

Meeting:
DRC Citizen Advisory Panel

Date:
October 17, 2007

Location:
**The Newark Library
6300 Civic Terrace Avenue**

Time:
Meeting Start: 7:10 pm
Meeting Adjourn: 9:30 pm

Minutes Prepared By:
Sharon Kyle

Issue Date:
December 12, 2007

Attendees (sign-in sheet attached)	
<p><u>CAP Members</u> Arthur Ringham, Atherton Malcolm Dudley, Atherton Tim Pitsker, Fremont Mike Dubinsky, Fremont Chairperson Susan Robinson, Menlo Park Margaret Fruth, Menlo Park Christopher Cabrales, Newark Yen Han Chen, Newark Barry Ferrier, Union City Harry Wong, Union City Kevin Mathy, VTA</p> <p><u>DRC Staff</u> Paul Matsuoka, Caltrain Wenlin Yang, Caltrain Christine Dunn, SMCTA Iris Star, Parsons Marie Pang, SMCTA Sylvia Cox, Caltrain</p> <p><u>Consultants</u> Sharon Kyle, HNTB</p>	<p><u>Members of the Public</u> Peggy Classen, City of Newark Eric Hentschke</p>

- | Item No. | Discussion |
|-----------------|---|
| 1. | Welcome and Introductions <ul style="list-style-type: none"> o DRC staff, consultants and members of the public introduced themselves. |
| 2. | Roll Call <ul style="list-style-type: none"> o Arthur Ringham, Malcolm Dudley, Tim Pitsker, Mike Dubinsky, Susan Robinson, Margaret Fruth, Christopher Cabrales, Yen Han Chen, Barry Ferrier, and Kevin Mathy were present for a quorum. |
| 3. | Consent Calendar <ul style="list-style-type: none"> o The minutes from the September 19, 2007 meeting were approved. |
| 4. | Public Comments <ul style="list-style-type: none"> o There were no public comments. |
| 5. | Action Items |

- 5a. Review of Draft By-Laws
- **S. Robinson** asked for general comments on the by-laws, specifically additions or deletions of information.
 - **A. Ringham** asked how alternates would serve on the CAP. **S. Robinson** replied that if a primary member is unable to attend a meeting, their alternative may attend in their place. In addition, if a primary member can no longer serve, their alternate may step in as a replacement.
 - **S. Robinson** proposed that the by-laws include a provision for additional educational sessions to assist with providing knowledge and information to the group to strengthen the importance of the CAP serving as an informed body. After discussion, it was agreed that under “Meetings”, ad hoc meetings would be defined for educational purpose outside of the regular meetings. The purpose of regular meetings would be to discuss the agenda items for the next PAC meeting.
 - **M. Fruth** asked how CAP members were appointed and who directs them with their responsibilities. **S. Robinson** replied that PAC asked the Cities to appoint members to sit on the panel. The CAP members should check in with their City for direction in carrying out their duties, but the CAP serves at the will of the PAC.
 - **M. Dubinsky** stated that additional language needed to be added under “Membership” to note that the alternate would be called to fill in any primary CAP member’s role if he/she was unable to continue during their term appointment.
 - After discussion, it was agreed that in the event that a member misses three regular meetings, the repeated absences would be reported to the PAC to handle at their discretion. Repeated absences would be described under “Attendance Standards”.
 - **S. Robinson** asked if the by-laws should include a section clarifying the responsibility of the members to report information back to the community. After discussion, it was agreed that the language in the by-laws stating that the CAP members acted as community liaisons covered their role and responsibility adequately. **T. Pitsker** stated that the members were appointed by the City and that they need to report to those who appointed them regarding questions or direction.
 - **S. Robinson** stated that the revisions to the by-laws were to be as follows:
 - a. State under “Duties” that the duties of the CAP are strictly advisory in nature.
 - b. State under “Membership” that the alternate will stand in for members at regular meetings.
 - c. State under “Term of Appointment” that if a member resigns, the alternate will finish the term left vacant.
 - d. Change the section heading “Regular Meetings” to “Meetings” and state that ad hoc meetings may be scheduled as needed by the CAP.
 - e. State under “Attendance Standards” that if a member will be absent, they are to notify the chair in advance of the meeting. State that more than three consecutive absences and frequent intermittent absences from regular meetings will be reported to the PAC for action at their discretion.
 - **S. Robinson** asked staff to add to the meeting notices that if a member is unable to attend the meeting to please notify the chair by email.
 - It was unanimously voted to approve the revised by-laws and to allow the Chair to perform the final review before requesting the PAC to adopt them at the next PAC meeting.
- 5b. Review of October 23, 2007 PAC Agenda
- **S. Robinson** asked for issues, questions or concerns that she should bring to the next PAC meeting. There were no comments.
 - **S. Robinson** asked if there were any comments on the PAC meeting minutes. **M. Fruth** stated that there were some grammatical errors and misspellings that should be corrected. No other comments were received.
 - **S. Robinson** stated that at the last PAC meeting, someone had said that the Dumbarton project would not have significant impacts on residences because the trains would primarily run during commute hours when people were not at home. She stated that many

