

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

**MINUTES – OCTOBER 1, 2009**

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

**MEMBERS ABSENT:** R. Gordon

**STAFF PRESENT:** J. Cassman, A. Fung, G. Harrington, C. Harvey, J. Hurley,  
R. Haskin, R. Lake, L. Larano, M. Lee, N. McKenna, D. Miller,  
S. Murphy, M. Scanlon, M. Simon

Chair Rosanne Foust called the meeting to order at 5:04 p.m. Jim Bigelow led the Pledge of Allegiance.

**CONSENT CALENDAR**

- a. Approval of Minutes of September 3, 2009
- b. Acceptance of Statement of Revenues and Expenses for June 2009 (unaudited)
- c. Acceptance of Statement of Revenues and Expenses for August 2009

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

**PUBLIC COMMENT**

Pat Giorni, Burlingame, said the new Measure A allocates 3 percent to the bike/pedestrian category. She asked if it would be possible to use new Measure A funding from the highway/traffic category to allocate more funding to the bike/pedestrian category in light of the recent passage of the California Complete Streets Act and AB 1581 (Fuller), which states the State of California recognizes bicyclists as legitimate users of the roadways.

Director Jim Vreeland arrived at 5:07 p.m.

Jim Bigelow, Redwood City/San Mateo County Chambers of Commerce, thanked everyone for the get-well cards for his recent surgery. He said two recent Caltrain publications on the Peninsula Rail Program and Caltrain electrification will clarify some issues for concerned residents of the Peninsula.

Mr. Bigelow said the California High Speed Rail Authority (CHSRA) applied for approximately \$220 million from the Federal Railroad Administration (FRA) to help with the San Bruno Grade Separation Project. The Transportation Authority (TA) will be asked tonight to allocate \$13.7 million of Measure A funds to the JPB to complete the design for the San Bruno Grade Separation Project. He urged TA support of this proposed allocation.

Gladwyn d’Souza, Belmont, asked about South San Francisco Caltrain Station parking lot improvements. He asked for safe bicycle access to the parking lot. He said Caltrain should

look for alternatives to spending the money improving the parking lot because they are two to three blocks away from the station.

### **CITIZENS ADVISORY COMMITTEE (CAC) REPORT**

Chair Pat Dixon said, at its September 29, 2009 meeting, the CAC support the South San Francisco Caltrain Station Parking Lot Improvement Project with an 8-5 vote and an allocation of \$13.7 million to the Joint Powers Board (JPB) for the San Bruno Grade Separation Project. Members received a presentation on the San Mateo County Grade Crossing Improvement Project and a legislative update.

### **CHAIRPERSON'S REPORT – ROSANNE FOUST**

#### **Policy Discussion: Request for Funding for South San Francisco Ferry Service**

Executive Officer Planning and Development Marian Lee said staff received comments from Chair Rosanne Foust and Directors Carole Groom and Karyl Matsumoto to address their concerns about the level of information contained in the Water Emergency Transportation Authority (WETA) business plan.

Director Matsumoto said attendees included WETA Executive Director Nina Rannells, WETA Planning and Development Manager John Sindzinski and Peninsula Congestion Relief Alliance (Alliance) Executive Director Christine Maley-Grubl. Discussion focused on moving passengers from the ferry to shuttles and then to local businesses and transportation hubs such as the Millbrae Intermodal Station. She is concerned with WETA's operating cost projections. She said she intends to support the ferry project with the caveat that there be a mechanism for reporting back by WETA on the status of the project and the service. Director Matsumoto is concerned that in three years the project will fold and go elsewhere.

Ms. Lee said WETA addressed key concerns outlined by Board members and focused on getting passengers from the ferry terminal to their final destination.

Director Matsumoto said WETA staff needs to figure out whether the new service is sustainable and work closely with the TA and Alliance to ensure that connecting services are in place when ferry service begins operations.

Director John Lee asked about \$3 million WETA received. Executive Director Michael Scanlon said this was American Recovery and Reinvestment Act (ARRA) funding. The funding award was recently announced by Congresswoman Jackie Speier.

Director Lee asked if the ARRA funding was specifically for the South San Francisco ferry service. Mr. Scanlon said he would get clarification and forward a reply to the Board.

Mr. Scanlon said Director Matsumoto brought up excellent points about WETA's business plan. He said the ferry service project must attract and retain riders in sufficient numbers for a viable enterprise for the long-term. Mr. Scanlon said the voters approved ferry service as part of Measure A and the TA agreement with WETA and South San Francisco will allow the TA some influence on the project. He was pleased the Alliance is involved in discussions on shuttle service.

