

Meeting:
DRC Citizen Advisory Panel

Date:
December 9, 2009

Location:
Silliman Community Center
6800 Mowry Avenue, Newark, CA

Time:
Meeting Start: 7:00 pm
Meeting Adjourn: 8:40 pm

Minutes Prepared By:
Wenlin Yang

Issue Date:
April 23, 2010

Attendees (sign-in sheet attached)	
<p><u>CAP Members</u> Mike Dubinsky, Fremont Tim Pitsker, Fremont – Vice Chair Barry Ferrier, Union City Malcolm Dudley, Atherton Mark Gonzales, Newark – Alternate Jim Bigelow, Redwood City Nancy Radcliffe, Redwood City Eric Hentschke, Newark, Arthur Ringham, Atherton Yen-Han Chen, Newark</p>	<p><u>Project Staff</u> Todd McIntyre, Joint Powers Board William Gimpel, Parson Brinckerhoff Wenlin Yang, Joint Powers Board</p> <p><u>Members of the Public</u></p>

Item No. Discussion

1. Summary Minutes of September 16, 2009 Meeting
 - i. M. Dubinsky requested correction on page 3 of the meeting minutes: item xvii line 3 - the wording of “should serve” need to be changed to “was intended to serve.”
 - ii. Minutes were approved with correction above.
2. Public Comments (None)
3. Review of the Policy Advisory Committee (PAC) agenda of December 18, 2009
W. Gimpel announced that the PAC Meeting will be held at 1 PM on Friday, December 18, 2009 at the Palo Alto City Council Chambers, and M. Lee from the PCJPB will facilitate the PAC meeting.

Project Manager Comments

W. Gimpel stated that M. Lee will give a brief update on the status of the Hetch Hetchy water pipeline replacement project and coordination with the California High Speed Rail project and Caltrain’s Peninsula Rail Program.

Reports of the Citizen Advisory Panel (CAP)

W. Gimpel inquired if T. Pitsker will be providing the CAP reports to the PAC. T. Pitsker said that he has a scheduling conflict. B. Ferrier said that he will provide the CAP report to the PAC.

Oakland Subdivision Negotiation Plan (CCJPA)

T. McIntyre stated that D. Kutrosky from the Capitol Corridor Joint Powers Authority (CCJPA) will be providing an update and a preliminary work plan associated with the UPRR Oakland Subdivision negotiations. Key points include the following:

- CCJPA has been requested by the PAC to take the lead on developing a negotiation plan for the UPRR Oakland Subdivision from the Industrial Connection (South

Hayward) to the Shinn Connection (Fremont) for Segment G of the Dumbarton Project. CCJPA has been working with BART Real Estate staff in the negotiation and has completed a preliminary proposed work plan that is estimated to cost approximately \$700,000.

- The estimate is high because the UPRR has indicated it wants to sell the entire Oakland Subdivision from Oakland (Fruitvale/Melrose) to Fremont (Shinn), not just the southern portion needed for Segment G of the project. There is only \$300,000 identified in the Dumbarton project budget for this negotiation effort, and no regional funds have been identified for the acquisition of the northern portion of the Oakland Subdivision right of way (ROW) north of the Industrial Connection.
- Capitol Corridor also is preparing a grant application to the Federal Rail Administration (FRA) High Speed Intercity Passenger Rail program (HSIPR) in spring 2010. The grant application will require 20% local matching fund for 80% federal grant. CCJPA does not plan to use the \$35M RM2 funding that has previously been considered as a local matching fund, but will likely use other state money and Union City Intermodal Station funding for this application.
- This will be presented as an information item to the PAC as CCJPA is not ready yet to request the negotiating funds from Dumbarton until the PAC examines and provides guidance on the larger issue of whether to engage in negotiations for only the Segment G portion needed for the Dumbarton project or the entire Oakland Subdivision. If the FRA application is successful, CCJPA will come back to the PAC for a specific budget allocation request.

The following discussions were had:

- T. Pitsker asked if the project has already engaged in negotiation with UPRR and if \$35M RM2 funding was set aside for the Segment G ROW acquisition. T. McIntyre replied that the CCJPA has been negotiating its own expansion projects with the UPRR, including the option of acquiring Segment G and shifting the Capitol Corridor route. \$35M RM2 money remains after \$91M was transferred to the BART Warm Springs project and it is not currently dedicated to any specific purpose.
- In response to T. Pitsker request for an update on UPRR's interests, T. McIntyre stated that the Niles connection bridge and the constraint of train slots on the Centerville line has been addressed in the environmental evaluation. T. McIntyre also stated that with the reduction in freight traffic during the recent economic downturn, UPRR has been more willing to negotiate passenger train slots on the Centerville line.
- W. Yang responded to questions about the Union City Intermodal Station, clarifying what is involved in the various phases of work and the current status of the project.
- T. McIntyre highlighted that bringing in outside funding will relieve some of the Dumbarton project funding shortfall.

