Advisory Committee (BPAC). Her concern is not with the justification of the project but with the process. She asked if the result of the TA Board agreeing to grant \$600,000 will reduce the bicycle and pedestrian program total annual allocation. Ms. Lee replied yes.

Director Matsumoto said she supported this project when it was discussed last month at C/CAG but there was no public discussion or staff reports of an additional Measure A allocation of \$600,000 for this bicycle/pedestrian project. She said her concern is that this proposed allocation comes before the TA call for projects, which bypasses the vetting process and equity consideration.

Director O'Mahony said she also sits on the C/CAG Board and recalls that at the last meeting there was a report from Mr. Napier that \$4.5 million of ARRA money had been received and was going to be dedicated to the bicycle/pedestrian route over Highway 101. She noted that when the project was presented to C/CAG, the discussion was not about how much money the TA was putting into the

project but rather about the work done by Mr. Napier and the lobbyists to secure \$4.5 million from outside sources for the overcrossing project.

Chair Foust asked Ms. Lee to explain a 2004 Expenditure Plan candidate project and how it affects the Measure A funding request. Ms. Lee said there is a list of about 10 candidate projects in the adopted 2004 Expenditure Plan. During the Expenditure Plan development process and adoption, there were projects that had enough merit, consensus and support that they were listed in the Expenditure Plan. When the TA issues the call for projects and selects the projects, the candidate projects do not have to be funded but they would definitely be eligible and worthy of greater consideration compared to projects that are not listed in the Expenditure Plan.

Chair Foust, Director Jim Vreeland and Director Matsumoto discussed the BPAC's role in developing the County Bike Plan and identification of the overpass project as the third priority project. It was noted that C/CAG is the agency that developed the Countywide Plan and BPAC is the advisory committee on bike matters to the C/CAG Board.

Tom Madelena, Bikeway and Pedestrian Advisory for C/CAG, said this was before he started working at C/CAG but believed that the San Mateo County Comprehensive Bicycle Route Plan was vetted at the BPAC level before the plan was adopted by the C/CAG Board of Directors.

Director Vreeland asked Director Matsumoto and C/CAG representatives if they had a sense that additional public funding was needed to build this project when Mr. Napier was taking this project through C/CAG. Ms. Borrmann said this project began well before her time but understands that the City of Belmont had always anticipated requesting TA funding. She said the ARRA funds are a wonderful opportunity not only to help the county secure this infrastructure but also to create jobs.

Director Vreeland said if C/CAG knew additional funding would be needed for the project they should have laid out all public funding sources. He said ARRA funding is a wonderful opportunity to leverage funding. He asked if the City of Belmont will receive less money in their per capita allocation under Measure A for a certain period of time to make up this funding. Ms. Lee stated that when the TA develops the criteria for evaluating projects, one of the criteria to be considered is geographical equity.

Chair Foust said she understands if we had a call for projects right now and this project was submitted under the existing call to projects as defined in the Strategic Plan, the project would probably meet almost all, if not all, of the criteria and receive TA funding.

Director Vreeland asked about the projects listed in the 2004 Expenditure Plan. Ms. Lee said under this program there is a list of only about 10 candidate projects in the 2004 adopted Expenditure Plan.

Director Vreeland asked if this project was ranked third on that list. Ms. Lee replied no. She identified two distinct documents. One is the 2004 adopted Expenditure Plan, which includes the overcrossing project as one of 10 candidate projects not prioritized. Second is the County Bike Plan and the overcrossing project is identified as the third priority project in that plan.

Director Vreeland asked how this project competed in the C/CAG bike program, which is vetted through the BPAC.

Chair Foust asked if BPAC had a list of candidate projects when the 2004 Expenditure Plan was organized, and if so, was this overcrossing project identified as a third priority project. Ms. Lee said she is assuming that in the development of the County Bike Plan, the BPAC had a significant role in creating it which identifies the overcrossing project as the third priority project.

Director Lee understands that Belmont will receive \$4.5 million from ARRA and the funding will only be available until December 31, 2009. If the TA does not allocate \$600,000 to help leverage the \$4.5 million now, at some future time this project could come before the TA asking for \$4.5 million out of the local program.