### Public Comment

Mr. Bigelow said he met a number of times with former State Senate leader Don Perata and 16 CEOs associated with the biotech businesses in South San Francisco and all are extremely dedicated to making sure the South San Francisco ferry service works. He said the full-sized buses that take incoming employees from BART to the biotech areas could take people from the ferry to their locations on the way back to the BART station.

Chair Foust thanked Directors Matsumoto and Groom for raising concerns about the ferry service. She said WETA needs to reach out to the business community and organize transport services. Chair Foust said the TA is being approached about potential ferry service in Redwood City and a concern is how to move people from the ferry terminal to job centers.

Chair Foust asked Director Lee to report on the event to celebrate the completion of various Caltrain grade crossing improvements in San Mateo. Director Lee said it was also a celebration for rail safety and a plea for people to start listening and thinking about being safe around trains.

TA subcommittee members Chair Foust and Directors Lee and Rosalie O'Mahony met prior to today's Board meeting to continue strategic planning for the new Measure A project prioritization process that would lead to the call for projects. A draft was reviewed and will be submitted to the TA CAC and a technical working group for comments. The subcommittee will review these comments at their November meeting and bring the draft to the December Board meeting for discussion.

### **SAMTRANS LIAISON REPORT – KARYL MATSUMOTO**

The September 9 report is in the agenda packet.

### **JOINT POWERS BOARD REPORT (JPB)**

Mr. Scanlon reported on the JPB meeting of October 1.

- Received a presentation by Deputy CEO Chuck Harvey on horn noise. Work is needed to return Caltrain's horns to conditions that existed earlier this summer. The work requires the restoration of the horns in a box underneath the locomotive equipment. As a result, the dispersion of the horn noise will be reduced substantially and the noise level of the horns will be restored to prior levels. The horn restoration project on 47 locomotives and lead cab cars is expected to be completed by the end of November. The JPB approved an expenditure of \$200,000 from its reserves to complete the work.
- Approved the minutes of September 3, 2009, and accepted the Statement of Revenues and Expenses for June 2009 (unaudited) and August 2009.
- Authorized execution of lease addendum with Clay Del Secco and Carol Del Secco Trustees to extend lease of warehouse at 4000 Campbell Avenue in Menlo Park for a period of two years, with a one year option.
- Metropolitan Transportation Commission (MTC) liaison Sue Lempert reported:
  - a. There will be a HSR meeting in Palo Alto on Saturday; architects will be presenting designs showing how Caltrain and HSR can run underground.
  - b. The Dumbarton Rail Advisory Committee agreed to pursue the rail option, continue work on the Environmental Impact Report (EIR) in the context of the corridor as part of the Strategic Regional Rail Program, support negotiations with Union Pacific Railroad on

their part of the right of way and consider bus service funded by Regional Measure 2 (RM2).

