

Meeting:

DRC Policy Committee

Location:

**City of Union City
34009 Alvarado-Niles Road
Union City, CA**

Date:

Nov. 14, 2006

Time:

Meeting Start: **2:00 PM**
Meeting Adjourn: **3:30 PM**

Minutes Prepared By: Issue Date:

Wenlin Yang 11/20/06

Attendees (sign-in sheet attached)

Policy Committee Members

Councilmember Ana Apodaca, City of Newark
Board Member Tom Blalock, Capitol Corridor JPA
Councilmember Dean Chu, City of Sunnyvale
Mayor Mark Green, City of Union City (Vice Chair)
Councilmember Jim Hartnett, City of Redwood City (Chair)
Commissioner John McLemore, MTC
Commissioner Scott Haggerty, MTC
Councilmember Dominic Dutra, Fremont
Councilmember Mickie Winkler, City of Menlo Park

Program Management Team

Howard Goode, SMCTA
Joseph Hurley, SMCTA
Marie Pang, SMCTA
Sylvia Cox, SMCTA
Christine Dunn, SMCTA
Steve Minden, PCJPB
Wenlin Yang, PCJPB

Others

Christine Monsen, ACTIA
Art Dao, ACTIA
Rebecca Kohlstrand, ACTIA
Nathan Landou, AC Transit
Dennis Fay, ACCMA
Malcom Quint, BART
Anthony Lee, Caltrans
David Kutrosky, CCJPA
Chip Taylor, City of Menlo Park
Marc Roddin, MTC
Kenneth Folan, MTC
Mintze Cheng, City of Union City
Farooq Azim, City of Union City
Mark Evanoff, City of Union City
Joan Malloy, City of Union City
Peggy Claasen, City of Newark
Dennis Jones, City of Newark
Kevin Connolly, VTA
Dawn Argula
Jim Bigelow
John Hazard
Susan Robinson
Larry Calhoun
Jim Calhoun
Barry Ferrier
Larry Cheeves
John Boyle
Richard Napier, San Mateo Couty
Tim Pitsker
Zolton Stacho
Karl Schaarschmidt, EarthTech
Pat Gelb, PTG
Craig Richie, PTG
Ted Pugh
Cathi Sweeney

1.	Call To Order
2.	Roll Call
3.	Election of Chairperson <ul style="list-style-type: none"> o J. Harnett resigns from the position of Chairperson. He proposes M. Green, the Vice-Chairperson, to replace him. D. Chu makes the motion to elect M. Green to the Chairperson position. The motion is seconded by T. Blalock. All are in favor. The motion passes.
4.	Chairperson Comments <ul style="list-style-type: none"> o M. Green states that there are many regional projects that require consideration. M. Green would like a PAC meeting on an every other month basis. He also recommends that since there are so many interested parties, there should be an executive director to oversee them.
5.	Public Comment <ul style="list-style-type: none"> o Tim Pitsker, a resident of Fremont, states that he supports the No Build Option. He points out that one of the benefit of the project is diverting freight off the Centerville line onto the Niles line. However the risks include derailment out of Niles Canyon. He states that if a freight train were to lose its brakes, it would not make the 90 degree turn. The bridge is next to the Alameda Creek and would cause water contamination. Recent train derailments in Baxter and near Dunsmuir resulted in water contamination, and in the case of Baxter, a diesel fire. Mr. Pitsker believes that the risks of the project greatly outweigh the benefits. o Jim Bigelow, representing the Chambers of Commerce of the City of Redwood City, San Mateo County and the City of Menlo Park, states that the project presents the opportunity for workers to get to work and an opportunity for Capitol Corridor and ACE. He states that the price of steel is escalating, as well as everything else, and that he hopes that the project will come up with a better cost estimate. He encourages the project to "Move forward" and to continue as a congestion relief project for workers and others. o Susan Robinson, a resident of Menlo Park, inquired on the status of the UPRR. She had heard various reports on the layover yard and freight use. She requests a discussion on whether there will be freight on the West Bay to be included in the EIR. o John Hazard, a resident of Menlo Park, appeared to submit 2 letters to the PAC. One letter was from John Morris, a resident of Menlo Park, and is entitled "Budget Increase, Traffic Congestion Levels". The second letter is from Margarita Mendez, a resident of Menlo Park, and is entitled "Budget Increases, Currents Costs vs. Projected Benefits". John commented that the budget has doubled to 600 million. A MTC study shows that the 2005 congestion levels are less than when the study was performed. He points out that there is a need to check if the project benefits outweigh the costs.
6.	Consent Calendar <p>Proposed Action: Approve minutes of last meeting Minutes approved.</p>
7.	Information Items <p>Status of UPRR Discussions</p> <ul style="list-style-type: none"> o M. Green states that there has been no response from UPRR after the promised 30 day period. If UPRR wants to put freight on the DRC, they must contribute funds. <p>EIS/EIS Scoping Meetings</p> <ul style="list-style-type: none"> o S. Minden reports that the scoping meetings will be on 11/15/06 in Newark and on 11/16/06 in Menlo Park. Considerable Public Outreach had been performed as part of the scoping process: 37,500 flyers had been sent to households and communities, flyers also had been distributed to DB Express and AC Transit bus riders at Union City BART station and