Use of RM2 Operating Funds for Interim Bus Service (MTC)

W. Gimpel stated that the MTC will provide the following information to the PAC:

- \$5.5M has been set aside in the RM2 Operating Fund for the Dumbarton rail project.
- Up to \$5.5M can be reassigned annually if the project is declared infeasible. This will trigger a public hearing process for commission approval.
- A temporary reassignment of funding from rail to bus may present an issue in the future. When money eventually is returned to rail, bus patrons using the interim bus service funded by the \$5.5M will be impacted.

The following discussions were had:

- T. Pitsker asked why an interim bus enhancement proposal exists when funding partners like the VTA are no longer budgeting money for the capital project. Staff responded that the interim bus could help build transit ridership and service in the project corridor until the rail service can start.
- B Ferrier asked if the interim bus is the same as the TSM alternative in the environmental document. W. Gimpel clarified that Interim bus is an operating project and TSM is a low-cost capital project alternative that is required in the environmental document.
- J. Bigelow motioned that the CAP does not support seeking funding reassignments with MTC for the interim bus service until after the environmental document has been released and commented on by the public. N. Radcliffe seconded the motion.
- Staff suggested that it may be better to hear the presentation on the next agenda item since that will influence the environmental schedule and come back to discuss and decide on Mr. Bigelow's motion. T. Pitsker agreed and it was decided to table the vote on the motion.

Dumbarton Rail Technical Analysis

W. Gimpel presented the item with the following key points:

- Many changes have occurred in the Dumbarton Rail Corridor since the project was originally scoped, and its surrounding environment continues to change.
- Staff will continue to engage the major projects affecting the corridor, specifically the California High Speed Rail project, the Altamont Corridor Express project, and Capitol Corridor service expansion to monitor how these evolving projects may affect conditions in the Dumbarton corridor.
- Staff will investigate potential service level changes (such as more frequent service, extended service hours, etc.) within the currently defined project corridor (between Redwood City and Union City), and conduct sensitivity analyses with the patronage model to evaluate what changes may increase potential ridership.
- Staff also will investigate potential changes to the project corridor (serving additional travel markets beyond the Redwood City-Union City corridor), and again conduct sensitivity analyses with the patronage model to evaluate what changes may increase potential ridership.
- The draft budget for the technical analysis is \$300,000. However this will go up as PDT staff suggested that TSM alternatives also need to be refined and ridership reexamined. Project staff is in the process of updating the proposed scope and budget in order to incorporate PDT and CAP comments, and will present a new scope and estimate at the PAC meeting next week.

The following discussions were had:

- N. Radcliffe asked how long the analysis will take. W. Gimpel replied it is estimated to take six-to-nine months.
- B. Ferrier suggested staff look at weekend service as a part of the analysis.
- T. Pitsker asked if new alternatives will be developed. W. Gimpel stated yes.
- J. Bigelow stated that this project has evolved from \$129M in the late 1980s to over \$700M now. Although more updates and analysis may result in additional burden to the project, he is willing to support the additional analysis now and roll the dice in hoping to find a better future.
- Y. Chen and N Radcliffe were concerned that local jurisdiction land use plan updates are not yet accepted and incorporated into the ABAG projections (e.g. Newark and

Redwood City), and as such will they will not make it into the official data in the next six-to-nine months. They urged staff to consider factoring those into the analysis.

- CAP members provided their unanimous consent for staff recommendation on the technical analysis.
- A vote was taken on the motion to not support seeking interim bus funding until after the environmental documents go through public review and public inputs are provided. The motion failed 3-4-2 with M. Dudley, N. Radcliffe, and J. Bigelow voting yes; E. Hintschke, Y. Chen, M. Dubinsky and T. Pitsker voting no; and A. Ringham and B. Ferrier abstaining.

4. Member Comments and Member Requests (None)

5. Time and Date of Next Meetings

The next meeting was tentatively scheduled to be held on the Wednesday preceding the next PAC meeting at 7 pm. The date of the next PAC meeting was not yet determined.

6. Adjourn

Meeting adjourned at 8:40 pm

Attachments: Sign-in sheet