- Reviewed the Monthly Performance Statistics - August 2009 compared to August 2008
  - a. Total Ridership was 1,060,624, a decrease of 10.8 percent.
  - b. Average Weekday Ridership was 40,154 a decrease of 10.4 percent.
  - c. Total Revenue was \$3,819,252, a decrease of 5 percent.
  - d. On-time Performance was 95.4 percent, an increase of 3.6 percent.
  - e. Caltrain Shuttle Ridership was 5,404, a decrease of 17.9 percent.
- Year-to-date Performance Statistics - August 2009
  - a. Total Ridership was 2,159,576, a decrease of 11.3 percent.
  - b. Average Weekday Ridership was 40,500, a decrease of 11 percent.
  - c. Total Revenue was \$7,709,200, a decrease of 6.2 percent.
  - d. On-time Performance was 94.8 percent, an increase of 1.5 percent.
  - e. Caltrain Shuttle Ridership was 5,424, a decrease of 14.6 percent.
- September Rail Safety Month activities included news releases, a rail safety workshop, radio public service announcements, a celebration for San Mateo grade crossing improvements attended by a survivor of a train accident and a brown bag lunch for employees on rail safety.
- A Caltrain customer satisfaction survey completed in June showed increases in customer satisfaction on ticket vending machine use, information on train delays and restroom cleanliness.
- Special service includes:
  - a. Stanford Football and the Big Game.
  - b. The United Football League will play at AT&T Park.
  - c. The Giant season is winding down; September ridership was up 55 percent from September 2008.
- Caltrain is selling train passes to Stanford students during fall scavenger hunts.
- The San Jose Sharks will be wrapping a Caltrain car.
- Thirty-four cab cars have been fitted with extra bike spaces; there are two bike cars on most train consists; and three additional Bombardier cars are being fitted for bicycles.
- High Speed Project Manager Dominic Spaethling of CHSR presented an update on the Peninsula Rail Program including an update on outreach activities and public workshops.
- Authorized rejecting a bid from General Petroleum as non-responsive and awarded a contract for furnishing Red-Dyed, Ultra-Low Sulfur Diesel (ULSD) fuel to Pinnacle Petroleum, Inc. for a total estimated cost of \$17,351,949 for a two-year term.
- Authorized an amendment to the Fiscal Year 2010 Capital Budget in the amount of \$1.7 million from \$83,536,042 to \$85,236,042.
- Executive Officer Customer Service and Marketing Rita Haskin presented an update on TransLink.
- Government Affairs Manager Seamus Murphy reported on State and Federal activities including the State Commission on the 21<sup>st</sup> Century, SAFETEA-LU and the Surface Transportation Reauthorization Bill.
- Legal counsel briefed the Board on a hearing regarding a change of venue in a HSR lawsuit.
- The Sacramento judge involved with the California Environmental Quality Act (CEQA) litigation that challenged the HSR program will have a session in Sacramento on October 9.

Director Lee asked about the fuel hedging program. Deputy CEO Gigi Harrington said the Board approved a fuel hedge for half of the JPB fuel portfolio and bought a cap at \$2 per gallon, effective August 1, 2009 through June 30, 2010. The index includes all taxes and fuel has not

tripped \$2 per gallon. The fee was paid upfront and if fuel is over the index over a course of a month, the financial entity will pay back anything paid over \$2 per gallon.

Chair Foust asked legal counsel to explain the venue motion in the HSR litigation. Legal Counsel David Miller said in addition to the California Environmental Quality Act (CEQA) litigation that challenged the HSR program EIR, which is to be heard in Sacramento on October 9, there was a separate suit filed by an individual, Russell Peterson, and joined by Roger Reynolds Nursery against the CHSRA and the JPB. The suit is asking the court to require the JPB in the future to abide by its existing contract with Union Pacific (UP) in so far as intercity passenger rights are concerned, which are held by UP under that agreement. There is a fundamental question to whether the action was filed in the proper venue. It was filed in San Mateo County, but the statute that governs the CHSRA has a provision that says all actions against or that involve the CHSRA must be lodged in Sacramento County. Counsel attempted to negotiate with plaintiff's counsel to stipulate to a change in venue but those negotiations were unsuccessful so a motion for a change venue has been filed. The motion will be argued on November 2.

Chair Foust asked if the TransLink pass can be used on multiple systems. Mr. Scanlon replied yes. AC Transit and Golden Gate Transit and Ferry are fully operational. Caltrain, BART and Muni are in soft launch to collect data. The system's functionality will be tested because of the volume of riders when BART and Muni move into hard launch. The card can be purchased with specific instruments or added to with e-cash capability. The project has experienced technical and contractor issues.

#### **REPORT OF THE EXECUTIVE DIRECTOR**

- The groundbreaking for the South San Francisco Ferry Terminal is schedule for Monday, October 19, at 10:30 a.m. at 95 Harbor Master Road.
- Ms. Lee reported on the Dumbarton Rail Project:
  - a. Dumbarton Rail's Technical Staff Committee, CAC, and Policy Advisory Committee (PAC) met last month and subsequently met with TA staff on September 25.
  - b. Staff outlined reaching the critical milestone of 15 percent design and completing the environmental document, which was a significant conclusion to a major phase in the project.
  - c. The PAC asked for next steps due to the large funding gap, which limits staff movement on the environmental document.
  - d. Staff outlined options for the PAC: Continue to do what is necessary to continue rail; shift to a bus alternative; or stop work on the project. These alternatives were forwarded by the Technical Staff Committee and CAC.
  - e. Discussion suggested money could be saved for long-term investment or used for a shorter investment, which would involve choosing bus over rail. The majority of the PAC members chose to stay with the rail option because the corridor provides a very critical link in the rail network and investment in the project.
  - f. Staff was asked to return to the PAC in mid-December and work on key tasks before circulating the environmental document including the development of a funding strategy for the project. Without a funding strategy the Federal Transit Administration (FTA) will not finalize the environmental work.