	<p>Ardenwood Park & Ride, the NOI was published in the Federal Register, NOP was sent to various state, regional and local agencies and cities, meeting notices were advertised in local papers. In addition to the scoping meeting, there would be an informational meeting at Niles Elementary School in Fremont on 11/29/06.</p> <ul style="list-style-type: none"> o M. Green suggests that ethnic newspapers should be considered in the future. S. Minden replies that the flyers were bilingual, in both English and Spanish. M. Green states that there are significant numbers of Asian communities in the East Bay. S. Minden notes that for future reference.
<p>8.</p>	<p>Regular Agenda</p>
	<p>Updated Cost Estimate</p>
	<ul style="list-style-type: none"> o S. Minden reports the updated project costs. In 2004, the project cost was 300 million dollars. In 2006, using a “bottom up” approach, the project cost is 515.5 million dollars. In year of completion dollars, the total project cost will be 595.7 million dollars. The areas of increase are the construction, contingency, and soft costs. He has a 90% confidence that the project will not exceed the updated cost estimate. o D. Dutra states that he is supportive of this project, but a prudent cost-benefit analysis is needed. Unlike cost estimate, ridership forecast has not doubled since 2004. The costs and mitigation efforts should include grade separations, such as at Fremont Blvd. and at the Niles neighborhood in Fremont. If there are no grade separations, the project will be derailed by political opposition. He also states that if phasing occurs due to cost issues and if the phasing stops in Newark, the project will not provide a regional solution. If the project is done in phases, there will be a loss in political support. S. Minden reports that the estimate does not include grade separations because the estimate is based on the scope of the PSR. If the EIR shows that grade separations are necessary, then the costs will increase. D. Dutra states that without grade separations, Fremont is unlikely to support the project. He also reports that the A’s are coming to Fremont and this will compound the problem o J. McLemore states that they are not being given enough information. The MTC has over 20 projects to consider and the costs are increasing on all of them. The problem is not having enough information. He also states that grade separations have been part of project discussions over the past two years. He is surprised that the project cost has doubled and grade separations are still not included in the project. He finds this alarming and he would incline to postpone MTC’s involvement. S. Minden states that he will share the detailed estimate to show how the cost increased. J. McLemore wants the detailed estimate to be emailed to everyone at the same time. He states that people see the project in their community only, but there are many projects going on in the bay area. He wants to know what part of the project has the biggest expense, which areas increased, and he doesn’t want to get the information from the SJ Mercury news. S. Minden states that he felt it was necessary to review and update the estimates before public scoping meetings. o J. McLemore states that the BART extension to Warm Springs has also introduced a rise in cost and that expenses are increasing while revenues are not. o S. Haggerty states that ridership has not doubled since the study was performed. He asks if the ridership numbers have been recently reviewed. S. Minden says that they have not. S. Haggerty wants to see the revised ridership and the new cost per rider. Unless he sees different ridership numbers, people need to adjust their expectations on the project. He would like the PAC to meet more frequently. M. Green informs S. Haggerty that they will be meeting every other month. o M. Winkler states she is supportive of regional public transit, but the costs are rising faster than the demand. She asks what else the funds can be used for if not for this project. H. Goode states that there are four funding sources programmed for the DRC project. The first is Regional Measure 2 which is under MTC authority. There is a provision if the project is not feasible the funds may go to the other RM2 projects. The other three sources are the sales tax in Alameda County, Santa Clara County, and San Mateo County. San Mateo County voters have approved an extension to the sales tax and new expenditure plan. o J. McLemore states that the expenses are increasing faster than the revenues coming in