Director Vreeland said he supports the project and is not questioning the leveraging of ARRA funds. He is more concerned about the process of how we got here, geographic equity and transparency as we go forward.

Director Carol Groom said she represents the San Mateo County on the C/CAG Board. She said it is not uncommon to approve items without an itemization of all funding sources. She said the urgency with this project is ARRA funding but also work has to be completed through Bay Conservation and Development Commission (BCDC). Concerning equity, she said the overcrossing project is more of a regional project versus a local project because there are limited bike/pedestrian crossings along the 101 corridor between Burlingame and Redwood City. This overpass is needed if there is going to be a comprehensive bicycle trail in the county. This project will benefit everybody who walks and bikes on the Bay Trail.

Chair Foust said the overcrossing will make a very interesting commute with the dense Westport business complex east of Oracle, Oracle employees, adjacent residents of Redwood Shores and Belmont Shores, and it can take people to the Belmont train station, which will be an opportunity to get cars off the road.

Director Matsumoto requested that in the future, all funding sources be identified upfront.

Mr. Scanlon said many of these details will be clarified with the TA call for projects and when criteria are outlined. He understands the Directors' concerns but they are related to the C/CAG process, not the TA process. Mr. Scanlon said under the TA there are 10 candidate projects including this one. It's only a matter of timing that Belmont could be coming before this Board asking for project funding and if the Board does not take advantage of this funding now, the need will be much more than \$600,000. This makes more money available for other projects. He said taking advantage of this extraordinary leveraging of 93 percent of other money will help everyone. Mr. Scanlon said that in terms of the TA process we are pretty pure tonight except that we are advancing the funding consideration before the official call for projects in order to leverage other funding. One of the TA's goals is to leverage as much money as possible. Mr. Scanlon recommends approval of the project.

Director O'Mahony complimented Mr. Napier on his lobbying efforts with Caltrans to get \$4.5 million from ARRA. She said she is completely in accord with the comments regarding geographic equity and the potential project benefits to many people. She said the Board must move on this project or the ARRA funding is down the drain.

Chair Foust asked legal counsel if there is any type of conflict with three TA Board members also sitting on the C/CAG Board. Legal counsel David Miller clarified that the three directors can absolutely represent discretion here as a member of the TA Board.

Public Comment

Tim O'Brien, Belmont, said funding expired for the original bicycle/pedestrian bridge proposed in 1998. He said the project is good for local schools, children's sports and Caltrain because there are bike lanes on Masonic Avenue in Belmont. He urged approval of the funding.

Executive Officer Public Affairs Mark Simon said Pat Giorni, Burlingame, attended this morning's JPB meeting and asked him to speak on her behalf that the TA Board approve this proposal and point out that it connects to the Caltrain Belmont station.

Gladwyn d'Souza, Belmont, said the overcrossing will be a connection to jobs, will help commuters, especially from the north and will link to Caltrain. He thanked the TA for leveraging this project so sales tax money can be used for future projects. He also thanked Caltrain for taking out seats to put in bike racks.

A motion (O'Mahony/Groom) to approve programming and allocation of \$596,696 for the Belmont bicycle/pedestrian overcrossing was passed.

REPORT OF THE EXECUTIVE DIRECTOR

- Dumbarton Policy Advisory Committee details:
 - a. The Committee will meet September 25 to discuss significant challenges and next steps.
 - b. Project design is 15 percent complete.
 - c. Several sections of the bridge are in worse condition than originally believed. Construction is in seismic and environmental habitat zones, which could present significant construction challenges.
 - d. The project budget has grown from \$515 million to \$700 million.
 - e. The administrative draft of Environmental Impact Statement/Environmental Impact Report (EIS/EIR) is complete.
 - f. Daily ridership projections have dropped from 12,800 to 6,200 primarily due to change in households and jobs projections.
 - g. The MTC has shifted \$91 million from the project to the Warm Springs BART extension project.
 - h. The Federal Transit Administration (FTA) cannot finalize environmental documents without a "solid" project financial plan.
 - i. The project has significant challenges but next steps must be discussed and agreed upon because it is a possible link in the regional rail network.
 - j. There is likely discussion on moving forward with some kind of enhanced bus service, while the rail project is being developed. This could help with justification of future rail ridership projections.