Chair Foust said Mr. Scanlon gave a great presentation on a combination of the Grand Boulevard

Initiative and HSR electrification of Caltrain on October 1 to approximately 300 business executives at the *San Francisco Business Times* Peninsula Structures breakfast.

## **FINANCE**

### **Approve Amendment to the Fiscal Year 2010 Capital Budget and Allocation to the Peninsula Corridor Joint Powers Board for the South San Francisco Parking Lot Improvement Project in the Amount of \$1,515,000**

Director of TA Program Joe Hurley said the JPB has a project to reconstruct the South San Francisco Caltrain Station including refurbishing the parking lot. All work on this project has been suspended until a decision on the UP right of way is made in addition to the uncertainty of the HSR project. Passengers are subjected to the disrepair in the parking lot and flooding in bad weather. The JPB is moving forward with a separate project to address needed improvements including drainage and lighting. Staff recommends amending the FY2010 Capital Budget by creating a new line item titled "South San Francisco Parking Lot Improvements" under the Caltrain program and allocate \$1.5 million to the JPB for 100 percent design, contracting and construction for this project.

Director Groom asked if there are 74 parking spaces or are 74 spaces being added. JPB Deputy Director of Capital Programs Liria Larano said there are currently 34-41 parking spaces and there will be 74 when the project is completed.

Director Groom asked if there is an active shuttle program to the South San Francisco station and what is the ridership. Mr. Harvey said there are several shuttles that go to the station and he will email specific information on ridership to Director Groom.

Director Groom asked if the need is to add parking spaces or repair the existing lot. Mr. Scanlon said the parking lot is a liability. Caltrain's complicated negotiations with UP and HSR projects have put station rebuilding on hold but the drainage and lighting improvements need to be completed now for passenger use and safety.

Director Matsumoto understands the safety issue for improvements but does not want to see good money poured after bad money.

Director Vreeland asked if this would be added to the capital budget. Mr. Scanlon said it wasn't in the capital budget this year as a spending plan but the reconstruction of the South San Francisco Station, of which this is a part, has always been envisioned and this project is necessary.

Director Vreeland asked what a Board member should do if they feel there are other areas that they can look to the budget for improvement. Mr. Scanlon suggested this be addressed under the agenda item for Board requests.

A motion (O'Mahony/Vreeland) to approve the amendment to the FY2010 Capital Budget and allocation to the Peninsula Corridor Joint Powers Board was passed.

### Public Comment

Pat Giorni, Burlingame, said there was a split vote on this issue at the TA CAC because of the need for bike/pedestrian/shuttle accommodation in the parking lot and asked if any of these accommodations were considered in project planning. She said two parking spaces were removed for bicycle use during the Palo Alto station parking lot improvements. She asked if a bicycle advisory committee could be organized to look at these types of issues.

Chair Foust said there will be a discussion on the various percentages earmarked for specific TA programs and information on the TA call for projects process at the November CAC and December TA Board meetings.

### **Approve Amendment to the Fiscal Year 2010 Capital Budget in the Amount of \$11 million and Allocation to the Peninsula Corridor Joint Powers Board for the San Bruno Grade Separation Project in the Amount of \$13.7 Million**

Mr. Hurley said this project will grade separate three crossings in San Bruno and scores very high on a statewide basis in terms of need. The allocation provides funding for 100 percent design, contracting and right of way acquisition associated with the grade separation project. The JPB is scheduled to award the construction contract no later than July 2010, which is driven by a window of opportunity to secure \$30 million of Proposition 1B funding that has been granted to the project. It is expected that the JPB will be returning to the TA in spring 2010 to request additional funding for this project, which is estimated to be between \$90-\$95 million.

A motion (O'Mahony/Matsumoto) to approve the amendment to the FY2010 Capital Budget and allocation to the Peninsula Corridor Joint Powers Board was passed.

Mr. Scanlon commended the efforts of staff and the city of San Bruno's legal counsel and elected officials to secure Proposition 1B funding of \$30 million.