	<p>from the funding agencies. He states that the costs per segment must be broken down in detail to properly evaluate the project.</p> <ul style="list-style-type: none"> ○ T. Blalock states that the costs for the ROW will probably rise. He also doesn't see the Shinn connection and possible layover yard go through an active truck yard. There are costs for the cleanup of hazardous materials that have not been considered. S. Minden says that the Oakland Subdivision acquisition is the most expensive cost. The new estimate on the real estate cost stayed the same due to the appraisal validation earlier this year showing it is comparable to the current market condition. ○ T. Blalock asks for the ridership numbers and the traffic volumes on the Dumbarton Bridge. He wants to see the 2000 and 2010 numbers. He also notes that the scoping was in Newark and Menlo Park only and mailers were sent to the Coast Freight line neighborhoods. S. Minden clarified that it is for residents that may be affected by the proposed new sidings on the UPRR Coast line. ○ M. Green states that negotiations for a new TOD development next to the Union City BART station will occur later that day. It would be preferable if all construction can be performed at the same time ○ D. Dutra states that if there is phasing, Fremont should not be the end. ○ J. Hartnett states that he is cautiously optimistic. RM2 passed and is the primary funding source. San Mateo County is the second major funding source. He feels that the cost per rider is comparable to other large transit projects. He reports that there are development projects in downtown area of Redwood City and that people are expecting train access. Grade separations have been discussed before, but it has been clear that they were never in the budget. For comparative purposes, they shouldn't be there. PAC has not agreed on which crossing should be grade separated. If grade separations are a requirement for a city to support the project, their expectations need to go back to the drawing board, because the money was never in the budget. He also encourages the need for more meetings. ○ S. Haggerty asks what the original cost of construction was. S. Minden answers that it was 121 million in construction and 23 million in contingency for a total of 144 million. S. Haggerty says that from the Bay Bridge experience, it is known construction over water is expensive. J. McLemore says the construction increase is what he was looking for.
	<p>Project Funding Strategy</p>
	<p>Infrastructure Bond</p> <ul style="list-style-type: none"> ○ H. Goode reports that staff needs to outline the strategy, the questions and comments, and the time for a specific recommendation for project funding strategy. A possible cost reduction to the project would be to refurbish retired Caltrain rolling stock. He also reports the Infrastructure bond that had just passed has a provision for 2 billion dollars for improvement to rail. The Infrastructure bond is a potential funding source. ○ H. Goode recommends that possible phasing needs to be on the table, although he believes the whole project is greater than the sum of its parts. He requests the PAC's guidance on what funds they should go for. M. Green asks what PAC needs to do to keep MTC going. H. Goode replies that there is a preliminary request for 13 million dollar from MTC RM2. SMCTA approved their 2 million dollar funding, ACTIA postponed their action on their 2 million dollar pending this meeting, and VTA action on their 2 million dollar is pending upon their December meeting. A total of 19 million is needed for 30% design of all segments, 100% design of Segment G, and advance allocation for completing Union City BART station modification phase 2. There is a concern that bringing Segment G design to 100% at this time is premature and may be a waste of money. H. Goode requests that there be a conditional clause that the design funding for Segment G design will not be utilized until negotiations with UPRR have been settled. M. Green agrees that the conditional use should be added in. S. Haggerty states that based on the staff report from ACTIA and MTC, he feels underwhelmed by the information. He would like to see DRC go forward, but 19 million seems like a lot for design. M. Green suggested approval of the amendment to design funding applications, where designs that would be impacted by UPRR would not go forward until negotiations with UPRR are finalized. J. McLemore asks when UPRR negotiations will come to a close. H. Goode replies that it is in the months categories, not years. UPRR is interested in this project and that local match needed for

	<p>trade corridor improvements funding in the Infrastructure Bond. M. Green moved, seconded by J. Hartnett that the RM2 application pending with MTC include a condition that final design funding for Segment G would not be expended until there is an agreement with the UPRR for required rights of way. Motion was approved without dissent.</p> <p>Citizen Advisory Panel</p> <ul style="list-style-type: none"> o H. Goode recommends that 3 citizens from each of the 6 cities along the ROW (Newark, East Palo Alto, Menlo Park, Redwood City, Union City and Fremont) form the panel. The panel will meet on a quarterly basis. M. Green recommends 2 people for a total of 12 to be on the panel, which everyone agrees. M. Green asks how the citizens will be recruited. H. Goode replies that the cities will identify their own 2 members and send the information to him. He will write a formal letter to the cities to invite them to provide the names of the two designated peoples from their community to PAC. It was agreed that the meetings will be held at night. There was no contrary vote.
9.	Requests from Members
	M. Green wants direct involvement from MTC. He wants staff to give input on that.
10.	Date of Next Meeting
	The next meeting will be Tuesday, Jan. 16, 2007.

Attachments: Sign-In Sheet, DRC PAC Presentations, Public Comment Sign-In Sheets, Letters from Menlo Park Residents (2)