Director Rich Gordon recognizes the challenges but said it is incumbent to think about alternatives whether it is enhanced bus or commuter rail. He said this is an important corridor and BCDC approved final permits today necessary for earthquake retrofits on the Dumbarton Bridge.

JOINT POWERS BOARD REPORT (JPB)

Mr. Scanlon reported:

- Approved the minutes of August 6, 2009 and accepted the Statement of Revenues and Expenses for July 2009.
- Appointed Brian Wilfley as the Santa Clara County representative to the CAC.
- Reviewed the Monthly Performance Statistics – July 2009 and Year-to-Date ending July 2009:
 - a. Total Ridership was 1,098,953, a decrease of 11.8 percent.
 - b. Average Weekday Ridership was 40,846, a decrease of 11.6 percent.
 - c. Total Revenue was \$3,889,947, a decrease of 7.3 percent.
 - d. On-time Performance was 94.3 percent, an increase of 1.4 percent.
 - e. Caltrain Shuttle Ridership was 5,443, a decrease of 11 percent.
- Discussed Caltrain short and long-term operations and Mr. Scanlon's growing concern that future operations of Caltrain are not financially sustainable. Caltrain cut eight trains and raised parking fees this week. Forty percent of the funds to operate Caltrain come from the three partner agencies and all three are in desperate financial straits. Mr. Scanlon expects to recommend to the SamTrans Board at its meeting next week that it approves a 7.5 percent reduction in services and paratransit fare increases to be phased in during 2010 and 2011. In the long term, the success of Caltrain is tied to its ability to electrify and modernize the railroad, which will enable superior performance of electric trains that start and stop quicker. There can be more stops and more riders that will drive up revenues and reduce operating costs because electric cars cost less. Due to declining sales tax revenues and the economy, partner agencies are no longer able to make the investment in electrification and modernization and are reliant on High Speed Rail (HSR).
- Congresswoman Anna Eshoo hosted a public HSR workshop in Menlo Park on August 26. She directed the conversation to doing the HSR project right.
- A lawsuit against HSR was very much a victory for California High Speed Rail (CAHSR). There was a challenge against the Environmental Impact Report (EIR) document and on those issues, the EIR was upheld.
- Giants special service was up by one-third over August 2008 with three additional cars in service.

Chair Foust left at 6:09 p.m.

- Efforts to reduce the noise level of Caltrain horns are continuing and Phase 2 will be an effort to re-engineer how to get the horns back under the cars as opposed to the top.
- A flyer was distributed on the Peninsula Rail Program, which answers questions on HSR.
- Mr. Simon reported on suicide prevention and outreach. The District wants to play a role as a convener in the community on the public mental health issues that are the root of this problem.
- Designated September as "Rail Safety Month" and presented the award to California Operation Life Saver President Cameron Beach.
- Authorized amending and increasing the Fiscal Year 2010 Capital Budget by \$1.2 million from \$82,336,042 to \$83,536,042.
- Authorized using the competitive negotiation procurement process to procure a high technology Caltrain-specific Positive Train Control (PTC) System to be called "CBOSS" (Communications Based Vital Overlay Signal System).
- Authorized award of contracts to LM Communications, LTK Engineering Services, Auriga Corporation and Modis, Inc. for information technology on-call consultant support services for an aggregate not-to-exceed amount of \$1 million.

- Government Affairs Manager Seamus Murphy presented an update on state and federal legislation.
- Accepted the Quarterly Capital Progress Report.
- General Counsel briefed the Board in closed session on potential litigation against the JPB.

Director John Lee asked about train horns. Deputy CEO Chuck Harvey said all horns that are currently operating on the trains have been recalibrated down to exactly the same decibel level they were before. The only difference is now the horns are on top of the trains instead of underneath so the dispersion rate into the community is probably a little bit greater, but no louder. Complaints received about train horns blowing at 2 a.m. to 3 a.m. are freight trains because Caltrain does not run during those hours. Caltrain has engineers working on designing revised horn systems to move underneath; preliminary testing is promising. Budget planning and potential scheduling will be completed in two to three weeks. The JPB will be seeking funding for a significant amount of replumbing work. Work could take as long as six to seven months.