- citizens who heard this comment were taken aback because those who primarily resided in the project area during the day, such as stay at home parents or those who work at home, were not be taken into consideration. She asked if this represented a larger community concern that needed to be addressed by the CAP as a whole. After some discussion, it was decided to discuss this topic at a later time.
- Under agenda item 7a. Budget and Schedule Status, **S. Robinson** stated that she wanted more detail on how the calculation for the cost of potentially retrofitting of the bridge was determined
 - **B. Ferrier** stated that the role of the CAP is to focus on the input received from staff so that informed comments and recommendations could be made to the PAC. **S. Robinson** agreed that the CAP's role is to be informed enough to make appropriate recommendations. She added that in order for the CAP to make meaningful input to the PAC, the CAP should have an opportunity to review the informational items in advance. **B. Ferrier** stated that the CAP would be more informed if staff addressed technical subject matter during a presentation to the group.
 - **W. Yang** presented the PAC agenda action item on Electrification. She stated the DRC staff recommendations are that the Dumbarton Corridor should be electrified by 2030 in accordance with the recommendation of the Regional Rail Plan, that the initial project should be diesel technology and Federal Rail Authority (FRA) compliant and that the design of the project should anticipate conversion to electrification.
 - **P. Matsuoka** presented information on vehicle technology. He described three rail vehicle options, Diesel Multiple Unit (DMU), Dual Mode Locomotive (DML), and Electric Multiple Unit (EMU), that were evaluated for inclusion in the environmental document.
 - **M. Fruth** asked how the vehicles would be paid for. **W. Yang** stated that MTC would have to determine how the final option chosen would be paid for as part of the Regional Rail Plan.
 - **S. Robinson** asked if the plan was to run the trains on along existing rail ROW which currently allows freight top priority for use of tracks. **W. Yang** responded that the EMU vehicle would run on the same track with freight trains. **P. Matsuoka** stated that a potential secondary issue is that there is only one FRA compliant DMU, the Colorado Railcar.
 - **H. Wong** asked about the difference between the compliant and non-compliant DMUs. Paul responded that the weight and reinforcement of the compliant vehicles was heavier than non-compliant vehicles, allowing them to travel more safely while sharing the track with freight trains. **H. Wong** asked what type of vehicle was being considered for use on the High Speed Rail project. **P. Matsuoka** said he would report this information back at the next meeting.
 - **B. Ferrier** asked why the project assumes it could potentially be utilizing UPRR owned tracks by 2012 if the UPRR did not intend to negotiate to sell any of its right-of-way. **P. Matsuoka** responded that trackage rights would be negotiated and that the service could still be operated on property owned by the UPRR. **B. Ferrier** stated that he recommended the team save time and money by focusing on developing the alternative to Newark since JPB has control over this portion of rail right-of-way.
 - **P. Matsuoka** stated that the staff recommendations were to include DMUs as a second option for the project equipment technology and that the vehicles would be FRA compliant.
 - **H. Wong** asked why the vehicle options were so limited. **W. Yang** replied that there is only one manufacturer of the complaint DMU.
 - **A. Ringham** asked if the low emission rating given to the DMU's was based on 2007 or 2012 modeling information. **W. Yang** responded that air quality information was based on 2007 information.
 - **H. Wong** stated that he was generally concerned about operational reliability of DMUs. He asked about how long Colorado Railcar been operating the DMUs. **W. Yang** responded since 2006.

- **S. Robinson** asked the group if they felt they had enough background to respond to the information or to make a recommendation. The group had a concern overall that issues related to timing of electrification coming online might delay project progress.
6. Member Comments
- **M. Fruth** stated that the importance of finding appropriate funding for mitigation efforts and sharing this concern with the PAC.
 - **T. Pitsker** asked if a copy of the UPRR/CCJPA trackage rights MOU could be obtained for him since it was a public document. **P. Matsuoka** agreed to investigate this issue and follow up.
 - **S. Robinson** stated that the next meeting would be an ad hoc meeting and that she would work with DRC staff to identify a date for the next meeting and that the topic would be chosen from the list in the September 19th CAP meeting minutes.
7. Time and Date of Next Meetings
- An ad hoc meeting would be scheduled in the West Bay. Time and place to be determined.
8. Adjourn
- Meeting adjourned at 9:35 pm

Attachments: Sign-In Sheet, Presentation