### **Verbal Update on State and Federal Legislative Program**

Mr. Murphy reported:

#### State

- Last week CHSR approved \$4.5 billion in projects to be included in their application for ARRA funds. This amount, combined with the State and local match planned in the application, would result in the first \$9 billion in spending on construction. The deadline for the application is October 2.
- The Commission on the 21<sup>st</sup> Century Economy released its tax reform recommendations, which will be considered in a special session at the end of the month. The controversial 18-cent pollution tax on gasoline did not make it into the recommendations in the report reform. The TA worked with the California Transit Association (CTA) and Valley Transportation Authority (VTA) to make sure that one of the proposals in the report to phase out State sales tax altogether did not include an exempted sales tax on gasoline and diesel fuel because they are traditional sources of funding for public transportation.
- CTA's lawsuit to protect against the diversion of Public Transportation Account (PTA) funds for non-mass transportation uses was successful at the appellate level and the State then appealed that to the Supreme Court. Yesterday the court declined to accept the case and that upholds the decision at the appellate level. It isn't clear what this means for restoring transit funds to the PTA but the court clearly stated that the diversion of those funds for non-mass transportation uses is illegal.

### Federal

- The fiscal year ended yesterday and both chambers passed a continuing resolution to maintain 2009 spending levels while they work to finalize next year's appropriation bill.
- There was also passage of a one-month extension of SAFETEA-LU as opposed to the 18-month extension initially favored by the Senate and administration. Transportation Chairman Jim Oberstar continues to push for full reauthorization of the shorter extension, which will keep pressure on Congress to develop a plan to finance what's expected to be a \$500 billion piece of legislation.
- The Senate is moving forward with climate change legislation. The House has already passed a bill that establishes cap and trade and sets long-term emissions targets, but it includes no guaranteed funding allowances for public transportation. The Senate's version released yesterday includes even stronger emissions targets, but guarantees only 1 percent allowances for public transportation. Alternative legislation, called CLEAN-TEA sets aside a 10 percent allowance for public transportation. Staff will be working to encourage our delegation to co-sponsor this bill and encourage Senator Barbara Boxer's committee to adopt the 10 percent level.

Director O'Mahony asked what the advantage would be to San Mateo County to have a one-month extension. Mr. Murphy said the advantage of any extension will give Congress time to do it right and find some revenue because they can't pass a bill of this magnitude without really putting some thought into where the money will come from.

Mr. Scanlon said the last several reauthorizations were completed one to two years after the deadline. The critical stumbling block is funding behind the authorization. The Highway Fund is dry because vehicle miles traveled are down and miles per gallon in automobiles are up and there is less money available for transportation. Health care funding probably needs to be resolved before a reauthorization bill is finalized.

Mr. Murphy said the advantage for San Mateo County to have full reauthorization approved as soon as possible is that there are a number of transportation programs that depend on that funding. There are high priority project requests specifically for cities and agencies that have been submitted and should be included in the reauthorization bill. It's possible that Congress, because of all the requests, recognizes that a full reauthorization might not happen for some time and would find a way to include a portion of those requests in an extension.

### **PROGRAM – Caltrain Grade Crossing Safety Improvement Program**

Senior Engineer/Assistant Project Manager Allan Fung reported:

The presentation is timely because September was Rail Safety Month.

- Project goals include improved safety for pedestrians, cyclists and motorists; minimizing impacts to cities during construction; and safety during construction.
- Improvements included pedestrian gate arms; emergency swing (exit) gates, fencing; guardrails; tactile warning tiles; pavement makings; median islands and crossing gates; and signs and signal component upgrades.
- The project includes 25 at-grade crossings in San Mateo County.
- Construction was performed at night to minimize noise and to keep crossings open.
- Project completion is scheduled for July 2010.

**REQUESTS FROM THE AUTHORITY**

Director Matsumoto said the large shuttle buses that run from BART to the biotech area in South San Francisco are Genentech buses and historically don't pick up other riders because they have numerous stops on their large campus. She hopes growth in the biotech area will provide more funding for additional shuttle services. Director Matsumoto said South San Francisco has an active bicycle and pedestrian advisory committee and they would offer staff input on transit.

**WRITTEN COMMUNICATIONS TO THE AUTHORITY**

Correspondence by Chair Foust and Directors Matsumoto and Groom related to the discussion on the South San Francisco ferry project and business plan is included in the reading file.

**LEGAL COUNSEL**

No report

Director O'Mahony thanked staff who helped with the HSR presentation in Burlingame on Saturday, September 26. She said more presentations will help the community evaluate the advantages and need for Caltrain electrification.

**DATE AND PLACE OF NEXT MEETING**

The next meeting is scheduled for Thursday, November 5, 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.