Director O'Mahony thought horns had to be on top of the trains. Mr. Harvey said the horns were originally on the top but moved underneath many years ago by adding extra air lines and plumbing to the system, which resulted in the horns not operating in accordance with the law. The only way to make the horns work again was to move them to the top of the train where they were originally built.

Director O'Mahony asked what the set decibel level is. Mr. Harvey said 98 decibels, which is exactly the level set before the problem started.

Director Gordon left at 6:12 p.m.

PROGRAM

Verbal Update on State and Federal Legislative Program

Mr. Murphy reported:

State

- A number of transportation bills have made it out of the legislative session.
 - a. AB 116, which is the SamTrans/VTA-sponsored bill, will streamline contract procedures and would save SamTrans approximately \$13,000 per procurement. The governor is expected to sign the bill next week. The TA will benefit from this if it chooses to adopt the SamTrans Contract and Procurement Policy.
 - b. AB 1203 would allow WETA to spend their Proposition 1B allocation directly and not as part of a reimbursement. Most emergency service providers that receive those funds have to spend their own funds first and then receive Proposition 1B money as a reimbursement.
 - c. AB 744 is a High Occupancy Toll Lanes (HOT) bill and will come back in January.
- The governor called a special session after the current session ended to review a series of proposals that came out of the Tax Commission that he appointed. These proposals could result in a drastic reduction or complete elimination of sales tax throughout the state; flattening the state income tax; establishing a new business net receipts tax; a new pollution tax of 18-cents per gallon on gasoline indexed to the Consumer Price Index (CPI) subject to a 7-cent annual increase after the initial 18 cent increase. The gas tax would address SB 375, which addresses climate change considerations. The package is intended to be revenue neutral; and some of the bills will require voter approval.

- California High Speed Rail
 - a. CAHSR is holding a workshop today to consider their ARRA application to the Federal Railroad Administration (FRA) for a portion of the \$8 billion available for HSR. Caltrain projects included in the application include the San Bruno Grade Separation Project, Caltrain electrification and Positive Train Control (PTC), and improvements at the Transbay Terminal and at the 4th and King and Diridon Caltrain stations. The application from CAHSR is due October 2.

Federal

- Congress returns from recess next week.
- A number of transportation bills will be considered, including:
 - a. Extension versus reauthorization of a six-year Surface Transportation Bill.
 - b. FY2010 appropriations including \$1.5 million for Caltrain PTC, \$50 million for nationwide PTC grants and between \$1 billion and \$4 billion for nationwide HSR in addition to the \$8 billion in ARRA funding.

Director O'Mahony asked about the future of the infrastructure bill and progress of SAFETEA-LU and funding for the Belmont bike path. Mr. Murphy said the Belmont bike path funding came from SAFETEA-LU. Reauthorization of the Surface Transportation Bill is in limbo. The Senate has moved the bill through two committees with an 18-month extension, which is what the administration prefers. There is not enough funding to shore up the Highway Trust Fund and at the same time fund new programs as part of a brand new six-year bill. A compromise has been proposed because Jim Oberstar, chair of the Committee on Transportation and Infrastructure is holding strong for full reauthorization. Chair Oberstar is being asked for a shorter extension of six to nine months instead of an 18-month extension and full reauthorization would be considered after that time. Mr. Murphy said there is no money available from Washington for infrastructure in the next six months.

Capital Projects Status Report – 4th Quarter Fiscal Year 2009

Mr. Hurley will meet offline for any questions.

REQUESTS FROM THE AUTHORITY

No requests

WRITTEN COMMUNICATIONS TO THE AUTHORITY

In the correspondence file

LEGAL COUNSEL

No report

DATE AND PLACE OF NEXT MEETING

The next meeting is scheduled for Thursday, October 1, 2009 at 5 p.m. at the San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2nd Floor, 1250 San Carlos Avenue, San Carlos CA 94070.

The meeting adjourned at 6:23 p.m.